CITY OF ONTARIO

Regular City Council/Housing Authority Meeting
OCTOBER 18, 2022

City Hall
303 East B Street, Ontario, CA 91764

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

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

WELCOME TO A MEETING OF THE ONTARIO CITY COUNCIL

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

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

Comments will be limited to 3 minutes. Speakers will be alerted when they have 1 minute remaining and when their time is up. Speakers are then to return to their seats and no further comments will be permitted.

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

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

ACCOMODATIONS

If you need special assistance or accommodations to participate in this meeting, please contact

the City Clerk's office at 909-395-2009. Notification of 48 hours prior to the meeting will help the City make reasonable arrangements. Equipment for the hearing impaired is available in the Records Management Office.

ORDER OF BUSINESS

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

CALL TO ORDER *(OPEN SESSION)*

ROLL CALL

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

CLOSED SESSION PUBLIC COMMENT

The Closed Session Public Comment portion of the Council/Housing Authority meeting is limited to a maximum of 3 minutes for each speaker and comments will be limited to matters appearing on the Closed Session. Additional opportunities for further Public Comment will be given during and at the end of the meeting.

CLOSED SESSION

GC 54956.9 (d)(4), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION: One Case

ATTACHMENT: 20221018 Closed Session

PLEDGE OF ALLEGIANCE

Council Member Bowman

INVOCATION

Dr. Sylvia Lee Mann, Bethel Congregational Church

REPORT ON CLOSED SESSION

City Attorney

PUBLIC COMMENTS 6:30 P.M.

The Public Comment portion of the Council/Housing Authority meeting is limited to 30 minutes with each speaker given a maximum of 3 minutes. An opportunity for further Public Comment may be given at the end of the meeting. Under provisions of the Brown Act, Council is prohibited from taking action on oral requests.

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

AGENDA REVIEW/ANNOUNCEMENTS

The City Manager will go over all updated materials and correspondence received after the Agenda was distributed to ensure Council Members have received them. He will also make any necessary recommendations regarding Agenda modifications or announcements regarding Agenda items to be considered.

CONSENT CALENDAR

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

Each member of the public wishing to address the City Council on items listed on the Consent Calendar will be given a total of 3 minutes.

1. APPROVAL OF MINUTES

Minutes for the regular meetings of the City Council and Housing Authority of September 6, 2022 and September 20, 2022, and approving same as on file in the Records Management Department.

ATTACHMENT: 20220906 Minutes (Not Official Until Approved)
ATTACHMENT: 20220920 Minutes (Not Official Until Approved)

2. BILLS & PAYROLL

Bills September 3, 2022 through September 29, 2022, and Payroll August 28, 2022 through September 24, 2022 when audited by the Finance Committee.

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

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A REPORT REQUESTING THE PLACEMENT OF SPECIAL ASSESSMENTS ON PROPERTY TAX BILLS FOR CIVIL PENALTIES OR RECOVERY OF COSTS INCURRED FOR ABATEMENT OF VIOLATIONS OF CITY CODES AND ORDINANCES.

ATTACHMENT: Comm Imp Special Assessments for County Tax Rolls^ 01 RESO^RM
ATTACHMENT: Comm Imp Special Assessments for County Tax Rolls^02 EXH A.pdf
ATTACHMENT: Comm Imp Special Assessments for County Tax Rolls^03 EXH B.pdf
ATTACHMENT: Comm Imp Special Assessments for County Tax Rolls^04 EXH C.pdf

4. AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR VIDEO PRODUCTION SERVICES

That the City Council authorize the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Windsong Productions, LLC. increasing the not-to-exceed amount by $518,312 to $753,312 for the three-year contract term.

5. A PROFESSIONAL SERVICES AGREEMENT WITH RDC-S111, INC. FOR LANDSCAPE, ARCHITECTURE, AND URBAN DESIGN CONSULTING SERVICES

That the City Council authorize the City Manager to execute a Professional Services Agreement (on file in the Records Management Department) with RDC-S111, Inc. (a.k.a Studio 111), of Long Beach, California, in the amount of $241,762, for the Planned Unit Development and Mitigated Negative Declaration of West Euclid Avenue in Downtown Ontario.

6. DOWNTOWN ONTARIO RETAIL POP-UP PROGRAM

That the City Council:

A. Consider and Approve the Adoption of the Downtown Ontario Retail Pop-Up Program; and
B. Authorize the City Manager to make any necessary adjustments and execute all necessary documents to implement the Program.

ATTACHMENT: Retail_Pop_Up_Program_Guidelines^01 Attach A.docx

7. A CONSTRUCTION CONTRACT FOR THE TRAFFIC SIGNAL SYSTEMS AT CAMPUS AVENUE AT FRANCIS STREET AND CAMPUS AVENUE AT WALNUT STREET

That the City Council award a construction contract (on file in the Records Management Department) with KDC Inc. of Los Alamitos, California, for the construction of traffic signal

systems at Campus Avenue at Francis Street and Campus Avenue at Walnut Street (Project) in the amount of $1,367,397 and authorize the City Manager, or his designee, to execute said contract and all related documents, and file a notice of completion at the conclusion of construction activities.

8. AN AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH M JACK BROOKS, JD FOR FINANCIAL CONSULTING SERVICES

That the City Council authorize the City Manager to execute Amendment No. 6 adding $120,000 to the Professional Services Agreement (on file in the Records Management Department) with M Jack Brooks, JD, of Costa Mesa, California, for the provision of financial consulting services, for a revised contract authority of a not-to-exceed amount of $945,000 and term extension to June 30, 2023.

9. ESTABLISHING A BANK ACCOUNT FOR THE ONTARIO HOUSING AUTHORITY

That the City Council ("City") and the Board of the Ontario Housing Authority ("Authority") authorize the establishment of a bank account with the City's current operating bank. The bank account will be in the name of the Ontario Housing Authority.

10. AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH COLLABORATIVE SOLUTIONS, LLC.

That the City Council authorize the City Manager to execute an Amendment to the Professional Services Agreement (on file with the Records Management Department) with Collaborative Solutions, LLC., of Reston, Virginia, to include additional consulting services to incorporate Workday Financials On-Demand Services Support in the amount of $118,800 plus a 10% contingency of $11,880, for a revised not-to-exceed the amount of $3,978,587.

11. AN ORDINANCE APPROVING FILE NO. PZC19-001, A ZONE CHANGE AT 1063 EAST ELMA STREET

That the City Council consider and adopt an Ordinance approving File No. PZC19-001, a Zone Change amending the zoning designation on 0.07-acres of land from MDR-11 (Low-Medium Density Residential - 5.11 to 11.0 du/ac) to MDR-18 (Medium Density Residential - 11.1 to 18.0 du/ac), for property located at 1063 East Elma Street.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PZC19-001, A ZONE CHANGE AMENDING THE ZONING DESIGNATION ON 0.07-ACRE OF LAND FROM MDR-11 (LOW-MEDIUM DENSITY RESIDENTIAL – 5.1 TO 11.0 DU/AC) TO MDR-18 (MEDIUM DENSITY RESIDENTIAL – 11.1 TO 18.0 DU/AC) TO ENABLE THE RESIDENTIAL DEVELOPMENT OF A 0.28-ACRE PROJECT SITE, AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 1048-491-23.

ATTACHMENT: File No. PZC19-001^01 PC Backup
ATTACHMENT: File No. PZC19-001^02 ORD^RM

12. AUTHORIZE THE PURCHASE OF MOBILE HOME STRUCTURE FOR INTERIM FIRE STATION 11

That the City Council authorize the sole source purchase and delivery of one mobile home structure for the Fire Department in the amount of $208,042 from Wholesale Manufactured Homes, California. This structure will be used as sleeping quarters for Interim Fire Station 11.

13. A CONSTRUCTION CONTRACT AND A GOODS & SERVICES AGREEMENT FOR OMUC, PARKS AND MAINTENANCE, AND INTEGRATED WASTE OFFICE IMPROVEMENTS

That the City Council take the following actions:

A. Authorize the City Manager or his designee to execute Construction Contract No. D&C20-028 with M. Brey Electric, Inc. of Beaumont, California, for the Ontario Municipal Utilities Company (OMUC), Parks and Maintenance, and Integrated Waste Office Improvements Project in the amount of $420,000;
B. Authorize a 10% contingency of $42,000 to address any unforeseen issues that arise during construction;
C. Authorize the City Manager or his designee to execute a Goods and Services Agreement with Kirksey & Co. of Irvine, California, for OMUC, Parks and Maintenance, and Integrated Waste Office Improvements Project for the Furniture, Fixtures, and Equipment (FF&E), consistent with the terms and conditions of the cooperative purchasing contract with Omnia #R191804 in the amount of $369,583; and
D. Authorize the City Manager or his designee to execute all documents required for the completion of the project including, but not limited to, contracts, agreements, assessments, easements, reduction of retention accounts, and filing a notice of completion at the conclusion of all construction related activities.

14. A CONSTRUCTION CONTRACT AND TWO AMENDMENTS FOR THE PRESSURE REDUCING STATION REHABILITATION PROJECT

That the City Council take the following actions:

A. Approve the plans and specifications and award Contract No. UT 1041 (on file in the Records Management Department) to Innovative Construction Solutions Inc. of Costa Mesa, California, for the Pressure Reducing Station Project in the amount of $1,708,000 plus a 10% contingency of $170,800, for a total not-to-exceed amount of $1,878,800, a term of 180 calendar days after issuance of notice to proceed and authorize the City Manager, or his designee to execute said contract and file a notice of completion at the conclusion of all construction activities related to the project.
B. Approve and authorize the City Manager, or designee to execute Amendment No. 2 to the Professional Services Agreement (on file in the Records Management Department) with AKM Consulting Engineers Inc. of Irvine, California, for a total not-to-exceed amount of $129,088 for construction engineering services and a term from October 4, 2022 to September 30, 2023.
C. Approve and authorize the City Manager, or designee to execute Amendment No. 8 to the Professional Services Agreement (on file in the Records Management Department)

with Kleinfelder Inc. of Ontario, California, for a total not-to-exceed amount of $106,640 for construction management services and a term from October 4, 2022 to May 6, 2023.

ATTACHMENT: UT1041 PRV Rehabilitation Project Ph.1 Exhibit A.pdf

15. APPLICATION FOR THE US DEPARTMENT OF JUSTICE FISCAL YEAR 2022 COMMUNITY ORIENTED POLICING SERVICES HIRING PROGRAM GRANT

That the City Council authorize the City Manager or his designee to execute all documents necessary to apply for and accept a grant award in the amount of $1,250,000 from the US Department of Justice Office of Community Oriented Policing Services (COPS) to participate in the Fiscal Year (FY) 2022 Office Hiring Program (CHP) Grant.

16. FIFTH AMENDMENT TO THE CONSOLIDATED PLAN ANNUAL ACTION PLAN FOR THE 2019-20 PROGRAM YEAR

That the City Council approve the Fifth Amendment to the Consolidated Plan Annual Action Plan (on file in the Records Management Department) for the Program Year 2019-20 ("Substantial Amendment") and authorize the City Manager to take all actions necessary to implement the Substantial Amendment.

PUBLIC HEARINGS

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

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17. A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN (FILE NO. PSPA21-002) AND THE RELATED SUBSEQUENT FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2019050018)

That the City Council consider and adopt:

A. A Resolution certifying the Subsequent Environmental Impact Report (State Clearinghouse No. 2019050018) prepared for the Ontario Ranch Business Park Specific Plan Amendment, File No. PSPA21-002, which includes the adoption of a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program; and
B. A Resolution adopting an Amendment to the Ontario Ranch Business Park Specific Plan (File No. PSPA21-002).

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CERTIFYING THE ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN AMENDMENT FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2019050018), AND ADOPTING FINDINGS OF

OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PROGRAM, LOCATED WITHIN ONTARIO RANCH AND GENERALLY BORDERED BY EUCALYPTUS AVENUE TO THE NORTH, CAMPUS AVENUE TO THE EAST, MERRILL AVENUE TO THE SOUTH, AND SULTANA AVENUE TO THE WEST, AND MAKING FINDINGS IN SUPPORT THEREOF – APNS: 1054-041-01, 1054-041-02; 1054-031-01, 1054-031-02; 1054-261-01, 1054-261-02; 1054-291-01 AND 1054-291-02.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA21-002, AN AMENDMENT TO THE ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN, INCORPORATING PROPERTY ADJACENT TO THE EXISTING SPECIFIC PLAN AREA AND ESTABLISHING THE LAND USE DESIGNATIONS, DEVELOPMENT STANDARDS, AND GUIDELINES WHICH WILL GOVERN THE DEVELOPMENT OF 71.69 ACRES OF LAND GENERALLY BORDERED BY CAMPUS, SULTANA, MERRILL, AND EUCALYPTUS AVENUES, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1054-041-01, 1054-041-02, 1054-031-01, 1054-031-02, 1054-261-01, 1054-261-02, 1054-291-01, AND 1054-291-02.

ATTACHMENT: File No PSPA21-002^02 AR Exhibits A,B & C
ATTACHMENT: File No PSPA21-002^03 AR Exhibit D
ATTACHMENT: File No PSPA21-002^04 PC Backup
ATTACHMENT: File No PSPA21-002^05 EIR RESO^RM
ATTACHMENT: File No PSPA21-002^06 EIR RESO Exhibit A FEIR
ATTACHMENT: File No PSPA21-002^07 EIR RESO Exhibit B FEIR MMRP
ATTACHMENT: File No PSPA21-002^08 RESO^RM
ATTACHMENT: File No PSPA21-002^09 RESO-SPA Attach A

STAFF MATTERS

City Manager Ochoa

COUNCIL MATTERS

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

ADJOURNMENT

CITY OF ONTARIO
CLOSED SESSION REPORT
City Council // Housing Authority // Other // *(GC 54957.1)*
October 18, 2022

ROLL CALL: Wapner _, Bowman _, Dorst-Porada _, Valencia _, Mayor / Chairman Leon _.

STAFF: City Manager / Executive Director __, City Attorney __

In attendance: Wapner _, Bowman _, Dorst-Porada _,Valencia _, Mayor / Chairman Leon _.

- GC 54956.9 (d)(4), CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION: One Case

No Reportable Action	Continue	Approved
/ /	/ /	/ /

Disposition: _____

Reported by:

_____
City Attorney / City Manager / Executive Director

ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
SEPTEMBER 6, 2022
(Not Official Until Approved)

JOINT MEETINGS

The regular meetings of the Ontario City Council and Housing Authority were held on Tuesday, September 6, 2022 at Ontario City Hall, 303 E. B Street Ontario, California.

CALL TO ORDER

Mayor Leon called the joint meetings to order at 6:00 p.m.

ROLL CALL

PRESENT:	Mayor/Chairman	Paul S. Leon
	Mayor pro Tem/Vice Chair:	Alan D. Wapner
	Council/Authority Members:	Jim W. Bowman, Debra Dorst-Porada and Ruben Valencia
ABSENT:	Council/Authority Members:	None.

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

CLOSED SESSION PUBLIC COMMENT

Mayor Leon inquired whether persons were present who wished to speak to the Closed Session item. Hearing no one, City Attorney Duran announced the matters for discussion as listed on the agenda, and the City Council recessed to Closed Session at 6:01 p.m. for discussion of the following:

- GC 54656.9(d)(1), CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION Robles, et al. v. City of Ontario et al., Case No. CIVDS 2007038

CALL TO ORDER – OPEN SESSION

Mayor Leon called the meetings to order at 6:31 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Valencia.

INVOCATION

The invocation was led by pastor Daniel Ventura, with Ontario United Reformed Church.

REPORT ON CLOSED SESSION

City Attorney Duran stated there was no reportable action.

PUBLIC COMMENTS

Loree Masonis, spoke on state issues.

Ariana Lomeli, spoke on school safety.

Stephanie, spoke on the City's successful Hush Party.

Chris Robles, presented an additional map for districting.

Sal Gray, announced upcoming events in the community.

SPECIAL CEREMONIES

PROCLAMATION OF SEPTEMBER 2022 AS NATIONAL PREPAREDNESS MONTH

Mayor Leon declared September 2022 as National Preparedness Month and presented Emergency Manager Sagar Patel with the proclamation.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa announced the applicant and staff's request to continue Item No. 11, A Public Hearing To Consider An Ordinance For A Planned Unit Development to the next regularly scheduled meeting.

CONSENT CALENDAR

Council Member Bowman noted there was not a conflict of interest, but recused himself out of an abundance of caution.

MOTION: Moved by Council Member Dorst-Porada, seconded by Mayor pro Tem Wapner and carried by unanimous vote 4-0, to approve the Consent Calendar as presented, with Council Member Bowman recused.

1. APPROVAL OF MINUTES

Minutes for the Regular Meetings of the City Council and Housing Authority of August 2, 2022, approving the same as on file in the Records Management Department.

2. BILLS & PAYROLL

Bills from July 31, 2022 through August 19, 2022 in the amount of $16,932,451.94 and Payroll from July 17, 2022 through August 13, 2022 in the amount of $8,157,877.49, when audited by the Finance Committee.

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

The City Council approved and authorized the City Manager, or his designee, to execute Amendment No. 10 to the on-call Design Services Agreement with Infrastructure Engineering Corporation of Poway, California, to provide engineering design services for the Fourth Street Storm Drain Project in the amount of $209,930 for a revised not-to-exceed total of $1,565,872.

4. A GOODS AND SERVICES AGREEMENT FOR THE UTILITIES CUSTOMER SERVICES CENTER AUTOMATED MAIL EXTRACTION AND SCANNING WORKSTATION

The City Council approved and authorized a three year Goods and Services Agreement with OPEX Co., of Moorestown, New Jersey, for the Utilities Customer Services Center (UCSC) Automated Mail Extraction and Scanning Workstation and Annual Maintenance and License costs in the amount of $141,008, and authorized the City Manager to execute the Agreement and future amendments within the authorization limits.

5. AN ON-CALL SERVICES CONTRACT FOR UTILITY TRENCH PAVING

The City Council took the following actions:

A. Rejected PAVECO Construction Inc.'s protest against G.M. Sager Construction Inc. in its entirety;
B. Authorized the City Manager to execute an On-Call Services Contract for up to five years with G.M. Sager Construction Inc., of Pomona, California, for On-Call and Emergency Utility Trench Paving for a not-to-exceed amount $1,695,512.

6. A PROFESSIONAL SERVICES AGREEMENT FOR CHANGE MANAGEMENT, DEVELOPMENT AND IMPLEMENTATION OF A PARTNER TECHNOLOGY SUCCESS PROGRAM, AND STAFF LEADERSHIP DEVELOPMENT

The City Council authorized the City Manager to execute a three-year Professional Services Agreement with Steelbridge Solutions, Inc., of Eastwood, Kentucky, for consulting services, change management, development and implementation of a partner technology success program, and technology sta leadership development programs for a total not to exceed $300,000.

7. QUIT CLAIM DEED AND A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 20389

The City Council:

A. Authorized the City Manager to execute a Quit Claim Deed to Lennar Homes of California, LLC, for fee title ownership of a portion of Merrill Avenue; and
B. Adopted a Resolution approving an Improvement Agreement, Improvement Security and Final Tract Map No. 20389, located south of Merrill Avenue, west of Haven Avenue.

RESOLUTION NO. 2022-135 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 20389 LOCATED SOUTH OF MERRILL AVENUE, WEST OF HAVEN AVENUE.

8. AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR CONSULTING SERVICES TO MANAGE AND MAINTAIN THE CITY'S ENTERPRISE GEOGRAPHIC INFORMATION SYSTEM

The City Council authorized the City Manager to execute an Amendment to the current Agreement with Geographic Information Services, INC., Birmingham, Alabama, for consulting services to manage and maintain the City's Enterprise Geographic Information System (GIS) for a total not to exceed amount of $200,000 and extend the terms for one year.

9. PURCHASE OF NEW REPLACEMENT HELICOPTER AND EQUIPMENT

The City Council authorized the City Manager to execute a sole source purchase contract with Airbus Helicopters of Grand Prairie, Texas in the amount of $4,100,000 for the purchase of a new helicopter; and authorize the City Manager to execute an Agreement with Hangar One, of Carlsbad, California in the amount of $2,152,341 for the purchase and installation of specialized helicopter equipment.

10. SECOND AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE ONTARIO HOUSING AUTHORITY AND ONTARIO EMPORIA II HOUSING PARTNERS, L.P.; AND SECOND AMENDMENT TO THE GRANT AGREEMENT BETWEEN THE CITY OF ONTARIO AND THE ONTARIO HOUSING AUTHORITY, IN AN AMENDED AMOUNT NOT TO EXCEED $11,500,000.

The City Council ("City") and the Board of the Ontario Housing Authority ("Authority"):

A. Adopted the Resolutions approving the Second Amendment to the Disposition and Development Agreement ("Second Amendment to DDA") between the

Housing Authority and Ontario Emporia II Housing Partners, L.P. ("Developer") (on file with Records Management Department);

B. Approved the Second Amendment to City Grant Agreement ("Second Amendment to Grant Agreement") between the City and the Authority, providing a grant in an amended amount not to exceed $11,500,000; and
C. Authorized the City Manager/Executive Director or his designee to sign all documents necessary to implement the Agreements.

RESOLUTION NO. OHA–111 A RESOLUTION OF THE ONTARIO HOUSING AUTHORITY OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A SECOND AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE ONTARIO HOUSING AUTHORITY AND ONTARIO EMPORIA II HOUSING PARTNERS, L.P. AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH.

RESOLUTION NO. 2022-136 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THAT CERTAIN SECOND AMENDMENT TO CITY GRANT AGREEMENT [EMPORIA PHASE II MULTIFAMILY DEVELOPMENT] CONCERNING THE GRANT OF STATE AND DEVELOPER IN-LIEU FEE FUNDS TO THE ONTARIO HOUSING AUTHORITY FOR THE EMPORIA PHASE II AFFORDABLE HOUSING PROJECT.

RESOLUTION NO. OHA–112 A RESOLUTION OF THE ONTARIO HOUSING AUTHORITY OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THAT CERTAIN SECOND AMENDMENT TO CITY GRANT AGREEMENT [EMPORIA PHASE II MULTIFAMILY DEVELOPMENT] CONCERNING THE GRANT OF STATE AND DEVELOPER IN-LIEU FEE FUNDS TO THE ONTARIO HOUSING AUTHORITY FOR THE EMPORIA PHASE II AFFORDABLE HOUSING PROJECT.

PUBLIC HEARINGS

11. A PUBLIC HEARING TO CONSIDER AN ORDINANCE FOR A PLANNED UNIT DEVELOPMENT (FILE NO. PUD20-001) TO ESTABLISH DEVELOPMENT STANDARDS, DESIGN GUIDELINES, AND INFRASTRUCTURE REQUIREMENTS FOR THE DEVELOPMENT OF 0.81-ACRES OF LAND LOCATED AT 549 WEST HOLT BOULEVARD

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department. There was one written communication from Steven Thong.

Mayor Leon opened the public hearing and announced the need to continue the item to the next regular meeting.

MOTION: Moved by Mayor Leon, seconded by Council Member Bowman and carried by unanimous vote 5-0, to continue the item to the next meeting.

12. A PUBLIC HEARING TO CONSIDER FILE NO. PCUP21-009, A CONDITIONAL USE PERMIT TO ESTABLISH A 128-ROOM LIMITED-SERVICE HOTEL ON 1.83 ACRES OF LAND LOCATED AT 5060 EAST FOURTH STREET

The City Council considered and adopted a Resolution approving the Conditional Use Permit, File No. PCUP21-009, establishing a 128-room limited-service hotel located at 5060 East Fourth Street.

RESOLUTION NO. 2022-137 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCUP21-009, A CONDITIONAL USE PERMIT TO ESTABLISH AND OPERATE A 128-ROOM LIMITED-SERVICE HOTEL ON 1.83 ACRES OF LAND LOCATED AT 5060 EAST FOURTH STREET, WITHIN THE FREEWAY COMMERCIAL LAND USE DISTRICT OF THE EXCHANGE SPECIFIC PLAN AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 0238-012-30.

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department. There were no written communications.

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

MOTION: Moved by Council Member Dorst-Porada, seconded by Council Member Valencia and carried by unanimous vote 5-0, to adopt Resolution No. 2022-137.

13. A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE ONTARIO GATEWAY SPECIFIC PLAN

The City Council considered and adopted a Resolution approving File No. PSPA22-003, an Amendment the Ontario Gateway Specific Plan, modifying Table 2.B (Permitted Land Uses by Planning areas) to allow "Auto Sales and Services" as a permitted land use in the O□ce Planning Area 1 land use district.

RESOLUTION NO. 2022-138 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA22-003, AN AMENDMENT TO THE ONTARIO GATEWAY SPECIFIC PLAN, MODIFYING TABLE 2.B (PERMITTED LAND USES BY PLANNING AREAS) TO ALLOW "AUTO SALES AND SERVICES" AS A PERMITTED LAND USE IN THE OFFICE PLANNING AREA 1 LAND USE DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF.

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department. There were no written communications.

Mayor Leon inquired if anyone was interested in speaking to the item, hearing no speakers, he opened the item for Council discussion.

MOTION: Moved by Council Member Bowman, seconded by Council Member Dorst-Porada and carried by unanimous vote 5-0, to adopt Resolution No. 2022-138.

STAFF MATTERS

City Manager Ochoa made no announcements.

COUNCIL MATTERS

Council Member Valencia spoke on the Route 66 Cruisin Reunion event and congratulated the CERT team.

Council Member Bowman spoke on the City of Ontario being a unique work family that delivers the best service to the community.

Mayor pro Tem Wapner made no comments.

Council Member Dorst-Porada spoke on the success of the CERT program and thanked staff for their work and announced upcoming events.

Mayor Leon spoke on the Climatec ribbon cutting event and stated a request by Colony High School to proclaim September 9, 2022 as Bobby Joseph Wagner Day.

EMERGENCY ITEM ADDED TO THE AGENDA

Motion made by Council Member Bowman to add an emergency item to agenda given that action was required prior to the next regular meeting.

MOTION: Moved by Council Member Bowman, seconded by Council Member Dorst-Porada and carried by unanimous vote 5-0, to add an emergency item to the agenda.

PROCLAMATION OF SEPTEMBER 9, 2022 AS BOBBY JOSEPH WANGER DAY

Mayor Leon declared September 9, 2022 as Bobby Joseph Wagner day.

MOTION: Moved by Mayor Leon, seconded by Council Member Bowman and carried by unanimous vote 5-0, to declare September 9, 2022 as Bobby Joseph Wanger day.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:04 p.m. in memory of Retired Battalion Chief David Anthony Woeste and Fire Engineer Curtis Trevor Gold and announced the next regular meeting to be held on Tuesday, September 20, 2022.

Respectfully submitted,

_____
SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:

_____
PAUL S. LEON, MAYOR/CHAIRMAN

ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
SEPTEMBER 20, 2022
(Not Official Until Approved)

JOINT MEETINGS

The regular meetings of the Ontario City Council and Housing Authority were held on Tuesday, September 20, 2022 at Ontario City Hall, 303 E. B Street Ontario, California.

CALL TO ORDER

Mayor Leon called the joint meetings to order at 6:30 p.m.

ROLL CALL

PRESENT:	Mayor/Chairman	Paul S. Leon
	Mayor pro Tem/Vice Chair:	Alan D. Wapner
	Council/Authority Members:	Jim W. Bowman, Debra Dorst-Porada and Ruben Valencia
ABSENT:	Council/Authority Members:	None.

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

PLEDGE OF ALLEGIANCE

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

INVOCATION

The invocation was led by Elder Ernest Benion Jr., The Church of God.

PUBLIC COMMENTS

Lizbeth Hernandez, invited City Council to participate in National Walk to School Day on October 12, 2022.

Clement Flores, spoke on concerns regarding integrated waste pick up.

Jesse Fonseca, spoke on issues regarding the Ontario International Airport Authority.

Karen Houghey, Representative for San Bernardino County Board Supervisor Curt Hagman invited City Council to a local shredding event.

Jonas Narris, requested a four way stop at East 6th Street and Columbia Avenue.

AGENDA REVIEW/ANNOUNCEMENTS

City Manager Ochoa announced the need to continue Item No. 13 to a future meeting.

CONSENT CALENDAR

MOTION: Moved by Council Member Bowman, seconded by Council Member Valencia and carried by unanimous vote 5-0, to approve the Consent Calendar as presented.

1. APPROVAL OF MINUTES

Minutes for the Regular Meetings of the City Council and Housing Authority of August 16, 2022 approving the same as on file in the Records Management Department.

2. BILLS & PAYROLL

Bills from August 20, 2022 through September 2, 2022 in the amount of $19,630,721.13 and Payroll from August 14, 2022 through August 27, 2022 in the amount of $3,967,369.02, when audited by the Finance Department.

3. A RESOLUTION APPROVING A SUBDIVISION IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY, AND FINAL TRACT MAP NO. 20399, LOCATED AT THE SOUTHEAST CORNER OF ARCHIBALD AVENUE AND ONTARIO RANCH ROAD

The City Council adopted a Resolution approving a Subdivision Improvement Agreement, Improvement Security, and Final Tract Map No. 20399, located at the southeast corner of Archibald Avenue and Ontario Ranch Road, within the Grand Park Specific Plan.

RESOLUTION NO. 2022-139 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A SUBDIVISION IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY, AND FINAL TRACT MAP NO. 20399, LOCATED AT THE SOUTHEAST CORNER OF ARCHIBALD AVENUE AND ONTARIO RANCH ROAD.

4. A RESOLUTION ADOPTING THE MEASURE I FIVE-YEAR CAPITAL PROJECT NEEDS ANALYSIS FOR FISCAL YEARS 2023-24 TO 2027-28

The City Council considered and adopted a Resolution approving the FY 2023-24 through FY 2027-28 Measure I Five-Year Capital Project Needs Analysis (CPNA) and authorized the City Manager to approve changes to the plan as may be required by the City and/or San Bernardino County Transportation Authority (SBCTA).

RESOLUTION NO. 2022-140 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING THE MEASURE I FIVE-YEAR CAPITAL PROJECT NEEDS ANALYSIS FOR FY2023-24 TO FY2027-28.

5. CONTRACT AMENDMENT FOR A PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING DESIGN SERVICES FOR VARIOUS TRANSFORMATIVE CLIMATE COMMUNITIES (TCC) ACTIVE TRANSPORTATION PROJECTS

The City Council approved and authorized the City Manager, or his designee, to execute an Amendment to the Professional Services Agreement (on file in the Records Management Department) with Parsons Transportation Group, Inc., of Ontario, California, to provide Engineering Design Services for various TCC active transportation projects in the amount of $165,500, for a revised not-to-exceed amount of $777,001.

6. A CONSTRUCTION CONTRACT, A PROFESSIONAL SERVICES AGREEMENT AND TWO AMENDMENTS FOR THE SAN ANTONIO TRANSMISSION WATER MAIN PHASE 2 PROJECT

The City Council took the following actions:

A. Rejected CP Construction Co. Inc.'s bid for the San Antonio Transmission Water Main Phase 2 Project for being nonresponsive; and
B. Approved the plans and specifications and award Contract No. UT 1046 (on file in the Records Management Department) to James W. Fowler Co. of Dallas, Oregon, for the construction of the San Antonio Transmission Water Main Phase 2, in the amount of $7,995,255 plus a 10% contingency of $799,526, for a total not-to-exceed amount of $8,794,781, a term of 300 calendar days after issuance of notice to proceed and authorized the City Manager, or his designee to execute said contract and file a notice of completion at the conclusion of all construction activities related to the project; and
C. Approved and authorized the City Manager, or his designee to execute a Professional Services Agreement (on file in the Records Management Department) with Petra Geosciences, of Costa Mesa, California, for a total not-to-exceed amount of $257,175 and a term of 300 calendar days after issuance of notice to proceed for geotechnical and material testing services; and
D. Approved and authorized the City Manager, or his designee to execute Amendment No. 11 to the Professional Services Agreement (on file in the Records Management Department) with Infrastructure Engineering Corporation (IEC), of Irvine, California, for a total not-to-exceed amount of $147,291 for construction engineering services and a term from September 20, 2022 to May 3, 2023; and
E. Approved and authorized the City Manager, or his designee to execute Amendment No. 7 to the Professional Services Agreement (on file in the Records Management Department) with Wallace and Associates Consulting,

Inc., of Murrieta, California, for a total not-to-exceed amount of $214,872 for construction management services and a term from September 20, 2022 to September 30, 2023.

7. TWO AMENDMENTS TO PROFESSIONAL SERVICES AGREEMENTS FOR LEGAL AND TECHNICAL SERVICES PERTAINING TO WATER AND WASTEWATER MATTERS

The City Council took the following actions:

A. Approved and authorized the City Manager or his designee to execute Amendment No. 5 to the Professional Services Agreement (on file in the Records Management Department) with Nossaman LLP of Los Angeles, California, for a term of 2 years with a not-to-exceed amount of $2,500,000 for legal and technical services with respect to matters relating to sewer disposal, water supply, and water rights; and
B. Approved and authorized the City Manager or his designee to execute Amendment No. 1 to the Professional Services Agreement (on file in the Records Management Department) with Stoel Rives LLP of Sacramento, California, for a term of 2 years with a not-to-exceed amount of $365,000 for legal and financial assessments services with respect to matters relating to sewer disposal, water supply, and water rights.

8. PROFESSIONAL SERVICES AGREEMENTS FOR ON-CALL WATER AND SEWER ENGINEERING SERVICES

The City Council took the following actions:

A. Approved and authorized the City Manager, or his designee to execute a Professional Services Agreement (on file in the Records Management Department) with Ardurra Group, Inc., of Tampa, Florida, for up to 5 years with a total not-to-exceed amount of $90,000 for on-call water and sewer engineering services; and
B. Approved and authorized the City Manager, or his designee to execute a Professional Services Agreement (on file in the Records Management Department) with AKM Consulting Engineers, Inc., of Irvine, California, for up to 5 years with a total not-to-exceed amount of $90,000 for on-call water and sewer engineering services; and
C. Approved and authorized the City Manager, or his designee to execute a Professional Services Agreement (on file in the Records Management Department) with Stantec Consulting Services, Inc., of Irvine, California, for up to 5 years with a total not-to-exceed amount of $90,000 for on-call water and sewer engineering services.

9. AN ENTERPRISE LICENSE AGREEMENT WITH ESRI, INC.

The City Council authorized the City Manager to execute a three-year License Agreement (on-file with the Records Management Department) with ESRI, INC., of Redlands, California, for a Citywide Enterprise License Agreement for Geographic Information System (GIS) software, in an amount not to exceed $573,279.

10. A RESOLUTION AMENDING THE APPENDIX TO THE CITY OF ONTARIO CONFLICT OF INTEREST CODE

The City Council adopted a Resolution amending the Appendix to the Conflict of Interest Code to update position classification titles and filing requirements for City employees.

RESOLUTION NO. 2022-141 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AND ADOPTING AN AMENDED APPENDIX OF THE CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974.

PUBLIC HEARINGS

11. A PUBLIC HEARING TO RECEIVE TESTIMONY AND ADOPT THE CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR THE 2021-22 FISCAL YEAR

The City Council took the following actions:

A. Held a public hearing to receive testimony on the draft Consolidated Annual Performance and Evaluation Report (CAPER) for the 2021-22 Fiscal Year (on file in the Records Management Department); and
B. Directed staff to prepare and transmit to the U.S. Department of Housing and Urban Development (HUD) the final CAPER, which will address all public comments received on the draft CAPER; and
C. Authorized the City Manager to execute any and all documents necessary and/or desirable to transmit the CAPER to HUD.

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department. There were no written communications.

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

MOTION: Moved by Council Member Bowman, seconded by Mayor pro Tem Wapner and carried by unanimous vote 5-0, to receive testimony and adopt the Consolidated Annual Performance and Evaluation Report (CAPER) for 2021-22 Fiscal Year.

12. A PUBLIC HEARING TO CONSIDER AN ORDINANCE APPROVING FILE NO. PZC19-001, A ZONE CHANGE AT 1063 EAST ELMA STREET

The City Council introduced and waived further reading of an Ordinance approving File No. PZC19-001, a Zone Change amending the zoning designation on 0.07-acres of land from MDR-11 (Low-Medium Density Residential - 5.11 to 11.0 du/ac) to MDR-18 (Medium Density Residential - 11.1 to 18.0 du/ac), for property located at 1063 East Elma Street.

ORDINANCE NO. 3223 (FIRST READING) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PZC19-001, A ZONE CHANGE AMENDING THE ZONING DESIGNATION ON 0.07-ACRE OF LAND FROM MDR-11 (LOW-MEDIUM DENSITY RESIDENTIAL – 5.1 TO 11.0 DU/AC) TO MDR-18 (MEDIUM DENSITY RESIDENTIAL – 11.1 TO 18.0 DU/AC) TO ENABLE THE RESIDENTIAL DEVELOPMENT OF A 0.28-ACRE PROJECT SITE, AND MAKING FINDINGS IN SUPPORT THEREOF - APN: 1048-491-23.

Notice of public hearing was duly given and affidavits of compliance are on file in the Records Management Department. There were two written communications from Brian Sarina and Broque Anderson in opposition to the item.

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

MOTION: Moved by Council Member Bowman, seconded by Council Member Wapner and carried by a 4-1 vote, with Council Member Dorst-Porada opposed, to introduce Ordinance No. 3223.

13. A PUBLIC HEARING TO CONSIDER AN ORDINANCE FOR A PLANNED UNIT DEVELOPMENT (FILE NO. PUD20-001) TO ESTABLISH DEVELOPMENT STANDARDS, DESIGN GUIDELINES, AND INFRASTRUCTURE REQUIREMENTS FOR THE DEVELOPMENT OF 0.81-ACRE OF LAND LOCATED AT 549 WEST HOLT BOULEVARD

The City Council continued the public hearing to a future meeting.

STAFF MATTERS

City Manager Ochoa made no comments.

COUNCIL MATTERS

Council Member Dorst-Porada announced upcoming events.

Mayor pro Tem Wapner thanked Staff regarding Route 66 and provided updates regarding Ontario International Airport Authority updates.

Mayor Leon spoke on the success of the Route 66 car show and spoke on September 9th as Bobby Wagner Day.

Council Member Bowman congratulated the Convention Center and Staff for the Route 66 event.

Council Member Valencia echoed City Council's sentiments regarding the success of the Route 66 event.

Mayor pro Tem announced Yom Kippur was on October 4, 2022, and sought and received concurrence to cancel the next regular meeting.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 7:00 p.m. and announced the Tuesday, October 4, 2022 was cancelled in observance of Yom Kippur.

Respectfully submitted,

_____
SHEILA MAUTZ, CITY CLERK/SECRETARY

APPROVED:

_____
PAUL S. LEON, MAYOR/CHAIRMAN

CITY OF ONTARIO *Agenda Report* **October 18, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Community Improvement Prepared By: Douglas J Sorel Staff Member Presenting: Scott Murphy, Executive Director Community Development Approved By: 	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 3

SUBJECT: A RESOLUTION FOR PLACEMENT OF SPECIAL ASSESSMENTS ON THE SAN BERNARDINO COUNTY TAX ROLLS

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

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner
Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: The levy of special assessments will result in the recovery of $39,081.99 in costs that the City has expended for inspection or abatement of property violations, as well as the collection of $28,739.00 associated with civil penalties and/or fines for continued violations, for a total of $67,820.99 related to 96 parcels. When received, these reimbursements will be deposited into the General Fund. The special assessment revenue is included in the Fiscal Year 2022-23 Adopted Budget.

BACKGROUND & ANALYSIS: The City has established revolving funds to cover the City costs for abatement of property and dangerous building violations as a result of Community Improvement activities. Additionally, the City has established administrative citations and fines for property maintenance violations and fees and penalties associated with the Systematic Health and Safety Inspection Program, Abandoned and Distressed Property Program, and Weed and Refuse Abatement Program. These costs, fines, fees, and penalties are recovered through placement of special tax assessments upon the properties. The placement of special assessments and collection of revenue is done under Ordinance 3046, Property Appearance (Title 5, Chapter 22 of the Ontario Municipal Code); Chapter 9 of the Uniform Code for the Abatement of Dangerous Buildings; and, Ordinance 2920 for civil penalties for continued violations of the Ontario Municipal Code and fines associated with administrative citations (Title 1, Chapters 2 and 5 of the Ontario Municipal Code). The City and County currently have a contractual agreement regarding implementation of special assessments; however, a Resolution authorizing the placement of the specific assessments is

required.

During this assessment cycle, the Community Improvement Department has billed property owners for: the abatement of violations; the issuance of fines associated with administrative citation; the issuance of fees and penalties associated with the Systematic Health and Safety Inspection Program; the issuance of registration fees and civil penalties associated with the Abandoned and Distressed Property Program; the issuance of notice and re-inspection fees; and, civil penalties for the Weed and Refuse Abatement Program on 446 parcels. Of these, there are remaining amounts due on 96 parcels. Attached are itemized accounts of: (1) costs associated with inspection or abatement as shown in Exhibit A of the Resolution; (2) civil penalties and/or fines for continued violations as shown in Exhibit B of the Resolution; and (3) total amounts per parcel as shown in Exhibit C of the Resolution. All affected property owners were given notice of the imposition of special assessments via certified mail as provided in Ontario Municipal Code Section 1-4.05(a) and have either not requested an appeal or have exhausted the appellate procedure in Ontario Municipal Code Section 1-4.05(b).

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING A REPORT REQUESTING THE PLACEMENT OF SPECIAL ASSESSMENTS ON PROPERTY TAX BILLS FOR CIVIL PENALTIES OR RECOVERY OF COSTS INCURRED FOR ABATEMENT OF VIOLATIONS OF CITY CODES AND ORDINANCES.

WHEREAS, Ordinance No. 3046, Property Appearance (Title 5, Chapter 22, of the Ontario Municipal Code) and Chapter 9 of the Uniform Code for the Abatement of Dangerous Buildings provide for the abatement of property nuisances by repair, rehabilitation, demolition or removal; and

WHEREAS, under Resolution 94-112, Resolution ORA-499, and the Cooperation and Reimbursement Agreement entered into on the 15th day of November, 1994, by the City of Ontario and the Ontario Redevelopment Agency, the Ontario Redevelopment Agency made a one-time advance to the City of One Hundred Fifty Thousand Dollars ($150,000) to repair or abate dangerous buildings and properties throughout the City; and

WHEREAS, under a first amendment to the Cooperation and Reimbursement Agreement entered into on the 16th day of July 1996, by the City of Ontario and the Ontario Redevelopment Agency, the Ontario Redevelopment Agency made an additional advance to the City of One Hundred Thousand Dollars ($100,000) to continue to repair or abate dangerous buildings and properties throughout the City; and

WHEREAS, under Resolution 94-113, Resolution ORA-500, and the Cooperation and Reimbursement Agreement entered into on the 15th day of November 1994, by the City of Ontario and the Ontario Redevelopment Agency, the Ontario Redevelopment Agency made a one-time advance to the City of Thirty Thousand Dollars ($30,000) to repair or abate dangerous buildings and properties in the 6th and Grove area; and

WHEREAS, under Resolution 94-12, Resolution ORA-464, and the Cooperation and Reimbursement Agreement entered into on the 22nd day of February 1994, by the City of Ontario and the Ontario Redevelopment Agency, the Ontario Redevelopment Agency made a one-time advance to the City of One Hundred Fifty Thousand Dollars ($150,000) to repair or demolish dangerous buildings throughout the City; and

WHEREAS, Ordinance No. 2894, Systematic Health and Safety Inspection Program (Title 8, Chapter 17, of the Ontario Municipal Code), provides for the collection of unpaid service fees, plus any penalties and accrued interest by Special Assessment; and

WHEREAS, Ordinance No. 2920, provides for the assessment of civil penalties for continued violations of the Ontario Municipal Code (Title 1, Chapter 2 of the Ontario Municipal Code), and for fines associated with administrative citations to be collected by Special Assessment (Title 1, Chapter 5 of the Ontario Municipal Code), and establishes a uniform procedure before imposing such Special Assessments (Title 1, Chapter 4 of the Ontario Municipal Code); and

WHEREAS, the above said ordinances, resolutions and agreements provide for recovery of costs incurred in the abatement of violations by means of a Special Assessment placed on the tax rolls; and

WHEREAS, the City has incurred costs involved in the abatement of violations under the Ontario Municipal Code and Uniform Code for the Abatement of Dangerous Buildings, issuing Notices of Violation, and administering the Systematic Health and Safety Program and wishes to recover said costs; and

WHEREAS, the owners of all parcels listed in Exhibit A, B, and C were given notice of imposition of such Special Assessment as provided in Ontario Municipal Code Section 1-4.05(a), and either have not requested an appeal, or have exhausted the appellate procedure provided in Ontario Municipal Code Section 1-4.05(b); and

WHEREAS, the City has an executed contract with the San Bernardino County Board of Supervisors for collection of said assessments;

NOW, THEREFORE, BE IT RESOLVED that the City Council:

1. Confirmed the costs associated with inspection or abatement on the properties as set forth in the report in Exhibit A; and

2. Confirmed the civil penalties and/or fines for continued violations on the properties as set forth in the report in Exhibit B; and

3. Confirmed that Exhibit C contains the total amount assessed for both confirmed costs and confirmed civil penalties and/or fines for each of the properties; and

4. Found and determined that the report, and Exhibits contained therein are true and accurate; and

5. Adopts the above said report and finds that the costs of inspection or abatement on the properties listed are the costs set forth in Exhibit A, the civil penalties and/or fines for continued violations are the penalties and/or fines as set forth in Exhibit B, and the same are hereby charged and placed as special assessments upon the respective properties; and

6. Directs Exhibit C shall be sent to the Auditor-Controller of San Bernardino County and shall be collected on the County tax roll.

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

PASSED, APPROVED, AND ADOPTED this 18th day of October 2022.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2022- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held October 18, 2022, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2022- duly passed and adopted by the Ontario City Council at their regular meeting held October 18, 2022.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

City of Ontario
Community Improvement Department
2023/2024 Tax Roll Year Special Assessments
Exhibit A - Costs Associated with Inspection or Abatement

Parcel Number	Address	Amount Due
0108-412-18	1722 N DEL NORTE AV, Ontario, CA 91764	91.00
0108-611-08	1380 E SEVENTH ST, Ontario, CA 91764	91.00
0110-071-07	1381 E HOLT BL, Ontario, CA 91761	91.00
0110-272-16	1346 E EL MORADO CT, Ontario, CA 91764	46.00
0110-365-02	935 N SACRAMENTO AV, Ontario, CA 91764	193.40
0110-501-43	1338 N PLACER AV, Ontario, CA 91764	587.00
0113-361-46	1717 S GROVE AV, Ontario, CA 91761	740.03
0113-541-38	2708 S INVERNESS CT, Ontario, CA 91761	46.00
0210-041-58	1434 N SAN DIEGO PL, Ontario, CA 91764	855.12
0210-181-06	809 N TURNER AV, Ontario, CA 91764	1,059.00
0210-192-21	2955 E GUASTI RD, Ontario, CA 91761	239.00
0210-211-33	700 N HAVEN AV, Ontario, CA 91764	627.00
0210-354-06	2043 E YALE ST, Ontario, CA 91764	46.00
0211-222-60	4255 E AIRPORT DR, Ontario, CA 91761	461.37
0211-232-29	4200 E SANTA ANA ST, Unit:B, Ontario, CA 91761	616.41
0216-491-50	1419 E RIVERSIDE DR, Ontario, CA 91761	972.51
0218-044-36	4082 S CANAL WY, Building:, Unit:, Ontario, CA 91761	585.01
0218-614-18	3131 E YOSEMITE DR, Ontario, CA 91762	3,707.32
0238-014-10	4451 E ONTARIO MILLS PW, Building:3, Unit:E, Ontario, CA 91764	823.37
0238-152-02	0 E SCE EASEMENT, Ontario, CA 91761	148.00
1010-101-28	1405 W FOURTH ST, Ontario, CA 91762	91.00
1010-151-06	937 W FOURTH ST, Ontario, CA 91762	91.00
1010-173-22	864 W EL MORADO CT, Ontario, CA 91762	91.00
1010-191-30	1025 W I ST, Ontario, CA 91762	91.00
1010-433-15	1355 W FLORA ST, Ontario, CA 91762	91.00
1010-452-25	515 N AZALEA AV, Ontario, CA 91762	91.00
1010-473-01	929 W FLORA ST, Ontario, CA 91762	46.00
1010-552-26	1425 W STONERIDGE CT, Unit:A, Ontario, CA 91762	230.57
1011-361-08	1517 W MISSION BL, Ontario, CA 91762	83.60
1011-421-11	0 S ELDERBERRY AV, Ontario, CA 91762	148.00
1011-421-12	0 S ELDERBERRY AV, Ontario, CA 91762	148.00
1014-472-94	1017 W FRANCIS ST, Ontario, CA 91762	127.00
1014-511-06	2140 S CYPRESS AV, Ontario, CA 91762	91.00
1046-511-18	0 E EIGHTH ST, Ontario, CA 91764	140.00
1047-252-15	340 W CAROLINE CT, Ontario, CA 91762	650.00
1047-281-33	1528 N BEVERLY CT, Ontario, CA 91762	91.00
1047-311-53	525 W SIXTH ST, Ontario, CA 91762	187.00
1047-331-06	132 W BONNIE BRAE CT, Ontario, CA 91762	127.00
1047-433-11	1202 E SIXTH ST, Ontario, CA 91764	62.03
1047-441-16	1334 N PARKSIDE AV, Ontario, CA 91764	91.00
1047-473-15	1054 E PRINCETON ST, Ontario, CA 91764	4,426.08
1048-043-10	939 N EUCLID AV, Ontario, CA 91762	15.69
1048-131-27	1027 N CUCAMONGA AV, Ontario, CA 91764	231.00
1048-131-28	1023 N CUCAMONGA AV, Ontario, CA 91764	231.00

City of Ontario
Community Improvement Department
2023/2024 Tax Roll Year Special Assessments
Exhibit A - Costs Associated with Inspection or Abatement

Parcel Number	Address	Amount Due
1048-213-18	739 E H ST, Ontario, CA 91764	3,979.11
1048-213-23	713 E H ST, Ontario, CA 91764	314.00
1048-252-05	132 E GRANADA CT, Ontario, CA 91764	122.38
1048-292-03	651 W GRANADA CT, Ontario, CA 91762	46.00
1048-292-07	623 W GRANADA CT, Ontario, CA 91762	20.00
1048-366-05	224 E G ST, Ontario, CA 91764	46.00
1048-382-09	556 E F ST, Ontario, CA 91764	46.00
1048-392-14	647 E E ST, Building:1, Unit:101, Ontario, CA 91764	1,027.00
1048-402-26	703 E D ST, Ontario, CA 91764	138.00
1048-471-14	1117 E HOLT BL, Ontario, CA 91761	140.00
1048-504-11	839 E ELMA ST, Ontario, CA 91761	91.00
1048-522-09	523 E HOLT BL, Ontario, CA 91764	6,847.78
1048-561-12	312 N PALM AV, Ontario, CA 91762	46.00
1048-566-07	303 N EUCLID AV, Building:1, Ontario, CA 91762	1,294.00
1049-021-30	534 W BROOKS ST, Ontario, CA 91762	736.50
1049-059-01	421 W EMPORIA ST, Ontario, CA 91762	46.00
1049-101-34	767 E EMPORIA ST, Ontario, CA 91761	167.00
1049-131-16	1050 E HOLT BL, Ontario, CA 91761	140.00
1049-141-24	1194 E HOLT BL, Ontario, CA 91761	148.00
1049-202-08	415 S CALDWELL AV, Ontario, CA 91761	46.00
1049-232-23	551 E SUNKIST ST, Ontario, CA 91761	239.00
1049-303-13	711 W SUNKIST ST, Ontario, CA 91762	46.00
1049-442-06	1113 S GREENWOOD AV, Ontario, CA 91761	1,612.08
1049-451-20	1009 S CAMPUS AV, Ontario, CA 91761	231.00
1050-301-18	403 W LOCUST ST, Ontario, CA 91762	91.00
1050-551-06	645 E SPRUCE ST, Ontario, CA 91761	198.00
1051-321-51	2538 S GROVE AV, Ontario, CA 91761	460.17
1051-381-10	2610 S BON VIEW AV, Ontario, CA 91761	140.46
1083-051-20	2826 S HARBOUR TOWN TR, Ontario, CA 91761	91.00
1083-171-07	3242 E CLEAR LAKE RD, Ontario, CA 91761	607.00
1083-191-53	2713 S CYPRESS POINT PL, Ontario, CA 91761	46.00
1083-321-01	2250 S PONDEROSA AV, Building:1, Ontario, CA 91761	91.00
1083-462-29	2857 S MCCLOUD RIVER LN, Ontario, CA 91761	91.00
		39,081.99

City of Ontario
Community Improvement Department
2023/2024 Tax Roll Year Special Assessments
Exhibit B - Civil Penalties and/or Fines for Continued Violations

Parcel Number	Address	Amount Due
0110-376-13	1874 E PLAZA SERENA ST, Ontario, CA 91764	200.00
0210-181-06	809 N TURNER AV, Ontario, CA 91764	500.00
0210-192-21	2955 E GUASTI RD, Ontario, CA 91761	409.00
0216-361-59	1477 E OAK HILL CT, Ontario, CA 91761	120.00
0216-391-11	1462 E TAM O'SHANTER ST, Ontario, CA 91761	720.00
0216-391-28	2637 S LASSEN AV, Ontario, CA 91761	120.00
0218-111-45	13213 S ONTARIO AV, Ontario, CA 91761	7,500.00
0218-202-03	3071 E SILVER SKY DR, Building:, Unit:, Ontario, CA 91762	150.00
0218-545-36	3262 S PORTSMOUTH LN, Ontario, CA 91761	100.00
0218-911-01	2943 E THOROUGHBRED ST, Ontario, CA 91761	620.00
0238-152-02	0 E SCE EASEMENT, Ontario, CA 91761	500.00
1008-291-10	1553 N HELEN CT, Ontario, CA 91762	990.00
1008-431-23	1133 W SIXTH ST, Ontario, CA 91762	170.00
1010-151-06	937 W FOURTH ST, Ontario, CA 91762	120.00
1010-191-05	932 W GRANADA CT, Ontario, CA 91762	300.00
1011-421-11	0 S ELDERBERRY AV, Ontario, CA 91762	500.00
1011-421-12	0 S ELDERBERRY AV, Ontario, CA 91762	500.00
1014-121-07	0 S OAKS AV, Ontario, CA 91762	170.00
1014-121-08	0 S OAKS AV, Ontario, CA 91762	170.00
1047-202-15	709 E DEODAR ST, Ontario, CA 91764	170.00
1047-281-33	1528 N BEVERLY CT, Ontario, CA 91762	120.00
1047-372-34	547 E FIFTH ST, Ontario, CA 91764	490.00
1047-441-16	1334 N PARKSIDE AV, Ontario, CA 91764	20.00
1048-211-31	807 E GRANADA CT, Ontario, CA 91764	220.00
1048-213-18	739 E H ST, Ontario, CA 91764	1,180.00
1048-504-11	839 E ELMA ST, Ontario, CA 91761	220.00
1049-101-29	829 E EMPORIA ST, Ontario, CA 91761	120.00
1049-141-24	1194 E HOLT BL, Ontario, CA 91761	500.00
1049-232-23	551 E SUNKIST ST, Ontario, CA 91761	500.00
1050-624-15	2115 S SAN ANTONIO AV, Ontario, CA 91762	840.00
1053-321-02	7914 E EDISON AV, Ontario, CA 91761	10,500.00
		28,739.00

City of Ontario
Community Improvement Department
2023/2024 Tax Roll Year Special Assessments
Exhibit C - Total Amounts per Parcel

Parcel Numbe	Address	Amount Due
0108-412-18	1722 N DEL NORTE AV, Ontario, CA 91764	91.00
0108-611-08	1380 E SEVENTH ST, Ontario, CA 91764	91.00
0110-071-07	1381 E HOLT BL, Ontario, CA 91761	91.00
0110-272-16	1346 E EL MORADO CT, Ontario, CA 91764	46.00
0110-365-02	935 N SACRAMENTO AV, Ontario, CA 91764	193.40
0110-376-13	1874 E PLAZA SERENA ST, Ontario, CA 91764	200.00
0110-501-43	1338 N PLACER AV, Ontario, CA 91764	587.00
0113-361-46	1717 S GROVE AV, Ontario, CA 91761	740.03
0113-541-38	2708 S INVERNESS CT, Ontario, CA 91761	46.00
0210-041-58	1434 N SAN DIEGO PL, Ontario, CA 91764	855.12
0210-181-06	809 N TURNER AV, Ontario, CA 91764	1,559.00
0210-192-21	2955 E GUASTI RD, Ontario, CA 91761	648.00
0210-211-33	700 N HAVEN AV, Ontario, CA 91764	627.00
0210-354-06	2043 E YALE ST, Ontario, CA 91764	46.00
0211-222-60	4255 E AIRPORT DR, Ontario, CA 91761	461.37
0211-232-29	4200 E SANTA ANA ST, Unit:B, Ontario, CA 91761	616.41
0216-361-59	1477 E OAK HILL CT, Ontario, CA 91761	120.00
0216-391-11	1462 E TAM O'SHANTER ST, Ontario, CA 91761	720.00
0216-391-28	2637 S LASSEN AV, Ontario, CA 91761	120.00
0216-491-50	1419 E RIVERSIDE DR, Ontario, CA 91761	972.51
0218-044-36	4082 S CANAL WY, Building:, Unit:, Ontario, CA 91761	585.01
0218-111-45	13213 S ONTARIO AV, Ontario, CA 91761	7,500.00
0218-202-03	3071 E SILVER SKY DR, Building:, Unit:, Ontario, CA 91762	150.00
0218-545-36	3262 S PORTSMOUTH LN, Ontario, CA 91761	100.00
0218-614-18	3131 E YOSEMITE DR, Ontario, CA 91762	3,707.32
0218-911-01	2943 E THOROUGHBRED ST, Ontario, CA 91761	620.00
0238-014-10	4451 E ONTARIO MILLS PW, Building:3, Unit:E, Ontario, CA 91764	823.37
0238-152-02	0 E SCE EASEMENT, Ontario, CA 91761	648.00
1008-291-10	1553 N HELEN CT, Ontario, CA 91762	990.00
1008-431-23	1133 W SIXTH ST, Ontario, CA 91762	170.00
1010-101-28	1405 W FOURTH ST, Ontario, CA 91762	91.00
1010-151-06	937 W FOURTH ST, Ontario, CA 91762	211.00
1010-173-22	864 W EL MORADO CT, Ontario, CA 91762	91.00
1010-191-05	932 W GRANADA CT, Ontario, CA 91762	300.00
1010-191-30	1025 W I ST, Ontario, CA 91762	91.00
1010-433-15	1355 W FLORA ST, Ontario, CA 91762	91.00
1010-452-25	515 N AZALEA AV, Ontario, CA 91762	91.00
1010-473-01	929 W FLORA ST, Ontario, CA 91762	46.00
1010-552-26	1425 W STONERIDGE CT, Unit:A, Ontario, CA 91762	230.57
1011-361-08	1517 W MISSION BL, Ontario, CA 91762	83.60
1011-421-11	0 S ELDERBERRY AV, Ontario, CA 91762	648.00
1011-421-12	0 S ELDERBERRY AV, Ontario, CA 91762	648.00
1014-121-07	0 S OAKS AV, Ontario, CA 91762	170.00
1014-121-08	0 S OAKS AV, Ontario, CA 91762	170.00

City of Ontario
Community Improvement Department
2023/2024 Tax Roll Year Special Assessments
Exhibit C - Total Amounts per Parcel

Parcel Numbe	Address	Amount Due
1014-472-94	1017 W FRANCIS ST, Ontario, CA 91762	127.00
1014-511-06	2140 S CYPRESS AV, Ontario, CA 91762	91.00
1046-511-18	0 E EIGHTH ST, Ontario, CA 91764	140.00
1047-202-15	709 E DEODAR ST, Ontario, CA 91764	170.00
1047-252-15	340 W CAROLINE CT, Ontario, CA 91762	650.00
1047-281-33	1528 N BEVERLY CT, Ontario, CA 91762	211.00
1047-311-53	525 W SIXTH ST, Ontario, CA 91762	187.00
1047-331-06	132 W BONNIE BRAE CT, Ontario, CA 91762	127.00
1047-372-34	547 E FIFTH ST, Ontario, CA 91764	490.00
1047-433-11	1202 E SIXTH ST, Ontario, CA 91764	62.03
1047-441-16	1334 N PARKSIDE AV, Ontario, CA 91764	111.00
1047-473-15	1054 E PRINCETON ST, Ontario, CA 91764	4,426.08
1048-043-10	939 N EUCLID AV, Ontario, CA 91762	15.69
1048-131-27	1027 N CUCAMONGA AV, Ontario, CA 91764	231.00
1048-131-28	1023 N CUCAMONGA AV, Ontario, CA 91764	231.00
1048-211-31	807 E GRANADA CT, Ontario, CA 91764	220.00
1048-213-18	739 E H ST, Ontario, CA 91764	5,159.11
1048-213-23	713 E H ST, Ontario, CA 91764	314.00
1048-252-05	132 E GRANADA CT, Ontario, CA 91764	122.38
1048-292-03	651 W GRANADA CT, Ontario, CA 91762	46.00
1048-292-07	623 W GRANADA CT, Ontario, CA 91762	20.00
1048-366-05	224 E G ST, Ontario, CA 91764	46.00
1048-382-09	556 E F ST, Ontario, CA 91764	46.00
1048-392-14	647 E E ST, Building:1, Unit:101, Ontario, CA 91764	1,027.00
1048-402-26	703 E D ST, Ontario, CA 91764	138.00
1048-471-14	1117 E HOLT BL, Ontario, CA 91761	140.00
1048-504-11	839 E ELMA ST, Ontario, CA 91761	311.00
1048-522-09	523 E HOLT BL, Ontario, CA 91764	6,847.78
1048-561-12	312 N PALM AV, Ontario, CA 91762	46.00
1048-566-07	303 N EUCLID AV, Building:1, Ontario, CA 91762	1,294.00
1049-021-30	534 W BROOKS ST, Ontario, CA 91762	736.50
1049-059-01	421 W EMPORIA ST, Ontario, CA 91762	46.00
1049-101-29	829 E EMPORIA ST, Ontario, CA 91761	120.00
1049-101-34	767 E EMPORIA ST, Ontario, CA 91761	167.00
1049-131-16	1050 E HOLT BL, Ontario, CA 91761	140.00
1049-141-24	1194 E HOLT BL, Ontario, CA 91761	648.00
1049-202-08	415 S CALDWELL AV, Ontario, CA 91761	46.00
1049-232-23	551 E SUNKIST ST, Ontario, CA 91761	739.00
1049-303-13	711 W SUNKIST ST, Ontario, CA 91762	46.00
1049-442-06	1113 S GREENWOOD AV, Ontario, CA 91761	1,612.08
1049-451-20	1009 S CAMPUS AV, Ontario, CA 91761	231.00
1050-301-18	403 W LOCUST ST, Ontario, CA 91762	91.00
1050-551-06	645 E SPRUCE ST, Ontario, CA 91761	198.00
1050-624-15	2115 S SAN ANTONIO AV, Ontario, CA 91762	840.00

City of Ontario
Community Improvement Department
2023/2024 Tax Roll Year Special Assessments
Exhibit C - Total Amounts per Parcel

Parcel Numbe	Address	Amount Due
1051-321-51	2538 S GROVE AV, Ontario, CA 91761	460.17
1051-381-10	2610 S BON VIEW AV, Ontario, CA 91761	140.46
1053-321-02	7914 E EDISON AV, Ontario, CA 91761	10,500.00
1083-051-20	2826 S HARBOUR TOWN TR, Ontario, CA 91761	91.00
1083-171-07	3242 E CLEAR LAKE RD, Ontario, CA 91761	607.00
1083-191-53	2713 S CYPRESS POINT PL, Ontario, CA 91761	46.00
1083-321-01	2250 S PONDEROSA AV, Building:1, Ontario, CA 91761	91.00
1083-462-29	2857 S MCCLOUD RIVER LN, Ontario, CA 91761	91.00
96		**67,820.99**

CITY OF ONTARIO *Agenda Report* **October 18, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Economic Development Prepared By: Karla Tavera Staff Member Presenting: Jennifer McLain Hiramoto, Economic Development Director Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 4

SUBJECT: AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR VIDEO PRODUCTION SERVICES

RECOMMENDATION: That the City Council authorize the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Windsong Productions, LLC. increasing the not-to-exceed amount by $518,312 to $753,312 for the three-year contract term.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner
Invest in the Growth and Evolution of the City's Economy

FISCAL IMPACT: The Fiscal Year ("FY") 2022-23 Adopted Budget includes, and any subsequent Adopted Budget shall include, appropriations for these services. This proposed agreement is not-to-exceed $753,312 with the following breakdown per year:

Project	**FY 21-22 Amount**	**FY 22-23 Amount**	**FY 23-24 Amount**
State of the City	$94,669	$105,000	$110,250
Made in Ontario	$74,837	$82,835	$84,000
Misc. City Events	$65,494 (5 events)	$65,000 (5 events)	$71,227 (5 events)
TOTAL	$235,000	$252,835	$265,477

These projections include a 5% price increase for FY 2023-24.

BACKGROUND & ANALYSIS: On November 2, 2021, the City executed a Professional Services Agreement with Windsong Productions, LLC. ("Windsong") for video production services following a competitive Request for Proposals process. Windsong Productions, LLC was the top candidate. At the time the Agreement was executed, the not-to-exceed compensation amount was set at $235,000 for the duration of the Agreement term. Since then, it was clarified that the $235,000 amount only covered the cost for services for the initial year of the Agreement term (FY 2021-22).

The vendor was asked to provide cost projections through the end of the Agreement term (FY 2023-24). City Staff is requesting an increase in an amount of $518,312 through the end of FY 23-24, which includes a 5% price increase projection for FY 23-24. Video production services are an imperative part of the City's marketing and advertising efforts as they allow the City to feature businesses to the public, as well as provide engaging visual content for the community. Windsong's services are used for the Made in Ontario series, and annual State of the City video. In addition, Windsong is used to film City events including Route 66 Cruising Reunion, Holiday Tree Lighting Ceremony and the Fourth of July Parade, among others.

CITY OF ONTARIO *Agenda Report* **October 18, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Economic Development Prepared By: Peter Pallesen Staff Member Presenting: Jennifer McLain Hiramoto, Economic Development Director Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 5

SUBJECT: A PROFESSIONAL SERVICES AGREEMENT WITH RDC-S111, INC. FOR LANDSCAPE, ARCHITECTURE, AND URBAN DESIGN CONSULTING SERVICES

RECOMMENDATION: That the City Council authorize the City Manager to execute a Professional Services Agreement (on file in the Records Management Department) with RDC-S111, Inc. (a.k.a Studio 111), of Long Beach, California, in the amount of $241,762, for the Planned Unit Development and Mitigated Negative Declaration of West Euclid Avenue in Downtown Ontario.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy

FISCAL IMPACT: The adopted FY 2022-23 budget includes appropriations in the amount of $222,691 for West Euclid Activation Architect and Engineer Services. An additional appropriation of $19,071 is being requested to cover the total cost of this Professional Services Agreement, bringing the total not-to-exceed amount to $241,762.

BACKGROUND & ANALYSIS: As the City continues to place a strong focus on the revitalization of Downtown Ontario, Staff seeks to hire a consultant to prepare a Planned Unit Development ("PUD") for the west side of Euclid Avenue. This project area will encompass the westside area of Downtown, running from E Street to Holt Boulevard and extend from Euclid Avenue to Palm Avenue. The PUD will provide development and design standards including open space, building setbacks, parking, street circulation, solid waste handling, and California Environmental Quality Act ("CEQA") guidelines, among other goals, that will in turn streamline future development and lower the barrier of entry for future investment in the Downtown.

Currently, a Developer or interested investor is required to go through an extensive entitlement process that not only takes valuable time, but increases the cost of the final project, therefore deterring these much-needed investments from occurring. The City currently owns four properties located within the PUD project area. For these properties, the City is interested in repositioning and is looking to partner with the private sector. At present, each Developer is required to individually go through this costly and time-consuming process to permit a more intensive development, such as a mixed-use residential project. The identified solution to this is the PUD. This will allow

Developers to more efficiently move through the permitting process, resulting in a lower cost to the Developer and quicker turn-around time for the end project. Ultimately, the PUD will positively impact the City's ability to attract new investment and development into Downtown Ontario, furthering the City's efforts to revitalize the area into a bustling and vibrant center for our residents and visitors.

RDC-S111, Inc., also known as Studio 111, has been engaged by the City as a sole source to prepare the PUD, as well as a Mitigated Negative Declaration. Studio 111 was retained to develop a targeted revitalization strategy for repositioning three City-owned properties on the west side of Euclid Avenue in Downtown Ontario, as well as develop a broader strategy for attracting new investment to Downtown. Due to their extensive and specific knowledge of Downtown, as well as experience in adaptive reuse projects, urban planning, and Downtown revitalization strategies, Staff has determined that any rebidding of the design services would be inefficient. As a result, Staff recommends approval of a Professional Services Agreement for the preparation of the PUD.

CITY OF ONTARIO *Agenda Report* **October 18, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Economic Development Prepared By: Peter Pallesen Staff Member Presenting: Jennifer McLain Hiramoto, Economic Development Director Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 6

SUBJECT: DOWNTOWN ONTARIO RETAIL POP-UP PROGRAM

RECOMMENDATION: That the City Council:

A. Consider and Approve the Adoption of the Downtown Ontario Retail Pop-Up Program; and
B. Authorize the City Manager to make any necessary adjustments and execute all necessary documents to implement the Program.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner

FISCAL IMPACT: This proposed Program will have a fiscal impact to the General Fund in the amount of approximately $380 per month or $4,560, for a maximum of 12 months. These monthly costs will cover Wi-Fi and general utility services. The anticipated City revenues related to this pilot program are estimated to be minimal. Revenue sources include Business License fees for applicants, approximately $55 - $60 per license.

BACKGROUND & ANALYSIS: The City of Ontario, in its continuing effort to support the revitalization of the Historic Downtown Area, has created the Downtown Ontario Retail Pop-Up Program ("Program"). The Program is intended to provide entrepreneurs and small businesses the opportunity to pilot their unique retail business through a low-risk, and low-cost option. The City will utilize two city-owned commercial suites; located at 137 and 141 N Euclid Avenue as locations for these "pop-up merchants" to open their first brick-and-mortar store. Additional units may be utilized in the future.

Through a competitive application process, selected applicants will be afforded the opportunity to utilize one of these commercial suites for a maximum of six months. The retail units would be leased for a reduced rate of $1.00 per month. In exchange for free utilities, a Wi-Fi hot spot, and discounted rent, the City will require pop-up merchants to meet certain measures, including but not limited to sales, hours of operation, and social media impressions. Economic Development Staff will

provide technical support in obtaining all permits and provide marketing assistance.

The advantage of the Program to the City is that these tenants will help deter vandalism and bring life to vacant units in Downtown Ontario. The goal of the Program is to bring new businesses into the City and promote additional investment in Downtown.

In order to proceed with the implementation of the Program, Program guidelines need to be adopted by the City Council. The Program guidelines (Attachment A) contain the details of the eligibility requirements, amount and type of assistance offered, and tenant responsibilities. Staff is requesting that the City Council adopt the Downtown Ontario Retail Pop-Up Program Guidelines (Attachment A). Once approved, the Program will be advertised, and interested applicants may find the application on the Ontario Economic Development website to apply.

GENERAL OVERVIEW

The City of Ontario (City) is seeking qualified retailers to participate in a pilot retail pop-up program. Qualified applicants will be offered short-term rentals of City-owned commercial tenant space in Downtown Ontario. Selected businesses will receive free rent for a term of up to six months. The City is looking for retailers to bring creative and innovative businesses to Downtown Ontario that will complement the City's *Downtown Ontario Activation Strategy.*

The first round for the application period will open on October 19, 2022 and will close on November 4, 2022. Applicants will be selected based upon the following:

- Availability of requested space;
- Responsiveness of the proposal;
- Demonstrated ability to adhere to the guidelines and requirements set forth in this document; and,
- Ability to advance the goals of the City's *Downtown Ontario Activation Strategy.*

The Downtown Ontario Retail Pop-Up Program will support small businesses looking to grow into a brick-and-mortar store within the next 1-2 years. *Disclaimer: at any time, the City reserves the right to cancel the program and terminate Right of Entry permits*.

The City is seeking a mix of creative and innovative businesses which are interested in testing out their concepts and new products. The City is targeting specific types of retail businesses, as detailed below:

- Business and Use Preferences:
  - Artisanal uses:
    - Specialty food or retail: i.e., cheese shops, olive oil, soap, jewelry, clothing, etc.
  - Businesses not eligible include, but not limited to:
    - Nightclubs, banquet halls, salons/barbershops, liquor stores, etc.

- Participating pop-ups will be required to:

    - Provide proof of general liability insurance matching the City of Ontario requirements;
    - Apply for any permits needed to operate in the City of Ontario, including, but not limited to, a Business License, San Bernardino County Health Permit, ABC License;
    - Make a refundable deposit in the amount of $1/square foot, estimated between $1,000 - $2,000.
    - Sign a release of liability waiver; and
    - Sign a Right of Entry permit for the term (1 to 6 months). The City, at their sole discretion, may determine an option to extend the term.

- Operating hours will vary from business to business. Economic Development staff will work with business owners to identify the best operating hours for their business.
- Retail units would be leased for a minimum reduced rate of $1.00/month. In exchange for free utilities and a Wi-Fi hot spot for internet access, the City will require pop-up merchants to meet certain measures, including but not limited to, sales, hours open, and social media impressions.
- Retail units would be provided in "as is" condition. Businesses must provide their own furniture, office equipment, and décor.
- Economic Development staff will provide technical support in obtaining all permits, some marketing assistance, and introductions to the Downtown Ontario Improvement Association (DOIA).

Tenant Responsibilities

- Sign a right of entry permit, pay rent ($1/month), vacate the unit at the end of the agreement, and restore the unit to its original condition.
- Provide required liability insurance as stipulated in the right of entry permit.
- Provide required City and any other applicable permits/licenses.
- Provide all furniture, fixtures, and equipment needed for space.
- Provide a creative storefront displace and temporary window signage (City's Economic Development and Planning staff will provide guidance)
- Open and operate the pop-up during the days and hours specified in the right of entry permit.
- Conduct marketing activities to promote your pop-up.
- Supply any necessary staffing (Economic Development staff can assist with connecting you to workforce services).

- Make the required refundable security deposit.

City of Ontario Responsibilities:

- City will pay utilities (electricity, gas, water, and trash) and provide a Wi-Fi hot spot for each property during the activation period.

PROPOSAL REQUIREMENTS

The Downtown Ontario Retail Pop-Up Program is looking for unique businesses and entrepreneurs that have a desire to test to their products or services, with a long-term goal of opening their own brick-and-mortar. Selected businesses will be invited to showcase their products and/or offerings in a retail space that will provide an opportunity to sell their products/services and test the local market for a limited time.

Deadline: If you wish to participate in the first round of the Downtown Ontario Retail Pop-Up Program, please submit your application to Peter Pallesen no later than November 4, 2022.

A selection committee consisting of Economic Development staff will review and evaluate proposals using the following criteria:

- Unique and well-crafted products, items, or services that complement the City's *Downtown Activation Strategy;*
- Applicant's previous experience in operating retail pop-ups, events, or service industry; and
- A well thought out marketing and business plan.

QUESTIONS? Please contact Peter Pallesen at (909) 395-2333 or PPallesen@ontarioca.gov

Downtown Ontario Retail Pop-Up Program Application

Date: __/__/____

APPLICANT NAME:

Name of Business:

_____

Contact Person (if different from applicant): _____

Email: _____ Phone: _____

Business Website (if available): _____

Business Social Media Accounts

Instagram: @_____ Facebook: _____

Twitter: @_____ Tik-Tok: _____

Please provide an accurate and concise description of your pop-up concept. Please include the following details: (1) Business name, (2) primary product or service to intent to sell or offer, (3) price range of your product(s) or service(s), (4) any experience operating a retail pop-up or working in the retailed retail/service industry, (5) operating hours, and (6) your marketing plan and how you intend to promote your pop-up (attach additional pages if needed).

Preferred space: ___ 137 N Euclid Ave. ____ 141 N Euclid Ave.

List any special permits, licenses, or equipment you will need to operate your pop-up:

_____

_____

Signature of Applicant	Date

CITY OF ONTARIO *Agenda Report* **October 18, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Engineering Prepared By: Francisco Herrera Staff Member Presenting: Scott Murphy, Executive Director Community Development Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 7

SUBJECT: A CONSTRUCTION CONTRACT FOR THE TRAFFIC SIGNAL SYSTEMS AT CAMPUS AVENUE AT FRANCIS STREET AND CAMPUS AVENUE AT WALNUT STREET

RECOMMENDATION: That the City Council award a construction contract (on file in the Records Management Department) with KDC Inc. of Los Alamitos, California, for the construction of traffic signal systems at Campus Avenue at Francis Street and Campus Avenue at Walnut Street (Project) in the amount of $1,367,397 and authorize the City Manager, or his designee, to execute said contract and all related documents, and file a notice of completion at the conclusion of construction activities.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Maintain the Current High Level of Public Safety
Focus Resources in Ontario's Commercial and Residential Neighborhoods
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: The Fiscal Year 2022-2023 Adopted Budget includes appropriations for the construction of traffic signal systems at Campus Avenue at Walnut Street and Campus Avenue at Francis Street in the amount of $800,000 from the Road Maintenance and Rehabilitation Account (RMRA-SB1). The total recommended expenditure authorization for KDC Inc. consists of $1,243,088 plus a ten percent (10%) contingency of $124,309, for a total of $1,367,397. The additional $567,397 will be funded from Road Maintenance and Rehabilitation Account fund. Upon approval, the additional appropriations from Road Maintenance and Rehabilitation Account will be included in the Fiscal Year 2022-2023 First Quarter Budget Update.

BACKGROUND & ANALYSIS: The scope of services for the project consists of, but is not limited to, the construction of traffic signal poles, foundations, conductors, conduits, signing & striping, and traffic signal & communication equipment as necessary to complete the installation of traffic signals at the two intersections. The project will improve overall pedestrian access, vehicular circulation and provide a higher level of traffic control.

In August 2022, the City solicited bids for the project and 8 bids were received. The following is a

summary of the bid results:

COMPANY	LOCATION	AMOUNT
KDC Inc.	Los Alamitos, CA	$1,243,088
Elencor Belco Inc.	Chino, CA	$1,256,240
California Professional Engineering Inc.	La Puente, CA	$1,380,344
Crosstown Electrical & Data	Irwindale, CA	$1,308,765
Calpromax Engineering Inc.	Placentia, CA	$1,419,170
Comet Electric Inc.	Chatsworth, CA	$1,429,251
Servitec Electric Inc.	Walnut, CA	$1,612,756
DBX Inc.	Temecula, CA	$1,853,417

KDC Inc. submitted the lowest responsive bid and has previously performed similar work for the City of Ontario in a satisfactory manner.

ENVIRONMENTAL ANALYSIS: The environmental impacts of this project were reviewed and Staff determined that the project is categorically exempt from the requirements of the California Environmental Quality Act, pursuant to section 15301 (Class 1, Existing Facilities) of the California Environmental Quality Act, whereas the project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of lead agency's determination; Section 15302(c) (Class 2, Replacement or Reconstruction) of the California Environmental Quality Act, whereas the project consists of replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity; and, Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the California Environmental Quality Act, whereas the project consists of construction and location of limited numbers of new, small facilities or structures; and installation of small new equipment and facilities in small structures.

CITY OF ONTARIO *Agenda Report* **October 18, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Financial Services Prepared By: Doreen Nunes Staff Member Presenting: Armen Harkalyan, Executive Director of Finance Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 8

SUBJECT: AN AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH M JACK BROOKS, JD FOR FINANCIAL CONSULTING SERVICES

RECOMMENDATION: That the City Council authorize the City Manager to execute Amendment No. 6 adding $120,000 to the Professional Services Agreement (on file in the Records Management Department) with M Jack Brooks, JD, of Costa Mesa, California, for the provision of financial consulting services, for a revised contract authority of a not-to-exceed amount of $945,000 and term extension to June 30, 2023.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner

FISCAL IMPACT: The proposed amendment increases the total authorized contract amount from $825,000 to $945,000. Appropriations for the increased contractual amount of $120,000 will be included in the Fiscal Year 2022-23 First Quarter Budget Update as part of the capital improvement program carryforward in the Information Technology Fund for these services.

BACKGROUND & ANALYSIS: Over the last few years, the City of Ontario's Financial Services Agency has experienced some challenges including departure of key finance personnel, new leadership direction, and reorganization of the Agency. In addition, the Agency recently implemented a new financial system, as well as a new centralized cashiering system, that went live on July 1, 2022. Currently, Financial Services staff is involved with design and configuration of phase 2 of the financial system project; phase 2 includes the budget, inventory, and customer contracts modules. Also, Staff is continuing to assist with the impacts of post "go live" issues such as system updates, streamlining of processes, creation of reports, updating financial policies and procedures, and the development of a citywide finance 101 training program. This all has resulted in the need to contract for professional financial consulting services to ensure the City's financial activities continue to operative effectively and efficiently, and the on-going post go live developments for phase 1 and the implementation of phase 2 of the financial system project are successful. Since April 2019, the City has contracted M Jack Brooks, JD to provide these services; however, the contract has exhausted its original limits of compensation and time of performance. For continuity in providing effective and efficient financial services to the City, an increase to the contract authority amount and an extension of their services is recommended.

CITY OF ONTARIO *Agenda Report* **October 18, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Financial Services Prepared By: William B Quan Staff Member Presenting: Armen Harkalyan, Executive Director of Finance Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 9

SUBJECT: ESTABLISHING A BANK ACCOUNT FOR THE ONTARIO HOUSING AUTHORITY

RECOMMENDATION: That the City Council ("City") and the Board of the Ontario Housing Authority ("Authority") authorize the establishment of a bank account with the City's current operating bank. The bank account will be in the name of the Ontario Housing Authority.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner

FISCAL IMPACT: There is no direct fiscal impact associated with establishing a bank account for the Ontario Housing Authority.

BACKGROUND & ANALYSIS: The City's current bank requires that a separate bank account be established for each tax identification number to make deposits. The Ontario Housing Authority and the City of Ontario have separate tax identification numbers. In order to accept payments via checks, money orders, ACH, and wires that are payable to the Ontario Housing Authority, the bank account name must be the Ontario Housing Authority. The funds that are deposited into this new bank account will then be transferred to the City's operating bank account. The designated bank account signers will be the same as the City's operating bank signers. The recommendation is for City Council to authorize the establishment of a new bank account named the Ontario Housing Authority. City Treasurer, Jim Milhiser concurs with this recommendation.

CITY OF ONTARIO *Agenda Report* **October 18, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Information Technology Prepared By: Samantha Robles Staff Member Presenting: Colin Fernandes, Executive Director Information Technology Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 10

SUBJECT: AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH COLLABORATIVE SOLUTIONS, LLC.

RECOMMENDATION: That the City Council authorize the City Manager to execute an Amendment to the Professional Services Agreement (on file with the Records Management Department) with Collaborative Solutions, LLC., of Reston, Virginia, to include additional consulting services to incorporate Workday Financials On-Demand Services Support in the amount of $118,800 plus a 10% contingency of $11,880, for a revised not-to-exceed the amount of $3,978,587.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner

FISCAL IMPACT: The Fiscal Year 2022-23 Adopted Budget includes appropriations from the Information Technology Fund for consulting services. The proposed Amendment to the Professional Services Agreement increases the authorized contract amount by $130,680, which includes a 10% contingency amount of $11,880, if needed, with a total contract not-to-exceed amount of $3,978,587 and extends the Agreement through September 30, 2023. If approved, appropriations will be added to the future years' budgets consistent with the annual adoption process.

BACKGROUND & ANALYSIS: The consulting firm Collaborative Solutions, LLC has provided the City with on-demand support services for Workday Human Capital Management (HCM) for over four years and was also the City's implementation partner for Workday Finance Enterprise Resource Planning (ERP) system.

On June 1, 2018, the original contract amount was $92,160 and included on-demand support services for Workday HCM. On March 10, 2020, the City approved Amendment No. 1 to this Agreement to increase the amount from $92,160 to $100,000 for additional on-demand support services for Workday HCM. On May 1, 2020, the City approved Amendment No. 2 to this Agreement to increase the amount from $100,000 to $400,000 and extend the terms for three years to support our Workday HCM. On July 7, 2020, based on the bid awarded to Workday and Collaborative for the implementation of a new ERP system, the City approved Amendment No. 3 to this Agreement to

increase the amount from $400,000 to $2,650,298 to expand the scope of work to include consulting services related to the implementation of the new Workday Finance ERP system. On August 17, 2022, the City approved Amendment No. 4 to this Agreement to increase the amount from $2,650,298 to $3,847,907 to expand the scope to include additional consulting services related to the implementation of the new Workday Finance (ERP) system.

As the Workday Financials module transitions from implementation to production utilization, Collaborative will provide the City of Ontario with ongoing full-suite Workday support and configuration services by leveraging their deep understanding of the City's Human Resources and Finance configuration and business rules, government experience, and Workday's technology, ensuring proper execution of short-term requirements and long-term growth and flexibility. Staff requests City Council approval to extend the Agreement to September 2023 with a not-to-exceed amount of $3,978,587.

CITY OF ONTARIO *Agenda Report* **October 18, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Planning Prepared By: Alexis Vaughn Department: Planning Prepared By: Edmelynne V Hutter Staff Member Presenting: Scott Murphy, Executive Director Community Development Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 11

SUBJECT: AN ORDINANCE APPROVING FILE NO. PZC19-001, A ZONE CHANGE AT 1063 EAST ELMA STREET

RECOMMENDATION: That the City Council consider and adopt an Ordinance approving File No. PZC19-001, a Zone Change amending the zoning designation on 0.07-acres of land from MDR-11 (Low-Medium Density Residential - 5.11 to 11.0 du/ac) to MDR-18 (Medium Density Residential - 11.1 to 18.0 du/ac), for property located at 1063 East Elma Street.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Operate in a Businesslike Manner
Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: The proposed Zone Change would facilitate the future construction of five multiple-family residential units. This subsequent Development would result in the one-time collection of Building plan check and permitting fees, development impact fees, as well as on-going increased property tax.

BACKGROUND & ANALYSIS: On September 20, 2022 the City Council introduced and waived further reading of an ordinance approving the Zone Change. The Applicant is requesting the approval of a Zone Change, amending the zoning designation on a 0.07-acre parcel of land from MDR-11 (Low-Medium Density Residential – 5.1 to 11.0 du/ac) to MDR-18 (Medium Density Residential – 11.1 to 18.0 du/ac). It is the intent of the Applicant to merge, by Lot Line Adjustment, the subject site with the neighboring 0.21-acre property to the west, to create a 0.28-acre project site. The Zone Change will facilitate the Development Plan (File No. PDEV19-028) approval of a 6,649-square-foot apartment building consisting of five residential units with enclosed garages. The proposed development will replace an existing 1,880-square-foot, three-unit apartment building that was likely constructed in or near 1948. The existing building is not considered a historic resource. In conjunction with the Development Plan, a Variance (File No. PVAR19-004) is necessary to increase the maximum allowable percentage of tandem parking spaces from 12 percent (one tandem space) to 23 percent (three tandem spaces). This will allow for the requisite number of

covered parking stalls to be provided for the Project.

The proposed Zone Change is in the interest of good planning practice as it will:

- Bring the entire project site's zoning into conformance with The Ontario Plan 2050 General Plan Update (File No. PGPA20-002), which changed the site's Policy Plan land use designation from LMDR (Low-Medium Density Residential) to MDR (Medium Density Residential);
- Make zoning designation of the smaller subject parcel consistent with the zoning designation of the majority of the project site; and
- Allow for the development of five multiple-family dwelling units on the overall 0.28-acre Project site.

On August 23, 2022, the Planning Commission conducted a public hearing to consider the Zone Change, along with the Development Plan and Variance, and unanimously voted (6-0) to recommend approval of the Zone Change. Additionally, the Development Plan and Variance were approved, subject to the City Council's approval of the Zone Change.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land use Compatibility Plan. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Planning Commission Resolutions.

ENVIRONMENTAL REVIEW: The environmental impacts specific to this project were previously reviewed in conjunction with File No. PGPA20-002, a General Plan update for which an Environmental Impact Report (State Clearing House No. 2021070364) was certified by the City Council on August 16, 2022. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures will be a condition of subsequent Development Plan approval.

CITY OF ONTARIO PLANNING DEPARTMENT

PLANNING COMMISSION STAFF REPORT

August 23, 2022

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

FILE NOS.: PZC19-001, PVAR19-004, and PDEV19-028

SUBJECT: A Zone Change (File No. PZC19-001) amending the zoning designation on 0.07-acre of land from MDR-11 (Low-Medium Density Residential – 5.1 to 11.0 du/ac) to MDR-18 (Medium Density Residential – 11.1 to 18.0 du/ac), to enable development of a 0.28-acre project site, in conjunction with a Variance to deviate from the maximum Development Code standard for percentage of tandem parking spaces, from 12 percent to 23 percent, and a Development Plan (File No. PDEV19-028) to construct five multiple-family residential units located at 1063 East Elma Street, within the MDR-18 (Medium Density Residential – 11.1 to 18.0 du/ac) zoning district (APNs: 1048-461-17 and 1048-491-23); **submitted by Maria G. Oseguera. City Council action is required for File No. PZC19-001.**

PROPERTY OWNER: Maria G. Oseguera

RECOMMENDED ACTION: That the Planning Commission consider and approve File Nos. PDEV19-028 and PVAR19-004, and consider and recommend to the City Council for approval File No. PZC19-001, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The Project site is comprised of 0.28-acre of land located at 1063 East Elma Street, within the MDR-11 (Low-Medium Density Residential – 5.1 to 11.0 du/ac) and MDR-18 (Medium Density Residential – 11.1 to 18.0 du/ac) zoning districts, and is depicted in Figure 1: Project Location. The site is currently developed with a three-



Figure 1: Project Location

Case Planner:	Alexis Vaughn
Planning Director Approval:	
Submittal Date:	05/14/2019

Hearing Body	*Date*	*Decision*	*Action*
DAB	08/15/22	Approval	Recommend
PC	08/23/22	Approval	Final
CC	09/20/22		ZC - Final

unit multiple-family residence, which will be razed to accommodate the development of the Project site.

The land use surrounding the Project site is residential and includes a mix of single-family and multiple-family dwellings. The land to the north of the Project site is zoned LDR-5 (Low-Density Residential – 2.1 to 5.0 du/ac), the land to the east is zoned MDR-18, the land to the west is zoned MDR-11, and the land to the south is a mix of both MDR-11 and MDR-18 zoning districts. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(1) Background — The Applicant is requesting to construct a 6,649-square-foot apartment building, consisting of five residential units with enclosed garages, as well as a detached trash enclosure and recreational patio with trellis. A Variance is being processed in conjunction with the Development Plan to increase the maximum allowable percentage of tandem parking spaces (refer to Development Code Section 6.03.025.C.3), from 12 percent to 23 percent, which will allow for the requisite covered parking stalls to be provided for the Project. The Project site currently consists of two parcels, and the applicant will file a Lot Line Adjustment to create one contiguous Project site.

In order to facilitate the Project, a Zone Change (File No. PZC19-001) has also been requested for the smaller, 0.07-acre parcel, from MDR-11 (Low-Medium Density Residential – 5.1 to 11.0 du/ac) to MDR-18 (Medium Density Residential – 11.1 to 18.0 du/ac). The Zone Change is reviewed by the Planning Commission for recommendation to the City Council and will:

- Bring the full Project site's zoning into conformance with The Ontario Plan 2050 General Plan Update (File No. PGPA20-002, which changed the site's Policy Plan land use designation from LMDR (Low-Medium Density Residential) to MDR (Medium Density Residential));
- Make the smaller parcel consistent with the zoning designation of the remainder of the Project site; and
- Allow for the development of five dwelling units on the overall 0.28-acre Project site.

While the existing residential structure does not have a building permit on file, it is likely it was constructed in or near 1948, based on the Building Department's permit history records. The building is not considered a historic resource.

On August 15, 2022, the Development Advisory Board conducted a hearing to consider the Variance and the Development Plan, and concluded the hearing on that date, and

unanimously voted to recommend that the Planning Commission approve the Applications.

(2) Zone Change (File No. PZC19-001) — The westerly portion of the Project site is a 0.07-acre parcel making up approximately one quarter of the overall Project area and is currently zoned MDR-11 (Medium-Density Residential – 5.1 to 11.0 du/ac). The westerly parcel is 23.6 feet wide and unbuildable as a stand-alone parcel. As such, the applicant filed a Zone Change request to rezone this parcel to be consistent with the main Project parcel, which is zoned MDR-18 (Medium-Density Residential – 11.1 to 18.0 du/ac, and the current underlying TOP land use designation (Medium Density Residential (11.1-25 du/ac)). Once the Zone Change is approved, the Applicant will submit a Lot Line Adjustment application to merge the Project site into one parcel. As conditioned, Project approval is contingent on City Council approval of the Zone Change application.

(3) Variance (File No. PVAR19-004) — The Applicant is requesting approval of a Variance to exceed the maximum allowable percentage of tandem parking spaces within a multiple-family residential project, from 12 percent to 23 percent. The Project site's dimensions, in combination with an unbuildable sewer easement, and surrounding existing one-story development, impose substantial limitations on development that would preclude the Project from attaining the maximum percent of tandem parking spaces allowed, while at the same time providing the required landscaping and recreation improvements, meeting building setbacks and drive aisle dimensions, meeting the minimum density requirement, and limiting potential impacts to the surrounding neighborhood, such as excessive building height, in a neighborhood consisting of predominantly one- and two-story structures.

Staff believes that the Variance request is consistent with TOP Goal LU3, which promotes flexibility in order to respond to special conditions and circumstances in order to achieve the Vision. The Variance request to increase the number of tandem parking spaces, each pair of which have been conditioned to be assigned to a single dwelling unit, will result in a superior development that will achieve the following:

- Allow for the residential building, accessory buildings, outdoor parking stalls, and central drive aisle to meet all current Development Code standards.
- Allow for the required landscape improvements to be provided.
- Allow for the installation of a recreational area for the Project's residents.
- Prevent the building from increasing in height to three or more stories, which could negatively impact the predominantly one- and two-story neighborhood.
- Allow for first-floor dwelling units that provide an additional option for residents who may require accessibility accommodations.

In acting on a Variance request, the Planning Commission must consider and clearly establish certain findings of fact, which are prescribed by State law and the City's Development Code. The facts and findings have been provided in the attached

resolution for Variance File No. PVAR19-004, as basis for approval of the requested Variance.

(4) Development Plan (File No. PDEV19-028)

(a) Site Design/Building Layout — The Project site currently consists of two parcels, the smaller of which is generally undevelopable as a stand-alone lot due to the lot's narrow width (approximately 23.6 feet). As conditioned, the Applicant will pursue a Lot Line Adjustment to incorporate the smaller lot into the Project site to allow for more flexibility in development of the site. The apartment building will be sited along the eastern portion of the Project site and the ancillary recreational facility, outdoor parking, and trash enclosure will be sited along the western portion of the Project site. The access drive will occupy the center of the Project site and allow for vehicular access to the enclosed and unenclosed parking spaces. Pedestrian access to the site will be provided via a walkway that connects from the apartment building to the public sidewalk (see Exhibit B—Site Plan). The current residential building and ancillary structures will be demolished to accommodate construction of the proposed Project.

The two dwelling units on the first floor will have a private, enclosed patio between the building and the eastern property line. The three dwelling units on the second floor will each have a private balcony, also facing east. Two exterior stairwells provide access to the second-floor units and are located along the northern and southern ends of the building. One one-bedroom and four two-bedroom units will be provided, ranging from approximately 500 to 1,140 square feet in area (see Exhibit D—Floor Plans).

(b) Site Access/Circulation — The apartment complex will be served by one centrally-located vehicular drive aisle. Enclosed garages for each unit will be situated at ground level and accessed by the drive aisle. Additional open parking spaces will be provided opposite the garages.

(c) Parking — The Development Code requires multiple-family residential land uses to provide 1.75 parking spaces for each one-bedroom dwelling, including one space in a garage or carport, and 2.0 spaces for each two-bedroom dwelling, including one space in a garage or carport, in addition to guest parking spaces at the rate of 0.25 space for each dwelling. The Development Code thus requires 13 on-site parking spaces, and 13 spaces have been provided, as demonstrated in Figure 2: Parking Table, below.

Figure 2: Parking Table

Type of Use	*No. Dwellings*	*Parking Ratio*	*Spaces Required*	*Spaces Provided*
One-Bedroom Unit	1	1.75 parking spaces, including one space in a garage or carport	1.75	2
Two-Bedroom Unit	4	2.0 parking spaces, including one space in a garage or carport	8	8

Guest Parking		*0.25 spaces per dwelling (minimum 3 spaces)*	*3*	*3*
TOTAL	**5**		**13**	**13**

Garage spaces have been provided with a 60 to 65-square-foot storage area, having an approximate volume of 480 to 520 cubic feet. A minimum of 240 cubic feet of storage area is required by the Development Code.

The Development Code limits the amount of tandem parking for a multiple-family-dwelling project to 12 percent of the required parking. Given the development constraints on the site, the applicant filed for a Variance to increase the percentage of tandem spaces from 12 to 23 percent. Two units will have one enclosed garage space and one outdoor parking space, and three units will have two enclosed garage spaces in a tandem configuration. The Project has been conditioned such that tandem parking spaces within an enclosed garage will be assigned to one dwelling unit. Further, the project has been conditioned such that the storage of personal items may occur in a garage only to the extent that such storage does not impede vehicle parking nor reduce the number or required minimum size of the required garage space; and, no dwelling or home occupation activities shall be allowed to occur within the garage spaces, which will serve to ensure that adequate on-site parking remains in place.

(d) Architecture — The proposed building has a contemporary architectural design with Spanish influences, using arches as a key element (see Exhibit C—Exterior Elevations). The exterior walls will be treated with white stucco and furnished with wood outlookers, shutters, gable end detailing, wrought-iron elements, decorative Spanish-style arched garage and front doors, and enhanced window trim. Spanish roof tile will be provided, in addition to a decorative wrought-iron porch and arcade railing. The second floor's private balconies will feature an open trellis to provide partial shade. Additional screening will be provided for any outdoor mechanical equipment.

A small recreational facility has been proposed to the rear of the lot, at the northwest corner of the Project site. The facility will be comprised of a picnic area with overhead trellis and decorative chimney feature, as well as a small lawn area and dog run.

(e) Landscaping — The Project provides landscaping improvements throughout the site, including areas along the building frontage and perimeter of the property (See Exhibit E—Conceptual Landscape Plan). For multiple-family residential projects, the Development Code requires all areas not occupied by buildings and hardscape, such as sidewalks or parking stalls, to be fully landscaped. The Project proposes a total of 3,290 square feet of landscaped areas (26.4 percent of the Project site), and will utilize a variety of trees, shrubs, vines, and groundcovers such as Valley Oak, Brisbane Box, Mexican Redbud, Crape Myrtle, True Green Elm, Dwarf Strawberry Tree, Southern Moon Hawthorn, Parry's Agave, Flax Lily, Cleveland Sage, Creeping Fig, Dymondia, and St. Augustine Grass.

The front setback will be fully landscaped, as will a small greenspace area toward the northeast corner of the Project site. Additionally, a small lawn will be provided next to the picnic area. Beyond the picnic area, the applicant has proposed a small dog run, as no major plantings or structures may occupy this area due to a sewer easement.

(f) Signage — All signage and addressing for the site will need to meet Development Code, Building Code, and Municipal Code standards and will be reviewed in the Plan Check process.

(g) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP") which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration. The proposed development will not substantially alter the existing drainage pattern.

A sewer easement exists to the rear of the Project site, which impacts placement of substantial landscaping and does not permit the construction of permanent features or wall footings. The main area impacted by this easement is the northwest corner of the Project site. As such, simple plantings and a moveable wrought iron fence have been proposed for this area to accommodate the easement.

(5) Senate Bill 18 (SB-18) — At the time of project submittal, a General Plan Amendment was attributed to the file, which was later absorbed by The Ontario Plan 2050 Update, approved by the City Council on August 16, 2022. Tribal notification was required for the project pursuant to the requirements of SB-18, which requires cities and counties to consult with Native American tribes when adopting and amending general plans and specific plans. Staff received responses from two Tribes:

- The San Manuel Band of Mission Indians (SMBMI) stated that the Project site is located outside of their ancestral territory and as such no consultation would be required.
- The Morongo Band of Mission Indians stated that the area is located within the Tribe's aboriginal territory and requested to be provided future notices but declined to initiate a consultation.

Pursuant to SB-18, staff provided The Morongo Band of Mission Indians with notification of the Planning Commission public hearing a minimum of ten days prior to the hearing.

(6) Code Enforcement Case — The Project site has an active Community Improvement (previously Code Enforcement) case for several issues. Since the Applicant has been actively pursuing redevelopment of the site, the Community Improvement

Department has granted deadline extensions for code compliance improvements and actions, which will be eliminated with redevelopment and construction activities.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

(1) City Council Goals.

- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

(2) Vision.

Distinctive Development:

- Commercial and Residential Development

➢ Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

(3) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

➢ G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

(4) Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

➢ LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of

choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).

- Goal LU2: Compatibility between a wide range of uses.

Housing Element:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

  - H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.

Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.

Community Economics Element:

- Goal CE1: A complete community that provides for all incomes and stages of life.

  - CE1-6 Diversity of Housing. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

  - CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

  - CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.

  - CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

  - CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

- Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.

  - S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

- CD1-3 Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.

- Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

  - CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:

    - Building volume, massing, and height to provide appropriate scale and proportion; and
    - A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
    - Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

  - CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

  - CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

  - CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

  - CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.

- CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.

- CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.

- Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

- CD5-1 Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

ENVIRONMENTAL REVIEW: The environmental impacts specific to this project were previously reviewed in conjunction with File No. PGPA20-002, a General Plan update for which an Environmental Impact Report (State Clearing House No. 2021070364) was certified by the City Council on August 16, 2022. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act ("CEQA")" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by this reference.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	*General Plan Designation*	*Zoning Designation*	*Specific Plan Land Use*
Site:	Vacant and single-family residential	LMDR (Low-Medium Density, 5.1-11 du/ac) and MDR (Medium-Density, 11.1-25 du/ac)	MDR-11 (Medium Density, 5.1-11 du/ac) and MDR-18 (Medium-Density, 11.1-18 du/ac)	N/A
North:	Single-family residential	LDR (Low-Density Residential, 2.1-5 du/ac)	LDR-5 (Low-Density, 2.1-5 du/ac)	N/A
South:	Multi-family residential	LMDR (Low-Medium Density, 5.1-11 du/ac) and MDR (Medium-Density, 11.1-25 du/ac)	MDR-11 (Medium Density, 5.1-11 du/ac) and MDR-18 (Medium-Density, 11.1-18 du/ac)	N/A
East:	Multi-family residential	MDR (Medium-Density, 11.1-25 du/ac)	MDR-18 (Medium-Density, 11.1-18 du/ac)	N/A
West:	Single-family residential	LMDR (Low-Medium Density, 5.1-11 du/ac)	MDR-11 (Medium Density, 5.1-11 du/ac)	N/A

General Site & Building Statistics

Item	*Required Min./Max.*	*Provided (Ranges)*	*Meets Y/N*
Project area (in acres):	0.23-acre min.	0.28 acres	Y
Maximum project density (dwelling units/ac):	11.1-18 du/ac	18 du/ac	Y
Maximum coverage (in %):	60%	27%	Y
Front yard setback (in FT):	20 FT	20FT	Y
Side yard setback (in FT):	5	10	Y
Rear yard setback (in FT):	5	10	Y
Parking setback (in FT):	5 FT (interior), 10 FT (front)	5 FT (interior), 40 FT (front)	Y
Maximum height (in FT):	45 FT	26'	Y
Parking – resident:	10 spaces	10 spaces	Y
Parking – guest:	3 spaces	3 spaces	Y
Open space – private:	200 SF/unit	257.5 SF/unit avg	Y
Open space – common:	300 SF/unit	473.4 SF/unit	Y

Dwelling Unit Statistics:

Unit Type	*Size (in SF)*	*No. Bedrooms*	*No. Bathrooms*	*No. Stories*	*Private Open Space (in SF)*
1	500	1	1	1	390
2	1,140	2	1	1	135 - 390

Exhibit A—PROJECT LOCATION MAP



Exhibit B—SITE PLAN

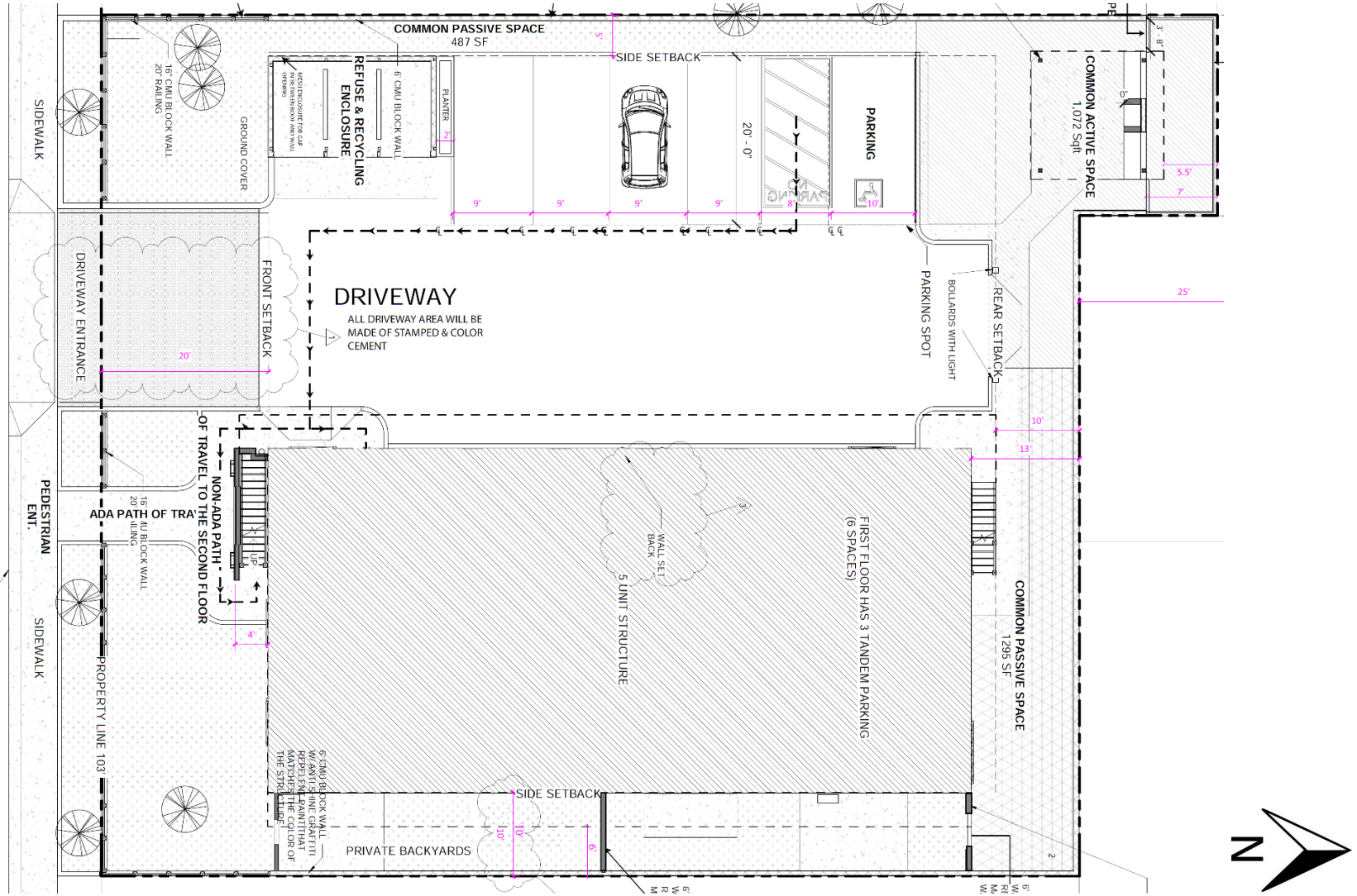
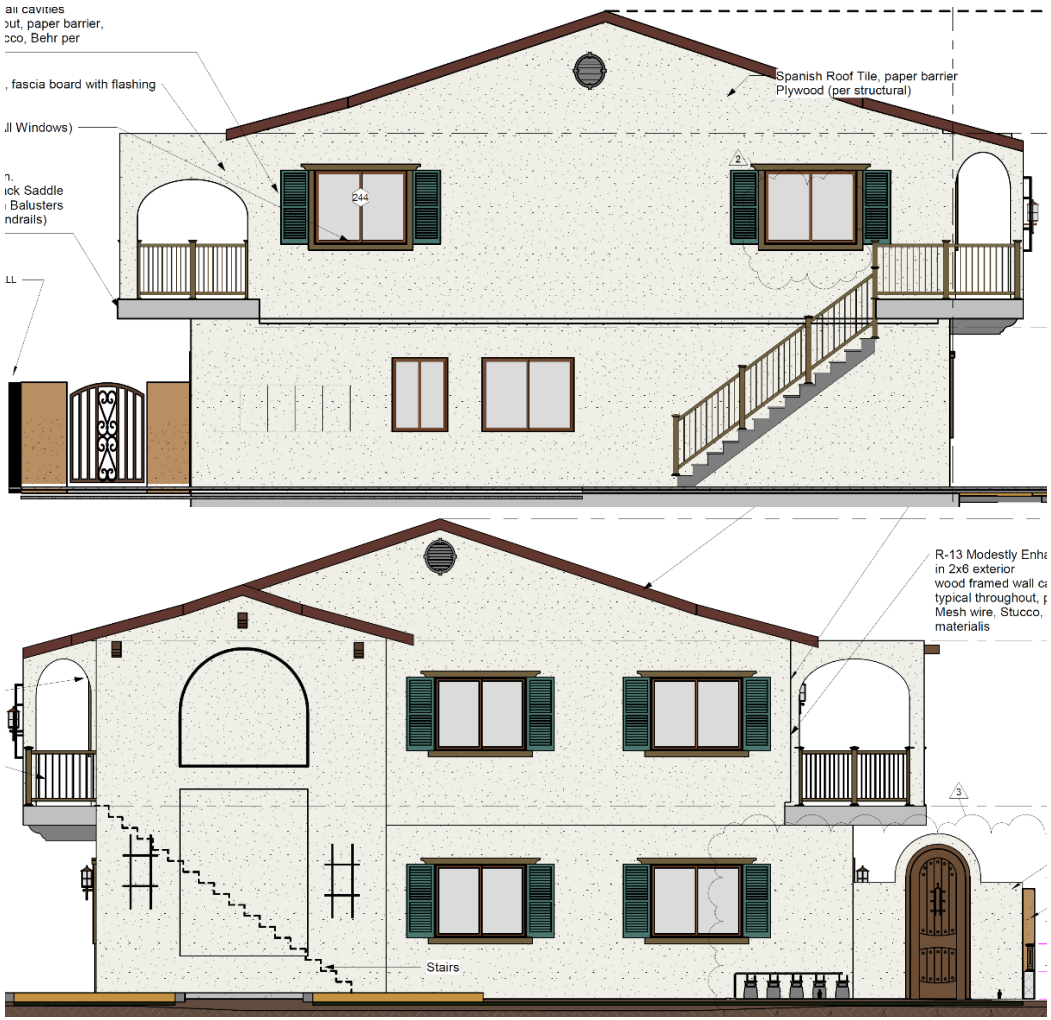


Exhibit C—EXTERIOR ELEVATIONS



East and West Elevations

Exhibit C—EXTERIOR ELEVATIONS (CONTINUED)



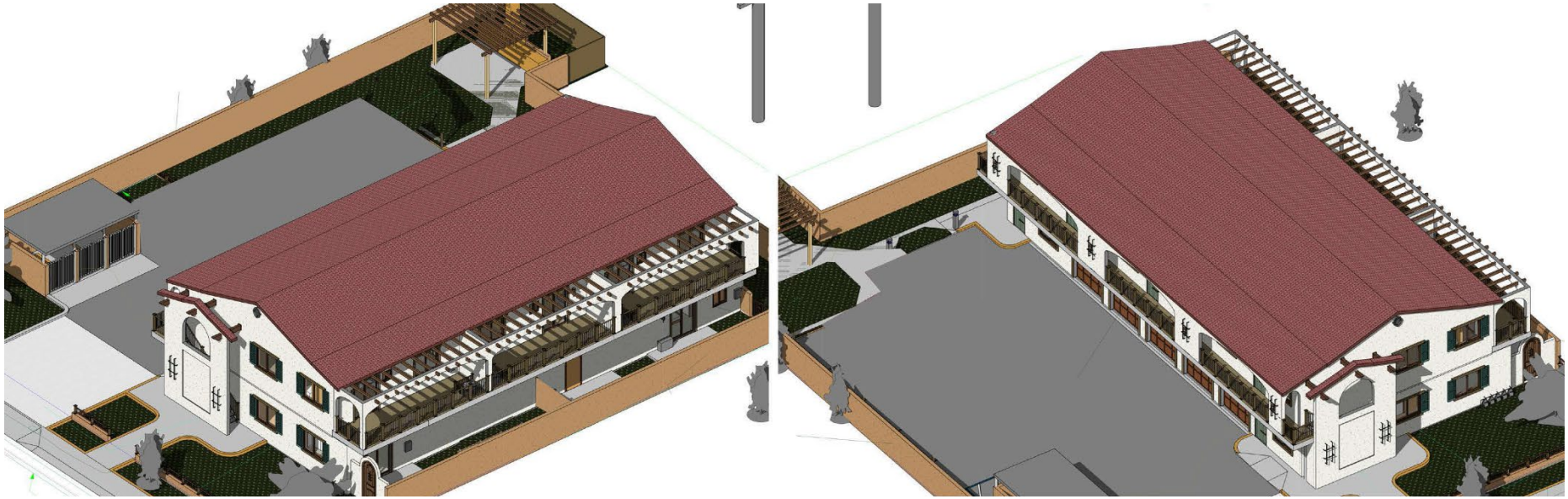
North and South Elevations

Exhibit C—EXTERIOR ELEVATIONS (CONTINUED) – RENDERINGS



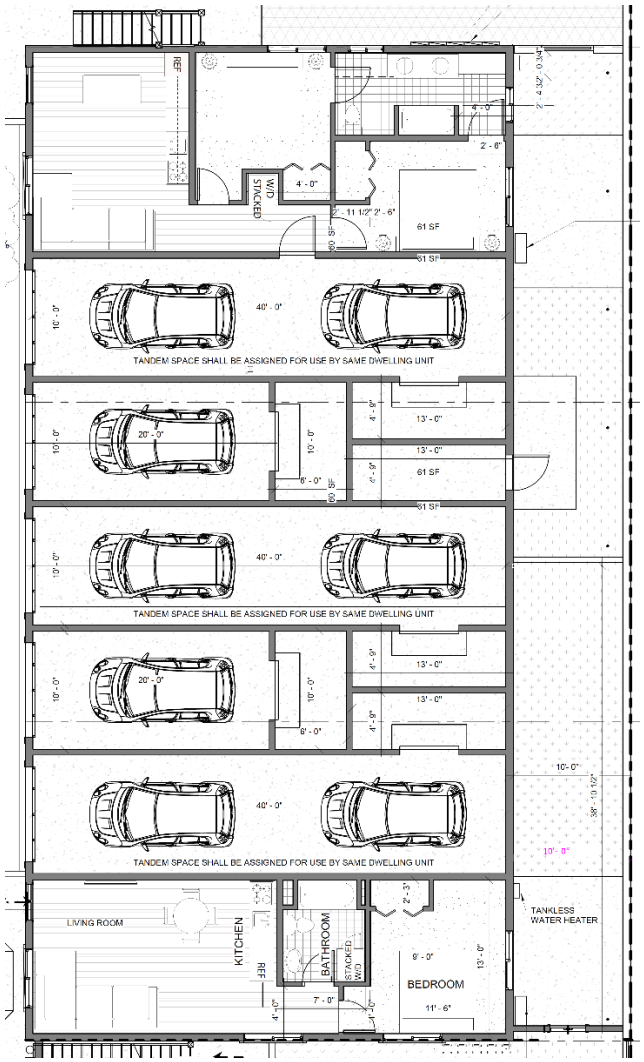
Rear Project View: East-Facing and West-Facing Elevations

Exhibit C—EXTERIOR ELEVATIONS (CONTINUED) – RENDERINGS

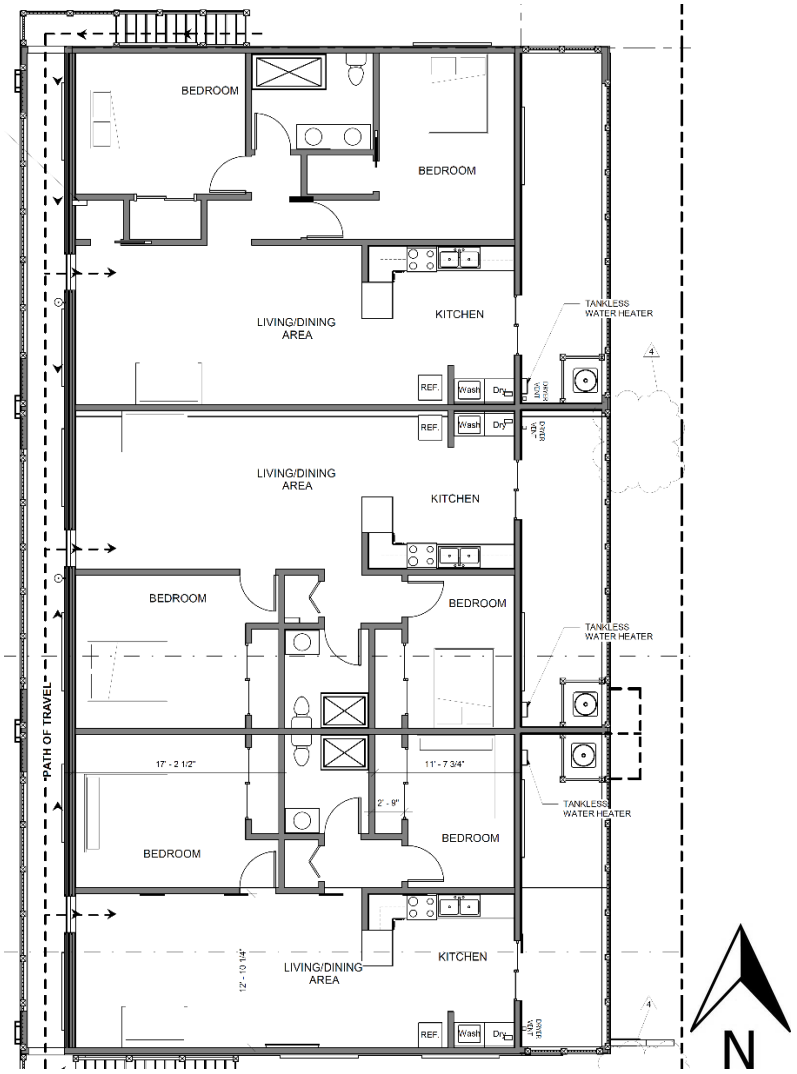


Front Project View: West-Facing and East-Facing Elevations

Exhibit D—FLOOR PLANS

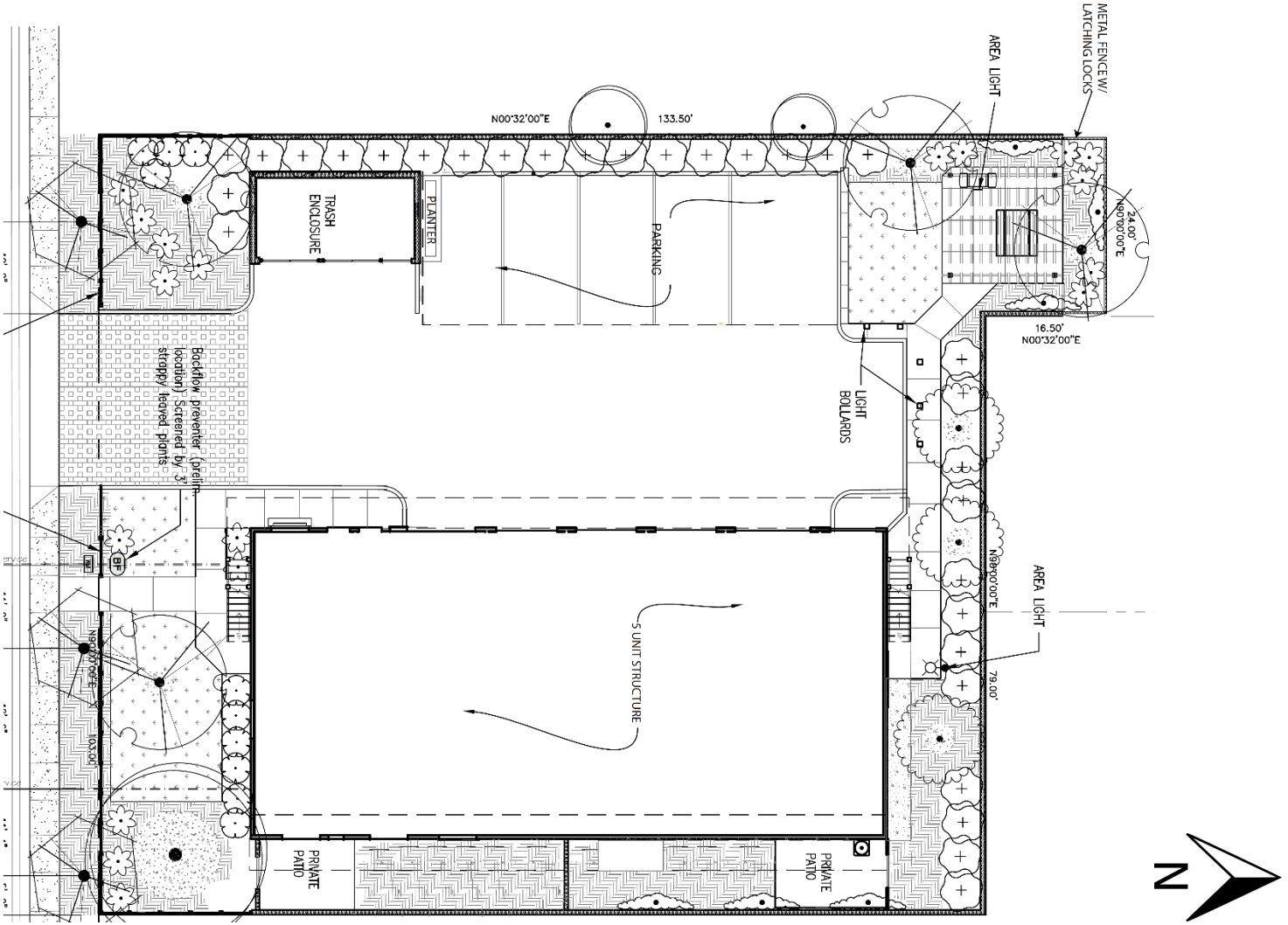


First Floor



Second Floor

Exhibit E—CONCEPTUAL LANDSCAPE PLAN



RESOLUTION NO. PC22-049

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING APPROVAL FOR FILE NO. PZC19-001, A ZONE CHANGE AMENDING THE ZONING DESIGNATION ON 0.07-ACRE OF LAND FROM MDR-11 (LOW-MEDIUM DENSITY RESIDENTIAL – 5.1 TO 11.0 DU/AC) TO MDR-18 (MEDIUM DENSITY RESIDENTIAL – 11.1 TO 18.0 DU/AC) TO ENABLE DEVELOPMENT OF A 0.28-ACRE PROJECT SITE, AND MAKING FINDINGS IN SUPPORT THEREOF— APNS: 1048-461-17 AND 1048-491-23.

WHEREAS, MARIA G. OSEGUERA ("Applicant") has filed an Application for a Zone Change, File No. PZC19-001, as described in the title of this Resolution. The term “Project” or “Project parcel” shall refer to the subject Zone Change Application and the referenced 0.07-acre site, and the term “development project” refers to the greater 0.28-acre development project site tied to and inclusive of the Zone Change Application; and

WHEREAS, the Application applies to 0.07 acres of land located at 1063 East Elma Street, within the MDR-11 (Medium-Density Residential – 5.1 to 11.0 du/ac) zoning district, and is presently vacant; and

WHEREAS, the Application proposes to modify the zoning district of the Project site, from MDR-11 (Medium Density Residential – 5.1 to 11.0 du/ac) to MDR-18 (Medium Density Residential – 11.1 to 18.0 du/ac); and

WHEREAS, the Application has been filed in conjunction with File Nos. PDEV19-028 and PVAR19-004, and will facilitate the orderly development of the adjacent approximately 0.21-acre parcel with a five-unit apartment complex; and

WHEREAS, the property to the north of the Project site is within the LDR-5 (Low-Density Residential – 2.1 to 5.0 du/ac) zoning district and is developed with single-family homes. The property to the east is within the MDR-18 (Medium Density Residential – 11.1 to 18.0 du/ac) zoning district and is developed with multiple-family dwellings. The property to the south is within the MDR-11 (Medium Density Residential – 5.1 to 11.0 du/ac) zoning district and is developed with multiple-family dwellings. The property to the west is within the MDR-11 (Medium Density Residential – 5.1 to 11.0 du/ac) zoning district and is developed with a single-family dwelling; and

WHEREAS, the Zone Change Project’s parcel is currently unbuildable due to its shallow width. As such, the Applicant has filed for a Zone Change to make the zoning of this parcel consistent with the adjacent 0.21-acre parcel and the underlying TOP Land Use Designation (Medium Density Residential (11.1-25 du/ac) – Exhibit “A” proposed Zone Change included in this Resolution), in order to facilitate a lot line adjustment to create one cohesive developable parcel; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act — Public Resources Code Section 21000 et seq. — (hereinafter referred to as "CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, the environmental impacts of this Project were previously reviewed in conjunction with File No. PGPA20-002, a General Plan update for which an Environmental Impact Report (State Clearing House No. 2021070364) was certified by the City Council on August 16, 2022. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act ("CEQA")" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of Project approval, and are incorporated herein by this reference; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make recommendation to the City Council on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on August 23, 2022, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: ***Environmental Determination and Findings.*** As the recommending authority for the Project, the Planning Commission has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts specific to this Project were previously reviewed in conjunction with File No. PGPA20-002, update to the City's General Plan for which a Certified EIR (State Clearinghouse No. 2021070364) was adopted by the City Council on August 16, 2022.

(2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2: ***Subsequent or Supplemental Environmental Review Not Required.*** Based on the information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant

environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The Project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 4: ***Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance.*** The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as "ONT"), which encompasses lands

within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5: ***Concluding Facts and Reasons.*** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed Zone Change is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The Project parcel is currently unbuildable, and is not consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan) and City Council Priorities components of The Ontario Plan. The proposed Zone Change will enable consistency and compatibility with these items, by creating consistency with the underlying The Ontario Plan Policy Plan Land Use Designation (Medium Density Residential, 11.1-25 du/ac), which envisions a variety of well-designed medium-density housing options. Further, the Zone Change will allow for flexible redevelopment of the overall development project site with approval of the related Development Plan (File No. PDEV19-028) and Variance (File No. PVAR19-004) application requests. Without approval of the Zone Change, the Project parcel will remain vacant and underutilized, and the development project area will remain in poor condition and underutilized.

(2) ***The proposed Zone Change would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** The proposed Zone Change Project will not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. With approval of the related Development Plan (File No. PDEV19-028) and Variance (File No. PVAR19-004) application requests, the Project will enable orderly redevelopment of the overall development project site and will provide a public benefit for both the Project site and development project site, by allowing for public right-of-way improvements, an increase in landscaping in the neighborhood, and elimination of public nuisances and Community Improvement (Code Enforcement) infractions. The development project will also provide visual improvements

from public view, including cleaning up and redesigning the deteriorating site. The Project site and development project site are located within a residential neighborhood, surrounded by existing single-family and multiple-family developments and will neither expose others nor be exposed to any impacts not typically found in residential neighborhoods. Without approval of the Zone Change, the Project parcel will remain vacant and underutilized, and the development project area will remain in poor condition and underutilized.

(3) ***The proposed Zone Change will not adversely affect the harmonious relationship with adjacent properties and land uses.*** The Zone Change Application will bring the subject Project parcel into compliance with The Ontario Plan's General Plan Land Use Plan. Further, the proposed zoning designation is the same as the adjacent neighborhood to the east and is complementary to and compatible with the zoning designations of the neighborhoods to the north, west, and south. As the overall development project's site is currently developed with a three-unit multiple-family dwelling that does not meet Development Code standards (including setbacks, landscaping, and parking), the Zone Change will allow for redevelopment of the site that meets major development standards and the multiple-family development intent for the overall zoning district.

(4) ***The subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.*** The current Project site is not physically suitable for development, as the dimensions of the subject Project parcel are substandard for residential development. As such, the Applicant has requested a Zone Change application in order to make the Project parcel consistent with the adjacent 0.21-acre parcel to the east. The consistency will allow the Applicant to apply for a Lot Line Adjustment to facilitate the orderly development of a five-unit apartment complex on the overall development project site. The Zone Change will thus enable the subject Project parcel to be physically suitable for development. With approval of the Zone Change Application, access and utilities will be available to serve the overall development project site.

SECTION 6: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVES the herein described Application.

SECTION 7: ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 9: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

- - - - - - - - - - - - - -

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 23rd day of August, 2022, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC22-049, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 23, 2022 by the following roll call vote, to wit:

AYES: Anderson, Dean, Gage, Lampkin, Ricci, Willoughby

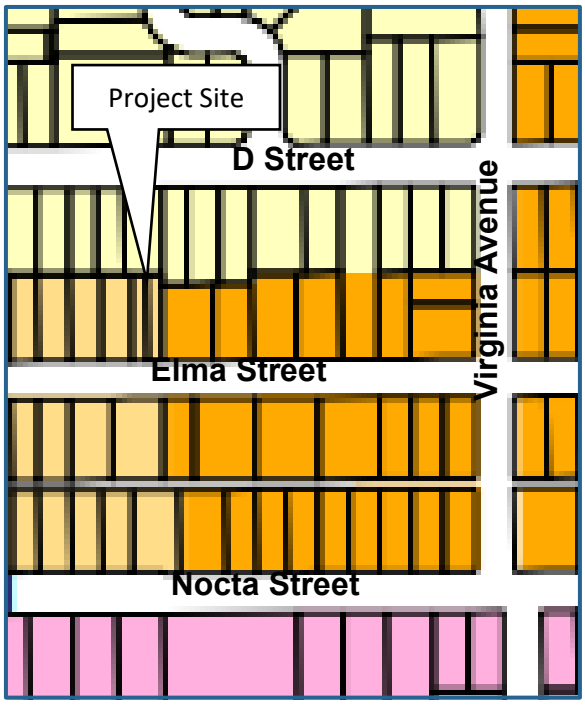
NOES: None

ABSENT: DeDiemar

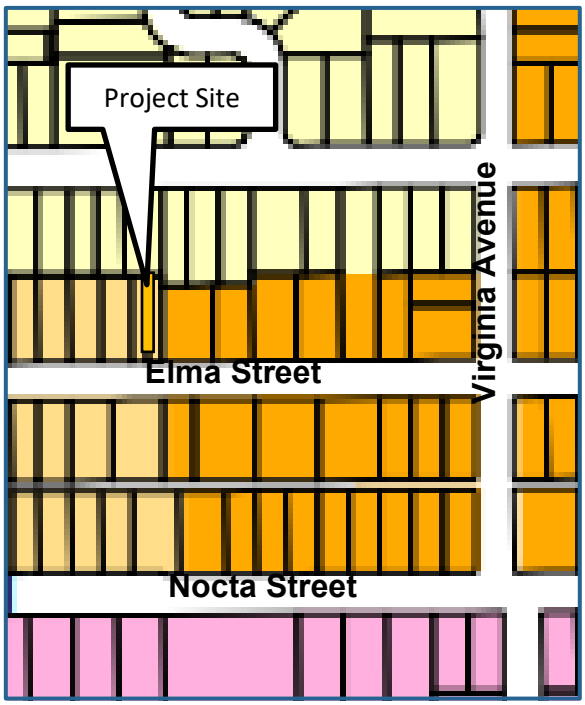
ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

Exhibit “A” – Proposed Zone Change



Existing Zoning:
MDR -11, Low Medium Density Residential



Proposed Zoning:
MDR -18, Medium Density Residential



ORDINANCE NO._____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PZC19-001, A ZONE CHANGE AMENDING THE ZONING DESIGNATION ON 0.07-ACRE OF LAND FROM MDR-11 (LOW-MEDIUM DENSITY RESIDENTIAL – 5.1 TO 11.0 DU/AC) TO MDR-18 (MEDIUM DENSITY RESIDENTIAL – 11.1 TO 18.0 DU/AC) TO ENABLE DEVELOPMENT OF A 0.28-ACRE PROJECT SITE, AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 1048-491-23.

WHEREAS, MARIA G. OSEGUERA ("Applicant") has filed an Application for the approval of a Zone Change, File No. PZC19-001, as described in the title of this Ordinance. The term “Project” or “Project parcel” shall refer to the subject Zone Change Application and the referenced 0.07-acre site, and the term “development project” refers to the greater 0.28-acre development project site tied to and inclusive of the Zone Change Application; and

WHEREAS, the Application applies to 0.07 acre of land generally located 1063 East Elma Street, within the MDR-11 (Medium-Density Residential – 5.1 to 11.0 du/ac), and is presently vacant; and

WHEREAS, the Application proposes to modify the zoning district of the Project site from MDR-11 (Medium Density Residential – 5.1 to 11.0 du/ac) to MDR-18 (Medium Density Residential – 11.1 to 18.0 du/ac); and

WHEREAS, the Application has been filed in conjunction with File Nos. PDEV19-028 and PVAR19-004, and will facilitate the orderly development of the adjacent approximately 0.21-acre parcel with a five-unit apartment complex; and

WHEREAS, the property to the north of the Project site is within the LDR-5 (Low-Density Residential – 2.1 to 5.0 du/ac) zoning district and is developed with single-family homes. The property to the east is within the MDR-18 (Medium Density Residential – 11.1 to 18.0 du/ac) zoning district and is developed with multiple-family dwellings. The property to the south is within the MDR-11 (Medium Density Residential – 5.1 to 11.0 du/ac) zoning district and is developed with multiple-family dwellings. The property to the west is within the MDR-11 (Medium Density Residential – 5.1 to 11.0 du/ac) zoning district and is developed with a single-family dwelling; and

WHEREAS, the Zone Change Project’s parcel is currently unbuildable due to its shallow width. As such, the Applicant has filed for a Zone Change to make the zoning of this parcel consistent with the adjacent 0.21-acre parcel and the underlying TOP Land Use Designation (Medium Density Residential (11.1-25 du/ac) – Exhibit “A” proposed Zone Change included in this Ordinance), in order to facilitate a lot line adjustment to create one cohesive developable parcel; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act — Public Resources Code Section 21000 et seq. — (hereinafter referred to as "CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, the environmental impacts of this Project were previously reviewed in conjunction with File No. PGPA20-002, a General Plan update for which a Subsequent Environmental Impact Report (State Clearing House No. 2021070364) was certified by the City Council on August 16, 2022. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (“CEQA”)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of Project approval, and are incorporated herein by this reference; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the City Council the responsibility and authority to review and act on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (“ONT ALUCP”), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on August 15, 2022, the Development Advisory Board of the City of Ontario conducted a hearing to consider the related Variance (File No. PVAR19-004) and Development Plan (File No. PDEV19-028), and concluded said hearing on that date, voting to issue Decision Nos. DAB22-031 and DAB22-032 recommending the Planning Commission approve the Variance and Development Plan; and

WHEREAS, on August 23, 2022, the Planning Commission of the City of Ontario conducted a hearing to consider the related Variance (File No. PVAR19-004) and Development Plan (File No. PDEV19-028), and concluded said hearing on that date, voting (6-0-1) to issue Decision Nos. PC22-050 and PC22-051, approving the related Variance and Development Plan, respectively; and

WHEREAS, on August 23, 2022, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting (6 – 0) to issue Resolution No. PC22-049, recommending the City Council approve the Application; and

WHEREAS, on September 20, 2022, the City Council of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND ORDAINED by the City Council of the City of Ontario, as follows:

SECTION 1. *Environmental Determination and Findings.* As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the City Council finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with File No. PGPA20-002, an update to the City's General Plan for which a Subsequent Environmental Impact Report (State Clearinghouse No. 2021070364) was certified by the City Council on August 16, 2022.

(2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous Certified EIR reflects the independent judgment of the City Council; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2. *Subsequent or Supplemental Environmental Review Not Required.* Based on the information presented to the City Council, and the specific findings set forth in Section 1, above, the City Council finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3. *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the City Council finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 4. *Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted

Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport ("ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the City Council, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5. *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the City Council hereby concludes as follows:

(1) *The proposed Zone Change is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.* The Project parcel is currently unbuildable, and is not consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan) and City Council Priorities components of The Ontario Plan. The proposed Zone Change will enable consistency and compatibility with these items, by creating consistency with the underlying The Ontario Plan Policy Plan Land Use Designation (Medium Density Residential, 11.1-25 du/ac), which envisions a variety of well-designed medium-density housing options. Further, the Zone Change will allow for flexible redevelopment of the overall development project site with approval of the related Development Plan (File No. PDEV19-028) and Variance (File No. PVAR19-004) application requests. Without approval of the Zone Change, the Project parcel will remain vacant and underutilized, and the development project area will remain in poor condition and underutilized.

(2) *The proposed Zone Change would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.* The proposed Zone Change Project will not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. With approval of the related Development Plan (File No. PDEV19-028) and Variance (File No. PVAR19-004) application requests, the Project will enable orderly redevelopment of the overall development project site and will provide a public benefit for both the Project site and development project site, by allowing for public right-of-way improvements, an increase in landscaping in the neighborhood, and elimination of public nuisances and Community Improvement (Code Enforcement) infractions. The development project will also provide visual improvements from public view, including cleaning up and redesigning the deteriorating site. The Project site and development project site are located within a residential neighborhood, surrounded by existing single-family and multiple-family developments and will neither expose others nor

be exposed to any impacts not typically found in residential neighborhoods. Without approval of the Zone Change, the Project parcel will remain vacant and underutilized, and the development project area will remain in poor condition and underutilized.

(3) *The proposed Zone Change will not adversely affect the harmonious relationship with adjacent properties and land uses.* The Zone Change Application will bring the subject Project parcel into compliance with The Ontario Plan's General Plan Land Use Plan. Further, the proposed zoning designation is the same as the adjacent neighborhood to the east and is complementary to and compatible with the zoning designations of the neighborhoods to the north, west, and south. As the overall development project's site is currently developed with a three-unit multiple-family dwelling that does not meet Development Code standards (including setbacks, landscaping, and parking), the Zone Change will allow for redevelopment of the site that meets major development standards and the multiple-family development intent for the overall zoning district.

(4) *The subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.* The current Project site is not physically suitable for development, as the dimensions of the subject Project parcel are substandard for residential development. As such, the Applicant has requested a Zone Change application in order to make the Project parcel consistent with the adjacent 0.21-acre parcel to the east. The consistency will allow the Applicant to apply for a Lot Line Adjustment to facilitate the orderly development of a five-unit apartment complex on the overall development project site. The Zone Change will thus enable the subject Project parcel to be physically suitable for development. With approval of the Zone Change Application, access and utilities will be available to serve the overall development project site.

SECTION 6. *City Council Action.* Based upon the findings and conclusions set forth in Sections 1 through 5, above, the City Council hereby APPROVES the herein described Zone Change, attached hereto as "Exhibit A," and incorporated herein by this reference.

SECTION 7. *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8. *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 9. *Severability.* If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not

affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 10. *Effective Date.* This Ordinance shall become effective 30 days following its adoption.

SECTION 11. *Publication and Posting.* The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within 15 days following the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this ____ day of _____ 2022.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. ____ was duly introduced at a regular meeting of the City Council of the City of Ontario held _____ and adopted at the regular meeting held _____, 2022 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

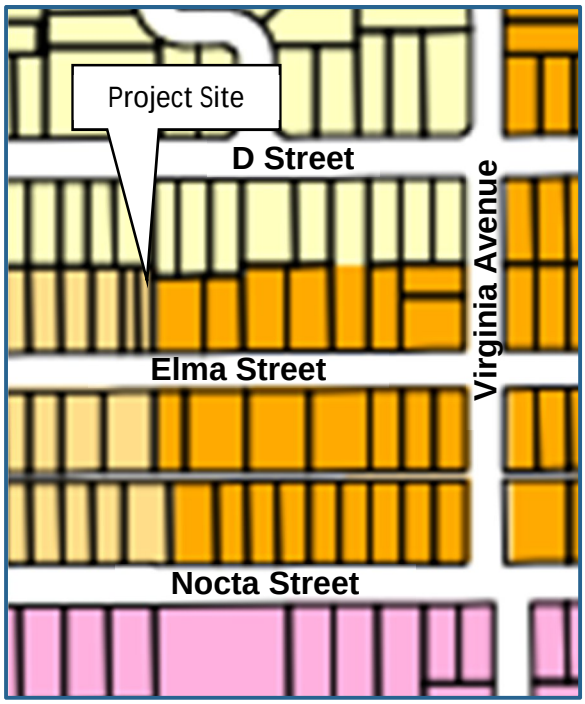
I hereby certify that the foregoing is the original of Ordinance No. _____ duly passed and adopted by the Ontario City Council at their regular meeting held _____, and that Summaries of the Ordinance were published on _____ and _____, in the Inland Valley Daily Bulletin newspaper.

_____
SHEILA MAUTZ, CITY CLERK

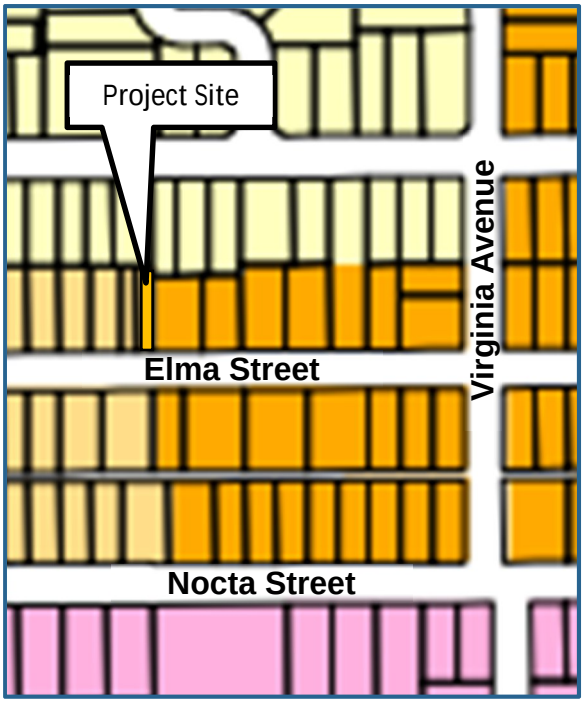
(SEAL)

EXHIBIT A:

File No. PZC19-001;
Zone Change for 1063 East Elma Street



Existing Zoning:
MDR -11, Low Medium Density Residential



Proposed Zoning:
MDR -18, Medium Density Residential



CITY OF ONTARIO *Agenda Report* **October 18, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Municipal Services Prepared By: Daniel P Beers Staff Member Presenting: Tito Haes, Executive Director Public Works Reviewed By: Bonnie Tam Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 12

SUBJECT: AUTHORIZE THE PURCHASE OF MOBILE HOME STRUCTURE FOR INTERIM FIRE STATION 11

RECOMMENDATION: That the City Council authorize the sole source purchase and delivery of one mobile home structure for the Fire Department in the amount of $208,042 from Wholesale Manufactured Homes, California. This structure will be used as sleeping quarters for Interim Fire Station 11.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: The Fiscal Year 2022-23 Adopted Budget includes appropriations in the NMC (New Model Colony) – Fire Impact Fund for the design and purchase of Interim Fire Station 11. The total cost of the structure recommended for purchase is $208,042.

BACKGROUND & ANALYSIS: Due to the continued growth of residential and commercial buildings in the Ontario Ranch portion of the City, including the new Amazon distribution center projected to be operational by May 2023, there is a need for a new Fire Station 11 in that region. To meet this short time frame, Staff plans to erect an interim Fire Station 11 at the southeast corner of Eucalyptus and Bon View.

With the recent completion of the permanent Fire Station 9 facility, Staff will repurpose the former Interim Fire Station 9 structures and move them to the Interim Fire Station 11 location. However, Interim Fire Station 11 requires an additional structure to provide sufficient sleeping quarters for firefighters stationed there. Wholesale Manufactured Homes supplied the original structure for Interim Fire Station 9. In order to ensure a proper fit when joining the two structures, purchase of a second structure from Wholesale Manufactured Homes is required.

CITY OF ONTARIO *Agenda Report* **October 18, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Municipal Services Prepared By: Adrian Escamilla Staff Member Presenting: Tito Haes, Executive Director Public Works Reviewed By: Bonnie Tam Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 13

SUBJECT: **A CONSTRUCTION CONTRACT AND A GOODS & SERVICES AGREEMENT FOR OMUC, PARKS AND MAINTENANCE, AND INTEGRATED WASTE OFFICE IMPROVEMENTS**

RECOMMENDATION: That the City Council take the following actions:

A. Authorize the City Manager or his designee to execute Construction Contract No. D&C20-028 with M. Brey Electric, Inc. of Beaumont, California, for the Ontario Municipal Utilities Company (OMUC), Parks and Maintenance, and Integrated Waste Office Improvements Project in the amount of $420,000;
B. Authorize a 10% contingency of $42,000 to address any unforeseen issues that arise during construction;
C. Authorize the City Manager or his designee to execute a Goods and Services Agreement with Kirksey & Co. of Irvine, California, for OMUC, Parks and Maintenance, and Integrated Waste Office Improvements Project for the Furniture, Fixtures, and Equipment (FF&E), consistent with the terms and conditions of the cooperative purchasing contract with Omnia #R191804 in the amount of $369,583; and
D. Authorize the City Manager or his designee to execute all documents required for the completion of the project including, but not limited to, contracts, agreements, assessments, easements, reduction of retention accounts, and filing a notice of completion at the conclusion of all construction related activities.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: The construction and FF&E costs for the the OMUC, Parks and Maintenance, and Integrated Waste Office Improvements Project is $789,583, plus $42,000 contingency, for a total not to exceed $831,583. The Fiscal Year 2022-23 Adopted Budget includes appropriations of $24,389 in the Facility Maintenance Fund, $507,580 in the Integrated Waste Facilities Fund, $239,691 in the Water Capital Fund, and $59,923 in the Sewer Capital Fund.

BACKGROUND & ANALYSIS: The existing spaces for the OMUC, Parks and Maintenance Department, and Integrated Waste Department Project need remodeling and rehabilitation to accommodate operational and additional staffing needs. The Project includes complete reconfiguration of office spaces, including new flooring, ceiling grid, electrical, HVAC, and FF&E.

On July 7, 2022, Staff solicited bids for the construction of the OMUC, Parks and Maintenance, and Integrated Waste Office Improvements Project. Staff received four (4) construction bids ranging from $420,000 and $479,000 for the project.

All the bids received are listed below:

Vendor	**Location**	**Amount**
M. Brey Electric, Inc.	Beaumont, California	$420,000
Armstrong Cal Builders, Inc.	Signal Hill, California	$421,900
R Dependable CONST, INC.	San Bernardino, California	$427,000
KBCI	Rowland Heights, California	$479,000

After review of all bids, it was determined that M. Brey Electric, Inc. located in Beaumont, California, submitted the lowest responsible bid. Based on the credentials, pricing, and favorable reference checks, Staff recommends awarding Construction Contract No. D&C20-028 for the OMUC, Parks and Maintenance, and Integrated Waste Office Improvements Project to M. Brey Electric, Inc. The estimated completion date is February 2023.

In addition, the furnishings, fixtures, and equipment of the OMUC, Parks and Maintenance, and Integrated Waste Office Improvements Project is recommended to be purchased from Kirksey & Co. using the cooperative purchasing contract with Omnia #R191804 in the amount of $369,583.

In general conformation with the provisions of Government Code Section 54201 through 54204, Ontario Municipal Code Section 2-6.29 allows for the purchase of supplies and equipment through cooperative purchasing programs. Cooperative purchasing allows the City to pool its procurement power with other public agencies to obtain lower pricing than otherwise might be possible.

CITY OF ONTARIO *Agenda Report* **October 18, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Utilities Prepared By: Cynthia Heredia-Torres Staff Member Presenting: Scott Burton, Utilities General Manager Reviewed By: Dennice Raygoza, Albert G Gastelum, Michael Sigsbee Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 14

SUBJECT: A CONSTRUCTION CONTRACT AND TWO AMENDMENTS FOR THE PRESSURE REDUCING STATION REHABILITATION PROJECT

RECOMMENDATION: That the City Council take the following actions:

A. Approve the plans and specifications and award Contract No. UT 1041 (on file in the Records Management Department) to Innovative Construction Solutions Inc. of Costa Mesa, California, for the Pressure Reducing Station Project in the amount of $1,708,000 plus a 10% contingency of $170,800, for a total not-to-exceed amount of $1,878,800, a term of 180 calendar days after issuance of notice to proceed and authorize the City Manager, or his designee to execute said contract and file a notice of completion at the conclusion of all construction activities related to the project.
B. Approve and authorize the City Manager, or designee to execute Amendment No. 2 to the Professional Services Agreement (on file in the Records Management Department) with AKM Consulting Engineers Inc. of Irvine, California, for a total not-to-exceed amount of $129,088 for construction engineering services and a term from October 4, 2022 to September 30, 2023.
C. Approve and authorize the City Manager, or designee to execute Amendment No. 8 to the Professional Services Agreement (on file in the Records Management Department) with Kleinfelder Inc. of Ontario, California, for a total not-to-exceed amount of $106,640 for construction management services and a term from October 4, 2022 to May 6, 2023.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

FISCAL IMPACT: The recommended Contract award to Innovative Construction Solutions Inc. is for $1,708,000 plus a 10% contingency of $170,800, for a total not-to-exceed amount of $1,878,800. Proposed Amendment No. 2 to AKM Consulting Engineers Inc. increases the agreement by $129,088, for a total revised agreement amount of not-to-exceed $408,279. Proposed Amendment

No. 8 to Kleinfelder Inc. increases the agreement by $106,640 for a total revised agreement amount of not-to-exceed $1,867,456. The total cost for the recommended action is $2,114,528.

The Fiscal Year 2021-22 Adopted Capital Improvement Program includes appropriations from the Water Capital Fund in the amount of $1,227,035 for this project, which will be included in the project carryover process at the Fiscal Year 2022-23 First Quarter Budget Update Report. If approved, additional appropriations in the amount of $887,493 from the Water Capital Fund will also be included in the Fiscal Year 2022-23 First Quarter Budget Update Report to City Council. Appropriations were not originally included in the budget to avoid over appropriation of funds. There is no impact to the General Fund.

BACKGROUND & ANALYSIS: The City's potable water system includes approximately 614 miles of pipeline, five (5) pressure zones, and twenty (20) Pressure Reducing Stations (PRS). The main function of a PRS is to maintain a steady preset pressure in a pressure zone by regulating water from a higher-pressure zone to a lower pressure zone using various sized pressure reducing valves. PRS's are critical facilities for maintaining adequate service pressures during high demand periods and to meet fire flow requirements.

The City's Water Master Plan and a conditions assessment completed by Kleinfelder Inc. were used to identify deficiencies in various PRS's which require rehabilitation for continuous safe and reliable operations.

There are six (6) PRS's that require rehabilitation improvements. These improvements include upgrading PRS's to meet current safety standards, implementing corrosion prevention measures to extend the life of PRS components, and integrating with the City's Supervisory Control and Data Acquisition (SCADA) System to allow for metering, remote flow control, and monitoring of facility operations.

The PRS's that will be part of the rehabilitation improvements and are identified in the attached Exhibit "A" include:

- PRS 02 - located at Euclid Avenue and the 60 Freeway
- PRS 03 - located at Grove Avenue and the 60 Freeway
- PRS 05 - located at Archibald Avenue and Philadelphia Avenue
- PRS 08 - located at Etiwanda Avenue and Francis Street
- PRS 12 - located at Haven Avenue and Francis Street
- PRS 13 - located at Haven Avenue and Francis Street

On July 14, 2022, five (5) bids were received for Bid No. 1542, Pressure Reducing Station Rehabilitation Project, OMUC Contract No. UT 1041. The bids ranged from a low bid amount of $1,708,000 to a high bid amount of $2,667,000 as summarized below:

Bidder	Locations	Amount
Innovative Construction Solutions Inc.	Costa Mesa, CA	$1,708,000
Canyon Springs Enterprises	Hemet, CA	$1,945,000
316 Engineering & Construction Inc.	Rosemead, CA	$2,014,036
T. E. Roberts, Inc.	Orange, CA	$2,132,178
Ferreira Coastal Construction Company	Rancho Cucamonga, CA	$2,667,000

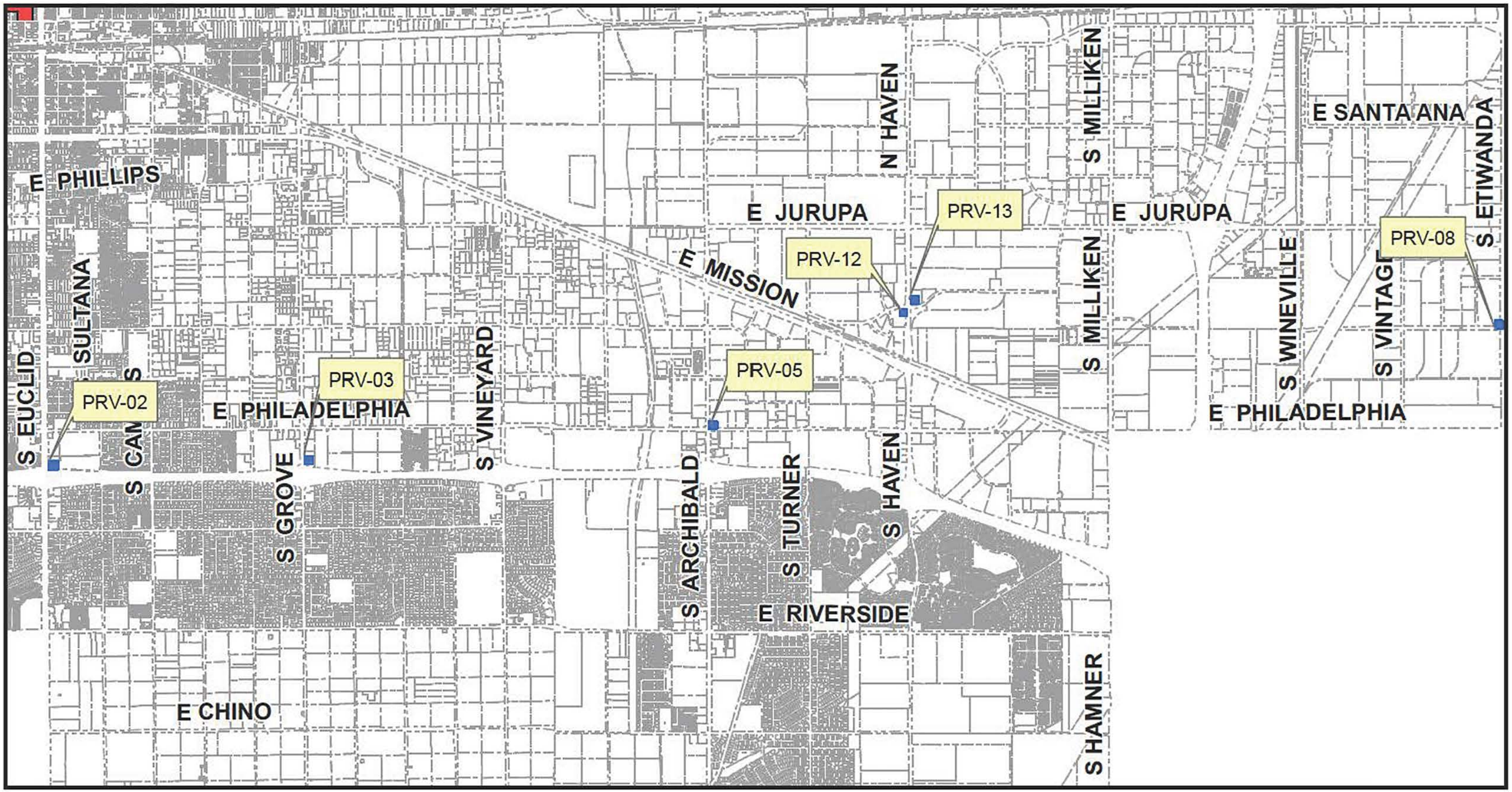
Staff recommends the City Council award to Innovative Construction Solutions Inc. of Costa Mesa, California, based on their expertise and ability to perform the work in a timely manner, their successful completion of this type of work in the past, and as the lowest responsible bidder.

Support services will be required during construction of the Pressure Reducing Station Project. AKM Consulting Engineers Inc. will provide construction management services. The City first contracted with AKM Consulting Engineers Inc. in October of 2019 after an extensive Request for Proposal selection processes for on-call project management services. Kleinfelder Inc. will provide construction and engineering services as they are the Engineer of Record for the Project and developed the project's plans and specifications. The City first contracted with Kleinfelder Inc. in May of 2019 after an extensive Request for Proposal selection process for on-call design services. Staff solicited scope and fee from both consultants.

ENVIRONMENTAL REVIEW: The project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from CEQA pursuant to Article 19 Section 15031, which states that operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of Class 1 "Existing Facilities" are exempt from the requirements of CEQA. Thus, no further CEQA analysis is required.

ONTARIO MUNICIPAL UTILITIES COMPANY

UT1041 Pressure Reducing Valve Rehabilitation Project Ph. 1 Exhibit A



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CITY OF ONTARIO *Agenda Report* **October 18, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Police Department Prepared By: Lizceth Zazueta Staff Member Presenting: Mike Lorenz, Chief of Police Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 15

SUBJECT: APPLICATION FOR THE US DEPARTMENT OF JUSTICE FISCAL YEAR 2022 COMMUNITY ORIENTED POLICING SERVICES HIRING PROGRAM GRANT

RECOMMENDATION: That the City Council authorize the City Manager or his designee to execute all documents necessary to apply for and accept a grant award in the amount of $1,250,000 from the US Department of Justice Office of Community Oriented Policing Services (COPS) to participate in the Fiscal Year (FY) 2022 Office Hiring Program (CHP) Grant.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Maintain the Current High Level of Public Safety
Operate in a Businesslike Manner
Pursue City's Goals and Objectives by Working with Other Governmental Agencies
Focus Resources in Ontario's Commercial and Residential Neighborhoods

FISCAL IMPACT: Grant awards were announced October 13, 2022, and the grant will fund 75% of the base salary of ten (10) additional police sworn personnel incurred during the five-year grant period, which is from October 1, 2022, through September 30, 2027. The City's General Fund will be required to cover the remaining 25% of the base salary for three (3) years, as well as all other additional expenses associated with these positions, including skills and certifications compensation, fringe benefits, retirement, overtime, uniforms, purchase of vehicles, and vehicle maintenance. Due to the lengthy and extensive hiring process, all the costs associated with the 10 police sworn positions will be included in the Fiscal Year 2023-24 Proposed Budget.

The approximate grant funding reimbursement requested was $1,250,000. Since awarded, the estimated cost for FY 2023-24 will be $1,887,927 and the estimated total cost for the life of the grant is $11,068,999. For the 5th year of the grant (FY 2026-27), General Fund will absorb 100% of the costs associated with these positions. The related revenue and expenditures will be included in the FY 2023-24 Proposed Budget presented to City Council.

BACKGROUND & ANALYSIS: The Office of Community Oriented Policing Services (COPS) has approved the city's application for funding under the FY 2022 COPS Office Hiring Program (CHP) Grant in the amount of $1,250,000. This grant provides funding for the Police Department to hire

ten (10) entry-level police officers in an effort to increase the Department's community policing capacity and crime prevention efforts. The FY 2022 CHP award covers up to 75% of the entry-level salary and fringe benefits for each approved position for a three-year period, with a maximum amount of $125,000 per position over the three-year period. There is a minimum 25% local cash match (cost share) requirement.

Funding under this program will support three (3) years of officer salaries within a five (5)-year period of performance to accommodate time needed for recruitment and hiring. The Department must retain each CHP-funded position for twelve (12) months following the three (3) years of funding for that position. The additional officer positions must be added to the Department's budget and must be above the number of locally funded officer positions that would have existed in the absence of the award. Absorbing CHP-funded positions through attrition (rather than adding extra positions to the Department's budget with additional funding) does not meet the retention requirement.

The award of these grant funds for additional officers will allow the Police Department: (1) to hire ten (10) entry-level COPS Office-funded officers allowing for equal number of officers to be redeployed to focus on initiating or enhancing community policing through the mobile response unit, (2) to proactively impact crime and improve the quality of life (3) to build legitimacy and trust within the community, (3) to increase Police-Based response to persons in crisis, (4) to reduce violent crime (particularly gun violence), and (5) to combat hate and domestic extremism through comprehensive services including behavioral health, medical care, alternative law enforcement solutions, rehabilitation, substance abuse treatment, and transitional housing.

CITY OF ONTARIO *Agenda Report* **October 18, 2022**	**SECTION:** **CONSENT CALENDAR**
Department: Housing Prepared By: Hannah K Mac Kenzie Staff Member Presenting: Scott Murphy, Executive Director Community Development Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 16

SUBJECT: FIFTH AMENDMENT TO THE CONSOLIDATED PLAN ANNUAL ACTION PLAN FOR THE 2019-20 PROGRAM YEAR

RECOMMENDATION: That the City Council approve the Fifth Amendment to the Consolidated Plan Annual Action Plan (on file in the Records Management Department) for the Program Year 2019-20 ("Substantial Amendment") and authorize the City Manager to take all actions necessary to implement the Substantial Amendment.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Pursue City's Goals and Objectives by Working with Other Governmental Agencies

FISCAL IMPACT: The U.S. Department of Housing and Urban Development (HUD) has reallocated $1,068,626 in Emergency Solutions Grant Coronavirus (ESG-CV3) funds to the City of Ontario authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). These funds include $106,862 for eligible administration costs. There is no impact to the General Fund. If approved, the associated revenue and expenditures will be included in the next Quarterly Budget Update to the City Council.

BACKGROUND & ANALYSIS: On June 4, 2019, the City Council approved the Fiscal Year 2019-20 One-Year Action Plan as part of the Consolidated Plan. The CARES Act was signed by President Trump on March 27, 2020 to respond to the growing effects of the coronavirus health crisis. The CARES Act made available CDBG-CV and ESG-CV funds to entitlement jurisdictions. In addition, the CARES Act provides some flexibility and waivers with regard to CDBG-CV and ESG-CV.

On April 2, 2020, the City received notification of federal CARES Act funding from HUD. Per the notification, the City received $1,096,879 in Community Development Block Grant Coronavirus (CDBG-CV) funds and $552,724 in Emergency Solutions Grant Coronavirus (ESG-CV). These funds were submitted as the first amendment to the 2019-20 One-Year Annual Action Plan and approved by the City Council on May 5, 2020. On June 9, 2020, the City received a second notification of allocation of federal CARES Act funding from HUD indicating that the City will receive an additional $1,584,528 in ESG funding, referred to as ESG-CV2. These funds were submitted as the second amendment to the 2019-20 One-Year Annual Action Plan and approved by the City Council on

August 18, 2020. On September 11, 2020, the City received a third notification of allocation of federal CARES Act funding from HUD allocating an additional $1,246,263 in CDBG funding, referred to as CDBG-CV3. These funds were submitted as the third amendment to the 2019-20 One-Year Annual Action Plan and approved by the City Council on October 20, 2020. All CARES Act funding is to be utilized in a way that prevents, prepares for, and responds to COVID-19 impacts. On May 4, 2021, the City Council approved the fourth amendment to the 2019-20 One-Year Annual Action Plan, modifying how previously awarded CDBG-CV and ESG-CV allocations were programmed.

On September 23, 2022, the City received a notification of allocation of federal CARES Act funding from HUD indicating that the City will receive an additional $1,068,626 in reallocated ESG-CV funding. The funding is to be utilized in a way that prevents, prepares for, and responds to COVID-19 impacts. A summary of the spending recommendations are as follows:

Program	**Description**	**Funding Amount**
Homeless Prevention and Rapid Re-Housing	Provide emergency grants, for up to six months, to very low-income renters (50% or below of Area Median Income (AMI)) at risk of homelessness. Eligible uses of funds include deferred and prospective rent payments to prevent eviction and deferred utility payments to prevent utility shut off. Payments will be paid directly to property owner and/or utility companies. Maximum assistance per household is $15,000.	$661,764
Motel Voucher Program	Provide motel vouchers for identified homeless households, with a preference provided to those identified as most vulnerable to the impacts of COVID-19. Supportive services will be provided to connect these households with permanent housing and other needed social services.	$300,000
Administration	Administer the grant in compliance with federal requirements. Administration costs are capped at 10% of the grant amount.	$106,862
	TOTAL ESG-CV	**$1,068,626**

The Fifth Amendment to the Fiscal Year 2019-20 One-Year Action Plan was advertised in the Inland Valley Daily Bulletin on October 13, 2022. The draft document was made available for public review via the City's website from October 13, 2022, to October 17, 2022. Subsequent to City Council approval, the plan will be submitted to the U.S. Department of Housing and Urban Development.

Staff recommends approval of the Substantial Amendment to program the CARES Act ESG reallocation.

CITY OF ONTARIO *Agenda Report* **October 18, 2022**	**SECTION:** **PUBLIC HEARINGS**
Department: Planning Prepared By: Alexis Vaughn Staff Member Presenting: Scott Murphy, Executive Director Community Development Reviewed By: Charles Mercier, Rudy Zeledon Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 17

SUBJECT: **A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN (FILE NO. PSPA21-002) AND THE RELATED SUBSEQUENT FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2019050018)**

RECOMMENDATION: That the City Council consider and adopt:

A. A Resolution certifying the Subsequent Environmental Impact Report (State Clearinghouse No. 2019050018) prepared for the Ontario Ranch Business Park Specific Plan Amendment, File No. PSPA21-002, which includes the adoption of a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program; and
B. A Resolution adopting an Amendment to the Ontario Ranch Business Park Specific Plan (File No. PSPA21-002).

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner
Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in Ontario Ranch

FISCAL IMPACT: Adoption of the Ontario Ranch Business Park Specific Plan Amendment would result in both short and long-term fiscal impacts to the City. Short-term impacts include infrastructure improvements to serve the new Business Park and Industrial development. The cost of these improvements is included in the Nexus Study and Development Impact Fees ("DIF") previously adopted by the City Council. The developer will be required to install improvements or pay the DIF associated with the various improvements. Long-term fiscal impacts include the ongoing operations and maintenance services (police, fire, maintenance, etc.) necessary to serve the new development. To address this impact, the developer will be required to form and/or join a

Community Facilities District to cover the additional public service costs. No Original Model Colony dollars will be used to fund this Ontario Ranch development.

BACKGROUND & ANALYSIS: The Project site is comprised of 71.69 acres of land located immediately adjacent to the existing Ontario Ranch Business Park Specific Plan, within the Ontario Ranch area of the City. The Project is bordered by Sultana Avenue on the west, Eucalyptus Avenue on the north, Campus Avenue on the east, and Merrill Avenue on the south, as depicted in Exhibit A: Project Location Map, attached. The Project site is currently occupied by agricultural uses, including dairy farms and row crops, several residential structures, and vacant land that was previously used for agriculture. There are currently no active Williamson Act Contracts on the Project site.

On September 15, 2020, the City Council approved the Ontario Ranch Business Park Specific Plan (File No. PSP18-002), which established the development standards and guidelines for 84.9 acres of land located immediately to the west of the Project site. The Specific Plan established two land use districts, Business Park and Industrial–General, which would facilitate the potential development of up to 1,905,027 square feet of General Industrial and Business Park development. The Specific Plan's Environmental Impact Report reviewed a maximum development intensity at 0.45 floor area ratio ("FAR") for Business Park developments and 0.54 FAR for Industrial–General developments. These maximum FARs, which are below The Ontario Plan ("TOP") Policy Plan (General Plan) buildout thresholds, have been carried over into the land area covered by the proposed Specific Plan Amendment.

The Policy Plan component of TOP provides the basic framework for development within the City, including the area commonly referred to as Ontario Ranch. Since receipt of the Project application and release of the Draft Subsequent Environmental Impact Report, the City proposed an update to the City's General Plan ("TOP 2050 Update", File No. PGPA20-002), modifying the Project site's underlying Policy Plan land use districts from 56 acres of Low-Medium Density Residential (5.1-11 du/ac) and 18 acres of Business Park (0.6 FAR) to 11.63 acres of Business Park (0.6 FAR) and 60.06 acres of Industrial (0.55 FAR), which was approved by the City Council on August 16, 2022. Updating the TOP land use districts allowed for a consistent industrial corridor, which spans from Euclid Avenue on the west, to the Cucamonga Creek Channel on the east, and from Eucalyptus Avenue on the north, to Merrill Avenue on the south (refer to Figure 4 of the PC Backup). As part of the TOP 2050 Update, analyses were also completed to satisfy the requirements of SB 330, which requires cities to replace displaced residential units elsewhere in the city, to incur "no net loss" of residential capacity within a city.

The Ontario Ranch Business Park Specific Plan (File No. PSP18-002) established a comprehensive set of design guidelines and development regulations to (1) guide and regulate site planning, landscape, and architectural character; (2) ensure that excellence in community design is achieved during Project development; (3) institute procedures and requirements to approve new development within the Project site; and (4) ensure that Policy Plan goals and policies are achieved. The Amendment to the Ontario Ranch Business Park Specific Plan proposes to expand the Specific Plan area by 71.69 acres of land and apply these same guidelines, regulations, and procedures to facilitate development thereon. The Project proposes updates to the land use plan, circulation plan, infrastructure plan, and phasing plan. No changes to the design guidelines, landscape standards, or sign standards are proposed. A copy of the proposed amended Ontario Ranch Business Park

Specific Plan is included as Attachment A of the recommended resolution for File No. PSPA21-002.

The Ontario Ranch Specific Plan currently consists of two Planning Areas ("PAs") that allow for a variety of commercial, office, technology, light manufacturing, and warehouse/distribution uses. The Land Use Plan implements the overall vision of TOP by providing opportunities for employment in manufacturing, distribution, research and development, service, and supporting retail land uses at intensities designed to meet the demand of current and future market conditions. The Project proposes to add PA 3 and PA 4 to the existing Specific Plan (see Exhibit B: Specific Plan Land Use Plan, attached). PA 3 is proposed for Business Park land uses and will complement existing PA 1. PA 4 is proposed for Industrial-General land uses and will complement existing PA 2. The new Planning Areas follow the same FAR restrictions as the existing Planning Areas (see Exhibit C: Maximum Specific Plan Buildout, attached). The Specific Plan will continue to limit the maximum buildout within the Business Park land use districts (PA 1 and PA 3) to 0.45 FAR, and will limit the maximum buildout within the Industrial–General land use districts (PA 2 and PA 4) to 0.54 FAR . The maximum allowed FAR buildout for each Planning Area are less than the maximum buildout allowed by the Policy Plan in the Business Park (0.6 FAR) and Industrial (0.55 FAR) land use districts.

On October 27, 2020, the Planning Commission approved a Development Plan (File No. PDEV18-036) for the construction of 1,552,747 square feet of industrial development within PA 1 and PA 2, including 1,447,123 square feet of Industrial-General buildings and 105,624 square feet of Business Park buildings. Building permits have been issued for construction Phases 1 and 2 within PA 1 and PA 2. The proposed Specific Plan Amendment introduces construction Phase 3 to the Specific Plan, which encompasses PA 3 and PA 4, allowing for a maximum of 1,640,730 square feet of Industrial-General and Business Park development (see Exhibit C: Maximum Specific Plan Buildout, attached). PA 3, located along the Project site's Eucalyptus Avenue frontage, between Sultana and Campus Avenues, is 11.63 acres in size and can potentially be developed with 227,951 square feet of Business Park buildings. The Specific Plan still limits buildings within the Business Park land use district, which front onto a public right-of-way, to a maximum building footprint of 125,000 square feet. PA 4, located along the Project site's Merrill Avenue frontage, between Sultana and Campus Avenues, is 60.06 acres in size and can be potentially developed with up to 1,412,739 square feet of Industrial-General buildings. Per the Specific Plan Amendment, Phase 3 may be broken down into sub-phases as needed, pending land acquisition and market conditions.

The Business Park and Industrial-General Specific Plan land uses are consistent with the Policy Plan Land Use Plan and other approved Specific Plans located along the same corridor, including the existing Ontario Ranch Business Park, South Ontario Logistics Center, Merrill Commerce Center, and West Ontario Commerce Center. The Business Park land use district has been established specifically to act as a buffer between the industrial land uses and Chino Airport to the south, from the future residential, commercial, and mixed-use land uses north of Eucalyptus Avenue (refer to Figure 4 of the PC Backup). The Project would provide consistency for the entire industrial corridor located south of Eucalyptus Avenue, between Euclid Avenue and the Cucamonga Creek Channel.

The Project site is located within the Chino Airport Overlay Zoning District and is impacted by Safety Zone 6 (refer to Figure 7 of the PC Backup). The Safety Zone policies and criteria provide restrictions that limit building height and placement, lot coverage, concentration of people, storage of hazardous materials, and excludes or limits sensitive land uses (residential, schools, day care

centers, hospitals, etc.). The Project site is also impacted by existing aircraft traffic patterns from Runway 3-21, where aircraft fly directly over the Project site while making Touch-and-Go landings, a maneuver where aircraft land on a runway and take off again without coming to a full stop; the pilot then circles the airport in a defined pattern to allow many landings to be practiced in a short time.

The Project site is also located within the Agricultural Overlay zoning district. While agricultural land uses are allowed to remain in perpetuity as allowed by the Agricultural Overlay zoning district, the City's Right-to-Farm ordinance, landowners are not required to continue agricultural land uses and are not precluded from establishing other appropriate land uses. Should landowners wish to redevelop their property or sell to another developer, development must be consistent with the Policy Plan Land Use Plan, the Chino Airport Overlay Zoning District, and an approved specific plan.

The proposed Specific Plan Amendment updates the existing Specific Plan's Circulation Plan to include the expanded (annexed) land area. Future traffic signals will now be constructed or modified at the following major intersections (refer to Figure 8 of the PC Backup):

- Eucalyptus Avenue and Sultana Avenue
- Eucalyptus Avenue and Campus Avenue
- Merrill Avenue and Sultana Avenue
- Merrill Avenue and Campus Avenue

Additionally, primary access into the Business Park development will be provided along Eucalyptus Avenue to the north, Sultana Avenue to the west, and Campus Avenue to the east. Primary access into the Industrial development will be provided along Merrill Avenue to the south, Sultana Avenue to the west, and Campus Avenue to the east. No design changes will be made to the streets currently listed within the existing Specific Plan; however, Campus Avenue will be added to the Specific Plan, which will run north-south along the Project's eastern boundary and will be improved with a 35-foot wide neighborhood edge. The neighborhood edge will include a 23-foot wide landscape buffer and a 12-foot wide parkway containing a five-foot wide sidewalk.

The backbone infrastructure to serve all areas of the Specific Plan will be installed by the developer in accordance with the Ontario Ranch (New Model Colony) Master Plans for streets, water (including recycled water), sewer, storm drain, and fiber optic facilities. Natural gas will be provided by The Gas Company and electricity by SCE. Development of the Project requires the developer to install all infrastructure necessary to serve the Project as a standalone construction project, with phasing and details to be reviewed and approved by means of a Development Agreement, to be acted on in conjunction with the subdivision application for the Project site (refer to Figure 9 of the PC Backup).

The Specific Plan Amendment will update infrastructure and services to cover the proposed Project area, including but not limited to streets, sidewalks, bike lanes, portable water, recycled water, sewer, fiber optic, storm drain, and other utilities like gas and electric. As this Project site is the last remaining piece in the industrial corridor, many of the infrastructure plans are already in place. This Project will require future development projects to tie in and provide fair share fees and reimbursements.

The Project does not propose any changes to the existing Specific Plan design guidelines, landscape

standards, or signage. The existing regulations will continue to apply to all future development.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

Under the provisions of Senate Bill 330 ("SB 330"), the Housing Accountability Act (Government Code Section 65589.5 et seq.), TOP 2050 Update proposed changes to the Project's General Plan Land Use designations (from Residential and Business Park, to Business Park and Industrial land uses) and has completed the requisite review of impacts and replacement of impacted dwelling unit counts ("no net loss") to a more appropriate site within the City. TOP 2050 Update was reviewed and approved by the City Council on August 16, 2022.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

Ontario International Airport — On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. The proposed Project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached resolutions.

Chino Airport — On August 2, 2022, the City Council of the City of Ontario approved and adopted a Development Code Amendment to establish the Chino Airport Overlay Zoning District ("CNO OZD") and Reference L, Chino Airport Land Use Compatibility Plan ("CNO ALUCP"). The CNO OZD and ALUCP established the Airport Influence Area for Chino Airport, solely within the City of Ontario, and limits future land uses and development within the Airport Influence Area, as they relate to safety, airspace protection, and overflight impacts of current and future airport activity. The CNO ALUCP is consistent with policies and criteria set forth within the Caltrans 2011 California Airport Land Use Planning Handbook.

The proposed Project is located within the Chino Airport Influence Area and was evaluated and found to be consistent with the policies and criteria of the CNO ALUCP. Future development within Project Site shall be subject to Open Land and people per acre occupancy intensity calculations that are described below.

The Project site is located within Safety Zone 6 (Handbook Generic Safety Zones) and new development will be required to provide Open Land (an open area that is 300 feet long by 75 feet

wide) and people per acre limits. Safety Zone 6 is required to provide a minimum of 10 percent of Open Land, and occupancy is limited to 300 people per acre on average, and a maximum of 1,200 people in any one acre.

ENVIRONMENTAL REVIEW: The Specific Plan is located in the City of Ontario in what was formerly the 8,200-acre City of Ontario Sphere of Influence ("SOI") area. On January 7, 1998, the City of Ontario adopted the New Model Colony ("NMC") General Plan Amendment, setting forth a comprehensive strategy for the future development of the SOI. The NMC is generally bordered by Riverside Drive to the north, Milliken Avenue to the east, Euclid Avenue to the west and Merrill Avenue to the south.

The Ontario Plan Environmental Impact Report — On January 27, 2010, the City Council adopted The Ontario Plan ("TOP") and certified the accompanying Environmental Impact Report ("EIR") (State Clearinghouse No. 2008101140). TOP includes the General Plan for the entire City, including the NMC (now referred to as "Ontario Ranch"). TOP EIR identified many areas that might have a potentially significant impact on the environment. These areas included: 1) Aesthetics; 2) Biological Resources; 3) Geology and Soils; 4) Hazards and Hazardous Materials; 5) Hydrology and Water Quality; 6) Land Use and Planning; 7) Mineral Resources; 8) Population and Housing; 9) Public Services; 10) Recreation; and 11) Utilities and Service Systems. Through the EIR process, these potential impacts were analyzed, revisions were incorporated into the plan, and/or mitigation measures were identified that reduced the potential environmental impacts to a level that was less than significant.

TOP also identified several potential impacts that, even with revisions and/or mitigation measures, could not be reduced to a level of less than significant. These areas included:

(a) Agriculture Resources.

Impact 5.2-1. Buildout of TOP would convert 3,269.3 acres of California Resource Agency designated Prime Farmland, Unique Farmland, and Farmland of Statewide Importance to residential, commercial, mixed-use, and industrial land uses. Consequently, Impact 5.2-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.2-2. There are a number of Williamson Act contracts within the City that have yet to expire. Buildout of TOP would most likely require the cancellation or nonrenewal of these contracts. The current use of these contracts would slow the rate of conversion from agricultural to nonagricultural land but it would not impede the conversion. Since there are some Williamson Act contracts still active in the Ontario Ranch, implementation of the proposed land use plan for The Ontario Plan would conflict with these contracts and cause a significant impact. Consequently, Impact 5.2-2 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.2-3. Development of the City in accordance with TOP would increase the amount of nonagricultural land uses. When nonagricultural land uses are placed near agricultural uses, the odors, noises, and other hazards related to agriculture conflict with the activities and the quality of life of the people living and working in the surrounding areas. Consequently, conversion of agricultural uses in the city may cause farms and agricultural land uses outside the City to be converted to nonagricultural uses because of the nuisances related to agriculture. Impact 5.2-3

would remain significant and unavoidable. Therefore, a Statement of Overriding Considerations would be required.

(b) Air Quality.

Impact 5.3-1. The Project would not be consistent with the Air Quality Management Plan ("AQMP") because air pollutant emissions associated with buildout of the City of Ontario would cumulatively contribute to the nonattainment designations in the South Coast Air Basin ("SoCAB"). Furthermore, buildout of the Proposed Land Use Plan would exceed current estimates of population, employment, and vehicle miles traveled for Ontario and, therefore, these emissions are not included in the current regional emissions inventory for the SoCAB. As both criteria must be met in order for a project to be considered consistent with the AQMP, the Project would be considered inconsistent with the AQMP. Consequently, Impact 5.3-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-2. Construction activities associated with buildout of TOP would generate short-term emissions that exceed the South Coast Air Quality Management District's ("SCAQMD") regional significance thresholds; cumulatively contribute to the SoCAB's nonattainment designations for O3, PM10, and PM2.5; and potentially elevate concentrations of air pollutants at sensitive receptors. Consequently, Impact 5.3-2 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-3. Buildout of TOP would generate long-term emissions that would exceed SCAQMD'S regional significance thresholds and cumulatively contribute to the SoCAB nonattainment designations for O3, PM10, and PM2.5. Consequently, Impact 5.3-3 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-5. Approval of residential and other sensitive land uses within 500 feet of I-10, I-15, or SR-60 would result in exposure of persons to substantial concentrations of diesel particulate matter. Consequently, Impact 5.3-5 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-6. Conversion of agricultural land to nonagricultural uses would temporarily expose residents to objectionable odors. Consequently, Impact 5.3-6 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

(c) Cultural Resources.

Impact 5.5-1. Although protective regulations are in place and preservation policies are included in TOP, implementation of the Proposed Land Use Plan, especially within growth focus areas, has the potential to impact Tier III historic resources. Mitigation Measure 5-1 would require a historical evaluation for properties within historic resources in the Focus Areas under the City's ordinance. However, the ordinance does not provide a high level of protection for Tier III resources. As a result, historical resources categorized under the Ordinance as Tier III could potentially be impacts with implementation of the Proposed Land Use Plan. Consequently, Impact 5.5-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

(d) Global Climate Change.

Impact 5.6-1. Buildout of the City of Ontario would generate greenhouse gas emissions that would significantly contribute to global climate change impacts in California. GHG emissions generated in

the City would significantly contribute to climate change impacts in California as a result of the growth in population and employment in the City and scale of development activity associated with buildout of the Proposed Land Use Plan. Consequently, Impact 5.6-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

(e) Noise.

Impact 5.12-1. Buildout of the Proposed Land Use Plan would result in an increase in traffic on local roadways in the City of Ontario, which would substantially increase noise levels. Consequently, Impact 5.12-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.12-2. Noise-sensitive uses could be exposed to elevated noise levels from transportation sources. Any sighting of new sensitive land uses within a noise environment that exceeds the normally acceptable land use compatibility criterion would result in a potentially significant impact and would require a separate noise study through the development review process to determine the level of impacts and required mitigation. Consequently, Impact 5.12-2 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.12-3. Construction activities associated with buildout of the individual land uses associated with the Proposed Land Use Plan would expose sensitive uses to strong levels of ground borne vibration. Consequently, Impact 5.12-3 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.12-5. Construction activities associated with buildout of the individual land uses associated with the Proposed Land Use Plan would substantially elevate noise levels in the vicinity of sensitive land uses. Consequently, Impact 5.12-5 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.12-6. Noise-sensitive land uses within the 65 dBA CNEL contour of the Los Angeles/Ontario International Airport would be exposed to substantial levels of airport-related noise. Consequently, Impact 5.12-6 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

(f) Transportation and Traffic.

Impact 5.15-1. Buildout of the Proposed Land Use Plan would result in additional traffic volume that would significantly cumulatively contribute to main-line freeway segment impacts. The City's development impact fees cannot be used for improvements to roadway facilities under Caltrans jurisdiction. Consequently, impacts to freeway segments within the City under Impact 5.16-1 would be significant and unavoidable and a Statement of Overriding Considerations would be required.

While these impacts will be significant and unavoidable, the City determined that the benefits of the Ontario Ranch development outweigh the potential unavoidable, adverse impacts of the plan. As a result, the City adopted a Statement of Overriding Considerations for those impacts that could not be fully mitigated to a level of "less than significant."

Ontario Ranch Business Park Specific Plan Amendment Subsequent Environmental Impact Report — A Supplemental Environmental Impact Report (State Clearinghouse No. 2019050018) was prepared for this Project in accordance with the requirements of CEQA. Through the Notice of Preparation and scoping meeting discussion, the following areas of potential impact were identified

and addressed:

- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services
- Transportation and Traffic
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

The Ontario Ranch Business Park Specific Plan Amendment Subsequent EIR evaluates each of these various areas and identifies mitigation measures and/or revisions to the plan to lessen the level of impact. With the implementation of the various mitigation measures, many of the potential adverse impacts can be reduced to a level of less than significant. Of the 16 areas considered by the EIR, all but four of the impact areas were mitigated to a level of less than significant, after adoption of the TOP 2050 Update. The four remaining impact areas, even with the mitigation measures, could not be reduced to less than significant, resulting in some impacts remaining potentially significant and unavoidable. These areas include:

(a) Agriculture and Forestry Resources.

Impact 4.1-1. The proposed Project would convert Farmland to non-agricultural use. No feasible mitigation measures have been identified that would mitigate agricultural resources to below a level of significance. Impacts would remain significant and unavoidable.
Impact 4.1-5. The proposed Project would convert Farmland to non-agricultural use. No feasible mitigation measures have been identified that would mitigate agricultural resources to below a level of significance. Impacts would remain significant and unavoidable.

(b) Air Quality.

Impact 4.2-1. The proposed Project would be inconsistent with the applicable air quality plan. Implementation of the Project would result in air pollutant emissions that exceed SCAQMD's operational emission thresholds following completion of the Project. Although MMs AQ-1 through AQ-6 would reduce Project emissions by the greatest feasible amount, Project emissions levels would remain significant and would contribute to the nonattainment designations in the SCAB. Therefore, the Project would be inconsistent with the AQMP, resulting in a significant and

unavoidable impact despite the implementation of mitigation.

In addition, in accordance with South Coast AQMD Rule 2305 (refer to South Coast Air Quality Management District under Section 4.2.2 Regulatory Setting of the Subsequent Draft Subsequent EIR) the Project operator would be required to pay a mitigation fee if the Project does not generate enough WAIRE Points. The Project operator may be required to implement additional emission reduction strategies. Conservatively, this EIR is not taking credit for these potential reductions. Compliance with proposed Rule 2305 would reduce emissions below what is currently analyzed. (Draft Subsequent EIR, pp. 4.2-17 through 4.2-18.).

Impact 4.2-2. The proposed Project would be inconsistent with the applicable air quality plan. Long-term operational emissions attributable to the Project are summarized in Draft Subsequent EIR Table 4.2-9: Unmitigated Operational Emissions. Primary sources of operational criteria pollutants are from motor vehicle use and area sources.

As indicated in Draft Subsequent EIR Table 4.2-9, operation of the Project would exceed SCAQMD thresholds for NOX. The majority of the Project's NOX emissions are from mobile sources. Mitigation measures would be required to reduce emissions to the maximum extent feasible; however, emissions of motor vehicles are controlled by State and Federal standards, and the Project has no control over these standards. MM AQ-2 through MM AQ-6 have been identified to reduce operational emissions. MM AQ-2 requires that all cargo handling equipment used on a daily basis (yard trucks/hostlers, forklifts, etc.) be electric. MM AQ-3 requires the implementation of a Transportation Demand Management (TDM) program to reduce single occupant vehicle trips and encourage transit. MM AQ-4 requires the buildings to be designed to accommodate electric vehicle (EV) infrastructure, MM AQ-5 requires electrical hookups at all loading bays, and MM AQ 6 prohibits idling when engines are not in use. Additionally, SC AQ-9 through SC AQ 11 would provide designated parking to promote the use of alternative fuels and clean fleets, facilitate future installation of EV supply equipment, and limit idling times. Draft Subsequent EIR Table 4.2-10, Mitigated Operational Emissions shows that despite the implementation of MM AQ-2 through MM AQ 6, operational emissions of NOx would remain above the SCAQMD's thresholds; therefore, impacts would be significant and unavoidable. (Draft Subsequent EIR, pp. 4.2-20 through 4.2-23.).

(c) Greenhouse Gases.

Impact 4.6-1. Implementation of the proposed Project would result in both short-term construction and long-term operational greenhouse gas emissions. The Project would result in direct emissions of CO2, N2O, and CH4 from construction equipment and the transport of materials and construction workers to and from the Project site. The GHG emissions only occur during temporary construction activities and would cease once construction is complete. The total GHG emissions generated during all phases of construction were combined and are shown in Table 4.7-2, Construction-Related Greenhouse Gas Emissions, of the Draft Subsequent EIR.

The Project would result in the generation of approximately 5,988 MTCO2e over the course of construction. Construction GHG emissions are typically summed and amortized over the lifetime of the Project (assumed to be 30 years), then added to the operational emissions. The amortized Project construction emissions would be 200 MTCO2e per year. Once construction is complete, the generation of these GHG emissions would cease.

Operational or long-term emissions occur over the life of the Project. GHG emissions would result from direct emissions such as Project-generated vehicular traffic, on-site combustion of natural gas, and operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power, the energy required to convey water to, and wastewater from the Project, the emissions associated with solid waste generated from the Project, and any fugitive refrigerants from air conditioning or refrigerators.

Total GHG emissions associated with the Project are summarized in Table 4.7-3, Project Greenhouse Gas Emissions of the Draft Subsequent EIR. As shown in Table 4.7-3, the Project's unmitigated emissions would be approximately 24,929 MTCO2e annually from both construction (amortized) and operations. Project-related GHG emissions would exceed the SCAQMD's 10,000 MTCO2e per year threshold for industrial uses. The majority of the GHG emissions (70 percent) are associated with non-construction related mobile sources. Emissions of motor vehicles are controlled by State and Federal standards, and the Project has no control over these standards.

The Project would generate approximately 19,268 MTCO2e per year with the implementation of operational air quality MM AQ-2 through MM AQ-6. MM AQ-2 requires the use of electrical off-road equipment such as forklifts and hostlers/yard trucks. MM AQ-3 requires the implementation of a Transportation Demand Management (TDM) program to reduce single-occupant vehicle trips and encourage public transit. MM AQ-4 requires the buildings to be designed to accommodate electric vehicle (EV) infrastructure, MM AQ-5 requires electrical hookups at all loading bays, and MM AQ 6 prohibits idling when engines are not in use.

Standard condition (SC) GHG-1 through SC GHG-9, as required by the CBC, would provide designated parking to promote the use of alternative fuels and clean fleets, facilitate future installation of EV supply equipment, and limit idling times. Furthermore, MM GHG-1 requires the installation of solar photovoltaic (PV) panels to offset the Project's energy consumption and MM GHG 2 requires the Project to meet or exceed CALGreen Code Tier 2 standards to further improve energy efficiency.

With mitigation, the majority (89 percent) of emissions are from mobile sources and neither the Project Applicant nor the City have regulatory authority to control tailpipe emissions, no feasible mitigation measures exist that would reduce the Project's impacts with respect to mobile operational emissions to less than significant levels. While the Project has some control over GHG emissions (refer to MM AQ-2 through MM AQ-6), the majority of emissions are beyond the Project's control. However, MM GHG-3 would require that the Project incorporate Project Design Features to achieve a minimum score of 100 points on the Screening Tables. As stated in the Community CAP, projects that achieve a minimum score of 100 points or provide additional mitigation that achieves a 25 percent reduction are considered less than significant. However, at the time of this analysis, the City's CAP update is underway and the potential timeframes for approval and adoption of the City CAP update are unknown. Once approved, the CAP may implement performance standards and GHG emissions reduction targets differing from the current CAP. There is the potential that even after achieving more than 100 points on the current Screening Tables, the Project may conflict with as-yet-unknown performance standards and GHG emissions reduction targets implemented under the anticipated CAP updates, and thereby result in GHG emissions that would be considered to represent a significant impact on the environment. Therefore, even with the implementation of

MM AQ-2 through MM AQ-6 and MM GHG-1 through MM GHG-3, this Project impact is conservatively considered significant and unavoidable.

Impact 4.76-2. Implementation of the proposed Project would conflict with the City's Community Climate Action Plan ("CAP"). Implementation of Mitigation Measure GHG-1 would require future individual projects accommodated under the proposed Project to be designed to achieve at least 100 points on the City's GHG Screening Threshold Table. This measure would ensure that future individual projects are consistent with the City's Community CAP and would reduce Impact 4.6-2 to less than significant. However, there is the potential for the Project to generate GHG emissions that would result in significant impacts on the environment. Pending adoption of the City CAP update; a determination that the City CAP as updated is consistent with applicable State and regional GHG emissions reduction plans; and a determination that the proposed Project is consistent with the CAP as updated, the potential for Project GHG emissions to result in a significant impact on the environment is conservatively considered to be a significant and unavoidable impact.

(d) Transportation and Traffic.

Impact 4.13-2. The proposed Project was found to exceed the City's adopted Vehicle Miles Traveled ("VMT") threshold by 19.61 percent. Although the Project VMT could be reduced through the measures identified above, this analysis has conservatively not taken any credit for these VMT measures. Inclusion of such VMT reduction measures in areas that are characteristically suburban in context are noted to be limited to a maximum VMT reduction of 15 percent, which is not enough to reduce Project-generated VMT to a level below the City's adopted significance threshold. Finally, as future Project design features and building tenants are not yet known, reductions in VMT related to the above TDM measures cannot be accurately estimated or guaranteed. Therefore, the Project's transportation impact based on VMT is conservatively considered significant and unavoidable.
Impacts would be significant, unavoidable, and unmitigable for the Project. The VMT reduction measures could include VMT measures 1, 6 and 7 above. Furthermore, MM GHG-1 may provide further VMT reduction depending on which GHG reduction strategies are chosen from the City's CAP Screening Table discussed in Section 4.7, Greenhouse Gas Emissions. No other mitigation measures are feasible to reduce VMT below the City's thresholds of significance.

(e) Land Use and Planning.

At the time of publication of the Draft SEIR, the Project's proposed land uses were inconsistent with the City's 2010 TOP. However, the City's 2050 TOP Update was approved and certified by the City Council on August 16, 2022, which established TOP Land Use districts which are consistent with the proposed Project's land use districts. As such, the previously analyzed significant cumulative Land Use and Planning Impact is no longer applicable to the Project.

Following completion of the Draft SEIR, a Notice of Availability of the Draft SEIR was published in the newspaper and was sent to all state, county and local agencies, and property owners that received a Notice of Preparation, as well as any other interested parties requesting notification. The 45-day public review period required by CEQA began on June 7, 2022 and ended on July 21, 2022.
During the 45-day public review period, the City received six comment letters from various public agencies and interested parties, including:

- Letters from the Riverside County Airport Land Use Commission and the Jurupa Unified School District were received, with each indicating that they had "no comments."
- The South Coast Air Quality Management District requested additional information. The information was provided, and no further follow-up comments were provided by the District.
- Lozeau Drury LLP requested a copy of the Draft SEIR, which was provided. No further follow-up comments were received.
- The City of Chino suggested that a revised list of cumulative projects surrounding the project site should be used, so that the document's projections/analyses have greater accuracy (the letter cited a project located within the City of Chino that was not included on the project list). Concerns were also raised regarding a perceived increase in truck traffic due to re-designating residential land uses to industrial land uses and the need for additional analysis of the two primary Chino Airport access intersections on Merrill Avenue in the vicinity of the Project. It was also suggested that conditions be placed on the Project to coordinate truck traffic, similar to the requirements the City of Chino places on their projects.
- The City of Eastvale stated a concern that by breaking up review of the Ontario Ranch Business Park Specific Plan into two projects and by failing to sufficiently analyze the additive impacts from incorporating the Project site into the original Ontario Ranch Business Park area, the Draft Subsequent EIR's impact analyses may appear to be less than actual cumulative impacts that may have arose from one larger overall project. The City of Eastvale also requested revisions to the traffic analysis to more accurately demonstrate potential traffic impacts and requested the payment of Development Impact Fees to the City of Eastvale to mitigate for traffic impacts caused by the Project.

Pursuant to the requirements of CEQA Guidelines Section 15088, the City prepared individual responses to all the aforementioned comments. The full responses to comments are included in the Final SEIR appended to the resolution prepared for the Final Subsequent Environmental Impact Report, provided with this report.

While mitigation of all potential impacts to a level of less than significant is desirable, the fact that four areas will remain significant and unavoidable is not unexpected. The identification of these areas as significant and unavoidable validates the work previously completed for the 2010 TOP and 2050 TOP Update. Staff continues to believe that the benefits of the proposed development outweigh the potential impacts associated with it.

PLANNING COMMISSION ACTION: On August 30, 2022, the Planning Commission reviewed the Specific Plan Amendment and accompanying Subsequent Environmental Impact Report. At the meeting several people spoke both in favor and opposition to the project. A letter in opposition was provided to the Commission from Susan A. Phillips, on behalf of the Robert Redford Conservancy, Center for Community Action and Environmental Justice, and the Southern California Agricultural Land Foundation. Staff has provided a response to the comment letter (see Exhibit D: Coalition Letter of Opposition to the Ontario Ranch Business Park Plan Amendment, attached). After receiving all public testimony, the Planning Commission voted unanimously (5-0-2) to recommend that the City Council approve the Specific Plan Amendment and certify the related Subsequent Environmental Impact Report, including the adoption of a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program.

Exhibit A – Project Location Map

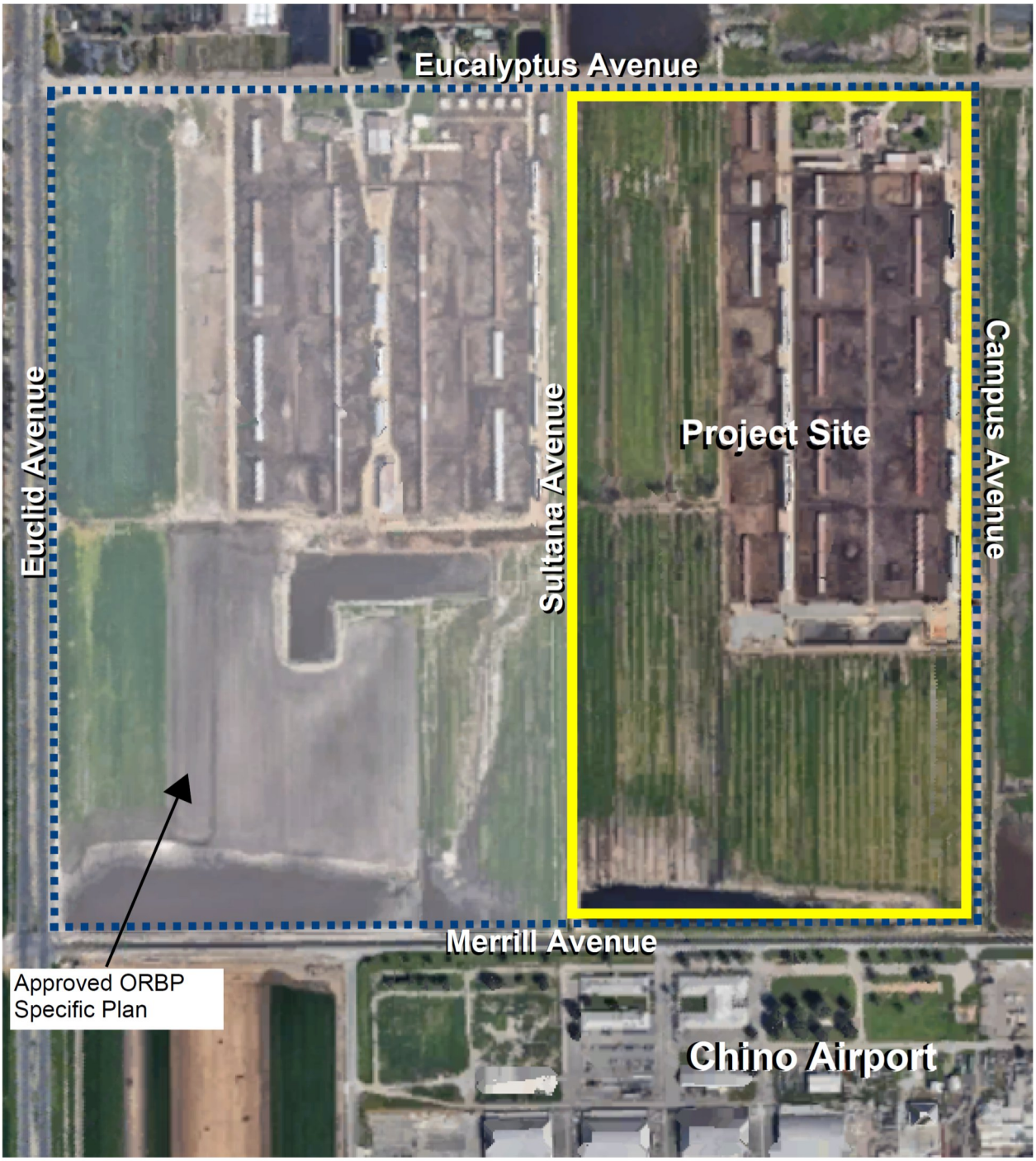


Exhibit B – Specific Plan Land Use Plan

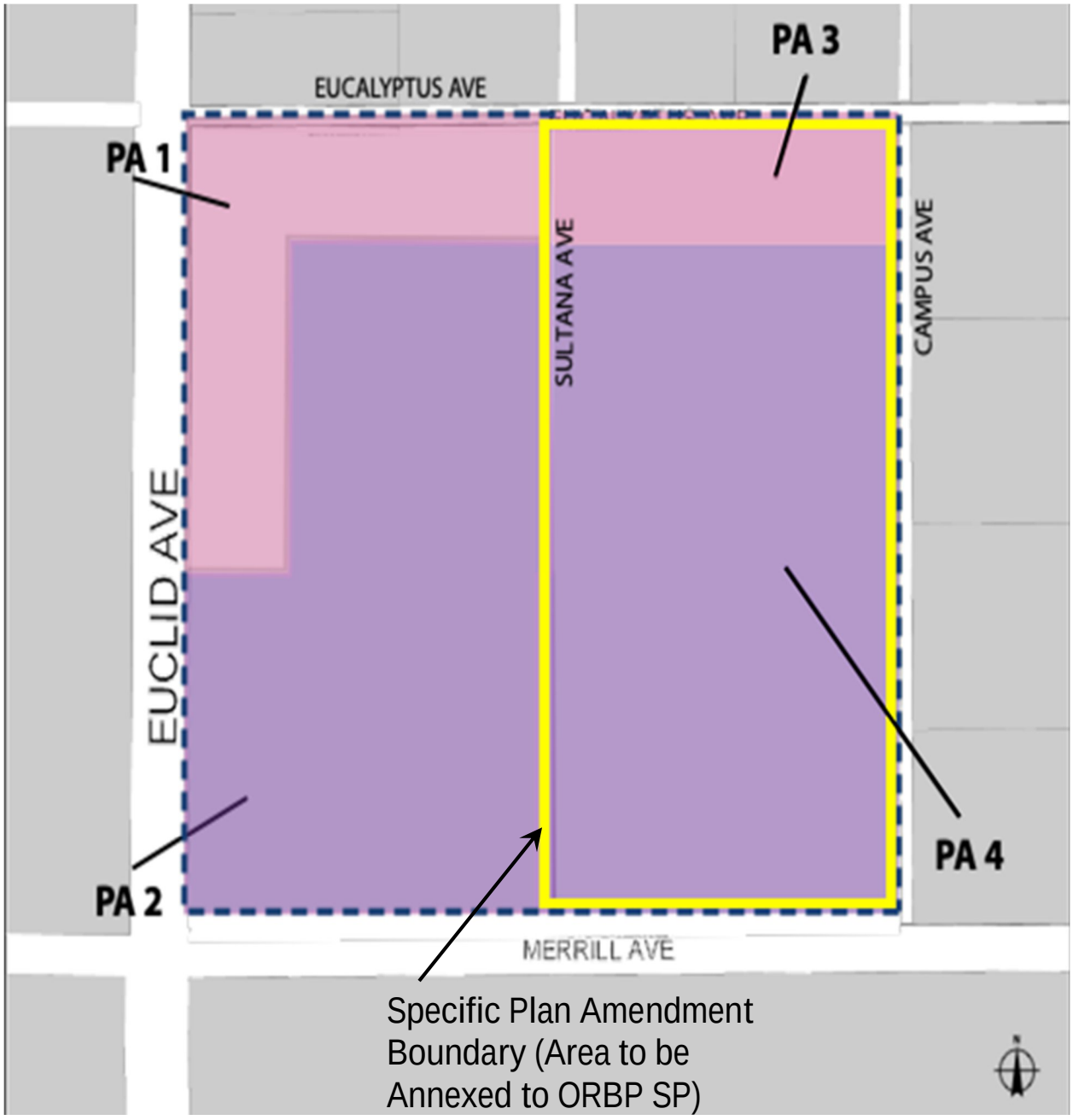


Exhibit C – Maximum Specific Plan Buildout

Planning Area	Maximum Floor Area Ratio[1,2]	Site Acreage[3]	Maximum Building Square Footage
Planning Area 1: Business Park	0.45	23.4	457,904
Planning Area 2: Industrial - General	0.54	61.5	1,447,123
Planning Area 3: Business Park	0.45	11.63	227,951
Planning Area 4: Industrial - General	0.54	60.06	1,412,739
TOTAL		**156.59**	**3,545,717 SF**

Notes:
1. Provided the General Plan Amendment applications related to the Specific Plan to designate PA 1 and 3 as Business Park and PA 2 and 4 as Industrial - General are approved.
2. The project EIR as proposed is reviewing square footages below the maximum TOP thresholds. The FAR may be increased to the TOP max levels of 0.60 and 0.55 for BP and IG respectively with a Specific Plan Amendment and appropriate CEQA analysis.
3. PA 1 is rounded from 23.36009, PA 2 is rounded from 61.52108 PA 3 is rounded from 11.629 and PA 4 is rounded from 60.0593.

FMI: Susan A. Phillips susan_phillips@pitzer.edu

Coalition Letter of Opposition to the Ontario Ranch Business Park Plan Amendment

August 19, 2022

Dear Ontario Planning Commissioners:

We are a coalition of individuals and organizations who have come together in opposition to the Ontario Ranch Business Park Plan Amendment. As a group, we wish to create an alternative vision for the remaining farmland in Ontario that can mitigate some of the existing detriments of the logistics industry and that can provide for a cooler, greener future for Ontario residents. We also believe that warehouse and industrial development in Ontario has reached capacity for reasons of environmental justice, GHG and pollutant emissions, traffic, noise, human health concerns, and environmental degradation. We urge members of the Ontario Planning Commission to vote no on this project. The Ontario Ranch Business Park Plan Amendment would pave over 71.69 acres of prime farmland. A no vote could instead pave the way for innovative, agroecological stewardship of this remaining agricultural land in Ontario, honoring Ontario's historical legacy and cementing Ontario's place as a forward thinking, sustainable city.

a

For generations, Ontario communities have been harmed by continual warehouse growth due to detrimental air quality impacts, temporary jobs with significant health and safety hazards and little accountability, and increased traffic. According to CalEnviroScreen data, the census tract in which this project amendment resides has a pollution burden above the 99th percentile, making this one of the most polluted census tracts in the state. We know the City has benefited financially from the presence and construction of warehouses. We as a coalition believe that no amount of financial gain can offset the costs to human and environmental health that this projects represents.

b

The top issues for residents and community members in the area are air quality and traffic. Trucks already impact the lives of Ontario residents with existing truck routes that create pollution, noise, and congestion. The top issues globally and locally have to do with climate change and increased heat.

b

The Warehouse CITY (Community Cumulative Impact Tool) generates the following statistics for the City of Ontario. The statistics represent an underestimation but are alarming nonetheless, especially for a city aiming to have balance:

The City of Ontario currently has ~**664 warehouses**,
These cover ~**5091 acres** of land and lead to
~96k truck trips per day.
This results in a **daily** emission of ~**131 pounds of particulate matter**,
~15205 pounds of NOx,
and over **8 million pounds of GHG emissions**.

The cumulative impact tool shows that the current rate of GHG emissions associated with Ontario warehouses is **in excess of 6.75 million pounds of CO2 per year**, given an assumed HDDT VMT of 25 miles per day. According to current standards, the social cost of carbon is $51 per ton. This calculation was developed to provide guidance for federal clean air policy. This number is based on older mathematical models and there is wide agreement that it is a radical underestimation of carbon's true cost. Utilizing the $51 standard, the annual estimated cost of carbon stemming from Ontario's warehouse infrastructure already exceeds $63 million per year. This number will grow by 3.8% per year if warehouse VMT follows current growth projections, and this project amendment simply continues this carbon-intensive trend.

As noted in the DEIR, significant consequences in terms of pollution and GHGs, as well as traffic, noise, safety, and congestion will accompany this construction. In terms of GHGs, the tool estimates that **Ontario warehouses have increased CO2 emissions by approximately 1.27 MTCO2e per year.** These numbers do not even factor in the airport or rail both of which significantly add to the pollution and climate burden of continued industrial development..

c

Warehouses	Warehouse Acreage	Warehouse floor space (Sq.Ft.)	Daily Truck trips	Daily Diesel PM (pounds)	Daily NOx (pounds)	Daily CO2 (pounds)
644	5091	144373239	96730	131	15205	8175786

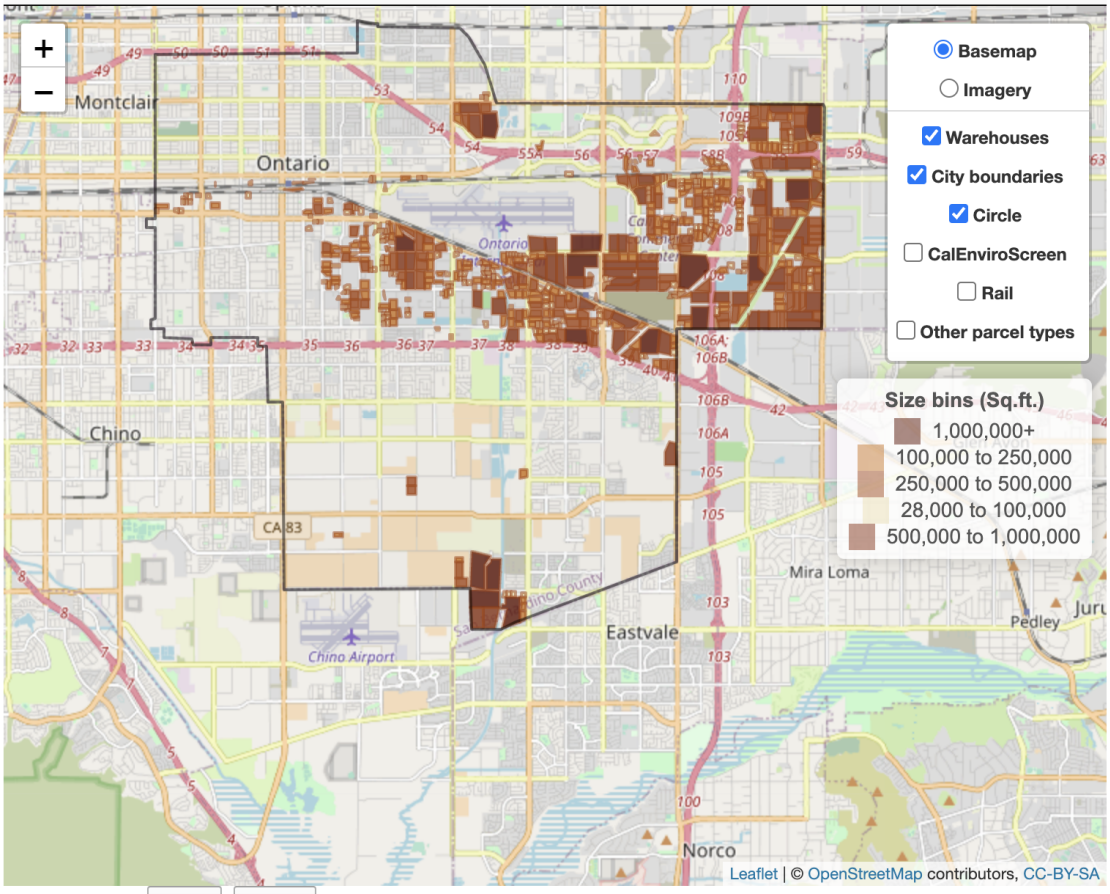


Fig. 1 Map generated from Warehouse CITY on August 19, 2022. Courtesy Robert Redford Conservancy and Radical Research LLC. https://radicalresearch.shinyapps.io/WarehouseCITY/

The outsized role that Ontario plays in global logistics clearly results in challenges for air quality, human health, and the environment. To continue to add to this burden needs further thought until these data can be considered by the Planning Commission. According to CEQA, any planned project must account for the cumulative impact of past, present and future projects. This plan fails to do that. In particular, we are concerned that housing is slated to be constructed in close proximity (across the street) from the development. A more robust cumulative impact analysis must be completed in order for this project to move forward.

c

According to the DEIR, this project will create 748 additional truck trips per day that will cause congestion, noise, pollution, and danger for Ontario residents. Furthermore, residents are concerned with significant impacts on children. The South Ontario community is growing, and all the new developments house young families. Ontario residents are highly concerned about the impact of trucks on children's health. Ontario already has the worst air quality in San Bernardino County. The California Enviroscreen data score for PM 2.5 is above the 90th percentile due to the nexus of airports, freeways, and train lines. Moving in additional truck traffic will not only impact air quality but also congestion. This is not the right direction for our diverse Ontario communities, some of whom are considered disadvantaged. d

Several things are troubling about the process surrounding this matter:

The newly approved General Plan for the City of Ontario does not include any agricultural land despite this topic now being a "topic of controversy" within the City. Similarly, this DEIR does not account for the controversy that surrounds the elimination of Ontario farmland. The elements of the EIR indicate significant and unavoidable impacts on increasingly rare prime farmland, as well as on air quality, disadvantaged communities, greenhouse gas emissions, and multiple species. All of these impacts require mitigation, and the measures proposed do not adequately address them. In particular, the lack of feasible alternatives for farmland loss is insufficient in the EIR and thus in violation of CEQA mandates. Due to significant and unavoidable impacts to farmland as stated in the EIR, the consideration of mitigation measures (currently deemed infeasible in the EIR), or alternative plans need consideration. e

This project amendment went through robust physical and fiscal planning prior to the adoption of an Environmental Justice element. Further, the General Plan does not have an environmental justice element included with it, either as a stand-alone section, or throughout the document. While we have heard the City's assertion that the EJ element is throughout the document, we see little evidence of this. If a significantly robus EJ element had been considered and adopted, we fail to see how the City could be contemplating this project amendments or others like it. Continuing to expand warehouse infrastructure in a City that is already saturated with polluting infrastructure is a continuation of activities harmful to human health. f

There are significant impacts that can and should be mitigated but have not been. The City may not adopt a statement of overriding considerations to approve a project where feasible, less environmentally damaging alternatives exist and feasible mitigation measures have not been adopted. g

The "policy of the state" reflected in the California Environmental Quality Act is that projects with significant environmental impacts *may not* be approved "if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects . . ." (Pub. Resources Code § 21002.) More specifically, CEQA states:

Pursuant to the policy stated in Sections 21002 and 21002.1, no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out

unless …:

(a). . . (3) Specific economic, legal, social, technological, or other considerations . . . make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(Pub. Resources Code § 21081.)

It is settled law that:

CEQA contains *substantive* provisions with which agencies must comply. The most important ... is the provision requiring agencies to deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects.

(*Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 30, 41, italics added.) Indeed, in a case decided on July 7, 2006, a court analyzed the "substantive mandate" of CEQA, then set aside a college campus master plan project because there was not substantial evidence to support a college district's findings of economic and legal infeasibility of mitigation. (*County of San Diego v. Grossmont-Cuyamaca Community College* (2006) –Cal. App.--, slip opinion, pp. 18-29.)

"Feasible" is defined as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." (Pub. Resources Code § 21061.1.) The definition *does not* require the agreement of the project applicant. "Each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves *whenever* it is feasible to do so." (*Lincoln Place Tenants Ass'n v. City of Los Angeles* (2005) 130 Cal.App.4th 1491, 1508, emphasis added.)

h

This project has impacts that can and must be mitigated. These are inappropriately labeled as unavoidable, but they in fact may be avoided by properly adopting mitigation measures and alternatives.

Traffic remains a key issue. The initial traffic study was conducted in 2019, during COVID, and despite a request from the City of Chino, the City of Ontario disagrees that it should be reconducted. In addition to additional thousands of truck trips per day, surrounding communities that include elementary, middle, and high schools, local residents will have to deal with years of construction.

h

We incorporate by reference the objections stated in the California Department of Fish and Wildlife letter of July 21, 2021, The City of Chino letter of August 2, 2021, The South Coast AQMD letter of August 3, 2021, and the CARB letter of August 6, 2021. While one or more of these letters may be withdrawn, the objections stated in the letters are valid and we incorporate them as if fully stated herein. We urge you to vote no on this item.

Given the points above, we call for this item to be voted down due to lack of community voice, environmental concerns, loss of prime farmland and lack of plans for mitigation, and significant harm to disadvantaged communities.

This decision represents a permanent decrease in the amount of farmland in the state of California. Building warehouses on this prime farmland is an unwise decision when climate-related disasters disrupt the supply chain, when predicted climate-related food shortages threaten the well-being of thousands in our already food insecure region, and when shrinking biodiversity threatens the very fabric of our ecosystems. We need to prioritize building health-promoting infrastructure, NOT pollution promoting infrastructure like warehouses. With poor air-quality days, days over 90 degrees, and traffic all increasing, we need to protect, preserve, and invest in green spaces and working lands that can act as regional lungs and help communities breathe more easily. The proposed conversion of working lands to industrial uses is an irreversible change that goes against Governor Newsome and CNRA's call for the state to "Expand Nature-Based Solutions." In Executive order N-82-20 Governor Newsome calls for protecting working lands as climate-smart solutions to worsening climate change. The elimination of prime farmland, as proposed, limits Ontario's capacity to deliver a healthy quality of life to its residents and be a leader in innovating solutions. Climate-related challenges are not in our distant future. They are happening now. Power outages, extreme heat and wind events, drought, natural disasters—all of these are straining our systems beyond capacity. Increased heat, lack of water percolation, loss of biodiversity, and increased fossil fuel consumption

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associated with warehouse and business park development will only exacerbate these problems.
A no vote will pave the way for considering long-term investments in a regenerative, sustainable agriculture zone that can feed our communities, promote biodiversity, create climate resilience, and provide housing and education for generations to come.

The value of open and working lands is only now being realized as we face the climate crisis head on. Ontario could form an important part of 30x30 which is an international, national, and state-wide movement to conserve 30% of open and working lands and coastal waters by 2030 as a nature-based solution to climate change.

By voting no, the Ontario Planning Commission has the potential to become a regional, state, and national leader in how to build equitable, climate resilient, and sustainable cities with a forward-thinking vision—right here in the Inland Empire. This move would open up state and national funding streams from entities interested in the links between preserving open and working lands and building climate-smart, agricultural solutions for our current and projected climate-related problems. There is over $1 billion worth of climate-smart funding for nature-based climate solutions. Ontario is already the recipient of a CA TCC grant based on quality community engagement and work done to support health outcomes in disadvantaged communities. A vote to convert working lands to industrial uses will close the door for this great city to future funds that prioritize clean energy, public transit, urban greening, and local food security.

From an economic perspective, prime farmland has tremendous value that cannot be understated. While economic benefit cannot compete with the cold, hard cash that warehouse development offers, think of the public health benefit and dollars saved through the decrease of intergenerational asthma that now runs in Ontario families, think of chronic, diet-related illnesses such as diabetes and heart disease. Think of the failed blue-collar promise that has actually worsened poverty in the decades since warehouse development began. In 2021, the United Ways of California showed in their “Real Costs Measure in CA” report and mapping tool that 34% of Ontario families struggled to make ends meet and earned less than the real cost of living. This can be compared with neighboring cities like Chino Hills and Rancho Cucamonga where it was only 22% of households. Not surprisingly, Fontana, which has also experienced heavy warehouse development, comes in at 45% of households. Clearly the industry isn’t providing for the benefit of working families in our communities. We cannot keep investing in projects that do not serve residents’ needs.

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Now instead think of a vibrant food hub based on sustainable agriculture practices that develops jobs, clean energy, and human health. Think of the ability of Ontario to bring in grant-related income that recognizes the benefits of carbon capture, water filtration, and biodiversity preservation. With the passage of SB 1383, using the land to compost organic wastes could be a steady income source for Ontario from other cities in the region. All of these things pay in real dollars as well as in human health, resilience, and sustainability. For Ontario, this can become business as usual, and it is essential. It is also very much in line with Ontario's rich agrarian past, which we envision is also part of Ontario's innovative future.

In 1882, George and William Chaffey surveyed and put up for sale the Ontario Colony lands. These primarily agricultural lands were devoted to citrus and other fruits, such as peaches, lemons, and grapes. Agriculture is such an important part of Ontario's legacy. The Babcock peach comes from its farmer's fields along with fourteen other varieties of stone fruit. In 1933, Professor E.B. Babcock developed the Babcock peach with white fruit and no fuzz. Moreover, the ever-present Armstrong Garden Centers began in Ontario as the Armstrong Nursery that developed the Snow Queen nectarine and the Bonanza peach. Unlike many cities in Southern California, Ontario still has a portion of its land as agriculture and remains in productive use. Ontario can continue to showcase its roots as an agricultural center. In 2015, the zoning maps show more than six square miles zoned for agriculture. Now, less than seven years later, the newly adopted TOP 2050 ignores this legacy and plans to rezone the agricultural lands as industrial lands. Pasadena and Pomona wish they would have set aside lands to showcase their heritage and invest in their future. Ontario has the chance, as well as the chance to showcase continued links between Ontario and innovation in educational facilities, architectural innovation, and reformulated sustainable farms.

As you already know, agricultural land is valued in two ways: either as remaining in agricultural production or as land that is to be developed. We urge you to think of the value of the land in a third way: as part of a climate-smart strategy whose value is incalculable. Transforming dairies to sustainable farms is one of the most powerful forms of green infrastructure, and the potential for it is right in Ontario's backyard. Farmland is an increasingly rare asset as cities face uncertain futures. The Great Park plan is a wonderful start but insufficient to make the city a beacon for the type of progressive innovation whose benefits will literally save lives. Warehouses may provide financial benefits for some, but they ultimately create environmental and human health detriments that are all too well known to Ontario residents. To continue to ignore these is irresponsible.

We believe Ontario is the place to combine innovative, sustainable farming techniques with tree belts, educational facilities, and net-zero medium and low-density housing. We envision the

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acreage as a hub for the most innovative architectural and farming techniques, for regional food conferences and knowledge exchanges, and for agri-tourism that would bring many people to the region. This plan could also include large agrivoltaic arrays—photovoltaic solar arrays placed over growing areas or livestock shading structures that create clean energy and enhance water conservation and shade in our hot and dry region. This energy would not only power the community—it's possible that excess energy could be sold to the nearby Chino airport or fed back into the Southern California Edison grid to keep the footprint of Ontario's new construction to the north in line with its ambitious Climate Action Plan. We also envision the use of biochar—either from reformulated, sustainable dairy practices or from the nearby forests—to enhance both carbon sequestration and increase microbial life, as well as water retention.

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Additionally, the area would be a generator of quality high-road jobs for local residents from agroecological farmers, to organics recycling technicians, to solar energy builders, to habitat restorationists, to educators, to food processors and urban arborists. The wave of green job creation that would be spurred by an agricultural zone will benefit those directly working in the zone as well as promote ripples of healthy, climate-smart economic benefits across the city through the agricultural economic multiplier effect. Each farm job created in fruit, vegetable, nursery, and egg production creates over 2.0 additional jobs along the food chain as well as each $1 leading to $1.5 dollars in the economy (Vergati and Sumner, 91, 2012). Development of clean energy and preservation of working lands will benefit the local and regional quality of life as well. We also envision education around the region's agricultural and tribal history, emphasizing multiple connections to the land in Ontario through time. You would demonstrate how a city can be dedicated to both development and sustainability.

m

Voting yes on the project would simply mean more of the same: the problems that plague Ontario and the region, including health issues, low-paying, temporary jobs, and dangerous congestion in our air and on our roads. Our community does not want that. We do not want trucks idling in our neighborhoods, crowding our streets, slowing our commutes, and compromising our children's futures.

With this vote, Ontario has the opportunity to think for a moment—to halt or pause this process instead of fast-tracking it. Allow community members to build a vision along with you about the future we all want to see. This future should not include more warehouses. We urge you to vote no on this project amendment in order to consider an alternative land use plans and to require mitigation that will have less impact, as mandated by CEQA.

n

We also urge the City to apply for a SALC planning grant to study the potential for agricultural land retention in the city, and should adopt a voluntary mitigation measures to replace all lost

o

prime farmland with an equal amount of prime farmland in the city through land trusts and/or conservation easements. The City should facilitate the adoption of urban agriculture practices in vacant City lots.

With these materials, we urge you to vote no on this Ontario Ranch Business Park Plan Project.

Sincerely,

Randy Bekendam, Executive Director
Southern California Agricultural Land Foundation

Susan A. Phillips, Director
Robert Redford Conservancy for Southern California Sustainability, Pitzer College

Joaquin Castillejos, Community Organizer
Center for Community Action and Environmental Justice

o

Comment Letter O2

[INSERT COMMENT LETTER HERE WITH BRACKETS]

Letter O2	Robert Redford Conservancy for Southern California Sustainability, Center for Community Action and Environmental Justice, Southern California Agricultural Land Foundation
	August 19, 2022

Response O2-a

Comment noted for the record. However, no specific comments on the contents of the Draft Subsequent Environmental Impact Report (EIR) are provided. Pursuant to State California Environmental Quality Act (CEQA) Guidelines Section 15088(a), a lead agency is only required to evaluate and respond to comments raised on environmental issues, and thus no further response is necessary. The opinions expressed in this comment will be considered by the City of Ontario (City) during deliberations on the Ontario Ranch Business Park II Specific Plan Amendment Project (Project).

Response O2-b

Comment noted for the record. See Response O2-a. These opinions will be considered by the City during Project deliberations. No further response is required.

Response O2-c

The comment cites data from the Warehouse CITY (Community Cumulative Impact Tool). However, the reference used in the letter of "Warehouse CITY (Community Cumulative Impact Tool)" redirects to the "RadicalResearch" site and tool. The various assumptions utilized in RadicalResearch model are neither clearly defined nor adequately substantiated. For example, as identified under the "Readme" tab, subsection "Methods" for this tool, the model estimates building area by assuming a "0.65 [floor area ratio (FAR)]" for each parcel.[1] The generic assumption of 0.65 FAR exceeds the 0.60 maximum allowable FAR under The Ontario Plan (TOP) 2050, it also exceeds the actual FAR of existing and proposed/approved industrial projects. Moreover, the data is irrelevant to the Project at hand, because the assumed 0.65 FAR exceeds the Project FAR by more than 33% (the Project FAR is 0.54 for Industrial uses and 0.45 for Business Park).

Air quality and greenhouse gas (GHG) impacts were analyzed based on the Project Traffic Analysis (Appendix I of the Draft Subsequent EIR), which stated the Project would generate 3,656 new vehicle trips (2,908 new passenger vehicle trips and 748 new truck trips). Mobile source emissions were modeled by conservatively assuming the Project would generate 28,461,798 total annual vehicle miles traveled (VMT) (17,571,222 VMT associated with passenger vehicles and 10,890,576 VMT associated with trucks). As a result, only operational air quality impacts and GHG impacts were determined to be significant and unavoidable, however construction air quality and GHG impacts remain less than significant with mitigation incorporated, as explained in more detail in Section 4.2 Air Quality and Section 4.7 Greenhouse Gas of the Draft Subsequent EIR. Additionally, the Project would not result in significant impacts to noise as discussed in Section 4.11, Noise of the Draft Subsequent EIR. Further, congestion and safety are not considered a significant impact and no other

[1] Robert Redford Conservancy for Southern California Sustainability, Pitzer College, Radical Research LLC. Warehouse CITY Documentation (alpha v1.08 - released August 15, 2022). Readme – "Methods." Retrieved from: https://radicalresearch.shinyapps.io/WarehouseCITY/.

mitigation measures are feasible to reduce VMT below the City's thresholds of significance. See Section 4.14, Transportation and Traffic of the Draft Subsequent EIR for more detail.

Lastly, provided in Appendix I of the Draft Subsequent EIR, the Traffic Analysis (TA) cumulative project list was prepared through consultation with planning and engineering staff from the City of Ontario. The cumulative projects listed are those that would generate traffic and would contribute traffic to Project area intersections. The neighboring jurisdictions were contacted to include key projects in their respective cities that would generate traffic and would contribute traffic to Project area intersections. Additionally, page 107 of the TA describes the model growth for the Project. Through a conservative analysis approach and in conjunction with the addition of cumulative projects that are not consistent with the City TOP Policy Plan, additional growth has also been applied on a movement-by-movement basis, where applicable, to estimate reasonable traffic volume forecasts. Therefore, the additional growth would account for any potential cumulative projects that are not located on the project list. Based on the reasons above, cumulative impacts from nearby cumulative projects, including those either planned, under environmental review, approved, or under construction, as well as an applied growth factor, were accounted for in the cumulative analyses for the Draft Subsequent EIR. The balance of this comment does not raise an environmental issue with the Draft Subsequent EIR. Therefore, no further response is required.

Response O2-d

Comment noted for the record. Refer to Response O2-c above. These opinions will be considered by the City during Project deliberations. No further response is required.

Response O2-e

The comment states that the Draft Subsequent EIR does not account for the controversy that surrounds the elimination of farmland in the City, and the measures proposed do not adequately address them.

The City disagrees with this assertion. First, TOP 2050 does indeed continue to allow for agricultural uses within the City. Existing agricultural uses are still allowed to persist as non-conforming uses (see TOP 2050 Policies ER-5.3 and ER-5.4).

Second, as discussed in Section 4.1, Agriculture and Forestry Resources of the Draft Subsequent EIR, the conversion of agricultural lands and loss of Prime Farmland resulting from the Project have already been considered and addressed in the TOP EIR, including a Statement of Overriding Considerations that was adopted in January 2010 as part of the City's TOP approval. As further discussed in the Draft Subsequent EIR, the conversion of existing agricultural uses to urban uses would be consistent with the TOP 2050 Update, and the continuation of agricultural uses would be incongruous with the continuing urbanization in the City, as evident in the lack of "Agricultural" Land Use designations under the adopted Land Use Plan of the TOP 2050 Update. On that point, the Draft Subsequent EIR explains on pages 4.1.13 through 4.1.16 that no feasible mitigation measures were identified to substantially lessen the Project's significant impacts related to agricultural resources to a less-than-significant level. Pursuant to CEQA Guidelines Section 15364, feasibility should take into account economic, environmental, legal, social, and technological factors. Therefore, "agencies may

conclude that a mitigation measure…is impractical or undesirable from a policy standpoint and reject it as feasible on that ground." See *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.

Additionally, the Project build-out area is designated for urban development pursuant to the City's TOP 2050 Update Policy Plan. Existing agricultural uses are in various stages of converting to urban uses that are consistent with the TOP 2050 Update Policy Plan. As agricultural uses diminish, so too do the necessary support uses such as feed stores, agricultural equipment sales and rentals, and manure services. In addition, as described previously, dairy farming has become less and less viable in the City . The dairy industry in San Bernardino County has consistently and sharply declined since 2000, and incentives to convert to urban uses increase. Existing agricultural uses within the City are becoming economically unsustainable and represent land uses that are increasingly incongruous with continuing urbanization .

The reasons for the gradual transition of the Ontario Ranch Specific Plan area away from agriculture and to various forms of development are many, including: 1) rising costs of maintaining agricultural practices within an urban environment; 2) increasing costs and complexity of compliance with a myriad of governmental regulations, including air quality regulations from the SCAQMD and water quality regulations from the Regional Water Quality Control Board; 3) significant costs of maintaining adequate clean soil for agricultural production in light of decades of accumulation of agricultural wastes; and 4) increasing costs of transporting the agricultural products. These increasing costs, complexities and risks are weighed by individual landowners, who are now voluntarily selling their land for development, consistent with City's TOP and policy planning over the last 20+ years.

In fact, the transition of existing agricultural uses and farmland to non-agricultural uses is an unavoidable effect of implementing the TOP 2050 Update. In 2010, the TOP EIR considered various mitigation measures that could reduce impacts to agricultural resources, but concluded that there no feasible measures would reduce the loss of agriculture to levels that would be less than significant. That conclusion remains valid today, as evidenced in TOP 2050 Update.

Lastly, the Project site is within an industrial corridor designated by the City in the TOP 2050, to provide for an appropriate mix of land uses within the City and within Ontario Ranch more specifically. The Project site is adjacent to the Chino Airport and an existing approved industrial project, and is within a corridor of other recently approved industrial projects. These industrial projects, due to their high land value and economics, are able to fund significant infrastructure costs within the Ontario Ranch, which could not be carried by residential development, and certainly not by ongoing agricultural uses.

Response O2-f

Comment noted for the record. Refer to Response O2-c above. These opinions will be considered by the City during Project deliberations. No further response is required.

Response O2-g

Comment noted for the record. Refer to Response O2-a above. These opinions will be considered by the City during Project deliberations. No further response is required.

Response O2-h

The comment makes general assertions regarding additional mitigation or alternatives that should be considered in the Draft Subsequent EIR, but provides no specific comment or recommendations in that regard.

The City provided specific responses to comments made by the City of Chino regarding the Project's traffic analysis (note that, per SB743, operational traffic impacts are no longer a significant impact under CEQA). See Section 2.0, Response to Comments, of the Project Final Subsequent EIR for more information.

With respect to the Notice of Preparation (NOP) comment letters cited in the comment (from California Department of Fish and Wildlife, City of Chino, SCAQMD and the California Air Resources Control Board), these NOP comment letters were included in Draft Subsequent EIR Appendix A and were considered during preparation of the Draft Subsequent EIR. Each of these organizations received a copy of the Draft Subsequent EIR Notice of Availability, and only the City of Chino and SCAQMD provided further comments. Responses to these subsequent comments are provided in the Final EIR.

Response O2-i

Comment noted for the record. See Response O2-a. These opinions will be considered by the City during Project deliberations. No further response is required.

Response O2-j

Comment noted for the record. See Response O2-a. These opinions will be considered by the City during Project deliberations. No further response is required.

Response O2-k

Comment noted for the record. See Response O2-a. These opinions will be considered by the City during Project deliberations. No further response is required.

Response O2-l

Comment noted for the record. See Response O2-a. These opinions will be considered by the City during Project deliberations. No further response is required.

Response O2-m

Comment noted for the record. See Response O2-a. These opinions will be considered by the City during Project deliberations. No further response is required.

Response O2-n

Comment noted for the record. See Response O2-a. These opinions will be considered by the City during Project deliberations. No further response is required.

Response O2-o

Comment noted for the record. See Response O2-a. These opinions will be considered by the City during Project deliberations. No further response is required.

CITY OF ONTARIO PLANNING DEPARTMENT

PLANNING COMMISSION STAFF REPORT

August 30, 2022

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

FILE NO: PSPA21-002

SUBJECT: A public hearing to consider certification of the Final Ontario Ranch Business Park Specific Plan Amendment Subsequent Environmental Impact Report (State Clearinghouse No. 2019050018), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations, for an amendment to the Ontario Ranch Business Park Specific Plan, incorporating property adjacent to the existing Specific Plan area and establishing the land use designations, development standards, and guidelines, which will govern the development of 71.69 acres of land generally bordered by Campus, Sultana, Merrill, and Eucalyptus Avenues. **City Council action is required.**

PROPERTY OWNER: Euclid Land Venture LLC

RECOMMENDED ACTION: That the Planning Commission consider and adopt the following:

(1) The resolution recommending the City Council certify the Final Ontario Ranch Business Park Specific Plan Amendment Subsequent Environmental Impact Report (State Clearinghouse No. 2019050018), including the adoption of a Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations; and

(2) The resolution recommending the City Council approve the Ontario Ranch Business Park Specific Plan Amendment pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The Project site is comprised of 71.69 acres of land immediately adjacent to the existing Ontario Ranch Business Park Specific Plan area, located in the Ontario Ranch area annexed into the City of Ontario on November 30, 1999. The Project is sited east of Sultana Avenue, south of Eucalyptus Avenue, west of Campus Avenue, and north of Merrill Avenue, within the SP/AG (Specific Plan/Agricultural Overlay) zoning district and is depicted in Figure 1: Project Location, below. Figure 1 illustrates the Project Location outlined in yellow, the original Ontario Ranch Business Park Specific Plan area with a gray overlay, and the entire proposed new Specific Plan boundary outlined in blue dots. The Project site is currently occupied by agricultural uses, including dairy farms and row crops, several residential structures, and vacant land that was previously used for

Case Planner:	Alexis Vaughn
Planning Director Approval:	
Submittal Date:	May 17, 2021

Hearing Body	*Date*	*Decision*	*Action*
DAB			N/A
PC	08/30/22	Approval	Recommend
CC	10/04/22		Final

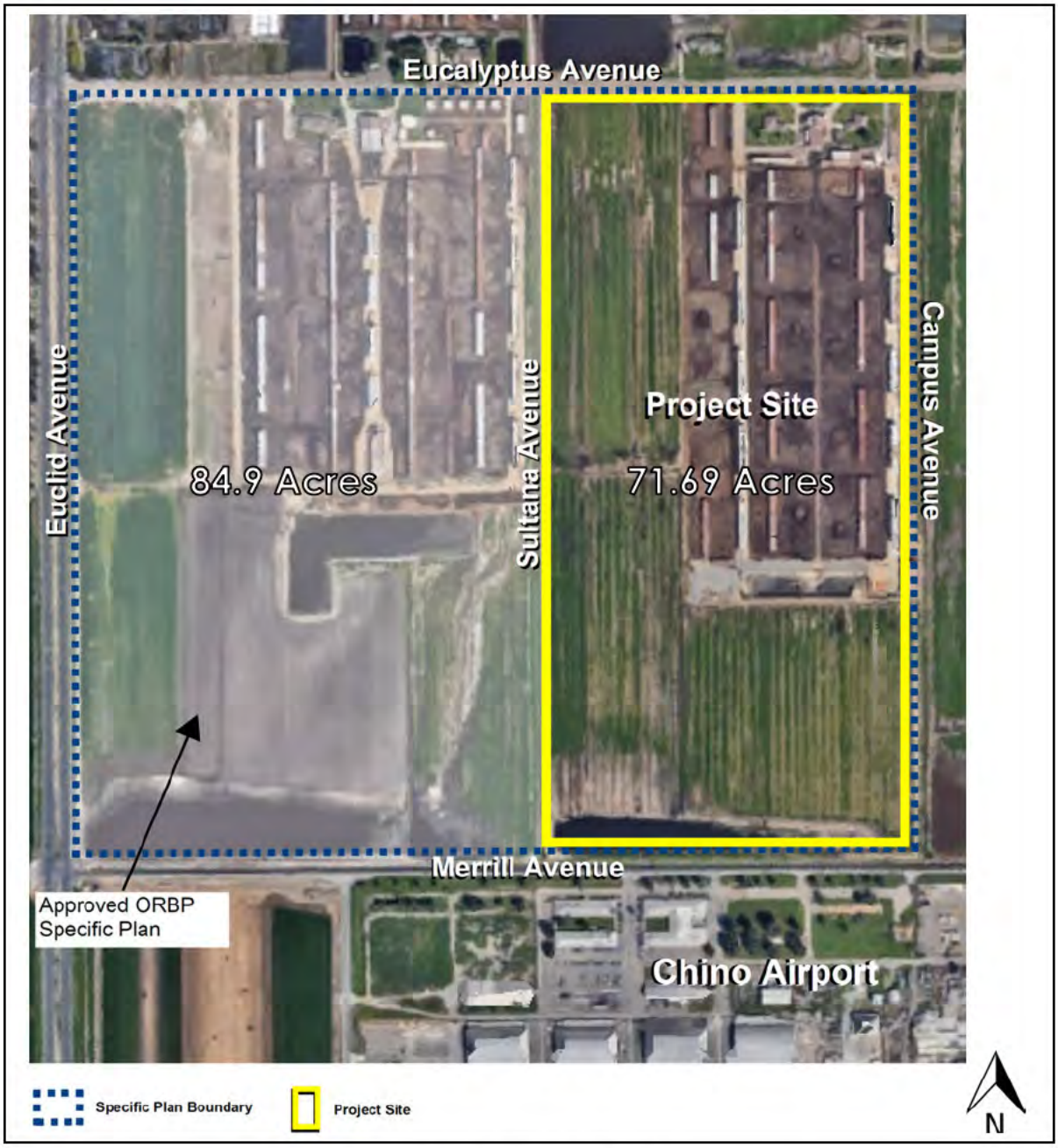


Figure 1: Project Location

agriculture. The site is moderately flat, sloping from northeast to southwest. There are currently no active Williamson Act Contracts on the Project site. The existing surrounding land uses, zoning, and General Plan and specific plan land use designations are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(1) Background —

(a) Ontario Ranch Business Park Specific Plan. On September 15, 2020, the City Council approved the original Ontario Ranch Business Park Specific Plan (File No. PSP18-002, shown with a gray overlay in Figure 1: Project Location). The original Specific Plan established the development standards and guidelines for 84.9 acres of land located immediately to the west of the Project site. The original Specific Plan established two land use districts, Business Park and Industrial – General, which would facilitate the potential development of up to 1,905,027 square feet of General Industrial and Business Park development (See the Original SP area outlined in blue in Figure 2: Proposed Specific Plan and General Plan Land Use Districts). The original Specific Plan's Environmental Impact Report reviewed development capacity at 0.45 Floor-Area Ratio (FAR) for Business Park uses and 0.54 FAR for Industrial – General uses, which were incorporated as development capacity standards in the current Specific Plan. These FARs, which are below the General Plan thresholds, have been carried into the proposed Specific Plan

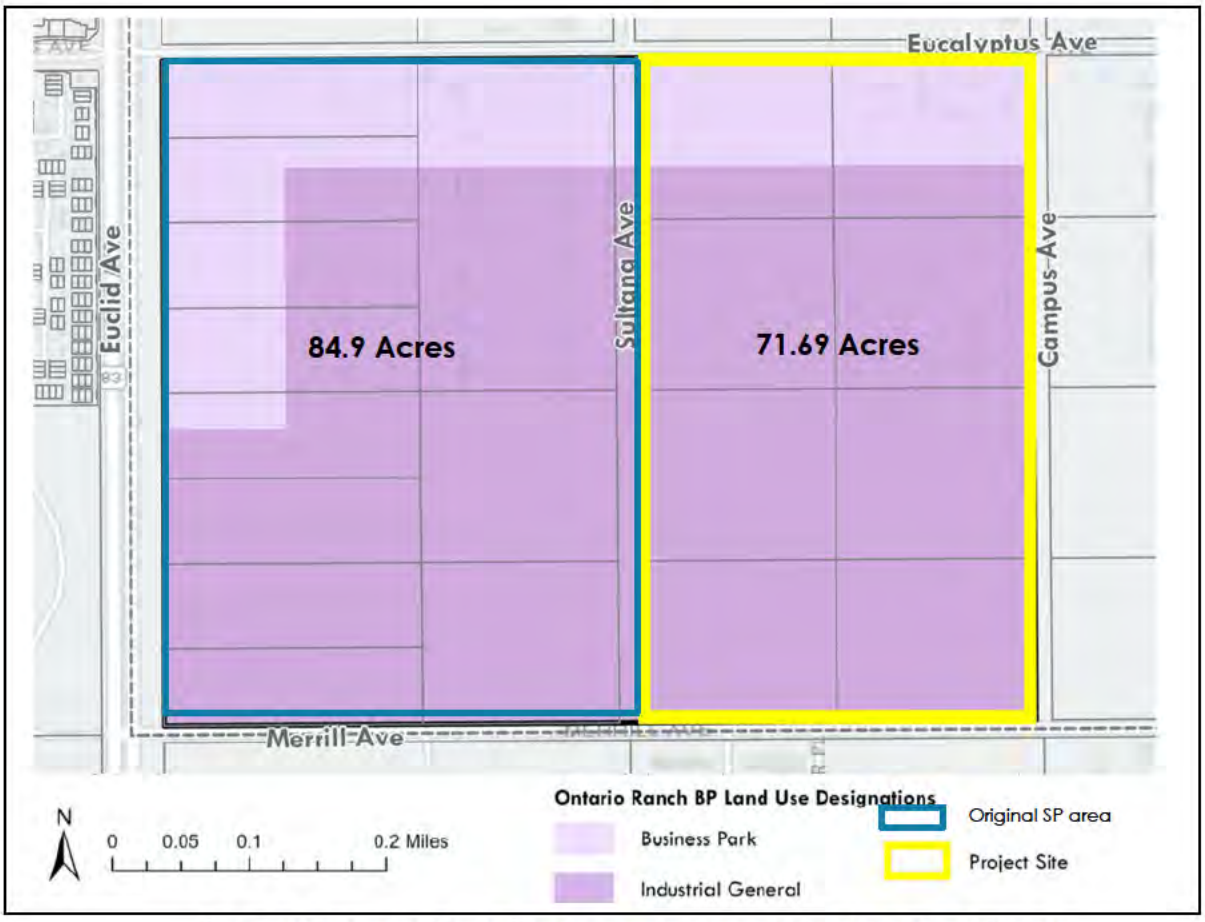


Figure 2: Proposed Specific Plan and General Plan Land Use Districts

Amendment's analysis for consistency and remains listed in the Specific Plan document as a development standard.

(b) The Ontario Plan. The Ontario Plan ("TOP") Policy Plan (General Plan) provides the basic framework for development within the 8,200-acre area commonly referred to as Ontario Ranch. The Policy Plan requires City Council approval of a Specific Plan for new developments of 10 acres or more within Ontario Ranch. A Specific Plan is required to ensure that sufficient land area is included to achieve cohesive, unified districts and neighborhoods. Additionally, a Specific Plan is required to incorporate a development framework for detailed land use, circulation, infrastructure improvements (such as drainage, sewer, and water facilities), provision for public services (including parks and schools), and urban design and landscape standards.

Since the Project application was received and the Draft Subsequent Environmental Impact Report released for public review, the City proposed an update to the City's General Plan ("TOP 2050 Update", File No. PGPA20-002), modifying the Project site's underlying TOP Land Use Districts from 56 acres of Low-Medium Density Residential (5.1-11 du/ac) and 18 acres of Business Park (0.6 FAR), to 11.63 acres of Business Park (0.6 FAR) and 60.06 acres of Industrial (0.55 FAR) (see Figure 3: Existing General Plan Land Uses for the land uses that were in place at the time the Project application was filed). The TOP 2050 Update was recommended to the City Council for approval by the Planning Commission on July 23, 2022 and was reviewed and approved by the City Council on August 16, 2022. Updating the TOP Land Use Districts allowed for a consistent industrial corridor, which spans from Euclid Avenue on the west, to the Cucamonga Creek Channel on the east, and from Eucalyptus Avenue on the north, to

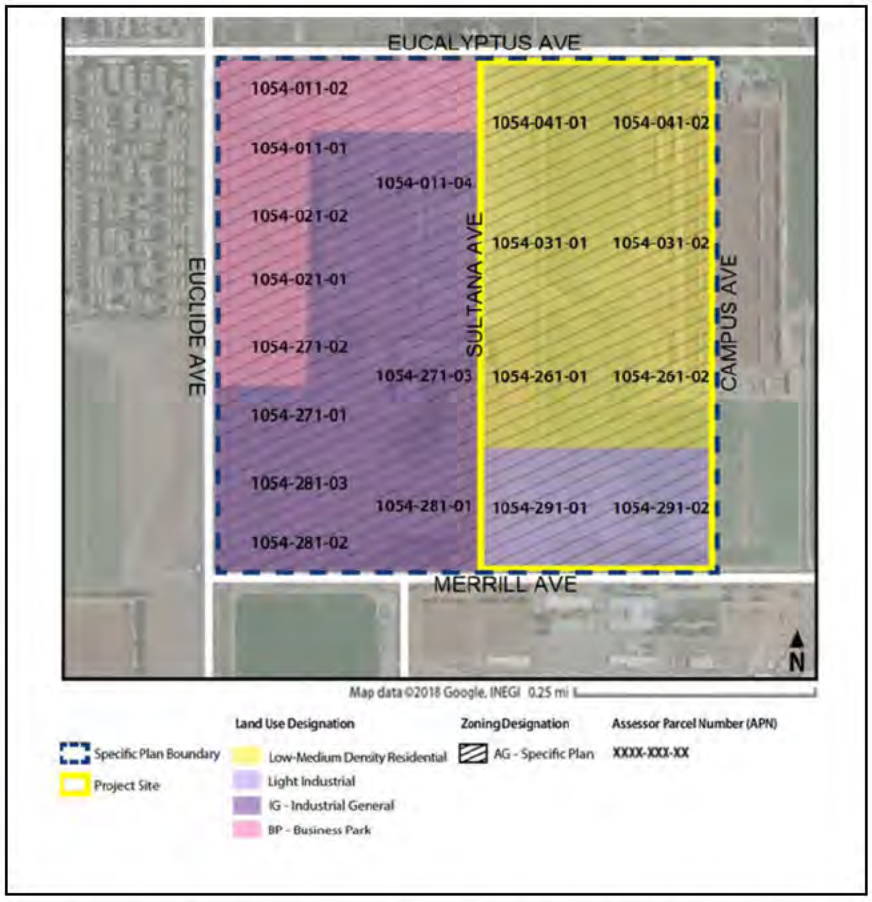


Figure 3: Existing General Plan Land Uses prior to Project Application being filed

Merrill Avenue on the south (see Figure 4: General Plan Land Use Regional View, which shows underlying land use districts for the Project Site in comparison to the Business Park and Industrial corridor). The Project site was the last piece of land that was inconsistent with the remainder of the Industrial and Business Park corridor. As part of the TOP 2050 Update, analyses were also completed to satisfy the requirements of SB 330, which requires cities to replace potential lost residential units elsewhere in the city to incur "no net loss" of residential capacity within a city.

(2) Specific Plan Amendment — The Ontario Ranch Business Park Specific Plan (File No. PSP18-002) established a comprehensive set of design guidelines and development regulations to (i) guide and regulate site planning, landscape, and architectural character; (ii)ensure that excellence in community design is achieved during Project development; (iii) institute procedures and requirements to approve new development within the Project site; and (iv) ensure that TOP Policy Plan goals and policies are achieved. The Amendment Ontario Ranch Business Park Specific Plan proposes to expand (Annex) the Specific Plan area by 71.69 acres of land and apply these same guidelines, regulations, and procedures to facilitate development therein. The Project proposes updates to the land use plan, circulation plan, infrastructure plan, and phasing plan. No changes to the design guidelines, landscape standards, or signage are proposed. A copy of the proposed amended Ontario Ranch Business Park Specific Plan is included as Attachment A of the recommended resolution for File No. PSPA21-002.

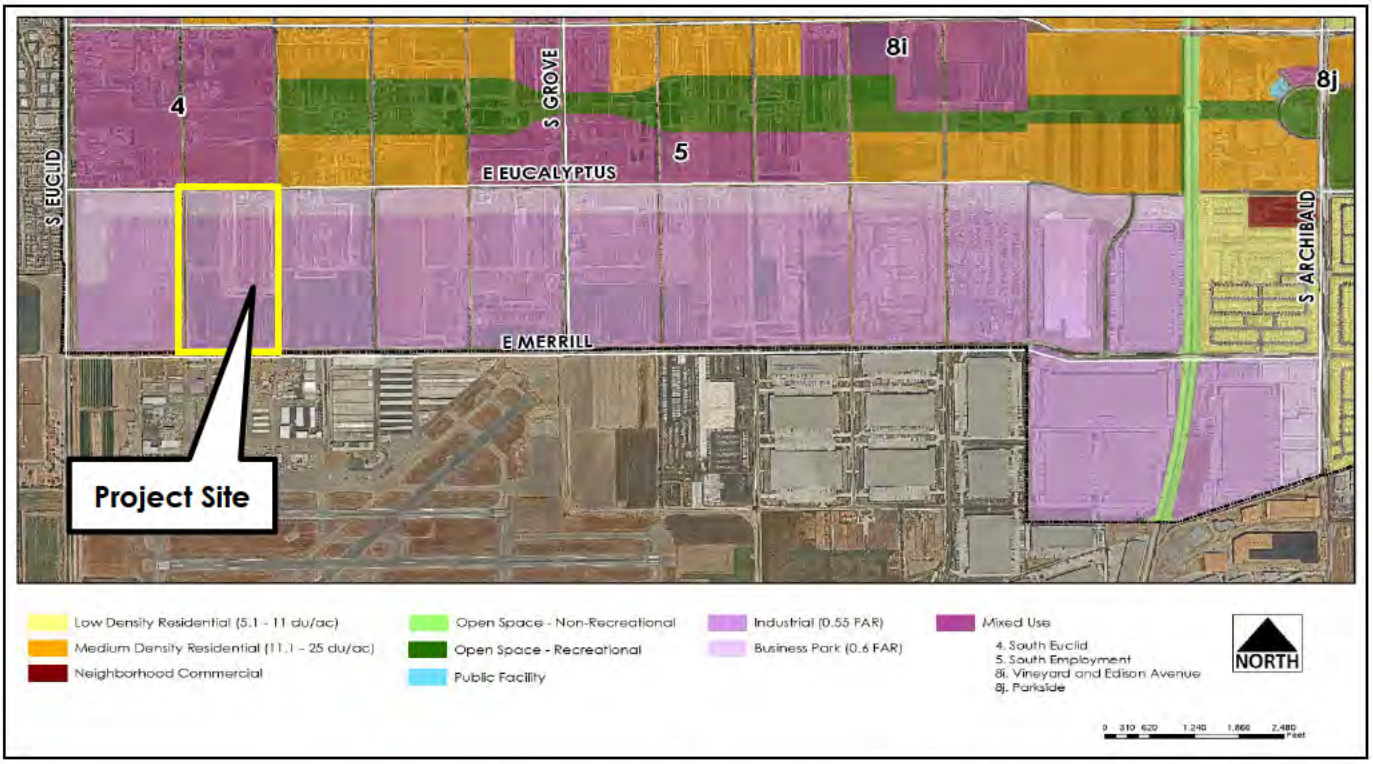


Figure 4: General Plan Land Use Regional View

(a) Land Use and Phasing Plan. The Ontario Ranch Specific Plan currently consists of two Planning Areas (PAs) that allow for a variety of commercial, office, technology, light manufacturing, and warehouse/distribution uses. The Land Use Plan implements the vision of TOP by providing opportunities for employment in manufacturing, distribution, research and development, service, and supporting retail land uses at intensities designed to meet the demand of current and future market conditions.

The Project proposes to add PAs 3 and 4 to the existing Specific Plan (see Figure 5: Specific Plan Land Use Plan). PA 3 is designated for Business Park land uses and will complement PA 1. PA 4 is designated for Industrial-General land uses and will complement PA 2. The new PAs follow the same FAR restrictions as the original PAs, outlined in Figure 6: Maximum Specific Plan Buildout, below. The Specific Plan will continue to require a maximum 0.45 FAR within the Business Park land use designation (PAs 1 and 3) and 0.54 FAR within the Industrial – General land use designation (PAs 2 and

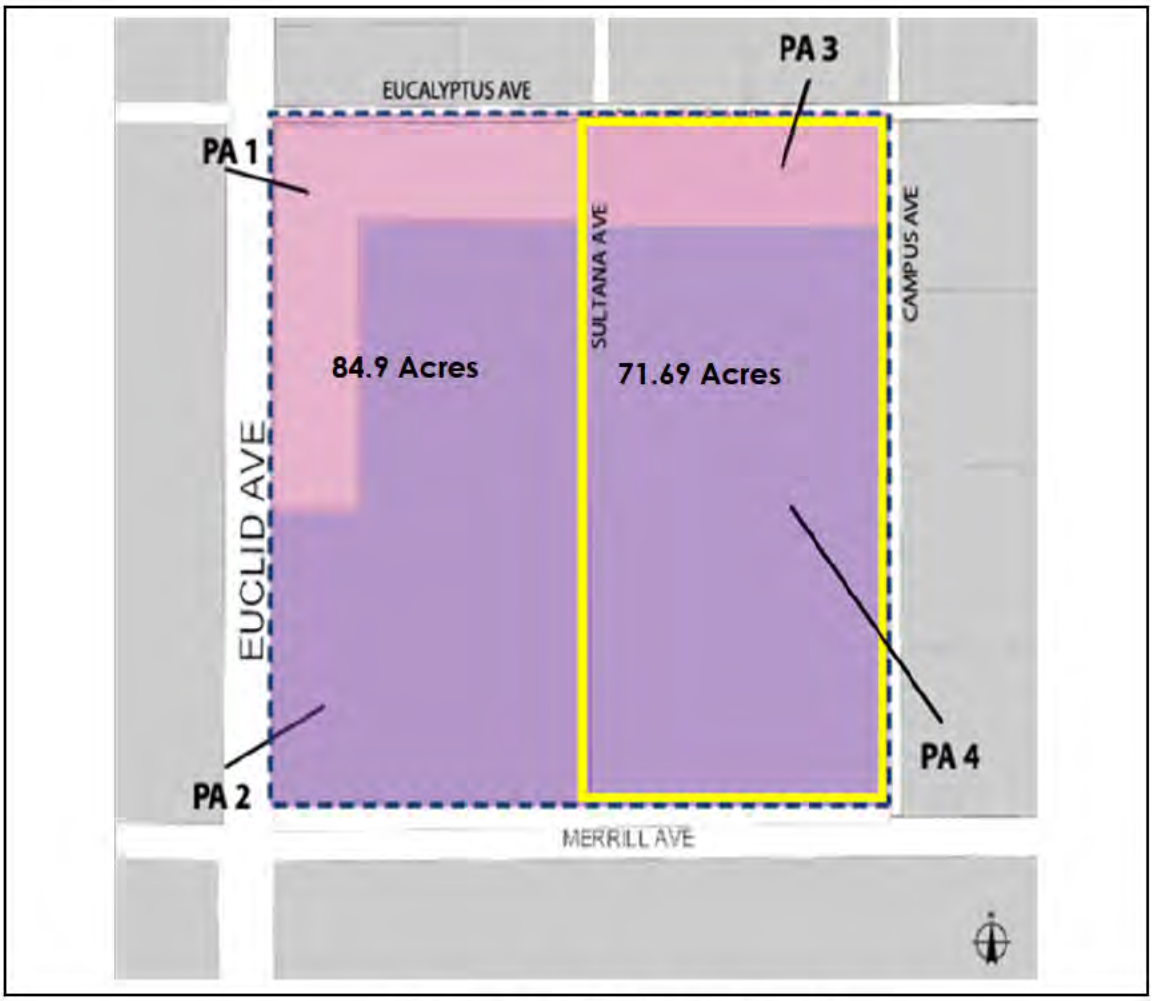


Figure 5: Specific Plan Land Use Plan

4). The FARs for each Planning Area are less than the maximum allowable thresholds of the TOP Land Use designations for Business Park (0.6 FAR) and Industrial (0.55 FAR).

On October 27, 2020, the Planning Commission approved a Development Plan (File No. PDEV18-036) for the approximate construction of up to 1.5 million square feet of Industrial and business park development for PAs 1 and 2. Construction permits have been issued for phases 1 and 2 of PAs 1 and 2. The Project introduces Phase 3 to the Specific Plan, which encompasses Planning Areas 3 and 4, allowing for a maximum of 1,640,730 square feet of industrial and business park buildings on the 71.69-acre Project site (see Figure 6: Maximum Specific Plan Buildout). PA 3, located along the northern portion of the Project area, is 11.63 acres in size and can potentially be developed with 227,951 square feet of business park buildings. The Specific Plan still limits buildings within the Business Park land use district that front onto a public right-of-way to a maximum building footprint of 125,000 square feet. PA 4, along the southern portion of the Project site, is 60.06 acres in size and can be developed with up to 1,412,739 square feet of industrial buildings (See Figure 6: Maximum Specific Plan Buildout). Per the Specific Plan Amendment, Phase 3 may be broken down into sub-phases as needed, pending land acquisition and market conditions.

Planning Area	Maximum Floor Area Ratio[1,2]	Site Acreage[3]	Maximum Building Square Footage
Planning Area 1: Business Park	0.45	23.4	457,904
Planning Area 2: Industrial - General	0.54	61.5	1,447,123
Planning Area 3: Business Park	0.45	11.63	227,951
Planning Area 4: Industrial - General	0.54	60.06	1,412,739
TOTAL		**156.59**	**3,545,717 SF**

Notes:
1. Provided the General Plan Amendment applications related to the Specific Plan to designate PA 1 and 3 as Business Park and PA 2 and 4 as Industrial - General are approved.
2. The project EIR as proposed is reviewing square footages below the maximum TOP thresholds. The FAR may be increased to the TOP max levels of 0.60 and 0.55 for BP and IG respectively with a Specific Plan Amendment and appropriate CEQA analysis.
3. PA 1 is rounded from 23.36009, PA 2 is rounded from 61.52108 PA 3 is rounded from 11.629 and PA 4 is rounded from 60.0593.

Figure 6: Maximum Specific Plan Buildout

(b) Land Use Compatibility. The Business Park and Industrial Specific Plan land uses are consistent with the TOP Land Use Plan and other approved Specific Plans located along the same corridor, including the existing Ontario Ranch Business Park, South Ontario Logistics Center, Merrill Commerce Center, and West Ontario Commerce Center. The Business Park land use district has been established specifically to act as a buffer between the industrial land uses and airport to the south, from the future residential, commercial, and mixed-use land uses north of Eucalyptus Avenue (see Figure 4: General Plan Land Use Regional View). The Project would provide consistency for the

entire industrial corridor located south of Eucalyptus Avenue, between Euclid Avenue and the Cucamonga Creek Channel.

The Project site is located within the Chino Airport Overlay Zoning District ("CNO OZD") and is impacted by Safety Zone 6, as shown in Figure 7: Chino Airport Safety Zones, below. The Safety Zone policies and criteria provide restrictions that limit building height and placement, lot coverage, concentration of people, storage of hazardous materials, and excludes or limits sensitive land uses (residential, schools, day care centers, hospitals, etc.). The Project site is also impacted by existing aircraft traffic patterns from Runway 3-21, where aircraft fly directly over the Project site while making Touch-and-Go landings, a maneuver where aircraft land on a runway and take off again without coming to a full stop; the pilot then circles the airport in a defined pattern to allow many landings to be practiced in a short time.

The Project site is also located within the Agricultural Overlay zoning district. While agricultural land uses are allowed to remain in perpetuity as per the Agricultural Overlay zoning district and the City's Right-to-Farm ordinance, landowners are not required to continue agricultural land uses and are not precluded from establishing other appropriate land uses. Should landowners wish to redevelop their property or sell to another developer, development must be consistent with the TOP Land Use Plan, the CNO OZD and an approved specific plan.

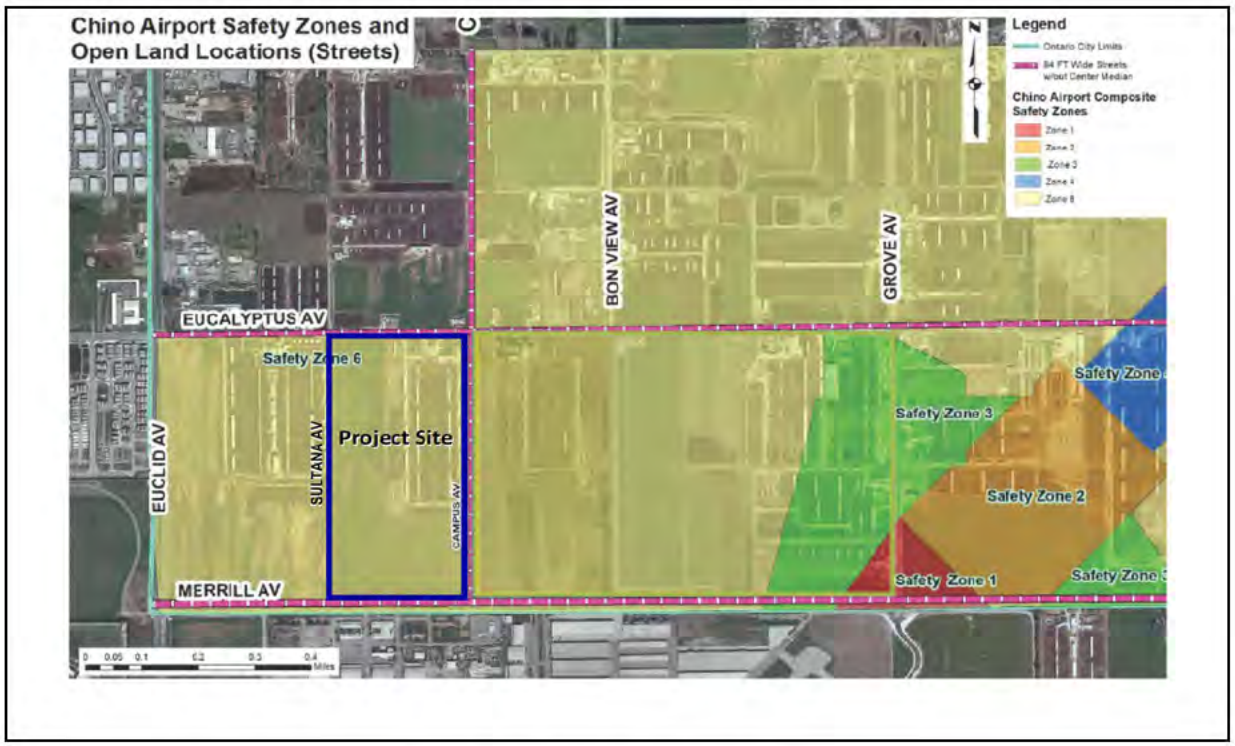


Figure 7: Chino Airport Safety Zones

(c) Circulation Concept. A Circulation Plan for a Specific Plan reinforces the objective of moving vehicles, pedestrians, cyclists, and public transit safely and efficiently through and around the Project by establishing the hierarchy and general location of roadways within the Specific Plan. The Project proposes to update the existing Specific Plan's Circulation Plan to include the expansion. Future traffic signals will now be constructed or modified at the following major intersections:

- Eucalyptus Avenue and Sultana Avenue
- Eucalyptus Avenue and Campus Avenue
- Merrill Avenue and Sultana Avenue
- Merrill Avenue and Campus Avenue

Additionally, primary access into the business park development will be provided along Eucalyptus Avenue to the north, Sultana Avenue to the west, and Campus Avenue to the east. Primary access into the industrial development will be provided along Merrill Avenue to the south, Sultana Avenue to the west, and Campus Avenue to the east (see Figure 8: Circulation Plan, below). No design changes will be made to the streets currently listed within the Specific Plan; however, Campus Avenue will be added to the Specific Plan. Campus Avenue, a minor arterial having a 108-foot right-of-way width, will run north-south along the Project's eastern boundary and will be improved with a 35-foot wide neighborhood edge. The neighborhood edge will include a 23-foot wide landscape buffer and a 12-foot wide parkway containing a five-foot wide sidewalk (see Figure 9: Campus Avenue Street Section).

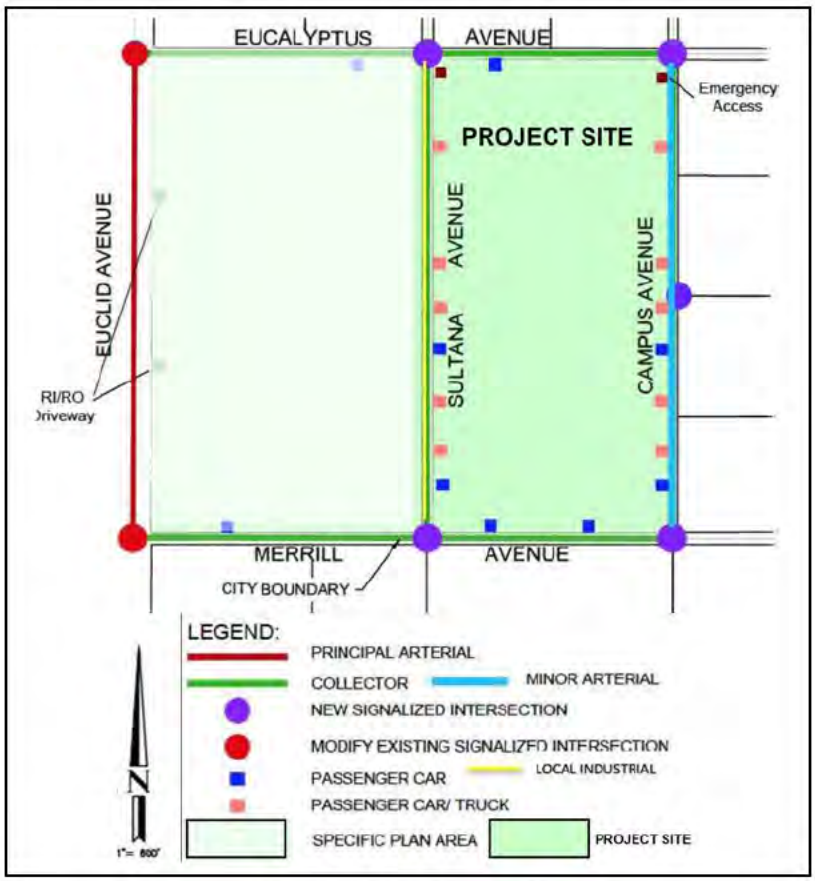


Figure 8: Circulation Plan

(d) Infrastructure and Services. The backbone infrastructure to serve all areas of the Specific Plan will be installed by the developer in accordance with the Ontario Ranch (New Model Colony) Master Plans for streets, water (including recycled water), sewer, storm drain, and fiber optic facilities. Natural gas will be provided by The Gas

Company and electricity by SCE. Development of the Project requires the developer to install all infrastructure necessary to serve the Project as a standalone construction project, with phasing and details to be reviewed and approved by means of a Development Agreement, to be acted on in conjunction with the subdivision application for the Project site.

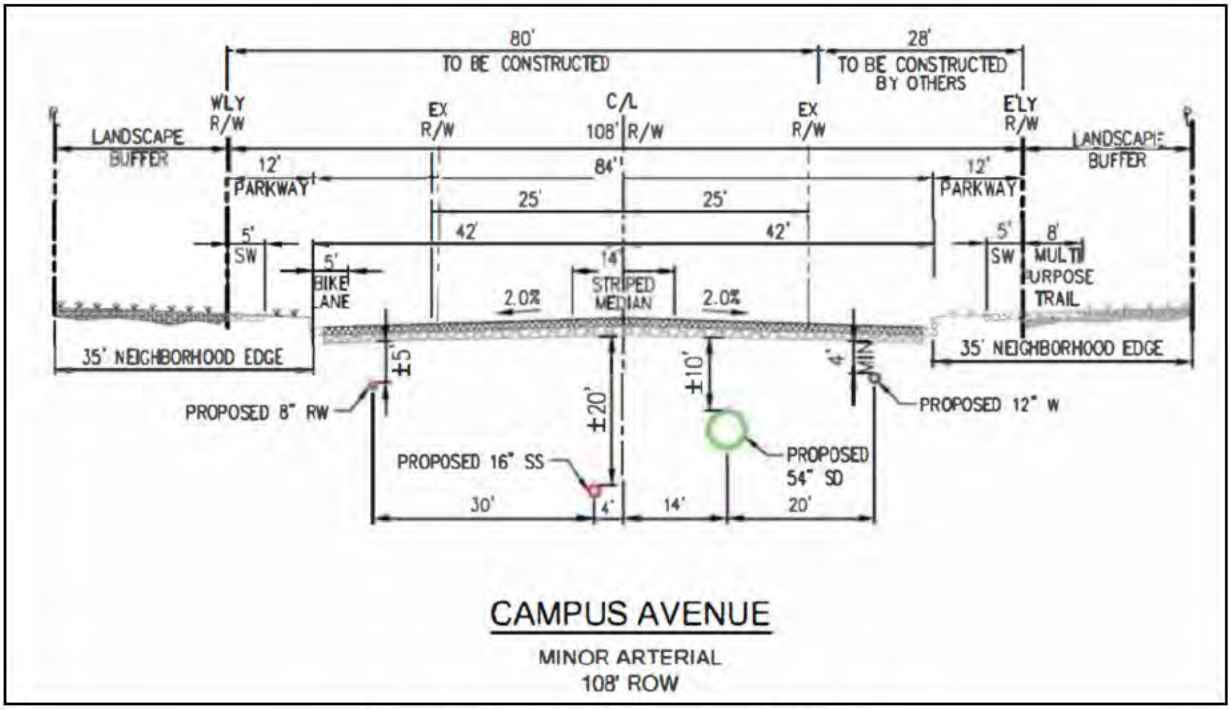


Figure 9: Campus Avenue Street Section

The Project will update infrastructure and services to cover the proposed Project area, including but not limited to streets, sidewalks, bike lanes, potable water, recycled water, sewer, fiber optic, storm drain, and other utilities like gas and electric. As this Project site is the last remaining piece in the industrial corridor, many of the infrastructure plans are already in place. This Project will require future development projects to tie in and provide fair share fees and reimbursements.

(e) Design Guidelines, Landscape Design, and Signage. The Project does not propose any changes to the original Specific Plan's design guidelines, landscape standards, or signage. The existing regulations will still apply to all future development.

(f) Public Comment Period. In compliance with the California Environmental Quality Act ("CEQA"), the City prepared and circulated the Ontario Ranch Business Park Specific Plan Amendment Draft Subsequent Environmental Impact Report for a 45-day public comment period beginning on June 7, 2022 and ending on July 22, 2022. During this review period, a total of six written comment letters were received by the City, from

various public agencies and interested private parties. Letters received from public agencies included the Riverside County Airport Land Use Commission and the Jurupa Unified School District, which indicated that they had "no comment" regarding the Subsequent Environmental Impact Report. Additionally, a letter was received from the South Coast Air Quality Management District, which requested additional information in order to complete their review; however, staff did not receive any follow-up comments from this agency.

Comment letters were also received from the neighboring cities of Chino and Eastvale. The City of Chino suggested that a revised list of cumulative projects surrounding the project site should be used, so that the document's projections/analyses have greater accuracy (the letter cited a project located within the City of Chino that was not included on the project list). Concerns were also raised regarding a perceived increased truck traffic due to re-designating residential land uses to industrial land uses and the need for additional analysis of the two primary Chino Airport access intersections on Merrill Avenue, in the vicinity of the Project. It was also suggested that conditions be placed on the Project to coordinate truck traffic, similar to the requirements the City of Chino places on their projects.

The City of Eastvale stated a concern that by breaking up review of the Ontario Ranch Business Park Specific Plan into two projects and by failing to sufficiently analyze the additive impacts from incorporating the Project site into the original Ontario Ranch Business Park area, the Draft Subsequent EIR's impact analyses may appear to be less than actual cumulative impacts that may have arose from one larger overall project. The City of Eastvale also requested revisions to the traffic analysis to more accurately demonstrate potential traffic impacts and requested the payment of Development Impact Fees to the City of Eastvale to mitigate for traffic impacts caused by the Project.

A comment letter was received from a private party (Lozeau Drury LLP), requesting a copy of the Draft Subsequent Environmental Impact Report, which was provided electronically by means of the City's website.

Pursuant to the requirements of CEQA Guidelines Section 15088, the City prepared individual responses to all the aforementioned comments. The full responses to comments are included in Attachment B, Response to Comments, appended to the resolution prepared for Subsequent Environmental Impact Report, provided with this report.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan ("TOP"). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

(2) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

  - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision.

(3) Policy Plan (General Plan)

Land Use Element:

- LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.

- LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).

- Goal LU2: Compatibility between a wide range of uses.

Community Economics Element:

- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.

  - CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

  - CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create

appropriately unique, functional and sustainable places that will compete well with their competition within the region.

➢ CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➢ CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

▪ Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.

➢ S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

▪ Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

➢ CD1-1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

➢ CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

➢ CD1-3 Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.

▪ Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

➢ CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion;

- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

➢ CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

➢ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

➢ CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➢ CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.

➢ CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

➢ CD2-12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.

➢ CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

- Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

- CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.

- CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.

- CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.

- CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.

- CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.

- Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

- CD5-1 Maintenance of Buildings and Property. We require all public and privately-owned buildings and property (including trails and easements) to be properly and consistently maintained.

- CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

Due to provisions of Senate Bill 330 ("SB 330"), The Housing Accountability Act (Government Code Section 65589.5 et seq.) which was passed by the California Legislature, signed by the Governor, and became effective on January 1, 2020, the Project was made contingent upon approval of The Ontario Plan 2050 Update (PGPA20-002), due to re-designating the underlying Land Uses for the Project site. The Ontario Plan 2050 Update proposed changes to the Project's site General Plan Land Use Plan (from Residential and Business Park into Business Park and Industrial land uses) and has completed the requisite review of impacts and replacement of impacted dwelling unit counts ("no net loss") to a more appropriate site within the City. The Ontario Plan 2050 Update was reviewed and approved by the City Council on August 16, 2022.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

(1) Ontario International Airport — On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. The proposed Project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached resolutions.

(2) Chino Airport — On August 2, 2022, the City Council of the City of Ontario approved and adopted a Development Code Amendment to establish the Chino Airport Overlay Zoning District ("CNO OZD") and Reference L, Chino Airport Land Use Compatibility Plan ("CNO ALUCP"). The CNO OZD and ALUCP established the Airport Influence Area for Chino Airport, solely within the City of Ontario, and limits future land uses and development within the Airport Influence Area, as they relate to safety, airspace protection, and overflight impacts of current and future airport activity. The CNO ALUCP is consistent with policies and criteria set forth within the Caltrans 2011 California Airport Land Use Planning Handbook.

The proposed Project is located within the Chino Airport Influence Area and was evaluated and found to be consistent with the policies and criteria of the CNO ALUCP. Future development within Project Site shall be subject to Open Land and people per acre occupancy intensity calculations that are described below.

The Project site is located within Safety Zone 6 (Handbook Generic Safety Zones) and new development will be required to provide Open Land (an open area that is 300 feet long by 75 feet wide) and people per acre limits. Safety Zone 6 is required to provide a minimum of 10 percent of Open Land, and occupancy is limited to 300 people per acre on average, and a maximum of 1,200 people in any one acre.

ENVIRONMENTAL REVIEW: The Specific Plan is located in the City of Ontario in what was formerly the approximate 8,200-acre City of Ontario Sphere of Influence (SOI) area. On January 7, 1998, the City of Ontario adopted the New Model Colony ("NMC") General Plan Amendment, setting forth a comprehensive strategy for the future development of the SOI. The NMC is generally bordered by Riverside Drive to the north, Milliken Avenue to the east, Euclid Avenue to the west and Merrill Avenue to the south.

(1) The Ontario Plan Environmental Impact Report — On January 27, 2010, the City Council adopted The Ontario Plan ("TOP") and certified the accompanying Environmental Impact Report ("EIR") (State Clearinghouse No. 2008101140). TOP includes the General Plan for the entire City, including the NMC (now referred to as "Ontario Ranch"). TOP EIR identified many areas that might have a potentially significant impact on the environment. These areas included: 1) Aesthetics; 2) Biological Resources; 3) Geology and Soils; 4) Hazards and Hazardous Materials; 5) Hydrology and Water Quality; 6) Land Use and Planning; 7) Mineral Resources; 8) Population and Housing; 9) Public Services; 10) Recreation; and 11) Utilities and Service Systems. Through the EIR process, these potential impacts were analyzed, revisions were incorporated into the plan, and/or mitigation measures were identified that reduced the potential environmental impacts to a level that was less than significant.

TOP also identified several potential impacts that, even with revisions and/or mitigation measures, could not be reduced to a level of less than significant. These areas included:

(a) Agriculture Resources.

Impact 5.2-1. Buildout of TOP would convert 3,269.3 acres of California Resource Agency designated Prime Farmland, Unique Farmland, and Farmland of Statewide Importance to residential, commercial, mixed-use, and industrial land uses. Consequently, Impact 5.2-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.2-2. There are a number of Williamson Act contracts within the City that have yet to expire. Buildout of TOP would most likely require the cancellation or nonrenewal of these contracts. The current use of these contracts would slow the rate of conversion from agricultural to nonagricultural land but it would not impede the conversion. Since there are some Williamson Act contracts still active in the Ontario Ranch, implementation of the proposed land use plan for The Ontario Plan would conflict with these contracts and cause a significant impact. Consequently, Impact 5.2-2 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.2-3. Development of the City in accordance with TOP would increase the amount of nonagricultural land uses. When nonagricultural land uses are placed near agricultural uses, the odors, noises, and other hazards related to agriculture conflict with the activities and the quality of life of the people living and working in the surrounding areas. Consequently, conversion of agricultural uses in the city may cause farms and agricultural land uses outside the City to be converted to nonagricultural uses because of the nuisances related to agriculture. Impact 5.2-3 would remain significant and unavoidable. Therefore, a Statement of Overriding Considerations would be required.

(b) Air Quality.

Impact 5.3-1. The Project would not be consistent with the Air Quality Management Plan ("AQMP") because air pollutant emissions associated with buildout of the City of Ontario would cumulatively contribute to the nonattainment designations in the South Coast Air Basin ("SoCAB"). Furthermore, buildout of the Proposed Land Use Plan would exceed current estimates of population, employment, and vehicle miles traveled for Ontario and, therefore, these emissions are not included in the current regional emissions inventory for the SoCAB. As both criteria must be met in order for a project to be considered consistent with the AQMP, the Project would be considered inconsistent with the AQMP. Consequently, Impact 5.3-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-2. Construction activities associated with buildout of TOP would generate short-term emissions that exceed the South Coast Air Quality Management District's ("SCAQMD") regional significance thresholds; cumulatively contribute to the SoCAB's nonattainment designations for O3, PM10, and PM2.5; and potentially elevate concentrations of air pollutants at sensitive receptors. Consequently, Impact 5.3-2 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-3. Buildout of TOP would generate long-term emissions that would exceed SCAQMD'S regional significance thresholds and cumulatively contribute to the SoCAB nonattainment designations for O3, PM10, and PM2.5. Consequently, Impact 5.3-3 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-5. Approval of residential and other sensitive land uses within 500 feet of I-10, I-15, or SR-60 would result in exposure of persons to substantial concentrations of diesel particulate matter. Consequently, Impact 5.3-5 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-6. Conversion of agricultural land to nonagricultural uses would temporarily expose residents to objectionable odors. Consequently, Impact 5.3-6 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

(c) Cultural Resources

Impact 5.5-1. Although protective regulations are in place and preservation policies are included in TOP, implementation of the Proposed Land Use Plan, especially within growth focus areas, has the potential to impact Tier III historic resources. Mitigation Measure 5-1 would require a historical evaluation for properties within historic resources in the Focus Areas under the City's ordinance. However, the ordinance does not provide a high level of protection for Tier III resources. As a result, historical resources categorized under the Ordinance as Tier III could potentially be impacts with

implementation of the Proposed Land Use Plan. Consequently, Impact 5.5-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

(d) Global Climate Change.

Impact 5.6-1. Buildout of the City of Ontario would generate greenhouse gas emissions that would significantly contribute to global climate change impacts in California. GHG emissions generated in the City would significantly contribute to climate change impacts in California as a result of the growth in population and employment in the City and scale of development activity associated with buildout of the Proposed Land Use Plan. Consequently, Impact 5.6-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

(e) Noise.

Impact 5.12-1. Buildout of the Proposed Land Use Plan would result in an increase in traffic on local roadways in the City of Ontario, which would substantially increase noise levels. Consequently, Impact 5.12-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.12-2. Noise-sensitive uses could be exposed to elevated noise levels from transportation sources. Any siting of new sensitive land uses within a noise environment that exceeds the normally acceptable land use compatibility criterion would result in a potentially significant impact and would require a separate noise study through the development review process to determine the level of impacts and required mitigation. Consequently, Impact 5.12-2 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.12-3. Construction activities associated with buildout of the individual land uses associated with the Proposed Land Use Plan would expose sensitive uses to strong levels of ground borne vibration. Consequently, Impact 5.12-3 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.12-5. Construction activities associated with buildout of the individual land uses associated with the Proposed Land Use Plan would substantially elevate noise levels in the vicinity of sensitive land uses. Consequently, Impact 5.12-5 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.12-6. Noise-sensitive land uses within the 65 dBA CNEL contour of the Los Angeles/Ontario International Airport would be exposed to substantial levels of airport-related noise. Consequently, Impact 5.12-6 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

(f) Transportation and Traffic.

Impact 5.15-1. Buildout of the Proposed Land Use Plan would result in additional traffic volume that would significantly cumulatively contribute to main-line freeway segment impacts. The City's development impact fees cannot be used for improvements to roadway facilities under Caltrans jurisdiction. Consequently, impacts to freeway segments within the City under Impact 5.16-1 would be significant and unavoidable and a Statement of Overriding Considerations would be required.

While these impacts will be significant and unavoidable, the City determined that the benefits of the Ontario Ranch development outweigh the potential unavoidable, adverse impacts of the plan. As a result, the City adopted a Statement of Overriding Considerations for those impacts that could not be fully mitigated to a level of "less than significant."

(2) Ontario Ranch Business Park Specific Plan Amendment Subsequent Environmental Impact Report — A Supplemental EIR (State Clearinghouse No. 2019050018) was prepared for this Project, in accordance with CEQA requirements. Through the Notice of Preparation and scoping meeting discussion, the following areas of potential impact were identified and addressed:

- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services
- Transportation and Traffic
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

The Ontario Ranch Business Park Specific Plan Amendment Subsequent EIR evaluates each of these various areas and identifies mitigation measures and/or revisions to the plan to lessen the level of impact. With the implementation of the various mitigation measures, many of the potential adverse impacts can be reduced to a level of less than significant. Of the 16 areas considered by the EIR, all but four of the impact areas were mitigated to a level of less than significant, after adoption of the TOP 2050 Update. The four remaining impact areas, even with the mitigation measures, could not be reduced

to less than significant, resulting in some impacts remaining potentially significant and unavoidable. These areas include:

(a) Agriculture and Forestry Resources.

Impact 4.1-1. The proposed Project would convert Farmland to non-agricultural use. No feasible mitigation measures have been identified that would mitigate agricultural resources to below a level of significance. Impacts would remain significant and unavoidable.

Impact 4.1-5. The proposed Project would convert Farmland to non-agricultural use. No feasible mitigation measures have been identified that would mitigate agricultural resources to below a level of significance. Impacts would remain significant and unavoidable.

(b) Air Quality.

Impact 4.2-1. The proposed Project would be inconsistent with the applicable air quality plan. Implementation of the Project would result in air pollutant emissions that exceed SCAQMD's operational emission thresholds following completion of the Project. Although MMs AQ-1 through AQ-6 would reduce Project emissions by the greatest feasible amount, Project emissions levels would remain significant and would contribute to the nonattainment designations in the SCAB. Therefore, the Project would be inconsistent with the AQMP, resulting in a significant and unavoidable impact despite the implementation of mitigation.

In addition, in accordance with South Coast AQMD Rule 2305 (refer to South Coast Air Quality Management District under Section 4.2.2 Regulatory Setting of the Subsequent Draft Subsequent EIR) the Project operator would be required to pay a mitigation fee if the Project does not generate enough WAIRE Points. The Project operator may be required to implement additional emission reduction strategies. Conservatively, this EIR is not taking credit for these potential reductions. Compliance with proposed Rule 2305 would reduce emissions below what is currently analyzed. (Draft Subsequent EIR, pp. 4.2-17 through 4.2-18.).

Impact 4.2-2. The proposed Project would be inconsistent with the applicable air quality plan. Long-term operational emissions attributable to the Project are summarized in Draft Subsequent EIR Table 4.2-9: Unmitigated Operational Emissions. Primary sources of operational criteria pollutants are from motor vehicle use and area sources.

As indicated in Draft Subsequent EIR Table 4.2-9, operation of the Project would exceed SCAQMD thresholds for NOX. The majority of the Project's NOX emissions are from mobile sources. Mitigation measures would be required to reduce emissions to the maximum extent feasible; however, emissions of motor vehicles are controlled by

State and Federal standards, and the Project has no control over these standards. MM AQ-2 through MM AQ-6 have been identified to reduce operational emissions. MM AQ-2 requires that all cargo handling equipment used on a daily basis (yard trucks/hostlers, forklifts, etc.) be electric. MM AQ-3 requires the implementation of a Transportation Demand Management (TDM) program to reduce single occupant vehicle trips and encourage transit. MM AQ-4 requires the buildings to be designed to accommodate electric vehicle (EV) infrastructure, MM AQ-5 requires electrical hookups at all loading bays, and MM AQ 6 prohibits idling when engines are not in use. Additionally, SC AQ-9 through SC AQ 11 would provide designated parking to promote the use of alternative fuels and clean fleets, facilitate future installation of EV supply equipment, and limit idling times. Draft Subsequent EIR Table 4.2-10, Mitigated Operational Emissions shows that despite the implementation of MM AQ-2 through MM AQ 6, operational emissions of NOx would remain above the SCAQMD's thresholds; therefore, impacts would be significant and unavoidable. (Draft Subsequent EIR, pp. 4.2-20 through 4.2-23.).

(c) Greenhouse Gases.

Impact 4.6-1. Implementation of the proposed Project would result in both short-term construction and long-term operational greenhouse gas emissions. The Project would result in direct emissions of CO2, N2O, and CH4 from construction equipment and the transport of materials and construction workers to and from the Project site. The GHG emissions only occur during temporary construction activities and would cease once construction is complete. The total GHG emissions generated during all phases of construction were combined and are shown in Table 4.7-2, Construction-Related Greenhouse Gas Emissions, of the Draft Subsequent EIR.

The Project would result in the generation of approximately 5,988 MTCO2e over the course of construction. Construction GHG emissions are typically summed and amortized over the lifetime of the Project (assumed to be 30 years), then added to the operational emissions. The amortized Project construction emissions would be 200 MTCO2e per year. Once construction is complete, the generation of these GHG emissions would cease.

Operational or long-term emissions occur over the life of the Project. GHG emissions would result from direct emissions such as Project-generated vehicular traffic, on-site combustion of natural gas, and operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power, the energy required to convey water to, and wastewater from the Project, the emissions associated with solid waste generated from the Project, and any fugitive refrigerants from air conditioning or refrigerators.

Total GHG emissions associated with the Project are summarized in Table 4.7-3, Project Greenhouse Gas Emissions of the Draft Subsequent EIR. As shown in Table 4.7-3, the Project's unmitigated emissions would be approximately 24,929 MTCO2e annually from both construction (amortized) and operations. Project-related GHG

emissions would exceed the SCAQMD's 10,000 MTCO2e per year threshold for industrial uses. The majority of the GHG emissions (70 percent) are associated with non-construction related mobile sources. Emissions of motor vehicles are controlled by State and Federal standards, and the Project has no control over these standards.

The Project would generate approximately 19,268 MTCO2e per year with the implementation of operational air quality MM AQ-2 through MM AQ-6. MM AQ-2 requires the use of electrical off-road equipment such as forklifts and hostlers/yard trucks. MM AQ-3 requires the implementation of a Transportation Demand Management (TDM) program to reduce single-occupant vehicle trips and encourage public transit. MM AQ-4 requires the buildings to be designed to accommodate electric vehicle (EV) infrastructure, MM AQ-5 requires electrical hookups at all loading bays, and MM AQ 6 prohibits idling when engines are not in use.

Standard condition (SC) GHG-1 through SC GHG-9, as required by the CBC, would provide designated parking to promote the use of alternative fuels and clean fleets, facilitate future installation of EV supply equipment, and limit idling times. Furthermore, MM GHG-1 requires the installation of solar photovoltaic (PV) panels to offset the Project's energy consumption and MM GHG 2 requires the Project to meet or exceed CALGreen Code Tier 2 standards to further improve energy efficiency.

With mitigation, the majority (89 percent) of emissions are from mobile sources and neither the Project Applicant nor the City have regulatory authority to control tailpipe emissions, no feasible mitigation measures exist that would reduce the Project's impacts with respect to mobile operational emissions to less than significant levels. While the Project has some control over GHG emissions (refer to MM AQ-2 through MM AQ-6), the majority of emissions are beyond the Project's control. However, MM GHG-3 would require that the Project incorporate Project Design Features to achieve a minimum score of 100 points on the Screening Tables. As stated in the Community CAP, projects that achieve a minimum score of 100 points or provide additional mitigation that achieves a 25 percent reduction are considered less than significant. However, at the time of this analysis, the City's CAP update is underway and the potential timeframes for approval and adoption of the City CAP update are unknown. Once approved, the CAP may implement performance standards and GHG emissions reduction targets differing from the current CAP. There is the potential that even after achieving more than 100 points on the current Screening Tables, the Project may conflict with as-yet-unknown performance standards and GHG emissions reduction targets implemented under the anticipated CAP updates, and thereby result in GHG emissions that would be considered to represent a significant impact on the environment. Therefore, even with the implementation of MM AQ-2 through MM AQ-6 and MM GHG-1 through MM GHG-3, this Project impact is conservatively considered significant and unavoidable.

Impact 4.76-2. Implementation of the proposed Project would conflict with the City's Community Climate Action Plan ("CAP"). Implementation of Mitigation Measure GHG-1 would require future individual projects accommodated under the

proposed Project to be designed to achieve at least 100 points on the City's GHG Screening Threshold Table. This measure would ensure that future individual projects are consistent with the City's Community CAP and would reduce Impact 4.6-2 to less than significant. However, there is the potential for the Project to generate GHG emissions that would result in significant impacts on the environment. Pending adoption of the City CAP update; a determination that the City CAP as updated is consistent with applicable State and regional GHG emissions reduction plans; and a determination that the proposed Project is consistent with the CAP as updated, the potential for Project GHG emissions to result in a significant impact on the environment is conservatively considered to be a significant and unavoidable impact.

(d) Transportation and Traffic.

Impact 4.13-2. The proposed Project was found to exceed the City's adopted Vehicle Miles Traveled ("VMT") threshold by 19.61 percent. Although the Project VMT could be reduced through the measures identified above, this analysis has conservatively not taken any credit for these VMT measures. Inclusion of such VMT reduction measures in areas that are characteristically suburban in context are noted to be limited to a maximum VMT reduction of 15 percent, which is not enough to reduce Project-generated VMT to a level below the City's adopted significance threshold. Finally, as future Project design features and building tenants are not yet known, reductions in VMT related to the above TDM measures cannot be accurately estimated or guaranteed. Therefore, the Project's transportation impact based on VMT is conservatively considered significant and unavoidable.

Impact would be significant, unavoidable, and unmitigable for the Project. The VMT reduction measures could include VMT measures 1, 6 and 7 above. Furthermore, MM GHG-1 may provide further VMT reduction depending on which GHG reduction strategies are chosen from the City's CAP Screening Table discussed in Section 4.7, Greenhouse Gas Emissions. No other mitigation measures are feasible to reduce VMT below the City's thresholds of significance.

(e) Land Use and Planning.

At the time of publication of the Draft SEIR, the Project's proposed land uses were inconsistent with the City's 2010 TOP. However, the City's 2050 TOP Update was approved and certified by the City Council on August 16, 2022, which established TOP Land Use districts which are consistent with the proposed Project's land use districts. As such, the previously analyzed significant cumulative Land Use and Planning Impact is no longer applicable to the Project.

While mitigation of all potential impacts to a level of less than significant is desirable, the fact that four areas will remain significant and unavoidable is not unexpected. The identification of these areas as significant and unavoidable validates the work previously completed for the 2010 TOP and 2050 TOP Update. Staff continues to believe that the

benefits of the proposed development outweigh the potential impacts associated with it. Therefore, staff recommends the Planning Commission recommend that the City Council 1) certify the Ontario Ranch Business Park Specific Plan Amendment Subsequent EIR (State Clearinghouse No. 2019050018) and that a Statement of Overriding Considerations be adopted for the Project, and 2) approve the Ontario Ranch Business Park Specific Plan Amendment document.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	*General Plan Designation*	*Zoning Designation*	*Specific Plan Land Use*
Site	Agricultural, Dairy, and Vacant	Business Park (0.6 FAR) and Industrial (0.55 FAR)	SP (AG Overlay)	N/A
North	Agricultural, Dairy, and Vacant	Mixed Use – NMC West	SP (AG Overlay)	N/A
South	Chino Airport	City of Chino – "Public"	City of Chino – "AD (Airport Development)"	N/A
East	Agricultural, Dairy, and Vacant	Business Park (0.6 FAR) and Industrial (0.55 FAR)	South Ontario Logistics Center	Business Park and Industrial
West	Industrial (under construction)	Business Park (0.6 FAR) and Industrial (0.55 FAR)	Ontario Ranch Business Park	Business Park and Industrial

RESOLUTION NO. PC22-053

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL CERTIFY THE PROJECT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2019050018) AND ADOPT FINDINGS OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR FILE NO. PSPA21-002, THE ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN AMENDMENT, LOCATED WITHIN ONTARIO RANCH AND GENERALLY BORDERED BY EUCALPYTUS AVENUE TO THE NORTH, SULTANA AVENUE TO THE WEST, MERRILL AVENUE TO THE SOUTH, AND CAMPUS AVENUE TO THE EAST, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1054-041-01, 1054-041-02, 1054-031-01, 1054-031-02, 1054-261-01, 1054-261-02, 1054-291-01, AND 1054-291-02.

WHEREAS, Euclid Land Venture LLC ("Applicant") has filed an Application for the approval of a Specific Plan Amendment, File No. PSPA21-002, for which a Subsequent Environmental Impact Report (“EIR”) has been prepared, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, on August 16, 2022, the City Council certified a Supplemental Environmental Impact Report (“SEIR”) (State Clearinghouse No. 2021070364), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations, in conjunction with the following: [1] The Ontario Plan (“TOP”) 2050 update General Plan Amendment (File No. PGPA20-002) to the Vision, Governance Manual, and Policy Plan components of TOP, and [2] an update to the Community Climate Action Plan (File No. PADV22-002); and

WHEREAS, the Project EIR, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for File No. PGPA20-002, a General Plan Amendment, and File No. PSPA21-002, the Ontario Ranch Business Park Specific Plan Amendment, have been prepared in accordance with the California Environmental Quality Act (“CEQA”), the State CEQA Guidelines, and the City of Ontario Guidelines for implementation of CEQA; and

WHEREAS, the EIR has been prepared to address the environmental effects of a Specific Plan Amendment (Ontario Ranch Business Park) to establish land use designations, development standards, and design guidelines for approximately 71.69 acres of land within Ontario Ranch, generally located north of Merrill Avenue, south of Eucalyptus Avenue, west of Campus Avenue, and east of Sultana Avenue; and

WHEREAS, the EIR consists of the Draft EIR and the comments and responses to comments made on the Draft EIR; and

WHEREAS, the EIR for File No. PSPA21-002 was circulated for a 45-day public review period and a notice of its availability was published in a local newspaper and posted in the Office of the Clerk of the Board of Supervisors of San Bernardino County; and

WHEREAS, a public notification was posted on the Project site (one sign facing Eucalyptus Avenue and one facing Merrill Avenue) for minimum of ten days prior to the Planning Commission public hearing. The signs shall be removed within fourteen days of the Project's final approval by City Council; and

WHEREAS, copies of the EIR were distributed to the Planning Commission, City departments, and federal, state, regional, local, and other agencies and individuals; and

WHEREAS, on August 23, 2022, the Planning Commission of the City of Ontario conducted a duly noticed public hearing on the EIR and continued the Project to the August 30, 2022, Special Planning Commission meeting. The Planning Commission opened the public hearing at which time all persons wishing to testify were heard; and

WHEREAS, on August 30, 2022, the Planning Commission of the City of Ontario conducted a duly noticed public special hearing on the EIR at which time all persons wishing to testify were heard and the EIR was fully studied; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: ***Environmental Determination and Findings.*** As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the Subsequent Environmental Impact Report ("EIR") and supporting documentation. Based upon the facts and information contained in the EIR (SCH# 2019050018) and supporting documentation, the Planning Commission recommends that the City Council make the following findings:

(1) The EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(2) The EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(3) The EIR reflects the independent judgment of the Planning Commission; and

SECTION 2: ***Planning Commission Action.*** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the Planning Commission recommends that the City Council make the following findings:

(1) The Project EIR analyzed the environmental impacts associated with the implementation of the Ontario Ranch Business Park Specific Plan Amendment, and finds that, if the Specific Plan Amendment is adopted and development occurs as proposed by this plan, and with implementation of proposed mitigation measures, the following impacts will still be significant and unavoidable:

(a) Air Quality – Impacts related to a net increase in criteria pollutants would remain significant and unavoidable with the implementation of recommended mitigation measures; and

(b) Agricultural Resources – Project-specific impacts and cumulative impacts would remain significant and unavoidable; and

(c) Transportation – Impacts related to intersections are projected to be cumulatively significant and unavoidable; and

(d) Greenhouse Gas Emissions – Project-specific impacts and cumulative impacts would remain significant and unavoidable.

SECTION 3: ***Recommendation.*** Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission hereby recommends that the City Council certify the Project EIR, adopt a Statement of Overriding Considerations, and that the associated Mitigation Monitoring Program also be approved by the City Council.

SECTION 4: ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 5: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East “B” Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 6: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

- - - - - - - - - - - - - -

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 30th day of August, 2022, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning Commissioner

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC22-052, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 30, 2022, by the following roll call vote, to wit:

AYES: Anderson, Dean, Gage, Lampkin, Ricci

NOES: None

ABSENT: DeDiemar, Willoughby

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

Draft Subsequent Environmental Impact Report and Appendices

(Draft Subsequent Environmental Impact Report and Appendices to follow this page)

ONTARIO RANCH BUSINESS PARK

SPECIFIC PLAN AMENDMENT

DRAFT SUBSEQUENT EIR

State Clearinghouse No. 2019050018
Specific Plan Amendment PSPA21-002

Lead Agency:

City of Ontario
Contact: Alexis Vaughn, Assistant Planner
303 East "B" Street
Ontario, California 91761
909.395.2036

Consultant:

Kimley-Horn and Associates, Inc.
3880 Lemon Street, Suite 420
Riverside, California 92501
Contact: Mr. Kevin Thomas, CEP, ENV SP

June 2022

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- Appendix C1 | General Habitat Assessment
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Appendix E | Geotechnical Feasibility Study

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Appendix H | Noise Data

Appendix I | Transportation Reports

- Appendix I1 | Traffic Analysis
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1.0 EXECUTIVE SUMMARY

1.1 Introduction

This Draft Subsequent Environmental Impact Report (EIR) addresses the environmental effects associated with the implementation of the proposed Ontario Ranch Business Park Specific Plan Amendment Project (Project), within the City of Ontario (City). The California Environmental Quality Act (CEQA) Guidelines require that local government agencies consider the environmental consequences before taking action on projects over which they have discretionary approval authority. An EIR analyzes potential environmental consequences in order to inform the public and support informed decisions by local and state governmental agency decision makers. This document focuses on impacts determined to be potentially significant for this Project.

This Draft EIR has been prepared as a "Program EIR" pursuant to the requirements §15168 of the State CEQA Guidelines (Title 14 of the California Code of Regulations [CCR]) and the City's CEQA procedures, as this EIR addresses the proposed Specific Plan Amendment (the "Project") and is intended to cover anticipated future discretionary approvals. This EIR is being prepared as a Subsequent EIR pursuant to CEQA Guidelines §15162, in that this EIR follows the City's approval of the Ontario Ranch Business Park Specific Plan and its associated EIR. The City, as the Lead Agency, has reviewed and revised all submitted drafts, technical studies, and reports as necessary to reflect its own independent judgment, including reliance on City technical personnel from other departments and review of all technical subconsultant reports.

Data for this Draft EIR was derived from on-site field observations, discussions with affected agencies, analysis of adopted plans and policies, review of available studies, reports, data and similar literature, and specialized environmental assessments including air quality emissions model data, health risk assessment data, biological reports, cultural resources reports, geotechnical feasibility study, greenhouse gas emissions model data, energy calculations, environmental site assessment (Phase I), hydrology report, preliminary water quality management plan (WQMP), noise modeling data, traffic analysis, and water supply assessment (WSA).

1.2 Environmental Procedures

This Draft EIR has been prepared pursuant to CEQA to assess the environmental effects associated with implementation of the proposed project, as well as anticipated future discretionary actions and approvals. CEQA established six main objectives for an EIR:

1. Disclose to decision makers and the public the significant environmental effects of proposed activities.
2. Identify ways to avoid or reduce environmental damage.
3. Prevent environmental damage by requiring implementation of feasible alternatives or mitigation measures.

4. Disclose to the public reasons for agency approval of projects with significant environmental effects.
5. Foster interagency coordination in the review of projects.
6. Enhance public participation in the planning process.

An EIR is the most comprehensive form of environmental documentation in CEQA and the CEQA Guidelines; it is intended to provide an objective, factually supported analysis, and full disclosure of the environmental consequences of a Project with the potential to result in significant, adverse environmental impacts.

An EIR is one of various decision-making tools used by a lead agency to consider the merits and disadvantages of a project that is subject to its discretionary authority. Before approving a Project, the lead agency must consider the information in the EIR; determine whether the EIR was prepared in accordance with CEQA and the CEQA Guidelines; determine that it reflects the independent judgment of the lead agency; adopt findings concerning the project's significant environmental impacts and alternatives; and adopt a statement of overriding considerations if significant impacts cannot be avoided.

1.2.1 EIR Format

Section 1.0. Executive Summary. Summarizes the background and description of the proposed Project, the format of this EIR, Project alternatives, any critical issues remaining to be resolved, and the potential environmental impacts and mitigation measures identified for the Project.

Section 2.0. Introduction. Describes the purpose of this EIR, background on the Project, the notice of preparation, the use of incorporation by reference, and Final EIR certification.

Section 3.0. Project Description. A detailed description of the Project, including its objectives, its area and location, approvals anticipated to be required as part of the Project, necessary environmental clearances, and the intended uses of this EIR.

Chapter 4.0. Environmental Analysis. Each environmental topic is then analyzed in a separate subsection that discusses: the thresholds used to determine if a significant impact would occur; the methodology to identify and evaluate the potential impacts of the Project; the existing environmental setting; the potential adverse and beneficial effects of the Project; the level of impact significance before mitigation; the mitigation measures for the proposed Project; the level of significance after mitigation is incorporated; and the potential cumulative impacts of the proposed Project and other existing, approved, and proposed development in the area.

Section 5.0. Other CEQA Considerations. Describes the significant unavoidable adverse impacts of the proposed Project as well as the potentially significant irreversible environmental changes associated with the Project. This chapter also describes the ways in which the proposed Project would cause increases in employment or population that could result in new physical or environmental impacts.

Section 6.0. Alternatives to the Proposed Project. Describes the alternatives and compares their impacts to the impacts of the proposed Project. Alternatives include the No Project/No Build Alternative,

No Project/Existing General Plan Alternative, the Reduced-Intensity Alternative, and also include a discussion of the Environmentally Superior Alternative.

Section 7.0. Effects Found Not to Be Significant. Describes the potential impacts of the Project that were determined not to be significant and were therefore not discussed in detail in this EIR.

Section 8.0. EIR Consultation and Preparation. Lists the people and organizations that were contacted during the preparation of this EIR.

Appendices: The appendices for this document (in PDF format) comprise these supporting documents:

Appendix A: Notice of Preparation (NOP) and Scoping Meeting Materials

Appendix B: Air Quality and Greenhouse Gas Emissions and Reports

- B1: Air Quality Emissions Model Data
- B2: Health Risk Assessment Data
- B3: Greenhouse Gas Emissions Model Data
- B4: Energy Calculations

Appendix C: Biological Resources Reports

- C1: General Habitat Assessment
- C2: Focused Burrowing Owl Surveys

Appendix D: Cultural and Paleontological Resources Assessment

Appendix E: Geotechnical Feasibility Study

Appendix F: Phase I Environmental Site Assessment

Appendix G: Hydrology Reports

- G1: Preliminary Hydrology Calculations
- G2: Preliminary Water Quality Management Plan

Appendix H: Noise Data

Appendix I: Transportation Reports

- I1: Traffic Analysis
- I2: Vehicle Miles Traveled Assessment

Appendix J: Water Supply Assessment

1.3 Project Location

The Project is made up of eight parcels totaling 71.69 acres in the City. The City is located approximately 40 miles east of downtown Los Angeles, 20 miles west of downtown San Bernardino, and 30 miles north from the Orange County line.

Regional access to the Project site is provided by State Route 83 (SR 83; Euclid Avenue), which connects to State Route 60 (SR 60) and Interstate 10 (I-10) to the north, Interstate 15 (I-15) approximately 5.5 miles to the east, and State Route 71 (SR 71) approximately three miles to the southwest. SR 71 connects the project to Interstate 91 (I-91) in unincorporated Riverside County.

The Project site is in the southwestern portion of the City, immediately north of the City of Chino in San Bernardino County (County). The Project site is located east of the unimproved right-of-way of Sultana Avenue, north of Merrill Avenue, south of Eucalyptus Avenue, and west of Campus Avenue. The Assessor Parcel Numbers (APNs) for this Project are 1054 041-01, -02; 1054-031-01, -02; 1054-261-01, -02; and 1054-291-01-, -02.

1.4 Project Summary

The Ontario Ranch Business Park Specific Plan (Approved SP) was approved in October of 2020 and consisted of a General Plan Amendment, Specific Plan, Development Plan Review, Tentative Parcel Maps, and a Development Agreement to allow for development of an industrial and business park on 11 parcels covering 85 acres in the City. The Approved SP included eight warehouse buildings ranging from 46,900 square feet (sf) to 618,353 sf, totaling a maximum development of 1,905,027 sf of warehouse and office uses. The Project discussed in this EIR would incorporate the abutting 71.69 acres to the east of the Approved SP site into the overall Approved SP area.

The Project discussed in this EIR consists of a Specific Plan Amendment (SPA). The Project will enable future development approvals, including a Development Plan, Tentative Parcel Map(s), a Development Agreement, and related infrastructure plan approvals. The Project would allow for the development of six warehouses on eight parcels, ranging from 61,300 sf to 530,460 sf in building size, to allow development totaling 1,640,690 sf of industrial and business park land uses. The Project would add two new planning areas (PAs) to the Approved SP area (PAs 3 and 4). The abutting Project site is depicted in *Figure 3-4, Proposed Project Land Uses*.

This EIR evaluates the total maximum allowable development in the Project site, which is approximately 1,604,690 sf of industrial and business park land uses and associated on-site and off-site infrastructure improvements. The Project's proposed uses would be compatible with applicable land use regulations including local Airport Land Use Compatibility Plans (ALUCPs). The Project implements the vision of The Ontario Plan (TOP) by providing opportunities for employment in manufacturing, distribution, and research and development at intensities designed to meet the demand of current and future market conditions. The Land Use Plan identifies the location of the land use designations for the Project site. The Project's proposed zoning mirrors TOP Zoning Districts (Ontario Municipal Code Section 5.01) and is identified along with the two additional PAs.[1]

The Project consists of two PAs: PA 3 and PA 4, accommodating a variety of industrial-serving commercial, low-intensity office, technology, light manufacturing, and warehouse/distribution uses that are

[1] The City is planning to adopt the TOP 2050 Update in August 2022, which shows the Project site as Business Park and Industrial, consistent with the proposed SPA. As the ORBP II SPA Subsequent EIR is planned for approval after approval of the City's TOP 2050 Update, the Project would be consistent with the land use designations following TOP 2050 Update.

compatible with the Project site's location. The Land Use Plan implements the vision of TOP by providing opportunities for employment in manufacturing, distribution, and research and development at intensities designed to meet the demand of current and future market conditions. A list of allowable uses by PA is presented in Chapter 4, Land Use and Development Standards, of the Project's Specific Plan Amendment. The two PAs are described below:

- ***Planning Area 3 - Business Park (BP):*** BP accommodates industrial-serving commercial, low intensity office uses, and certain light industrial uses. Development within this district is typically multi-tenant in nature; however, single-tenant buildings are not precluded.
- ***Planning Area 4 - Industrial (IG):*** IG accommodates storage and warehousing uses located in larger buildings on larger sites. Uses may include e-commerce, high cube warehouses, or distribution. A wide range of manufacturing and assembly uses are also permitted in this district.

The land use types proposed by the Project are summarized below in *Table 1-1, Maximum Project Buildout*. This table provides the maximum allowable square footage that can be built, for each PA at its associated floor area ratio (FAR). Development standards, such as setback requirements, parking, landscaping, infrastructure, and site design, may reduce the maximum gross square footage.

Table 1-1: Maximum Project Buildout

Planning Area	Maximum FAR	Site Acreage	Maximum Building Square Footage
Planning Area 3: Business Park	0.45	11.63	227,951 sf
Planning Area 4: General Industrial	0.54	60.06	1,412,739 sf
TOTAL		**71.69**	**1,640,690sf**

Note:
1. The Project EIR as proposed is reviewing square footages below the maximum TOP thresholds. The FAR may be increased to the TOP max levels of 0.60 and 0.55 for BP and IG respectively with a Specific Plan Amendment and appropriate CEQA analysis.
2. PA 3 is rounded from 11.629 and PA 4 is rounded from 60.0593; resulting in an exact square footage of 227,951.658 and 1,412,738.88

1.5 Summary of Project Alternatives

CEQA Guidelines Section 15126.6[a] states that an EIR must address "a range of reasonable alternatives to the project, or to the location of the project, which could feasibly attain the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives." The alternatives were based, in part, on their potential ability to reduce or eliminate the impacts determined to be significant and unavoidable for the Project. The following three alternatives have been determined to represent a reasonable range of alternatives which have the potential to feasibly attain most of the basic objectives of the Project but may avoid or substantially lessen any of the significant effects of the Project. These alternatives are analyzed in detail in *Section 6.0, Alternatives,* of this Draft EIR.

- No Project/No Build Alternative
- No Project/Existing General Plan Alternative
- Reduced-Intensity Alternative

An EIR must identify an "environmentally superior" alternative, and where the No Project Alternative is identified as environmentally superior, the EIR is then required to identify as environmentally superior an alternative from among the others evaluated. Each alternative's environmental impacts are compared to the Project and determined to be environmentally superior, neutral, or inferior. However, only impacts found significant and unavoidable are used in making the final determination of whether an alternative is environmentally superior or inferior to the Project. Impacts involving agricultural resources, air quality, greenhouse gas emissions, and transportation and traffic were found to be significant and unavoidable. *Section 6.7* identifies the environmentally superior alternative.

1.5.1 No Project/No Build Alternative

Section 15126.6(e) of the State CEQA Guidelines requires analysis of the No Project Alternative. In accordance with the State CEQA Guidelines, the No Project/No Build Alternative for a development project on an identifiable property consists of the circumstance under which the Project does not proceed as provided by Section 15126.6(e)(3)(B) of the State CEQA Guidelines. Section 15126.6(e)(3)(B) provides that, "In certain instances, the no project alternative means 'no build' wherein the existing environmental setting is maintained." Under the No Project/No Build Alternative, the Project would not be developed, and no new development would occur, however, the existing conditions would remain in operation.

The Project site contains an operational dairy farm, single-family residential structures, dairy barns, a storage structure, feed storage barns, and numerous livestock corrals. The dairy, structures, and single-family residential uses would remain. Accordingly, the No Project/No Build Alternative provides a comparison between the environmental impacts of the Project as compared to the current environmental conditions, resulting from not approving or denying the Project.

Ability to Reduce Impacts

The No Project/No Build Alternative would eliminate the significant and unavoidable impacts related to agriculture, air quality, GHG emissions, land use and planning, and transportation and traffic that would occur from implementation of the proposed Project. This alternative would also reduce impacts related to biological resources, cultural resources, energy, geology, and soils in relation to paleontological resources, noise, population and housing, public services, tribal cultural resources, and utility and service systems. Impacts related to geologic hazards, hazards and hazardous materials and hydrology and water quality would be greater under this alternative.

Ability to Achieve Project Objectives

Implementation of the No Project/No Build Alternative means that new development would not occur on the Project site, and none of the Project objectives would be achieved under this alternative. The No Project/No Build Alternative would not create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/logistics complex that is compatible with nearby residential neighborhoods (Objective 1); provide the entitlements and framework for the development of approximately 1.6 million sf of business park and light industrial uses (Objective 2); provide employment opportunities for community residents (Objective 3); facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized

to adequately serve the Project area (Objective 4); expand the City's industrial uses in proximity to local airports and regional transportation networks (Objective 5); nor would it create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Project vision (Objective 6).

1.5.2 No Project/Existing General Plan Alternative

Section 15126.6(e) of the State CEQA Guidelines requires that an EIR evaluate and analyze the impacts of the "No-Project" Alternative. When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the no-project alternative is the continuation of the plan, policy, or operation into the future. Therefore, under the No Project/Existing General Plan Alternative, the current General Plan land uses, and zoning would remain in effect. Development in accordance with the existing General Plan and zoning would occur. The City's current TOP designates the Project site for development of Business Park (0.6 FAR), and Low-Medium Density Residential at 5.1-11 dwelling units per acre (du/ac). The existing land use designations would allow approximately 473,061 sf of business park, and 479 dwelling units at 8.5 du/ac. This alternative would generate approximately 1,660 employees and 1,914 residents.[2] However, as part of the forthcoming proposed TOP 2050 Update that will precede this Project, the underlying land use designations for the Project site will include 11.63 acres of Business Park (at a maximum FAR of 0.6) and 60.06 acres of Industrial (at a maximum FAR of 0.55). The maximum allowable FARs in the TOP 2050 Update are greater than those proposed for this Project; as such, the No Project/Existing General Plan Alternative under the TOP 2050 Update would generate approximately 227,951 sf of business park development, 1,412,739 sf of industrial development, 1,631 employees, and zero residents.

Ability to Reduce Impacts

The No Project/Existing General Plan Alternative would result in reduced impacts to air quality, energy, greenhouse gas emissions, land use and planning, noise, population and housing, and transportation and traffic under the current TOP land use districts when compared to the impacts under the Project. This alternative will have greater impacts compared to the proposed Project related to hazards and hazardous materials, public services, and utilities and service systems. Impacts related to agricultural and forestry resources, biological resources, cultural resources, geology and soils, hydrology and water quality, and tribal cultural resources would be similar compared to the proposed Project.

However, as part of the forthcoming proposed TOP 2050 Update that will precede this Project, the No Project/Existing General Plan Alternative would result in increased impacts to air quality, energy, greenhouse gas emissions, land use and planning, noise, population and housing, and transportation and traffic under the proposed TOP 2050 Update, when compared to the impacts under the Project. Under the TOP 2050 Update, this alternative will have similar impacts compared to the proposed Project related to agricultural and forestry resources, biological resources, cultural resources, geology and soils, hazards

[2] Buildout was based on 18.10 acres of Business Park and 56.34 acres of Low-Medium Density Residential retrieved from: https://sbcounty.maps.arcgis.com/apps/webappviewer/index.html?id=87e70bb9b6994559ba7512792588d57a. Floor Area Ratio assumed from the City's TOP Future Buildout Table (2020). Retrieved from: https://www.ontarioplan.org/wp-content/uploads/sites/4/2020/12/LU-03-Table.pdf. Land Use Modeling Methodology. (2009). Employee and Resident generating. Retrieved from: https://www.ontarioplan.org/wp-content/uploads/sites/4/2016/05/32253.pdf.

and hazardous materials, hydrology and water quality, and public services, tribal cultural resources, and utilities and service systems would be similar compared to the proposed Project.

Ability to Achieve Project Objectives

Implementation of the No Project/Existing General Plan Alternative would not meet four of the six Project objectives. For example, this alternative would not create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/ logistics complex that is compatible with nearby residential neighborhoods (Objective 1); provide the entitlements and framework for the development of approximately 1.6 million sf of business park and light industrial uses (Objective 2); expand Ontario's industrial uses in proximity to local airports and regional transportation networks (Objective 5); nor would it create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Specific Plan vision (Objective 6). This alternative would provide employment opportunities for community residents (Objective 3) and facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Specific Plan area (Objective 4).

However, as part of the forthcoming proposed TOP 2050 Update that will precede this Project, the underlying land use designations for the Project site will include Business Park and Industrial. Therefore, under the TOP 2050 Update, the No Project/ Existing General Plan Alternative would meet all six Project objectives as it would create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/logistics complex that is compatible with nearby residential neighborhoods (Objective 1); provide the entitlements and framework for the development of approximately 1.6 million sf of business park and light industrial uses (Objective 2); expand Ontario's industrial uses in proximity to local airports and regional transportation networks (Objective 5); and it would create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Specific Plan vision (Objective 6). This alternative would provide employment opportunities for community residents (Objective 3) and facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Specific Plan area (Objective 4).

1.5.3 Reduced Intensity Alternative

The Reduced-Intensity Alternative proposes a 25 percent reduction in building area of the proposed industrial warehousing and business park uses. Under this alternative, a total of 1,640,690 sf of industrial and warehouse uses will have a reduction of 410,173 sf and would be developed with 982,838 sf of high-cube fulfillment center warehousing and 158,843 sf of office uses. This alternative would generate approximately 1,223 employees. Access to the site would be similar to the Project with a reduction in the number of parking spaces. Given the infrastructure costs, including off-site improvements, a 25 percent reduction was considered aggressive and further reduction is likely not financially feasible.

Ability to Reduce Impacts

The Reduced-Intensity Alternative would result in reduced impacts related to air quality, energy, GHG emissions, noise, population and housing, public services, transportation and traffic, and utilities and

service systems due to the reduction in square footage and associated vehicular trips. However, significant and unavoidable impacts related to agricultural and forestry resources, air quality, GHG emissions, land use and planning, and transportation and traffic would continue to occur from implementation of this alternative. Impacts related to agricultural resources, biological resources, cultural resources, geology and soils, hazardous and hazardous materials, hydrology and water quality, land use and planning, population and housing, and tribal cultural resources would be similar to the proposed Project.

Ability to Achieve Project Objectives

Implementation of the Reduced-Intensity Alternative would achieve the Project objectives, but not to the extent as would be achieved by the proposed Project. The Reduced-Intensity Alternative would create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/logistics complex that is compatible with nearby residential neighborhoods (Objective 1); provide employment opportunities for community residents (Objective 3); facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Specific Plan area (Objective 4); expand Ontario's industrial uses in proximity to local airports and regional transportation networks (Objective 5); and create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Specific Plan vision (Objective 6). However, the reduction of 353,184 sf would attract fewer or smaller businesses and less employment opportunities to area residents. In addition, the smaller development would provide less flexibility to meet the needs of an ever-changing business market. This alternative would not fully meet Objective 2 to provide the entitlements and framework for the development of approximately 1.6 million sf of business park and light industrial uses.

1.6 Issues to be Resolved

Section 15123(b)(3) of the CEQA Guidelines requires that an EIR contain issues to be resolved, including the choice among alternatives and whether or how to mitigate significant impacts. With regard to the Project, the major issues to be resolved include decisions by the lead agency as to:

1. Whether this Draft EIR adequately describes the environmental impacts of the project.
2. Whether the benefits of the project override those environmental impacts which cannot be feasibly avoided or mitigated to a level of insignificance.
3. Whether the proposed land use changes are compatible with the character of the existing area.
4. Whether the identified goals, policies, or mitigation measures should be adopted or modified.
5. Whether there are other mitigation measures that should be applied to the project besides the Mitigation Measures identified in the Draft EIR.
6. Whether there are any alternatives to the project that would substantially lessen any of the significant impacts of the Project and achieve most of the basic project objectives.

1.7 Areas of Controversy

Prior to the preparation of the Draft EIR, the City circulated a Notice of Preparation (NOP) from July 1, 2021 to August 6, 2021 (see Appendix A, NOP/Public Scoping). In addition, a public scoping meeting was held

during the 30-day public review period, on July 21, 2021 at 5:30 PM via Zoom. Pursuant to measures taken by the State of California, the San Bernardino County Department of Public Health requirements, and the City of Ontario public safety policies, to ensure the health and safety of our residents by limiting contact that could spread the COVID-19 virus, there were no members of the public in attendance of the scoping meeting. Members of the public, Project applicants and consultants, and staff were able to participate in the meeting via Zoom. The meeting was recorded, and the meeting presentation is contained in *Appendix A, Notice of Preparation and Scoping Meeting Materials*. A summary of comments received on the NOP are provided in *Table 2-1, NOP Written Comments Summary*. The table provides references to the sections of the Draft EIR in which these issues are evaluated. No other areas of controversy are known to the lead agency.

1.8 Summary of Environmental Impacts, Mitigation Measures, and Levels of Significance After Mitigation

Table 1-2, Summary of Significant Impacts and Proposed Mitigation Measures summarizes the conclusions of the environmental analysis contained in this EIR. Impacts are identified as significant or less than significant, and mitigation measures are identified for all significant impacts. The level of significance after implementation of the mitigation measures is also presented. Impacts not represented in this table are found in *Section 7.0, Effects Found Not to be Significant* in this Draft EIR.

Table 1-2: Summary of Significant Impacts and Proposed Mitigation Measures

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Section 4.1, Agriculture and Forestry Resources			
Impact 4.1-1 Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? [Threshold AG-1]	**Significant**	**MM AG-1** Deed disclosure – In order to reduce conflicts issued between sensitive receptors and agricultural uses, all property owners in the Ontario Ranch Business Park Specific Plan shall be provided with a deed disclosure or similar notice approved by the City Attorney regarding the proximity and nature of neighboring agricultural uses. This disclosure shall be applied at the tentative map stage to the affected properties, or otherwise prior to finalizing the sale or rental agreement of any property. The written disclosure shall be supplied to the property purchaser or renter by the vendor or vendor's agent. The content and text of the disclosure shall be approved by the City Attorney and shall include language to inform new residents that existing agricultural uses may create nuisances such as flies, odors, dust, night-light, and chemical spraying.	**Significant and Unavoidable**
Impact 4.1-2 Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract? [Threshold AG-2]	**Less Than Significant**	No mitigation measures are required.	**Less Than Significant**
Impact 4.1-5 Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? [Threshold AG-5]	**Significant**	Refer to **MM AG-1**	**Significant and Unavoidable**
Section 4.2, Air Quality			
Impact 4.2-1 Would the Project conflict with or obstruct implementation of the applicable air quality plan? [Threshold AQ-1]	**Significant**	**MM AQ-1** The Project shall utilize "Super-Compliant" low VOC paints which have been reformulated to exceed the regulatory VOC limits (i.e., have a lower VOC content than what is required) put forth by SCAQMD's Rule 1113 for all architectural coatings. Super-Compliant low VOC paints shall be no more than 10g/L of VOC. Plans shall specify that	**Significant and Unavoidable**

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		all architectural coatings will be super-compliant low VOC paints. **MM AQ-2** Only electric-powered off-road equipment (e.g., yard trucks/hostlers, forklifts, indoor material handling equipment, etc.) shall be utilized on-site for daily warehouse and business operations. The Project developer/facility owner shall disclose this requirement to all tenants/business entities prior to the signing of any lease agreement. In addition, the limitation to use only electric-powered off-road equipment shall be included in all leasing agreements. Prior to issuance of a Business License for a new tenant/ business entity, the Project developer/facility owner and tenant/business entity shall provide to the City of Ontario Planning Department and Business License Department a signed document (verification document) noting that the Project development/facility owner has disclosed to the tenant/business entity the requirement to use only electric-powered equipment for daily operations. This verification document shall be signed by authorized agents for the Project developer/facility owner and tenant/ business entities. In addition, if applicable, the tenant/ business entity shall provide documentation (e.g., purchase or rental agreement) to the City of Ontario Planning Department and Business License Department to verify, to the City's satisfaction, that any off-road equipment utilized will be electric-powered or produce zero emissions. If emergency generators are proposed, the Project applicant shall explore non-diesel options. If non-diesel generators are determined to not be feasible, the Project applicant shall provide written justification for the use of diesel-powered emergency generators to be approved by the City's Building Department. Feasibility of non-diesel generators would be explored on the basis of fire and life safety purposes, relative cost and availability of non-diesel generators, as well as whether or not the non-diesel generator has the capacity to supply the required level of power for the required uses.	

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		MM AQ-3 Prior to issuance of occupancy permits, the Project operator shall prepare and submit a Transportation Demand Management (TDM) program detailing strategies that would reduce the use of single occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool, and transit. The TDM shall include, but is not limited to the following: ▪ Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options; ▪ Promote bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the Project site; ▪ Provide on-site car share amenities for employees who make only occasional use of a vehicle, as well as others who would like occasional access to a vehicle of a different type than they use day-to-day; ▪ Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service; and ▪ Incorporate incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/ vanpool users. **MM AQ-4** Prior to the issuance of a building permit, the Planning Department shall confirm that the Project is designed to include the following: ▪ The buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed to supply power for the future installation of electric vehicle (EV) truck charging stations on the site. Conduit should be installed from the electrical room to tractor trailer parking spaces in a logical location(s) on the site determined by the Project Applicant during construction document plan check, for the purpose of	

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		accommodating the future installation of EV truck charging stations at such time this technology becomes commercially available and the buildings are being served by trucks with electric-powered engines. ▪ The buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed in the future to supply power to trailers with transport refrigeration units (TRUs) during the loading/unloading of refrigerated goods. Conduit should be installed from the electrical room to the loading docks determined by the Project Applicant during construction document plan check as the logical location(s) to receive trailers with TRUs. **MM AQ-5** Prior to the issuance of occupancy permits, the Planning Department shall confirm that tenant lease agreements include contractual language that requires all Transport Refrigeration Units (TRUs) entering the Project site be plug-in capable. Electrical hookups shall be provided as part of the tenant improvements for any tenant that requires cold storage. The electrical hookups shall be provided at loading bays for truckers to plug in any onboard auxiliary equipment and power refrigeration units while their truck is stopped. **MM AQ-6** All truck access gates and loading docks within the Project site shall have a sign posted that states: ▪ Truck drivers shall turn off engines when not in use ▪ Truck drivers shall shut down the engine after five minutes of continuous idling operation (pursuant to Title 13 of the California Code of Regulations, Section 2485). Once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged. ▪ Telephone numbers of the building facilities manager and CARB to report violations. ▪ Truck travel is restricted to identified truck routes only.	

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		In addition, signage shall be installed to direct trucks to the appropriated designated truck routes.	
Impact 4.2-2 Would the proposed project, result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? [Threshold AQ-2]	**Significant**	Refer to **MM AQ-1** through **MM AQ-6**.	**Significant and Unavoidable**
Impact 4.2-3 Would the proposed project, expose sensitive receptors to substantial pollutant concentrations? [Threshold AQ-3]	**Significant**	Refer to **MM AQ-1** through **MM AQ-6**. **MM AQ-7** Prior to issuance of grading permits, the applicant shall prepare and submit documentation to the City of Ontario that demonstrate that all off-road diesel-powered construction equipment greater than 50 horsepower meets California Air Resources Board Tier 4 Final off-road emissions standards. Requirements for Tier 4 Final equipment shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of each unit's Best Available Control Technology (BACT) documentation (certified tier specification or model year specification), and CARB or SCAQMD operating permit (if applicable) shall be provided to the City at the time of mobilization of each applicable unit of equipment.	**Less Than Significant**
Section 4.3, Biological Resources			
Impact 4.3-1 Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? [Threshold B-1]	**Significant**	**MM BIO-1** Prior to the issuance of permits for any construction activity, the Project Applicant shall demonstrate compliance with the MBTA to the satisfaction of the City of Ontario that either of the following has been accomplished: ▪ Conduct grading activities and vegetation removal outside of the nesting season (February 1 to August 31) to avoid impacts to nesting birds, including raptors. ▪ If vegetation removal will occur during the bird nesting season, between February 1 and August 31, pre-construction nesting bird surveys shall be performed within three days prior to any disturbance of the site,	**Less Than Significant**

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		including disking, demolition activities, and grading. If active nests are found, they shall be flagged and the biologist shall establish suitable buffers around the nest (generally a minimum of 200 feet up to 500 feet for raptors and a minimum of 50 feet up to 300 feet for passerine species, with specific buffer widths to be determined by a qualified biologist). The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. **MM BIO-2** The Project Applicant shall conduct surveys for tricolored blackbird across all suitable breeding and foraging habitat with the Project site. If tricolored blackbirds are identified, the Project Proponent shall avoid all occupied habitat on-site. If on-site avoidance is infeasible, the Project Proponent shall apply for an incidental take permit (ITP) with California Department of Fish and Wildlife (CDFW) and shall mitigate for the loss of all habitat through the acquisition, conservation, and management of in-kind habitat at a minimum 3:1 ratio, or as approved by the final ITP. Habitat shall be conserved in perpetuity via conveyance of a conservation easement to a CDFW-approved conservation entity and a management fund (endowment) shall be established by the Project Proponent consisting of an interest-bearing account with the amount of capital necessary to generate sufficient interest and/or income to fund all monitoring, management, and protection of the conservation area(s), including but not limited to, reasonable administrative overhead, biological monitoring, invasive species and trash removal, fencing and signage replacement and repair, law enforcement measures, long-term management reporting, and other actions designed to maintain and improve the habitat of the conserved land(s), in perpetuity. A Property Analysis Record, or substantially equivalent analysis, shall be conducted to determine the management needs and costs described above, which then will be used to calculate the	

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		capital needed for the management of the fund. Except for uses appropriate to a habitat conservation area, the public shall not have access to the mitigation area(s), and no activities shall be permitted within the site, except maintenance of habitat, including the removal of nonnative plant species, trash, and debris, and the installation of native plant materials. **MM BIO-3** Prior to implementation of Project activities, a qualified biologist shall be retained to determine whether potential roosting sites for bats may be affected. For large ornamental trees suitable for bat roosting/nursery, exit counts and acoustic surveys shall be performed prior to initial ground disturbance and vegetation removal to determine whether the project footprint and a 300-foot buffer supports a nursery or roost, and by which species. This survey work will occur between late-spring and late summer and/or in the fall (generally mid-March through late October). If the results of the bat survey finds a total of a single roosting individual of a special-status bat species or 25 or more individuals of non-special-status bat species with potential to be present in the study area (i.e., western Mastiff bat, big free-tailed bat, pallid bat, western red bat, and western yellow bat), a Bat Management Plan shall be developed to ensure mortality to bats does not occur. For each location confirmed to be occupied by bats, the plan will provide details both in text and graphically where exclusion devices/and or staged tree removal will need to occur, the timing for exclusion work, and the timeline and methodology needed to exclude the bats. The plan will need to be reviewed and approved by CDFW prior to disturbance of the roost(s). **MM BIO-4** Prior to issuance of a demolition or grading permit for any ground disturbing activity, a qualified biologist shall conduct surveys for BUOW across all suitable breeding, wintering, and foraging habitat with the Project site, within 14 days prior to initiating ground disturbance activities. If burrowing owls are identified, the Project Proponent shall	

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		either avoid all impacts on-site or conserve non-impacted occupied habitat on-site and/or conserve occupied burrowing owl habitat off-site at a minimum total 2:1 ratio of conserved to impacted habitat. Coordination with the CDFW shall occur to mitigate for the loss of habitat through the acquisition, conservation, and management of in-kind habitat. Lands conserved shall include 1) sufficiently large acreage with fossorial mammals present; 2) permanent protection through a conservation easement for the purpose of conserving burrowing owl habitat and prohibiting activities incompatible with burrowing owl use; 3) development and implementation of a mitigation land management plan to address long-term ecological sustainability and maintenance of the site for burrowing owls; and 4) funding for the maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment.	
Impact 4.3-2 Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? [Threshold B-2]	**Less Than Significant**	No mitigation is required.	**Less Than Significant**
Impact 4.3-3 Would the Project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? [Threshold B-3]	**Less Than Significant**	No mitigation is required.	**Less Than Significant**
Impact 4.3-4 Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? [Threshold B-4]	**Significant**	Refer to **MM BIO-1**.	**Less Than Significant**

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Section 4.4, Cultural Resources			
Impact 4.4-1 Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? [Threshold C-1]	**Less Than Significant**	No mitigation is required.	**Less Than Significant**
Impact 4.4-2 Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? [Threshold C-2]	**Significant**	**MM CUL-1** Prior to the issuance of any grading permits for the Project site, a Cultural Awareness Training Program shall be provided to all construction managers and construction personnel prior to commencing any ground disturbance work at the Project sites. The training shall be prepared and conducted by a Qualified Archaeologist to the satisfaction of the City Planning Department. The training may be discontinued when ground disturbance is completed. Construction personnel shall not be permitted to operate equipment within the construction area unless they have attended the training. A copy of the training transcript and/or training video, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgment forms shall be submitted to the City Planning Department for their review and approval.	**Less Than Significant**
Section 4.5, Energy			
Impact 4.5-1 Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation? [Threshold E-1]	**Less Than Significant**	No mitigation is required.	**Less Than Significant**
Impact 4.5-2 Would the Project conflict with or obstruct a State or Local plan for renewable energy or energy efficiency? [Threshold E-2]	**Less Than Significant**	No mitigation is required.	**Less Than Significant**
Section 4.6, Geology and Soils			
Impact 4.6-1 Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: [Threshold G-1ii and iii]	**Less Than Significant**	No mitigation is required.	**Less Than Significant**

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
ii) Strong seismic ground shaking. iii) Seismic-related ground failure, including liquefaction.			
Impact 4.6-2 Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. [Threshold G-3]	**Significant**	**MM GEO-1** A shrinkage study will be performed involving several excavated test-pits where in-place densities are determined using in-situ testing methods instead of laboratory density testing on small-diameter samples. Special care will be taken to properly moisture condition and maintain 2 to 4 percent above the optimum moisture content within all subgrade soils as well as newly placed fill soils. Additional expansion index testing will be performed at the time of the design-level geotechnical investigation. Protection (protective coating, metal plating, corrosive inhibitors, etc.) for embedded metal improvements will be installed and additional chloride content testing will be performed on soils. **MM GEO-2** All manure and any organic topsoil will be removed during initial site stripping and that additional organic testing will be conducted during the design-level geotechnical investigation. Prior to grading, grubbing, and segregating of the manure in the cattle pens and the highly organic soils in the planted areas will be done. These soils will be removed from the site or reutilized in nonstructural areas, such as landscape planters. Any additional organic materials encountered in buried fills will also be segregated during grading and reutilized in nonstructural areas, such as landscape planters. Any additional organic materials encountered in buried fills will also be segregated during grading. **MM GEO-3** Additional soluble sulfate testing would be conducted during the design-level geotechnical investigation and at the completion of rough grading to verify the soluble sulfate concentrations of the soils. **MM GEO-4** The remedial grading would be performed to remove the existing undocumented fill soils as well as a portion of the near-surface native alluvium and replace these materials as compacted structural fill. The over excavation would extend to a sufficient depth so that the native soils that will remain in place below the recommended depth of over	**Less Than Significant**

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		excavation will not be subject to significant load increases from the foundations of the new structures.	
Impact 4.6-3 Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? [Threshold G-6]	**Significant**	**MM GEO-5** Periodic paleontological spot checks would be conducted when excavation exceeds depths of 10 feet below the surface to determine if older, paleontologically sensitive sediments are present. If present, full-time monitoring would be implemented. Prior to the start of construction, a paleontological resource monitoring plan (PRMP) would be prepared and implemented. The Project's PRMP would implement the following procedures: • A trained and qualified paleontological monitor would perform spot-check and/or monitoring of any excavations on the Project that have the potential to impact paleontological resources in undisturbed native sediments below 10 feet in depth. The monitor will have the ability to redirect construction activities to ensure avoidance of adverse impacts to paleontological resources. • The Project paleontologist may re-evaluate the necessity for paleontological monitoring after examination of the affected sediments during excavation, with approval from Lead Agency and Client representatives. • Any potentially significant fossils observed shall be collected and recorded in conjunction with best management practices and Society of Vertebrate Paleontology professional standards. • Any fossils recovered during mitigation shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations. • A report documenting the results of the monitoring, including any salvage activities and the significance of any fossils, shall be prepared and submitted to the appropriate personnel.	**Less Than Significant**

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Section 4.7, Greenhouse Gas			
Impact 4.7-1 Would the Project generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment? [Threshold GHG-1]	**Significant**	Refer to **MM AQ-2** through **MM AQ-6** in the Air Quality Assessment. The following additional mitigation is also required. **MM GHG-1** The Project shall install solar photovoltaic (PV) panels or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable sources, that would provide 100 percent of the expected building load. The buildings shall include an electrical system and other infrastructure sufficiently sized to accommodate the PV arrays. The electrical system and infrastructure must be clearly labeled with noticeable and permanent signage. **MM GHG-2** Prior to the issuance of a building permit, the Project Applicant or successor in interest shall provide documentation to the City of Ontario demonstrating that the Project is designed to meet or exceed CALGreen Code Tier 2 standards in effect at the time of building permit application. **MM GHG-3** All project development proposals shall implement Screening Table Measures that achieve at least 100 points per the Screening Tables. The City shall verify that Screening Table Measures achieving the 100-point performance standard are incorporated in development plans prior to the issuance of building permit(s) and/or site plans (as applicable). The City shall verify implementation of the selected Screening Table Measures prior to the issuance of Certificate(s) of Occupancy.	**Significant and Unavoidable**
Impact 4.7-2 Would the Project conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions? [Threshold GHG-2]	**Significant**	Refer to **MM AQ-2** through **MM AQ-6** and **MM GHG 1** through **MM GHG-3.**	**Significant and Unavoidable**
Section 4.8, Hazards and Hazardous Materials			
Impact 4.8-1 Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	**Significant**	**MM HAZ-1** Prior to the issuance of grading permits, the Project applicant shall conduct further testing for the presence of methane on the Project site, in accordance with DTSC methane assessment guidelines. The Project applicant shall prepare a methane gas soil survey and implement grading	**Less Than Significant**

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? [Thresholds H-1 and H-2]		activity recommendations to the satisfaction of the City Building Department. This survey and recommendation shall include a post-construction soil gas investigation and installation of methane gas mitigation systems where post-grading methane levels exceed 5,000 ppmv, should any such levels occur. **MM HAZ-2** Following drainage of the on-site ponds, the project Following drainage of the on-site ponds, the Project applicant shall conduct a limited Phase II subsurface assessment of sediments to evaluate the sediments for chemical risks to human health and the environment. If contamination from dairy and animal-related wastes is encountered at a level above Environmental Screening Levels (ESLs) for non-residential uses, the appropriate environmental agency (Regional Water Quality Control Board, Department of Toxic Substance Control, South Coast Air Quality Management District) shall be notified. Any contamination identified as a result of such testing/ sampling shall be investigated and removed or remediated to the satisfaction of the environmental agency with evidence provided to the City, such that there are no residual significant impacts following mitigation. Prior to allowing the commencement of any soil removal or hauling activities at the Proposed Project, the City will review and/or evaluate potential air quality impacts (criteria pollutants and toxic air contaminants from equipment exhaust, earthmoving, and other on-site remedial activities, as applicable) to verify that impacts are properly assessed and disclosed in accordance with CEQA. **MM HAZ-3** Soil Management Plan. Prior to issuance of a grading permit, the Project applicant shall retain a qualified environmental consultant to prepare a Soil Management Plan that details procedures and protocols for on-site management of soils containing potentially hazardous materials. The SMP would be implemented during grading activities on-site to ensure that soils containing residual levels of hydrocarbons or arsenic are properly identified,	

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		monitored, and managed on-site, and include the following: • A certified hazardous waste hauler shall remove all potentially hazardous soils. In addition, sampling of soil shall be conducted during excavation to ensure that all petroleum hydrocarbon and arsenic impacted soils are removed, and that Environmental Screening Levels (ESLs) for non-residential uses are not exceeded. Excavated materials shall be transported per California Hazardous Waste Regulations to a landfill permitted by the State to accept hazardous materials. • Any subsurface materials exposed during construction activities that appear suspect of contamination, either from visual staining or suspect odors, shall require immediate cessation of excavation activities. Soils suspected of contamination shall be tested for potential contamination. If contamination is found to be present per the Department of Toxic Substances Control Screening Levels for industrial/ commercial land use (DTSCSLi) and the U.S. EPA Regional Screening Levels for industrial/ commercial land use (EPARSLi), it shall be transported and disposed of per state regulations to an appropriately permitted landfill. • The SMP shall include a Health and Safety Plan (HSP) that addresses potential safety and health hazards and includes the requirements and procedures for employee protection; each contractor will be required to have their own HSP tailored to their particular trade that addresses the general project safety requirements. The HSP shall also outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction. • The SMP shall be prepared and executed in accordance with South Coast Air Quality Management District (SCAQMD) Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil. The SMP shall require the timely testing and sampling of soils so that contaminated soils can be separated from inert soils for proper disposal. The SMP shall specify the testing	

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		parameters and sampling frequency. Anticipated testing includes total petroleum hydrocarbons (TPH), volatile organic compounds (VOCs), and semi-volatile organic compounds (SVOCs). During excavation, Rule 1166 requires that soils identified as contaminated shall be sprayed with water or another approved vapor suppressant or covered with sheeting during periods of inactivity of greater than an hour, to prevent contaminated soils from becoming airborne. Under Rule 1166, contaminated soils shall be transported from the project site by a licensed transporter and disposed of at a licensed storage/treatment facility to prevent contaminated soils from becoming airborne or otherwise released into the environment. • All SMP measures shall be printed on the construction documents, contracts, and project plans prior to issuance of grading permits. **MM HAZ-4** Construction period testing: Construction at the Project site shall be conducted under a Project-specific Construction Risk Management Plan (CRMP) to protect construction workers, the general public, and the environment from subsurface hazardous materials previously identified and to address the possibility of encountering unknown contamination or hazards in the subsurface. The CRMP shall summarize soil and groundwater analytical data collected on the Project sites during past investigations and during site investigation activities; delineate areas of known soil and groundwater contamination, if applicable; and identify soil and groundwater management options for excavated soil and groundwater, in compliance with local, state, and federal statutes and regulations. The CRMP shall: • Provide procedures for evaluating, handling, storing, testing, and disposing of soil and groundwater during Project excavation and dewatering activities, respectively. • Require the preparation of a Project-specific Health and Safety Plan that identifies hazardous materials present, describes required health and safety provisions and training for all workers potentially exposed to hazardous materials in accordance with State and	

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		Federal worker safety regulations, and designates the personnel responsible for Health and Safety Plan implementation. • Require the preparation of a contingency plan that shall be applied should previously unknown hazardous materials be encountered during construction activities. The contingency plan shall include provisions that require collection of soil and/or groundwater samples in the newly discovered affected area by a qualified environmental professional prior to further work, as appropriate. The analytical results of the sampling shall be reviewed by the qualified environmental professional and submitted to the appropriate regulatory agency. The environmental professional shall provide recommendations, as applicable, regarding soil/ waste management, worker health and safety training, and regulatory agency notifications, in accordance with local, state, and federal requirements. Work shall not resume in the area(s) affected until these recommendations have been implemented under the oversight of the County or regulatory agency, as appropriate. • Designate personnel responsible for implementation of the CRMP. The CRMP shall be submitted to the County for review and approval prior to the issuance of construction and demolition permits. **MM HAZ-5** Prior to the commencement of any construction-related site activities (clearing, demolition, grading etc.), all above-ground storage tanks (ASTs) and underground storage tanks (USTs) shall be removed. ASTs storing diesel shall be disposed of by a State of California licensed contractor and in compliance with the required San Bernardino County Fire Department (SBCFD) Hazardous Materials Division regulations for tank removals. For stained soils in the vicinity of diesel containing ASTs, as identified in the Phase I Environmental Site Assessment (ESA) dated January 10, 2020, soil samples shall be collected, as directed by the SBCFD inspector, for chemical analysis at a laboratory licensed by the State of California. If contaminated soils are	

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		encountered, a soil management plan shall be prepared to manage the stained soils during redevelopment. USTs shall be removed through reviewing available files at the SBCFD and ensuring the proper removal of the UST and a subsurface investigation to determine if the UST had impacted the subsurface. **HAZ-6** Prior to the issuance of a demolition permit for any buildings or structures on-site, the Project applicant shall conduct a comprehensive ACM survey to identify the locations and quantities of ACM in above-ground structures. The Project applicant shall retain a licensed or certified asbestos consultant to inspect buildings and structures on-site. The consultant's report shall include requirements for abatement, containment, and disposal of ACM, if encountered, in accordance with the South Coast Air Quality Management District's Rule 1403.	
Impact 4.8-2 Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? [Threshold H-4]	**Significant**	Refer to **MM HAZ-2**.	**Less Than Significant**
Impact 4.8-3 For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? [Threshold H-5]	**Less Than Significant**	No mitigation is required.	**Less Than Significant**
Section 4.9, Hydrology and Water Quality			
Impact 4.9-1 Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? [Threshold HYD-1]	**Less Than Significant**	No mitigation is required.	**Less Than Significant**

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Impact 4.9-2 Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: [Threshold HYD-3 (ii), (iii), and (iv)] ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. iv) Impede or redirect flood flows.	**Less Than Significant**	No mitigation is required.	**Less Than Significant**
Impact 4.9-3 Would the Project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? [Threshold HYD-4]	**Less Than Significant**	No mitigation is required.	**Less Than Significant**
Impact 4.9-4 Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? [Threshold HYD-5]	**Less Than Significant**	No mitigation is required.	**Less Than Significant**
Section 4.10, Land Use and Planning			
Impact 4.10-1 Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? [Threshold LU-2]	**Significant**	No mitigation measures are feasible. City's adoption of the proposed TOP 2050 Update this August would remedy this impact, should Project approval follow TOP 2050 Update approval.	**Significant and Unavoidable**
Section 4.11, Noise			
Impact 4.11-1 Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise	**Significant**	**MM NOI-1** Heavy construction equipment will not remain stationary for more than 15 minutes while operating within 500 feet of a sensitive receptor.	**Less Than Significant**

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
ordinance, or applicable standards of other agencies? [Threshold N-1]		**MM NOI-2** Stationary construction equipment will not be placed within 500 feet of a sensitive receptor and will be oriented away from receptors.	
Impact 4.11-2 Generation of excessive groundborne vibration or groundborne noise levels? [Threshold N-2]	**Less Than Significant**	No mitigation is required.	**Less Than Significant**
Impact 4.11-3 For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels? [Threshold N-3]	**Less Than Significant**	No mitigation is required.	**Less Than Significant**
Section 4.12, Population and Housing			
Impact 4.12-1 Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? [Threshold P-1]	**Less Than Significant**	No mitigation is required.	**Less Than Significant**
Section 4.13, Public Services			
Impact 4.13-1 Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services? [Threshold FP-1]: i) Fire Protection ii) Police Protection	**Less Than Significant**	No mitigation is required.	**Less Than Significant**

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
Section 4.14, Transportation and Traffic			
Impact 4.14-1 Would the Project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	**Less Than Significant**	No mitigation is required.	**Less Than Significant**
Impact 4.14-2 Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? [Threshold T-2]	**Significant**	Refer to **MM GHG-1.**	**Significant and Unavoidable**
Impact 4.14-3 Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? [Threshold T-3]	**Less Than Significant**	No mitigation is required.	**Less Than Significant**
Section 4.15, Tribal Cultural Resources			
Impact 4.15-1 Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: [Threshold TCR-1 (i)(ii)] a) Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k), or b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall	**Significant**	**MM TCR-1** Prior to the commencement of any ground-disturbing activity at the project site, the project applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation – the tribe that consulted on this Project pursuant to Assembly Bill (AB) 52 (the "Tribe" or the "Consulting Tribe"). A copy of the executed contract shall be submitted to the City of Ontario Planning and Building Departments prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities. Ground-disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching within the project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal	**Less Than Significant**

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
consider the significance of the resource to a California Native American tribe		Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources. Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the qualified archaeologist and Tribal monitor approved by the Consulting Tribe. If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the Project Site, all ground disturbance shall immediately cease, and the county coroner shall be notified per Public Resources Code Section 5097.98, and Health and Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Work may continue on other parts of the Project Site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If a non-Native American resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-	

Resource Impact	Level of Significance Before Mitigation	Mitigation Measure(s)	Level of Significance After Mitigation
		profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.	
Section 4.16, Utilities and Service Systems			
Impact 4.16-1 Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? [Threshold U-1]	**Less Than Significant**	No mitigation is required.	**Less Than Significant**
Impact 4.16-2 Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? [Threshold U-2]	**Less Than Significant**	No mitigation is required.	**Less Than Significant**
Impact 4.16-3 Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? [Threshold U-3]	**Less Than Significant**	No mitigation is required.	**Less Than Significant**
Impact 4.16-4 Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? [Threshold U-4]	**Less Than Significant**	No mitigation is required.	**Less Than Significant**

2.0 INTRODUCTION AND PURPOSE

2.1 Purpose of the Environmental Impact Report

The California Environmental Quality Act (CEQA) requires that all state and local governmental agencies consider the environmental consequences of projects over which they have discretionary authority before taking action on those projects. This Draft Subsequent Environmental Impact Report (EIR) has been prepared to satisfy CEQA (Public Resources Code [PRC] §§21000 et seq.) and the State CEQA Guidelines (California Code of Regulations §§15000 et seq.). The EIR is the public document designed to provide decision-makers and the public with an analysis of the environmental effects of the proposed project, to indicate possible ways to reduce or avoid environmental impacts and to identify alternatives to the project. The EIR must also disclose significant environmental impacts that cannot be avoided; growth inducing impacts; effects not found to be significant; and significant cumulative impacts of all past, present, and reasonably foreseeable future projects.

The Lead Agency means "the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment" (PRC §21067). The City of Ontario (City) has the principal responsibility for approval of the Ontario Ranch Business Park Specific Plan Amendment Project (Project or proposed Project). For this reason, the City is the CEQA Lead Agency for this Project.

This EIR is being prepared as a "Subsequent" EIR pursuant to CEQA Guidelines §15162, following certification of the original Ontario Ranch Business Park Specific Plan (Approved SP) on September 15, 2020. The Subsequent EIR is necessary to address the expanded Specific Plan boundary as discussed further in *Section 3.0*, *Project Description*.

CEQA requires each EIR to reflect the independent judgment of the Lead Agency, including but not limited to the thresholds of significance used to analyze project impacts, analyses and conclusions regarding the level of significance of impacts both before and after mitigation, the identification and application of mitigation measures to avoid or reduce project-related impacts, and the consideration of alternatives to the proposed Project. In preparing this EIR, the City has employed CEQA and environmental technical specialists; but, the City, as the Lead Agency, has reviewed and revised all submitted drafts, technical studies, and reports as necessary to reflect its own independent judgment, including reliance on City technical personnel from other departments and review of all technical subconsultant reports. Therefore, the analyses and conclusions set forth in this EIR reflect the independent judgment of the City as Lead Agency.

The intent of the Draft Subsequent EIR is to provide sufficient information on the potential environmental impacts of the Project to allow the City to make an informed decision regarding approval of the Project. The Draft Subsequent EIR is also intended to inform responsible agencies, decision-makers, and the general public about the environmental effects of the development and operation of the Project. Specific discretionary actions to be reviewed by the City are described in *Section 3.0, Project Description*.

2.2 Notice of Preparation

The City determined that an EIR would be required for this Project and issued a Notice of Preparation (NOP) (see *Appendix A, Notice of Preparation and Scoping Meeting Materials*). Comments received during the public review period, from July 1, 2021, to August 6, 2021, are in *Appendix A*. In addition, a public scoping meeting was held on July 21, 2021, via Zoom. Pursuant to measures taken by the State of California, the San Bernardino County Department of Public Health requirements, and City of Ontario public safety policies, to ensure the health and safety of our residents by limiting contact that could spread the COVID-19 virus, there were no members of the public in attendance of the scoping meeting. Members of the public, the Project applicant and its consultants, and staff were able to participate in the meeting via Zoom. The meeting was recorded, and the meeting presentation is contained in *Appendix A, Notice of Preparation and Scoping Meeting Materials*.

A total of four letters were received in response to the NOP. The comment letters received during the NOP comment period are included in *Appendix A, Notice of Preparation and Scoping Meeting Materials*.

Table 2-1 compiles the comment letters received from commenting agencies/persons during the NOP process and identifies the section(s) of the Draft Subsequent EIR where the issues are addressed. All NOP comments received during the public review period are in *Appendix A*.

Table 2-1: NOP Written Comments Summary

Commenting Agency/ Person	Letter Dated	Summary of Comments	Issue Addressed in:
California Department of Fish and Wildlife	July 21, 2021	• A Biological assessment should be conducted. • A Burrowing Owl Survey should be conducted. • Draft Subsequent EIR should include analysis of direct, indirect, and cumulative impacts to Biological Resources. • Draft Subsequent EIR should describe and analyze a range of reasonable alternatives to the Project that are potentially feasible, would "feasibly attain most of the basic objectives of the Project," and would avoid or substantially lessen any of the Project's significant effects. • The DEIR should identify mitigation measures and alternatives that are appropriate and adequate to avoid or minimize potential impacts, to the extent feasible. • Incorporation of water-wise concepts in project landscape design plans.	*Section 4.3, Biological Resources* Appendix C *Section 4.9, Hydrology and Water Quality* Appendix G
City of Chino/ Warren Morelion	August 2, 2021	• The City requests participation in the scoping and review of the transportation studies.	*Section 4.14, Transportation and Traffic* Appendix I

Commenting Agency/ Person	Letter Dated	Summary of Comments	Issue Addressed in:
South Coast Air Quality Management District (SCAQMD)/Lijin Sun	August 3, 2021	• Provides direction for submittal of Draft Subsequent EIR and technical documents related to air quality, health risk, and greenhouse gas analyses. • Recommends methodology and compliance with SCAQMD's CEQA Air Quality Handbook. • Requests localized analysis using the LST screening tables or performing dispersion modeling. • Identify any potential adverse air quality impacts that could occur from all phases of the Project and all air pollutant sources related to the Project. • Prepare health risk assessment. • Concerned about potential public health impacts of sitting warehouses within close proximity to sensitive uses. • Recommends sources for mitigation.	*Section 4.2, Air Quality* *Section 4.7, Greenhouse Gas Emissions* Appendix B
California Air Resources Board (CARB)/ Richard Boyd	August 6, 2021	• The EIR should quantify and discuss the potential cancer risks from project operation and construction. • CARB urges the City to model air pollutant emissions from on-site TRUs in the Draft Subsequent EIR, as well as include potential cancer risks from on-site TRUs in the Project's Health Risk Assessment (HRA). • Address cold storage and transport refrigeration units. • The HRA prepared in support of the Project should be based on the latest Office of Environmental Health Hazard Assessment's (OEHHA) guidance (2015 Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments), CARB's Hot Spots Analysis and Reporting Program (HARP2 model), and SCAQMD's CEQA Air Quality Handbook. • Incorporate all existing and emerging zero-emission technologies.	*Section 4.2, Air Quality* *Section 4.7, Greenhouse Gas Emissions* Appendix B

The NOP process helps determine the scope of the environmental issues to be addressed in the Draft Subsequent EIR. Based on this process for the Project, certain environmental categories were identified as having the potential to result in significant impacts. Issues considered Potentially Significant are addressed in detail in this Draft Subsequent EIR, and effects found not to be significant (Aesthetics,

Mineral Resources, Recreation, and Wildfire) are addressed in *Section 7.0, Effects Found not to be Significant*.

Native American Consultation

Native American consultation concurrent with the NOP scoping process was initiated, pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18. Letters were sent to the applicable tribes on July 2, 2021, and are contained in *Appendix D, Cultural Resources Documentation*.

2.3 Scope of this Draft Subsequent EIR

The scope of the Draft Subsequent EIR was determined based on comments received in response to the NOP. A scoping meeting was also conducted by the City. Pursuant to State CEQA Guidelines, Sections 15126.2 and 15126.4, the Draft Subsequent EIR should identify any potentially significant adverse impacts and recommend mitigation that would reduce or eliminate these impacts to levels of insignificance. This EIR focuses on the expanded area covered within the Project, and incorporates by reference the previously-certified Approved SP Final EIR as noted below in *Section 2.4, Incorporation by Reference*.

The information in *Section 3.0, Project Description*, establishes the basis for analyzing future, project-related environmental impacts.

2.3.1 Impacts Considered Less Than Significant

During preparation of the Draft Subsequent EIR, the City determined that four environmental impact categories were not significantly affected by or did not affect the proposed Project.

These categories are not discussed in detail in this Draft Subsequent EIR. Refer to *Section 7.0, Effects Found not to be Significant*.

- Aesthetics
- Mineral Resources
- Recreation
- Wildfire

2.3.2 Potentially Significant Adverse Impacts

The City determined that 16 environmental factors would have potentially significant impacts should the proposed Project be implemented. These are discussed in *Section 4.0, Environmental Impact Analysis*.

- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Population and Housing
- Public Services
- Tribal Cultural Resources
- Utilities and Service Systems

2.3.3 Unavoidable Significant Adverse Impacts

This Draft Subsequent EIR identifies five significant and unavoidable adverse impacts, as defined by CEQA, that would result from implementation of the proposed Project. Unavoidable adverse impacts may be considered significant on a project-specific basis or where a project represents a "cumulatively considerable contribution" to a significant cumulative impact. Pursuant to State CEQA Guidelines §15093, for any project having unavoidable significant impacts, the City must prepare a "Statement of Overriding Considerations" before it can approve the Project, attesting that the decision-making body has balanced the benefits of the proposed Project against its unavoidable significant environmental effects and has determined that the benefits outweigh the adverse effects, and therefore the adverse effects are considered acceptable. The impacts found in the EIR to be significant and unavoidable are addressed in these sections:

- Agriculture and Forestry Resources
- Air Quality
- Greenhouse Gas Emissions
- Land Use and Planning
- Transportation and Traffic

2.4 Incorporation by Reference

In accordance with State CEQA Guidelines §15150, the following documents are hereby incorporated by reference into this EIR and are made available for public review on their respective websites.

City of Ontario General Plan and The Ontario Plan: The City's General Plan was comprehensively updated and adopted as a component of The Ontario Plan (TOP) on January 27, 2010. TOP is the City's comprehensive business plan and serves as the major blueprint for directing growth in Ontario for the next 20 years or more. The General Plan analyzes existing conditions in the City, including physical, social, cultural, and environmental resources and opportunities. The General Plan also looks at trends, issues, and concerns that affect the region, includes City goals and objectives, and provides policies to guide development and change. The General Plan consists of a six-part Component Framework: 1) Vision, 2) Governance Manual, 3) Policy Plan, 4) City Council Priorities, 5) Implementation, and 6) Tracking and Feedback. The General Plan and TOP can be found here: https://www.ontarioplan.org/. Note that TOP is currently in the process of being updated, referred to as TOP 2050 Update, scheduled for approval by the City in August 2022. However, this Project is analyzed in accordance with the currently adopted The Ontario Plan. Note that the proposed Project is planned for City consideration after the City's planned adoption of TOP 2050 Update in August 2022 (the Project's proposed land use designations are consistent with those shown in the proposed TOP Update 2050).

The Ontario Plan EIR: The Ontario Plan EIR (State Clearinghouse [SCH] Number 2008101140) was adopted in January 2010 and addresses the short and long-term effects of build out of the City's General Plan, which includes development of the Project area. Mitigation measures were imposed for impacts determined to be significant or potentially significant. Significant and unavoidable impacts were identified

for agricultural resources, air quality, cultural resources, greenhouse gas emissions, noise, and transportation and traffic. The General Plan policies that are related to the proposed Project are cited in various sections throughout this EIR.

The EIR can be found here: https://www.ontarioplan.org/environmental-impact-report/.

The recently released TOP Update 2050 EIR can be found at this link: https://www.ontarioplan.org/top2050/

Ontario Development Code: This Development Code is enacted to assist in the implementation of Federal and State planning, zoning, development, subdivision, and environmental laws, and The Ontario Plan, and guide the orderly development of the City in a manner that promotes and protects the public health, safety, comfort, convenience, prosperity, and welfare of its inhabitants. The Development Code is referenced throughout this document as regulations governing development and land use activities within the City. Regulatory information from the Development Code are cited in various sections of this EIR.

The development code can be found here: https://www.ontarioca.gov/Planning/Applications.

Ontario Ranch Business Park Specific Plan Final EIR. The Approved SP Final EIR (SCH Number 2019050018) was certified and the project approved on September 15, 2020, and the related Approved SP was approved in October 2020. The Approved SP Final EIR addresses the environmental effects and comments from public agencies and interested parties associated with the implementation of the Approved SP project, located approximately one-quarter mile to the west of the South Ontario Logistics Center Specific Plan project area. The Approved SP Final EIR is specifically relevant to the Project, as it addresses the impacts of the Approved SP project for which this Project is amending and expanding the Specific Plan area. In addition, this Draft Subsequent EIR addresses the amended and expanded Specific Plan area, including the impacts of constructing regional infrastructure necessary to serve the developing southwestern industrial sector of the City of Ontario.

This document is available for review on the City's website at: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/ORBP%20FEIR%20%282020_08-27%29_web.pdf.

San Bernardino County Countywide Plan: The San Bernardino County (County) adopted the Countywide Plan in 2020. The Countywide Plan is comprised of four sections: Policy Plan, Business Plan, Community Action Guides, and Environmental Documents. The County Policy Plan is an update and expansion of the County's General Plan for the unincorporated areas. As an update of the County's General Plan and Community Plans, the Policy Plan addresses physical, social, and economic issues facing the unincorporated portions of the County. It also addresses supportive services for adults and children, healthcare services, public safety, and other regional county services provided to both incorporated and unincorporated areas. As part of its Policy Plan, the County includes the following eight elements: 1) Land Use; 2) Infrastructure & Utilities; 3) Transportation & Mobility; 4) Natural Resources; 5) Hazards; 6) Personal & Property Protection; 7) Economic Development; and 8) Health & Wellness. The Policy Plan was used throughout this EIR since it contains information, policies, and regulations relevant to the proposed Project.

This document is available for review on the County's website at: https://countywideplan.com/.

Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy (Connect SoCal): The Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), also known as Connect SoCal, is a long-range visioning plan that balances future mobility and housing needs with economic, environmental and public health goals. Connect SoCal embodies a collective vision for the region's future and addresses the cumulative impact of future development and associated infrastructure improvements for SCAG regions. It is developed with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses, and local stakeholders within SCAG regions such as the County and the City.

Connect SoCal can be found here: https://scag.ca.gov/connect-socal.

2.5 Final EIR Certification

This Draft Subsequent EIR is being circulated for public review for 45 days. Interested agencies and members of the public are invited to provide written comments on the Draft Subsequent EIR to the City address shown on the title page of this document. Upon completion of the 45-day review period, the City will review all written comments received and prepare written responses for each. A Final EIR will incorporate the received comments, responses to the comments, and any changes to the Draft Subsequent EIR that result from comments. The Final EIR will be presented to the City for potential certification as the environmental document for the Project. All persons who comment on the Draft Subsequent EIR will be notified of the availability of the Final EIR and the date of the Project hearings.

The Draft Subsequent EIR is available to the general public for review at various locations:

- City of Ontario, Planning Department, 303 East "B" Street, Ontario, CA 91764
- City of Ontario, City Clerk, 303 East "B" Street, Ontario, CA 91764
- Ontario Main Library 215 East "C" Street, Ontario, CA 91764
- City's website: https://www.ontarioca.gov/Planning/Reports/EnvironmentalImpact

2.6 Mitigation Monitoring

PRC §21081.6 requires that agencies adopt a monitoring or reporting program for any project for which it has made findings pursuant to PRC §21081(a)(1). Such a program is intended to ensure the implementation of all mitigation measures adopted through the preparation of an EIR.

The Mitigation Monitoring Program for the proposed Project will be approved as part of the Final EIR, prior to consideration of the Project by the Ontario City Council.

2.7 Lead Agency

2.7.1 City of Ontario

For this Project, the City is the lead agency under CEQA and the proponent of the Project. This Draft Subsequent EIR has been prepared in accordance with PRC §21000 et seq. and the State CEQA Guidelines (California Code of Regulationss [CCR] §15000 et seq.). CEQA requires lead agencies to consider potential

environmental effects that may occur with implementation of a project and to avoid or substantially lessen significant effects to the environment when feasible. When a project may have a significant effect on the environment, the agency with primary responsibility for carrying out or approving the project (the lead agency) is required to prepare an EIR.

3.0 PROJECT DESCRIPTION

3.1 Project Location

The Ontario Ranch Business Park Specific Plan Amendment Project (Project) made up of eight existing parcels totaling 71.69 acres in the City of Ontario (City). The City is located approximately 40 miles east of downtown Los Angeles, 20 miles west of downtown San Bernardino, and 30 miles north from the Orange County line. (See *Figure 3-1, Regional Location*).

Regional access to the Project site is provided by State Route 83 (SR 83; Euclid Avenue), which connects to State Route 60 (SR 60) and Interstate 10 (I-10) to the north, Interstate 15 (I-15) approximately 5.5 miles to the east, and State Route 71 (SR 71) approximately three miles to the southwest. SR 71 connects the project to Interstate 91 (I-91) in unincorporated Riverside County.

The Project site is in the southwestern portion of the City, immediately north of the City of Chino in San Bernardino County. The Project site is located east of the unimproved right-of-way of Sultana Avenue, north of Merrill Avenue, south of Eucalyptus Avenue, and west of Campus Avenue (See *Figure 3-2, Local Vicinity Map* and *Figure 3-3, Aerial Photograph)*. The Assessor Parcel Numbers (APNs) for this Project are 1054-041-01, -02; 1054-031-01, -02; 1054-261-01, -02; 1054-291-01-, -02.[1]

The Project addresses consistency with The Ontario Plan (TOP); provides a development plan identifying land uses, circulation, infrastructure, streetscape, and landscape plans; establishes allowable uses and development standards for reviewing individual projects; presents design guidelines to create a visually attractive environment; summarizes the development review process; and specifies provisions for administration and implementation of the Project.

3.2 Project Background

The Project site is located within the City's Ontario Ranch area (formerly known as New Model Colony), which comprises a portion of the former San Bernardino County Agricultural Preserve annexed by the City of Ontario in 1999. Ontario Ranch is among the last significant underdeveloped areas in the San Bernardino Valley. In 2010, the City adopted TOP, which serves as the City's business plan and includes a long-term vision and a principle-based Policy Plan. TOP consists of six components: 1) Vision, 2) Governance Manual, 3) Policy Plan, 4) City Council Priorities, 5) Implementation, and 6) Tracking and Feedback. The TOP Policy Plan serves as the City's General Plan (herein, TOP or General Plan). The City's TOP EIR was certified by the City along with the General Plan. The General Plan designates the Project site as Business Park (BP) at a maximum 0.60 floor area ratio (FAR), and Low-Medium Density Residential

[1] Public San Bernardino County Parcel Viewer Map. (2021). Retrieved from: https://www.arcgis.com/apps/webappviewer/index.html?id=87e70bb9b6994559ba7512792588d57a.

(LMDR) at 5.1-11 dwelling units per acre (du/ac).[2] The Project site is within the Ontario Airport and Chino Airport Influence Areas.[3,4] Additionally, the Project site is zoned with an Agricultural Overlay.[5]

The Ontario Ranch Business Park Specific Plan (Approved SP) was approved in October 2020 and consisted of a General Plan Amendment (GPA), Specific Plan, Development Plan Review, Tentative Parcel Maps, and a Development Agreement to allow for development of an industrial and business park on 11 parcels covering 85 acres in the City. The Approved SP project included eight warehouse buildings ranging from 46,900 square feet (sf) to 618,353 sf, totaling a maximum development of 1,905,027 sf of warehouse and office uses. The Project discussed in this Draft Subsequent EIR would incorporate the abutting 71.69 acres to the east of the Approved SP site into the overall Approved SP area.

The Project consists of a Specific Plan Amendment (SPA) and future associated discretionary approvals. The Project would allow for the development of six warehouses on eight parcels, ranging from 61,300 sf to 530,460 sf in building size, to allow development of approximately 1,640,690 sf of industrial and business park land uses. The Project would add two new planning areas (PAs) to the Approved SP area (PAs 3 and 4).

3.3 Purpose and Statement of Objectives

The Project provides zoning regulations for development of the Project site by establishing permitted land uses, development standards, infrastructure requirements, and implementation requirements for development. A comprehensive set of design guidelines and development regulations are included to guide and regulate site planning, architectural character, and landscape within the community, ensuring that excellence in community design is achieved during project development. The Project establishes the procedures and requirements to approve new development within the Project site.

The purpose of the Project is to:

- Provide a planning framework that responds to the physical and market driven aspects of future development opportunities;
- Specify adequate and coordinated infrastructure, utilities, and public services for this area of the Ontario Ranch;
- Promote compatible uses and interfaces with adjacent properties;
- Ensure the appropriate location and intensity of uses through new development parameters; and
- Conform with State laws and local ordinances and policies for the preparation of the Project.

[2] Refer to discussion below regarding the City's proposed adoption of TOP 2050 Update, which would change the Project site's land use designations to Business Park and Industrial, consistent with the proposed Project.
[3] City of Ontario. 2010. Map 2-1 Compatibility Policy Map: Airport Influence Area. https://www.ontarioplan.org/wp-content/uploads/sites/4/2015/05/policy-map-2-1.pdf (accessed November 2021).
[4] The City of Ontario is currently preparing an Airport Land Use Compatibility Plan for Chino Airport which relies on the California Airport Land Use Planning Handbook published by Caltrans Division of Aeronautics and is expected to be adopted in 2022 (accessed November 2021).
[5] City of Ontario. Rev. 2018. Zoning Map. https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/zoning(c)36x48_10_3_1_03292019.pdf (accessed November 2021).

Objectives for the Project are defined in the Approved SP to aid decision makers in their review of the proposed Project and its associated environmental impacts. The Project objectives have been refined throughout the planning and design process for the Project and are listed below:

- Create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/logistics complex that is compatible with nearby residential neighborhoods.
- Provide the framework and facilitate entitlements for the development of approximately 1.6 million sf of business park and light industrial uses.
- Allow for employment opportunities for community residents.
- Facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Project site.
- Expand Ontario's industrial uses in proximity to local airports and regional transportation networks.
- Create an economic engine to drive future growth in Ontario Ranch, fund Project-related infrastructure improvements in the area and support Project development.

3.4 Project Site and Surrounding Land Use Considerations

The Project site consists of 71.69 acres of land abutting the eastern portion of the Approved SP area. The Project site currently contains an operational dairy farm with two single-family residential structures, a dairy barn, a storage structure, approximately 10 feed storage barns, and numerous livestock corrals. There are large existing retention ponds that collect surface waste accumulations from the dairy farming practices, including animal wastes. Several above-ground storage tanks are present which store housing fuel, water, fresh milk, and livestock feed along with various mechanical systems for dairy production practices. The remainder of the Project site is used as irrigated cropland with berms located along the site perimeter. The Project site is currently accessible via Eucalyptus Avenue and fenced with tubular metal fencing.

The Project site is currently served by a domestic potable water well located at the northeast corner of the site. There is no identified septic system on the Project site. North of the Project site is a mix of agricultural and service commercial uses, with scattered single-family homes. West of the Project site is the Approved SP. East of the Project site are dairy farms that are currently in the process of being entitled for industrial and business park development. South of the Project site is the Chino Airport.

3.4.1 Existing Zoning and Land Use Designations

Approved Ontario Ranch Business Park Specific Plan

The Approved SP included a GPA which modified the land use designation of its 11 parcels on 85.6 acres from General Commercial (0.4 FAR), Office Commercial (0.75 FAR) and LMDR (5.1-11 dwelling units per acre) to a mixture of BP (0.45 FAR) and Industrial – General (IG) (0.54 FAR), as shown in *Figure 3-4, Proposed Project Land Uses*. The Project site will be an extension of this mixture of Business Park and Industrial uses.

Existing TOP Land Use Designations

TOP's existing land use designations for the Project site are shown in *Figure 3-5, Existing Land Use and Zoning.* The 71.69-acre Project site has a LMDR and BP land use designation with an Agricultural–Specific Plan (SP-AG) Overlay. The City's current TOP designates the Project site for development of BP (0.6 FAR), and LMDR at 5.1-11 du/ac. However, the City is planning to adopt TOP 2050 Update in August 2022, that will precede this Project, and change the underlying land use designations for the Project site to include 11.63 acres of BP (at a maximum FAR of 0.6) and 60.06 acres of IG (at a maximum FAR of 0.55).

TOP existing land use designations for the Project site by parcel number are as follows:

- LMDR (5.1 – 11 du/ac)
  APNs: 1054-041-02, 1054-031-02, 1054-261-02, 1054-261-01, 1054-031-01, 1054-041-01
- BP (0.6 FAR)
  APNs: 1054-291-01, 1054-291-02

TOP 2050 Update land use designations for the Project site by parcel number are as follows:

- Industrial (0.55 FAR)
  APNs: 1054-041-02, 1054-031-02, 1054-261-02, 1054-261-01, 1054-031-01, 1054-041-01
- BP (0.6 FAR)
  APNs: 1054-291-01, 1054-291-02

Existing Surrounding Land Uses

The existing uses in the vicinity include (refer to *Figure 3-6, Surrounding Land Uses*):

- North across Eucalyptus Avenue: plant nursery, dairy farm
- South across Merrill Avenue (City of Chino): Chino Airport
- East across Campus Avenue: dairy farms, row crops, and vacant land
- West across Sultana Avenue: Approved SP area with BP and IG designations
- West across Euclid Avenue (City of Chino): residential uses, vacant land, and the former Stark Youth Correctional Facility

3.4.2 Airport Influence Areas

Ontario International Airport Influence Area

The Ontario International Airport Land Use Compatibility Plan (ONT ALUCP) was adopted by the Ontario City Council on April 19, 2011. The intent of a compatibility plan is to avoid conflicts between airport operations and surrounding land uses. The Project site is not within the safety, noise impact, or airspace protection zones of the ONT ALUCP; however, it is within the Airport Influence Area, as is the entire City (refer to *Figure 3-7, Airport Influence Areas*). While a Real Estate Transaction Disclosure policy is not required for non-residential land, developers or tenants may purchase a Natural Hazard Disclosure report that would indicate that the property is in an Airport Influence Area.

Chino Airport Overlay Zone

The Project site is within Safety Zone 6 of the Chino Airport Overlay (Generic Safety Zones for General Aviation Airports from the California Department of Transportation (Caltrans) Division of Aeronautics – California Airport Land Use Planning Handbook), as shown in *Figure 3-7, Airport Influence Areas*. Zone 6 compatibility criteria prohibit people-intensive uses such as stadiums, large daycare centers, hospitals, and nursing homes.

The following open land and occupancy limit requirements shall apply in Chino Airport Safety Zones, as established by the Chino Airport Comprehensive Land Use Plan.

- Zone 6: At least 10% of the zone shall remain as open land or an open area every ¼ mile to ½ mile is required; occupancy shall be limited to 300 people per acre on average and a maximum of 1,200 people in any one acre.

Open land is defined as areas at least 300 feet long by 75 feet wide (about 0.5 acre) that are relatively level and free of tall vertical objects such as structures, overhead lines/wires, and large trees and poles greater than 4 inches in diameter and taller than 4 feet above the ground. In the Project site, surrounding roads (Eucalyptus, Campus, and Merrill Avenues), drive aisles, flood control basins and truck yards can be considered as acceptable open lands in urbanized settings.[6]

3.4.3 Williamson Act Contracts

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments that are much lower than normal because they are based upon farming and open space uses as opposed to full market value. The motivation for the Williamson Act is to promote voluntary land conservation, particularly farmland conservation. There are no active Williamson Act Contracts within the Project site.[7]

3.5 Project Characteristics

The Project consists of a SPA and associated future discretionary approvals.

3.5.1 Proposed Zoning Designations

The Project includes an application for an SPA to change the zoning designation of 71.69 acres of land, consisting of eight parcels, from SP-AG to Industrial General (APNs 1054-031-02, 1054-261-02, 1054-261-01, 1054-031-01, 1054-291-01, and 1054-291-02) and BP (APNs 1054-041-02 and 1054-041-01).[8] The SPA would create two new Pas (PA 3 and PA 4), which would accommodate a variety of industrial-serving commercial, low-intensity office, technology, light manufacturing, and warehouse/distribution uses. The proposed amendments are discussed below. The SPA is described further below.

[6] California Airport Land Use Planning Handbook. (2011). Page 4-31. Retrieved from: https://dot.ca.gov/-/media/dot-media/programs/aeronautics/documents/californiaairportlanduseplanninghandbook-a11y.pdf.
[7] Ontario Ranch Business Park Specific Plan. (2021). Chapter 2, Existing Conditions, page 2-6.
[8] https://www.ontarioca.gov/Planning/CurrentPlanning

The SPA proposes new zoning designations for the Project site as follows:

- BP (0.45 FAR) land use and zoning designations – 11.6 acres
- Industrial land use (0.54 FAR) and IG zoning designations – 60.06 acres

3.5.2 SB330 Compliance

The Housing Accountability Act, or Senate Bill 330 (SB330), requires that, when approving a Project, a City must ensure that there is "no net loss" of residential zoning capacity within the City. Although the Project site is currently zoned with SP-AG, this overlay zone requires preparation of a Specific Plan to implement the policies in the City's TOP. With planned adoption of TOP 2050 Update this August, the Project site would have general plan land use designations of Business Park and Industrial, at which time the SP-AG overlay zone would carry no residential density, and therefore there would be no residential zoning capacity lost as part of Project approval.

The City's TOP 2050 Update process is a comprehensive policy planning process with "a particular focus on conducting technical updates to the Policy Plan to comply with state housing mandates; conform with new state laws related to community health, environmental justice, climate adaption, and mobility; bring long-term growth and fiscal projections into alignment with current economic conditions; and advance the Tracking and Feedback system and Implementation Plan."[9]

3.5.3 Ontario Ranch Business Park Specific Plan Amendment (PSPA21-002)

The SPA would expand the existing 85.6-acre Approved SP area and add the 71.69-acre Project site. The SPA proposes a comprehensive land use plan, circulation plan, streetscape plan, infrastructure service plan, grading plan, maintenance plan, phasing plan, design guidelines, development regulations, and implementation measures to guide the development of the Project site into a master-planned industrial and business park. The SPA would also amend the existing SP-AG Overlay to two new PAs consisting of Business Park and Industrial General Specific Plan land use districts. The Approved SP includes two PAs, PA 1 and PA 2. The Project SPA adds two new PAs to the Approved SP (PA 3 and PA 4).

Proposed Planning Areas 3 and 4

The Project consists of two Pas (PA 3 and PA 4), which would accommodate a variety of industrial-serving commercial, low-intensity office, technology, light manufacturing, and warehouse/distribution uses that are compatible with the site's location. The Land Use Plan implements the vision of TOP by providing opportunities for employment in manufacturing, distribution, and research and development at intensities designed to meet the demand of current and future market conditions.

Figure 3-8, Proposed Planning Areas 3 and 4, identifies the location of the PAs. The two PAs are described below:

- ***Planning Area 3 – Business Park (BP)***: BP accommodates industrial-serving commercial, low intensity office uses, and certain light industrial uses. Development within this district is typically multi-tenant in nature; however, single-tenant buildings are not precluded.

[9] https://www.ontarioplan.org/top2050/ (accessed May 11, 2022).

- ***Planning Area 4 – General Industrial (IG):*** IG accommodates storage and warehousing uses located in larger buildings on larger sites. Uses may include e-commerce, high cube warehouses, or distribution. A wide range of manufacturing and assembly uses are also permitted in this district.

The land use types proposed by the SPA are summarized below in *Table 3-1, Maximum Specific Plan Build-Out Summary. Table 3-1* provides the maximum allowable square footage that can be built, for each PA at its associated FAR. Development standards, such as setback requirements, parking, landscaping, infrastructure, and site design, may reduce the maximum gross square footage.

Table 3-1: Maximum Specific Plan Build-Out Summary

Planning Area	Maximum Floor Area Ratio	Site Acreage	Maximum Building Square Footage
PA 3: Business Park	0.45	11.63	227,951 sf
PA 4: General Industrial	0.54	60.06	1,412,739 sf
TOTAL		**71.69**	**1,640,690 sf**

Note:
1. This EIR as proposed is reviewing square footages below the maximum TOP thresholds. The FAR may be increased to the TOP max levels of 0.60 and 0.55 for BP and IG respectively with a SPA and appropriate CEQA analysis.
2. PA 3 is rounded from 11.629 and PA 4 is rounded from 60.0593; resulting in an exact square footage of 227,951.658 and 1,412,738.88.

Conceptual Site Plan

The conceptual site plan for the Project is presented in *Figure 3-9, Conceptual Site Plan*. The conceptual site plan depicts the Approved SP area and the Project site, and it reflects the current Development Plan concept. Under this conceptual plan, PA 3 is proposed to be developed with three buildings totaling 211,790 sf and PA 4 is proposed to be developed with three buildings totaling 1,310,450 sf (refer to *Table 3-2, Conceptual Site Plan*).

Table 3-2, Conceptual Site Plan, shows the intended amount of square footage upon Project buildout; however, this could increase to a maximum amount of up to 1,640,690 sf, as shown in *Table 3-1*, above. The conceptual site plan reflects current market trends, site conditions, and planned infrastructure. However, the conceptual site plan may be modified, provided it does not exceed the maximum building area presented in *Table 3-2* and complies with this Project and applicable provisions of the City of Ontario Development Code.

Table 3-2: Conceptual Site Plan

Planning Area	SP Zoning District	Site Acreage	Proposed Conceptual Building Square Footage
PA 3: Business Park	BP	11.63	211,790
PA 4: General Industrial	IG	60.06	1,310,450
TOTAL		**71.69**	**1,522,240 sf**

Circulation Plan

The Circulation Plan (*Figure 3-10, Street Plan*) facilitates movement of vehicles, pedestrians and cyclists within the Project site, consistent with the City's Roadway Classification System, shown in *Figure 3-11, City of Ontario Roadway Classification System*.

Figure 3-12a and Figure 3-12b, Street Cross Sections, presents typical street cross sections for Campus, Eucalyptus, Sultana, and Merrill Avenues for the Project site as well as Euclid Avenue for the Approved SP. Road surface, sidewalk, and trail improvements within the Project site must be approved by the City's Engineering Department.

Euclid Avenue. Although Euclid Avenue is not within the Project site, the Project will be required to physically tie into it as it is a part of the Approved SP, and is an expressway under Caltrans' jurisdiction that is designated as an eight-lane Principal Arterial in The Ontario Plan's Functional Roadway Classification Plan. The centerline of this street forms the boundary between the City of Ontario to the east and the City of Chino to the west. Euclid Avenue is designed with a 200-foot-wide right-of-way, a 66-foot-wide center median, and 52-feet of pavement including curbs and gutter. The existing half-width street right-of-way is 100 feet; therefore, no dedication is required.

The Euclid Avenue streetscape design for the east side of the street, adjacent to the Approved SP, specifies a 15-foot-wide parkway including a five-foot wide sidewalk and an eight-foot-wide on-site multipurpose trail within a 35-foot-wide landscape buffer, creating a 50-foot-wide neighborhood edge as specified in the Ontario Ranch Colony Streetscape Master Plan.

Eucalyptus Avenue. Eucalyptus Avenue is located along the northern boundary of the Project site, providing east/west access to the site. Eucalyptus Avenue is designated by the Functional Roadway Classification Plan as a four-lane Collector Street. The Project specifies a 108-foot-wide right-of-way with 84 feet of pavement including curb/gutter.

The Eucalyptus Avenue streetscape design specifies a 12-foot-wide parkway including a seven-foot-wide curb-adjacent landscaped area and a five-foot wide sidewalk. The north side also provides an eight-foot-wide on-site multipurpose trail within a 23-foot-wide landscape buffer setback. Together, the parkway and landscape buffer setback create a 35-foot-wide neighborhood edge, as described in the Ontario Ranch Streetscape Master Plan. A 21-foot dedication will be required for Eucalyptus Avenue.

Sultana Avenue. Sultana Avenue is designated as a two-lane Local Industrial with a 66-foot-wide right-of-way and 48 feet of pavement including curb and gutter. The Sultana Avenue streetscape specifies a 9-foot-wide parkway including a 4-foot landscape and a five-foot wide sidewalk. The west side of the street adjacent to the Project site provides a 10-foot-wide landscape buffer setback. Sultana Avenue is not yet developed adjacent to the Project site. However, the right-of-way exists, and no dedication is required.

Merrill Avenue. Merrill Avenue is designated as a four-lane Collector Street in the Functional Roadway Classification Plan and provides east-west access to the project's southern boundary. The centerline of this street forms the boundary between the City of Ontario to the north and the City of Chino to the south. The Project specifies a 98-foot-wide right-of-way and 74 feet of pavement including curb and gutter for Merrill Avenue.

The Merrill Avenue streetscape design for the north side of the street adjacent to the Project site includes an eight-foot-wide Class II on-street bike lane at the edge of the street, a seven-foot-wide curb-adjacent landscaped area, and a five-foot wide sidewalk. An eight-foot-wide multipurpose trail is located within a

23-foot-wide landscape buffer setback. Together, these improvements establish a 35-foot-wide neighborhood edge, as specified in the Ontario Ranch Streetscape Master Plan. A 21-foot street dedication will be required for Merrill Avenue.

Campus Avenue. Campus Avenue is located along the eastern boundary of the Project site, providing north-south access to the site. Campus Avenue is designated as a Minor Arterial Street per the Functional Roadway Classification Plan. The Project specifies a 108-foot-wide right-of-way and will require a 29-foot half-width dedication and a 12-foot parkway including the sidewalk. An additional 23-foot dedication for the neighborhood edge is required.

Local Circulation

Final site planning and off-site design shall be subject to City approval. In addition to the typical street sections described and depicted above, additional geometric enhancements, including but not limited to those at intersections, may be required to adequately mitigate impacts as identified throughout this Draft Subsequent EIR and further discussed within the Traffic Impact Analysis (*Appendix I,* of the Draft Subsequent EIR) for this Project (refer to *Section 4.14, Transportation and Traffic*). Local roadway circulation shall accommodate trucks with a double trailer combination wheelbase of 67 feet (known as the WB-67 design vehicle).

Driveways shall conform to access requirements of the City's 2013 Traffic and Transportation Design Guidelines, revised January 2020. Driveway locations, specifically those that are in proximity to master-planned or future traffic signals, shall be located so as not to interfere with queues as projected in the Traffic Analysis Study (*Appendix I*, of the Draft Subsequent EIR) for the Project. The use of surrounding roads, drive aisles and truck/yards parking lots to address the open land requirement for the Chino Airport Overlay zone is discussed in Chapter 2 (Section 2.2: Airport Influence Areas) of the Project's SPA.

Fair share responsibilities for street improvements will be addressed in a Development Agreement with the City, at the discretion of the City.

Traffic Control Devices

All traffic signs regulating, warning, and/or guiding traffic on public roads will conform to the California Manual on Uniform Traffic Control Devices (MUTCD), latest edition. All traffic-control signs, whether on public or private property, shall conform to the California MUTCD.

Truck Routes

The City designates and maintains a network of truck routes that provide for the effective transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses (*Figure 3-13, Truck Routes*). Merrill Avenue, which runs along the southern boundary of the Project site, is a designated truck route from Euclid Avenue, adjacent to the Approved SP, to Archibald Avenue.

Pedestrian Circulation

Sidewalks will be provided along all streets abutting the Project site, in order to improve safety and the pedestrian experience, connect the various parts of the Project site, and expand access to nearby land

uses. Sidewalks will be five feet wide, constructed of concrete, and installed in conjunction with adjacent roadway improvements.

Trails and Bike Paths

Trails and bicycle paths will provide an additional mode of circulation in and around the Project site. Multipurpose trails will be provided on the north and south side of Merrill Avenue, north side of Eucalyptus Avenue and east side of Campus Avenue (*Figure 3-14, Bicycle and Pedestrian Plan,* and *Figure 3-15, City of Ontario Trail and Bikeways Plan*).

The Ontario Plan Mobility Element specifies a Class II bikeway on the north side of Merrill Avenue, south side of Eucalyptus and on the west side of Campus Avenue. Class II bikeways are defined as dedicated (striped) lanes along streets, with no parking allowed in the bike lane. This bike lane provides linkages to the City's bike path system (refer to *Figure 3-14* and *3-15*).

The trail and bikeway improvements will be installed along the Project frontages in conjunction with street improvements. The City reserves the right to implement bike lanes on Eucalyptus Avenue at the discretion of the Traffic and Transportation Division.

Transit

Transit options provide an alternative mode of transportation for motorists and a primary mode for the transit dependent. The City is coordinating with regional transit agencies to implement Bus Rapid Transit (BRT) service to target destinations and along corridors. Refer to *Section 4.14, Transportation and Traffic*, for further discussion on circulation and mobility throughout the Project site.

Potable Water Plan

Water service to the Project site will be provided by the City. Potable water is provided by imported water from the Water Facilities Authority (WFA), Chino Basin Desalter Authority (CDA) and groundwater from the Chino Basin, extracted via the City's wells. The WFA was formed in 1980 as a Joint Powers Authority by the Cities of Chino, Chino Hills, Ontario and Upland, and the Monte Vista Water District. It was formed to construct and operate water treatment facilities that provide a supplemental supply of potable water to its member agencies.

Pressure Zone (PZ) Phase 2 West Backbone

The overall water infrastructure plan to serve the City is shown on *Figure 3-16*, *City of Ontario Ultimate Water System.* The ultimate domestic water system will consist of five pressure zones. Most of Ontario Ranch (including the Project site) is in the 925 Pressure Zone (PZ). The sizing and alignment of potable water lines will follow the most current approved City water system plan. Required Potable Water Infrastructure is subject to change based upon findings of approved hydraulic study and master plan updates; and Potable Water main locations are also subject to change based upon the developer conducted and City approved Conceptual Design Report.

The Project site lies within the 925 PZ (*Figure 3-16*). The Approved SP provided potable water services which the Project site will be required to physically extend to. The Approved SP potable water services

provided included: extending the Phase 2 West Backbone 24-inch potable water main in Eucalyptus Avenue from Carpenter Avenue to Grove Avenue; extending this potable water main in Eucalyptus Avenue with a 16-inch potable water main from Grove Avenue to Euclid Avenue; installing a 16-inch potable water main in Euclid Avenue from Eucalyptus Avenue to Merrill Avenue; installing a 16-inch potable water main in Merrill Avenue from Euclid Avenue to Walker Avenue; installing a 16-inch potable water main in Walker Avenue from Merrill Avenue to the 24-inch potable water main in Eucalyptus Avenue. This will provide the primary potable water loop for the Project site (*Figure 3-17a and b, Potable Water Plan*).

In addition to the Approved SP extending the 925 PZ Phase 2 West Backbone, the Approved SP also established a connection between the 925 PZ Phase 2 West Backbone and the 1010 PZ. This supplies a second source of potable water to the Project site. Other elements of the Phase 2 Water System are shown on *Figures 3-17a and b, Potable Water Plan*. The balance of Phase 2 Water System will be completed as required by future development of Ontario Ranch.

The Approved SP required the planning, design, and construction of the Adjacent Potable Water System, which includes the installation of a 12-inch potable water main in Sultana Avenue connecting to the 16-inch potable water main in Eucalyptus Avenue and extending to connect to the 16-inch potable water main in Merrill Avenue. The Project will then install a 12-inch potable water main in Campus Avenue connecting to the 16-inch potable water main in Eucalyptus Avenue and extending to connect to the 16-inch potable water main in Merrill Avenue.

Water mains required to serve the Approved SP will also be required for the Project site and will need to be constructed prior to or concurrent with on-site water improvements. Within the Project site, a private network of 2- to 4-inch water lines for domestic water service and 10- to 12-inch water lines for fire service water will be installed. The on-site water system includes connections to the water main in Eucalyptus Avenue and Euclid Avenue to serve PA 3 and to the main in Merrill Avenue and Sultana Avenue to serve PA 4.

Until the ultimate pipeline network for Ontario Ranch has been completed, there may be instances where construction of improvements to serve a project may not meet the required fire flow demands.

Therefore, projects within the Project site may be required to construct additional pipelines not indicated in the Master Plan or upsize master planned pipelines to meet Fire Department fire flow requirements and/or Water Master Plan criteria. The developer will submit a hydraulic analysis to the City for review and approval to demonstrate adequate fire flow and adherence to Potable Water Master Plan criteria. Additionally, all offsite improvements have been analyzed in the Approved SP, and are consistent with surrounding projects.

Recycled Water Plan

The City of Ontario Ordinance 2689 requires all new development in Ontario Ranch to connect to and use recycled water for all approved uses, including but not limited to landscape irrigation. Prior to use of recycled water, approval from the City and State Water Resources Control Board (SWRCB) is required. Interim connection to potable water is not allowed.

There is an existing 30-inch Inland Empire Utilities Agency (IEUA) recycled water main in Eucalyptus Avenue adjacent to the Project site. Recycled Water is provided to the City by the IEUA from its four wastewater reclamation plants. The Approved SP and Project site are within the City's master planned 930 PZ. As with the Approved SP, Project recycled water infrastructure improvements require the planning, design, and construction of new 930 PZ Recycled Water Master Plan main lines (*Figure 3-18, Recycled Water Plan*). Required recycled water infrastructure for the Approved SP included installing an 8-inch recycled water main in Euclid Avenue connecting the existing IEUA 30-inch 930 Pressure Zone Recycled Water main in Eucalyptus Avenue to an 8-inch recycled water main in Merrill Avenue. The Project will extend the 8-inch recycled water main in Merrill Avenue from Euclid Avenue easterly to Campus Avenue. The Project will also construct an 8-inch recycled water main which will be installed in Campus Avenue that also connects the 8-inch recycled water main in Merrill Avenue to the existing 30-inch recycled water main in Eucalyptus Avenue.

Sizing and alignment of the recycled water lines will be consistent with the City recycled water system plan and a City approved hydraulic analysis. Refer to *Figure 3-19, City of Ontario Future Recycled Water System.*

Sewer Plan

Regional wastewater treatment services are provided to the City and its neighboring agencies by the IEUA. Several regional trunk sewers collect sewage generated in the City and transport it to IEUA's Regional Plant No.1 and Regional Plant No.5 for treatment. The City's sewer service area is divided into eight sewer sheds, primarily based on the outlet points where the City's system ties into the IEUA downstream facility. Ontario Ranch is located in Sewer Shed 8.

The Approved SP included a network of new public sewer mains (*Figure 3-20, Sewer Plan*), consistent with the City's ultimate sewer system plan (*Figure 3-21, City of Ontario Ultimate Sewer System*), which will connect to the Project site. The Approved SP connected a 36-inch sewer main to an existing IEUA interceptor trunk main sewer located in Kimball Avenue to the south, running north in Euclid Avenue to Merrill Avenue, then east to Campus Avenue, within the Project site boundaries. The Project site will construct a 16-inch public sewer main which will be located along Sultana Avenue and Campus Avenue. Both sewer mains will connect to the Approved SP 36-inch sewer main in Merrill Avenue, once the 36-inch main is constructed, and extend north, through the Eucalyptus Avenue intersection (*Figure 3-20, Sewer Plan*).

The ultimate sizing and alignment of the sewer shall be consistent with the City's ultimate sewer system plan and/or a City conducted and approved hydraulic analysis.

A Sewer Sub-Area Master Plan (SSAMP) shall be prepared for each Tract Map and development within the Project site.

Conceptual Grading Plan

Site topography is moderately flat, sloping from the north to the south. There is an approximately 30-foot change in elevation across the Project site.

The grading activities for the Project site will generally consist of clearing and grubbing, demolition of existing structures, and moving surface soils to construct building pads, driveways, and streets.

The Conceptual Grading Plan (*Figure 3-22, Conceptual Grading Plan*) provides a balance of cut and fill for the Project site. Grading and earthwork analysis indicate the Project can balance without the use of retaining walls. Earthwork will include approximately 242,079 cubic yards (CY) of cut and 242,079 CY of fill with 292,457 CY of over-excavation. Geotechnical and/or environmental conditions encountered during grading operations may impact final earthwork calculations. Grading plans within the Project site will be reviewed and approved by the City prior to the issuance of grading permits. Grading plans and activities will conform to the City's grading ordinance and dust and erosion control requirements.

All landscaped areas within the Project site shall be graded as shallow swales and designed to accept runoff water from impervious surfaces. Water quality retention basins, trenches, etc., (the exact location of which will be determined at the time of Water Quality Management Plan [WQMP] approval for individual implementing projects) will have a maximum side slope of 3:1.

Dry Utilities Plan

Utility services provided to the Project site will be installed underground in accordance with City guidelines.

Communication System

Developments in Ontario Ranch are required to install and provide fiber conduit to all improved lots. Proposed on-site facilities will be placed underground within a duct and structure system that will be installed by the developer. Pursuant to the City of Ontario 2013 Fiber Optic Master Plan, the fiber optic network will be owned and operated by the City and as such, maintenance of the installed system will be the responsibility of the City and/or Special District fiber optic entity and not the developer (refer to *Figure 3-24, Fiber Optic Plan*). According to the City's Fiber Optic Master Plan, the proposed fiber optic infrastructure, including approximately 23 miles of backbone fiber south of Riverside Drive, is an investment into a long-term capital asset using newly constructed and existing conduit to provide high speed communication links to key locations throughout the City. The Project site will be connected to the City's system as shown on *Figure 3-24, City of Ontario Fiber Optic Master Plan*.

Natural Gas

The Southern California Gas Company (SoCalGas) will provide natural gas to the Project site. Gas mains will be installed to the individual development projects by SoCalGas, as necessary.

Electricity

Southern California Edison (SCE) will provide electricity to the Project site from existing facilities in the vicinity. All new lines within the Project site shall be installed according to City requirements.

Storm Drainage Plan

The Project site storm drain improvements (*Figure 3-25, Storm Drain Plan*) will be designed consistent with the facilities specified in Drainage Area XIV of the City of Ontario Storm Drain Master Plan (*Figure 3-26, City of Ontario Planned Drainage Facilities*).

Catch basins located throughout the Project site will collect runoff. Established by the Approved SP and as required for the Project site, on-site storm drain systems that will be built as part of this Project, will convey runoff southerly to a reinforced concrete box facility in Merrill Avenue. Landscaped areas from the Approved SP, located adjacent to Euclid Avenue, will continue to drain to the street. Established by the Approved SP and as required for the Project site, the Project will also construct storm drains in Eucalyptus Avenue and Euclid Avenue north of Merrill Avenue. The reinforced concrete box facility in Merrill Avenue will end just north of the existing earthen channel, located between the paved portions of Euclid Avenue and the existing easterly right-of-way. The storm water will then bubble up in the structure and spill out into the existing channel where it will continue to flow south to eventually discharge south of Pine Avenue in the City of Chino.

Though the Project site will construct several storm drains consistent with the Storm Drain Master Plan, as established by the Approved SP, the ultimate discharge location downstream, between Pine Avenue and Merrill Avenue in the City of Chino, is not fully improved at this time. Until the ultimate discharge location downstream improvements occurs, the Project will utilize on-site storm water detention so that discharge from Project development remains less than peak flow rates prior to development.

Each storm drain constructed for the Project will be equipped with a hydrodynamic separator or equivalent alternative approved devices to satisfy the statewide trash mandate. Each device will be approved by and listed on the Certified Full Capture System List of Trash Treatment Control Devices of the State Water Resources Control Board (SWRCB).

NPDES Compliance

The grading and drainage of the Project site will be designed to retain/infilter, harvest, and re-use or biotreat surface runoff to comply with the current requirements of the San Bernardino County NPDES Stormwater Program's Water Quality Management Plan (WQMP) for significant new development projects. The objective of the WQMP for this project is to minimize the detrimental effects of urbanization on the beneficial uses of receiving waters, including effects caused by increased pollutants and changes in hydrology. These effects may be minimized through the implementation of site designs that reduce runoff and pollutant transport by minimizing impervious surfaces and maximizing on-site infiltration, employing Source Control Best Management Practices (BMP's), or using on-site structural Treatment Control BMP's where the infeasibility of installing Low Impact Development BMP's is demonstrated.

New development within the Project site will utilize a variety of Low Impact Development site drainage designs to manage stormwater, including but not limited to retention/infiltration basins, trenches and swales, and above ground bio-treatment systems. Development projects within the Project site will comply with the latest Low Impact Development guidelines and incorporate features including but not limited to:

- Landscape designs that promote water retention and incorporation of water conservation elements such as use of native plants and drip irrigation systems;
- Permeable surface designs in areas with low traffic;
- Parking lots that drain to landscaped areas to provide retention and infiltration, or bio-treatment where infiltration is infeasible;
- Limit soil compaction during grading operations within landscaped storm water infiltration areas to no more than 80 percent compaction.

Prior to the issuance of a grading or construction permit, a Storm Water Pollution Prevention Plan (SWPPP), Erosion & Sediment Control Plan sheets, and a WQMP will be prepared and approved. The SWPPP and Erosion & Sediment Control Plan Sheets will identify and detail all appropriate BMP's to be implemented or installed during construction of the project, and the WQMP will describe all post-construction BMP's designed to address water quality and quantity of runoff for the life of the project.

All Priority Land Use (PLU) areas within the Specific Plan Area shall comply with the statewide Trash Provisions adopted by the State Water Resources Control Board (SWRCB) and trash requirements in the most current San Bernardino County Area-Wide municipal separate storm sewer system (MS4) Permit.

Public Services

This sub-section addresses public services within the Project site, including police, fire and solid waste disposal services.

Police

The City of Ontario Police Department will provide police services to the Project site. The closest police station is located approximately five miles north of the Project site at 2500 S. Archibald Avenue, just south of SR-60. This station is also the City of Ontario Police Department headquarters.

Fire

The City of Ontario Fire Department currently has 10 fire stations, which have a daily staffing level of 58, comprises nine four-person engine companies, three four-person truck companies, and an eight-person Aircraft Rescue and Firefighting (ARFF) station.[10]. The closest operational fire station, Station 2, is located at 544 W. Francis Street, approximately four miles north-northwest of the Project site.

Solid Waste Disposal

The City will provide solid waste services to the Project site. The City offers a full array of commercial and industrial services designed to meet the business community's needs. Solid waste facilities will follow the "Solid Waste Department Refuse and Recycling Planning Manual." The Manual establishes the City's requirements for refuse and recycling storage and access for service, as well as addresses the City's

[10] City of Ontario, Fire Department via email January 18, 2022.

recycling goals. The Mid-Valley Landfill is the nearest San Bernardino County landfill located at 2390 N. Alder Avenue in the City of Rialto, approximately 20 miles northeast of the Project site.

Phasing Plan

Development phasing of the Project site will be determined by the landowner and/or developer based upon real estate market conditions. Phasing will occur as appropriate levels of infrastructure are provided. Phasing sequencing is subject to change over time to respond to various market and local factors and as such, individual phases are planned to be developed concurrently. Infrastructure improvements, as required and approved by the City Engineer to support the development, will be installed by the developer. *Figure 3-27, Conceptual Phasing Plan*, describes three general phases of development for Ontario Ranch Business Park, which includes the Approved SP area and the Project site.

Project backbone infrastructure will be installed by the Project developer, in accordance with the applicable City-adopted infrastructure plan for the area, as well as the provisions of this Project and an approved Development Agreement. At the discretion of the City, fair share responsibilities for improvements will be addressed in a Development Agreement with the City. The timing for installation of infrastructure and utilities within the Project site will be determined as part of the City's approval of a parcel map. Infrastructure will be constructed and made available in a timely manner as development progresses. All of the Project required infrastructure can be found in Chapter 3 of the Project's Specific Plan, or refer to (*Figures 3-10, Street Plan, and Figure 3-12a and Figure 3-12b, Street Cross Sections*) for Streets, *Figure 3-16a and b, Potable Water Plan*, for Potable Water, *Figure 3-18, Recycled Water Plan* for Recycled Water, *Figure 3-20, Sewer Plan* for Sewer, *Figure 3-23, Fiber Optic Plan,* for Fiber Optics, and *Figure 3-25, Storm Drain Plan*, for Storm Drain. Phasing will be determined per a separate Development Agreement.

Final grading and infrastructure improvements will be completed in accordance with the approved Development Agreement and City Engineer approval.

Development Standards and Design Guidelines

Upon adoption of the SPA, the development standards and procedures established within the SPA will become the governing zoning standards for any new construction, addition, or remodel within the Project site. The SPA outlines the allowable uses and standards for building heights, setbacks, parking, coverage, landscape, signage and other development standards within the Project site. Design Guidelines of the SPA provide conceptual themes of site planning, architecture, and landscape design within the Project site. The guidelines are intended to implement the goals and policies of TOP and the Ontario Development Code and meet the following objectives:

- Demonstrates high quality development that complements and integrates into the community and adds value to the City.
- Creates a functional and sustainable place that ensures Ontario Ranch Business Park is competitive regionally and appropriate in the Ontario Ranch community.
- Illustrates the distinctive characteristics of the two-land use plan zoning districts: Business Park District (PA 1 and 3) and Industrial - General District (PA 2 and 4).

- Establishes criteria for building design and materials, landscape design, and site design that provide guidance to developers, builders, architects, landscape architects, and other professionals preparing plans for construction.
- Provides guidance to City staff and the Planning Commission in the review and evaluation of future development projects in the Ontario Ranch Business Park Specific Plan area.
- Incorporates construction and landscape design standards that promote energy and water conservation strategies.
- Implements the goals and policies of The Ontario Plan and the intent of the Ontario Development Code.

Table 3-3, Development Standards provides a summary of the development standards applicable to the land uses, structures, and related improvements located within the Project site. Refer to the Ontario Development Code for any standard not addressed in *Table 3-3, Development Standards*.

Table 3-3: Development Standards

Development Standard	Zoning District	
	BP	IG
Minimum Lot Area	10,000 sf	20,000 sf
Minimum Lot Dimensions		
1. Lot Width	100 ft	100 ft
2. Lot Depth	100 ft	100 ft
Maximum Floor Area Ratio[1,2]	0.45	0.54
Maximum Building Footprint[3]	125,000 sf	N/A
Maximum Landscape Setback		
1. Euclid Avenue	35 ft	35 ft
2. Eucalyptus Avenue	23 ft	N/A
3. Merrill Avenue	N/A	23 ft
4. Sultana Avenue	10 ft	10 ft
5. Campus Avenue	10 ft	10 ft
6. Interior Side	N/A	N/A
7. Interior Rear	N/A	N/A
Minimum Building Setback[4]		
1. Euclid Avenue	35 ft	35 ft
2. Eucalyptus Avenue	23 ft	N/A
3. Merrill Avenue	N/A	23 ft
4. Sultana Avenue	10 ft	10 ft
5. Campus Avenue	10 ft	10 ft
6. Interior Side	10 ft	10 ft
7. Interior Rear	10 ft	10 ft
Minimum Parking Space and Drive Aisle Separations[5,6,9]		
1. Parking Space or Drive Aisle to Street Property Line	20 ft	10 ft
2. Parking Space or Drive Aisle to Interior Property Line	5 ft	5 ft

Development Standard	Zoning District	
	BP	IG
3. Parking Space to Buildings, Walls, and Fences	Areas adjacent to public entries and office areas: 10 ft Areas adjacent to other building areas: 5 ft Within screened loading and storage yard areas: 0 ft	
4. Drive Aisles to Buildings, Walls, and Fences	5 ft	5 ft
5. Drive Aisles within Screened Loading and Storage Yard Areas	0 ft	0 ft
Maximum Building Height[7,8]	45 ft	55 ft
Minimum Landscape Coverage[9]	15%	10%
Walls, Fences, and Hedges: Per Ontario Development Code Division 6.02 (Walls, Fences, and Obstructions) and Section 5.5 (Buffering and Screening) in the Design Guidelines.		

Notes:

1. The max FAR for PA 3, Business Park, may exceed an FAR of 0.60, provided that the total average FAR for the entire PA 3 does not exceed a total combined building square footage does not exceed 227,951sf.
2. The max FAR for PA 4, Industrial General, may exceed up to an FAR of 0.55, provided that the total average FAR for the entire PA 4 does not exceed a total combined building square footage does not exceed 1,412,739sf.
3. The maximum building footprint limit is applicable only to buildings that front onto a public right-of-way. All setback areas shall be measured from the property line and shall be landscaped.
4. Within yard areas fully screened by a decorative wall, there shall be no minimum drive aisle or parking space setback required, unless adjacent to residentially zoned properties.
5. The minimum separation area between a building, wall, or fence, and a parking space or drive aisle shall be fully landscaped. The separation area may include pedestrian walkways, as necessary; however, a minimum 5-foot-wide planter area shall be maintained between a building wall and a pedestrian walkway. The minimum separation dimension does not include any area devoted to vehicle overhang.
6. Architectural projections, mechanical equipment, and focal elements may be allowed to exceed maximum height up to 25 percent above the prescribed height limit.
7. The maximum building height and floor area ratio may be restricted pursuant to the ONT ALUCP. Refer to the ALUCP for properties affected by airport safety zones for additional development criteria and policies that may affect allowable land uses.
8. The use of surrounding roads, drive aisles and truck parking lots to address the open land requirement for the Chino Airport Overlay zone is discussed in Chapter 2 (Section 2.2: Airport Influence Areas) of the SPA.
9. The total landscape coverage for Building 1 may be less than the required ten percent, so long as the deficiency in landscaping square footage is distributed across Buildings 2 through 7, to be maintained in perpetuity.

Table 3-4, Off-Street Parking and Loading Design Standards establishes the design standards for off-street parking in the Project site. Refer to the Ontario Development Code for any standard not addressed below.

Table 3-4: Off-Street Parking and Loading Design Standards

Development Standard	Requirement
Parking Space Dimensions	
1. Standard Parking	9 feet wide by 18 feet long
2. Tractor Trailer Parking	12 feet wide by 45 feet long
3. At grade loading space	12 feet wide by 18 feet long
Minimum aisle width for 90-degree parking angle	24 feet
Maximum gradient at parking space	5 percent measured in any direction
Dock-high loading facilities	
1. Dock high loading door loading space	12 feet wide by 45 feet long with 14-foot minimum vertical clearance measured from finished surface of loading dock.
2. Truck maneuvering area	Designed to accommodate the minimum practical turning radius of a 53-foot semi-trailer and tractor combination.

Table 3-5, Required Number of Parking and Loading Spaces specifies the number of parking spaces that must be provided according to land use. For a use not specified in the table, refer to the Ontario Development Code, Table 6.03-1: Off-Street Parking Requirements.

Table 3-5: Required Number of Parking and Loading Spaces

Land Use	Number of Required Spaces
Multi-tenant business park	3 spaces per 1,000 sf plus required parking for "general business offices" when exceeding 10 percent of gross floor area; plus, one tractor trailer parking space per 4 dock-high loading doors
General office when exceeding 10 percent of building gross floor area	4 spaces per 1,000 sf of gross floor area of office use
Industrial speculative building	Per 1,000 square feet of gross floor area: • Up to 50,000 sf: 1.85 spaces • 50,001 – 100,000 sf: 1 space • 100,001 sf and over: 0.5 space • One tractor trailer parking space per 4 dock-high loading doors. Plus, required parking for "general business offices" and other associated uses, when those uses exceed 10 percent of the building gross floor area.
Manufacturing	1.85 spaces per 1,000 sf of gross floor area, plus one tractor trailer parking space per 4 dock-high loading doors, plus required parking for "general business offices" and other associated uses, when those uses exceed 10 percent of the building gross floor area.
Restaurants (includes outdoor seating area up to 25 percent of gross floor area)	• Under 2,000 sf: 5 spaces per 1,000 square feet of gross floor area • More than 2,000 sf: 10 spaces per 1,000 sf of gross floor area
Warehousing and distribution (including associated office use if less than 10 percent of building gross floor area)	1 space per 1,000 sf of gross floor area for first 20,000 sf; 0.5 space per 1,000 square feet of additional gross floor area, plus one tractor trailer parking space per 4 dock-high loading doors plus required parking for "general business offices" and other associated uses, when those uses exceed 10 percent of the building gross floor area.

Sufficient off-street loading and unloading spaces shall be provided on each development site, and adequate provisions and space shall be made for maneuvering freight vehicles and handling freight. Loading activity, including turnaround and maneuvering, shall be handled on-site. Buildings, structures, and loading facilities shall be designed and placed on the site so that vehicles, whether rear loading or side loading, may be loaded or unloaded at any loading dock, door, or area without extending beyond the property line.

Site Design

As discussed in Chapter 3 of the SPA, site design within PA 3 (Business Park District) and PA 4 (Industrial - General District) shall incorporate the following design features.

Key provisions include:

1. Provide a well-organized site plan that emphasizes pedestrian connectivity and attractive landscape areas for the public through the location and arrangement of buildings, circulation, and parking areas.
2. Orient buildings towards street frontages to create an inviting public perimeter. Enhanced elevations shall be provided for buildings that front Euclid Avenue.
3. Provide visible pedestrian access to buildings from the street, parking areas, and perimeter sidewalks through signage, prominent architectural features, and landscape design.
4. Employ enhanced paving, accent trees, and other landscape features that highlight major building entries.
5. Design drive aisles to minimize impact to pedestrians, provide adequate stacking space, and prevent queuing of vehicles onto public streets.
6. Locate visitor and short-term parking areas at the front and sides of buildings near primary building entrances.
7. Organize landscaped areas, drive entrances, and/or buildings to create separate parking areas to prevent the parking lot from being the dominant visual element.
8. Locate loading and storage areas away from streets when feasible, ensure adequate space for vehicle backing and maneuvering on-site, and provide adequate parking for loading vehicles so normal traffic flow is not impeded.
9. Screen parking areas and loading docks facing the street using landscape buffers planted with screen trees and drought tolerant vegetation.
10. Orient and screen elements such as trash enclosures, loading bay doors, and service docks to minimize their visibility.
11. Locate service entrance to prevent conflict with front entry.
12. Place electrical rooms and transformers away from front entries and street views.

Architectural Design

The building design, materials, colors, and textures establish its theme and character. Architecture shall be compatible and complementary with other buildings within the Project site; however, design diversity is encouraged to provide visual interest. Although development may differ in building height and scale, similar design concepts apply as follows.

Key provisions include:

1. Ensure scale, massing, fenestration, materials, and colors are consistent with the building's architectural style and compatible with the overall design in the Project site.
2. Avoid blank walls by providing articulation on building elevations visible from a public right-of-way through elements such as cornices, parapets, expression lines, and changes in materials and/or colors.
3. Provide the greatest level of articulation on the front facades that are visible from the public rights-of-way and at the main entrances.
4. Design entry features as a significant aspect of a building's overall composition through massing, detailing, architectural treatments, and/or special materials and colors.
5. Employ recessed or covered building entrances to provide shade and visual relief.
6. Design office buildings, business parks, and office areas of industrial or warehouse buildings with an emphasis on the use of windows, architectural details, and building articulation.
7. Integrate the design of industrial/warehouse office areas into the overall building composition so they create powerful architectural statements and not visually disjointed "add-ons."
8. Employ a minimum of four different colors, materials, and/or textures on each building.
9. Avoid terminating a change in material or color at a building edge; instead, select a logical termination point in relation to the architectural features or massing.
10. Paint exposed downspouts, service doors, and mechanical screens the same color as the adjacent wall. Exposed downspouts are not permitted on elevations that front onto a street.

Landscape Design

Conceptual landscape plans encourage durable landscape materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits. The following guidelines ensure that intersection sight lines and pedestrian safety are preserved. Landscaping plans within the Project site shall comply with City of Ontario Landscape Development Guidelines and the Standard Drawings and Traffic and Transportation Guidelines for sight-distance.

Key provisions include:

1. Landscape and irrigate all areas of the site not covered by buildings, structures, paving, or impervious surfaces.
2. Design and grade projects to direct storm runoff from building roofs and paved areas into swaled landscape areas for retention/infiltration. Landscape areas may be used for storm water basins and swales at no greater than 50% of the available landscape area and may not obstruct the mature root zone of required tree locations
3. Provide shade for expanses of paving, building walls, roofs, and windows with irrigated shade trees located in appropriate areas where space permits to reduce the impacts of heat gain.

4. Design parking lot landscaping to reduce associated heat buildup, improve aesthetics, and integrate with on-site landscape and adjacent streetscape.
5. Use landscaping to aid in the screening and buffering of mechanical equipment, trash collection areas, loading docks and outside storage areas from public view.
6. Show utilities on plan and keep utilities clear of required tree locations. Coordinate with the landscape plans. Utilities such as backflow devices and transformers shall be screened using landscaping that provides at least 75 percent coverage. Backflow devices and transformers shall be located at least five feet from hardscape to ensure space for landscape screening.
7. Prepare landscape plans that meet the requirements of the Landscape Development Guidelines and provide for the efficient use of water. Plants shall be selected and planted based upon their adaptability to the climate and topographical conditions of the project site.
8. Select drought-tolerant plants such as colorful shrubs and groundcovers, ornamental grasses and succulents, evergreen and deciduous trees, and species native to Southern California or naturalized to the arid Southern California climate.
9. Incorporate water conservation features in landscape and irrigation plans.
10. Place a landscape planter island every ten parking spaces within parking lots. Planter islands shall be at least five feet in width exclusive of curbs and the length of the abutting parking space. Planter islands shall include at least one tree, appropriate shrubs, and groundcover. Parking areas located behind screen walls shall not be subject to this provision.
11. Provide a minimum dimension of five feet exclusive of curbs for all landscape areas, except for vine pockets.
12. Space living plant materials less than or equal to the mature plant diameter. Non-living ornamental landscape materials may comprise a maximum of five percent of the landscape area requirements and shall be permeable.

Streetscapes

Streetscape design creates an aesthetically pleasing view for pedestrians and motorists, screens parking and loading areas from the public right-of-way, and integrates the development into the surrounding community. For further detail on streetscape design, refer to Chapter 5, Design Guidelines within the SPA.

Walls and Fences

Walls and fences are an important design feature intended to both complement building and landscape architecture and provide functional elements. Any proposed entry gates shall be reviewed and approved by the City of Ontario Traffic and Transportation Division prior to installation and will be permitted only if approved.

Key provisions include:

1. Provide attractive, durable, and complementary wall and fencing materials consistent with the building design.

2. Offset and architecturally treat long expanses of wall surfaces every 100 feet with material changes, pilasters and posts, staggered walls, or landscape treatments to prevent visual monotony.
3. Soften the appearance of fencing with plants that reach the height of the wall or fence at maturity.
4. Construct sliding gates visible from a public street with tubular steel, vertical steel pickets, or high-density perforated metal screening painted to match or complement adjacent walls. Interior gates not visible to public view may be galvanized steel or chain link.
5. Prohibit chain link fencing visible to the public.

Buffering and Screening

To alleviate the unsightly appearance of parking, loading and service areas, buffering and screening design features should be used to enhance the overall development. Any proposed entry gates shall be reviewed and approved by the City of Ontario Traffic and Transportation Division prior to installation.

Lighting

Site lighting provides illumination for operations, safety, security, and ambiance in parking lots, loading dock areas, pedestrian walkways, building entrances, signage, and architectural and landscape features.

Key provisions include:

1. Choose lighting fixtures that complement the building architecture and promote consistency throughout the PAs.
2. Install ground or low mounted fixtures to provide safety and convenience along pedestrian walkways, entrances, activity areas, steps, ramps, and special features.
3. Allow building-mounted accent lighting for general illumination provided there is no light spill or distraction onto roadways or adjacent property. Plain shoebox or unshielded wall packs are not permitted.
4. Direct exterior lighting fixtures downward to avoid unnecessary light spill and glare.
5. Limit pole-mounted, building-mounted, or tree-mounted lighting fixtures to no more than 30 feet in height to minimize light spill and glare.
6. Shield and direct pole-mounted lights away from public streets.
7. Ensure exterior lighting is consistent with the Chino Airport Land Use Compatibility Plan.
8. Design parking lot lighting to avoid placing fixtures in required tree locations

Signage

Approval of a comprehensive sign program shall be required for development within the Project site. A sign program facilitates integration of signs with the overall site and building design to create a unified visual statement and provide for flexible application of sign regulations in the design and display of multiple signs.

Key provisions include:

1. Install an entry monument at the northeast corner of Euclid and Merrill Avenues to identify the Ontario Ranch area and/or the Ontario Ranch Business Park. Entry monuments shall be designed in accordance with City of Ontario Traffic and Transportation Guidelines for monument placement.
2. Employ signage to identify a center and tenants within a center, direct vehicular traffic, and provide on-site wayfinding for pedestrians.
3. Employ signage within industrial sites to give direction to loading and receiving, visitor parking, and other special uses.
4. Provide a unifying sign theme in developments with multiple users.
5. Coordinate signage with the building design, materials, color, size, and placement.
6. Select signage with backlit or internally illuminated individual channel letters. Can-type box signs with translucent backlit panels are discouraged.
7. Avoid covering significant architectural elements with signage.
8. Position flush-mounted signs with respect to architectural features and align with signs on other buildings to maintain a pattern.
9. Place street address signs perpendicular to approaching vehicular traffic.
10. Ensure signage located within a landscaped planter is not blocked or damaged by plant materials.
11. Conserve energy by utilizing an automatic illumination shut-off mechanism when businesses are closed.
12. Construct signs from high quality materials and avoid exposed wiring, ballasts, conduits, fasteners, raceways, or similar hardware.

Sustainable Design Strategies

The Applicant is committed to sustainable design strategies that integrate principles of environmental stewardship into the design and construction process. Appropriate strategies will be determined for each project within the Project site. Strategies include, but are not limited to:

Sustainable Construction & Technology Concepts

1. Design and construct energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption.
2. Employ passive design including skylights, building orientation, landscaping, and strategic colors to improve building energy performance.
3. Reduce the heat island effect by providing shade structures and trees that produce large canopies. In addition, choose roof and paving materials that possess a high level of solar reflectivity (cool roofs).
4. Use recycled and other environmentally-friendly building materials wherever possible.

5. Incorporate skylights into at least two percent of warehouse/distribution building roof area to provide natural light and reduce electric lighting demand.
6. Use energy efficient LED (or similar) products.
7. Provide interior or exterior bicycle storage consistent with the City Municipal Code requirements, including California Green Building Standards Code.
8. Use drought tolerant landscaping with drip irrigation and include plantings such as trees, shrubs, groundcovers and/or vines. Optional amenities include benches, trellises, thematic fencing, and decorative walkways.
9. Employ high performance dual pane window glazing in office storefronts.

Water Quality

1. Utilize landscape areas including retention/infiltration swales and basins or bio-treatment when infiltration is infeasible, as required by the San Bernardino County MS4 Permit and Water Quality Management Plan.
2. Select native and drought tolerant plants to reduce water demand.
3. Integrate permeable pavement and perforated curbs throughout the Project site as feasible to allow stormwater to enter planter areas, assist with filtration and control runoff.
4. Use captured runoff to augment irrigation systems whenever possible.
5. Employ irrigation systems that respond to changing weather conditions, irrigate by hydrazone, and use micro-irrigation techniques.
6. Use recycled water to irrigate landscape areas and for other appropriate uses. The use of recycled water for certain purposes is required by the City of Ontario Recycled Water Master Plan.

3.5.4 Specific Plan Phasing

Implementation of the Project is anticipated to occur in one phase, as shown in Phasing Plan (*Figure 3-27 Conceptual Phasing Plan*). Note that the Approved SP PA 1 and PA 2 are already approved, with PA 2 currently under construction. PA 3 will consist of the construction of BP uses and PA 4 will consist of the construction of the storage, warehousing, and/or industrial uses.

These phases may be developed as sub-phases and may occur either sequentially or concurrently with one another. The EIR has assumed concurrent construction as a conservative (worst-case) assumption.

All of the Project's required infrastructure for Potable Water, for Recycled Water, and for Sewer, phasing will be developed per this Project's Development Agreement.

Phasing Objectives

Development phasing shall meet the following objectives:

1. The orderly build-out of the project based upon market and economic conditions;

2. The provision of adequate parking, infrastructure, and public facilities concurrent with the development of each phase; and
3. The protection of the public health, safety, and welfare.

3.6 Anticipated Permits and Approvals Required

This Draft Subsequent EIR examines the environmental effects of the proposed Project's SPA. The City is serving as the Lead Agency under CEQA and will consider the EIR for certification and the Project for approval. It is the intent of this Draft Subsequent EIR to evaluate the environmental effects of the proposed Project, thereby enabling the City, other responsible agencies, and interested parties to make informed decisions with respect to the requested entitlements. The anticipated approvals required for this Project are listed in *Table 3-6, Anticipated Permits and Approvals Required*, below (in addition to various permits and approvals from various public and private entities for construction, encroachment, and utility connections).

Following the initial approval of the SPA, the City of Ontario would then consider further site-specific development approvals for the Project. The applicant has submitted applications for these future approvals, although they are not specifically addressed or included in this EIR as the City has not yet completed staff-level review of the applications. It is the intention of this EIR to provide sufficient Project level detail to adequately address potential environmental impacts of these future approvals and include appropriate mitigation measures. These future City approvals include the following:

Development Plan (PDEV22-008) and Development Plan Review

The Project proposed SPA will enable development entitlements such as the Development Plan application, which proposes the construction of six industrial/warehouse buildings of up to 1,640,690 sf of IG and BP land uses, for the 71.69-acre area constituting PAs 3 and 4.

Development proposed within the Project site will be subject to Development Plan Review pursuant to Section 4.02.025 of the Ontario Development Code. This review is intended to ensure compliance with applicable provisions of the Specific Plan design guidelines and development standards and applicable Project Mitigation Measures and Conditions of Approval, in order to protect the integrity and character of the physical composition of the City and encourage high quality development.

Tentative Parcel Map (PMTT22-005)

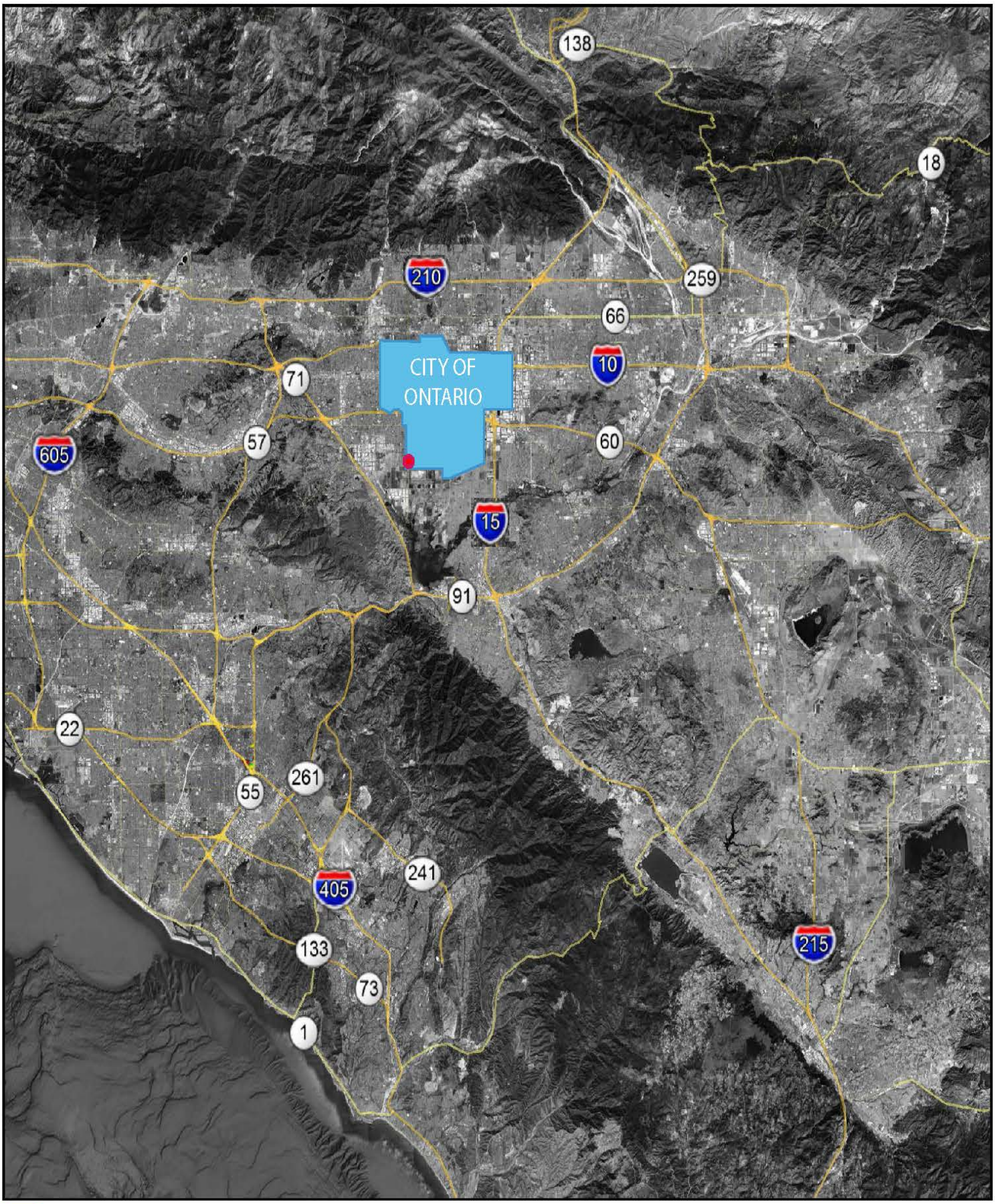
Concurrent with submitting the Development Plan (PDEV22-008) for PAs 3 and 4, the Applicant has submitted a Tentative Parcel Map No. 20517 (TPM) for the Project.

Development Agreement

Approval of a statutory development agreement authorized pursuant to California Government Code §65864 et seq. shall be required. The Development Agreement shall include, but not be limited to, methods for financing, acquisition, and construction of necessary infrastructure. The Development Agreement shall be fully executed prior to recordation of the Final Map.

Table 3-6: Anticipated Permits and Approvals Required

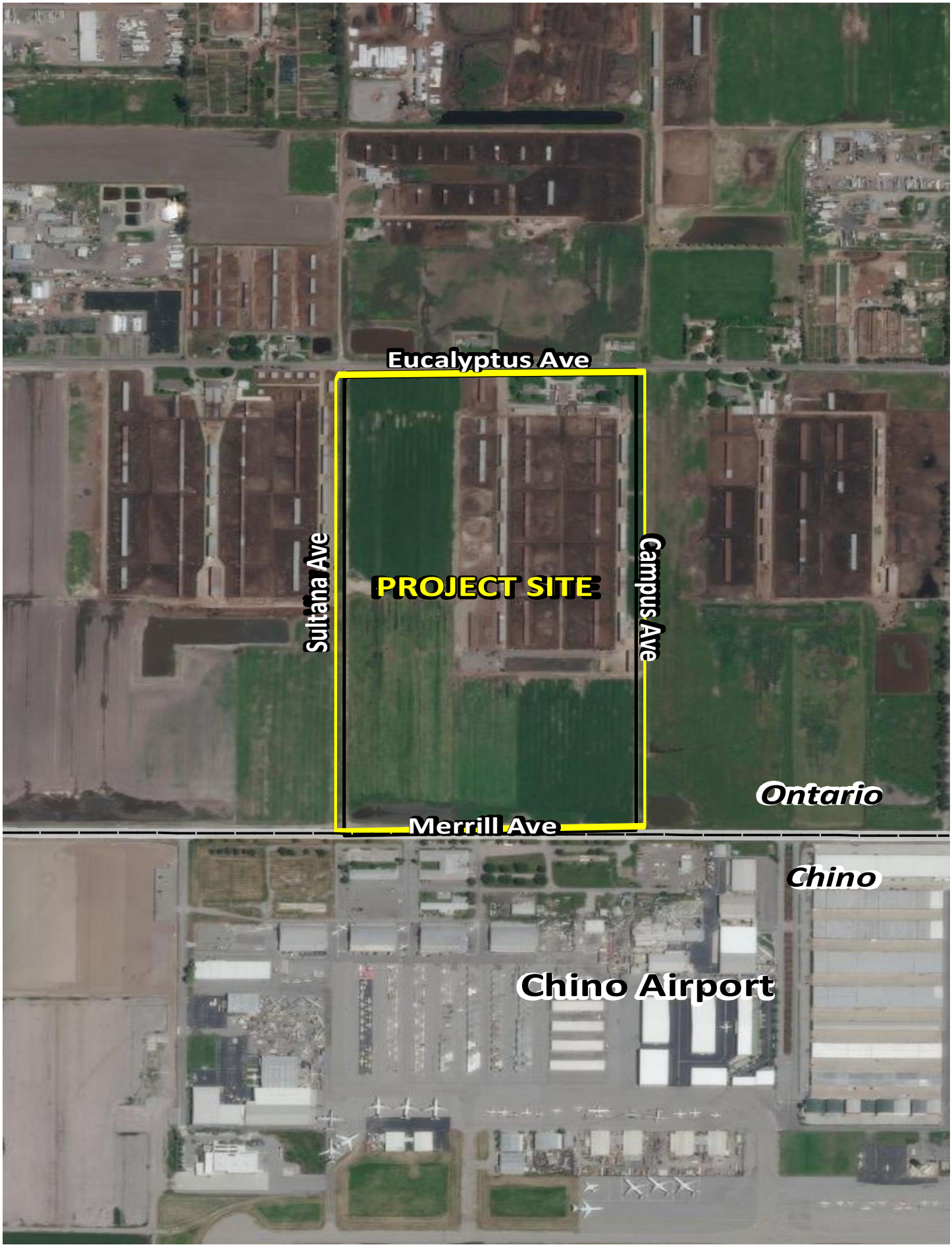
Lead Agency	Action
City of Ontario City Council	• Certification of the Ontario Ranch Business Park Specific Plan Amendment EIR (SCH# 2019050018) • Adoption of the Mitigation Monitoring and Reporting Program • Approval of the Ontario Ranch Business Park Specific Plan Amendment (PSPA21-002)
Future Agreements, Permits and Approvals	
City of Ontario City Council	• Approval of a Development Agreement
City of Ontario Planning Commission	• Approval of the Development Plan(s) • Approval of the Tentative Parcel Map(s)
City of Ontario	• Water Quality Management Plan • Approval of grading, construction and building plans • Chino Airport Land Use Compatibility Review
Responsible Agencies	**Action**
San Bernardino County	• Well removal permit from County Health Department (if required)
City of Chino	• Street and drainage improvements
Inland Empire Utilities Agency	• Recycled water and connection to trunk sewer line
Federal Aviation Administration	• Obstruction evaluation
State Water Resources Control Board	• SWPPP
South Coast Air Quality Management District	• Demolition Notification • Stationary Equipment Operation Permit(s)



Source: Ontario Ranch Business Park Specific Plan (2021), Figure 1.1: Regional Location

FIGURE 3-1: Regional Location
Ontario Ranch Business Park Specific Plan Amendment

Not to scale



Source: ESRI World Imagery

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FIGURE 3-2: Local Vicinity Map
Ontario Ranch Business Park Specific Plan Amendment

0 500 1,000
Feet

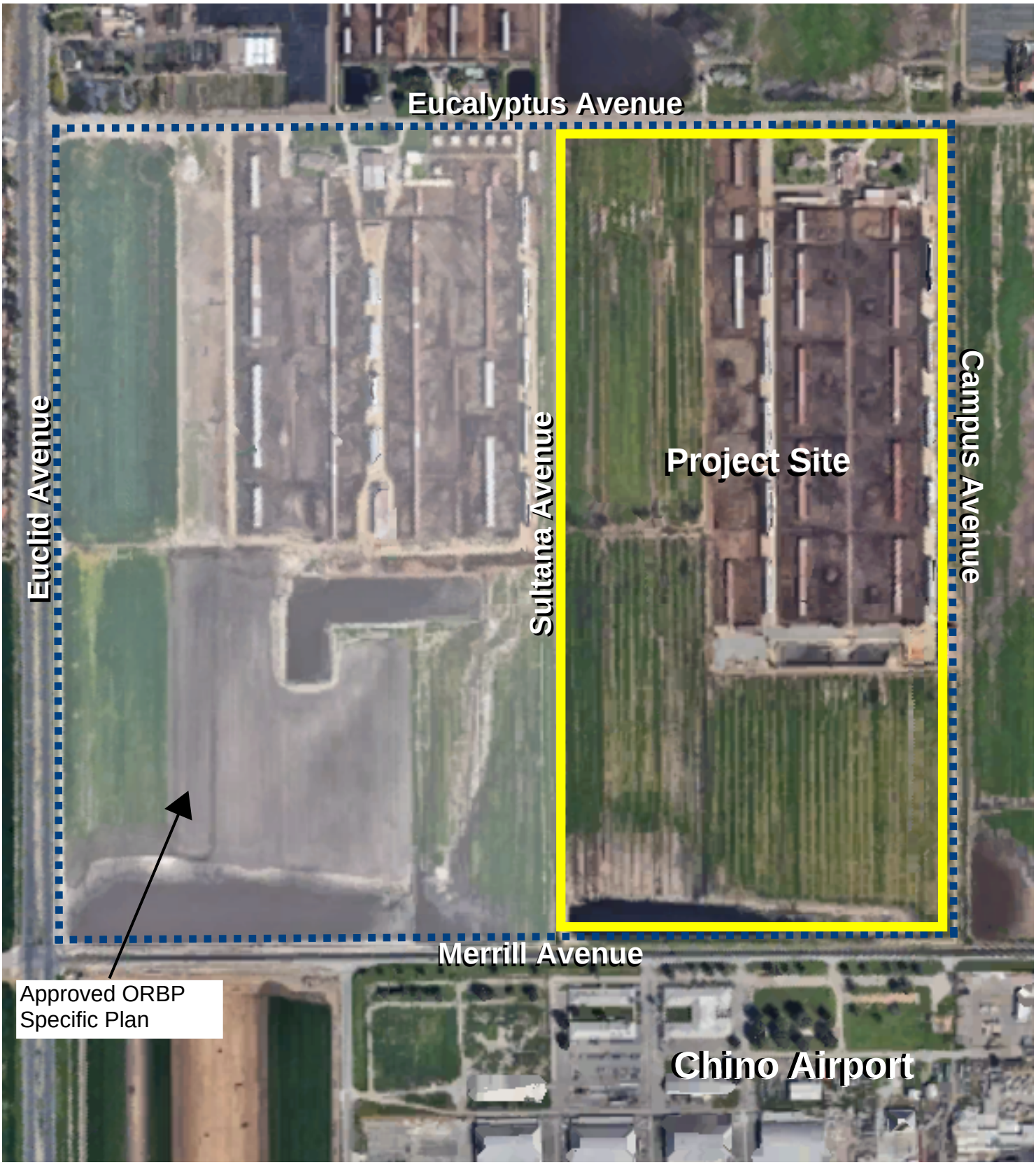
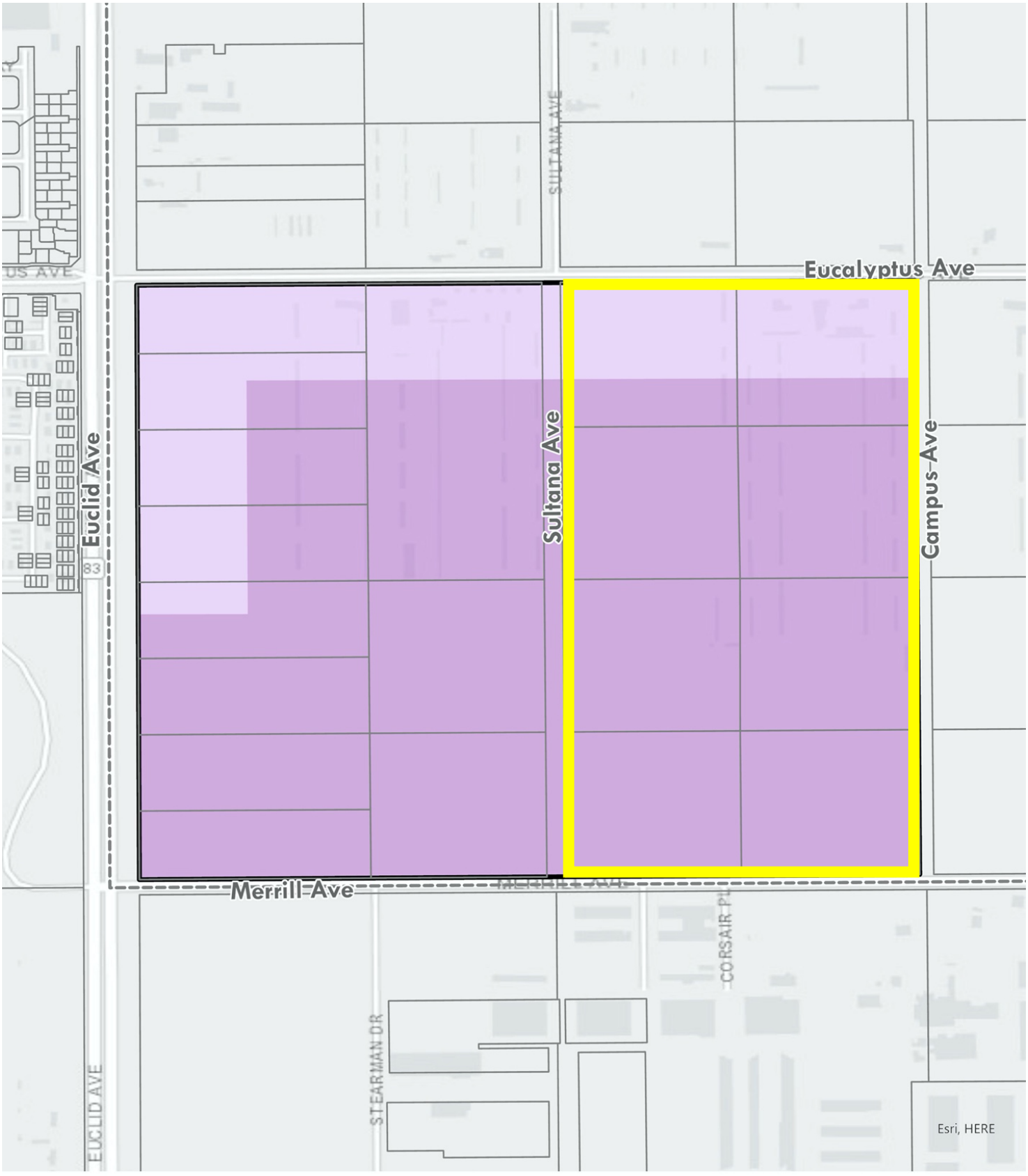


FIGURE 3-3: Aerial Photograph
Ontario Ranch Business Park Specific Plan Amendment

Not to scale



Source: Ontario Ranch Business Park Specific Plan Amendment Project Description

\\rivfp01\CA_RIV1\RIV_GIS\195242002 - Ontario Ranch Business Park\NOP 02 Proposed General Plan Land Uses.mxd

FIGURE 3-4: Proposed[1] Project Land Uses
Ontario Ranch Business Park Specific Plan Amendment

[1]Pursuant to the City's proposed TOP 2050 Update

N 0 250 500 Feet

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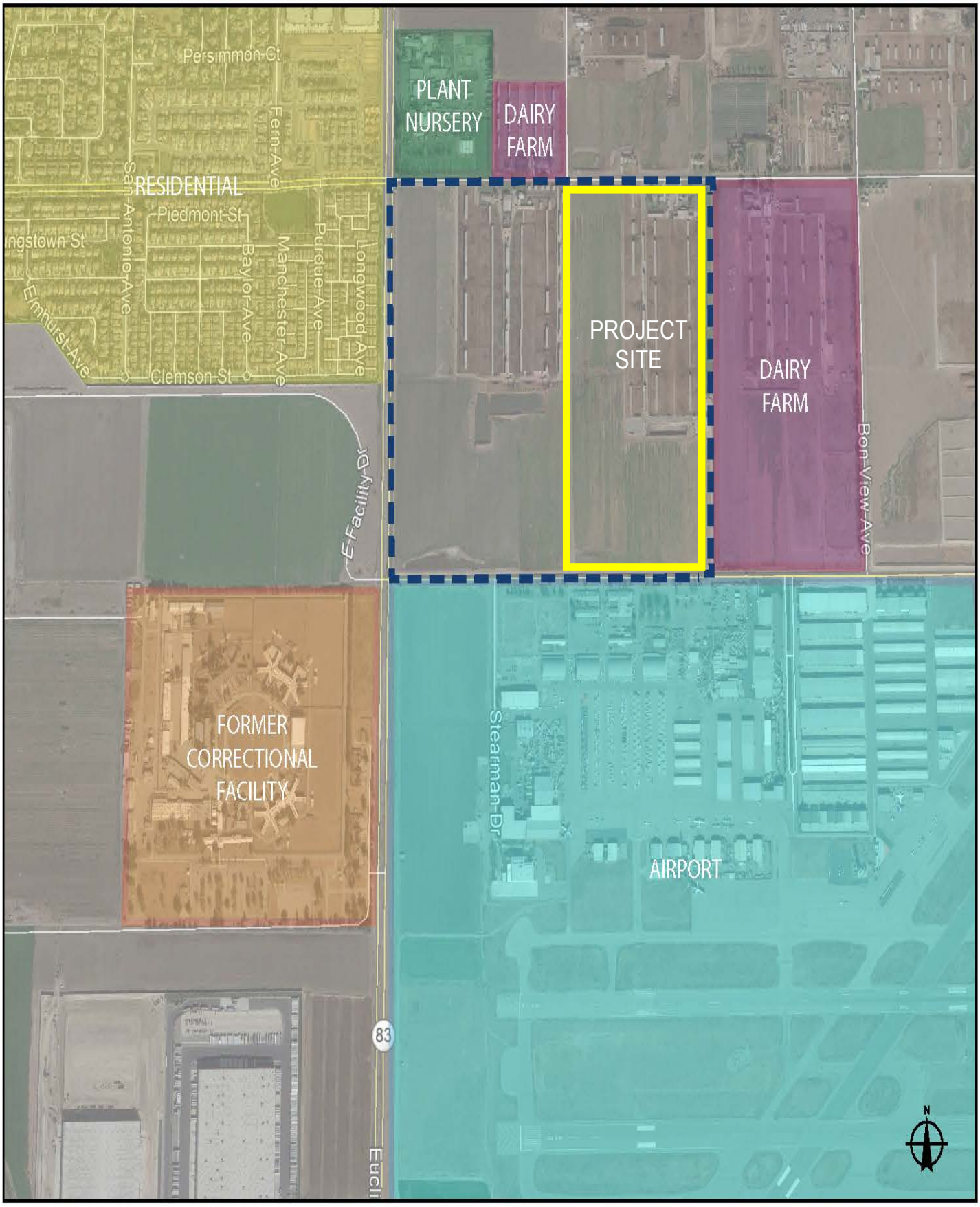
Source: Ontario Ranch Business Park Specific Plan (2021), Figure 2.2 Existing Land Use and Zoning

FIGURE 3-5: Existing Land Use and Zoning[1]

Ontario Ranch Business Park Specific Plan Amendment

[1]These are the current TOP land use designations, which are proposed to be changed to Industrial and Business Park as part of the TOP 2050 Update, as reflected in Figure 3-4.

Not to scale



Source: Ontario Ranch Business Park Specific Plan (2021), Figure 2.1 Surrounding Land Uses

FIGURE 3-6: Surrounding Land Use Map
Ontario Ranch Business Park Specific Plan Amendment

Not to scale

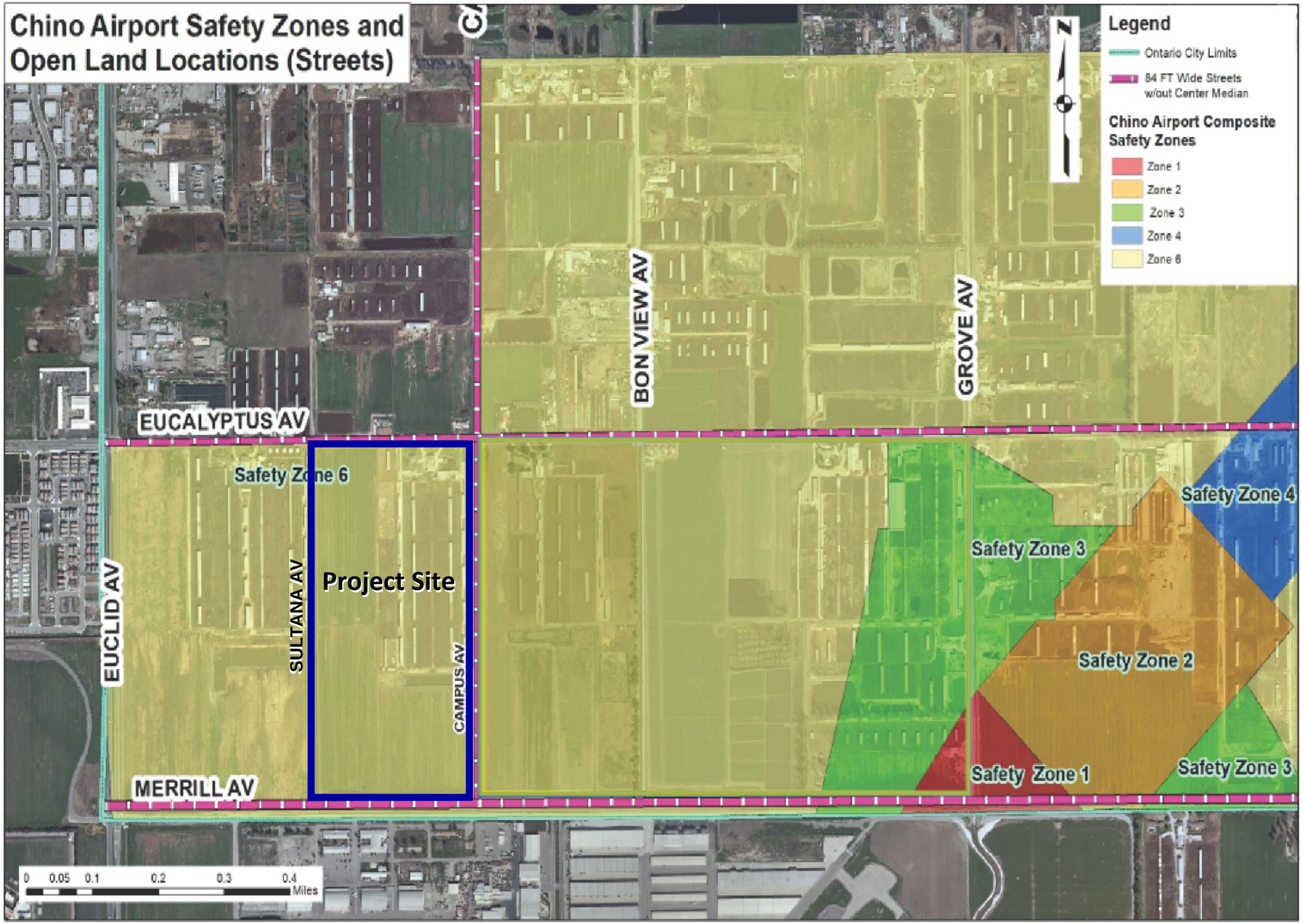
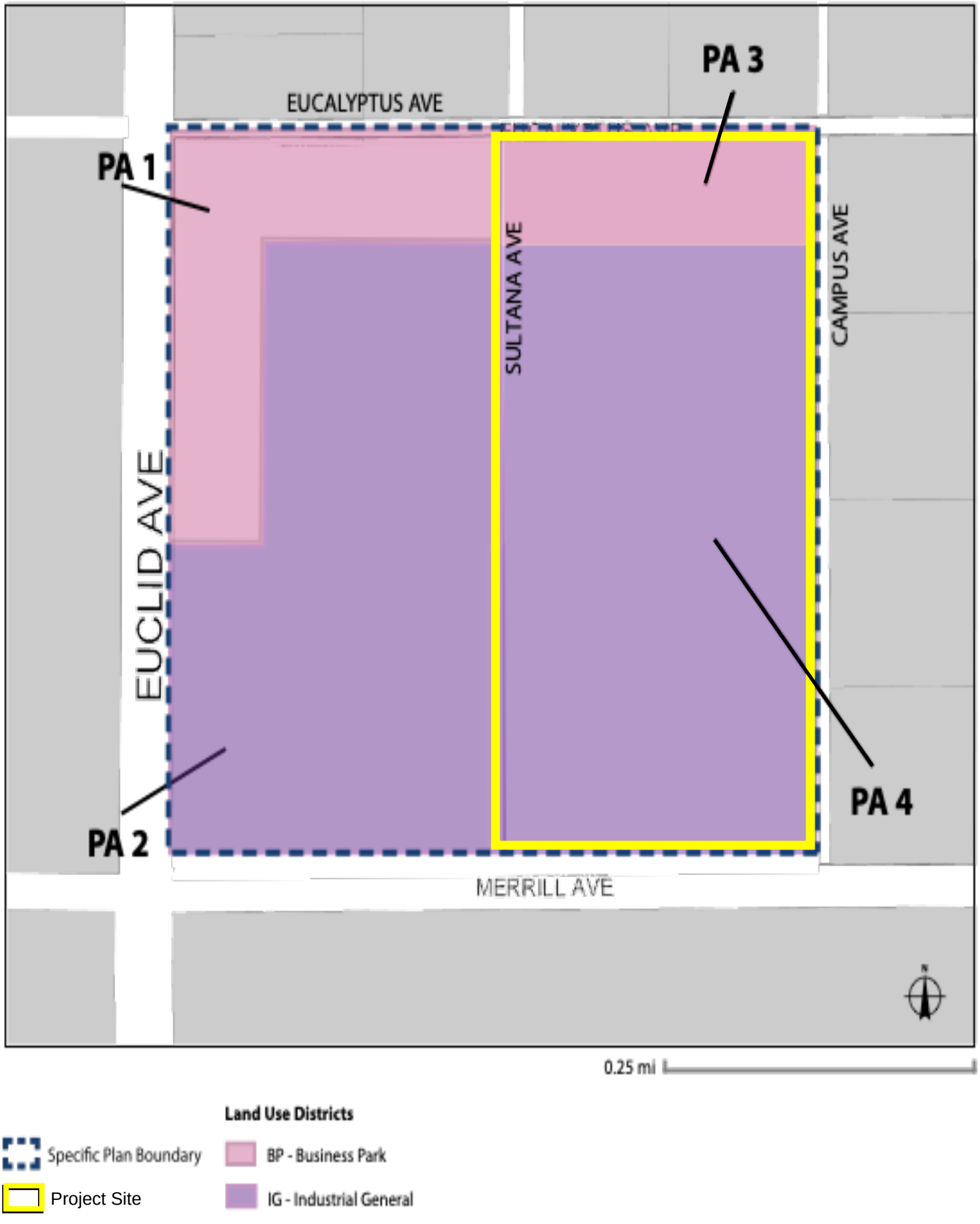


FIGURE 3-7: Airport Influence Areas

Ontario Ranch Business Park Specific Plan Amendment

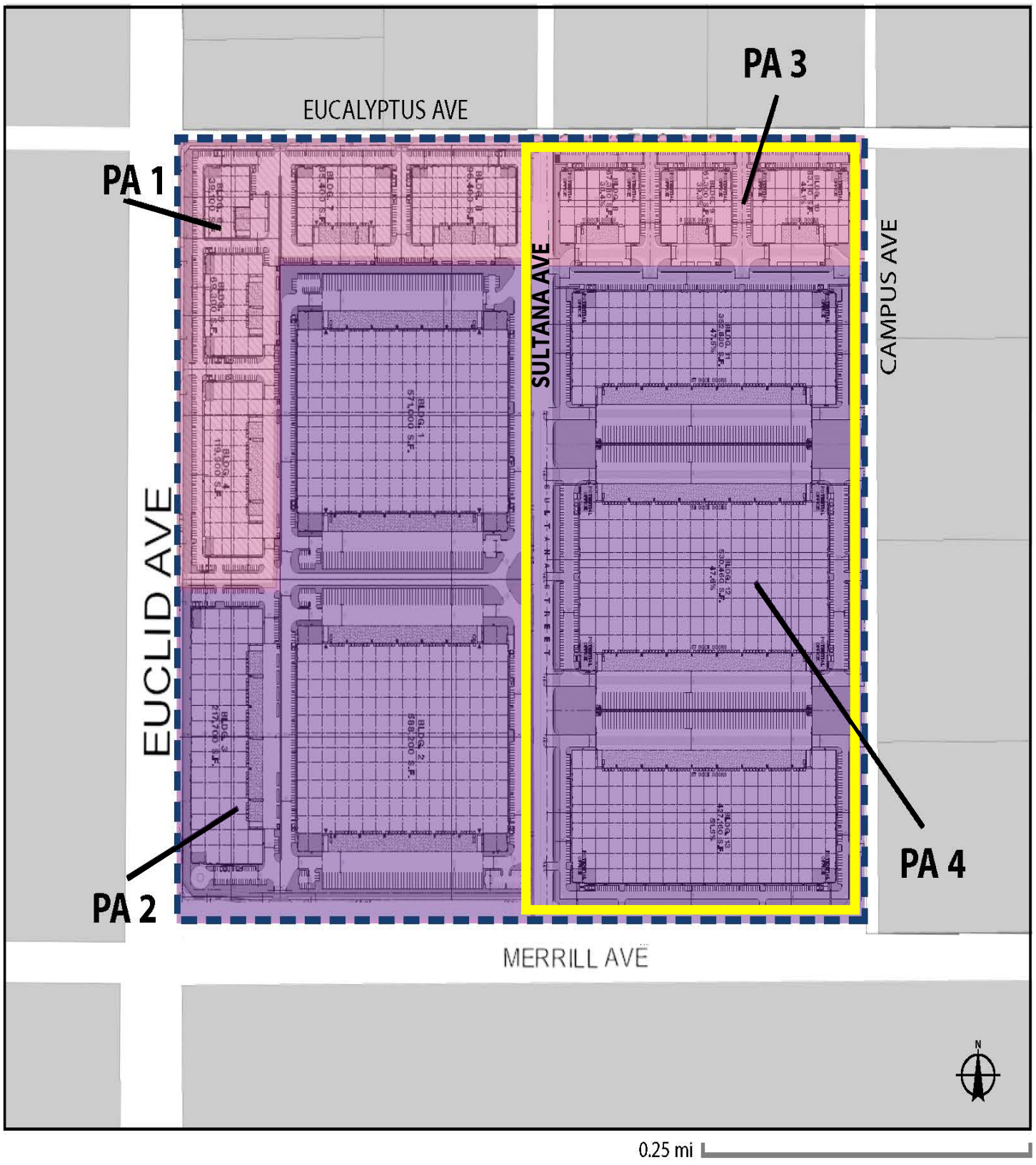
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Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.1 Land Use Plan

FIGURE 3-8: Proposed Planning Areas 3 and 4
Ontario Ranch Business Park Specific Plan Amendment

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Land Use Districts

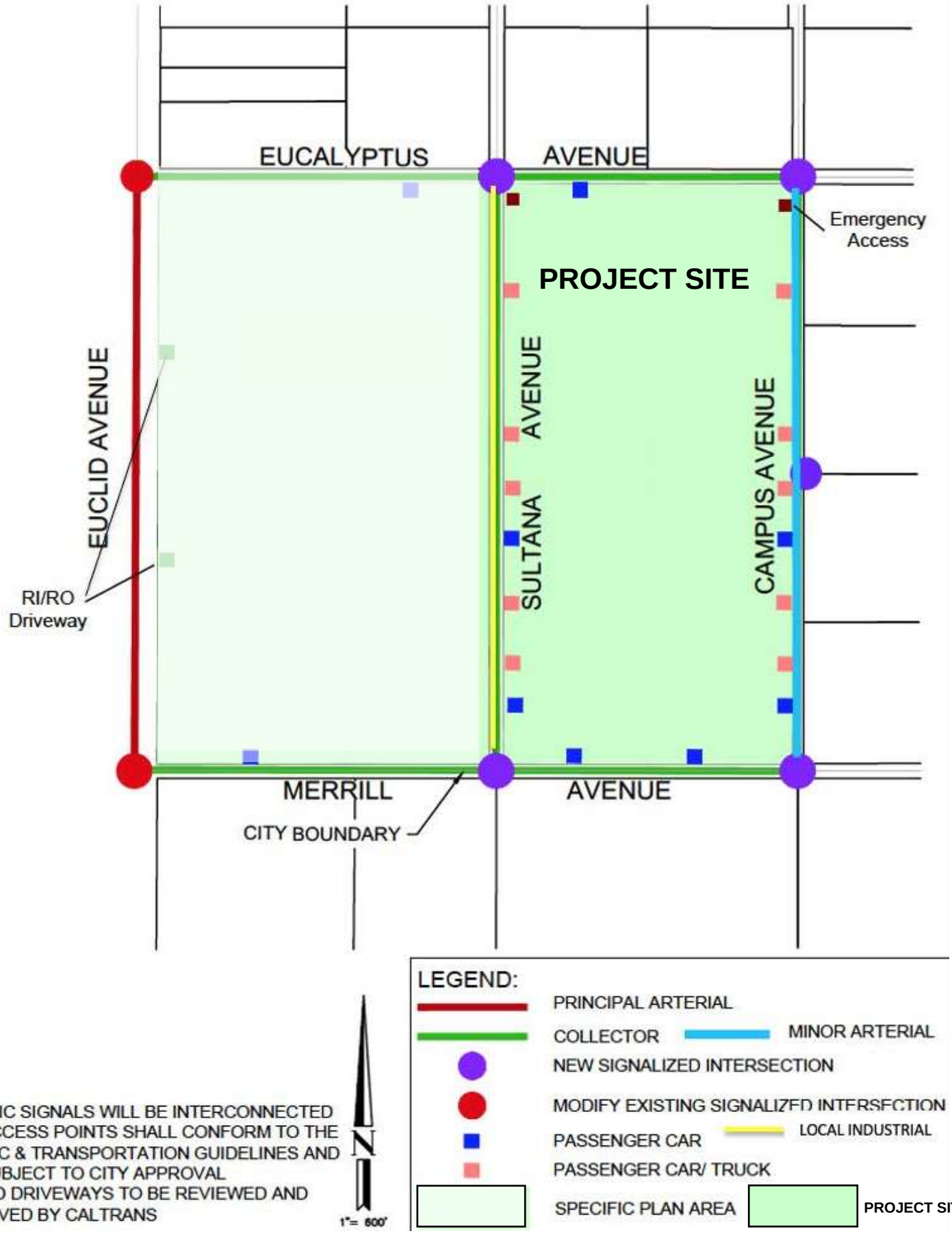
- Approved Specific Plan
- Project Site
- BP - Business Park
- IG - Industrial General

Source: Ontario Ranch Business Park Specific Plan Amendment Project Description

\\rivfp01\CA_RIV1\RIV_GIS\195242002 - Ontario Ranch Business Park\NOP 03 Conceptual Site Plan.mxd

FIGURE 3-9: Conceptual Site Plan
Ontario Ranch Business Park Specific Plan Amendment

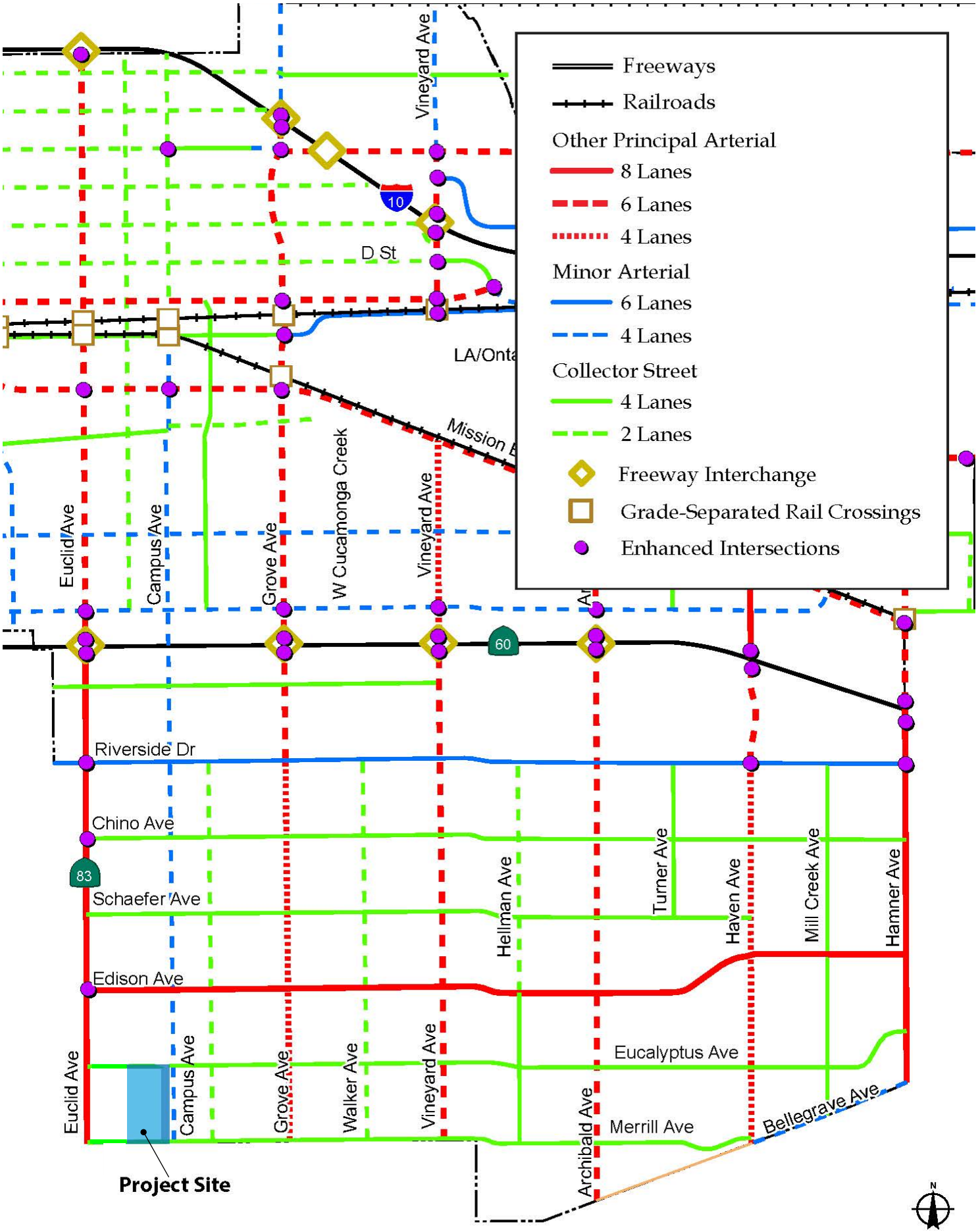
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Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.3 Street Plan

FIGURE 3-10: Street Plan
Ontario Ranch Business Park Specific Plan Amendment

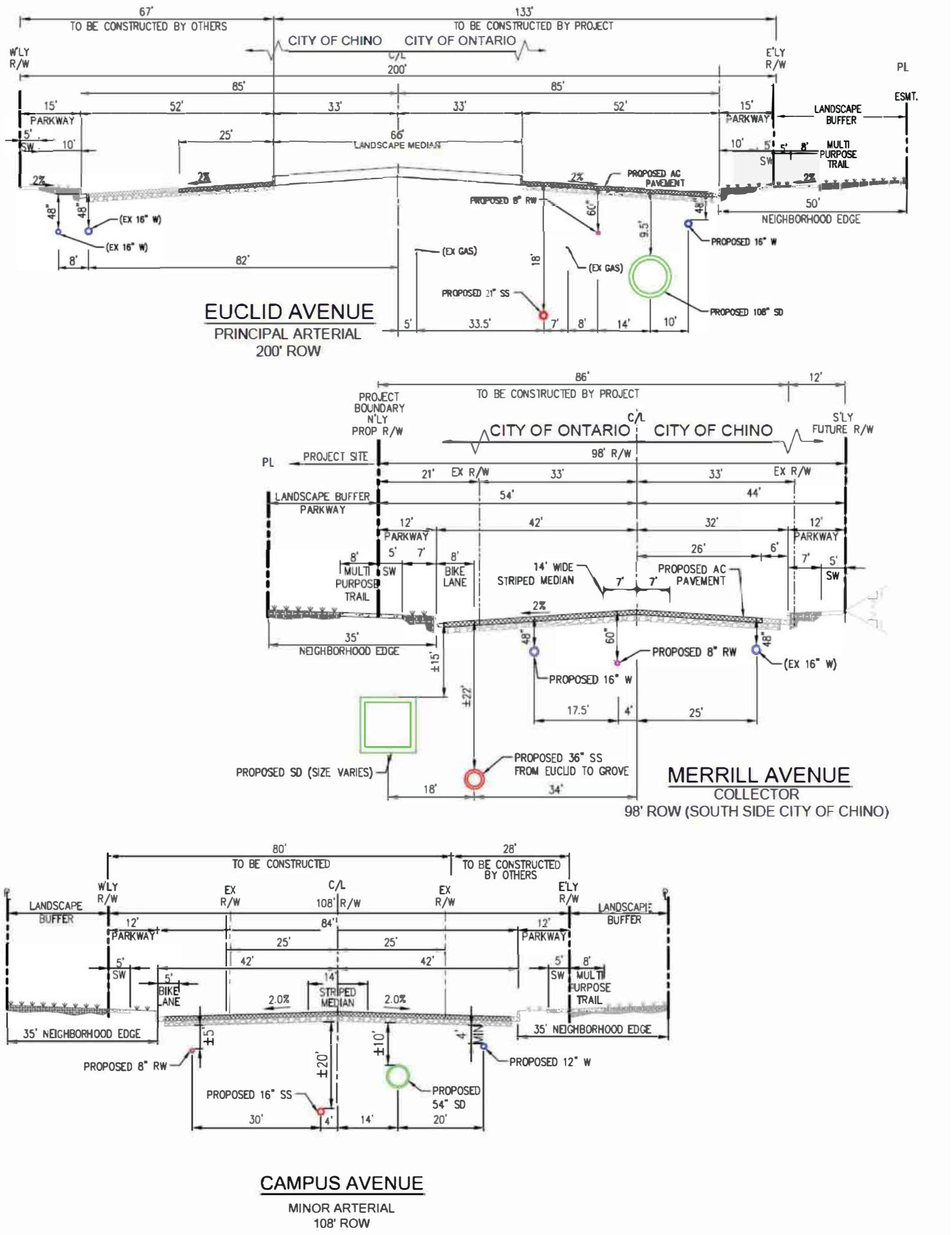
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Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.4 City of Ontario Road Classification System

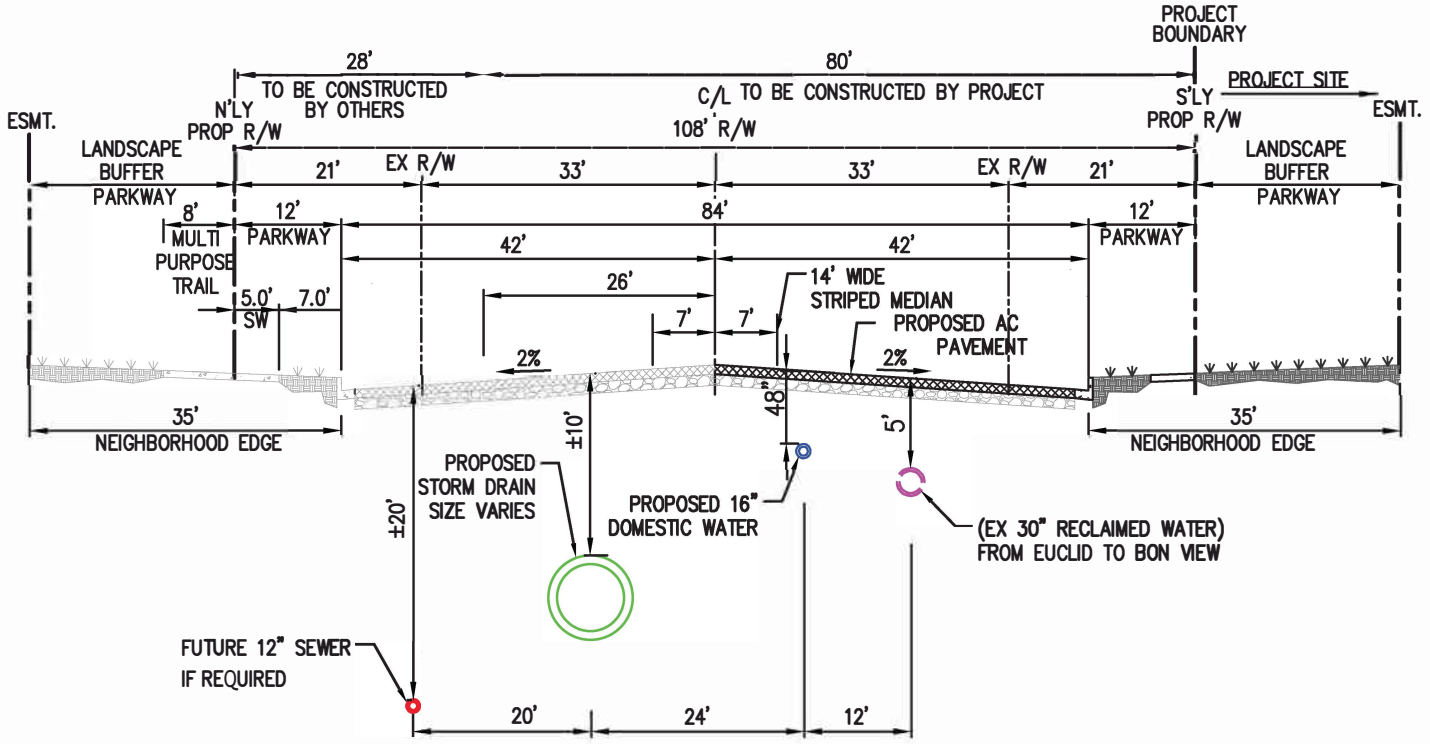
FIGURE 3-11: City of Ontario Road Classification System
Ontario Ranch Business Park Specific Plan Amendment

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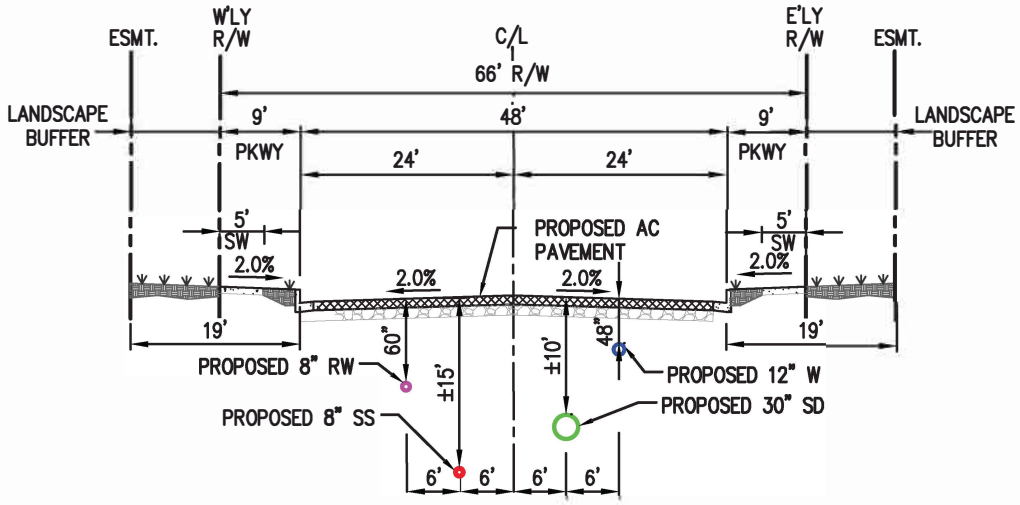
Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.5 Street Cross Sections

FIGURE 3-12a: Street Cross Sections
Ontario Ranch Business Park Specific Plan Amendment



EUCALYPTUS AVENUE

COLLECTOR
108' ROW

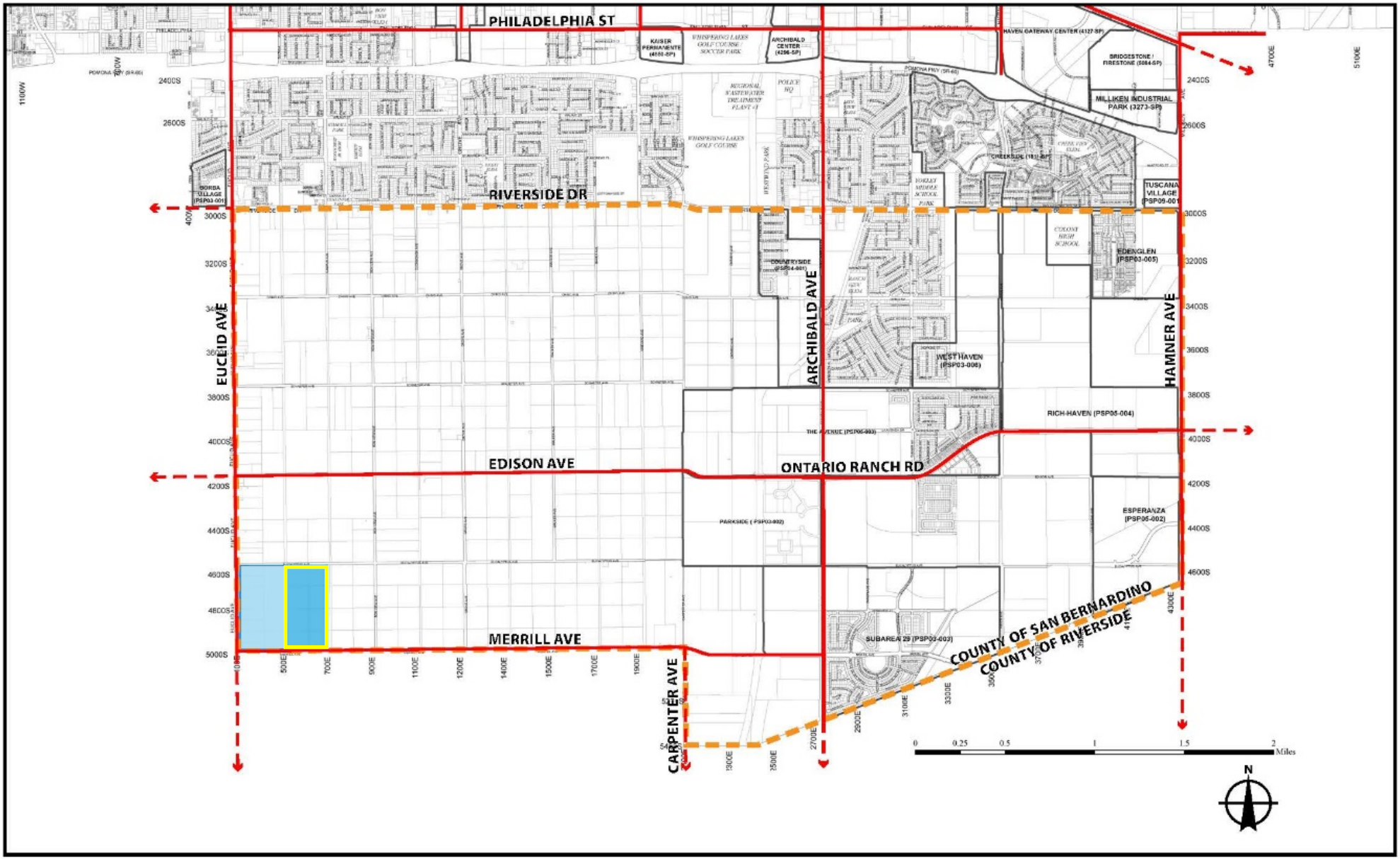


SULTANA AVENUE

COLLECTOR
66' ROW

Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.5 Street Cross Sections

FIGURE 3-12b: Street Cross Sections
Ontario Ranch Business Park Specific Plan Amendment



Project Site

Specific Plan Area

Ontario Ranch

Truck Routes

City of Ontario Truck Routes

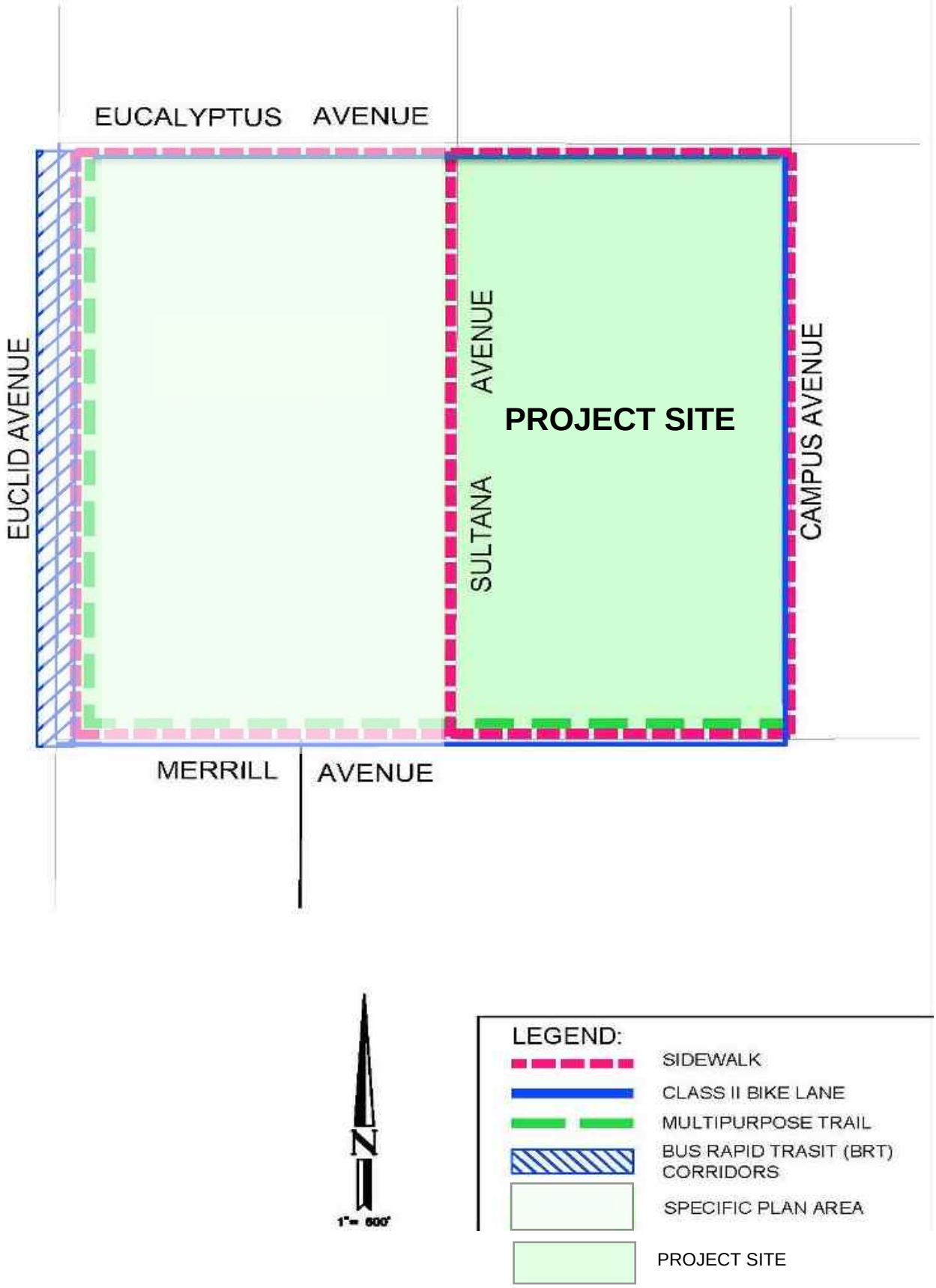
Adjacent Agency Truck Routes

Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.6 Truck Routes

FIGURE 3-13: Truck Routes

Ontario Ranch Business Park Specific Plan Amendment

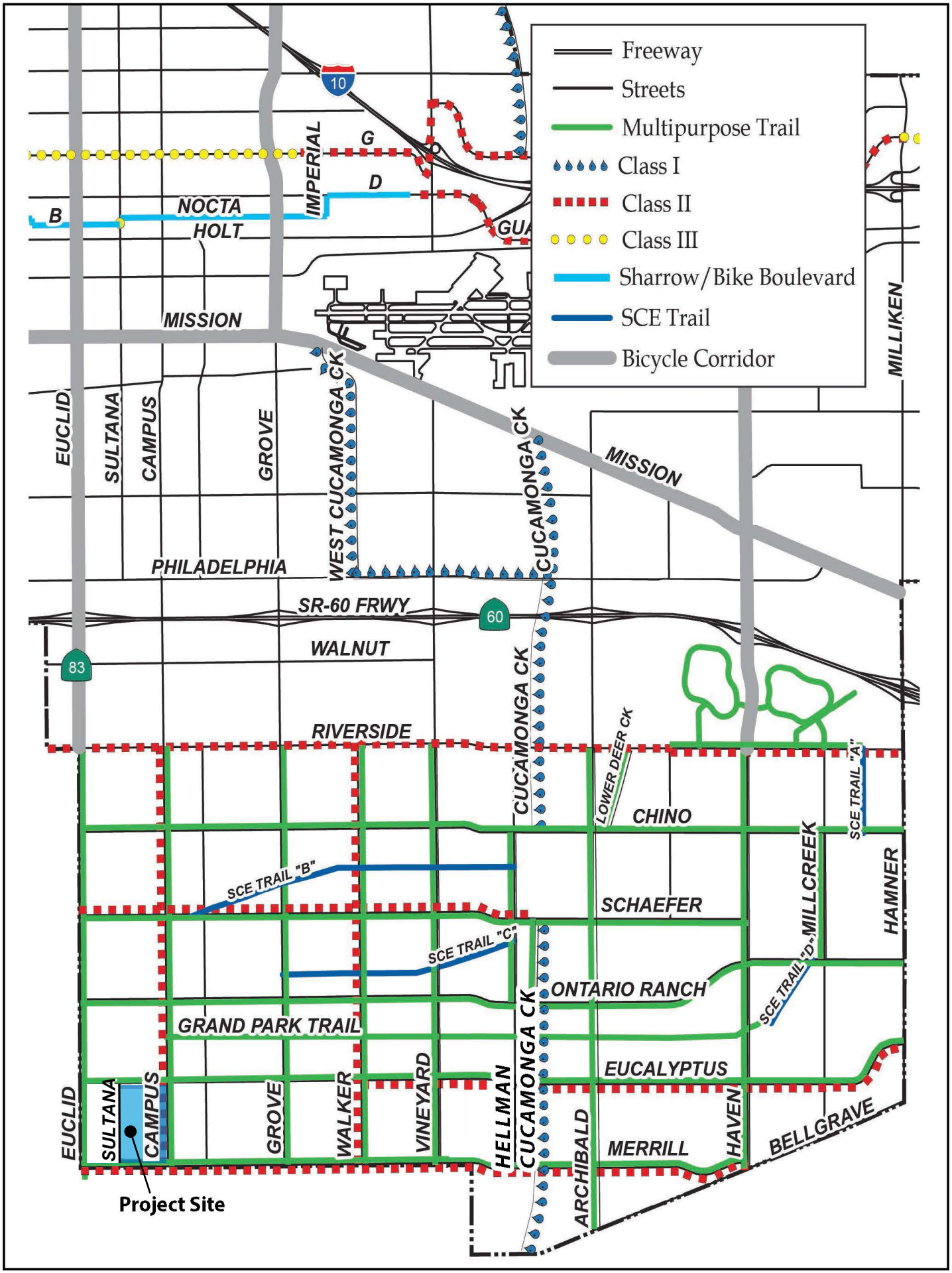
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Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.7 Bicycle and Pedestrian Plan

FIGURE 3-14: Bicycle and Pedestrian Plan
Ontario Ranch Business Park Specific Plan Amendment

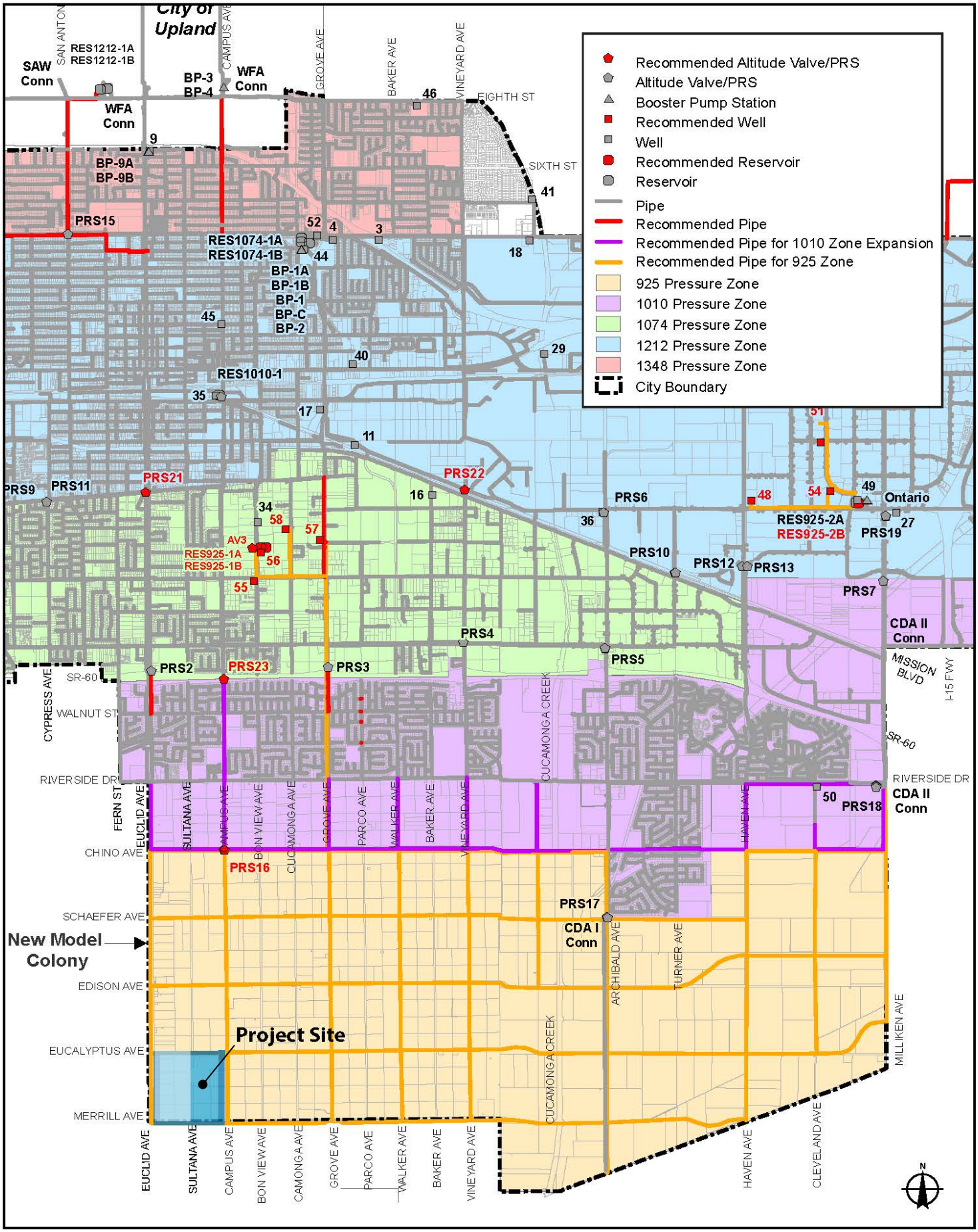
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Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.8 City of Ontario Trail and Bikeways Plan

FIGURE 3-15: City of Ontario Trail and Bikeways Plan
Ontario Ranch Business Park Specific Plan Amendment

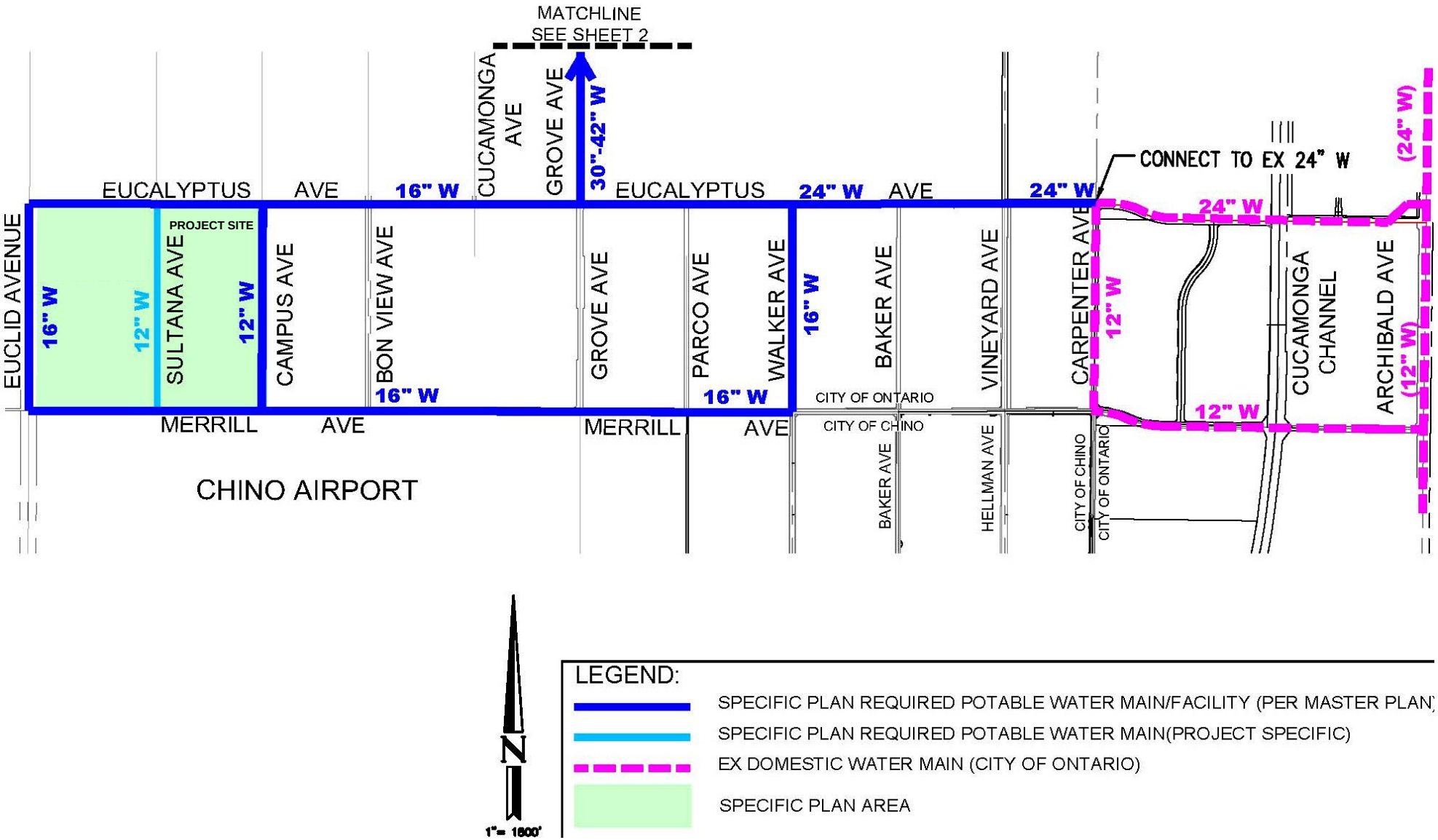
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Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.10, City of Ontario Ultimate Water System

FIGURE 3-16: City of Ontario Ultimate Water System
Ontario Ranch Business Park Specific Plan Amendment

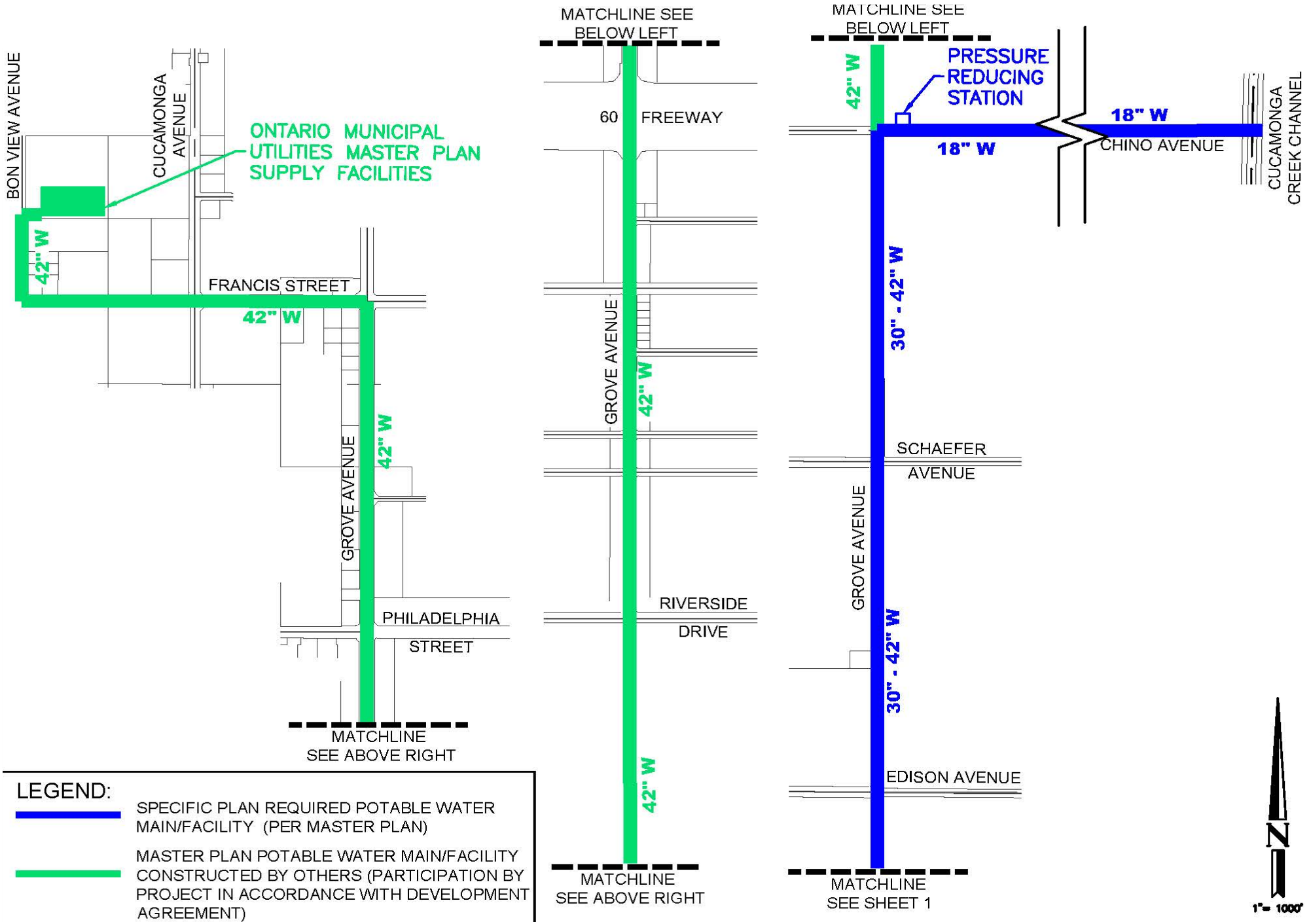
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Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.9 Potable Water Plan

FIGURE 3-17a: Potable Water Plan
Ontario Ranch Business Park Specific Plan Amendment

Not to scale

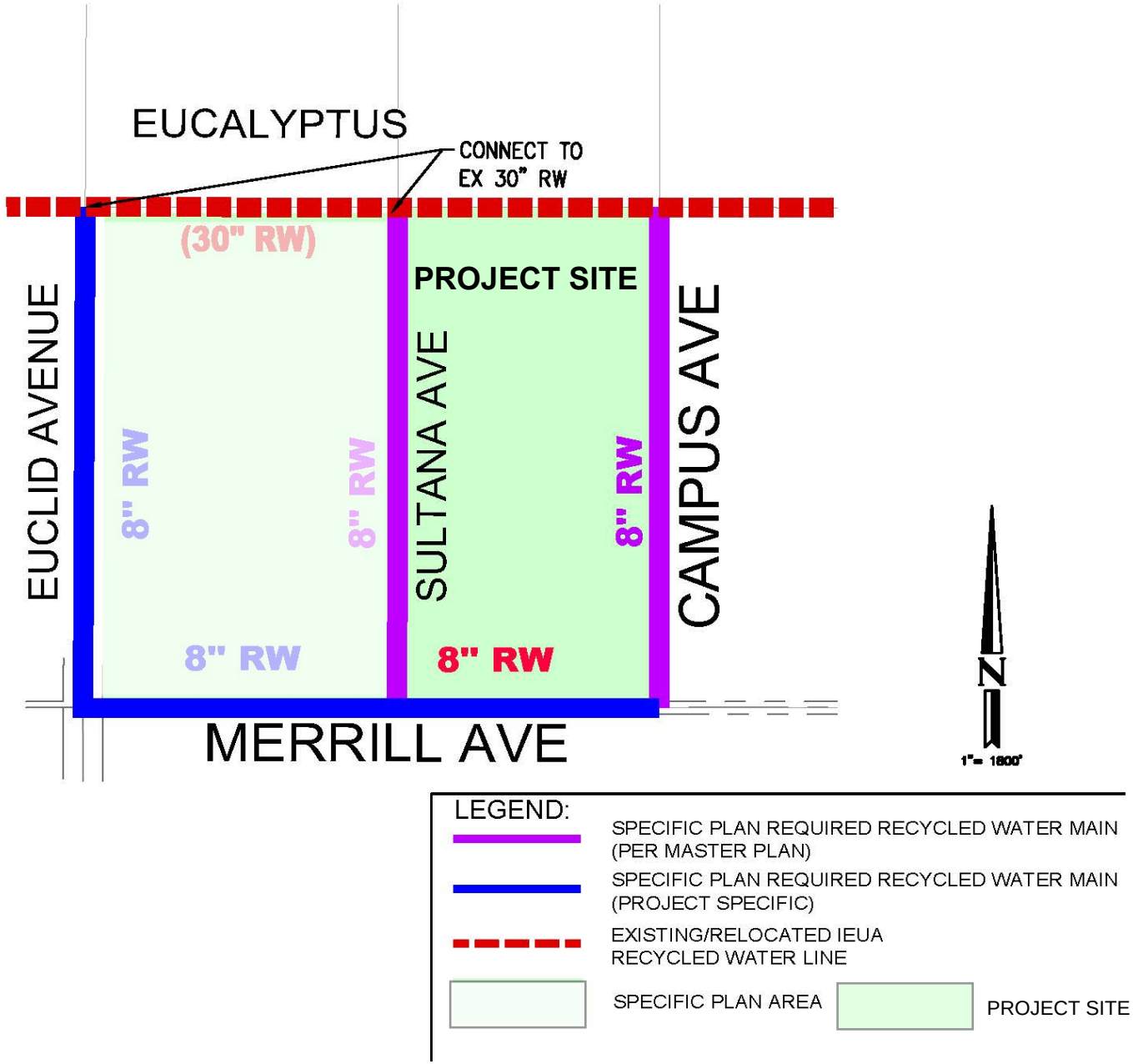


Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.9 Water Plan Continued

FIGURE 3-17b: Potable Water Plan

Ontario Ranch Business Park Specific Plan Amendment

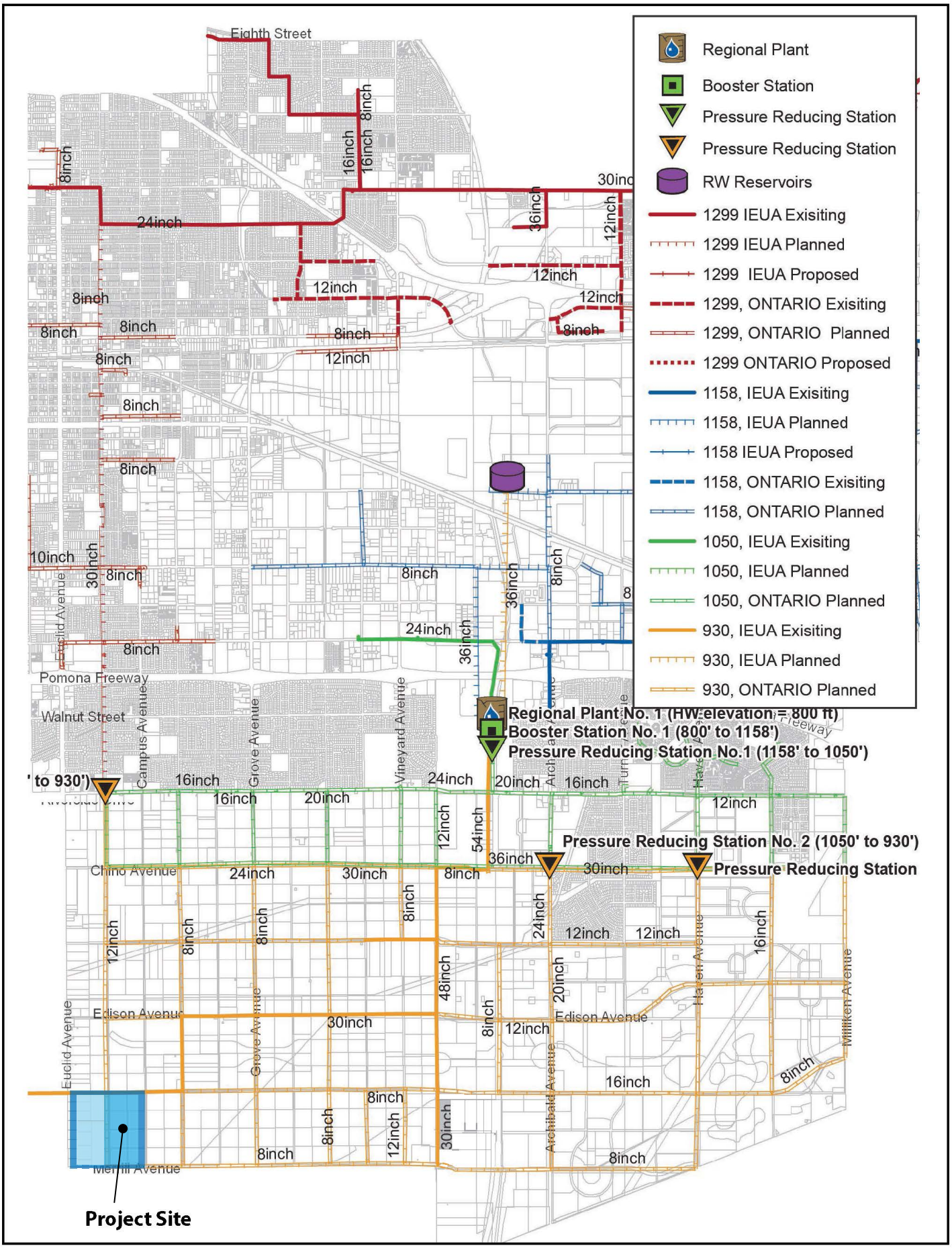
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Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.11, Recycled Water Plan

FIGURE 3-18: Recycled Water Plan
Ontario Ranch Business Park Specific Plan Amendment

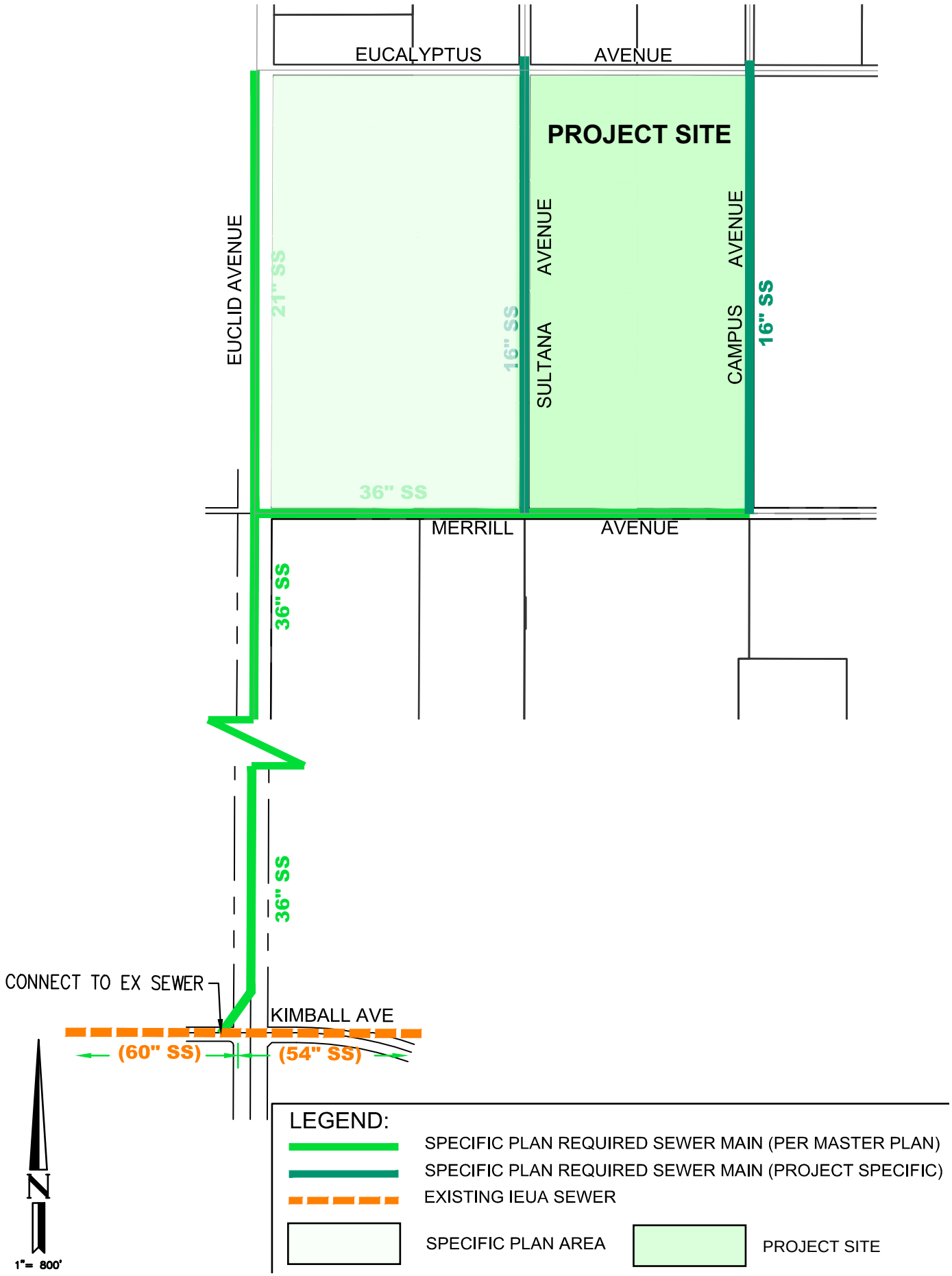
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Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.12, City of Ontario Future Recyled Water System

FIGURE 3-19: City of Ontario Future Recycled Water System
Ontario Ranch Business Park Specific Plan Amendment

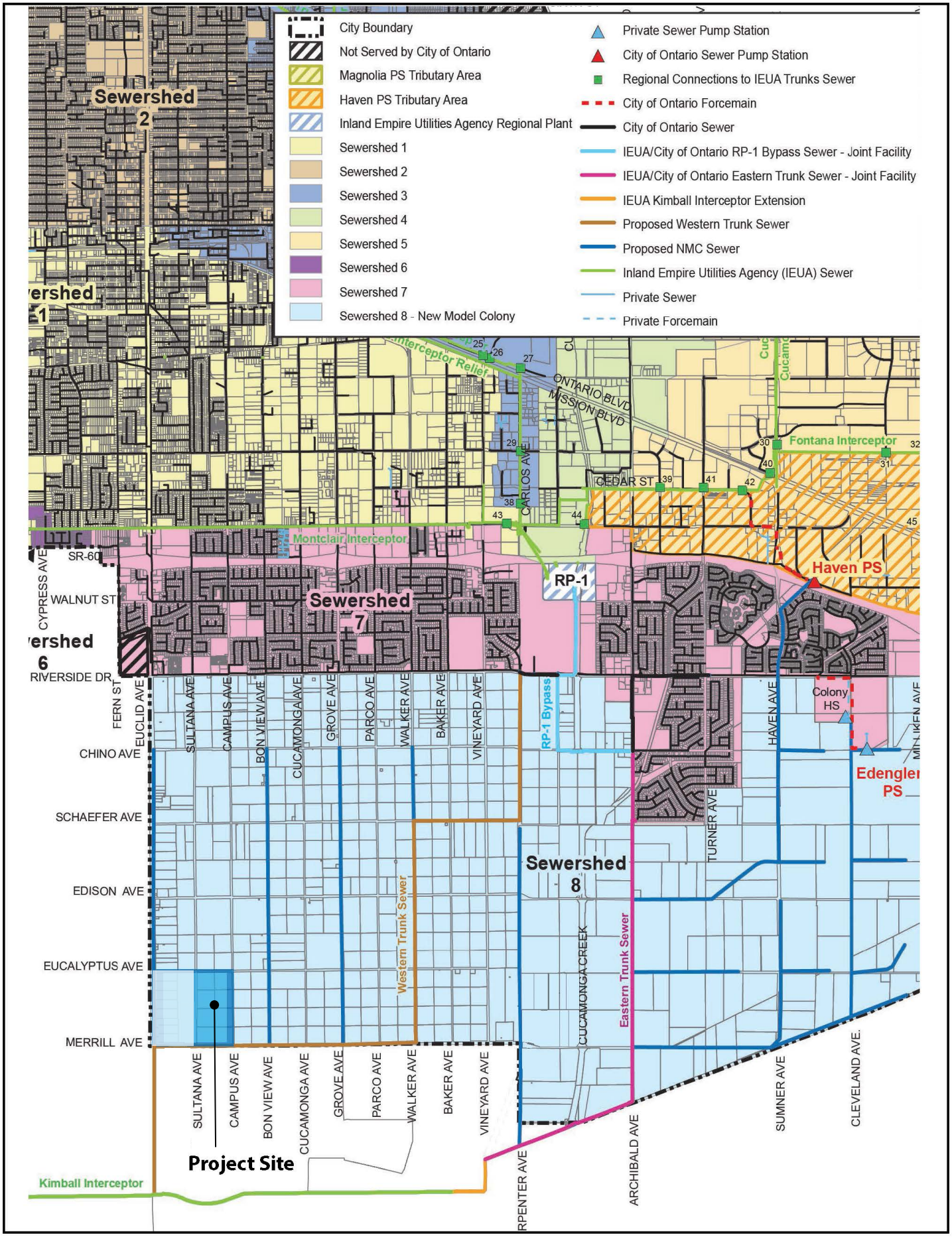
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Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.13, Sewer Plan

FIGURE 3-20: Sewer Plan
Ontario Ranch Business Park Specific Plan Amendment

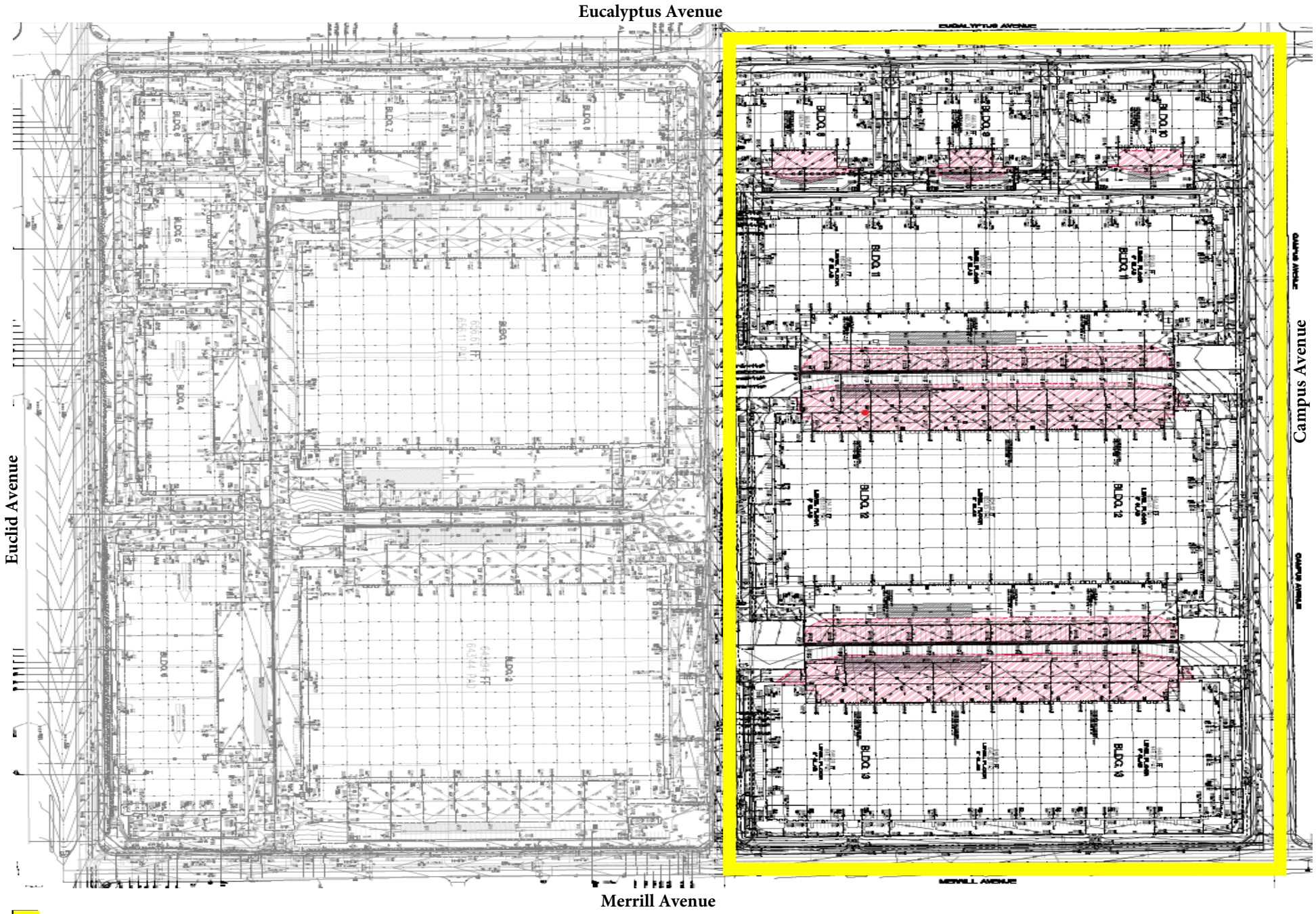
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Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.14, City of Ontario Ultimate Sewer System

FIGURE 3-21: City of Ontario Ultimate Sewer System
Ontario Ranch Business Park Specific Plan Amendment

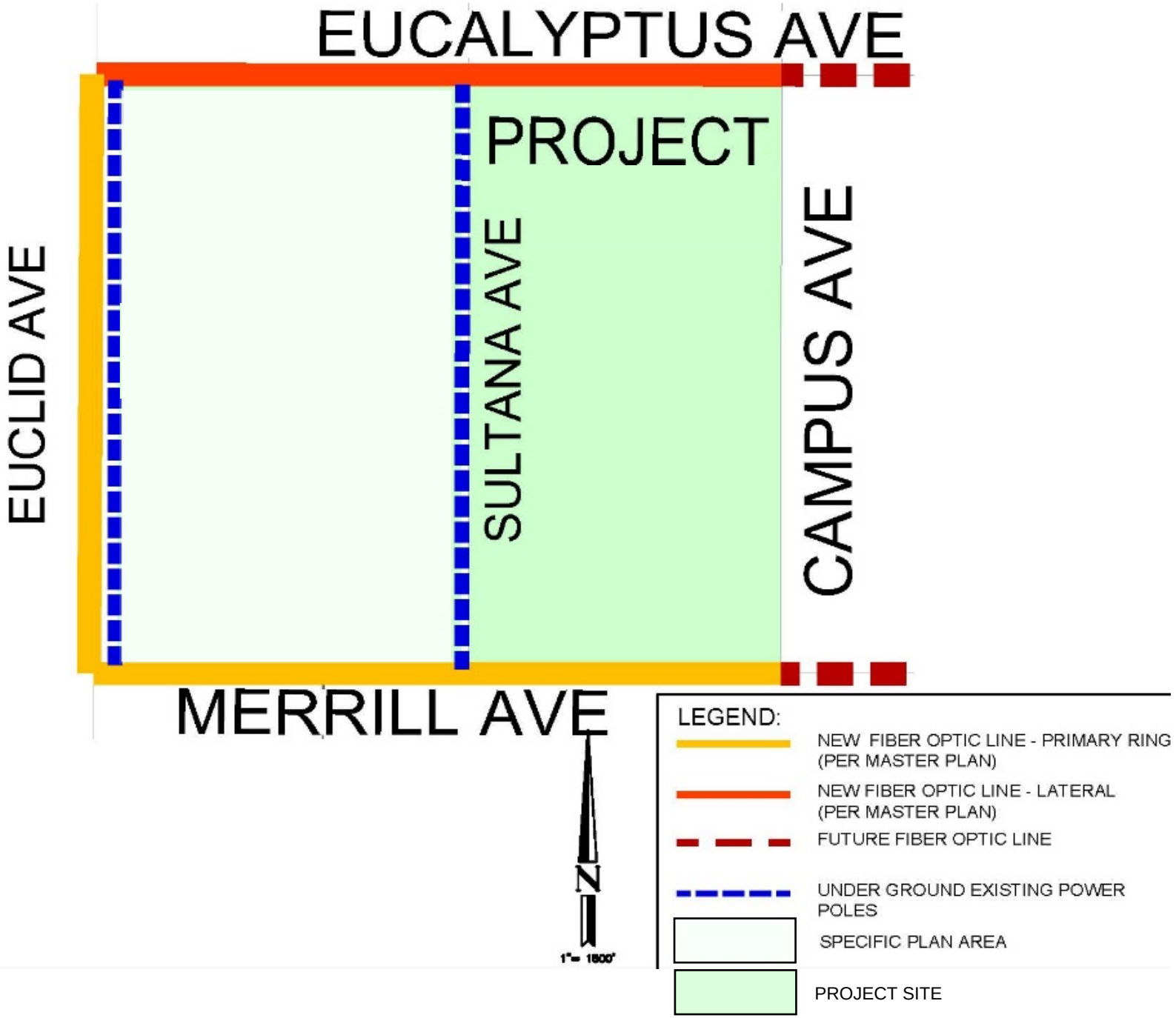
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Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.15, Conceptual Grading Plan

FIGURE 3-22: Conceptual Grading Plan
Ontario Ranch Business Park Specific Plan Amendment

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Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.16 Fiber Optic Plan

FIGURE 3-23: Fiber Optic Plan
Ontario Ranch Business Park Specific Plan Amendment

Not to scale

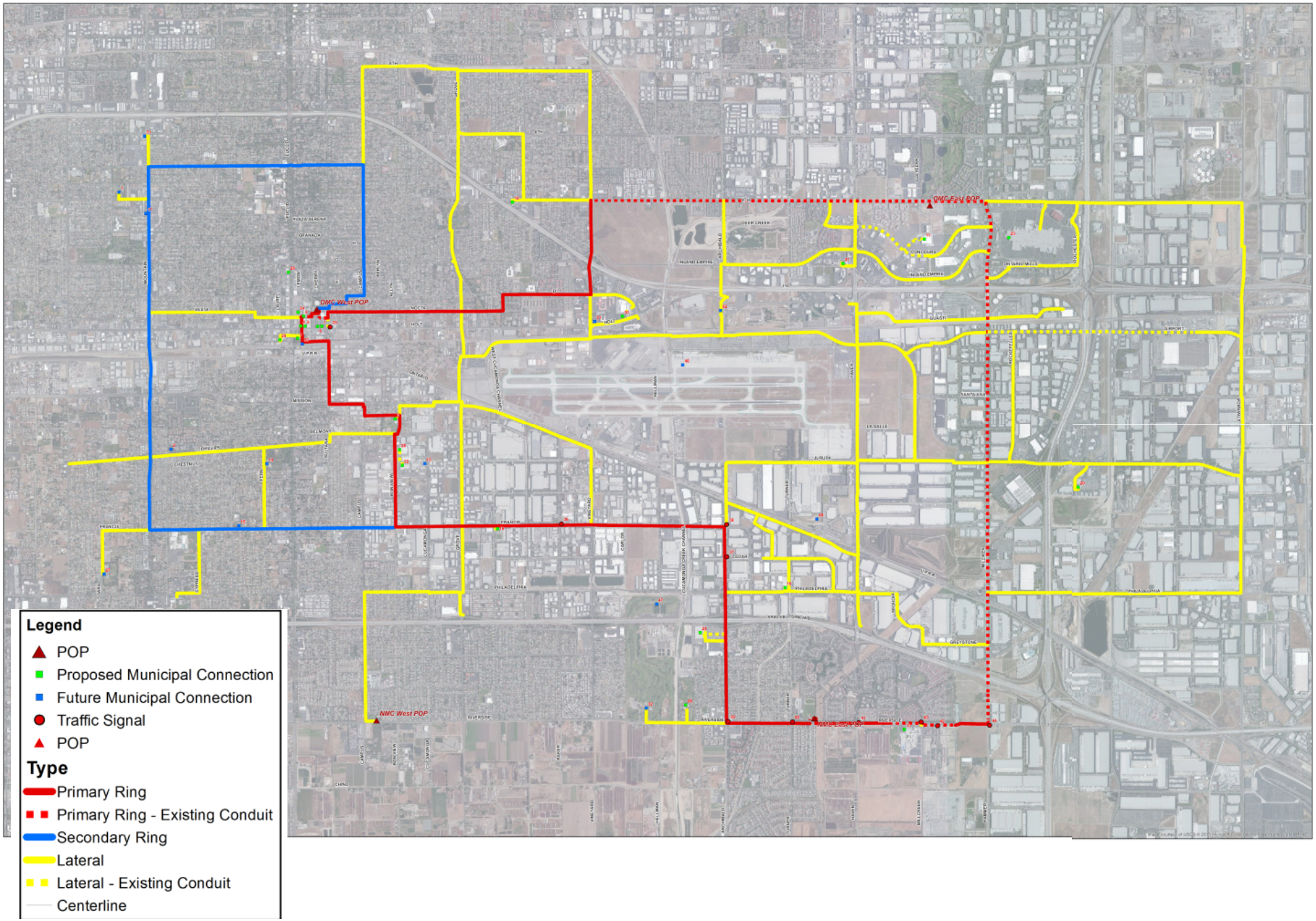
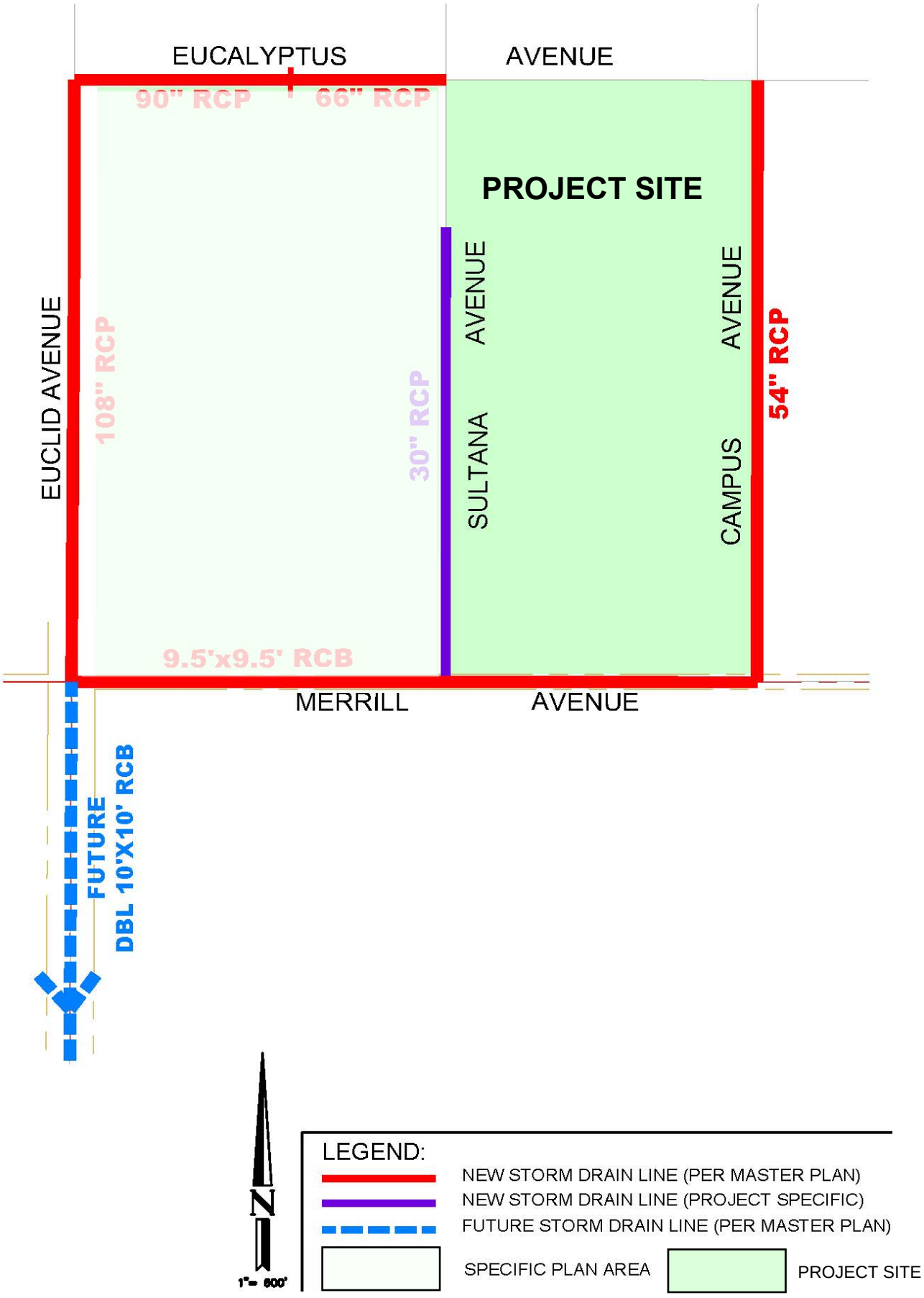


FIGURE 3-24: City of Ontario Fiber Optic Master Plan
Ontario Ranch Business Park Specific Plan Amendment

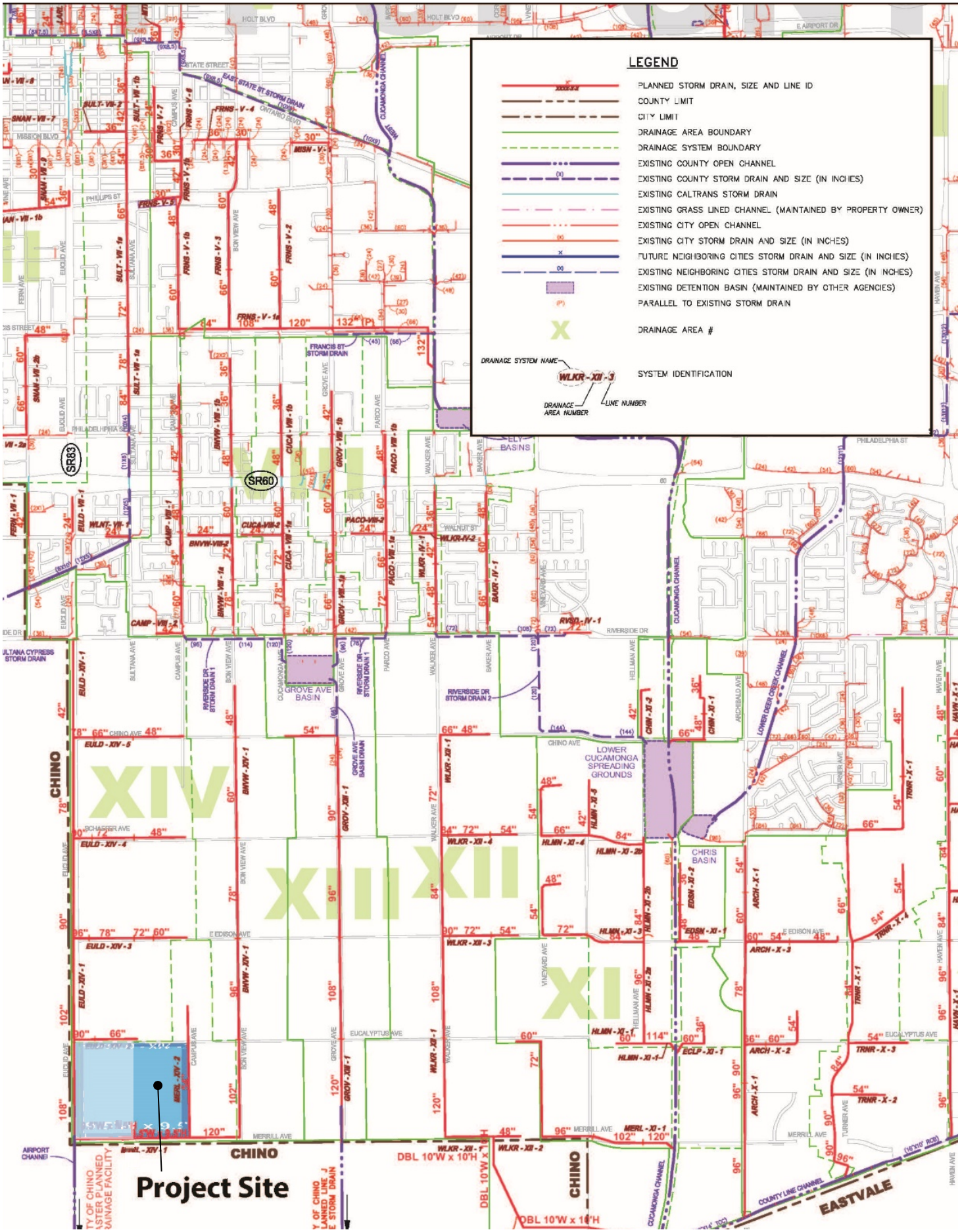
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Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.17 Storm Drain Plan

FIGURE 3-25: Storm Drain Plan
Ontario Ranch Business Park Specific Plan Amendment

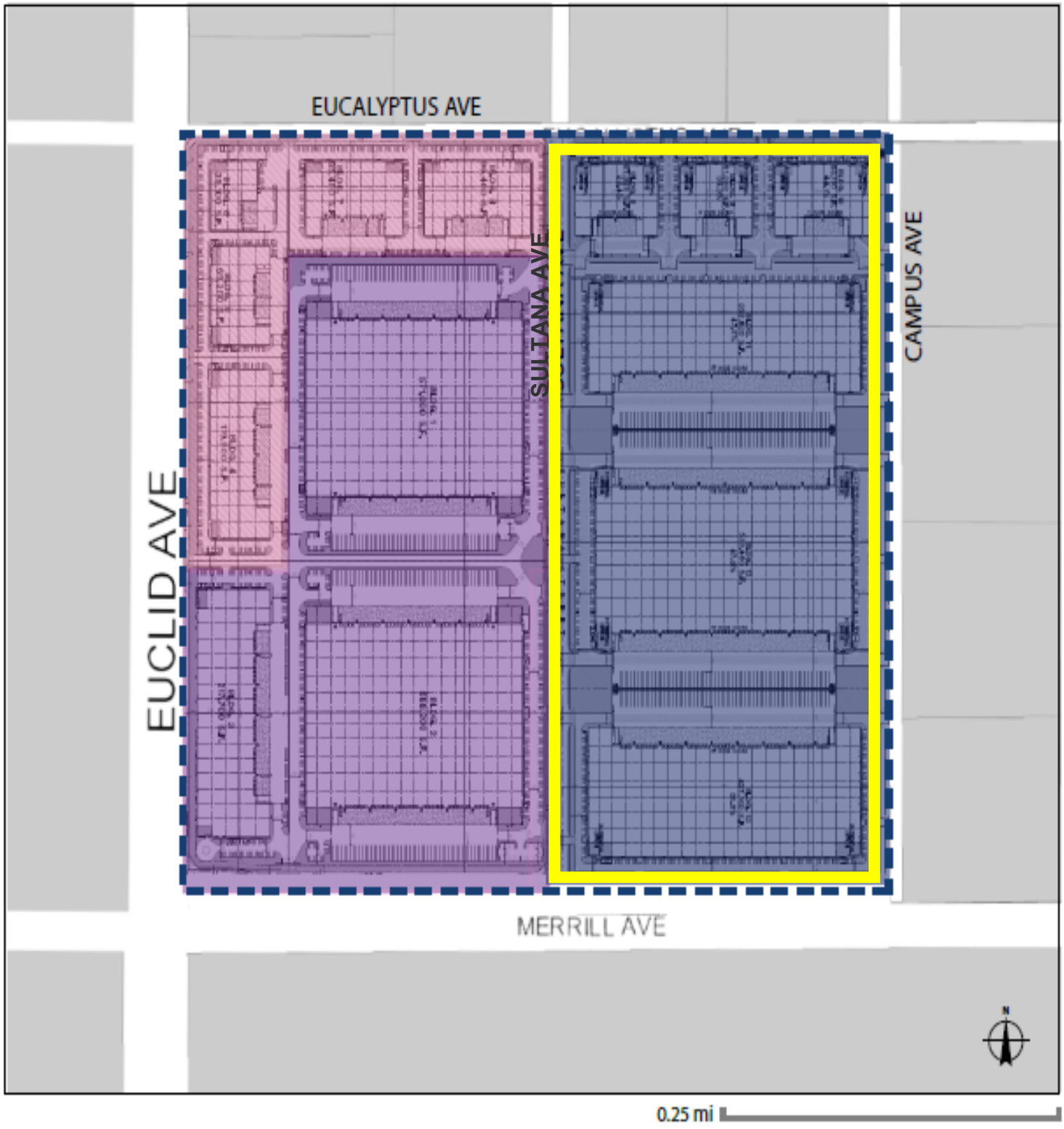
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Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.18 City of Ontario Planned Drainage Facilities

FIGURE 3-26: City of Ontario Planned Drainage Facilities
Ontario Ranch Business Park Specific Plan Amendment

Not to scale



Source: Ontario Ranch Business Park Specific Plan (2021), Figure 3.19 Conceptual Phasing Plan

FIGURE 3-27: Conceptual Phasing Plan
Ontario Ranch Business Park Specific Plan Amendment

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4.0 ENVIRONMENTAL IMPACT ANALYSIS

Section 4.0, Environmental Impact Analysis, examines the environmental setting of the Ontario Ranch Business Park Specific Plan Amendment Project (Project), analyzes the Project's effects and the significance of its impacts, and recommends mitigations measures to reduce or avoid impacts. This section contains separate sections for each environmental issue area that was determined to need further study in this Draft Subsequent Environmental Impact Report (EIR). This scope was determined through the Notice of Preparation (NOP), which was published July 1, 2021 (see *Appendix A*), and through public and agency comments received during the NOP comment period from July 1, 2021 to August 6, 2021 (see *Appendix A*). Additionally, a scoping meeting was held on July 21, 2021. Environmental issues and their corresponding sections are:

- *Section 4.1, Agriculture and Forestry Resources*
- *Section 4.2, Air Quality*
- *Section 4.3, Biological Resources*
- *Section 4.4, Cultural Resources*
- *Section 4.5, Energy*
- *Section 4.6, Geology and Soils*
- *Section 4.7, Greenhouse Gas Emissions*
- *Section 4.8, Hazards and Hazardous Materials*
- *Section 4.9, Hydrology and Water Quality*
- *Section 4.10, Land Use and Planning*
- *Section 4.11, Noise*
- *Section 4.12, Population and Housing*
- *Section 4.13, Public Services*
- *Section 4.14, Transportation and Traffic*
- *Section 4.15, Tribal Cultural Resources*
- *Section 4.16, Utilities and Service Systems*

Sections 4.1 through *Section 4.16* provide a detailed discussion of the environmental setting, effects associated with the Project, and mitigation measures designed to reduce significant impacts where required and when feasible. The residual impacts following the implementation of any mitigation measure are also discussed.

During preliminary environmental analysis it was also determined that certain issues under an environmental topic would not be significantly affected by implementation of the Project. These issues are discussed in *Section 7.0, Effects Found Not to be Significant*.

Organization of Environmental Analysis

Each potentially significant environmental issue area is addressed in a separate EIR Section (*Section 4.1* through *4.16*) and is organized into the following subsections:

1. Environmental Setting
2. Regulatory Setting
3. Thresholds of Significance
4. Plans, Programs, and Policies
5. Project Impacts and Mitigation
6. Cumulative Impacts
7. Level of Significance Before Mitigation
8. Mitigation Measures
9. Level of Significance After Mitigation
10. References

In addition, *Section 1.0, Executive Summary*, has *Table 1-2, Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation,* that summarizes all impacts by environmental resource.

Terminology Used in this Draft Subsequent EIR

The threshold of significance is identified for each impact in this Draft Subsequent EIR. Although the criteria for determining significance are different for each topic area, the environmental analysis applies a uniform classification of the impacts based on definitions consistent with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.

- **No Impact.** The project would not change the environment.
- **Less than significant impact.** The project would not cause any substantial, adverse change in the environment.
- **Less than significant with mitigation incorporated.** The EIR includes mitigation measures that avoid substantial adverse impacts on the environment.
- **Significant and unavoidable.** The project would cause a substantial adverse effect on the environment, and no feasible mitigation measures are available to reduce the impact to a less than significant level.

4.0.1 Assumptions Regarding Cumulative Impacts

State CEQA Guidelines Section 15130 states that cumulative impacts shall be discussed where they are significant. It further states that this discussion shall reflect the level and severity of the impact and the likelihood of occurrence, but not in as great a level of detail as that necessary for the project alone. State CEQA Guidelines Section 15355 defines cumulative impacts as "...two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." Cumulative impacts represent the change caused by the incremental impact of a project when added to other proposed or committed projects in the vicinity.

The State CEQA Guidelines Section 15130(b)(1) states that the information utilized in an analysis of cumulative impacts should come from one of two sources:

A. A list of past, present and probable future projects producing related cumulative impacts, including, if necessary, those projects outside the control of the agency.

B. A summary of projections contained in an adopted local, regional, or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect.

The cumulative impact analysis in this Draft Subsequent EIR uses a hybrid approach of both Method A and Method B. Method A uses a quantitative analysis approach, using background growth assumption and references to adopted regional growth plans. Method B uses the City's The Ontario Plan (TOP), its comprehensive General Plan and Land Use Element, which was adopted by the Ontario City Council on January 27, 2010. Cumulative impact analyses will use the projections in the TOP and other long-range planning documents–such as Ontario's 2020 Urban Water Management Plan for water supply and the Southern California Association of Government's (SCAG) 2020–2045 Regional Transportation

Plan/Sustainable Communities Strategy (RTP/SCS) for land use and planning. A list of cumulative projects surrounding the Project area and their land use summary can be found in the Traffic Analysis Study (*Appendix I*). These projects are further described below in *Table 4-1, Related Projects*.

Cumulative impact analyses for several topical sections are also based on the most appropriate geographic boundary for the respective impact. For example, cumulative hydrological impacts are based on the area's watershed (Santa Ana River Watershed), and wastewater impacts are based on the Inland Empire Utilities Agency (IEUA) service boundary, which includes other jurisdictions besides the City of Ontario. The approach is further discussed below and in each respective topical section. Several potential cumulative impacts that encompass regional boundaries (e.g., air quality, greenhouse gases [GHG], traffic) have been addressed in the context of various regional plans and their significance thresholds. The following is a summary of the approach and extent of cumulative impacts, which is further detailed in each topical environmental section.

- **Agriculture and Forestry Resources.** Agriculture and forestry resources impacts are assessed relative to federal, State, and local agricultural and forestry resource regulations.
- **Air Quality.** Air quality impacts are based on the regional boundaries of the South Coast Air Basin.
- **Biological Resources.** Regional evaluation considering regional habitat loss, protected species, and wildlife corridors, based primarily upon the San Bernardino Valley area.
- **Cultural Resources.** Cultural resources impacts are site specific and generally do not combine to result in cumulative impacts. The cumulative analysis of historical and archaeological resources includes the Project site and immediately surrounding area.
- **Geology and Soils.** Geologic and soils impacts are site specific and generally do not combine to result in cumulative impacts.
- **Greenhouse Gas (GHG) Emissions.** Potential GHG impacts are not bounded by geography but affect global climate change. The assessment of cumulative GHG impacts, therefore, is based on consistency with regional plans and per-capita GHG reduction thresholds to achieve targeted reductions.
- **Hazards and Hazardous Materials.** Cumulative analysis highlights the regulatory requirements related to both airport hazards and wildfire hazards. Project impacts, however, are site specific, and generally would not combine with impacts of other projects to result in cumulatively considerable impacts.
- **Hydrology and Water Quality.** Cumulative hydrological impacts are based on the Santa Ana River Watershed, and water quality impacts are based on potential cumulative impacts on the Chino Groundwater Basin (Chino Basin).
- **Land Use and Planning.** Cumulative analysis is based on applicable jurisdictional boundaries and related plans, including the TOP, Ontario International Airport Land Use Compatibility Plan, and regional land use planning based on SCAG's 2020-2045 RTP/SCS.
- **Noise.** Cumulative stationary noise and traffic noise is assessed relative to applicable City General Plan noise-level standards. The study area is aligned with the traffic study area.

- **Population and Housing.** Cumulative impacts are assessed relative to Citywide jobs-housing balances, applicable city general plan (including housing element), regional plans (RTP/SCS), and population/housing projections.
- **Public Services.** Cumulative impacts are based on potential related development within the applicable service provider boundaries (Ontario Fire Department and Police Department) and assessed relative to applicable plans and projections.
- **Transportation.** The Traffic Analysis considers both Project-specific impacts and the Project's cumulative contribution to traffic in the Project vicinity. To assess cumulative traffic conditions, existing traffic is combined with Project trips, regional ambient growth, and trips generated by the related projects specified in *Table 4-4, Cumulative Development Land Use Summary*, of the Traffic Analysis Study (*Appendix I* of this Draft Subsequent EIR). Future traffic forecasts also include the effects of related projects expected to be implemented in the vicinity of the Project site prior to the buildout date of the Project. A total of 63 related projects were identified in the study area and are listed in *Table 4-1, Related Approved and Pending Projects* and shown on *Figure 4-1, Related Projects*, below.
- **Tribal Cultural Resources.** Considers Native American territory that includes the Project site, as provided by the Native American Heritage Commission.
- **Utilities and Service Systems.** Water supply and distribution system impacts would be contiguous with IEUA service area. Wastewater conveyance and treatment would be contiguous with the IEUA service area. Cumulative impacts related to stormwater drainage would be contiguous with Upper Santa Ana River basin hydrologic units and the Santa Ana Regional Water Quality Control Board service area. Solid waste collection and disposal services would be contiguous with the City and natural gas and electricity services would be contiguous with the Southern California Gas Company and Southern California Edison service areas, respectively.

4.0.2 Related Projects

The list of related projects was prepared based on data received from the City of Ontario, City of Chino, City of Chino Hills, City of Eastvale, and City of Jurupa Valley. A total of 63 cumulative projects were identified in the study area for the traffic study, shown on *Table 4-1* and *Figure 4-1* below. These related projects are expected to be implemented in the vicinity of the Project site prior to the buildout date of the Project.

Table 4-1: Related Approved and Pending Projects

No.	Project/Location	Land Use[1]	Quantity Units[2]
City of Ontario			
O1	Parkside	SFDR	437 DU
		Multi-Family Attached (Apartments)	1,510 DU
		Shopping Center	115.000 TSF
O2	Subarea 29 & Amendment (40% complete)	SFDR	2,149 DU
		Shopping Center	87.000 TSF
O3	Colony Commerce West	High-Cube Warehouse	2213.360 TSF
		Manufacturing	737.786 TSF

No.	Project/Location	Land Use[1]	Quantity Units[2]
O4	West Ontario Commerce Center SP	High-Cube Warehouse	1976.535 TSF
		Manufacturing	658.845 TSF
		Business Park	115.760 TSF
O5	Colony Commerce East	High-Cube Warehouse	998.680 TSF
		Manufacturing	233.129 TSF
		Warehousing	699.387 TSF
O6	Merrill Commerce Center	High-Cube Fulfillment Warehouse	7014.000 TSF
		Business Park	1441.000 TSF
O7	Parente Home Ranch SP	SFDR	270 DU
		Condo/Townhouse	1,872 DU
		General Office	462.281 TSF
		Shopping Center	194.278 TSF
O8	Countryside	SFDR	819 DU
	Armstrong Ranch	SFDR	994 DU
O9	The Avenue	SFDR	2,020 DU
		Multi-Family Attached (Apartments)	586 DU
		Shopping Center	250.000 TSF
O10	Grand Park	SFDR	484 DU
		Multi-Family Attached (Apartments)	843 DU
O11	West Haven	SFDR	753 DU
		Shopping Center	87.000 TSF
O12	Haven Gateway	General Light Industrial	42.160 TSF
		High-Cube Warehouse	168.640 TSF
O13	Rich Haven	SFDR	2,732 DU
		Multi-Family Attached (Condo)	1,524 DU
		Shopping Center	317.400 TSF
O14	Esperanza	SFDR	914 DU
		Multi-Family Attached (Apartments)	496 DU
O15	Edenglen	SFDR	310 DU
		Multi-Family Attached (Condo)	274 DU
		Shopping Center	217.520 TSF
		Business Park	550.000 TSF
O16	PDEV10-008 - Dry Food Storage	Mini-Warehouse	17.000 TSF
O17	Tuscana Village	SFDR	176 DU
		Shopping Center	26.000 TSF
O18	Ontario Ranch Commerce Center	High-Cube Fulfillment Warehouse	1,447.123 TSF
		Business Park	457.904 TSF
O19	South Ontario Logistics Center	Business Park	1,075.235 TSF
		High-Cube Fulfillment Warehouse	2,819.282 TSF
		High-Cube Cold Storage Warehouse	563.857 TSF
		Warehouse	954,218 TSF
City of Chino			
C1	Bickmore Street Residential (TM 18858) (30% complete)	SFDR	185 DU
C2	TM17574 (80% complete)	Condo/Townhouse	108 DU
C3	Pines Community	SFDR	552 DU
		Public Park	3.0 AC

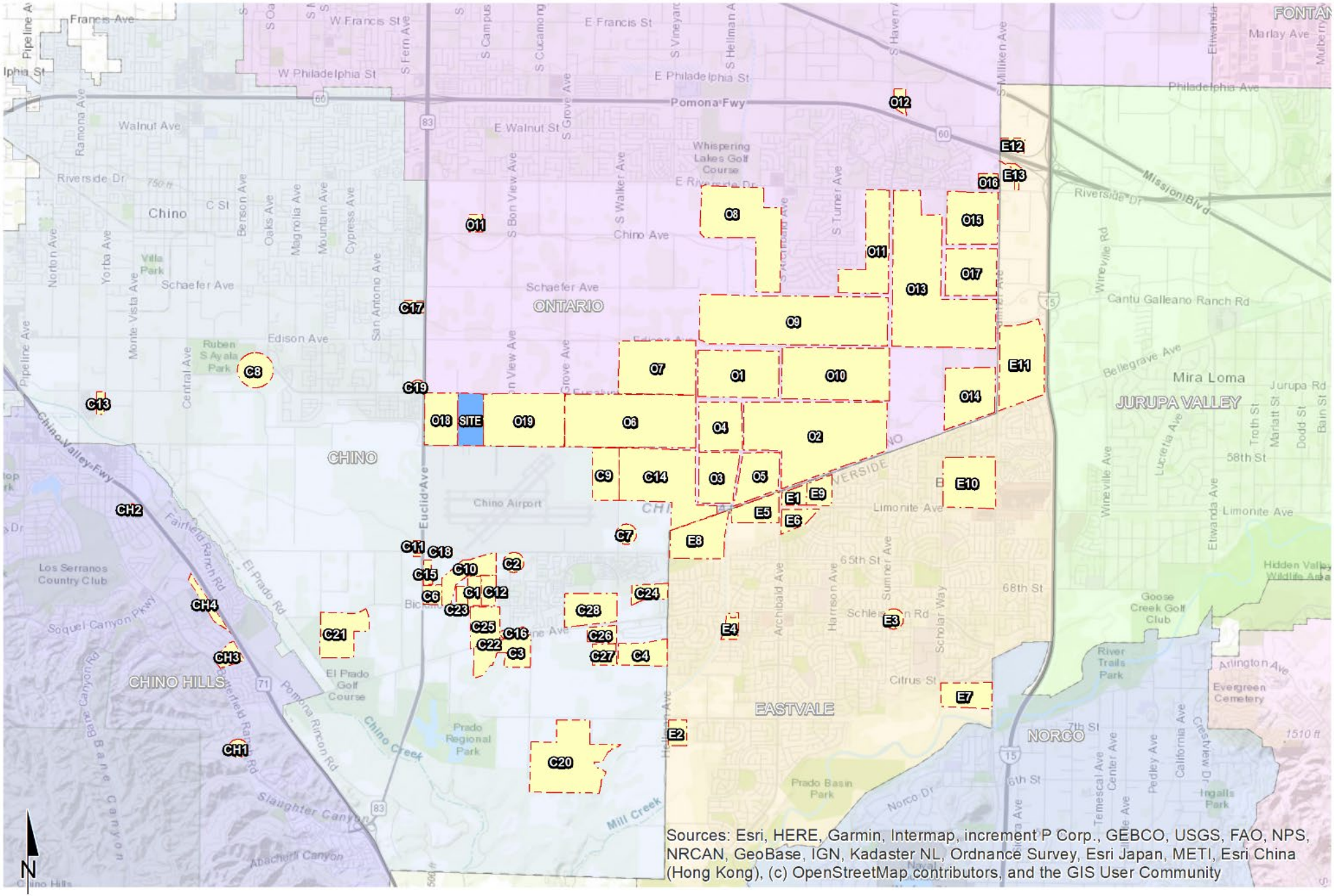
No.	Project/Location	Land Use[1]	Quantity Units[2]
		Self-Storage & RV Storage	120.000 TSF
		Sports Park	41.8 AC
C4	Tract 19980 (Homecoming Phase 4)	Apartments	454 DU
	TTM No. 20166 & 20167	SFDR	148 DU
	Brio & TTM No. 21065 & 20168 (Orchards)	SFDR	239 DU
C5	Farmer Boys	Fast-food w/ Drive-Thru	3.218 TSF
		Shopping Center	2.300 TSF
C6	Euclid & Bickmore Warehouse	Warehousing	205.820 TSF
		General Light Industrial	51.030 TSF
		Business Park	110.620 TSF
C7	Kimball Business Park	Business Park	146.550 TSF
C8	Chaffey College Expansion	Junior/ Community College	93.50 AC
	College Park Commercial	Shopping Center	7.50 AC
C9	Chino Parcel Delivery	Parcel Delivery Facility	765.274 TSF
C10	Altitude Business Centre	Warehousing	715.000 TSF
		Light Industrial	255.000 TSF
		Business Park	233.000 TSF
		Self-Storage	110.000 TSF
C11	Majestic Gateway	Specialty Retail	25.000 TSF
		Pharmacy/Drugstore with Drive-Thru	13.000 TSF
		Fast-Food with Drive-Thru	8.600 TSF
C12	Bouma Residential	SFDR	106 DU
		Condo/Townhouse	94 DU
C13	Fairfield Inn & Suites (PL 17-0060 & PL 17-0061)	Hotel	111 RM
C14	Watson Industrial Park (40% complete)	High-Cube Warehouse	3,889.900 TSF
C15	Chino Business Park	General Light Industrial	165.500 TSF
		Business Park	21.500 TSF
C16	Flores Site	Shopping Center	4.000 TSF
		Gas Station w/ convenience store	16 VFP
		Express Car Wash	5.000 TSF
C17	Brewart Residential (Stonebrook - TM 18923)	SFDR	127 DU
C18	Archibald's (PL 17-0037)	Fast-Food with Drive-Thru	3.147 TSF
C19	TM 18972 (80% complete)	SFDR	147 DU
C20	Rancho Miramonte	SFDR	691 DU
		Condo/Townhouse	132 DU
		Neighborhood Retail	21.780 TSF
		Church	400 SEAT
C21	Majestic Chino Heritage	High-Cube Fulfillment Warehouse	1982.700 TSF
		High-Cube Cold Storage Warehouse	100.000 TSF
C22	Church	Church	47.979 TSF
		Daycare	190 STU
C23	Appesetche Residential	SFDR	60 DU
		Condo/Townhouse	160 DU
C24	Tract 19951, 19952, 19953, 19935 & 18479	SFDR	151 DU
		Condo/Townhouse	150 DU
C25	Ag. Buffer, Bungalow, Lic. Product, Liberty Deluxe, Lyon 2 & 3	SFDR	474 DU

No.	Project/Location	Land Use[1]	Quantity Units[2]
C26	The Preserve Town Center (Blocks 6 and 7)	Multifamily Housing	549 DU
		Office	16.300 TSF
		Shopping Center	36.800 TSF
		Pharmacy with Drive-Thru	12.900 TSF
		Supermarket	45.000 TSF
		Fast-Food Restaurant with Drive-Thru	6.500 TSF
		Fast Casual Restaurant	13.750 TSF
		Quality Restaurant	13.750 TSF
C27	The Preserve Civic Center	Elementary School	1,200 STU
		Library	10.00 AC
		Community Center	10.00 AC
		Park	8.00 AC
C28	Falloncrest at the Preserve	Multifamily Housing (Low-Rise)	698 DU
		Multifamily Housing (Mid-Rise)	440 DU
		Public Parks	21.60 AC
		General Office	77.597 TSF
		Commercial Retail	77.597 TSF
City of Eastvale			
E1	The Merge	Warehousing	336.501 TSF
		Shopping Center	4.750 TSF
		Supermarket	30.000 TSF
		Gas Station w/ convenience store	16 VFP
		Pharmacy/Drugstore with Drive-Thru	14.600 TSF
		Fast-Food with Drive-Thru	6.000 TSF
		Automated Car Wash	4.000 TSF
		Fast-Food Without Drive-Thru	7.750 TSF
		Coffee/Donut Shop With Drive-Thru	2.500 TSF
E2	TR29997	SFDR	122 DU
E3	13-0632 - Sumner Residential (Stratham Homes)	SFDR	129 DU
E4	TR35751	Condo/Townhouse	243 DU
E5	PP23219 (PM35865) (50% complete)	General Light Industrial	738.430 TSF
E6	Eastvale Shopping Center	Free-Standing Discount Superstore	192.000 TSF
		Specialty Retail	9.200 TSF
		Fast-Food Without Drive-Thru	7.200 TSF
		Coffee/Donut Shop w/ Drive Thru	2.000 TSF
		Fast-Food with Drive-Thru	3.500 TSF
		Gas Station w/ convenience store and car wash	16 VFP
E7	Van Leeuwen	SFDR	224 DU
E8	SP00358 - The Ranch at Eastvale	Shopping Center	267.200 TSF
		General Light Industrial	801.500 TSF
		Business Park	1,121.100 TSF
E9	SC Limonite, LLC	SFDR	330 TSF
E10	Leal Master Plan	Lifestyle Center (Commercial)	1,300.000 TSF
		General Commercial	225.000 TSF
		Office	920.000 TSF
		Hotel	450 RM

No.	Project/Location	Land Use[1]	Quantity Units[2]
		High Density Residential	500-660 DU
E11	Eastvale Commerce Center	Shopping Center	650.000 TSF
E12	S. Milliken Warehouse	High-Cube Warehouse	280.000 TSF
E13	15-1508 - Industrial Warehouse	Warehousing	155.000 TSF
City of Chino Hills			
CH1	Vila Borba Specific Plan (TR 16414)	SFDR	172 DU
CH2	Country Club Villas	Condo/Townhouse	46 DU
CH3	The Goddard School	Daycare	10.587 TSF
CH4	Heritage Professional Center	Hospital	55.000 TSF
		Medical Office Building	86.952 TSF
		Hotel	120 RM
		Shopping Center	38.848 TSF
		Restaurant	7.200 TSF

1. SFDR = Single Family Detached Residential
2. TSF = Thousand Square Feet; DU = Dwelling Unit; VFP = Vehicle Fueling Position ; AC = Acres; RM = Rooms

Please refer to *Sections 4.1* through *4.16* of this Draft Subsequent EIR for a discussion of the cumulative impacts associated with development and growth in the City and region for each environmental resource.



Source: Traffic Analysis (2021), Exhibit 4-6 Cumulative Development Location Map

FIGURE 4-1: Related Projects
Ontario Ranch Business Park Specific Plan Amendment

Not to Scale

Kimley»Horn

4.1 AGRICULTURE AND FORESTRY RESOURCES

This section of the Draft Subsequent Environmental Impact Report (EIR) identifies and evaluates the Ontario Ranch Business Park Specific Plan Amendment Project's (Project) potential impacts to agriculture and forestry resources in the City of Ontario (City). This section will describe the environmental setting of the Project along with any applicable federal, State, regional and local regulations. Direct environmental impacts on agricultural and forestry resources will be assessed for the significance as well as any potentially cumulative impacts associated with the Project development. The existing environment was based on the conditions present at the time that the Notice of Preparation was created and distributed on July 1, 2021. This was used as the baseline against which to compare potential impacts associated with implementation of the Project. As necessary and to the extent feasible, mitigation measures will be provided to minimize any potentially significant environmental impact to less than significant levels.

Data used in preparation of this section were taken from various sources including the California Department of Conservation Farmland Mapping and Monitoring Program, The Ontario Plan (TOP) Final EIR, the Ontario Ranch Business Park Specific Plan (Approved SP), other environmental analyses prepared by the City and the City of Chino, and information in the Project Specific Plan Amendment.

4.1.1 Environmental Setting

Regional

Southern California comprised 38 percent of the Statewide urban and other development increase (17,125 acres). Five of the top ten urbanizing counties were in Southern California with San Bernardino County (County) having 3,502 acres.[1]

The Southern California region was second in terms of irrigated land to urban land shifts, with 2,695 acres of conversion from irrigated land to urban land.[2]

The County experienced a net loss of 850 acres of Important Farmland and an increase in 3,921 acres of new Urban and Built-Up land. In general, agricultural land has declined in the County region due to the profitability of dairy businesses in the Central Valley and because urban development has pushed agricultural development from the County.[3] Land uses surrounding the City mostly support industrial and residential uses with some agricultural land parcels dispersed between, especially to the south in the City of Chino.

The California Department of Conservation regularly reviews and reports on the status of Farmland by county jurisdiction. *Table 4.1-1, San Bernardino County 2014-2016 Land Use Conversion* presents information from the 2014-2016, California Farmland Conversion Report summarizing farmland conversion within the County.

[1] California Department of Conservation. 2014-2016 Farmland Conversion Report.(2019). Retrieved from: https://www.conservation.ca.gov/dlrp/fmmp/Pages/2014-2016_Farmland_Conversion_Report.aspx.
[2] Ibid.
[3] Ibid.

Table 4.1-1: San Bernardino County 2014-2016 Land Use Conversion

Land Use Category	Total Acreage Inventoried		2014 – 2016 Acreage Changes			
	2014	2016	Acres Lost	Acres Gained	Total Acreage Charged	Net Acreage Charged
Prime Farmland	11,715	11,323	850	458	1,308	-392
Farmland of Statewide Importance	5,702	5,770	184	252	436	68
Unique Farmland	2,675	2,738	92	155	247	63
Farmland of Local Importance	605	562	118	75	193	-43
Important Farmland Subtotal	**20,697**	**20,393**	**1,244**	**940**	**2,184**	**-304**
Grazing Land	900,735	898,633	3,629	1,527	5,156	-2,102
Agricultural Land Subtotal	**921,432**	**919,026**	**4,873**	**2,467**	**7,340**	**-2,406**
Urban and Built-up Land	282,905	286,407	419	3,921	4,340	3,502
Other Land	244,700	243,604	2,540	1,444	3,984	-1,096
Water Area	510	510	0	0	0	0
Total Area Inventoried	**1,449,547**	**1,449,547**	**7,832**	**7,832**	**15,664**	**0**

Source: California Farmland Conversion Report 2014-2016 (California Department of Conservation Division of Land Resources Protection). Table A-28.

Additionally, the San Bernardino County Department of Agriculture (SBCDA) 2020 Crop Report provides an overview of agricultural production in the County, pursuant to the provisions of Section 2272 and Section 2279 of the California Food and Agricultural Code.[4] This report provides the estimated production, acreage, and gross value of the agricultural industry in the County for the year 2020. *Table 4.1-2, San Bernardino County Top Ten Agricultural Products (by dollar value)* presents information from the SBCDA 2020 Crop Report summarizing primary sources of County agricultural production by dollar value. In 2020, the total value of agricultural commodities in the County was $420,251,000. This was determined by information obtained from growers within the County.

This total represents an increase in value from 2019 of $36,028,000. Crop value varies from year to year based on production, market fluctuations and weather. The increase in crop value in 2020 is primarily due to an increase in price for navel oranges, milk, turf and strawberries and an increase in egg production due to the recovery of the Exotic Newcastle Disease, a deadly bird disease. Agriculture remains a critical component of the economy in San Bernardino County. The strength of agriculture contributed to the diversity of agricultural crops produced in the County.

[4] County of San Bernardino Department of Agriculture/Weights & Measures 2020 Crop Report. Retrieved from: http://cms.sbcounty.gov/Portals/13/AWM%20CROP%20REPORT%202020%20080521.pdf?ver=2021-08-05-160649-640. Accessed October 2021.

The City lies in the SBCDA "Central," "West End North," and in portions of the "West End South," in the County. These areas of the County are responsible for most of the percentage (by dollar value) of the County's total agricultural production.[5]

Table 4.1-2: San Bernardino County Top Ten Agricultural Products (by dollar value)

2020 Rank	Product Value	Value	% of Total	2019 Rank
1	Milk & Milk Products	$112,451,000	26.76%	1
2	Cattle, Calves & Dairy Cull	$64,937,000	15.45%	2
3	Eggs	$50,526,000	12.02%	3
4	Replacement Heifers	$25,266,000	6.01%	4
5	Citrus Fruit	$19,130,000	4.55%	8
6	Indoor Decoratives	$18,127,000	4.31%	6
7	Trees & Shrubs (Incl. Roses)	$17,161,000	4.08%	5
8	Alfalfa (All Types)	$15,612,000	3.71%	10
9	Turf	$12,427,000	2.96%	7
10	Groundcover & Bedding Plants	$8,198,000	1.95%	9
Total Top Ten: $343,835,000				

Source: San Bernardino County Department of Agriculture/Weights & Measures 2020 Crop Report. Retrieved from: http://cms.sbcounty.gov/Portals/13/AWM%20CROP%20REPORT%202020%20080521.pdf?ver=2021-08-05-160649-640.

Southern California Agricultural Land Foundation Preserves

The San Bernardino County Agricultural Land Preserves within the City were managed by the Southern California Agricultural Land Foundation (SoCALF) until 2006, when the County took over management of these parcels. Hence, these areas are still referred to as SoCALF Preserves in the City. The SoCALF Preserves were established and maintained with funds from the 1988 Park Bond Act regulations. Much of the original 15,000-acre area of SoCALF Preserves is being developed by both the City and Chino. An amount of $20 million was paid to the County from the State of California to establish and fund these lands if they remained in agricultural use within the San Bernardino County Agriculture Land Preserve (California Public Resources Code §§5905–5907). When the SoCALF Preserves are no longer being used for agricultural purposes, these funds must be returned to the state or used to purchase property of equal size and similar use within the San Bernardino County Agriculture Land Preserve. Approximately 200 acres are designated as SoCALF Preserves in the New Model Colony (NMC).

The City recognizes the importance of existing agricultural activities, and TOP includes goals and policies implemented to ensure protection of these agricultural resources. However, the City of Ontario does not have any prohibitions that prevent the transition of agricultural land uses to urban land uses. While existing agricultural uses would be allowed to persist per the TOP, the City's land use plan does not designate these areas for agricultural land uses. Although the intent of the SoCALF Preserves was to preserve Important Farmland in perpetuity in this area of the county, the preserves do not guarantee that Important Farmland would not be converted to nonagricultural uses within the City.

When the NMC was annexed in 1999, the City zoned the area as Specific Plan, which requires the area to be developed with specific plans. Once a specific plan is implemented in an area, the provisions of that

[5] Ibid.

specific plan will determine the land use, which will be consistent with the TOP. The land use plan for the City designates these areas for nonagricultural land uses provided that equivalent Important Farmland is preserved elsewhere, or funds associated with the 1988 Park Bond Act are returned. Important farmland outside of these preserves may be converted to nonagricultural uses without requiring the county to repay the funding to the state or relocating the farmland elsewhere in the San Bernardino County Agricultural Land Preserve. Consequently, buildout of TOP would replace the existing agricultural land in an economically productive way that would serve the growing population. Thus, the City's future development emphasizes mixed-use, commercial, industrial, and residential projects rather than supporting the continuation of agricultural uses, which are becoming less economically viable.

Local

Ontario Ranch (New Model Colony)

The Ontario Ranch area covers 8,200 acres of the former 14,000-acre San Bernardino Agricultural Preserve, which was historically used for dairy or cattle farming. The Agricultural Preserve was divided and incorporated into the Cities of Chino, Chino Hills, and Ontario in 1999, where the City named its portion the "New Model Colony." According to the TOP Final EIR, the majority of the agricultural land in the NMC revised the prior agricultural land use designations to public land, open space, industrial, residential, or commercial uses.

City of Ontario Policy Plan

The TOP Final EIR, certified January 27th, 2010, analyzed the proposed land uses of TOP compared to the existing conditions in the City during the time of report preparation for their impacts to agricultural land uses.[6] TOP projected that with full buildout of the proposed land use plan, that there would be no agricultural land use designations in the City except for the 200 acres of SoCALF Preserves.

The TOP EIR proposed mitigation measures to reduce impacts to agricultural lands which included the following: retention of on-site agricultural uses; replacement of agricultural resources off-site; relocation of prime farmland topsoil; establishment of conservation easement or preserves; and payment in lieu of transfer or development rights. It was determined that the mitigation proposed and considered would not prevent significant impacts from occurring and were rejected, and City Council adopted a Statement of Overriding Considerations in 2018, for impacts to agricultural uses as a result of TOP implementation.

Project Site

The Project site has historically been occupied by agricultural uses, including a dairy farm, row crops, and vacant land since the 1930's or earlier. As shown on *Figure 3-3, Aerial Photograph*, the Project site is currently occupied by various agricultural and dairy farming uses. The agricultural uses of the site use a water well near the northern portion of the site. According to the California Important Farmland Finder (CIFF), the Project site contains Prime Farmland and Other Land.[7] As stated previously, the Project site is not within a SoCALF Preserve. The southern portion of the site is identified as "Prime Farmland" and the

[6] https://ceqanet.opr.ca.gov/2008101140/4 (accessed August 19, 2021).
[7] California Dept. of Conservation. 2016. California Important Farmland Finder. https://maps.conservation.ca.gov/dlrp/ciff/ (accessed August 2021).

remainder of the site is identified as "Other Land" under the Farmland Mapping and Monitoring Program (FMMP). FMMP Farmland categories are described below. There are no existing Williamson Contracts on site.[8] There is no Forest Land located on the Project site.

Zoning Designation

According to the City's Zoning Map, the Project site's zoning designation is Agricultural-Specific Plan (SP-AG) Overlay.[9] Project buildout would include zoning regulations for development on the Project site which includes General Industrial, and Business Park uses. The SP-AG Overlay Zone (Right to Farm Ordinance) requires that each project address the appropriate transition of the area from agricultural uses to urban uses and include provisions for buffering between the proposed uses to protect agricultural and urban uses. Furthermore, Section 9-1.2700, SP-AG Overlay Zoning District of the Ontario Municipal Code, allows for the continuation of agricultural uses on an interim basis, until such time that urban development consistent with the TOP occurs.

Surrounding Uses

Land uses surrounding the Project site boundary include agricultural uses to the north, the Ontario Ranch Business Park Specific Plan (Approved SP) to the west, public uses for the Chino Airport to the south, and residential and agricultural uses to the east, within the Ontario Ranch Business Park Specific Plan. Planning Area 3 of the Project site would be located along Eucalyptus Avenue and would be designated for "Business Park" land uses. Planning Area 4 would be designated for "Industrial" land uses and is located south of Planning Area 3, north of Merrill Avenue, along the frontage of Sultana Avenue (west) and Campus Avenue (east).

As discussed in *Section 3.0 Project Description*, the existing uses in the vicinity of the Project site include (refer to *Figure 3-6, Surrounding Land Uses*):

- North across Eucalyptus Avenue: plant nursery, dairy farm
- South across Merrill Avenue (City of Chino): Chino Airport
- East across Campus Avenue: dairy farms, row crops, and vacant land
- West: Approved SP area with Business Park and Industrial General designations
- West across Euclid Avenue (City of Chino): residential uses, vacant land, and the former Stark Youth Correctional Facility

[8] City of Ontario, Status of Williamson Act Contracts. (2018). Retrieved from: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/williamson_act_status_map_november_2018.pdf.
[9] City of Ontario, Zoning Map. (2016). Retrieved from: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Documents/Zoning%20Map/Zoning_20210212.pdf.

4.1.2 Regulatory Setting

Federal

Farmland Protection and Policy Act

The Farmland Protection and Policy Act (FPPA), United States Code Title 7 Section 4201, was enacted in 1981 to minimize the loss of prime and unique farmlands because of federal actions by converting these lands to nonagricultural uses. It ensures that federal programs are consistent with state, local, and private programs, and policies to protect farmland.

State

Farmland Mapping and Monitoring Program

Pursuant to California Government Code Section 65570, the California Department of Conservation FMMP compiles important farmland maps for the state. These maps combine soil survey and current land use information to provide an inventory of agricultural resources in each county, based on data from the U.S. Department of Agriculture and Natural Resources Conservation Service. The maps show urbanized lands and a qualitative sequence of agricultural designations. County, state, and federal agencies have established several classifications of important agricultural land based on factors such as soil characteristics, climate, and water supply.

Prime Farmland. This has the best combination of physical and chemical features and can sustain long-term agricultural production. The land has the soil quality, growing season, and moisture supply needed to produce sustained high yields and it must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

Farmland of Statewide Importance. Similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

Unique Farmland. Lesser-quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated but may include non-irrigated orchards or vineyards. Land must also have been cultivated at some time during the four years prior to the mapping date.

Farmland of Local Importance. Land of importance to the local economy, as defined by each county's local advisory committee and adopted by its board of supervisors. This refers to all farmable lands in the county that do not meet the definitions of Prime, Statewide, or Unique. This includes land that is or has been used for irrigated pasture, dryland farming, confined livestock and dairy, poultry facilities, aquaculture, and grazing land.

Grazing Land. This has existing vegetation that is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.

Urban and Built-Up Land. This land is occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad, and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

Other Land. This land is not included in any other mapping category. Common examples of this type of land include low-density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines or borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

Note that California Environmental Quality Act (CEQA) analysis focuses on impacts to three categories of mapped farmland—Prime Farmland, Farmland of Statewide Importance, and Unique Farmland. In this section, the term "mapped important farmland" refers to these three categories of farmland combined.

California Land Conservation Act (Williamson Act)

The California Land Conservation Act, or Williamson Act, was adopted in 1965 (California Government Code §51200 et. seq.). The act was established to encourage the preservation of agricultural lands in view of the increasing trend toward their "premature and unnecessary" urbanization. The act enables counties and cities to designate agricultural preserves (Williamson Act lands) and offer preferential taxation to agricultural landowners based on the land's income-producing value. In return for the preferential tax rate, the landowner is required to sign a contract (Williamson contract) with the county or city agreeing not to develop the land for a minimum of 10 years. The contract is renewed automatically on its anniversary date unless a notice of nonrenewal or petition for cancellation is filed. There are no active Williamson Act Contracts within the Project site.[10]

Local

City of Ontario Policy Plan

The City of Ontario Policy Plan Environmental Resources Element contains policies which pertain to existing farms and improving the transition of farms to urban uses:

Goal ER5:	**Protected high value habitat and farming and mineral resource extraction activities that are compatible with adjacent development.**
Policy ER5-3	Right to Farm. We support the right of existing farms to continue their operations within the NMC.
Policy ER5-4	Transition of Farms. We protect both existing farms and sensitive uses around them as agricultural areas transition to urban uses.

[10] Ontario Ranch Business Park Specific Plan. (2021). Chapter 2, Existing Conditions, page 2-6.

City of Ontario Municipal Code

The City of Ontario Municipal Code contains regulations pertaining to agricultural resources in the City, including:

- **Ontario Development Code, Chapter 6, Development and Subdivision Regulations, Division 6.01, District Standards and Guidelines, Division 6.01, §6.01.035, Overlay Zoning Districts.** The purpose of the SP-AG Overlay District is to accommodate the continuation of agricultural uses within the City, on an interim basis, and to allow for the establishment of general agricultural uses, such as dairies, within certain areas of concentrated agricultural use. This section regulates development in the NMC to create compatibility between agricultural and nonagricultural uses. It recognizes that specific plans will guide the development of the NMC. The overall goal of the ordinance is to prevent unnecessary urban development in the area unless the development has been planned. New construction, except for agricultural uses or agricultural-related activities, and single-family homes and building ancillary thereto, shall first require the adoption of a Specific Plan, which prescribes the allowed land uses, development regulations and guidelines, and sign regulations applicable to the Project.

4.1.3 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, a project would normally have a significant effect on the environment if it would:

AG-1 Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use.

AG-2 Conflict with existing zoning for agricultural use, or a Williamson Act contract.

AG-3 Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104(g)).

AG-4 Result in the loss of forest land or conversion of forest land to non-forest use.

AG-5 Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use.

Section 7.0, Effects Found Not to Be Significant, substantiates that impacts associated with the following thresholds would be less than significant:

- Threshold AG-3
- Threshold AG-4

Therefore, these impacts will not be addressed in the following analysis.

4.1.4 Plans, Programs, and Policies

Refer to above discussion regarding existing Regulatory Framework.

4.1.5 Methodology

Agricultural resources were assessed based on the California Department of Conservation's FMMP, which is a biennial report and mapping resource on the conversion of farmland and grazing land. The FMMP identified 60 acres of Prime Farmland on the Project site. Williamson Act contract lands were identified by the Department of Conservation and the City; according to records from the City, there are no active Williamson Act Contracts within the Project site.

Development of the Project site was analyzed for conversion of Prime Farmland to non-agricultural use and changes in the existing environment that would remove farmland from agricultural production. The evaluation of impacts to agricultural resources is based on the amount of agricultural land on-site and in the surrounding area, and the effect the proposed Project would have on the existing resources.

4.1.6 Project Impacts and Mitigation Measures

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 4.1-1 ***Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? [Threshold AG-1]***

Level of Significance Before Mitigation: Potentially Significant impact

Construction and Operations

The Project includes a Specific Plan Amendment. The Project will enable future development approvals, including a Development Plan, Tentative Parcel Map(s), and a Development Agreement. The Specific Plan Amendment includes Development Standards and Design Guidelines, where all subsequent development within the Specific Plan Amendment would be required to conform with these Standards and Guidelines. In accordance with the Specific Plan Amendment's Allowable Uses, commercial crop production and farming would be conditionally allowed within the Business Park (BP) Zoning District and would be permitted by-right in the Industrial-General (IG) Zoning District. Additionally, community gardens, urban farms, and related uses would be administratively allowed within the BP and IG Districts, and kennels and catteries would not be allowed within BP but permitted in the IG District.

The proposed improvements would also include buffering from parking lots, loading and service areas in accordance with the provisions of the Specific Plan Amendment. These requirements support the City's planned orderly transition of existing agricultural uses to urban uses and include the following:

- Site Design: Screen parking areas and loading docks facing the street using landscape buffers planted with screen trees and drought-tolerant vegetation.

- Landscape Design: use landscaping to aid in the screening and buffering of mechanical equipment, trash collection areas, loading docks and outside storage from public view.
- Buffering and Screening: to alleviate the unsightly appearance of parking lots, loading, and service areas, buffering and screening design features will be used to enhance overall development.

The California Department of Conservation's FMMP is charged with producing maps for analyzing impacts on the state's agricultural resources. California's agricultural lands are rated based on soil quality and irrigation status. The classification system is contiguous with U.S. Department of Agriculture soil surveys and current land use. These maps are updated every two years, with the most recent data being from 2016. For CEQA purposes, the following categories are qualified as "agricultural land": Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land (Public Resource Code §21060.1; California Department of Conservation 2019).

The Project site has historically been used for agricultural purposes, primarily dairy operations, and field crops. Over 40 acres in the southwestern portion of the site are identified as Prime Farmland, and the remainder of the site (approximately 30 acres) is identified as Other Land.[11] The Project would convert the over 40 acres of Prime Farmland from agriculture to urban use, which would be a significant impact as addressed within the TOP EIR.

As identified in the TOP EIR, build out of the Ontario Policy Plan would result in conversion of all agricultural-designated land to urban uses; remaining agricultural uses would be retained within 200 acres of the SoCALF preserves.[12] It was determined that the mitigation proposed and considered would not prevent significant impacts from occurring, and impacts would be significant and unavoidable. The City adopted a Statement of Overriding Considerations in 2018 for significant and unavoidable impacts to agricultural lands with full buildout of the Policy Plan, which allows the decision-making body of the City to approve a project despite one or more unmitigated significant environmental impacts identified in the TOP Final EIR. Therefore, consistent with Findings made at the time of certification of the City's TOP EIR, this impact is significant and unavoidable

Impact 4.1-2 ***Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract? [Threshold AG-2]***

Level of Significance Before Mitigation: Less Than Significant Impact

Construction and Operations

According to records from the City, there are no active Williamson Act Contracts within the Project site.

As stated above, the City's Zoning Map identifies the Project site's zoning designation as SP-AG Overlay. Project buildout would include zoning regulations for development on the Project site which includes General Industrial, and Business Park uses. The SP-AG Overlay Zone (Right to Farm Ordinance) requires that each project address the appropriate transition of the area from agricultural uses to urban uses and include provisions for buffering between the proposed uses to protect agricultural and urban uses.

[11] California Important Farmland Finder. (2016). Retrieved from: https://maps.conservation.ca.gov/DLRP/CIFF/.
[12] The Planning Center (TPC). 2009. Agricultural Resources. In TOP Draft EIR. http://www.ontarioplan.org/wp-content/uploads/sites/4/2016/05/31680.pdf.

Furthermore, Section 9-1.2700, SP-AG Overlay Zoning District of the Ontario Municipal Code, allows for the continuation of agricultural uses on an interim basis, until such time that urban development consistent with the TOP occurs. The purpose of the SP-AG zone is to enable the planning and development of coordinated, comprehensive projects and to provide for the systematic implementation of TOP goals and policies through Specific Plans. Therefore, impacts regarding conflict with existing zoning for agricultural use would be less than significant.

Impact 4.1-3 ***Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? [Threshold AG-5]***

Level of Significance Before Mitigation: Potentially Significant Impact

Construction and Operations

According to the City's Zoning Map, the site is within the SP-AG Overlay zone.[13] While sites within the SP-AG Overlay zone currently operate with agricultural production, these lands are designated for future urban development in the City's Policy Plan with land use designations of mixed use to the north and Business Park and Industrial to the east.[14] Property to the south is located within the City of Chino and has an industrial zoning district identified as Airport Development.[15] Property to the immediate west is within the Approved SP area, and contains Business Park and Industrial General land use designations. The area due west of the Approved SP across Euclid Avenue is in the City of Chino are near the City Policy Plan-designated Euclid Avenue Corridor, which is planned to feature a transition to mixed-use development with a focus on retail uses and some higher-intensity residential development.[16] Implementation of the Project would result in the conversion of the agricultural use on the Project site, and the surrounding area to the north, south, east, and west is proposed to be developed with uses other than for agricultural purposes.

Because of the provisions in the SP-AG Overlay zone for lands within the Project area, existing nearby agricultural uses would be able to continue via notice in the form of a deed disclosure to future business, or property owners that agricultural nuisances such as noise and odor (see *Section 4.2, Air Quality,* and *Section 4.11, Noise*), are present and can legally exist so long as the land is not developed otherwise. The deed disclosure ensures that property owners and users within the Project area are aware of nuisances and operations of the nearby agricultural properties to reduce conflicts between existing and proposed uses. Nonetheless, impacts would remain significant and unavoidable.

[13] City of Ontario, Zoning Map. (2015). Retrieved from: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Documents/Zoning%20Map/Zoning_20210212.pdf.
[14] TOP. Land Use Map. (2010). Retrieved from: https://www.ontarioplan.org/wp-content/uploads/sites/4/2021/02/TOPLUP_Map24x3610_6._20210212.pdf.
[15] City of Chino. 2019. Zoning Map. Retrieved from: http://p1cdn4static.civiclive.com/UserFiles/Servers/Server_10382578/Image/City%20Hall/Departments/Community%20Development/Chino%20Zoning%20Map%20-%20Revised%20February%2020,%202019.pdf.
[16] City of Chino. Envision Chino. (2010). City of Chino Policy Plan 2025 – Land Use Element. http://cityofchino.hosted.civiclive.com/UserFiles/Servers/Server_10382578/File/City%20Hall/Plans/General/NEW%204%20Land%20Use%20GP%20Update%202013.pdf.

4.1.7 Cumulative Impacts

The cumulative study area for agriculture includes the County of San Bernardino. Throughout the County, numerous related projects exist that would result in the additional conversion of agricultural land, including Prime Farmland and Important Farmland, to nonagricultural uses. Important Farmland in the County has continually declined and all of the prime agricultural land in the southern area of the City of Ontario is planned for development by the City's TOP. Continued conversion of agricultural lands to urban uses would substantially reduce overall agricultural productivity in the City and the region. According to the TOP EIR, agricultural land within the Ontario Ranch area has the potential to be converted to non-agricultural uses, upon buildout of TOP and the Specific Plan overlay. This was identified as a significant cumulative impact in TOP EIR. Implementation of the proposed Project would contribute to the reduction of agricultural resources in the region and cumulatively contribute to the loss of agricultural resources. Although the proposed conversion is consistent with the projected decline in agricultural productivity of the region, the Ontario Ranch area, and the Project site, the Project would result in a cumulatively considerable impact to agricultural resources. The City's TOP EIR and the TOP CEQA Findings determined that implementation of the TOP would result in individual and cumulative significant and unavoidable impacts to various resources including, agricultural resources. **Significant and unavoidable impacts to agriculture resources have been identified; refer to Impacts 4.1-1 and 4.1-3.**

4.1.8 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, impacts 4.1-1 and 4.1-3 would be potentially significant. This significant impact is consistent with findings of the City's TOP EIR, which implemented the interim SP-AG Overlay District in anticipation of future development for the Project site.

4.1.9 Mitigation Measures

MM AG-1 **Deed disclosure** – In order to reduce conflicts issued between sensitive receptors and agricultural uses, all property owners in the Ontario Ranch Business Park Specific Plan Amendment shall be provided with a deed disclosure or similar notice approved by the City Attorney regarding the proximity and nature of neighboring agricultural uses. This disclosure shall be applied at the tentative map stage to the affected properties, or otherwise prior to finalizing the sale or rental agreement of any property. The written disclosure shall be supplied to the property purchaser or renter by the vendor or vendor's agent. The content and text of the disclosure shall be approved by the City Attorney and shall include language to inform new residents that existing agricultural uses may create nuisances such as flies, odors, dust, night-light, and chemical spraying.

In accordance with the findings of the TOP EIR mitigation measures implemented, there are no feasible mitigation measures that would reduce the Project's significant impacts regarding agricultural conversion to levels that would be less than significant. According to the TOP EIR findings, while the City maintains a Right-to-Farm ordinance, use of farm equipment and odors associated with dairy farming in the Ontario Ranch area is not compatible with densities proposed in the City's Land Use Plan. Furthermore, several mitigation measures to reduce the impacts of TOP on agriculture were considered; however, the

agriculture development within the City burdened the San Bernardino County region with air quality issues resulting from methane, water quality pollution, and hazardous emissions. None of the mitigation measures considered by the City would feasibly be able to reduce the significant impacts to levels less than significant and impacts would remain significant and unavoidable. The measures considered are discussed further below. Furthermore, conversion of agricultural lands and loss of Prime Farmland resulting from the Project have already been considered and addressed in the TOP EIR.

The Project build-out area is designated for urban development pursuant to the City's Policy Plan. Existing agricultural uses are in various stages of converting to urban uses that are consistent with the Policy Plan. As the agricultural uses diminish, so too are the needed support uses such as feed stores, agricultural equipment sales and rentals, and manure services. In addition, as described previously, dairy farming has become less and less viable in the City region. The dairy industry in San Bernardino County has consistently and sharply declined since 2000, and incentives to convert to urban uses increase. Existing agricultural uses within the City are becoming economically unsustainable and represent land uses that are increasingly incongruous with continuing urbanization of the City. Transition of existing agricultural uses and farmland to non-agricultural uses is an unavoidable effect of implementing the TOP. The TOP EIR considered various mitigation measures that could reduce impacts to agricultural resources but concluded that there are no feasible measures that would reduce the loss of agriculture to levels that would be less than significant. TOP EIR Mitigation Measures that were considered and rejected are described below.

TOP EIR Mitigation Measure: Retention of On-Site Agricultural Uses. Retention of agricultural uses within the City of Ontario would create or maintain islands of agricultural uses within an urbanized setting, exacerbating potential land use conflicts and land use incompatibilities. Moreover, TOP does not envision long-term use of City properties for agricultural purposes. This is evidenced in the adopted Land Use Plan, which does not establish or maintain any "Agricultural" Land Use designations within the City. Preservation of agricultural land uses would therefore conflict with the adopted Land Use Plan. The "Retention of On-Site Agricultural Uses" mitigation strategy would require comprehensive amendment of the Policy Plan. Neither the City nor applicant has indicated that such amendment is warranted or desired, and neither has initiated such action.

Additionally, economic viability of agricultural uses in the City has declined as a result of losing many of the necessary support services. Increasing urbanization, rising land values, and relatively high operational costs have also put City agricultural and dairy farming uses at a competitive disadvantage in regional markets. Ultimately, the long-term viability of agriculture within the City is limited due to the increasing land values, increased water costs, higher labor costs, higher property taxes, competition from other parts of the state, and the growing urbanization of the area. Based on the preceding, retention of on-site agricultural uses is considered infeasible.

TOP EIR Mitigation Measure: Replacement of Agricultural Resources Off-Site. Replacement of agricultural resources at an off-site location would require the applicant to purchase off-site replacement acreage not designated as Farmland and improve or restore it to Farmland status. Creation of additional Farmland in the City is contrary to the Land Use Plan policies and vision as summarized previously and would require comprehensive amendment of the Policy Plan. Neither the City nor applicant has indicated that such amendment is warranted or desired, and neither has initiated such action. The potential to provide off-

site mitigation for the loss of agricultural land and agricultural uses was considered but rejected as infeasible in the TOP EIR. Using another area within Ontario Ranch for mitigation of impacts related to the Project would result in the same issues as previously described in consideration of on-site mitigation. Therefore, similar to the reasons why on-site mitigation is not feasible, off-site mitigation within Ontario Ranch is also infeasible. In addition, off-site mitigation within the region is also considered infeasible due to the decreasing economic vitality of agriculture in Ontario Ranch and Southern California and increased urbanization pressures on existing agricultural lands.

Further, creation of new Farmland-status properties outside the City is beyond the Lead Agency and Project applicant's control. The Farmland status at any site would be assigned through the California Department of Conservation Farmland Mapping and Monitoring Program Important Farmland Series mapping protocol. Moreover, creation of new Farmland-status properties at extra-jurisdictional locations could result in land use conflicts at the interface of agricultural uses and urban uses similar to those the City has experienced and seeks to avoid through implementation of the Land Use Plan.

Additionally, the "Replacement of Agricultural Resources Off-Site" mitigation strategy would likely result in potentially adverse environmental impacts including, but not limited to, impacts to biological resources, hydrology/water quality, air quality, greenhouse gas emissions, and land use and planning. In this regard, the mitigation strategy would likely result in increased, rather than diminished environmental impacts. Based on the preceding, replacement of agricultural resources at off-site locations is considered infeasible.

TOP EIR Mitigation Measure: Relocation of Farmland Topsoil. Relocation of Farmland topsoil would entail removal of the top 12 to 18 inches of topsoil from Farmland properties and the placement of this soil at sites that have lesser quality soil. This would promote creation of new or additional Farmland status properties in the City, rather than provide for their transition to urban uses. This would be contrary to the Land Use Plan policies and vision as summarized previously and would require comprehensive amendment of the Policy Plan. Neither the City nor applicant has indicated that such amendment is warranted or desired, and neither has initiated such action.

Further, creation of new Farmland-status by means of imported Farmland topsoil is beyond the Lead Agency and Project applicant's control. The Farmland status at any site would be assigned through the California Department of Conservation Farmland Mapping and Monitoring Program Important Farmland Series mapping protocol. Moreover, creation of new Farmland-status properties at extra-jurisdictional locations could result in land use conflicts at the interface of agricultural uses and urban uses similar to those the City has experienced and seeks to avoid through implementation of the Land Use Plan.

Additionally, excavation and relocation of topsoil would likely result in potentially adverse environmental impacts affecting biological resources, hydrology/water quality, air quality, greenhouse gas emissions, and land use and planning. Based on the preceding, relocation of Farmland topsoil is considered infeasible.

TOP EIR Mitigation Measure: Establishment of Conservation Easement or Preserves. Establishment of conservation easements or preserves is contrary to the Land Use Plan policies and vision providing for transition of agricultural uses to urban uses. This mitigation strategy would require comprehensive amendment to the Policy Plan. The City has not indicated that such amendment is warranted or desired

and has initiated no such action. At the Project site, establishment of agricultural conservation easements or preserves would negate the Project, resulting in a No-Build condition. Based on the preceding, the "Establishment of Conservation Easement or Preserves" mitigation strategy is considered infeasible.

TOP EIR Mitigation Measure: Transfer of Development Rights. SCAG provides the following summary of description and application of Transfer of Development Rights (TDR) programs:

TDR "is a device by which the development potential of a site is severed from its title and made available for transfer to another location. The owner of a site within a transfer area retains property ownership, but not approval to develop. The owner of a site within a receiving area may purchase transferable development rights, allowing a receptor site to be developed at a greater density."

TDR is most commonly used to preserve agricultural lands, but it can also be used for preserving natural, open space. TDR programs can vary depending on the need of the local jurisdiction but in general there are a few common factors that contribute to the success of a TDR program. These include having a donor site with development constraints, appropriate zoning regulations, and infrastructure requirements."

The Project Site is not currently entitled for development absent an adopted Specific Plan, and it is unclear what if any development rights would be transferred under a TDR program. Further, there is no designated or contemplated receiving area to accept these development rights. Moreover, a TDR program would preserve agricultural uses at the Project Site rather than further planned transition of agricultural uses to non-agricultural uses as envisioned under the Policy Plan. This would be contrary to the Land Use Plan policies and vision as summarized previously.

The City of Ontario has not implemented a TDR Program. Implementation of a TDR program would require amending the City Development Code and comprehensive amendment of the Policy Plan. Neither the City nor applicant has indicated that such amendments are warranted or desired, and neither has initiated such actions. Based on the preceding, implementation of a "Transfer of Development Rights Program" mitigation strategy is considered infeasible.

The City has considered but rejected the collection of fees for off-site mitigation of agricultural impacts. Neither the City nor the adjoining counties have adopted fee programs. Absent viable programs in the region, the imposition of fees would not serve to mitigate the impacts of the Project. Furthermore, an off-site fee mitigation program would not avoid the loss of farmland; would not minimize the effect of the Project; would not repair, rehabilitate, or restore the affected farmland; and, absent a viable fee program, would not replace affected farmland with substitute farmland. Thus, such a program would not actually mitigate or substantially lessen the significant impact of the Project (CRR State CEQA Guidelines §15370; San Franciscans for Reasonable Growth v. City and County of San Francisco (1989) 209 Cal.App.3d 1502, 1519). The same factors that make on-site mitigation infeasible would apply off-site in the region as well. The challenges to continued agricultural production in the Chino Basin area, also challenge agriculture throughout Southern California (Defend the Bay v. City of Irvine [2004] 119 Cal. App. 4th 1261, 1270-72).

Off-site mitigation would require the City to purchase replacement acreage for Important Farmland currently not in use elsewhere in California and restore it as viable farmland. However, distant mitigation would not reduce impacts because these mitigation parcels could have no bearing or relationship on the loss of agricultural lands within the City or the County. In addition, experience indicates a program

consisting of the required purchase of agricultural easements on other land or through fee programs for the acquisition of agricultural easements would be of limited utility or benefit. Such a program is inherently dependent upon voluntary agreements by farm owners to sell such easements on their property for an agreed price, which, within the City, is largely driven by the City's TOP land use designations, population growth, urbanization of the surrounding area, and the limited supply of suitable farmland. In remote areas not planned for development in the near-term, owner's may be more willing to sell such an easement at a reasonable price but within the region much of the land is already subject to development pressure.

As a result, the most likely result would be a "patchwork" of easements, with some owners more willing than others to sell them, potentially creating a more dispersed development pattern and loss of viability of farmland over time, which would not serve as a feasible measure to mitigate the loss of farmland by the Project. Neither the City nor the County have adopted programs for the acquisition of off-site agricultural easements. Consequently, for the reasons previously outlined, it is determined that off-site mitigation of agricultural resources is neither feasible nor effective in mitigating such impacts.

Overall, no feasible mitigation measures have been identified, which would substantially lessen the Project's significant impacts related to the loss of Prime Farmland and conversion of farmland to non-agricultural use. This finding is consistent with the finding in TOP EIR; that there are no feasible mitigation measures to reduce impacts on Important Farmland or the conversion of agricultural land to non-agricultural uses, and thus impacts would be significant and unavoidable.

4.1.10 Level of Significance After Mitigation

Impact 4.1-1

In accordance with the findings of the TOP EIR, conversion of agricultural-designated land to urban land uses is a significant and unavoidable impact. As summarized above, there are no feasible mitigation measures that would reduce the Project's significant impacts to agricultural resources to levels that would be less than significant. Further, conversion of agricultural lands and loss of farmland resulting from the Project have already been considered and addressed in the TOP EIR. Although implementation of **MM AG-1** would reduce the potential for pressure to convert nearby agricultural land to other uses, with full buildout of the City in accordance with TOP, all agricultural lands would be converted to urban land uses, which would be a significant and unavoidable impact. The Project would not result in significant impacts to agricultural resources or loss of farmland not already considered and addressed in those documents. According to the TOP EIR Findings, while the City maintains a Right-to-Farm ordinance, use of farm equipment and odors associated with dairy farming in the Ontario Ranch area is not compatible with densities proposed in the City's Land Use Plan.[17] Several mitigation measures to reduce the impacts of TOP on agriculture were considered, however the agriculture development within the City burdened the San Bernardino County region with air quality issues resulting from methane, water quality pollution, and hazardous emissions.[18] None of the mitigation measures considered by the City would feasibly be able to

[17] TOP, EIR. (2010). Section 5.2, Agriculture and Forestry. Subsection 5.2.7 Mitigation Measures, page 5.2-12. Retrieved from: https://www.ontarioplan.org/wp-content/uploads/sites/4/2016/05/31680.pdf.
[18] Ibid.

reduce the significant impacts to levels less than significant and impacts would remain significant and unavoidable.

Impact 4.1-3

Implementation of **MM AG-1** would reduce the potential for pressure to convert nearby agricultural land to other uses. Nevertheless, with full buildout of the City in accordance with the Policy Plan, all agricultural lands would be converted to urban land uses, which would be a significant and unavoidable impact.

4.1.11 References

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4.2 AIR QUALITY

This section of the Draft Environmental Impact Report (EIR) identifies and analyzes the Ontario Ranch Business Park Specific Plan Amendment's (Project) potential impacts in relation to the potential air quality impacts that would be generated by construction and operation of the Project, within the City of Ontario (City). The ambient air quality of the local and regional area is described, along with relevant federal, State, and local air pollutant regulations and pollutant concentrations. This evaluation is based on the methodology recommended by the South Coast Air Quality Management District (SCAQMD). Criteria air pollutant emissions modeling for the proposed Project is included *in Appendix B1, Air Quality Emissions Model Data*, of this Draft EIR. The Health Risk Assessment (HRA) modeling outputs and calculations for the proposed Project is included in *Appendix B2, Health Risk Assessment Data*. Transportation-sector impacts are based on trip generation and average vehicle trip distance for passenger vehicle and trucks as provided by Urban Crossroads in *Appendix I, Transportation Reports*, of this Draft EIR. Cumulative impacts related to air quality are based on the regional boundaries of the South Coast Air Basin (SoCAB).

4.2.1 Environmental Setting

Climate and Meteorology

South Coast Air Basin

The Project site is in the SoCAB, which includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties. The SoCAB is a coastal plain with connecting broad valleys and low hills and is bounded by the Pacific Ocean in the southwest quadrant, with high mountains forming the remainder of the perimeter. The general region is in the semi-permanent high-pressure zone of the eastern Pacific. The climate is mild, tempered by cool sea breezes. This weather pattern is interrupted infrequently by periods of extremely hot weather, winter storms, and Santa Ana winds.

Temperature and Precipitation

The annual average temperature varies little throughout the SoCAB, ranging from the low to middle 60s, measured in degrees Fahrenheit (°F). With a more pronounced oceanic influence, coastal areas show less variability in annual minimum and maximum temperatures than inland areas. The climatological station nearest the site is in Pomona (ID No. 041779). The average low is reported at 38.6°F in January and the average high is 90.4°F in July. All areas in the SoCAB have recorded temperatures above 100°F in recent years. January is typically the coldest month in this area of the SoCAB, with minimum temperatures in the 30s. In contrast to a very steady pattern of temperature, rainfall is seasonally and annually highly variable. Almost all rain falls from November through April. Summer rainfall is normally restricted to widely scattered thundershowers near the coast with slightly heavier shower activity in the east and over the mountains. Rainfall averages around 16.95 inches per year in the Project area, as measured in Pomona.

Humidity

Although the SoCAB has a semiarid climate, the air near the surface is typically moist because of the presence of a shallow marine layer. Except for infrequent periods when dry, continental air is brought into the SoCAB by offshore winds, the ocean effect is dominant. Periods of heavy fog, especially along the

coastline, are frequent; low stratus clouds, often called high fog, are a characteristic climatic feature. Annual average humidity is 70 percent at the coast and 57 percent in the east portions of the SoCAB.

Wind

Wind patterns across the south coastal region are characterized by westerly and southwesterly onshore winds during the day and easterly or northeasterly breezes at night. Wind speed is somewhat greater during the dry summer months than during the rainy winter season. Between periods of wind, periods of air stagnation may occur, both in the morning and evening hours. Air stagnation is one of the critical determinants of air quality conditions on any given day. During the winter and fall months, surface high-pressure systems over the SoCAB, combined with other meteorological conditions, can result in very strong, downslope Santa Ana winds. These winds normally continue a few days before predominant meteorological conditions are reestablished. The mountain ranges to the east affect the transport and diffusion of pollutants by inhibiting the eastward transport of pollutants. Air quality in the SoCAB generally ranges from fair to poor and is similar to air quality in most of coastal southern California. The entire region experiences heavy concentrations of air pollutants during prolonged periods of stable atmospheric conditions.

Inversions

In conjunction with the two characteristic wind patterns that affect the rate and orientation of horizontal pollutant transport, there are two similarly distinct types of temperature inversions that control the vertical depth through which pollutants are mixed. These inversions are the marine/subsidence inversion and the radiation inversion. The height of the base of the inversion at any given time is known as the "mixing height." The combination of winds and inversions are critical determinants in leading to the highly degraded air quality in summer and the generally good air quality in the winter in the Project area.

Air Pollutants of Concern

The air pollutants emitted into the ambient air by stationary and mobile sources are regulated by state and federal laws. These regulated air pollutants are known as "criteria air pollutants" and are categorized into primary and secondary pollutants.

Primary air pollutants are emitted directly from sources. Carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxide (NO_X), sulfur dioxide (SO_2), coarse particulate matter (PM_{10}), fine particulate matter ($PM_{2.5}$), and lead are primary air pollutants. Of these, CO, NO_X, SO_2, PM_{10}, and $PM_{2.5}$ are criteria pollutants. ROG and NO_X are criteria pollutant precursors and form secondary criteria pollutants through chemical and photochemical reactions in the atmosphere. For example, the criteria pollutant ozone (O_3) is formed by a chemical reaction between ROG and NO_X in the presence of sunlight. O_3 and nitrogen dioxide (NO_2) are the principal secondary pollutants. Sources and health effects commonly associated with criteria pollutants are summarized in *Table 4.2-1, Air Contaminants and Associated Public Health Concerns*.

Table 4.2-1: Air Contaminants and Associated Public Health Concerns

Pollutant	Health Effects	Examples of Sources
Carbon Monoxide (CO)	Reduces the ability of blood to deliver oxygen to vital tissues, affecting the cardiovascular and nervous system. Impairs vision, causes dizziness, and can lead to unconsciousness or death.	An odorless, colorless gas formed when carbon in fuel is not burned completely; a component of motor vehicle exhaust.
Ozone (O_3)	Irritates and causes inflammation of the mucous membranes and lung airways; causes wheezing, coughing, and pain when inhaling deeply; decreases lung capacity; aggravates lung and heart problems. Damages plants; reduces crop yield.	Formed by a chemical reaction between reactive organic gases/volatile organic compounds (ROG or VOC)[1] and nitrogen oxides (NO_X) in the presence of sunlight. Motor vehicle exhaust, industrial emissions, gasoline storage and transport, solvents, paints and landfills.
Nitrogen Dioxide (NO_2)	Respiratory irritant; aggravates lung and heart problems. Precursor to O_3. Contributes to global warming and nutrient overloading which deteriorates water quality. Causes brown discoloration of the atmosphere.	A reddish-brown gas formed during fuel combustion for motor vehicles and industrial sources. Sources include motor vehicles, electric utilities, and other sources that burn fuel.
Particulate Matter (PM_{10} & $PM_{2.5}$)	Increased respiratory symptoms, such as irritation of the airways, coughing, or difficulty breathing; asthma; chronic bronchitis; irregular heartbeat; nonfatal heart attacks; and premature death in people with heart or lung disease. Impairs visibility.	Power plants, steel mills, chemical plants, unpaved roads and parking lots, wood-burning stoves and fireplaces, automobiles and others.
Sulfur Dioxide (SO_2)	Respiratory irritant. Aggravates lung and heart problems. In the presence of moisture and oxygen, sulfur dioxide converts to sulfuric acid which can damage marble, iron and steel. Damages crops and natural vegetation. Impairs visibility. Precursor to acid rain.	A colorless gas formed when fuel containing sulfur is burned and when gasoline is extracted from oil. Examples are petroleum refineries, cement manufacturing, metal processing facilities, locomotives, and ships.
Lead (Pb)	Exposure to lead occurs mainly through inhalation of air and ingestion of lead in food, water, soil, or dust. It accumulates in the blood, bones, and soft tissues and can adversely affect the kidneys, liver, nervous system, and other organs. Excessive exposure to lead may cause neurological impairments such as seizures, mental retardation, and behavioral disorders. Even at low doses, lead exposure is associated with damage to the nervous systems of fetuses and young children, resulting in learning deficits and lowered IQ.	Lead is a metal found naturally in the environment as well as in manufactured products. The major sources of lead emissions have historically been motor vehicles (such as cars and trucks) and industrial sources. Due to the phase out of leaded gasoline, metals processing is the major source of lead emissions to the air today. The highest levels of lead in air are generally found near lead smelters. Other stationary sources are waste incinerators, utilities, and lead-acid battery manufacturers.

Source: California Air Pollution Control Officers Association (CAPCOA), Health Effects, http://www.capcoa.org/health-effects/, Accessed January 19, 2021.
Notes:
[1] Volatile Organic Compounds (VOCs) or Reactive Organic Gases (ROG) are hydrocarbons/organic gases that are formed solely of hydrogen and carbon. There are several subsets of organic gases including ROGs and VOCs. Both ROGs and VOCs are emitted from the incomplete combustion of hydrocarbons or other carbon-based fuels. The major sources of hydrocarbons are combustion engine exhaust, oil refineries, and oil-fueled power plants; other common sources are petroleum fuels, solvents, dry cleaning solutions, and paint (via evaporation).

Toxic Air Contaminants

Toxic air contaminants (TACs) are airborne substances that can cause short-term (acute) or long-term (i.e., chronic, carcinogenic or cancer causing) adverse human health effects (i.e., injury or illness). TACs include both organic and inorganic chemical substances. They may be emitted from a variety of common

sources including gasoline stations, automobiles, dry cleaners, industrial operations, and painting operations. The current California list of TACs includes more than 200 compounds, including particulate emissions from diesel-fueled engines.

The California Air Resources Board (CARB) identified diesel particulate matter (DPM) as a TAC. DPM differs from other TACs in that it is not a single substance but rather a complex mixture of hundreds of substances. Diesel exhaust is a complex mixture of particles and gases produced when an engine burns diesel fuel. DPM is a concern because it causes lung cancer; many compounds found in diesel exhaust are carcinogenic. DPM includes the particle-phase constituents in diesel exhaust. The chemical composition and particle sizes of DPM vary between different engine types (heavy-duty, light-duty), engine operating conditions (idle, accelerate, decelerate), fuel formulations (high/low sulfur fuel), and the year of the engine. Some short-term (acute) effects of diesel exhaust include eye, nose, throat, and lung irritation, and diesel exhaust can cause coughs, headaches, light-headedness, and nausea. DPM poses the greatest health risk among the TACs. Almost all diesel exhaust particle mass is 10 microns or less in diameter. Due to their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lung.

Ambient Air Quality

CARB monitors ambient air quality at approximately 250 air monitoring stations across the state. These stations usually measure pollutant concentrations ten feet above ground level; therefore, air quality is often referred to in terms of ground-level concentrations. Existing levels of ambient air quality, historical trends, and projections near the Project are documented by measurements made by the SCAQMD, the air pollution regulatory agency in the SoCAB that maintains air quality monitoring stations which process ambient air quality measurements.

Pollutants of concern in the SoCAB include O_3, PM_{10}, and $PM_{2.5}$. The closest air monitoring station to the Project that monitors ambient concentrations of these pollutants is the Upland Monitoring Station (located approximately eight miles to the north). Local air quality data from 2017 to 2019 are provided in *Table 4.2-2, Ambient Air Quality Data Standards for Criteria Pollutants*, which lists the monitored maximum concentrations and number of exceedances of state or federal air quality standards for each year.

Table 4.2-2: Ambient Air Quality Standards for Criteria Pollutants

Criteria Pollutant	2017	2018	2019
Ozone (O_3)			
1-hour Maximum Concentration (ppm)	0.150	0.133	0.131
8-hour Maximum Concentration (ppm)	0.127	0.111	0.107
Number of Days Standard Exceeded			
CAAQS 1-hour (>0.09 ppm)	66	25	31
NAAQS 8-hour (>0.070 ppm)	87	52	52
Carbon Monoxide (CO)			
1-hour Maximum Concentration (ppm)	1.87	1.73	1.45

Criteria Pollutant	2017	2018	2019
Number of Days Standard Exceeded			
NAAQS 1-hour (>35 ppm)	0	0	0
CAAQS 1-hour (>20 ppm)	0	0	0
Nitrogen Dioxide (NO_2)			
1-hour Maximum Concentration (ppm)	0.0641	0.0587	0.0579
Number of Days Standard Exceeded			
NAAQS 1-hour (>0.100 ppm)	0	0	0
CAAQS 1-hour (>0.18 ppm)	0	0	0
Particulate Matter Less Than 10 Microns (PM_{10})			
National 24-hour Maximum Concentration	106.5	156.6	125.9
State 24-hour Maximum Concentration	—	—	—
State Annual Average Concentration (CAAQS=20 µg/m^3)	—	—	—
Number of Days Standard Exceeded			
NAAQS 24-hour (>150 µg/m^3)	0	1	0
CAAQS 24-hour (>50 µg/m^3)	—	—	—
Particulate Matter Less Than 2.5 Microns ($PM_{2.5}$)			
National 24-hour Maximum Concentration	—	—	—
State 24-hour Maximum Concentration	53.2	47.9	91.1
Number of Days Standard Exceeded			
NAAQS 24-hour (>35 µg/m^3)	—	—	—

Source: All pollutant measurements are from the CARB Aerometric Data Analysis and Management system database (https://www.arb.ca.gov/adam) except for CO, which were retrieved from the CARB Air Quality and Meteorological Information System (https://www.arb.ca.gov/aqmis2/aqdselect.php).
Notes: NAAQS = National Ambient Air Quality Standards; CAAQS = California Ambient Air Quality Standards; ppm = parts per million; µg/m3 = micrograms per cubic meter; – = insufficient data available.
Measurements taken at the Upland Monitoring Station at 1350 San Bernardino Road, Upland CA, 91786 (CARB# 36175)

Sensitive Receptors

Sensitive populations are more susceptible to the effects of air pollution than the general population. Sensitive receptors that are in proximity to localized sources of toxic pollutants are of particular concern. Land uses considered sensitive receptors include residences, schools, playgrounds, childcare centers, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes. The nearest sensitive receptors are the single-family residences located across the street from the Project site, along Eucalyptus Avenue to the north, approximately 82 feet (25 meters) from the Project site boundary.

4.2.2 Regulatory Setting

Ambient air quality standards (AAQS) have been adopted at the state and federal levels for criteria air pollutants. In addition, both the state and federal government regulate the release of TACs. The proposed Project is in the SoCAB and is subject to the rules and regulations imposed by the SCAQMD as well as the California AAQS (CAAQS) adopted by CARB and National AAQS (NAAQS) adopted by the United States Environmental Protection Agency (U.S. EPA). Federal, State, regional, and local laws, regulations, plans, or guidelines that are potentially applicable to the proposed Project are summarized in this section.

Federal

Federal Clean Air Act

Air quality is federally protected by the Federal Clean Air Act (FCAA) and its amendments. Under the FCAA, the U.S. EPA developed the primary and secondary NAAQS for the criteria air pollutants including O_3, NO_2, CO, SO_2, PM_{10}, $PM_{2.5}$, and lead (Pb). Proposed projects in or near nonattainment areas could be subject to more stringent air-permitting requirements. The FCAA requires each state to prepare a State Implementation Plan to demonstrate how it will attain the NAAQS within the federally imposed deadlines.

The U.S. EPA can withhold certain transportation funds from states that fail to comply with the planning requirements of the FCAA. If a state fails to correct these planning deficiencies within two years of Federal notification, the U.S. EPA is required to develop a Federal implementation plan for the identified nonattainment area or areas. The provisions of 40 Code of Federal Regulations (CFR) Parts 51 and 93 apply in all nonattainment and maintenance areas for transportation-related criteria pollutants for which the area is designated nonattainment or has a maintenance plan. The U.S. EPA has designated enforcement of air pollution control regulations to the individual states. Applicable federal standards are summarized in *Table 4.2-3: State and Federal Ambient Air Quality Standards*.

Table 4.2-3: State and Federal Ambient Air Quality Standards

Pollutant	Averaging Time	California Standard[1]	Federal Standard[2]
Ozone (O_3) [2, 5, 7]	1 hour	0.09 ppm	NA
	8 hours	0.070 ppm	0.070 ppm
Carbon Monoxide (CO)	1 hour	20 ppm	35 ppm
	8 hours	9.0 ppm	9 ppm
Nitrogen Dioxide (NO_2)	Annual Arithmetic Mean	0.030 ppm	0.053 ppm
	1 hour	0.18 ppm	0.100 ppm
Sulfur Dioxide (SO_2) [8]	Annual Arithmetic Mean	NA	0.030 ppm
	1 hour	0.25 ppm	0.075 ppm
	24 hours	0.04 ppm	0.14 ppm
Coarse Particulate Matter (PM_{10}) [1, 3, 6]	Annual Arithmetic Mean	20 µg/m^3	NA
	24 hours	50 µg/m^3	150 µg/m^3
Fine Particulate Matter ($PM_{2.5}$) [3, 4, 6, 9]	Annual Arithmetic Mean	12 µg/m^3	12 µg/m^3
	24 hours	NA	35 µg/m^3
Lead (Pb) [10, 11]	30-Day Average	1.5 µg/m^3	NA
	Calendar Quarter	NA	1.5 µg/m^3
	Rolling 3-Month Average	**NA**	1.5 µg/m^3
Sulfates (SO_4)	24 hours	25 µg/m^3	NA
Hydrogen Sulfide	1 hour	0.03 ppm	NA
Vinyl Chloride [10]	24 hour	0.01 ppm	NA

Source: South Coast Air Quality Management District, Air Quality Management Plan, 2016; California Air Resources Board, Ambient Air Quality Standards , May 6, 2016.

Notes: ppm: parts per million; µg/m3: micrograms per cubic meter

1 California standards for O3, carbon monoxide (except Lake Tahoe), sulfur dioxide (1-hour and 24-hour), nitrogen dioxide, suspended particulate matter - PM_{10}, and visibility reducing particles are values that are not to be exceeded. The standards for sulfates, Lake Tahoe carbon mon oxide, lead, hydrogen sulfide, and vinyl chloride are not to be equaled or exceeded. If the standard is for a 1-hour, 8-hour or 24-hour average (i.e., all standards except for lead and the PM_{10} annual standard), then some measurements may be excluded. Measurements are excluded th at CARB determines would occur less than once per year on the average. The Lake Tahoe carbon monoxide standard is 6.0 ppm, a level one -half the national standard and two-thirds the State standard.

2 National standards shown are the "primary standards" designed to protect public health. National standards other than for O3, particulates and those based on annual averages are not to be exceeded more than once a year. The 1-hour O_3 standard is attained if, during the most recent three-year period, the average number of days per year with maximum hourly concentrations above the standard is equal to or less than one. The 8-hour O3 standard is attained when the 3-year average of the 4th highest daily concentrations is 0.070 ppm or less. The 24-hour PM_{10} standard is attained when the 3-year average of the 99th percentile of monitored concentrations is less than 150 µg/m^3. The 24-hour PM2.5 standard is attained when the 3-year average of 98th percentiles is less than 35 µg/m^3.

3 Except for the national particulate standards, annual standards are met if the annual average falls below the standard at every site. The national annual particulate standard for PM_{10} is met if the 3-year average falls below the standard at every site. The annual $PM_{2.5}$ standard is met if the 3-year average of annual averages spatially-averaged across officially designed clusters of sites falls below the standard.
NAAQS are set by the U.S. EPA at levels determined to be protective of public health with an adequate margin of safety.

4 On October 1, 2015, the national 8-hour O_3 primary and secondary standards were lowered from 0.075 to 0.070 ppm. An area will meet the standard if the fourth-highest maximum daily 8-hour O_3 concentration per year, averaged over three years, is equal to or less than 0.070 ppm. U.S. EPA wil l make recommendations on attainment designations by October 1, 2016, and issue final designations October 1, 2017. Nonattainme nt areas will have until 2020 to late 2037 to meet the health standard, with attainment dates varying based on the O_3 level in the area.

5 The national 1-hour O_3 standard was revoked by the U.S. EPA on June 15, 2005.

6 In June 2002, CARB established new annual standards for $PM_{2.5}$ and PM_{10}.

7 The 8-hour California O_3 standard was approved by the CARB on April 28, 2005 and became effective on May 17, 2006.

8 On June 2, 2010, the U.S. EPA established a new 1-hour SO_2 standard, effective August 23, 2010, which is based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. The existing 0.030 ppm annual and 0.14 ppm 24-hour SO_2 NAAQS however must continue to be used until one year following U.S. EPA initial designations of the new 1-hour SO_2 NAAQS.

9 In December 2012, U.S. EPA strengthened the annual $PM_{2.5}$ NAAQS from 15.0 to 12.0 µg/m^3. In December 2014, the U.S. EPA issued final area designations for the 2012 primary annual $PM_{2.5}$ NAAQS. Areas designated "unclassifiable/attainment" must continue to take steps to prevent their air quality from deteriorating to unhealthy levels. The effective date of this standard is April 15, 2015.

10 CARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure below which there are no adverse health effects determined.

11 National lead standard, rolling 3-month average: final rule signed October 15, 2008. Final designations effective December 31, 2011

State of California

California Air Resources Board

CARB administers the air quality policy in California. The CAAQS were established in 1969 pursuant to the Mulford-Carrell Act. These standards, included with the NAAQS in *Table 4.2-3*, are generally more stringent and apply to more pollutants than the NAAQS. In addition to the criteria pollutants, CAAQS have been established for visibility reducing particulates, hydrogen sulfide, and sulfates.

The California Clean Air Act (CCAA), which was approved in 1988, requires that each local air district prepare and maintain an Air Quality Management Plan (AQMP) to achieve compliance with CAAQS. These AQMPs also serve as the basis for the preparation of the State Implementation Plan for meeting federal clean air standards for the State of California. Like the U.S. EPA, CARB also designates areas within California as either attainment or nonattainment for each criteria pollutant based on whether the CAAQS have been achieved. Under the CCAA, areas are designated as nonattainment for a pollutant if air quality data shows that a state standard for the pollutant was violated at least once during the previous three calendar years. Exceedances that are affected by highly irregular or infrequent events such as wildfires, volcanoes, etc. are not considered violations of a state standard, and are not used as a basis for designating areas as nonattainment.

Regional

South Coast Air Quality Management District

The SCAQMD is the air pollution control agency for Orange County and the urban portions of Los Angeles, Riverside, and San Bernardino counties. The agency's primary responsibility is ensuring that state and federal ambient air quality standards are attained and maintained in the SoCAB. The SCAQMD is also responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for stationary sources of air pollutants, inspecting stationary sources of air pollutants, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, awarding grants to reduce motor vehicle emissions, conducting public education campaigns, and many other activities. All projects are subject to SCAQMD rules and regulations in effect at the time of construction.

The SCAQMD is also the lead agency in charge of developing the AQMP, with input from the Southern California Association of Governments (SCAG) and CARB. The AQMP is a comprehensive plan that includes control strategies for stationary and area sources, as well as for on-road and off-road mobile sources. SCAG has the primary responsibility for providing future growth projections and the development and implementation of transportation control measures. CARB, in coordination with federal agencies, provides the control element for mobile sources.

The 2016 AQMP was adopted by the SCAQMD Governing Board on March 3, 2017. The purpose of the AQMP is to set forth a comprehensive and integrated program that would lead the SoCAB into compliance with the federal 24-hour $PM_{2.5}$ air quality standard, and to provide an update to the SCAQMD's commitments towards meeting the federal 8-hour O_3 standards. The AQMP incorporates the latest scientific and technological information and planning assumptions, including the SCAG *Regional*

Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and updated emission inventory methodologies for various source categories.

The SCAQMD has published the *CEQA Air Quality Handbook* (approved by the SCAQMD Governing Board in 1993 and augmented with guidance for Local Significance Thresholds [LST] in 2008). The SCAQMD guidance helps local government agencies and consultants to develop environmental documents required by California Environmental Quality Act (CEQA) and provides identification of suggested thresholds of significance for criteria pollutants for both construction and operation (see discussion of thresholds below). With the help of the CEQA Air Quality Handbook and associated guidance, local land use planners and consultants are able to analyze and document how proposed and existing projects affect air quality in order to meet the requirements of the CEQA review process. The SCAQMD periodically provides supplemental guidance and updates to the handbook on their website.

SCAG is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino, and Imperial counties and serves as a forum for regional issues relating to transportation, the economy, community development, and the environment. Under federal law, SCAG is designated as a Metropolitan Planning Organization (MPO) and under State law as a Regional Transportation Planning Agency and a Council of Governments.

The State and federal attainment status designations for the SoCAB are summarized in *Table 4.2-4, Attainment Status of Criteria Pollutants in the South Coast Air Basin*. The SoCAB is currently designated as a nonattainment area with respect to the State O_3, PM_{10}, and $PM_{2.5}$ standards, as well as the national 8-hour O_3 and $PM_{2.5}$ standards. The SoCAB is designated as attainment or unclassified for the remaining state and federal standards.

Table 4.2-4: Attainment Status of Criteria Pollutants in the South Coast Air Basin

Pollutant	State	Federal
Ozone – 1-hour	Nonattainment	Nonattainment
Ozone – 8-hour	Nonattainment	Nonattainment
PM_{10}	Nonattainment	Attainment
$PM_{2.5}$	Nonattainment	Nonattainment
CO	Attainment	Attainment
NO_2	Attainment	Attainment
SO_2	Attainment	Attainment
Lead	Attainment	Nonattainment (Partial)
All others	Attainment/Unclassified	Attainment/Unclassified
Source: South Coast Air Quality Management District, Air Quality Management Plan, 2016.		

The following is a list of SCAQMD rules that are required of construction activities associated with the Project:

- **Rule 402 (Nuisance)** – This rule prohibits the discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. This rule does not apply to

odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.

- **Rule 403 (Fugitive Dust)** – This rule requires fugitive dust sources to implement best available control measures for all sources, and all forms of visible particulate matter are prohibited from crossing any property line. This rule is intended to reduce PM_{10} emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. PM_{10} suppression techniques are summarized below.

  a) Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.

  b) All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.

  c) All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.

  d) The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.

  e) Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.

- **Rule 1113 (Architectural Coatings)** – This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce ROG emissions from the use of these coatings, primarily by placing limits on the ROG content of various coating categories.

- **Rule 2305 (Warehouse Indirect Source Rule)** - SCAQMD adopted Rule 2305 in May 2021 to reduce emissions associated with warehouses and mobile sources attracted to warehouses. This rule applies to all existing and proposed warehouses over 100,000 square feet located in SCAQMD. Rule 2305 requires warehouse operators to track annual vehicle miles traveled (VMT) associated with truck trips to and from the warehouse. These trip miles are used to calculate the warehouses' WAIRE (Warehouse Actions and Investments to Reduce Emissions) Points Compliance Obligation. WAIRE Points are earned based on emission reduction measures and warehouse operators are required to submit an annual WAIRE Report which includes truck trip data and emission reduction measures. Reduction strategies listed in the WAIRE menu include acquire zero emission (ZE) or near zero emission (NZE) trucks; require ZE/NZE truck visits; require ZE yard trucks; install on-site ZE charging/fueling infrastructure; install onsite energy systems; and install filtration systems in residences, schools, and other buildings in the adjacent community. Warehouse operators that do not earn a sufficient number of WAIRE points to satisfy the WAIRE Points Compliance Obligation are required to pay a mitigation fee. This Project will comply with the adopted Rule 2305 (Warehouse Indirect Source Rule).

Local

City of Ontario – The Ontario Plan (TOP)

The Environmental Resources Element of The Ontario Plan (TOP) establishes goals for environmental infrastructure and policies that support system integration, resource conservation and regeneration, and energy independence. The Air Quality section contains the following goals and policies relevant to the Project:

Goal ER4 **Improved indoor and outdoor air quality and reduced locally generated pollutant emissions.**

Policy ER 4-1 Land Use. We will reduce greenhouse gas (GHG) and other local pollutant emissions through compact, mixed use, and transit-oriented development and development that improves the regional jobs-housing balance.

Policy ER 4-4 Indoor Air Quality. We will comply with State Green Building Codes relative to indoor air quality.

Policy ER 4-6 Particulate Matter. We support efforts to reduce particulate matter to meet State and Federal Clean Air Standards.

4.2.3 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

AQ-1 Conflict with or obstruct implementation of the applicable air quality plan.

AQ-2 Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

AQ-3 Expose sensitive receptors to substantial pollutant concentrations.

AQ-4 Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Section 7.0, Effects Found Not to Be Significant, substantiates that impacts associated with the following threshold would be less than significant:

- Threshold AQ-4

Therefore, these impacts will not be addressed in the following analysis.

South Coast Air Quality Management District Thresholds

The significance criteria established by the SCAQMD may be relied upon to make the above determinations to the SCAQMD, an air quality impact is considered significant if the Project would violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The SCAQMD has established thresholds of significance for air quality during construction and operational activities of land use

development projects, as shown in *Table 4.2-5: SCAQMD Emissions Thresholds*. SCAQMD's significance threshold for cumulative impacts is the same for project-specific impacts.

Table 4.2-5: SCAQMD Emission Thresholds

Air Pollutant	Construction Phase	Operational Phase
Reactive Organic Gases (ROGs)/Volatile Organic Compounds (VOCs)	75 lbs/day	55 lbs/day
Nitrogen Oxides (NO_X)	100 lbs/day	55 lbs/day
Carbon Monoxide (CO)	550 lbs/day	550 lbs/day
Sulfur Oxides (SO_X)	150 lbs/day	150 lbs/day
Particulates (PM_{10})	150 lbs/day	150 lbs/day
Particulates ($PM_{2.5}$)	55 lbs/day	55 lbs/day

Source: SCAQMD, *South Coast AQMD Air Quality Significance Thresholds*, April 2019.

Localized Carbon Monoxide

In addition to the daily thresholds listed above, development associated with the Project would also be subject to the AAQS. These are addressed through an analysis of localized CO impacts. The significance of localized impacts depends on whether ambient CO levels near the Project site are above state and federal CO standards (the more stringent California standards are 20 ppm for 1-hour and 9 ppm for 8-hour). The SoCAB has been designated as attainment under the 1-hour and 8-hour standards.

Localized Significance Thresholds

The SCAQMD has also developed LSTs for emissions of NO_2, CO, PM_{10}, and $PM_{2.5}$ generated at new development sites (off-site mobile source emissions are not included in the LST analysis). LSTs represent the maximum emissions that can be generated at a project without expecting to cause or substantially contribute to an exceedance of the most stringent NAAQS or CAAQS. LSTs are based on the ambient concentrations of that pollutant within the Project source receptor area (SRA), as demarcated by the SCAQMD, and the distance to the nearest sensitive receptor. LST analysis for construction is applicable for all projects that disturb five acres or less on a single day. The proposed Project construction is anticipated to disturb a maximum of four acres in a single day, so the LST applies.

The Project site is located within SCAQMD SRA 33, Southwest San Bernardino Valley Area. *Table 4.2-6, Local Significance Thresholds for Construction/Operations*, shows the LSTs for a 1-acre, 2-acre, and 5-acre project in SRA 33. The SCAQMD's LST guidance notes that the 25-meter threshold applies to receptors 25 meters away or less. Because the nearest sensitive receptors are located approximately 82 feet (25 meters) from the Project boundary, the thresholds for 25 meters (82 feet) or less are identified in Table 4.2-6. Table 4.2-6 demonstrates that as the Project size increases, the thresholds for construction and operations emissions also increase.

Table 4.2-6: Local Significance Thresholds for Construction/Operations

Project Size	Threshold (lbs/day)[1]			
	Nitrogen Oxides (NO_x)	Carbon Monoxide (CO)	Coarse Particulates (PM_{10})	Fine Particulates ($PM_{2.5}$)
1 Acre	118/118	863/863	5/2	4/1
2 Acres	170/170	1,232/1,232	6/2	5/2
5 Acres	270/270	2,193/2,193	16/4	9/2

Source: South Coast Air Quality Management District, *Localized Significance Threshold Methodology*, July 2008.

Health Risk

Whenever a project would use chemical compounds identified in SCAQMD Rule 1401, on CARB's air toxics list pursuant to Assembly Bill (AB) 1807, or on the U.S. EPA's National Emissions Standards for Hazardous Air Pollutants, an HRA is required by the SCAQMD. *Table 4.2-7, SCAQMD Toxic Air Contaminants Incremental Risk Thresholds*, lists the SCAQMD's TAC incremental risk thresholds for operation of a project. Projects that do not generate emissions that exceed the values in *Table 4.2-7* would not substantially contribute to cumulative air quality hazards or exacerbate an existing environmental hazard.

Table 4.2-7: SCAQMD Toxic Air Contaminants Incremental Risk Thresholds

Contaminants	Risk Threshold
Maximum Incremental Cancer Risk	≥ 10 in 1 million
Cancer Burden (in areas ≥ 1 in 1 million)	> 0.5 excess cancer cases
Hazard Index (project increment)	≥ 1.0

Source: South Coast Air Quality Management District, *South Coast AQMD Public Notification Procedures for Facilities Under the Air Toxics "Hot Spots" Information and Assessment Act (AB 2588) and Rule 1402*, Updated October 2020.

Under the California Supreme Court's decision in *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369 (Case No. S213478), where a project will exacerbate an existing environmental hazard, CEQA requires an analysis of the worsened condition on future project residents and the public at large. Projects that do not generate emissions that exceed the values in *Table 4.2-7* would not substantially contribute to cumulative air quality hazards or exacerbate an existing environmental hazard. Residential, commercial, office, and institutional uses (such as the hospital land uses) do not use substantial quantities of TACs and typically do not exacerbate existing hazards. Thus, these thresholds are typically applied to new industrial and warehouse projects.

4.2.4 Plans, Programs, and Policies

PPP AIR-1 New buildings are required to achieve the current California Building Energy Efficiency Standards (Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11). The 2016 Building Energy Efficiency Standards were effective starting on January 1, 2017, and the 2019 Building Energy Efficiency Standards became Effective January 1, 2020. The Building Energy Efficiency Standards and CALGreen are updated triannually with a goal to achieve zero net energy for residential buildings by 2020 and nonresidential buildings by 2030.

PPP AIR-2 New buildings are required to adhere to the California Green Building Standards Code (CALGreen) requirement to provide bicycle parking for new non-residential buildings,

or meet local bicycle parking ordinances, whichever is stricter (CALGreen Section 5.106.4.1, 14.106.4.1, and Section 5.106.4.1.2).

PPP AIR-3 Construction activities will be conducted in compliance with 13 California Code of Regulations (CCR) Section 2499, which requires that nonessential idling of construction equipment is restricted to five minutes or less.

PPP AIR-4 Construction activities will be conducted in compliance with any applicable SCAQMD rules and regulations, including but not limited to the following:

- Rule 403, Fugitive Dust, for controlling fugitive dust and avoiding nuisance.
- Rule 402, Nuisance, which states that a project shall not "discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property."
- Rule 1113, which limits the volatile organic compound content of architectural coatings.

PPP AIR-5 Heavy duty tractors and trailers (i.e., trucks that are 53-foot or longer) must use U.S. EPA SmartWay certified tractors and trailers or retrofit their existing fleet with SmartWay verified technologies in accordance with CARB's Heavy-Duty (Tractor-Trailer) GHG Regulation. Owners are responsible for replacing or retrofitting their affected vehicles with compliant aerodynamic technologies and low rolling resistance tires. Sleeper cab tractors model year 2011 and later must be SmartWay certified. All other tractors must use SmartWay verified low rolling resistance tires. Trailers must have low rolling resistance tires and aerodynamic devices.

PPP AIR-6 The medium-duty and heavy-duty vehicle engines are required to comply with the U.S. EPA's GHG and fuel efficiency standards. The federal and California Phase 1 standards took effect with model year 2014 tractors, vocational vehicles, and heavy-duty pick-up trucks and vans and the engines powering such vehicles (the Phase 1 standards excludes trailers). The federal Phase 2 standards cover model years 2018-2027 for certain trailers and model years 2021-2027 for semi-trucks and large pick-up trucks, vans and all types and sizes of buses and work trucks. California is aligned with the federal Phase 2 standards in structure, timing, and stringency, but with some minor California differences. The California Phase 2 regulations became effective April 1, 2019.

PPP AIR-7 All existing and proposed warehouses over 100,000 square feet located in SCAQMD are required to track annual VMT associated with truck trips to and from the warehouse. These trip miles are used to calculate the warehouses' WAIRE Points Compliance Obligation and warehouse operators are required to submit an annual WAIRE Report which includes truck trip data and emission reduction measures. WAIRE Points are earned based on emission reduction measures and warehouse

operators that do not earn a sufficient number of WAIRE points to satisfy the WAIRE Points Compliance Obligation are required to pay a mitigation fee.

Project Design Features

PDF AQ-1 Indoor material handling equipment used throughout the Project area shall be electric and will not be propane or diesel-powered.

PDF AQ-2 The tilt-up concrete warehouse buildings shall have rooftops that can support tenant improvements for solar panels (i.e., solar ready).

PDF AQ-3 The Project shall include installation of electric vehicle charging stations to service 71 parking stalls for electric vehicles and 101 clean air/vanpool parking stalls at the project site.

4.2.5 Methodology

This air quality impact analysis considers construction and operational impacts associated with the Project. Where criteria air pollutant quantification was required, emissions were modeled using the California Emissions Estimator Model (CalEEMod) (see *Appendix B1*). CalEEMod is a Statewide land use emissions computer model designed to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. Air quality impacts were assessed according to methodologies recommended by CARB and the SCAQMD.

Construction equipment, trucks, worker vehicles, and ground-disturbing activities associated with Project construction would generate emissions of criteria air pollutants and precursors. Although Project construction would be dependent on market conditions, daily regional construction emissions are estimated by assuming construction occurs at the earliest feasible date. It is assumed that construction would occur from mid-2022 to early-2024. This approach is conservative given that emissions factors decrease in future years due to regulatory and technological improvements.

As previously stated in *Section 3.0, Project Description*, Project operations assume an opening year of 2024. The development would include six buildings totaling a maximum buildout of up to 1,640,690 square feet (sf) of business park and industrial development. Air quality modeling was conservatively done based on this maximum buildout.

The Project would result in emissions of area sources (consumer products), energy sources (natural gas usage and offsite electricity generation), and mobile sources (motor vehicles from Project-generated vehicle trips). Project-generated increases in operational emissions would be predominantly associated with motor vehicle use. The Project vehicle trip generation was obtained from the Project's Traffic Analysis Study (*Appendix I1*), which includes 2,908 total daily passenger car vehicle trips and 748 daily truck trips. Other operational emissions from area, energy, and stationary sources were quantified in CalEEMod based on land use activity data.

The Project includes both refrigerated and unrefrigerated storage. Based on the Traffic Analysis Study, the Project includes 152 trucks that will be accessing the cold storage portion of the Project daily (see *Appendix I1*). Each of the trucks is assumed to include transport refrigeration units (TRU). TRU

emissions are based on rates from CARB's OFFROAD2017 model. TRU operational time per truck is based on total operational hours per year divided by total population (1.1 hours per day per truck) from CARB's OFFROAD2017 model for the South Coast portion of San Bernardino County.

As discussed under *Section 4.2.3, Thresholds of Significance*, the SCAQMD provides significance thresholds for emissions associated with proposed Project construction and operations. The proposed Project's construction and operational emissions are compared to the daily criteria pollutant emissions significance thresholds in order to determine the significance of a Project's impact on regional air quality.

The localized effects from the Project's on-site emissions were evaluated in accordance with the SCAQMD's Localized Significance Threshold (LST) Methodology, which uses on-site mass emissions rate look-up tables and Project-specific modeling. LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable NAAQS or CAAQS and are developed based on the ambient concentrations of that pollutant for each SRA and distance to the nearest sensitive receptor.

To determine the potential effects on sensitive receptors from TACs, an air dispersion model was performed using the U.S. EPA AERMOD dispersion model. AERMOD is a steady-state, multiple-source, Gaussian dispersion model designed for use with emission sources situated in terrain where ground elevations can exceed the stack heights of the emission sources (not a factor in this case). An emission rate for PM_{10} (DPM) was calculated using trip data and a CARB 2021 EMission FACtor model (EMFAC) model run for San Bernardino County; refer to *Appendix B1*. The emissions rate was calculated using 2024 emissions factors consistent with the Project's opening year (2024). This approach is conservative as it assumes no cleaner technology in future years.

The emission sources in the model are line volume sources (comprised of smaller adjacent volume sources) for the loading dock idling areas, on-site truck circulation, and off-site truck routes. Heavy duty vehicle emissions were assigned a vehicle height of 12 feet (3.66 meters), a plume height of 20.4 feet (6.29 meters), and a release height of 10.3 feet (3.15 meters). The release height and the plume height are based on U.S. EPA guidance for vehicle volume sources.

AERMOD was run to obtain the peak 1-hour and annual average concentration in micrograms per cubic meter ($\mu g/m^3$) of PM_{10} at the nearby sensitive receptors. According to the SCAQMD's Supplemental Guidelines for Preparing Risk Assessments for AB 2588, air dispersion modeling is required to estimate annual average concentrations to calculate the Maximum Individual Cancer Risk (MICR), the maximum chronic hazard index (HI), the zones of impact, and excess cancer burden, as well as peak hourly concentrations to calculate the health impact from substances with acute non-cancer health effects. To achieve these goals, a receptor grid was placed over the nearest sensitive receptors to cover the zone of impact. According to the SCAQMD, in order "to identify the maximum impacted receptors (i.e., peak cancer risk and peak hazard indices) a grid spacing of 100 meters or less must be used" (see page 16 of SCAQMD's Supplemental Guidelines). Due to the size of the Project site, receptors were modeled with a maximum of 50-meter grid spacing. In addition, National Elevation Dataset (NED) terrain data was

imported into AERMOD for the Project. The modeling and analysis was prepared in accordance with the SCAQMD Modeling Guidance for AERMOD.[1]

4.2.6 Project Impacts and Mitigation Measures

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 4.2-1 ***Would the Project conflict with or obstruct implementation of the applicable air quality plan? [Threshold AQ-1]***

Level of Significance Before Mitigation: Potentially Significant Impact

As part of its enforcement responsibilities, the U.S. EPA requires each state with nonattainment areas to prepare and submit a State Implementation Plan that demonstrates the means to attain the federal standards. The State Implementation Plan must integrate federal, state, and local plan components and regulations to identify specific measures to reduce pollution in nonattainment areas, using a combination of performance standards and market-based programs. Similarly, under State law, the CCAA requires an air quality attainment plan to be prepared for areas designated as nonattainment regarding the CAAQS and NAAQS. Air quality attainment plans outline emissions limits and control measures to achieve and maintain these standards by the earliest practical date.

The Project is located within the SoCAB, which is under the jurisdiction of the SCAQMD. The SCAQMD is required, pursuant to the FCAA, to reduce emissions of criteria pollutants for which the SoCAB is in nonattainment. To reduce such emissions, the SCAQMD drafted the 2016 AQMP. The 2016 AQMP establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving state (California) and national air quality standards. The 2016 AQMP is a regional and multi-agency effort including the SCAQMD, the CARB, the SCAG, and the U.S. EPA. The plan's pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including SCAG's 2016 RTP/SCS, updated emission inventory methodologies for various source categories, and SCAG's latest growth forecasts. SCAG's latest growth forecasts were defined in consultation with local governments and with reference to local general plans. The Project is subject to the SCAQMD's AQMP.

Criteria for determining consistency with the AQMP are defined by the following indicators:

- **Consistency Criterion No. 1**: The Project will not result in an increase in the frequency or severity of existing air quality violations, or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.
- **Consistency Criterion No. 2**: The Project will not exceed the assumptions in the AQMP or increments based on the years of the Project build-out phase.

According to the SCAQMD's *CEQA Air Quality Handbook*, the purpose of the consistency finding is to determine if a project is inconsistent with the assumptions and objectives of the regional air quality plans,

[1] South Coast Air Quality Management District, SCAQMD Modeling Guidance for AERMOD, www.aqmd.gov/home/air-quality/meteorological-data/modeling-guidance, accessed August 19, 2021

and thus if it would interfere with the region's ability to comply with CAAQS and NAAQS. Consistency with both Criterion No. 1 and Criterion No. 2 would result in a less than significant impact.

Consistency Criterion No. 1 refers to CAAQS and NAAQS emission standards. If the Project does not exceed emission standards it would not contribute to an existing air quality violation. Consistency Criterion No. 2 refers to AQMP emission assumptions based on SCAG's latest growth forecasts. If the Project proposes land uses consistent with SCAG's growth forecast or land uses that would generate less emissions than those identified in SCAG's growth forecast, then the Project would not exceed the AQMP assumptions.

The violations to which Consistency Criterion No. 1 refers are CAAQS and NAAQS. As shown in *Table 4.2-8, Construction-Related Emissions*, the Project would not exceed construction emission standards with **MM AQ-1**. However, Project emissions would exceed the operational standard for NO_X despite the implementation of all feasible mitigation, as shown in *Table 4.2-10, Mitigated Operational Emissions*. **MM AQ-2** through **MM AQ-6** are included to reduce operation emissions to the greatest amount feasible. However, even with mitigation, operational emissions would remain above the SCAQMD threshold. Therefore, the Project would potentially contribute to an existing air quality violation. Thus, the Project is not consistent with the first criterion.

Concerning Consistency Criterion No. 2, the AQMP contains air pollutant reduction strategies based on SCAG's latest growth forecasts, and SCAG's growth forecasts were defined in consultation with local governments and with reference to local general plans. The Project site is presently designated as Business Park and Low-Medium Density Residential by the General Plan. The Project would result in a change of land use designations from Business Park and Low-Medium Density Residential to Industrial General and Business Park. Therefore, the Project is conservatively assumed to generate emissions not reflected within the current 2016 AQMP regional emissions inventory for the SoCAB and is considered to be inconsistent with the AQMP. Thus, the Project is not consistent with the second criterion.

As noted above (and discussed further in Threshold 4.2-2, below), Project implementation would result in air pollutant emissions that exceed SCAQMD's operational emission thresholds. Although mitigation would reduce emissions by the greatest feasible amount, Project emissions levels would remain significant and would contribute to the nonattainment designations in the SoCAB. Therefore, the Project would be inconsistent with the AQMP, resulting in a significant and unavoidable impact despite the implementation of mitigation.

In addition, in accordance with SCAQMD Rule 2305 (refer to SCAQMD under *Section 3.4 Regulatory Setting*) the Project operator would be required to pay a mitigation fee if the Project does not generate enough WAIRE Points. The Project operator may be required to implement additional emission reduction strategies. Conservatively, this analysis does not take credit for these potential reductions. Compliance with proposed Rule 2305 may reduce emissions below what is currently analyzed.

Impact 4.2-2 ***Would the proposed project, result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? [Threshold AQ-2]***

Level of Significance Before Mitigation: Potentially Significant Impact

Construction Emissions

Construction associated with the Project would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern within the Project area include O_3-precursor pollutants (i.e., ROG and NO_x), PM_{10}, and $PM_{2.5}$. Construction-generated emissions are short term and of temporary duration, lasting only as long as construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SCAQMD's thresholds of significance.

Construction results in the temporary generation of emissions resulting from site grading, road paving, motor vehicle exhaust associated with construction equipment and worker trips, and the movement of construction equipment, especially on unpaved surfaces. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities as well as weather conditions and the appropriate application of water.

Construction activities associated with the Project are estimated to be completed within approximately 18 months. Construction-generated emissions associated with the Project were calculated using the CARB-approved CalEEMod computer program, which is designed to model emissions for land use development projects, based on typical construction requirements. See *Appendix B1*, for more information regarding the construction assumptions used in this analysis. Predicted maximum daily construction-generated emissions for the Project are summarized in *Table 4.2-8, Construction-Related Emissions.*

Table 4.2-8: Construction-Related Emissions

Construction Year	Maximum Pounds Per Day					
	Reactive Organic Gases (ROG)	Nitrogen Oxides (NO_x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO_2)	Coarse Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
Unmitigated Emissions[1]						
Year 2022[2]	12.51	83.38	114.73	0.35	24.95	9.07
Year 2023	154.59	50.02	106.77	0.33	22.91	7.22
Year 2024	152.29	38.49	86.93	0.30	22.14	6.61
SCAQMD Threshold	*75*	*100*	*550*	*150*	*55*	*150*
Exceed SCAQMD Threshold?	**Yes**	**No**	**No**	**No**	**No**	**No**
Mitigated Emissions[3]						
Year 2022	8.27	35.90	114.73	0.35	22.65[2]	6.95[2]
Year 2023	26.84	29.06	106.77	0.33	21.71	6.10
Year 2024	25.41	27.51	86.93	0.30	5.75	6.02
SCAQMD Threshold	*75*	*100*	*550*	*150*	*55*	*150*
Exceed SCAQMD Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

1. SCAQMD Rule 403 Fugitive Dust applied. The Rule 403 reduction/credits include the following: properly maintain mobile and other construction equipment; water exposed surfaces three times daily; and limit speeds on unpaved roads to 15 miles per hour. Reductions percentages from the SCAQMD CEQA Handbook (Tables XI-A through XI-E) were applied. No mitigation was applied to construction equipment. Refer to *Appendix B1* for Model Data Outputs.
2. Includes particulate matter from crushing debris, EPA AP-42 Section 11.19.2 Refer to *Appendix B1* for Model Data Outputs.
3. Mitigation includes the incorporation of MM AQ-1 and MM AQ-7. MM AQ-1 requires the use of "Super-Compliant" low VOC paints. MM AQ-7 requires off-road equipment 50 horsepower or greater to meet CARB Tier 4 Final standards. Although MM AQ-7 is not required to reduce construction related criteria pollutants, MM AQ-7 is required to reduce the Cancer Hazard Risk and the emission reductions have been included in ***Table 4.2-8*** for informational purposes.

Source: CalEEMod version 2020.4.0. Refer to *Appendix B1* for model outputs.

Fugitive dust emissions may have a substantial, temporary impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the Project vicinity. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby. SCAQMD Rules 402 and 403 (prohibition of nuisances, watering of inactive and perimeter areas, track out requirements, etc.), are applicable to the Project and were applied in CalEEMod to minimize fugitive dust emissions. Standard Condition **(SC) AQ-1** requires the implementation of Rule 402 and 403 dust control techniques to minimize PM_{10} and $PM_{2.5}$ concentrations. While impacts would be considered less than significant, the Project would be subject to SCAQMD Rules for reducing fugitive dust, described in the Regulatory Framework subsection above and identified in Standard Condition (SC) AQ-1 below.

Table 4.2-8 shows that unmitigated construction emissions would exceed the SCAQMD threshold for the ozone precursor ROG (VOC). The majority of ROG emissions are generated during the architectural coatings phase of construction. **MM AQ-1** requires the Project to use "Super-Compliant" low VOC paints. Implementation of **MM AQ-1** would reduce construction impacts to below the SCAQMD's thresholds. Impacts would be less than significant with mitigation.

Operational Emissions

Project-generated emissions would be primarily associated with motor vehicle use and area sources, such as the use of landscape maintenance equipment and architectural coatings. Long-term operational emissions attributable to the Project are summarized in *Table 4.2-9: Unmitigated Operational Emissions*. *Table 4.2-9* shows that Project emissions would exceed SCAQMD thresholds for NO_X. Therefore, regional operations emissions would result in a potentially significant long-term regional air quality impact.

Table 4.2-9: Unmitigated Operational Emissions

Source	Maximum Pounds Per Day					
	Reactive Organic Gases (ROG)	Nitrogen Oxides (NO_x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO_2)	Coarse Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
Area Source Emissions	37.40	<0.01	0.33	<0.01	<0.01	<0.01
Energy Emissions	0.37	3.33	2.80	0.02	0.25	0.25
Mobile Emissions	6.52	133.94	116.81	0.98	64.86	18.65
TRU Emissions	2.21	20.39	22.17	<0.01	0.59	0.54
Off-Road Emissions[1]	7.69	64.14	76.47	0.16	3.27	3.01
Total Emissions	54.18	**221.81**	196.41	1.16	68.97	22.45
SCAQMD Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Exceeds Threshold?	**No**	**Yes**	**No**	**No**	**No**	**No**

1. Although the PDFs require all indoor powered off-road equipment to be electric, "unmitigated" emissions from diesel equipment are conservatively shown for informational purposes.

Source: CalEEMod version 2020.4.0. Refer to *Appendix B1* for model outputs.

Operational emissions from the Project would be associated with area sources, energy sources, mobile sources (i.e., motor vehicle use), transport refrigeration units, and off-road emissions cargo handling equipment. Emissions from these categories are discussed below.

- **Area Source Emissions.** Area source emissions would be generated due to consumer products, on-site equipment, architectural coating, and landscaping that were previously not present on the site.

- **Energy Source Emissions.** Energy source emissions would be generated due to electricity and natural gas usage associated with the Project. Primary uses of electricity and natural gas by the Project would be for miscellaneous warehouse equipment, space heating and cooling, water heating, ventilation, lighting, appliances, and electronics.
- **Mobile Source Emissions.** Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG, NO_X, PM_{10}, and PM_{25} are all pollutants of regional concern. NO_X and ROG react with sunlight to form O_3, known as photochemical smog. Additionally, wind currents readily transport PM_{10} and $PM_{2.5}$. However, CO tends to be a localized pollutant, dispersing rapidly at the source.

  Project-generated vehicle emissions are based on the trip generation within the Project Traffic Analysis Study and incorporated into CalEEMod as recommended by the SCAQMD. Per the Project Trip Generation and VMT analyses, the Project would generate 3,656 daily trips, which includes 2,908 passenger cars and 748 trucks. For modeling purposes, all truck trips were assumed to be 40 miles, one way.
- **Transport Refrigeration Units (TRU) Emissions.** TRUs are refrigeration systems powered by diesel internal combustion engines designed to refrigerate or heat perishable products that are transported in various containers, including semi-trailers and vans. TRU emissions are based on rates from CARB's OFFROAD2017 model.
- **Off-Road Emissions.** Operational off-road emissions would be generated by off-road equipment used during operational activities. For this Project it was assumed that the Project would employ 50 forklifts based on surveys conducted for the *SCAQMD High Cube Warehouse Truck Trip Study White Paper.* This paper found that on average, warehouses would employ 0.12 pallet jacks and forklifts per thousand square feet of warehouse area. However, because this number includes unpowered pallet jacks which do not generate emissions, the number of forklifts was estimated to be 0.03 forklifts per thousand square feet of warehouse area. In addition, it is conservatively assumed that each building would employ one yard truck/hostler per building (six in total).

Mitigated Operation Emissions

As noted above, *Table 4.2-9* shows that unmitigated Project operational emission would exceed the SCAQMD thresholds for NO_X, and mitigation measures would be required to reduce emissions to the maximum extent feasible; however, emissions of motor vehicles are controlled by State and Federal standards and the Project has no control over these standards. CARB is addressing emissions from heavy duty vehicles through various regulatory programs including lower emission standards, restrictions on idling, the use of post-combustion filter and catalyst equipment, and retrofits for diesel truck fleets. These programs are expected to result in significant reductions in ROG, NO_X, PM_{10}, $PM_{2.5}$, and CO emissions as they are fully implemented by 2023. Federal and State agencies regulate and enforce vehicle emission standards. It is not feasible for the City of Ontario to effectively enforce a prohibition on trucks from entering the property that are otherwise permitted to operate in California and access other properties in the City, region, and State. Even if the City were to apply such a restriction, it would cause warehouse operators using older truck fleets to travel to other facilities in the SoCAB where the restriction does not apply, thereby resulting in no improvement to regional air quality. Based on data from CARB, most heavy-

duty trucks entering the Project site would meet or exceed 2010 model year emission standards when the Project becomes fully operational in 2024 as all trucks are required to meet or exceed such standards by 2023. Specifically, according to CARB EMFAC inventories, approximately 50 percent of all instate heavy-duty trucks met the 2010 engine standard in 2019, 59 percent in 2020, and 62 percent in 2021. Additionally, 65 percent and 90 percent of trucks are projected to meet the 2010 engine standard in 2022 and 2023 respectively.[2]

MM AQ-2 through **MM AQ-6** have been identified to reduce operational emissions. **MM AQ-2** requires that all cargo handling equipment used on a daily basis (yard trucks/hostlers, forklifts, etc.) be electric. **MM AQ-3** requires the implementation of a Transportation Demand Management (TDM) program to reduce single occupant vehicle trips and encourage transit. **MM AQ-4** requires the buildings to be designed to accommodate electric vehicle (EV) infrastructure, **MM AQ-5** requires electrical hookups at all loading bays, and **MM AQ-6** prohibits idling when engines are not in use. Additionally, **SC AQ-9** through **SC AQ-11** would provide designated parking to promote the use of alternative fuels and clean fleets, facilitate future installation of EV supply equipment, and limit idling times. *Table 4.2-10, Mitigated Operational Emissions* shows that despite the implementation of **MM AQ-2** through **MM AQ-6**, operational emissions of NO_x would remain above the SCAQMD's thresholds; therefore, impacts would be significant and unavoidable.

Table 4.2-10: Mitigated Operational Emissions

Source	Maximum Pounds Per Day					
	Reactive Organic Gases (ROG)	Nitrogen Oxides (NO_x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO_2)	Coarse Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
Area Source Emissions	33.65	<0.01	0.33	<0.01	<0.01	<0.01
Energy Emissions	0.37	3.33	2.80	0.02	0.25	0.25
Mobile Emissions[1]	6.47	133.78	112.88	0.97	62.91	18.13
TRU	2.21	20.39	22.17	<0.01	0.59	0.54
Off-Road Emissions[2]	0	0	0	0	0	0
Total Emissions	42.70	**157.51**	138.18	0.98	64.72	13.92
SCAQMD Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Exceeds Threshold?	**No**	**Yes**	**No**	**No**	**No**	**No**

1. Incorporates implementation of a Transportation Demand Management (TDM) program pursuant to MM AQ-3.
2. Incorporates MM AQ-2, all off-road cargo handling equipment will be electrically powered.

Source: CalEEMod version 2020.4.0. Refer to *Appendix B1* for model outputs.

In addition, SCAQMD Rule 2305 requires the Project operator to directly reduce NO_X and particulate matter emissions or to otherwise facilitate emission and exposure reductions of these pollutants in nearby communities. Alternatively, warehouse operators can choose to pay a mitigation fee. Funds from the mitigation fee would be used to incentivize the purchase of cleaner trucks and charging/fueling infrastructure in communities nearby.

Warehouse owners and operators are required to earn WAIRE points each year. WAIRE points are a menu-based system earned by emission reduction measures. Warehouse operators are required to submit an annual WAIRE Report which includes truck trip data and emission reduction measures. WAIRE points can

[2] California Air Resources Board, *EMFAC2017, An Update to California On-Road Mobile Source Emissions Inventory*, November 9, 2017. Available at: https://ww3.arb.ca.gov/msei/downloads/emfac2017_workshop_11_09_2017_final.pdf, accessed April 29, 2021.

be earned by completing actions from a menu that can include acquiring and using natural gas, NZE and/or ZE on-road trucks, zero-emission cargo handling equipment, solar panels or zero-emission charging and fueling infrastructure, or other options. Therefore, the Project operator would be required to implement additional emission reduction strategies. Compliance with SCAQMD Rule 2305 would reduce emissions below what is currently analyzed. Conservatively, this analysis does not take credit for these potential reductions.

Cumulative Short-Term Emissions

The SoCAB is designated nonattainment for O_3, PM_{10}, and $PM_{2.5}$ for State standards and nonattainment for O_3 and $PM_{2.5}$ for Federal standards. Appendix D of the SCAQMD White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution (2003) notes that projects that result in emissions that do not exceed the project-specific SCAQMD regional thresholds of significance should result in a less than significant impact on a cumulative basis unless there is other pertinent information to the contrary. Therefore, if a project is estimated to result in emissions that do not exceed the thresholds, the project's contribution to the cumulative impact on air quality in the SoCAB would not be cumulatively considerable. As shown in *Table 4.2-8* above, Project construction-related emissions by themselves would not exceed the SCAQMD significance thresholds for criteria pollutants with the implementation of **MM AQ-1**. Therefore, the proposed Project would not generate a cumulatively considerable contribution to air pollutant emissions during construction.

The SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to the FCAA mandates. The analysis assumed fugitive dust controls would be utilized during construction, including frequent water applications. SCAQMD rules, mandates, and compliance with adopted AQMP emissions control measures would also be imposed on construction projects throughout the SoCAB, which would include related projects. Compliance with SCAQMD rules and regulations would further reduce the Project construction-related impacts. Therefore, Project-related construction emissions, combined with those from other projects in the area, would not substantially deteriorate local air quality. Construction emissions associated with the Project would not result in a cumulatively considerable contribution to significant cumulative air quality impacts.

Cumulative Long-Term Impacts

The SCAQMD has not established separate significance thresholds for cumulative operational emissions. The nature of air emissions is largely a cumulative impact. As a result, no single project is sufficient in size to, by itself, result in nonattainment of AAQS. Instead, individual project emissions contribute to existing cumulatively significant adverse air quality impacts. The SCAQMD developed the operational thresholds of significance based on the level above which individual project emissions would result in a cumulatively considerable contribution to the SoCAB's existing air quality conditions. Therefore, a project that exceeds the SCAQMD operational thresholds would also result in a cumulatively considerable contribution to a significant cumulative impact.

As shown in *Table 4.2-10*, the Project operational emissions (primarily mobile source emissions) would exceed the SCAQMD threshold for NO_X despite the implementation of mitigation. As a result, operational emissions associated with the Project would result in a cumulatively considerable contribution to

significant cumulative air quality impacts. Emissions of motor vehicles are controlled by State and Federal standards and the Project has no control over these standards. PDFs, SCs, and implementation of operational **MM AQ-2** through **MM AQ-6** would reduce emissions by requiring electric cargo handling equipment, reducing the number of employee vehicles onsite, facilitating EV infrastructure, providing electric plugins for vehicles with TRUs, and reducing the amount of time trucks spend idling. No additional feasible mitigation measures beyond **MMs AQ-2** through **AQ-6** are available to further reduce emissions, and impacts would remain significant and unavoidable.

As explained above, compliance with SCAQMD Rule 2305 (Warehouse Indirect Source Rule) is required for all existing and proposed warehouses greater than 100,000 sf. Warehouse operators are required to implement additional emission reduction strategies or pay mitigation fee to reduce emissions. Compliance with SCAQMD Rule 2305 would reduce Project emissions below what is currently analyzed and also reduce cumulative emissions. However, this analysis does not take credit for any potential reductions associated with implementation of SCAQMD Rule 2305.

Standard Conditions and Requirements:

SC AQ-1 Prior to the issuance of grading permits, the City Engineer shall confirm that the Grading Plan, Building Plans and Specifications require all construction contractors to comply with South Coast Air Quality Management District's (SCAQMD's) Rules 402 and 403 to minimize construction emissions of dust and particulates. The measures include, but are not limited to, the following:

- Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
- All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.
- All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
- Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.

SC AQ-2 Pursuant to SCAQMD Rule 1113, the Project Applicant shall require by contract specifications that the interior and exterior architectural coatings (paint and primer including parking lot paint) products used would have a volatile organic compound rating of 50 grams per liter or less.

SC AQ-3 Require construction equipment to turn off when not in use per Title 13 of the California Code of Regulations, Section 2449.

SC AQ-4 In accordance with California Title 24 Standards, buildings will be designed to have 15 percent of the roof area "solar ready" that will structurally accommodate later

installation of rooftop solar panels. If future building operators pursue providing rooftop solar panels, they will submit plans for solar panels prior to occupancy.

SC AQ-5 Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls and sensors for landscaping according to the City's Landscape Development Guidelines.

SC AQ-6 Design buildings to be water-efficient. Install water-efficient fixtures in accordance with Section 5.303 of the California Green Building Standards Code Part 11.

SC AQ-7 Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1 of the California Green Building Standards Code Part 11.

SC AQ-8 Provide storage areas for recyclables and green waste and adequate recycling containers located in readily accessible areas in accordance with Section 5.410.1 of the California Green Building Standards Code Part 11.

SC AQ-9 Provide designated parking for any combination of low-emitting, fuel efficient and carpool/vanpool vehicles. At least eight percent of the total parking spaces are required to be designated in accordance with Section 5.106.5.2, Designated Parking for Clean Air Vehicles, of the California Green Building Standards Code Part 11.

SC AQ-10 Provide at least six percent of the total parking spaces to facilitate future installation of electric vehicle supply equipment in accordance with Section 5.106.5.3.2, Multiple Charging Space Requirements, of the California Green Building Standards Code Part 11.

SC AQ-11 Limit idling time for commercial vehicles to no more than five minutes per Title 13 of the California Code of Regulations, Section 2485.

Impact 4.2-3 ***Would the proposed project expose sensitive receptors to substantial pollutant concentrations? [Threshold AQ-3]***

Level of Significance Before Mitigation: Potentially Significant Impact

Localized Construction Significance Analysis

The nearest sensitive receptor is a residential building located approximately 82 feet to the north of the Project site. To identify impacts to sensitive receptors, the SCAQMD recommends addressing LSTs for construction. LSTs were developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the *Final Localized Significance Threshold Methodology* (dated June 2003 [revised 2008]) for guidance. The LST methodology assists lead agencies in analyzing localized impacts associated with Project-specific emissions.

Since CalEEMod calculates construction emissions based on the number of equipment hours and the maximum daily soil disturbance activity possible for each piece of equipment, *Table 4.2-11, Equipment-Specific Grading Rates* is used to determine the maximum daily disturbed acreage for comparison to LSTs. The appropriate SRA for the localized significance thresholds is the Southwest San Bernardino Valley (SRA 33) since this area includes the Project. LSTs apply to NO_2, CO, PM_{10}, and $PM_{2.5}$. The SCAQMD

produced look-up tables for projects that disturb areas less than or equal to five acres in size. Project construction is anticipated to disturb a maximum of four acres in a single day. As the LST guidance provides thresholds for projects disturbing 1-, 2-, and 5-acres in size and the thresholds increase with size of the site, the LSTs for a 4.0-acre threshold were interpolated and utilized for this analysis.

Table 4.2-11: Equipment-Specific Grading Rates

Construction Phase	Equipment Type	Equipment Quantity	Acres Graded per 8-Hour Day	Operating Hours per Day	Acres Graded per Day
Grading	Tractors	2	0.5	8	1.0
	Graders	1	0.5	8	0.5
	Dozers	1	0.5	8	0.5
	Scrapers	2	1	8	2
				Total Acres Graded per Day	**4.0**

Source: CalEEMod version 2020.4.0 Refer to *Appendix B1* for model outputs.

The SCAQMD's methodology states that "off-site mobile emissions from the Project should not be included in the emissions compared to LSTs." Therefore, only emissions included in the CalEEMod "on-site" emissions outputs were considered. The nearest sensitive receptor is a residential building located approximately 82 feet (25 meters) to the north of the Project site. LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. Therefore, LSTs for receptors located at 25 meters were utilized in this analysis. *Table 4.2-12, Localized Significance of Construction Emissions* presents the results of localized emissions during each construction phase. In addition, building construction, paving, and architectural coating emissions were also combined since these phases of construction are anticipated to overlap. *Table 4.2-12* shows that emissions of these pollutants on the peak day of construction would not result in significant concentrations of pollutants at nearby sensitive receptors. Significant impacts would not occur concerning LSTs during construction.

Table 4.2-12: Localized Significance of Construction Emissions

Construction Activity	Maximum Pounds Per Day			
	Nitrogen Oxides (NO_x)	Carbon Monoxide (CO)	Coarse Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
Demolition[1]	28.94	24.93	1.61	1.36
Site Preparation	33.10	19.70	9.28	5.42
Combined Demolition and Site Preparation[2]	62.04	44.63	10.89	6.78
Grading	38.84	29.04	5.22	2.93
Building Construction	15.62	16.36	0.81	0.76
Paving	10.19	14.58	0.51	0.47
Architectural Coating	1.30	1.81	0.07	0.07
Combined Grading, Building Construction, Paving, and Architectural Coating[3]	65.95	61.79	6.61	4.23
SCAQMD Localized Screening Threshold (adjusted for 4.0 acres at 25 meters)	*237*	*1,873*	*13*	*8*
Exceed SCAQMD Threshold?	**No**	**No**	**No**	**No**

1. Includes particulate matter from crushing debris, EPA AP-42 Section 11.19.2. Refer to *Appendix B1* for Model Data Outputs.
2. Based on the provided construction schedule, demolition and site preparation activities are planned to overlap and have been conservatively combined to show worst-case daily emissions
3. Based on the provided construction schedule, grading, construction, paving, and architectural coating activities are planned to overlap and have been conservatively combined to show worst-case daily emissions

Source: CalEEMod version 2020.4.0. Refer to *Appendix B1* for model outputs.

Localized Operational Significance Analysis

According to the SCAQMD LST methodology, LSTs would apply to the operational phase of a project only if it includes stationary sources or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., warehouse or transfer facilities). Since the Project includes warehouses, the operational phase LST protocol is conservatively applied to both the area source and a portion of the mobile source emissions. LSTs thresholds for receptors located at 25 meters in SRA 33 were utilized in this analysis because the closest receptors are located 82 feet to the north. Although the Project site is approximately 72 acres, the 5-acre LST threshold was also conservatively used for the Project, as the LSTs increase with the size of the site.

The LST analysis only includes on-site sources. However, the CalEEMod model outputs do not separate on- and off-site emissions for mobile sources. For a worst-case scenario assessment, the emissions shown in *Table 4.2-13, Localized Significance of Operational Emissions* conservatively include all on-site Project-related stationary sources, on-site off-road equipment (forklifts and yard trucks) and five percent of the Project-related mobile sources, since a portion of mobile sources could include trucks idling on-site. *Table 4.2-13* shows that the unmitigated localized daily operations would result in significant concentrations of PM_{10} and $PM_{2.5}$ pollutants at nearby sensitive receptors. Therefore, operational mitigation measures are required to reduce localized operational impacts. With the implementation of **MM AQ-2** through **MM AQ-6**, operational LST impacts would be less than significant.

Table 4.2-13: Localized Significance of Operational Emissions

Activity	Maximum Pounds Per Day			
	Nitrogen Oxides (NO_x)	Carbon Monoxide (CO)	Coarse Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
Unmitigated Emissions				
On-Site and Mobile Source Emissions[1]	70.8	82.65	**6.51**	**3.94**
SCAQMD Localized Screening Threshold (adjusted for 5 acres at 25 meters)	*270*	*2,193*	*4*	*2*
Exceed SCAQMD Threshold?	**No**	**No**	**Yes**	**Yes**
Mitigated Emissions				
On-Site and Mobile Source Emissions[1,2]	**6.69**	**12.88**	**3.15**	**0.91**
SCAQMD Localized Screening Threshold (adjusted for 5 acres at 25 meters)	*270*	*2,193*	*4*	*2*
Exceed SCAQMD Threshold?	**No**	**No**	**No**	**No**

1. Includes all on-site and five percent of mobile source emissions.
2. Includes MM AQ-2 through MM AQ-6
Source: CalEEMod version 2020.4.0. Refer to *Appendix B1* for model outputs.

Criteria Pollutant Health Impacts

On December 24, 2018, the California Supreme Court issued an opinion identifying the need to provide sufficient information connecting a project's air emissions to health impacts or explain why such information could not be ascertained (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502). The SCAQMD has set its CEQA significance thresholds based on the FCAA, which defines a major stationary source (in extreme O_3 nonattainment areas such as the SoCAB) as emitting 10 tons per year. The thresholds correlate with the trigger levels for the federal New Source Review (NSR) Program and SCAQMD Rule 1303

for new or modified sources. The NSR Program[3] was created by the FCAA to ensure that stationary sources of air pollution are constructed or modified in a manner that is consistent with attainment of health-based NAAQS. The NAAQS establish the levels of air quality necessary, with an adequate margin of safety, to protect the public health. Therefore, projects that do not exceed the SCAQMD's LSTs and mass emissions thresholds would not violate any air quality standards or contribute substantially to an existing or projected air quality violation and no criteria pollutant health impacts.

NO_X and ROG are precursor emissions that form O_3 in the atmosphere in the presence of sunlight where the pollutants undergo complex chemical reactions. It takes time and the influence of meteorological conditions for these reactions to occur, so O_3 may be formed at a distance downwind from the sources. Breathing ground-level O_3 can result in health effects that include reduced lung function, inflammation of airways, throat irritation, pain, burning, or discomfort in the chest when taking a deep breath, chest tightness, wheezing, or shortness of breath. In addition to these effects, evidence from observational studies strongly indicates that higher daily O_3 concentrations are associated with increased asthma attacks, increased hospital admissions, increased daily mortality, and other markers of morbidity. The consistency and coherence of the evidence for effects upon asthmatics suggests that O_3 can make asthma symptoms worse and can increase sensitivity to asthma triggers.

According to the SCAQMD's 2016 AQMP, O_3, NO_X, and ROG have been decreasing in the SoCAB since 1975 and are projected to continue to decrease in the future. Although VMT in the SoCAB continue to increase, NO_X and ROG levels are decreasing because of the mandated controls on motor vehicles and the replacement of older polluting vehicles with lower-emitting vehicles. NO_X emissions from electric utilities have also decreased due to the use of cleaner fuels and renewable energy. In addition, since NO_X emissions also lead to the formation of $PM_{2.5}$, the NO_X reductions needed to meet the O_3 standards will likewise lead to improvement of $PM_{2.5}$ levels and attainment of $PM_{2.5}$ standards.

The SCAQMD's air quality modeling demonstrates that NO_X reductions prove to be much more effective in reducing O_3 levels than VOCs and will also lead to significant improvement in $PM_{2.5}$ concentrations. NO_X-emitting stationary sources regulated by the SCAQMD include Regional Clean Air Incentives Market (RECLAIM) facilities (e.g., refineries, power plants, etc.), natural gas combustion equipment (e.g., boilers, heaters, engines, burners, flares), and other combustion sources that burn wood or propane. The 2016 AQMP identifies robust NO_X reductions from new regulations on RECLAIM facilities, non-refinery flares, commercial cooking, and residential and commercial appliances. Such combustion sources are already heavily regulated with the lowest NO_X emissions levels achievable but there are opportunities to require and accelerate replacement with cleaner ZE alternatives, such as residential and commercial furnaces, pool heaters, and backup power equipment. The AQMD plans to achieve such replacements through a combination of regulations and incentives. Technology-forcing regulations can drive development and commercialization of clean technologies, with future year requirements for new or existing equipment. Incentives can then accelerate deployment and enhance public acceptability of new technologies.

[3] Code of Federal Regulation (CFR) [i.e. PSD (40 CFR 52.21, 40 CFR 51.166, 40 CFR 51.165 (b)), Non-attainment NSR (40 CFR 52.24, 40 CFR 51.165, 40 CFR part 51, Appendix S)

The 2016 AQMP also emphasizes that beginning in 2012, continued implementation of previously adopted regulations will lead to NO_X emission reductions of 68 percent by 2023 and 80 percent by 2031. With the addition of 2016 AQMP proposed regulatory measures, a 30 percent reduction of NO_X from stationary sources is expected in the 15-year period between 2008 and 2023. This is in addition to significant NO_X reductions from stationary sources achieved in the decades prior to 2008.

As previously discussed, localized effects of on-site Project emissions on nearby receptors for the Project would be less than significant with mitigation (refer to *Table 4.2-12* and *Table 4.2-13*). The LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable NAAQS or CAAQS. The LSTs were developed by the SCAQMD based on the ambient concentrations of that pollutant for each SRA and distance to the nearest sensitive receptor. The AAQS establish the levels of air quality necessary, with an adequate margin of safety, to protect public health, including protecting the health of sensitive populations. However, as discussed above, neither the SCAQMD nor any other air district currently have methodologies that would provide Lead Agencies and CEQA practitioners with a consistent, reliable, and meaningful analysis to correlate specific health impacts that may result from a proposed project's mass emissions. Information on health impacts related to exposure to O_3 and particulate matter emissions published by the U.S. EPA and CARB have been summarized above and discussed in the Regulatory Setting section. Health studies are used by these agencies to set the NAAQS and CAAQS.

Ozone concentrations are dependent upon a variety of complex factors, including the presence of sunlight and precursor pollutants, natural topography, nearby structures that cause building downwash, atmospheric stability, and wind patterns. Because of the complexities of predicting ground-level O_3 concentrations in relation to the NAAQS and CAAQS, none of the health-related information can be directly correlated to the pounds/day or tons/year of emissions estimated from a single, proposed project. It should also be noted that this analysis identifies health concerns related to particulate matter, CO, O_3, and NO_2. *Table 4.2-1* includes a list of criteria pollutants and summarizes common sources and effects. Thus, this analysis is reasonable and intended to foster informed decision making.

Carbon Monoxide Hotspots

An analysis of CO "hot spots" is needed to determine whether the change in the level of service of an intersection resulting from the Project would have the potential to result in exceedances of the CAAQS or NAAQS. It has long been recognized that CO exceedances are caused by vehicular emissions, primarily when vehicles are idling at intersections. Vehicle emissions standards have become increasingly stringent in the last 20 years. Currently, the CO standard in California is a maximum of 3.4 grams per mile for passenger cars (requirements for certain vehicles are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology on industrial facilities, CO concentrations have steadily declined. Accordingly, with the steadily decreasing CO emissions from vehicles, even very busy intersections do not result in exceedances of the CO standard.

The SoCAB was re-designated as attainment for CO in 2007 and is no longer addressed in the SCAQMD's AQMP. The 2003 AQMP is the most recent version that addressed CO concentrations. As part of the SCAQMD *CO Hotspot Analysis*, the Wilshire Boulevard and Veteran Avenue intersection, one of the most

congested intersections in southern California with an average daily traffic (ADT) volume of approximately 100,000 vehicles per day, was modeled for CO concentrations. This modeling effort identified a CO concentration high of 4.6 ppm, which is well below the 35-ppm Federal standard. The Project considered herein would not produce the volume of traffic required to generate a CO hot spot in the context of SCAQMD's *CO Hotspot Analysis*. As the CO hotspots were not experienced at the Wilshire Boulevard and Veteran Avenue intersection even as it accommodates 100,000 vehicles daily, it can be reasonably inferred that CO hotspots would not be experienced at any vicinity intersections resulting from 3,656 additional vehicle trips attributable to the Project. Therefore, impacts would be less than significant.

Construction-Related Diesel Particulate Matter

Construction of the Project would result in the generation of DPM emissions from the use of required off-road diesel equipment required. The amount to which the receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential exposure to TAC emission levels that exceed applicable standards). Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer.

The use of diesel-powered construction equipment would be temporary and episodic. The duration of exposure would be short and exhaust from construction equipment dissipates rapidly. Current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 30, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. The California Office of Environmental Health Hazard Assessment (OEHHA) has not identified short-term health effects from DPM. Construction is temporary and would be transient throughout the site (i.e., move from location to location) and would not generate emissions in a fixed location for extended periods of time which would limit the exposure of any proximate individual sensitive receptor to TACs.

Additionally, construction is subject to and would comply with California regulations (e.g., Title 13, CCR, Sections 2485 and 2449), which reduce DPM and criteria pollutant emissions from in-use off-road diesel-fueled vehicles and limit the idling of heavy-duty construction equipment to no more than five minutes. These regulations would further reduce nearby sensitive receptors' exposure to temporary and variable DPM emissions.

An HRA was conducted based on the SCAQMD's Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis and the SCAQMD Risk Assessment Procedures and the guidance from OEHHA. Construction-related activities would result in Project-generated emissions of DPM from the exhaust of off-road, heavy-duty diesel equipment for site preparation (e.g., clearing, grading); paving; application of architectural coatings; on-road truck travel; and other miscellaneous activities. For construction activity, DPM is the primary TAC of concern. On-road diesel-powered haul trucks traveling to and from the construction area to deliver materials and equipment are less of a concern because they would not stay on the site for long durations. Diesel exhaust from construction equipment operating at the site poses a health risk to nearby sensitive receptors.

PM_{10} construction emissions rates in grams per second were calculated from the total annual on-site exhaust emissions reported in CalEEMod during construction. Maximum (worst case) PM_{10} exhaust construction emissions over the entire construction period were used in AERMOD, a U.S. EPA-approved dispersion model, to approximate construction DPM emissions. Risk levels were calculated based on the California OEHHA guidance document, *Air Toxics Hot Spots Program Risk Assessment Guidelines* (February 2015). SCAQMD's threshold for cancer risk is 10-in-one-million and the acute or chronic noncancer hazard index is one. Projects that do not exceed these thresholds would not result in a significant impact.

The construction phase HRA was conducted for the Project (see *Appendix B2* for HRA modeling results). Results of the assessment indicate that the unmitigated cancer risk would be 150-in-one-million, which exceeds the SCAQMD threshold of 10-in-one-million. Therefore, **MM AQ-7**, requiring the use of Tier 4 construction equipment is required to reduce the cancer risk. With **MM AQ-7** the cancer risk would be reduced to 7.0-in-one-million which is below the SCAQMD threshold of 10-in-one-million. With the implementation of **MM AQ-7** non-cancer hazards for DPM would be below SCAQMD threshold of 1.0, with a chronic hazard index computed at 0.002 and an acute hazard index of 0.02. Therefore, construction risk levels would be less than SCAQMD thresholds and impacts would be less than significant.

Operational Diesel Particulate Matter

An operational phase HRA was also conducted for this Project. Analysis included both on-site and off-site impacts from the diesel trucks accessing the warehouse development on nearby residential and worker receptors.

Vehicle DPM emissions were estimated using PM_{10} emission factors generated with CARB's On-Road Motor Vehicle Emission Inventory Model (EMFAC) 2021. EMFAC is a mathematical model that was developed to calculate emission rates from motor vehicles that operate on highways, freeways, and local roads in California and is commonly used by CARB to project changes in future emissions from on-road mobile sources. EMFAC incorporates regional motor vehicle data, information and estimates regarding the distribution of VMT by speed, and number of starts per day.

For this Project, annual average tailpipe PM_{10} emission factors were generated by running EMFAC for vehicles in the SCAQMD within the South Coast portion of San Bernardino County. EMFAC generates emission factors in terms of grams of pollutant emitted per vehicle activity and can calculate a matrix of emission factors at specific values of vehicle speed, temperature, and relative humidity. Truck emissions were based on the first possible year of operations for a fleet mix of various aged vehicles, as opposed to average emissions over a 30-year window. Trucks were assumed to travel at a speed of 55 miles per hour (mph) along Archibald Avenue, 50 mph along Merrill Avenue and Limonite Avenue west of Hamner Avenue, 45 mph along Euclid Avenue and Limonite Avenue east of Hamner Avenue, and 15 mph for on-site truck travel.

Air dispersion modeling was performed using the U.S. EPA AERMOD dispersion model. AERMOD is a steady-state, multiple-source, Gaussian dispersion model designed for use with emission sources situated in terrain where ground elevations can exceed the stack heights of the emission sources. AERMOD requires hourly meteorological data consisting of wind vector, wind speed, temperature, stability class,

and mixing height. Uniform Cartesian receptors were used to evaluate the locations of the maximally exposed sensitive receptors. Surface and upper air meteorological data from the Chino Airport Monitoring Station provided by the SCAQMD was selected as being the most representative meteorology. In addition, National Elevation Dataset (NED) terrain data was imported into AERMOD for the Project. The modeling and analysis were prepared in accordance with the SCAQMD Modeling Guidance for AERMOD.[4]

Idling emissions were represented in the model via line volume sources along each loading dock and 15 minutes of idling[5] for each truck was assumed. Truck travel emissions were represented in the model via line volume sources along local roads and inside the facility where the trucks are expected to travel. Trucking routes were determined per the Traffic Analysis Study (*Appendix I1*) conducted for the proposed Project.

Note that the concentration estimate developed using this methodology is conservative and is not a specific prediction of the actual concentrations that would occur at the Project site at any one point in time. Actual one-hour and annual average concentrations are dependent on many variables, particularly the number and type of vehicles and equipment operating at specific distances during time periods of adverse meteorology.

A health risk computation was performed to determine the risk of developing an excess cancer risk calculated on a 30-year exposure scenario using CARB's Risk Assessment Standalone Tool (RAST). Health risks were analyzed at the point of maximum impact and are a conservative estimate. The pollutant concentrations are then used to estimate the long-term cancer health risk to an individual as well as the non-cancer chronic health index. SCAQMD's threshold for cancer risk is ten-in-one-million and the acute or chronic noncancer hazard index is one. Projects that do not exceed these thresholds would not result in a significant impact.

The cancer and chronic health risks are based on the annual average concentration of PM_{10} (used as a proxy for DPM). As DPM does not have short-term toxicity values, acute risks were conservatively evaluated using hourly PM_{10} concentrations and the reference exposure levels (REL) for acrolein. The chronic and carcinogenic health risk calculations are based on the standardized equations contained in the U.S. EPA Human Health Evaluation Manual (1991) and the OEHHA Guidance Manual (2015).

Based on the AERMOD outputs, the highest unmitigated annual average diesel PM_{10} emission concentrations from diesel truck traffic near sensitive receptors would be 0.5483 µg/m^3. The calculations conservatively assume no cleaner technology with lower emissions in future years. The highest calculated carcinogenic risk resulting from the Project is 474 per million, which exceed SCAQMD's threshold of 10 in one million. Therefore, **MM AQ-2** through **MM AQ-6** are required to reduce impacts. Implementation of operational mitigation measures reduces the diesel exhaust PM_{10} concentrations to 0.0034 µg/m^3. As

[4] South Coast Air Quality Management District, *SCAQMD Modeling Guidance for AERMOD*, http://www.aqmd.gov/home/air-quality/meteorological-data/modeling-guidance, accessed March 2021.

[5] An idling time of 15 minutes per truck has been used per SCAQMD recommendations. Although the Project is required to comply with CARB's idling limit of 5 minutes, the SCAQMD recommends the on-site idling emissions should be estimated for 15 minutes of truck idling, which would take into account on-site idling that occurs while the trucks are waiting to pull up to the truck bays, idling at the bays, idling at check-in and check-out, etc.

such, the mitigated carcinogenic risk would be reduced to 2.94 in one million and impacts would be less than significant.

Acute and chronic impacts were also evaluated in the HRA. An acute or chronic hazard index of 1.0 is considered individually significant. The hazard index is calculated by dividing the acute or chronic exposure by the REL. After incorporating operational **MM AQ-2** through **MM AQ-6**, the highest maximum chronic and acute hazard index associated with both DPM and acrolein emissions from the Project would be 0.0007 and 0.0097, respectively. As a result, non-carcinogenic hazards are calculated to be within acceptable limits. Therefore, impacts would be less than significant with mitigation.

4.2.7 Cumulative Impacts

Regional

In accordance with SCAQMD's methodology, any project that produces a significant project-level regional air quality impact in an area that is in nonattainment contributes to the cumulative impact. Cumulative projects in the local area include new development and general growth in the Project area. The greatest source of emissions in the SoCAB is mobile sources. Due to the extent of the area potentially impacted from cumulative project emissions (i.e., the SoCAB), SCAQMD considers a project cumulatively significant when project-related emissions exceed the SCAQMD regional emissions thresholds.

Construction

The SoCAB is designated nonattainment for O_3 and $PM_{2.5}$ under both the California and federal standards and nonattainment for PM_{10} and lead (Los Angeles County only) under the federal standards. O_3 is created by chemical reactions between NO_X and VOCs; thus, NO_X and VOCs are precursor to O_3. Construction of cumulative projects will further degrade the regional and local air quality. The Project would not make a cumulative considerable contribution to $PM_{2.5}$ or PM_{10}, but air quality from VOCs would potentially be impacted during construction activities. However, as discussed under Impact 4.2-2, implementation of **MM AQ-1** would reduce Project-related construction emissions to below the SCAQMD regional significance thresholds on a Project and cumulative basis. Therefore, the proposed Project's contribution to cumulative air quality impacts would not be cumulatively considerable with incorporation of mitigation.

Operation

For operational air quality emissions, any project that does not exceed or can be mitigated to less than the daily regional threshold values is not considered by SCAQMD to be a substantial source of air pollution and does not add significantly to a cumulative impact. Operation of the Project, after incorporation of mitigation, would still result in emissions in excess of the SCAQMD regional emissions thresholds for NO_X. Therefore, the air pollutant emissions associated with the proposed Project would be cumulatively considerable and therefore significant and unavoidable.

Localized

Under SCAQMD guidance, projects that exceed the project-specific significance threshold of 10 in a million are considered to be cumulatively considerable (SCAQMD 2003). Per the MATES IV study, the proposed

Project is in an area that has an estimated cancer risk of about 898.83 in a million.[6] Project-related construction activities would result in a cancer risk of 7.0 in a million to the maximally exposed individual resident (MEIR). Development and operation of the proposed Project would result in cancer risk of 2.94 in a million to the MEIR, which would be below 10 in a million. As a result, the Project would not cumulatively contribute to the overall elevated levels of DPM in the SoCAB. Therefore, the Project's contribution to health risk impacts in the SoCAB is less than significant with mitigation incorporated.

4.2.8 Level of Significance Before Mitigation

Impact 4.2-4 would be less than significant.

Without mitigation, the following impacts would be potentially significant:

- Impact 4.2-1 Buildout of the Project could conflict with or obstruct implementation of the applicable air quality plan.
- Impact 4.2-2 Buildout of the Project could result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard.
- Impact 4.2-3 Buildout of the Project could expose sensitive receptors to substantial pollutant concentrations.

4.2.9 Mitigation Measures

Impact 4.2-1 and Impact 4.2-2

MM AQ-1 The Project shall utilize "Super-Compliant" low VOC paints which have been reformulated to exceed the regulatory VOC limits (i.e., have a lower VOC content than what is required) put forth by SCAQMD's Rule 1113 for all architectural coatings. Super-Compliant low VOC paints shall be no more than 10g/L of VOC. Plans shall specify that all architectural coatings will be super-compliant low VOC paints.

MM AQ-2 Only electric-powered off-road equipment (e.g., yard trucks/hostlers, forklifts, indoor material handling equipment, etc.) shall be utilized onsite for daily warehouse and business operations. The Project developer/facility owner shall disclose this requirement to all tenants/business entities prior to the signing of any lease agreement. In addition, the limitation to use only electric-powered off-road equipment shall be included in all leasing agreements.

Prior to issuance of a Business License for a new tenant/business entity, the Project developer/facility owner and tenant/business entity shall provide to the City of Ontario Planning Department and Business License Department a signed document (verification document) noting that the Project development/facility owner has disclosed to the tenant/business entity the requirement to use only electric-powered equipment for daily operations. This verification document shall be signed by

[6] South Coast Air Quality Management District, MATES IV Estimated Risk, https://scaqmd-online.maps.arcgis.com/apps/webappviewer/index.html?id=470c30bc6daf4ef6a43f0082973ff45f.

authorized agents for the Project developer/facility owner and tenant/business entities. In addition, if applicable, the tenant/business entity shall provide documentation (e.g., purchase or rental agreement) to the City of Ontario Planning Department and Business License Department to verify, to the City's satisfaction, that any off-road equipment utilized will be electric-powered.

If emergency generators are proposed, the Project applicant shall explore non-diesel options. If non-diesel generators are determined to not be feasible, the Project applicant shall provide written justification for the use of diesel-powered emergency generators to be approved by the City's Building Department. Feasibility of non-diesel generators would be explored on the basis of fire and life safety purposes, relative cost and availability of non-diesel generators, as well as whether or not the non-diesel generator has the capacity to supply the required level of power for the required uses.

MM AQ-3 Prior to issuance of occupancy permits, the Project operator shall prepare and submit a Transportation Demand Management (TDM) program detailing strategies that would reduce the use of single occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool and transit. The TDM shall include, but is not limited to the following:

- Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options;
- Promote bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the Project site;
- Provide on-site car share amenities for employees who make only occasional use of a vehicle, as well as others who would like occasional access to a vehicle of a different type than they use day-to-day;
- Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service; and
- Incorporate incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/vanpool users.

MM AQ-4 Prior to the issuance of a building permit, the Planning Department shall confirm that the Project is designed to include the following:

- The buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed to supply power for the future installation of electric vehicle (EV) truck charging stations on the site. Conduit should be installed from the electrical room to tractor trailer parking spaces in a logical location(s) on the site determined by the Project Applicant during construction document plan check, for the purpose of accommodating the future installation of EV truck charging

stations at such time this technology becomes commercially available and the buildings are being served by trucks with electric-powered engines.

- The buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed in the future to supply power to trailers with transport refrigeration units (TRUs) during the loading/unloading of refrigerated goods. Conduit should be installed from the electrical room to the loading docks determined by the Project Applicant during construction document plan check as the logical location(s) to receive trailers with TRUs.

MM AQ-5 Prior to the issuance of occupancy permits, the Planning Department shall confirm that tenant lease agreements include contractual language that requires all Transport Refrigeration Units (TRUs) entering the Project site be plug-in capable. Electrical hookups shall be provided as part of the tenant improvements for any tenant that requires cold storage. The electrical hookups shall be provided at loading bays for truckers to plug in any onboard auxiliary equipment and power refrigeration units while their truck is stopped.

MM AQ-6 All truck access gates and loading docks within the Project site shall have a sign posted that states:

- Truck drivers shall turn off engines when not in use
- Truck drivers shall shut down the engine after five minutes of continuous idling operation (pursuant to Title 13 of the California Code of Regulations, Section 2485). Once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged.
- Telephone numbers of the building facilities manager and CARB to report violations.
- Truck travel is restricted to identified truck routes only

In addition, signage shall be installed to direct trucks to the appropriate designated truck routes.

Impact 4.2-3

MM AQ-7 Prior to issuance of grading permits, the applicant shall prepare and submit documentation to the City of Ontario that demonstrate that all off-road diesel-powered construction equipment greater than 50 horsepower meets California Air Resources Board Tier 4 Final off-road emissions standards. Requirements for Tier 4 Final equipment shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of each unit's Best Available Control Technology (BACT) documentation (certified tier specification or model year specification), and CARB or SCAQMD operating permit (if applicable) shall be provided to the City at the time of mobilization of each applicable unit of equipment.

4.2.10 Level of Significance After Mitigation

MM AQ-1 would improve air quality by requiring the use of low VOC paints during the structural coating phase. Project related PM_{10}, $PM_{2.5}$, and DPM emissions from combustion engines will be reduce by **MM AQ-2**, which requires the use of electric cargo handling equipment (e.g., yard trucks/hostlers, forklifts, etc.) rather than diesel or natural gas. **MM AQ-3** would reduce vehicle emission by reducing single occupant vehicle trips through promoting carpool/vanpool/rideshare programs and providing pedestrian and bicycling amenities. **MM AQ-4** would reduce vehicle emission by promoting alternative fuel vehicles such as electric cars and trucks. **MM AQ-5** would l reduce PM_{10}, $PM_{2.5}$, and DPM by providing trucks with electrical hookups to power onboard auxiliary equipment and refrigeration units, allowing trucks to be turned off rather than remain idling. **MM AQ-6** would reduce truck emissions by requiring signs be posted that direct truck drivers to turn off their engines and provides a telephone number to report violations. In addition, **MM AQ-6** requires signs to be posted at exits that provide directional information to truck routes, directing truck traffic away from sensitive receptors. To protect sensitive receptors from NO_X, PM_{10}, $PM_{2.5}$, and DPM during the construction process, **MM AQ-7** requires all construction to meet CARB Tier 4 Final off-road emission standards.

Even with implementation of regulatory requirements, standard conditions of approval and implementation of reasonable and feasible **MM AQ-1** through **MM AQ-6**, the Project would result in unavoidable significant impacts with respect to air quality plan consistency (Impact 4.2-1) and operational emissions (Impact 4.2-2). However, implementation of **MM AQ-1** through **MM AQ-7** would ensure the Project's impact on sensitive receptors from substantial pollutant concentrations would be reduced to less than significant (Impact 4.2-3).

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4.3 BIOLOGICAL RESOURCES

This section of the Draft Subsequent Environmental Impact Report (EIR) examines the existing biological resources and potential impacts that may result from the construction and operation of the proposed Ontario Ranch Business Park Specific Plan Amendment Project (Project). The analysis in this section is based in part on the following technical report(s):

- General Habitat Assessment for Ontario Ranch Business Park, Ecological Sciences, Inc., March 2021; *(Appendix C1)*
- Focused Burrowing Owl Surveys, Ecological Sciences, Inc., December 27, 2020 *(Appendix C2)*

4.3.1 Environmental Setting

Existing Conditions

The Project site is located east of the unimproved right-of-way of Sultana Avenue, north of Merrill Avenue, south of Eucalyptus Avenue, and west of Campus Avenue, in the City of Ontario (City), San Bernardino County, California. This Project is an extension to the Ontario Business Ranch Park Specific Plan (Approved SP), comprising of approximately 72 acres, which would replace the existing agriculture and dairy fields on the east side of Sultana Avenue. The Project site consists of eight parcels, identified as Assessor's Parcel Numbers (APNs) 1054-041-01, -02; 1054-03-01, -02; 1054-261-01, -02; and 1054-291-01, -02.[1] To the north is a mixture of dairy/agricultural and service commercial properties, east is agricultural and vacant land, west is the Approved SP, and the Chino Airport is located to the south. The City lies within the broad alluvial fan originating from the southern flank of the San Gabriel Mountains, and dips gradually southward to the confluence of San Antonio Channel, Cucamonga Channel/Mill Creek, and the Santa Ana River at the Prado Dam Flood Control Basin in Riverside County. The Santa Ana River flows to the south of the City and Cucamonga Creek and Deer Creek traverse north to south through the City. The Project site is generally flat, with elevation averaging approximately 197 meters (m) (646 feet [ft]) above mean sea level (AMSL). The entire Project site has been disturbed by the development and over 80 years of use by dairy farms. Vegetation is characterized as primarily agricultural and commercial landscaping with no native vegetation observed.

The Project site occurs on the "Prado Dam" California United States Geological Survey (USGS) 7.5-minute quadrangle map, Township 2 South, Range 7 West. The Project site is characterized primarily as an active dairy operation. The Project site contains a single-family residence, multiple dairy-related structures (sheds, corrals, etc.), feeding preparation areas, waste ponds/basins, cultivated/disced areas, manure spreading areas, and debris dumping areas. The ruderal/disturbed areas support mostly invasive, non-native annual species. Manure, associated with the ongoing dairy operation, is present throughout most of the Project site. Cattle feeding areas were barren ground covered in manure and mud. Surrounding land uses include agricultural areas similar to the Project site, and the Chino Airport is located to the south. Projects proposed in the area that contain potentially suitable habitat to support sensitive biological resources must demonstrate to reviewing agencies [e.g., U.S. Fish and Wildlife Service (USFWS), California

[1] Public San Bernardino County Parcel Viewer. (2021). Retrieved from: https://www.arcgis.com/apps/webappviewer/index.html?id=87e70bb9b6994559ba7512792588d57a.

Department of Fish and Game (CDFG-currently Department of Fish and Wildlife or CDFW), County, City] that potential project-related impacts to sensitive biological resources are adequately addressed and mitigated pursuant to the California Environmental Quality Act (CEQA) and other environmental regulations as part of Project approval.

Plant Communities/ Habitat

Ruderal plants recorded on-site included various non-native grasses and weedy species such as foxtail chess (*Bromus madritensis spp. rubens*), ripgut grass (*Bromus diandrus*), Bermuda grass (*Cynodon dactylon*), Mediterranean grass (*Schismus barbatus*), filaree (*Erodium sp.*), Lamb's quarter's (*Chenopodium album*), milk thistle (*Silybum marianum*), alfalfa (*Medicago sativa*), Russian thistle (*Salsola tragus*), puncture vine (*Tribulus terrestris*), black mustard (*Brassica nigra*), cheeseweed (*Malva parviflora*), nettle (*Urtica sp.*), tree tobacco (*Nicotiana glauca*), and gum (*Eucalyptus sp.*).

Sensitive Biological Resources

Discussed below are plant and wildlife species potentially present in the Project site that have been afforded special recognition by federal or State agencies. This discussion is based on species that would potentially pose considerable constraints on the proposed Project because of their high sensitivity status (listed or proposed for listing as rare, threatened, or endangered) with State and/or federal resource agencies. In addition, plants included on Lists 1, 2, 3, or 4 of the California Native Plant Society (CNPS) inventory are also considered of special-status. Vegetation communities that are unique, of relatively limited distribution, or of particular value to wildlife and considered sensitive by State and/or federal resource agencies are also generally discussed. There is a low probability of occurrence due to the Project's site-specific factors (e.g., disturbance level, land use, etc.).

In general, those species presented in *Table 4.3-1, Special-Status Plant Species Potentially Occurring in the Site Vicinity,* and *Table 4.3-2, Special-Status Wildlife Species Potentially Occurring in the Site Vicinity,* that are "not expected" or that have a "low occurrence potential" generally correspond to "less than significant" under CEQA. The occurrence potential of special-status plant and wildlife species is primarily based on habitat types present, occurrence records of sensitive species from the site vicinity, and results of the on-site reconnaissance surveys. No focused wildlife or botanical surveys were conducted.

Special-Status Plant Species

No special-status plant species were detected on-site during the reconnaissance survey, and none are expected due to lack of suitable habitat. Special-status plant species known from the region that potentially occur within the Project site are summarized below in *Table 4.3-1, Special-Status Plant Species Potentially Occurring in the Site Vicinity*.

Table 4.3-1: Special-Status Plant Species Potentially Occurring in the Site Vicinity

Common Name Scientific Name	Status			Habitat Requirements	Occurrence Potential
	Federal	State	CNPS		
Paniculate tarplant *Deinandra paniculata*	--	--	4	Valley grassland	**Low Potential:** marginally suitable habitat present
Coulter's saltbush *Atriplex coulteri*	--	--	1B	Coastal bluff scrub, coastal dunes, coastal scrub, and valley and foothill grassland; sometimes associated with alkaline low places and clay soil.	**Not Expected:** suitable habitat not present
South Coast saltscale *Atriplex pacifica*	FSC	--	1B	Coastal bluff scrub, playas, chenopod scrub	**Not Expected:** suitable habitat not present
Long-spined spineflower *Chorizanthe polygonoides* var. *longispina*	FSC	--	1B	Chaparral, sage scrub, grasslands, often with clay soils	**Not Expected:** suitable habitat not present
California spineflower *Mucronea californica*	--	--	4	Chaparral, cismontane woodland, coastal dunes, coastal scrub, grasslands with sandy soils	**Not Expected:** suitable habitat not present
Palmer's grapplinghook *Harpagonella palmeri*	FSC	--	2	Chaparral, grasslands, sage scrub with clay soils	**Not Expected:** suitable habitat not present
Round-leaved filaree *Erodium macrophyllum*	--	--	2	Cismontane woodland, valley and foothill grassland with clay soils	**Not Expected:** suitable habitat not present
California muhly *Muhlenbergia californica*	--	--	4	Chaparral, coastal scrub, lower montane coniferous forest; moist conditions	**Not Expected:** suitable habitat not present
Plummer's mariposa lily *Calochortus plummerae*	FSC	--	1B	Chaparral, cismontane woodlands, coastal scrub, Lower coniferous forests, and grasslands; associated with granitic soils.	**Not Expected:** suitable habitat not present
Intermediate mariposa lily *Calochortus weedii* var. *intermedius*	FSC	--	1B	Chaparral, coastal scrub, grasslands; often associated with dry, rocky, open slopes.	**Not Expected:** suitable habitat not present
Parry's spineflower *Chorizanthe parryi* ssp. *parryi*	FSC	--	3	Chaparral and coastal scrub; associated with sandy or rocky openings.	**Not Expected:** suitable habitat not present
Many-stemmed dudleya *Dudleya multicaulis*	FSC	--	1B	Chaparral, coastal scrub, and grasslands; often associated with clay soils.	**Not Expected:** suitable habitat not present
Santa Ana River woollystar *Eriastrum densifolium* ssp. *sanctorum*	FE	CE	1B	Coastal scrub, chaparral, and alluvial scrub; associated with sandy soil in river floodplains or terraced fluvial deposits.	**Not Expected:** suitable habitat not present
Smooth tarplant *Centromadia pungens ssp. laevis*	FSC	--	1B	Chenopod scrub, meadows, playas, riparian woodland, and valley and foothill grasslands; associated with alkaline areas.	**Not Expected:** suitable habitat not present
San Diego ambrosia *Ambrosia pumila*	FE	--	1B	Chaparral, coastal scrub, grasslands, vernal pools with sandy loam or clay soils (20-415M)	**Not Expected:** suitable habitat not present
Slender-horned spineflower *Dodecahema leptoceras*	FE	CE	1B	Chaparral, alluvial fan sage scrub; terraces and washes	**Not Expected:** suitable habitat not present
Many-stemmed dudleya *Dudleya multicaulis*	--	--	1B	Chaparral, coastal scrub, valley and foothill grassland/ often clay soils	**Not Expected:** suitable habitat not present
Coulter's goldfields *Lasthenia glabrata* ssp. *coulteri*	FSC	--	1B	Playas, vernal pools	**Not Expected:** suitable habitat not present
Heart-leaved pitcher sage *Lepechinia cardiophylla*	--	--	1B	Closed cone coniferous forest, chaparral, cismontane woodland	**Not Expected:** suitable habitat not present
Payson's jewel-flower *Caulanthus simulans*	--	--	4	Chaparral, coastal sage; burned areas; streambed; rocky slopes	**Not Expected:** suitable habitat not present

Common Name Scientific Name	Status			Habitat Requirements	Occurrence Potential
	Federal	State	CNPS		
California saw-grass *Cladium californicum*	--	--	2	Freshwater and alkali marshes; seeps	**Not Expected:** suitable habitat not present
Mesa horkelia *Horkelia cuneata* ssp. *puberula*	--	--	1B	Chaparral, cismontane woodland, coastal scrub; sandy or gravelly	**Not Expected:** suitable habitat not present
Prostrate vernal pool navarretia *Navarretia prostrata*	--	--	1B	Valley and foothill grassland, coastal scrub, vernal pools	**Not Expected:** suitable habitat not present
Santiago Peak phacilia *Phacelia suaveolens* ssp. *keckii*	--	--	1B	Closed cone coniferous forests and chaparral; sometimes along creeks	**Not Expected:** suitable habitat not present
San Bernardino aster *Symphyotrichum defoliatum*	--	--	1B	Meadows and seeps, marshes and swamps; coastal scrub, woodlands; mesic grassland; ditches	**Not Expected:** suitable habitat not present
Robinson's pepper-grass *Lepidium virginicum* var. *robinsonii*	--	--	1B	Chaparral and coastal scrub; associated with dry soils; known to occur on roadsides.	**Not Expected:** suitable habitat not present
Chaparral sand verbena *Abronia villosa* var. aurita	--	--	1B	Chaparral, coastal scrub with sandy soils	**Not Expected:** suitable habitat not present
Salt spring checkerbloom *Sidalcea neomexicana*	--	--	2	Chaparral, coastal scrub, lower montane coniferous forest, Mohavean desert scrub, coastal brackish marsh, and alkali playas, seeps, and marshes; associated with moist, alkaline soils.	**Not Expected:** suitable habitat not present
Vernal barley *Hordeum intercedans*	--	--	3	Coastal dunes, coastal scrub, grasslands (saline flats and depressions)	**Not Expected:** suitable habitat not present
Southern California black walnut *Juglans californica* var. *californica*	--	--	4	Chaparral, cismontane woodland, coastal sage scrub	**Not Expected:** suitable habitat not present
Tecate cypress *Cupressus forbesii*	--	--	1B	Closed-cone coniferous forest; chaparral	**Not Expected:** suitable habitat not present

[1] Based primarily on review of 2020 CNDDB, 2020 CNPS online database, and 2021 USFWS IPaC; additional locality information derived from internal unpublished data, technical reports from the region, and other informal grey literature

[1] ***Federal-USFWS***

FE: Federally Endangered
FT: Federally Threatened Species
FPE: Federally Proposed Endangered
FPT: Federally Proposed Threatened
FC: Federal Candidate Species (USFWS 1996)

State-CDFW

CE: State Endangered
CT: State Threatened
CR: State Rare

CNPS-California Native Plant Society

List 1A: Plants presumed extinct in California.
List 1B: Plants rare and endangered in California and elsewhere
List 2: Plants rare and endangered in California, but more common elsewhere
List 3: Taxa about which more information is needed
List 4: Plants of limited distribution

Special-Status Wildlife Species

No special-status wildlife species were directly observed on the Project site. However, several species not observed during the survey may have a moderate or moderate-high occurrence potential (primarily as foragers). Most remaining potentially occurring sensitive wildlife species are not expected to occur on-site due to lack of suitable habitat. Sensitive wildlife species potentially occurring on the Project site are summarized below in *Table 4.3-2, Special-Status Wildlife Species Potentially Occurring in the Site Vicinity*.

Table 4.3-2: Special-Status Wildlife Species Potentially Occurring in the Site Vicinity

Common Name Scientific Name	Status		Habitat Requirements	Occurrence Potential
	Federal	State		
Invertebrates				
Delhi Sands flower-loving fly *Rhaphiomidas terminatus abdominalis*	FE	--	Open, sandy (Delhi) dune areas commonly supporting buckwheat, croton, telegraph weed, *Camissonia* and *Oenothera*	**Not Expected:** no suitable habitat present
Riverside fairy shrimp *Streptocephalus wootoni*	FE	--	Swales, vernal pools, and basins within grasslands and sage scrub habitats	**Not Expected;** suitable habitat not present
Vernal pool fairy shrimp *Branchinecta lynchi*	FT	--	Vernal pools or alkali vernal pools	**Not Expected;** suitable habitat not present
California linderiella *Linderiella occidentalis*	--	--	Vernal pools	**Not Expected;** suitable habitat not present
Fishes				
Santa Ana sucker *Catostomus santaanae*	FT	CSC	Small to medium-sized perennial streams	**Not Expected:** suitable habitat not present
Arroyo chub *Gila orcutti*	FSC	CSC	Slow moving or backwater sections of streams with sandy or mud substrates	**Not Expected:** suitable habitat not present
Santa Ana speckled dace *Rhinichthys osculus* spp. 3	--	CSC	Headwaters of Santa Ana and San Gabriel rivers with permanent flowing streams	**Not Expected:** suitable habitat not present
Reptiles and Amphibians				
Arroyo toad *Anaxyrus californicus*	FE	CSC	Rivers with sandy banks and loose gravelly areas, open canopy	**Not Expected:** suitable habitat not present
Western spadefoot toad *Spea hammondii*	--	CSC	Relatively open grasslands, scrublands, and woodlands with fine, loose soil	**Not Expected:** suitable habitat not present
San Diego banded gecko *Coleonyx varigatus abbotti*	--	--	Coastal and cismontane southern California; granite or rocky outcrops in coastal scrub and chaparral	**Not Expected:** suitable habitat not present
San Diego horned lizard *Phrynosoma coronatum blainvillii*	FSC	CSC	Relatively open grasslands, scrublands, and woodlands with fine, loose soil.	**Not Expected:** suitable habitat not present
Coast horned lizard *Phrynosoma blainvillii*	--	CSC	Lowlands along sandy washes; scattered low shrubs; loose soil; abundant supply of ants	**Not Expected:** suitable habitat not present
Silvery legless lizard *Anniella pulchra pulchra*	FSC	CSC	Stabilized dunes, beaches, dry washes, pine, oak, and riparian woodlands, and chaparral; associated with sparse vegetation with	**Not Expected:** suitable habitat present
Orange-throated whiptail *Aspidoscelis hyperythrus*	--	--	Relatively open grasslands, scrublands, and woodlands with fine, loose soil	**Not Expected:** suitable habitat not present
Coastal western whiptail *Aspidoscelis tigris multiscutatus*	--	◆	Sage scrub, chaparral, grassland	**Not Expected:** suitable habitat not present
Northern red diamond rattlesnake *Crotalus ruber ruber*	--	CSC	Sage scrub, chaparral, grasslands	**Not Expected:** suitable habitat not present
Southwestern pond turtle *Clemmys marmorata pallida*	--	CSC	Permanent or nearly permanent bodies of water with basking sites	**Not Expected:** suitable habitat not present
San Diego mountain kingsnake *Lampropeltis zonata*	FSC	CSC	Forests and shrublands	**Not Expected:** suitable habitat not present

Common Name Scientific Name	Status		Habitat Requirements	Occurrence Potential
	Federal	State		
Two-striped garter snake *Thamnophis hammondii*	--	CSC	Highly aquatic, near permanent fresh water; streams with rocky beds, riparian	**Not Expected:** suitable habitat not present
San Bernardino ringneck snake *Diadophis punctatus*	FSC	--	Woodlands, grassland, chaparral, and scrub habitats; often found in mesic areas under rocks, logs, and debris.	**Not Expected:** no suitable habitat present
Birds				
White-tailed kite *Elanus leucurus*	MNBMC	CFP	Open vegetation and uses dense woodlands for cover.	**Low Potential:** possibly forages over the site; no suitable nesting habitat present
Northern harrier *Circus cyaneus*	--	CSC	Coastal salt marsh, freshwater marsh, grasslands, and agricultural fields.	**Low-Moderate Potential:** possibly forages over the site; no suitable nesting habitat present
Sharp-shinned hawk *Accipiter striatus*	--	CSC	Woodlands and forages over dense chaparral and scrublands.	**Low Potential:** possibly forages over the site as seasonal winter migrant; no suitable nesting
Cooper's hawk *Accipiter cooperi*	--	CSC	Dense stands of live oaks and riparian woodlands.	**Low-Moderate Potential:** possibly forages over the site; no suitable nesting habitat present
Ferruginous hawk *Buteo regalis*	FSC, MNBMC	CSC	Grasslands, agricultural fields, and open scrublands.	**Low-Moderate Potential:** possibly forages over the site as seasonal migrant; does not breed in area
Golden eagle *Aquila chrysaetos*	--	CSC, CFP	Mountains, deserts, and open country.	**Low Potential:** species known from project vicinity and may forage over the site; no suitable
Prairie falcon *Falco mexicanus*	--	CSC	Grasslands, savannas, rangeland, agricultural fields, and desert scrub; requires sheltered cliff faces for shelter.	**Low-Moderate Potential:** may forage over the site in winter; no suitable nesting habitat present
Western burrowing owl *Athene cunicularia hypugea*	FSC, MNBMC	CSC	Grasslands and open scrub.	**Moderate Potential:** potentially suitable habitat present; not recorded on-site during 2020
California horned lark *Eremophila alpestris actia*	--	CSC	Grasslands, disturbed areas, agriculture fields, and beach areas.	**Moderate-High Potential:** potentially suitable foraging habitat present
Loggerhead shrike *Lanius ludovicianus*	FSC, MNBMC	CSC	Grasslands with scattered shrubs, trees, fences or other perches.	**Moderate-High Potential:** suitable habitat present
California coastal gnatcatcher *Polioptila californica*	FT	CSC	Coastal sage scrub in areas of flat or gently sloping terrain	**Not Expected:** suitable habitat not present
Least Bell's vireo *Vireo bellii pusillus*	FE	CE	Willow dominated riparian habitat with dense understory	**Not expected;** suitable habitat not present
Southwestern willow flycatcher *Empidonax traillii extimus*	FE	--	Riparian habitats along rivers, streams, or other wetlands usually with standing water	**Not expected;** suitable habitat not present
Western yellow-billed cuckoo *Coccyzus americanus*	--	CE	Riparian forest nester, lower flood-bottoms of larger river systems	**Not Expected:** suitable habitat not present
Yellow warbler *Dendroica petechia*	--	CSC	Riparian thickets and woodlands	**Not Expected:** suitable habitat not present
Yellow-breasted chat *Icteria virens*	--	CSC	Riparian thickets and riparian woodlands with dense understory	**Not Expected:** suitable habitat not present
Mountain plover *Charadrius montanus*	PT	CSC	Agricultural areas, fallow fields, grasslands, prairies	**Not Expected:** suitable habitat not present
Coastal cactus wren *Campylorhynchus brunneicapillus couesi*	--	CSC	Desert succulent scrub, desert wash, scrub and chaparral habitats with cactus	**Not Expected:** suitable habitat not present

Common Name Scientific Name	Status		Habitat Requirements	Occurrence Potential
	Federal	State		
S. California rufous-crowned sparrow *Aimophila ruficeps*	--	CSC	Coastal sage scrub, grasslands	**Not Expected:** suitable habitat not present
Grasshopper sparrow *Ammodramus savannarum*	MNBMC	--	Coastal sage scrub, grassland	**Not Expected:** suitable habitat not present
Bell's sage sparrow *Amphispiza belli belli*	MNBMC	CSC	Coastal sage scrub, chaparral	**Not Expected:** suitable habitat not present
Tricolored blackbird *Agelaius tricolor*	--	CSC, CCE	Marshes for nesting; forages in fields and scrub habitats	**Low Potential:** marginally suitable foraging habitat present
Mammals				
Long-eared myotis *Myotis evotis*	FSC	--	Found in nearly all brush, woodland, and forest habitats from sea level to at least 9,000 ft.	**Low Potential:** limited foraging and roosting habitat present
Small-footed myotis *Myotis ciliolabrum*	FSC	--	Arid wooded and brushy uplands near water from sea level to at least 9,000 ft.	**Low Potential:** limited foraging and roosting habitat present
Fringed myotis *Myotis thysanodes*	FSC	--	Utilizes open habitats and early successional stages, streams, lakes, and ponds from sea level to at least 9,350 ft.	**Low Potential:** limited foraging and roosting habitat present
Long-legged myotis *Myotis volans*	FSC	--	Found in nearly all brush, woodland, and forested habitats from sea level to around 9,000 ft.; a bat primarily of coniferous	**Low Potential:** limited foraging and roosting habitat present
Yuma myotis *Myotis yumanensis*	FSC	CSC	Found in a variety of habitats; optimal habitats are open forests and woodlands with sources of water over within to feed	**Low Potential:** limited foraging and roosting habitat present
Spotted bat *Euderma maculata*	FSC	CSC	Deserts, scrublands, chaparral, and coniferous woodlands; highly associated with prominent rock features	**Low Potential:** limited foraging and roosting habitat present
Pale big-eared bat *Corynorhinus townsendii pallescens*	FSC Full Species	CSC Full Sp.	Utilizes a variety of communities, including conifer and oak woodlands and forests, arid grasslands and deserts, and high-elevation	**Low Potential:** limited foraging and roosting habitat present
Pallid bat *Antrozous pallidus*	--	CSC	Arid habitats, including grasslands, shrublands, woodlands, and forests; prefers rocky outcrops, cliffs, and crevices with	**Low Potential:** limited foraging and roosting habitat present
Western mastiff bat *Eumops perotis*	FSC (ssp. *californicus*)	CSC	Primarily arid lowlands and coastal basins with rugged, rocky terrain, along with suitable crevices for day-roosts; primarily a	**Low Potential:** limited foraging and roosting habitat present
Pocketed free-tailed bat *Nyctinomops femorosaccus*	--	CSC	Pine juniper woodlands, desert scrub, palm oasis, desert wash, desert riparian; rocky areas with high cliffs	**Not Expected:** suitable habitat not present
Big free-tailed bat *Nyctinomops macrotis*	--	--	Low lying arid areas in California; needs high cliffs or rocky outcrops for roosting	**Not Expected:** suitable habitat not present
Western yellow bat *Lasurius xanthininus*	--	CSC	Valley footlhill riparian, desert riparian, palm oasis	**Not Expected:** suitable habitat not present
San Diego desert woodrat *Neotoma lepida intermedia*	--	CSC	Moderate to dense sage scrub; rocky outcrops	**Not Expected:** suitable habitat not present
San Diego black-tailed jackrabbit *Lepus californicus*	FSC	CSC	Chaparral, coastal scrub, grasslands	**Low Potential:** marginally suitable habitat present
Northwestern San Diego pocket mouse *Chaetodipus fallax fallax*	--	CSC	Open shrublands, sandy areas	**Not Expected:** suitable habitat not present
Los Angeles pocket mouse *Perognathus longimembris brevinasus*	FSC	CSC	Grasslands and coastal sage scrub; prefers lower elevational areas with open ground and sandy soils.	**Not Expected:** suitable habitat not present

Common Name Scientific Name	Status		Habitat Requirements	Occurrence Potential
	Federal	State		
San Bernardino kangaroo rat *Dipodomys merriami*	FE	CSC	Coastal sage scrub; prefers lower elevational areas with open ground and sandy soils.	**Not Expected:** suitable habitat not present
Stephens' kangaroo rat *Dipodomys stephensi*	FE	CE	Grasslands, open sage scrub	**Not Expected:** no suitable habitat present

[1] Based primarily on review of 2020 CNDDB and 2020 USFWS IPaC; additional locality information derived from internal unpublished data, technical reports from the region, and other informal grey literature regarding species accounts

[1] ***Federal-USFWS***
FE: Federally Endangered
FT: Federally Threatened
FPE: Federally Proposed Endangered
FPT: Federally Proposed Threatened
FC: Federal Candidate for listing as threatened or endangered
FSC: Federal Species of Concern- no formal protection is granted to this designation-former federal candidate species USFWS (1996)
MNBMC: Migratory Nongame Birds of Management Concern

State-CDFW
CE: California Endangered
CT: California Threatened
CCE: California Candidate (Endangered)
CCT: California Candidate (Threatened)
CFP: California Fully Protected
CP: California Fully Protected
CSC: California Species of Special Concern
◆: CDFG Special Animal

Special-Status Habitats

Special-status habitat types are vegetation communities that support concentrations of sensitive plant or wildlife species, are of relatively limited distribution, or are of particular value to wildlife. Although sensitive habitats are not necessarily afforded legal protection unless they support protected species, potential impacts to them may increase concerns and mitigation suggestions by resources agencies. Sensitive habitat types known from the Project site vicinity (mostly associated with Prado Dam and the Santa Ana River) include Riversidean Alluvial Fan Sage Scrub, Southern California Arroyo Chub/Santa Ana Sucker Stream, Southern Coast Live Oak Forest, Southern Cottonwood Willow Riparian Forest, Southern Interior Cypress Forest, Southern Riparian Forest, Southern Sycamore Alder Riparian Woodland, and Southern Willow Scrub. None of these native or special-status habitats were recorded on the Project site.

Sensitive Habitats in the Project Vicinity

The Project site is surrounded by agriculture and development. The nearest known habitats (as mentioned above) that would support sensitive biological resources would be the Santa Ana River and Prado Dam areas located approximately 3.0 miles south of the Project site. The species associated with these sensitive biological resource areas would not be expected to occur on-site due to lack of suitable habitat.

Jurisdictional Resources

Based on the field investigation conducted by Ecological Sciences, the United State Army Corps of Engineers (USACE) "waters of the United States" per Sections 401 and 404 of the Federal Clean Water Act (CWA) and "streambeds" per Section 1600-1603 of the CDFW Code were not observed on the Project site.

The on-site detention basins on the southern border of the Project site were listed in the USFWS National Wetlands Inventory as freshwater ponds. However, these basins would not be subject to federal wetland regulatory requirements and would not be considered freshwater ponds. The artificial basins are not connected to a natural stream, nor do they divert natural flow from any river, stream or lake. Since the

source of the water for these artificial features are not part of a natural stream, river, or lake, the stock ponds are not considered jurisdictional under the CDFW Lake and Streambed Alteration Program. The program states: "An entity shall not substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake…". Therefore, the stock ponds/basins on the Project site are not a "natural flow" of a stream, river, or lake, and would not be considered jurisdictional by CDFW. Further, the artificial basins are not adjacent to and are not considered Waters of the United States. The stock ponds/basins are isolated features that are not tributary to, nor do they have a significant nexus (biological, chemical, or physical connection) to traditional navigable waters of the United States. Therefore, the artificial basins on the project site would not be considered federally jurisdictional under the CWA.

Wildlife Movement Corridors

The Project site is essentially surrounded by various forms of existing development, and therefore, it is highly unlikely that the Project site occupies an important location relative to regional wildlife movement. As such, Project implementation would not be expected to have any substantial effect on local or regional corridors.

4.3.2 Regulatory Setting

Federal

Federal Endangered Species Act

The Federal Endangered Species Act (FESA), as amended, protects, and conserves any species of plant or animal and their habitats that are threatened or endangered with extinction. The "take" of endangered species is prohibited under FESA Section 9. The term "take" in this instance means to "harass, harm, pursue, hunt, wound, kill, trap, capture, collect, or attempt to engage in any such conduct." FESA Section 7 requires federal agencies to consult with the USFWS on proposed federal actions that may affect any endangered, threatened, or proposed species or critical habitat that may support the species. FESA Section 4(a) requires that critical habitat be designated by the USFWS "to the maximum extent prudent and determinable, at the time a species is determined to be endangered or threatened." This provides guidance for planners/managers and biologists by indicating locations of suitable habitat and where preservation of a species has high priority. FESA Section 10 provides the regulatory mechanism for incidental take of a listed species by private interests and nonfederal government agencies during lawful activities. Habitat Conservation Plans (HCPs) for the impacted species must be developed in support of incidental take permits to minimize impacts to the species and formulate viable mitigation measures.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act of 1918 (MBTA; 16 United States Code [USC] Section 703-712 et seq.) is a federal statute that affirms and implements four international conservation treaties that the United States entered into with Canada, Mexico, Japan, and Russia. This treaty is intended to protect shared migratory bird resources and ensures the sustainability of populations. The MBTA governs the transportation of

migratory birds, their eggs, their parts, and their nests. It also prohibits the sale, purchase, barter, or offering of these items, except under a valid permit or as permitted in the implementing regulations. USFWS administers permits concerning migratory birds in accordance with the MBTA. According to the Code of Federal Regulations (CFR), one can locate this list of protected migratory bird species under CFR Title 50 Part 10.13 (10.13 list). The 10.13 list was last updated in 2020, incorporating the most current scientific information on taxonomy and natural distribution.

Clean Water Act, Section 404

The USACE regulates discharge of dredged or fill material into waters of the United States, including wetlands under the CWA. Activities in waters of the United States regulated under this program include fill for development, water resource Projects, infrastructure development and mining Projects. A permit is required before dredged or fill material may be discharged into waters of the United States, which entails assessment of potential adverse impacts to Corps wetlands and jurisdictional waters and any mitigation measures that the Corps requires unless the activity is exempt from Section 404 regulation (e.g., certain farming and forestry activities). Section 7 consultation with USFWS may be required for impacts to a federally-listed species. If cultural resources may be present, Section 106 review may also be required. When a Section 404 permit is required, a Section 401 Water Quality Certification is also required from the Regional Water Quality Control Board (RWQCB).

Clean Water Act, Section 401 and 402

Section 401(a)(1) of the CWA specifies that any applicant for a federal license or permit to conduct any activity that may result in any discharge into navigable waters shall provide the federal permitting agency with a certification, issued by the state in which the discharge originates, that any such discharge will comply with the applicable provisions of the CWA. In California, the applicable RWQCB must certify that the Project will comply with water quality standards. Permits requiring Section 401 certification include Corps Section 404 permits and National Pollutant Discharge Elimination System (NPDES) permits issued by the U.S. Environmental Protection Agency (EPA) under Section 402 of the CWA. NPDES permits are issued by the applicable RWQCB. The City of Ontario is in the jurisdiction of the Santa Ana RWQCB (Region 8).

State

California Fish and Game Code, Section 1600

The California Fish and Game Code (CFGC) Section 1600 requires a Project proponent to notify the CDFW of any proposed alteration of streambeds, rivers, and lakes. The intent is to protect habitats that are important to fish and wildlife. CDFW may review and place conditions on the Project, as part of a Streambed Alteration Agreement (SAA), that address potentially significant adverse impacts within CDFW's jurisdictional limits.

California Fish and Game Code, Section 3503.5, 3511, 3515,3800

Section 3503.5 of the CFGC states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such

bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Activities that result in the abandonment of an active bird of prey nest may also be considered in violation of this code. In addition, CFGC, Section 3511 prohibits the taking of any bird listed as fully protected, and CFGC, Section 3515 states that it is unlawful to take any non- game migratory bird protected under the MBTA. Section 3800 states that it is unlawful to take any nongame bird except as provided in this code or in accordance with regulations of the commission or, when relating to mining operations, a mitigation plan approved by the department.

California Endangered Species Act

The California Endangered Species Act (CESA), enacted in 1970 and amended in 1984, is a California law that conserves and protects plant and animal species at risk of extinction. It generally parallels the main provisions of the FESA and is administered by the CDFW. Plant and animal species may be designated threatened or endangered under CESA after a formal listing process by the CFGC. With already approximately 250 species currently listed, a CESA-listed species, or any part or product of the plant or animal, may not be imported into the state, exported out of the state, "taken" (i.e., killed), possessed, purchased, or sold without proper authorization. Implementation of CESA has reduced and avoided impacts to California's most imperiled plants and animals, has protected hundreds of thousands of acres of vital habitat, and has led to a greater scientific understanding of California's incredible biodiversity. Candidate species may be afforded temporary protection as though they were already listed as threatened or endangered at the discretion of the Fish and Game Commission. Unlike the FESA, CESA does not include listing provisions for invertebrate species. Under certain conditions and if the take is incidental to otherwise lawful activities, CESA has provisions for take through Incidental Take Permits (ITP);2081) or memorandum of understanding (MOU). In addition, some sensitive mammals and birds are protected by the State as "fully protected species." California "species of special concern" are species designated as vulnerable to extinction due to declining population levels, limited ranges, and/or continuing threats. This list is primarily a working document for the CDFW's California Natural Diversity Database (CNDDB), which maintains a record of known and recorded occurrences of sensitive species. Informally listed taxa are not protected per se but warrant consideration in the preparation of biological resources assessments.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act provides for statewide coordination of water quality regulations. The State Water Resources Control Board (SWRCB) was established as the Statewide authority and nine separate RWQCBs were developed to oversee water quality on a day-to-day basis.

The SWRCB is the primary agency responsible for protecting water quality in California. As discussed above, the RWQCBs regulate discharges to surface waters under the CWA. In addition, the RWQCBs are responsible for administering the Porter-Cologne Water Quality Control Act.

Pursuant to the Porter-Cologne Water Quality Control Act, the state is given authority to regulate waters of the state, which are defined as any surface water or groundwater, including saline waters. As such, any person proposing to discharge waste into a water body that could affect its water quality must first file a Report of Waste Discharge if Section 404 of the CWA is not required for the activity. "Waste" is partially

defined as any waste substance associated with human habitation, including fill material discharged into water bodies.

Natural Community Conservation Planning Act

In 1991, the California Natural Community Conservation Planning Act (NCCP Act; CFGC Section 1900 et seq.) was approved and the NCCP Coastal Sage Scrub program was initiated in Southern California. California law (CFGC Section 2800 et seq.) established the NCCP program "to provide for regional protection and perpetuation of natural wildlife diversity while allowing compatible land use and appropriate development and growth." The NCCP Act encourages preparation of plans that address habitat conservation and management on an ecosystem basis rather than one species or habitat at a time.

CDFW Lake and Streambed Alteration Program

The Lake and Streambed Alteration Program requires that an entity shall not substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

Local

City of Ontario TOP

The City's The Ontario Plan (TOP) Environmental Resources Element contains goals and policies which pertain to protecting biological resources in Ontario:

Environmental Resources Element

Goal ER5	**Protected high value habitat and farming and mineral resource extraction activities that are compatible with adjacent development.**
Policy ER5-1	Habitat Conservation Areas. We support the protection of biological resources through the establishment, restoration, and conservation of high-quality habitat areas.
Policy ER5-2	Entitlement and Permitting Process. We comply with state and federal regulations regarding protected species.
Policy ER5-4	Transition of Farms. We protect both existing farms and sensitive uses around them as agricultural areas transition to urban uses.

City of Ontario Municipal Code

Municipal Code, Volume II, Chapter 2

The City's Municipal Code (MC), Volume II, Chapter 2 contains a provision for "Parkway Tree Regulations" (Ordinance 1664), to preserve parkway trees and to regulate the maintenance and removal of such trees. Parkway is defined as "…that portion of any public street right-of-way between the right-of-way boundary line and the curb line, and also the area enclosed within the curb lines of a medial divider." The property owner abutting upon public rights-of-way (ROW) is responsible to water any tree located in the parkway and for trimming that can be done from the ground to preserve the neat appearance and non-obstructed

use of the parkway, while the City is responsible for all major pruning. Removal or relocation of any parkway tree requires prior authorization from the Public Works Agency of the City through a permit process, and planting of a replacement tree, whenever feasible, shall be a condition included in any permit issued by the City for the removal of any parkway tree. Alternatively, a cash-in-lieu deposit may be accepted by the City as an alternate to the actual planting of any required parkway tree based on a fair value established by the Public Facilities Manager.

Municipal Code, Section 6.05.020

The City MC Section 6.05.020 addresses heritage trees in the City of Ontario. The Project site does not contain trees that fall under the definition of a heritage tree, as noted below.

- Heritage tree – (c) a defining landmark or significant outstanding feature of a neighborhood or district, or typical of early Ontario landscapes, [i] *Cinnamomum camphora* [ii] *Cedrus deodora*, and [iii] *Platanus acerifolia*.

4.3.3 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, a project would a have significant effect on the biological resources if the project would:

B-1 Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

B-2 Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

B-3 Have substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

B-4 Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

B-5 Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

B-6 Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Section 7.0, Effects Found Not to Be Significant (EFNTBS), substantiates that impacts associated with the following thresholds would be less than significant:

- Threshold B-5
- Threshold B-6

These impacts will not be addressed in the following analysis.

4.3.4 Plans, Programs, and Policies

PPP BIO-1 The Project shall comply with the Federal Endangered Species Act and Migratory Bird Treaty Act.

PPP BIO-2 The Project shall comply with the California Endangered Species Act and Fish and Game Code.

4.3.5 Methodology

The Project and associated PPPs are evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning biological resources. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards [LORS]) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the Project's potentially significant environmental impacts.

Burrowing Owl (BUOW) Protocol Survey

Existing documentation pertinent to the distribution and habitat requirements of the burrowing owl was reviewed and analyzed. This included a review of: (1) the CNDDB, (2) both the 1995 CDFG Staff Report on Burrowing Owl Mitigation and the 2012 CDFG Staff Report on Burrowing Owl Mitigation, and (3) other literature pertaining to habitat requirements of the BUOW as referenced herein.

The BUOW surveys were conducted in accordance with the March 7, 2012 CDFG Staff Report on Burrowing Owl Mitigation. These guidelines within the 2012 CDFG Staff Report include searches for BUOW, burrows (natural and artificial), and BUOW sign by walking parallel transects (where feasible) through suitable habitat over the entire survey area [i.e., the Project site and within a 150-meter (500 feet) buffer area where feasible or at least by visual means]. Upon arrival at the survey area and prior to initiating the walking surveys, the biologist used binoculars and/or spotting scope to scan suitable habitat. Ecological Sciences' Principal Biologist initiated the first of four total focused breeding season BUOW surveys on April 12, 2020. Subsequent surveys were conducted on May 17, June 14, and July 11 of 2020.

No direct BUOW observations were recorded during the April-July 2020 focused BUOW breeding season surveys. No potential burrows inspected during the survey were determined to be currently occupied by BUOW based on absence of BUOW observations and sign (feathers, pellets, fecal material, prey remains, etc.) at or near burrow entrances/aprons. BUOW were also not observed utilizing the site for foraging purposes on or adjacent to the site (adjacent areas viewed by binocular only).

Avian species observed on-site included turkey vulture (*Cathartes aura*), red-tailed hawk (*Buteo jamaicensis*), common raven (*Corvus corax*), American crow (*Corvus brachyrhynchos*), killdeer (*Charadrius vociferus*), barn swallow (*Hirundo rustica*), European starling (*Sturnus vulgaris*), rock pigeon (*Columba livia*), Eurasian collared dove (*Streptopelia decaocto*), black-phoebe (*Sayornis nigricans*), Say's

phoebe (*Sayornis saya*), mourning dove (*Zenaida macroura*), northern mockingbird (*Mimus polyglottos*), Brewer's blackbird (*Euphagus cyanocephalus*), western meadowlark (*Sturnella neglecta*), house finch (*Carpodacus mexicanus*), white-crowned sparrow (*Zonotrichia leucophrys*), and house sparrow (*Passer domesticus*). Reptile species observed included site-blotched lizard (*Uta stansburiana*). Mammal species directly observed, or of which sign was detected, included California ground squirrel (*Otospermophilus beecheyi*), desert cottontail (*Sylvilagus audubon*i), and pocket gopher (*Thomomys bottae*).

Recommendations

Burrowing Owl Protocol (BUOW) Survey

Despite that fact that the Project site has been exposed to long-standing disturbances, BUOW often occur in less than optimal and/or disturbed conditions. If it were later determined that active nests of BUOW would be lost as a result of site-preparation, it could result in CEQA significant adverse impacts and would be in conflict with CDFW code sections. Although no BUOW were recorded on-site, it is recommended by CDFW to complete an initial take avoidance survey no less than 14 days prior to initiating ground disturbance activities. Implementation of avoidance and minimization measures would be triggered by positive owl presence on the site where Project activities would occur. The development of avoidance and minimization approaches would be evaluated by monitoring BUOW (if present on-site). BUOW may re-colonize a site after only a few days. Time lapses between project activities trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance.

4.3.6 Project Impacts and Mitigation Measures

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 4.3-1 ***Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? [Threshold B-1]***

Level of Significance Before Mitigation: Potentially Significant Impact

Sensitive Plants

No special-status plant species are expected to occur on the Project site due to lack of suitable habitat. . Long-standing use of the Project site for agricultural uses and other anthropogenic disturbances have likely altered soil chemistry and other substrate characteristics such that on-site soils are not likely capable of supporting those sensitive plant species known from the Project site vicinity. Project site development would not eliminate significant amounts of habitat for potentially occurring special-status plant species, nor reduce population size of sensitive plant species below self-sustaining levels on a local or regional basis (if present). Therefore, the development of the Project would not result in a substantial adverse effect, either directly or through habitat modification, on any plant specifies identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulation or by the CDFW or USFWS. Hence, no significant impact to special-status plant species or their habitat would occur.

Sensitive Wildlife

No special-status wildlife species were directly recorded on-site; however, the California horned lark and loggerhead shrike have moderate-high occurrence potential because they are well known to utilize agricultural areas. However, these species were deemed by USFWS to be too widespread and common to warrant listing as threatened or endangered, and as such, were removed from formal sensitive species status. Impacts to agricultural-related habitats could amount to an incremental reduction of potential foraging habitat for certain species that may be considered locally adverse. However, Project site development would not eliminate significant amounts of habitat for these species, nor reduce population size below self-sustaining levels on a local or regional basis. Therefore, less than significant impacts to these species would be expected.

Nesting Birds

No nesting birds were incidentally observed during surveys conducted on the Project site in 2020. Although many native bird species are not protected by CESA or FESA, most are protected under the federal MBTA and CDFG Code Sections 3503, 3503.5, and 3800 which prohibit take, possession, or destruction of birds, their nests or eggs. If it were later determined that active nests of any of special-status or native species would be lost or indirectly impacted as a result of site-preparation, it could result in adverse impacts and would be in conflict with these regulations. If construction activities (e.g., site disturbances) are proposed during the nesting season, a nesting bird survey(s) may be required prior to development. Development activities performed outside of the avian breeding season (generally September 1 to December 31) usually eliminates the need to conduct pre-activity nesting surveys for most native species known from the site vicinity and ensure that there were no constraints to construction relative to the MBTA/CDFG Code. Compliance with the MBTA/CDFG Code would be necessary prior to development; however, no special permit or approval is typically required in most instances where BUOW are not present. Development activities performed outside of the avian breeding season would generally eliminate the need to conduct pre-activity nesting surveys for most common native species (other than BUOW) known from the Project site vicinity, and likely ensure that there were no constraints to construction relative to the MBTA/CDFG codes.

Although not expected on the Project site, due to absence of preferred nesting habitat, the tricolored blackbird would need to be considered under CESA due to its current status as endangered. According to the General Habitat Assessment (see *Appendix C1*), tricolored blackbird habitat in the nesting season was found in the "vicinity of fresh water, especially marshy areas. The most favored sites for colonies are heavy growths of cattails and tulles, but even when these are available, other vegetation may be resorted to for nesting: sedges, nettles, willows, thistles, mustard, blackberry, wild rose, foxtail grass, barley, etc." Tricolored blackbird breeding habitat requirements are summarized as a nesting substrate that is relatively impenetrable or is flooded, is adjacent to water, and is within a few kilometers of foraging areas such as rangeland, alfalfa or cut hay, or irrigated pasture, with adequate insect prey. The tricolored blackbird's preferred winter roosting sites included "cattail and bulrush marshes near suitable foraging areas in pasturelands, recently cultivated croplands, and livestock feedstores" (in Report to the Fish and Game Commission, Evaluation of the Petition from the Center for Biological Diversity to List Tricolored Blackbird (*Agelaius tricolor*), CDFW March 2015. Tricolored blackbird colony sites require nesting

substrates offering protection from predation. These include emergent marsh vegetation (cattails, *Typha latifolia*, less frequently *T. angstifolia*), bulrushes (*Schoenoplectus californicus, S. acutus*) and Himalayan blackberries (*Rubus discolor*) thickets, thistle, and nettles. Tricolored blackbirds do not settle in grain, hay, silage, or cut-feed fields before grain forms seed awns, or spiny or prickly weeds develop in them. It is assumed that grain fields are identified as spiny vegetation by tricolors". Based on the General Habitat Assessment, absence of breeding habitat, and that no known colony sites are present in the Project site vicinity, no significant impacts are expected either to potential breeding or foraging habitat under CESA or CEQA.

Furthermore, no special-status bat species are expected to occur on-site due to absence of preferred habitat. Because many North American bat species tend to congregate at preferred roosting sites or at isolated water sources, several field methods are available to identify species and broad habitat associations (e.g., tree cavities, exfoliating bark, bark fissures, crevices, cliff faces, and/or dense foliage). Acoustic surveys convert the ultrasonic echolocation signals of bats into audible electronic signals, which can be recorded and processed to assist in identification of the species. If construction activities (e.g., tree removal) are proposed during the breeding season, acoustic bat surveys will be conducted prior to development to determine current roosting status and species present. The breeding season of native bat species in California is generally from April 1 through August 31. CDFW shall be notified of any active maternity roosts within the construction zone. If non-maternity day roosts or hibernacula are found in trees scheduled to be removed, in crevices or man-made structures within the grading footprint, the individuals will be safely evicted following approved CDFW guidelines developed specifically for the species and location. No special-status bat species are expected to occur on the Project site due to absence of preferred habitat. Results of pre-construction bats surveys would determine specific measures if applicable.

Implementation of **MM BIO-1, MM BIO-2,** and **MM BIO-3** will require that nesting bird and roosting bat surveys be conducted and acoustic surveys prior to construction start to reduce impacts to nesting birds and roosting sites for bats to less than significant levels.

Burrowing Owl

BUOW is a CDFW Species of Special Concern. No direct observations or BUOW sign (feathers, pellets, fecal material, prey remains, etc.) were recorded during the 2020 focused surveys or habitat-based surveys. However, several California ground squirrel burrows potentially suitable to accommodate BUOW were recorded on-site. None of the potential burrows inspected during the surveys were determined to be currently occupied or recently used by BUOW based on the lack of owl observations and absence of sign around burrow entrances. Despite that fact that the site has been exposed to long-standing disturbances, the BUOW (Low-Moderate occurrence potential) often occur in less than optimal and/or disturbed conditions. While this species is not protected by state or federal endangered species acts, Burrowing Owls (and other native avian species) are protected under the MBTA and CDFG Code Sections 3503, 3503.5, and 3800 which prohibits take, possession, or destruction of birds, their nests or eggs (in particular raptor species such as BUOW). If it were later determined that active nests of BUOW (or other native species) would be lost as a result of Project site-preparation, it could result in significant adverse impacts and would be in conflict with these regulations. Specific BUOW survey and mitigation guidelines were

developed and described in the 2012 CDFG Staff Report on Burrowing Owl Mitigation in order to reduce project-related impacts to Burrowing Owls (**MM BIO-4**). If Project site-preparation activities occur within potential BUOW habitat, a pre-construction BUOW/Initial Take Avoidance Survey conducted no less than 14 days prior to initiating ground disturbance activities using the recommended methods described in the 2012 Staff Report is required by CDFG to determine if active nests of species protected by the MBTA and/or CDFG codes are present in the construction zone for CEQA compliance and to subsequently evaluate appropriate measures that may reduce potential adverse project-related impacts. Therefore, implementation of **MM BIO-4** would reduce impacts to less than significant.

Impact 4.3-2 ***Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? [Threshold B-2]***

Impact 4.3-3 ***Would the Project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? [Threshold B-3]***

Level of Significance Before Mitigation: Less Than Significant Impact

Since riparian habitats and protected wetlands have similar features and are often addressed in the same State or federal regulations, these two impacts will be analyzed together in the following discussion.

Special-Status Habitats

Special-status habitat types are vegetation communities that support concentrations of sensitive plant or wildlife species, are of relatively limited distribution, or are of particular value to wildlife. Although sensitive habitats are not necessarily afforded legal protection unless they support protected species, potential impacts to them may increase concerns and mitigation suggestions by resources agencies. Sensitive habitat types known from the site vicinity (mostly associated with Prado Dam and the Santa Ana River) include Riversidean Alluvial Fan Sage Scrub, Southern California Arroyo Chub/Santa Ana Sucker Stream, Southern Coast Live Oak Forest, Southern Cottonwood Willow Riparian Forest, Southern Interior Cypress Forest, Southern Riparian Forest, Southern Sycamore Alder Riparian Woodland, and Southern Willow Scrub. None of these native or special-status habitats were recorded on-site.

Sensitive Habitats in the Project Vicinity

The Project site is surrounded by agriculture and development. The nearest known habitats (as mentioned above) that would support sensitive biological resources would be the Santa Ana River and Prado Dam areas located approximately 3.0 miles south of the Project site. The species associated with these sensitive biological resource areas would not be expected to occur on-site due to lack of suitable habitat.

Jurisdictional Resources

Based on the field investigation conducted by Ecological Sciences, USACE “waters of the United States” per Sections 401 and 404 of the federal CWA and “streambeds” per Section 1600-1603 of the CDFW Code were not observed on the property.

The on-site detention basins on the southern border of the Project site were listed in the USFWS National Wetlands Inventory as freshwater ponds. However, these basins would not be subject to federal wetland regulatory requirements and would not be considered freshwater ponds. The artificial basins are not connected to a natural stream, nor do they divert natural flow from any river, stream or lake. Since the source of the water for these artificial features are not part of a natural stream, river, or lake, the stock ponds are not considered jurisdictional under the CDFW Lake and Streambed Alteration Program. The program states: "An entity shall not substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake…". Therefore, the stock ponds/basins on the Project site are not a "natural flow" of a stream, river, or lake, and would not be considered jurisdictional by CDFW. Further, the artificial basins are not adjacent to and are not considered Waters of the United States. The stock ponds/basins are isolated features that are not tributary to, nor do they have a significant nexus (biological, chemical, or physical connection) to traditional navigable waters of the United States. Therefore, the artificial basins on the Project site would not be considered federally jurisdictional under the CWA. Therefore, the Project would not have a substantial adverse effect on State or federally protected wetlands and a less than significant impact would occur in this regard.

Impact 4.3-4 ***Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? [Threshold B-4]***

Level of Significance Before Mitigation: Potentially Significant Impact

Wildlife Movement Corridors

The Project site is surrounded by various forms of existing development, and therefore, it is highly unlikely that the Project site occupies an important location relative to regional wildlife movement. As such, Project implementation would not be expected to have any substantial effect on local or regional wildlife movement. The Project site is currently developed with manmade structures and is surrounded by development and/or existing agricultural uses. The Project site is separated from regional wildlife movement corridors associated with the Prado Damn Flood Control Basin and Santa Ana River. Therefore, the Project site does not function as a wildlife movement corridor.

Furthermore, as stated above, no BUOW or nesting birds were incidentally observed during surveys conducted on the Project site, however there is still potential for these species to occur on-site. In order to avoid direct impacts, the Project would implement **MM BIO-1**, which would require that vegetation removal be conducted outside of the nesting season for migratory birds to avoid direct impacts and that, a pre-construction nesting bird survey would be performed within three days prior to vegetation removal. Therefore, with mitigation incorporated, impacts would be reduced to a less than significant level.

4.3.7 Cumulative Impacts

The cumulative study area for biological resources includes the southwestern San Bernardino County. This area consists of a variety of land uses that includes agricultural, residential, commercial, and industrial uses. The agricultural areas may include sensitive habitats which may contain special-status plants,

migratory bird species, and jurisdictional resources. However, as discussed above the Project would implement mitigation measures to reduce impacts to the identified species to less than significant levels. Therefore, the Project would result in a less than significant contribution to cumulative impacts to these resources, and impacts would be less than cumulatively significant.

Project development would not involve the removal of critical habitat and is not expected to make a considerable contribution to the decline of wildlife species. The Project would remove potential raptor foraging habitat through development of the warehousing and business park structures. Although the existing agriculture may provide foraging habitat for raptors, it is not expected to be valuable, as the lands are actively maintained to minimize use by small mammals (prey for raptors) and active ground squirrel management programs are continually implemented. This loss of potential raptor foraging habitat would not make a cumulatively considerable contribution to the regional decline of raptors.

Mitigation has been incorporated into the Project that would avoid direct impacts to any potentially sensitive wildlife species that may occur on-site. Therefore, the mitigation measures for the proposed Project would mitigate the potential of the Project to cumulatively combine with other projects; and the Specific Plan would not contribute to the cumulative loss of any special status wildlife species.

According to the several field surveys, none of the potential burrows identified on the Project site were determined to be currently occupied by BUOW. **MM BIO-4** would be implemented to further reduce potential BUOW impacts to less than significant levels.

The types of birds potentially affected are common to the region and the number of individuals would be limited given the type of vegetation proposed for removal (agriculture, ornamental plantings). Based on the types of species and expected limited number of nesting pairs potentially affected, development of the project would not make a cumulatively considerable contribution to the regional decline of native nesting bird populations. However, because native birds are protected by MBTA, mortality to a single native bird due to the Project would be in violation of the MBTA, CESA or FESA CESA. Therefore, cumulative impacts related to nesting birds would be less than cumulatively significant.

The General Habitat Assessment also indicated that the Project would not impact CDFW jurisdictional waters and riparian habitats. Thus, the Project would not make a cumulatively considerable contribution to the regional decline of jurisdictional waters.

4.3.8 Level of Significance Before Mitigation

Without mitigation, these impacts would be potentially significant:

- Impact 4.3-1: Development of the proposed Project could impact sensitive wildlife species and nesting birds.
- Impact 4.3-4: The proposed Project may impede the use of native wildlife nursery sites.

4.3.9 Mitigation Measures

Impact 4.3-1

MM BIO-1 Prior to the issuance of permits for any construction activity, the Project Applicant shall demonstrate compliance with the MBTA to the satisfaction of the City of Ontario that either of the following has been accomplished:

- Conduct grading activities and vegetation removal outside of the nesting season (February 1 to August 31) to avoid impacts to nesting birds, including raptors.
- If vegetation removal will occur during the bird nesting season, between February 1 and August 31, pre-construction nesting bird surveys shall be performed within three days prior to any disturbance of the site, including disking, demolition activities, and grading. If active nests are found, they shall be flagged and the biologist shall establish suitable buffers around the nest (generally a minimum of 200 feet up to 500 feet for raptors and a minimum of 50 feet up to 300 feet for passerine species, with specific buffer widths to be determined by a qualified biologist). The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.

MM BIO-2 The Project Applicant shall conduct surveys for tricolored blackbird across all suitable breeding and foraging habitat with the Project site. If tricolored blackbirds are identified, the Project Proponent shall avoid all occupied habitat on-site. If on-site avoidance is infeasible, the Project Proponent shall apply for an incidental take permit (ITP) with California Department of Fish and Wildlife (CDFW) and shall mitigate for the loss of all habitat through the acquisition, conservation, and management of in-kind habitat at a minimum 3:1 ratio, or as approved by the final ITP. Habitat shall be conserved in perpetuity via conveyance of a conservation easement to a CDFW-approved conservation entity and a management fund (endowment) shall be established by the Project Proponent consisting of an interest-bearing account with the amount of capital necessary to generate sufficient interest and/or income to fund all monitoring, management, and protection of the conservation area(s), including but not limited to, reasonable administrative overhead, biological monitoring, invasive species and trash removal, fencing and signage replacement and repair, law enforcement measures, long-term management reporting, and other actions designed to maintain and improve the habitat of the conserved land(s), in perpetuity. A Property Analysis Record, or substantially equivalent analysis, shall be conducted to determine the management needs and costs described above, which then will be used to calculate the capital needed for the management of the fund. Except for uses appropriate to a habitat conservation area, the public shall not have access to the mitigation area(s), and no activities shall be permitted within the site, except maintenance of habitat, including the removal of nonnative plant species, trash, and debris, and the installation of native plant materials.

MM BIO-3 Prior to implementation of Project activities, a qualified biologist shall be retained to determine whether potential roosting sites for bats may be affected. For large ornamental trees suitable for bat roosting/nursery, exit counts and acoustic surveys shall be performed prior to initial ground disturbance and vegetation removal to determine whether the project footprint and a 300-foot buffer supports a nursery or roost, and by which species. This survey work will occur between late-spring and late summer and/or in the fall (generally mid-March through late October).

If the results of the bat survey finds a total of a single roosting individual of a special-status bat species or 25 or more individuals of non-special-status bat species with potential to be present in the study area (i.e., western Mastiff bat, big free-tailed bat, pallid bat, western red bat, and western yellow bat), a Bat Management Plan shall be developed to ensure mortality to bats does not occur. For each location confirmed to be occupied by bats, the plan will provide details both in text and graphically where exclusion devices/and or staged tree removal will need to occur, the timing for exclusion work, and the timeline and methodology needed to exclude the bats. The plan will need to be reviewed and approved by CDFW prior to disturbance of the roost(s).

MM BIO-4 Prior to issuance of a demolition or grading permit for any ground disturbing activity, a qualified biologist shall conduct surveys for BUOW across all suitable breeding, wintering, and foraging habitat with the Project site, within 14 days prior to initiating ground disturbance activities. If burrowing owls are identified, the Project Proponent shall either avoid all impacts on-site or conserve non-impacted occupied habitat on-site and/or conserve occupied burrowing owl habitat off-site at a minimum total 2:1 ratio of conserved to impacted habitat. Coordination with the CDFW shall occur to mitigate for the loss of habitat through the acquisition, conservation, and management of in-kind habitat. Lands conserved shall include 1) sufficiently large acreage with fossorial mammals present; 2) permanent protection through a conservation easement for the purpose of conserving burrowing owl habitat and prohibiting activities incompatible with burrowing owl use; 3) development and implementation of a mitigation land management plan to address long-term ecological sustainability and maintenance of the site for burrowing owls; and 4) funding for the maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment.

Impact 4.3-4

MM BIO-1 applies.

4.3.10 Level of Significance After Mitigation

In addition to compliance with existing regulatory requirements and PPPs, implementation of **MM BIO-1** through **MM BIO-4** would reduce impacts to less than significant levels for all impacts. Therefore, upon buildout of the Project, impacts to biological resources would be less than significant with mitigation incorporated.

4.3.11 References

City of Ontario. (1992) City of Ontario Policy Plan. Accessed December 30, 2020. Available at https://www.ontarioplan.org/policy-plan/.

City of Ontario. (2020). City of Ontario Municipal Code. Accessed December 30, 2020. Available at: https://codelibrary.amlegal.com/codes/ontarioca/latest/ontario_ca/0-0-0-35678.

Code of Federal Regulations for MBTA. Retrieved from: https://www.ecfr.gov/cgi-bin/text-idx?SID=b85587342ebe4f607983dfb6d1e07461&mc=true&node=se50.1.10_113&rgn=div8

EPA. (2019). Exemptions to Permit Requirements under CWA Section 404. Accessed December 29, 2020. Available at https://www.epa.gov/cwa-404/exemptions-permit-requirements-under-cwa-section-404.

General Habitat Assessment for Ontario Ranch Business Park, Ecological Sciences, Inc., March 2021;

Focused Burrowing Owl Surveys, Ecological Sciences, Inc., December 27, 2020

Permit Program under CWA. Retrieved from: https://www.epa.gov/cwa-404/permit-program-under-cwa-section-404#:~:text=Section%20404%20of%20the%20Clean%20Water%20Act%20(CWA)%20establishes%20a,the%20United%20States%2C%20including%20wetlands.&text=Proposed%20activities%20are%20regulated%20through,required%20for%20potentially%20significant%20impacts.

4.4 CULTURAL RESOURCES

This section of the Draft Environmental Impact Report (EIR) analyzes the potential impacts of the Ontario Ranch Business Park Specific Plan Amendment Project (Project) on the surrounding cultural resources on a regional and local level, within the City of Ontario (City). Cultural resources comprise paleontological, archaeological, and historical resources. Paleontological resources are the fossilized remains of plants and animals. Archaeology is the branch of paleontology that studies human artifacts, such as places, objects, and settlements that reflect group or individual religious, cultural, or everyday activities. Historical resources include sites, structures, objects, or places that are at least 50 years old and are significant for their engineering, architecture, cultural use or association, etc. In California, historic resources cover human activities over the past 12,000 years. Cultural resources provide information on scientific progress, environmental adaptations, group ideology, or other human advancements. Refer to *Section 4.4.4, Project Impacts and Mitigation*, for legal definitions and significance thresholds associated with archaeological and historical resources. Paleontological resources are analyzed in *Section 4.6, Geology and Soils*, and Tribal Cultural Resources are analyzed in *Section 4.15, Tribal Cultural Resources*, of this Draft EIR. The evaluation of the Project site and the potential impacts on cultural resources is largely based on the following sources:

- City of Ontario Policy Plan Update EIR
- *Phase I Cultural and Paleontological Resources Assessment Ontario Ranch Business Park, City of Ontario, San Bernardino County, California*, Material Culture Consulting (MCC), May 2020 (*Appendix D*).

4.4.1 Environmental Setting

Existing Conditions

The Project site is located east of the unimproved right-of-way of Sultana Avenue, north of Merrill Avenue, south of Eucalyptus Avenue, and west of Campus Avenue, in the City, San Bernardino County (County), California. This Project is an extension to the Ontario Business Ranch Park Specific Plan (Approved SP), comprising of approximately 71.69 acres, which would replace the existing agriculture and dairy fields on the east side of Sultana Avenue. The Project site consists of eight parcels, identified as Assessor's Parcel Numbers (APNs) 1054-041-01, -02; 1054-03-01, -02; 1054-261-01, -02; and 1054-291-01, -02.[1] To the north is a mixture of dairy/agricultural and service commercial properties, east is agricultural and vacant land, west is the Approved SP, and the Chino Airport is located to the south. The City lies within the broad alluvial fan originating from the southern flank of the San Gabriel Mountains, and dips gradually southward to the confluence of San Antonio Channel, Cucamonga Channel/Mill Creek, and the Santa Ana River at the Prado Dam Flood Control Basin in Riverside County. The Santa Ana River flows to the south of the City and Cucamonga Creek and Deer Creek traverse north to south through the City. The Project site is generally flat, with an elevation averaging approximately 197 meters (646 feet) above mean sea level (AMSL). The entire Project site and immediate vicinity have been disturbed by the development and over

[1] Public San Bernardino County Parcel Viewer. (2021). Retrieved from: https://www.arcgis.com/apps/webappviewer/index.html?id=87e70bb9b6994559ba7512792588d57a.

80 years of use by dairy farms. Vegetation is characterized as primarily agricultural and commercial landscaping with no native vegetation observed.

Cultural Setting

Prehistory

Most researchers agree that the earliest occupation for the City area dates to the early Holocene (11,000 to 8,000 years ago). The following discussion of the cultural history of the County references the San Dieguito Complex, the Milling Stone Horizon, the Encinitas Tradition, the La Jolla Complex, the Pauma Complex, and the San Luis Rey Complex, since these culture sequences have been used to describe archaeological manifestations in the region. The Late Prehistoric component in the area of San Bernardino County was represented by the Cahuilla, Gabrieliño, and Luiseño Indians.[2] Absolute chronological information, where possible, will be incorporated into this discussion to examine the effectiveness of continuing to use these terms interchangeably.

Paleo Indian Period

The Paleo Indian Period is associated with the terminus of the late Pleistocene (12,000 to 10,000 years before present). The environment during the late Pleistocene was cool and moist, which allowed for glaciation in the mountains and the formation of deep, pluvial lakes in the deserts and basin lands. However, by the terminus of the late Pleistocene, the climate became warmer, which caused glaciers to melt, sea levels to rise, greater coastal erosion, large lakes to recede and evaporate, extinction of Pleistocene megafauna, and major vegetation changes.[3] Paleo Indians were likely attracted to multiple habitat types, including mountains, marshlands, estuaries, and lakeshores. These people likely subsisted using a more generalized hunting, gathering, and collecting adaptation, utilizing a variety of resources including birds, mollusks, and both large and small mammals. The earliest sites known in the area are attributed to the San Dieguito culture, which consists of a hunting culture with flaked stone tool industry. The material culture related to this time included scrapers, hammer stones, large-flaked cores, drills, and choppers, which were used to process food and raw material.

Milling Stone Period

Around 8,000 years ago, subsistence patterns changed, resulting in a material complex consisting of an abundance of milling stones (for grinding food items) with a decrease in the number of chipped stone tools. The material culture from this time period includes large, bifacially worked dart points and grinding stones, handstones and metates. Archaeologists initially designated this period as the "Millingstone Horizon." Later, the Millingstone Horizon was redefined as a cultural tradition named the Encinitas Tradition with various regional expressions including Topanga and La Jolla. Use by archaeologists varied as some adopted a generalized Encinitas Tradition without regional variations, while others continued to use Millingstone Horizon, and still others used Middle Holocene (the geologic time period) to indicate this observed pattern. Recently, this generalized terminology was suppressing the identification of cultural, spatial, and temporal variation, as well as the movement of peoples throughout space and time. It is these

[2] Material Culture Consulting. *Phase I Cultural and Paleontological Resources Assessment Ontario Ranch Business Park, City of Ontario, San Bernardino County, California*. Page 12.
[3] Ibid.

factors that are believed to be critical to an understanding of prehistoric cultural adaptation and change in this portion of southern California.

The Encinitas Tradition characteristics include abundant metates and manos, crudely-made core and flake tools, bone tools, shell ornaments, very few projectile points, indicating a subsistence pattern focused on hunting and gathering a variety of floral resources. Faunal remains vary by location but include marine mammals, fish, and shellfish, as well as terrestrial animals, reptiles, and birds. The Encinitas Tradition has been redefined to have four patterns. These include the Topanga Pattern in coastal Los Angeles and Orange counties, the La Jolla Pattern in coastal San Diego County, and the Sayles or Pauma cultures in inland San Diego County extending into western San Bernardino County, where the Project is located. At approximately 3,500 years ago, Pauma groups in the general Project vicinity adopted new cultural traits which transformed the archaeological site characteristics - including mortar and pestle technology. This indicated the development of food storage, largely acorns, which could be processed and saved for the leaner, cooler months of the year.

Late Prehistoric Period

At approximately 1,500 years before present, bow and arrow technology started to emerge in the archaeological record, which also indicates new settlement patterns and subsistence systems. The local population retained the subsistence methods of the past but incorporated new materials into their day-to-day existence, as evidenced by the archaeological record. The Palomar Tradition is attributed to this time and is comprised of two larger patterns: The Peninsular Pattern in the inland areas of the northern Peninsular Ranges (e.g., San Jacinto and Santa Rosa mountains) and the northern Coachella and San Luis Rey pattern of the Project site. Archaeological sites from this time period are characterized by soapstone bowls, arrowhead projectile points, pottery vessels, rock paintings, and evidence of cremation sites. The shift in material culture assemblages is largely attributed to the emergence of Shoshonean (Takic-speaking) people who entered California from the east.

Historical Setting

The "Sacred Expedition" of 1769, led by Spaniard Gaspar de Portola and Franciscan Fray (or Father) Junipero Serra, started the process of colonization in Alta California, which was meant to begin the permanent settlement of Alta California, beginning in San Diego. Once the first European exploration of California occurred, the region underwent immense change. As early as 1827, Anglo-Americans were migrating into southern California. In the decades to come, California would be taken by the United States with the close of the Mexican-American War and subsequent events such as the Civil War and California Gold Rush would continue to shape the history of California.

Spanish Period (1769 to 1821) to Mexican Period (1821 to 1848)

The Spanish period began in 1769 with Captain Gaspar de Portolá's land expedition and ended in 1821 with Mexican Independence. During the Spanish Period, the establishment of the Mission San Gabriel Arcángel (1771) was influential throughout the surrounding regions, using the area for cattle grazing. An asistencia was established within the area nearby in Redlands in 1819 and helped facilitate the Mission's control of the surrounding area. However, after control of the area shifted to Mexico, secularization began

throughout the area and the missions and their associated ranches began to decline. The Mexican government proceeded to push settlements of Mexican populations from the south by deeding large grants to individuals who promised to employ settlers. One such land grant was the Rancho Santa Ana del Chino.

In 1841, Antonio Maria Lugo was granted the rights to what became Rancho Santa Ana del Chino. After building an adobe house (now currently the location of Boy's Republic in Chino Hills), Lugo turned over the management of the ranch to his son-in-law, Isaac Williams. For decades, Williams successfully grazed cattle on the 46,000-acre rancho. Notably, Williams played a significant part of the Battle of Chino, a local skirmish during the Mexican-American War. On September 26 and 27, 1846, the Mexican army sent an advancing contingency to intercept 24 American sympathizers, led by Benjamin D. Wilson, on their way to Los Angeles. The adobe house at Rancho Santa Ana del Chino, where the sympathizers had been hiding, was set ablaze as a result of multiple attacks. The American group surrendered and, instead of execution, the group was taken to Los Angeles where they remained prisoners of war until they were eventually released.

American Period (1848 to present)

The Gold Rush of 1849 would see tremendous influx of Americans and Europeans flooding into southern California. Rancho Santa Ana del Chino became a popular stopover for travelers of the rush. The passing of the Homestead Act of 1862 continued this increase of settlers within the region; George and William Chaffey were among these early pioneers. In 1881, the Chaffey brothers believed that if the land was properly irrigated, it could be converted to profitable agricultural property. They bought over 6,000 acres of land in 1882 that was arid and covered by patches of scrub brush. The Chaffey brothers designed a water system that connected miles of cement pipe from an underground water source to each parcel of land. This land would eventually become the cities of Ontario and Upland. George and William Chaffey derived the name of the City from their native province of Ontario in Canada. The City was incorporated in 1891, becoming one of the earliest established towns in the County. By 1903, the City was referred to as a "Model Irrigation Colony" after receiving an award at the World Fair as a "Model Colony" for innovation in water rights and technology, which assisted in attracting settlers to the City. Charles Frankish, an early citizen of the City, guided and encouraged early development in the City by successfully attracting the Southern Pacific Railway to locate a depot in the center of town on Euclid Avenue, making it an important feature of the City. The establishment of the Southern Pacific Railroad depot transformed the City into an agricultural center. The City focused primarily on the citrus industry, but also grew walnuts, peaches, and grapes. There was a large gentry class of citrus growers who constructed many grand ornamental Victorian houses throughout the City.

Dairies began to be established in the region, known as Chino Valley, during the late 1890s and continued to dominate the area throughout the 20th century. During the 1920s and 1930s, middle European dairymen began settling in the area. In 1967, the San Bernardino County designated 14,000 acres of land in Chino Valley as an agricultural preserve protected by the Williamson Act and the Land Conservation Act. By the 1980s, the area had more cows per acre and higher milk yields than anywhere else in the world. By the 1990s, increased demand for housing and high dairy operation costs pressured farmers in the San Bernardino Agricultural Preserve to consider relocating their dairies and annexing their land to

adjoining cities. Anticipating the expiration of the Williamson Act, the area was divided, and portions were incorporated into the cities of Ontario, Chino, and Chino Hills. The City annexed 8,200 acres of the former San Bernardino Agriculture Preserve in 1999 and called the area the New Model Colony. The Local Agency Formation Commission (LAFCO) required the City to prepare a General Plan Amendment and EIR prior to annexation. In 1996, the City began planning for annexation and adopted the New Model Colony General Plan Amendment and EIR in 1998.

Historical Resources

According to the Cultural and Paleontological Resources Assessment, the Project site has been consistency used for agricultural and dairy activities since the 1930s. Per information from the San Bernardino County Assessor's Office, the existing dairy operation was established in 1976 on 76.66 acres of land. The dairy operation included two, single-family residences, and associated pens and structures for holding livestock. Refer to *Appendix D, Cultural and Paleontological Resources Assessment*, for a description of the dairy operation and associated structures, as well as an aerial photograph from 1966 depicting that there were not any built-environment resources located within the Project site parcels. These structures have met the aspects of physical integrity and character-defining features to be identified as a Large Capacity Dairy, but do not appear to have played a significant role in the history of dairy farming, or appear to be an important example of a large-scale, concentrated animal dairy operation in the City, or the Chino Valley area. *Figure 3-3, Aerial Photograph,* provides an aerial view of the Project site and surrounding areas. In assessing the historical significance of the Project site, federal, State, and local significance criteria were applied. The Project site is not currently listed in either the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), or as a City of Ontario Historic Landmark.

Federal and State Criteria

Pursuant to the NRHP and/or CRHR criterion relating to the Project site's association with significant historical events that exemplify broad patterns of our history, the Project site does not qualify as a significant resource under Criteria A/1. While the history of the Project site with the development of the dairy industry in Chino Valley-Ontario is important, the property was not specifically identified in research as the site of an event important to the history of large-scale dairy farming in California, or the United States. There is no evidence that the Project site is eligible for listing under NRHP Criterion A or CRHR Criterion 1. Pursuant to NRHP and CRHR criteria relating to the Project site's association with the lives of persons significant in our past, the property does not qualify as a significant resource under NRHP Criterion B or CRHR Criterion 2. This criterion is used to determine if a person important to the history dairy farming in the United States and/or California is directly associated with the Project site. Research has not revealed that there were important persons associated with the property before 1975 (45 years ago). The property does not appear to have become part of the extended Borba Family holdings until 1988.

Pursuant to the NRHP and CRHR criteria relating to the distinctive characteristics of a type, period, region, or method of construction, the Project site does not appear to be eligible for listing as a significant Large Capacity Dairy under NRHP Criterion C or CRHR Criterion 3. The property is an example of a Large Capacity Dairy constructed in Ontario in 1976. The design of a Large Capacity Dairy had been developed over 50 years of both technical improvements in milking machinery and the handling of dairy cows. The Large

Capacity Dairies were simply an expansion of the dairy operations built soon after World War II, which brought together the improved hygienics of milking operations with the use of mechanical milking parlors. Large-scale dairy farms had been established, constructed, and operated in southern California and the Chino Valley Dairy region since the early 1950s. The Millers built an operation in 1976 whose success was ensured by following the example of the layout and management of other regional farms and industry guidelines. The Project's dairy operation was not found to be a pioneer of large-scale dairy management and does not present any significant contributions to the history of Large Capacity Dairies as the property was constructed in the New Model Colony Area between 1950 and 1969. Therefore, the dairy operation is not eligible for listing as a significant property under Criterion C/3.

The East and West Houses located on the Project site were constructed in 1976 and have not met the sufficient age (50 years) to be evaluated as historic resources for listing in the NRHP and/ or CRHR. In addition, the East and West Houses do not meet Criterion G of the NRHR as buildings of exceptional importance that have achieved significance within the past 50 years. Under Criterion A/1, the East and West Houses have not been found to have been associated with events that have made a significant contribution to the broad pattern of dairy farm ranch houses, or to the cultural history of dairy farming, in Chino Valley-Ontario, California, or the United States. Under Criterion B/2, the East and West Houses have not been found to have been directly, or remotely, associated with persons important to the dairy farm industry in Ontario, California, or the United States prior to 1988. Lastly, under Criterion C/3, the East and West Houses have not been found to present sufficient character defining features of "1960s through 1980s" Ranch style houses of high artistic values, or designs that contribute to the national or regional discussion regarding Ranch style houses constructed in 1976.

City of Ontario Criteria

The Project site was constructed in 1976, which is outside of the time parameters of "Post 1950 to 1969" timeframe to be considered under the criterion for a "Scientific, Large Capacity Dairy" farm as presented in the City of Ontario's Historic Context for the New Model Colony Area. While the Project site possesses the physical attributes of a large-scale dairy operation, it does not meet the age criterion to be considered a contributor to the history of dairy farming in the City.

Prior to 1950, the dairy farms in the Chino Valley area were primarily owned and operated by a single family, with some hired hands to supplement the family's involvement. Even with the advent of modern milking equipment and improved feeding and animal husbandry, the dairy farms continued to resemble those of the early 20th century, with the cows able to graze in pastures and the farms making a visual connection to the early days of settlement in the City and the Chino Valley.

After World War II, the pressure from urban development, high price of land, and loss of interest by the younger generations of dairy farmers, forced dairy farmers in the New Model Colony Area to adapt to the modern livestock business plan of operating, what is called in common terminology, a factory farm. The dairy operation on the Project site can accommodate approximately 1,500 head of cattle on the property, with approximately 1,000 head being milked on a daily basis due to the improvement of technology. A factory farm is considered:

> An operation is defined as an animal feeding operation (AFO), or AFO, if the facility confines, stables, or feeds animals for 45 days or more in a 12-month period, and a ground cover of vegetation is not sustained over at least 50 percent of the confinement area. An operation is defined as a concentrated animal feeding operation, or CAFO, if it meets the definition of an AFO and also confines more than 1,000 animal units (1,000 animal units is equal to 700 dairy cows).[4]

As noted above, the East and West Houses have not achieved sufficient age to be evaluated for historical significance as Ranch style dwellings in the New Model Colony Area, or the City. Nonetheless, under criteria established by the City, the East and West Houses do not possess the level, and number, of character-defining features that are necessary for the buildings to be considered good examples of "1960s through 1980s" Ranch style house as defined under the New Model Colony Area Historic Context. The East and West Houses do not possess asbestos/composition roof shingles; aluminum-framed windows set to present a strong horizontal alignment; lack of a low-pitch gable or cross-gable roof system; large, single-light picture windows; plain metal- or wood-post porch supports; concrete slab front porch situated under a long, narrow shed roof along the front façade; use of decorative stone and masonry; arch patterns along the walkways; wide surrounds around the main and entry windows; stylized double doors with ornate panels and ornamental oversized hardware.

Criterion A. It Exemplifies or Reflects Special Elements of the City's History.

Using the City's criteria for historic landmarks, the Cultural and Paleontological Resources Assessment concluded that the dairy operation on the Project site has not been found to exemplify or reflect special elements of the City's history. The "Post 1950 [to 1969], Scientific, Large Capacity Dairies" were identified in the "New Model Colony Historic Context" not for their contribution to the post World War II development of the City, but rather that the advancements of dairy management and technology allowed for farmers to milk a greater number of cows in a 24-hour period. The buildings and structures on the Project site were constructed in 1976, outside the period of significance for "Scientific, Large Capacity Dairies" in the New Model Colony Area.

The Cultural and Paleontological Resources Assessment concluded that the East and West Houses on the Project site do not exemplify or reflect special elements of the City or New Model Colony's history.

Criterion B. It is Identified with Persons or Events Significant in Local, State, or National History.

The Cultural and Paleontological Resources Assessment concluded that The Project site has not been identified with persons or events significant in State or national history. In 1988, Joseph A. and Doleen Borba were recorded as owners of the property, but their exact involvement with the dairy operation on the property are unknown. While many members of the extended Borba were very active in Chino Valley dairy community, both in civic and industry activities, important contributions made in association with this property were not found.

[4] United State Department of Agriculture (USDA) https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/plantsanimals/livestock/afo/.

The Cultural and Paleontological Resources Assessment concluded that the East and West Houses have not been identified with persons or events significant in local, state, or national history.

Criterion C. It is Representative of the Work of a Notable Builder, Designer, Architect, or Artist.

The built-environment resources of the Project site were not constructed within the period of significance for "Post 1950 [to 1969], Scientific, Large Capacity Dairies" in the New Model Colony Area. These types of large-scale dairy operations were being constructed across California, and in many parts of the United States, since the end of World War II. Per the USDA, there are over 450,000 AFOs in the United States in 2017, of which dairy operations make up a large percentage of the total number. The Cultural and Paleontological Resources Assessment concluded that the East and West Houses do not represent the work of a notable builder, designer, architect, or artist.

Criterion D. It Embodies Distinguishing Characteristics of a Style, Type, Period, or Method of Construction.

The Cultural and Paleontological Resources Assessment concluded that While the Project site does present the physical and architectural attributes of a Large Capacity Dairy, it was constructed in 1976 and is therefore outside the period of significance for a "Post 1950 [to 1969] Scientific, Large Capacity Dairy" in the New Model Colony Area. The design of the dairy facility on the Project site property had no impact on the future of architectural or agricultural development of dairy farms in Ontario or the Chino Valley in the last quarter of the twentieth-century. Furthermore, the East and West Houses do not possess sufficient character-defining features to embody the distinguishing architectural features of a "1960s through 1980s" Ranch style residence, or method of construction.

Criterion E. It is Noteworthy Example of the Use of Indigenous Materials or Craftsmanship.

The Cultural and Paleontological Resources Assessment concluded that the buildings and structures of the Project site do not exhibit noteworthy examples of the use of indigenous materials or craftsmanship. Furthermore, the East and West Houses are not noteworthy examples of the use of indigenous materials or craftsmanship.

Criterion F. It Embodies Elements That Represent A Significant Structural, Engineering, or Architectural Achievement or Innovation.

The Cultural and Paleontological Resources Assessment concluded that the Project site does not embody elements that represent significant dairy technology, or design of a factory farm, constructed in the 1970s. The dairy operation presents the type of large scale, dry lot, milking operation widely used across California where urban growth pushes against agrarian interests. (And why the Williamson Act was enacted to protect agricultural and open space land). Furthermore, the East and West Houses do not embody elements that represent a significant structural, engineering, or architectural achievement or innovation.

Criterion G. It has a Unique Location, a Singular Physical Characteristic, or is an Established and Familiar Visual Feature of a Neighborhood, Community of the City.

The Project site is not located in a unique location. The farm is just one of many that are still located in the Chino Valley-Ontario area. The East and West Houses also do not have a unique location, a singular physical characteristic, or are established and familiar visual features of a neighborhood, or community in the City.

Criterion H. It is One of the Few Remaining Examples in the City, Region, State, or Nation Possessing Distinguishing Characteristics of an Architectural or Historical Type or Specimen.

The Project site property was constructed outside of the period of significance for a "Post 1950 [to 1969] Scientific, Large Capacity Dairy" in the New Model Colony Area, and is not a rare example of a large capacity dairy in Ontario or California. Large capacity dairies continue to operate across California, and many are constructed based upon the same basic physical design, but are being outfitted with technologically advanced milking, animal husbandry, and herd control devices.

The Project site property has not been identified as a contributing member of any identified Historic District of thematically related groupings of Large Capacity Dairy farms constructed after 1969 in the New Model Colony Area. Additionally, the East and West Houses of the Project site property are not rare examples of an architectural or historical type of residential construction in the City, region, state, or nation.

4.4.2 Regulatory Setting

Federal

National Register Bulletin 38[5]

The National Park Service (NPS) has prepared guidelines to assist in the documentation of Traditional Cultural Properties (TCPs) by public entities. While it is federal guidance, it serves as the best and most recognized guidance for identifying TCPs. National Register Bulletin (NRB) 38 is intended to be an aid in determining whether properties have traditional cultural significance and if they are eligible for inclusion in the NRHP. It is also intended to assist federal agencies, State Historic Preservation Offices (SHPO), Certified Local Governments, tribes, and other historic preservation practitioners who need to evaluate such properties when considering their eligibility for the NRHP as part of the review process prescribed by the Advisory Council on Historic Preservation (ACHP).

National Historic Protection Act Section 106

The Project will be reviewed in accordance with Section 106 of the National Historic Preservation Act (NHPA). The NHPA of 1966, as amended, is the primary set of federal laws governing projects that may affect cultural resources. Section 106 of the NHPA addresses Federal undertakings and requires agencies to review and evaluate how undertakings may impact historic properties.

[5] National Register Bulletin 38. (1992). Retrieved from: https://www.nps.gov/subjects/nationalregister/upload/NRB38-Completeweb.pdf.

A "Federal Undertaking" is defined as a project, activity or program that is funded, permitted, licensed, or approved by a Federal agency. Federal undertakings can occur on or off federally controlled properties and include new and continuing projects, activities, or programs, or any element thereof. Permitting pursuant to the Clean Water Act is considered a Federal undertaking for purposes of compliance with the NHPA.

Under Section 106 of the NHPA, federal agencies are required to consider the effects of their actions on properties that are listed in, or eligible for listing in, the NRHP. The following are the four general processing steps for Section 106 compliance:

1. Initiate the Section 106 process by establishing the undertaking, developing a plan for public involvement and identifying other consulting parties;
2. Identify historic properties by determining the scope of efforts, identifying cultural resources and evaluating their eligibility for inclusion in the NRHP;
3. Assess adverse effects to historic properties by applying the criteria of adverse effects to historic properties; and
4. Resolve adverse effects by consulting with the SHPO and other consulting agencies, including the ACHP if necessary, to develop an agreement that addresses the treatment of historic properties.

To address their Section 106 obligations, the United States Army Corps of Engineers (USACE) promulgated implementing regulations at 33 Code of Federal Regulations (CFR) Part 325, Appendix C.[6] Appendix C establishes procedures to fulfill the requirements set forth in the NHPA. The USACE follows these procedures rather than those outlined in 36 CFR Part 800.

Per Appendix C, "designated historic property" is a historic property listed in the NRHP or which has been determined eligible for listing in the NRHP pursuant to 36 CFR Part 63. A historic property that, in both the opinion of the SHPO and the USACE district engineer, appears to meet the criteria for inclusion in the NRHP will be treated as a "designated historic property."

The USACE will identify a "permit area" for the Project, in accordance with the following:

1. The term "permit area" as used in this appendix means those areas comprising the waters of the United States that will be directly affected by the proposed work or structures and uplands directly affected as a result of authorizing the work or structures. The following three tests must all be satisfied for an activity undertaken outside the waters of the United States to be included within the "permit area":
    i. Such activity would not occur but for the authorization of the work or structures within the waters of the United States;

[6] USACE. 33 SFR 325 Appendix C – Procedures for the Protection of Historic Properties. Retrieved from USACE Website: https://www.lrl.usace.army.mil/Portals/64/docs/regulatory/Coordination/33%20CFR%20325%20Appendix%20C.pdf. Accessed July 15, 2021.

ii. Such activity must be integrally related to the work or structures to be authorized within waters of the United States. Or, conversely, the work or structures to be authorized must be essential to the completeness of the overall project or program; and

iii. Such activity must be directly associated (first-order impact) with the work or structures to be authorized.

Title 36 CFR Section 60.4[7] provides the criteria for evaluation of NRHP eligibility.

National Register Criteria for Evaluation. The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and:

a) that are associated with events that have made a significant contribution to the broad patterns of our history; or

b) that are associated with the lives of persons significant in our past; or

c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

d) that have yielded, or may be likely to yield, information important in prehistory or history.

Criteria considerations. Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the NRHP. However, such properties will qualify if they are integral parts of districts that do meet the criteria of if they fall within the following categories:

a) A religious property deriving primary significance from architectural or artistic distinction or historical importance;

b) A building or structure removed from its original location, but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event;

c) A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his or her productive life;

d) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events;

e) A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived;

[7] E-CFR. (2019). Title 36, Chapter I, Part 60, Section 60.4 – Criteria for evaluation. Retrieved from ECFR Website: https://www.ecfr.gov/current/title-36/chapter-I/part-60/section-60.4. Accessed July 15, 2021.

f) A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or

g) A property achieving significance within the past 50 years if it is of exceptional importance.

Establishing NRHP eligibility also depends on integrity of location, design, setting, materials, workmanship, feeling, and association. Sites that meet one or more NRHP eligibility criteria but do not retain integrity are not eligible for the NRHP. Guidance regarding integrity of location, design, setting, materials, workmanship, feeling, and association is provided by NRB 15.[8]

Location - Location is the place where the historic property was constructed or the place where the historic event occurred. The relationship between the property and its location is often important to understand why the property was created or why something happened. The actual location of a historic property, complemented by its setting, is particularly important in recapturing the sense of historic events and persons. Except in rare cases, the relationship between a property and its historic associations is destroyed if the property is moved.

Design - Design is the combination of elements that create the form, plan, space, structure, and style of a property. It results from conscious decisions made during the original conception and planning of a property (or its significant alteration) and applies to activities as diverse as community planning, engineering, architecture, and landscape architecture. Design includes such elements as organization of space, proportion, scale, technology, ornamentation, and materials.

A property's design reflects historic functions and technologies as well as aesthetics. It includes such considerations as the structural system; massing; arrangement of spaces; pattern of fenestration; textures and colors of surface materials; type, amount, and style of ornamental detailing; and arrangement and type of plantings in a designed landscape.

Design can also apply to districts, whether they are important primarily for historic association, architectural value, information potential, or a combination thereof. For districts significant primarily for historic association or architectural value, design concerns more than just the individual buildings or structures located within the boundaries. It also applies to the way in which buildings, sites, or structures are related: for example, spatial relationships between major features; visual rhythms in a streetscape or landscape plantings; the layout and materials of walkways and roads; and the relationship of other features, such as statues, water fountains, and archaeological sites.

Setting - Setting is the physical environment of a historic property. Whereas location refers to the specific place where a property was built or an event occurred, setting refers to the character of the place in which the property played its historical role. It involves how not just where the property is situated and its relationship to surrounding features and open space. Setting often reflects the basic physical conditions under which a property was built and the functions it was intended to serve. In addition, the way in which a property is positioned in its environment can reflect the designer's concept of nature and aesthetic preferences. The physical features that constitute the setting of a historic property can be either natural

[8] NRHP (2002). National Register Bulletin 15. Retrieved from NPS Website: https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf. Accessed July 15, 2021.

or man-made, including such elements as: topographic features (a gorge or the crest of a hill); vegetation; simple manmade features (paths or fences); and relationships between buildings and other features or open space. These features and their relationships should be examined not only within the exact boundaries of the property but also between the property and its surroundings. This is particularly important for districts.

Materials - Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property. The choice and combination of materials reveal the preferences of those who created the property and indicate the availability of particular types of materials and technologies. Indigenous materials are often the focus of regional building traditions and thereby help define an area's sense of time and place.

A property must retain the key exterior materials dating from the period of its historic significance. If the property has been rehabilitated, the historic materials and significant features must have been preserved. The property must also be an actual historic resource, not a re-creation; a recent structure fabricated to look historic is not eligible. Likewise, a property whose historic features and materials have been lost and then reconstructed is usually not eligible.

Workmanship - Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory. It is the evidence of artisans' labor and skill in constructing or altering a building, structure, object, or site. Workmanship can apply to the property as a whole or to its individual components. It can be expressed in vernacular methods of construction and plain finishes or in highly sophisticated configurations and ornamental detailing. It can be based on common traditions or innovative period techniques.

Workmanship is important because it can furnish evidence of the technology of a craft, illustrate the aesthetic principles of a historic or prehistoric period, and reveal individual, local, regional, or national applications of both technological practices and aesthetic principles. Examples of workmanship in historic buildings include tooling, carving, painting, graining, turning, and joinery. Examples of workmanship in prehistoric contexts include Paleo-Indian clovis projectile points; Archaic period beveled adzes; Hopewellian birdstone pipes; copper earspools and worked bone pendants; and Iroquoian effigy pipes.

Feeling - Feeling is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken together, convey the property's historic character. For example, a rural historic district retaining original design, materials, workmanship, and setting will relate the feeling of agricultural life in the 19th century. A grouping of prehistoric petroglyphs, unmarred by graffiti and intrusions and located on its original isolated bluff, can evoke a sense of tribal spiritual life.

Association - Association is the direct link between an important historic event or person and a historic property. A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like feeling, association requires the presence of physical features that convey a property's historic character. For example, a Revolutionary

War battlefield whose natural and manmade elements have remained intact since the 18th century will retain its quality of association with the battle.

Because feeling and association depend on individual perceptions, their retention alone is never sufficient to support eligibility of a property for the NRHP.

The Project is not anticipated to be subject to the federal permitting processes under "Section 106 review, "as there are no anticipated federal actions or approvals that would be required, which would trigger compliance under Section 106 of the NHPA. Under the NHPA, federal agencies are required to consider the effects of their actions on places that are listed in, or eligible for listing in, the NRHP.

Natural Register of Historic Places

The NRHP was established by the NHPA as "an authoritative guide to be used by federal, state, and local governments, private groups and citizens to identify the Nation's historic resources and to indicate what properties should be considered for protection from destruction or impairment" (CFR 36 Section 60.2). The NRHP recognizes both historical-period and prehistoric archaeological properties that are significant at the national, state, and local levels.

To be eligible for listing in the NRHP, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must meet one or more of the following four established criteria: Are associated with events that have made a significant contribution to the broad patterns of our history;

1) Are associated with the lives of persons significant in our past;
2) Embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
3) Have yielded, or may be likely to yield, information important in prehistory or history.

Unless the property possesses exceptional significance, it must be at least 50 years old to be eligible for listing in the NRHP. In addition to meeting the criteria of significance, a property must have integrity. Integrity is defined as "the ability of a property to convey its significance." The NRHP recognizes seven qualities that, in various combinations, define integrity: location, design, setting, materials, workmanship, feeling, and association. To retain historic integrity a property must possess several, and usually most, of these seven aspects. Thus, the retention of the specific aspects of integrity is paramount for a property to convey its significance.

Archaeological Resources Protection Act

The Archaeological Resources Protection Act of 1979 regulates the protection of archaeological resources and sites on federal and Indian lands.

State

California Environmental Quality Act

California public agencies must consider the effects of their actions on both "historical resources" and "unique archaeological resources." Pursuant to Public Resources Code (PRC) Section 21084.1, a "project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment." PRC Section 21083.2 additionally requires agencies to determine whether proposed projects would have effects on "unique archaeological resources."

"Historical resource" is a term with a defined statutory meaning. Under California Code of Regulations (CCR), Title 14, Chapter 3 (California Environmental Quality Act [CEQA] Guidelines), Section 15064.5 (a) "historical resource" includes the following:

A resource listed in or determined to be eligible by the State Historical Resources Commission (SHRC), for listing in the CRHR (PRC Section 5024.1 and Title 14 CCR, Section 4850 et seq.).

A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the PRC or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the PRC, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the CRHR (PRC Section 5024.1 and Title 14 CCR Section 4852) including the following:

- **Criterion 1** - Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- **Criterion 2** - Is associated with the lives of persons important in our past;
- **Criterion 3** - Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- **Criterion 4** - Has yielded, or may be likely to yield, information important in prehistory or history.

CEQA addresses significant impacts to historical resources. "A project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. Substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired." (CEQA Guidelines Section 15064.5(b)(1)).

CEQA also requires agencies to consider whether projects will affect "unique archaeological resources." PRC Section 21083.2(g) states that "'unique archaeological resources' means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
2. Has a special and quality such as being the oldest of its type or the best available example of its type.
3. Is directly associated with a scientifically recognized, important prehistoric or historic event or person."

California Public Records Act

Sections 6254(r) and 6254.10 of the California Public Records Act (Government Code Section 6250 et seq.) were enacted to protect archaeological sites from unauthorized excavation, looting, or vandalism. Section 6254(r) explicitly authorizes public agencies to withhold information from the public relating to "Native American graves, cemeteries, and sacred places and records of Native American places, features, and objects… maintained by, …, the Native American Heritage Commission….". Section 6254.10 specifically exempts from disclosure requests for "records that relate to archaeological site information and reports maintained by, or in the possession of, the Department of Parks and Recreation, the SHRC, the State Lands Commission, the Native American Heritage Commission (NAHC), another state agency, or a local agency, including the records that the agency obtains through a consultation process between a California Native American tribe and a state or local agency."

California Public Resources Code

Archaeological, paleontological, and historical sites are protected under a wide variety of State policies and regulations in the California PRC (PRC Sections 5020 to 5029.5, PRC Section 5079 to 5079.65, and PRC Section 5097.9 to 5097.991). In addition, cultural and paleontological resources are recognized as nonrenewable resources and receive protection under the PRC and CEQA.

PRC Sections 5020 to 5029.5 continued the former Historical Landmarks Advisory Committee as the SHRC. The commission oversees the administration of the CRHR and is responsible for designating State Historical Landmarks and Historical Points of Interest.

PRC Section 5079 to 5079.65 define the functions and duties of the Office of Historic Preservation (OHP), which administers federal- and state-mandated historic preservation programs in California as well as the California Heritage Fund.

PRC Section 5097.9 to 5097.991 provide protection to Native American historical and cultural resources and sacred sites; identify the powers and duties of the NAHC; require that descendants be notified when Native American human remains are discovered; and provide for treatment and disposition of human remains and associated grave goods.

California Register of Historical Resources

Created in 1992 and implemented in 1998, the CRHR is "an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" (PRC Section 5024.1). Certain properties, including those listed in or formally determined eligible for listing in the NRHP and California Historical Landmarks (CHL) numbered 770 and higher, are automatically included in the CRHR. Other properties recognized under the Point of Historical Interest (PHI) program, identified as significant in historical resources surveys, or designated by local landmarks programs, may be nominated for inclusion in the CRHR. A resource, either an individual property or a contributor to a historic district, may be listed in the CRHR if the SHRC determines that it meets any of the following criteria, which are modeled on NRHP criteria:

- **Criterion 1:** It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- **Criterion 2**: It is associated with the lives of persons important in our past.
- **Criterion 3:** It embodies the distinctive characteristics of a type, period, region, or method of construction; represents the work of an important creative individual; or possesses high artistic values.
- **Criterion 4:** It has yielded, or may be likely to yield, information important in history or prehistory.

According to 14 CCR Section 4852(a), types of resources eligible for nomination:

1) **Building**. A resource, such as a house, barn, church, factory, hotel, or similar structure created principally to shelter or assist in carrying out any form of human activity. "Building" may also be used to refer to a historically and functionally related unit, such as a courthouse and jail or a house and barn;

2) **Site**. A site is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historical, cultural, or archaeological value regardless of the value of any existing building, structure, or object. A site need not be marked by physical remains if it is the location of a prehistoric event, and if no buildings, structures, or objects marked it at that time. Examples of such sites are trails, designed landscapes, battlefields, habitation-sites, Native American ceremonial areas, petroglyphs, and pictographs;

3) **Structure**. The term "structure" is used to describe a construction made for a functional purpose rather than creating human shelter. Examples of structures include mines, bridges, and tunnels;

4) **Object**. The term "object" is used to describe those constructions that are primarily artistic in nature or are relatively small in scale and simply constructed, as opposed to a building or a structure. Although it may be moveable by nature or design, an object is associated with a specific setting or environment. Objects should be in a setting appropriate to their significant historic use, role, or character. Objects that are relocated to a museum are not eligible for listing in the CRHR.

Examples of objects include fountains, monuments, maritime resources, sculptures, and boundary markers; and

5) **Historic district**. Historic districts are unified geographic entities which contain a concentration of historic buildings, structures, objects, or sites united historically, culturally, or architecturally. Historic districts are defined by precise geographic boundaries. Therefore, districts with unusual boundaries require a description of what lies immediately outside the area, in order to define the edge of the district and to explain the exclusion of adjoining areas. The district must meet at least one of the criteria for significance discussed in Section 4852(b)(1)-(4) of this chapter.

Under PRC Section 5024.1 and 14 CCR Section 4852(c), a cultural resource must retain integrity to be considered eligible for the CRHR. Specifically, it must retain enough character or appearance to be recognizable as a historical resource and convey reasons of significance. Integrity is evaluated with regard to retention of such factors as location, design, setting, materials, workmanship, feeling, and association. Cultural sites that have been affected by ground-disturbing activities, such as agricultural activities and off-road vehicle use (both of which occur within the Project site), often lack integrity because they have been directly damaged or removed from their original location, among other changes.

Typically, a prehistoric archaeological site in California is recommended eligible for listing in the CRHR based on its potential to yield information important in prehistory or history (Criterion 4). Important information includes chronological markers such as projectile point styles or obsidian artifacts that can be subjected to dating methods or undisturbed deposits that retain their stratigraphic integrity. Sites such as these have the ability to address research questions.

California Historical Landmarks

CHLs are buildings, structures, sites, or places that have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value and that have been determined to have statewide historical significance by meeting at least one of the criteria listed below. The resource also must have written consent of the property owner; be recommended by the SHRC; and be officially designated by the Director of California State Parks. The specific standards now in use were first applied in the designation of CHL No. 770. CHLs numbered 770 and above are automatically listed in the CRHR.

To be eligible for designation as a CHL, a resource must meet at least one of the following criteria:

- It is the first, last, only, or most significant of its type in the state or within a large geographic region (northern, central, or southern California);
- It is associated with an individual or group having a profound influence on the history of California; or,
- It is a prototype of, or an outstanding example of, a period, style, architectural movement, or construction or is one of the more notable works or the best surviving work in a region of a pioneer architect, designer, or master builder.

California Historical Resources Status Codes

In order to be considered as significant, a resource must meet at least one of the above-listed NRHP or CRHR criteria and retain enough integrity to support its period of significance and association within a historical context. A resource is assigned a California Historical Resources (CHR) status code following evaluation, which identifies its significance level. The status codes and descriptions are:

1. Properties listed in the NRHP or the CRHR.
2. Properties determined eligible for listing in the NRHP or CRHR.
3. Appears eligible for NRHP or CRHR through survey evaluation.
4. Appears eligible for NRHP or CRHR through other evaluation.
5. Properties recognized as historically significant by local government.
6. Not eligible for listing or designation as specified.
7. Not evaluated for NRHP or CRHR or needs re-evaluation

Typically, resources designated as CHR Status Code 6 are determined ineligible for designation under any criteria and are not considered historical resources. However, there are several subcategories that exist within each of the status codes that allow for various exemptions, such as whether a resource contributes to a Historic District.

California Historic Building Code (CHBC)

The CHBC provides guidelines for the preservation, restoration, rehabilitation, relocation, and reconstruction of buildings or structures designated as qualified historical buildings or properties by a local, state, or federal jurisdiction, as defined by CHBC Section 8-218. The CHBC provides guidelines for long-term preservation efforts of qualified historical buildings or properties to allow owners to make improvements for access for persons with disabilities; to provide a cost-effective approach to preservation; and, to ensure overall safety of affected occupants or users.

As defined by the CHBC, a "qualified historical building" is "any building, site, structure, object, district, or collection of structures, and their associated sites, deemed of importance to the history, architecture, or culture of an area by an appropriate local, state, or federal governmental jurisdiction. This includes designated buildings or properties on, or determined eligible for, official national, state, or local historical registers or official inventories, such as the NRHP, CRHR, CHLs, California PHI, and officially adopted city or county registers, inventories, or surveys of historical or architecturally significant sites, places, or landmarks."[9]

California Health and Safety Code Section 7050.5 and 7052

State Health and Safety Code (HSC), Section 7050.5, declares that, in the event of the discovery of human remains outside of a dedicated cemetery, all ground disturbance must cease, and the county coroner must

[9] California Historic Building Code (Sections 18950 to 18962 of Division 13, Part 2.7 of California Health and Safety Code).

be notified. HSC Section 7052 establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

More precisely, if human remains are encountered, Section 7050.5 states that:

a) "Every person who knowingly mutilates or disinters, wantonly disturbs, or willfully removes any human remains in or from any location other than a dedicated cemetery without authority of law is guilty of a misdemeanor, except as provided in Section 5097.99 of the PRC. The provisions of this subdivision shall not apply to any person carrying out an agreement developed pursuant to subdivision (l) of Section 5097.94 of the PRC or to any person authorized to implement Section 5097.98 of the PRC.

b) In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the PRC. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains.

If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission."[10]

PRC Section 5097.91, PRC Section 5097.98, PRC Section 5097.94 and the Native American Heritage Commission

PRC Section 5097.91 established the NAHC, the duties of which include inventorying places of religious or social significance to Native Americans and identifying known graves and cemeteries of Native Americans on private lands. PRC Section 5097.98 specifies a protocol to be followed when the NAHC receives notification of a discovery of Native American human remains from a county coroner.

PRC Section 5097.94 establishes the powers and duties of the NAHC, including, but not limited to:

a) To identify and catalog places of special religious or social significance to Native Americans and known graves and cemeteries of Native Americans on private lands. The identification and cataloging of known graves and cemeteries shall be completed on or before January 1, 1984. The

[10] State of California. (1987). Health and Safety Code Section 7050.5. Retrieved from State of California Website: http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC&sectionNum=7050.5.

commission shall notify landowners on whose property the graves and cemeteries are determined to exist and shall identify the Native American group most likely descended from those Native Americans who may be interred on the property.

b) To make recommendations relative to Native American sacred places that are located on private lands, are inaccessible to Native Americans, and have cultural significance to Native Americans for acquisition by the state or other public agencies for the purpose of facilitating or assuring access thereto by Native Americans.

c) To make recommendations to the Legislature relative to procedures that will voluntarily encourage private property owners to preserve and protect sacred places in a natural state and to allow appropriate access to Native American religionists for ceremonial or spiritual activities.

For a complete list of powers and duties, visit:

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC&sectionNum=5097.94.

California Penal Code, Section 622.5

California Penal Code, Section 622.5, provides misdemeanor penalties for injuring or destroying objects of historic or archaeological interest located on public or private lands but specifically excludes the landowner.

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Local

City of Ontario Development Code

The City Development Code Chapters 4 and 7 establish the City's scope of historic preservation activities and is the primary body of local law relating to historic preservation. Division 7.01 includes the purpose and authority for historic preservation, and Division 4.02 includes criteria for local historic designation and procedures for the alteration or demolition of historic properties.

Properties may be designated at the local level as Historic Landmarks or Districts. The City Council maintains a record of historic properties that are eligible to apply for placement on the City's List of Designated Historic Landmarks or Districts. Any property owner may request the designation of a Historical Resource as a Historic Landmark or District by applying to the City's Planning Department.

Pursuant to Development Code Section 4.02.040, a property that meets one or more of the following criteria is eligible to be placed on the City's List of Historic Landmarks and Districts as a Landmark:

- It meets the criteria for listing in the NRHP; or
- It meets the criterion for listing in the CRHR; or

- It meets one or more of the following criteria:
  - It exemplifies or reflects special elements of the City's history;
  - It is identified with persons or events significant in local, state, or national history;
  - It is representative of the work of a notable builder, designer, architect, or artist;
  - It embodies distinguishing characteristics of a style, type, period, or method of construction;
  - It is noteworthy example of the use of indigenous materials or craftsmanship;
  - It embodies elements that represent a significant structural, engineering, or architectural achievement or innovation;
  - It has a unique location, a singular physical characteristic, or is an established and familiar visual feature of a neighborhood, community of the City;
  - It is one of the few remaining examples in the City, region, state, or nation possessing distinguishing characteristics of an architectural or historical type or specimen; or
  - It has yielded or is likely to yield information important to the City's history or prehistory.

Pursuant to Development Code Section 4.02.040, any neighborhood or area that meets one or more of the following criteria is eligible to be placed on the City's List of Historic Landmarks and Districts as a District:

- Is a geographically definable area possessing a concentration of Historical Resources or thematically related grouping of structures which contribute to each other and are unified by plan, style, or physical development; and embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master and possesses high artistic values;
- Reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of a park landscape, site design, or community planning;
- Is associated with, or the contributing resources are unified by events that have a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States; or
- The historic resource is, or the contributing resources are associated with lives of persons important to Ontario, California, or national history.

Landmarks and Districts listed in the NRHP or the CRHR are automatically placed on the City's List of Historic Landmarks and Districts. In addition to the criteria listed above that refer to the historical significance of the resource, the City also requires Landmarks and Districts to have integrity for the time in which they are significant.

The City requires that EIRs associated with Specific Plans in New Model Colony (also referred to as NMC, or Ontario Ranch [OR]) must consider the findings discovered in the City of Ontario's Historic Context for

the New Model Colony Area[11] and address impacts to historical resources. Therefore, this analysis of the resources on the Project site considers the contextual aspects of the NMC Historic Context with an analysis of the Project.

The City Development Code Article 26, Historic Preservation,[12] promotes the public health, safety, and general welfare by:

- Safeguarding the character and history of the City which is reflected in its unique cultural, historical, and architectural heritage, with emphasis on the "Model Colony" as recognized by an Act of Congress and presented at the St. Louis World's Fair in 1904;
- Promoting public knowledge, appreciation, and understanding of the City's past;
- Fostering civic and neighborhood pride in the beauty and accomplishments of the past;
- Promoting the enjoyment and use of Historical Resources appropriate for the education and recreation of the people of the City;
- Enhancing the visual and aesthetic character, diversity, and interest of the City;
- Enhancing property values and stabilizing neighborhoods within the City;
- Recognizing Historical Resources and protecting areas of historical buildings from encroachment of incompatible designs;
- Providing economic benefits to the City and its inhabitants through financial incentives for preservation;
- Protecting and enhancing the City's attraction to tourists and visitors,
- Stimulating business and industry;
- Promoting public awareness of the benefits of preservation; and
- Encouraging public participation in historic preservation, thereby increasing civic pride in the City's heritage.

The Project site would comply with the City's Historic Preservation Ordinance, ensuring all historically-significant findings within the City, including the Project site, would align with the above standards.

City of Ontario Policy Plan

The Ontario Plan (TOP) is the main planning vision for the City. TOP considers the growth of the City within six areas of focus:

1. Vision
2. Government Manual
3. Policy Plan
4. City Council Priorities

[11] Galvin and Associates. (2004). The City of Ontario's Historic Context for the New Model Colony Area. Prepared for City of Ontario Planning Department. Available online at http://www.ontarioca.gov/sites/default/files/Historic-Preservation/the_dairy_industry.pdf.
[12] City of Ontario Development Code Article 26. (2011). Retrieved from: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Historic_Preservation/historic_preservation_ordinance_0.pdf

5. Implementation, and
6. Tracking and Feedback

Included in TOP, the Policy Plan is a Community Design Element that describes goals and policies which act as a framework to guide the City's future growth.

Community Design Element

Goal CD4 **Historic buildings, streets, landscapes, and neighborhoods, as well as the story of Ontario's people, businesses, and social and community organizations, that have been preserved and serve as a focal point for civic pride and identity.**

Policy CD4-1 Cultural Resource Management. Update and maintain an inventory of historic sites and buildings, professional collections, artifacts, manuscripts, photographs, documents, maps, and other archives.

4.4.3 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

C-1 Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.

C-2 Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

C-3 Disturb any human remains, including those interred outside of dedicated cemeteries.

Historical Resources

State CEQA Guidelines Section 15064.5 provides direction on determining significance of impacts to archaeological and historical resources. Generally, a resource shall be considered "historically significant" if the resource meets the criteria for listing on the CRHR:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history. (PRC Section 5024.1; 14 CCR Section 4852)

The fact that a resource is not listed in the CRHR, not determined to be eligible for listing, or not included in a local register of historical resources does not preclude a lead agency from determining that it may be a historical resource. The City is a Certified Local Government (CLG) that is required to review historic resource surveys and make determination of eligibility for listing on an ongoing basis as part of the implementation of the certified historic preservation program.

Section 7.0, Effects Found Not to Be Significant, substantiates that impacts associated with the following thresholds would be less than significant:

- Threshold C-3

This impact will not be addressed in the following analysis.

4.4.4 Plans, Programs, and Policies

PPP CUL-1 Cultural and paleontological resources are recognized as nonrenewable resources and receive protection under the PRC and CEQA.

PPP CUL-2 Native American historical and cultural resources and sacred sites are protected under PRC Sections 5097.9 to 5097.991, which require that descendants be notified when Native American human remains are discovered and provide for treatment and disposition of human remains and associated grave goods.

PPP CUL-3 The removal, without permission, of any paleontological site or feature is prohibited from lands under the jurisdiction of the state or any city, county, district, authority, or public corporation, or any agency thereof (PRC Section 5097.5). This applies to agencies' own activities, including construction and maintenance, and permit actions by others.

PPP CUL-4 Adverse impacts to paleontological resources from developments on public (state, county, city, and district) lands require reasonable mitigation. (PRC Section 5097.5)

PPP CUL-5 If human remains are discovered within a project site, disturbance of the site must stop until the coroner has investigated and made recommendations for the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative. If the coroner has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC. (California HSC Section 7050.5)

4.4.5 Methodology

California Historic Resources Inventory System and Cultural Background Research

On July 25, 2018, MCC conducted a search of the California Historical Resource Information System (CHRIS) at the South-Central Coast Information Center (SCCIC), located at the California State University, Fullerton, Orange County. The record search covered the initial 84.1-acre Approved SP. In April 2020, MCC staff compiled previous CHRIS research of previous nearby projects that overlap the supplemental 71.69-acre Project site. These searches covered any previously recorded cultural resources and investigations within a one-mile radius of the entire Project site. The CHRIS search also included a review of the NRHP, the CRHR, the California PHI list, the California Historical Landmarks list, the Archaeological Determinations of Eligibility list, and the California State Inventory of Historic Resources.

Cultural Field Survey

MCC conducted thorough background research and analysis to verify the exact location of each identified cultural resource, the condition or integrity of the resource, and identify areas of cultural resource sensitivity. An MCC Archaeologist and cross-trained Paleontologist conducted the survey of the initial

Approved SP on July 27, 2018. The survey consisted of walking in parallel transects spaced at approximately 15-meter intervals over the Project site, while closely inspecting the ground surface. In February 2020, MCC conducted a supplemental assessment for the Project site, east of the Approved SP, encompassing an additional 80.83 acres. This assessment included a compilation of previous CHRIS record searches that overlap the expanded Project site. All undeveloped areas were examined for artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools or fire-affected rock), soil discoloration that might indicate the presence of a cultural midden, soil depressions and features indicative of the former presence of structures or buildings (e.g., postholes, foundations), or historic-era debris (e.g., metal, glass, ceramics). Representative photographs were taken of the entire study area.

Results

California Historic Resources Inventory System and Cultural Background Research

The CHRIS records searches in 2018 and 2020 identified a total of 23 cultural resources investigations that have been previously conducted within a one-mile mile radius buffer around the Project site, seven of which are located adjacent to the Project site. The cultural records search identified six previously recorded cultural resources within a one-mile radius buffer around the Project site, none of which are located within the Project site. Refer to *Appendix D* for a list of previous conducted cultural resources studies within a one-mile radius of the Project site.

The records search identified six previously-recorded cultural resources within one mile of the Project site. All of these resources are historic, with no prehistoric resources previously identified within the record search buffer. No resources have been recorded within the Project site.

A review of historic-era aerial photographs and maps show the initial Approved SP has been consistently used for agricultural and dairy activities since the 1930s, with the supplemental Project site utilized for agricultural by the 1950s. No structures were observed within the Project site until the early 1980s, thus no existing buildings are considered historic.

Conclusions

Cultural Resources Conclusions

The Phase I Cultural and Paleontological Resources Assessment of the Project site included a CHRIS records search, NAHC outreach, background research, a field pedestrian survey and site visit. The records search results indicated no previously recorded resources within the Project site and six historic-era resources within a one-mile radius. During the field survey, no cultural resources were encountered. However, since completion of the Phase I Cultural and Paleontological Resources Assessment, additional archaeological resources were found at two locations near the Project site.[13]

[13] Material Culture Consulting. Phase I Cultural and Paleontological Resources Assessment Ontario Ranch Business Park, City of Ontario, San Bernardino County, California.

Approach To Analysis

This analysis of impacts on cultural resources examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project site and the surrounding characteristics/ geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on field observations, review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that any components of the Project may result in "significant" adverse effects on historical and archaeological resources and human remains considers the existing site's historical resource value and the severity of the Project implementation on resources that may be considered historical.

4.4.6 Project Impacts and Mitigation Measures

The following impact analysis addresses thresholds of significance for which the preliminary environmental analysis disclosed potentially significant impacts.

Impact 4.4-1 ***Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5? [Threshold C-1]***

Level of Significance Before Mitigation: Less Than Significant Impact

Under CEQA Guidelines Section 15064.5(b)(1), a project has a significant impact on a historical resource if it "would result in the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resources would be materially impaired." Under CEQA Guidelines Section 15064.5(b)(2), material impairment would occur if the project would result in demolition or material alteration of those physical characteristics that convey the resource's historical significance.

As described above, potential historical resources in the Project site were evaluated to determine if they are considered historical resources. Since the assessment of the Project site's historical resources found no significance of the dairy farm or its structures, the structures were not found to be integral in the history of dairy farming or dairy operations in the City or the Chino Valley area. Therefore, they are not considered eligible for listing pursuant to criterion in the NRHP, CRHR, or as a Landmark in the City. Therefore, the Project would not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.

Impact 4.4-2 ***Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? [Threshold C-2]***

Level of Significance Before Mitigation: Potentially Significant Impact

The CHRIS records search identified a total of 23 cultural resources investigation that have been previously conducted within a 1-mile mile radius buffer around the Project site, with two studies adjacent to the

Project site (see *Appendix D*). Since completion of the cultural resources report, additional archaeological resources were found at two locations near the Project site.

Despite actions taken to ensure that all cultural resources are identified prior to construction, including record searches and on-site field surveying, there remains a possibility that undiscovered, buried archaeological resources might be encountered during grading activities. If discovered, impacts to those resources would be potentially significant. In order to minimize any potential impact to the environment, impacts to archaeological resources are considered potentially significant, and mitigation measures are required to ensure the proper treatment of undiscovered archaeological resources that may be encountered during grading. The implementation of mitigation measures **MM CUL-1** below and **MM TCR-1** would reduce the impacts to less than significant levels.

Following the completion of Project construction and disturbances to the Project site, the Project operation will not include further ground disturbing activities, and it is not anticipated to cause a substantial or adverse change in the significant of an archaeological resource since construction will be completed and mitigation measures applied. Therefore, operational impacts will be less than significant.

4.4.7 Cumulative Impacts

Cultural resources impacts are site-specific and generally do not combine to result in cumulative impacts. In the immediate vicinity of the Project site, no significant cultural resources were identified that if altered could combine with the effects of the Project to result in a cumulatively significant impact to cultural resources. Additionally, cultural resources investigations would be required for other projects before the City would permit ground disturbances or demolition or substantial alteration of existing structures. Such investigations would identify resources on the affected project sites that are or appear to be eligible for listing on the NRHP or CRHR. Such investigations would also recommend mitigation measures to protect and preserve cultural resources. The proposed Project includes mitigation measures to ensure proper identification, treatment, and preservation of cultural resources that could be inadvertently discovered on the Project site to reduce impacts to less than significant levels. Therefore, cumulative impacts to historical resources would be less than significant.

The Project could result in potential site-specific impacts to currently unknown archaeological resources discovered during grading and trenching activities. Other projects within the cumulative study area also have the potential to result in damage and/or loss to these resources. The combination of the Project as well as past, present, and reasonably foreseeable projects in the City and County would be required to comply with all applicable federal, State, County, and local regulations concerning preservation, salvage, or handling of cultural resources, including compliance with required mitigation. Similar to the Project, these projects also would be required to implement and conform to mitigation measures, which would be likely to reduce impacts to less than significant. Although in the process of development, some known or unknown resources may be lost, it is not anticipated that these impacts would be cumulatively considerable. In addition, implementation of **MM CUL-1** would reduce Project-specific impacts to a less than significant level. Therefore, the Project's contribution to cumulative impacts would be less than significant.

4.4.8 Level of Significance Before Mitigation

Impact 4.4-1 would be less than significant.

Without mitigation, the following impact would be potentially significant:

- Impact 4.4-2 Buildout of the Project could impact buried or obscured archaeological resources during grading activities.

4.4.9 Mitigation Measures

Refer to **MM TCR-1** in *Section 4.15, Tribal Cultural Resources*, for mitigation of tribal cultural resources.

MM CUL-1 Prior to the issuance of any grading permits for the Project site, a Cultural Awareness Training Program shall be provided to all construction managers and construction personnel prior to commencing any ground disturbance work at the Project sites. The training shall be prepared and conducted by a Qualified Archaeologist to the satisfaction of the City Planning Department. The training may be discontinued when ground disturbance is completed. Construction personnel shall not be permitted to operate equipment within the construction area unless they have attended the training. A copy of the training transcript and/or training video, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgment forms shall be submitted to the City Planning Department for their review and approval.

4.4.10 Level of Significance After Mitigation

In addition to compliance with existing regulatory requirements and PPPs, implementation of **MM CUL-1** and **MM TCR-1** would ensure the Project Applicant and construction contractors are aware of potential archaeological resources on-site and have specified procedures to implement to ensure these potentially undiscovered resources are not damaged during grading and construction activities. The mitigation measure requires that any archaeological resources encountered during Project ground-disturbing activities be preserved and/or recovered, evaluated, and curated, if necessary, by a qualified archaeologist, thus reducing potential impacts associated with archaeological resources to less than significant levels. Therefore, no significant unavoidable adverse impacts relating to cultural resources have been identified.

4.4.11 References

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4.5 ENERGY

This section of the Draft Environmental Impact Report (EIR) evaluates potential impacts related to energy resources associated with the Ontario Ranch Business Park Specific Plan Amendment Project (Project), within the City of Ontario (City). The energy analysis consists of a summary of the existing conditions, the energy regulatory framework, a discussion of the Project's potential impacts on energy resources, and identification of mitigation of the Project that may reduce energy consumption, as needed. Energy calculations for the Project are included in *Appendix B4, Energy Calculations*.

4.5.1 Environmental Setting

Energy use is typically quantified using the British Thermal Unit (BTU), a unit of heat defined as the amount of heat energy required to raise one pound-mass of water by one degree Fahrenheit. Total energy use in California was 7,966.6 trillion BTU in 2018 (the most recent year for which this specific data is available), with a total consumption per capita being 202 million BTU. The State is the second largest consumer of energy in the U.S. but ranks 50th for energy consumption on a per capita basis. Of California's total energy use, the breakdown by sector is approximately 39.8 percent transportation, 23.2 percent industrial, 18.9 percent commercial, and 18.1 percent residential. Electricity and natural gas in California are generally used by stationary sources such as residences, commercial sites, and industrial facilities, whereas petroleum use is generally accounted for by transportation-related energy use.[1]

Electricity

Electricity as a utility is a man-made resource. The production of electricity requires the consumption or conversion of resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into energy. The delivery of electricity requires several system components including substations and transformers that lower transmission line power (voltage) to a level appropriate for distribution and use. The electricity generated is distributed through a network of transmission and distribution lines commonly called a power grid. Conveyance of electricity through transmission lines is typically responsive to market demands.

Energy capacity, or electrical power, is generally measured in watts (W), while energy use is measured in watt-hours (Wh). For example, if a light bulb has a capacity rating of 100 W, the energy required to keep the bulb on for 1 hour would be 100 Wh. If ten 100 W bulbs were on for 1 hour, the energy required would be 1,000 Wh or 1 kilowatt-hour (kWh). On a utility scale, a generator's capacity is typically rated in megawatts (MW), which is one million watts, while energy use is measured in megawatt-hours (MWh) or gigawatt-hours (GWh), which is one billion Wh.

The Project site is in Southern California Edison's (SCE) service area, which spans much of southern California from Orange and Riverside counties on the south to Santa Barbara County on the west to Mono

[1] US Energy Information Agency (USEIA) (2019). *California State Energy Profile*. Available at https://www.eia.gov/state/print.php?sid=CA. Accessed August 13, 2021.

County on the north. Total electricity consumption in SCE's service area was 103,597 GWh in 2020.[2] Sources of electricity sold by SCE in 2019, the latest year for which data are available, were:

- Thirty-five percent renewable, consisting mostly of solar and wind
- Eight percent large hydroelectric
- Sixteen percent natural gas
- Eight percent nuclear
- Thirty-three percent unspecified sources – that is, not traceable to specific sources[3]

The Project site generates electricity demand for the day-to-day operations of the dairy farm and residences on-site. Existing use of electricity on-site includes lighting, heating and cooling, ventilation, and milking equipment, such as pumps and cooling systems. Based on billing statements for November 2018 to October 2019, the existing on-site operations resulted in a total electricity demand of 746,948 kWh for this period.

Natural Gas

Southern California Gas Company (SoCalGas) provides gas service in the City and has facilities throughout the City, including the Project site. The service area of SoCalGas spans much of the southern half of California, from Imperial County on the southeast to San Luis Obispo County on the northwest to part of Fresno County on the north to Riverside County and most of San Bernardino County on the east. Total natural gas consumption in SoCalGas's service area was 7,147 million therms.[4]

The Project site generates natural gas demand for the day-to-day operations of the dairy farm and residences on-site. Estimated annual natural gas demand for the existing on-site operations is 387,510 kilo-BTU per year (kBTU/year) or 3,876 therms.[3] Natural gas demands on-site mainly stem from the use of space and water heaters, cooking appliances, and laundry and water appliances.

4.5.2 Regulatory Setting

Federal

Energy Independence and Security Act of 2007

The Energy Independence and Security Act (EISA; Public Law 110-140) was signed into law by President George W. Bush on December 19, 2007. The Act's goal is to achieve energy security in the United States by increasing renewable fuel production, improving energy efficiency and performance, protecting consumers, improving vehicle fuel economy, and promoting research on greenhouse gas (GHG) capture and storage. Under the EISA, the Renewable Fuel Standard (RFS) program (RFS2) was expanded in several key ways:

[2] California Energy Commission. 2016. Electricity Consumption by Planning Area. Retrieved from: http://www.ecdms.energy.ca.gov/elecbyplan.aspx
[3] Southern California Edison. (2020). *2019 Power Content Label, Southern California Edison*. Retrieved from SCE Website: https://www.sce.com/sites/default/files/inline-files/SCE_2019PowerContentLabel.pdf. Accessed August 13, 2021.
[4] California Energy Commission. 2016. Gas Consumption by Planning Area. Retrieved from: http://www.ecdms.energy.ca.gov/gasbyplan.aspx

- Expanded the RFS program to include diesel, in addition to gasoline;
- Increased the volume of renewable fuel required to be blended into transportation fuel from nine billion gallons in 2008 to 36 billion gallons by 2022;
- Established new categories of renewable fuel and set separate volume requirements for each; and
- Required the U.S. Environmental Protection Agency (EPA) to apply lifecycle GHG performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.

RFS2 lays the foundation for achieving significant reductions of GHG emissions from the use of renewable fuels, for reducing imported petroleum, and encouraging the development and expansion of our nation's renewable fuels sector.

The EISA also includes a variety of new standards for lighting and for residential and commercial appliance equipment. The equipment includes residential refrigerators, freezers, refrigerator-freezers, metal halide lamps, and commercial walk-in coolers and freezers.

State

Assembly Bill 32 and Senate Bill 32

California's major initiative for reducing GHG emissions is outlined in Assembly Bill (AB) 32, the "California Global Warming Solutions Act of 2006." AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020, and requires CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions. Reductions in overall energy consumption have been implemented to reduce emissions. See *Section 4.7, Greenhouse Gas Emissions,* of this Draft EIR for a further discussion of AB 32.

In September 2016, the Governor signed into legislation SB 32, which builds on AB 32 and requires the state to cut GHG emissions to 40 percent below 1990 levels by 2030. With SB 32, the Legislature also passed AB 197, which provides additional direction for updating the Scoping Plan to meet the 2030 GHG reduction target codified in SB 32. The California Air Resources Board (CARB) has published a draft update to the Scoping Plan and has received public comments on this draft but has not released the final version.

Additional energy efficiency measures beyond the current regulations are needed to meet these goals as well as the AB 32 GHG reduction goal of reducing Statewide GHG emissions to 1990 levels by 2020 and the SB 32 goal of 40 percent below 1990 levels by 2030 (see *Section 4.7, Greenhouse Gas Emissions*, for a discussion of AB 32 and SB 32). Part of the effort to meet California's long-term reduction goals include reducing petroleum use in cars and trucks by 50 percent, increasing from one-third to more than one-half of California's electricity derived from renewable sources, doubling the efficiency savings achieved at existing buildings and making heating fuels cleaner; reducing the release of methane, black carbon, and other short-lived climate pollutants, and managing farm and rangelands, forests, and wetlands so they can store carbon.

California Building Energy Efficiency Standards: Title 24, Part 6 (California Energy Code)

Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations [CCR], Title 24, Part 6), commonly referred to as "Title 24", California's energy efficiency standards for residential and non-residential buildings, was established by the California Energy Commission (CEC) in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption, and provide energy efficiency standards for residential and non-residential buildings. The 2019 Building Energy Efficiency Standards, which took effect on January 1, 2020, promote photovoltaic (PV) systems in newly constructed residential buildings and additional lighting standards. With rooftop solar electricity generation, homes built under the 2019 standards will use about 53 percent less energy than those under the 2016 standards. With the new lighting standards, nonresidential buildings would use 30 percent less energy than buildings built under the 2016 standards. The California Building Energy Efficiency Standards (CBEES) updates focus on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings and include requirements that will enable both demand reductions during critical peak periods and future solar electric and thermal system installations.

The Title 24, Part 6 was created as part of the California Building Standards Code by the California Building Standards Commission in 1978 to establish statewide building energy efficiency standards to reduce California's energy use. These standards include provisions applicable to all buildings, residential and non-residential, which describe requirements for documentation and certificates that the building meets the standards. These provisions include mandatory requirements for efficiency and design of the following types of systems, equipment, and appliances:

- Air Conditioning Systems
- Heat Pumps
- Water Chillers
- Gas- and Oil-Fired Boilers
- Cooling Equipment
- Water Heaters and Equipment
- Pool and Spa Heaters and Equipment
- Gas-Fired Equipment Including Furnaces and Stoves/Ovens
- Windows and Exterior Doors
- Joints and Other Building Structure Openings (Envelope)
- Insulation and Cool Roofs
- Lighting Control Devices
- Solar PV Systems

The standards include additional mandatory requirements for space conditioning (cooling and heating), water heating, indoor and outdoor lighting systems, as well as equipment in non-residential, high-rise

residential, and hotel or motel buildings. Mandatory requirements for low-rise residential buildings cover indoor and outdoor lighting, fireplaces, space cooling and heating equipment (including ducts and fans), and insulation of the structure, foundation, and water piping. The standards require solar PV systems for new homes. In addition to the mandatory requirements, the standards call for further energy efficiency that can be provided through a choice between performance and prescriptive compliance approaches. Separate sections apply to low-rise residential and to non-residential, high-rise residential, and hotel or motel buildings. In buildings designed for mixed use (e.g., commercial and residential), each section must meet the standards applicable to that type of occupancy.

The performance approach set forth under these standards provides for the calculation of an energy budget for each building and allows flexibility in building systems and features to meet the budget. The energy budget addresses space-conditioning (cooling and heating), lighting, and water heating. Compliance with the budget is determined using a CEC-approved computer software energy model. The alternative prescriptive standards require demonstrating compliance with specific minimum efficiency for components of the building such as building envelope insulation R-values, fenestration (areas, U-factor and solar heat gain coefficients of windows and doors) and heating and cooling, and water heating and lighting system design requirements. These requirements vary depending on the building's location in the State's 16 climate zones.

The CBEES are updated on an approximately three-year cycle as technology and methods have evolved. As a result of new law under AB 970, passed in the fall of 2000 in response to the State's electricity crisis, an emergency update of the standards went into effect in June 2001. The CEC then initiated an immediate follow-on proceeding to consider and adopt updated standards that could not be completed during the emergency proceeding. The 2013 Standards went into effect July 1, 2014. The CBEES updates focus on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings, and include requirements that will enable both demand reductions during critical peak periods and future solar electric and thermal system installations.

California Green Building Standards

The California Green Building Standards Code (CCR, Title 24, Part 11), commonly referred to as the CALGreen Code, is a Statewide mandatory construction code that was developed and adopted by the California Building Standards Commission and the California Department of Housing and Community Development. The CALGreen Code requires new residential and commercial buildings to comply with mandatory measures under five topical areas: planning and design; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental quality. The CALGreen Code also provides voluntary tiers and measures that local governments may adopt which encourage or require additional measures in the five green building topics. The 2019 CALGreen Code went into effect January 1, 2020.

2008 California Energy Action Plan Update

The 2008 Energy Action Plan (EAP) Update provides a status update to the 2005 EAP II, which is the State of California's principal energy planning and policy document. The 2008 EAP continues the goals of the original EAP and describes a coordinated implementation plan for State energy policies, and identifies

specific action areas to ensure that California's energy is adequate, affordable, technologically advanced, and environmentally sound. First-priority actions to address California's increasing energy demands are energy efficiency, demand response (i.e., reduction of customer energy usage during peak periods in order to address system reliability and support the best use of energy infrastructure), and the use of renewable sources of power. If these actions are unable to satisfy the increasing energy and capacity needs, the plan supports clean and efficient fossil-fired generation.

2006 Appliance Efficiency Regulations

The CEC adopted Appliance Efficiency Regulations (Title 20, CCR §§1601 through 1608) on October 11, 2006. The regulations were approved by the California Office of Administrative Law on December 14, 2006. The regulations include standards for both federally regulated appliances and non-federally regulated appliances. While these regulations are now often viewed as "business-as-usual," they exceed the standards imposed by all other states and they reduce GHG emissions by reducing energy demand.

Senate Bill 1078 and 107; Executive Order S-14-08, S-21-09, and SB 2X

SB 1078 (Chapter 516, Statutes of 2002) requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. SB 107 (Chapter 464, Statutes of 2006) changed the target date to 2010. In November 2008, then-Governor Schwarzenegger signed Executive Order S-14-08, which expands the State's Renewable Portfolio Standard (RPS) to 33 percent renewable power by 2020. In September 2009, then-Governor Schwarzenegger continued California's commitment to the RPS by signing Executive Order S-21-09, which directs the CARB under its AB 32 authority to enact regulations to help the State meet its RPS goal of 33 percent renewable energy by 2020. In April 2011, Governor Brown signed SB 2X, which legislated the prior Executive Order S-14-08 renewable standard.

Executive Order B-30-15, Senate Bill 350, and Senate Bill 100

In April 2015, the Governor issued Executive Order B-30-15, which established a GHG reduction target of 40 percent below 1990 levels by 2030. SB 350 (Chapter 547, Statutes of 2015) advanced these goals through two measures. First, the law increases the renewable power goal from 33 percent renewables by 2020 to 50 percent by 2030. Second, the law requires the CEC to establish annual targets to double energy efficiency in buildings by 2030. The law also requires the California Public Utilities Commission (CPUC) to direct electric utilities to establish annual efficiency targets and implement demand-reduction measures to achieve this goal. In 2018, SB 100 revised the goal of the program to achieve the 50 percent renewable resources target by December 31, 2026, and to achieve a 60 percent target by December 31, 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

Local

City of Ontario Climate Action Plan

The City adopted the Community Climate Action Plan (CAP) in November 2014. The primary purpose of the City's Community CAP is to design a feasible strategy is to establish the long-term framework for action on climate change to ensure greenhouse gas pollution is reduced while boosting low-carbon innovation.

The City is updating the Community CAP as part of the Ontario Plan Update, which was anticipated to be completed in 2021. The City is in the process of developing an interim Development Screening Table and the latest draft was revised on May 1, 2018. The updated CAP will include a specific target for GHG reductions for 2030, 2040, and 2050. The targets will be consistent with broader State and federal reduction targets and will reflect contemporary scientific understanding of GHG reductions required by 2050. At the time of the Project GHG analysis, the City's CAP update is underway.

The Ontario Plan (TOP)

As part of the City's TOP, the Environmental Resources Element includes Goal ER3 which focuses on creating a cost-effective and reliable energy system sustained through low-impact construction, site and neighborhood energy conservation, and diverse sources of energy generation that collectively help to minimize the region's carbon footprint. Goal ER3 includes the following six policies:

Policy ER3-1 **Conservation Strategy.** Require conservation as the first strategy to be employed to meet applicable energy-saving standards.

Policy ER3-2 **Green Development – Communities.** Require the use of best practices identified in green community rating systems to guide the planning and development of all new communities.

Policy ER3-3 **Building and Site Design.** Require new construction to incorporate energy efficient building and site design strategies, which could include appropriate solar orientation, maximum use of natural daylight, passive solar and natural ventilation.

Policy ER3-4 **Green Development – Public Buildings**. We require all new and substantially renovated City buildings in excess of 10,000 square feet achieve a LEED Silver Certification standard, as determined by the U.S. Green Building Council.

Policy ER3-5 **Fuel Efficient and Alternative Energy Vehicles and Equipment.** Purchase and use vehicles and equipment that are fuel efficient and meet or surpass state emissions requirements and/or use renewable sources of energy.

Policy ER3-6 **Generation – Renewable Sources.** Promote the use of renewable energy sources to serve public and private sector development.

4.5.3 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

E-1 Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

E-2 Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

4.5.4 Plans, Programs, and Policies

Plans, Programs, and Policies

PPP E-1 New buildings are required to achieve the current CBEES (Title 24, Part 6) and the CALGreen Code (Title 24, Part 11). The 2019 Building Energy Efficiency Standards were effective starting January 1, 2020. The Building Energy Efficiency Standards and the CALGreen Code are updated tri-annually with a goal to achieve zero net energy for residential buildings by 2020 and nonresidential buildings by 2030.

PPP E-2 New buildings are required to adhere to the CALGreen Code requirement to provide bicycle parking for new non-residential buildings, or meet local bicycle parking ordinances, whichever is stricter (CALGreen Code Sections 5.106.4.1, 14.106.4.1, and 5.106.4.1.2).

PPP E-3 The CALGreen Code requires the recycling and/or salvaging for reuse at minimum of 65 percent of the nonhazardous construction and demolition waste generated during most "new construction" projects (CALGreen Code Sections 4.408 and 5.408). Construction contractors are required to submit a construction waste management plan that identifies the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project, or salvaged for future use or sale and the amount (by weight or volume).

PPP E-4 Construction activities are required to adhere to Title 13 California Code of Regulations Section 2499, which requires that nonessential idling of construction equipment is restricted to five minutes or less.

PPP E-5 New buildings are required to adhere to the CALGreen Code and Water Efficient Landscape Ordinance requirements to increase water efficiency and reduce urban per capita water demand.

PPP E-6 CARB's RPS is a foundational element of the State's emissions reduction plan. These mandates apply directly to investor-owned utilities, which in the case of the Project is SCE. On September 10, 2018, SN 100 was signed into law and established the following RPS targets: 50 percent renewable resources target by December 31, 2026, and 60 percent target by December 31, 2030. SB 100 also requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt hours of those

products sold to their retail end-use customers achieve 44 percent of retail sales by December 31, 2024; 52 percent by December 31, 2027; and 60 percent by December 31, 2030.

PPP E-7 The 2007 Energy Bill creates new federal requirements for increases in fleetwide fuel economy for passenger vehicles and light trucks under the Federal Corporate Average Fuel Economy Standards. The federal legislation requires a fleetwide average of 35 miles per gallon (mpg) to be achieved by 2020. The National Highway Traffic Safety Administration is directed to phase in requirements to achieve this goal. Analysis by CARB suggests that this will require an annual improvement of approximately 3.4 percent between 2008 and 2020.

PPP E-8 SB 375 requires the reduction of GHG emissions from light trucks and automobiles through land use and transportation efforts that will reduce vehicle miles traveled. In essence, SB 375's goal is to control GHGs by curbing urban sprawl and through better land use planning. SB 375 essentially becomes the land use contribution to the GHG reduction requirements of AB 32, California's global warming bill enacted in 2006, and SB 32.

Project Design Features

PDF E-1 The tilt-up concrete warehouse buildings would have rooftops that can support tenant improvements for solar panels (i.e., solar-ready).

PDF E-2 All outdoor water demands would be served with recycled water.

PDF E-3 The Project would include installation of electric vehicles charging stations to service 71 parking stalls for electric vehicles (EV) and 101 clean air/vanpool parking spaces.

PDF E-4 The Project would include use of energy efficient Light Emitting Diodes (LEDs), implementation of passive design such as skylights, building orientation, landscaping, and strategic colors to improve building energy performance, use of high performance dual pane window glazing in office storefronts, and incorporation of skylights into at least two percent of warehousing/distribution building roof area to provide natural light and to reduce electric lighting demand.

4.5.5 Methodology

Based on CEQA Guidelines Appendix G, Energy Conservation, in order to ensure energy implications are considered in project decisions, CEQA identifies that EIRs include a discussion of the potential impacts of proposed projects, with particular emphasis on avoiding or reducing wasteful, unnecessary, or inefficient use of energy resources as applicable. Environmental effects may include the Project's energy requirements and its energy use efficiencies by amount and fuel type during demolition, construction, and operation; the effects of the Project on local and regional energy supplies; the effects of the Project on peak and base period demands for electricity and other forms of energy; the degree to which the Project complies with existing energy standards; the effects of the Project on energy resources; and the Project's projected transportation energy use requirements and its overall use of efficient transportation

alternatives, if applicable. The energy and fuel usage information provided in this section is based on the following:

- **Building Energy:** Electricity and natural gas usage associated with building energy that would be generated by land uses accommodated under the Project are based on CalEEMod default electricity and natural gas rates. New buildings are modeled to comply with the 2019 Building Energy Efficiency Standards, which are 30 percent more energy efficient for non-residential buildings than the 2016 Building Energy Efficiency Standards.
- **On-Road Vehicle Fuel Usage:** Fuel usage associated with operation-related vehicle trips in addition to construction-related vehicle trips (i.e., worker and vendor trips) are based on fuel usage data obtained from EMFAC2017, Version 1.0.2, and on vehicle trip generation and Vehicle Miles Traveled (VMT) data provided Urban Crossroads (see *Appendix I2*).
- **Off-Road Equipment Fuel Usage:** Fuel usage for construction-related off-road equipment are based on fuel usage data obtained from OFFROAD2017, Version 1.0.1, and on the equipment mix and operations anticipated for the Project (see *Table 4.5-1, Construction-Related Fuel Usage*, for details regarding the anticipated construction schedule and equipment).

4.5.6 Project Impacts and Mitigation Measures

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 4.5-1 ***Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation? [Threshold E-1]***

Level of Significance Before Mitigation: Less Than Significant Impact

Short-Term Construction Impacts

Project construction would create temporary increased demands for electricity and vehicle fuels compared to existing conditions and would result in short-term transportation-related energy use. Energy consumption during construction (2022 through 2024) was calculated using the CalEEMod, Version 2016.3.2 computer model, and the results are shown in *Table 4.5-1*.

Table 4.5-1: Construction-Related Fuel Usage

Project Component	Gasoline		Diesel	
	VMT	Gallons	VMT	Gallons
Construction Worker Commute	1,799	319,184	0	0
Construction Vendor Trips	0	0	571	219,633
Construction Truck Haul Trips	0	0	0	0
Construction Off-Road Equipment	N/A	0	N/A	93,519
Total	1,799	319,184	571	313,152

Source: CalEEMod Version 2016.3.2; EMFAC2021 Version 1.0.1; OFFROAD2017 Version 1.0.1

Electrical Energy

Construction activities associated with the land uses accommodated under the Project would require electricity use to power the construction equipment. The electricity use during construction would vary during different phases of construction, where the majority of construction equipment during demolition and grading would be gasoline-powered or diesel-powered, and the later construction phases would require electricity-powered, such as interior construction and architectural coatings. Overall, the use of electricity would be temporary in nature and would fluctuate according to the phase of construction. Additionally, it is anticipated that the majority of electric-powered construction equipment would be hand tools (e.g., power drills, table saws, compressors) and lighting, which would result in minimal electricity usage during construction activities. Therefore, Project-related construction activities would not result in wasteful or unnecessary electricity demands and impacts would be less than significant.

Natural Gas Energy

It is not anticipated that construction equipment used for the Project would be powered by natural gas, and no natural gas demand is anticipated during construction. Therefore, impacts would be less than significant with respect to natural gas usage.

Transportation Energy

Transportation energy use depends on the type and number of trips, VMT, fuel efficiency of vehicles, and travel mode. Transportation energy used during construction would come from the transport and use of construction equipment, delivery vehicles and haul trucks, and construction employee vehicles that would use diesel fuel and/or gasoline. It is anticipated that the majority of off-road construction equipment, such as those used during demolition and grading activities, would be gasoline-powered or diesel-powered.

The use of energy resources by vehicles and equipment would fluctuate according to the phase of construction. To limit wasteful and unnecessary energy consumption, the construction contractors are anticipated to minimize non-essential idling of construction equipment during construction in accordance with Section 2449 of the CCR, Title 13, Article 4.8, Chapter 9. In addition, electrical energy would be available for use during construction from existing power lines and connection, which could minimize or avoid the use of generators that are less efficient than tying into existing SCE infrastructure. Furthermore, construction trips would not result in unnecessary use of energy since the Project site is centrally located and is served by numerous regional freeway systems (e.g., Interstate 10 [I-10], Interstate 15 [I-15], and State Route 60 [SR 60]) that provides the most direct and shortest routes from various areas of the region. Moreover, all construction-equipment operation would cease upon completion of Project construction. Thus, impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure. Additionally, over time as fuel efficiencies and fuel technologies improve, it is likely that transportation energy consumption will decrease. Overall, it is expected that construction fuel associated with land use developments accommodated under the Project would not be any more inefficient, wasteful, or unnecessary than similar development projects. Therefore, impacts would be less than significant with respect to transportation energy.

Long-Term Impacts during Operation

Project operation would create additional demands for electricity and natural gas compared to existing conditions and would result in increased transportation energy use. Operational use of energy would include heating, cooling, and ventilation of buildings; water heating; operation of electrical systems, use of on-site equipment and appliances; and indoor, outdoor, perimeter, and parking lot lighting.

Electrical Energy

Operation of the existing facility consumes electricity for various purposes, including, but not limited to heating, cooling, and ventilation of buildings, water heating, operation of electrical systems, security and control center functions, lighting, and use of on-site equipment and appliances. The proposed electricity consumption for the business park, warehouses, and associated parking lot are shown in *Table 4.5-2, Electricity Consumption*.

Table 4.5-2: Electricity Consumption

Land Use	Electricity (kWh/year)[1]
Warehouse & High-Cube Fulfillment (Unrefrigerated)	2,861,958
High-Cube Cold Storage Warehouse (Refrigerated)	7,136,740
Office Park	2,183,760
Surface Parking Lot	400,580
Proposed Project Total	12,583,038
Existing Use Electricity Consumption	756,948
Net Change	11,826,090

Source: CalEEMod Version 2016.3.2
Notes: kWh = kilowatt hour
[1]Based on electricity usage between November 2018 and October 2019.

Electrical service to the Project would be provided by SCE through connections to existing offsite electrical lines and new on-site infrastructure. As shown in the table, the Project would have an annual electricity demand of 12,583,038 kWh/year and result in an overall net increase of 11,826,090 kWh/year. While the Project would increase energy demand at the Project site compared to existing conditions, it would be required to comply with the applicable Building Energy Efficiency Standards and the CALGreen Code. Because the Project would be consistent with the requirements of these energy-related regulations, it would not result in wasteful or unnecessary electricity demands. In addition, it is projected that 100 percent of the total outdoor water demand would be served by recycled water, which would contribute to minimizing the energy associated with the distribution and treatment of water. Therefore, the Project would not result in a significant impact related to electricity.

Natural Gas Energy

The proposed natural gas consumption for the Project site is shown in *Table 4.5-3, Natural Gas Consumption*. As seen in the table, natural gas demand would total 12,404,974 kBTU/year with the Project due to consumption from the proposed office building and warehouses. Overall, implementation of the Project would result in a net increase in natural gas demand by 12,017,464 kBTU/year. Because the Project would be built to meet the Building Energy Efficiency Standards, it would not result in wasteful or

unnecessary natural gas demands. Therefore, operation of the Project would result in less than significant impacts with respect to natural gas usage.

Table 4.5-3: Natural Gas Consumption

Land Use	Natural Gas (kBTU/year)
Warehouse & High-Cube Fulfillment (Unrefrigerated)	2,479,548
High-Cube Cold Storage Warehouse (Refrigerated)	9,266,650
Office Park	658,776
Surface Parking Lot	0
Proposed Project Total	12,404,974
Existing Use Natural Gas Consumption[1]	387,510
Net Change	12,017,464

Source: CalEEMod Version 2016.3.2
Notes: kBTU = kilo-British thermal unit
[1]Based on natural gas use reported for October 2019 multiplied by 12 months.

Transportation Energy

The Project would consume transportation energy during operations from the use of motor vehicles. Because the efficiency of the motor vehicles in use, such as the average miles per gallon for motor vehicles involved with the Project are unknown, estimates of transportation energy use is assessed based on the overall VMT and related transportation energy use. The Project-related VMT would primarily come from future employees. As seen in *Table 4.5-4, Operation-Related Fuel Usage*, the VMT for the Project is estimated to be 24,461,798. However, the Project would involve the construction of an industrial and business park that would provide more opportunities for employment for residents of the City and would be within an urbanized area with nearby amenities and public transit options. Furthermore, the Project includes a Circulation Plan to provide connectivity to the trails and bikeway corridors identified in the Ontario Multipurpose Trails and Bikeway Corridor Plan. Specifically, the Project includes and identifies installation of a Class II bikeway along Merrill Avenue and multipurpose trails along Euclid, Eucalyptus, and Merrill avenues. The City is also coordinating with regional transit agencies to implement Bus Rapid Transit (BRT) service that would include the segment of Euclid Avenue along the western boundary of the Project site. In addition, in compliance with the CALGreen Code, the Project would include bicycle racks and storage for employee use. These features and aspects of the Project would contribute to minimizing VMT and transportation-related fuel usage. Overall, it is expected that operation-related fuel usage associated with the Project would not be any more inefficient, wasteful, or unnecessary than similar development projects. Therefore, impacts would be less than significant with respect to operation-related fuel usage.

Table 4.5-4: Operation-Related Fuel Usage

	Gasoline		Diesel	
	VMT	Gallons	VMT	Gallons
Passenger Vehicles	14,230,899	658,838	0	0
Transport Trucks	0	0	14,230,899	1,805,989
Operation Off-Road Equipment	0	0	N/A	0
Total	14,230,899	658,838	14,230,899	1,805,989

Source: CalEEMod Version 2016.3.2; EMFAC2017 Version 1.0.2; OFFROAD2017 Version 1.0.1

Impact 4.5-2 ***Would the Project conflict with or obstruct a State or Local plan for renewable energy or energy efficiency? [Threshold E-2]***

Level of Significance Before Mitigation: Less Than Significant Impact

City of Ontario Community Climate Action Plan (CAP)

The City's Community CAP includes measures related to building energy. However, the measures included in the City's Community CAP would generally not be applicable to the Project. For example, Measures Energy 3 through Energy 5 pertain to the retrofit of existing residential and non-residential buildings only. Implementation of the Project would result in the development and operation of new buildings only. Therefore, the Project would not be inconsistent with the energy efficiency and renewable energy measures of the City's Community CAP.

City of Ontario TOP

Table 4.5-5, Consistency with the TOP evaluates the consistency of the Project to the applicable policies of TOP. As shown in the table, the Project would generally be consistent with the applicable policies of TOP. For example, the sustainable design strategies in Chapter 5.8 of the Project Specific Plan Amendment includes use of energy efficient LEDs, implementation of passive design such as skylights, building orientation, landscaping, and strategic colors to improve building energy performance, use of high-performance dual pane window glazing in office storefronts, and incorporation of skylights into at least two percent of warehousing/distribution building roof area to provide natural light and to reduce electric lighting demand (see PDF E-4). Therefore, overall, the Project would be consistent and would not interfere with the City of Ontario TOP.

Table 4.5-5: Consistency with the TOP

Goal/Policy No.	Goal/ Policy	Consistency
Policy ER3-1	**Conservation Strategy**: Require conservation as the first strategy to be employed to meet applicable energy saving standards.	**Consistent:** The proposed Project incorporates energy-saving conservation strategies into its design guidelines by addressing lighting, bicycle parking, sustainable landscaping, and energy efficiency. Sustainable design strategies include design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption.
Policy ER3-2	**Green Development – Communities:** Require the use of best practices identified in green community rating systems to guide the planning and development of all new communities.	**Consistent:** Development of land uses accommodated under the Project would be in compliance with the CALGreen Code. Additionally, the proposed Project's Sustainable Design Strategies include the use of best practices through passive design to improve building energy performance.
Policy ER3-3	**Building and Site Design:** Require new construction to incorporate energy efficient building and site design strategies, which could include appropriate solar orientation, maximum use of natural daylight,	**Consistent:** The proposed Project's Sustainable Design Strategies include the use of passive design to improve building energy performance through skylights, building orientation, landscaping, and use of select colors. Additionally, the development of land uses accommodated under the proposed Project

Goal/Policy No.	Goal/ Policy	Consistency
	passive solar and natural ventilation.	would also be designed in compliance with the CALGreen Code.
Policy ER3-4	**Green Development – Public Buildings:** We require all new and substantially renovated City buildings in excess of 10,000 square feet achieve a LEED Silver Certification standard, as determined by the U.S. Green Building Council.	**Not Applicable:** This policy is applicable to City-owned buildings.
Policy ER3-5	**Fuel Efficient and Alternative Energy Vehicles and Equipment:** We purchase and use vehicles and equipment that are fuel efficient and meet or surpass state emissions requirements and/or use renewable sources of energy.	**Consistent:** Up to 71 parking stalls for EV and 101 clean air/vanpool parking spaces would be installed Project under the proposed Project (see PDF E-3).
Policy ER3-6	**Generation – Renewable Sources:** Promote the use of renewable energy sources to serve public and private sector development.	**Consistent:** There are no current plans to install a photovoltaic (PV) system under the Project. However, buildings developed under the Project would have rooftops that can support tenant improvements for solar panels (i.e., solar-ready) which will comply with solar ready requirements of the Building Energy Efficiency Standards, which would enable future tenants to install a PV system.
Source: Ontario 2009.		

4.5.7 Cumulative Impacts

The areas considered for cumulative impacts to electricity and natural gas supplies are the service areas of SCE and SoCalGas, respectively, described above in *Section 4.5.1*. Other projects would generate increased electricity and natural gas demands. However, all projects within the SCE and SoCalGas service areas would be required to comply with the Building Energy Efficiency Standards and the CALGreen Code, which would contribute to minimizing wasteful energy consumption. Therefore, cumulative impacts would be less than significant, and Project impacts would not be cumulatively considerable.

4.5.8 Level of Significance Before Mitigation

Upon implementation of regulatory requirements, PPPs, and PDFs, impacts 4.5-1 and 4.5-2 would be less than significant.

4.5.9 Mitigation Measures

No mitigation measures are required.

4.5.10 Level of Significance After Mitigation

Because no mitigation measures are required, impacts remain less than significant.

4.5.11 References

California Air Resources Board. 2017, January 11 (reviewed). Clean Car Standards - Pavley, Assembly Bill 1493. https://ww3.arb.ca.gov/cc/ccms/ccms.htm.

California Energy Commission (CEC). 2019 Building Energy and Efficiency Standards. https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards.

California Gas and Electric Utilities (CGEU). 2018, July. 2018 California Gas Report. https://www.socalgas.com/regulatory/documents/cgr/2018_California_Gas_Report.pdf.

City of Ontario, Community Climate Action Plan, 2014.

Ontario, City of. 2009. The Ontario Plan – Policy Plan. http://www.ontarioplan.org/policy-plan/.

Urban Crossroads. 2019, December 5. Ontario Ranch Business Park Traffic Impact Analysis.

———. 2019, November 26. Ontario Ranch Business Park Vehicle Miles Travelled (VMT) Assessment.

4.6 GEOLOGY AND SOILS

This section of the Draft Environmental Impact Report (EIR) identifies and analyzes the potential environmental impacts of the Ontario Ranch Business Park Specific Plan Amendment (Project) as they relate to geological and soil resources, paleontological resources, or unique geologic features in the City of Ontario (City) within San Bernardino County (County). The environmental setting will be discussed for the Project, along with any applicable federal, state, regional, and local policies and regulations. Additionally, this section will describe the specific mitigation measures that would be used to minimize any significant environmental impact, if any are identified. The data collected provides information on existing conditions in the Project region from literature search, review of existing data, and site surveys.

This evaluation of the Project site and the potential impacts to geology and soils is largely based on the following sources:

- City of Ontario Policy Plan Update EIR
- *Geotechnical Feasibility Study Proposed Commercial/Industrial Development*, Southern California Geotechnical (SCG), January 28, 2020. (*Appendix E*)
- *Phase I Cultural and Paleontological Resources Assessment Ontario Ranch Business Park*, City of Ontario, San Bernardino County, California, Material Culture Consulting (MCC), May 2020 (*Appendix D*).

4.6.1 Environmental Setting

Existing Conditions

The Project site is located at the southeast corner of Eucalyptus Avenue and Sultana Avenue within the City. The Project site is bounded by Eucalyptus Avenue to the north, by Sultana Avenue to the west, by Merrill Avenue to the south, and by Campus Avenue to the east. The Project site consists of an approximately 71.69-acre rectangular parcel. The Project site is currently developed as an operational dairy farm. The northeastern portion of the site is developed with cattle pens with multiple canopy structures, farmhouses, and structures associated with milking activities. The buildings appear to be single-story structures of wood frame construction and the canopies appear to be of metal frame construction. It is expected that all of these structures are supported on conventional shallow foundations. Ground surface cover in the northeastern portion of the site generally consists of turf grass, asphaltic concrete, and concrete pavements surrounding the farmhouses and other structures, manure in the cattle pen areas, and exposed soils with sparse native grass and weed growth in the remaining areas. The northwestern portion and southern one-third of the site are planted with row crops.

Based on visual observations made at the time of the subsurface investigation and from elevation information obtained from Google Earth, the overall site topography generally slopes downward to the southwest at a gradient of one percent. From a previous study conducted by MCC in 2018, the surveyor deemed the entirety of the Ontario Ranch Business Park (Approved SP) area, including the Project site, as generally flat, with elevation averaging approximately 197 meters (646 feet) above mean sea level (AMSL). The Project site has been disturbed by the development and over 80 years of use by dairy farms.

Vegetation is characterized as primarily agricultural and commercial landscaping with no native vegetation observed.

A geotechnical feasibility study was prepared for the Project (see *Appendix E*), which reviewed the existing site soil characteristics and geotechnical feasibility of implementation of the Project. During the field investigation, existing conditions of the ground surface of the Project consisted of vegetation characterized as primarily agricultural and commercial landscaping with no native vegetation observed, and exposed soils within the remaining areas. At the time of the surface exploration, free water was not encountered.

Near- and Sub-surface Conditions

Manure and Topsoil

Although not encountered at the boring and trench locations, the active cattle pen areas were visually observed to be covered with manure at the ground surface. Highly organic topsoil materials were encountered at the trench locations performed in the planted areas on the site. At these trench locations, these materials were approximately 6 to 12 inches in thickness. These materials generally consist of silty fine sands and contain abundant fine root fibers and/or other fibrous organic material. All of the manure and any organic topsoil will be removed from the Project site or utilized in non-structural areas, such as landscape planters.

Additionally, some of the soils in the upper 2 to 3 feet, located beneath the highly organic topsoil in the planted areas, possess organic contents greater than three percent. The fill soils at Trench No. T-3 also possess organic contents in excess of three percent. It may be feasible to use these soils infills, provided that they are cleaned of highly organic materials and can be blended with the underlying soils in order to reduce the organic content to less than three percent throughout.

The results of laboratory testing performed on near-surface soils beneath the organic topsoil (within the planted areas) indicates that soils within the upper 1 to 2 feet possess organic contents ranging from 2.8 to 6.2 percent. The soils present between depths of 2 and 3 feet possess organic contents ranging between 1.5 and 2.9 percent. It is considered feasible to use most of these soils, not including the manure and organic topsoil, in the upper 2 to 3 feet in structural fills, provided that these soils are cleaned of all apparent vegetation or highly organic material and thoroughly blended with the inorganic soils from greater depths at the site. Based on our experience with similar projects in the vicinity of the Project site, a final mixture containing less than three percent organic content is acceptable for the Project site. All manure and any organic topsoil will be removed during initial site stripping and that additional organic testing be conducted during the design-level geotechnical investigation and at the completion of rough grading of the building pads in order to verify that the organic contents of the blended on-site soils are within the acceptable limits.

Artificial Fill

Artificial fill soils were encountered at the ground surface at all of the boring locations and at one of the trench locations. The fill soils encountered at the boring and trench locations extend to depths of 1.5 to

8.5 feet and consist of loose to medium dense silty fine sands and fine sandy silts, and medium stiff to stiff clayey sands and sandy clays with occasional silty clays. The fills soils encountered in the planted areas of the site contain appreciable roots and organic fibers. The fill soils generally possess a disturbed appearance, and some samples possess minor debris content, such as asphaltic concrete fragments, resulting in their classification as artificial fill.

Alluvium

Native alluvial soils were encountered beneath the fill at all of the boring locations and beneath the topsoil or fill materials at all of the trench locations. The near surface alluvium generally consists of loose to medium dense silty fine sands to fine sandy silts, fine to medium sands, clayey fine sands and medium stiff to stiff fine sandy clays, silty clays, and clayey silts. Dense silty sands were encountered between depths of 38.5 feet and the maximum depth explored of 40 feet in two of the boring locations. The undocumented fill soils and the upper portion of the near surface native alluvium are not considered suitable for support of the new structure, in their present condition. Remedial grading would be necessary within the proposed building areas in order to remove and replace the existing fill and a portion of the near-surface alluvium as compacted structural fill.

Groundwater

Free water was not encountered during the drilling of any of the borings. Based on the lack of any water within the borings, and the moisture contents of the recovered soil samples, the static groundwater is considered to have been present at a depth in excess of 40 feet at the time of the subsurface exploration.

As part of our research, we reviewed available groundwater data in order to determine regional groundwater depths. Recent water level data was obtained from the California State Water Resources Control Board (SWRCB), GeoTracker website, http://geotracker.waterboards.ca.gov/. Available data for monitoring wells, located approximately 4,200 feet west from the site, indicate high groundwater levels at 83 feet below ground surface (bgs).

Faulting and Seismicity

Fault Zones

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone, and no evidence of faulting was identified during the geotechnical investigation. There are no Alquist-Priolo Earthquake Fault Zones within the Project area. The nearest faults to the Project site are the Central Avenue Fault and Chino Fault approximately 2.3 miles and 3 miles southwest of the site, respectively.

There have been no notable earthquakes, of a magnitude of 5.5 or more, affecting the Ontario-Chino region within the last 50 years. The most recent earthquake, the 2008 Chino Hills Earthquake, occurred southwest of the Project site and had a magnitude of 5.4.

Surface Fault Rupture

Ground rupture due to a fault movement typically results in a small percentage of total impact caused by an earthquake. Due to the distance of the Project site to a known active fault (approximately 2.3 and 3 miles southwest of the Project site), there is limited potential for surface fault rupture at the site.

Seismic Ground Shaking

Horizontal ground acceleration, which frequently results in widespread damage to structures, is estimated as a percentage of the acceleration of gravity (g). The damage that an earthquake will cause to a structure depends on the earthquake's size, location, distance, and depth; the types of rock and soil at the surface of the Project site; and the type of construction of the structure.

When comparing the sizes of earthquakes, the most meaningful feature is the amount of energy released. Thus, scientists most often consider seismic moment, a measure of the energy released when a fault ruptures. We are more familiar, however, with scales of magnitude, which measure amplitude of ground motion. The energy released by an earthquake is measured as moment magnitude (Mw). The moment magnitude scale is logarithmic; therefore, each one-point increase in magnitude represents a 10-fold increase in amplitude of the waves as measured at a specific location and a 32-fold increase in energy. That is, a magnitude 7 earthquake produces 100 times (10 x 10) the ground motion amplitude of a magnitude 5 earthquake.

Geologic Hazards

Liquefaction and Related Ground Failure

Liquefaction is the loss of strength in generally cohesionless, saturated soils when the pore-water pressure induced in the soil by a seismic event becomes equal to or exceeds the overburden pressure. The primary factors which influence the potential for liquefaction include groundwater table elevation, soil type and plasticity characteristics, relative density of the soil, initial confining pressure, and intensity and duration of ground shaking. The depth within which the occurrence of liquefaction may impact surface improvements is generally identified as the upper 50 feet bgs. Liquefaction potential is greater in saturated, loose, poorly graded fine sands with a mean (d50) grain size in the range of 0.075 to 0.2 millimeters (mm). Non-sensitive clayey (cohesive) soils which possess a plasticity index of at least 18 are generally not considered to be susceptible to liquefaction, nor are those soils which are above the historic static groundwater table.

Research of the San Bernardino County Land Use Services website indicates that the Project site is not located within a zone of liquefaction susceptibility. In addition, the subsurface conditions at the boring locations are not considered to be conducive to liquefaction. Based on the mapping performed by the County and the conditions encountered at the boring and trench locations, liquefaction is not considered to be a design concern for this Project.

Earthquake-Induced Landslides

The Project site generally slopes downward to the southwest at a gradient of one percent. There are no slopes on or near the Project site that would cause earthquake-induced landslides.

Settlement

The remedial grading will be performed to remove the existing undocumented fill soils as well as a portion of the near-surface native alluvium and replace these materials as compacted structural fill. The over excavation should extend to a sufficient depth so that the native soils that will remain in place below the recommended depth of over excavation will not be subject to significant load increases from the foundations of the new structures. Provided that the remedial grading is completed, the post-construction static settlements can be limited within tolerable limits.

Soluble Sulfates

The results of the soluble sulfate testing, as discussed in the geotechnical investigation report, indicate soluble sulfate concentrations between 0.002 and 0.032 percent. These concentrations are considered to be negligible with respect to the American Concrete Institute (ACI) Publication 318-05 Building Code Requirements for Structural Concrete and Commentary, Section 4.3. Therefore, specialized concrete mix designs are not considered to be necessary, with regard to sulfate protection purposes. Additional soluble sulfate testing will be conducted during the design-level geotechnical investigation and at the completion of rough grading to verify the soluble sulfate concentrations of the soils which are present at the proposed building pad grades.

Shrinkage/Subsidence

Subsidence occurs when a large portion of land sinks, usually due to the withdrawal of groundwater, oil, or natural gas. Soils that are particularly subject to subsidence include those with high silt or clay content. Removal and recompacting of the near-surface native fill soils is estimated to result in an average shrinkage of 7 to 17 percent. Additional exploration during the design level investigation will help to refine the potential shrinkage estimate. It should be noted that the potential shrinkage estimates are based on dry density testing performed on small-diameter samples taken at the boring locations.

Minor ground subsidence is expected to occur in the soils below the zone of removal, due to settlement and machinery working. The subsidence is estimated to be 0.10 feet. These estimates are based on previous experience and the subsurface conditions encountered at the boring locations. The actual amount of subsidence is expected to be variable and would be dependent on the type of machinery used, repetitions of use, and dynamic effects, all of which are difficult to assess precisely.

Expansive Soils

Expansive soils contain substantial amounts of clay that swells when wetted and shrinks when dried; the swelling or shrinking can shift, crack, or break structures built on such soils. The composition of the near surface soils at this site ranges from sands, silty sands, and sandy silts to silty clays, sandy clays, and clayey silts. Laboratory testing performed on representative samples of these materials indicate that they possess low to medium expansion potentials (EI = 43 to 52). Based on the presence of potentially expansive soils, special care should be taken to properly moisture condition and maintain adequate moisture content within all subgrade soils as well as newly placed fill soils. The preliminary foundation and floor slab design recommendations contained within the geotechnical study are made in

consideration of the expansion index test results. Additional expansion index testing will be performed at the time of the design-level geotechnical investigation.

Corrosive Soils

The results of laboratory testing indicate that the tested samples of the near surface soils possess resistivity values ranging between 1,320 to 2,880 ohms centimeter (ohm-cm), and pH values ranging between 7.2 to 8.0. These test results have been evaluated in accordance with guidelines published by the Ductile Iron Pipe Research Association (DIPRA). The DIPRA guidelines consist of a point system by which characteristics of the soils are used to quantify the corrosivity characteristics of the site. Resistivity, pH, Sulfides, and redox potential are factors that enter into the evaluation procedure. Relative soil moisture content is also considered. Based on these factors, and utilizing the DIPRA procedure, the on-site soils are considered severely corrosive to ductile iron pipe. Therefore, protection for embedded metal improvements is expected to be required.

The results of chloride content testing indicate that the on-site soils possess chloride concentrations ranging between 16 to 125 parts per million (ppm). The Caltrans Memo to Designers 10-5, Protection of Reinforcement Against Corrosion Due to Chlorides, Acids and Sulfates, dated June 2010, indicates that soils possessing chloride concentrations greater than 500 ppm are considered to be corrosive. The chloride concentrations present in the soils tested are not considered to constitute a "corrosive" exposure to steel reinforcement within reinforced concrete. However, based on our experience with other dairy projects, soils present in cattle pen areas may possess chloride concentrations above 500 ppm. Therefore, SCG recommends that additional chloride content testing be performed on soils located within the cattle pen areas at the time of the design-level investigation.

Paleontological Setting

According to the California Geological Survey (CGS), the Project site is underlain by Quaternary Alluvium composed of alluvium, lake, playa, and terrace deposits or unconsolidated and semi-consolidated sediments.[1] The Project is within the Transverse Ranges Geomorphic Province of California, which is an east-west trending series of steep mountain ranges and valleys. It extends offshore, slanted against the coastline, including islands and prominent mountain ranges, like the San Bernardino Mountains which resides along the San Andreas fault. Apart from the east-west direction, intense north-south compression of the province is squeezing the Transverse Ranges, causing the region to become "one of the most rapidly rising regions on earth." Within this region of California, the "thickness of Cenozoic petroleum-rich sedimentary rocks has been folded and faulted, making this one of the important oil-producing areas in the United States."[2]

Paleontological Resources

The Project area is situated in the San Bernardino Basin, adjacent to the Transverse Ranges Geomorphic Province. This province is comprised of a series of mountain ranges that run transverse to most mountain ranges in southern California – roughly east/west trending. The mountains within the Transverse Ranges

[1] California Department of Conservation (DOC). (2015). Geologic Map of California. https://maps.conservation.ca.gov/cgs/gmc/.
[2] CGS. (2002). California Geomorphic Provinces. https://www.conservation.ca.gov/cgs/Documents/Publications/CGS-Notes/CGS-Note-36.pdf.

Geomorphic Province, including the San Gabriel and San Bernardino mountains to the north and northeast, were uplifted by tectonic activity, and provide a major sedimentary source for the alluvium basins of the adjacent areas. The geologic units underlying the Project site are mapped entirely as younger Quaternary alluvium (Qyfa) dating from the late Holocene to Pleistocene. These deposits derived broadly as alluvial fan deposits from the San Bernardino Mountains to the north.

Qyfa are Holocene to late Pleistocene-aged alluvial fan deposit that typically consists of river and stream derived sediments. The sediments are comprised of slightly consolidated gray-hued arkosic, sandy and gravel-sand deposits derived from local Peninsular Ranges batholith granitic bodies.

4.6.2 Regulatory Setting

Federal

Earthquake Hazards Reduction Act

The Earthquake Hazards Reduction Act was enacted in 1997 to "reduce the risks to life and property from future earthquakes in the United States through the establishment and maintenance of an effective earthquake hazards and reduction program." To accomplish this, the act established the National Earthquake Hazard Reduction Program (NEHRP), which refined the description of agency responsibilities, program goals, and objectives. NEHRP's mission includes improved understanding, characterization, and prediction of hazards and vulnerabilities; improvement of building codes and land use practices; risk reduction through post-earthquake investigations and education; development and improvement of design and construction techniques; improvement of mitigation capacity; and accelerated application of research results. NEHRP designates the Federal Emergency Management Agency (FEMA) as the lead agency of the program and assigns it several planning, coordinating, and reporting responsibilities. Programs under NEHRP help inform and guide planning and building code requirements such as emergency evacuation responsibilities and seismic code standards.

State

Alquist-Priolo Earthquake Fault Zoning Act

The California Alquist-Priolo Earthquake Fault Zoning Act was signed into state law in 1972, and amended, with its primary purpose being to mitigate the hazard of fault rupture by prohibiting the location of structures for human occupancy across the trace of an active fault. The California Alquist-Priolo Earthquake Fault Zoning Act was a direct result of the 1971 San Fernando Earthquake, which was associated with extensive surface fault ruptures that damaged numerous homes, commercial buildings, and other structures. California Alquist-Priolo Earthquake Fault Zoning Act requires the State Geologist to delineate regulatory zones known as "earthquake fault zones" along faults that are "sufficiently active" and "well defined" and to issue and distribute appropriate maps to all affected cities, counties, and state agencies for their use in planning and controlling new or renewed construction. Pursuant to the California Alquist-Priolo Earthquake Fault Zoning Act and as stipulated in Section 3603(a) of the California Code of Regulations (CCR), structures for human occupancy are not permitted to be placed across the trace of an active fault. The California Alquist-Priolo Earthquake Fault Zoning Act also prohibits structures for human occupancy within 50 feet of the trace of an active fault, unless proven by an appropriate geotechnical

investigation and report that the development site is not underlain by active branches of the active fault, as stipulated in Section 3603(a) of the CCR. Furthermore, the act requires that cities and counties withhold development permits for sites within an earthquake fault zone until geologic investigations demonstrate that the sites are not threatened by surface displacement from future faulting, as stipulated in Section 3603(d) of the CCR.

Seismic Hazard Mapping Act

The Seismic Hazard Mapping Act was adopted by the State in 1990 for the purpose of protecting the public from the effects of non-surface fault rupture earthquake hazards, including strong ground shaking, liquefaction, seismically induced landslides, or other ground failure caused by earthquakes. The goal of the act is to minimize loss of life and property by identifying and mitigating seismic hazards. The CGS prepares and provides local governments with seismic hazard zones maps that identify areas susceptible to amplified shaking, liquefaction, earthquake-induced landslides, and other ground failures.

California Building Code

Current law states that every local agency enforcing building regulations, such as cities and counties, must adopt the provisions of the California Building Code (CBC) within 180 days of its publication. The publication date of the CBC is established by the California Building Standards Commission, and the code is under Title 24, Part 2, of the CCR. The CBC provides minimum standards to protect property and public safety by regulating the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic shaking and adverse soil conditions. The CBC contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock on-site, and the strength of ground shaking with a specified probability at a site. The 2019 CBC took effect on January 1, 2020. Requirements for Geotechnical Investigations Requirements for geotechnical investigations are included in CBC Appendix J, Grading, Section J104; additional requirements for subdivisions requiring tentative and final maps and for other specified types of structures are in California Health and Safety Code (HSC) Section 17953 to Section 17955 and in CBC Section 1802. Testing of samples from subsurface investigations is required, such as from borings or test pits. Studies must be done as needed to evaluate slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on load-bearing capacity, compressibility, liquefaction, differential settlement, and expansiveness. CBC Section J105 sets forth requirements for inspection and observation during and after grading.

California Public Resources Code

The California Public Resources Code (PRC), Chapter 1.7, Sections 5097.5 and 30244, include additional State-level requirements for the assessment and management of paleontological resources. These statutes require reasonable mitigation of adverse impacts to paleontological resources resulting from development on state lands, define the removal of paleontological "sites" or "features" from state lands as a misdemeanor, and prohibit the removal of any paleontological "site" or "feature" from state land without permission of the jurisdictional agency. These protections apply only to State land.

Local

City of Ontario General Plan

The Ontario Plan (TOP) Safety Element, Seismic & Geologic Hazards section states that the City is susceptible to earthquakes, alluvial deposits that underlie the region, and the rapid withdrawal of groundwater causing subsidence. The Safety Element policies ensure that the City is prepared for and would effectively deal with seismic and geologic hazards.

Safety Element

Goal S1 **Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.**

Policy S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Policy S1-2 Entitlement and Permitting Process. We follow state guidelines and the California Building Code to determine when development proposals must conduct geotechnical and geological investigations.

City of Ontario Municipal Code

The City Municipal Code (MC) adopted the 2019 CBC by ordinance (Section 8 1.01), which incorporates the 2018 Edition of the International Building Code (IBC), as published by the International Code Council. These regulations provide applicable standards and documentation of requirements found in the CBC that address construction of structures and seismic safety. New construction, alteration, or rehabilitation shall comply with applicable ordinances set forth by the City and/or by the most recent City building and seismic codes in effect at the time of project design. In accordance with Section 1803.2 of the 2019 CBC, a geotechnical investigation is required that must evaluate soil classification, slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on soil-bearing capacity, compressibility, liquefaction, and expansiveness, as necessary, determined by the City building official. The geotechnical investigation must be prepared by registered professionals (i.e., California Registered Civil Engineer or Certified Engineering Geologist).

4.6.3 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

G-1 Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. (Refer to Division of Mines and Geology Special Publication 42.)

ii) Strong seismic ground shaking.

iii) Seismic-related ground failure, including liquefaction.

iv) Landslides.

G-2 Result in substantial soil erosion or the loss of topsoil.

G-3 Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

G-4 Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.

G-5 Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

G-6 Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Section 7.0, Effects Found Not to Be Significant, substantiates that impacts associated with the following thresholds would be less than significant:

- Threshold G1 i), iv)
- Threshold G-2
- Threshold G-4
- Threshold G-5

These impacts will not be addressed in the following analysis.

4.6.4 Plans, Programs, and Policies

PPP GEO-1 The Project would be required to comply with the California Building Code and the Ontario MC Section 1803.2, with requires a geotechnical investigation to evaluate soil classification, slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on soil-bearing capacity, compressibility, liquefaction, and expansiveness, as necessary, determined by the City building official. The geotechnical investigation must be prepared by registered professionals (i.e., California Registered Civil Engineer or Certified Engineering Geologist.

4.6.5 Methodology

Geotechnical

The subsurface exploration conducted for this project consisted of three borings (advanced to depths of 35 to 40 feet bgs. Additionally, four trenches were excavated to depths of 6.5 to 10 feet bgs. All of the borings and trenches were logged during drilling by a member of SCG.

The borings were advanced with hollow-stem augers, by a conventional truck-mounted drilling rig. These trenches were excavated using a backhoe with a 24-inch-wide bucket. Representative bulk and relatively undisturbed soil samples were taken during drilling. Relatively undisturbed soil samples were taken with a split barrel "California Sampler" containing a series of one-inch-long, 2.416±-inch-diameter brass rings. This sampling method is described in ASTM Test Method D-3550. Samples were also taken using a 1.4± inch inside diameter split spoon sampler, in general accordance with ASTM D-1586. Both samplers are driven into the ground with successive blows of a 140-pound weight falling 30 inches. The blow counts obtained during driving are recorded for further analysis. Bulk samples were collected in plastic bags to retain their original moisture content. The relatively undisturbed ring samples were placed in molded plastic sleeves that were then sealed and transported to our laboratory.

The approximate boring and trench locations are indicated on the Boring and Trench Location Plan, included as Plate 2 in Appendix A of the Geotechnical Feasibility Study (see *Appendix E*). The Boring and Trench Logs, which illustrate the conditions encountered at the boring and trench locations, as well as the results of some of the laboratory testing, are included in Appendix B of the Geotechnical Feasibility Study (see *Appendix E*).

Paleontological Resources

Paleontological Records Research

MCC conducted thorough background research and analysis, including geologic maps and a review of relevant geological and paleontological literature to determine which geologic units are present within the Project area and whether fossils have been recovered from those geologic units elsewhere in the region. As geologic units may extend over large geographic areas and contain similar lithologies and fossils, the literature review included areas well beyond the Project site. The results of the literature review included an overview of the geology of the region and a discussion of the paleontological sensitivity (or potential) of the geologic units within the Project site. A search for paleontological records was completed by staff of the Natural History Museum of Los Angeles County (LACM) in Los Angeles on August 2, 2018. The record search included a one-mile radius around the Approved SP area, as well as the Project site, and identified any vertebrate localities in the museum's records that exist near the study area in the same or similar deposits. In February 2020, MCC conducted a supplemental assessment of the Project site, to the east of the Approved SP, encompassing an additional 80.83 acres. This assessment included a compilation of previous CHRIS record searches that overlap the Project site.

Paleontological Field Survey

MCC also conducted a field survey to verify the exact location of each identified paleontological resource, the condition or integrity of the resource, and identify areas of paleontological resource sensitivity. An MCC Archaeologist and cross-trained Paleontologist, conducted the survey of the Approved SP on July 27, 2018. The survey consisted of walking in parallel transects spaced at approximately 15-meter intervals while closely inspecting the ground surface. The type of sediment and land formations were also noted in order to assess the potential for paleontological sensitivity. Existing ground disturbances (e.g., cut banks, ditches, animal burrows, etc.) were also visually inspected to get a sense of subsurface deposits and soil horizons. Representative photographs were taken of the Project site.

Results

Paleontological Records Search Results

The locality search at LACM did not yield any fossil localities within one mile of the Project site and no fossil localities within the Project site. The geological units mapped within the entirety of the Project area is comprised of Qyfa. While these deposits typically do not contain significant vertebrate fossils within the uppermost layers, it is likely they are underlain in this region by older Quaternary deposits at relatively shallow depth. The closest vertebrate fossil locality from similar sediments is LACM 7811, which is located due east of the Project site, and west of Mira Loma, California. This locality produced a fossil specimen of whipsnake (Maticophis) at a depth of 9 to 11 feet bgs. The next closest vertebrate fossil locality from Older Quaternary deposits is LACM 1207, located south-southeast of the Project site on the northwestern side of Corona, California. This locality produced fossil specimen of deer (Odocoileus). Additional literature was consulted, including The University of California Museum of Paleontology (UCMP)'s Miocene Mammal Mapping Project (MioMap), with no fossil localities within the Project site.

Paleontological Field Survey Results

During the course of fieldwork, survey conditions were generally poor. The majority of the Approved SP was inaccessible to intensive level survey, due to agricultural and dairy activities. The areas that were surveyed intensively had ground visibility ranging from fair (50 percent) to good (approximately 75 percent) with most of the landscaping a combination of manure and annual grasses. However, the Approved SP was surveyed opportunistically, from multiple viewpoints within and around the perimeter of the Project site. As previously stated, the Project site, was determined as not requiring additional survey as no significant paleontological resources were identified within the direct Project site during the locality search or the field survey and area is considered low to moderate sensitivity for paleontological resources. The Approved SP and Project site has been repeatedly and significantly altered and disturbed by over 80 years of agricultural/dairy operations. Modern refuse was observed throughout the Project area. The visual observation of sediment included tan fine loam with small pebble and cobble inclusions that became muddy with increased organic content when wet and with cattle presence. This is consistent with the mapping of Qyfa deposits. No paleontological resources were observed during the survey. Representative photos of the area are found within the MCC field survey (*Appendix D* of this Draft EIR).

4.6.6 Project Impacts and Mitigation Measures

The following impact analysis addresses thresholds of significance for which the preliminary environmental analysis disclosed potentially significant impacts.

Impact 4.6-1 ***Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: [Threshold G-1ii and iii]***

ii) Strong seismic ground shaking.

iii) Seismic-related ground failure, including liquefaction

Level of Significance Before Mitigation: With construction of structural improvements in accordance with the Specific Plan, the CBC and PPP GEO-1, Impact 4.6.-1 would be Less Than Significant

Surface Fault Rupture

The Project site is not within an Alquist-Priolo Earthquake Fault Zone, and no evidence of faulting was identified during the geotechnical investigation. The Project site is not subject to surface rupture of a known active fault, as the nearest faults are approximately 2.3 to 3 miles southwest of the Project site. The possibility of significant fault rupture on the site is considered to be low. Therefore, impacts would be less than significant.

Ground Shaking

Southern California is considered a seismically active region and the regional vicinity of the Project site contains a number of known earthquake faults. As part of the Geotechnical Feasibility Study, 2019 CBC Seismic Design Parameters were generated for future structural improvements within the Project area. Structures for human occupancy must be designed to meet or exceed 2019 CBC standards for earthquake resistance. The CBC contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock on-site, and the strength of ground motion with a specified probability at the Project site. Therefore, future development of habitable structures within the Project site would be conducted in accordance with the 2019 CBC Seismic Design Parameters generated as part of the Geotechnical Feasibility Study, which would reduce impacts from seismic ground shaking to a less than significant level.

Liquefaction

According to the Geotechnical Feasibility Study, the Project site is not within a zone of liquefaction susceptibility and the subsurface conditions at the boring locations are not considered to be conducive to liquefaction. Liquefaction potential under the site is low due to the depth of groundwater and the mix of soil type and is not considered to be a design concern for the Project. Therefore, Project development would not subject people or structures to liquefaction hazards, and impacts would be less than significant.

Impact 4.6-2 ***Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. [Threshold G-3]***

Level of Significance Before Mitigation: Potentially Significant

Lateral Spreading and Subsidence

As discussed in Impact 4.6-1iii, above, liquefaction is not considered to be a design concern for the Project, and potential for lateral spreading would be low. The major cause of ground subsidence is the excessive withdrawal of groundwater. Based on the conditions encountered in the borings and trenches conducted for the Geotechnical Feasibility Study, groundwater was not observed within 30 feet of the ground surface, and recent water level data obtained from a SWRCB indicates that the highest groundwater levels range around 83 feet bgs in the vicinity of the Project site. Therefore, based on anticipated groundwater depths, it is not expected that groundwater would affect excavations for the foundations and utilities. However, minor subsidence is expected to occur in the soils below the zone of soil removal, due to settlement and machinery working; the subsidence is estimated to be 0.10 feet. Furthermore, removal and recompacting of the near-surface native fill soils is estimated to result in an average shrinkage of 7 to

17 percent. Additional exploration during the design level investigation will help to refine the potential shrinkage estimate. If a more accurate and precise shrinkage estimate is desired, a shrinkage study will be performed involving several excavated test-pits where in-place densities are determined using in-situ testing methods instead of laboratory density testing on small-diameter samples.

In accordance with **Mitigation Measure (MM) GEO-1**, SCG will perform a shrinkage study involving several excavated test-pits where in-place densities are determined using in-situ testing methods instead of laboratory density testing on small-diameter samples; special care will need to be taken to properly moisture condition and maintain adequate moisture content within all subgrade soils as well as newly placed fill soils; protection for embedded metal improvements will be required; additional chloride content testing be performed on soils. Therefore, with implementation of **MM GEO-1**, impacts would be reduced to less than significant.

Consolidation and Collapsible Soils

Collapsible soils shrink upon being wetted and/or subjected to a load. Selected soil samples were tested to determine their consolidation potential, and their potential for collapse of heave. As the existing fill soils and the upper portion of the near surface alluvium are not considered suitable for support of new structures, remedial grading would be necessary.

As stated above, highly organic topsoil materials were encountered at the trench locations performed in the planted areas on the Project site. The concentrations of these soils are considered to be negligible and therefore, specialized concrete mix designs are not considered to be necessary, with regard to sulfate protection purposes.

Therefore, in accordance with **MM GEO-2** and **MM GEO-3,** all of the manure and any organic topsoil will be removed from the site or utilized in non-structural areas, provided that they are cleaned of highly organic materials and can be blended with the underlying soils in order to reduce the organic content to less than three percent throughout; and additional soluble sulfate testing will be conducted during the design-level geotechnical investigation and at the completion of rough grading to verify the soluble sulfate concentrations of the soils which are present at the proposed building pad grades.

Furthermore, any remedial grading performed will be in accordance with **MM GEO-4**, which ensures the removal of any existing undocumented fill soils and near-surface native alluvium will be replaced with materials such as compacted structural fill. With application of **MM GEO-4,** post-construction settlements of the proposed structures are expected to be within tolerable limits. Therefore, with implementation of **MM GEO-2** through **MM GEO-4**, impacts would be reduced to less than significant.

Impact 4.6-3 Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? [Threshold G-6]

Level of Significance Before Mitigation: Potentially Significant Impact

The Project site currently operates with agricultural uses and is frequently disturbed by human and machine activity. A Phase I Cultural and Paleontological Resources Assessment was prepared for the proposed Project to review the susceptibility of subsurface geologic units to provide paleontological

resources as well as review records for fossil localities near the Project site. No paleontological resources or unique geologic formations were identified on the Project site during the field survey. A records search within a one-mile radius of the Project site did not yield any fossil localities and there were no fossil localities identified within the Project site boundaries. The closest vertebrate fossil locality from similar sediments is located west of Mira Loma, east of Archibald Avenue along Sumner Road, north of Cloverdale Road, which produced a fossil specimen of a whipsnake at a depth of 9 to 11 feet bgs.

The geologic units underlying the Project site are mapped entirely as Qyfa dating from the late Holocene to Pleistocene. While these deposits typically do not contain significant vertebrate fossils within the uppermost layers, it is likely they are underlain in the area by older Quaternary deposits at relatively shallow but unknown depth. There are nearby localities from similar sedimentary deposits found within the proposed off-site improvement area. Therefore, the Project site is considered low to moderate sensitivity for paleontological resources. The Project would require remedial grading to remove all existing undocumented fill soils and near-surface alluvial soils. Over excavation to depths of 4 to 6 feet bgs is anticipated; however, design-level investigation could result in additional over excavation requirements. Should excavation exceed a depth of 10 feet bgs, there is the potential to encounter paleontological resources. Therefore, **MM GEO-5** will be required to ensure grading activities have the potential to encounter unknown, buried resources, and impacts would be reduced to less than significant.

4.6.7 Cumulative Impacts

Geology and soils impacts are site-specific and generally do not combine to result in cumulative impacts. Like the Project, future development projects would be required to comply with applicable state and local building regulations, including the most recent CBC. Site-specific geologic hazards would be addressed in each project's geotechnical investigation. Further, future developments would be required to comply with environmental analysis and review. Therefore, no significant cumulative impact would occur.

Additionally, other projects in the area would involve ground disturbance and could damage paleontological resources that could be buried in those project sites. As with the Project, other projects would require site-specific paleontological analysis that could lead to mitigation requiring monitoring and recovery, identification, and curation of any resources discovered. Cumulative impacts to paleontological resources would be less than significant, and Project contribution would not be cumulatively considerable.

4.6.8 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, some impacts would be less than significant: 4.6-1.

Without mitigation, these impacts would be potentially significant:

- Impact 4.6-2 Potentially unstable soils that can result in lateral spreading, subsidence, liquefaction, or collapse.
- Impact 4.6-3 Grading activities have the potential to encounter buried paleontological resources at depths below 10 feet.

4.6.9 Mitigation Measures

Impact 4.6-2

MM GEO-1 A shrinkage study will be performed involving several excavated test-pits where in-place densities are determined using in-situ testing methods instead of laboratory density testing on small-diameter samples. Special care will be taken to properly moisture condition and maintain 2 to 4 percent above the optimum moisture content within all subgrade soils as well as newly placed fill soils. Additional expansion index testing will be performed at the time of the design-level geotechnical investigation. Protection (protective coating, metal plating, corrosive inhibitors, etc.) for embedded metal improvements will be installed and additional chloride content testing will be performed on soils.

MM GEO-2 All manure and any organic topsoil will be removed during initial site stripping and that additional organic testing will be conducted during the design-level geotechnical investigation. Prior to grading, grubbing, and segregating of the manure in the cattle pens and the highly organic soils in the planted areas will be done. These soils will be removed from the site or reutilized in nonstructural areas, such as landscape planters. Any additional organic materials encountered in buried fills will also be segregated during grading and reutilized in nonstructural areas, such as landscape planters. Any additional organic materials encountered in buried fills will also be segregated during grading.

MM GEO-3 Additional soluble sulfate testing would be conducted during the design-level geotechnical investigation and at the completion of rough grading to verify the soluble sulfate concentrations of the soils.

MM GEO-4 The remedial grading would be performed to remove the existing undocumented fill soils as well as a portion of the near-surface native alluvium and replace these materials as compacted structural fill. The over excavation would extend to a sufficient depth so that the native soils that will remain in place below the recommended depth of over excavation will not be subject to significant load increases from the foundations of the new structures.

Impact 4.6-3

MM GEO-5 Periodic paleontological spot checks would be conducted when excavation exceeds depths of 10 feet below the surface to determine if older, paleontologically-sensitive sediments are present. If present, full-time monitoring would be implemented. Prior to the start of construction, a paleontological resource monitoring plan (PRMP) would be prepared and implemented. The Project's PRMP would implement the following procedures:

- A trained and qualified paleontological monitor would perform spot-check and/or monitoring of any excavations on the Project that have the potential to impact paleontological resources in undisturbed native sediments below 10 feet in

depth. The monitor will have the ability to redirect construction activities to ensure avoidance of adverse impacts to paleontological resources.

- The Project paleontologist may re-evaluate the necessity for paleontological monitoring after examination of the affected sediments during excavation, with approval from Lead Agency and Client representatives.
- Any potentially significant fossils observed shall be collected and recorded in conjunction with best management practices and Society of Vertebrate Paleontology professional standards.
- Any fossils recovered during mitigation shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.
- A report documenting the results of the monitoring, including any salvage activities and the significance of any fossils, shall be prepared and submitted to the appropriate personnel.

4.6.10 Level of Significance After Mitigation

MM GEO-1 will ensure determination in place densities, special care will be taken to properly moisture condition and maintain adequate moisture content within soils, and protection for embedded metal improvements will be installed and additional chloride content testing will be performed on soils. **MM GEO-2** ensures all manure, and any organic topsoil will be removed during initial site stripping and that additional organic testing will be conducted to verify that the organic contents of the blended on-site soils are within the acceptable limits. To ensure accordance with ACI Publication 318-05 Building Code Requirements for Structural Concrete and Commentary, Section 4.3, **MM GEO-3** through **MM GEO-4** require additional soluble sulfate testing be conducted during the design-level geotechnical investigation and at the completion of rough grading to verify the soluble sulfate concentrations of the soils which are present at the proposed building pad grades. This would ensure a less than significant impact would occur. Because fossils may be present at depths greater than 10 feet below the existing ground surface, paleontological monitoring in these areas is required. **MM GEO-5** would require a paleontological monitor to ensure that any paleontological finds are properly excavated and preserved, and that grading is halted to assess the find for significance. With the implementation of **MM GEO-5**, potential impacts associated with paleontological resources would be less than significant. Therefore, no significant unavoidable adverse impacts relating to paleontological resources have been identified.

4.6.11 References

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4.7 GREENHOUSE GAS EMISSIONS

This section of the Draft Environmental Impact Report (EIR) evaluates the potential for implementation of the Ontario Ranch Business Park Specific Plan Amendment (Project) to cumulatively contribute to greenhouse gas (GHG) emissions impacts, within the City of Ontario (City). Because no single project is large enough to result in a measurable increase in global concentrations of GHG, climate change impacts of a project are considered on a cumulative basis.

This evaluation is based on the methodology recommended by the South Coast Air Quality Management District (SCAQMD). Modeling of GHG emissions was conducted using the California Emissions Estimator Model (CalEEMod), Version 2020.4, the California Air Resources Board's (CARB) EMFAC2021, Version 1.0.2, and CARB's OFFROAD2017 (Orion Web Database), Version 1.0.1. Model outputs are in *Appendix B3, Greenhouse Gas Emissions Model Data*, of this Draft EIR.

4.7.1 Environmental Setting

Greenhouse Gases and Climate Change

Certain gases in the Earth's atmosphere classified as GHGs play a critical role in determining the Earth's surface temperature. Solar radiation enters the Earth's atmosphere from space. A portion of the radiation is absorbed by the Earth's surface and a smaller portion of this radiation is reflected back toward space. This absorbed radiation is then emitted from the Earth as low-frequency infrared radiation. The frequencies at which bodies emit radiation are proportional to temperature. Because the Earth has a much lower temperature than the sun, it emits lower-frequency radiation. Most solar radiation passes through GHGs; however, infrared radiation is absorbed by these gases. As a result, radiation that otherwise would have escaped back into space is instead "trapped," resulting in a warming of the atmosphere. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate on Earth.

The primary GHGs contributing to the greenhouse effect are carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). Fluorinated gases also make up a small fraction of the GHGs that contribute to climate change. Examples of fluorinated gases include chlorofluorocarbons (CFCs), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF_6), and nitrogen trifluoride (NF_3); however, it is noted that these gases are not associated with typical land use development. Human-caused emissions of GHGs exceeding natural ambient concentrations are believed to be responsible for intensifying the greenhouse effect and leading to a trend of unnatural warming of the Earth's climate, known as global climate change or global warming.

GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants (TACs), which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about one day), GHGs have long atmospheric lifetimes (one to several thousand years). GHGs persist in the atmosphere for long enough time periods to be dispersed around the globe. Although the exact lifetime of a GHG molecule is dependent on multiple variables and cannot be pinpointed, more CO_2 is emitted into the atmosphere than is sequestered by ocean uptake,

vegetation, or other forms of carbon sequestration. Of the total annual human-caused CO_2 emissions, approximately 55 percent is sequestered through ocean and land uptakes every year, averaged over the last 50 years, whereas the remaining 45 percent of human-caused CO_2 emissions remains stored in the atmosphere.[1] *Table 4.7-1, Description of Greenhouse Gases,* describes the primary GHGs attributed to global climate change, including their physical properties.

Table 4.7-1: Description of Greenhouse Gases

Greenhouse Gas	Description
Carbon Dioxide (CO_2)	CO_2 is a colorless, odorless gas that is emitted naturally and through human activities. Natural sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood. The largest source of CO_2 emissions globally is the combustion of fossil fuels such as coal, oil, and gas in power plants, automobiles, and industrial facilities. The atmospheric lifetime of CO_2 is variable because it is readily exchanged in the atmosphere. CO_2 is the most widely emitted GHG and is the reference gas (Global Warming Potential [GWP] of 1) for determining Global Warming Potentials for other GHGs.
Nitrous Oxide (N_2O)	N_2O is largely attributable to agricultural practices and soil management. Primary human-related sources of N_2O include agricultural soil management, sewage treatment, combustion of fossil fuels, and adipic and nitric acid production. N_2O is produced from biological sources in soil and water, particularly microbial action in wet tropical forests. The atmospheric lifetime of N_2O is approximately 120 years. The GWP of N_2O is 298.
Methane (CH_4)	CH_4, a highly potent GHG, primarily results from off-gassing (the release of chemicals from nonmetallic substances under ambient or greater pressure conditions) and is largely associated with agricultural practices and landfills. Methane is the major component of natural gas, about 87 percent by volume. Human-related sources include fossil fuel production, animal husbandry, rice cultivation, biomass burning, and waste management. Natural sources of CH_4 include wetlands, gas hydrates, termites, oceans, freshwater bodies, non-wetland soils, and wildfires. The atmospheric lifetime of CH_4 is about 12 years and the GWP is 25.
Hydrofluorocarbons (HFCs)	HFCs are typically used as refrigerants for both stationary refrigeration and mobile air conditioning. The use of HFCs for cooling and foam blowing is increasing, as the continued phase out of CFCs and HCFCs gains momentum. The 100-year GWP of HFCs range from 124 for HFC-152 to 14,800 for HFC-23.
Perfluorocarbons (PFCs)	PFCs have stable molecular structures and only break down by ultraviolet rays about 60 kilometers above Earth's surface. Because of this, they have long lifetimes, between 10,000 and 50,000 years. Two main sources of PFCs are primary aluminum production and semiconductor manufacturing. Global Warming Potentials range from 6,500 to 9,200.

[1] Intergovernmental Panel on Climate Change. 2013. *Carbon and Other Biogeochemical Cycles. In: Climate Change 2013: The Physical Science Basis, Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change*. Retrieved from: https://www.ipcc.ch/report/ar5/wg1/.

Greenhouse Gas	Description
Chlorofluorocarbons (CFCs)	CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the Earth's surface). CFCs were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. The Montreal Protocol on Substances that Deplete the Ozone Layer prohibited their production in 1987. Global Warming Potentials for CFCs range from 3,800 to 14,400.
Sulfur Hexafluoride (SF_6)	SF_6 is an inorganic, odorless, colorless, and nontoxic, nonflammable gas. It has a lifetime of 3,200 years. This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas. The GWP of SF_6 is 23,900.
Hydrochlorofluorocarbons (HCFCs)	HCFCs are solvents, similar in use and chemical composition to CFCs. The main uses of HCFCs are for refrigerant products and air conditioning systems. As part of the Montreal Protocol, HCFCs are subject to a consumption cap and gradual phase out. The United States is scheduled to achieve a 100 percent reduction to the cap by 2030. The 100-year Global Warming Potentials of HCFCs range from 90 for HCFC-123 to 1,800 for HCFC-142b.
Nitrogen Trifluoride (NF_3)	NF_3 was added to Health and Safety Code §38505(g)(7) as a GHG of concern. This gas is used in electronics manufacture for semiconductors and liquid crystal displays. It has a high GWP of 17,200.
Sources: Compiled from U.S. EPA, Overview of Greenhouse Gases, (https://www.epa.gov/ghgemissions/overview-greenhouse-gases), accessed 12-30-2020; U.S. EPA, Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2016, 2018; Intergovernmental Panel on Climate Change, Climate Change 2007: The Physical Science Basis, 2007; National Research Council, Advancing the Science of Climate Change, 2010; U.S. EPA, Methane and Nitrous Oxide Emission from Natural Sources, April 2010.	

4.7.2 Regulatory Setting

This section describes the federal, State, and local regulations applicable to GHG emissions.

To date, national standards have not been established for nationwide GHG reduction targets, nor have any regulations or legislation been enacted specifically to address climate change and GHG emissions reduction at the project level. Various efforts have been promulgated at the federal level to improve fuel economy and energy efficiency to address climate change and its associated effects.

Federal

Energy Independence and Security Act of 2007

The Energy Independence and Security Act of 2007 (EISA; December 2007), among other key measures, requires the following, which would aid in the reduction of national GHG emissions:

- Increase the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard (RFS) requiring fuel producers to use at least 36 billion gallons of biofuel in 2022.
- Set a target of 35 miles per gallon for the combined fleet of cars and light trucks by model year 2020 and direct the National Highway Traffic Safety Administration (NHTSA) to establish a fuel

economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for work trucks.

- Prescribe or revise standards affecting regional efficiency for heating and cooling products and procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances.

U.S. Environmental Protection Agency Endangerment Finding

The U.S. Environmental Protection Agency (EPA) authority to regulate GHG emissions stems from the U.S. Supreme Court decision in *Massachusetts v. EPA* (2007). The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing Federal Clean Air Act (FCAA) and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the Court's ruling, the U.S. EPA finalized an endangerment finding in December 2009. Based on scientific evidence it found that six GHGs (CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6) constitute a threat to public health and welfare. Thus, it is the Supreme Court's interpretation of the existing FCAA and the U.S. EPA's assessment of the scientific evidence that form the basis for the U.S. EPA's regulatory actions.

Federal Vehicle Standards

In response to the U.S. Supreme Court ruling discussed above, Executive Order 13432 was issued in 2007 directing the U.S. EPA, the U.S. Department of Transportation, and the U.S. Department of Energy to establish regulations that reduce GHG emissions from motor vehicles, non-road vehicles, and non-road engines by 2008. In 2009, the NHTSA issued a final rule regulating fuel efficiency and GHG emissions from cars and light-duty trucks for model year 2011, and in 2010, the U.S. EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012–2016.

In 2010, an Executive Memorandum was issued directing the Department of Transportation, Department of Energy, U.S. EPA, and NHTSA to establish additional standards regarding fuel efficiency and GHG reduction, clean fuels, and advanced vehicle infrastructure. In response to this directive, the U.S. EPA and NHTSA proposed stringent, coordinated federal GHG and fuel economy standards for model years 2017-2025 light-duty vehicles. The proposed standards projected to achieve 163 grams per mile of CO_2 in model year 2025, on an average industry fleet-wide basis, which is equivalent to 54.5 miles per gallon (mpg) if this level were achieved solely through fuel efficiency. The final rule was adopted in 2012 for model years 2017–2021, and NHTSA intends to set standards for model years 2022–2025 in a future rulemaking. On January 12, 2017, the U.S. EPA finalized its decision to maintain the current GHG emissions standards for model years 2022–2025 cars and light trucks. It should be noted that the U.S. EPA is currently proposing to freeze the vehicle fuel efficiency standards at their planned 2020 level (37 mpg), canceling any future strengthening (currently 54.5 mpg by 2026).

In addition to the regulations applicable to cars and light-duty trucks described above, in 2011, the U.S. EPA and NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014–2018. The standards for CO_2 emissions and fuel consumption are tailored to three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles.

According to the U.S. EPA, this regulatory program will reduce GHG emissions and fuel consumption for the affected vehicles by 6 to 23 percent over the 2010 baselines.

In August 2016, the U.S. EPA and NHTSA announced the adoption of the phase two program related to the fuel economy and GHG standards for medium- and heavy-duty trucks. The phase two program will apply to vehicles with model year 2018 through 2027 for certain trailers, and model years 2021 through 2027 for semi-trucks, large pickup trucks, vans, and all types and sizes of buses and work trucks. The final standards are expected to lower CO_2 emissions by approximately 1.1 billion metric tons and reduce oil consumption by up to 2 billion barrels over the lifetime of the vehicles sold under the program.

On September 27, 2019, the U.S. EPA and the NHTSA published the "Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program." (84 Fed. Reg. 51,310 (Sept. 27, 2019.) The Part One Rule revokes California's authority to set its own GHG emissions standards and set zero-emission vehicle mandates in California. On March 31, 2020, the U.S. EPA and NHTSA finalized rulemaking for SAFE Part Two, which sets CO_2 emissions standards and corporate average fuel economy (CAFE) standards for passenger vehicles and light duty trucks, covering model years 2021-2026.

Clean Power Plan and New Source Performance Standards for Electric Generating Units

On October 23, 2015, the U.S. EPA published a final rule (effective December 22, 2015) establishing the carbon pollution emission guidelines for existing stationary sources: electric utility generating units (80 Federal Register [FR] 64510–64660), also known as the Clean Power Plan (CPP). These guidelines prescribe how states must develop plans to reduce GHG emissions from existing fossil-fuel-fired electric generating units. The guidelines establish CO_2 emission performance rates representing the best system of emission reduction for two subcategories of existing fossil-fuel-fired electric generating units: one fossil-fuel-fired electric utility steam-generating unit and two stationary combustion turbines. Concurrently, the U.S. EPA published a final rule (effective October 23, 2015) establishing standards of performance for GHG emissions from new, modified, and reconstructed stationary sources: electric utility generating units (80 FR 64661–65120). The rule prescribes CO_2 emission standards for newly constructed, modified, and reconstructed affected fossil-fuel-fired electric utility generating units. The U.S. Supreme Court stayed implementation of the CPP pending resolution of several lawsuits. Additionally, in March 2017, the federal government directed the U.S. EPA Administrator to review the CPP to determine whether it is consistent with current executive policies concerning GHG emissions, climate change, and energy.

Presidential Executive Order 13783

Presidential Executive Order 13783, Promoting Energy Independence and Economic Growth issued on March 28, 2017, orders all federal agencies to apply cost-benefit analyses to regulations of GHG emissions and evaluations of the social cost of CO_2, N_2O, and CH_4.

State

California Air Resources Board

The California Air Resources Board (CARB) is responsible for the coordination and oversight of State and local air pollution control programs in California. Various Statewide and local initiatives to reduce California's contribution to GHG emissions have raised awareness about climate change and its potential for severe long-term adverse environmental, social, and economic effects. California is a significant emitter of CO_2 equivalents (CO_2e) in the world and produced 459 million gross metric tons of CO_2e in 2013. In the State, the transportation sector is the largest emitter of GHGs, followed by industrial operations such as manufacturing and oil and gas extraction.

The State legislature has enacted a series of bills that constitute the most aggressive program to reduce GHGs of any state in the nation. Some legislation, such as the landmark Assembly Bill (AB) 32, *California Global Warming Solutions Act of 2006*, was specifically enacted to address GHG emissions. Other legislation, such as Title 24 building efficiency standards and Title 20 appliance energy standards, were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions. This section describes the major provisions of the legislation.

Assembly Bill 32 (California Global Warming Solutions Act of 2006)

AB 32 instructs the CARB to develop and enforce regulations for the reporting and verification of statewide GHG emissions. AB 32 also directed CARB to set a GHG emissions limit based on 1990 levels, to be achieved by 2020. It set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner.

CARB Scoping Plan

CARB adopted the Scoping Plan to achieve the goals of AB 32. The Scoping Plan establishes an overall framework for the measures that would be adopted to reduce California's GHG emissions. CARB determined that achieving the 1990 emissions level would require a reduction of GHG emissions of approximately 29 percent below what would otherwise occur in 2020 in the absence of new laws and regulations (referred to as "business-as-usual")[2]. The Scoping Plan evaluates opportunities for sector-specific reductions, integrates early actions and additional GHG reduction measures by both CARB and the State's Climate Action Team, identifies additional measures to be pursued as regulations, and outlines the adopted role of a cap-and-trade program[3]. Additional development of these measures and adoption of the appropriate regulations occurred through the end of 2013. Key elements of the Scoping Plan include:

- Expanding and strengthening existing energy efficiency programs, as well as building and appliance standards.

[2] CARB defines business-as-usual (BAU) in its Scoping Plan as emissions levels that would occur if California continued to grow and add new GHG emissions but did not adopt any measures to reduce emissions. Projections for each emission-generating sector were compiled and used to estimate emissions for 2020 based on 2002–2004 emissions intensities. Under CARB's definition of BAU, new growth is assumed to have the same carbon intensities as was typical from 2002 through 2004.

[3] The Climate Action Team, led by the secretary of the California Environmental Protection Agency, is a group of State agency secretaries and heads of agencies, boards, and departments. Team members work to coordinate statewide efforts to implement global warming emissions reduction programs and the State's Climate Adaptation Strategy.

- Achieving a statewide renewables energy mix of 33 percent by 2020.
- Developing a California cap-and-trade program that links with other programs to create a regional market system and caps sources contributing 85 percent of California's GHG emissions (adopted in 2011).
- Establishing targets for transportation-related GHG emissions for regions throughout California and pursuing policies and incentives to achieve those targets (several sustainable community strategies have been adopted).
- Adopting and implementing measures pursuant to existing State laws and policies, including California's clean car standards, heavy-duty truck measures, the Low Carbon Fuel Standard (amendments to the Pavley Standard adopted 2009; Advanced Clean Car standard adopted 2012), goods movement measures, and the Low Carbon Fuel Standard (adopted 2009).
- Creating targeted fees, including a public goods charge on water use, fees on gasses with high global warming potential, and a fee to fund the administrative costs of the State of California's long-term commitment to AB 32 implementation.
- The California Sustainable Freight Action Plan was developed in 2016 and provides a vision for California's transition to a more efficient, more economically competitive, and less polluting freight transport system. This transition of California's freight transport system is essential to supporting the State's economic development in coming decades while reducing pollution.
- CARB's Mobile Source Strategy demonstrates how the State can simultaneously meet air quality standards, achieve GHG emission reduction targets, decrease health risk from transportation emissions, and reduce petroleum consumption over the next fifteen years. The mobile Source Strategy includes increasing zero-emission vehicle (ZEV) buses and trucks.

In 2012, CARB released revised estimates of the expected 2020 emissions reductions. The revised analysis relied on emissions projections updated in light of current economic forecasts that accounted for the economic downturn since 2008, reduction measures already approved and put in place relating to future fuel and energy demand, and other factors. This update reduced the projected 2020 emissions from 596 million metric tons of CO_2e ($MMTCO_2e$) to 545 $MMTCO_2e$. The reduction in forecasted 2020 emissions means that the revised business-as-usual reduction necessary to achieve AB 32's goal of reaching 1990 levels by 2020 is now 21.7 percent, down from 29 percent. CARB also provided a lower 2020 inventory forecast that incorporated State-led GHG emissions reduction measures already in place. When this lower forecast is considered, the necessary reduction from business-as-usual needed to achieve the goals of AB 32 is approximately 16 percent.

CARB adopted the first major update to the Scoping Plan on May 22, 2014. The updated Scoping Plan summarizes the most recent science related to climate change, including anticipated impacts to California and the levels of GHG emissions reductions necessary to likely avoid risking irreparable damage. It identifies the actions California has already taken to reduce GHG emissions and focuses on areas where further reductions could be achieved to help meet the 2020 target established by AB 32.

In 2016, the Legislature passed Senate Bill (SB) 32, which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. With SB 32, the Legislature passed companion legislation, AB 197, which

provides additional direction for developing the Scoping Plan. On December 14, 2017, CARB adopted a second update to the Scoping Plan.[4] The 2017 Scoping Plan details how the State will reduce GHG emissions to meet the 2030 target set by Executive Order B-30-15 and codified by SB 32. Other objectives listed in the 2017 Scoping plan are to provide direct GHG emissions reductions; support climate investment in disadvantaged communities; and support the Clean Power Plan and other Federal actions.

Senate Bill 32 (California Global Warming Solutions Act of 2006: Emissions Limit)

Signed into law in September 2016, SB 32 codifies the 2030 GHG reduction target in Executive Order B-30-15 (40 percent below 1990 levels by 2030). The bill authorizes CARB to adopt an interim GHG emissions level target to be achieved by 2030. CARB also must adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective GHG reductions.

SB 375 (The Sustainable Communities and Climate Protection Act of 2008)

Signed into law on September 30, 2008, SB 375 provides a process to coordinate land use planning, regional transportation plans, and funding priorities to help California meet the GHG reduction goals established by AB 32. SB 375 requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, aligns planning for transportation and housing, and creates specified incentives for the implementation of the strategies.

AB 1493 (Pavley Regulations and Fuel Efficiency Standards)

AB 1493, enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Implementation of the regulation was delayed by lawsuits filed by automakers and by the U.S. EPA's denial of an implementation waiver. The U.S. EPA subsequently granted the requested waiver in 2009, which was upheld by the U.S. District Court for the District of Columbia in 2011. The regulations establish one set of emission standards for model years 2009–2016 and a second set of emissions standards for model years 2017 to 2025. By 2025, when all rules will be fully implemented, new automobiles will emit 34 percent fewer CO_2e emissions and 75 percent fewer smog-forming emissions.

SB 1368 (Emission Performance Standards)

SB 1368 is the companion bill of AB 32, which directs the California Public Utilities Commission (CPUC) to adopt a performance standard for GHG emissions for the future power purchases of California utilities. SB 1368 limits carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than five years from resources that exceed the emissions of a relatively clean, combined-cycle natural gas power plant. The new law effectively prevents California's utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of the State. The CPUC adopted the regulations required by SB 1368 on August 29, 2007. The regulations implementing SB 1368 establish a standard for baseload generation owned by, or under long-term contract to publicly owned utilities, for 1,100 pounds of CO_2 per megawatt-hour (MWh).

[4] California Air Resources Board, *California's 2017 Climate Change Scoping Plan,* https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf. Accessed May 9, 2018.

SB 1078 and SBX1-2 (Renewable Electricity Standards)

SB 1078 requires California to generate 20 percent of its electricity from renewable energy by 2017. SB 107 changed the due date to 2010 instead of 2017. On November 17, 2008, Governor Arnold Schwarzenegger signed Executive Order S-14-08, which established a Renewable Portfolio Standard (RPS) target for California requiring that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. Executive Order S-21-09 also directed CARB to adopt a regulation by July 31, 2010, requiring the State's load-serving entities to meet a 33 percent renewable energy target by 2020. CARB approved the Renewable Electricity Standard on September 23, 2010 by Resolution 10-23. SBX1-2, which codified the 33 percent by 2020 goal.

SB 350 (Clean Energy and Pollution Reduction Act of 2015)

Signed into law on October 7, 2015, SB 350 implements the goals of Executive Order B-30-15. The objectives of SB 350 are to increase the procurement of electricity from renewable sources from 33 percent to 50 percent (with interim targets of 40 percent by 2024, and 45 percent by 2027) and to double the energy efficiency savings in electricity and natural gas end uses of retail customers through energy efficiency and conservation. SB 350 also reorganizes the Independent System Operator to develop more regional electricity transmission markets and improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

AB 398 (Market-Based Compliance Mechanisms)

Signed into law on July 25, 2017, AB 398 extended the duration of the Cap-and-Trade program from 2020 to 2030. AB 398 required CARB to update the Scoping Plan and for all GHG rules and regulations adopted by the State. It also designated CARB as the Statewide regulatory body responsible for ensuring that California meets its Statewide carbon pollution reduction targets, while retaining local air districts' responsibility and authority to curb toxic air contaminants and criteria pollutants from local sources that severely impact public health. AB 398 also decreased free carbon allowances by over 40 percent by 2030 and prioritized Cap-and-Trade spending to various programs including reducing diesel emissions in impacted communities.

SB 150 (Regional Transportation Plans)

Signed into law on October 10, 2017, SB 150 aligns local and regional GHG reduction targets with State targets (i.e., 40 percent below their 1990 levels by 2030). SB 150 creates a process to include communities in discussions on how to monitor their regions' progress in meeting these goals. The bill also requires the CARB to regularly report on that progress, as well as on the successes and the challenges regions experience associated with achieving their targets. SB 150 provides for accounting of climate change efforts and GHG reductions and identifies effective reduction strategies.

SB 100 (California Renewables Portfolio Standard Program: Emissions of Greenhouse Gases)

Signed into law in September 2018, SB 100 increased California's renewable electricity portfolio from 50 to 60 percent by 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

Executive Orders Related to GHG Emissions

California's Executive Branch has taken several actions to reduce GHGs using executive orders. Although not regulatory, they set the tone for the State and guide the actions of state agencies.

Executive Order S-3-05

Executive Order S-3-05 was issued on June 1, 2005, which established the following GHG emissions reduction targets:

- By 2010, reduce GHG emissions to 2000 levels.
- By 2020, reduce GHG emissions to 1990 levels.
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will stabilize the climate. The 2020 goal was established to be a mid-term target. Because this is an executive order, the goals are not legally enforceable for local governments or the private sector.

Executive Order S-01-07

Issued on January 18, 2007, Executive Order S 01-07 mandates that a statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020. The executive order established a Low Carbon Fuel Standard (LCFS) and directed the Secretary for Environmental Protection to coordinate the actions of the California Energy Commission, CARB, the University of California, and other agencies to develop and propose protocols for measuring the "life-cycle carbon intensity" of transportation fuels. CARB adopted the LCFS on April 23, 2009.

Executive Order S-13-08

Issued on November 14, 2008, Executive Order S-13-08 facilitated the California Natural Resources Agency development of the 2009 California Climate Adaptation Strategy. Objectives include analyzing risks of climate change in California, identifying and exploring strategies to adapt to climate change, and specifying a direction for future research.

Executive Order S-14-08

Issued on November 17, 2008, Executive Order S-14-08 expands the State's Renewable Energy Standard to 33 percent renewable power by 2020. Additionally, Executive Order S-21-09 (signed on September 15, 2009) directs CARB to adopt regulations requiring 33 percent of electricity sold in the State to come from renewable energy by 2020. CARB adopted the Renewable Electricity Standard on September 23, 2010, which requires 33 percent renewable energy by 2020 for most publicly-owned electricity retailers.

Executive Order S-21-09

Issued on July 17, 2009, Executive Order S-21-09 directs CARB to adopt regulations to increase California's RPS to 33 percent by 2020. This builds upon SB 1078 (2002), which established the California RPS program,

requiring 20 percent renewable energy by 2017, and SB 107 (2006), which advanced the 20 percent deadline to 2010, a goal which was expanded to 33 percent by 2020 in the 2005 Energy Action Plan II.

Executive Order B-30-15

Issued on April 29, 2015, Executive Order B-30-15 established a California GHG reduction target of 40 percent below 1990 levels by 2030 and directs CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of $MMTCO_2e$. The 2030 target acts as an interim goal on the way to achieving reductions of 80 percent below 1990 levels by 2050, a goal set by Executive Order S-3-05. The executive order also requires the State's climate adaptation plan to be updated every three years and for the State to continue its climate change research program, among other provisions. With the enactment of SB 32 in 2016, the Legislature codified the goal of reducing GHG emissions by 2030 to 40 percent below 1990 levels.

Executive Order B-55-18

Issued on September 10, 2018, Executive Order B-55-18 establishes a goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter. This goal is in addition to the existing statewide targets of reducing GHG emissions. The executive order requires CARB to work with relevant state agencies to develop a framework for implementing this goal. It also requires CARB to update the Scoping Plan to identify and recommend measures to achieve carbon neutrality. The executive order also requires state agencies to develop sequestration targets in the Natural and Working Lands Climate Change Implementation Plan.

California Regulations and Building Codes

California has a long history of adopting regulations to improve energy efficiency in new and remodeled buildings. These regulations have kept California's energy consumption relatively flat even with rapid population growth.

Title 20 Appliance Efficiency Regulations

The appliance efficiency regulations (California Code of Regulations [CCR] Title 20, Sections 1601-1608) include standards for new appliances. Twenty-three categories of appliances are included in the scope of these regulations. These standards include minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficient appliances.

Title 24 Building Energy Efficiency Standards

California's Energy Efficiency Standards for Residential and Nonresidential Buildings (CCR Title 24, Part 6), was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy-efficient technologies and methods. Energy-efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The 2016 Building Energy Efficiency Standards approved on January 19, 2016 went into effect on January 1, 2017. The 2019 Building Energy Efficiency Standards were adopted on May 9, 2018 and went into effect on January 1, 2020. Under

the 2019 standards, homes will use about 53 percent less energy and nonresidential buildings will use about 30 percent less energy than buildings under the 2016 standards.

Title 24 California Green Building Standards Code

The California Green Building Standards Code (CCR Title 24, Part 11 code) commonly referred to as the CALGreen Code, is a statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. The CALGreen Code standards require new residential and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. The CALGreen Code also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics. The most recent update to the CALGreen Code went into effect January 1, 2017. Updates to the 2016 CALGreen Code took effect on January 1, 2020 (2019 CALGreen Code). The 2019 CALGreen Code standards continue to improve upon the existing standards for new construction of, and additions and alterations to, residential and nonresidential buildings.

Regional

South Coast Air Quality Management District Thresholds

The SCAQMD formed a GHG California Environmental Quality Act (CEQA) Significance Threshold Working Group to provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents. As of the last Working Group meeting (Meeting 15) held in September 2010, the SCAQMD is proposing to adopt a tiered approach for evaluating GHG emissions for development projects where SCAQMD is not the lead agency.

With the tiered approach, projects are compared with the requirements of each tier sequentially and would not result in a significant impact if it complies with any tier. Tier 1 excludes projects that are specifically exempt from SB 97 from resulting in a significant impact. Tier 2 excludes projects that are consistent with a GHG reduction plan that has a certified final CEQA document and complies with AB 32 GHG reduction goals. Tier 3 excludes projects with annual emissions lower than a screening threshold. The SCAQMD has adopted a threshold of 10,000 metric tons of CO_2e ($MTCO_2e$) per year for industrial projects and a 3,000 $MTCO_2e$ threshold was proposed for non-industrial projects but has not been adopted. During Working Group Meeting #7[5] it was explained that this threshold was derived using a 90 percent capture rate of a large sampling of industrial facilities. During Meeting #8,[6] the Working Group defined industrial uses as production, manufacturing, and fabrication activities or storage and distribution (e.g., warehouse, transfer facility, etc.). The Working Group indicated that the 10,000 $MTCO_2e$ per year threshold applies to both emissions from construction and operational phases plus indirect emissions

[5] Meeting 7: http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-7/ghg-meeting-7-minutes.pdf?sfvrsn=2

[6] Meeting 8: http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-8/ghg-meeting-8-minutes.pdf?sfvrsn=2

(electricity, water use, etc.). The SCAQMD concluded that projects with emissions less than the screening threshold would not result in a significant cumulative impact.

GHG efficiency metrics are utilized as thresholds to assess the GHG efficiency of a project on a per capita basis or on a service population basis (the sum of the number of jobs and the number of residents provided by a project) such that a project would allow for consistency with the goals of AB 32 (i.e., 1990 GHG emissions levels by 2020 and 2035). GHG efficiency thresholds can be determined by dividing the GHG emissions inventory goal of the State, by the estimated 2035 population and employment. This method allows highly efficient projects with higher mass emissions to meet the overall reduction goals of AB 32, and is appropriate, because the threshold can be applied evenly to all project types (residential or commercial/retail only and mixed use).

The following SCAQMD rule related to GHG emissions is required of construction activities associated with the Project:

- Rule 2305 (Warehouse Indirect Source Rule) - SCAQMD has adopted Rule 2305 in May 2021 to reduce emissions associated with warehouses and mobile sources attracted to warehouses. This rule applies to all existing and proposed warehouses over 100,000 square feet located in SCAQMD. Rule 2305 requires warehouse operators to track annual vehicle miles traveled (VMT) associated with truck trips to and from the warehouse. These trip miles are used to calculate the warehouses' WAIRE (Warehouse Actions and Investments to Reduce Emissions) Points Compliance Obligation. WAIRE Points are earned based on emission reduction measures and warehouse operators are required to submit an annual WAIRE Report which includes truck trip data and emission reduction measures. Reduction strategies listed in the WAIRE menu include acquire zero emission (ZE) or near zero emission (NZE) trucks; require ZE/NZE truck visits; require ZE yard trucks; install on-site ZE charging/fueling infrastructure; install onsite energy systems; and install filtration systems in residences, schools, and other buildings in the adjacent community. Warehouse operators that do not earn a sufficient number of WAIRE points to satisfy the WAIRE Points Compliance Obligation are required to pay a mitigation fee.

Southern California Association of Governments

Per SB 375, CARB set the following regional transportation GHG emissions reduction targets for the Southern California Association of Governments (SCAG):

- 8 percent reduction from the 2005 per capita amount by 2020
- 13 percent reduction from the 2005 per capita amount by 2035

SCAG's Sustainable Communities Strategy (SCS) is included in the SCAG 2016-2040 Regional Transportation Plan Sustainable Communities Strategy (RTP/SCS). The goals and policies of the 2016-2040 RTP/SCS that reduce VMT focus on transportation and land use planning that include building infill projects, locating residents closer to where they work and play and designing communities so there is access to high quality transit service. The 2016-2040 RTP/SCS would result in an eight percent reduction in GHG emissions per capita by 2020, an 18 percent reduction by 2035 and a 21 percent reduction by 2040— compared with 2005 levels. This meets or exceeds the State's mandated reductions established

by CARB and meets the requirements of SB 375 as codified in Government Code §65080(b) et seq., which are eight percent by 2020 and 13 percent by 2035. The 2016-2040 RTP/SCS is expected to reduce the number of VMT per capita by more than seven percent and Vehicle Hours Traveled (VHT) per capita by 17 percent (for automobiles and light/medium duty trucks) as a result of more location efficient land use patterns and improved transit service.

On September 3, 2020, SCAG's Regional Council adopted Connect SoCal (2020-2045 RTP/SCS). Connect SoCal outlines more than $638 billion in transportation system investments through 2045 to increase mobility options and achieve a more sustainable growth pattern. Connect SoCal includes plans to support development of ZEV trucks and passenger vehicles to reduce air pollution and GHG emissions.

CARB updated the regional targets in 2018 to ensure consistency with the more stringent statewide reduction goals subsequently introduced by the California legislature and the Governor's office. For the SCAG region, the updated targets are eight percent below 2005 per capita emissions levels by 2020 (this value is unchanged from the previous 2020 CARB target), and 19 percent below 2005 per capita emissions levels by 2035.

Connect SoCal SCS has been found to meet State targets for reducing GHG emissions from cars and light trucks. Connect SoCal achieves per capita GHG emission reductions relative to 2005 levels of eight percent in 2020, and 19 percent in 2035, thereby meeting the GHG reduction targets established by the CARB for the SCAG region.

Chino Airport Land Use, Compatibility Plan

The Project site is within the Chino Airport Influence Area. The Chino Airport is located just south of the Project site across Merrill Avenue. The Chino Airport has adopted its own Airport Comprehensive Land Use Plan (ACLUP).

Local

City of Ontario Climate Action Plan

The City adopted the Community Climate Action Plan (CAP) in November 2014. The primary purpose of the City's Community CAP is to design a feasible strategy to reduce GHG emissions generated by community activities that is consistent with statewide Scoping Plan GHG reduction efforts. Community activities are those activities occurring in association with the land uses and activities within the City's jurisdictional boundary, generally from sources of emissions that the City's community can influence or control. The GHG emissions reduction target established under the CAP is 30 percent under year 2020 business-as-usual (BAU) levels. This goal is consistent with CARB's 2008 Scoping Plan, which was developed to implement AB 32 and provide a recommended GHG reduction target of 15 percent below "current" (2005-2008) levels to local communities by the year 2020 (Ontario 2014).

As part of the CAP, the City published a guidance document titled "Greenhouse Gas Emissions, CEQA Thresholds and Screening Tables" (December 2014) (Screening Tables).[7] As part of this guidance, the City

[7] City of Ontario. 2014. *Community Climate Action Plan, Appendix B.* Retrieved from: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Applications/Community%20Climate%20Action%20Plan%20-%20Appendix%20B.pdf. (accessed September 3, 2021).

determined that if GHG emissions of a given project exceeds 3,000 $MTCO_2e$ per year, then project emissions would need to be reduced by 25 percent when compared to year 2008 emissions levels. Alternatively, the project would need to achieve a minimum of 100 points pursuant to measures identified in the Screening Tables. The Screening Tables include a variety of measures to choose from, including building energy efficiency, water conservation, and VMT (vehicle miles traveled) reduction.

The City is in the process of developing an interim Development Screening Table and the latest draft was revised on May 1, 2018. The updated CAP will include a specific target for GHG reductions for 2030, 2040, and 2050. The targets will be consistent with broader State and federal reduction targets and will reflect contemporary scientific understanding of GHG reductions required by 2050. At the time of the Project GHG analysis, the City's CAP update is underway.

4.7.3 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

GHG-1 Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

GHG-2 Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Addressing GHG emissions generation impacts requires an agency to determine what constitutes a significant impact. The amendments to the State CEQA Guidelines specifically allow lead agencies to determine thresholds of significance that illustrate the extent of an impact and are a basis from which to apply mitigation measures. This means that each agency is left to determine whether a project's GHG emissions will have a "significant" impact on the environment. The guidelines direct that agencies are to use "careful judgment" and "make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate" the project's GHG emissions.

City of Ontario Climate Action Plan

The City CAP includes reducing 39,769 $MTCO_2e$ resulting from new development by the year 2020. This would require new development to be 25 percent more efficient than current development. To ensure new development projects are consistent with the Community CAP, the Community CAP includes implementation of a Development Review Process (DRP) to reduce GHG emissions associated with new development. The DRP sets forth procedures for evaluating GHG impacts and determining significance for CEQA purposes by applying an emissions level that is determined to be less than significant for small projects, and using the Greenhouse Reduction Measures Screening Threshold Table to mitigate project GHG emissions that exceed the threshold level.

- **Projects with 3,000 $MTCO_2e$ or Less.** The City determined the size of development that is too small to be able to provide the level of GHG emission reductions expected from the Screening Tables based upon the 90th percentile capture rate concept developed by the SCAQMD GHG Working Group. Projects that generate 3,000 $MTCO_2e$ or less would have less than significant GHG

emissions and would not need to use the Screening Tables to mitigate project-related GHG, although they would be required to implement best management practices.

- **Projects that Exceed 3,000 $MTCO_2e$:** If the project is above 3,000 $MTCO_2e$ then the applicants for future development projects within the City would need either to use the "Screening Tables" in the CAP, or quantify GHG emissions and provide additional mitigation that achieves a 25 percent reduction. The Screening Tables provide a menu of options that both ensures implementation of the reduction strategies and flexibility.

4.7.4 Plans, Programs, and Policies

PPP GHG-1 New buildings are required to achieve the current California Building Energy Efficiency Standards (Title 24, Part 6) and the CALGreen Code. The 2019 Building Energy Efficiency Standards become effective on January 1, 2020. The Building Energy Efficiency Standards and CALGreen Code are updated tri-annually with a goal to achieve zero net energy for residential buildings by 2020 and nonresidential buildings by 2030.

PPP GHG-2 New buildings are required to adhere to the California Green Building Standards Code (CALGreen Code) requirement to provide bicycle parking for new non-residential buildings, or meet local bicycle parking ordinances, whichever is stricter (CALGreen Code Sections 5.106.4.1, 14.106.4.1, and 5.106.4.1.2).

PPP GHG-3 California's Green Building Standards Code (CALGreen Code) requires the recycling and/or salvaging for reuse at minimum of 65 percent of the nonhazardous construction and demolition waste generated during most "new construction" projects (CALGreen Code Sections 4.408 and 5.408). Construction contractors are required to submit a construction waste management plan that identifies the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project, or salvaged for future use or sale and the amount (by weight or volume).

PPP GHG-4 Construction activities are required to adhere to Title 13 CCR 2499, which requires that nonessential idling of construction equipment is restricted to five minutes or less.

PPP GHG-5 New buildings are required to adhere to the CALGreen Code and Water Efficient Landscape Ordinance requirements to increase water efficiency and reduce urban per capita water demand.

PPP GHG-6 CARB's RPS is a foundational element of the State's emissions reduction plan. These mandates apply directly to investor-owned utilities, which in the case of the proposed Project is Southern California Edison (SCE). On September 10, 2018, SB 100 was signed into law and established the following RPS targets: 50 percent renewable resources target by December 31, 2026, and 60 percent target by December 31, 2030. SB 100 also requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt hours of those products sold to their retail end-use customers

achieve 44 percent of retail sales by December 31, 2024; 52 percent by December 31, 2027; and 60 percent by December 31, 2030.

PPP GHG-7 On January 18, 2007, Governor Arnold Schwarzenegger issued Executive Order S-1-07 requiring the establishment of a LCFS for transportation fuels. The LCFS was amended in 2011 and readopted in 2015. This statewide goal requires that California's transportation fuels reduce their carbon intensity by at least 10 percent by 2020.

PPP GHG-8 SB 375 requires the reduction of GHG emissions from light trucks and automobiles through land use and transportation efforts that will reduce VMT. In essence, SB 375's goal is to control GHGs by curbing urban sprawl and through better land use planning. SB 375 essentially becomes the land use contribution to the GHG reduction requirements of AB 32, California's global warming bill enacted in 2006, and SB 32.

PPP GHG-9 The heavy-duty tractors and trailers (i.e., trucks that are 53-foot or longer) must use U.S. EPA SmartWay certified tractors and trailers or retrofit their existing fleet with SmartWay verified technologies in accordance with CARB's Heavy-Duty (Tractor-Trailer) GHG Regulation. Owners are responsible for replacing or retrofitting their affected vehicles with compliant aerodynamic technologies and low rolling resistance tires. Sleeper cab tractors model year 2011 and later must be SmartWay certified. All other tractors must use SmartWay verified low rolling resistance tires. Trailers must have low rolling resistance tires and aerodynamic devices.

PPP GHG-10 The medium-duty and heavy-duty vehicle engines are required to comply with the U.S. EPA's GHG and fuel efficiency standards. The federal and California Phase 1 standards took effect with model year 2014 tractors, vocational vehicles, and heavy-duty pick-up trucks and vans and the engines powering such vehicles (the Phase 1 standards excludes trailers). The federal Phase 2 standards cover model years 2018-2027 for certain trailers and model years 2021- 2027 for semi-trucks and large pick-up trucks, vans and all types and sizes of buses and work trucks. California is aligned with the federal Phase 2 standards in structure, timing, and stringency, but with some minor California differences. The California Phase 2 regulations became effective April 1, 2019.

4.7.5 Project Design Features

PDF GHG-1 Indoor material handling equipment used throughout the Project area shall be electric and may not be propane or diesel-powered.

PDF GHG-2 The tilt-up concrete warehouse buildings shall have rooftops that can support tenant improvements for solar panels (i.e., solar-ready).

PDF GHG-3 All outdoor water demands shall be served with recycled water.

4.7.6 Methodology

Global climate change is, by definition, a cumulative impact of GHG emissions. Therefore, there is no project-level analysis. The baseline against which to compare potential impacts of the project includes the

natural and anthropogenic drivers of global climate change, including worldwide GHG emissions from human activities which almost doubled between 1970 and 2010 from approximately 27 gigatons (Gt) of CO_2 per year to nearly 49 $GtCO_2$ per year.[8] As such, the geographic extent of climate change and GHG emissions cumulative impact discussion is worldwide.

The Project's construction and operational emissions were calculated using the California Emissions Estimator Model version 2020.4.0 (CalEEMod). Details of the modeling assumptions and emission factors are provided in *Appendix B3, Greenhouse Gas Emissions Model Data*. For construction, CalEEMod calculates emissions from off-road equipment usage and on-road vehicle travel associated with haul, delivery, and construction worker trips. GHG emissions during construction were forecasted based on the proposed construction schedule and applying the mobile-source and fugitive dust emissions factors derived from CalEEMod. The Project's construction-related GHG emissions would be generated from off-road construction equipment, on-road hauling and vendor (material delivery) trucks, and worker vehicles.

The Project's operations-related GHG emissions would be generated by vehicular traffic, off-road equipment, area sources (e.g., landscaping maintenance, consumer products), electrical generation, natural gas consumption, water supply and wastewater treatment, and solid waste. The increase of traffic over existing conditions as a result of the Project was obtained from the Project's Traffic Analysis Study (see *Appendix I*) prepared by Urban Crossroads (August 2021). Project trip generation from the Trip Generation Analysis is based on the following Institute of Transportation Engineers (ITE) land use categories:

- ITE Land Use 157: High-Cube Cold Storage Warehouse
- ITE Land Use 155: High-Cube Fulfillment Center
- ITE Land Use 150: Warehousing
- ITE Land Use 130: Industrial Park

Truck mix percentages are based on the SCAQMD Truck Trip Generation Study applied to ITE truck percentages. Other operational emissions from area, energy, and stationary sources were quantified in CalEEMod based on land use activity data.

4.7.7 Project Impacts and Mitigation Measures

The following impact analysis addresses thresholds of significance for which the preliminary environmental analysis disclosed potentially significant impacts.

Impact 4.7-1 ***Would the Project generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment? [Threshold GHG-1]***

Level of Significance Before Mitigation: Potentially Significant Impact

[8] Intergovernmental Panel on Climate Change, *Climate Change 2014 Mitigation of Climate Change Working Group III Contribution to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change*, 2014.

Short-Term Construction Greenhouse Gas Emissions

The Project would result in direct emissions of CO_2, N_2O, and CH_4 from construction equipment and the transport of materials and construction workers to and from the Project site. The GHG emissions only occur during temporary construction activities and would cease once construction is complete. The total GHG emissions generated during all phases of construction were combined and are shown in *Table 4.7-2, Construction-Related Greenhouse Gas Emissions*.

Table 4.7-2: Construction-Related Greenhouse Gas Emissions

Category	$MTCO_2e$
Construction Year 1 (2022)	1,710
Construction Year 2 (2023)	3,538
Construction Year 3 (2024)	740
Total Construction Emissions	5,988
30-Year Amortized Construction	200
Source: CalEEMod version 2020.4.0. Refer to *Appendix B3* for model outputs.	

As shown, the Project would result in the generation of approximately 5,988 $MTCO_2e$ over the course of construction. Construction GHG emissions are typically summed and amortized over the lifetime of the Project (assumed to be 30 years), then added to the operational emissions.[9] The amortized Project construction emissions would be 200 $MTCO_2e$ per year. Once construction is complete, the generation of these GHG emissions would cease.

Long-Term Operational Greenhouse Gas Emissions

Operational or long-term emissions occur over the life of the Project. GHG emissions would result from direct emissions such as Project-generated vehicular traffic, on-site combustion of natural gas, and operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power, the energy required to convey water to, and wastewater from the Project, the emissions associated with solid waste generated from the Project, and any fugitive refrigerants from air conditioning or refrigerators.

Total GHG emissions associated with the Project are summarized in *Table 4.7-3, Project Greenhouse Gas Emissions*. As shown in *Table 4.7-3*, the Project's unmitigated emissions would be approximately 24,929 $MTCO_2e$ annually from both construction (amortized) and operations. Project-related GHG emissions would exceed the SCAQMD's 10,000 $MTCO_2e$ per year threshold for industrial uses. The majority of the GHG emissions (70 percent) are associated with non-construction related mobile sources. Emissions of motor vehicles are controlled by State and Federal standards, and the Project has no control over these standards.

[9] The project lifetime is based on the standard 30-year assumption of the South Coast Air Quality Management District (South Coast Air Quality Management District, *Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #13,* August 26, 2009).

Table 4.7-3: Project Greenhouse Gas Emissions

Emissions Source	$MTCO_2e$ per Year	
	Unmitigated	Mitigated
Construction Amortized Over 30 Years	200	200
Area Source	0.09	0.09
Energy[1]	2,909	0
Mobile[2]	17,390	17,155
Off-road[3]	2,517	0
Waste	775	775
Water and Wastewater	1,138	1,138
Total	**24,929**	**19,268**
SCAQMD Threshold	*10,000*	*10,000*
Exceeds Threshold?	**Yes**	**Yes**

1. Mitigation Measure MM GHG-1 requires the installation of photovoltaic solar panels to offset energy emissions. MM GHG-2 requires the buildings to meet or exceed CALGreen Code Tier 2 standards.
2. MM AQ-3 requires implementation of a Transportation Demand Management (TDM) program to reduce single occupant vehicles. MM AQ-4 promotes the use electric vehicles (EV). MM AQ-5 requires the Project to provide electrical hookups to run onboard auxiliary equipment and power refrigeration units while the truck is stopped. MM AQ-6 requires truck drivers to shut-off engines after five minutes of idling.
3. MM AQ-2 requires the use of electric powered cargo handling equipment rather than diesel or natural gas.

Source: CalEEMod version 2020.4.0. Refer to *Appendix B* for model outputs.

As shown in *Table 4.7-3*, the Project would generate approximately 19,268 $MTCO_2e$ per year with the implementation of operational air quality **MM AQ-2** through **MM AQ-6**. **MM AQ-2** requires the use of electrical off-road equipment such as forklifts and hostlers/yard trucks. **MM AQ-3** requires the implementation of a Transportation Demand Management (TDM) program to reduce single-occupant vehicle trips and encourage public transit. **MM AQ-4** requires the buildings to be designed to accommodate electric vehicle (EV) infrastructure, **MM AQ-5** requires electrical hookups at all loading bays, and **MM AQ-6** prohibits idling when engines are not in use.

Standard condition (**SC**) **GHG-1** through **SC GHG-9**, as required by the California Building Code, would provide designated parking to promote the use of alternative fuels and clean fleets, facilitate future installation of EV supply equipment, and limit idling times. Furthermore, **MM GHG-1** requires the installation of solar photovoltaic (PV) panels to offset the Project's energy consumption and **MM GHG-2** requires the Project to meet or exceed CALGreen Code Tier 2 standards to further improve energy efficiency.

With mitigation, the majority (89 percent) of emissions are from mobile sources and neither the Project Applicant nor the City have regulatory authority to control tailpipe emissions, no feasible mitigation measures exist that would reduce the Project's impacts with respect to mobile operational emissions to less than significant levels. While the Project has some control over GHG emissions (refer to **MM AQ-2** through **MM AQ-6**), the majority of emissions are beyond the Project's control. However, **MM GHG-3** would require that the Project incorporate Project Design Features to achieve a minimum score of 100 points on the Screening Tables. As stated in the Community CAP, projects that achieve a minimum

score of 100 points or provide additional mitigation that achieves a 25 percent reduction are considered less than significant. However, at the time of this analysis, the City's CAP update is underway and the potential timeframes for approval and adoption of the City CAP update are unknown. Once approved, the CAP may implement performance standards and GHG emissions reduction targets differing from the current CAP. There is the potential that even after achieving more than 100 points on the current Screening Tables, the Project may conflict with as-yet-unknown performance standards and GHG emissions reduction targets implemented under the anticipated CAP updates, and thereby result in GHG emissions that would be considered to represent a significant impact on the environment. Therefore, even with the implementation of **MM AQ-2** through **MM AQ-6** and **MM GHG-1** through **MM GHG-3,** this Project impact is conservatively considered significant and unavoidable.

Standard Conditions and Requirements:

SC GHG-1 Require construction equipment to turn off when not in use per Title 13 of the CCR Section 2449.

SC GHG-2 In accordance with California Title 24 Standards, buildings will be designed to have 15 percent of the roof area "solar ready" that will structurally accommodate later installation of rooftop solar panels. If future building operators pursue providing rooftop solar panels, they will submit plans for solar panels prior to occupancy.

SC GHG-3 Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls and sensors for landscaping according to the City's Water Efficient Landscape Requirements (Section 17.06.030 of the City's MC).

SC GHG-4 Design buildings to be water-efficient. Install water-efficient fixtures in accordance with Section 5.303 of the California Green Building Standards Code Part 11.

SC GHG-5 Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1 of the CALGreen Code Code Part 11.

SC GHG-6 Provide storage areas for recyclables and green waste and adequate recycling containers located in readily accessible areas in accordance with Section 5.410.1 of the CALGreen Code Part 11.

SC GHG-7 Provide designated parking for any combination of low-emitting, fuel efficient and carpool/van pool vehicles. At least eight percent of the total parking spaces are required to be designated in accordance with Section 5.106.5.2, Designated Parking for Clean Air Vehicles, of the CALGreen Code Part 11.

SC GHG-8 Provide at least six percent of the total parking spaces to facilitate future installation of EV supply equipment in accordance with Section 5.106.5.3.2, Multiple Charging Space Requirements, of the CALGreen Code Part 11.

SC GHG-9 Limit idling time for commercial vehicles to no more than five minutes per Title 13 of the California Code of Regulations, Section 2485.

Impact 4.7-2 ***Would the Project conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions? [Threshold GHG-2]***

Level of Significance Before Mitigation: Potentially Significant Impact

City of Ontario Community Climate Action Plan

The primary purpose of the City's Community CAP is to design a feasible strategy to reduce GHG emissions generated by community activities that is consistent with statewide Scoping Plan GHG reduction efforts. The City has identified a series of reduction measures to be implemented by the City. These reduction measures include programs that improve building energy efficiency, increase use of public and active transit and decrease VMT, increase use of alternative-fueled vehicles, increase use of renewable energy, reduce water consumption, and reduce waste.

Table 4.7-4, Community CAP Consistency evaluates the consistency of the proposed Project to the applicable measures of the Community CAP. As discussed in the table, the proposed Project would be consistent with all applicable measures. By using energy more efficiently, harnessing renewable energy to power buildings, recycling waste, and enhancing access to sustainable transportation modes, the City can keep dollars in local economy, create new green jobs, and improve community quality of life. As shown in *Table 4.7-4*, the Project would not conflict with the goals of the Community CAP.

Table 4.7-4: Community CAP Consistency

CAP Measure Name	Measure Description	Consistency	
Performance Standard For New Development			
PS-1	**Performance Standard for New Development:** New projects emitting more than 3,000 MTCO2e per year need to reduce emissions by 25 percent.	Consistent:	The proposed Project will achieve a minimum of 100 points using the Greenhouse Gas Reduction Measures Screening Threshold Table as required under **MM GHG-3**. **MM GHG-3** will ensure that the Project demonstrates consistency with the reduction measures in the CAP. Projects with features that yield 100 Screening Table points have been determined to have a less than significant individual and cumulative GHG emission impact.
BMP-1	**Performance Standard for New Development; Best Management Practices:** New projects emitting less than 3,000 $MTCO_2e$ per year to exceed Title 24 Energy Efficiency Standards by at least 5 percent, or equivalent level of GHG emission reduction.	N/A:	This measure is not applicable to the Project because it would generate emissions exceeding 3,000 $MTCO^2e$ per year.
Building Energy			
Energy-1	**CAP Consistency:** Ensure that the City's local Climate Action, Land Use, Housing, and Transportation Plans are aligned	N/A:	This measure is not applicable to individual land use development projects.

CAP Measure Name	Measure Description	Consistency	
	with, support, and enhance any regional plans that have been developed consistent with state guidance to achieve reductions in GHG emissions.		
Energy-2	**Regional Cooperation:** Coordinate with special districts, nonprofits, and other public organizations to share resources, achieve economies of scale, and develop green building policies and programs that are optimized on a regional scale.	N/A:	This measure is not applicable to individual land use development projects.
Energy-3	**Energy Efficiency Funding for Existing Low-Income Residents:** Partner with community services agencies to fund energy efficiency projects, including heating, ventilation, air conditioning, lighting, water-heating equipment, insulation, and weatherization, for low-income residents. Provide permitting-related and other incentives for energy-efficient building project.	N/A:	This measure is not applicable to individual land use development projects.
Energy-4	**Energy Efficiency Incentives and Programs to Promote Retrofits for Existing Residential Buildings:** Incentivize or otherwise support voluntary energy-efficiency retrofits of existing residential buildings to achieve reductions in natural gas and electricity usage. Adopt standards and/or promote voluntary programs that retrofit indoor lights, electric clothes dryers, energy-star thermostats, window seals, duct sealing, air sealing, and attic insulation.	N/A:	This measure is applicable to existing buildings only.
Energy-5	**Energy Efficiency Incentives and Programs to Promote Retrofits for Existing Non-Residential Buildings:** Voluntary programs for existing non-residential facilities will improve building-wide energy efficiency by 20 percent by 2020.	N/A:	This measure is applicable to existing buildings only.
Energy-6	**Streetlights:** Adopt outdoor lighting standards to reduce electricity consumption. Require 40 percent reduction in energy use from traffic signals and streetlights by 2020.	N/A:	This measure is to be taken at the City level.
Renewable Energy			
Renewable Energy-1	**Solar Installation for Existing Non-Residential for Major Rehabilitations or**	N/A:	This measure is applicable to existing buildings only.

CAP Measure Name	Measure Description	Consistency	
	Expansions: Install solar photovoltaic panels on nonresidential buildings greater or equal to 25,000 square feet in size requiring discretionary permits for major rehabilitations or expansions (additions of 25,000 square feet of office retail/commercial or 100,000 square feet of industrial/warehouse floor area).		
Renewable Energy-2	**Solar Installation in Existing Single-Family Housing:** Install solar panels on 22 percent of existing single-family homes by 2020.	N/A:	This measure is applicable to existing buildings only.
Renewable Energy-3	**Solar Installation in Existing Nonresidential Buildings:** Install solar panels on 32 percent of existing nonresidential buildings by 2020	N/A:	This measure is applicable to existing buildings only.
Wastewater Treatment			
Wastewater-1	Recycled Water: Require 50 percent of all water used for non-potable sources to be recycled water by 2020. Require all new parks and schools to use 100 percent recycled water for non-potable outdoor uses, as feasible. Develop public educational materials that support and encourage the use of recycled water. Adopt a City Municipal facility goal of 50 percent use of recycled water for non-potable sources.	Consistent:	The proposed Project would construct and be connected to recycled water infrastructure. It is projected that 100 percent of total outdoor water demand of the Project would be served by recycled water.
Wastewater-2	**Waste-to-Energy/Methane Recovery:** Encourage the Inland Empire Utilities Agency (IEUA) to implement waste-to-energy projects at the IEUA RP-1 wastewater treatment plant by 2020, and to utilize collected gas to fuel onsite stationary sources.	N/A:	This measure is not applicable to the Project because the Project would not build waste-to-energy projects.
Solid Waste Management			
Waste-1	**Waste Diversion:** Divert 75 percent of city-generated waste from landfills.	Consistent:	The proposed Project would be subject to all applicable local, State, and federal waste diversion requirement. See *Section 4.16, Utilities.*
Waste-2	**Construction and Demolition Waste Recovery Ordinance:** Implement an ordinance requiring building projects to recycle or reuse at least 50 percent of unused or leftover building materials.	Consistent:	The proposed Project is anticipated to recycle and reuse leftover or unused building materials.

CAP Measure Name	Measure Description	Consistency	
On-Road Transportation			
Trans-1	**Expand Public Transportation Infrastructure:** Work with appropriate agencies to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car-sharing, bicycling, and walking.	N/A:	This measure is not applicable to general industrial projects.
Trans-2	**Transit Frequency and Speed:** To the extent feasible, support shorter transit-passenger travel time through reduced headways and increased speed. Support regional transit operators to reduce average fleet travel time by 5 minutes.	N/A:	This measure is not applicable to general industrial projects.
Trans-3	**"Smart Bus" Technology:** Collaborate with LA Metro, Metrolink, and Omnitrans to implement "Smart Bus" technology.	N/A:	This measure is not applicable to general industrial projects.
Trans-4	**Expand Public Transportation Participation:** Collaborate with regional transit operators on programs to increase use of the City's public transportation system.	N/A:	This measure is not applicable to general industrial projects.
Trans-5	**Low- and Zero-Emission Vehicles:** Support and promote the use of low- and zero-emission vehicles in the City.	Consistent:	The proposed Project would designate at least eight percent of parking spaces for fuel efficient and carpool/vanpool vehicles.
Trans-6	Vehicle Idling: Prohibit idling of heavy-duty trucks (greater than 26,000 gross vehicle weight) for longer than 3 minutes.	N/A:	This measure is not directly applicable to the proposed Project as the measure pertains to a City action to adopt an ordinance. However, the current idling limit adopted by CARB and local air district regulations is 5 minutes (Rule 2485). Compliance with CARB airborne toxic control measures that reduce diesel emissions would also reduce heavy-duty truck exhaust associated with the proposed Project to the extent feasible.
Trans-7	**Parking Policy:** Adopt a comprehensive parking policy that encourages carpooling and the use of alternative transportation, including providing parking spaces for car-share vehicles at convenient locations accessible by public transportation. Consider requirements for the following to reduce vehicle miles	Consistent:	The proposed Project would designate at least eight percent of parking spaces for fuel-efficient and carpool/vanpool vehicles. The proposed Project would also include a TDM Program as identified in **MM AQ-3**.

CAP Measure Name	Measure Description	Consistency	
	traveled (VMT) within the City by 2 percent. Designate 5 percent of downtown parking spaces for ride-sharing vehicles		
Trans-8	**Event Parking:** Consider establishing policies and programs to reduce onsite parking demand and promote ride-sharing during events at the Ontario Convention Center and other event venues. Consider a goal to reduce VMT at major events by 2 percent.	N/A:	The proposed Project involves development of general industrial uses and not an event venue.
Trans-9	**Roadway Management:** Implement traffic and roadway management strategies to improve mobility and efficiency and reduce associated emissions. Consider a goal to reduce community vehicle fuel consumption by 2 percent.	Consistent:	The proposed Project would include a TDM Program as identified in **MM AQ-3**.
Trans-10	**Signal Synchronization:** Evaluate potential efficiency gains from further signal synchronization. Synchronize traffic signals throughout the City and with adjoining cities while allowing free flow of mass transit systems. Require continuous maintenance of the synchronization system. Consider a goal to reduce City-wide vehicle fuel consumption by 2 percent.	N/A:	This measure is to be taken at the City level.
Trans-11	**School Transit Plan:** Encourage local school districts to develop school transit plans to substantially reduce automobile trips to, and congestion surrounding, schools. (According to some estimates, parents driving their children to school account for 20–25 percent of the morning commute.) Plans may address, e.g., necessary infrastructure improvements and potential funding sources, replacing older diesel buses with low- or zero-emission vehicles, mitigation fees to expand school bus service, Safe Routes to School programs, and other formal efforts to increase walking and biking by students. Although this measure is not within the City's authority, Ontario can work with local school districts to develop these plans.	N/A:	The proposed Project involves development of general industrial uses and is not a school project.
Source: City of Ontario, Community Climate Action Plan, 2014			

The CAP Appendix B, Greenhouse Gas Emissions CEQA Thresholds and Screening Tables (CAP Screening Tables), establishes a points system that assigns values for each GHG emissions mitigation design element or operational program feature incorporated into a given development project. The CAP Screening Tables point values correspond to the minimum GHG emissions reduction expected from each feature. Projects with features that yield at least 100 Screening Table points are considered consistent with the reduction quantities anticipated in the City's CAP. Such projects would be determined to have a less than significant individual and cumulative GHG emissions impact. *Table 4.7-5, GHG Reduction Measures Screening Table for Industrial Development,* identifies potential design features and their associated scores. The City is also considering additional design features, but they have not yet been assigned point values as part of the ongoing CAP update process. The Project Applicant may work with the City to determine point values for additional design features with the goal of achieving a minimum of 100 points. *Table 4.7-5* shows that the proposed Project has the potential to achieve 100 points on the CAP's screening tables.

Table 4.7-5: GHG Reduction Measures Screening Table for Industrial Development

Feature	Description	Assigned Point Value
Insulation	2008 Baseline (walls: R-13; roof/attic: R-30)	0
	Modestly Enhanced Insulation (walls: R-13; roof/attic: R-38)	15
	Enhanced Insulation (rigid wall insulation: R-13; roof/attic: R-38)	18
	Greatly Enhanced Insulation (spray foam wall insulated walls R-15 or higher) roof/attic R-38 or higher)	20
Windows	2008 Baseline Windows (0.57 U-factor, 0.4 solar heat gain coefficient (SHGC)	0
	Modestly Enhanced Window Insulation {0.4 U-Factor, 0.32 SHGC)	7
	Enhanced Window Insulation {0.32 U-Factor, 0.25 SHGC)	8
	Greatly Enhanced Window Insulation {0.28 or less U-Factor, 0.22 or less SHGC)	12
Cool Roof	Modest Cool Roof (CRRC Rated 0.15 aged solar reflectance, 0.75 thermal emittance)	12
	Enhanced Cool Roof (CRRC Rated 0.2 aged solar reflectance, 0.75 thermal emittance)	14
	Greatly Enhanced Cool Roof (CRRC Rated 0.35 aged solar reflectance, 0.75 thermal emittance)	16
Air Infiltration	Air barrier applied to exterior walls, calking, and visual inspection such as the HERS Verified Quality Insulation Installation (Q11 or equivalent)	12
	Blower Door HERS Verified Envelope Leakage or equivalent	10
Thermal Storage of Building	Modest Thermal Mass (10% of floor or 10% of walls: 12" or more thick exposed concrete or masonry. No permanently installed floor covering such as carpet, linoleum, wood or other insulating materials)	4
	Enhanced Thermal Mass (20% of floor or 20% of walls: 12" or more thick exposed concrete or masonry. No permanently installed floor covering such as carpet, linoleum, wood or other insulating materials)	6

Feature	Description	Assigned Point Value
	Enhanced Thermal Mass (80% of floor or 80% of walls: 12" or more thick exposed concrete or masonry. No permanently installed floor covering such as carpet, linoleum, wood or other insulating materials)	24
Indoor Space Efficiencies		
Heating/Cooling Distribution System	Minimum Duct Insulation (R-4.2 required)	0
	Modest Duct insulation (R-6)	8
	Enhanced Duct Insulation (R-8)	10
Space Heating/ Cooling Equipment	2008 Minimum HVAC Efficiency (SEER 13/60% AFUE or 7.7 HSPF}	0
	Improved Efficiency HVAC (SEER 14/65% AFUE or 8 HSPF)	7
	High Efficiency HVAC (SEER 15/72% AFUE or 8.5 HSPF)	8
	Very High Efficiency HVAC (SEER 16/80% AFUE or 9 HSPF)	12
Water Heaters	2008 Minimum Efficiency (0.57 Energy Factor)	0
	Improved Efficiency Water Heater (0.675 Energy Factor)	14
	High Efficiency Water Heater (0.72 Energy Factor)	16
	Very High Efficiency Water Heater (0.92 Energy factor)	19
	Solar Pre-heat System (0.2 Net Solar Fraction)	4
	Enhanced Solar Pre-heat System (0.35 Net Solar Fraction)	8
Daylighting	All peripheral rooms within the living space have at least one window (required)	1
	All rooms within the living space have daylight (through use of windows, solar tubes, skylights, etc.)	5
	All rooms daylighted	7
Artificial Lighting	2008 Minimum (required)	0
	Efficient lights (25% of In-unit fixtures considered high efficacy. High efficacy is defined as 40 lumens/watt for 15 watt or less fixtures: SO lumens/watt for 15 to 40 watt fixtures, 60 lumens/watt for fixtures >40watt)	9
	High Efficiency lights (50% of in-unit fixtures are high efficacy)	12
	Very High Efficiency Lights (100% of in-unit fixtures are high efficacy)	14
Appliances	Energy Star Commercial Refrigerator (new)	4
	Energy Star Commercial Dish Washer (new)	4
	Energy Star Commercial Clothes Washing	4
Irrigation and Landscaping		
Water Efficient Landscaping	Eliminate conventional turf from landscaping	0
	Only moderate water using	3
	Only low water using plants	4

Feature	Description	Assigned Point Value
	Only California Native landscape that requires no, or only supplemental, irrigation	8
Water Efficient Irrigation Systems	Low precipitation spray heads <. 75"/hour, or drip irrigation	1
	Weather based Irrigation control systems combined with drip irrigation (demonstrate 20% reduced water use)	5
Recycled Water	Recycled connections (purple pipe) to irrigation system on site	5
Potable Water		
Showers	Water Efficient Showerheads (2.0 gpm)	3
Toilets	Water Efficient Toilets (1.5 gpm)	3
Faucets	Water Efficient faucets (1.28 gpm)	3
Commercial Dishwashers	Water Efficient Dishwasher (6 gallons per cycle or less)	1
Commercial Laundry Washers	Water Efficient Washing Machine (Water factor < 5.5)	1
Source: City of Ontario, Greenhouse Gas Reduction Measures Screening Threshold Table Directions, revised 5-1-2018.		

As noted above, implementation of **MM GHG-3** would require future development accommodated under the proposed Project to be designed to achieve at least 100 points on the City's GHG Screening Threshold Table. Implementation of **MM GHG-3** would ensure that future Project development is consistent with the City's Community CAP and would reduce impacts to less than significant. However, there is the potential for the Project to generate GHG emissions that would result in significant impacts on the environment, and it is therefore conservatively considered to be a significant and unavoidable impact.

SCAG Regional Transportation Plan/Sustainable Communities Strategy Consistency

On September 3, 2020, SCAG's Regional Council adopted Connect SoCal (2020 - 2045 Regional Transportation Plan/Sustainable Communities Strategy [RTP/SCS]). The RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. SCAG's RTP/SCS establishes GHG emissions goals for automobiles and light-duty trucks for 2020 and 2035 as well as an overall GHG target for the Project region consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of Executive Orders 5-03-05 and B-30-15.

The 2020-2045 RTP/SCS contains over 4,000 transportation projects, ranging from highway improvements, railroad grade separations, bicycle lanes, new transit hubs and replacement bridges. These future investments were included in county plans developed by the six county transportation commissions and seek to reduce traffic bottlenecks, improve the efficiency of the region's network, and expand mobility choices for everyone. The 2020-2045 RTP/SCS is an important planning document for the region, allowing project sponsors to qualify for federal funding.

The plan accounts for operations and maintenance costs to ensure reliability, longevity, and cost effectiveness. The 2020-2045 RTP/SCS is also supported by a combination of transportation and land use

strategies that help the region achieve State GHG emissions reduction goals and FCAA requirements, preserve open space areas, improve public health and roadway safety, support our vital goods movement industry, and utilize resources more efficiently. GHG emissions resulting from development-related mobile sources are the most potent source of emissions, and therefore Project comparison to the 2020-2045 RTP/SCS is an appropriate indicator of whether the Project would inhibit the post-2020 GHG reduction goals promulgated by the state. The Project's consistency with the 2020-2045 RTP/SCS goals is analyzed in detail in *Table 4.7-6, 2020-2045 RTP/SCS Consistency*.

Table 4.7-6: 2020-2045 RTP/SCS Consistency

SCAG Goals		Consistency	
GOAL 1:	Encourage regional economic prosperity and global competitiveness.	N/A:	This is not a project-specific policy and is therefore not applicable. However, the Project will include industrial development which would contribute to regional economic prosperity.
GOAL 2:	Improve mobility, accessibility, reliability, and travel safety for people and goods.	Consistent:	Although this Project is not a transportation improvement project, the Project is located near the Chino Airport and existing transit routes on State Route (SR) 60, SR 71, and Interstate 15 (I-15).
GOAL 3:	Enhance the preservation, security, and resilience of the regional transportation system.	N/A:	The Project is not a transportation improvement project and is therefore not applicable.
GOAL 4:	Increase person and goods movement and travel choices within the transportation system.	N/A:	The Project is not a transportation improvement project and is therefore not applicable. However, the Project includes warehouse use that would support goods movement.
GOAL 5:	Reduce greenhouse gas emissions and improve air quality.	Consistent:	The Project is located in proximity to existing truck routes and freeways. Location of the Project within a developed area would reduce trip lengths, which would reduce GHG and air quality emissions.
GOAL 6:	Support healthy and equitable communities	Consistent:	Although the Project exceeds regional thresholds for NO_X, the Project does not exceed localized thresholds. Based on the Friant Ranch decision, projects that do not exceed the SCAQMD's LSTs would not violate any air quality standards or contribute substantially to an existing or projected air quality violation and result in no criteria pollutant health impacts.
GOAL 7:	Adapt to a changing climate and support an integrated regional development pattern and transportation network.	N/A:	This is not a project-specific policy and is therefore not applicable.

SCAG Goals		Consistency	
GOAL 8:	Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	N/A:	This is not a project-specific policy and is therefore not applicable.
GOAL 9:	Encourage development of diverse housing types in areas that are supported by multiple transportation options.	N/A:	The Project involves development of a warehouse and does not include housing.
GOAL 10:	Promote conservation of natural and agricultural lands and restoration of habitats.	Consistent:	Although the Project would remove Prime Farmland, this development is consistent with the City's TOP EIR and Agricultural Overlay District, which is an interim overlay while this area transitions to urban development.
Source: Southern California Association of Governments, Regional Transportation Plan/Sustainable Communities Strategy, 2020.			

As shown in *Table 4.7-6*, the Project would be consistent with all applicable stated goals of the 2020-2045 RTP/SCS. Implementation of the Project would not result in any significant impacts or interfere with SCAG's ability to achieve the region's post-2020 mobile source GHG reduction targets.

Consistency with the CARB Scoping Plan

The California State Legislature adopted AB 32 in 2006. AB 32 focuses on reducing GHGs (CO_2, CH_4, NO_X, HFCs, PFCs, and SF_6) to 1990 levels by the year 2020. Pursuant to the requirements in AB 32, CARB adopted the Scoping Plan in 2008, which outlines actions recommended to obtain that goal. The Scoping Plan provides a range of GHG reduction actions that include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as the cap-and-trade program, and an AB 32 implementation fee to fund the program. As shown in *Table 4.7-7, Project Consistency with Applicable CARB Scoping Plan Measures*, the Project is consistent with most of the strategies, while others are not applicable to the Project.

The 2017 Scoping Plan Update identifies additional GHG reduction measures necessary to achieve the 2030 target. These measures build upon those identified in the first update to the Scoping Plan in 2013. Although a number of these measures are currently established as policies and measures, some measures have not yet been formally proposed or adopted. It is expected that these actions to reduce GHG emissions will be adopted as required to achieve Statewide GHG emissions targets. As such, impacts related to consistency with the Scoping Plan would be less than significant.

Table 4.7-7: Project Consistency with Applicable CARB Scoping Plan Measures

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
Transportation	California Cap-and-Trade Program Linked to Western Climate Initiative	Regulation for the California Cap on GHG Emissions and Market-Based Compliance Mechanism October 20, 2015 (CCR 95800)	**Consistent.** The Cap-and-Trade Program applies to large industrial sources such as power plants, refineries, and cement manufacturers. However, the regulation indirectly affects people who use the products and services produced by these industrial sources when increased cost of products or services

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
			(such as electricity and fuel) are transferred to the consumers. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, generated in-State or imported. Accordingly, GHG emissions associated with CEQA projects' electricity usage are covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and combustion of other fossil fuels not directly covered at large sources in the Program's first compliance period.
	California Light-Duty Vehicle GHG Standards	Pavley I 2005 Regulations to Control GHG Emissions from Motor Vehicles Pavley I 2005 Regulations to Control GHG Emissions from Motor Vehicles	**Consistent**. This measure applies to all new vehicles starting with model year 2012. The Project would not conflict with its implementation as it would apply to all new passenger vehicles purchased in California. Passenger vehicles, model year 2012 and later, associated with construction and operation of the Project would be required to comply with the Pavley emissions standards.
		2012 LEV III California GHG and Criteria Pollutant Exhaust and Evaporative Emission Standards	**Consistent.** The Low-Emission Vehicle (LEV) III amendments provide reductions from new vehicles sold in California between 2017 and 2025. Passenger vehicles associated with the site would comply with LEV III standards.
	Low Carbon Fuel Standard	2009 readopted in 2015. Regulations to Achieve GHG Emission Reductions Subarticle 7. Low Carbon Fuel Standard CCR 95480	**Consistent.** This measure applies to transportation fuels utilized by vehicles in California. The Project would not conflict with implementation of this measure. Motor vehicles associated with construction and operation of the Project would utilize low carbon transportation fuels as required under this measure.
	Regional Transportation-Related GHG Targets.	SB 375. Cal. Public Resources Code §§ 21155, 21155.1, 21155.2, 21159.28	**Consistent**. The Project would provide development in the region that is consistent with the growth projections in the 2020-2045 RTP/SCS.
	Goods Movement	Goods Movement Action Plan January 2007	**Not applicable**. The Project does not propose any changes to maritime, rail, or intermodal facilities or forms of transportation.
	Medium/Heavy-Duty Vehicle	2010 Amendments to the Truck and Bus Regulation, the Drayage Truck Regulation and the Tractor-Trailer GHG Regulation	**Consistent**. This measure applies to medium and heavy-duty vehicles that operate in the state. The Project would not conflict with implementation of this measure. Medium and heavy-duty vehicles associated with construction and operation of the Project would be required to comply with the requirements of this regulation.
	High Speed Rail	Funded under SB 862	**Not applicable**. This is a Statewide measure that cannot be implemented by a project applicant or Lead Agency.
Electricity and Natural Gas	Energy Efficiency	Title 20 Appliance Efficiency Regulation	**Consistent.** The Project would not conflict with implementation of this measure. The Project would comply with the latest energy efficiency standards.
		Title 24 Part 6 Energy Efficiency Standards for Residential and Non-Residential Building	
		Title 24 Part 11 California Green Building Code Standards	

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
	Renewable Portfolio Standard/Renewable Electricity Standard.	2010 Regulation to Implement the Renewable Electricity Standard (33% 2020)	**Consistent**. The Project would obtain electricity from the electric utility, SCE. In 2020, SCE obtained 42.6 percent of its power supply from renewable sources, including large hydroelectric projects. Therefore, the utility would provide power when needed on-site that is composed of a greater percentage of renewable sources.
	Million Solar Roofs Program	SB 350 Clean Energy and Pollution Reduction Act of 2015 (50% 2030)	
	Million Solar Roofs Program	Tax Incentive Program	**Consistent.** This measure is to increase solar throughout California, which is being done by various electricity providers and existing solar programs. The program provides incentives that are in place at the time of construction.
Water	Water	Title 24 Part 11 California Green Building Code Standards	**Consistent.** The Project would comply with the CALGreen Code, which requires a 20 percent reduction in indoor water use.
		SBX 7-7—The Water Conservation Act of 2009	
		Model Water Efficient Landscape Ordinance	
Green Buildings	Green Building Strategy	Title 24 Part 11 California Green Building Code Standards	**Consistent.** The measure seeks to increase the use of green building practices. The Project would implement required green building strategies through existing regulation that requires the Project to comply with various CALGreen Code requirements. The Project includes sustainability design features that support the Green Building Strategy.
Industry	Industrial Emissions	2010 CARB Mandatory Reporting Regulation	**Not applicable.** The Mandatory Reporting Regulation requires facilities and entities with more than 10,000 $MTCO_2e$ of combustion and process emissions, all facilities belonging to certain industries, and all electric power entities to submit an annual GHG emissions data report directly to CARB. As shown above, although total Project GHG emissions would exceed 10,000 $MTCO_2e$, the majority of these emissions are from mobile sources. Therefore, this regulation would not apply.
Recycling and Waste Management	Recycling and Waste	Title 24 Part 11 California Green Building Code Standards	**Consistent.** The Project would not conflict with implementation of these measures. The Project is required to achieve the recycling mandates via compliance with the CALGreen Code. The City has consistently achieved its State recycling mandates.
		AB 341 Statewide 75 Percent Diversion Goal	
Forests	Sustainable Forests	Cap and Trade Offset Projects	**Not applicable.** The Project is in an area designated for urban uses. No forested lands exist on-site.
High Global Warming Potential	High GWPGases	CARB Refrigerant Management Program CCR 95380	**Consistent**. The regulations are applicable to refrigerants used by large air conditioning systems and large commercial and industrial refrigerators and cold storage system. The Project would not conflict with the refrigerant management regulations adopted by CARB.
Agriculture	Agriculture	Cap and Trade Offset Projects for Livestock and Rice Cultivation	**Not applicable**. The Project site is designated for urban development. No grazing, feedlot, or other agricultural activities that generate manure are proposed to be implemented by the Project.

Source: California Air Resources Board, California's 2017 Climate Change Scoping Plan, November 2017 and CARB, Climate Change Scoping Plan, December 2008.

Conclusion

As seen in *Table 4.7-4, Table 4.7-6*, and *Table 4.7-7*, the Project would be consistent with applicable plan goals. In addition, the Project would include **MM GHG-1**, **MM GHG-2** and several sustainable design features as required by **MM GHG-3** that would help reduce GHG emissions.

Regarding goals for 2050 under Executive Order S-3-05, at this time it is not possible to quantify the emissions savings from future regulatory measures, as they have not yet been developed; nevertheless, it can be anticipated that operation of the proposed Project would benefit from the implementation of current and potential future regulations (e.g., improvements in vehicle emissions, SB 100/renewable electricity portfolio improvements, etc.) enacted to meet an 80 percent reduction below 1990 levels by 2050.

The majority of the GHG reductions from the Scoping Plan would result from continuation of the Cap-and-Trade regulation. AB 398 extends the State's Cap-and-Trade program through 2030 and the Scoping Plan provide a comprehensive plan for the state to achieve its GHG targets through a variety of regulations enacted at the State level. Additional reductions are achieved from electricity sector standards (i.e., utility providers to supply 60 percent renewable electricity by 2030 and 100 percent renewable by 2045), doubling the energy efficiency savings at end uses, additional reductions from the LCFS, implementing the short-lived GHG strategy (e.g., hydrofluorocarbons), and implementing the Mobile Source Strategy and Sustainable Freight Action Plan.

Several of the State's plans and policies would contribute to a reduction in mobile source emissions from the Project. These include the CARB's Advanced Clean Truck Regulation, Executive Order N-79-20, CARB's Mobile Source Strategy, CARB's Sustainable Freight Action Plan, and CARB's Emissions Reduction Plan for Ports and Goods Movement. CARB's Advanced Clean Truck Regulation was approved in June 2020 requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission (ZE) trucks beginning in 2024. By 2045, every new truck sold in California is required to be ZE. The Advanced Clean Truck Regulation accelerates the transition of ZE medium-and heavy-duty vehicles from Class 2b to Class 8.

Executive Order N-79-20 establishes the goal for all new passenger cars and trucks, as well as all drayage/ cargo trucks and off-road vehicles and equipment, sold in California, will be zero-emission by 2035 and all medium and heavy-duty vehicles will be ZE by 2045. It also directs CARB to develop and propose rulemaking for passenger vehicles and trucks, medium-and heavy-duty fleets where feasible, drayage trucks, and off-road vehicles and equipment "requiring increasing volumes" of new ZEVs "towards the target of 100 percent."

CARB's Mobile Source Strategy which includes increasing ZEV buses and trucks and their Sustainable Freight Action Plan which improves freight system efficiency, utilizes near-zero emissions technology, and deployment of ZEV trucks. This Plan applies to all trucks accessing the Project site and may include existing trucks or new trucks that are part of the statewide goods movement sector. CARB's Emissions Reduction Plan for Ports and Goods Movement identifies measures to improve goods movement efficiencies such as advanced combustion strategies, friction reduction, waste heat recovery, and electrification of

accessories. While these measures are not directly applicable to the Project, any commercial activity associated with goods movement would be required to comply with these measures as adopted. As such, the Project would not interfere with their implementation.

The Project would not obstruct or interfere with efforts to increase ZEVs or state efforts to improve system efficiency. As discussed above and *in Section 4.2, Air Quality,* of the Draft EIR, **MM AQ-2** through **MM AQ-6** would reduce mobile source emissions and would support the State's transition to ZEVs by requiring electrical hookups at all cold storage loading bays, promoting the use of alternative fuels and clean fleets, and requiring electric vehicle charging stations and/or infrastructure to support the future installation of truck charging stations. The Project would also benefit from implementation of the State programs for ZEVs and goods movement efficiencies that reduce future GHG emissions from trucks.

The Project's long-term operational GHG emissions would exceed City's threshold of 3,000 $MTCO_2e$ per year despite the implementation of **MM AQ-2** through **MM AQ-6** (refer to *Section 4.2, Air Quality*), as well as **MM GHG-1** through **MM GHG-3**, which require the Project to acquire energy from renewable sources, meet or exceed CALGreen Code Tier 2 standards, and achieve a minimum of 100 points on the CAP Screening Threshold Checklist. Achieving 100 points ensures that the Project would not impede California's statewide GHG reduction goals for 2030 and 2050, but the potential Project GHG emissions remain a significant and unavoidable impact.

4.7.8 Cumulative Impacts

Project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Therefore, impacts under Impact Threshold 4.7-1 are not Project-specific impacts, but the proposed Project's contribution to cumulative GHG impact. As discussed previously, incorporation of mitigation would contribute to minimizing emissions, although implementation of the proposed Project would still result in net annual emissions that exceed the GHG emissions significance threshold of 3,000 $MTCO_2e$ per year under the City's CAP. Therefore, Project-related GHG emissions and their contribution to global climate change would be cumulatively considerable, and GHG emissions impacts would be significant.

4.7.9 Level of Significance Before Mitigation

Without mitigation, these impacts would be potentially significant:

- Impact 4.7-1, buildout of the Project could potentially generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment.
- Impact 4.7-2 buildout of the Project could potentially conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions.

4.7.10 Mitigation Measures

Impact 4.7-1

Refer to **MM AQ-2** through **MM AQ-6** in the *Section 4.2, Air Quality*. The following additional mitigation is also required.

MM GHG-1 The Project shall install solar photovoltaic (PV) panels or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable sources, that would provide 100 percent of the expected building load. The buildings shall include an electrical system and other infrastructure sufficiently sized to accommodate the PV arrays. The electrical system and infrastructure must be clearly labeled with noticeable and permanent signage.

MM GHG-2 Prior to the issuance of a building permit, the Project Applicant or successor in interest shall provide documentation to the City of Ontario demonstrating that the Project is designed to meet or exceed CALGreen Code Tier 2 standards in effect at the time of building permit application.

MM GHG-3 All project development proposals shall implement Screening Table Measures that achieve at least 100 points per the Screening Tables. The City shall verify that Screening Table Measures achieving the 100-point performance standard are incorporated in development plans prior to the issuance of building permit(s) and/or site plans (as applicable). The City shall verify implementation of the selected Screening Table Measures prior to the issuance of Certificate(s) of Occupancy.

Impact 4.7-2

Refer to **MM AQ-2** through **MM AQ-6** in *Section 4.2, Air Quality* and **MM GHG 1** through **MM GHG-3**, above.

4.7.11 Level of Significance After Mitigation

In addition to Project Design Features and compliance with existing regulatory requirements and PPPs, the Project's long-term operational GHG emissions would exceed City's threshold of 3,000 $MTCO_2e$ per year despite the implementation of **MM AQ-2** through **MM AQ-6** (refer to *Section 4.2, Air Quality*), as well as **MM GHG-1** through **MM GHG-3**, which requires the Project to acquire energy from renewable sources, meet or exceed CALGreen Code Tier 2 standards, and achieve a minimum of 100 points on the CAP Screening Threshold Checklist. Achieving 100 points ensures that the Project would not impede California's statewide GHG reduction goals for 2030 and 2050, but the Project's GHG emissions remain a significant and unavoidable impact. Therefore, even with the implementation of **MM AQ-2** through **MM AQ-6** and **MM GHG-1** through **MM GHG-3**, the Project's impact on GHG emissions is conservatively considered significant and unavoidable.

4.7.12 References

California Air Resources Board, *Appendix B: Emissions Estimation Methodology of On-Road Diesel-Fueled Heavy-Duty Drayage Trucks at California Ports and Intermodal Rail Yards*. Table II-7. https://ww3.arb.ca.gov/msei/onroad/downloads/drayage_trucks/appbf.pdf.

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South Coast Air Quality Management District, *Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #8*, 2009.

South Coast Air Quality Management District, *Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #13*, 2009.

U.S. EPA, *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2016*, 2018.

U.S. EPA, *Methane and Nitrous Oxide Emission from Natural Sources*, 2010.

U.S. EPA, *Overview of Greenhouse Gases*, 2018.

4.8 HAZARDS AND HAZARDOUS MATERIALS

This section evaluates the potential impacts of the Ontario Ranch Business Park Specific Plan Amendment Project (Project) on human health and the environment due to exposure to hazardous materials or conditions associated with the Project site, Project construction, and Project operations. Potential Project impacts and appropriate mitigation measures or standard conditions are included as necessary. The analysis in this section is based, in part, upon the following source:

- *Phase I Environmental Site Assessment (ESA) Report*, Citadel EHS, January 10, 2020. (*Appendix F)*

4.8.1 Environmental Setting

Existing Conditions

Current Uses of Property

The Project site is currently occupied by dairy farms, as shown on *Figure 3-3, Aerial Photograph*. The Project site consists of residential structures with a dairy barn located between the residences; a detached garage; a dry grain/feed storage shed; an equipment storage shed; approximately 10 hay storage sheds; and approximately 13 canopies/sheds associated with the corrals for the housing of the cattle. A retention pond is located south of the corrals. The retention pond collects surface wastes from across the Project site, as well as provides a potential dumping area for other dairy and animal-related wastes. The remaining areas of the Project site appear as irrigated cropland. At the time of the Project site reconnaissance, the site was occupied by GH Dairy No. 2. A low-lying part of the cropland was observed in the southwest corner of the Project site during the Project site reconnaissance. Due to recent rain events, this low-lying area appeared to be a retention pond. However, according to the Project site representative, this low-lying area is typically empty and dry about 80 to 90 percent of the time, and water is pumped out after rain events. The Project site consists of eight Accessor Parcel Numbers (APNs), each consisting of various agricultural purposes. Equipment throughout the Project site include above-ground storage tanks for storage of diesel, grain/feed, and water; one potable water well; milking machines and pumping system; silos for storage of milk; air compressors; boilers; and pole-mounted transformers. In general, the Project site appeared to be well maintained and the building/ground conditions appeared to be in good condition.

Historical Uses of Property

A review of historical photographs and records showed that the Project site was generally agricultural/ undeveloped as early as 1902. Eucalyptus Avenue and Merrill Avenue appeared developed by 1902. The Project site remained generally agricultural until at least 1981 with the development of the existing dairy farm. Properties in the Project site vicinity appeared generally undeveloped in 1902:

- Properties north of the Project site appeared to have been developed with an orchard by 1938. The two existing residences appear developed by 1966. The properties north of the Project site appeared in their current configuration by 1994 with the development of a retention pond.
- Properties east of the Project site appeared generally agricultural until the development of the existing dairy barn and associated structures by 1975. Additional canopies were completed by 1987 and by 2009.

- Properties west of the Project site appeared generally agricultural until the development of a small structure, likely a residence or farm-related building, along Eucalyptus Avenue by 1975. The current dairy barn appeared developed by 1987.
- Properties south of the Project site appeared developed with hangars along with a large exterior plane storage/parking area by 1946. These structures were likely occupied by Cal-Aero Primary School and Cal-Aero Flight Academy. By 1973, this area was occupied by part of the Chino Airport. Several of the hangars were demolished by 1975.

Phase I Environmental Site Assessment

A Phase I ESA (see *Appendix F*) was completed in January 2020. The Project site was identified on the following environmental databases: Hazardous Substance Storage Container Database (HIST UST), Statewide Environmental Evaluation and Planning System (SWEEPS UST), Facility Inventory Database (CA FID UST), Waste Discharge System (WDS), California Environmental Reporting System (CERS), California Environmental Reporting System (CERS HAZ WASTE), Facility Index System/Facility Registry System (FINDS), California Integrated Water Quality System (CIWQS), Water Board Enforcement Action Listings (ENF), and San Bernardino County Permit. The Project site was identified on the historical underground storage tank (UST) databases under Ted Miller Dairy. According to information provided by ESA, a 6,000-gallon UST was located at the Project site. No further information was provided. The Project site was also identified on the current UST database under AG-Borba, Joe. No further information was provided.

The Project site was identified on the FINDS database. FINDS contains facility information and "pointers" to other sources. The Project site was identified on this database due to the following references:

- California Enviroview – California Integrated Water Quality System (CIWQS) database for confined animal feeding operations;
- California Enviroview – California Environmental Reporting System (CERS) as a Risk Management Plan (RMP) reporter; and
- National Pollutant Discharge Elimination System (NPDES) – Compliance Information System (ICIS) for concentrated animal feeding operation and NPDES permit.

The Project site was identified on the WDS database as an agricultural facility with designated/influent or solid wastes that pose a significant threat to water quality (dairy waste ponds). The Project site was listed on the Water Board ENF for a notice of violation, issued on January 30, 2009, for failure to submit the 2008 annual report on time.

The Project site was also identified on the San Bernardino County Permit database with an active hazardous materials (four to 10 chemicals) permit and on CERS as a chemical storage facility. Evaluations by regulatory agencies have been performed since 1987. No violations have been reported with the exception of violations identified in 2008, 2009, 2013, and 2016. The violations issued in 2016 were related to business plans submittals; returned to compliance in August 2017. No information was provided concerning the remaining violations; however, the violations were listed as historical.

The appearance of the Project site on the historic and current UST databases may be an environmental concern. No further information was provided regarding the status of the UST.

Citadel reviewed information provided by EDR regarding nearby properties to evaluate for potential on-Project site vapor encroachment concerns from off-site sources. According to EDR, no historical releases of petroleum products from a leaking UST (LUST) occurred within 0.25-mile and upgradient of the Project site. There are no properties within 0.125-mile and upgradient or cross-gradient of the Project site that are listed on the Historical Gas Station and Dry Cleaners databases. However, the Chino Airport property is located south of the Project site and was identified as occupied by Flite Craft from as early as 1986 as an aircraft and heavy equipment repair services. This Project site will be further discussed in the Regulatory Agencies section below.

Regulatory Agencies

The GeoTracker Database is the California State Water Resources Control Board's (SWRCB) Internet accessible database system used by the SWRCB, regional boards, and local agencies to track and archive compliance data from authorized or unauthorized discharges of waste to land, or unauthorized releases of hazardous substances from USTs. The Project site was not identified in the database. According to GeoTracker, the nearest Cleanup Program Site (CPS) is the Chino Airport, located at 7000 Merrill Avenue, south of the Project site. The primary chemicals of concern (COCs) in the groundwater at this CPS include trichloroethene (TCE); 1,2,3-trichloropropane (1,2,3-TCP); cis-1,2-dichloroethane; and 1,1-dichloroethene.

According to the Semiannual Groundwater Monitoring Report, dated March 19, 2019, and prepared by Tetra Tech, portions of Chino Airport have functioned as an airfield since the early 1940s. Since the 1960s, San Bernardino County (County) has operated the Airport as a public airport for commercial, industrial, and general aviation use. Past and present uses include a flight academy; aircraft sales and storage; modification of military aircraft; various manufacturing; crop dusting; aircraft restoration; maintenance repair shops; aircraft painting, stripping, and washing; fire retardant chemical mixing and loading; U.S. Forest Service aircraft maintenance and operations; and aircraft museums. According to the report, three areas of concern (AOCs) were identified. These AOCs are located approximately 350 feet south of the Project site; 675 feet south-southwest of the Project site; and 900 feet southeast of the Project site. Based on the drawing depicting the TCE and 1,2,3-TCP groundwater plumes, the TCE plume is approximately 300 feet south of the Project site. The nearest monitoring well, CAMW1, is located approximately 60 feet south of the Project site and designated as an upgradient background well. Local groundwater flow direction was estimated toward the southeast and southwest. According to the report, no COCs have been detected in the background well to date. Based on the reviewed data, this CPS is not expected to be a significant environmental concern to the Project site. However, due to the emerging contaminants of per- and polyfluoroalkyl substances (PFAS) including perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS), the proximity of the Chino Airport to the Project site may be a future environmental concern. No records were found for the sampling of PFAS compounds at this time; however, this may be requested and included in future groundwater monitoring events.

Environmental Conditions

According to American Society for Testing and Materials (ASTM) Standard of Practice E1527-13, a recognized environmental condition (REC), fall under three specific categories when evaluating a site or properties within the Project site vicinity. These categories are defined below.

A recognized environmental condition (REC) means the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not recognized environmental conditions.

A controlled REC (CREC) is a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).

An historical REC (HREC) is a past release of any hazardous substances or petroleum products that has occurred in connection with the Project site and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the Project site to any required controls (e.g., use restrictions, activity and use limitations, institutional controls, or engineering controls).

According to ASTM E2600-15, the goal of conducting a vapor encroachment screening on a parcel of property is to identify a vapor encroachment condition (VEC), which is the presence or likely presence of COC vapors in the subsurface of the target property caused by the release of vapors from contaminated soil or groundwater or both either on or near the target property as identified by Tier 1 or Tier 2 procedures. The purpose of Tier 1 is to conduct a screen using Phase I ESA-type information to determine if a VEC exists at the target property. If the Tier 1 screen cannot rule out the possibility of a VEC existing at the target property, then a Tier 2 screen can be conducted. Tier 2 applies numeric screening criteria to existing or newly collected soil, soil gas, and/or groundwater testing results to evaluate whether a VEC can be ruled out. Tier 2 has two data collective components: non-invasive and invasive.

Based on our review of these databases, reported release incidents that would represent RECs in connection with the Project site or a source of a release that would be likely to contribute to a VEC were identified. Citadel identified the following environmental concerns:

- The Project site was identified on the historical and current UST databases for a 6,000-gallon diesel UST. Mr. Hein Hettinga had no knowledge of any on-site USTs. Citadel submitted a request to the San Bernardino County Fire Department (SBCFD) for further information; however, SBCFD has not yet responded to the request. Therefore, the UST represents a REC. Citadel recommends reviewing available files at the SBCFD. If the UST has not yet been removed, Citadel recommends

the proper removal of the UST and a subsurface investigation to determine if the UST had impacted the subsurface.

- During the Project site reconnaissance, two elevated aboveground storage tanks (ASTs) were observed at the Project site. The elevated ASTs were located on a gravel surface. No secondary containment was observed under the ASTs. Some staining was observed beneath the ASTs. The observed staining by the ASTs represents a REC; however, the staining would likely be localized to this area. Citadel recommends the removal of the ASTs prior to Project site redevelopment and preparation of a soil management plan to manage the stained soils during redevelopment.
- The retention ponds collect surface wastes from across the Project site, as well as provide a potential dumping area for other dairy and animal-related wastes. Due to the potential for chemical constituents to accumulate in the ponds and become trapped in the sediment, Citadel recommends conducting a limited subsurface assessment of the sediments after the ponds have been drained to evaluate the sediments for chemical risks to human health and the environment.
- The Chino Airport may be considered an off-site REC due to its role as an emergent COC. No evidence for designating the Project site as a HREC or CREC from reviews of historical documents and present Project site conditions was found.

Non-ASTM Scope Considerations

The current Project site buildings were constructed prior to bans using asbestos-containing building materials (ACBMs), lead-based paint (LBP), and polychlorinated biphenyls (PCBs) in electrical equipment came into effect in 1989, 1978, and 1978, respectively. No testing is known to have been performed to evaluate for the presence of ACBMs or PCBs at the Project site.

The California Bureau of Mines and Geology and California Department of Public Health (CADPH) participated in the U.S. Environmental Protection Agency's (EPA) State Radon Survey, a Federal survey to measure levels of indoor radon in all states. Based on the results of this survey, CADPH predicted that approximately 0.5 percent of homes in Region 9, where the Project site is located, would have radon concentrations over the U.S. EPA action level of 4.0 picocuries per liter (pCi/L).

The Federal U.S. EPA Radon Zone for San Bernardino County is Zone 2, which indicates an average indoor concentration greater than or equal to 2.0 pCi/L of air and less than or equal to 4.0 pCi/L. In a survey, 14 tests were conducted within the 91710-zip code, where the Project site is located, for the presence of radon. Of these, none were found to contain radon in excess of the U.S. EPA's action level of 4.0 pCi/L.

According to the Phase I ESA, one potable well was observed on-site. Per Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06071C9335H, the Project site and adjacent properties are located within areas in which flood hazards are undetermined but possible (Zone D).[1]

[1] Federal Emergency Management Agency. 2022. Flood Insurance Rate Map No. 06071C9335H. 2022. Retrieved from: https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd.

According to the National Wetlands Inventory (NWI) database, wetland areas identified as a Freshwater Ponds, are located within the Project site.[2]

Airport-Related Hazards

The Project site is located immediately north of the Chino Airport and is approximately 4.6 miles southwest of the Ontario International Airport (ONT). The City is currently preparing an Airport Land Use Compatibility Plan (ALUCP) for Chino Airport which relies on the California Airport Land Use Planning Handbook published by the California Department of Transportation (Caltrans) Division of Aeronautics that is expected to be adopted in 2022. The Chino Airport ALUCP will establish policies and criteria for the four types of compatibility impacts which include safety, noise, airspace protection, and overflight. The Project site is not within the Chino Airport noise impact zone. Projects within the Project boundary shall be required to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans for Ontario International Airport and Chino Airport.

The Project site is within Safety Zone 6 of the Chino Airport Overlay (Generic Safety Zones for General Aviation Airports from the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook), as shown in *Figure 3-7, Airport Influence Areas*. Zone 6 compatibility criteria prohibit people-intensive uses such as stadiums, large day care centers, hospitals, and nursing homes.

The following open land and occupancy limit requirements shall apply in Chino Airport Safety Zones, as established by the Chino Airport Comprehensive Land Use Plan.

- Zone 6: At least 10% of the zone shall remain as open land or an open area every ¼ mile to ½ mile is required; occupancy shall be limited to 300 people per acre on average and a maximum of 1,200 people in any one acre.

Open land is defined as areas at least 300 feet long by 75 feet wide (about 0.5 acre) that are relatively level and free of tall vertical objects such as structures, overhead lines/wires, and large trees and poles greater than 4 inches in diameter and taller than 4 feet above the ground. In the Project area, surrounding roads (Eucalyptus, Campus, and Merrill Avenues), drive aisles, flood control basins and truck yards can be considered as acceptable open lands in urbanized settings.[3]

Figure 4.8-2, Ontario International Airport Land Use Compatibility, shows the Project site as being in the Ontario Airport's airport influence areas. Land use compatibility assessments for ONT are included in the ALUCP.

[2] National Wetlands Inventory. 2022. Surface Waters and Wetlands Map. Retrieved from: https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/.
[3] California Airport Land Use Planning Handbook. (2011). Page 4-31. Retrieved from: https://dot.ca.gov/-/media/dot-media/programs/aeronautics/documents/californiaairportlanduseplanninghandbook-a11y.pdf.

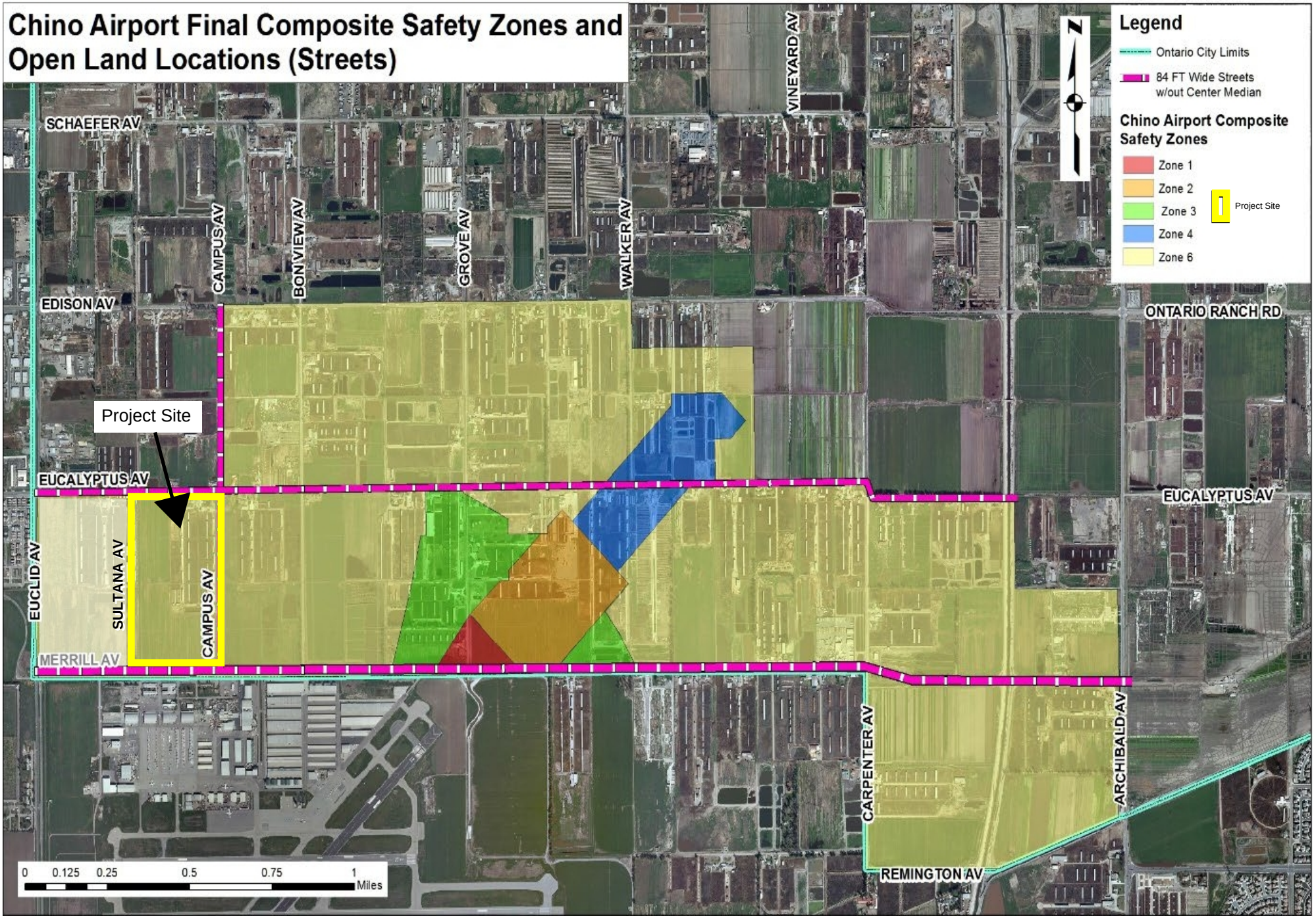
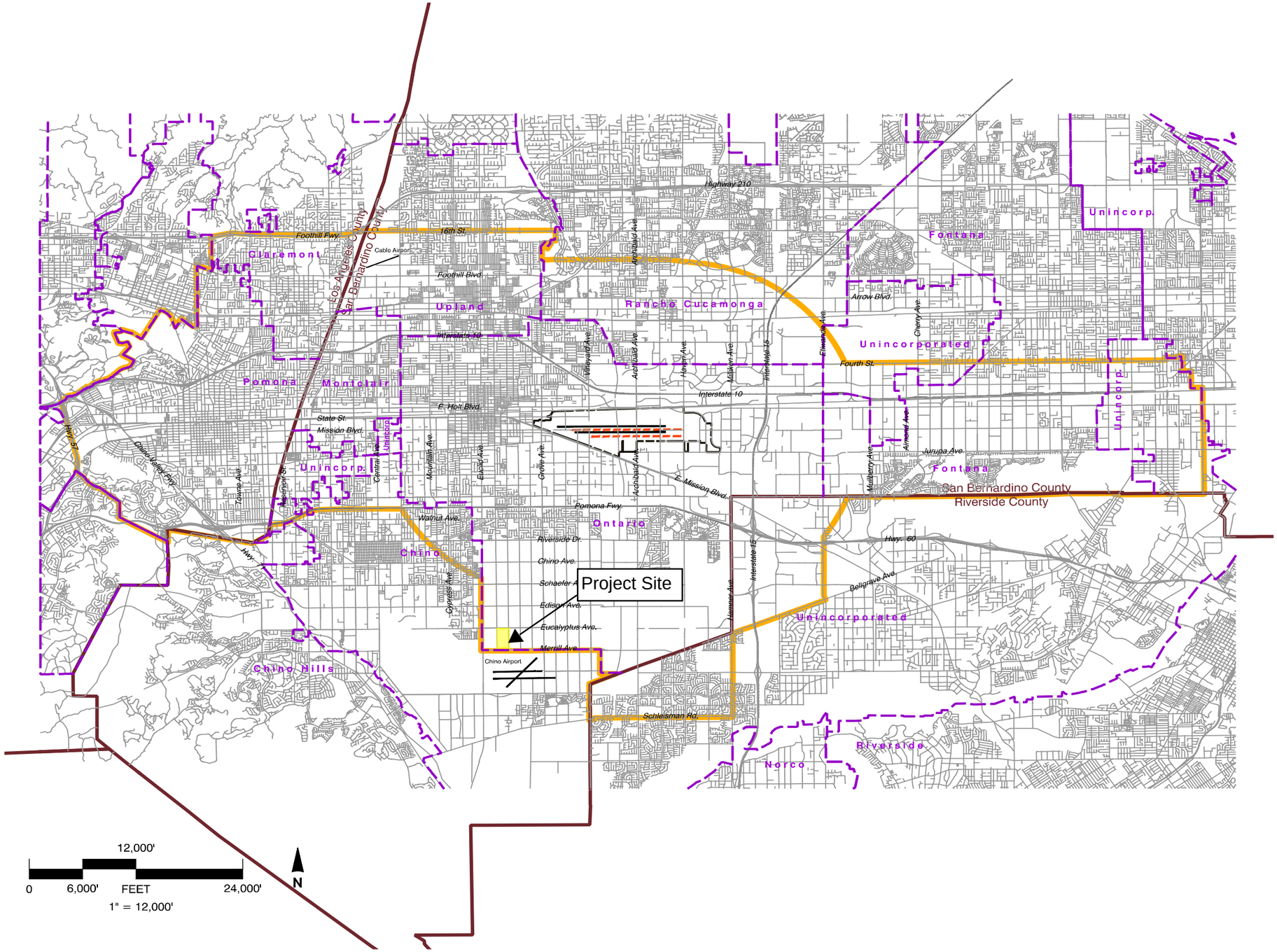


FIGURE 4.8-1: Chino Airport Safety Zones
Ontario Ranch Business Park Specific Plan Amendment

Not to scale



LEGEND

Boundary Lines

- Airport Property Line
- County Line
- City Limits
- Street
- Existing Runway } Runway 8L-26R
- Future Runway } Runway 8R-26L
- FAA Height Notification Area

Policy Boundaries

- Airport Influence Area[1]

NOTES

1. Airport influence area includes the areas in which current or future airport-related safety, noise, airspace protection, or overflight factors may significantly affect land uses or necessitate restrictions on those uses.

Source: The Ontario Plan (2011), Map 2-1 Compatibility Policy Map: Airport Influence Area

FIGURE 4.8-2: Ontario International Airport Land Use Compatibility

Ontario Ranch Business Park Specific Plan Amendment

Kimley»Horn

4.8.2 Regulatory Setting

Federal

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) of 1976 (42 United States Code [USC] Section 6901 et seq.) is the principal federal law that regulates the generation, management, and transportation of waste. Hazardous waste management includes the treatment, storage, or disposal of hazardous waste. The RCRA gave the U.S. EPA the authority to control hazardous waste from "cradle to grave," that is, from generation to transportation, treatment, storage, and disposal, at active and future facilities. It does not address abandoned or historical sites. The RCRA also set forth a framework for managing nonhazardous wastes. Later amendments required phasing out land disposal of hazardous waste and added underground tanks storing petroleum and other hazardous substances.

Comprehensive Environmental Response, Compensation, and Liability Act of 1980

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as "Superfund," was enacted by Congress on December 11, 1980. This law provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA established requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA also enabled the revision of the National Contingency Plan. The National Contingency Plan provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The National Contingency Plan also establishes the National Priorities List (NPL), which is a list of contaminated sites warranting further investigation by the U.S. EPA. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986 to help further manage contaminated sites.

Emergency Planning and Community Right-to-Know Act

Title III of the Superfund Amendments and Reauthorization Act (SARA) authorized the Emergency Planning and Community Right-to-Know Act (EPCRA; 42 USC Section 11001 et seq.) to inform communities and citizens of chemical hazards in their areas by requiring businesses to report the locations and quantities of chemicals stored on-site to state and local agencies; releases to the environment of more than 600 designated toxic chemicals; off-site transfers of waste; and pollution prevention measures and activities and to participate in chemical recycling. The U.S. EPA maintains and publishes an online, publicly available, national database of toxic chemical releases and other waste management activities by certain industry groups and federal facilities—the Toxics Release Inventory.

To implement EPCRA, each state appointed a state emergency response commission to coordinate planning and implementation activities associated with hazardous materials. The commissions divided their states into emergency planning districts and named a local emergency planning committee for each district. The federal EPCRA program is implemented and administered in California Governor's Office of Emergency Services (Cal OES), a state commission, six local committees, and 81 Certified Unified Program

Agencies (CUPAs). Cal OES coordinates and provides staff support for the state commission and local committees.

Toxic Substances Control Act

The Toxic Substances Control Act of 1976 (TSCA) provides U.S. EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. TSCA addresses the production, importation, use, and disposal of specific chemicals including PCBs, asbestos, radon, and LBP. Title IV of the TSCA directs U.S. EPA to regulate LBP hazards.

TSCA Sections 402 and 404 requires that those engaged in lead abatements, risk assessments and inspections in homes or child-occupied facilities (e.g., day care centers and kindergartens) built prior to 1978 be trained and certified in specific practices to ensure accuracy and safety. TSCA Section 403, sets standards for dangerous levels of lead in paint, household dust, and residential soil.

Occupational Safety and Health Act

The Federal Occupational Safety and Health Act of 1970 (OSHA) (29 USC Section 651 et seq.) authorizes each state (including California) to establish their own safety and health programs with the U.S. Department of Labor, with OSHA approval. The California Department of Industrial Relations regulates implementation of worker health and safety in California. California OSHA enforcement units conduct on-site evaluations and issue notices of violation to enforce necessary improvements to health and safety practices. California standards for workers dealing with hazardous materials are contained in Title 8 of the California Code of Regulations (CCR) and include best practices for all industries (General Industrial Safety Orders), and specific practices for construction and other industries. Workers at hazardous waste sites (or working with hazardous wastes as might be encountered during excavation of contaminated soil) must receive specialized training and medical supervision according to the Hazardous Waste Operations and Emergency Response (HAZWOPER) regulations.

OSHA Regulation 29 Code of Federal Regulations (CFR) Standard 1926.62 regulates the demolition, renovation, or construction of buildings involving lead materials. Federal, State, and local requirements also govern the removal of asbestos or suspected asbestos containing materials (ACMs), including the demolition of structures where asbestos is present. All friable (crushable by hand) ACMs, or non-friable ACMs subject to damage, must be abated prior to demolition following all applicable regulations.

Title 40, Code of Federal Regulations, Section 61 Subpart M

Title 40 CFR Section 61 Subpart M—National Emissions Standards for Asbestos—sets forth emissions standards for asbestos from demolition and renovation activities, and for waste disposal from such activities.

Title 40, Code of Federal Regulations, Part 745

Title 40, Part 745 contains regulations developed under Section 402 and 406 of the TSCA and applies to all renovations performed for compensation in target housing and child-occupied facilities. The purpose of this subpart is to ensure the following:

- Owners and occupants of target housing and child-occupied facilities receive information on LBP hazards before these renovations begin; and
- Individuals performing renovations regulated in accordance with Section 745.82 are properly trained; renovators and firms performing these renovations are certified; and the work practices in Section 745.85 are followed during these renovations.

Title 29, Code of Federal Regulations, Section 1926.62

Title 29 CFR Section 1926.62 sets standards for occupational health and environmental controls for lead exposure in construction, regardless of the lead content of paints and other materials. The standards include requirements addressing exposure assessment, methods of compliance, respiratory protection, protective clothing and equipment, hygiene facilities and practices, medical surveillance, medical removal protection, employee information and training, signs, recordkeeping, and observation and monitoring.

US EPA's Lead Renovation, Repair and Painting Program Rules.

The U.S. EPA's 2008 Lead-Based Paint Renovation, Repair and Painting (RRP) Rule (as amended in 2010 and 2011), aims to protect the public from LBP hazards associated with renovation, repair, and painting activities. These activities can create hazardous lead dust when surfaces with lead paint, even from many decades ago, are disturbed. The rule requires workers to be certified and trained in the use of lead-safe work practices, and requires renovation, repair, and painting firms to be U.S. EPA-certified. These requirements became fully effective April 22, 2010.

State

California Environmental Protection Agency

The California Environmental Protection Agency (Cal/EPA) was created in 1991, unifying California's environmental authority in a single cabinet-level agency and bringing the California Air Resources Board (CARB), SWRCB, Regional Water Quality Control Boards (RWQCB), California Department of Resources Recycling and Recovery (known as CalRecyle and formerly the Integrated Waste Management Board), Department of Toxic Substances Control (DTSC), Office of Environmental Health Hazard Assessment (OEHHA), and Department of Pesticide Regulation under one agency. These agencies were placed within the Cal/EPA "umbrella" for the protection of human health and the environment and to ensure the coordinated deployment of state resources. Its mission is to restore, protect, and enhance the environment, to ensure public health, environmental quality, and economic vitality.

California Fire Code

The California Fire Code (CFC), which is updated every three years, is included in CCR Title 24, Chapter 9 and was created by the California Building Standards Commission. Based on the International Fire Code, the CFC serves as the primary means for authorizing and enforcing procedures and methods to ensure the safe handling and storage of hazardous substances that pose potential public health and safety hazards. The CFC regulates the use, handling, and storage requirements for hazardous materials at certain facilities. The CFC and the California Building Code (CBC) apply a classification system in identifying appropriate protective measures relative to fire protection and public safety. Such measures may include identification

and use of proper construction standards, setbacks from property lines, and/or installation of specialized equipment.

State Fire Regulations

Fire regulations for California are established in Sections 13000 et seq. of the California Health and Safety Code (HSC), which includes regulations for structural standards (similar to those identified in the CBC), fire protection and public notification systems, fire protection devices such as extinguishers and smoke alarms, standards for high-rise structures and childcare facilities, and fire suppression training. The State Fire Marshal is responsible for enforcement of these established regulations and building standards for all state-owned buildings, state-occupied buildings, and state institutions in California.

Government Code Section 65962.5(a), Cortese List

As required by California Government Code (CGC) Section 65962.5, Cal/EPA develops an annual update to the Hazardous Waste and Substances Sites (Cortese) List, which is a planning document used by the state, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. The DTSC is responsible for a portion of the information contained in the Cortese List. Other state and local government agencies are required to provide additional hazardous material release information for the list.

The EnviroStor database constitutes the DTSC's component of Cortese List data by identifying State response sites, federal Superfund sites, school cleanup sites, and voluntary cleanup sites. The EnviroStor database identifies sites that have known contamination or sites for which further investigation is warranted. It also identifies facilities that are authorized to treat, store, dispose, or transfer hazardous waste.[4]

State agencies with involvement and/or jurisdiction over public health hazards and hazardous materials management and regulations include the:

- Cal/EPA: The boards, departments, and offices that make up the Cal/EPA include CARB, the Department of Pesticide Regulation, the Department of Resources Recycling and Recovery, DTSC, OEHHA, and the SWRCB. These boards, departments and offices were placed within the Cal/EPA "umbrella" to create a cabinet-level voice for the protection of human health and the environment (such as clean air, clean water, clean soil, safe pesticides, and waste recycling and reduction) to assure the coordinated deployment of state resources.
- DTSC: The mission of the DTSC is to protect California's people and environment from harmful effects of toxic substances by restoring contaminated resources, enforcing hazardous waste laws, reducing hazardous waste generation, and encouraging the manufacture of chemically safer products. As part of its mission, the DTSC maintains its Enforcement and Emergency Response Division (EERD) to administer the technical implementation of the State Unified Program. The Unified Program is a consolidation of six environmental programs at the local level. Those agencies at the local level with responsibility for the program are known as CUPAs. The DTSC also

[4] DTSC. EnviroStar. (2019). Retrieved from: at https://www.envirostor.dtsc.ca.gov/public/search?basic=True.

has the responsibility of overseeing and regulating hazardous materials, generators, transporters, and facilities that may use, generate, store, transport, or recycle, hazardous materials.

- SWRCB: Brownfields are underutilized properties where reuse is hindered by the actual or suspected presence of pollution or contamination. The SWRCB Brownfield Program goals are to:
  - Expedite and facilitate site cleanups and closures for brownfield sites to support reuse of those sites;
  - Preserve open space and green fields;
  - Protect groundwater and surface water resources, safeguard public health, and promote environmental justice; and
  - Streamline site assessment, clean up, monitoring, and closure requirements and procedures within the various SWRCB site cleanup programs.

  Site clean-up responsibilities for brownfields primarily reside within four main SWRCB programs: The UST Program; Site Cleanup Program; Department of Defense Program; and the Land Disposal Program. These SWRCB cleanup programs are charged with ensuring sites are remediated to protect California's surface and groundwater and return them to beneficial uses.
- RWQCB
- Department of Industrial Relations Division of Occupational Safety and Health (Cal/OSHA): Cal/OSHA is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. Cal/OSHA standards are generally more stringent than federal regulations. The employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure (8 CCR 337–340). The regulations specify requirements for employee training, availability of safety equipment, accident prevention programs, and hazardous substance exposure warnings.
- Construction Safety Orders 1529 (pertaining to asbestos), and 1532.1 (pertaining to lead) from Title 8 of the CCR
- Office of Emergency Services (Office of Emergency Services–California Accidental Release Prevention Implementation)
- California Department of Fish and Wildlife (CDFW)
- CARB
- Caltrans
- OEHHA (Proposition 65 implementation)
- CalRecycle
- California Highway Patrol (for the enforcement for hazardous materials transportation regulations. Hazardous materials and waste transporters are responsible for complying with all applicable packaging, labeling, and shipping regulations.)
- South Coast Air Quality Management District (SCAQMD) Rules and Regulations (pertaining to asbestos abatement, including Rule 1403)

Hazardous chemical and biohazardous materials management laws in California include the following statutes:

- Hazardous Materials Management Act – requires that businesses handling or storing certain amounts of hazardous materials prepare a hazardous materials business plan, which includes an inventory of hazardous materials stored on site (above specified quantities), an emergency response plan, and an employee training program.
- Hazardous Waste Control Act (California Health and Safety Code, Division 20, Chapter 6.5, Article 2, Section 25100, et seq.) – authorizes the DTSC and local CUPAs to regulate facilities that generate or treat hazardous waste.
- Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) – requires the governor to publish and update, at least annually, a list of chemicals known to the state to cause cancer, birth defects, or other reproductive harm, and to inform citizens about exposures to such chemicals. Hazardous Waste Management Planning and Facility Siting, also known as the Tanner Act (Assembly Bill [AB] 2948, 1986) – requires counties to prepare, for California DTSC approval, hazardous waste management plans, and prescribes specific public participation activities, which must be carried out during the local land use permit process for siting new or expanding off-site commercial treatment, storage, and disposal facilities.
- Hazardous Materials Storage and Emergency Response (AB 2185) – requires the immediate reporting to local fire departments and Offices of Emergency Services of any release or threatened release of a hazardous material, regardless of the amount handled by the business.
- California Medical Waste Management Act (HSC Sections 117600–118360) – establishes procedures for the proper handling, storage, treatment, and transportation of medical waste.
- Land Disposal Restrictions (CCR, Chapter 18, Title 22) – set up by Congress in 1984 for the U.S. EPA, ensures that toxic constituents present in hazardous waste are properly treated before hazardous waste is land disposed.

Department of Toxic Substance Control

The mission of the DTSC is to protect California's people and environment from harmful effects of toxic substances by restoring contaminated resources, enforcing hazardous waste laws, reducing hazardous waste generation, and encouraging the manufacture of chemically safer products. As part of its mission, the DTSC maintains its EERD to administer the technical implementation of the State Unified Program. The Unified Program is a consolidation of six environmental programs at the local level. Those agencies at the local level with responsibility for the program are known as CUPAs. The DTSC also has the responsibility of overseeing and regulating hazardous materials, generators, transporters, and facilities that may use, generate, store, transport, or recycle, hazardous materials.

Government Code Section 65962.5

Pursuant to CGC Section 65962.5, environmental regulatory database lists were reviewed to identify and locate properties with known hazardous substance contamination within the proposed one-mile radius of the Project area (CGC, Section 65960 et seq.). Four state agencies are required to provide lists of

facilities that have contributed, harbor, or are responsible for environmental contamination within their jurisdiction. The four state agencies that are required to provide these lists to the Secretary for Environmental Protection include the DTSC, the State Department for Health Services, the SWRCB, and the CalRecycle. The Secretary for Environmental Protection then takes each of the four respective agency lists and forms one list, referred to as the Cortese List, which is made available to every city and/or county in California.

Regional Water Quality Control Board

The RWQCB is a department of Cal/EPA that oversees investigation and cleanup of sites including USTs where wastes have been discharged in order to protect the water quality of the state. The RWQCB regulates wastewater discharges to surface waters and to groundwater. They also regulate storm water discharges from construction, industrial, and municipal activities.

California Health and Safety Code

Cal/EPA has established rules governing the use of hazardous materials and the management of hazardous wastes. California HSC Section 25531, et seq. incorporate the requirement of Superfund Amendments and Reauthorization Act and the Clean Air Act as they pertain to hazardous materials. HSC Section 25534 directs owners or operators storing, handling, or using regulated substances exceeding threshold planning quantities to develop and implement a Risk Management Plan. The Risk Management Plans are submitted to the administering agency and possibly U.S. EPA, depending upon the chemical and the amount, for review. California law defines a hazardous material as any material that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may pose a present or potential hazard to human health and safety or to the environment if released in the workplace or the environment (California HSC Section 25501).

California Hazardous Waste Control Law

The California Hazardous Waste Control Law (HSC Division 20, Chapter 6.5) is administered by the Cal/EPA to regulate the management of hazardous wastes. While the Hazardous Waste Control Law is generally more stringent than the RCRA, until the U.S. EPA approves the California hazardous waste control program (which is charged with regulating the generation, treatment, storage, and disposal of hazardous waste), both the State and federal laws apply in California. The Hazardous Waste Control Law lists 791 chemicals and approximately 300 common materials that may be hazardous; establishes criteria for identifying, packaging, and labeling hazardous wastes; prescribes management controls; establishes permit requirements for treatment, storage, disposal, and transportation; and identifies wastes that cannot be disposed of in landfills.

California Accidental Release Prevention Program

Similar to the Federal Risk Management Program, the California Accidental Release Prevention Program includes state requirements as well as a list of regulated substances and thresholds. The regulations of the program are contained in CCR Title 19, Division 2, Chapter 4.5. The intent of California Accidental Release Prevention Program is to prevent accidental releases of substances that can cause serious harm

to the public and the environment, to minimize the damage if releases do occur, and to ensure compliance with community right-to-know laws.

Hazardous Materials Release Response Plans and Inventory Law

The Hazardous Materials Release Response Plans and Inventory Law (HSC Section 25500 et seq.) aims to minimize the potential for accidents involving hazardous materials and to facilitate an appropriate response to possible hazardous materials emergencies. The law requires businesses that use hazardous materials to provide inventories of those materials to designated emergency response agencies, to illustrate on a diagram where the materials are stored on-site, to prepare an emergency response plan, and to train employees to use the materials safely. Any business that handles hazardous materials in quantities equal to or greater than 55 gallons, 500 pounds, or 200 cubic feet of gas must submit a business plan.

Hazardous Materials Transportation

Section 31303 of the California Vehicle Code and U.S. Department of Transportation regulate hazardous materials transport. The California Highway Patrol and California Department of Transportation are the enforcement agencies. Cal OES provides emergency response services involving hazardous materials incidents.

Worker and Workplace Hazardous Materials Safety

Cal/OSHA is responsible for developing and enforcing workplace safety standards and ensuring worker safety in the handling and use of hazardous materials. Among other requirements, Cal/OSHA obligates many businesses to prepare Injury and Illness Prevention Plans and Chemical Hygiene Plans. The Hazard Communication Standard requires that workers be informed of the hazards associated with the materials they handle.

Hazardous Materials in Structures: Asbestos-Containing Materials and Lead-Based Paint

Several regulations and guidelines pertain to abatement of and protection from exposure to ACM and LBP, including Construction Safety Orders 1529 (pertaining to ACM) and Section 1532.1 (pertaining to LBP) from Title 8 of the CCR and Part 61, Subpart M, of the CFR (pertaining to ACM). In California, ACM and LBP abatement must be performed and monitored by contractors with appropriate certification from the California Department of Health Services. Asbestos is also regulated as a hazardous air pollutant under the Clean Air Act and a potential worker safety hazard under the authority of Cal/OSHA.

Requirements for limiting asbestos emissions from building demolition and renovation are specified in SCAQMD Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities). CGC Section 1529 and 1532.1 provide for exposure limits, exposure monitoring, respiratory protection and good working practice by workers exposed to lead and ACMs.

Requirements for Phase I Environmental Site Assessments

Phase I ESAs are required for land purchasers to qualify for the Innocent Landowner Defense under CERCLA, to minimize environmental liability under other laws such as RCRA, and as a lender prerequisite to extend a loan for purchase of land.

Certified Unified Program Agency

A CUPA is an agency of a county or city that administers several state programs regulating hazardous materials and hazardous wastes. The SBCFD is the CUPA for all incorporated cities and towns and unincorporated areas. SBCFD administers the following programs:

- Hazardous Materials Release Response Plans and Inventory Program
- California Accidental Release Prevention Program, a combination of federal and state programs for the prevention of accidental release of regulated toxic and flammable substances
- UST Program
- Aboveground Petroleum Storage Act Program
- Hazardous Waste Generator and Onsite Hazardous Waste Treatment Programs Program
- Hazardous Materials Management Plan (HMMP) and Hazardous Material Inventory Statement (HMIS) in California Fire Code Program.

8 CCR Section 1529 and 1532.1: Worker Safety Standards: Asbestos and Lead

CCR Title 8 Section 1529 sets forth worker safety standards for lead exposure for employees conducting demolition, construction, and renovation work, including painting, and decorating.

CCR Title 8 Section 1532.1 sets forth worker safety standards for employees in work including construction, demolition, renovation, and maintenance.

California Aeronautics Act

The State Aeronautics Act included in the California Public Utilities Code establishes statewide requirements for airport land use compatibility planning and requires nearly every county to create an Airport Land Use Commission (ALUC) or other alternative. The County opted for an alternative to the ALUC and delegated responsibility to prepare an ALUCP for each airport jurisdiction.

California Airport Land Use Compatibility Planning Handbook

The California Airport Land Use Compatibility Planning Handbook provides planning guidance to ALUCs and counties and cities with jurisdiction over airport area land uses. The purpose of the handbook is to support the State Aeronautics Act. The handbook allows jurisdictions flexibility in determining air safety zones that represent areas of assumed accident potential.

Regional

SCAQMD

SCAQMD Rule 1403 governs the demolition of buildings containing asbestos materials. Rule 1403 specifies work practices with the goal of minimizing asbestos emissions during building demolition and renovation activities, including the removal and associated disturbance of ACM.

San Bernardino County Public Health Agencies

The County Department of Public Health, Division of Environmental Health Services has regulatory control over hazardous and solid waste, land use, wastewater.

Additionally, the Department of Public Works manages solid waste, transportation, and storm water. This department also manages all construction and demolition activities.

The Hazardous Materials Division of the SBCFD is designated by the State Secretary for Environmental Protection as the CUPA for the County in order to focus the management of specific environmental programs at the local government level. The CUPA is charged with the responsibility of conducting compliance inspections for over 7,000 regulated facilities in the County. The SBCFD manages six hazardous material and hazardous waste programs. This includes hazardous waste management and above/underground storage tanks. The CUPA program is designed to consolidate, coordinate, and uniformly and consistently administer permits, inspection activities, and enforcement activities throughout the County.

San Bernardino County Hazardous Materials Release Response Plans and Inventory Program

In the County, the Business Emergency/Contingency Plan (Business Plan) is also used to satisfy the contingency plan requirement for hazardous waste generators. Any business subject to any of the CUPA permits is required in the County to file a Business Emergency/Contingency Plan using the California Environmental Reporting System. This submission is used as the basis for the permit application. A new business going through the process of obtaining County planning or building approval is required to comply with the Business Emergency/Contingency Plan requirement prior to obtaining final certificate of occupancy and prior to bringing hazardous materials onto the property.

The quantities that trigger disclosure are based on the maximum quantity on-site at any time excluding materials under active shipping papers or for direct retail sale to the public. The basic quantities are hazardous materials at or exceeding 55 gallons, 500 pounds, or 200 cubic feet at any time in the course of a year; specified amounts of radio actives, and extremely hazardous substances above the threshold planning quantity.

Local

City of Ontario Hazard Mitigation Plan

The City developed a Hazard Mitigation Plan to make the City infrastructure, business, and residents less vulnerable to future incidents. The plan was prepared in accordance with the requirements of the Disaster Mitigation Act of 2000. A risk assessment was conducted to identify and profile natural and man-made hazards that pose a risk to the City, assess the City's vulnerability to these hazards, and examine the

capabilities in place to mitigate them. Based on the risk assessment, goals, and objectives for reducing the City's vulnerability to hazards were identified. The four goals of the multi-hazard mitigation plan are:

- Minimize loss of life and property from natural and man-made hazard events
- Protect public health and safety
- Increase public awareness of risk from natural and man-made hazards
- Enhance emergency systems including warning systems

City of Ontario General Plan

The following goal and policies contained in the Safety Element (Hazardous Materials and Waste) of The Ontario Plan (TOP) are relevant to the Project:

Goal S6 **Reduced potential for hazardous materials exposure and contamination.**

Policy S6-1 Disclosure and Notification. We enforce disclosure laws that require all users, producers, and transporters of hazardous materials and wastes to clearly identify the materials that they store, use or

Policy S6-2 Response to Hazardous Materials Releases. We respond to hazardous materials incidents and coordinate these services with other jurisdictions.

Policy S6-4 Safe Storage and Maintenance Practices. We require that the users of hazardous materials be adequately prepared to prevent and mitigate hazardous materials releases.

Policy S6-5 Location of Hazardous Material Facilities. We regulate facilities that will be involved in the production, use, storage, or disposal of hazardous materials, pursuant to federal, state, county, and local regulations, so that impacts to the environment and sensitive land uses are mitigated.

Policy S6-9 Remediation of Methane. We require development to assess and mitigate the presence of methane, per regulatory standards and guidelines.

City of Ontario Municipal Code (MC)

MC Section 7-3.07. Safety devices, lights, and barricades. Any activity or encroachment on a right-of-way which is hazardous, creates a hazard, or is in conflict with the normal use of a right-of-way shall be adequately safeguarded as required by the City. In the conduct of such activity or encroachment, materials, supplies, excavated material, and equipment shall be properly placed, and the permittee shall provide and maintain such safety devices, including, but not limited to, lights, barricades, signs, and guards, as are necessary to protect the public.

MC Section 9-1.3330. Environmental Performance Standards that require: "The use, handling, storage, and transportation of combustibles and explosives shall comply with applicable provisions of the Uniform

Fire Code, the City of Ontario Hazardous Waste Ordinance and all other local, state and federal regulations."

Ontario International Airport Land Use Compatibility Plan

The ONT ALUCP was adopted by Ontario City Council on April 19, 2011 and amended in 2018. The basic function of the ALUCP is to provide guidance to affected jurisdictions and promote compatibility between the airport and surrounding land uses. The ALUCP designates the airport influence area, safety zones, noise impact zones, airspace protection zones, and overflight notification zones. Height and noise restrictions for future land uses are established for the airport approach safety zones. All development shall be constructed or reconstructed in accordance with Federal Aviation Regulations Part 77.

Chino Airport Land Use Compatibility Compliance

The Project site is located directly north of the Chino Airport and within the Chino airport influence areas. The City is currently preparing an ALUCP for Chino Airport which relies on the California Airport Land Use Planning Handbook published by Caltrans Division of Aeronautics, that is expected to be adopted in 2022. The Chino ALUCP will establish policies and criteria for the four types of compatibility impacts which include safety, noise, airspace protection, and overflight. The Project site is not within the Chino Airport noise impact zone. Projects within the Specific Plan boundary shall be required to be consistent with the policies and criteria of the ALUCP for Chino Airport.

4.8.3 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

HAZ-1 Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

HAZ-2 Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

HAZ-3 Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

HAZ-4 Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

HAZ-5 For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

HAZ-6 Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

HAZ-7 Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Section 7.0, Effects Found Not to Be Significant, substantiates that impacts associated with the following thresholds would be less than significant:

- Threshold H-3
- Threshold H-6
- Threshold H-7

These impacts will not be addressed in the following analysis.

4.8.4 Plans, Programs, and Policies

PPP HAZ-1 Transportation of Hazardous Waste. Hazardous materials and hazardous wastes shall be transported to and/or from the proposed project in compliance with any applicable State and federal requirements, including the U.S. Department of Transportation regulations listed in the CFR (Title 49, Hazardous Materials Transportation Act); Caltrans standards; and the Cal/OSHA standards.

PPP HAZ-2 RCRA. Hazardous waste generation, transportation, treatment, storage, and disposal shall be conducted in compliance with the Subtitle C of the RCRA (Title 40 CFR Part 263), including the management of nonhazardous solid wastes. The SBCFD serves as the designated CUPA and which implements State and federal regulations for the following programs: (1) Hazardous Materials Release Response Plans and Inventory Program, (2) California Accidental Release Prevention (CalARP) Program, (3) Aboveground Petroleum Storage Act Program, and (4) UST Program (5) Hazardous Waste Generator and Onsite Hazardous Waste Treatment Programs (6) HMMP and Hazardous Material Inventory Statement Program.

PPP HAZ-3 ACMs. Demolition activities that have the potential to expose construction workers and/or the public to ACMs shall be conducted in accordance with applicable regulations, including, but not limited to:

- SCAQMD Rule 1403
- HSC Section 39650 et seq.
- Title 8 CCR Section 1529
- Cal/OSHA regulations (Title 8 CCR Section 1529)
- CFR (Title 40, Part 61, Title 40, Part 763, and Title 29, Part 1926)

PPP HAZ-4 Removal of Hazardous Materials. The removal of hazardous materials, such as PCBs, mercury-containing light ballast, and mold shall be completed in accordance with applicable regulations pursuant to 40 CFR 761 (PCBs), 40 CFR 273 (mercury-containing light ballast), and 29 CFR 1926 (molds) by workers with the HAZWOPER training, as outlined in 29 CFR 1910.120 and 8 CCR 5192.

PPP HAZ-5 LBPs. Demolition activities that have the potential to expose construction workers and/or the public to LBP shall be conducted in accordance with applicable regulations, including, but not limited to:

- Cal/OSHA regulations (CCR Title 8 Section 1532.1)
- CFR (Title 40, Part 745, and Title 29, Part 1926)
- U.S. EPA's Lead Renovation, Repair and Painting Program Rules and Residential Lead-Based Paint Disclosure Program
- Sections 402/404 and 403, and Title IV of the TSCA

4.8.5 Methodology

This analysis evaluates the potential impacts of the Project on human health and the environment due to potential exposure of hazardous materials or conditions associated with the Project site, Project construction, and Project operations. The Phase I ESA was conducted in accordance with the ASTM Standard of Practice E1527-13 and the standards of care and diligence normally practiced by recognized consulting firms in performing services of a similar nature.

The assessment included:

- Site inspection to verify current Site conditions, and check for visible evidence of previously disposed and/or currently present hazardous waste, surface contamination, USTs and ASTs, suspect PCBs, and other potential environmental hazards.
- A visual survey of the adjacent properties and the immediate vicinity to determine if any nearby sites posed a significant environmental threat to the site.
- Review of currently and readily available documents, including maps, aerial photographs, governmental databases of known hazardous waste sites and underground tanks, other consultant reports (if any), fire insurance maps, and other accessible records.
- Review of results from a search of available current land title records for environmental cleanup liens and other activity and use limitations, such as engineering controls and institutional controls.

  Consultation with appropriate governmental agencies having jurisdiction relative to the past history of the property, complaints, or incidents in the immediate area, and permits that may have been issued.

4.8.6 Project Impacts and Mitigation Measures

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 4.8-1 ***Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***

Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? [Thresholds H-1 and H-2]

Level of Significance Before Mitigation: With the implementation of PPP HAZ-1 through HAZ-5, Impact 4.8-1 would be Potentially Significant

Construction

Project-related construction activities would involve the use of larger amounts of hazardous materials than would Project operation. Construction activities would include the use of materials such as fuels, lubricants, and greases in construction equipment and coatings used in construction. According to the City's Fire Department Hazardous Materials standards, the materials used would be in small quantities or stored in such a manner as to reduce any safety hazards.[5] The use of these materials would also be temporary and short-term or single-use in nature and would cease upon completion of the proposed Project's construction phase. Project construction workers would also be required to conduct the safe handling of hazardous materials use as proposed in **Mitigation Measure (MM) HAZ-4.**

Additionally, as with Project operation, the use, storage, transport, and disposal of construction-related hazardous materials would be required to conform to existing laws and regulations. Compliance with applicable laws and regulations governing the use, storage, transportation, and disposal of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. For example, all spills or leakage of petroleum products during construction activities are required to be immediately contained, the hazardous material identified, and the material remediated in compliance with applicable state and local regulations for the cleanup and disposal of that contaminant. All contaminated waste would be required to be collected and disposed of at an appropriately licensed disposal or treatment facility. Furthermore, strict adherence to all emergency response plan requirements set forth by SBCFD would be required through the duration of the Project construction phase. Therefore, hazards to the public or the environment arising from the routine use of hazardous materials during Project construction would be less than significant.

Grading Activities

Grading activities required to develop the Project would involve the disturbance of on-site soils. There is the potential for the discovery of contamination during grading activities, due to potential for chemical constituents to accumulate in the ponds and become trapped in the sediment (i.e., pesticides, heavy metals, or chemicals). Furthermore, site grading requires the removal of ASTs, where areas of staining were observed. No secondary containment was observed under the ASTs. Some staining was observed beneath the ASTs. The observed staining by the ASTs represents a REC; however, the staining would likely be localized to this area. Citadel recommends the removal of the ASTs prior to Project redevelopment and

[5] Ontario Fire Department. (2021). Hazardous Material Information Packet. Retrieved from: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Fire/hazardous_material_information_packet.pdf.

preparation of a soil management plan to manage the stained soils during redevelopment. The handling and transport of these materials and exposure to contaminated soils for workers and the surrounding environment could result in a significant impact. Contaminated soils encountered during grading would be required to be removed and disposed of off-site in accordance with all applicable regulatory guidelines. The handling and transport of these materials and exposure to contaminated soils for workers and the surrounding environment could result in a significant impact. Contaminated soils encountered during grading would be required to be removed and disposed of off-site in accordance with all applicable regulatory guidelines. **MM HAZ-2** would further reduce these risks, as a Phase II subsurface assessment would be required. Site grading also requires the removal of ASTs, where areas of staining were observed, and septic tanks prior to site development. A demolition permit from San Bernardino County Building & Safety Division will be required to remove the septic tank(s). **MM HAZ-5** would be applied to these activities prior to the commencement of construction activities.

The historic and current use of the Project site as a dairy-production farm may produce methane gas in the subsurface from animal wastes. A methane assessment was conducted to assess subs urface methane levels across a portion of the site. Based on the results of this investigation, methane gas was detected in subsurface vapor probes at maximum concentrations of approximately 10 percent of the lower explosive limit (LEL) for methane. The methane survey conducted is a preliminary investigation that identified methane on site, and further investigation is required to determined maximum concentrations across the project site. **MM HAZ-1** would be applied in order to minimize risks associated with the risk of methane encountered on the Project site.

Demolition

Demolition of buildings and equipment on-site has the potential to expose and disturb ACMs, PCBs, LBP, and mercury. Project site buildings were constructed prior to bans on ACBMs, PCBs, and LBP coming into effect. Such releases could pose significant risks to persons living and working in and around the Project site, as well as to Project construction workers. Before demolition, a comprehensive ACM survey would be conducted to identify the locations and quantities of ACM in above-ground structures, pursuant to **MM HAZ-6**. **MM HAZ-6** would be incorporated to reduce the risk from ACMs. The removal of hazardous materials, such as PCBs, mercury-containing light ballast, and mold, shall be completed in accordance with applicable regulations pursuant to 40 CFR 761 (PCBs), 40 CFR 273 (mercury-containing light ballast), and 29 CFR 1926 (molds) by workers with the HAZWOPER training, as outlined in 29 CFR 1910.120 and 8 CCR 5192. The removal of LBP material shall be implemented in accordance with CCR, Title 8 Section 1532.1, the CFR (Title 40, Part 745, and Title 29, Part 1926), the U.S. EPA's Lead Renovation, Repair and Painting Program Rules and Residential Lead-Based Paint Disclosure Program, and sections 402/404 and 403, and Title IV of the TSCA.

The potential exposure of construction workers to ACMs, PCBs, LBP, or mercury is a potentially significant impact. Through **MM HAZ-6**, survey of existing structures prior to demolition will characterize the potential exposure and further reduce impacts from the potential release of these materials.

Operation

Operation of the business park would involve the use of small amounts of hazardous materials, such as industrial cleansers, greases, and oils for cleaning and maintenance purposes. The industrial park, intended for warehousing and ancillary office uses, may also involve transport, use, and disposal of hazardous materials; the specific substances and quantities of such materials are presently unknown. The use, storage, transport, and disposal of hazardous materials would be governed by existing regulations of several agencies, including the U.S. EPA, U.S. Department of Transportation, California Division of Occupational Safety and Health, and the San Bernardino County Fire Protection District. Compliance with applicable laws and regulations governing the use, storage, transportation, and disposal of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. Additionally, the proposed Project would also be operated with strict adherence to all emergency response plan requirements set forth by the San Bernardino County Fire Protection District. Mandatory compliance with laws and regulations, would ensure that operational impacts would be less than significant.

Impact 4.8-2 ***Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? [Threshold H-4]***

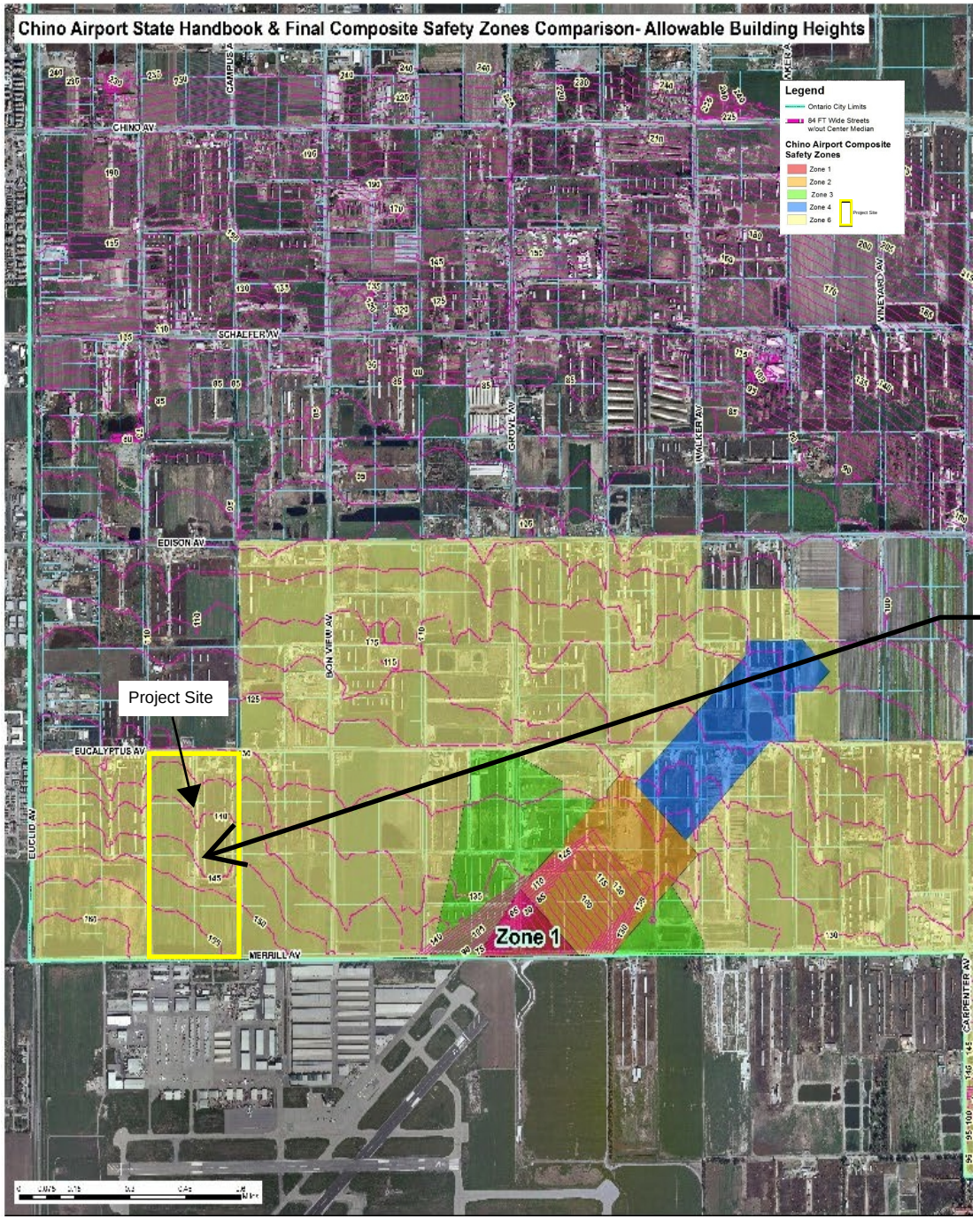
Level of Significance Before Mitigation: With the implementation of PPP HAZ-1 through HAZ-4, Impact 4.8-2 would be Potentially Significant

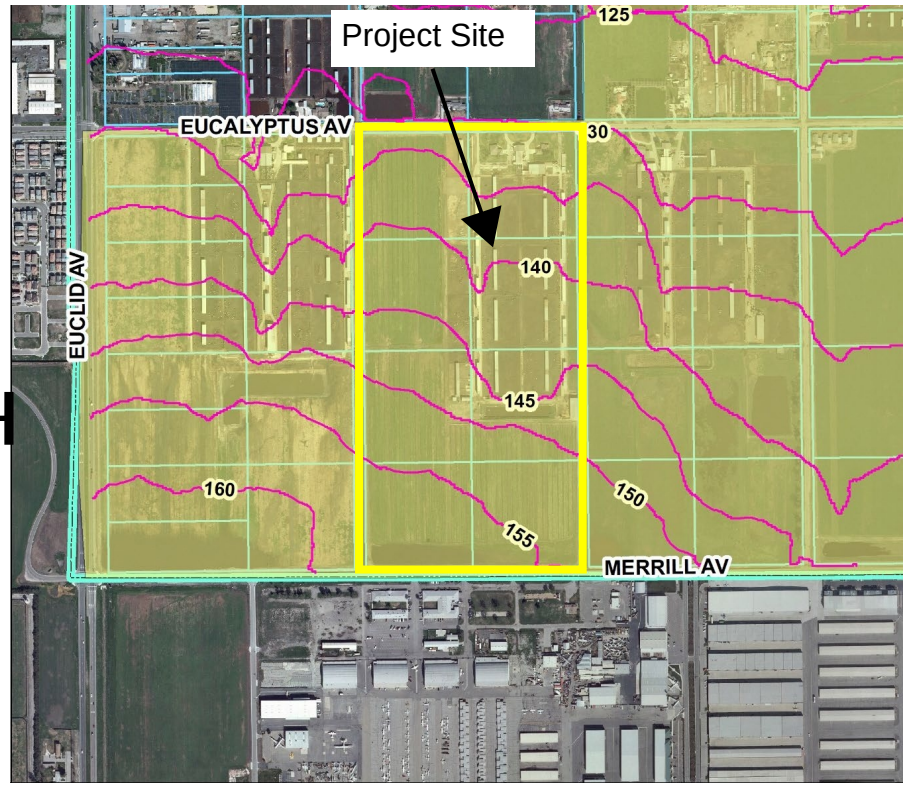
The Project site was identified on the WDS database as an agricultural facility with designated/influent or solid wastes that pose a significant threat to water quality (dairy waste ponds). As noted in Impact 4.8-1, the Project Applicant shall perform a Phase II subsurface assessment, pursuant to **MM HAZ-2** of the sediments after the ponds have been drained. If the Phase II subsurface assessment detects chemical risks to human health and the environment due to sediments in the ponds, the Project Applicant is required to prepare a soils management plan, and any engineering or administrative controls or long-term operations and maintenance plan that is required by DTSC. This is considered a potentially significant impact.

Impact 4.8-3 ***For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? [Threshold H-5]***

Level of Significance Before Mitigation: Less Than Significant Impact

As stated previously, the Project site is within the ONT and Chino Airport's airport influence area. Furthermore, although the Project site is within Safety Zone 6 of the Chino Airport, Zone 6 compatibility criteria prohibit people-intensive uses such as stadiums, large day care centers, hospitals, and nursing homes. The Project site would not contain such uses and would comply with Safety Zone 6 standard. Additionally, the Project site is not within the ONT safety zone, noise impact zone, or airspace protection zone. The Project site also lies within an allowable range of 130 feet to 160 feet of building height as depicted in *Figure 4.8-3, Allowable Building Heights*. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area and impacts would be less than significant.





Source: Chino Airport State Handbook & Final Composite Safety Zones Comparison - Allowable Building Heights

FIGURE 4.8-3: Allowable Building Heights
Ontario Ranch Business Park Specific Plan Amendment

Not to scale

4.8.7 Cumulative Impacts

Hazards and hazardous waste impacts are typically unique to each site and do not usually contribute to cumulative impacts. Cumulative development projects would be required to assess potential hazardous materials impacts on the development site prior to grading. The Project and other cumulative projects would be required to comply with laws and regulations governing hazardous materials and hazardous wastes used and generated as described previously. Therefore, cumulative impacts related to hazards and hazardous materials would be less than significant after regulatory compliance.

The areas considered for cumulative airport-related hazards impacts are the airport influence areas of ONT and Chino Airport. Some related projects may be proposed within the safety compatibility zones of the ONT and Chino airport influence areas, and thus could expose the nearby population to potential hazards such as aircraft crashes. Airport land use planning agencies for ONT and Chino Airport regulate development within their safety compatibility zones. Related projects proposed within safety compatibility zones would be required to comply with each safety zone's respective land use regulations set forth by the affected agencies. After regulatory compliance, cumulative impacts would be less than significant.

4.8.8 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and PPPS, Impact 4.8-3 would be less than significant.

Without mitigation, these impacts would be potentially significant:

- Impact 4.8-1 If the Project would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

  If the Project would create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

- Impact 4.8-2 If the Project would be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, it would create a significant hazard to the public or the environment.

4.8.9 Mitigation Measures

Impact 4.8.1

MM HAZ-1 Prior to the issuance of grading permits, the Project applicant shall conduct further testing for the presence of methane on the Project site, in accordance with DTSC methane assessment guidelines. The Project applicant shall prepare a methane gas soil survey and implement grading activity recommendations to the satisfaction of the City Building Department. This survey and recommendation shall include a post-construction soil gas investigation and installation of methane gas mitigation systems where post-grading methane levels exceed 5,000 ppmv, should any such levels occur.

MM HAZ-2 Following drainage of the on-site ponds, the Project applicant shall conduct a limited Phase II subsurface assessment of sediments to evaluate the sediments for chemical risks to human health and the environment. If contamination from dairy and animal-related wastes is encountered at a level above Environmental Screening Levels (ESLs) for non-residential uses, the appropriate environmental agency (Regional Water Quality Control Board, Department of Toxic Substance Control, South Coast Air Quality Management District) shall be notified. Any contamination identified as a result of such testing/sampling shall be investigated and removed or remediated to the satisfaction of the environmental agency with evidence provided to the City, such that there are no residual significant impacts following mitigation. Prior to allowing the commencement of any soil removal or hauling activities at the Proposed Project, the City will review and/or evaluate potential air quality impacts (criteria pollutants and toxic air contaminants from equipment exhaust, earthmoving, and other on-site remedial activities, as applicable) to verify that impacts are properly assessed and disclosed in accordance with CEQA.

MM HAZ-3 Soil Management Plan. Prior to issuance of a grading permit, the Project applicant shall retain a qualified environmental consultant to prepare a Soil Management Plan that details procedures and protocols for on-site management of soils containing potentially hazardous materials. The SMP would be implemented during grading activities on-site to ensure that soils containing residual levels of hydrocarbons or arsenic are properly identified, monitored, and managed on-site, and include the following:

- A certified hazardous waste hauler shall remove all potentially hazardous soils. In addition, sampling of soil shall be conducted during excavation to ensure that all petroleum hydrocarbon and arsenic impacted soils are removed, and that Environmental Screening Levels (ESLs) for non-residential uses are not exceeded. Excavated materials shall be transported per California Hazardous Waste Regulations to a landfill permitted by the State to accept hazardous materials.
- Any subsurface materials exposed during construction activities that appear suspect of contamination, either from visual staining or suspect odors, shall require immediate cessation of excavation activities. Soils suspected of contamination shall be tested for potential contamination. If contamination is found to be present per the Department of Toxic Substances Control Screening Levels for industrial/commercial land use (DTSCSLi) and the U.S. EPA Regional Screening Levels for industrial/commercial land use (EPARSLi), it shall be transported and disposed of per state regulations to an appropriately permitted landfill.
- The SMP shall include a Health and Safety Plan (HSP) that addresses potential safety and health hazards and includes the requirements and procedures for employee protection; each contractor will be required to have their own HSP tailored to their particular trade that addresses the general project safety requirements. The HSP shall also outline proper soil handling procedures and

health and safety requirements to minimize worker and public exposure to hazardous materials during construction.

- The SMP shall be prepared and executed in accordance with South Coast Air Quality Management District (SCAQMD) Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil. The SMP shall require the timely testing and sampling of soils so that contaminated soils can be separated from inert soils for proper disposal. The SMP shall specify the testing parameters and sampling frequency. Anticipated testing includes total petroleum hydrocarbons (TPH), volatile organic compounds (VOCs), and semi-volatile organic compounds (SVOCs). During excavation, Rule 1166 requires that soils identified as contaminated shall be sprayed with water or another approved vapor suppressant or covered with sheeting during periods of inactivity of greater than an hour, to prevent contaminated soils from becoming airborne. Under Rule 1166, contaminated soils shall be transported from the project site by a licensed transporter and disposed of at a licensed storage/treatment facility to prevent contaminated soils from becoming airborne or otherwise released into the environment.
- All SMP measures shall be printed on the construction documents, contracts, and project plans prior to issuance of grading permits.

MM HAZ-4 Construction period testing: Construction at the Project site shall be conducted under a Project-specific Construction Risk Management Plan (CRMP) to protect construction workers, the general public, and the environment from subsurface hazardous materials previously identified and to address the possibility of encountering unknown contamination or hazards in the subsurface. The CRMP shall summarize soil and groundwater analytical data collected on the Project sites during past investigations and during site investigation activities; delineate areas of known soil and groundwater contamination, if applicable; and identify soil and groundwater management options for excavated soil and groundwater, in compliance with local, state, and federal statutes and regulations. The CRMP shall:

- Provide procedures for evaluating, handling, storing, testing, and disposing of soil and groundwater during Project excavation and dewatering activities, respectively.
- Require the preparation of a Project-specific Health and Safety Plan that identifies hazardous materials present, describes required health and safety provisions and training for all workers potentially exposed to hazardous materials in accordance with State and Federal worker safety regulations, and designates the personnel responsible for Health and Safety Plan implementation.
- Require the preparation of a contingency plan that shall be applied should previously-unknown hazardous materials be encountered during construction activities. The contingency plan shall include provisions that require collection of soil and/or groundwater samples in the newly-discovered affected area by a qualified environmental professional prior to further work, as appropriate. The

analytical results of the sampling shall be reviewed by the qualified environmental professional and submitted to the appropriate regulatory agency. The environmental professional shall provide recommendations, as applicable, regarding soil/waste management, worker health and safety training, and regulatory agency notifications, in accordance with local, state, and federal requirements. Work shall not resume in the area(s) affected until these recommendations have been implemented under the oversight of the County or regulatory agency, as appropriate.

- Designate personnel responsible for implementation of the CRMP. The CRMP shall be submitted to the County for review and approval prior to the issuance of construction and demolition permits.

MM HAZ-5 Prior to the commencement of any construction-related site activities (clearing, demolition, grading etc.), all above-ground storage tanks (ASTs) and underground storage tanks (USTs) shall be removed. ASTs storing diesel shall be disposed of by a State of California licensed contractor and in compliance with the required San Bernardino County Fire Department (SBCFD) Hazardous Materials Division regulations for tank removals. For stained soils in the vicinity of diesel containing ASTs, as identified in the Phase I Environmental Site Assessment (ESA) dated January 10, 2020, soil samples shall be collected, as directed by the SBCFD inspector, for chemical analysis at a laboratory licensed by the State of California. If contaminated soils are encountered, a soil management plan shall be prepared to manage the stained soils during redevelopment. USTs shall be removed through reviewing available files at the SBCFD and ensuring the proper removal of the UST and a subsurface investigation to determine if the UST had impacted the subsurface.

MM HAZ-6 Prior to the issuance of a demolition permit for any buildings or structures on-site, the Project applicant shall conduct a comprehensive ACM survey to identify the locations and quantities of ACM in above-ground structures. The Project applicant shall retain a licensed or certified asbestos consultant to inspect buildings and structures on-site. The consultant's report shall include requirements for abatement, containment, and disposal of ACM, if encountered, in accordance with the South Coast Air Quality Management District's Rule 1403.

Impact 4.8.2

MM HAZ-2 applies.

4.8.10 Level of Significance After Mitigation

The MMs require further testing for methane and a Phase II subsurface assessment to evaluate subsurface sediments for chemical risks to human health once the ponds are drained. Additionally, a SMP would be required to ensure safe and appropriate handling, transportation, off-site disposal, reporting, oversight, and protocols used during construction to protect the health and safety of workers and future residents. The mitigation measures also require the proper removal and disposal of ASTs and ACMs. These measures will reduce risks to human health and potential impacts of hazards and hazardous materials to less than

significant levels. In addition to implementation of MMs, the Project would also be compliant with regulatory requirements and PPPs; therefore, the overall impact is reduced to less than significant. No significant unavoidable adverse impacts relating to hazards have been identified.

4.8.11 References

Citadel Environmental Services Inc. (Citadel). 2020, January 10. *Phase I Environmental Site Assessment Report*.

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Department of Toxic Substances Control, Los Angeles Regional Water Quality Control Board, and San Francisco Regional Water Quality Control Board (DTSC, LARWQCB, and SFRWQCB). 2015, July Advisory, Active Soil Gas Investigations.

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4.9 HYDROLOGY AND WATER QUALITY

This section of the Draft Subsequent Environmental Impact Report (EIR) evaluates the potential impacts of the Ontario Ranch Business Park Specific Plan Amendment Project (Project) to hydrology and water quality conditions in the City of Ontario (City). Hydrology deals with the distribution and circulation of water, both on land and underground. Water quality deals with the quality of surface water and groundwater. Surface water includes lakes, rivers, streams, and creeks; groundwater is under the earth's surface.

The following analysis is based in part on information obtained from:

- *Preliminary Hydrology Calculations for the Ontario Ranch Business Park II*, Thienes Engineering Inc., February 14, 2020, revised January 3, 2022. (*Appendix G1*)
- *Preliminary Water Quality Plan for the Ontario Ranch Business Park Phase 2,* Thienes Engineering Inc., January 11, 2022 (*Appendix G2*)
- *Water Supply Assessment Ontario Ranch Business Park Specific Plan Amendment*, Kimley-Horn and Associates, Inc., September 2021. (*Appendix J*)
- *Phase I Environmental Site Assessment Report,* Citadel Environmental Services Inc., January 10, 2020. (*Appendix F*)

4.9.1 Environmental Setting

Existing Conditions

Regional Drainage

The City is within the Chino Creek Watershed, which is part of the larger Santa Ana River Watershed. The Chino Creek Watershed encompasses parts of San Bernardino County (County), Riverside County, and Los Angeles County and includes the cities of Rancho Cucamonga, Upland, Montclair, Ontario, Fontana, Chino, and Chino Hills. It drains a basin of approximately 218 square miles from the San Gabriel Mountains to the Santa Ana River near Corona. The watershed is intensely developed for residential, industrial, and agricultural use. As a result, the creek and its tributaries are highly polluted and receive effluent from multiple wastewater treatment plants, storm drains, and agricultural runoff.

Local Drainage

The City is divided into two distinct areas: Old Model Colony (OMC) and New Model Colony, now known as Ontario Ranch (OR). The two areas are generally divided by Riverside Drive. The City presently owns and maintains over 136 miles of storm drains, mostly serving the OMC area of the City. In addition to the City-owned storm drains there are the State-owned storm drains along California Department of Transportation's (Caltrans) Interstate 10 (I-10) and State Route 60 (SR 60) corridors. All the City and State storm drain facilities discharge to regional backbone facilities owned and operated by San Bernardino County Flood Control District (SBCFCD) that are tributary to the U.S. Army Corps of Engineers' (USACE) Prado Flood Control Basin.

The City lies in the western portion of the Santa Ana River's watershed, upstream of the Prado Flood Control Basin. It is in a 277-square-mile area referred to as Zone 1 by SBCFCD. Zone 1 generally slopes towards the south. Four major regional channel systems traverse Zone 1 in a north-south direction; they include San Antonio Channel, Cucamonga Channel, Day Creek Channel, and San Sevaine Channel.

Site Hydrology

The Project site is located in the Upper Santa Ana Valley Groundwater Basin, Chino Subbasin (No. 8-2.01) as determined by the California Department of Water Resources.[1] The subbasin is bounded by the impermeable rocks of the San Gabriel Mountains and the Cucamonga fault to the north; the Rialto-Colton fault to the east; the contact with impermeable rocks forming the Jurupa Mountains and low divides connecting the exposures to the southeast; the contact with impermeable rocks of the Puente Hills and the Chino fault to the south; and the San Jose fault to the west. San Antonio Creek and Cucamonga Creek drain the surface of the subbasin southward to join the Santa Ana River.

The water-bearing units include the alluvial-fan deposits from the Holocene age and the interfingering finer, alluvial-fan deposits and coarser, fluvial deposits from the Pleistocene age. Groundwater recharge occurs by direct infiltration or precipitation on the subbasin floor, by infiltration of surface flow, and by underflow of groundwater from adjacent basins. The five recharge facilities include Deer Creek, Day Creek, East Etiwanda Creek, San Sevaine Channel, and Victoria Basin. Local groundwater flow direction was estimated toward the southeast and southwest.[2]

The Project site currently consists of single-family residential structures, an operational dairy farm and irrigated cropland. There are large existing retention ponds that collect surface waste from the dairy farming practices. Current drainage for the southeast portion of the site surface is southerly to a dirt swale adjacent to Merrill Avenue, then westerly to a set of four corrugated steel pipes, then southerly to an earthen channel (Airport Channel) adjacent to Euclid Avenue in the City of Chino. The 25-year and 100-year existing condition peak flow rates from this area are approximately 49.5 cubic feet per second (cfs) and 85.1 cfs, respectively.

Surface Water Quality

Section 303(d) of the 1972 federal CWA requires states to identify water bodies that do not meet water quality objectives and are not supporting their beneficial uses. Each state must submit an updated list, called the 303(d) list, to the U.S. Environmental Protection Agency (U.S. EPA) every two years. In addition to identifying the water bodies that are not supporting beneficial uses, the list also identifies the pollutant or stressor causing impairment and establishes a priority for developing a control plan to address the impairment. The list also identifies water bodies where 1) a Total Maximum Daily Load (TMDL) has been approved by the U.S. EPA and an implementation plan is available, but water quality standards are not yet met, and 2) water bodies where the water quality problem is being addressed by an action other than a TMDL and water quality standards are not yet met.

[1] California Department of Water Resources. (2006). https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Bulletin-118/Files/2003-Basin-Descriptions/8_002_01_ChinoSubbasin.pdf
[2] Citadel Environmental Services Inc. (Citadel). 2020, January 10. Phase I Environmental Site Assessment Report.

Currently, stormwater from the Project site discharges to the Airport Channel, which eventually discharges into Prado Park Lake (Prado Basin). This basin is currently listed on the California 303(d) list as a Category 5 water body which is defined as "a water segment where standards are not met and a TMDL is required, but not yet completed, for at least one of the pollutants listed."[3] The water quality impairments listed for the Prado Basin are nutrients and indicator bacteria (pathogens). The available information from the Regional Board 8 indicates a TMDL completion date of 2019 for nutrients. The TMDL for pathogens was approved in 2007.[4]

Groundwater

The City obtains its groundwater from the Chino Groundwater Basin (Chino Basin).[5] The Chino Basin is one of the largest groundwater basins in southern California and consists of approximately 220 square miles, where 80 percent of the basin lies within San Bernardino County, 15 percent within Riverside County, and five percent within Los Angeles County.[6] Due to its sprawling geographical area that extends across multiple jurisdictions, and because groundwater from the Chino Basin is the principal water supply for 20 municipal agencies and approximately 400 agricultural and dairy operations, the Chino Basin serves as an integral part of the regional and Statewide water supply system.[7] The Chino Basin has approximately five million acre-feet of water in storage and an estimated one million acre-feet of additional unused storage capacity. Prior to 1978, the Chino Basin was in overdraft. After 1978, the Chino Basin was managed via adjudication by the Chino Basin Watermaster.[8]

Groundwater quality in Chino Basin is generally good with better quality in the northern portion of the basin where recharge occurs. Generally, salinity, measured as total dissolved solids (TDS) exceeds 500 milligrams per liter (mg/l) and nitrate concentrations exceed 50 mg/l south of Riverside Drive.[9] There also are several groundwater contamination plumes that affect the City of Ontario's groundwater supply. The Project site is not within any of the groundwater contamination plumes.[10]

The Project site is currently agricultural land use, including dairy operations and field crops. The Project site is not connected to the City's water supply and uses an on-site groundwater well for irrigation of crops and other agricultural-related uses.[11] The use of this water supply would cease upon implementation of the Project, and the Project would be connected to the City's municipal water supply.

[3] State Water Resources Control Board (SWRCB). (2019). Category 5, 2014 and 2016 303(d) List. Retrieved from: https://www.waterboards.ca.gov/water_issues/programs/tmdl/2014_16state_ir_reports/category5_report.shtml
[4] State Water Resources Control Board (SWRCB). (2019). Final California 2014 and 2016 Integrated Report (303(d) List/305 (b) Report). Retrieved from: https://www.waterboards.ca.gov/water_issues/programs/tmdl/2014_16state_ir_reports/00483.shtml#34603
[5] The Ontario Plan. (2009). Section 5.9 Hydrology and Water Quality. Retrieved from: https://www.ontarioplan.org/wp-content/uploads/sites/4/2016/05/31708.pdf
[6] Chino Basin Water Conservation District. (2021). Retrieved from: https://cbwcd.org/387/The-Chino-Groundwater-Basin
[7] Bureau of Reclamation. Chino Basin Water Bank Strategic Plan. (2018). Retrieved from: https://www.usbr.gov/watersmart/watermarketing/docs/applications/2018/Inland%20Empire%20Utilities%20Agency.pdf
[8] Chino Basin Watermaster. (2021). Retrieved from: http://www.cbwm.org/
[9] The Ontario Plan. (2009). Section 5.9 Hydrology and Water Quality, pg. 5.9-6. Retrieved from: https://www.ontarioplan.org/wp-content/uploads/sites/4/2016/05/31708.pdf
[10] The Ontario Plan. (2009). Areas of Impaired Water Quality in the Chino Groundwater Basin. Retrieved from: https://www.ontarioplan.org/wp-content/uploads/sites/4/2015/05/impaired-water.pdf
[11] Citadel Environmental Services Inc. (Citadel). 2020, January 10. Phase I Environmental Site Assessment Report.

Flood and Dam Inundation Zones

The Project site is within Federal Emergency Management Act (FEMA) Flood Zone D, as per the FEMA Flood Insurance Rate Map (FIRM) Map No. 06071C9335H.[12] Zone D is an area where there are possible but undetermined flood hazards, as no analysis of flood hazards has been conducted. There are no nearby water bodies or streams that would result in flooding at the Project site.

The site is also located within the dam inundation area for San Antonio Dam, which is a flood control and debris dam on San Antonio Creek. The dam is owned and operated by the USACE.[13]

Seiche

A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin such as a reservoir, harbor, lake, or storage tank. The Project site is not located near any water storage tanks or reservoirs that would be at risk of seiche during seismic activity. The nearest body of water is the San Antonio Dam, approximately 12 miles to the north. A seiche at San Antonio Dam would cover a much smaller area than a catastrophic failure of the dam and it is highly unlikely that any flood waters would reach the Project site.

Tsunami

A tsunami is a great sea wave produced by undersea disturbances such as tectonic displacement or large earthquakes. The Project site is approximately 30 miles from the ocean and is therefore not at risk of flooding from a tsunami.

4.9.2 Regulatory Setting

Federal

Clean Water Act and National Pollution Elimination Discharge System

The federal Clean Water Act (CWA) establishes regulations to control the discharge of pollutants into the waters of the United States and regulates water quality standards for surface waters (U.S. Code, Title 33 Section 1251 et seq.). Under the act, the U.S. EPA is authorized to set wastewater standards and runs the National Pollutant Discharge Elimination System (NPDES) permit program. Under the NPDES program, permits are required for all new developments that discharge directly into waters of the United States. The federal CWA requires wastewater treatment of all effluent before it is discharged into surface waters. NPDES permits for such discharges in the Project region are issued by the Santa Ana Regional Water Quality Control Board (RWQCB).

[12] Federal Emergency Management Act. National Flood Hazard Layer (NFHL) Viewer. (2020). Retrieved from: https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-117.81426821289033,33.99346556420189,-117.48193178710954,34.1356709592875

[13] City of Ontario. Hazard Mitigation Plan. (2018). Retrieved from: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Emergency-Management/ReadyOntario/city_of_ontario_2018_hmp.pdf

Safe Drinking Water Act

The Safe Drinking Water Act (SDWA), the principal federal law intended to ensure safe drinking water to the public, was enacted in 1974 and has been amended several times since it came into law. The Act authorizes the U.S. EPA to set national standards for drinking water, called the National Primary Drinking Water Regulations, to protect against both naturally occurring and man-made contaminants. These standards set enforceable maximum contaminant levels in drinking water and require all water providers in the United States to treat water to remove contaminants, except for private wells serving fewer than 25 people. In California, the State Water Resources Control Board (SWRCB) conducts most enforcement activities. If a water system does not meet standards, it is the water supplier's responsibility to notify its customers.

Federal Emergency Management Agency

FEMA administers the National Flood Insurance Program (NFIP) to provide subsidized flood insurance to communities that comply with FEMA regulations limiting development in floodplains. FEMA also issues FIRMs that identify which land areas are subject to flooding. These maps provide flood information and identify flood hazard zones in the community. The design standard for flood protection is established by FEMA. FEMA's minimum level of flood protection for new development is the 100-year flood event, also described as a flood that has a 1-in-100 chance of occurring in any given year. The Project site is not located within a 100-year floodplain.

State

Porter-Cologne Water Quality Control Act

Under the Porter-Cologne Water Quality Control Act (Water Code Section 13000 et seq.), which was passed in California in 1969 and amended in 2013, the SWRCB has authority over State water rights and water quality policy. This Act divided the state into nine regional basins, each under the jurisdiction of a RWQCB to oversee water quality on a day-to-day basis at the local and regional level. RWQCBs engage in a number of water quality functions in their respective regions. RWQCBs regulate all pollutant or nuisance discharges that may affect either surface water or groundwater. The Project site and the City of Ontario are within the jurisdiction of the Santa Ana RWQCB.

State Water Resources Control Board Construction General Permit

The SWRCB has adopted a Statewide Construction General Permit (CGP) (Order No. 2012-0006-DWQ) for stormwater discharges associated with construction activity. These regulations prohibit the discharge of stormwater from construction projects that include one acre or more of soil disturbance. Construction activities subject to this permit include clearing, grading, and other disturbance to the ground, such as stockpiling or excavation, that results in soil disturbance of at least one acre of total land area. Individual developers are required to submit Permit Registration Documents (PRDs) to the SWRCB for coverage under the NPDES permit prior to the start of construction. The PRDs include a Notice of Intent (NOI), risk assessment, site map, Stormwater Pollution Prevention Plan (SWPPP), annual fee, and a signed certification statement. The PRDs are submitted electronically to the SWRCB via the Stormwater Multiple Application and Report Tracking System (SMARTS) website.

The NPDES CGP requires all dischargers to (1) develop and implement a SWPPP, which specifies best management practices (BMPs) to be used during construction of the project; (2) eliminate or reduce non-stormwater discharge to stormwater conveyance systems; and (3) develop and implement a monitoring program of all specified BMPs. The two major objectives of the SWPPP are to (1) help identify the sources of sediment and other pollutants that affect the water quality of stormwater discharges and (2) to describe and ensure the implementation of BMPs to reduce or eliminate sediment and other pollutants in stormwater as well as non-stormwater discharges.

State Water Resources Control Board Trash Amendments

On April 7, 2015, the SWRCB adopted an Amendment to the Water Quality Control Plan for Ocean Waters of California (Ocean Plan) to Control Trash and Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (ISWEBE Plan). Together, they are collectively referred to as "the Trash Amendments." The purpose of the trash amendments is to reduce trash entering waterways Statewide, provide consistency in the SWRCB's regulatory approach to protect aquatic life and public health beneficial uses, and reduce environmental issues associated with trash in State waters. There are two compliance tracks:

- Track 1: Permittees install, operate, and maintain a network of certified Full Capture Systems (FCS) to capture trash in storm drains, located in priority land use areas for municipal systems, and the entire facility for industrial and commercial permit holders
- Track 2: Permittees install, operate, and maintain any combination of controls (structural and/or institutional) anywhere in their jurisdiction as long as they demonstrate that their system performs as well as Track 1

The Trash Amendments provide a framework for permittees to implement its provisions. Full compliance must occur within 10 years of the permit and permittees must also meet interim milestones such as average load reductions of 10 percent per year.

Senate Bill 92

On June 27, 2017, Governor Brown signed Senate Bill (SB) 92 into law, which set forth new requirements focused on dam safety. As part of this legislation, dam owners must now submit inundation maps to the Department of Water Resources (DWR). After the maps are approved, the dam owner must submit an emergency action plan to the California Office of Emergency Services (Cal OES). The dam owner must submit updated plans and inundation maps every 10 years, or sooner under certain conditions. Cal OES will review and approve the emergency action plans. This legislation set forth additional provisions for the emergency action plans including compliance requirements, exercises of the plan, and coordination with local public safety agencies (Cal OES 2019).

California Water Code Section 13751

In 1949, the California Legislature concluded that collecting information on newly constructed, modified or destroyed wells would be valuable in the event of underground pollution, and would also provide geologic information to better manage California's groundwater resources. Section 13751 of the Water Code requires Well Completion Reports (WCR) forms to be filed with DWR within 60 days from the

date that construction, alteration, abandonment, or destruction of a well is completed. Completed WCR forms are sent to the DWR Region Office whose boundaries include the area where the well is located.

Regional

Santa Ana River Basin Water Quality Control Plan (Basin Plan)

The Basin Plan establishes water quality standards for the ground and surface waters of the region and includes an implementation plan describing the actions by the Santa Ana RWQCB and others that are necessary to achieve and maintain the water quality standards. The Santa Ana RWQCB regulates waste discharges to minimize and control their effects on the quality of the region's ground and surface water. Permits are issued under various programs and authorities. The terms and conditions of these discharge permits are enforced through a variety of technical, administrative, and legal means. Water quality problems in the region are listed in the Basin Plan, along with the causes of the water quality problems, if known. For waterbodies with quality below the levels necessary to allow all the beneficial uses of the water to be met, plans for improving water quality are included. The latest update for the 1995 Basin Plan was issued in February 2016.

San Bernardino County Regional Municipal Separate Stormwater Sewer System (MS4) Permit

Within the San Bernardino County area of the Santa Ana River Basin, management and control of the municipal separate storm sewer system (MS4) is shared by a number of agencies, including the SBCFCD, San Bernardino County, and the cities of Big Bear Lake, Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa.

On January 29, 2010, the Santa Ana RWQCB issued an area wide MS4 permit to the County and municipalities in San Bernardino County. Waste discharge requirements for stormwater entering municipal storm drainage systems are set forth in the MS4 permit, Order No. R8-2010-0036, NPDES No. CAS618036. This permit expired on January 29, 2015. On August 1, 2014, the SBCFCD submitted a Report of Waste Discharge (ROWD) on behalf of San Bernardino County and the 16 incorporated cities within San Bernardino County. The submitted ROWD serves as the permit renewal application for the fifth term MS4 permit for San Bernardino County.

San Bernardino County Stormwater Program

The Technical Guidance Document for Water Quality Management Plans (WQMPs) for the Santa Ana Region of San Bernardino County is the guidance document for the Project's stormwater design in compliance with Santa Ana RWQCB requirements for Priority Projects or Transportation Projects. The MS4 Permit requires that a preliminary project-specific WQMP be prepared for review early in the project development process and that a Final WQMP be submitted prior to the start of construction. A project-specific WQMP is required to address the following:

- Develop site design measures using Low Impact Development (LID) principles
- Establish project-specific design capture volume (DCV) and applicable Hydrologic Conditions of Concern (HCOC) requirements

- Evaluate feasibility of on-site LID BMPs
- Maximum hydrologic source control, infiltration, and biotreatment BMPs
- Select applicable source control BMPs
- Address post-construction BMP maintenance requirements

Local

City of Ontario Standard Conditions of Approval for New Development

- SC 3.66: A hydrology study and drainage analysis, prepared in accordance with the San Bernardino County Hydrology Manual and the City of Ontario's Standards and Guidelines, and signed by a Civil Engineer registered in the State of California, shall be submitted to the Engineering Department prior to Grading Plan approval. Additional drainage facilities may be required as a result of the findings of the study.
- SC 3.68: Prior to Grading Plan approval and the issuance of a grading permit, an Erosion and Sediment Control Plan shall be submitted to, and approved by, the Engineering Department. The Erosion and Sediment Control Plan shall identify the Best Management Practices (BMPs) that will be implemented by the Project during construction in order to reduce the discharge of sediment and other pollutants into the City's storm drain system.
- SC 3.69: Prior to Grading Plan approval and the issuance of a grading permit, a completed WQMP shall be submitted to, and approved by, the Engineering Department. The WQMP shall be submitted using the San Bernardino County Stormwater Program's model template and shall identify all Post Construction, Site Design, Source Control, and Treatment Control BMPs that will be incorporated into the Project, in order to minimize the adverse effects on receiving waters.

City of Ontario Master Plan of Drainage

The City of Ontario's Master Plan of Drainage (MPD) is a planning level drainage study that includes the following:

- Update and evaluation of inventory and capacities of the existing City-owned storm drain facilities.
- Preparation of hydrology studies to quantify peak flow rates for runoffs during major storm events, that are based on built-out conditions as per the Land Use Plan adopted by City Council on January 27, 2010 and the Ontario Plan.
- Identification and quantification of upgrades to existing City-owned storm drain systems to provide adequate flood protection and mitigate development impacts, based on the City's latest policies and goals.
- Evaluation of alternatives to eliminate drainage deficiencies using the existing facilities to the maximum extent.
- Development of a master plan that establishes preliminary alignment and sizes for recommended future backbone drainage facilities that will ensure adequate flood protection.

- Development of project costs and prioritization for the implementation of the recommended master plan facilities.

The Ontario Plan (TOP)

TOP contains policies and goals addressing stormwater infrastructure. *Table 4.9-1, Ontario Policy Plan Goals and Policies Relevant to Hydrology and Water Quality,* provides a summary of these goals and policies.

Table 4.9-1: Ontario Policy Plan Goals and Policies Relevant to Hydrology and Water Quality

Goal/Policy#	Goal/Policy
Goal ER1	A reliable and cost-effective system that permits the City to manage its diverse water resources and needs.
Policy ER 1-5	*Groundwater Management:* We protect groundwater quality by incorporating strategies that prevent pollution, require remediation where necessary, capture and treat urban run-off, and recharge the aquifer.
Policy ER1-6	*Urban Run-off Quantity*: We encourage the use of low impact development strategies to intercept run-off, slow the discharge rate, increase infiltration and ultimately reduce discharge volumes to traditional storm drain systems.
Policy ER1-7	*Urban Run-off Quality*: We require the control and management of urban run-off, consistent with Regional Water Quality Control Board regulations.
Goal S2	Minimize risk of injury, loss of life, property damage and economic and social disruption caused by flooding and inundation hazards.
Policy S2-1	*Entitlement and Permitting Process:* We follow State guidelines and building code to determine when development proposals require hydrological studies prepared by a State-certified engineer to assess the impact that the new development will have on the flooding potential of existing development down-gradient.
Policy S2-2	*Flood Insurance:* We will limit development in flood plains and participate in the National Flood Insurance Program.
Policy S2-5	*Storm Drain System:* We maintain and improve the storm drain system to minimize flooding
Policy S2-6	*Use of Flood Control Facilities:* We encourage joint use of flood control facilities as open space or other types of recreational facilities.
Source: Ontario 2009.	

4.9.3 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

HYD-1 Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

HYD-2 Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

HYD-3 Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in substantial erosion or siltation on- or off-site.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

iv) Impede or redirect flood flows.

HYD-4 In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.

HYD-5 Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Section 7.0, Effects Found Not To be Significant, substantiates that impacts associated with the following thresholds would be less than significant:

- Threshold HYD-2
- Threshold HYD-3 (i)

Therefore, these impacts will not be addressed in the following analysis.

4.9.4 Plans, Programs, and Policies

PPP HYD-1 The Project will be constructed and operated in accordance with the City's Standard Condition SC 3.66 that requires a hydrology study and drainage analysis be prepared and signed by a California registered civil engineer in accordance with the San Bernardino County Hydrology Manual and the City of Ontario's Standards and Guidelines. Additional drainage facilities may be required after review of the studies by the City.

PPP HYD-2 Any construction shall be regulated by the SWRCB in a manner pursuant to and consistent with applicable requirements contained in the General Permit No. CAS000002, SWRCB Order Number 2009-0009-DWQ. This includes preparation of a SWPPP and an Erosion Sediment and Control Plan, as per the City of Ontario's requirements.

PPP HYD-3 The Project will be constructed and operated in accordance with the San Bernardino County MS4 Permit (Order No. R8-2010-0036, NPDES No. CAS618036 as renewed by the ROWD submitted on August 1, 2014). The MS4 Permit requires new development and redevelopment projects to prepare a preliminary WQMP and a final WQMP to:

- Develop site design measures using LID principles
- Establish Project-specific DCV and applicable HCOC requirements
- Evaluate feasibility of on-site LID BMPs

- Maximize hydrologic source control, infiltration, and biotreatment BMPs
- Select applicable source control BMPs
- Address post-construction BMP maintenance requirements

PPP HYD-4: On-site wells shall be abandoned in compliance with DWR standards and San Bernardino County well permit requirements.

4.9.5 Methodology

A preliminary hydrology report (see *Appendix* G*1*) and preliminary WQMP (see *Appendix* G2) were prepared for the Project. Hydrology calculations were computed using San Bernardino County Rational Method program (by AES Software). The soil type is "B" per the San Bernardino County Hydrology Manual. The San Bernardino County Small Area Unit Hydrograph Model (also by AES Software) was used for detention calculations.

4.9.6 Project Impacts and Mitigation Measures

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 4.9-1 ***Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? [Threshold HYD-1]***

Level of Significance Before Mitigation: With implementation of PPP HYD-1, PPP HYD-2, and PPP HYD-3, Impact 4.9-1 would be Less Than Significant

Construction

Clearing, grading, excavation, and construction activities associated with the Project have the potential to impact water quality through soil erosion and increasing the amount of silt and debris carried in runoff. Additionally, the use of construction materials, such as fuels, solvents, and paints may present a risk to surface water quality. Finally, the refueling and parking of construction vehicles and other equipment on-site during construction may result in oil, grease, or related pollutant leaks and spills that may discharge into the storm drain system.

To minimize these potential impacts, development of the Project would require compliance with the CGP Water Quality Order 2009-0009-DWQ (as amended by Order No. 2010-0014-DWQ and 2012-006-DWQ), which requires the preparation and implementation of a SWPPP. A SWPPP requires the incorporation of BMPs to control sediment, erosion, and hazardous materials contamination of runoff during construction and prevent contaminants from reaching receiving water bodies. The SWRCB mandates that projects that disturb one or more acres of land must obtain coverage under the Statewide CGP. As required by the CGP, prior to the start of construction activities, the Project Applicant must file PRDs with the SWRCB, which includes a NOI, risk assessment, site map, annual fee, signed certification statement, SWPPP, and post-construction water balance calculations. The construction contractor is always required to maintain a copy of the SWPPP at the site and implement all construction BMPs identified in the SWPPP during construction

activities. Prior to the issuance of a grading permit, the Project Applicant would be required to provide proof of filing of the PRDs with the SWRCB, which include preparation of SWPPP. Categories of potential BMPs that would be implemented for this Project are described in *Table 4.9-2, Construction BMPs*.

Table 4.9-2: Construction BMPs

Category	Purpose	Examples
Erosion Controls and Wind Erosion Controls	• Use project scheduling and planning to reduce soil or vegetation disturbance (particularly during the rainy season) • Prevent or reduce erosion potential by diverting or controlling drainage • Prepare and stabilize disturbed soil areas	Scheduling, preservation of existing vegetation, hydraulic mulch, hydroseeding, soil binders, straw mulch, geotextile and mats, wood mulching, earth dikes and drainage swales, velocity dissipation devices, slope drains, streambank stabilization, compost blankets, soil preparation/roughening, and non-vegetative stabilization
Sediment Controls	Filter out soil particles that have been detached and transported in water	Silt fence, sediment basin, sediment trap, check dam, fiber rolls, gravel bag berm, street sweeping and vacuuming, sandbag barrier, straw bale barrier, storm drain inlet protection, manufactured linear sediment controls, compost socks and berms, and biofilter bags
Wind Erosion Controls	Apply water or other dust palliatives to prevent or minimize dust nuisance	Dust control soil binders, chemical dust suppressants, covering stockpiles, permanent vegetation, mulching, watering, temporary gravel construction, synthetic covers, and minimization of disturbed area
Tracking Controls	Minimize the tracking of soil off-site by vehicles	Stabilized construction roadways and construction entrances/exits, and entrance/ outlet tire wash
Non-Storm Water Management Controls	• Prohibit discharge of materials other than stormwater, such as discharges from the cleaning, maintenance, and fueling of vehicles and equipment. • Conduct various construction operations, including paving, grinding, and concrete curing and finishing, in ways that minimize non-stormwater discharges and contamination of any such discharges.	Water conservation practices, temporary stream crossings, clear water diversions, illicit connection/discharge, potable and irrigation water management, and the proper management of the following operations: paving and grinding, dewatering, vehicle and equipment cleaning, fueling and maintenance, pile driving, concrete curing, concrete finishing, demolition adjacent to water, material over water, and temporary batch plants
Waste Management and Controls (i.e., good housekeeping practices)	Manage materials and wastes to avoid contamination of stormwater.	Stockpile management, spill prevention and control, solid waste management, hazardous waste management, contaminated soil management, concrete waste management, sanitary/septic waste management, liquid waste management, and management of material delivery storage and use
Source: California Stormwater Quality Association 2003.		

In addition, the City requires that an erosion and sediment control plan be submitted prior to grading plan approval and the issuance of a grading permit. Implementation of the erosion control plan would address any potential erosion issues associated with the proposed grading and site preparation activities.

Operations

Once the Project has been constructed, urban runoff could include a variety of contaminants that could impact water quality. Runoff from buildings and parking lots typically contain oils, grease, fuel, antifreeze, by-products of combustion (such as lead, cadmium, nickel, and other metals), as well as fertilizers, herbicides, pesticides, and other pollutants. Precipitation at the beginning of the rainy season may result in an initial stormwater runoff (first flush) with high pollutant concentrations.

According to the Santa Ana RWQCB MS4 permit, this project would be classified as a Priority Development Project because it would create more than 10,000 square feet of impervious surfaces. Therefore, a preliminary WQMP and a final WQMP would be required for the Project under the MS4 Permit. A preliminary WQMP has been prepared by Thienes Engineering (2022) (see *Appendix G2*) and a final WQMP would be submitted to the City prior to the start of construction.

The preliminary WQMP for the Project includes the following site design/ LID BMPs:

- Construct streets, sidewalks, and parking lot stalls to the minimum widths necessary.
- Install seven (7) underground stormwater retention chambers where downstream landscaped areas are limited.

Source control BMPs are designed to minimize the potential for pollutants to come into contact with stormwater, thereby limiting the potential for water quality impacts downstream. A variety of source control BMPs will be incorporated into the Project and implemented during its operation, including the following:

- Minimize non-stormwater site runoff through efficient irrigation system design and controllers.
- Minimize trash and debris in storm runoff in parking lots, and roadways through a regular sweeping program.
- Provide solid roofs overall trash enclosures
- Provide site occupants/site owners/properties managers with a copy of the project WQMP and stormwater BMPs.
- Provide site occupants and employees with education/training materials for operation and maintenance of the stormwater BMPs.
- Install stormwater placards/stenciled messages with a “No Dumping” message on all on-site/off-site storm drain inlets.

Treatment control BMPs (single or in combination) remove pollutants of concern from on-site runoff. The following BMPs are designed to control stormwater pollutants where it is not feasible to install on-site or off-site Site Design/LID BMPs, with the requisite capacity to treat the DCV for identified Pollutants of Concern or where pretreatment of stormwater runoff is required, ahead of infiltration All treatment

control BMPs would be designed in accordance with the procedures and spreadsheets provided in the San Bernardino County Technical Guidance Document for WQMPs and include:

- Gravity Separator devices for pretreatment of sediment, trash/litter or Oil & Grease

The preliminary WQMP shows that the Project can treat the full DCV on-site. The DCV would be captured and treated by seven Chemical Mechanical Polishing (CMP) underground detention basins. Stormwater runoff is captured via catch basins that convey the runoff into hydrodynamic separators (Debris Separating Baffle Boxes [DSBB]). The DSBBs consist of settling chambers for separating out larger solids and a media filter cartridge for capturing fine total suspended solids that may contain metals, nutrients, and bacteria. Runoff is then released into the on-site storm drains for eventual discharge into the regional storm drain system.

As specified in the preliminary WQMP, the HCOC requirements are achieved by using LID and hydromodification BMPs. The total volume of stormwater runoff detained by the underground CMP chambers (361,237 cubic feet) is greater than the calculated volume needed to meet the HCOC requirements (358,988 cubic feet). Therefore, implementation of the Project would not increase the time of concentration and the post-development runoff volume would not exceed pre-development conditions for the design storm event. Operational water quality impacts would be less than significant with implementation and maintenance of the BMPs described above and as specified in the WQMP. Also, the Project would comply with all State, County, and local regulations regarding stormwater runoff during construction and operational phases of the Project. Therefore, water quality standards and waste discharge requirements would not be exceeded, and surface water and groundwater quality would not be degraded. Impacts would be less than significant.

Impact 4.9-2 ***Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: [Threshold HYD-3 (ii), (iii), and (iv)]***

ii) Substantially increase the rate or amount of surface run-off in a manner which would result in flooding on- or off-site?

iii) Create or contribute run-off water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off?

iv) Impede or redirect flood flows?

Level of Significance before Mitigation: With implementation of PPP HYD-1 and PPP HYD-3, Impact 4.9-2 would be Less Than Significant

Construction and Operations

The Project would not involve the alteration of any natural drainages or watercourses. In general, stormwater runoff from the Project site would surface drain to various catch basins scattered throughout the site. The Project would construct a CMP underground chamber and a series of drywells. Any runoff would flow into inlets where stormwater would be intercepted into the CMP chamber and drywell

systems for water quality treatment. These systems would utilize infiltration as the primary form of water treatment by storing the stormwater runoff until it gradually exfiltrates into the underlying soil. Once water quality volume has been met, when the CMP underground chamber is full, higher flows at the catch basins would be conveyed away from the Project site via a larger on-site storm drain system. From there, runoff would eventually discharge to Merrill Avenue. The proposed on-site storm drain system would be sufficiently sized to limit the Project's runoff discharge to less than the existing 25-year discharge on the Project site. Flows beyond the allowable rate will be forced to temporarily detain above ground in the proposed truck yards throughout the site, and then slowly released via the proposed on-site storm drain at a rate below existing condition 25-year storm event runoff rate.

There currently are no improved drainage facilities other than earthen ditches in the vicinity of the Project site since the existing land use is agricultural. However, the Project Specific Plan describes storm drain improvements that would be implemented as part of the Project consistent with the City of Ontario's Master Plan of Drainage.

Though the constructed storm drains will be consistent with the Storm Drain Master Plan, the ultimate discharge location downstream, between Pine Avenue and Merrill Avenue in the City of Chino, is not fully improved at this time. Until this occurs, the Project will utilize on-site stormwater detention so that discharge from Project development remains less than peak flow rates prior to development.

Catch basins located throughout the Project site will collect runoff. On-site storm drain systems will convey runoff southerly to a reinforced concrete box facility in Merrill Avenue. As established by the Ontario Ranch Business Park Specific Plan (Approved SP), the Project site will be required to also connect to the planned constructed storm drains in Eucalyptus Avenue, north of Merrill Avenue. Each storm drain in Merrill Avenue will be equipped with a hydrodynamic separator or equivalent alternative approved devices to satisfy the statewide trash mandate. Each device will be approved by and listed on the Certified Full Capture System List of Trash Treatment Control Devices of the SWRCB. Runoff from these storm drains would eventually discharge into the Airport Channel, which runs along the east side of Euclid Avenue to the Prado Flood Control Basin. The City of Chino has future plans to replace the Airport Channel with the Euclid Avenue Storm Drain, which would need to be evaluated to accommodate flow rates projected from Drainage Area XIV, including the Project site as described in the MPD.

Until the future storm drain infrastructure is constructed, the Project would retain on-site any stormwater runoff in excess of the stormwater volume produced by a 25-year storm under existing conditions. This would prevent the stormwater discharge into the earthen channel along Merrill Avenue from exceeding its capacity in the interim period before the regional storm drain system is installed.

This system is designed to detain the stormwater runoff from the two-year, one-hour storm event (i.e., the DCV specified in the RWQCB regulations). It also is designed to meet HCOC requirements by temporarily detaining stormwater runoff so that the post-development peak flows do not exceed pre-development conditions by more than five percent.

Since the existing storm drain infrastructure does not have the capacity to accept stormwater flows in excess of the 25-year storm, the Project proposes on-site truck yards would be utilized to detain the

difference between existing condition 25-year storm event runoff rate and proposed condition 100- storm event runoff rate

Details regarding the proposed stormwater systems are provided in the preliminary hydrology report (see *Appendices G1*) and preliminary WQMP *Appendices G2*). *Table 4.9-3, Proposed Peak Drainage Flow Rates from a 25-Year and 100-Year Storm,* indicates the peak flow rates that would be discharged from the site for the 25-year and 100-year storm events under existing conditions and under post-development conditions with and without the proposed on-site detention.

Table 4.9-3 Proposed Peak Drainage Flow Rates from a 25-Year and 100-Year Storm

	Existing 25-Year Storm	Existing 100-Year Storm	Proposed 100-Year Without Detention	Proposed 100-Year With Detention
Peak Flow Rates (cfs)	49.5 cfs	85.1 cfs	162.7 cfs	49.9 cfs
Source: Thienes Engineering 2022 cfs = cubic feet per second				

With the proposed BMPs and on-site detention, the 100-year peak flow rate from the Project site to Merrill Avenue would be approximately 49.9 cfs. This is comparable to the peak flow rate under existing conditions for the 25-year storm event (49.5 cfs). Storm drainpipe sizes and hydraulics would be determined during the final design phase to ensure that the post-development 100-year flow rate is comparable to the existing condition 25-year flow rate.

The Project would not result in the impedance or redirection of flood flows. Off-site stormwater runoff would be intercepted by the proposed future storm drain along Eucalyptus Avenue. On-site stormwater runoff would be retained and filtered on-site prior to discharge into the existing earthen ditch along Merrill Avenue or the City's proposed future storm drain system and post-development flow rates for the 100-year storm would be less than existing condition flow rates for the 25-year storm. In general, the site would retain existing drainage patterns with eventual discharge to the earthen ditch to the south or into the proposed future storm drain along Merrill Avenue. In addition, the Project site is not in a 100-year floodplain or near any surface water bodies that could result in flood flows.

With the implementation of the BMPs and detention features, the Project would not substantially increase the rate or amount of surface runoff in a manner that would result in on- or off-site flooding. Also, the Project site design LID features and on-site detention facilities would ensure that stormwater runoff does not exceed the capacity of the storm drain system. The calculated stormwater runoff volume for the 100-year storm under post development conditions would be less than the amount of stormwater runoff for the 25-year storm under existing conditions. Therefore, this impact would be less than significant.

Impact 4.9-3 ***Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? [Threshold HYD-4]***

Level of Significance Before Mitigation: Impact 4.9-3 would be Less Than Significant

Construction and Operations

The Project site is not within a 100-year floodplain, as per FEMA FIRM No. 06071C9335H, dated August 28, 2008. It is designated as within Zone D, where no analysis of flood hazards has been conducted. However, the Project site is relatively flat and there are no nearby water bodies or streams or other conditions that would result in flooding at the Project site.

The Project site, as well as a large portion of the City, is within the dam inundation zone of San Antonio Dam. The dam is owned and operated by the USACE and functions as a flood control and debris dam for the San Antonio River. Dams in California are monitored and inspected annually by the California Division of Safety of Dams (DSOD). In addition, dam owners are required to maintain Emergency Action Plans (EAPs) that include procedures for damage assessment and emergency warnings. An EAP identifies potential emergency conditions at a dam and specifies preplanned actions to help minimize property damage and loss of life should those conditions occur. EAPs contain procedures and information that instruct dam owners to issue early warning and notification messages to downstream emergency management authorities.

The probability of dam failure is very low, and the City of Ontario has never been impacted by a major dam failure. According to the latest dam inundation map dated February 1986, the arrival time of the first flood wave would be between 8 and 10 hours after the catastrophic failure of the dam and the depth of water is estimated to be approximately two feet. This would provide ample time for implementing evacuation procedures, as specified in the City's 2018 Hazard Mitigation Plan. In addition, the proposed BMPs and LID measures at the Project site would result in the treatment and biofiltration of any floodwaters that enter the site and prevent pollutants from entering the regional storm drain system.

The Project site is also not located near any water storage tanks or reservoirs that would result in a seiche during seismic activity. The Project site is inland and approximately 30 miles from the ocean and therefore is not at risk of flooding due to tsunamis. Impacts associated with the release of pollutants due to inundation would be less than significant.

Impact 4.9-4: ***Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? [Threshold HYD-5]***

Level of Significance Before Mitigation: With implementation of PPP HYD-2, PPP HYD-3, and PPP HYD-4, Impact 4.9-4 would be Less Than Significant

Construction and Operations

Adherence to the State Groundwater Conservation Plan (GCP), implementation of the SWPPP, and adherence to the City's Erosion and Sediment Control Plan requirements, as described in detail in Impact 4.9-1, would ensure that surface and groundwater quality are not adversely impacted during construction. In addition, implementation of the LID and BMP measures at the site, including hydrodynamic separators and underground detention would ensure that water quality is not impacted during the operational phase of the Project. As a result, site development would not obstruct or conflict with the implementation of the Basin Plan.

The Project site is currently used for agricultural uses, including dairy operations and field crops. The site currently uses groundwater from an on-site groundwater well for the irrigation of crops and other agricultural related uses, which would cease with implementation of the Project. The on-site groundwater well would be abandoned per the California DWR Standards and would require a permit from the San Bernardino Department of Environmental Health Services and completion of a DWR 188 Well Completion Form.

Upon development, the Project site would be connected to the City's public water supply and there would be no on-site wells for use of groundwater. The City manages both the potable and non-potable supplies to ensure withdrawals from the Chino Basin do not exceed the safe yield for the Chino Basin, as per the Chino Basin Watermaster's Optimum Basin Management Program (OBMP). Therefore, the Project would not obstruct or conflict with the OBMP and impacts would be less than significant.

4.9.7 Cumulative Impacts

Hydrology and Drainage

Cumulative projects within the Chino Watershed could increase impervious areas and increase stormwater runoff rates. However, all projects within the watershed would be required to prepare and implement WQMPs that include provisions for the capture and infiltration of runoff or the temporary detention of stormwater runoff in HCOC areas so that post-development runoff discharges do not exceed pre-development runoff rates, in accordance with the NPDES MS4 permit. Thus, no significant cumulative drainage impacts would occur, and Project drainage impacts would not be cumulatively considerable.

Water Quality

Cumulative projects have the potential to generate pollutants during project construction and operation. All construction projects that disturb one acre or more of land would be required to prepare and implement SWPPPs in order to obtain coverage under the Statewide GCP. All projects within the watershed would also be required to prepare and implement WQMPs specifying BMPs, including LID measures, that would be applied during project design and project operation to minimize water pollution from project operation. Furthermore, all future development would be required to comply with applicable local, State and federal requirements, as part of the City's discretionary review process. This includes compliance with the City's Municipal Code, which specifically addresses water quality (Municipal Code Article 5, Construction Requirements). Thus, no significant cumulative water quality impacts would occur, and Project water quality impacts would not be cumulatively considerable.

4.9.8 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 4.9-1, 4.9-2, 4.9-3, and 4.9-4.

4.9.9 Mitigation Measures

No mitigation is required.

4.9.10 Level of Significance After Mitigation

In addition to compliance with existing regulatory requirements and PPPs, impacts would be less than significant.

4.9.11 References

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4.10 LAND USE AND PLANNING

This section of the Draft Subsequent Environmental Impact Report (EIR) evaluates potential impacts to land use in the City of Ontario (City) from implementation of the proposed Ontario Ranch Business Park Specific Plan Amendment project (Project). The analysis in this section is based on the proposed land use designations described in Chapter 3, Development Plan, and Chapter 4, Land Use and Development Standards, of the Ontario Ranch Business Park Specific Plan Amendment (Project or Project SPA). The Project, including the SPA, has been evaluated for its consistency with relevant goals and policies in The Ontario Plan (TOP) and the Southern California Association of Governments' (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

Potential land use impacts of the Project analyzed in this section of the Draft Subsequent EIR include those that could result in land use incompatibilities, division of neighborhoods or communities, or interference with other land use plans. Where applicable, mitigation measures are proposed to ensure the application of actions which would minimize or remove land use impacts that are identified as significant.

4.10.1 Environmental Setting

Existing Conditions

The Project site is currently an operational dairy farm with two on-site single-family homes, a dairy barn, a storage structure, numerous livestock corrals and feed storage barns with large retention ponds collecting waste from dairy farm operations. Other parts of the Project site are utilized for farming crops.

Surrounding Zoning and Land Uses

Land uses surrounding the Project site include dairy farms, agricultural land and commercial property associated with the Chino Airport. Surrounding land uses and designations are described below and shown on *Figure 3-8, Surrounding Land Use Map* within *Section 3.0, Project Description*.

- **North:** Eucalyptus Avenue and a mix of agricultural and service commercial uses, with scattered single-family homes with a General Plan land use designation of Mixed Use (New Model Colony West). Areas to the north are zoned Specific Plan with Agricultural (AG) Overlay.
- **East**: Campus Avenue and agricultural uses with General Plan land use designations of Industrial (IND) (0.55 floor area ratio [FAR]) and Business Park (BP) (0.6 FAR). Areas to the east are zoned as the approved South Ontario Logistics Center Specific Plan which includes business park and industrial planning areas.
- **South**: Merrill Avenue and commercial and public uses associated with the Chino Airport, within the City of Chino. The City of Chino General Plan Map designates the land south of the Project site as P – Public.[1] The area to the south is zoned AD – Airport Development with an Airport Overlay District.[2]

[1] City of Chino. Rev. 2020. *City of Chino General Plan Map*. https://p1cdn4static.civiclive.com/UserFiles/Servers/Server_10382578/File/City%20Hall/Departments/Community%20Development/Chino%20General%20Plan%20Map%20-%20Revised%20February%2013,%202020.pdf (accessed February 2021).

[2] City of Chino. Rev. 2020. *City of Chino Zoning Map*. https://www.cityofchino.org/UserFiles/Servers/Server_10382578/File/City%20Hall/Departments/Community%20Development/Chino%20Zoning%20Map%20-%20Revised%20February%2014,%202020.pdf (accessed February 2021).

- **West**: Sultana Avenue and agricultural uses with General Plan land use designations of BP (0.6 FAR) and IND (0.55 FAR). Areas to the west are zoned as the approved Ontario Ranch Business Park Specific Plan (Approved SP).

Existing General Plan Land Use Designations and Zoning Classifications

In 2010, the City adopted TOP, which serves as the City's business plan and includes a long-term vision and a principle-based Policy Plan, which functions as the City's General Plan. TOP land use designations and the Ontario Municipal Code - Title 9 Development Code (Ontario MC) zoning classifications for the Project site is shown below in *Table 4.10-1, Existing General Plan Land Use Designations and Zoning Classifications*.[3]

Table 4.10-1: Existing General Plan Land Use Designations and Zoning Classifications

Location	General Plan Land Use Designation	Zoning Classification
Project site	Low-Medium Density Residential (5.1 - 11 du / ac) Business Park (0.6 FAR) Chino Airport Overlay	SP, Specific Plan AG, Agricultural Overlay

1. City of Ontario. Rev. 2020. Exhibit LU-01 Land Use Plan. https://www.ontarioplan.org/wp-content/uploads/sites/4/2021/02/TOPLUP_Map24x3610_6._20210212.pdf.
2. City of Ontario. Zoning Map. (2015). Retrieved from: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Documents/Zoning%20Map/Zoning_20210212.pdf
3. Ontario Ranch Business Park Specific Plan, page 1-15.

In addition, the Project site is within the Ontario Airport and Chino Airport Influence Areas.[4,5] The Project proposes BP and IND land use designations. The BP land use designation accommodates industrial-serving commercial uses, office uses, and very light industrial uses. Development within this land use designation is typically multi-tenant in nature; however, single-tenant buildings are not precluded. Permitted uses include construction uses; manufacturing uses; wholesale trade uses; health care and social assistance uses; commercial uses; and warehousing uses. The IND land use designation accommodates storage and warehousing uses located in larger buildings on larger sites. Uses may include e-commerce, high cube warehouses, or distribution. A wide range of manufacturing and assembly uses are also permitted in this district. Permitted uses include agricultural uses; construction uses; wholesale trade uses; commercial uses; and warehousing uses. Further, through the Project SPA, the Project site will consist of two new Planning Areas: Planning Areas 3 and 4. Planning Area 3 (PA 3) will consist of business park buildings that would allow for the development of uses such as offices, technology centers, research and development, enterprises, light manufacturing, and warehouse/distribution uses. Planning Area 4 (PA 4) will consist of general light industrial, manufacturing, warehouse/distribution, and e-commerce fulfillment center operations.

As discussed in *Section 3.0, Project Description*, the Project site's current land use designation in the City's General Plan (TOP) is Low-Medium Density Residential (LMDR) and BP. However, the City is planning to adopt TOP 2050 Update in August 2022, which shows the Project site as BP and IND consistent with the proposed SPA. As this Draft Subsequent EIR is planned for approval after approval of the City's TOP 2050

[3] This is the current land use designation in the City's TOP. However, the City is planning to adopt TOP 2050 Update this August, which shows the Project site as Business Park and Industrial, consistent with the proposed SPA. As the ORBP II SPA Subsequent EIR is planned for approval after approval of the City's TOP 2050 Update, the Project would be consistent with the land use designations following TOP 2050 Update.

[4] Los Angeles/Ontario International Airport. 2010. Map 2-1 Compatibility Policy Map: Airport Influence Area. https://www.ontarioplan.org/wp-content/uploads/sites/4/2015/05/policy-map-2-1.

[5] Riverside County ALUC. 2008. Map CH-1 Compatibility Map: Chino Airport. http://www.rcaluc.org/Portals/13/PDFGeneral/plan/newplan/09-%20Vol.%201%20Chino.pdf (accessed February 2021).

Update, the Project would be consistent with the land use designations following TOP 2050 Update. As part of the forthcoming proposed TOP 2050 Update that will precede this Project, the underlying land use designations for the Project site will include 11.63 acres of BP (at a maximum FAR of 0.6) and 60.06 acres of IND (at a maximum FAR of 0.55). The maximum allowable FARs in the current TOP are greater than those proposed for this Project. TOP 2050 Update land use designations and the Ontario MC - Title 9 Development Code zoning classifications for the Project site is shown below in *Table 4.10-2, TOP 2050 Update General Plan Land Use Designations and Zoning Classifications*.[6]

Table 4.10-2: TOP 2050 Update General Plan Land Use Designations and Zoning Classifications

Location	General Plan Land Use Designation	Zoning Classification
Project Site	Industrial (0.55 FAR) Business Park (0.6 FAR) Chino Airport Overlay	SP, Specific Plan AG, Agricultural Overlay

1. City of Ontario. 2022. *The Ontario Plan 2050 Supplemental EIR, Figure ES-3 Place Types*. Retrieved from: https://files.ceqanet.opr.ca.gov/271618-2/attachment/eWuGwlyBRUCdOW7ZaCm4H1mV0w8mPGsss0XHvAPaJ8sKEtqYcqdQkAGVxgSCOnxC8eoq7OlGLj0AWg4X0.
2. City of Ontario. Zoning Map. (2015). Retrieved from: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Documents/Zoning%20Map/Zoning_20210212.pdf

4.10.2 Regulatory Setting

Regional

Southern California Association of Governments

SCAG is a regional council of governments representing Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties, which encompass over 38,000 square miles. SCAG is the federally recognized metropolitan planning organization (MPO) for this region and a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and State law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs. As the southern California region's MPO, SCAG cooperates with the South Coast Air Quality Management District (SCAQMD), the California Department of Transportation (Caltrans), and other agencies in preparing regional planning documents. SCAG has developed regional plans to achieve specific regional objectives, as discussed below.

The Specific Plan is considered a project of "regionwide significance" pursuant to the criteria in SCAG's Intergovernmental Review Procedures Handbook (November 1995) and Section 15206 of the State CEQA Guidelines. Therefore, this section addresses the Project's consistency with the applicable SCAG regional planning guidelines and policies.

Regional Transportation Plan/Sustainable Communities Strategy

In September 2020, SCAG adopted the 2020–2045 RTP/SCS, a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The 2020-2045 RTP/SCS includes a strong commitment to reduce emissions from transportation sources to comply with

[6] This is the current land use designation in the City's TOP. However, the City is planning to adopt TOP 2050 Update this August, which shows the Project site as Business Park and Industrial, consistent with the proposed SPA. As the ORBP II SPA Subsequent EIR is planned for approval after approval of the City's TOP 2050 Update, the Project would be consistent with the land use designations following TOP 2050 Update.

SB 375, improve public health, and meet the National Ambient Air Quality Standards (NAAQS). This long-range plan, required by the state of California and the federal government, is updated by SCAG every four years as demographic, economic, and policy circumstances change. The RTP/SCS is a living, evolving blueprint for the region's future.

The City is a member jurisdiction of the San Bernardino Council of Governments (SBCOG), and a participating agency in SCAG's 2020-2045 RTP/SCS.

Ontario International Airport Land Use Compatibility Plan

The Project site is within the Ontario Airport Influence Area. The Ontario International Airport (ONT) Land Use Compatibility Plan (ALUCP) was adopted on April 19, 2011 by the Ontario City Council to promote compatibility with surrounding land uses. The Ontario International ALUCP provides guidance to local jurisdictions that may be affected by ONT and the objective of the Plan is to avoid future compatibility conflicts.

Chino Airport Land Use Compatibility Plan

The Project site is within the Chino Airport Influence Area. The Chino Airport is located just south of the Project site across Merrill Avenue. The City of Ontario is currently preparing an ALUCP for Chino Airport which relies on the California Airport Land Use Planning Handbook published by Caltrans Division of Aeronautics, that is expected to be adopted in 2022. The Chino ALUCP will establish policies and criteria for the four types of compatibility impacts which include safety, noise, airspace protection, and overflight. Projects within the Specific Plan Amendment boundary shall be required to be consistent with the policies and criteria of the ALUCPs for ONT and Chino Airport. The purpose of an ALUCP is to promote peaceful and safe coexistence with the airport's surrounding communities and to identify areas that would be influenced by future airport operations. The ALUCP is intended to:

- Provide for the orderly development of the public use airport and the area surrounding to promote the overall goals and objectives of the California airport noise and to prevent the creation of new noise and safety problems;
- Protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas surrounding the airport.

Local

The Ontario Plan

The City adopted TOP on January 27, 2010. TOP is the community's blueprint for future development through 2035. The Project site is made of 8 parcels total–2 is designated as BP and 6 as LMDR. The existing land use designations and descriptions are provided in *Table 4.10-3, Existing TOP Land Use Designations*.

Table 4.10-3: Existing TOP Land Use Designations

Land Use	Dwelling Units per Acre or Floor Area Ratio	Description of Land Use Designation
Business Park	0.6 FAR	Employee-intensive office uses including corporate offices, technology centers, research and development, "clean" industry, light manufacturing, and supporting retail.
Low-Medium Density Residential	5.1 - 11 du/ac	Single/multi-family attached and detached residences, including small lot subdivisions, townhouses, and courtyard homes.

Source: City of Ontario. Rev 2017. *LU-02 Land Use Designations Summary Table*. https://www.ontarioplan.org/wp-content/uploads/sites/4/2020/11/LU-02-Land-Use-design-table_032017.pdf.

The City is planning to adopt TOP 2050 Update in August 2022, which shows the Project site as BP and IND, consistent with the proposed Project SPA. As this Draft Subsequent EIR is planned for approval after approval of the City's TOP 2050 Update, the Project would be consistent with the land use designations following TOP 2050 Update, as shown in *Table 4.10-4, TOP 2050 Update Land Use Designations*.

Table 4.10-4: TOP 2050 Update Land Use Designations

Land Use	Dwelling Units per Acre or Floor Area Ratio	Description of Land Use Designation
Business Park	0.6 FAR	Employee-intensive office uses including corporate offices, technology centers, research and development, "clean" industry, light manufacturing, and supporting retail within a business park setting.
Industrial	0.55 FAR	Variety of light industrial uses, including warehousing/ distribution, assembly, light manufacturing, research and development, storage, repair facilities, and supporting retail and professional office uses. This designation also accommodates activities that could potentially generate impacts, such as noise, dust, and other nuisances. If office uses and/or multiple tenant uses are developed on parcels fronting on the Milliken, Haven, and Archibald corridors, a FAR of 0.60 may be used.

Source: City of Ontario. 2022. *City of Ontario TOP 2050 Update, Table 3-2 Land Use Designations in the City of Ontario*. https://files.ceqanet.opr.ca.gov/271618-2/attcityachment/eWuGwlyBRUCdOW7ZaCm4H1mV0w8mPGsss0XHvAPaJ8sKEtqYcqdQkAGVxgSCOnxC8eoq7OlGLj0AWg4X0.

City of Ontario Development Code

The City of Ontario Development Code, Title 9 of the Ontario MC, is designed to promote and protect public health, safety, and general welfare in the community. Development Code Chapter 5, Zoning and Land Use establishes zoning designations and development standards to regulate orderly development. The Project site is zoned as SP District with an AG Overlay. The SP zoning district was established to accommodate the adoption of Specific Plans pursuant to the Development Code and consistent with all land use designations of the Policy Plan component of the TOP. The AG Overlay District is established to accommodate the continuation of agricultural uses within the City until it is developed as per the Policy Plan component of the TOP and the underlying zoning district. The intent of the AG Overlay District is to permit continued agricultural use of properties or to establish general agricultural uses appropriate for areas of concentrated agricultural uses.

4.10.3 Threshold of Significance

According to Appendix G of the State CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

LU-1 Physically divide an established community.

LU-2 Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Section 7.0, Effects Found Not to Be Significant, substantiates that impacts associated with the following thresholds would be less than significant:

- Threshold LU-1

This impact will not be addressed in the following analysis.

4.10.4 Methodology

This analysis analyzes the Project's consistency with regional and local plans, policies and regulations for the purposes of avoiding or mitigating an environmental effect. Specifically, the Project was analyzed with respect to the applicable regional planning guidelines and strategies of SCAG's 2020-2045 RTP/SCS and the City's TOP.

Approach to Analysis

This analysis of impacts on land use and planning components examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Project site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component will or will not result in "substantial" adverse effects on land use and planning standards considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

4.10.5 Project Impacts and Mitigation Measures

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 4.10-1 ***Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? [Threshold LU-2]***

Level of Significance Before Mitigation: Potentially Significant Impact.

The Project consists of a SPA to allow for development of an industrial and business park on eight parcels covering approximately 71.69 acres in the City. The development would include six buildings ranging from 61,300 sf to 530,460 sf in building size. This would allow for the development of approximately 1,640,690 sf of industrial and business park buildings.

The 71.69-acre Project site's proposed industrial and business park use is inconsistent with the Project site's current TOP land use designation, which is currently 56 acres of LMDR and 18 acres of BP (the Project proposes approximately 12 acres of BP, and approximately 60-acres of IND, to facilitate development of the Project).[7] The Project SPA would provide a land use plan, circulation plan, streetscape plan, infrastructure service plan, grading plan, maintenance plan, phasing plan, design guidelines, development regulations, and implementation measures to guide the development of the Project site. Although the Project would be inconsistent with the City's current TOP (a significant unavoidable impact), this would be remedied upon the City's planned adoption of TOP 2050 Update, which is scheduled for City approval in August 2022. Should the Project follow approval of TOP 2050 (which proposes the site as BP and IND land uses consistent with the Project's proposed SPA), the Project would be consistent with the City's TOP 2050 land use designations.

The Project would allow for up to 227,951 sf of business park building space to be developed on a total of 11.6 acres. This would be developed with business park buildings that would allow for the development of uses such as offices, technology centers, research and development, enterprises, light manufacturing, and warehouse/distribution uses. The Project would allow up to 1,412,739 sf of industrial building space to be constructed. This would be comprised of 60 acres and would allow for the development of uses such as general and light industrial, manufacturing, warehouse/distribution, and e-commerce fulfillment center operations.

Below is an evaluation of the Project's consistency with applicable plans and policies that have been adopted for the purpose of avoiding or mitigating an environmental effect.

Southern California Association of Governments RTP/SCS Compatibility

The Project is considered a project of regionwide significance pursuant to the criteria outlined in SCAG's *Intergovernmental Review Procedures Handbook* (November 1995) and State CEQA Guidelines Section 15206, because it would involve a net increase of over 500,000 sf of business establishment. Therefore, a consistency analysis with the applicable regional planning guidelines and strategies of SCAG's 2020-2045 RTP/SCS is required. *Table 4.10-5, Consistency with SCAG's 2020-2045 RTP/SCS Goals,* provides an assessment of the Project's consistency with the recently adopted 2020-2045 RTP/SCS (Connect SoCal) goals. The RTP/SCS goals are directed toward transit, transportation and mobility, and protection of the environment and health of residents. Consistency with SCAG population growth projections is addressed separately in *Section 4.12, Population and Housing*. The consistency analysis below focuses on the broad, policy-oriented goals of the 2020-2045 RTP/SCS to determine the Project's consistency with the RTP/SCS.

[7] As discussed in *Section 3.0, Project Description*, upon adoption of the City's TOP 2050 Update planned for August 2022, the Project site would be consistent with the City's general plan land use designations. To be conservative, this EIR has evaluated the Project against the City's current TOP policies and the Project site's current residential and business park land use designations.

Table 4.10-5: Consistency with SCAG's 2020-2045 RTP/SCS Goals

RTP/SCS Goal	Project Consistency
RTP/SCS G1: Encourage regional economic prosperity and global competitiveness.	**Consistent:** The Project's objective is to create an economic engine to drive future growth in the City and the County, spur infrastructure improvements in the area, and implement the SPA vision. The Project would allow for the development of urban uses on currently underutilized land.
RTP/SCS G2: Improve mobility, accessibility, reliability, and travel safety for people and goods.	**Consistent:** Implementation of the Project would include roadway improvements and other major infrastructure investments that would ensure that mobility accessibility for people and goods would be maximized. The Project would also expand the City's industrial uses in proximity to local airports (namely Chino Airport) and regional transportation networks. The vehicular and pedestrian improvements in the Project would be implemented and maintained to meet the needs of employees and customers.
RTP/SCS G3: Enhance the preservation, security, and resilience of the regional transportation system.	**Consistent:** All modes of public and commercial transit throughout the Project area would be required to follow safety standards set by State, regional, and local regulatory documents. For example, sidewalks must follow precautions established in the Development Code. The Project would not remove or alter in a reductive manner access to the local public transportation near the Project site, including bus routes near Eucalyptus Avenue.
RTP/SCS G4: Increase person and goods movement and travel choices within the transportation system.	**Consistent:** The Project would involve transportation improvements in the form of improvements to nearby streets. These improvements to Merrill Avenue, Campus Avenue, Eucalyptus Avenue, and Sultana Avenue would increase the efficiency of the streets after implementation of the Project. Further discussion regarding transportation impacts stemming from the implementation of the Project are discussed in *Section 4.14, Transportation and Traffic*.
RTP/SCS G5: Reduce greenhouse gas emissions and improve air quality.	**Consistent:** Discussion regarding reduction in greenhouse gas (GHG) emissions can be found in *Section 4.7, Greenhouse Gas Emissions*. Discussion regarding improvements to air quality can be found in *Section 4.2, Air Quality*. The reduction of energy use, improvement of air quality, and promotion of more environmentally sustainable development would be encouraged through the existing and proposed alternative transportation modes, sustainable building and landscaping design techniques, and other best management practices for structures and non-structures. In addition, the Project is within walking distance of the Eucalyptus and Euclid Omnitrans bus route 83. Omnitrans bus route 83 directly connects the site to the cities of Chino and Upland and to several stops in Ontario as well as the Chino Transit Center and Ontario Civic Center Transfer Station.
RTP/SCS G6: Support healthy and equitable communities.	**Consistent:** The Project would be constructed to current building codes, State and Federal requirements including CALGreen Code.

RTP/SCS Goal	Project Consistency
RTP/SCS G7: Adapt to a changing climate and support an integrated regional development pattern and transportation network.	**Consistent:** The Project would construct new roads, infrastructure, and buildings to support uses consistent with the 2020-2045 RTP/SCS and consistent with current building codes, State and Federal requirements including CALGreen Code. This includes electric vehicle (EV) Parking spaces, energy-efficient buildings, and use of construction and grading equipment that complies with current air quality standards, etc. See *Section 4.2, Air Quality; 4.7 Green House Gas Emissions;* and *Section 4.14 Transportation and Traffic*.
RTP/SCS G8: Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	
RTP/SCS G9: Encourage development of diverse housing types in areas that are supported by multiple transportation options.	**Consistent:** The proposed TOP and zoning designations for the Project site are for BP and IND land use designations, and SP-AG Zoning development. No residential development is proposed nor would be permitted under the proposed land use designations.
RTP/SCS G10: Promote conservation of natural and agricultural lands and restoration of habitats	**Consistent:** Although the Project would develop lands with Prime Farmland, this is consistent with the City's TOP policy planning document as well as the Agricultural Overlay which anticipates future development. Further discussion regarding impacts to agricultural lands is provided in *Section 4.1, Agriculture and Forestry Resources.* There are no habitat restoration sites present on the Project site.
Source: SCAG. 2020. 2020-2045 SCAG RTP/SCS Connect SoCal Goals. https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal-plan_0.pdf?1606001176.	

The Ontario Plan Compatibility

An analysis of the Project's consistency with Citywide goals in the current TOP is provided in *Table 4.10-6, Consistency with the City of Ontario General Plan (TOP)*. Because CEQA Impact Threshold 4.10-2 emphasizes consistency with land use goals "adopted for the purpose of avoiding or mitigating an environmental effect," *Table 4.10-6* focuses on consistency with the City's TOP Elements that address environmental issues. Goals and policies that do not address environmental effects or are not applicable to the Project are not addressed below. Note that the following TOP consistency analysis is based upon Project consistency with the City's current TOP. While the Project is consistent with the current TOP goals and policies noted below, the Project's proposed land use designations as reflected in the proposed SPA are inconsistent with current TOP land use designations of LMDR and BP, which represents a significant impact. As discussed further below, this land use inconsistency would be remedied upon the City's approval of the proposed TOP 2050 Update planned for August 2022. Should the Project approval follow TOP 2050 Update approval, the Project's land uses would be consistent with the City's General Plan land use designations as proposed in TOP 2050 Update.

Table 4.10-6: Consistency with the City of Ontario General Plan (TOP)

General Plan Goals/Policies	Project Consistency
Land Use Element	
Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.	
LU1-2: *Sustainable Community Strategy.* We integrate state, regional and local Sustainable Community/Smart Growth Principles into the development and entitlement process.	**Consistent:** The Project encourages the efficient use of energy resources in design, product selection, and operational techniques. The Design Guidelines in Chapter 5 of the Project's Specific Plan addresses lighting, bicycle parking, sustainable landscaping, and sustainable design strategies. Landscape provisions require the use of

General Plan Goals/Policies	Project Consistency
	drought-resistant vegetation and shade trees to conserve water and reduce heat islands. The Project's sustainable design strategies include design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption. Protecting water quality, reducing runoff, and reducing water demand for landscaping are promoted in the Development Plan in Chapter 3 of the Project's SPA through the recycled water plan and storm drainage facilities source control and treatment practices.
LU1-3: *Adequate Capacity.* We require adequate infrastructure and services for all development.	**Consistent:** The Project's SPA establishes a Phasing Plan that is coordinated with affected infrastructure providers and ensures that uses on the project site are adequately served. The Project's Specific Plan requires infrastructure development to occur in a timely manner. Potable and recycled water, sewer, fiber optic communications, and storm drain infrastructure improvements that ultimately serve the Project site are addressed in Chapter 3, Development Plan, of the Project's SPA. Infrastructure and services will be consistent with City of Ontario infrastructure master plans and the approved development agreement. Please refer to *Section 4.16*, *Utilities and Service Systems,* for further discussion regarding utility infrastructure.
Goal Land Use 2: Compatibility between a wide range of uses.	
LU2-3: *Hazardous Uses***.** We regulate the development of industrial and similar uses that use, store, produce or transport toxic substances, air emissions, other pollutants, or hazardous materials.	**Consistent:** Uses within the SPA are required to comply with federal, State, and local regulations pertaining to the use, storage, disposal, and transport of hazardous materials, toxic substances, and other pollutants. Refer to *Section 4.8, Hazards and Hazardous Materials,* for further discussion of hazardous materials.
LU2-5: *Regulation of Uses.* We regulate the location, concentration, and operations of uses that have impacts on surrounding land uses.	**Consistent:** The Project's SPA land use plan contained in Chapter 3, Development Plan, utilizes the BP designation (PA 3) to buffer the IG land use designation (PA 4) from the existing agricultural uses located north of Eucalyptus Avenue. Chapter 4, Land Use and Development Standards restricts PA 3 to less intense business park uses and requires the building height to be lower. Furthermore, the conceptual site design places truck traffic ingress and egress and visible loading docks away from the existing residential uses.
LU2-6: We require infrastructure to be aesthetically pleasing and in context with the community character.	**Consistent:** The Project's SPA design guidelines (Chapter 5) are intended to support high-quality development that complements the surrounding community. Landscaped areas and drive entrances will be planned to separate parking areas and keep the parking lot from being the dominant visual element of the Project site. The SPA also establishes landscape setback requirements (Chapter 4, Land Use and Development Standards) and conceptual streetscape design (Chapter 5, Design Guidelines) along all roadways within the Project

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	site to create safe and attractive streets for pedestrians and motorists and ensure cohesive patterns of development.
LU2-9: *Methane Gas Sites.* We require sensitive land uses and new uses on former dairy farms or other methane-producing sites be designed to minimize health risks.	**Consistent:** The Project's SPA incorporates into its Implementation Plan (Chapter 6) requirements for the Project to comply with any mitigation measures identified in this Draft Subsequent EIR, including those for soil remediation and proper venting to address the potential existence of methane gases within the Project site.
Goal Land Use 5: Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.	
LU5-7: *ALUCP Consistency with Land Use Regulations.* We comply with state law that requires general plans, specific plans and all new development be consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.	**Consistent:** The Project site is within the ONT Influence Area and the Chino Airport Influence Area. The Specific Plan Amendment discusses compliance with the ALUCP requirements for the Ontario Airport and the Chino Airport in Chapter 2, Section 2.2, Airport Influence Areas.
Community Design Element	
Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.	
CD1-2: *Growth Areas.* We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.	**Consistent:** The SPA design guidelines (Chapter 5, Design Guidelines) and development standards (Chapter 4, Land Use and Development Standards) ensure high quality, cohesive, attractive, and appropriately-scaled development that complements and integrates into the Ontario Ranch community and adds value to the City.
Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and development that are attractive safe, functional, and distinct.	
CD2-1: *Quality Architecture.* We encourage all developments to convey visual interest and character through: • Building volume, massing, and height to provide appropriate scale and proportion; • A true architectural style which is carried out in plan, section, and elevation through all aspects of the building and site design and appropriate for its setting; • Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.	**Consistent:** The Project design guidelines (Chapter 5 of the Project SPA) ensure that: 1) Scale, massing, fenestration, materials, and colors are consistent with the building's architectural style and compatible with the overall design in the Project area; 2) Articulation is provided through elements such as cornices, parapets, expression lines, and changes in materials and/or colors; 3) Use of a variety of colors, materials, and/or textures on each building is appropriate to the architectural features or massing.
CD2-5: *Streetscapes.* We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen	**Consistent:** The Project's SPA (Chapter 3, Section 3.3, Circulation Plan) addresses connectivity, street improvements, pedestrian and bicycle plans, and transit. In Chapter 5.3, Landscape Design, the SPA identifies street improvements and streetscape including parkways, street

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connectivity, and enhance community identify through improvements to the public right-of-way such as sidewalks, street trees, parkways, curbs, street lighting, and street furniture.	trees, sidewalks, landscape buffers, and street lighting for Eucalyptus Avenue, Merrill Avenue, Campus Avenue, and Sultana Avenue within the SPA area, which are consistent with the Circulation Element of TOP. The SPA streetscape design creates an aesthetically pleasing view for pedestrians and motorists, screens parking and loading areas from the public right-of-way, and visually integrates the development into the surrounding Ontario Ranch community.
CD2-6: *Connectivity.* We promote development of local street patterns and pedestrian networks that create and unify neighborhoods, rather than divide them, and create cohesive and continuous corridors, rather than independent "islands."	**Consistent:** The SPA creates an efficient street system by providing convenient connections with adjacent land uses in compliance with the vision of the Circulation Element of the TOP. Roads will be improved with sidewalks, trails and bikeways to supplement vehicular transportation through the design of SPA street sections (Chapter 3.3: Circulation Plan) and streetscape (Chapter 5.3, Landscape Design).
CD2-7: *Sustainability.* We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.	**Consistent:** The SPA is committed to sustainable design strategies that integrate principles of environmental stewardship into the design, construction and operation process. General Plan Consistency (Chapter 7.0) incorporates sustainability principles into its design guidelines (Chapter 5.8, Sustainable Design Strategies), such as drought tolerant landscaping, skylights in warehouse/distribution buildings to provide natural light and reduce lighting demand, high performance dual pane glazing in office storefronts, and LED products for energy efficient site lighting. Design strategies include the design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption. The use of recycled water to irrigate landscape is required by the SPA's Recycled Water Plan (Chapter 3.5), consistent with the City of Ontario Recycled Water Master Plan.
CD2-9: *Landscape Design.* We encourage durable landscaping materials and designs that enhance the aesthetics of structure, create, and define public and private spaces, and provide shade and environmental benefits.	**Consistent:** Consistent with the vision for Ontario Ranch as outlined in the Ontario Ranch Streetscape Master Plan, the SPA (Chapter 5.3, Landscape Design) provides for landscaped setbacks and landscaped parkways adjacent to bike lanes and sidewalks, defining these public spaces. The landscaped setbacks and parkways will include drought-tolerant plants featuring colorful shrubs and groundcovers, ornamental grasses and succulents, evergreen and deciduous trees, and species native to Southern California or naturalized to the arid Southern California climate to promote durable plant materials. The plant selection will complement the design theme of the Project site. Parking lot landscaping will reduce associated heat buildup, improve aesthetics, and integrate into on-site landscape design and adjacent streetscapes. Swaled landscape areas will retain/infiltrate stormwater run-off to improve water quality and promote groundwater recharge. Shade trees thoughtfully located near expanses of paving, building walls, roofs, and windows will reduce the impacts of heat gain.

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CD2-11: *Entry Statements*. We encourage the inclusion of amenities, signage, and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.	**Consistent**. The Project SPA establishes design guidelines to ensure high-quality development and a sense of place. As discussed in Chapter 5.3, Landscape Design, Campus, Eucalyptus, Merrill and Sultana Avenues will feature landscaped setbacks adjacent to the Specific Plan Amendment area that will provide attractive entries to the site. An entry monument will be located at the northeast corner of Euclid Avenue and Merrill Avenue for the Approved SP and SPA, to identify the Ontario Ranch area and/or the Ontario Ranch Business Park.
CD2-12: *Site and Building Signage*. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structure.	**Consistent:** The Project Specific Plan Amendment (Chapter 5.7, Signage) requires approval of a comprehensive sign program to address parcel identification, building identification and directional signage within the Project site. A comprehensive sign program will integrate Project signage with the overall design of the Project site and structures to create a unified visual statement. A comprehensive sign program provides flexible application of sign regulations to provide incentive and latitude in the design and display of multiple signs. Industrial uses on the site will also be appropriately signed to give direction to loading and receiving, visitor parking, and other special uses.
Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, casually appealing, and safe during all hours.	
CD3-1: *Design*. We require that pedestrian, vehicular, bicycle, and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort, and aesthetics.	**Consistent:** The SPA (Chapter 3.3, Circulation Plan) coordinates street, trail, and bikeway designs to serve on-site land uses and extend access to the surrounding area in compliance with TOP Mobility Element. The SPA specifies street improvements for Campus Avenue, Eucalyptus Avenue, Merrill Avenue, and Sultana Avenue. The SPA streetscape design (Chapter 5.3, Landscape Design) provides an aesthetically pleasing view for pedestrians and motorists, screens parking and loading areas from the public right-of-way, and integrates the development into the surrounding community.
CD3-5: *Paving*. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public places.	**Consistent:** The SPA development standards (Chapter 4, Land Use and Development Standards) require that design and materials for sidewalks and road surfaces within the Project site be approved by the City's Engineering Department. Specific Plan Amendment design guidelines (Chapter 5) encourage the use of enhanced paving to mark major building entries and paving materials that possesses a high level of solar reflectivity to reduce the heat island effect.
Goal CD5: A sustained level of maintenance and improvement of properties, buildings, and infrastructure that protects the property values and encourages additional public and private investment.	
CD5-1: *Maintenance Buildings and Property*. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistency maintained.	**Consistent:** The Project SPA includes a Maintenance Responsibility Matrix in Chapter 6, Implementation, identifying the parties responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Project site. Privately owned buildings will be maintained

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	as specified by the Property Owners Association (Chapter 6.10.2 of the SPA).
CD5-2: *Maintenance of Infrastructure. We require the continued maintenance of infrastructure.*	**Consistent:** The Project's SPA includes a Maintenance Responsibility Matrix in Chapter 6, Implementation, identifying the parties responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Project site.
Mobility Element	
Goal M1: A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.	
M1-1: *Roadway Design and Maintenance.* We require our roadways to: • Comply with federal, state, and local design and safety standards. • Meet the needs of multiple transportation modes and users. • Handle the capacity envisioned in the Functional Roadway Classification Plan. • Maintain a peak hour Level of Service (LOS) E or better at all intersections. • Be compatible with the streetscape and surrounding land uses. • Be maintained in accordance with best practices and our Right-of-Way Management Plan.	**Consistent:** The SPA main complies with the Functional Roadway Classification Plan of the Mobility Element and, therefore, aims to comply with federal, State, and local design and safety standards; meet the needs of multiple transportation modes and users; and maintain a Level of Service (LOS) of E or better at all intersections addressed in this Draft Subsequent EIR. SPA design strives to minimize the effects of truck traffic on nearby residential uses by locating truck entries and loading docks away from residential use.
M1-2: *Mitigation of Impacts.* We require development to mitigate its traffic impacts.	**Consistent:** The SPA requires in Chapter 6.3.4, Compliance with CEQA, that projects within the Project site comply with all mitigation measures, conditions, and project design features identified in this Draft Subsequent EIR. Chapter 5.1, Site Design, provides guidelines to ensure buildings, structures, and loading facilities will be designed so loading and unloading activities occur on-site without extending beyond the Project site.
Goal M2: A system of trails and corridors that facilitate and encourage bicycling and walking.	
M2-1: We require development to mitigate its traffic impact.	**Consistent**. The SPA requires in Chapter 6.3.4, Compliance with CEQA, that projects within the Project site comply with all mitigation measures, conditions, and project design features identified in this Draft Subsequent EIR. Chapter 5.1, Site Design, provides guidelines to ensure buildings, structures, and loading facilities will be designed so loading and unloading activities occur on-site without extending beyond the Project site.
M2-3: *Pedestrian Walkways.* We require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks,	**Consistent:** The SPA street sections, and streetscape designs (Chapter 3.1, Circulation Plan, and Chapter 5.3, Landscape Design) provide for construction of five-foot wide public pedestrian sidewalks for Campus Avenue, Eucalyptus Avenue, Merrill Avenue, and Sultana Avenue to connect with adjacent existing and planned pedestrian

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recreation areas, and other key destination points.	circulation systems. Pedestrian sidewalks are separated from vehicular travel lanes by a landscaped parkway. Proposed improvements for the Project site's streets are consistent with the City's Ontario Ranch Streetscape Master Plan.
Goal M3: A public transit system that is a viable alternative to automobile travel and meets basic transportation needs of the transit dependent.	
M3-2: *Transit Facilities at New Development.* We require new development to provide transit facilities, such as bus shelters, transit bays and turnouts, as necessary.	**Consistent:** The SPA discusses in Chapter 3.3.10, Transit, that the City is coordinating with regional transit agencies to implement Bus Rapid Transit (BRT) service to target destinations and along corridors, including Euclid Avenue on the western boundary of the Approved SP.
Goal M4: An efficient flow of goods through the City that maximizes economic benefits and minimizes negative impacts.	
M4-1: *Truck Routes.* We designate and maintain a network of City truck routes that provide for the effective transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses, as shown in the Truck Routes Plan.	**Consistent:** The SPA is designed to enable easy vehicular access to the truck route network and to encourage its industrial users to implement effective goods movement strategies. The Land Use and Circulation Plans (Chapter 3, Development Plan) are designed to direct truck traffic away from nearby residential use in the City of Chino and focus trucks on the designated Merrill Avenue truck route. Chapter 3.1, Site Design, of the Design Guidelines stipulates buildings, structures, and loading facilities will be designed to ensure that loading and unloading activities and maneuvering of freight vehicles occurs on-site without extending beyond the Project site.
Environmental Resources Element	
Goal ER1: A reliable and cost-effective system that permits the City to manage its diverse water resources and needs.	
ER1-3: *Conservation.* We require conservation strategies that reduce water usage.	**Consistent**: The SPA incorporates water conservation strategies into its development plan and design guidelines. The use of recycled water to irrigate landscape areas is required consistent with the City of Ontario Recycled Water Master Plan (Chapter 3, Development Plan). Landscape and irrigation plans are encouraged to use water conservation features such as drought-tolerant plant species native to the region and drip irrigation (Chapter 5, Design Guidelines). The SPA encourages the design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption.
ER1-5: *Groundwater Management.* We protect groundwater quality by incorporating strategies that prevent pollution, require remediation where necessary, capture and treat urban run-off, and recharge the aquifer.	**Consistent**: In Chapter 3.7, Storm Drainage Plans, the SPA stipulates that prior to issuance of grading or construction permits, a Storm Water Pollution Prevention Plan (SWPPP) be prepared and approved by the City. The SWPPP will identify and detail appropriate Best Management Practices (BMPs) to prevent pollutant discharge into storm drain systems and natural drainages and aquifers. In addition to the preparation of a SWPPP, a Water Quality Management Plan (WQMP) will be prepared and approved that will enforce long-term BMPs to prevent pollutant discharges into storm drain systems, for the life of the project. Chapter 5.8.2, Water Quality, requires the

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	provision of on-site landscape swales to collect and treat stormwater run-off.
ER1-6: *Urban Run-off Quantity.* We encourage the use of low impact development strategies to intercept run-off, slow the discharge rate, increase infiltration and ultimately reduce discharge volumes to traditional storm drain systems.	**Consistent**: The SPA (Chapter 3.9, Storm Drainage Plan) incorporates low impact development strategies including landscape designs that promote water retention; permeable surface designs in parking lots and areas with low traffic; parking lots that drain to landscaped areas to provide treatment, retention, or infiltration; and limited soil compaction during grading.
ER1-7: *Urban Run-off Quality.* We require the control and management of urban run-off, consistent with Regional Water Quality Control Board regulations.	**Consistent**: In Chapter 3.9, Storm Drainage Plan, the SPA states that prior to issuance of grading or construction permits, a WQMP is required to minimize stormwater runoff and provide on-site opportunities for groundwater recharge integrated into project design and amenities. The grading and drainage of the Project site will be designed to retain/infilter, harvest & re-use or biotreat surface runoff to comply with the current requirements of the San Bernardino County National Pollutant Discharge Elimination System (NPDES) Stormwater Program's WQMP for significant new development projects.
ER1-8: *Wastewater Management.* We require the management of wastewater discharge and collection consistent with waste discharge requirements adopted by the Regional Water Quality Control Board.	**Consistent**: In Chapter 3.6, Sewer Plan, the SPA provides for design of a wastewater system consistent with City and Regional Water Quality Board requirements. The SPA includes a network of new public sewer mains consistent with the City of Ontario's Ultimate Sewer System Plan.
Goal ER3: Cost-effective and reliable energy system sustained through a combination of low impact building, site and neighborhood energy conservation and diverse sources of energy generation that collectively helps to minimize the region's carbon footprint.	
ER3-1: *Conservation Strategy.* We require conservation as the first strategy to be employed to meet applicable energy-saving standards.	**Consistent**: The SPA incorporates energy-saving conservation strategies into its design guidelines (Chapter 5) by addressing lighting, bicycle parking, sustainable landscaping, and energy efficiency. Sustainable design strategies (Chapter 5.8) include design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption.
ER3-3: *Building and Site Design.* Require new construction to incorporate energy efficient building and site design strategies, which could include appropriate solar orientation, maximum use of natural daylight, passive solar and natural ventilation.	**Consistent**: The SPA's Sustainable Design Strategies (Chapter 5.8) include the use of passive design to improve building energy performance through skylights, building orientation, landscaping, and use of select colors.
Goal ER4: Improved indoor and outdoor air quality and reduced locally generated pollutant emissions.	
ER4-4: *Indoor Air Quality*. We will comply with State Green Building Codes relative to indoor air quality.	**Consistent**: The SPA requires development projects in the Project site to comply with the California Building Code as adopted and implemented by the City. The SPA's Sustainable Design Strategies

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	(Chapter 5.8) include the design and construction of energy efficient buildings to reduce air, water, and land pollution.
Goal ER5: Protected high value habitat and farming and mineral resource extraction activities that are compatible with adjacent development.	
ER5-2: *Entitlement and Permitting Process.* We comply with state and federal regulations regarding protected species.	**Consistent**. The SPA acknowledges that all projects within the Project site shall comply with any and all mitigation measures of this Draft EIR.
Safety Element	
Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.	
S1-1: *Implementation of Regulations and Standards*. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.	**Consistent**: The SPA requires all future development projects to comply with the California Building Code as adopted and implemented by the City.
S1-2: *Entitlement and Permitting Process.* We follow state guidelines and the California Building Code to determine when development proposals must conduct geotechnical and geological investigations.	**Consistent**. The SPA acknowledges that all projects within the Project site shall comply with State guidelines and the California Building Code. Research of available maps indicates that the Project site is not located within an Alquist-Priolo Earthquake Fault Zone. Furthermore, there was no visible evidence of faulting during a geotechnical investigation (see *Appendix E, Geotechnical Feasibility Study*).
Goal S2: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by flooding and inundation hazards.	
S2-1: *Entitlement and Permitting Process*. We follow State guidelines and building code to determine when development proposals require hydrological studies prepared by a state-certified engineer to assess the impact that the new development will have on the flooding potential of existing development down gradient.	**Consistent.** The SPA acknowledges that all projects within the Project site shall comply with any and all applicable mitigation measures of this Draft EIR, State guidelines, and the California Building Code regarding flooding and inundation hazards.
Goal S3: Reduced risk of death, injury, property damage and economic loss due to fires, accidents and normal everyday occurrences through prompt and capable emergency response.	
S3-8: *Fire Prevention through Environmental Design.* We require new development to incorporate fire prevention consideration in the design of streetscapes, sites, open spaces and buildings.	**Consistent:** The SPA acknowledges that all projects within the Project site shall comply with the City's development review process, which provides for review by the City's Fire Department and potential redesign to incorporate fire prevention design elements within streetscapes, sites, open spaces, and buildings.
Goal S4: An environment where noise does not adversely affect the public's health, safety, and welfare.	
S4-1: *Noise Mitigation.* We utilize the City's Noise Ordinance, building codes	**Consistent:** The SPA acknowledges that all projects within the Project site shall comply with all mitigation measures of this Draft Subsequent

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and subdivision and development codes to mitigate noise impacts.	EIR, the City's noise ordinance, subdivision and development codes, and the California Building Code to mitigate noise impacts.
Goal S5: Reduced risk of injury, property damage and economic loss resulting from windstorms and wind-related hazards.	
S5-2: *Dust Control Measures. We require the implementation of Best Management Practices for dust control at all excavation and grading projects.*	**Consistent.** The SPA acknowledges that all projects within the Project site shall comply with all mitigation measures of this Draft Subsequent EIR, the construction management plan, and any subdivision and development codes regarding dust control.
Goal S6: Reduced potential for hazardous materials exposure and contamination.	
S6-9: *Remediation of Methane.* We require development to assess and mitigate the presence of methane, per regulatory standards and guidelines.	**Consistent.** The SPA acknowledges that all projects within the Project site shall comply with all mitigation measures of this Draft Subsequent EIR. Per MM HAZ-1, Prior to the issuance of grading permits, the Project Applicant shall conduct further testing for the presence of methane on the Project site, in accordance with California Department of Toxic Substances Control (DTSC) methane assessment guidelines. The Project Applicant shall prepare a methane gas soil survey and implement grading activity recommendations to the satisfaction of the City Building Department. This shall include a post-construction soil gas investigation and installation of methane gas mitigation systems where post-grading methane levels exceed 5,000 parts per million volume (ppmv), should any such levels occur.
Goal S7: Neighborhoods and commercial and industrial districts that are kept safe through a multi-faceted approach of prevention, suppression, community involvement and a system of continuous monitoring.	
S7-4: *Crime Prevention through Environmental Design (CPTED).* We require new development to incorporate CPTED in the design of streetscapes, sites, open spaces and buildings.	**Consistent:** The SPA acknowledges that projects within the Project site shall comply with the City's development review process, which provides for review by the City's Police Department and potential redesign to incorporate crime prevention design elements in streetscapes, sites, open spaces, and buildings. Parcel lighting addresses illumination of parking lots, loading dock areas, pedestrian walkways, building entrances, signage, and architectural and landscape features. A key provision includes the installation of ground or low mounted fixtures to provide for safety and convenience along pedestrian walkways, entrances, activity areas, steps, ramps, and special features. The SPA also encourages delineation of pedestrian access to on-site buildings from adjacent streets and parking areas by marking building entrances with signage, prominent architectural features, and/or landscaping features.
Community Economics Element	
Goal CE1: A complete community that provides for all incomes and stages of life.	
CE1-1: *Jobs-Housing Balance*. We pursue improvement to the Inland Empire's balance between jobs and housing by promoting job growth that reduces the regional economy's reliance on out-commuting.	**Consistent.** The SPA anticipates the creation of jobs in warehousing, logistics, light manufacturing, and administration within the Project site, which helps improve the region's jobs-housing balance. Actual job creation depends on the type of land uses ultimately developed on the site as a wide range of commercial, office, and industrial uses are permitted in the SPA. The Land Use Plan (Chapter 3.1) implements the vision of TOP by providing opportunities for employment in

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	manufacturing, distribution, research and development, service, and supporting retail at intensities designed to meet the demand of current and future market conditions.
CE1-5: *Business Attraction*. We proactively attract new and expanding businesses to Ontario in order to increase the City's share of growing sectors of the regional and global economy.	**Consistent.** In Chapter 3.1, Land Use Plan, the SPA provides for the construction of over 1.6 million square feet of industrial development in compliance with City and regional planning goals and strategies that facilitate goods movement throughout the SCAG region.
Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.	
CE2-1: *Development Projects.* We require new development and redevelopment to create unique, high-quality places that add value to the community.	**Consistent.** The SPA contains design guidelines in Chapter 5 to guide future development, consistent with the vision for Ontario Ranch. The guidelines are intended to ensure high quality, cohesive and attractive development that complements and integrates into the community and adds value to the City. The SPA also establishes landscape setbacks along all roadways within the Project site to create safe and attractive streets for pedestrians and motorists.
CE2-2: *Development Review*. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional, and sustainable places that will compete well with their competition within the region.	**Consistent.** The SPA establishes a land use plan (Chapter 3.1) and design guidelines (Chapter 5) addressing site design, building design, and landscape design that ensure high-quality, functional and sustainable development that is regionally competitive and appropriate for the Ontario Ranch community.
CE2-5: *Private Maintenance*. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.	**Consistent.** The Project SPA includes a Maintenance Responsibility Matrix (Chapter 6.11) identifying the public, private, or utility providers responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Project site. A Property Owners Association will be established for the maintenance of on-site common areas, including such improvements as landscape areas and drive aisles.
CE2-6: *Public Maintenance*. We require the establishment and operation of maintenance districts or other vehicles to fund the long-term operation and maintenance of the public realm whether on private land, in rights-of-way, or on publicly-owned property.	**Consistent.** The Project SPA includes a Maintenance Responsibility Matrix (Chapter 6.11) identifying the public, private, or utility providers responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Project site. Right-of-way for public streets and infrastructure improvements within the Project site shall be dedicated to the City of Ontario for maintenance purposes. Landscape improvements and public streetlights within the public right-of-way shall be maintained through a landscape and lighting district or other special maintenance district established by the City. Dry utilities such as electricity, natural gas, and communication systems will be maintained by the appropriate utility company.
Sources: TOP 2010.	

Ontario Development Code Consistency

Upon adoption of the Project, the development regulations and design standards within the Project would apply to the Project site and would establish the applicable zoning regulations and development standards. The SPA would become the land use implementation tool for the Project site. As stated in Ontario Development Code Section 1.01.035, in the event of any conflict between the requirements of the Development Code and the standards contained within an adopted project, the requirements of the project shall govern, and when the provisions of a project are silent on a specific matter, the regulations set forth in the Development Code shall apply. As such, the Project would not result in conflicts with the Ontario Development Code, and impacts would be less than significant.

Airport Environs Land Use Plan Consistency

The Project site is located immediately to the north of the Chino Airport and is approximately 3.8 miles south of the ONT and within the Airport Influence Areas for both airports. Airport operations and their potential noise and safety hazards require careful land use planning on adjacent and nearby lands to protect residents and land uses. Airport operations and their accompanying safety and noise hazards are discussed in *Section 4.8, Hazards and Hazardous Materials*, and *Section 4.11, Noise*.

The City is currently developing a Compatibility Plan for Chino Airport (Compatibility Plan) that relies upon the California Airport Land Use Planning Handbook (State of California Department of Transportation, Division of Aeronautics) October 2011 (Handbook). As provided for in the Handbook "alternative process" the City functions as the Designated Agency in formulating airport land use compatibility plans for City properties. The Compatibility Plan is based on the Handbook Generic Safety Zones for General Aviation Airports.

The City anticipates adoption of the Chino Airport Compatibility Plan in 2022. Final site plans and development plans within the Project site would be subject to and required to comply with applicable standards and requirements of the Compatibility Plan as adopted by the City. Please refer also to related discussions presented in *Section 4.8, Hazards and Hazardous Materials*, of this Draft Subsequent EIR.

The Project site is within the ONT ALUCP. However, it is not within a safety zone, a noise impact zone, or an airspace protection zone of the ONT. Therefore, a less than significant impact will occur.

Conclusion

The Project would develop business park and industrial uses that would benefit from the Chino Airport to further develop the local economy and business. Although the proposed Project land uses are not consistent with current TOP land use designations, the City's proposed TOP 2050 Update includes land uses designations that are consistent with the Project. Furthermore, the SPA would promote orderly development to coincide with adjacent land uses, including Chino Airport. The proposed Project SPA embodies the goals and policies in the applicable long-range planning documents. However, as noted above, the Project's proposed land uses are inconsistent with current TOP land uses and as such, this represents a significant impact. This impact would be remedied upon the City's adoption of TOP 2050 Update which is planned for August 2022.

4.10.6 Cumulative Impacts

The geographic context for this cumulative analysis includes the City in relation to the City's TOP, as well as nearby projects in neighboring jurisdictions. Cumulative development would result in substantial changes to existing land use patterns through conversion of agricultural and dairy lands into urban uses pursuant to the General Plan land use designations. Cumulative development would be subject to site-specific environmental and planning reviews that would address consistency with adopted General Plan goals, objectives, and policies, as well as with the City's Development Code and ALUCP policies. As part of environmental review, projects would be required to provide mitigation for any inconsistencies with TOP and environmental policies that would result in significant adverse environmental effects. The cumulative projects as a whole would continue the steady urbanization of the City, and in particular the continued development of this industrial corridor within the City.

Cumulative projects could include General Plan amendments and/or zone changes, modifications to existing land uses. However, such amendments do not necessarily represent an inherent negative effect on the environment, particularly if the proposed changes involve changes in types and intensity of uses, rather than eliminating application of policies that were specifically adopted for the purpose of avoiding or mitigating environmental effects. Determining whether any future project might include such amendments and determining the cumulative effects of any such amendments would be speculative since it cannot be known what applications that are not currently filed might request. As noted above the Project's proposed land uses are inconsistent with the City's current TOP, which represents a significant Project impact and potentially significant cumulative impact. Therefore, the Project represents a cumulatively considerable impact related to policy consistency. This Project and cumulative impact would be remedied upon the City's adoption of TOP 2050 Update planned for August 2022.

4.10.7 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, impacts on 4.10-1 would be a significant and unavoidable impact due to conflict with current TOP land use designations: 4.10-1.

4.10.8 Mitigation Measures

No mitigation measures feasible. Should the City adopt TOP 2050 Update, there would be no mitigation measures necessary relative to land use and planning.

4.10.9 Level of Significance After Mitigation

Even with implementation of regulatory requirements and standard conditions of approval, the Project would result in unavoidable significant impacts with respect to conflict with the City's land use plan (Impact 4.10-1). This impact would be remedied upon the City's planned approval of TOP 2050 Update scheduled for August 2022.

4.10.10 References

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4.11 NOISE

This section of the Draft Subsequent Environmental Impact Report (EIR) for the Ontario Ranch Business Park Specific Plan Amendment Project (Project) discusses the fundamentals of sound; examines federal, State, and local noise guidelines, policies, and standards; reviews noise levels at existing noise-sensitive receptor locations; and evaluates potential noise and vibration impacts associated with the Project; and provides mitigation to reduce noise impacts at sensitive receptor locations. This evaluation uses procedures and methodologies as specified by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) and evaluates the potential for the proposed Project to result in noise and vibration impacts at nearby sensitive receptors. *Appendix H* of this Draft Subsequent EIR provides supplementary, Project-specific background information, construction noise calculation worksheets, and Project-generated traffic noise modeling results.

4.11.1 Environmental Setting

Sound Fundamentals

Sound is a pressure wave transmitted through the air. It is described in terms of loudness or amplitude (measured in decibels), frequency or pitch (measured in Hertz [Hz] or cycles per second), and duration (measured in seconds or minutes). The standard unit of measurement of the loudness of sound is the decibel (dB). The A-weighted decibel scale (dBA) performs this compensation by weighting frequencies in a manner approximating the sensitivity of the human ear. Changes of 1 to 3 dBA are detectable under quiet, controlled conditions and changes of less than 1 dBA are usually indiscernible. A 3 dBA change in noise levels is considered the minimum change that is detectable with human hearing in outside environments. A change of 5 dBA is readily discernable to most people in an exterior environment whereas a 10 dBA change is perceived as a doubling (or halving) of the sound.

The human ear is not equally sensitive to all frequencies. Sound waves below 16 Hz are not heard at all and are "felt" more as a vibration. Similarly, while people with extremely sensitive hearing can hear sounds as high as 20,000 Hz, most people cannot hear above 15,000 Hz. In all cases, hearing acuity falls off rapidly above about 10,000 Hz and below about 200 Hz. Since the human ear is not equally sensitive to sound at all frequencies, a special frequency dependent rating scale is usually used to relate noise to human sensitivity.

Noise is defined as unwanted sound and is known to have several adverse effects on people, including hearing loss, speech and sleep interference, physiological responses, and annoyance. Based on these known adverse effects of noise, the federal government, the State of California, and many local governments have established criteria to protect public health and safety and to prevent disruption of certain human activities.

Technical Terminology

Noise is most often defined as unwanted sound. Although sound can be easily measured, the perception of noise and the physical response to sound complicate the analysis of its impact on people. People judge

the relative magnitude of sound sensation in subjective terms such as "noisiness" or "loudness." The following are brief definitions of terminology used in this section:

- **Sound.** A disturbance created by a vibrating object, which, when transmitted by pressure waves through a medium such as air, is capable of being detected by a receiving mechanism, such as the human ear or a microphone.
- **Noise.** Sound that is loud, unpleasant, unexpected, or otherwise undesirable.
- **Decibel (dB).** A unitless measure of sound on a logarithmic scale.
- **A-Weighted Decibel (dBA).** An overall frequency-weighted sound level in decibels that approximates the frequency response of the human ear.
- **Equivalent Continuous Noise Level (L_{eq}); also called the Energy-Equivalent Noise Level.** The value of an equivalent, steady sound level which, in a stated time period (often over an hour) and at a stated location, has the same A-weighted sound energy as the time-varying sound. Thus, the L_{eq} metric is a single numerical value that represents the equivalent amount of variable sound energy received by a receptor over the specified duration.
- **Statistical Sound Level (L_n).** The sound level that is exceeded "n" percent of time during a given sample period. For example, the L_{50} level is the statistical indicator of the time-varying noise signal that is exceeded 50 percent of the time (during each sampling period); that is, half of the sampling time, the changing noise levels are above this value and half of the time they are below it. This is called the "median sound level." The L_{10} level, likewise, is the value that is exceeded 10 percent of the time (i.e., near the maximum) and this is often known as the "intrusive sound level." The L_{90} is the sound level exceeded 90 percent of the time and is often considered the "effective background level" or "residual noise level."
- **Day-Night Sound Level (L_{dn} or DNL).** The energy-average of the A-weighted sound levels occurring during a 24-hour period, with 10 dB added to the sound levels occurring during the period from 10:00 pm to 7:00 am.
- **Community Noise Equivalent Level (CNEL).** The energy-average of the A-weighted sound levels occurring during a 24-hour period, with 5 dB added from 7:00 pm to 10:00 pm and 10 dB from 10:00 pm to 7:00 am. For general community/environmental noise, CNEL and L_{dn} values rarely differ by more than 1 dB (with the CNEL being only slightly more restrictive, that is, higher than the L_{dn} value). As a matter of practice, L_{dn} and CNEL values are interchangeable and are treated as equivalent in this assessment.
- **Peak Particle Velocity (PPV).** The peak signal value of an oscillating vibration velocity waveform usually expressed in inches per second (in/sec).
- **Vibration Decibel (VdB).** A unitless measure of vibration, expressed on a logarithmic scale and with respect to a defined reference vibration velocity. In the U.S., the standard reference velocity is 1 micro-inch per second ($1x10^{-6}$ in/sec).
- **Sensitive Receptor.** Noise- and vibration-sensitive receptors include land uses where quiet environments are necessary for enjoyment and public health and safety. Residences, schools, motels and hotels, libraries, religious institutions, hospitals, and nursing homes are examples.

- **RCNM.** Federal Highway Administration Roadway Construction Noise Model.

Sound Measurement

Sound pressure is measured through the A-weighted measure to correct for the relative frequency response of the human ear. That is, an A-weighted noise level de-emphasizes low and very high frequencies of sound similar to the human ear's de-emphasis of these frequencies.

Unlike linear units such as inches or pounds, decibels are measured on a logarithmic scale, representing points on a sharply rising curve. On a logarithmic scale, an increase of 10 dBA is 10 times more intense than 1 dBA, while 20 dBA is 100 times more intense, and 30 dBA is 1,000 times more intense. A sound as soft as human breathing is about 10 times greater than 0 dBA. The decibel system of measuring sound gives a rough connection between the physical intensity of sound and its perceived loudness to the human ear. Ambient sounds generally range from 30 dBA (very quiet) to 100 dBA (very loud).

Sound levels are generated from a source and their decibel level decreases as the distance from that source increases. Sound dissipates exponentially with distance from the noise source. This phenomenon is known as "spreading loss." For a single point source, sound levels decrease by approximately 6 dBA for each doubling of distance from the source. This drop-off rate is appropriate for noise generated by on-site operations from stationary equipment or activity at a project site. If noise is produced by a line source, such as highway traffic, the sound decreases by 3 dBA for each doubling of distance in a hard site environment. Line source noise in a relatively flat environment with absorptive vegetation decreases by 4.5 dBA for each doubling of distance.

Time variation in noise exposure is typically expressed in terms of a steady-state energy level equal to the energy content of the time varying period (called L_{eq}), or alternately, as a statistical description of the sound level that is exceeded over some fraction of a given observation period. For example, the L_{50} noise level represents the noise level that is exceeded 50 percent of the time. Half the time the noise level exceeds this level and half the time the noise level is less than this level. This level is also representative of the level that is exceeded 30 minutes in an hour. Similarly, the L_2, L_8 and L_{25} values represent the noise levels that are exceeded 2, 8, and 25 percent of the time, or 1, 5, and 15 minutes per hour. These "Ln" values are typically used to demonstrate compliance for stationary noise sources with a city's noise ordinance, as discussed below. Other values typically noted during a noise survey are the L_{min} and L_{max}. These values represent the minimum and maximum root-mean-square noise levels obtained over the measurement period.

Because community receptors are more sensitive to unwanted noise intrusion during the evening and at night, State law, the County, and the City require that, for planning purposes, an artificial dB increment be added to quiet time noise levels in a 24-hour noise descriptor called the CNEL or Day-Night Noise Level (L_{dn}). The CNEL descriptor requires that an artificial increment of 5 dBA be added to the actual noise level for the hours from 7:00 p.m. to 10:00 p.m. and 10 dBA for the hours from 10:00 p.m. to 7:00 a.m. The L_{dn} descriptor uses the same methodology except that there is no artificial increment added to the hours between 7:00 p.m. and 10:00 p.m. Both descriptors give roughly the same 24-hour level with the CNEL being only slightly more restrictive (i.e., higher).

Psychological and Physiological Effects of Noise

Physical damage to human hearing begins at prolonged exposure to noise levels higher than 85 dBA. Exposure to high noise levels affects our entire system, with prolonged noise exposure in excess of 75 dBA increasing body tensions, and thereby affecting blood pressure, functions of the heart and the nervous system. In comparison, extended periods of noise exposure above 90 dBA could result in permanent hearing damage. When the noise level reaches 120 dBA, a tickling sensation occurs in the human ear even with short-term exposure. This level of noise is called the threshold of feeling. As the sound reaches 140 dBA, the tickling sensation is replaced by the feeling of pain in the ear. This is called the threshold of pain. *Table 4.11-1, Typical Noise Levels* shows typical noise levels from familiar noise sources.

Table 4.11-1: Typical Noise Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
Onset of physical discomfort	120+	
	110	Rock Band (near amplification system)
Jet Flyover at 1,000 feet		
	100	
Gas Lawn Mower at three feet		
	90	
Diesel Truck at 50 feet, at 50 mph		Food Blender at 3 feet
	80	Garbage Disposal at 3 feet
Noisy Urban Area, Daytime		
	70	Vacuum Cleaner at 10 feet
Commercial Area		Normal speech at 3 feet
Heavy Traffic at 300 feet	60	
		Large Business Office
Quiet Urban Daytime	50	Dishwasher Next Room
Quiet Urban Nighttime	40	Theater, Large Conference Room (background)
Quiet Suburban Nighttime		
	30	Library
Quiet Rural Nighttime		Bedroom at Night, Concert Hall (background)
	20	
		Broadcast/Recording Studio
	10	
Lowest Threshold of Human Hearing	0	Lowest Threshold of Human Hearing

Source: California Department of Transportation, *Technical Noise Supplement to the Traffic Noise Analysis Protocol*, September 2013.

Vibration Fundamentals

Vibration is an oscillating motion in the earth. Like noise, vibration is transmitted in waves, but in this case through the earth or solid objects. Unlike noise, vibration is typically of a frequency that is felt rather than heard.

Vibration can be either natural as in the form of earthquakes, volcanic eruptions, landslides, or man-made as from explosions, heavy machinery or trains. Both natural and man-made vibration may be continuous such as from operating machinery, or impulsive as from an explosion.

As with noise, vibration can be described by both its amplitude and frequency. Amplitude may be characterized in three ways including displacement, velocity, and acceleration. Particle displacement is a measure of the distance that a vibrated particle travels from its original position and for the purposes of soil displacement is typically measured in inches or millimeters. Particle velocity is the rate of speed at which soil particles move in inches per second or millimeters per second. Particle acceleration is the rate of change in velocity with respect to time and is measured in inches per second or millimeters per second. Typically, particle velocity (measured in inches per second) and/or acceleration (measured in gravities) are used to describe vibration. *Table 4.11-2, Human Reaction to Typical Vibration Levels* presents the human reaction to various levels of peak particle velocity (PPV).

Table 4.11-2: Human Reaction to Typical Vibration Levels

Vibration Level Peak Particle Velocity (in/sec)	Human Reaction	Effect on Buildings
0.006–0.019	Threshold of perception, possibility of intrusion	Vibrations unlikely to cause damage of any type
0.08	Vibrations readily perceptible	Recommended upper level of vibration to which ruins and ancient monuments should be subjected
0.10	Level at which continuous vibration begins to annoy people	Virtually no risk of "architectural" (i.e., not structural) damage to normal buildings
0.20	Vibrations annoying to people in buildings	Threshold at which there is a risk to "architectural" damage to normal dwelling – houses with plastered walls and ceilings
0.4–0.6	Vibrations considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges	Vibrations at a greater level than normally expected from traffic, but would cause "architectural" damage and possibly minor structural damage

Source: California Department of Transportation, *Technical Noise Supplement to the Traffic Noise Analysis Protocol*, September 2013.

The way in which vibration is transmitted through the earth is called propagation. As vibration waves propagate from a source, the energy is spread over an ever-increasing area such that the energy level striking a given point is reduced with the distance from the energy source. This geometric spreading loss is inversely proportional to the square of the distance. Wave energy is also reduced with distance as a result of material damping in the form of internal friction, soil layering, and void spaces. The amount of attenuation provided by material damping varies with soil type and condition as well as the frequency of the wave.

Existing Conditions

Mobile Noise Sources

Existing roadway noise levels were calculated for the roadway segments in the Project vicinity. This task was accomplished using the FHWA Highway Traffic Noise Prediction Model (FHWA-RD-77-108) and existing traffic volumes from the Traffic Analysis Study (see *Appendix I1*). The noise prediction model

calculates the average noise level at specific locations based on traffic volumes, average speeds, roadway geometry, and site environmental conditions. The average vehicle noise rates (also referred to as energy rates) used in the FHWA model have been modified to reflect average vehicle noise rates identified for California by the California Department of Transportation (Caltrans). The Caltrans data indicates that California automobile noise is 0.8 to 1.0 dBA higher than national levels and that medium and heavy truck noise is 0.3 to 3.0 dBA lower than national levels. The average daily noise levels along roadway segments in proximity to the Project site are included in *Table 4.11-3, Existing Traffic Noise Levels*. As shown in *Table 4.11-3*, existing traffic noise levels in the Project vicinity range between 55.4 dBA CNEL and 74.9 dBA CNEL.

Table 4.11-3: Existing Traffic Noise Levels

Roadway Segment	ADT[1]	dBA CNEL[2]
Euclid Avenue		
between Walnut Ave and SR 60	29,290	73.9
between Riverside Dr and Walnut Ave	31,777	74.2
between Chino Ave and Riverside Dr	28,828	73.3
between Schaefer Ave and Chino Ave	29,467	74.5
between Edison Ave and Schaefer Av	31,494	74.8
between Eucalyptus Ave and Edison Ave	32,338	74.9
between Merrill Ave and Eucalyptus Ave	32,600	74.9
Bon View Avenue		
between Merrill Ave and Eucalyptus Ave	2,508	57.0
Grove Avenue		
between Merrill Ave and Eucalyptus Ave	7,967	63.2
Walker Avenue		
between Eucalyptus Ave and Edison Ave	1,685	55.4
Archibald Avenue		
between Limonite Ave and Merrill Ave	25,110	74.4
between Merrill Ave and Eucalyptus Ave	26,427	74.2
between Eucalyptus Ave and Edison Ave	24,863	73.7
Eucalyptus Avenue		
between Euclid Ave and Bon View Ave	7,545	61.9
between Bon View Ave and Grove Ave	3,592	58.7
between Grove Ave and Walker Ave	3,592	58.7
Merrill Avenue		
between Euclid Ave and Bon View Ave	11,663	68.7
between Bon View Ave and Grove Ave	12,133	68.9
between Grove Ave and Flight Ave	11,807	68.8
between Flight Ave and Van Vliet Ave	12,003	68.9
between Van Vliet Ave and Hellman Ave	12,081	68.9
between Hellman Ave and Carpenter Ave	13,217	69.3
between Carpenter Ave and Archibald Ave	11,885	68.8
Edison Avenue		
between Euclid Ave and Walker Ave	17,782	71.3
between Walker Ave and Archibald Ave	18,110	71.4
between Archibald Ave and Turner Ave	19,604	71.9

Roadway Segment	ADT[1]	dBA CNEL[2]
Ontario Ranch Road		
between Turner Ave and Haven Ave	19,931	72.2
between Haven Ave and Hamner Ave	29,922	73.8
between Hamner Ave and I-15	21,002	72.2
ADT = average daily trips; dBA = A-weighted decibels; CNEL= Community Equivalent Noise Level Traffic noise levels are at 100 feet from the roadway centerline.		
Source: Based on traffic data provided by Urban Crossroads (2021). Refer to *Appendix H* for traffic noise modeling results.		

Chino Airport

The Project site is located directly north of the Chino Airport. Due to the orientation of the runways, the Project site falls outside the 55 dBA CNEL noise contour.[1] As shown in *Table 4.11-3*, existing traffic noise exceeds the 55 dBA noise level generated by Chino Airport. Therefore, the Chino Airport would not be a significant source of noise for the Project site.

Ontario International Airport

The Project site is located five miles south of the Ontario International Airport. Due to the orientation of the runways, the Project site falls outside the 60 dBA CNEL noise contour.[2] Therefore, the Ontario International Airport would not be a significant source of noise for the Project site.

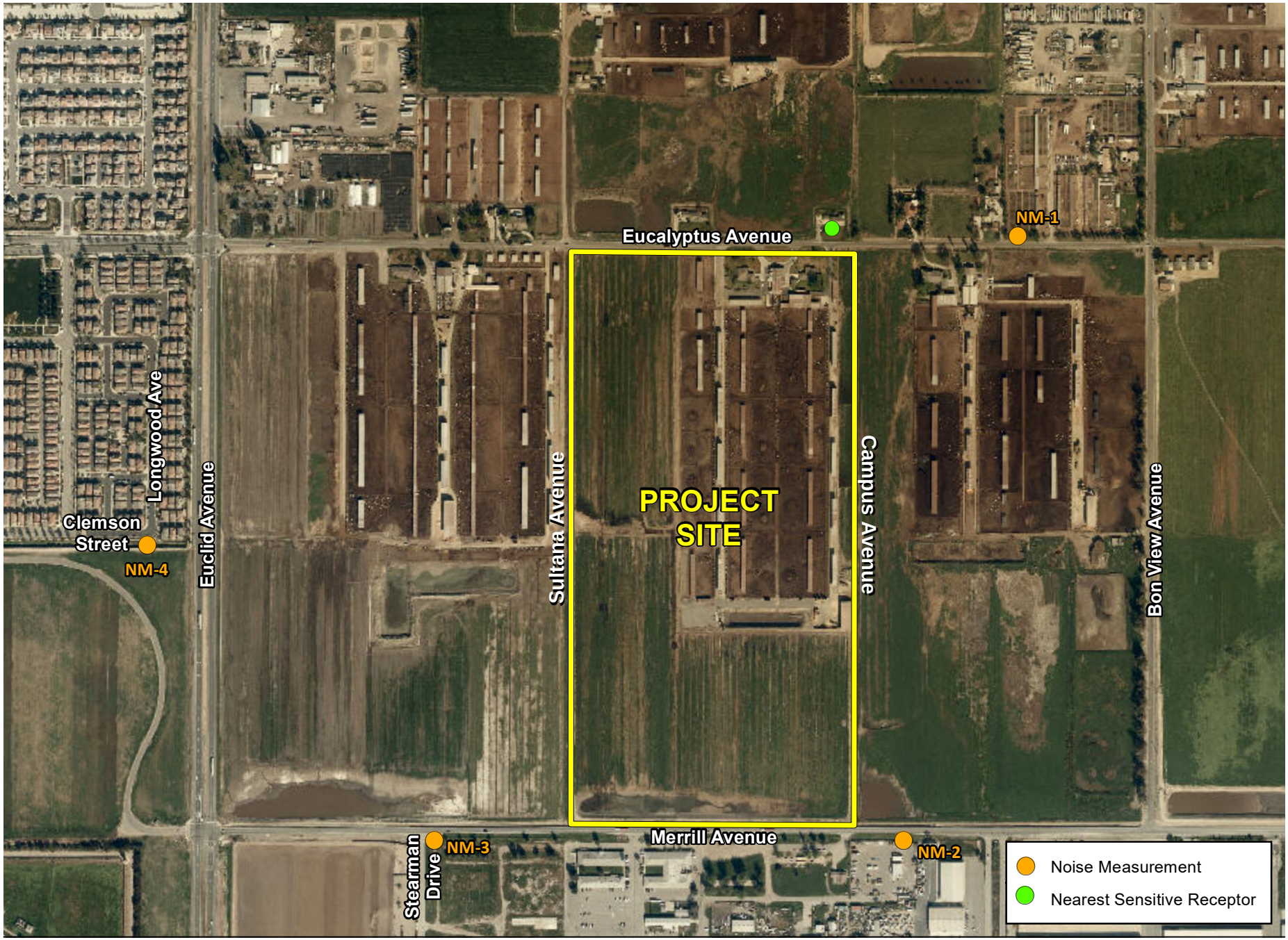
Ambient Noise Measurements

The Project site currently contains land used for dairy farming. To quantify existing ambient noise levels in the Project area, Kimley-Horn conducted four short-term noise measurements on September 14, 2021; see *Appendix H*. The noise measurement sites were representative of typical existing noise exposure within and immediately adjacent to the Project site. The 10-minute measurements were taken between 8:45 a.m. and 9:30 a.m. near potential sensitive receptors. Short-term L_{eq} measurements are considered representative of the noise levels throughout the day. The noise levels and sources of noise measured at each location are listed in *Table 4.11-4, Existing Noise Measurements* and shown on *Figure 4.11-1, Noise Measurement and Sensitive Receptor Locations*.

Table 4.11-4: Existing Noise Measurements

Monitoring Location	Description	L_{eq} (dBA)	L_{min} (dBA)	L_{max} (dBA)	Time
NM-1	Eucalyptus Ave and Bon View Ave	64.2	45.7	79.9	8:45-8:55 a.m.
NM-2	Chino Airport and Merrill Ave, east of Project	66.3	42.3	80.0	9:05-9:15 a.m.
NM-3	Stearman Dr and Merrill Ave, west of Project	69.1	49.6	90.3	9:20-9:30 p.m.
NM-4	Clemson St and Longwood Ave	52.7	46.6	68.3	9:35-9:45 a.m.
Source: Kimley-Horn, refer to *Appendix H*					

[1] Riverside County Airport Land Use Compatibility Plan Policy Document (adopted September 2008) Map CH-3
[2] Ontario International Airport Land Use Compatibility Plan (amended July 2018) Map 2-3: Noise Impact Zones



Source: ESRI World Imagery

Z:\RIV_GIS\195242002 - Ontario Ranch Buisiness Park\Noise.mxd

FIGURE 4.11-1: Noise Measurement and Sensitive Receptor Locations
Ontario Ranch Business Park Specific Plan Amendment

0 300 600
Feet

Kimley»Horn

Sensitive Receptors

The Project site is an existing dairy farm bounded by Eucalyptus to the north, Merrill Avenue to the south, an unimproved right-of-way of Sultana Avenue to the west, and Campus Avenue to the east. The nearest sensitive receptors are the single-family residences located across the street from the Project site, along the north side of Eucalyptus Avenue, approximately 82 feet (25 meters) from the Project site boundary.

4.11.2 Regulatory Setting

To limit population exposure to physically and/or psychologically damaging as well as intrusive noise levels, the federal government, the State, various county governments, and most municipalities in the state have established standards and ordinances to control noise.

Federal

While there are no federal regulations directly applicable to implementation of the Project under the California Environmental Quality Act (CEQA), the federal government regulates occupational noise exposure common in the workplace through the Occupational Health and Safety Administration (OSHA) under the U.S. Environmental Protection Agency (EPA). Such limitations would apply to the operation of construction equipment and would also apply to any proposed industrial warehouse land uses. Noise exposure of this type is dependent on work conditions and is addressed through a facility's Health and Safety Plan, as required under OSHA, and is, therefore, not addressed further in this analysis.

State

General Plan Guidelines

The State, through its General Plan Guidelines, discusses how ambient noise should influence land use and development decisions and includes a table of normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable uses at different noise levels expressed in CNEL. A conditionally acceptable designation implies new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements for each land use is made and needed noise insulation features are incorporated in the design. By comparison, a normally acceptable designation indicates that standard construction can occur with no special noise reduction requirements. Local municipalities adopt these compatibility standards as part of their General Plan and modify them as appropriate for their local environmental setting.

California Building Code

The California Building Code (CBC), Title 24, Part 2, Volume 1, Chapter 12, Interior Environment, Section 1207.11.2, *Allowable Interior Noise Levels*, requires that interior noise levels attributable to exterior sources shall not exceed 45 dB in any habitable room. The noise metric is evaluated as either the day-night average sound level (L_{dn}) or the CNEL, consistent with the noise element of the local general plan.

The State of California's noise insulation standards for nonresidential uses are codified in the California Code of Regulations (CCR), Title 24, Building Standards Administrative Code, Part 11, California Green

Building Standards (CALGreen) Code. The CALGreen Code noise standards apply to new or renovation construction projects in California to control interior noise levels resulting from exterior noise sources. Proposed projects may use either the prescriptive method (Section 5.507.4.1) or the performance method (Section 5.507.4.2) to show compliance. Under the prescriptive method, a project must demonstrate transmission loss ratings for the wall and roof-ceiling assemblies and exterior windows when located within a noise environment of 65 dBA CNEL or higher. Under the performance method, a project must demonstrate that interior noise levels do not exceed 50 dBA $L_{eq(1hr)}$.

Local Noise Standards

City of Ontario – The Ontario Plan Safety Element

The Safety and Land Use Elements of The Ontario Plan (TOP) set forth goals, policies, and land use guidelines to protect residential neighborhoods and noise-sensitive receptors from excessive noise levels. The City uses the Noise Level Exposure and Land Use Compatibility Guidelines (shown in *Table 4.11-5, Noise Level Exposure and Land Use Compatibility Guidelines,* below) when siting new development and making land use decisions.

Table 4.11-5: Noise Level Exposure and Land Use Compatibility Guidelines

Land Use Categories		Community Noise Equivalent Level (CNEL)			
Category	Uses	Clearly Acceptable[1]	Normally Acceptable[2]	Normally Unacceptable[3]	Clearly Unacceptable[4]
Residential/Lodging	Single Family/Duplex	<60	60-65	65-70	70-85
	Multi-Family	<60	60-65	65-75	75-85
	Mobile Homes	<60	60-65	-	65-85
	Hotel/Motel	<65	65-70	70-80	80-85
Public/Institutional	Schools/Hospitals	<60	60-65	65-70	70-85
	Churches/Libraries	<60	60-65	65-70	70-85
	Auditoriums/Concert Halls	<55	55-60	60-70	70-85
Commercial	Offices	<65	65-75	75-80	80-85
	Retail	<70	70-75	75-80	80-85
Industrial	Manufacturing	<70	70-75	75-85	-
	Warehousing	<70	70-80	80-85	-
Recreational/Open Space	Parks/Playgrounds	<65	65-70	70-75	75-85
	Golf Course/Riding Stables	<65	65-70	70-75	75-85
	Outdoor Spectator Sports	<60	60-65	65-70	
	Outdoor Music Shells/Amphitheaters	-	<60	60-65	65-85
	Livestock/Wildlife Preserves	<70	-	70-75	75-85
	Crop Agriculture	<55-85	-	-	-

Source: The Ontario Plan
1 No special noise insulation required, assuming buildings of normal conventional construction.
2 Acoustical reports will be required for major new residential construction. Conventional construction with closed windows and fresh air supply systems of air conditions will normally suffice
3 New construction should be discouraged. Noise/aviation easements required for all new construction. If new construction does proceed, a detailed analysis of noise reduction requirements must be made, and necessary noise insulation features included.
4 No new construction should be permitted.

The following goals and policies from TOP Safety Element are directly relevant to the proposed Project:

Goal S4 **An environment where noise does not adversely affect the public's health, safety, and welfare**

Goal S4-1 **Noise Mitigation. Utilize the City's Noise Ordinance, building codes and subdivision and development codes to mitigate noise impacts.**

Goal S4-2 **Coordination with Transportation Authorities. Collaborate with airport owners, FAA, Caltrans, SANBAG, SCAG, neighboring jurisdictions, and other transportation providers in the preparation and maintenance of, and updates to transportation related plans to minimize noise impacts and provide appropriate mitigation measures.**

Goal S4-4 **Truck Traffic. Manage truck traffic to minimize noise impacts on sensitive land uses.**

Goal S4-5 **Roadway Design. Design streets and highways to minimize noise impacts.**

Municipal Code Standards

The City enforces noise limits through the Municipal Code (MC) Chapter 29, *Noise. Table 4.11-6, Exterior Noise Standards – City of Ontario,* summarizes the City of Ontario's noise limits.

Table 4.11-6: Exterior Noise Standards – City of Ontario

Land Use	Allowed Equivalent Noise Level, Leq	
	7:00 am to 10:00 pm	10:00 pm to 7:00 am
Single-Family Residential	65 dBA	45 dBA
Multi-Family Residential, Mobile Home Parks	65 dBA	50 dBA
Commercial Property	65 dBA	60 dBA
Residential Portion of Mixed Use	70 dBA	70 dBA
Manufacturing and Industrial, Other Uses	70 dBA	70 dBA
Source: City of Ontario Municipal Code, Chapter 29 *Noise – Section 5-29.04 Exterior* Noise *Standards,* 2020.		

The noise limits summarized in *Table 4.11-6* are subject to the following:

- The noise standard for the applicable zone for any 15-minute period; and
- A maximum instantaneous (single instance) noise level equal to the value of the noise standard plus 20 dBA for any period of time (measured using A-weighted slow response).
- In the event the ambient noise level exceeds the noise standard, the maximum allowable noise level under such category shall be increased to reflect the maximum ambient noise level.
- The Noise Zone IV (residential portion of mixed use) standard shall apply to that portion of residential property falling within 100 feet of a commercial property or use, if the noise originates from that commercial property or use.
- If the measurement location is on a boundary between two different noise zones, the lower noise level standard applicable to the noise zone shall apply.

- Section 5-29.11, the noise standards assigned to Noise Zone I (single-family residential) also apply to the outdoor use area of any school, daycare center, hospital or similar health care institution, library or museum while it is in use.
- Section 5-29.06(e), noise sources associated with construction, repair, remodeling, demolition or grading of a public right-of-way is exempt from the provisions of the Municipal Code.
- Section 5-29.09 addresses construction noise and states that no person, while engaged in construction, remodeling, digging, grading, demolition or any other related building activity, shall operate any tool, equipment or machine in a manner that produces loud noise that disturbs a person of normal sensitivity who works or resides in the vicinity, or a Police or Code Enforcement Officer, on any weekday except between the hours of 7:00 am and 6:00 pm or on Saturday or Sunday between the hours of 9:00 am and 6:00 pm.

City of Chino

The City of Chino enforces noise limits through MC Chapter 9.40, *Noise. Table 4.11-7, Exterior Noise Standards – City of Chino*, summarizes the City of Chino's noise limits for residential, school, and hospital (or similar health care institution) properties.

Table 4.11-7: Exterior Noise Standards – City of Chino

Time Period	Noise Level (dBA)				
	L50[1]	L25[2]	L8[3]	L2[4]	Lmax[5]
7:00 a.m.–10:00 p.m.	55	60	65	70	75
10:00 p.m.–7:00 a.m.	50	55	60	65	70

Source: City of Chino Municipal Code, Chapter 9.40 *Noise – Section 9.40.040 Exterior Noise Standards, Section 9.40.070 Schools, Churches, Libraries, Health Care Institutions – Special Provisions*, 2020.

Note: A 5 dBA penalty shall be applied in the event of an alleged offensive noise such as impact noise, simple tones, speech, music, or any combination of thereof. The noise standards shall not exceed:

1 The noise standard for a cumulative period of more than 30 minutes in any hour; or
2 The noise standard plus 5 dBA for a cumulative period of more than 15 minutes in any hour; or
3 The noise standard plus 10 dBA for a cumulative period of more than 5 minutes in any hour; or
4 The noise standard plus 15 dBA for a cumulative period of more than 1 minute in any hour; or
5 The noise standard plus 20 dBA for any period of time.

The noise limits summarized in *Table 4.11-7* are subject to the following:

- Each of the noise limits specified in *Table 4.11-7* shall be reduced by 5 dBA for impulse or simple tone noises, or for noises consisting of speech or music; provided, however, that if the ambient noise level exceeds the resulting standard, the ambient shall be the standard.
- In the event the ambient noise level exceeds any of the first four noise limit categories above, the cumulative period applicable to said category shall be increased to reflect said ambient noise level. In the event the ambient noise level exceeds the fifth noise category, the maximum allowable noise level under said category shall be increased to reflect the maximum ambient noise level.
- If the measurement location is on a boundary between two different noise zones, the lower noise level standard applicable to the noise zone shall apply.
- Construction activity is only permitted between the hours of 7:00 am and 8:00 pm Monday through Saturday, with no construction allowed on Sundays and federal holidays pursuant to Section 9.40.060 and Section 15.44.030 of the Chino MC. The construction noise standard is 65

dBA plus the limits specified in Section 9.40.040(B) at the affected residential property line. Construction noise levels when measured on any other property are not to exceed:

- 65 dBA for a cumulative period of more than 30 minutes in any hour; or
- 70 dBA for a cumulative period of more than 15 minutes in any hour; or
- 75 dBA for a cumulative period of more than five minutes in any hour; or
- 80 dBA for a cumulative period of more than one minute in any hour; or
- 85 dBA for any period of time.

- Section 9.40.110 of the Chino MC sets the threshold of vibration perception at no more than 0.05 in/sec root mean squared (RMS) vertical velocity (equivalent to 94 VdB).

4.11.3 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, a project would normally have a significant effect on the environment if the project would result in:

N-1 Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

N-2 Generation of excessive groundborne vibration or groundborne noise levels.

N-3 For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, if the project would expose people residing or working in the project area to excessive noise levels.

4.11.4 Plans, Programs, and Policies

PPP N-1 The proposed project shall comply with City of Ontario MC Chapter 29, Exterior Noise Standards and Section 5-29.09, which limits construction activities to weekdays between the hours of 7:00 am and 6:00 pm or on Saturday or Sunday between the hours of 9:00 am and 6:00 pm.

PPP N-2 The proposed project shall comply with City of Chino MC Chapter 9.40, Exterior Noise Standards, and Section 15.44.040, which limits construction activities between the hours of 7:00 am and 8:00 pm Monday through Saturday, with no construction allowed on Sundays and federal holidays.

4.11.5 Methodology

Construction Noise

City of Ontario

The City has not established noise limits for temporary construction activities. Therefore, for the purposes of this analysis, the 65 dBA threshold from the City of Chino, located directly adjacent to the southern Project site boundary, is used to analyze construction noise impacts to affected residences in the City.

City of Chino

The City of Chino has set a noise limit to construction noise at 70 dBA at the affected residential property line.

Stationary Noise

City of Ontario

As discussed above in *Section 4.11.2, Regulatory Setting*, the City's noise ordinance (Chapter 29, *Noise,* of the MC) establishes noise level standards at receiving residential, school, daycare, hospital, library and museum land uses (see *Table 4.11-5*). These noise limits are used as significance thresholds for stationary noise sources.

Vibration

Architectural Damage

The cities of Ontario and Chino do not have established vibration damage criteria, therefore the FTA criteria for acceptable levels of ground-borne vibration for various types of buildings is used for this analysis. Structures that amplify ground borne vibration and wood-frame buildings, such as typical residential structures, are more affected by ground vibration than heavier buildings. The level at which ground borne vibration is strong enough to cause architectural damage has not been determined conclusively. The most conservative estimates are reflected in the FTA standards shown in *Table 4.11-8, Groundborne Vibration Criteria: Architectural Damage*.

Table 4.11-8: Groundborne Vibration Criteria: Architectural Damage

Building Category		PPV (in/sec)
I.	Reinforced concrete, steel, or timber (no plaster)	0.5
II.	Engineered concrete and masonry (no plaster)	0.3
III.	Non-engineered timber and masonry buildings	0.2
IV.	Buildings extremely susceptible to vibration damage	0.12
Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018.		

Vibration Annoyance

Section 9.40.110 of the Chino MC sets the threshold of vibration perception at no more than 0.05 in/sec RMS vertical velocity (equivalent to 94 VdB). Therefore, the potential for vibration annoyance is assessed using 94 VdB as a threshold in this analysis.

Construction

Construction noise levels were based on typical noise levels generated by construction equipment published by the FTA and FHWA. Construction noise is assessed in dBA L_{eq}. This unit is appropriate because L_{eq} can be used to describe noise level from operation of each piece of equipment separately, and levels can be combined to represent the noise level from all equipment operating during a given period.

Construction noise modeling was conducted using the FHWA Roadway Construction Noise Model (RCNM). Reference noise levels are used to estimate operational noise levels at nearby sensitive receptors based on a standard noise attenuation rate of 6 dB per doubling of distance (line-of-sight method of sound attenuation for point sources of noise). Noise level estimates do not account for the presence of intervening structures or topography, which may reduce noise levels at receptor locations. Therefore, the noise levels presented herein represent a conservative, reasonable worst-case estimate of actual temporary construction noise.

Operations

The analysis of the Without Project and With Project noise environments is based on noise prediction modeling and empirical observations. Reference noise level data are used to estimate the Project's operational noise impacts from stationary sources. Noise levels are collected from field noise measurements and other published sources from similar types of activities are used to estimate noise levels expected with the Project's stationary sources. The reference noise levels are used to represent a worst-case noise environment as noise level from stationary sources can vary throughout the day. Operational noise is evaluated based on the standards within the City's Noise Ordinance and TOP. The Without Project and With Project traffic noise levels in the Project vicinity were calculated using the FHWA Highway Noise Prediction Model (FHWA-RD-77-108).

Vibration

Groundborne vibration levels associated with construction-related activities for the Project were evaluated utilizing typical groundborne vibration levels associated with construction equipment, obtained from FTA published data for construction equipment. Potential groundborne vibration impacts related to building/structure damage and interference with sensitive existing operations were evaluated, considering the distance from construction activities to nearby land uses and typically applied criteria. Construction vibration levels were calculated using the following formula:

$$PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$$

where: PPV_{equip} = the peak particle velocity in in/sec of the equipment adjusted for the distance
PPV_{ref} = the reference vibration level in in/sec from Table 7-4 of the Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, 2018.
D = the distance from the equipment to the receiver

4.11.6 Project Impacts and Mitigation Measures

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 4.11-1 ***Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? [Threshold N-1]***

Level of Significance Before Mitigation: Potentially Significant Impact

Construction

Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g., land clearing, grading, excavation, paving). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. During construction, exterior noise levels could affect the residential neighborhoods surrounding the construction site. The nearest sensitive receptor to the Project construction area is an existing residence located approximately 82 feet from the Project site boundary, on the north side of Eucalyptus Avenue.

Project construction activities would include demolition, site preparation, grading, building construction, paving, and architectural coating. Such activities would require industrial saws, excavators, crushing equipment, and dozers during demolition; dozers and tractors during site preparation; excavators, graders, dozers, tractors, and scrapers during grading; cranes, forklifts, generators, tractors, and welders during building construction; pavers, rollers, and paving equipment during paving; and air compressors during architectural coating. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full power operation followed by 3 to 4 minutes at lower power settings. Other primary sources of acoustical disturbance would be random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. Typical noise levels associated with individual construction equipment are listed in *Table 4.11-9: Typical Construction Noise Levels*. Equipment noise levels at 50 feet and 82 feet (the distance to the nearest sensitive receptor) are included in *Table 4.11-9*.

Table 4.11-9: Typical Construction Noise Levels

Equipment	Typical Noise Level (dBA) at 50 feet from Source	Nearest Sensitive Receptor Typical Noise Level (dBA) at 82 feet from Source[1]	Noise Level (dBA) at 500 feet from Source[1]
Air Compressor	80	76	60
Backhoe	80	76	60
Compactor	82	78	62
Concrete Mixer	85	81	65
Concrete Pump	82	78	62
Concrete Vibrator	76	72	56
Crane, Mobile	83	79	63
Dozer	85	81	65
Generator	82	78	62
Grader	85	81	65
Impact Wrench	85	81	65
Jack Hammer	88	84	68
Loader	80	76	60
Paver	85	81	65
Pneumatic Tool	85	81	65
Pump	77	73	57
Roller	85	81	65
Saw	76	72	56
Scraper	85	81	65
Shovel	82	78	62
Truck	84	80	64

Note:
1. Calculated using the inverse square law formula for sound attenuation: dBA2 = dBA1+20Log(d1/d2)
Where: dBA2 = estimated noise level at receptor; dBA1 = reference noise level; d1 = reference distance; d2 = receptor location distance
Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018.

The City has not established noise limits for temporary construction activities. Chino's City limits are adjacent to the southern boundary of the Project site. Therefore, for the purposes of this analysis, the City of Chino's construction noise threshold of 65 dBA for noise generated for 30 minutes or more in an hour when measured at an affected residential property, is used to analyze construction noise impacts to affected residences in the City of Ontario. Chino's MC Section 15.44.030 only permits construction to occur between 7:00 am and 8:00 pm Monday through Saturday. Construction noise levels cannot exceed 70 dBA for a period of fifteen minutes in an hour or 85 dBA for any period of time. As shown in *Table 4.11-9*, if construction equipment were located on the Project site boundary it would not exceed 85 dBA. However, if equipment nearest to a sensitive receptor were to remained stationary for over fifteen minutes, construction noise would exceed the City's 70 dBA threshold. **MM NOI-1** prohibits heavy construction equipment from remaining stationary for more than fifteen minutes when within 500 feet of sensitive receptors, as noise attenuates based on distance noise and levels would decrease as equipment moves away from sensitive receptors. As shown in *Table 4.11-9*, at 500 feet from receptors construction noise would not exceed 70 dBA. Therefore, **MM NOI-2** would require all stationary equipment to be located a minimum of 500 feet from a sensitive receptor.

Following FTA's methodology for quantitative construction noise assessments, FHWA's RCNM was used to predict construction noise. The noise levels calculated in *Table 4.11-10, Construction Noise Levels at Nearest Receptor*, show estimated exterior construction noise. Following FTA methodology, when calculating construction noise, all equipment is assumed to operate at the center of the Project because equipment would operate throughout the Project site and not at a fixed location for extended periods of time. During each construction phases, the distance used in the RCNM model was 1,286 feet, measured from the center of the Project to the nearest sensitive receptor located to the north.

Table 4.11-10: Construction Noise Levels at Nearest Receptor

Construction Phase	Modeled Exterior Construction Noise Level at Nearest Residence (dBA L_{eq})	Noise Threshold (dBA L_{eq})	Exceed Threshold?
Demolition	59.6	65	No
Site Preparation	59.4	65	No
Grading	60.0	65	No
Construction/Paving/ Painting[1]	58.8	65	No

[1] Construction, paving, and architectural coating phases are anticipated to overlap, equipment from these phases have conservatively been combined and modeled as a worst-case scenario.
Source: Federal Highway Administration, *Roadway Construction Noise Model,* 2006. Refer to *Appendix H* for noise modeling results.

As shown in *Table 4.11-10*, construction noise would not exceed the 65 dBA threshold at residential properties. In addition, compliance with the Chino MC would minimize impacts from construction noise by limiting construction to daytime hours on weekdays and Saturdays. Construction activities would result in a less than significant noise impact.

Operations

Implementation of the proposed Project would create new sources of noise in the Project vicinity. The major noise sources associated with the Project that would potentially impact existing nearby residences include stationary noise equipment (i.e., trash compactors, air conditioners, etc.); truck and loading

dock (i.e., slow moving truck on the site, maneuvering and idling trucks, equipment noise); parking areas (i.e., car door slamming, car radios, engine start-up, and car pass-by); and off-site traffic noise.

Mechanical Equipment

The nearest sensitive receptor to the Project site is the residence on the north side of Eucalyptus Avenue, approximately 82 feet from the Project site boundary. Potential stationary noise sources related to long-term operation of the Project would include mechanical equipment. Mechanical equipment (e.g., heating, ventilation, and air conditioning [HVAC] equipment) typically generates noise levels of approximately 52 dBA at 50 feet. Based on preliminary site plans, the nearest potential location for a HVAC unit would be on the roof of Building 10, approximately 200 feet from the nearest residential property. HVAC noise levels would attenuate by the distance to approximately 40 dBA, which is well below the City's 65 dBA daytime and 45 dBA nighttime noise standards for residential uses (refer to *Table 4.11-6, Exterior Noise Standards – City of Ontario*). Operation of mechanical equipment would not increase ambient noise levels beyond the acceptable compatible land use noise levels.

Truck and Loading Dock Noise

During loading and unloading activities, noise would be generated by the trucks' diesel engines, exhaust systems, and brakes during low gear shifting' braking activities; backing up toward the docks; dropping down the dock ramps; and maneuvering away from the docks. The nearest loading/unloading activities to residential properties would occur along the northern perimeter of the Project site.

The proposed Project buildings include dock-high doors for truck loading/unloading and manufacturing/ light industrial operations. The nearest dock-high doors are located approximately 270 feet from the Project site boundary and 380 feet from the nearest sensitive receptor. The dock doors are oriented to the south, away from the residences to the north. Loading dock noise is approximately 68 dB at 30 feet.[3] Loading dock noise levels would be approximately 37.9 dBA at the nearest receptor after accounting for distance and the intervening structures. Furthermore, loading dock doors would be surrounded with protective aprons, gaskets, or similar improvements that, when a trailer is docked, would serve as a noise barrier between the interior warehouse activities and the exterior loading area. This would attenuate noise emanating from interior activities, and as such, interior loading and associated activities would be permissible during all hours of the day. Therefore, noise levels associated with truck loading/unloading activities would not exceed the City's 65 dBA daytime and 45 dBA nighttime noise standards when measured at the nearest residential uses.

Parking Noise

Parking would be scattered throughout the site and located on the north, south, east, and west portions of the Project site and central areas between buildings. The proposed Project would provide 816 parking stalls, 288 trailers stalls, and 259 dock doors. Traffic associated with parking lots is typically not of sufficient volume to exceed community noise standards, which are based on a time-averaged scale such as the CNEL scale. The instantaneous maximum sound levels generated by a car door slamming, engine

[3] Loading dock reference noise level measurements conducted by Kimley-Horn on December 18, 2018.

starting up, and car pass-bys range from 53 to 61 dBA.[4] Conversations in parking areas may also be an annoyance to adjacent sensitive receptors. Sound levels of speech typically range from 33 dBA at 50 feet for normal speech to 50 dBA at 50 feet for very loud speech.[5] It should be noted that parking lot noises are instantaneous noise levels compared to noise standards in the hourly L_{eq} metric, which are averaged over the entire duration of a time period. As a result, actual noise levels over time resulting from parking lot activities would be far lower than the reference levels identified above.

For the purpose of providing a conservative, quantitative estimate of the noise levels that would be generated from the vehicles entering and exiting the parking lot, the methodology recommended by FTA for the general assessment of stationary transit noise sources is used. Using the methodology, the Project's peak hourly noise level that would be generated by the on-site parking levels was estimated using the following FTA equation for a parking lot:

$$L_{eq(h)} = SEL_{ref} + 10 \log (NA/1{,}000) - 35.6$$

Where:

$L_{eq(h)}$ = hourly L_{eq} noise level at 50 feet

SEL_{ref} = reference noise level for stationary noise source represented in sound exposure level (SEL) at 50 feet

NA = number of automobiles per hour

35.6 is a constant in the formula, calculated as 10 times the logarithm of the number of seconds in an hour

Based on the peak hour trip generation rates in the Traffic Analysis (Appendix I), approximately 274 trips during peak a.m. hours and 323 trips during p.m. hours would be made to and from the Project site each day. Using the FTA's reference noise level of 92 dBA SEL[6] at 50 feet from the noise source, the Project's highest peak hour vehicle trips would generate noise levels of approximately 51.5 dBA L_{eq} at 50 feet from the parking lot. The nearest sensitive receptor is 150 feet from a parking area. Based strictly on distance attenuation, parking lot noise at the nearest receptor would be 42 dBA which is below the City's nighttime residential noise standard of 45 dBA. Therefore, noise impacts from parking lots would be less than significant.

Off-Site Traffic Noise

Implementation of the Project would generate increased traffic volumes along nearby roadway segments. According to the Traffic Analysis, the Project would generate 3,656 two-way daily trips which would result in noise increases on Project area roadways. In general, a traffic noise increase of less than 3 dBA is barely perceptible to people, while a 5-dBA increase is readily noticeable. Generally, traffic volumes on Project area roadways would have to approximately double for the resulting traffic noise levels to increase by 3 dBA. Therefore, permanent increases in ambient noise levels of less than 3 dBA are considered to be less than significant.

[4] Kariel, H. G., *Noise in Rural Recreational Environments*, Canadian Acoustics 19(5), 3-10, 1991.
[5] Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden. Noise Navigator Sound Level Database with Over 1700 Measurement Values, July 6, 2010.
[6] Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018.

Traffic noise levels for roadways primarily affected by the Project were calculated using the FHWA's Highway Noise Prediction Model (FHWA-RD-77-108). Traffic noise modeling was conducted for conditions with and without the Project, based on traffic volumes from the Traffic Impact Analysis. *Table 4.11-11, Phase 1 Opening Year and Opening Year Plus Project Traffic Noise Levels* demonstrates that opening year Project traffic-generated noise levels on Project area roadways would range between 55.5 dBA CNEL and 75.8 dBA CNEL at 100 feet from the centerline, and the Project would result in a maximum increase of 0.9 dBA CNEL along Eucalyptus Avenue. Noise impacts from off-site traffic would be less than significant.

Table 4.11-11: Opening Year and Opening Year Plus Project Traffic Noise Levels

Roadway Segment	Opening Year		Opening Year Plus Project		Project Change from No Build Conditions	Significant Impact?
	ADT	dBA CNEL[1]	ADT	dBA CNEL[1]		
Euclid Avenue						
between Walnut Ave and SR 60	33,964	74.5	34,804	74.8	0.3	No
between Riverside Dr and Walnut Ave	36,486	74.8	37,268	75.1	0.3	No
between Chino Ave and Riverside Dr	33,980	74.1	34,908	74.4	0.3	No
between Schaefer Ave and Chino Ave	34,724	75.3	35,680	75.5	0.2	No
between Edison Ave and Schaefer Av	36,809	75.5	38,113	75.8	0.3	No
between Eucalyptus Ave and Edison Ave	37,177	75.5	37,551	75.8	0.3	No
between Merrill Ave and Eucalyptus Ave	37,570	75.5	37,982	75.8	0.3	No
Bon View Avenue						
between Merrill Ave and Eucalyptus Ave	3,124	58.0	3,154	58.0	0.0	No
Grove Avenue						
between Merrill Ave and Eucalyptus Ave	11,705	64.9	11,995	65.0	0.1	No
Walker Avenue						
between Eucalyptus Ave and Edison Ave	1,753	55.5	1,753	55.5	0.0	No
Archibald Avenue						
between Limonite Ave and Merrill Ave	27,790	74.4	27,906	74.5	0.1	No
between Merrill Ave and Eucalyptus Ave	30,741	74.9	31,281	75.0	0.1	No
between Eucalyptus Ave and Edison Ave	29,200	74.4	29,408	74.5	0.1	No
Eucalyptus Avenue						
between Euclid Ave and Bon View Ave	8,067	62.1	8,097	62.1	0.0	No
between Bon View Ave and Grove Ave	5,042	60.0	6,088	60.9	0.9	No
between Grove Ave and Walker Ave	5,205	60.3	6,193	61.0	0.7	No
Merrill Avenue						
between Euclid Ave and Bon View Ave	15,476	69.9	16,370	70.7	0.8	No
between Bon View Ave and Grove Ave	16,702	70.3	17,596	70.7	0.4	No
between Grove Ave and Flight Ave	16,193	70.1	17,029	70.6	0.5	No
between Flight Ave and Van Vliet Ave	16,154	70.2	16,930	70.6	0.4	No
between Van Vliet Ave and Hellman Ave	16,959	70.3	17,735	70.8	0.5	No
between Hellman Ave and Carpenter Ave	18,694	70.7	19,470	71.1	0.4	No
between Carpenter Ave and Archibald Ave	16,756	70.3	17,532	70.7	0.4	No
Edison Avenue						
between Euclid Ave and Walker Ave	20,254	71.9	20,602	72.1	0.2	No
between Walker Ave and Archibald Ave	22,249	72.3	23,009	72.6	0.3	No
between Archibald Ave and Turner Ave	23,715	72.8	24,447	73.0	0.2	No
Ontario Ranch Road						
between Turner Ave and Haven Ave	23,642	73.0	24,344	73.2	0.2	No
between Haven Ave and Hamner Ave	34,213	74.3	34,887	74.5	0.2	No
between Hamner Ave and I-15	25,055	72.9	25,759	73.1	0.2	No

ADT = average daily trips; dBA = A-weighted decibels; CNEL= Community Equivalent Noise Level
1. Traffic noise levels are at 100 feet from the roadway centerline.
Source: Based on traffic data provided by Urban Crossroads (2021). Refer to *Appendix H* for traffic noise modeling results.

Mitigation Measures

No mitigation required.

Impact 4.11-2 ***Would the Project result in generation of excessive groundborne vibration or groundborne noise levels? [Threshold N-2]***

Level of Significance Before Mitigation: Less Than Significant Impact

Construction Vibration

Construction operations can generate varying degrees of ground vibration, depending on the construction procedures and equipment. Operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source. Construction on the Project site would have the potential to result in varying degrees of temporary ground-borne vibration, depending on the specific construction equipment used and the operations involved.

The FTA has published standard vibration velocities for construction equipment operations. In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.2 in/sec) appears to be conservative. The types of construction vibration impacts include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. For example, for a building that is constructed with reinforced concrete with no plaster, the FTA guidelines show that a vibration level of up to 0.20 in/sec is considered safe and would not result in any construction vibration damage.

Table 4.11-12, Typical Construction Equipment Vibration Levels, lists vibration levels at 25 feet for typical construction equipment. Vibration levels at 82 feet, the distance to the nearest sensitive receptors from the Project site boundary during construction activities are also included in *Table 4.11-12*.

Groundborne vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. As indicated in *Table 4.11-12*, based on FTA data, vibration velocities from typical heavy construction equipment operations that would be used during Project construction range from 0.003 to 0.089 in/sec PPV at 25 feet from the source of activity.

Table 4.11-12: Typical Construction Equipment Vibration Levels

Equipment	Peak Particle Velocity at 25 Feet (in/sec)	Project Construction Peak Particle Velocity at 82 Feet (in/sec)[1]
Large Bulldozer	0.089	0.0150
Caisson Drilling	0.089	0.0150
Loaded Trucks	0.076	0.0128
Rock Breaker	0.059	0.0099
Jackhammer	0.035	0.0059
Small Bulldozer/Tractors	0.003	0.0005

Equipment	Peak Particle Velocity at 25 Feet (in/sec)	Project Construction Peak Particle Velocity at 82 Feet (in/sec)[1]
[1] Calculated using the following formula: $PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$, where: PPV_{equip} = the peak particle velocity in in/sec of the equipment adjusted for the distance; PPV_{ref} = the reference vibration level in in/sec from Table 7-4 of the Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, 2018; D = the distance from the equipment to the receiver.		
Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, 2018.		

The nearest sensitive receptor to the Project construction site is approximately 82 feet to the north of the Project site boundary. As shown in *Table 4.11-12*, at 82 feet the vibration velocities from construction equipment would not exceed 0.0150 in/sec PPV, which is below the FTA's 0.20 in/sec PPV threshold for building damage and below the 0.10 in/sec PPV annoyance threshold. It is also acknowledged that construction activities would occur throughout the Project site and would not be concentrated at the point closest to the nearest structure. Therefore, vibration impacts associated with Project construction would be less than significant.

Operational Vibration

The proposed Project would include truck movement activity at the proposed Project site. These movements would generally be low-speed (i.e., less than 15 miles per hour) and would occur over new, smooth surfaces. For perspective, Caltrans has studied the effects of propagation of vehicle vibration on sensitive land uses and notes that "heavy trucks, and quite frequently buses, generate the highest earthborn vibrations of normal traffic." Caltrans further notes that the highest traffic-generated vibrations are along freeways and state routes. Their study finds that "vibrations measured on freeway shoulders (five meters from the centerline of the nearest lane) have never exceeded 0.08 in/sec, with the worst combinations of heavy trucks and poor roadway conditions (while such trucks were moving at freeway speeds). This level coincides with the maximum recommended safe level for ruins and ancient monuments (and historic buildings)."[7] In addition, sensitive receptors located along the Project truck route identified in the Traffic Analysis are a minimum of 50 feet (15 meters) from the centerline of the nearest lane. Since the Project's truck movements would not be at freeway speeds and the trucks would be a minimum of 50 feet from a sensitive receptor, Project-related vibration associated with truck activity would not result in excessive groundborne vibrations; thus, no vehicle-generated vibration impacts would occur. In addition, there are no sources of substantial ground borne vibration associated with the Project, such as rail or subways. Therefore, vibration impacts associated with Project operation would be less than significant.

Impact 4.11-3 ***For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels? [Threshold N-3]***

Level of Significance Before Mitigation: Less Than Significant Impact

[7] California Department of Transportation. 2013. Technical Noise Supplement ("TeNS").

Chino Airport

The Project site is located directly north of the Chino Airport. The Chino General Plan's Noise Element has noise contours for the Chino Airport. The noise contours show the Project site outside the 55 dBA CNEL contour, therefore people working at the Project site would not be exposed to excessive airport related noise. Impacts would be less than significant.

Ontario International Airport

The Project is approximately five miles southwest of the Ontario International Airport. The Ontario International Airport Land Use Compatibility Plan Policy Map 2-3, Noise Impact Zones, shows airport noise contours.[8] The map shows that the Project site is outside the 60-65 dB CNEL contour. People working at the Project site would not be exposed to excessive airport related noise. Impacts would be less than significant.

4.11.7 Cumulative Impacts

Construction Noise

Project-related construction activities would not result in a substantial temporary increase in ambient noise levels. Construction noise impacts would be periodic and temporary and would cease upon completion of construction activities. The Project would contribute to other proximate construction Project noise impacts if construction activities were conducted concurrently. However, based on the noise analysis above, the Project's construction-related noise impacts would be less than significant.

Construction activities at other planned and approved projects near the Project site would be required to comply with applicable City rules related to noise. Activities would take place during daytime hours on the days permitted by the applicable MC, and projects requiring discretionary City approvals would be required to evaluate construction noise impacts, comply with the City's standard conditions of approval, and implement mitigation, if necessary, to minimize noise impacts. Construction noise impacts are by nature localized. Because noise dissipates as it travels away from its source, noise impacts would be limited to the Project site and immediate vicinity. Therefore, Project construction would not result in a cumulatively considerable contribution to significant cumulative impacts, assuming such a cumulative impact existed, and impacts would not be cumulatively considerable.

Operational Noise

Cumulative Off-Site Traffic Noise

Cumulative noise impacts describe how much noise levels are projected to increase over existing conditions with the development of the proposed Project and other foreseeable projects. Cumulative noise impacts would occur primarily as a result of increased traffic on local roadways due to buildout of the Project and other projects in the vicinity. Cumulative increases in traffic noise levels were estimated by comparing the Existing and Future Without Project scenarios to the Future Plus Project scenario

[8] The Ontario International Airport Land Use Compatibility Plan Policy Map 2-3, Noise Impact Zones. (2011). Retrieved from: https://www.ontarioplan.org/wp-content/uploads/sites/4/2015/05/policy-map-2-3.pdf.

identified in the Traffic Analysis (*Appendix I*). The Ontario Ranch Business Park Traffic Analysis (*Appendix I*) considers cumulative traffic from future growth assumed in the transportation model, as well as cumulative projects.

A project's contribution to a cumulative traffic noise increase would be considered significant when the combined effect exceeds perception level (i.e., auditory level increase) threshold. The following criteria is used to evaluate the combined and incremental effects of the cumulative noise increase.

- **Combined Effect**. The cumulative with Project noise level ("Cumulative With Project") would cause a significant cumulative impact if a 3.0 dB increase over "Existing" conditions occurs and the resulting noise level exceeds the applicable exterior standard at a sensitive use. Although there may be a significant noise increase due to the proposed Project in combination with other related projects (combined effects), it must also be demonstrated that the Project has an incremental effect. In other words, a significant portion of the noise increase must be due to the proposed Project.
- **Incremental Effects**. The "Cumulative With Project" causes a 1.0 dBA increase in noise over the "Cumulative Without Project" noise level.

A significant impact would result only if both the combined and incremental effects criteria have been exceeded. Noise by definition is a localized phenomenon and attenuates as the distance from the source increases. Consequently, only the proposed Project and growth due to occur in the general area would contribute to cumulative noise impacts.

Table 4.11-13, Cumulative Plus Project Conditions Predicted Traffic Noise Levels, identifies the traffic noise effects along roadway segments in the Project vicinity for "Existing," "Cumulative Without Project," and "Cumulative With Project," conditions, including incremental and net cumulative impacts.

Table 4.11-13: Cumulative Plus Project Conditions Predicted Traffic Noise Levels

Roadway Segment	Existing dBA CNEL[1]	Future Without Project dBA CNEL[1]	Future With Project dBA CNEL[1]	Combined Effects	Incremental Effects	Cumulatively Significant Impact?
				Difference In dBA Between Existing and Future With Project	Difference In dBA Between Future Without Project and Future With Project	
Euclid Avenue						
between Walnut Ave and SR 60	73.9	76.4	76.6	2.7	0.2	No
between Riverside Dr and Walnut Ave	74.2	76.6	76.8	2.6	0.2	No
between Chino Ave and Riverside Dr	73.3	75.8	76.0	2.7	0.2	No
between Schaefer Ave and Chino Ave	74.5	76.9	77.1	2.6	0.2	No
between Edison Ave and Schaefer Ave	74.8	77.2	77.4	2.6	0.2	No
between Eucalyptus Ave and Edison Ave	74.9	77.1	77.2	2.3	0.1	No
between Merrill Ave and Eucalyptus Ave	74.9	77.1	77.3	2.4	0.2	No

Roadway Segment	Existing dBA CNEL[1]	Future Without Project dBA CNEL[1]	Future With Project dBA CNEL[1]	Combined Effects	Incremental Effects	Cumulatively Significant Impact?
				Difference In dBA Betweer Existing and Future With Project	Difference In dBA Between Future Without Project and Future With Project	
Bon View Avenue						
between Merrill Ave and Eucalyptus Ave	57.0	59.7	59.8	2.8	0.1	No
Grove Avenue						
between Merrill Ave and Eucalyptus Ave	63.2	67.1	67.1	3.9	0.0	No
Walker Avenue						
between Eucalyptus Ave and Edison Ave	55.4	63.4	63.4	8.0	0.0	No
Archibald Avenue						
between Limonite Ave and Merrill Ave	74.4	75.7	75.7	1.3	0.0	No
between Merrill Ave and Eucalyptus Ave	74.2	76.3	76.4	2.2	0.1	No
between Eucalyptus Ave and Edison Ave	73.7	76.0	76.1	2.4	0.1	No
Eucalyptus Avenue						
between Euclid Ave and Bon View Ave	61.9	63.0	63.0	1.1	.00	No
between Bon View Ave and Grove Ave	58.7	61.3	62.0	3.3	0.7	No
between Grove Ave and Walker Ave	58.7	61.4	62.1	3.4	0.7	No
Merrill Avenue						
between Euclid Ave and Bon View Ave	68.7	72.2	72.7	4.0	0.5	No
between Bon View Ave and Grove Ave	68.9	72.2	72.5	3.6	0.3	No
between Grove Ave and Flight Ave	68.8	72.4	72.7	3.9	0.3	No
between Flight Ave and Van Vliet Ave	68.9	72.4	72.7	3.8	0.3	No
between Van Vliet Ave and Hellman Ave	68.9	72.7	73.0	4.1	0.3	No
between Hellman Ave and Carpenter Ave	69.3	72.8	73.1	3.8	0.3	No
between Carpenter Ave and Archibald Ave	68.8	72.5	72.7	3.9	0.2	No
Edison Avenue						
between Euclid Ave and Walker Ave	71.3	75.1	75.2	3.9	0.1	No
between Walker Ave and Archibald Ave	71.4	75.1	75.3	3.9	0.2	No
between Archibald Ave and Turner Ave	71.9	75.2	75.3	3.4	0.1	No
Ontario Ranch Road						
between Turner Ave and Haven Ave	72.2	75.6	75.7	3.5	0.1	No
between Haven Ave and Hamner Ave	73.8	75.8	75.9	2.1	0.1	No
between Hamner Ave and I-15	72.2	74.6	74.8	2.6	0.2	No

ADT = average daily trips; dBA = A-weighted decibels; CNEL= Community Equivalent Noise Level
1. Traffic noise levels are at 100 feet from the roadway centerline.
Source: Based on traffic data provided by Urban Crossroads (2021). Refer to *Appendix H* for traffic noise modeling results.

A significant cumulative traffic noise increase would be identified if a cumulative traffic noise increase of greater than the 3 dBA significance threshold of perceptibility is calculated, and the relative contribution from project traffic is calculated to contribute 1 dBA or more to this cumulative impact. As shown in *Table 4.11-13*, combined traffic noise increases greater than 3 dBA would occur along several roadway segments. However, no roadway segments would exceed the 1 dBA incremental increase threshold. Therefore, the proposed Project's contribution to noise levels would not be cumulatively considerable.

Cumulative Stationary Noise

Stationary noise sources associated with the Project would result in an incremental increase in non-transportation noise sources in the Project vicinity. However, as discussed above, operational noise caused by the Project would be less than significant. Additionally, due to Project site's distance to sensitive receptors, cumulative stationary noise impacts would not occur. Similar to the proposed Project, other planned and approved projects would be required to mitigate for stationary noise impacts at nearby sensitive receptors, if necessary. As stationary noise sources are generally localized, there would be a limited potential for other projects to contribute to cumulative noise impacts.

No known past, present, or reasonably foreseeable projects would combine with the operational noise levels generated by the Project to increase noise levels above acceptable standards because each project must comply with applicable City regulations that limit operational noise. Therefore, the Project, together with other projects, would not create a significant cumulative impact.

Given that noise attenuates as the distance from its source increases, operational noise impacts from on-site activities and other stationary sources would be limited to the Project site and the immediate vicinity. Thus, cumulative operational noise impacts from related projects, in conjunction with Project-specific noise impacts, would not be cumulatively significant.

4.11.8 Level of Significance Before Mitigation

Without mitigation, Impact 4.11-1 could result in a substantial temporary increase in noise levels in excess of standards established in the local general plan or noise ordinance.

Upon implementation of regulatory requirements and standard conditions of approval, Impacts 4.11-2 and 4.11-3 would be less than significant.

4.11.9 Mitigation Measures

MM NOI-1 Heavy construction equipment will not remain stationary for more than fifteen minutes while operating within 500 feet of a sensitive receptor.

MM NOI-2 Stationary construction equipment will not be placed within 500 feet of a sensitive receptor and will be oriented away from receptors.

4.11.10 Level of Significance After Mitigation

Implementation of **MM NOI-1** and **MM NOI-2** would ensure that construction impacts remain less than significant.

In addition to compliance with existing regulatory requirements, implementation of **MM NOI-1** and **MM NOI-2** would ensure the Project applicant and construction contractors are aware of potential construction noise impacts and have specified procedures to reduce impacts sensitive receptors.

4.11.11 References

California Department of Transportation. 2013, September. Technical Noise Supplement ("TeNS").

Federal Highway Administration (FHWA). 2006, August. Construction Noise Handbook.

Federal Highway Administration (FHWA). 2006, Roadway Construction Noise Model.

Federal Transit Administration (FTA). 2018, September. Transit Noise and Vibration Impact Assessment.

Governor's Office of Planning and Research. 2003, October. State of California General Plan Guidelines.

Ontario, City of. 2020. Municipal Code, Chapter 29 Noise – Section 5-29.04 Exterior Noise Standards.

Ontario, City of. 2010, January. The Ontario Plan Safety Element.

Ontario, City of. 2011. April. LA/Ontario International Airport Land Use Compatibility Plan.

4.12 POPULATION AND HOUSING

This section of the Draft Subsequent Environmental Impact Report (EIR) examines the changes in population, employment generation, and demand for housing effects of the Ontario Ranch Business Park Specific Plan Amendment Project (Project). This section evaluates the Project's relationship to regional housing and jobs policies of the Southern California Association of Governments (SCAG) and the adopted The Ontario Plan (TOP) for the City of Ontario (City), with a particular emphasis on jobs-housing relationships in the City and San Bernardino County (County).

4.12.1 Environmental Setting

Existing Conditions

The Project site is located on approximately 71.69 acres of land currently occupied by agricultural uses, including a dairy farm and row crops, and vacant land. Several residences that house the dairy owner and workers are also located within the Project area. With that, employment opportunities available on the Project site are those associated with agricultural operations. According to Exhibit LU-01: Land Use Plan of TOP[1], the Project site is currently designated for Low-Medium Density Residential (5.1-11 dwelling units per acre [du/ac]) and Business Park (0.6 floor area ratio [FAR]) land uses.[2]

Population

Citywide and Countywide Population

As of January 2020, the City and County have a population of approximately 182,871 persons and 2,180,537 persons, respectively. *Table 4.12-1, Population, Trends in the City of Ontario and San Bernardino County*, exhibits the population growth trends in the City as well as in the County, collected by the Department of Finance (DOF). SCAG projects that by 2045, the horizon year of the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), the population of the City and County would increase to 269,100 persons and 2,815,000 persons, respectively.[3]

According to the data, population has steadily increased in both the City and the County from 2010 to 2020 with the largest percentage increase for the City being from 2018 to 2019, at 2.13 percent. The largest percentage increase for the County was from 2010 to 2011 at 1.01 percent.

[1] City of Ontario. Rev. 2020. The Ontario Plan Exhibit LU-01: Land Use Plan. https://www.ontarioplan.org/wp-content/uploads/sites/4/2020/12/TOPLUP_Map24x3610_6_20201221.pdf.

[2] This is the current land use designation in the City's TOP. However, the City is planning to adopt TOP 2050 Update in August 2022, which shows the Project site as Business Park and Industrial, consistent with the proposed Project Specific Plan Amendment (SPA). As this Draft Subsequent EIR and Project are planned for approval after approval of the City's TOP 2050 Update, the Project would be consistent with the land use designations following TOP 2050 Update.

[3] SCAG. 2020. 2020-2045 Connect SoCal – Demographics and Growth Forecast. https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_demographics-and-growth-forecast.pdf?1606001579.

Table 4.12-1: Population Trends in the City of Ontario and San Bernardino County

Year	City of Ontario		San Bernardino County	
	Population	Percent Change	Population	Percent Change
2010	163,924	N/A	2,035,210	N/A
2011	165,563	1.00%	2,055,671	1.01%
2012	166,759	0.72%	2,071,326	0.76%
2013	168,255	0.90%	2,084,443	0.63%
2014	168,930	0.40%	2,094,951	0.50%
2015	170,267	0.79%	2,112,344	0.83%
2016	171,039	0.45%	2,123,677	0.54%
2017	174,607	2.09%	2,141,391	0.83%
2018	176,728	1.21%	2,152,845	0.53%
2019	180,494	2.13%	2,168,964	0.75%
2020	182,871	1.32%	2,180,537	0.53%

Source: DOF. 2020. E-4 Population Estimates for Cities, Counties, and the State, 2011-2020 with 2010 Census Benchmark. https://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-4/2010-20/.

Citywide and Countywide SCAG Projections

SCAG's regional forecast population, housing, and employment projections for 2020 and 2045 for the City and the County are shown in *Table 4.12-2, SCAG Projections – City of Ontario and San Bernardino County*. According to SCAG, significant growth is anticipated to occur within the City as well as the County between 2016 and 2045. The 2020-2045 RTP/SCS forecasts that the City's population will increase by 96,900 persons between 2016 and 2045, an approximately 56 percent increase. Households within the City are forecasted to increase by 28,500 from year 2016 to 2045, an approximately 62 percent increase. The 2020-2045 RTP/SCS also forecasts that the number of jobs in the City will increase by 55,400 between 2016 and 2045, an approximately 49 percent increase.

Table 4.12-2: SCAG Projections – City of Ontario and San Bernardino County

	2016	2045	Projected Change 2016-2045	Percent Change 2016-2045
San Bernardino County Forecast				
Population	2,141,000	2,815,000	674,000	31%
Housing	630,000	875,000	245,000	39%
Employment	791,000	1,064,000	273,000	35%
City of Ontario Forecast				
Population	172,200	269,100	96,900	56%
Housing	46,000	74,500	28,500	62%
Employment	113,900	169,300	55,400	49%

Source: SCAG. 2020. RTP/SCS 2020-2045 – Connect SoCal, *Demographics and Growth Forecast.* Retrieved from: https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_demographics-and-growth-forecast.pdf?1606001579.

Households

Citywide and Countywide Housing

As shown in *Table 4.12-3, Housing Units – City of Ontario and San Bernardino County*, DOF estimates that there are currently approximately 51,283 housing units in the City. Characteristics of occupied and vacant housing units in the City and County, as reported by the DOF, are also shown in *Table 4.12-3*.

Table 4.12-3: Housing Units – City of Ontario and San Bernardino County

	City of Ontario	San Bernardino County
By Unit Type		
Single-Family Detached	30,162	516,651
Single-Family Attached	3,114	25,181
Two to Four	5,103	46,375
Five Plus	10,740	94,511
Mobile Homes	2,164	43,962
Total	**51,283**	**726,680**
Average Household Size	3.69	3.31
Vacancy Rate	3.7%	11.1%

Source: DOF. 2020. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2020 with 2010 Census Benchmark. https://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-5/

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Employment

Citywide Employment

As shown in *Table 4.12-4, Employment by Industrial Sector – City of Ontario (2019)*, there were 124,060 jobs in the City from October 2018 to October 2019 as provided by the City's "Regional Intelligence Report." The numbers of jobs in the City per industrial sector are shown in *Table 4.12-4* with the most jobs at 15.9 percent occurring in the "Logistics/Utilities" sector.

Table 4.12-4: Employment by Industrial Sector – City of Ontario (2019)

Industrial Sector	Jobs in the City of Ontario	
	Jobs	Percent (%) of Total Jobs
Logistics/Utilities	19,720	15.9
Admin Support	15,470	12.5
Manufacturing	14,420	11.6
Retail Trade	13,910	11.2
Wholesale Trade	13,100	10.6
Education/Health	12,030	9.7
Leisure and Hospitality	8,480	6.8
Prof, Sci, Tech & Mgmt.	5,960	4.8
Government	5,890	4.8
NR/Construction	5,480	4.4
Financial Activities	4,400	3.5
Other Svcs.	3,150	2.5
Information	2,050	1.7
Total	**124,060**	**100%**

Source: UC Riverside. 2019. City of Ontario Regional Intelligence Report. https://www.ontariothinksbusiness.com/sites/default/files/inline-files/City%20of%20Ontario%20RIR-Dec%202019.pdf.

Jobs-Housing Balance

The jobs-housing balance is a general measure of the total number of jobs and housing units in a defined geographic area, without regard to economic constraints or individual preferences. The balance of jobs and housing in an area—in terms of the total number of jobs and housing units as well as the type of jobs versus the price of housing—has implications for mobility, air quality, and the distribution of tax revenues. The jobs-housing balance is one indicator of a project's effect on growth and quality of life in the project

area. SCAG applies the jobs-housing balance at the regional and sub regional levels to analyze the fit between jobs, housing, and infrastructure. A major focus of SCAG's regional planning efforts has been to improve this balance. SCAG defines the jobs-housing balance as follows:

> *Jobs and housing are in balance when an area has enough employment opportunities for most of the people who live there and enough housing opportunities for most of the people who work there. The region is, by definition, balanced… Job-rich subregions have balances greater than the regional average; housing-rich subregions have balances lower than the regional average.*
>
> *Ideally, job-housing balance would… assure not only a numerical match of jobs and housing but also an economic match in type of jobs and housing.*

Jobs-housing goals and balances are advisory only. No ideal jobs-housing balance is adopted in state, regional, or city policies. However, SCAG considers an area balanced when the jobs-housing balance is 1.36; communities with more than 1.36 jobs per dwelling unit are considered jobs-rich, while those with fewer than 1.36 are housing-rich. A job-housing imbalance can indicate potential air quality and traffic problems associated with commuting.

As shown in *Table 4.12-5, Jobs-Housing Balance*, the jobs-housing balance in the City is forecast to decrease between 2016 and 2045, from 2.47 to 2.27. The City is shown to have a disproportionate number of employment opportunities to housing. This suggests that many workers commute to the City. According to SCAG projections, the City is expected to remain jobs-rich. The size, location in the City, and noise and safety zones surrounding the City provide a physical barrier for the development of land uses such as housing, and therefore encourage placement of compatible land uses such as retail, office, industrial, warehousing, and airport service-related uses. Consequently, and as stated above, the City is inherently jobs-rich.

Furthermore, as shown in *Table 4.12-5*, the County is below the proposed balance of 1.36. It is expected to decrease from 2016 to 2045 to 1.22 which would still be considered housing-rich. Therefore, it is likely that residents within the subregion will supply most of the workforce, thereby reducing the influx of individuals migrating to southwest County and the City. Additional employment to the area is expected to create a better balance between housing and jobs within the County.

Table 4.12-5: Jobs-Housing Balance

Jurisdiction	Year	Employment	Households	Jobs-Housing Balance
City of Ontario	2016	113,900	46,000	2.47
	2045	169,300	74,500	2.27
San Bernardino County	2016	791,000	630,000	1.26
	2045	1,064,000	875,000	1.22

Source: SCAG. 2020. Connect SoCal, Demographics and Growth Forecast Technical Report. https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_demographics-and-growth-forecast.pdf?1606001579.

4.12.2 Regulatory Setting

State and regional laws, regulations, plans, or guidelines that are potentially applicable to the Project are summarized below.

State

California Planning and Zoning Law

California planning and zoning law requires each city and county to adopt a general plan for future growth (California Government Code Section 65300). This plan must include a housing element that identifies housing needs for all economic segments and provides opportunities for housing development to meet that need. At the state level, the Housing and Community Development Department (HCD) estimates the relative share of California's projected population growth in each county based on California DOF population projections and historical growth trends. These figures are compiled by HCD in a Regional Housing Needs Assessment (RHNA) for each region of California. The RHNA is a tool used for SCAG and its member local governments in planning for growth. The RHNA quantifies the need for housing within each jurisdiction. Communities then plan, consider, and decide how they will address this need through the process of completing the Housing Elements of their General Plans. The RHNA does not necessarily encourage or promote growth but allows communities to prepare for growth in a way that enhances quality of life and mobility; improves access to jobs, transportation, and housing; and in a way that would not adversely impact the environment.

State law recognizes the vital role that local governments play in the supply and affordability of housing. To that end, California Government Code requires that the housing element achieve legislative goals to:

- Identify adequate sites to facilitate and encourage the development, maintenance, and improvement of housing for households of all economic levels, including persons with disabilities.
- Remove, as legally feasible and appropriate, governmental constraints to the production, maintenance, and improvement of housing for persons of all incomes, including those with disabilities.
- Assist in the development of adequate housing to meet the needs of low- and moderate-income households.
- Conserve and improve the condition of housing and neighborhoods, including existing affordable housing. Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.
- Preserve for lower-income households the publicly assisted multifamily housing developments in each community.

California housing element laws (California Government Code §§ 65580–65589) require that each city and county identify and analyze existing and projected housing needs within its jurisdiction and prepare goals, policies, and programs to further the development, improvement, and preservation of housing for all economic segments of the community commensurate with local housing needs.

Regional

Southern California Association of Governments

SCAG is a council of governments representing Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. SCAG is the federally recognized metropolitan planning organization (MPO) for this

region, which encompasses over 38,000 square miles. It serves as a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG develops, refines and maintains SCAG's regional and small area socioeconomic forecasting/allocation models. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and state law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs. As the southern California region's MPO, SCAG cooperates with the South Coast Air Quality Management District (SCAQMD), the California Department of Transportation (Caltrans), and other agencies in preparing regional planning documents. The socioeconomic estimates and projections are used for federal and state-mandated long-range planning efforts such as the RTP/SCS, the Air Quality Management Plan, the Federal Transportation Improvement Program, and the RHNA.

Regional Housing Needs Assessment

The RHNA is an assessment process performed periodically as part of Housing Element and General Plan updates at the local level. The RHNA quantifies the need for housing by income group within each jurisdiction during specific planning periods. The RHNA is used in land use planning, to prioritize local resource allocation and to help decide how to address existing and future housing needs. The RHNA allows communities to anticipate growth, so that collectively the region can grow in ways that enhance quality of life, improve access to jobs, promote transportation mobility, and address social equity and fair share housing needs.

Regional Transportation Plan/Sustainable Communities Strategy

On September 3, 2020, SCAG adopted the 2020-2045 RTP/SCS, which places a greater emphasis than ever on sustainability and integrated planning. The 2020-2045 RTP/SCS vision encompasses a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The 2020-2045 RTP/SCS includes a strong commitment to reduce emissions from transportation sources to comply with SB 375, improve public health, and meet the GHG emission reductions. This long-range plan, required by the state of California and the federal government, is updated by SCAG every four years as demographic, economic, and policy circumstances change. The 2020-2045 RTP/SCS is a living, evolving blueprint for the region's future.

Local

Housing Element

The City of Ontario Housing Element's purpose is to provide an adequate supply of quality and affordable housing that is fundamental to the economic and social well-being of the City. State law requires all communities to prepare a housing element every five years. The Housing Element is required to address the production, preservation, and improvement of housing in the community. Among its most important functions, the Housing Element analyzes existing and future housing needs; addresses constraints to meeting local housing needs; identifies land, financial, and administrative resources for housing; sets forth goals and policies to meet community housing needs; and establishes housing programs and an implementation plan.

Goal H2 **Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.**

Policy H2-1 Corridor Housing. We revitalize transportation corridors by encouraging the production of higher density residential and mixed-uses that are architecturally, functionally, and aesthetically suited to corridors.

4.12.3 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

P-1 Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).

P-2 Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Section 7.0 Effects Found Not to Be Significant, substantiates that impacts associated with the following thresholds would be less than significant:

- Threshold P-2

This impact will not be addressed in the following analysis.

4.12.4 Plans, Programs, and Policies

There are no plans, policies, or programs applicable to the Project related to population and housing impacts.

4.12.5 Methodology

The Project's demographics are examined in the context of existing and projected population for the County and the City and considers consistency with TOP and the 2020-2045 RTP/SCS. Information on population, housing, and employment for the planning area is available from several sources including:

- **U.S. Census.** The official U.S. Census is described in Article I, Section 2, of the U.S. Constitution. It calls for an actual enumeration of the people every 10 years, to be used for apportionment among the states of seats in the House of Representatives. The Census Bureau publishes population and household data gathered in the decennial census. This information provides a record of historical growth rates in the County.
- **California Department of Finance.** The DOF prepares and administers California's annual budget. Other duties include estimating population demographics and enrollment projections. DOF's "Table E-5: City/County Population and Housing Estimates" reports on population and housing estimates for the State, counties, and cities.
- **Southern California Association of Governments.** Policies and programs adopted by SCAG to achieve regional objectives are expressed in its 2020-2045 RTP/SCS.

The potential impacts of the Project were evaluated relative to the demographic condition, jobs-housing balance and socioeconomic profiles. The Project would be considered consistent with TOP and the 2020-2045 RTP/SCS if it is compatible with the general intent of such plans and would not preclude attainment of primary goals of such plans.

4.12.6 Project Impacts and Mitigation Measures

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 4.12-1 ***Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? [Threshold P-1]***

Level of Significance Before Mitigation: Less Than Significant

The Project would not introduce new population or housing to the Project site. Development would include business park and industrial uses; it would result in jobs for residents in the surrounding area. *Table 3-1, Maximum Specific Plan Buildout*, provides the maximum allowable gross building area for each Planning Area based on its allowable FAR, resulting in a combined maximum building square footage of 1,640,690 square feet (sf) of business park and industrial uses.

Employment Growth

Construction

Project construction would generate temporary employment opportunities, including short-term design, engineering, and construction jobs. Construction-related jobs would not result in a significant population increase because they are expected to be filled by persons within the local economy. The unemployment rate is approximately 7.2 percent within the jurisdictions in the Project vicinity of the Riverside-San Bernardino-Ontario Metropolitan Area as of May 2021.[4] Because many of the employment opportunities are expected to be filled by persons within the local economy, it is anticipated that an adequate number of persons are available to fill the employment positions without constructing new residential units. Furthermore, the small percentage of skilled and managerial positions could either be filled by the local economy or by persons outside the local economy. Therefore, the implementation of the Project would result in less than significant growth inducement impacts in the Project vicinity.

Operations

The projected number of employees that would result from the implementation of the Project was calculated based on the land use projection assumptions in Appendix J of the TOP EIR.[5] As shown in *Table 4.12-6, Project Generated Employment*, the Project site has the potential to generate 1,631 employees.

[4] U.S. Bureau of Labor Statistics. (May 2021). Unemployment Rates for Metropolitan Areas. https://www.bls.gov/web/metro/laummtrk.htm. Accessed July 21, 2021.
[5] City of Ontario. 2009. The Ontario Plan Draft EIR, Appendix J: Land Use Modeling Methodology. https://www.ontarioplan.org/wp-content/uploads/sites/4/2016/05/32253.pdf.

Table 4.12-6: Project Generated Employment

Building	Warehouse Space	Total Building (sf)	Employees/1,000 sf	Total Employees
Business Park	Non-Office (50%)	113,975.5	0.650	74.08
	Office (50%)	113,975.5	2.860	325.97
Industrial	Non-Office (90%)	1,271,465.1	0.650	826.45
	Office (10%)	141,273.9	2.860	404.04
Total	–	**1,640,690**	–	**1,631**

Source: City of Ontario. 2009. *The Ontario Plan Draft EIR*, Appendix J: Land Use Modeling Methodology. https://www.ontarioplan.org/wp-content/uploads/sites/4/2016/05/32253.pdf.

It should be noted that the Vehicle Miles Traveled (VMT) Analysis (see *Appendix I2*) conducted by Urban Crossroads also projected a total of 1,630 employees which was used to determine the service population for purposes of calculating VMT per service population.

The forecast increase in Project employment is within SCAG's forecast employment increase for the City of 55,400 and the forecast employment increase for the County of 273,000 by 2045 (see *Table 4.12-2, SCAG Projections – City of Ontario and San Bernardino County*). Additionally, the Logistics/Utilities sector constitutes 15.9 percent of the jobs in the City, highest among job sectors (see *Table 4.12-4*). The implementation of the Project would contribute to job growth in this already prosperous industrial sector. Project-related employment growth impacts are not anticipated to be significant.

Population Growth

Implementation of the Project would increase jobs in the City, which would have the potential to increase the demand for housing in the area. As stated, the proposed increase of up to 1,640,690 sf of business park and industrial uses has the potential to result in 1,631 jobs. The San Bernardino Council of Governments (SBCOG) region is housing-rich. The Project would produce more jobs and therefore would support the improvements designated by SCAG in pursuit of an improved jobs-housing-balance for the County. Because the region is housing-rich, it is expected that jobs at the Project site would be drawn from the local and regional labor force.

However, even if the Project increase in employees added equivalent population to the Project site, growth of 1,631 residents would be well within the growth projections assumed for the City and the SBCOG region, specifically, 96,900 by 2045 in the City and 674,000 by 2045 in the County (see *Table 4.12-2*). Therefore, the Project would not result in substantial population growth, and impacts would be less than significant.

Jobs-Housing Balance

As stated, the SBCOG region is considered housing-rich. According to the 2020-2045 RTP/SCS, "the region will add 3,672,000 people, 1,621,000 households and 1,660,000 jobs over the RTP/SCS (2045) planning horizon." The Project would produce more jobs and therefore would support the improvements designated by SCAG in pursuit of an improved jobs-housing balance for the County.

Project impacts on the jobs-housing balance are estimated by comparing employment and household buildout statistics of the Project to that of SCAG's 2045 projections. As shown in *Table 4.12-7, Projected*

Jobs-Housing Balance, at Project buildout, the jobs-housing balance for the City is estimated to be 2.35 which is similar to and only marginally different than SCAG projections for the City in 2045 of 2.27 (see *Table 4.12-5*). Buildout of the Project would result in an estimated jobs-housing balance of 1.22 for the County, equivalent to the SCAG projection for the County of 1.22. Therefore, no significant impact related to jobs-housing balance is anticipated to occur with implementation of the Project.

Table 4.12-7: Projected Jobs-Housing Balance

Year	Employment	Households	Jobs-Housing Balance
City of Ontario			
2016	113,900	46,000	2.47
SCAG 2045 Projection	169,300	74,500	2.27
Net increase due to Project	5,664	Not Applicable	Not Applicable[1]
SCAG 2045 Projection + Project	174,964	74,500	2.35
San Bernardino County			
2016	791,000	630,000	1.26
SCAG 2045 Projection	1,064,000	875,000	1.22
Net increase due to the Project	5,664	Not Applicable	Not Applicable
SCAG 2045 Projection + Project	1,069,664	875,000	1.22

Source: SCAG. 2020. *Connect SoCal, Demographics and Growth Forecast Technical Report*. https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_demographics-and-growth-forecast.pdf?1606001579.
[1] Jobs-housing balances are identified for regions and subregions and are not applicable to an area as small as the Project.

4.12.7 Cumulative Impacts

The area considered for cumulative impacts is the County. Impacts are analyzed using County projections in SCAG's 2020-2045 RTP/SCS Demographics and Growth Forecast. Development of the Project in conjunction with the related project list in *Table 4-1, Related Approved and Pending Projects,* in *Section 4.0, Environmental Impact Analysis,* of this Draft Subsequent EIR, would not result in cumulative wide population and/or housing impacts, as business park projects would further improve the jobs-housing balance. This would encourage alignment with objectives set by SCAG's 2020-2045 RTP/SCS as it would increase employment opportunities in an area that is predominantly residential. Furthermore, the Project would be consistent with the goals set forth in TOP by providing long-term employment opportunities associated with the buildout of the Project. Related projects would be reviewed by the City, and development would be required to be consistent with adopted State and City development standards, regulations, plans, and policies to minimize the effect of the increase in population on physical impacts on the environment. Additionally, the indirect effect of Project employment on housing and population growth in the City has been anticipated in TOP, and therefore in regional housing and population forecasts provided in the 2020-2045 RTP/SCS. As such, the Project would not contribute to cumulatively adverse growth impacts. Upon approval, the Project would improve the jobs-housing balance in the County which is considered a housing-rich area. Therefore, the Project combined with related projects would not result in cumulatively considerable impacts to population and housing as no substantial new unplanned growth would occur.

4.12.8 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, Impact 4.12-1 would be less than significant.

4.12.9 Mitigation Measures

No significant Project-level or cumulative impacts to population and housing were identified and no mitigation measures are necessary.

4.12.10 Level of Significance After Mitigation

In addition to compliance with existing regulatory requirements, impacts would remain less than significant.

4.12.11 References

City of Ontario. 2009. The Ontario Plan Draft EIR, Appendix J: Land Use Modeling Methodology. https://www.ontarioplan.org/wp-content/uploads/sites/4/2016/05/32253.pdf.

City of Ontario. Rev. 2020. The Ontario Plan Exhibit LU-01: Land Use Plan. https://www.ontarioplan.org/wp-content/uploads/sites/4/2020/12/TOPLUP_Map24x3610_6_20201221.pdf.

DOF. 2020. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2020 with 2010 Census Benchmark. https://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-5/.

SCAG. 2020. Connect SoCal – Demographics and Growth Forecast Technical Report. https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_demographics-and-growth-forecast.pdf?1606001579.

UC Riverside. 2019. City of Ontario Regional Intelligence Report. https://www.ontariothinksbusiness.com/sites/default/files/inline-files/City%20of%20Ontario%20RIR-Dec%202019.pdf.

4.13 PUBLIC SERVICES

This section of the Draft Subsequent Environmental Impact Report (EIR) evaluates potential Ontario Ranch Business Park Specific Plan Amendment Project (Project) impacts on public services amenities by identifying anticipated demand and evaluating its relationship to existing and planned public services, facilities, and availability to serve the City of Ontario (City) population. For abbreviation purposes, the general term "public services" in this Draft Subsequent EIR includes the following: fire protection, police protection, schools, parks, and library services. This section identifies potential impacts that could result from implementation of the Project, which includes construction and operation of the Project site.

In accordance with Appendix G of the California Environmental Quality Act (CEQA) Guidelines, the emphasis in this Draft Subsequent EIR is on impacts to public services that could result from implementation of the Project and that could require construction or expansion of existing public service facilities resulting in a physical impact on the environment.

4.13.1 Environmental Setting

Existing Conditions

Fire Protection and Emergency Medical Services

The City of Ontario Fire Department (OFD) provides fire protection, paramedic, and emergency response services to the City and the Project site. The Emergency Medical Service (EMS) Bureau was created by the OFD to provide additional medical care in emergency cases. This is accomplished through the continued training of firefighters in paramedic methods and programs.[1] The OFD Fire Operations Bureau includes specialized teams trained to provide advanced services. These teams include the Bomb Squad, the Hazardous Materials Team, the Urban Search and Rescue team, and the Special Weapons and Tactics (SWAT) team.[2] The Fire Prevention Bureau is responsible for developing and implementing programs and policies that prevent or reduce the magnitude of emergency occurrences (i.e., loss of life and property, or environmental damage). The OFD serves the City's population of more than 181,000 people, covering nearly 50 square miles. The OFD currently has ten fire stations, which have a daily staffing level of 58, comprises nine four-person engine companies, three four-person truck companies, and an eight-person Aircraft Rescue and Firefighting (ARFF) station.[3]

The Project site is within the existing first-in service area of Station 2, meaning they are the first to arrive on scene in case of emergency. Station 2 is located at 544 W. Francis Street, approximately four miles north-northwest of the Project site. Fire stations near the Project site are provided in *Table 4.13-1, Project Area Fire Services*.

[1] City of Ontario. EMS – EMS Bureau. Retrieved from: https://www.ontarioca.gov/Fire/EMS.
[2] City of Ontario. Operations. Retrieved from: https://www.ontarioca.gov/Fire/Operations.
[3] City of Ontario, Fire Department via email January 18, 2022.

Table 4.13-1: Project Area Fire Services

Station/Address	Distance from Project Site	Apparatus	Daily Staffing
#2 located at 544 W. Francis St., Ontario, CA 91762	Approx. 4 miles north-northwest of the Project	1 paramedic engine, Type 3, 1 fire	4
#3 located at 1408 E. Francis St., Ontario, CA 91761	Approx. 4 miles north-northeast of the Project site	1 paramedic engine, 1 Water Tender	4
Source: City of Ontario (2020). Fire Stations. Retrieved from: https://www.ontarioca.gov/Fire/FireStations			

OFD maintains a mutual-aid agreement with the Operation Area and State of California and receives first alarm automatic aid from the following fire departments:

- Chino Valley Fire Department District—Fire Stations 63 and 65
- Montclair Fire Department—Fire Stations 151 and 152
- Ontario Airport Fire Department, Station 140 at Ontario International Airport
- Rancho Cucamonga Fire Department—Fire Stations 172 and 174
- San Bernardino County Fire Department—Central Valley Battalion Fire Stations 74 and 72
- San Bernardino County Fire Department —Fire Station 161

Chino Valley Fire Department Station 63 is located approximately two miles south of the Project site, on the southern end of the Chino Airport. The OFD has several response times benchmarks as identified in *Table 4.13-2, OFD Response Times*. OFD achieves its benchmarks with a 90 percent of the calls are within benchmark. Due to the lack of surrounding development, the average response time to the Project site is 10 minutes and 32 seconds.

Table 4.13-2: OFD Response Times

Measure	OFD Benchmark	
	Fire	EMS
Alarm Processing Time	1:30	1:30
Travel Time	6:29	6:29
Total Response Time	9:59	9:29
Source: Ehrman, Paul, Deputy Fire Chief. 2022, January 11. Response to Fire Services Correspondence. Ontario Fire Department.		

The Kaiser Permanente Ontario Medical Center, located northeast of the Project site, and the Chino Valley Medical Center, located west of the Project site, are the nearest hospitals to the Project site, both approximately 3.5 miles away. Both medical facilities offer EMS and urgent care.

Police Protection

The Ontario Police Department (OPD) provides law enforcement services for the City. As part of the ongoing commitment to provide superior police services to the community, the OPD has implemented a geographical-based policing program. As part of this "Geo-Policing" program, the City has been drawn into three geographical areas: West, East, and South. Each area has an assigned Lieutenant as Area Commander. The Area Commander is responsible for the delivery of police services in their area of control with an emphasis on the preservation and improvement of the quality of life, safety, and economic value

of those who live and do business in the City.[4] Each area has dedicated teams of officers and corporals, headed by police sergeants, who work day-to-day (24/7) patrol operations; traffic officers; Community Oriented Problem Solving (C.O.P.S.) officers, who work special projects; narcotics investigators; and detectives. The Project would be located at the southern end of the South Area Command. The nearest OPD facility is located approximately five miles north of the Project site, located at 2500 S. Archibald Avenue, Ontario, CA 91761.[5]

The OPD has five main service bureaus: Field Operations, Special Operations, Investigations, Airport, and Administration. These bureaus consist of several divisions and units such as: Air Support, C.O.P.S., Special Enforcement, Career Criminal, Traffic, Detectives, the Ontario Mills Mall unit, Recruitment and Training, Forensics, Records, Communications and Crime Prevention/Crime Analysis. OPD is equipped with patrol vehicles, motorcycles, K-9 units, unmarked units, helicopters, bicycles, a SWAT van, command armored rescue vehicle, and crime prevention vans.

The OPD currently employs 289 sworn police officers, 105 civilian personnel, and a minimum of 14 patrol officers per shift.[6] The OPD provides staffing based on the needs of the OPD and City and utilizes both civilian and sworn staff.

The OPD's response time is the time between receipt of a service call and the on-scene arrival of a patrol officer, which varies depending on the urgency of the call. Due to the uniqueness of each call, the department strives for a quick and specific response for non-emergency calls. The average emergency call response time is four minutes.[7]

Schools

The Project would be located within the Chino Valley Unified School District (CVUSD). CVUSD has 35 schools, of which 19 are California Distinguished Schools.[8] The district offers educational facilities for Elementary, Junior High School, and High School attendees. The Project site is within the attendance areas for Liberty Elementary, Woodcrest Junior High School, and Chino High School.[9,10,11] The closest school to the Project site is Egan Lyle High School, less than a mile away, located at 15180 Euclid Avenue, Chino, CA 91710. Other nearby schools are Liberty Elementary and Woodcrest Junior High School, approximately 3 miles from the Project site.

[4] The Ontario Police Department. Area Command. (2021). Retrieved from: https://www.ontarioca.gov/Police.
[5] The Ontario Police Department. (2021). Retrieved from: https://www.ontarioca.gov/Police.
[6] Ibid.
[7] Ibid.
[8] Chino Valley Unified School District (2020). Chino Valley Unified School District. Retrieved from: https://www.chino.k12.ca.us/domain/44.
[9] Chino Valley Unified School District (2009). Elementary School Attendance Areas. Retrieved from https://www.chino.k12.ca.us/site/handlers/filedownload.ashx?moduleinstanceid=40374&dataid=88556&FileName=Elementary_School_Boundary_Map.pdf.
[10] Chino Valley Unified School District (2009). Junior High School Attendance Areas. Retrieved from: https://www.chino.k12.ca.us/site/handlers/filedownload.ashx?moduleinstanceid=40374&dataid=88556&FileName=Elementary_School_Boundary_Map.pdf.
[11] Chino Valley Unified School District (2009). High School Attendance Areas. Retrieved from: https://www.chino.k12.ca.us/site/handlers/filedownload.ashx?moduleinstanceid=40374&dataid=88557&FileName=Junior_High_School_Boundary_Map.pdf.

Parks

City parks are managed by the City Parks and Street Maintenance Department. The nearest parks to the Project are Centennial Park, which is a City park, and two City of Chino parks: Constellation Park and Cypress Trails Park. These parks are approximately three miles north, less than one mile west, and two miles northwest of the Project site, respectively.

Libraries

The City's libraries are managed by the City's Community Life and Culture Department.[12] The Community Life and Culture Department manages the City's two public libraries, neither of which are near the Project site. The South Ontario Lewis Family Branch Library (South Ontario Library) is approximately 5 miles east of the Project site, and the Ovitt Family Community Library is located 5.4 miles north of Project site.

4.13.2 Regulatory Setting

Federal

International Fire Code

The International Fire Code (IFC) establishes minimum requirements for fire prevention and fire protection systems using prescriptive and performance-related provisions. This is a model code that regulates minimum fire safety requirements for new and existing buildings, facilities, storage, and processes. The IFC includes general and specialized technical fire and life safety regulations addressing fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, use and storage of hazardous materials, protection of emergency responders, industrial processes, and many other topics. The IFC is issued by the International Code Council, an international organization of building officials.

State

California Fire Code

The California Fire Code (CFC) (California Code of Regulations [CCR], Title 24, Part 9) is based on the 2018 adoption of the IFC and includes amendments from the State fully integrated into the code. The CFC contains fire safety-related building standards that are referenced in other parts of Title 24 of the CCR. The CFC is updated once every three years; the 2019 CFC took effect on January 1, 2020. The CFC sets forth regulations regarding building standards, fire protection and notification systems, fire protection devices such as fire extinguishers and smoke alarms, high-rise building standards, and fire suppression training. It contains regulations relating to construction, maintenance, and use of buildings. Topics addressed in the code also include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and the surrounding premises. Development under the Project would be subject to applicable regulations of the CFC.

[12] City of Ontario (2020). Library. Retrieved from: https://www.ontarioca.gov/Library.

California Health and Safety Code

The California Health and Safety Code (HSC) Section 13000 et seq., includes fire regulations for building standards (also in the California Building Code [CBC]), fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training.

California Occupational Safety and Health Administration

In accordance with the CCR, Title 8 Sections 1270 "Fire Prevention" and 6773 "Fire Protection and Fire Fighting Equipment," California Occupational Safety and Health Administration (Cal/OSHA) has established minimum standards for fire suppression and emergency medical services. The standards include, but are not limited to, guidelines on the handling of highly combustible materials, firehouse sizing requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance, and use of all firefighting and emergency medical equipment.

Senate Bill 50, California Government Code Section 65995(b), and Education Code (California Government Code Section 17620)

Senate Bill (SB) 50 places limitations on the power of local governments to require mitigation of school facilities by developers. Under the provisions of SB 50, school districts can collect fees to offset the cost of expanding school capacity, which becomes necessary as development occurs. These fees are determined based on the square footage of proposed uses. As a part of SB 50, school districts must base their long-term facilities needs and costs on long-term population growth in order to qualify for this source of funding. Payment of statutory school fees is deemed to be adequate mitigation of school impacts under CEQA. Prior to SB 50, case law allowed cities to consider and impose conditions to mitigate impacts of new development on school facilities.

SB 50 amended California Government Code Section 65995, which contains limitations on Education Code Section 17620, the statute that authorizes school districts to assess development fees within school district boundaries. California Government Code Section 65995(b)(3) requires the maximum square footage assessment for development to be increased every two years, according to inflation adjustments. Currently, the maximum impact fees allowed by SB 50 are as follows:

- In the case of residential construction, $1.93 per square foot (sf) of assessable space.
- In the case of any commercial or industrial construction, $0.31 per sf of chargeable covered and enclosed space. (California Government Code Section 65995(b)).

According to California Government Code Section 65995(3)(h), the payment of statutory fees is "deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization...on the provision of adequate school facilities." The school district is responsible for implementing the specific methods for mitigating school impacts under the California Government Code.

Mitigation Fee Act (California Government Code Sections 66000 through 66008)

The Mitigation Fee Act requires a local agency, such as the city establishing, increasing, or imposing an impact fee as a condition of development, to identify the purpose of the fee and the use to which the fee is to be put. The agency must also demonstrate a reasonable relationship between the fee and the purpose for which it is charged, and between the fee and the type of development project on which it is to be levied. This Act became enforceable on January 1, 1989.

Assembly Bill (AB) 97

Approved in July 2013, AB 97 revises existing regulations related to financing for public schools, by requiring State funding for county superintendents and charter schools that previously received a general-purpose entitlement. AB 97 authorizes local educational agencies to spend, for any local educational purpose, the funds previously required to be spent for specified categorical education programs, including, among others, programs for teacher training and class size reduction.

California Building Code

The State provides a minimum standard for building design through the CBC, which is in Part 2 of Title 24 of the CCR. CBC is based on the International Building Code but has been modified for California conditions. It is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. Commercial and residential buildings are plan checked by local City and County building officials for compliance with the CBC. Typical fire safety requirements of the CBC include the installation of sprinklers in all commercial and residential buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas.

Mutual Aid Agreements

The Emergency Management Mutual Aid (EMMA) system is a collaborative effort between city and county emergency managers in the Office of Emergency Services (OES) in the coastal, southern, and inland regions of the state. EMMA provides service in the emergency response and recovery efforts at the Southern Regional Emergency Operations Center, local Emergency Operations Centers, the Disaster Field Office, and community service centers. The purpose of EMMA is to support disaster operations in affected jurisdictions by providing professional emergency management personnel. In accordance with the Mutual Aid Agreements, local and state emergency managers have responded in support of each other under a variety of plans and procedures.

The Quimby Act

The Quimby Act (California Government Code Section 66477) was established by the California legislature in 1965 to develop new or rehabilitate existing neighborhood or community park or recreation facilities. This legislation was enacted in response to the need to provide parks and recreation facilities for California's growing communities. The Quimby Act gives the legislative body of a city or county the authority, by ordinance, to require the dedication of land or payment of in-lieu fees, or a combination of

both, for park and recreational purposes as a condition of approval of a tract map or parcel map. The Quimby Act is implemented through City Ordinance and is discussed further below.

Senate Bill 50

SB 50 (the Leroy F. Greene School Facilities Act of 1998), adopted in 1998, defined the school impact fee needs analysis process in California Government Code Sections 65995.5–65998. Pursuant to its provisions, school districts may collect fees to offset the costs associated with increasing school capacity as a result of development. By statute, payment of a statutory fee by developers serves as the total mitigation of the potential impact of a development on school facilities pursuant to CEQA.

Local

The Ontario Plan

Included in TOP is the Policy (General) Plan which is a framework that would guide the City's future growth through the application of policies and goals. For the analysis of potential effects on public services, the Safety and Parks and Recreation Elements provide important guidelines and policies to ensure the City's goals are met.

Safety Element

Goal S3	**Reduced risk of death, injury, property damage and economic loss due to fires, accidents, and normal everyday occurrences through prompt and capable emergency response.**
Policy S3-8	Fire Prevention through Environmental Design. We require new development to incorporate fire prevention consideration in the design of streetscapes, sites, open spaces and buildings.
Goal S7	**Neighborhoods and commercial and industrial districts that are kept safe through a multi-faceted approach of prevention, suppression, community involvement and a system of continuous monitoring.**
Policy S7-4	Crime Prevention through Environmental Design (CPTED). We require new development to incorporate CPTED in the design of streetscapes, sites, open spaces and buildings.

Parks and Recreation Element

Goal PR1	**A system of safe and accessible parks that meets the needs of the community.**
Policy PR-14	Multi-family Residential Developments. We require that new multi-family residential developments of five or more units provide recreational facilities or open space, in addition to paying adopted impact fees.

City of Ontario Development Code

The following are a list of fees charged by the City's Building Department or collected by the Building Department on behalf of other departments or governmental agencies at the time permits are issued, for

the City, specifically within the Ontario Ranch Business Park Specific Plan (Approved SP) and Project site area. These fees took effect on October 17, 2020.

Police Impact Fees

The purpose of police impact fees is to ensure that new development finance its fair share of police protection facilities. This includes coverage for the cost of apprehensions of all suspects and recovery programs to reimburse the City (California Government Code, Title 5, Section 53150). The fees as of writing this EIR, are calculated as follows:

- Business Park Uses: $0.240/sf
- Industrial Uses: $0.014/sf
- High-Density Dwellings: $362/unit

Fire Impact Fees

The purpose of fire impact fees is to ensure coverage for fire protection facilities, where new development occurs. Fees are calculated as follows:

- Business Park Uses: $0.409/sf
- Industrial Uses: $0.030/sf
- High-Density Dwellings: $627/unit

Park Impact Fees

The purpose of park impact fees is to ensure coverage for park facilities, where new development occurs. Fees are calculated as follows:

- High-Density Dwellings: $9,218/unit

Library Impact Fees

The purpose of library impact fees is to ensure coverage for library facilities, where new development occurs. Fees are calculated as follows:

- High-Density Dwellings: $891/unit

4.13.3 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

PS-1 Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- Fire protection?

- Police protection?
- Schools?
- Parks?
- Other public facilities?

Section 7.0 Effects Found Not to Be Significant, substantiates that impacts associated with the following thresholds would be less than significant:

- Schools
- Parks
- Other public facilities

These impacts will not be addressed in the following analysis.

4.13.4 Plans, Programs, and Policies

PPP PS-1 The Project is required to comply with the latest Edition of the CFC.

4.13.5 Methodology

The Project is evaluated against the significance criteria/thresholds, as the basis for determining the impact's level of significance concerning public services. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce a potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the Project's potentially significant environmental impacts associated with public services.

The potential impacts related to public services were evaluated based on the ability of existing and planned public services staffing, equipment, and facilities to meet the additional demand for any public services resulting from the development of the Project. Impacts are considered significant if implementation of the Project would result in inadequate staffing levels, response times, and/or increased demand for services that would require the construction or expansion of new or altered facilities that might have an adverse physical effect on the environment. The following impact analysis addresses thresholds of significance for which hold potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

4.13.6 Project Impacts and Mitigation Measures

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 4.13-1 ***Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services? [Threshold FP-1]:***

i) FIRE PROTECTION?

Level of Significance Before Mitigation: Less Than Significant Impact

The development of the Project site includes six buildings with a maximum of 1,640,690 sf of industrial warehouse and office uses. Office uses are ancillary to the warehouses and occupy up to 227,951 sf spread across the buildings. The industrial warehousing would occupy up to 1,412,739 sf of the Project site. The increase in development and workers within the Project site could potentially result in additional calls for fire department services, which would increase needs for fire department staffing and equipment. The area that would be occupied by the Project is currently developed with agricultural use. Although there are existing uses, the modification of the area to industrial and office uses would potentially create an increased need for fire protection.

The six new tilt-up industrial/warehouse buildings would be constructed from non-flammable concrete and would be equipped with automatic ceiling-mounted fire sprinkler systems. All other fire-related safety features would be in accordance with the applicable provisions of the adopted CFC and the City's Municipal Code (MC) Section 4-4.01, ordinances, and standard conditions regarding fire prevention and suppression measures related to water improvement plans, fire hydrants, fire access, and water availability. Additionally, prior to the approval of the Project, the City's Building Department and OFD would review building plans in order to ensure that all applicable fire safety features are incorporated as part of the Project. Prior to the approval of occupancy permits for the new buildings, it would be required that the OFD would inspect all new structures in order to ensure that all fire safety features have been implemented and installed correctly.

As stated above, the Project site would be served by Station 2, approximately four miles north-northwest of the Project site. Implementation of the Project would be required to be consistent with the City's General Plan for Business Park and Industrial uses as well as permitted floor area ratios (FAR). Therefore, fire protection and emergency services to the Project would be accommodated within the City's new and existing fire service facilities, and buildout of the Project would not result in a significant impact on the ability to maintain an adequate level of fire protection service to the area.

The Project would not create any deficiencies in current response times or staffing models, nor require provision of new or expanded fire facilities, construction of which would have the potential to cause significant environmental impacts. Therefore, fire protection and EMS to the Project site would be accommodated within the City's existing fire service facilities, and buildout of the Project would not result in a significant impact on the ability to maintain adequate level of fire protection service to the area. Development Impact Fees (DIF) would also be collected in order to build and supply necessary

infrastructure for fire protection services, as necessary. Therefore, impacts related to fire protection services would be less than significant.

ii) POLICE PROTECTION?

Level of Significance Before Mitigation: Less Than Significant Impact

To accommodate the growth of the City population, new police officers and potential for new protection facilities were anticipated. To help offset costs and ensure adequate service is provided; development mitigation fees are collected. Additionally, the Project would include installation of security features and surveillance through the provision of low-intensity security lighting in and around the new buildings and parking areas. As described in *Section 3.0, Project Description*, the Project would incorporate design features that would discourage crime, including features such as thematic fencing; parcel lighting which addresses illumination of parking lots, loading dock areas, pedestrian walkways, building entrances, signage, and architectural and landscape features; and the installation of ground or low mounted fixtures to provide for safety and convenience along pedestrian walkways, entrances, activity areas, steps, ramps, and special features. The design would also incorporate skylights and landscaping into the Project. Additionally, pursuant to the City's existing permitting process, the City's Building Department would review final site plans in order to ensure that crime prevention through design measures is incorporated as part of the Project. Furthermore, as the six new buildings are expected to operate 24/7, security would always be on-site, thereby lowering the crime potential for the Project site, lessening the potential for increased police facilities or personnel.

The OPD has prepared for growth of the Ontario Ranch area, where the Project site is located, and is expected to have adequate facilities and personnel to serve the proposed development. The OPD would continue to add staff and equipment on an as-needed basis in order to accommodate the incremental increasing demands from buildout of land uses, as was identified in TOP. Furthermore, buildout of the Project would require DIF payments, and would not require construction of additional police facilities to maintain adequate police protection service. Thus, impacts related to police protection services would be less than significant.

4.13.7 Cumulative Impacts

Fire Protection Services

The cumulative study area for fire protection services is the City of Ontario. Future development projects are anticipated to occur throughout the City, specifically in the Ontario Ranch area, including the Project site. As indicated in the City's TOP, development of the Ontario Ranch area would generate a proportional increase in demand for additional fire protection and EMS. The City is in the process of constructing two new fire stations with one proposed in the Ontario Ranch area that would help accommodate cumulative increases to fire protection services in the southern portion of the City, including the Project site.

As stated above, the Project would increase the demand for fire protection services through the incorporation of additional people on-site in addition to the cumulative development of projects within the City. Thus, a periodic review process would ensure that adequate service would be maintained

throughout the City and would add staffing and equipment as necessary. The OFD can presently serve the Project site without the need for additional fire facilities with payment of DIFs.

Since the Project would be consistent with the buildout assumptions of TOP and other applicable plans and regulations, and payment of fees, implementation of the Project would not result in a cumulatively considerable increase in the need for fire protection and EMS facilities or personnel.

Police Protection Services

Similarly, future development projects are anticipated to occur within the City. This overall development would generate a proportional increase in calls for police services. All future cumulative projects would be reviewed by OPD staff prior to issuance of any development permit to ensure adequate security measures are provided for each site-specific development in the City, including this Project. It is anticipated that future development would result in the need of additional sworn officers and equipment, but with payment of DIF, implementation of the Project would not create a cumulatively considerable need for new or expanded police stations. Therefore, cumulative impacts associated with the implementation of the Project would be less than significant.

Schools, Parks, and Other Public Services

As discussed above, the Project is not anticipated to cumulatively increase the need for schools, parks, and other public services in the City. The anticipated increased demands for schools, parks, and other public services within the City was accounted for in the City's General Plan and analyzed in TOP EIR, which accounts for the cumulative growth in the City. In addition, cumulative development projects would pay the required development fees that would be appropriately allocated, in this case, to schools and parks. In addition, the TOP concluded that additional library services would not be required with buildout of the TOP. Therefore, cumulative impacts associated with schools, parks, and other public services from the Project would be less than cumulatively significant.

4.13.8 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 4.13-1, (i and ii).

4.13.9 Mitigation Measures

No significant Project-level or cumulative impacts to public services were identified and no mitigation measures are necessary.

4.13.10 Level of Significance After Mitigation

In addition to compliance with existing regulatory requirements and PPP impacts would remain less than significant impact.

4.13.11 References

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4.14 TRANSPORTATION AND TRAFFIC

This section of the Draft Subsequent Environmental Impact Report (EIR) evaluates the potential for implementation of the Ontario Ranch Business Park Specific Plan Amendment Project (Project) to result in transportation and traffic impacts in the City of Ontario (City). The analysis in this section is based in part on the following technical report(s):

- *Ontario Ranch Business Park Specific Plan Amendment Traffic Analysis (TA)*, Urban Crossroads, August 26, 2021. (*Appendix I1*)
- *Ontario Ranch Business Park Specific Plan Amendment Vehicle Miles Traveled (VMT) Analysis*, Urban Crossroads, May 5, 2021. (*Appendix I2*)

4.14.1 Environmental Setting

The Project site comprises eight parcels totaling approximately 71.69 acres of agricultural development and residential uses. The Project area is located approximately three miles south of State Route 60 (SR 60) via State Route 83 (SR 83), which is located west of the Project site. The Project site is bounded by Eucalyptus Avenue on the north, Merrill Avenue on the south, unimproved right-of-way of Sultana Avenue on the west, and Campus Avenue on the east via Merrill Avenue on the south. The Project site is currently accessible by multiple driveway entrances via Eucalyptus Avenue. Access to the proposed Project would be provided via Merrill Avenue, Eucalyptus Avenue, Campus Avenue, and Sultana Avenue. Merrill Avenue will serve as the primary travel route for heavy trucks to and from the site consistent with other projects in the immediate vicinity.

The City's Functional Roadway Classification Plan[1] designates Eucalyptus Avenue and Merrill Avenue as four-lane Collector Streets; Campus Avenue is designated as a Minor Arterial Street; and Sultana Avenue is designated as a Collector Street. Sultana Avenue is not yet developed adjacent to the Project site. However, the right-of-way exists, and no dedication is required.

Existing Regional Transportation System Characteristics

The Project site is located approximately three miles south of SR 60 and SR 83 (Euclid Avenue), which is located west of the Project site. Regional access to the Project site is provided by Interstate 15 (I-15) freeway, located east of the Project site. The I-15 near the Project site is an eight-lane freeway providing access to the Project site via Ontario Ranch Road from the east. Interstate 10 (I-10) provides regional access for the Project site as an interstate freeway facility, traversing both San Bernardino County (County) and Los Angeles County. I-10 begins at its western terminus from the Pacific Ocean at State Route 1 (SR 1) and ends at the Interstate 95 (I-95) in Florida. In the Project vicinity, I-10 is generally a four-lane freeway providing access to the proposed Project site via SR 83, Euclid Avenue.

Existing Local Transportation System Characteristics

The City's General Plan, also known as "The Ontario Plan" (TOP), provides descriptions of the various classes of roadways within the City. The City's circulation system includes three freeways, an international

[1] City of Ontario. 2016. TOP. Functional Roadway Classification Plan. Retrieved from: https://www.ontarioplan.org/wp-content/uploads/sites/4/2015/05/M-2-Funct-Road-Class.pdf.

airport, two railroad main lines of the Union Pacific Railroad (UPRR) and one Southern California Regional Rail Authority (SCRRA) rail line, and a system of arterial and local streets. The following definitions from the City's TOP EIR describes the characteristics of the various roadway classifications:

Other Principal Arterials: Other Principal Arterials serve the major centers and corridors of activity, carry the highest volumes of traffic, and serve the longest trips of all City roadways. Other Principal Arterials typically accommodate four to eight lanes of traffic and medians.

Minor Arterials: Minor arterials accommodate less traffic and are for trips of moderate length. Minor Arterials allow a greater level of access to abutting properties, so speeds are lower than Other Principal Arterials. Minor Arterials connect our community but ideally should not penetrate residential neighborhoods. The roadway configuration and right-of-way width vary depending on local conditions, but typically accommodate four to six lanes of traffic and medians.

Collector Streets: are two- to four-lane roadways that connect local streets to arterials. These facilities are designed to carry lower volumes of traffic, provide access to major developments, and allow travel between areas of the City.

Local Streets: are two-lane streets designed to provide access to local neighborhoods and individual properties. The City has two different cross-sections for local streets, although the configuration and purpose are the same for both.

Local Industrial Streets: are two-lane streets designed to provide access in industrial areas and to accommodate a higher percentage of truck traffic than to other local streets.

The Project vicinity consists of major roadways within the Cities of Ontario, Chino, Chino Hills, Eastvale, Jurupa Valley and California Department of Transportation (Caltrans) facilities. Regional access to and from the proposed Project is provided by SR 71 approximately three miles to the southwest, I-15 approximately five and a half miles to the east, and SR 60 approximately three miles to the north. A detailed description of the existing roadway network and conditions is provided in Section 3 of the TA (see *Appendix I1*).

Bicycle and Pedestrian Paths

There are currently no designated pedestrian or bicycle paths located on the Project site. Pursuant to the Project buildout, sidewalks will be provided along all streets abutting the Project site, to improve safety and the pedestrian experience, connect the various parts of the Project site, and expand access to nearby land uses. Sidewalks shall be five feet wide, constructed of concrete, and installed in conjunction with adjacent roadway improvements. Multipurpose trails will be provided on the north and south side of Merrill Avenue, north side of Eucalyptus Avenue and east side of Campus Avenue (*Figure 3-15, Bicycle and Pedestrian Plan,* and *Figure 3-16, City of Ontario Trail and Bikeways Plan*). The City's TOP Mobility Element specifies a Class II bikeway on the north side of Merrill Avenue, south side of Eucalyptus and on the west side of Campus Avenue. Class II bikeways are defined as dedicated (striped) lanes along streets, with no parking allowed in the bike lane. This bike lane provides linkages to the City's bike path system (refer to *Figures 3-15* and *3-16*). The Project's trail and bikeway improvements shall be installed in conjunction with

street improvements. The City reserves the right to implement bike lanes on Eucalyptus Avenue at the discretion of the Traffic and Transportation Division.

Truck Routes

The City has designated certain roadways for the purpose of channeling large trucks through and within the City. The City also maintains these routes to establish a network that provides for the effective transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses. In addition to the City's routes, the State has identified Mission Boulevard and parts of Milliken Avenue and Jurupa Street as extralegal load limit streets. Merrill Avenue, which runs along the southern boundary of the Project site, is a designated truck route from Euclid Avenue to Archibald Avenue.

Rail Lines and Crossings

Two major east-west freight lines traverse the City. A third east-west line runs just north of the northern boundary of the City. The northern route through the City is the UPRR Alhambra Subdivision Line, which begins at the Ports of Los Angeles/Long Beach and runs through Pomona, but travels southeast to Riverside and points farther east.

The UPRR main lines run parallel to each other from the western boundary of the City to Campus Avenue. The Alhambra Subdivision Line continues to the east along the northern boundary of Ontario International Airport (ONT) north of Airport Drive, and the Los Angeles Subdivision Line runs southeast along the south side of ONT and the north side of Mission Avenue. Metrolink's Riverside County Line runs on the southern tracks and the Amtrak Sunset Limited runs on the northern tracks. The rail line that traverses north of the City is the SCRRA line, on which Metrolink's San Bernardino Line operates. The Burlington Northern Santa Fe (BNSF) railroad has trackage rights on that line.

Both UPRR tracks are grade separated at Mountain Avenue and Euclid Avenue in the western portion of the City. The northern tracks are grade separated at Grove Avenue, Archibald Avenue, and Haven Avenue. The southern tracks are grade-separated at Grove Avenue and Haven Avenue.

Bus Transit

Omnitrans Transit Agency provides local transit service throughout the County, including the City. Omnitrans provides Countywide bus service and currently has five bus routes in the City that provide connections between rail stations, ONT, major employment and shopping centers, and residential areas.

- 61 – Fontana – Ontario Mills – Pomona (via Holt Boulevard – Inland Empire Boulevard)
- 63 – Chino – Ontario – Upland (via Chino Avenue – Riverside Drive – Mountain Avenue – Holt Boulevard – Campus Avenue – 4th Street)
- 80 – Montclair – Ontario Convention Center – Rancho Cucamonga (via Mountain Avenue – Holt Boulevard– Vineyard Avenue)
- 81 – Ontario – Ontario Mills – Chaffey College (via Holt Boulevard– Francis Street – Archibald Avenue – Riverside Drive – Haven Avenue)
- 83 – Upland – Euclid Avenue – Chino Avenue (via Euclid Avenue)

There are three transfer centers in the City. The first is at the Civic Center on Sultana Avenue, between Holt Boulevard and D Street; the second is at the Ontario Mills Mall; and the third is at ONT. Omnitrans provides connections to other regional bus services such as Foothill Transit, Los Angeles Metropolitan Transit Agency, and others. The City is coordinating with regional transit agencies to implement Bus Rapid Transit (BRT) service to target destinations and along corridors, including Euclid Avenue west of the Project site. The nearest bus stop to the Project site is at the intersection of Euclid Avenue and Eucalyptus Avenue approximately 0.5 miles to the west.

Metrolink

Commuter train service in the City is provided by Metrolink, which operates six commuter rail lines throughout southern California. The Riverside County Line runs between Los Angeles Union Station and downtown Riverside on Mondays through Fridays between 4:30 AM and 8:00 PM, passing through the City. There is no Metrolink service on this line on Saturdays or Sundays. There is one Metrolink station in the City, off of Haven Avenue on Francis Street. This station is served by Omnitrans Bus Route 81. The Metrolink San Bernardino line is less than a mile north of the northern City limit. Nearby stations on this line are at Milliken Avenue and Campus Avenue.

Amtrak

Amtrak has one route (Sunset Limited route) that regularly stops in the City, which travels between Los Angeles and New Orleans, Louisiana. The Amtrak stops in the City and is located near the transfer center, on Emporia Street and Lemon Avenue (about one block from Holt Boulevard and Sultana Avenue). This service arrives and departs on Sunday, Wednesday, and Friday.

4.14.2 Regulatory Setting

Federal

Americans With Disabilities Act

The Americans with Disabilities Act (ADA) of 1990 prohibits discrimination toward people with disabilities and guarantees that they have equal opportunities as the rest of society to become employed, purchase goods and services, and participate in government programs and services. The ADA includes requirements pertaining to transportation infrastructure. The Department of Justice's revised regulations for Titles II and III of the ADA, known as the 2010 ADA Standards for Accessible Designs, set minimum requirements for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities. These standards apply to accessible walking routes, curb ramps, and other facilities.

Surface Transportation Assistance Act Routes

The Surface Transportation Assistance Act (STAA) of 1982 allows large trucks, referred to as STAA trucks that comply with maximum length and wide requirements, to operate on routes that are part of the National Network. The National Network includes the Interstate System and other designated highways that were a part of the Federal-Aid Primary System on June 1, 1991; states are encouraged, however, to allow access for STAA trucks on all highways.

State

Assembly Bill 1358, Complete Streets Act

The California Complete Streets Act of 2008, Assembly Bill (AB) 1358, was signed into law on September 30, 2008. Beginning January 1, 2011, AB 1358 required circulation elements to address the transportation system from a multimodal perspective. The bill states that streets, roads, and highways must "meet the needs of all users…in a manner suitable to the rural, suburban, or urban context of the general plan." Essentially, this bill requires a circulation element to plan for all modes of transportation where appropriate—including walking, biking, car travel, and transit.

The Complete Streets Act also requires general plan circulation elements to consider the multiple users of the transportation system, including children, adults, seniors, and the disabled. For further clarity, AB 1358 tasked the Governor's Office of Planning and Research (OPR) to release guidelines for compliance with this legislation by January 1, 2014.

Sustainable Communities and Climate Protection Act

The Sustainable Communities and Climate Protection Act of 2008 or Senate Bill (SB) 375 was signed into law on September 30, 2008. The SB 375 regulation provides incentives for cities and developers to bring housing and jobs closer together and to improve public transit. The goal behind SB 375 is to reduce automobile commuting trips and length of automobile trips, thus helping to meet the statewide targets for reducing greenhouse gas (GHG) emissions set by AB 32. SB 375 requires each metropolitan planning organization (MPO) to add a broader vision for growth, called a "Sustainable Communities Strategy" (SCS), to its transportation plan. The SCS must lay out a plan to meet the region's transportation, housing, economic, and environmental needs in a way that enables the area to lower GHG emissions. The SCS should integrate transportation, land-use, and housing policies to plan for achievement of the emissions target for their region.

Senate Bill 743

On September 27, 2013, SB 743 was signed into law. The Legislature found that with adoption of the SB 375, the State had signaled its commitment to encourage land use and transportation planning decisions and investments that reduce vehicle miles traveled (VMT) and thereby contribute to the reduction of GHG emissions, as required by AB 32. Additionally, AB 1358, described above, requires local governments to plan for a balanced, multimodal transportation network that meets the needs of all users.

SB 743 started a process that could fundamentally change transportation impact analysis as part of the California Environmental Quality Act (CEQA) compliance. Changes implemented include the elimination of auto delay, LOS, and similar measures of vehicular capacity or traffic congestion as the basis for determining significant impacts under CEQA. As part of the new State CEQA Guidelines, the new criteria "shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." OPR developed alternative metrics and thresholds based on VMT. The guidelines were certified by the Secretary of the Natural Resources Agency in December 2018, and automobile delay, as described solely by level of service (LOS) of similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment.

There was an opt-in period until July 1, 2020, for agencies to adopt new VMT-based criteria. As such, the City developed its own VMT impact thresholds, which were adopted by City Council on June 16, 2020, using both the OPR Technical Advisory on Evaluating Transportation Impacts in CEQA and San Bernardino County Transportation Authority (SBCTA) Guidelines.[2]

Caltrans

Caltrans endeavors to maintain a target LOS at the transition between LOS C and LOS D on State Highway System (SHS) facilities; however, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS. If an existing State highway facility is operating at less than this target LOS, the existing LOS should be maintained. In general, the regionwide goal for an acceptable LOS on all freeways and intersections is LOS D. Consistent with the City's LOS threshold of LOS D and in excess of the City's stated LOS threshold of LOS E, LOS D will be used as the target LOS for freeway ramps, freeway segments, and freeway merge/diverge ramp junctions.

Regional

Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)

On September 3, 2020, SCAG adopted the 2020-2045 RTP/SCS (Connect SoCal), which places a greater emphasis than ever on sustainability and integrated planning. The 2020-2045 RTP/SCS vision encompasses a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The 2020-2045 RTP/SCS includes a strong commitment to reduce emissions from transportation sources to comply with SB 375, improve public health, and meet the National Ambient Air Quality Standards. This long-range plan, required by the state of California and the federal government, is updated by SCAG every four years as demographic, economic, and policy circumstances change. The 2020-2045 RTP/SCS is a living, evolving blueprint for the region's future.

San Bernardino County Congestion Management Program

The SBCTA is San Bernardino's Congestion Management Agency (CMA). SBCTA prepares, monitors, and periodically updates the County Congestion Management Program to meet federal Congestion Management Process requirement and the County's Measure I Program. The County Congestion Management Program defines a network of State highways and arterials, LOS standards and related procedures, the process for mitigation of impacts of new development on the transportations system, and technical justification for the approach.

Measure I Strategic Plan

Measure I authorizes a half-cent sales tax in the County until March 2040 for use exclusively on transportation improvement and traffic management programs. San Bernardino County voters first approved the measure in 1989 and in 2004 overwhelmingly approved the extension through 2040.

[2] City of Ontario. 2020. A Resolution Adopting Vehicle Miles Traveled Thresholds for Determining Significance of Transportation Impacts Through the California Environmental Quality Act in Conformance with SB 743. Retrieved from: https://files.ceqanet.opr.ca.gov/250356-3/attachment/DJHTFbnM6oJs9ffzDmoKkg50hBDLi_bHx9JBp5n0_NC2VsLGmits_fmVeyGhDmsCcUZAp4KRZIGaC07m0.

Measure I includes language mandating development to pay its fair share for transportation improvements in San Bernardino County. The Measure I Strategic Plan is the official guide for the allocation and administration of the combination of local transportation sales tax, State and Federal transportation revenues, and private fair-share contributions to regional transportation facilities to fund the Measure I 2010–2040 transportation programs. The Strategic Plan identifies funding categories and allocations and planned transportation improvement projects in the County for freeways, major and local arterials, bus and rail transit, and traffic management systems. The City has adopted a development impact fee (DIF) program that is consistent with Measure I requirements.

Local

The Ontario Plan (TOP)

The Mobility Element of TOP establishes a guideline that is intended to provide a balanced transportation/ circulation system that will support the anticipated growth in local and regional land uses. The Mobility Element is based on the following principles:

- Access to convenient local and regional mobility options is essential to the City's growth and prosperity.
- A comprehensive multi-modal mobility system is vital to achieving access to jobs, schools, shopping, services, parks, and other key destination points.
- Transportation systems should reflect the context and desired character of the surrounding land uses.
- Well designed and maintained roadways are essential for the safe and efficient movement of goods and people.
- Transportation routes and their rights-of-way should be planned and preserved based upon projected travel demands.

The Mobility Element stipulates that roadways within the City comply with federal, State, and local design and safety standards. Furthermore, the Mobility Element requires City roads maintain a peak hour LOS or better at all intersections. The Mobility Element further provides goals and policies for bicycle, pedestrian, and public transit facilities. The following goals and policies would apply to the proposed Project:

Bicycle and Pedestrians

Goal M2	**A system of trails and corridors that facilitate and encourage bicycling and walking.**
Policy M2-1	Bikeway Plan. We maintain our Multipurpose Trails & Bikeway Corridor Plan to create a comprehensive system of on- and off-street bikeways that connect residential areas, businesses, schools, parks, and other key destination points.
Policy M2-2	Bicycle System. We provide off-street multipurpose trails and Class II bikeways as our primary paths of travel and use the Class III for connectivity in constrained circumstances.

Policy M2-3 Pedestrian Walkways. We require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, and other key destination points.

Policy M2-4 Network Opportunities. We explore opportunities to expand the pedestrian and bicycle networks. This includes consideration of utility easements, levees, drainage corridors, road rights-of-way, medians, and other potential options.

Public Transit

Goal M3 **A public transit system that is a viable alternative to automobile travel and meets basic transportation needs of the transit dependent.**

Policy M3-2 Transit Facilities at New Development. We require new development to provide transit facilities, such as bus shelters, transit bays and turnouts, as necessary.

Policy M3-3 Transit-Oriented Development. We may provide additional development-related incentives to those inherent in the Land Use Plan for projects that promote transit use.

4.14.3 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

T-1 Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

T-2 Conflict or be inconsistent with State CEQA Guidelines Section 15064.3, subdivision (b).

T-3 Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

T-4 Result in inadequate emergency access.

Section 7.0 Effects Found Not to Be Significant, substantiates that impacts associated with the following thresholds would be less than significant:

- Threshold T-4

This impact will not be addressed in the following analysis.

4.14.4 Plans, Programs, and Policies

PPP TR-1 The proposed Project would be required to comply with the City of Ontario's DIF program, which helps fund transportation improvements. The City's DIF includes regional improvements to comply with Measure I. If roadway improvements are not included in the DIF program, the proposed Project would be required to provide funding on a fair share basis where appropriate, as determined by the City. These fees shall be collected by the City of Ontario, with the proceeds solely used as part of a funding mechanism aimed at ensuring that regional highways and arterial expansions keep pace with the projected population increases. Chapter 8 of the TA (contained in

Appendix I1) provides more information on the DIF program, fair share contributions, and the proposed Project's expected contributions.

PPP TR-2 The proposed Project would be required to comply with City Municipal Code Section 7-3.07, which requires that prior to any activity that would encroach into a right-of-way, the area be safeguarded through the installation of safety devices that would be specified by the City's Engineering Department during the construction permitting process to ensure that construction activities would not increase hazards.

4.14.5 Methodology

The Project is evaluated against the aforementioned significance criteria/thresholds as the basis for determining the impact's level of significance concerning transportation resources. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended to avoid or reduce the Project's potentially significant environmental impacts.

Project Design Features

The Project includes frontage improvements to the buildout condition identified in the TOP Circulation Element. The Project is responsible for a half-width improvement only to the following:

- Merrill Avenue: Collector Street, 4 Lanes (98-foot right-of-way [ROW])
- Campus Avenue: Minor Arterial Street 4 Lanes (108-foot ROW)
- Eucalyptus Avenue: Collector Street, 4 Lanes (108-foot ROW)
- Eucalyptus and Merrill Avenues each require additional dedication (21 feet) and half-width improvements, to include curb and gutter 42 feet from centerline and a 12-foot parkway including sidewalk.
- Campus Avenue will require a 29-foot half-width dedication and a 12-foot parkway including the sidewalk. An additional 23-foot dedication in fee simple for the neighborhood edge is required.
- Sultana Avenue is fully dedicated paper street; half-width improvements would be required, to include curb and gutter 24 feet from centerline and a 13-foot parkway including sidewalk.

4.14.6 Project Impacts and Mitigation Measures

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 4.14-1: ***Would the Project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? [Threshold T-1]***

Level of Significance Before Mitigation: Less Than Significant Impact

In compliance with the City's Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service (LOS) Assessment, a TA (see *Appendix I1*) was conducted for the Project which includes an LOS analysis. However, please note that the LOS analysis is provided for information purposes only, as vehicle delay is no longer considered a significant impact under CEQA pursuant to SB 743. Specifically, Public Resources Code (PRC) Section 21099(b)(2) states that: "Upon certification of the guidelines by the Secretary of the Natural Resources Agency pursuant to this section, automobile delay, as described solely by LOS or similar measures of vehicular capacity or traffic congestion *shall not be considered a significant impact* on the environment pursuant to this division, except in locations specifically identified in the guidelines, if any." (emphasis added).

As summarized below under the "Supplemental Traffic Analysis" discussion, with respect to consistency with TOP LOS policies, with recommended improvements the Project's effects on operational LOS will be consistent with applicable local agency policies. Refer to *Appendix I1* for a complete discussion of analysis methodology and findings.

TOP Mobility Element

As noted above, the TOP Mobility Element guides mobility and transportation in the City, including public transit, bicycle, and pedestrian facilities. The Project would adhere to the TOP goals and policies outlined in *Section 4.14.2, Regulatory Setting,* above, including PPP TR-1 and TR-2. This includes enhancing transportation networks and for vehicles and bicycle facilities, safely accommodating pedestrian walkways and providing easy access to the Project site via public transportation. More specifically, the Project's circulation network would be designed consistently with the existing transportation system by adhering to the transportation guidelines set in the TOP. If applicable, the Project would comply with the City's DIF program which would require a payment of fees to ensure that the Project's impact would not significantly impact the regional circulation and/or arterial expansions planned by the City and County (i.e.,, Congestion Management Program). The payment of fees pursuant to the DIF program would also help the City keep pace with improvements associated with the projected population increases or other identified roadway deficiencies.

Bicycle and Pedestrian Facilities

According to the TOP, the City proposes to develop a Class II bikeway and multipurpose trails along Merrill Avenue and Campus Avenue, located near the Project site. As stated above, the Project would provide a payment of fees towards the City's DIF Program to ensure that existing and proposed bicycle facilities are supported and not impacted. The Project would also improve pedestrian walkways adjacent to the Project site and be designed to ensure pedestrian safety. Therefore, a less than significant impact would occur in regard to bicycle and pedestrian facilities.

Transit Facilities

Transit options provide an alternative mode of transportation for motorists and a primary mode for the transit dependent. The nearest transit facilities to the Project site are Omnitrans Bus Route 83 to the northwest and Omnitrans Route 87 to the east. Omnitrans Route 83 operates along Route 83 and Eucalyptus Avenue. Omnitrans Route 87, near the Project, is located along Archibald Avenue. Transit

service is reviewed and updated by Omnitrans periodically to address ridership, budget and community demand needs. Changes in land use can affect these periodic adjustments which may lead to either enhanced or reduced service where appropriate. The City strives to provide a transit system that serves as a viable alternative to automobile travel.

The Project would support public transit use by improving roadway circulation and pedestrian walkways near the Project site. This would allow employees to utilize public transit, specifically Omnitrans Route 83. The Project would also pay fees pursuant to the DIF program, which would support the expansion of public transit near the Project site, including the entirety of the Ontario Ranch area. Therefore, the Project would support future public transit facilities with proposed roadway and pedestrian improvements, including payment of fees; and as such, a less than significant impact would occur.

Conclusion

The Project would not conflict with the relevant goals, policies, and ordinances, addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Therefore, impacts would be less than significant.

Refer to the following discussion that evaluates operational LOS and recommends improvements in order to meet applicable local agency transportation policies. Please note that while LOS is not a significant impact under CEQA per SB 743, this information is provided here for informational purposes and will be considered by decision-makers. Recommended improvements are likely to be incorporated into the Project's conditions of approval for construction or payment of fair share contributions.

Supplemental Traffic Impact Analysis

To ensure that the TA satisfies the City's Traffic Impact Analysis Guidelines requirements, Urban Crossroads, Inc. prepared a Project traffic study scoping package (Agreement) for review by City staff prior to the preparation of the TA. The Agreement provides an outline of the Project's traffic study area, trip generation, trip distribution, and analysis methodology.

In an effort to conduct a conservative analysis, the TA utilized high-cube fulfillment center warehouse use and high-cube cold storage warehouse use to capture the range of allowable uses within the Industrial areas of the Project. Similarly, the industrial park rate was selected to capture the range of allowable uses within the Business Park areas of the Project. From a trip generation perspective, these land use assumptions are conservative in that trip generation would likely be overstated as opposed to understated.

Project Forecast Trip Generation

Trips generated by the Project's land uses were estimated in the TA based on trip generation rates collected by the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition and the High-Cube Warehouse Trip Generation Study. The Project is anticipated to generate a total of 3,656 trip-ends per day, 274 AM peak hour trips and 323 PM peak hour trips (in actual vehicles).

Traffic Study Scenarios and Assumptions

The TA includes documentation of existing conditions, future conditions, and identification of Project-related deficiencies at 52 study intersections (refer to Table 1-1 of *Appendix I1*). Analyses of these intersections/segments were conducted for the following scenarios in the morning and evening peak hours:

- Existing (2021) Conditions
- Existing plus Project (E + P)
- Opening Year Cumulative (2023) Without Project
- Opening Year Cumulative (2023) With Project
- Horizon Year (2040) Without Project
- Horizon Year (2040) With Project

In summary, the TA noted various operational deficiencies at off-site locations under these six scenarios. As noted above, operational delay is no longer a significant impact under CEQA and the discussion below and in the TA is provided for informational purposes only. With implementation of recommended improvements, the Project will be consistent with applicable local agency operational LOS standards, as listed in *4.14.2, Regulatory Settings*, above. Also note that improvements noted below have already been conditioned as part of other project approvals in the City or represent regional improvements where the Project will be required to pay a fair share through the required payment of regional traffic impact fees in accordance with the City's DIF Program. Refer to the TA (Appendix I1; Section *8: Local and Regional Funding Mechanisms*) for detailed discussion.

Existing (2021) Conditions

The existing study area intersections are currently operating at acceptable LOS during the peak hours with the exception of the following intersections:

- Euclid Avenue (SR 83) & Riverside Drive – LOS E PM peak hour only
- Grove Avenue & Eucalyptus Avenue – LOS F PM peak hour only
- Grove Avenue & Merrill Avenue – LOS F AM peak hour; LOS E PM peak hour
- Carpenter Avenue & Merrill Avenue – LOS F AM and PM peak hours
- Archibald Avenue & Limonite Avenue – LOS E AM peak hour only
- Hamner Avenue & Ontario Ranch Road – LOS F PM peak hour only

Existing Plus Project Conditions

There are no additional study area intersections that are anticipated to operate at an unacceptable LOS, in addition to those identified for Existing traffic conditions.

Opening Year Cumulative (2023) Without Project Conditions

The following study area intersections are anticipated to operate at a deficient LOS during one or both peak hours for Opening Year Cumulative (2023) Without Project traffic conditions:

- Euclid Avenue (SR 83) & Riverside Drive – LOS E AM peak hour; LOS F PM peak hour
- Euclid Avenue (SR 83) & Edison Avenue – LOS E AM peak hour; LOS F PM peak hour
- Euclid Avenue (SR 83) & Merrill Avenue – LOS E AM peak hour; LOS F PM peak hour
- Sultana Avenue & Merrill Avenue – LOS E AM peak hour only
- Bon View Avenue & Merrill Avenue – LOS F PM peak hour only
- Grove Avenue & Eucalyptus Avenue – LOS F PM peak hour only
- Grove Avenue & Merrill Avenue – LOS F AM and PM peak hours
- Walker Avenue & Edison Avenue – LOS F AM and PM peak hours
- Walker Avenue/Flight Avenue & Merrill Avenue – LOS F AM and PM peak hours
- Carpenter Avenue & Merrill Avenue – LOS F AM and PM peak hours
- Archibald Avenue & Merrill Avenue – LOS F PM peak hour only
- Archibald Avenue & Limonite Avenue – LOS F AM peak hour only
- Hamner Avenue & Ontario Ranch Road – LOS E AM peak hour; LOS F PM peak hour

Opening Year Cumulative (2023) With Project Conditions

The following study area intersection is anticipated to operate at a deficient LOS during both peak hours for Opening Year Cumulative (2023) With Project traffic conditions with the addition of Project Buildout traffic, in addition to the locations identified previously for Opening Year Cumulative (2023) Without Project traffic conditions.

- Campus Avenue & Merrill Avenue – LOS E AM peak hour; LOS F PM peak hour

Horizon Year (2040) Without Project Conditions

The following additional study area intersections are anticipated to operate at an unacceptable LOS under Horizon Year (2040) Without Project traffic conditions:

- Euclid Avenue (SR 83) & SR 60 Westbound Ramps – LOS E AM and PM peak hours
- Euclid Avenue (SR 83) & SR 60 Eastbound Ramps – LOS F AM and PM peak hours
- Euclid Avenue (SR 83) & Riverside Drive – LOS F AM and PM peak hours
- Euclid Avenue (SR 83) & Chino Avenue – LOS E AM peak hour; LOS F PM peak hour
- Euclid Avenue (SR 83) & Schaefer Avenue – LOS F AM and PM peak hours
- Euclid Avenue (SR 83) & Edison Avenue – LOS F AM and PM peak hours
- Euclid Avenue (SR 83) & Eucalyptus Avenue – LOS F AM and PM peak hours
- Euclid Avenue (SR 83) & Merrill Avenue – LOS F AM and PM peak hours

- Sultana Avenue & Eucalyptus Avenue – LOS F AM and PM peak hours
- Sultana Avenue & Merrill Avenue – LOS F AM and PM peak hours
- Campus Avenue & Eucalyptus Avenue – LOS E PM peak hour only
- Campus Avenue & Merrill Avenue – LOS F AM and PM peak hours
- Bon View Avenue & Eucalyptus Avenue – LOS F PM peak hour only
- Bon View Avenue & Merrill Avenue – LOS F AM and PM peak hours
- Grove Avenue & Eucalyptus Avenue – LOS F AM and PM peak hours
- Grove Avenue & Merrill Avenue – LOS F AM and PM peak hours
- Walker Avenue & Edison Avenue – LOS F AM and PM peak hours
- Walker Avenue & Eucalyptus Avenue LOS F and AM peak hours
- Walker Avenue/Flight Avenue & Merrill Avenue – LOS F AM and PM peak hours
- Van Vliet Avenue/Baker Avenue & Merrill Avenue – LOS F PM peak hour only
- Vineyard Avenue & Edison Avenue – LOS F PM peak hour only
- Vineyard Avenue /Hellman Avenue & Merrill Avenue – LOS F AM and PM peak hours
- Carpenter Avenue & Merrill Avenue – LOS F AM and PM peak hours
- Hellman Avenue & Edison Avenue – LOS F AM and PM peak hours
- Archibald Avenue & Ontario Ranch Road – LOS AM and PM peak hours
- Archibald Avenue & Eucalyptus Avenue – LOS F AM and PM peak hours
- Archibald Avenue & Merrill Avenue – LOS F AM and PM peak hours
- Archibald Avenue & Limonite Avenue – LOS F AM and PM peak hours
- Tuner Avenue & Ontario Ranch Road – LOS F AM and PM peak hours
- Haven Avenue & Ontario Ranch Road – LOS F AM peak hour only
- Hamner Avenue & Ontario Ranch Roach – LOS F AM and PM peak hours

Horizon Year (2040) With Project Conditions

There are no additional study area intersections anticipated to operate at a deficient LOS during one or both peak hours for Horizon Year (2040) With Project traffic conditions with the addition of Project traffic, in addition to the locations identified above for Horizon Year (2040) Without Project traffic conditions.

Recommendations

The following recommendations are based on the improvements needed to accommodate site access.

Recommendation 1 – Sultana Avenue & Eucalyptus Avenue – The following improvements are necessary to accommodate site access:

- Project to install a stop control on the northbound approach and a shared left-right turn lane.

- Project to construct a westbound left-turn lane.

Recommendation 2 – Sultana Avenue & Driveway 1 – The following improvement is necessary to accommodate site access:

- Project to install a stop control on the westbound approach and a shared left-right turn lane.

Recommendation 3 – Sultana Avenue & Driveway 2 – The following improvement is necessary to accommodate site access:

- Project to install a stop control on the westbound approach and a shared left-right turn lane.

Recommendation 4 – Sultana Avenue & Driveway 3 – The following improvement is necessary to accommodate site access:

- Project to install a stop control on the westbound approach and a shared left-right turn lane.

Recommendation 5 – Sultana Avenue & Driveway 4 – The following improvement is necessary to accommodate site access:

- Project to install a stop control on the westbound approach and a shared left-right turn lane.

Recommendation 6 – Sultana Avenue & Driveway 5 – The following improvement is necessary to accommodate site access:

- Project to install a stop control on the westbound approach and a shared left-right turn lane.

Recommendation 7 – Sultana Avenue & Driveway 6 (#16) – The following improvement is necessary to accommodate site access:

- Project to install a stop control on the westbound approach and a shared left-right turn lane.

Recommendation 8 – Sultana Avenue & Driveway 7 – The following improvement is necessary to accommodate site access:

- Project to install a stop control on the westbound approach and a shared left-right turn lane.

Recommendation 9 – Sultana Avenue & Merrill Avenue – The following improvements are necessary to accommodate site access:

- Project to install a stop control on the southbound approach and a shared left-right turn lane.
- Project to construct a westbound right-turn lane.

Recommendation 10 – Driveway 8 & Merrill Avenue – The following improvements are necessary to accommodate site access:

- Project to install a stop control on the southbound approach and a shared left-right turn lane.
- Project to construct an eastbound left-turn lane.

Recommendation 11 – Driveway 9 & Eucalyptus Avenue – The following improvements are recommended:

- Project to install a stop control on the northbound approach and a shared left-right lane.

- Project to construct an eastbound shared through-right turn lane.
- Project to construct a westbound left-turn lane.

Recommendation 12 – Driveway 10 & Eucalyptus Avenue – The following improvements are necessary to accommodate site access:

- Project to install a stop control on the northbound approach and a shared left-right lane.
- Project to construct an eastbound shared through right-turn lane.
- Project to construct a westbound left-turn lane.

Recommendation 13 – Driveway 11 & Merrill Avenue – The following improvements are necessary to accommodate site access:

- Project to install a stop control on the southbound approach and a shared left-right turn lane.
- Project to construct an eastbound left-turn lane.

Recommendation 14 – Campus Avenue & Eucalyptus Avenue – The following improvements are necessary to accommodate site access:

- Project to install a stop control on the northbound approach and a shared left-right turn lane.
- Project to construct an eastbound right-turn lane.

Recommendation 15 – Campus Avenue & Driveway 12 – The following improvement is necessary to accommodate site access:

- Project to install a stop control on the eastbound approach and a shared left-right turn lane.

Recommendation 16 – Campus Avenue & Driveway 13 – The following improvement is recommended:

- Project to install a stop control on the eastbound approach and a shared left-right turn lane.

Recommendation 17 – Campus Avenue & Driveway 14 – The following improvement is necessary to accommodate site access:

- Project to install a stop control on the eastbound approach and a shared left-right turn lane.

Recommendation 18 – Campus Avenue & Driveway 15 – The following improvement is necessary to accommodate site access:

- Project to install a stop control on the eastbound approach and a shared left-right turn lane.

Recommendation 19 – Campus Avenue & Driveway 16 – The following improvement is necessary to accommodate site access:

- Project to install a stop control on the eastbound approach and a shared left-right turn lane.

Recommendation 20 – Campus Avenue & Driveway 17 – The following improvement is necessary to accommodate site access:

- Project to install a stop control on the eastbound approach and a shared left-right turn lane.

Recommendation 21 – Campus Avenue & Driveway 18 – The following improvement is recommended to accommodate site access:

- Project to install a stop control on the eastbound approach and a shared left-right turn lane.

Recommendation 22 – Campus Avenue & Merrill Avenue – The following improvements are recommended to accommodate site access:

- Project to install a stop control on the southbound approach and a shared left-right turn lane.
- Project to construct an eastbound left-turn lane.

Recommendation 23 – Merrill Avenue – Merrill Avenue is an east-west oriented roadway located along the Project site's southern boundary. Project to construct Merrill Avenue from Sultana Avenue to Campus Avenue at its ultimate half-section width as a four-lane collector (108-foot ultimate ROW) in compliance with the circulation recommendations found in TOP.

Recommendation 24 – Eucalyptus Avenue – Eucalyptus Avenue is an east-west oriented roadway located along the Project site's northern boundary. Project to construct Eucalyptus Avenue from Sultana Avenue to Campus Avenue at its ultimate half-section width as a four-lane collector (108-foot ultimate ROW) in compliance with the circulation recommendations found in TOP.

Recommendation 25 – Sultana Avenue – Sultana Avenue is a north-south oriented roadway located on the Project site's western boundary. Project to construct Sultana Avenue from Eucalyptus Avenue to Merrill Avenue at its ultimate half-section width as a two-lane local street (84-foot ultimate ROW) plus one lane (southbound) in compliance with the circulation recommendations found in TOP.

Recommendation 26 – Campus Avenue – Campus Avenue is a north-south oriented roadway located on the Project site's eastern boundary. Project to construct Campus Avenue from Merrill Avenue to Eucalyptus Avenue at its ultimate half-section width as a four-lane minor arterial (108-foot ultimate ROW) plus one lane (northbound) in compliance with the circulation recommendations found in TOP.

On-site traffic signing and striping should be implemented agreeable with the provisions of the Caltrans California Manual on Uniform Traffic Control Devices (CA MUTCD) and in conjunction with detailed construction plans for the Project site.

Sight distance at each Project access point should be reviewed with respect to standard Caltrans and City of Ontario sight distance standards at the time of preparation of final grading, landscape, and street improvement plans.

Off-Site Recommendations

The recommended improvements needed to address the cumulative deficiencies identified under Existing (2021), Opening Year Cumulative (2023), and Horizon Year (2040) traffic conditions are summarized in Table 1-3 of the TA. For those improvements listed in Table 1-3 of the TA and not constructed as part of the Project, the Project Applicant's responsibility for the Project's contributions towards deficient intersections is fulfilled through payment of fees (e.g., DIF) or fair share that would be

assigned to construction of the identified recommended improvements. Please refer to the TA (*Appendix I1; Section 8: Local and Regional Funding Mechanisms*) for detailed information.

Table 1-3 of the TA also summarizes the applicable cost associated with each of the recommended improvements based on the preliminary construction cost estimates found in Appendix G of the San Bernardino County Congestion Management Program in conjunction with a cost escalation factor of 1.568 to reflect current (2021) costs. A rough order of magnitude cost has been prepared to determine the appropriate contribution value based upon the Project's fair share of traffic as part of the Project approval process. Based on the Project fair share percentages, the Project's fair share cost is estimated at $308,307 to the City of Ontario. These estimates are a rough order of magnitude only as they are intended only for disclosure purposes and do not imply any legal responsibility or formula for contributions or mitigation.

Recommendation 27 – Prior to the issuance of building permits, the Project Applicant shall pay the Project's fair share amount of $308,307 for the improvements identified in Table 1-3 of the TA at intersections located within the City, or as agreed to by the City and Project Applicant.

Summary of Available Funding Mechanisms for Operational Improvements (not for CEQA Impacts)

The recommended improvements needed to address the cumulative deficiencies identified under Existing (2021), Opening Year Cumulative (2023), and Horizon Year (2040) traffic conditions are summarized in Table 1-3 of the TA (*Appendix I1*). For those improvements listed in Table 1-3 of the TA and not constructed as part of the Project, the Project Applicant's responsibility for the Project's contributions towards deficient intersections is fulfilled through payment of fees (e.g., DIF) or fair share that would be assigned to construction of the identified recommended improvements (*Appendix I1; Section 8: Local and Regional Funding Mechanisms)*.

Impact 4.14-2: Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? [Threshold T-2]

Level of Significance Before Mitigation: Potentially Significant Impact

Project Screening

Projects that meet certain VMT screening criteria may be presumed to result in a less than significant transportation impact, which is consistent with the approach suggested in OPR's Technical Advisory. The screening criteria adopted by the City are generally consistent with guidance identified in the Technical Advisory. The City lists the following VMT screening criteria[3]:

- Low VMT Area Screening
- Low Trip Generating Uses Screening
- Transit Priority Area (TPA) Screening
- Project Type Screening

[3] City of Ontario Vehicle Miles Traveled Analysis Thresholds for CEQA (SB 743); Page 1.

A land use project need only meet one of the above screening criteria are presumed in a less than significant impact.

1. Low VMT Area Screening

City's Traffic Impact Analysis Guidelines state that projects are presumed to have a less than significant VMT impact if located in low VMT generating model traffic analysis zones (TAZs) that generate total daily VMT per service population (SP) that is 15 percent less than the baseline level for the County.[4] The SBCTA screening tool was utilized to determine low areas of VMT within the City. The screening tool uses the sub-regional San Bernardino Transportation Analysis Model (SBTAM) to measure VMT performance within individual TAZ's throughout the region. Parcel(s) containing the proposed Project were selected and the screening tool was run for the Origin/Destination (OD) VMT per SP measure of VMT. Based on the Screening Tool results (see *Appendix I2* for VMT Screening Tool Analysis), the Project resides within TAZ 53653301, which is not a low VMT generating TAZ. Thus, the Low VMT Area screening threshold is not met.

2. Low Trip Generating Uses Screening

The City Guideline City's Traffic Impact Analysis Guidelines indicate that small development projects generating fewer than 110 daily vehicle trips may be presumed to have a less than significant VMT impact, subject to discretionary approval by the City. Based on information contained in the TA, (see *Appendix I1*), the Project is anticipated to generate more than 110 vehicle daily trips. The Low Trip Generating Uses screening threshold is not met.

3. Transit Priority Area (TPA) Screening

The City's Traffic Impact Analysis Guidelines indicate that projects located within a TPA (i.e., within ½ mile of an existing "major transit stop"[5] or an existing stop along a "high-quality transit corridor"[6]) may be presumed to have a less than significant VMT impact absent substantial evidence to the contrary. However, the presumption may not be appropriate if a project:

- Has a Floor Area Ratio (FAR) of less than 0.75;
- Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking);
- Is inconsistent with the applicable SCS (as determined by the lead agency, with input from the MPO); or
- Replaces affordable residential units with a smaller number of moderate- or high-income residential units.

[4] City Guidelines; Exhibit A.
[5] Pub. Resources Code, Section 21064.3 ("'Major transit stop' means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.").
[6] Pub. Resources Code, Section 21155 ("For purposes of this section, a high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.").

The Project site is not located within ½-mile of an existing major transit stop, or along a high-quality transit corridor. The TPA screening threshold is not met.

4. Project Type Screening

City's Traffic Impact Analysis Guidelines indicate that local-serving retail less than 50,000 square feet (sf) or other local-serving essential services (e.g., daycare centers, public schools, medical/dental office buildings, etc.) are presumed to have a less than significant VMT impact absent substantial evidence to the contrary. In addition, small projects anticipated to generate low traffic volumes and by association low GHG emissions are also assumed to cause a less than significant impact. The Project consists of industrial and business park uses, which do not typically consist of local-serving retail or essential services. The Project Type screening threshold is not met.

5. Project Generated VMT

The City's Traffic Impact Analysis Guidelines state that projects not screened from VMT analysis based on their location or land use type should conduct VMT forecasting through the SBTAM travel demand model to determine if the project would result in a significant VMT impact. SBTAM is a useful tool to calculate VMT as it considers interaction between different land uses based on socio-economic data such as population, employment and other factors, and is identified in the City's Traffic Impact Analysis Guidelines as the appropriate travel forecasting tool for conducting VMT analysis in the City.

Project-generated VMT has been calculated using the most current version of SBTAM, which was updated by SBCTA as part of the development of their recommended VMT guidelines. Adjustments to socio-economic data (SED) (i.e., estimated employment levels) have been made to the appropriate TAZ. A separate TAZ is used to isolate Project-generated VMT from other land uses in the model. *Table 4.14-1, SED Estimates,* summarizes the employment estimates for the Project.

Table 4.14-1: SED Estimates

Land Use	% Mixture	Employees/TSF	Total TSF	Estimated Employment
Business Park	Non-Office (50%)	0.650	227.951	74
	Office (50%)	2.860		326
Industrial	Non-Office (90%)	0.650	1,412.739	826
	Office (10%)	2.860		404
Total			**1,640.690**	**1,630**
Source: Traffic Analysis Study. Table 1. (See Appendix I1)				

Because the tenant of the Project's buildings are not yet known, the number of employees that the Project would generate cannot be precisely determined; therefore, for purposes of this analysis, employment estimates were calculated using employment density factors of 0.65 employees/thousand square feet (TSF) for non-office portions and 2.86 employees/TSF for office portions of industrial and business park uses consistent with the TOP Buildout Methodology document.[7] Based on these employment generation rates, the Project is expected to generate approximately 1,630 employees. Project

[7] City of Ontario. *The Ontario Plan Buildout Methodology*. Retrieved from http://www.ontarioplan.org/wp-content/uploads/sites/4/2016/01/Methodology-Revised.pdf. Accessed October 2021.

employment was added to the Project's TAZ in both the base year model (2016) and the cumulative year model (2040). The base year model and cumulative year model were then run inclusive of the Project's employment estimate.

The City has chosen the OD method of calculating VMT for purposes of establishing their impact threshold. The OD method of calculating VMT includes all vehicle trips and trip purposes (i.e., passenger cars and heavy trucks). Project-generated VMT using the OD trip matrix from SBTAM was calculated for both the base year model (2016) and cumulative year model (2040), and linear interpolation was used to determine the Project's baseline (2021) VMT value. The VMT value was then normalized by dividing by the Project's SP, which in this case is the number of Project employees. *Table 4.14-2, Project VMT per SP,* presents the key inputs for the calculation of Project-generated VMT per SP.

Table 4.14-2: Project VMT per SP

	Base Year (2016)	Cumulative (2040)	Baseline (2021)
Project generated VMT	71,583	68,460	70,579
SP	1,630	1,630	1,630
Project VMT per SP	43.92	42.00	43.30

The City has selected a threshold based on the General Plan Buildout VMT performance in the City. More specifically, the City's Traffic Impact Analysis Guidelines state that a significant impact would occur if the project VMT per SP exceeds the Citywide average VMT per SP under General Plan Buildout Conditions.

Table 4.14-3, Project VMT Impact Determination, presents a comparison between baseline Project-generated VMT per SP to the City's impact threshold. As shown, the baseline Project-generated VMT per SP is 43.30 or 19.61 percent above the City's threshold.

Table 4.14-3: Project VMT Impact Determination

Baseline (2021)	
Project VMT per SP	43.30
General Plan Buildout VMT per SP	36.20
Percent Change	+19.61%
Potentially Significant?	Yes

6. Project's Cumulative Effect on VMT

Consistent with City's Traffic Impact Analysis Guidelines, projects that are found to have a potential impact using efficiency-based metrics (such as VMT per SP) should also provide an additional assessment to evaluate a project's effect on VMT. This analysis is performed using the boundary method, which includes all vehicle trips with one or both trip-ends within a specific geographic area of interest (i.e., City). As shown on *Table 4.14-4, Cumulative Net Change in Citywide VMT*, the Project is anticipated to result in an increase in total VMT within the City for General Plan Buildout conditions as well as cumulative. The Project would increase the final General Plan buildout by 0.18 percent.

Table 4.14-4: Cumulative Net Change In Citywide VMT

	General Plan Buildout (2040) No Project	General Plan Buildout (2040) With Project
VMT	8,992,608	9,008,768

7. Potential VMT Reduction Strategies

Consistent with City's Traffic Impact Analysis Guidelines, VMT reduction strategies should be considered to address Project-generated VMT that exceeds the City's threshold. Transportation demand management (TDM) strategies have been evaluated for the purpose of reducing VMT impacts determined to be potentially significant, some of these TDM strategies are described in **MM AQ-3** (see *Section 4.2, Air Quality,* of this Draft Subsequent EIR). The effectiveness of TDM strategies to reduce VMT has been determined based on the SB 743 Implementation Mitigation and TDM Strategy Assessment prepared for SBCTA (SBCTA TDM Report), which was based on a regionally focused assessment of the previously published Quantifying Greenhouse Gas Mitigation Measures for its applicability to land use projects within the SBCTA region. The SBCTA TDM Report indicates that of the 50 transportation measures presented by the California Air Pollution Control Officers Association (CAPCOA), only 41 of those measures are applicable at a building and site level. The remaining nine measures are functions of, or depend on, site location and/or actions by local and regional agencies or funders.[8]

Based on a review of the 41 transportation measures identified by CAPCOA, the SBCTA TDM Report identifies that only seven of those measures may be effective at the project level. Land use context is a major factor relevant to the potential application and effectiveness of TDM measures. More specifically, the land use context for the area in which the Project resides is characteristically suburban.[9] Based on a review of the potentially relevant TDM measures presented in the SBCTA TDM Report, the following seven TDM measures identified by the SBCTA TDM Report were evaluated for their applicability to the Project based on its suburban context and their ability to reduce Project-generated VMT:

- **Measure 1: Increase Diversity of Land Uses (LUT-3).** Having different types of land uses near one another can decrease VMT since trips between land use types are shorter and may be accommodated by non-auto modes of transportation. For example, when residential areas are in the same neighborhood as retail and office buildings, a resident does not need to travel outside of the neighborhood to meet his/her trip needs.

  Remarks: The Project proposes the construction of 1,640,690 sf of industrial and business park use. In order for the above measure to apply, at least three of the following land uses should be located on-site, or if not on-site then within ¼-mile or less of the Project: residential development, retail development, office development, park, or open space. As the proposed Project does not include a diverse mix of land uses on-site and is not located within a ¼-mile of three of the land uses listed above, this particular TDM measure is therefore not evaluated further as a means of providing a reduction in Project VMT.

  It is, however, recognized that the Project would introduce additional employment opportunities, acting to generally improve the City and region jobs/housing balance. The resulting improved jobs/housing balance could reduce area commute VMT. This analysis, however, conservatively assumes no such VMT reduction.

[8] Measures obtained from SBCTA TDM report, p. 5.
[9] Suburban: Characterized by dispersed, low intensity, single use, automobile dependent land use patterns, usually outside of the central city (a suburb). (Quantifying Greenhouse Gas Mitigation Measures, p. 60).

- **Measure 2: Provide Pedestrian Network Improvements (SDT-1).** Providing on-site pedestrian access network to link areas of the Project to the off-site pedestrian network encourages people to walk for short trips instead of drive. This mode shift results in people driving less for nearby trips (typically less than ¼-mile and no greater than ½-mile) and thus a reduction in VMT.

  Remarks: Although there are existing sidewalks off-site along portions of Merrill Avenue, field observations conducted at the time the Project's level of service analysis was prepared indicate there is nominal pedestrian activity in the study area likely due to the lack of pedestrian connections and a limited diversity of land uses. The Project would build pedestrian walkways within the Project site area connecting development and extending those sidewalk connections to the roadway adjacent pedestrian walkways. The potential reduction in VMT is limited with a maximum reduction 2.0 percent for pedestrian accommodations within the Project site and connecting off-site, as noted by CAPCOA (Quantifying Greenhouse Gas Mitigation Measures, p. 187).

- **Measure 3: Provide Traffic Calming Measure (SDT-2).** Providing traffic calming measures encourages people to walk or bike instead of using a passenger car. This mode shift would result in a decrease in VMT. Traffic calming features may include marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, roundabouts or mini-circles, on-street parking, planter strips with street trees, chicanes/chokers, and others.

  Remarks: Given the industrial nature of the Project and similar characteristics of surrounding uses, there is limited opportunity for pedestrian and bicycle activity. This measure is therefore not evaluated further as means of providing a reduction in Project VMT.

- **Measure 4: Implement Car-Sharing Program (TRT-9).** Implementing a car-sharing program would allow individuals to have on-demand access to a shared fleet of vehicles on an as-needed basis. User costs are typically determined through mileage or hourly rates, with deposits and/or annual membership fees.

  Remarks: It is possible that employers within the Project site could implement car-sharing programs. This may provide car access for employees on an as-needed basis, and thereby alleviate some of the costs and responsibilities of individual car ownership. However, this would not necessarily result in a reduction in VMT but would rather transfer the VMT source from individually-owned autos to employee-subsidized autos. The potential reduction in VMT is also extremely limited with a maximum reduction in VMT between 0.4 – 0.7 percent as noted by CAPCOA (Quantifying Greenhouse Gas Mitigation Measures, p. 245). This measure is not evaluated further as a means of providing a reduction in Project VMT.

- **Measure 5: Increase Transit Service Frequency and Speed (TST-4).** This measure serves to reduce transit-passenger travel time through more reduced headways and increased speed and reliability. This makes transit service more attractive and may result in a mode shift from auto to transit which reduces VMT.

  Remarks: The Project site and immediate vicinity is currently served by Omnitrans, a public transit agency serving various jurisdictions within San Bernardino County. No bus routes currently

provide proximate service (within one-quarter mile) of the Project site. Transit service is reviewed and updated periodically to address ridership, budget, and community demand needs. Changes in land use can affect these periodic adjustments which may lead to either enhanced or reduced service where appropriate. It is recommended that the Project Applicant work in conjunction with the Lead Agency and Omnitrans to coordinate potential bus service to the Project site. Since implementation of this measure would require agency implementation, it is not applicable for individual development projects. This measure is therefore not evaluated further as means of providing a reduction in Project VMT.

- **Measure 6: Encourage Telecommuting and Alternative Work Schedule (TRT-6).** Encouraging telecommuting and alternative work schedules reduces the number of commute trips and therefore VMT traveled by employees. Alternative work schedules could take the form of staggered starting times, flexible schedules, or compressed work weeks.

  Remarks: The effectiveness of this measure is dependent on the ultimate building tenant(s) which are unknown at this time. This measure could provide for a potential reduction in Project VMT. CAPCOA notes that implementation of this measure could reduce commute VMT by 0.07 – 5.50 percent (Quantifying Greenhouse Gas Mitigation Measures, p. 236).

- **Measure 7: Provide Ride-Sharing Programs (TRT-3).** This strategy focuses on encouraging carpooling and vanpooling, but its ultimate implementation is limited similarly as Measure 6 above.

  Remarks: The effectiveness of this measure is dependent on the ultimate building tenant(s) which are unknown at this time. This measure could provide for a potential reduction in Project VMT. CAPCOA notes that implementation of this measure could reduce commute VMT by 1.0 – 15.0 percent (Quantifying Greenhouse Gas Mitigation Measures, p. 227).

The effectiveness of the above-noted TDM measures would be dependent on building occupancies, which are unknown at this time. Beyond Project tenancy considerations, the Project's suburban context acts to reduce the range of feasible TDM measures and moderates their potential effectiveness.

It is also recognized that as the Project site vicinity and the City develop as envisioned under the TOP, new residential, commercial/retail, and industrial development would be implemented. These actions could collectively alter transportation patterns, improve the City's jobs/housing ratio, diminish VMT per SP, and support implementation of new or alternative TDM measures. There is no means however to quantify any VMT reductions that could result. Additionally, the effectiveness of the TDM strategies that have potential to reduce the Project VMT per SP are dependent on as yet unknown final Project building tenant(s). Further, the identified TDM measures are not likely to reduce Project truck VMT. Pointedly, CAPCOA provides no TDM measures targeted at truck traffic.

Conclusion

In summary, the Project was found to exceed the City's adopted VMT threshold by 19.61 percent. Although the Project VMT could be reduced through the measures identified above, this analysis has conservatively not taken any credit for these VMT measures. Inclusion of such VMT reduction measures

in areas that are characteristically suburban[10] in context are noted to be limited to a maximum VMT reduction of 15 percent,[11] which is not enough to reduce Project-generated VMT to a level below the City's adopted significance threshold. Finally, as future Project design features and building tenants are not yet known, reductions in VMT related to the above TDM measures cannot be accurately estimated or guaranteed. Therefore, the Project's transportation impact based on VMT is conservatively considered significant and unavoidable.

Impact 4.14-3: ***Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? [Threshold T-3]***

Level of Significance Before Mitigation: Less Than Significant Impact

Construction activities associated with the Project may temporarily restrict vehicular traffic or cause temporary hazards. The Project would implement feasible measures that would help facilitate the passage of vehicles through/around any required road or lane closures to maintain traffic flow near the Project site pursuant to Municipal Code Section 7-3.07. This would also apply to any off-site roadway areas. In addition, the Project includes improvements to allow for heavy truck access to the Project site. Conflicts have the potential to occur if: 1) there is inadequate site access, or 2) there is inadequate turning radii in and out of the Project site. Implementation of the Project Specific Plan Amendment and its circulation plans will ensure avoidance of these inadequacies.

Site Access and Off-Site improvements

The Project includes the construction of access driveways from all four fronting streets, for a total of 16 driveway access points. Internal drive aisles would provide connectivity throughout the Project site. As noted in the Supplemental Traffic Discussion above, the Project's proposed on- and off-site roadway improvements would be constructed accordingly with Recommendations 1 through 28 listed in the Project TA to accommodate on-site access. All roadway improvements would be designed according to the Traffic and Transportation Guidelines set in the TOP's Mobility Element and pursuant to the PPP TR-1 and PPP TR-2. Thus, the Project would not substantially increase hazards due to a geometric design features or dangerous intersections, and a less than significant impact would occur.

Turning Radius

The TA evaluated large trucks' turning radius to determine necessary intersection improvements in the study area. The TA overlaid a truck turning template and tables Project driveway and study areas intersections anticipated to be utilized by large trucks in order to determine appropriate curb radius and to verify that trucks will have sufficient space to execute turning maneuvers (refer to Appendix 1.1 of Appendix I1 for more information). Implementation of the Project design features and Recommendations 1 through 28, and compliance with the City's Traffic and Transportation Guidelines set in the TOP's Mobility Element, would ensure large trucks have adequate access to and from the Project site and adjacent intersections. Implementation of the identified Project design features would ensure

[10] Suburban: A project characterized by dispersed, low-density, single-use, automobile dependent land use patterns, usually outside of the central city (a suburb).
[11] California Air Pollution Control Officers Association: "Quantifying Greenhouse Gas Mitigation Measures" August 2010; page 55.

that impacts would be less than significant, and the Project would not substantially increase hazards due to heavy truck maneuvers.

4.14.7 Cumulative Impacts

Cumulative traffic impacts are addressed in the Project TA (*Appendix I1*) and summarized above. The Project's contribution to operational LOS deficiencies would be fully addressed through implementing the recommended measures and providing construction or funding for the identified improvements (note that operational LOS is no longer a significant impact under CEQA per SB 743). The Project's VMT analysis (*Appendix I2*, summarized above) provides an analysis of the Project's cumulative impacts on VMT. Cumulative analysis is based on the Project's effect on VMT using total VMT within the City (boundary method). The VMT analysis concludes that Citywide VMT would increase with the Project, resulting in a significant and unavoidable cumulative VMT impact. As noted above, although the identified VMT reduction measures could reduce Project and cumulative VMT impacts, this analysis has conservatively assumed no VMT reduction for reasons noted above. Therefore, the VMT analysis concludes that Citywide VMT increases from the Project will result in a significant and unavoidable Project and cumulative VMT impact.

4.14.8 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, Impact 4.14-1 and Impact 4.14-3 would be less than significant.

Without mitigation, the following impact would be potentially significant:

- Impact 4.14-2 Buildout of the Project could conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

4.14.9 Mitigation Measures

Impact would be significant, unavoidable, and unmitigable for the Project. The VMT reduction measures could include VMT measures 1, 6 and 7 above. Furthermore, **MM GHG-1** may provide further VMT reduction depending on which GHG reduction strategies are chosen from the City's Climate Action Plan (CAP) Screening Table discussed in *Section 4.7, Greenhouse Gas Emissions*. No other mitigation measures are feasible to reduce VMT below the City's thresholds of significance.

4.14.10 Level of Significance After Mitigation

The Project was found to exceed the City's adopted VMT threshold by 19.61 percent. Although the Project VMT could be reduced through the measures identified above, this analysis has conservatively not taken any credit for these VMT measures. Inclusion of such VMT reduction measures in areas that are characteristically suburban[12] in context are noted to be limited to a maximum VMT reduction of 15 percent,[13] which is not enough to reduce Project-generated VMT to a level below the City's adopted

[12] Suburban: A project characterized by dispersed, low-density, single-use, automobile dependent land use patterns, usually outside of the central city (a suburb).
[13] California Air Pollution Control Officers Association: "Quantifying Greenhouse Gas Mitigation Measures" August 2010; page 55.

significance threshold. Finally, as future Project design features and building tenants are not yet known, reductions in VMT related to the above TDM measures cannot be accurately estimated or guaranteed. Therefore, the Project's transportation impact based on VMT is conservatively considered significant and unavoidable.

4.14.11 References

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4.15 TRIBAL CULTURAL RESOURCES

This section of the Draft Subsequent Environmental Impact Report (EIR) evaluates the potential for implementation of the Ontario Ranch Business Park Specific Plan Amendment Project (Project) to impact tribal cultural resources (TCRs) in the City of Ontario (City), within San Bernardino County (County). TCRs include landscapes, sacred places, or objects with cultural value to a California Native American Tribe. Other potential impacts to prehistoric, historic, and disturbance of human remains are evaluated in *Section 4.4, Cultural Resources*, and impacts to paleontological resources are addressed in *Section 4.6, Geology and Soils,* of this Draft Subsequent EIR.

This evaluation of the Project site and the potential impacts to TCRs is largely based on the following sources:

- City of Ontario The Ontario Plan (TOP) Update EIR
- *Phase I Cultural and Paleontological Resources Assessment: Ontario Ranch Business Park, City of Ontario, San Bernardino County, California*, Material Culture Consulting (MCC), May 2020 (*Appendix D*).

4.15.1 Environmental Setting

Existing Conditions

The Project site is an eastern expansion of the Ontario Ranch Business Park Specific Plan (Approved SP), consisting of 71.69 acres of Low-Medium Density Residential and Business Park land uses. It contains an operational dairy farm and vacant lots used for agricultural purposes. The entire Project area has been repeatedly and significantly altered and disturbed by over 80 years of agricultural/dairy operations. Surrounding land uses directly adjacent to the Project site include agricultural uses to the north and east, residential uses and vacant land to the west, and public uses for the Chino Airport to the south. The City lies within the broad alluvial fan originating from the southern flank of the San Gabriel Mountains, and dips gradually southward to the confluence of San Antonio Channel, Cucamonga Channel/Mill Creek, and the Santa Ana River at the Prado Dam Flood Control Basin in Riverside County. The Santa Ana River flows to the south of the City and Cucamonga Creek and Deer Creek traverse north to south through the City.

Ethnography

The territory of the Gabrielino (Gabrieliño) at the time of Spanish contact covered much of current-day Los Angeles and Orange counties and extended into the western part of the County. The southern extent of this territory is bounded by Aliso Creek, the eastern extent is located east of present-day San Bernardino County along the Santa Ana River, the northern extent includes the San Fernando Valley, and the western extent includes portions of the Santa Monica Mountains. The Gabrieliño also occupied several Channel Islands including Santa Barbara Island, Santa Catalina Island, San Nicholas Island, and San Clemente Island. Because of their access to certain resources, including a steatite source from Santa Catalina Island, this group was among the wealthiest and most populous aboriginal groups in all of southern California. Trade of materials and resources controlled by the Gabrieliño extended as far north as the San Joaquin Valley, as far east as the Colorado River, and as far south as Baja California.

The Gabrieliño lived in permanent villages and smaller, resource-gathering camps occupied at various times of the year depending upon the seasonality of the resource. Larger villages were comprised of several families or clans, while smaller, seasonal camps typically housed smaller family units. The coastal area between San Pedro and Topanga Canyon was the location of primary subsistence villages, while secondary sites were located near inland sage stands, oak groves, and pine forests. Permanent villages were located along rivers and streams, as well as in sheltered areas along the coast. As previously mentioned, the Channel Islands were also the locations of relatively large settlements.

The Gabrieliño tribe carried out food exploitation strategies that utilized local resources ranging from plants to animals; coastal resources were also exploited. Rabbit and deer were hunted and acorns, buckwheat, chia, berries, fruits, and many other plants were collected. Artifacts associated with their occupations include a wide array of chipped stone tools including knives and projectile points, wooden tools like digging sticks and bows, and ground stone tools like bedrock and portable mortars, metates and pestles. Local vegetation was used to construct shelters as well as for medicinal purposes. Cooked foods were prepared on hearths. Acorns were one of the most important food resources utilized by the Gabrieliño and other Native American groups across California. The acorns were ground into a fine powder in order to make an acorn mush or gruel. A dietary staple, acorns provided a large number of calories and nutrients. The ability to store and create stockpiles in case of lean times also contributed to the importance of acorns as a vital natural resource. Much of the material evidence available to archaeologists concerning the Gabrieliño is a result of tools and technologies related to their subsistence activities.

The social structure of the Gabrieliño is little known; however, there appears to have been at least three social classes: 1) the elite, which included the rich, chiefs, and their immediate family; 2) a middle class, which included people of relatively high economic status or long-established lineages; and 3) a class of people that included most other individuals in the society. Villages were politically autonomous units comprised of several lineages. During times of the year when certain seasonal resources were available, the village would divide into lineage groups and move out to exploit them, returning to the village between forays. Each lineage had its own leader, with the village chief coming from the dominant lineage. Several villages might be allied under a paramount chief. Chiefly positions were of an ascribed status, most often passed to the eldest son. Chiefly duties included providing village cohesion, leading warfare and peace negotiations with other groups, collecting tribute from the village(s) under his jurisdiction, and arbitrating disputes within the village(s). The status of the chief was legitimized by his safekeeping of the sacred bundle, a representation of the link between the material and spiritual realms and the embodiment of power. Shamans were leaders in the spirit realm. The duties of the shaman included conducting healing and curing ceremonies, guarding of the sacred bundle, locating lost items, identifying and collecting poisons for arrows, and making rain. Marriages were made between individuals of equal social status and, in the case of powerful lineages, marriages were arranged to establish political ties between the lineages. Men conducted the majority of the heavy labor, hunting, fishing, and trading with other groups. Women's duties included gathering and preparing plant and animal resources, and making baskets, pots, and clothing. The name "Gabrieliño" is Spanish in origin and was used in reference to the Native Americans associated with the Mission San Gabriel. It is unknown what these people called themselves before the Spanish arrived, but today they call themselves "Tongva," meaning "people of the earth."

4.15.2 Regulatory Setting

Federal

Archaeological Resources Protection Act

The Archaeological Resources Protection Act of 1979 regulates the protection of archaeological resources and sites that are on federal lands and Indian lands.

Native American Graves Protection and Repatriation Act of 1990

The Native American Graves Protection and Repatriation Act of 1990 sets provisions for the intentional removal and inadvertent discovery of human remains and other cultural items from federal and tribal lands. It clarifies the ownership of human remains and sets forth a process for repatriation of human remains, associated funerary objects, and sacred religious objects to the Native American groups claiming to be lineal descendants or culturally affiliated with the remains or objects. It requires any federally funded institution housing Native American remains or artifacts to compile an inventory of all cultural items within the museum or with its agency and to provide a summary to any Native American tribe claiming affiliation.

State

California Environmental Quality Act (CEQA)

California public agencies must consider the effects of their actions on both "historical resources" and "unique archaeological resources." Pursuant to Public Resources Code (PRC) Section 21084.1, a "project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment." PRC Section 21083.2 additionally requires agencies to determine whether proposed projects would have effects on "unique archaeological resources."

"Historical resource" is a term with a defined statutory meaning. Under California Code of Regulations (CCR), Title 14, Chapter 3 (CEQA Guidelines, Section 15064.5(a)) "historical resource" includes the following:

- A resource listed in or determined to be eligible by the State Historical Resources Commission (SHRC), for listing in the California Register of Historical Resource (CRHR), (PRC Section 5024.1 and Title 14 CCR, Section 4850 et seq.).
- A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the PRC, or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the PRC, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by

the lead agency to be "historically significant" if the resource meets the criteria for listing on the CRHR (PRC Section 5024.1 and Title 14 CCR Section 4852) including the following:

- **Criterion 1** - Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- **Criterion 2** - Is associated with the lives of persons important in our past;
- **Criterion 3** - Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- **Criterion 4** - Has yielded, or may be likely to yield, information important in prehistory or history.

- The fact that a resource is not listed in, or determined to be eligible for listing in the CRHR, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the PRC), or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the PRC) does not preclude a lead agency from determining that the resource may be an historical resource as defined in PRC Sections 5020.1(j) or 5024.1.

CEQA addresses significant impacts to historical resources. "A project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. Substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired." (State CEQA Guidelines Section 15064.5(b)(1)).

CEQA also requires agencies to consider whether projects will affect "unique archaeological resources." PRC Section 21083.2, subdivision (g), states that "'unique archaeological resources' means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
3. Is directly associated with a scientifically recognized, important prehistoric or historic event or person."

Senate Bill 18

Senate Bill (SB) 18, effective September 2004, requires a local government to notify and consult with California Native American tribes when the local government is considering adoption or amendment of a general plan or a specific plan. SB 18 provides California Native American tribes an opportunity to participate in local land use decisions at an early stage of planning, for the purpose of protecting or mitigating impacts to cultural places. Prior to adoption or amendment of a general plan or a specific plan,

a local government must refer the proposed action to those tribes that are on the Native American Heritage Commission (NAHC) contact list and have traditional lands located within the city's or county's jurisdiction. The referral must allow a 45-day comment period pursuant to Government Code Section 65352(b).

SB 18 (Chapter 905 of the 2004 statutes) says, in pertinent parts:

Section 1(b): In recognition of California Native American tribal sovereignty and the unique relationship between California local governments and California tribal governments, it is the intent of the Legislature, in enacting this act, to accomplish all of the following:

1. Recognize that California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places are essential elements in tribal cultural traditions, heritages, and identities.
2. Establish meaningful consultations between California Native American tribal governments and California local governments at the earliest possible point in the local government land use planning process so that these places can be identified and considered.
3. Establish government-to-government consultations regarding potential means to preserve those places, determine the level of necessary confidentiality of their specific location, and develop proper treatment and management plans.
4. Ensure that local and tribal governments have information available early in the land use planning process to avoid potential conflicts over the preservation of California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places.
5. Enable California Native American tribes to manage and act as caretakers of California Native prehistoric, archaeological, cultural, spiritual, and ceremonial places.
6. Encourage local governments to consider preservation of California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places in their land use planning processes by placing them in open space.
7. Encourage local governments to consider the cultural aspects of California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places early in land use planning processes."

And:

Section 65352.3 of the Government Code is as follows:

a) *(1) Prior to the adoption or any amendment of a city or county's general plan, proposed on or after March 1, 2005, the city or county shall conduct consultations with California Native American tribes that are on the contact list maintained by the Native American Heritage Commission (NAHC) for the purpose of preserving or mitigating impacts to places, features, and objects described in Sections 5097.9 and 5097.995 of the PRC that are located within the city or county's jurisdiction. (2) From the date on which a California Native American tribe is contacted by a city or county pursuant to this subdivision, the tribe has 90 days in which to request a consultation, unless a shorter timeframe has been agreed to by that tribe.*

b) *Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Section 65040.2, the city or county shall protect the confidentiality of information concerning the specific identity, location, character, and use of those places, features, and objects."*

Assembly Bill 52

The Native American Historic Resource Protection Act (Assembly Bill [AB] 52) took effect July 1, 2015 and incorporates tribal consultation and analysis of impacts to TCRs into the CEQA process. It requires TCRs to be analyzed like any other CEQA topic and establishes a consultation process for lead agencies and California tribes. Projects that require a Notice of Preparation of an EIR or Notice of Intent to adopt a ND or MND are subject to AB 52. A significant impact on a TCR is considered a significant environmental impact, requiring feasible mitigation measures.

TCRs must have certain characteristics:

1. Sites, features, places, cultural landscapes (must be geographically defined), sacred places, and objects with cultural value to a California Native American tribe that are either included or determined to be eligible for inclusion in the California Register of Historic Resources or included in a local register of historical resources. (PRC Section 21074(a)(1))
2. The lead agency, supported by substantial evidence, chooses to treat the resource as a TCR. (PRC Section 21074(a)(2))

The first category requires that the TCR qualify as a historical resource according to PRC Section 5024.1. The second category gives the lead agency discretion to qualify that resource — under the conditions that it supports its determination with substantial evidence and considers the resource's significance to a California tribe. The following is a brief outline of the process (PRC Section 21080.3.1–3.3).

1. A California Native American tribe asks agencies in the geographic area with which it is traditionally and culturally affiliated to be notified about projects. Tribes must ask in writing.
2. Within 14 days of deciding to undertake a project or determining that a project application is complete, the lead agency must provide formal written notification to all tribes who have requested it.
3. A tribe must respond within 30 days of receiving the notification if it wishes to engage in consultation.
4. The lead agency must initiate consultation within 30 days of receiving the request from the tribe.
5. Consultation concludes when both parties have agreed on measures to mitigate or avoid a significant effect to a TCR, or a party, after a reasonable effort in good faith, decides that mutual agreement cannot be reached.
6. Regardless of the outcome of consultation, the CEQA document must disclose significant impacts on TCRs and discuss feasible alternatives or mitigation that avoid or lessen the impact.

California Health and Safety Code

California Health and Safety Code Section 7050.5, states that every person who knowingly mutilates or disinters, wantonly disturbs, or willfully removes any human remains in or from any location other than a dedicated cemetery without authority of law is guilty of a misdemeanor, except as provided in Section 5097.99 of the Public Resources Code. In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Local

City of Ontario Policy Plan

The Ontario Plan (TOP) is the main planning vision for the City. TOP considers the growth of the City within six areas of focus:

1. Vision
2. Government Manual
3. Policy Plan
4. City Council Priorities
5. Implementation, and
6. Tracking and Feedback

TOP includes the Policy Plan which is a framework that would guide the City's future growth through the application of policies and goals. For the analysis of TCRs effects, the Community Design Element provides applicable regulations and policies.

Community Design Element

Goal CD4 **Historic buildings, streets, landscapes, and neighborhoods, as well as the story of Ontario's people, businesses, and social and community organizations, that have been preserved and serve as a focal point for civic pride and identity.**

Policy CD4-1 Cultural Resource Management. We update and maintain an inventory of historic sites and buildings, professional collections, artifacts, manuscripts, photographs, documents, maps, and other archives.

4.15.3 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

TCR-1: Cause a substantial adverse change in the significance of a TCR, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i.) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k), or

ii.) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (See Impact 4.14-1).

4.15.4 Plans, Programs, and Policies

PPP TCR-1 The Project is required to comply with State CEQA Guidelines Section 15064.5, PRC Sections 21083.2 and 5097.9, and Health and Safety Code (HSC) Section 7050.5, to properly recover and evaluate any TCRs, if encountered.

4.15.5 Methodology

The Project is evaluated against the significance criteria/thresholds as the basis for determining the impact's level of significance concerning TCRs. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impacts. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the potentially significant environmental impacts.

California Historic Resources Inventory System and Cultural Background Research

On July 25, 2018, MCC conducted a search of the California Historical Resource Information System (CHRIS) at the South-Central Coast Information Center (SCCIC), located at the California State University, City of Fullerton, Orange County. The record search covered the Approved SP. In February 2020, MCC was

retained by EPD to conduct a supplemental assessment of an expanded Specific Plan Area (Project site) encompassing an additional 80.83 acres. This assessment included a compilation of previous CHRIS record searches that overlap the = Project site. These searches covered any previously recorded cultural resources and investigations within a one-mile radius of the entire Project area. The CHRIS search also included a review of the National Register of Historic Places (NRHP), the CRHR, the California Points of Historical Interest list, the California Historical Landmarks list, the Archaeological Determinations of Eligibility list, and the California State Inventory of Historic Resources.

Native American Outreach and Background Research

MCC requested a search of the Sacred Lands File (SLF) from the NAHC on July 24, 2018. The NAHC responded on July 25, 2018, stating that there are no known sacred lands within a one-mile radius of the Project area. The NAHC requested that 20 Native American tribes or individuals be contacted for further information regarding the general vicinity. MCC subsequently sent letters on August 1, 2018 to the 20 Native American contacts, requesting any information related to cultural resources or heritage sites within or adjacent to the Project area. If responses were not made by the 20 parties mentioned above, additional attempts at contact by letter, email, or phone call were made on August 10, 22, and 23, 2018. This SLF search conducted included the Project site and did not identify any previously known cultural resources within the entire Project site. These efforts represent MCC's due diligence in information, rather than formal consultation with the Tribes. The Lead Agency was responsible for conducting consultation as per AB 52 or SB 18, as applicable to the Project and/or Projects within the Project site.

Informal Consultation – Native American Outreach and Background Research

MCC requested further information from 20 Native American tribes or individuals, as requested by NAHC. Of the 20 tribes or individuals, 18 did not respond or stated that the Project site is outside their respective tribe's ancestral territory and/or areas of tribal affiliation or interest. Two tribes responded by phone, as follows:

- On August 30, 2018, Mr. Anthony Morales, Chairperson of the Gabrieliño/Tongva San Gabriel Band of Mission Indians informed MCC that the Project is in the vicinity of important prehistoric and historic tribal routes and water sources. The tribe indicated that the heightened sensitivity warrants archaeological and Tribal monitoring by their Tribe.
- On August 22, 2018, Mr. Andrew Salas, Chairperson of the Gabrieliño Band of Mission Indians-Kizh Nation informed MCC that the Project is located in a culturally-sensitive area that is part of the Gabrieliño Band of Mission Indians-Kizh Nation ancestral territory. Based on traditional and historical information, Mr. Salas recommended both archaeological and Tribal monitoring for the Project. In addition, Mr. Salas requested that MCC include in their report that: the Gabrieliño Band of Mission Indians-Kizh Nation would like to be the primary Tribe to consult on the Project because the Project is located in their ancestral territory; that they wish to be in contact with the Lead Agency for consultation; and that they would like to draft mitigation language for TCRs as Mr. Salas anticipates encountering prehistoric and historic cultural resources.

Formal Consultation – Native American Outreach and Background Research

As part of the current CEQA process for the Project site, the City initiated formal tribal consultation under AB 52 and SB 18. City staff requested an updated SB 18 tribal consultation list from the NAHC. Tribal consultation was concluded on September 22, 2021, per an email from Chairman Andy Salas of the Gabrieleño Band of Mission Indians – Kizh Nation. As a result of this consultation, recommended mitigation measures were provided in order to address specific concerns regarding sensitive environmental resources located near the Project site. It should be noted that the approved Native American lists for SB 18 and AB 52 consultations are not the same as the tribes and individuals identified on NAHC's SLF list. The following Tribes were notified:

SB 18 Consultation

- Gabrieliño Band of Mission Indians – Kizh Nation, Andrew Salas, Chairman
- Gabrieliño/Tongva San Gabriel Band of Mission Indians, Anthony Morales, Chief
- Gabrieliño Tongva Indians of California Tribal Council, Robert Dorame, Chairperson
- Gabrieliño/Tongva Nation, Sandonne Goad, Chairperson
- Gabrieliño-Tongva Tribe, Charles Alvarez
- Morongo Band of Mission Indians, Robert Martin, Chairperson
- San Fernando Band of Mission Indians, Donna Yocum, Chairperson
- San Manuel Band of Mission Indians, Lee Clauss, Director of Cultural Resources
- Serrano Nation of Mission Indians, Goldie Walker, Chairperson
- Soboba Band of Luiseño Indians, Joseph Ontiveros, Cultural Resources Director

AB 52 Consultation

- Gabrieliño Band of Mission Indians – Kizh Nation, Andrew Salas, Chairman
- Gabrieliño/Tongva San Gabriel Band of Mission Indians, Anthony Morales, Chief
- San Manuel Band of Mission Indians, Cultural Resources Director
- Soboba Band of Luiseño Indians, Joseph Ontiveros, Cultural Resources Director

Based on the records search and previous disturbance associated with agricultural operations, the potential to uncover TCRs for the site was later determined to be anticipated, as resources were found at two locations near the Project site.

Pedestrian Field Survey

An MCC Archaeologist and cross-trained Paleontologist, conducted a survey of the Approved SP, including the Project site, on July 27, 2018. The survey consisted of walking in parallel transects spaced at approximately 15-meter intervals over the Project site, while closely inspecting the ground surface. All undeveloped areas were examined for artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools or fire-affected rock), soil discoloration that might indicate the presence of a cultural midden, soil

depressions and features indicative of the former presence of structures or buildings (e.g., postholes, foundations), or historic-era debris (e.g., metal, glass, ceramics). The type of sediment and land formations were also noted in order to assess the potential for paleontological sensitivity. Existing ground disturbances (e.g., cut banks, ditches, animal burrows, etc.) were also visually inspected to get a sense of subsurface deposits and soil horizons. Representative photographs were taken of the entire study area.

4.15.6 Project Impacts and Mitigation Measures

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 4.15-1 ***Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: [Threshold TCR-1 (i) and (ii)]***

a) Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k), or

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Level of Significance Before Mitigation: Potentially Significant

Construction and Operations

As previously stated, TCRs are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that is either eligible or listed in the CRHR or local register of historical resources (PRC Section 21074). Conducting consultation early in the CEQA process allows tribal governments, public lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to TCRs, and reduce the potential for delay in the environmental review process. The intent of the consultations is to provide an opportunity for interested Native American contacts to collaborate with the City during the project approval process to identify and protect TCRs.

Sacred Lands File Search

As stated, a SLF search was conducted by NAHC to determine if any sacred lands or traditional cultural properties had been identified near the Project site. The NAHC's SLF record search found no record of TCRs on or within one mile of the Project site (see *Appendix D*). The Project would not impact any known TCR that is listed or eligible for listing. However, since completion of the search, additional archaeological resources were found at two locations near the Project site. Therefore, the Project site is considered archaeologically sensitive and could cause a substantial adverse change to a TCR listed or eligible in the

CRHR, should such resources be discovered during grading. Further, as required by **MM TCR-1** a Qualified Archaeologist would consult with local experts and Native American Representatives for the preparation of a treatment plan, respectively, if significant unknown cultural resources are discovered during construction mass grading and trenching activities.

As discussed above, implementation of the proposed Project could result in disturbance or destruction of unknown buried TCR that were not identified during previous studies or site evaluation. **MM CUL-1** and **MM TCR-1** include provisions that will ensure the protection of any unknown or inadvertently discovered archaeological resources and human remains, or other culturally-significant resources. All such finds would be required to be treated in accordance with all CEQA requirements and all other applicable laws and regulations. With implementation of these measures, impacts in this regard would be less than significant.

4.15.7 Cumulative Impacts

Cumulative impacts to TCRs would occur when the impacts of the Project, in conjunction with other projects and development in the region, result in multiple and/or cumulative impacts to TCRs in the Ontario Ranch area. The cultural records search identified six previously-recorded cultural resources within one mile of the Project site. No previously-recorded fossil localities are located within a one-mile radius of the Project area, and no sacred sites are documented within or adjacent to the Project site. However, it is possible that buried prehistoric artifacts or TCRs could be present within the area. The proposed Project includes mitigation to ensure proper identification, treatment, and preservation of TCRs. Implementation of these measures would reduce the potential for the Project's adverse impacts on TCRs. Each future Project considered for approval by the City would be required to do its own consultation and include mitigation measures to protect resources if they are uncovered during grading activities. The Project would not combine with other projects in the region to create a cumulative impact to TCRs. Therefore, cumulative impacts to TCRs would be less than significant.

4.15.8 Level of Significance Before Mitigation

Without mitigation, the following impacts would be potentially significant:

Impact 4.15-1 ***Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: [Threshold TCR-1 (i) and (ii)]***

i. Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k), or

ii. ***A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.***

4.15.9 Mitigation Measures

MM TCR-1 Prior to the commencement of any ground-disturbing activity at the project site, the project applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation – the tribe that consulted on this Project pursuant to Assembly Bill (AB) 52 (the "Tribe" or the "Consulting Tribe"). A copy of the executed contract shall be submitted to the City of Ontario Planning and Building Departments prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities. Ground-disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching within the project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources.

Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the qualified archaeologist and Tribal monitor approved by the Consulting Tribe. If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the Project Site, all ground disturbance shall immediately cease, and the county coroner shall be notified per Public Resources Code Section 5097.98, and Health and Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Work may continue on other parts of the Project Site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If a non-Native American resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources.

Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with

subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

4.15.10 Level of Significance After Mitigation

In addition to compliance with existing regulatory requirements and PPPs, implementation of **MM CUL-1** and **TCR-1** would ensure the Project applicant and construction contractors are aware of potential TCRs on-site and have specified procedures to implement to ensure these potentially-uncovered resources are not damaged during grading and construction activities. The mitigation will ensure proper identification, treatment, and preservation of TCRs. Implementation of these measures would reduce the potential for the Project's adverse impacts on TCRs.

4.15.11 References

Material Culture Consulting (MCC). May 2020. *Phase I Cultural and Paleontological Resources Assessment Ontario Ranch Business Park, City of Ontario, San Bernardino County, California*.

4.16 UTILITIES AND SERVICE SYSTEMS

This section of the Draft Subsequent Environmental Impact Report (EIR) discusses the current conditions for utility providers, including water, wastewater, stormwater, solid waste, electricity, and natural gas services, and the Ontario Ranch Business Park Specific Plan Amendment Project (Project) effects on these providers, for the City of Ontario (City).

The following analysis in this section is based, in part, on service provider questionnaire responses and the following technical study information obtained from:

- *Preliminary Hydrology Calculations for the Ontario Ranch Business Park II*, Thienes Engineering Inc., February 14, 2020, revised January 3, 2022. (*Appendix G1*)
- *Preliminary Water Quality Plan for the Ontario Ranch Business Park Phase 2,* Thienes Engineering Inc., January 11, 2022. (*Appendix G2*)
- *Water Supply Assessment for the Ontario Ranch Business Park Specific Plan Amendment*, Kimley-Horn, March 2021. (*Appendix J*)

4.16.1 Environmental Setting

Existing Conditions

Water Supply

The Ontario Municipal Utilities Company (OMUC) provides water service to residents, businesses, and other users in the City, including the Project site. Two small areas in the north central and northeastern sections of the City are served by the Cucamonga Valley Water District (CVWD). As of 2020, OMUC provided water to a population of approximately 178,409 people. The primary source of water is groundwater from Chino Groundwater Basin (Chino Basin). Other water supplies include treated groundwater from the Chino Basin Desalter Authority (CDA), recycled water from Inland Empire Utilities Agency (IEUA), imported water from the Water Facilities Authority (WFA), and purchased water from the San Antonio Water Company (SAWCo).

The City has already inactivated several wells (Well 3, 4, 9, 15, 31, 35, and 50) due to high nitrate and perchlorate concentrations detected above the maximum contaminant levels (MCL). Well 34 was removed from service due to Trichloropropane (TCP) water quality issues. The operations of Wells 44 and 52 are limited due to the migration of the bacterial groundwater plume when these wells are used too frequently. Well 25 was taken out of service due to a Perfluorooctanoic acid (PFOA) detection, which was below the PFOA interim notification level. The impact on supply due to the closure of these wells is minimized by constructing replacement wells at other locations where contaminant levels are low and constructing wellhead treatment facilities.

Groundwater from the Chino Basin is directly pumped by the City into its distribution system or is treated through an ion-exchange facility located at John Galvin Park before pumping it into the distribution system. The CDA desalters, Chino I and Chino II Desalters, consist of groundwater extraction wells

connected to pumps and pipelines that direct water to advanced treatment facilities. The final product is a high-quality drinking water.

The City's existing domestic water system consists of the following:

- Five primary pressure zones (Zone 925, 1010, 1074, 1212, and 1348)
- Over 2.8 million feet (546 miles) of transmission and distribution pipe, 2-inches through 42-inches in diameter
- 6,811 fire hydrants
- 12 reservoirs with a total volume of 75 million gallons
- Four active booster pump stations, 1 inactive booster pump station
- 16 pressure reducing stations
- Five inter-agency connections
- Two Connections to WFA
- Two Connections to CDA

The existing water service area includes only a very small portion of OR; Edenglen by Brookfield Homes (located south of Riverside Drive, east of Mill Creek Avenue), and Colony High School (located south of Riverside Drive and west of Mill Creek Avenue). The majority of the existing residents and businesses of OR use private groundwater wells for their water supply.

Total potable and recycled water demand within the OMUC service area averaged 39,374 acre-feet per year (AFY) between 2015 and 2020.[1] Actual water supplies provided to the City for the year 2020 are summarized in *Table 4.16-1, Water Supplies Summary*. Potable water demands averaged 32,109 AFY and recycled water demands averaged 7,812 AFY. Over the past 10 years, the City's total water demands (including potable and recycled water demands) have ranged from 36,036 AFY to 45,196 AFY, with an average of 40,831 AFY. In addition, the City recently experienced a five-consecutive-year-drought within its service area from fiscal year (FY) 2011-12 to FY 2015-16. Throughout this consecutive dry year period, the City's annual water production ranged from 42,603 AFY (2012) to 36,036 AFY (2016), with an average of approximately 41,558 AFY. In the City's Single-Dry year, annual water production was 43,346 AFY. In 2020, the City's total demand was 39,921 AFY. The total water supply (potable and non-potable) demands in the year 2045 are projected to be 73,668 AFY. Potable water demands are projected to be 57,609 AFY and recycled water demands are projected to be 16,059 AFY.

[1] City of Ontario. 2020 Urban Water Management Plan, page 8-22. (2021). Retrieved from: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/FINAL%20City%20of%20Ontario%202020%20UWMP.pdf. Accessed September 2021.

Table 4.16-1: Water Supplies Summary

Water Supplier	Water Source	Amount (AFY)
City of Ontario	Groundwater	18,395
Chino Basin Desalter Authority (CDA)	Purchased/ Imported Water	6,636
Water Facilities Authority (WFA)	Purchased/ Imported Water	6,513
San Antonio Water Company (SAWC)	Purchased/ Imported Water	565
	Potable Water Subtotal	***32,109***
Inland Empire Utilities Agency (IEUA) – Agriculture Deliveries	Recycled Water	7,812
	Total	**39,921**

Source: City of Ontario, 2021. 2020 Urban Water Management Plan. Figure 2 – Historical Water Use by Source, page 6-3.
https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/FINAL%20City%20of%20Ontario%202020%20UWMP.pdf
AFY = Acre-feet per year

Refer to the Water Supply Assessment (WSA) for the Project (see *Appendix J*) for a more detailed description of water supplies in the City.

The passage of Senate Bill (SB) X7-7 (also known as the Water Conservation Act of 2009) resulted in increased efforts to reduce potable water usage by requiring all California urban water suppliers to achieve a 20 percent reduction in demands (from a historical baseline) by 2020. Using a 10-year base period of 1995 to 2004, the City's baseline water usage is 245 gallons per capita per day (GPCD). The City's actual water use rate during FY 2019-20 was 161 GPCD which is a decrease of up to 103 GPCD from the recent historical water use. The 2020 target was 196 GPCD.[2]

It is required that every urban water supplier assess the reliability to provide water service to its customers under normal, single dry, and multiple dry years. As discussed in the City's 2020 Urban Water Management Plan (UWMP), the City is capable of meeting the water demands of its customers in normal, single dry, and multiple dry years between 2020 and 2045.

The Project site is currently used for agricultural land use, including dairy operations and field crops. The site is not connected to the City's water supply and utilizes groundwater for irrigation of crops and other agricultural related uses.

Site Hydrology

The Project site currently contains an operational dairy farm with two single-family residential structures in the northeast portion, a dairy barn, a storage structure, approximately 10 feed storage barns, and numerous livestock corrals and an agricultural field on the majority of the Project site. The Project site generally drains southerly towards Merrill Avenue. A ditch located just north of the southern boundary of the Project site, detains and conveys the runoff to the west. The Project site ultimately drains to an earthen channel located adjacent to Euclid Avenue. The existing 25-year and 100-year peak flow rates from the Project site are approximately 49.5 cubic feet per second (cfs) and 85.1 cfs, respectively.

Wastewater Conveyance

The City is divided into two distinct areas, Old Model Colony (OMC) and New Model Colony, now known as Ontario Ranch (OR). The two areas are generally divided by Riverside Drive. OMC consists of existing

[2] City of Ontario, 2016. 2015 Urban Water Management Plan. Prepared by Ontario Municipal Utilities Company.

residential, commercial, and industrial developments. It comprises approximately 36 square miles. OR is an agricultural area that was annexed to the City in 1999. It is approximately 13 square miles and currently consists of primarily agricultural land.

The existing OMC sewer collection system is made up of a network of gravity sewers, pump stations, and force mains. The gravity system consists of approximately 365.7 miles of pipe and 7,582 manholes and cleanouts. The system also includes three pump stations and 11,588 feet of associated force mains. The total existing average sewer load for OMC is estimated at 18.75 million gallons per day (mgd). With an existing population of 174,536 persons, this is equivalent to approximately 107 gallons per day (gpd) per person.

The ultimate sewer collection system would include service to OR. The Project is in the OR and no sewer lines currently run in the vicinity of the Project site. Approximately 140,000 feet of additional trunk sewer would be added to the City's system in OR, ranging in size from 12-inches to 36-inches. It would be financially infeasible for residential development to bear the cost of infrastructure improvements required to support a residential development.

Wastewater Treatment

Regional wastewater services are provided to the City and its neighboring agencies by the IEUA. Several regional trunk sewers collect sewage generated in the City and transport it to IEUA's Regional Water Recycling Plant No. 1 (RP-1) and Regional Water Recycling Plant No. 5 (RP-5). RP-1 is located south of the Pomona Freeway (SR-60) and west of Cucamonga Creek, and has been in operation since 1948 and has a current capacity of 44 mgd. RP-1 also serves the cities of Rancho Cucamonga, Upland, Montclair, Fontana, and portions of unincorporated San Bernardino County (County). The RP-1 plant treats an average influent wastewater flow of approximately 28 mgd. The City's sewer service area is divided into eight sewersheds, primarily based on the outlet points where the City's system ties into the IEUA downstream facility. The OR is located in Sewershed 8.

IEUA began operation of RP-5 in March 2004. RP-5 is located in the City of Chino at the southeast corner of Kimball Avenue and El Prado Road. Sewage generated in the OR, as well as the wastewater flows diverted from the OMC sewer pump station tributary areas are treated at RP-5. The plant has a wastewater treatment capacity of 15 mgd and treats an average influent wastewater flow of approximately nine mgd.

IEUA had originally planned to bypass an average flow of up to 20 mgd from RP-1 to RP-5 via the OR sewer system and Kimball Interceptor Sewer located on Kimball Avenue west of Baker Street. The first OR sewer constructed (Eastern Trunk Sewer) was designed to carry nine mgd of bypass flow from RP-1. Currently, IEUA does not expect to pursue the remaining 11 mgd bypass capacity in the OR sewer system.

Local Drainage

The City presently owns and maintains over 136 miles of storm drains, mostly serving the OMC area of the City. In addition to the City-owned storm drains there are the State-owned storm drains along Caltrans' Interstate 10 (I-10) and State Route 60 (SR 60) corridors. All the City-owned and State-owned

facilities drain to a number of regional backbone facilities owned and operated by San Bernardino County Flood Control District (SBCFCD) that are tributary to the U.S. Army Corps of Engineers' (USACE) Prado Flood Control Basin.

The City lies in the western portion of the Santa Ana River's watershed, upstream of the Prado Flood Control Basin. It is in a 277-square-mile area referred to as Zone 1 by SBCFCD. Zone 1 generally slopes towards the south. Four major regional channel systems traverse Zone 1 in a north-south direction; they include San Antonio Channel, Cucamonga Channel, Day Creek Channel and San Sevaine Channel.

Solid Waste Collection

The City collects solid waste from residential, commercial, and industrial facilities. Customers are provided with a refuse container, a commingled recycling container, and a green waste container. City waste trucks collect recycling, green waste, and trash. Each truck contains one type of material, which is then recycled/ disposed of appropriately. Computers, televisions, and other electronic waste are recycled free of charge at Ontario's Household Hazardous Waste Facility located at 1430 S. Cucamonga Avenue.

Currently, the Project site is served primarily by the Badlands Sanitary and El Sobrante Landfills but may also be served by the Mid-Valley Sanitary Landfill, Olinda Alpha Landfill, and Simi Valley Landfill and Recycling Center. Badlands Landfill is owned and operated by the Riverside County Department of Waste Resources, and the El Sobrante Landfill is owned and operated by USA Waste of California, a subsidiary of Waste Management, Inc.

According to 2019 data (most recent data available) from the California Department of Resources Recycling and Recovery (CalRecycle), 97 percent of solid waste collected from the City was taken to the Badlands and El Sobrante Landfills described in *Table 4.16-2, Landfills Serving Ontario.*

Table 4.16-2: Landfills Serving Ontario

Landfill	Remaining Capacity (million cubic yards)	Maximum Permitted Capacity (million cubic yards)	Maximum Permitted Throughout (tons per day)	Average Daily Disposal (2019)[1] (tons)	Estimated Closing Date
Badlands Sanitary Landfill 31125 Ironwood Avenue Moreno Valley, CA 92555	15.7	34.4	4,800	2,139	1/1/2022
El Sobrante Landfill 10910 Dawson Canyon Rd Corona, CA 91719	144	209.9	16,054	10,855	1/1/2051
Total	**159.7**	**244.3**	**20,854**	**12,994**	-

Source: CalRecycle, SWIS Facility/Site Activity Details. (2019). Retrieved from:
https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2280?siteID=2402
https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2245?siteID=2367
[1]Average daily disposal is estimated based on 300 operating days per year. Each facility is open six days per week, Monday through Saturday, except certain holidays.

Collectively, Badlands and El Sobrante Landfills have a remaining disposal capacity of approximately 160 million cubic yards. The El Sobrante Landfill has a disposal capacity beyond the 15-year horizon, as required by Assembly Bill (AB) 939.

Compliance with AB 939 is measured in part by actual disposal rates compared to target rates for residents and employees, respectively; actual disposal rates at or below target rates are consistent with AB 939. Target disposal rates for Ontario are 9.9 pounds per day (ppd) per resident and 16.4 ppd per employee. Actual disposal rates in 2019 were 8.9 ppd per resident and 12.7 ppd per employee.[3] Thus, solid waste diversion in the City is consistent with AB 939.

Electricity

The Project site is in the service area of Southern California Edison (SCE). Total mid-electricity[4] consumption in SCE's service area was 106,080 gigawatt-hour (GWh) in 2015 and is forecast to increase to 118,803 GWh in 2027.

Natural Gas

The Southern California Gas Company (SoCalGas) provides natural gas to the City. SoCalGas' service area spans much of the southern half of California, from Imperial County on the southeast to San Luis Obispo County on the northwest, to part of Fresno County on the north, to Riverside County and most of San Bernardino County on the east. Total natural gas supplies available to SoCalGas in 2019 is estimated at 3,385 million cubic feet per day (MMCF/day). Supplies are forecasted to remain constant at 3,775 MMCF/day from 2020 through 2035. Total natural gas consumption in SoCalGas' service area is forecast to decline slightly from 2,591 MMCF/day in 2019 to 2,313 MMCF/day in 2035.

4.16.2 Regulatory Setting

Federal

Clean Water Act and National Pollutant Elimination Discharge System

The Clean Water Act (CWA) establishes regulations to control the discharge of pollutants into the waters of the United States and regulates water quality standards for surface waters (U.S. Code, Title 33, Section 1251 et seq.). Under the CWA, the U.S. Environment Protection Agency (U.S. EPA) is authorized to set wastewater standards and runs the National Pollutant Discharge Elimination System (NPDES) permit program. Under the NPDES program, permits are required for all new developments that discharge directly into waters of the United States. The federal CWA requires wastewater treatment of all effluent before it is discharged into surface waters. NPDES permits for such discharges in the Project region are issued by the Santa Ana Regional Water Quality Control Board (RWQCB).

[3] CalRecycle, Disposal Rate Calculator. (2019). Retrieved from: https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/DisposalRateCalculator

[4] CEC forecast include three scenarios: a high energy demand case, a low energy demand case, and a mid-energy demand case. The high energy demand case incorporates relatively high economic/demographic growth, relatively low electricity and natural gas rates, and relatively low efficiency program and self-generation impacts. The low energy demand case includes lower

Federal Safe Drinking Water Act

The Safe Drinking Water Act (SDWA), the principal federal law intended to ensure safe drinking water to the public, was enacted in 1974 and has been amended several times since it came into law. The Act authorizes the U.S. EPA to set national standards for drinking water, called the National Primary Drinking Water Regulations, to protect against both naturally-occurring and man-made contaminants. These standards set enforceable maximum contaminant levels in drinking water and require all water providers in the United States to treat water to remove contaminants, except for private wells serving fewer than 25 people. In California, the State Water Resources Control Board (SWRCB) conducts most enforcement activities. If a water system does not meet standards, it is the water supplier's responsibility to notify its customers.

Resource Conservation and Recovery Act of 1976

The Resource Conservation and Recovery Act of 1976 (Title 40 of the Code of Federal Regulations), Part 258, contains regulations for municipal solid waste landfills and requires states to implement their own permitting programs incorporating the federal landfill criteria. The federal regulations address the location, operation, design (liners, leachate collection, run-off control, etc.), groundwater monitoring, and closure of landfills.

State

California Energy Commission

The California Energy Commission (CEC) was created in 1974 as the State's principal energy planning organization in order to meet the energy challenges facing the state in response to the 1973 oil embargo. The CEC is charged with six basic responsibilities when designing State energy policy:

- Forecast statewide electricity needs.
- License power plants to meet those needs.
- Promote energy conservation and efficiency measures.
- Develop renewable energy resources and alternative energy technologies.
- Promote research, development, and demonstration.
- Plan for and direct the state's response to energy emergencies.

California Energy Benchmarking and Disclosure

AB 1103 (2007) requires that electric and gas utilities maintain records of the energy consumption data of all nonresidential buildings to which they provide service and that by January 1, 2009, upon authorization of a nonresidential building owner or operator, an electric or gas utility shall upload all of the energy consumption data for the specified building to the California Environmental Protection Agency (CalEPA) Energy Star Portfolio Manager in a manner that preserves the confidentiality of the customer. This statute further requires a nonresidential building owner or operator disclose Energy Star Portfolio Manager benchmarking data and ratings, for the most recent 12-month period, to a prospective buyer, lessee, or lender. Enforcement of the latter requirement began on January 1, 2014.

On October 8, 2015, AB 802 was signed into law. AB 802 would revise and recast the above provisions. AB 802 directs the CEC to establish a Statewide energy benchmarking and disclosure program and enhances the CEC's existing authority to collect data from utilities and other entities for the purposes of energy forecasting, planning, and program design. Among the specific provisions, AB 802 would require utilities to maintain records of the energy usage data of all buildings to which they provide service for at least the most recent 12 complete months. By January 1, 2017, AB 802 required each utility, upon the request and the written authorization or secure electronic authorization of the owner, owner's agent, or operator of a covered building, as defined, to deliver or provide aggregated energy usage data for a covered building to the owner, owner's agent, operator, or to the owner's account in the Energy Star Portfolio Manager, subject to specified requirements. AB 802 also authorized the commission to specify additional information to be delivered by utilities for certain purposes.

Porter-Cologne Water Quality Control Act

Under the Porter-Cologne Water Quality Control Act (Water Code Sections 13000 et seq.), which was passed in California in 1969 and amended in 2013, the SWRCB has authority over State water rights and water quality policy. The Porter-Cologne Water Quality Control Act divided the state into nine regional basins, each under the jurisdiction of a RWQCB to oversee water quality on a day-to-day basis at the local and regional level. RWQCBs engage in a number of water quality functions in their respective regions. RWQCBs regulate all pollutant or nuisance discharges that may affect either surface water or groundwater. The City is overseen by the Santa Ana Area RWQCB.

California Senate Bill 610 and 221

SB 610 and SB 221 were amended in 2001 to assure coordination between the local water and land use decisions to confirm that California cities and communities are provided with adequate water supply. Specific projects are required to prepare a WSA. The WSA is composed of information regarding existing and forecasted water demands, as well as information pertaining to available water supplies for the new development.

The following projects are required to prepare a WSA:

- Residential developments consisting of more than 500 homes;
- A business employing more than 1,000 people or having more than 500,000 square feet (sf);
- A commercial office building employing more than 1,000 people or having more than 250,000 sf of floor space;
- A hotel having more than 500 rooms;
- A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 sf of floor area; and
- A mixed-use project that requires the same or greater amount of water as a 500 dwelling-unit project.

SB 221 requires written verification that there is sufficient water supply available for new residential subdivisions that include over 500 dwelling units or meet the other requirements listed above. The verification must be provided before commencement of construction for the project.

Urban Water Management Planning Act

The Urban Water Management Planning Act of 1983 (Water Code Section 10610 et seq.) requires water suppliers to:

- Plan for water supply and assess reliability of each source of water over a 20-year period in five-year increments.
- Identify and quantify adequate water supplies, including recycled water, for existing and future demands in normal, single-dry, and multiple-dry years.
- Implement conservation and the efficient use of urban water supplies.

Significant new requirements for quantified demand reductions have been added by the Water Conservation Act of 2009 (SB X7-7), which amends the Urban Water Management Planning Act and adds new water conservation provisions to the Water Code.

Mandatory Water Conservation

Following Governor Brown's declaration of a state of emergency on July 15, 2014, the SWRCB adopted Resolution No. 2014-0038. The emergency regulation was partially repealed by Resolution No. 2017-0024. The remaining regulation prohibits several activities, including (1) the application of potable water to outdoor landscapes in a manner that causes excess runoff; (2) the use of a hose to wash a motor vehicle except where the hose is equipped with a shut-off nozzle; (3) the application of potable water to driveways and sidewalks; (4) the use of potable water in nonrecirculating ornamental fountains; and (5) the application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall. The SWRCB resolution also directed urban water suppliers to submit monthly water monitoring reports to the SWRCB.

The Water Conservation Act of 2009 (SB X7-7)

The Water Conservation Act of 2009, SB X7-7, requires all water suppliers to increase water use efficiency. The legislation sets an overall goal of reducing per capita water use by 20 percent by 2020, with an interim goal of a 10 percent reduction in per capita water use by 2015. Effective in 2016, urban retail water suppliers who do not meet the water conservation requirements established by this bill are not eligible for state water grants or loans. The SB X7-7 requires that urban water retail suppliers determine baseline water use and set reduction targets according to specified standards, it also requires that agricultural water suppliers prepare plans and implement efficient water management practices.

Water Conservation in Landscaping Act of 2006 (AB 1881)

The Water Conservation in Landscaping Act of 2006 (AB 1881) required the Department of Water Resources (DWR) to update the State Model Water Efficient Landscape Ordinance (MWELO) by 2009. The State's model ordinance was issued on October 8, 2009. Under AB 1881, cities and counties were required to adopt a State updated model landscape water conservation ordinance by January 31, 2010, or to adopt

a different ordinance that is at least as effective in conserving water as the updated Model Ordinance. It also required reporting on the implementation and enforcement of local ordinances, with required reports due by December 31, 2015.

2015 Update of the State Model Water Efficient Landscape Ordinance (Per Governor's Executive Order B-29-15)

To improve water savings in the landscaping sector, the DWR updated the Model Ordinance in accordance with Executive Order B-29-15. The Model Ordinance promotes efficient landscapes in new developments and retrofitted landscapes. The Executive Order calls for revising the Model Ordinance to increase water efficiency standards for new and retrofitted landscapes through more efficient irrigation systems, greywater usage, and on-site stormwater capture, and by limiting the portion of landscapes that can be covered in turf.

New development projects that include landscape areas of 500 sf or more are subject to the Ordinance. This applies to residential, commercial, industrial, and institutional projects that require a permit, plan check, or design review. The previous landscape size threshold for new development projects ranged from 2,500 sf to 5,000 sf.

State Water Resources Control Board: Statewide General Waste Discharge Requirements

The General Waste Discharge Requirements specify that all federal and State agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State need to develop a Sewer Master Plan. The Sewer Master Plan evaluates existing sewer collection systems and provides a framework for undertaking the construction of new and replacement facilities in order to maintain proper levels of service. The Sewer Master Plan includes inflow and infiltration studies to analyze flow monitoring and water use data, a capacity assurance plan to analyze the existing system with existing land use and unit flow factors, a condition assessment and sewer system rehabilitation plan, and a financial plan with recommended capital improvements and financial models.

General Pretreatment Regulations for Existing and New Sources of Pollution

The General Pretreatment Regulations establish responsibilities of federal, State, and local government, industry, and the public to implement National Pretreatment Standards to control pollutants which pass through or interfere with treatment processes in Publicly Owned Treatment Works (POTW), or which may contaminate sewage sludge. Pretreatment standards are pollutant discharge limits which apply to industrial users.

California Building Code: Building Energy Efficiency Standards

Energy conservation standards for new residential and non-residential buildings were adopted by the California Energy Resources Conservation and Development Commission (now the CEC) in June 1977. Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency

technologies and methods. On June 10, 2015, the CEC adopted the 2016 Building Energy Efficiency Standards, which went into effect on January 1, 2017. The 2019 Building Energy Efficiency Standards, which were adopted on May 9, 2018, went into effect starting January 1, 2020.

The 2016 Standards improve upon the previous 2013 Standards for new construction of and additions and alterations to residential and nonresidential buildings. Under the 2016 Standards, residential and nonresidential buildings are generally 28 and five percent more energy efficient than the 2013 Standards, respectively. Buildings that were constructed in accordance with the 2013 Building Energy Efficiency Standards are 25 percent (residential) to 30 percent (nonresidential) more energy efficient than the previous 2008 standards as a result of better windows, insulation, lighting, ventilation systems, and other features. Although the 2016 standards do not achieve zero net energy, they get very close to the State's goal and take important steps toward changing residential building practices in California.

The 2019 standards move toward cutting energy use in new homes by more than 50 percent and require installation of solar photovoltaic systems for single-family homes and multifamily buildings of three stories and less. The 2019 standards focus on four key areas: 1) smart residential photovoltaic systems; 2) updated thermal envelope standards (preventing heat transfer from the interior to exterior and vice versa); 3) residential and nonresidential ventilation requirements; 4) and nonresidential lighting requirements. Under the 2019 standards, nonresidential buildings will be 30 percent more energy efficient compared to the 2016 standards, and single-family homes will be seven percent more energy efficient. When accounting for the electricity generated by the solar photovoltaic system, single-family homes would use 53 percent less energy compared to homes built to the 2016 standards.

California Building Code: Green Building Standards Code (CALGreen Code)

The CALGreen Code was adopted as part of the California Building Standards Code and established planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), as well as water conservation and material conservation, both of which contribute to energy conservation. As previously stated, the 2019 CALGreen Code standards became effective January 1, 2020. Section 5.408 (Construction Waste Reduction, Disposal, and Recycling) of the California Green Building Standards Code (CALGreen Code; Title 24, California Code of Regulations [CCR], Part 11) requires that at least 65 percent of the nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse. The CALGreen Code is updated on a three-year cycle; the 2019 CALGreen Code took effect on January 1, 2020.

Appliance Efficiency Regulations

The Appliance Efficiency Regulations (Title 20, CCR Sections 1601 through 1609) include standards for both federally regulated appliances and non-federally regulated appliances. Though these regulations are now often viewed as "business as usual," they exceed the standards imposed by all other states, and they reduce reducing energy demand as well as greenhouse gas (GHG) emissions.

State Greenhouse Gas Regulations

Current State guidance and goals for reductions in GHG emissions from stationary sources are generally embodied in Executive Orders S-03-05 and B-30-15; AB 32 and AB 197; and SB 32. While these regulations

are inherently aimed at reducing GHG emissions, they have a direct relationship to energy conservation. A detailed discussion of these regulations is provided in *Section 4.7, Greenhouse Gas Emissions,* of this Draft Subsequent EIR.

Assembly Bill 341

AB 341 (Chapter 476) increased the statewide solid waste diversion goal to 75 percent by 2020. The law, passed in 2011, mandates recycling for businesses producing four or more cubic yards of solid waste per week. This commercial recycling law took effect July 1, 2012. Under the law, Ontario businesses must separate recyclables from trash and then either subscribe to City recycling services, self-haul their recyclables, or contract with a permitted private recycler.

The City is required to provide a number of programs to meet the requirements of AB 341. They include a public outreach program to inform Ontario businesses about the mandate, monitoring the progress of each business, notifying them if they are not in compliance, and reporting to the State.

Assembly Bill 939

AB 939 (California Integrated Solid Waste Management Act of 1989; Public Resources Code [PRC] Section 40050 et seq.) established an integrated waste-management system that focused on source reduction, recycling, composting, and land disposal of waste. AB 939 required every California city and county to divert 50 percent of its waste from landfills by the year 2000. Compliance with AB 939 is measured in part by comparing solid waste disposal rates for a jurisdiction with target disposal rates; actual rates at or below target rates are consistent with AB 939. AB 939 also requires California counties to show 15 years of disposal capacity for all jurisdictions in the county or show a plan to transform or divert its waste.

Assembly Bill 1327

The California Solid Waste Reuse and Recycling Access Act (AB 1327, PRC Section 42900 et seq.) requires areas to be set aside for collecting and loading recyclable materials in development projects. The California Solid Waste Reuse and Recycling Access Act required the California Integrated Waste Management Board to develop a model ordinance for adoption by any local agency requiring adequate areas for collection and loading of recyclable materials as part of development projects. Local agencies are required to adopt the model or an ordinance of their own.

Assembly Bill 1826

In October of 2014, Governor Brown signed AB 1826 requiring businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they generate per week. This law also required that on and after January 1, 2016, local jurisdictions across the State implement an organic waste recycling program to divert organic waste generated by businesses and multifamily residential dwellings that consist of five or more units. Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste.

Senate Bill 1383

In September of 2016, Governor Brown signed into law SB 1383, establishing methane emissions reduction targets in a Statewide effort to reduce emissions of short-lived climate pollutants (SLCP). SB 1383 requires counties to take the lead collaborating with the jurisdictions located within the county in planning for the necessary organic waste recycling and food recovery capacity needed to divert organic waste from landfills into recycling activities and food recovery organizations.

Local

San Bernardino County Integrated Waste Management Plan

The preparation of the Countywide Integrated Waste Management Plan (CIWMP) is one of the requirements of the Integrated Waste Management Act. The CIWMP consists of four elements and a Summary Plan. Each jurisdiction (cities and the County) prepared the first three elements:

- Source Reduction and Recycling Element: which analyzed the local waste stream to determine where to focus diversion efforts, and developed diversion programs and funding;
- Household Hazardous Waste Element: which provides a framework for recycling, treatment, and disposal practices; and
- Non-disposal Facility Element: which lists planned and existing facilities such as material recovery facilities and composting facilities that recover waste from the waste stream.

The County prepared the Countywide Siting Element which demonstrates that there is at least 15 years of remaining disposal capacity to serve all the jurisdictions within the County. The Countywide Summary Plan, the final element of the CIWMP, contains goals and policies as well as a summary of integrated waste management issues faced by the County. It summarizes waste management programs and the steps needed to cooperatively implement programs among the County's jurisdictions to continue to meet the statewide diversion mandates. The Countywide Summary Plan is to be updated every five years along with any other affected elements of the CIWMP.

City of Ontario Urban Water Management Plan

Ontario is required to prepare an Urban Water Management Plan (UWMP) pursuant to Water Code Sections 10610 through 10656 of the Urban Water Management Planning Act, effective January 1, 1984. The Urban Water Management Planning Act requires all urban water suppliers to prepare, adopt, and file a UWMP with the California Department of Water Resources every five years. The City's 2020 UWMP outlines current water demands, sources, and supply reliability to the City by forecasting water use based on climate, demographics, and land use changes in the City. The 2020 UWMP also provides demand management measures to increase water use efficiency for various land use types and details a water supply contingency plan in case of shortage emergencies.

City of Ontario Landscape Development Guidelines

The City's Landscape Development Guidelines assures that the State's current Model Water Efficient Landscape Ordinance is being implemented in the City. The guidelines include water conservation measures that need to be incorporated into landscape designs, the different elements that need to be

incorporated into preliminary landscape plans, and the required landscape construction documents. Construction documents need to include a water efficient landscape worksheet, grading design, erosion control measures, and a maintenance schedule.

City of Ontario Refuse and Recycling Planning Manual

The Integrated Waste Department's Refuse & Recycling Planning Manual assists developers in meeting the City of Ontario's requirements on refuse and recycling storage and access for service, as well as addressing the City's recycling goals.

Inland Empire Utilities Agency Water Quality Control Plants NPDES Permit

Wastewater discharge requirements for IEUA RP-1 and RP-5 are detailed in Order No. RS-2015-0036 NPDES No. CA8000409. The permit includes the conditions needed to meet minimum applicable technology-based requirements. The permit includes limitations that are more stringent than applicable federal technology-based requirements where necessary to achieve the required water quality standards.

Inland Empire Utilities Agency Regional Wastewater Ordinance No. 97

The IEUA's Regional Wastewater Ordinance No. 97 sets forth uniform requirements for industrial users of the IEUA's regional sewage system to comply with all applicable state and federal laws, including the CWA, the General Pretreatment Regulations, and the California Water Code. The objective of the ordinance is to prevent the introduction of pollutants into the POTWs that will interfere with their operation or that will pass through the POTWs, inadequately treated, into receiving waters.

City of Ontario Water and Sewer Design Development Guidelines

The City Water and Sewer Design Development Guidelines ensures that water and sewer facilities constructed in the City are complete, correctly operating, and in compliance with government codes and good water and wastewater industry practice. The guidelines also provide interested parties with the City's procedures, policies, and requirements for the design and construction of new water and wastewater infrastructure.

City of Ontario Municipal Code

Chapter 3, Integrated Waste Management, of the Ontario Municipal Code (MC) sets forth uniform requirements and regulations for the direct and indirect users of the refuse and recycling collection services of the City. It also allows for the City to comply with all applicable State and federal laws, including, but not limited to, The Integrated Waste Management Act of 1989, California Code Title 14 Division 7, and any subsequent amendments to each.

Under Title 6, Chapter 7, the Public Sewer System, of the MC sets forth uniform requirements for direct and indirect contributors into the City sewerage system and IEUA treatment system, and enables the City to comply with all applicable State and federal laws, including the CWA and the General Pretreatment Regulations, and subsequent amendments to each.

The purpose of the Water Conservation Plan, in the MC under Title 6, Chapter 8A, is to minimize the potential for a water shortage through the practice of water conservation, and to minimize the effect of a shortage of water supplies on the water customers of the City. The chapter adopts provisions that will significantly reduce the inefficient consumption of water, thereby extending the available water resources necessary for domestic, sanitation, and fire protection of the community to the greatest extent possible.

The purpose of Water Services, under Title 8B, is to describe rules and regulations regarding service connections, payments and fees, and conditions for pressure, as well as emergency response for repairs and regulations.

The purpose of Title 6, Chapter 8C (Ordinance 2689), Recycled Water Use, is to establish procedures, specifications, and limitations for the safe and orderly development and operation of recycled water facilities and systems within the City's service area, and adopt rules and regulations controlling such use.

The Ontario Plan (TOP)

The City's TOP contains policies and goals addressing wastewater infrastructure. *Table 4.16-3, Ontario Policy Plan Goals and Policies Relevant to Wastewater Utilities,* provides a summary of the TOP goals and policies.

Table 4.16-3: Ontario Policy Plan Goals and Policies Relevant to Wastewater Utilities

Goal/Policy No.	Goal/Policy
Goal ER1	A reliable and cost-effective system that permits the City to manage its diverse water resources and needs.
Policy ER1-1	*Local Water Supply*. We increase local water supplies to reduce our dependence on imported water.
Policy ER1-2	*Matching Supply to Use*. We match water supply and quality to the appropriate use.
Policy ER1-3	*Conservation*. We require conservation strategies that reduce water usage.
Policy ER1-4	*Supply-Demand Balance*. We require that available water supply and demands be balanced.
Policy ER1-5	*Groundwater Management*. We protect groundwater quality by incorporating strategies that prevent pollution, require remediation where necessary, capture and treat urban run-off, and recharge the aquifer.
Policy ER1-6	*Urban Run-off Quantity*. We encourage the use of low impact development strategies to intercept run-off, slow the discharge rate, increase infiltration, and ultimately reduce discharge volumes to traditional storm drain systems.
Policy ER1-7	*Urban Run-off Quality*. We require the control and management of urban run-off, consistent with Regional Water Quality Control Board regulations.
Policy ER1-8	*Wastewater Management*. We require the management of wastewater discharge and collection consistent with waste discharge requirements adopted by the Regional Water Quality Control Board.
Goal ER2	A cost effective, integrated waste management system that meets or exceeds state and federal recycling and waste diversion mandates.
Policy ER2-1	*Waste Diversion*. We shall meet or exceed AB 939 requirements.
Policy ER2-2	*Hazardous and Electronic Wastes*. We prohibit the disposal of hazardous and electronic waste into the municipal waste stream pursuant to state law.
Policy ER2-3	*Purchase Products Made from Recycled Materials*. We purchase recycled-content products where it is cost effective.

Goal/Policy No.	Goal/Policy
Goal ER3	Cost-effective and reliable energy system sustained through a combination of low impact building, site and neighborhood energy conservation and diverse sources of energy generation that collectively helps to minimize the region's carbon footprint.
Policy ER3-1	*Conservation Strategy*. We require conservation as the first strategy to be employed to meet applicable energy-saving standards.
Policy ER3-3	*Building and Site Design*. We require new construction to incorporate energy efficient building and site design strategies, which could include appropriate solar orientation, maximum use of natural daylight, passive solar and natural ventilation.
Policy ER3-6	*Generation- Renewable Sources*. We promote the use of renewable energy sources to serve public and private sector development.
Source: The Ontario Plan. Environmental Resources Element. (2009). Retrieved from: https://www.ontarioplan.org/policy-plan/environmental-resources-element/	

4.16.3 Thresholds of Significance

According to Appendix G of the State CEQA Guidelines, a project would normally have a significant effect on the environment if the project:

U-1 Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

U-2 Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

U-3 Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

U-4 Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

U-5 Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Section 7.0, Effect Found Not to Be Significant, substantiates that impacts associated with the following threshold would be less than significant:

- Threshold U-5

This impact will not be addressed in the following analysis.

4.16.4 Plans, Programs, and Policies

PPP W-1 The Project's water infrastructure improvements will be designed, constructed, and operated in accordance with the City of Ontario's Water and Sewer Design Development Guidelines.

PPP W-2 Water conservation measures for the Project will abide by the requirements of the City of Ontario's Municipal Code Title 6, Chapter 8A, Water Conservation Plan, Title 6, Chapter 8B, Water Services, and Title 6, Chapter 8C, Recycled Water Use.

PPP W-3 The Project will follow the City of Ontario's Landscape Development Guidelines to assure compliance with the State's current Model Water Efficient Landscape Ordinance.

PPP WW-1 The Project will be designed, constructed, and operated in accordance with the IEUA Regional Wastewater Ordinance No. 97. All industrial wastewater discharges into IEUA facilities shall be required to comply with the discharge standards set forth to protect the POTWs.

PPP WW-2 The Project's sewer infrastructure improvements will be designed, constructed, and operated in accordance with the City of Ontario Water and Sewer Design Development Guidelines.

PPP WW-3 The Project will be designed, constructed, and operated in accordance with the requirements of the City's MC Chapter 7, Public Sewer System, to protect the City of Ontario sewerage system and IEUA treatment system.

PPP HYD-1 The Project will be constructed and operated in accordance with the City's MC Chapter 6, Stormwater Drainage System to ensure the health, safety and general welfare of the residents of the City of Ontario by prescribing regulations to effectively prohibit non-stormwater discharges into the City's stormwater drainage system.

PPP HYD-2 Any construction shall be regulated by the SWRCB in a manner pursuant to and consistent with applicable requirements contained in the General Permit No. CAS000002, SWRCB Order Number 2009-0009-DWQ. The City may notify the State Board of any person performing construction work that has a non-compliant construction site per the General Permit.

PPP HYD-3 The Project will be constructed and operated in accordance with the San Bernardino County MS4 Permit (Order No. R8-2010-0036, NPDES No. CAS618036 as renewed by the ROWD submitted on August 1, 2014). The MS4 Permit requires new development and redevelopment projects to adopt a water quality management plan (WQMP) to:

- Control contaminants into storm drain systems
- Educate the public about stormwater impacts
- Detect and eliminate illicit discharges
- Control runoff from construction sites
- Implement BMPs and site-specific runoff controls and treatments

PPP SW-1 The Project shall comply with Section 4.408 of the 2019 CALGreen Code, which requires new development projects to submit and implement a construction waste management plan in order to reduce the amount of construction waste transported to landfills. Prior to the issuance of building permits, the City of Ontario shall confirm that a sufficient plan has been submitted, and prior to final building inspections, the

City of Ontario shall review and verify the contractor's documentation that confirms the volumes and types of wastes that were diverted from landfill disposal, in accordance with the approved construction waste management plan.

PPP SW-2 The Project will store and collect recyclable materials in compliance with AB 341.

PPP SW-3 The Project will abide by the requirements of San Bernardino County Integrated Waste Management Plan and Chapter 3, Integrated Waste Management, of the MC.

PPP SW-4 The Project will abide by the requirements of the City of Ontario's Refuse and Recycling Planning Manual.

PPP OU-1 New buildings are required to achieve the current California Building Energy and Efficiency Standards (Title 24, Part 6) and CALGreen Code (Title 24, Part 11).

PPP OU-2 All new appliances would comply with the Appliance Efficiency Regulations (Title 20, CCR Sections 1601 through 1609).

4.16.5 Methodology

The Project is evaluated against the aforementioned significance criteria/thresholds as the basis for determining the impact's level of significance concerning transportation resources. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended to avoid or reduce the Project's potentially significant environmental impacts.

4.16.6 Project Impacts and Mitigation Measures

The following impact analysis addresses thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 4.16-1 ***Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? [Threshold U-1]***

Level of Significance Before Mitigation: With implementation of PPP W-1, PPP WW-2, PPP WW-3, PPP OU-1 and PPP OU-2, Impact 4.16-1 would be Less Than Significant

The Project proposes new on-and off-site public sewer, potable water, and storm drain infrastructure, and would receive SCE electrical service. There are power poles and overhead facilities located opposite the site along Eucalyptus Avenue and Sultana Avenue. On-site improvements would include storm drains, water quality systems, a sewer main and sewer lines, water lines, and dry utility connections.

Water

The Project site is currently agricultural land use, including dairy operations and field crops. The site is not connected to the City's water supply and utilizes groundwater for irrigation of crops and other agricultural

related uses. The use of this water supply would cease upon implementation of the Project. There is also one water well on-site which would be abandoned in accordance with DWR standards.

Potable water distribution to the Project would be provided by the City of Ontario. There are no existing water mains in the vicinity of the Project that are within the City's jurisdiction; existing water mains along the south half of Merrill Avenue are within City of Chino jurisdiction. The Project proposes a 12-inch potable water main in Campus Avenue connecting to the 16-inch potable water main in Eucalyptus Avenue and extending to connect to the 16-inch potable water main in Merrill Avenue. It should be noted that the water main to be connected to is not currently constructed. The Approved SP was conditioned to construct the water main to be connected to. This infrastructure would be constructed prior to or concurrently with implementation of the Project. There is an existing 30-inch IEUA recycled water main adjacent to the Project site in Eucalyptus Avenue. This recycled water is provided to the City by IEUA via its four wastewater reclamation plants.

Recycled water infrastructure for the Project site is planned to extend an eight-inch recycled water main in Merrill Avenue from Euclid Avenue easterly to Campus Avenue. Additionally, an eight-inch recycled water main is planned to be installed in Campus Avenue that also connects the eight-inch recycled water main in Merrill Avenue to the existing 30-inch recycled water main in Eucalyptus Avenue. Sizing and alignment of the recycled water lines would be consistent with the City's recycled water system plan and a City approved hydraulic analysis. Refer to *Section 3.0, Project Description* for additional information on proposed buildout and development of the potable water and recycled water systems for the Project.

Until the ultimate pipeline network for OR has been completed, there may be instances where construction of improvements to serve a project may not meet the required fire flow demands. Therefore, projects within the Project area may be required to construct additional pipelines not indicated in the City's Water Master Plan or upsize master planned pipelines to meet Fire Department fire flow requirements and/or Water Master Plan criteria. All lines are per the City Water Master Plan, located in road rights-of-way that are already improved, according to the TOP EIR. The developer would submit a hydraulic analysis to the City for review and approval to demonstrate adequate fire flow and adherence to the City's Water Master Plan criteria.

Although off-site construction of the water lines would be necessary for operation of the Project, these facilities have been planned by the City in its Water Master Plan, and no extensions or capacity expansions beyond the planned system would be required. Furthermore, any off-site construction of potable water infrastructure would be implemented in accordance with the City's Water and Sewer Design Development Guidelines and the standards and specifications of the MC. Off-site water mains required to serve the Project would need to be constructed prior to or concurrent with on-site water improvements. Within the Project site, a private network of two- to four-inch water lines for domestic water service and 10- to 12-inch water lines for fire service water would be installed. The on-site water system includes connections to the water main in Eucalyptus Avenue and Euclid Avenue and to the main in Merrill Avenue and Sultana Avenue. It should be noted that not all adjacent infrastructures have been constructed. The Approved SP was conditioned to construct this infrastructure. This infrastructure would be constructed prior to or concurrently with implementation of the Project. On-site construction of the proposed infrastructure would be constructed in compliance with City's Water and Sewer Design Development Guidelines and the

MC. The necessary installation of on-site water lines is included as part of the Project and would not result in any physical environmental effects beyond those identified in other sections of this Draft Subsequent EIR.

Therefore, the Project would not require or result in the relocation or construction of new or expanded water facilities outside of already improved road rights-of-way or existing City Water Master Plan, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Recycled Water

Additionally, the City Ordinance 2689 requires all new development in OR to connect to and use recycled water for all approved uses, including but not limited to landscape irrigation. Prior to use of recycled water, approval from the City and SWRCB is required. There are currently no existing City recycled water mains or City recycled water infrastructure in the vicinity of the Project site and the Project would require the construction of both on- and off-site recycle water mains to serve the site, consistent with the City's Recycled Water Master Plan. Recycled water infrastructure improvements for the Project require the planning, design, and construction of the 930 PZ Recycled Water Master Plan mains. The Specific Plan area requires the planning, design, and construction of new recycled water system lines which would be installed as follows:

- installing a 12-inch recycled water main in Eucalyptus Avenue connecting to the eight-inch recycled water main in Grove Avenue and extending to connect to the IEUA 30-inch recycled water main in Bon View Avenue.
- installing an eight-inch recycled water main in Bon View Avenue connecting to the 12-inch recycled water main in Eucalyptus Avenue and extending to connect to the eight-inch recycled water main in Merrill Avenue.
- installing an eight-inch recycled water main in Merrill Avenue connecting to the eight-inch recycled water main in Bon View Avenue and extending to connect to the eight-inch recycled water main in Grove Avenue.
- installing an eight-inch recycled water main in Grove Avenue connecting to the eight-inch recycled water main in Merrill Avenue and extending to connect to the 12-inch recycled water main in Eucalyptus Avenue and installing an eight-inch recycled water main in Merrill Avenue connecting to the eight-inch recycled water main in Bon View Avenue and extending to Campus Avenue.

If a recycled water pipeline point of connection exists at the intersection of Merrill Avenue and Sultana Avenue at the time of entitlement, the eight-inch recycled water main may need be installed in Merrill Avenue connecting to the eight-inch recycled water main in Campus Avenue and extended to Sultana Avenue.

Recycled water infrastructure improvements for the Project require the planning, design, and construction of the 930 PZ Recycled Water Master Plan mains. The Project also requires the planning, design, and construction of the adjacent recycled water system. Sizing and alignment of the recycled water lines would be consistent with the City recycled water system plan and/or a City approved hydraulic

analysis. All lines would be installed per City master plans, located in road rights-of-way that are already improved, and/or already addressed in prior CEQA documents as noted in *Section 3.0, Project Description*.

Wastewater Treatment

There are no existing sewer mains in the vicinity of the Project site that are within the jurisdiction of the City, and the Project would require the construction of both on- and off-site sewer mains. It would be financially infeasible for residential development to bear the cost of infrastructure improvements required to support a residential development. The City of Ontario's 2012 Sewer Master Plan shows the existing infrastructure serving the Project area as well as the ultimate sewer system. The ultimate sewer collection system would include approximately 140,000 feet of additional trunk sewer to serve the OR. The sewer master plan includes a Capital Improvement Program (CIP) to ensure adequate long-range planning for implementing the City's sewer infrastructure improvements in line with the City's 2010 Policy Plan buildout scenario.

The Project includes a network of public sewer mains, consistent with the City's 2012 Sewer Master Plan and supplemental studies. The Project proposes an 16-inch public sewer main which will be located along Sultana Avenue and Campus Avenue. Both sewer mains will connect to a 36-inch sewer main in Merrill Avenue, to be constructed, which connects to an existing IEUA interceptor trunk main sewer located in Kimball Avenue to the south, running north in Euclid Avenue to Merrill Avenue, then east to Grove Avenue. A Sewer Sub-Area Master Plan (SSAMP) shall be prepared for each Tract Map and development within the Specific Plan.

As shown in the WSA for the Project, the indoor water demand for the Project is less than the water demand anticipated in the 2010 Policy Plan buildout scenario for the Project site. Wastewater generation can be conservatively assumed to be equal to 100 percent of indoor water demand. Therefore, wastewater generation from the Project would be less than wastewater generation rates assumed for the Project site in the Policy Plan. Since the Sewer Master Plan is based on the Policy Plan buildout scenario, the Project would not require expansion of the wastewater infrastructure specified for the Project site in the sewer plan. Therefore, no additional off-site extensions or expansions to the planned sewer system serving the region would be required. On-site construction of the proposed sewer infrastructure would provide for connections throughout the site. Sewer laterals would connect buildings to sewer mains. Sizing and alignment of sewers would be within constructed in compliance with the City's Water and Sewer Design Development Guidelines and the Municipal Code. The necessary installation of on-site sewer lines and connections to the existing line is included as part of the Project and would not result in any physical environmental effects beyond those identified in other sections of this Draft Subsequent EIR.

Therefore, the Project would not require or result in the relocation or construction of new or expanded wastewater facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Storm Drainage

The Project site storm drain improvements (*Figure 3-26, Storm Drain Plan*) are consistent with the facilities specified in Drainage Area XIV of the City of Ontario Storm Drain Master Plan. Any runoff would drain into

catch basins located throughout the Project site. Flows would then be conveyed via storm drains constructed as part of the Project into a Debris Separating Baffle Box (DSBB) for water pre-treatment, then to an underground perforated Chemical Mechanical Polishing (CMP) system for water quality treatment. From there, higher flows at the catch basins would be conveyed away from the Project site via a larger on-site storm drain system. The proposed on-site storm drain system would be sufficiently sized to limit storm drain discharge after construction of the Project to less 25-year and 100-year existing condition peak flow rates. Flows beyond the allowable rate will be forced to temporarily detain above ground in the proposed truck yards throughout the site, and then slowly released via the proposed on-site storm drain at a rate below the existing condition 25-year discharge. With the proposed BMPs and on-site detention, the 100-year peak flow rate from the Project site would be approximately 49.9 cfs. This is comparable to the peak flow rate under existing conditions for the 25- year storm event (49.5 cfs). Storm drainpipe sizes and hydraulics would be determined during the final design phase to ensure that the post-development 100-year flow rate is comparable to the existing condition 25-year flow rate. Storm drains would be constructed consistent with the Storm Drain Master Plan, the ultimate discharge location downstream, between Pine Avenue and Merrill Avenue in the City of Chino, is not fully improved at this time. Until this occurs, as discussed above, the Project would utilize on-site stormwater detention so that discharge from Project development remains comparable to peak flow rates prior to development.

Electricity

Project operation is expected to use approximately 14.1 million kilowatt hours (kWh) annually. Total mid-electricity consumption in SCE's service area is forecast to increase by approximately 12,723 GWh between 2015 and 2027. SCE forecasts that it will have sufficient electricity supplies to meet demands in its service area; and the electricity demand due to the Project is within the forecast increase in SCE's electricity demands. Project development would not require or result in the relocation or construction of new or expanded electric power, and impacts would be less than significant.

Natural Gas

Project operation is estimated to use about 12.8 million kilo British Thermal Units (kBTU) per year. SoCalGas' residual supplies were forecast to remain constant at 3,775 MMCF/day from 2020 through 2035. Total natural gas consumption in SoCalGas' service area is forecast to decline slightly from 2,591 MMCF/day in 2019 to 2,313 MMCF/day in 2035. SoCalGas forecasts that it will have sufficient natural gas supplies to meet Project gas demands, and Project development would not require SoCalGas to obtain new or expanded gas supplies. Therefore, Project development would not require or result in the relocation or construction of new or expanded natural gas supplies, and impacts would be less than significant.

Furthermore, the Project would comply with the requirements of the current California Building Energy and Efficiency Standards (Title 24, Part 6) and the CALGreen Code (Title 24, Part 11). All new appliances would comply with the Appliance Efficiency Regulations (Title 20, CCR Sections 1601 through 1609).

Conclusion

The Project would not result in the construction of new expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities or expansion of existing facilities, and impacts would be less than significant.

Impact 4.16-2 ***Would the Project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years? [Threshold U-2]***

Level of Significance Before Mitigation: With implementation of PPP W-1, PPP W-2, PPP W-3 Impact 4.16-2 would be Less Than Significant

Water Demand

Water use for the Project was calculated using domestic water demand rates and recycled water irrigation demand rates as specified in the UWMP. Table 4.16-4, Water Demand Estimate for the Project, shows the total water demand estimate for the Project.

Table 4.16-4: Water Demand Estimate for the Project

Land Use	Acres	Domestic Water Demand Rate (gpd/ac)[a]	Total Domestic Water Usage (gpd)	Recycled Water Demand Rate (gpd/ac)[b]	Total Recycled Water Usage (gpd)
Planning Area					
PA 3: Business Park	11.629	1,800	20,932	1,200	13,955
PA 4: Industrial	60.059	1,400	84,083	1,700	102,100
Total	**71.688**	-	**105,015**	-	**116,055**

Source: City of Ontario 2020 UWMP, 2021.
gpd = Gallons per day; gpd/ac = Gallons per day per acre
a. Table 4-8 of the Potable Water Master Plan Update (Appendix E of the 2020 UWMP) was used to establish the domestic water demand rate.
b. Table 5-3 of the Recycled Water Irrigation Unit Demand Factors (Appendix K of the 2020 UWMP) was used to establish the recycled water demand rate.

As shown in Table 4.16-4, the total domestic water demand for the Project is estimated to be 105,015 gpd (116.8 AFY). The total recycled water usage is estimated to be 116,055 gpd (131.4 AFY). The total water demand would be 221,070 gpd or 248.2 AFY.

The 2020 UWMP indicates that the City is capable of meeting the water demands of its customers in normal, single dry, and multiple dry years between 2020 and 2045. The 2020 UWMP projected water demands are based on the City's measurement of its water use through meter data and billing records. Projected water demand for the Project site is included in the 2020 UWMP projections but is based on the TOP and the City's 2020 Water Master Plan. Table 4.16-5, Water Demand Estimate for the Project Site Based on Projected Future Land Use in 2020 UWMP, shows the total water demand estimate for the Project site based on the future land uses in the 2020 UWMP.

Table 4.16-5: Water Demand Estimate for the Project Site Based on Projected Future Land Use in 2020 UWMP

Land Use	Acres	Domestic Water Demand Rate (gpd/ac)[a]	Total Domestic Water Usage (gpd)	Recycled Water Demand Rate (gpd/ac)[b]	Total Recycled Water Usage (gpd)
Business Park	18.10	1,800	32,580	1,200	21,720
Low Medium Density Residential	56.34	3,960	223,106	700	39,438
Total	**74.44**	**-**	**255,686**	**-**	**61,158**

Source: City of Ontario 2020 UWMP.
gpd = Gallons per day; gpd/ac = Gallons per day per acre
a. Table 4-8 of the Potable Water Master Plan Update (Appendix E of the 2020 UWMP) was used to establish the domestic water demand rate.
b. Table 5-3 of the Recycled Water Irrigation Unit Demand Factors (Appendix K of the 2020 UWMP) was used to establish the recycled water demand rate.

Comparing Project water demand in *Table 4.16-4* with water demand in *Table 4.16-5,* the total domestic water demand within the Project site would decrease compared to planned land use as depicted in the 2020 UWMP. Water usage of existing land uses per the 2020 UWMP is estimated to be 255,686 gpd (286 AFY). The total recycled water demand is estimated to be 61,158 gpd (68.6 AFY). Therefore, the total water demand for existing land uses per the 2020 UWMP would be **316,844 gpd** or **354 AFY**, compared to a total water demand of the proposed Project (shown in *Table 4.16-4*) of **221,070 gpd** or **248.2 AFY**.

Therefore, implementation of the Project would not obstruct the City's ability to meet water demands of its customers in normal, single dry, and multiple dry years, because the Project would not use any additional water that was not accounted for in the previous 2015 UWMP. *As shown in* Table 4.16-7, Water Demand Summary*, the Project would result in a net decrease in water demand compared to the 2020 UWMP.*

Table 4.16-7: Water Demand Summary

Land Use	Total Domestic Water Usage (gpd)	Total Recycled Water Usage (gpd)	Total Water Usage (gpd)
Existing Land Uses			
Project Site	255,686	61,158	316,844
Proposed Project			
Project Site	105,015	116,055	221,070
Net Difference			
gpd	**150,671**	**-54,897**	**95,774**
(%)	**Decrease of 58.92%**	**Increase of 89.76%**	**Decrease of 30.2%**

Proposed Water Conservation Strategies

Landscaping within the Project area would be implemented in line with the City's Landscape Development Guidelines. The guidelines include water conservation measures that need to be incorporated into landscape designs, the different elements that need to be incorporated into preliminary landscape plans, and the required landscape construction documents. Construction documents need to include a water efficient landscape worksheet, grading design, erosion control measures, and a maintenance schedule. Furthermore, the Project includes key provisions for landscaping plans within the Project area which include:

- Selecting drought-tolerant plants such as colorful shrubs and groundcovers, ornamental grasses and succulents, evergreen and deciduous trees, and species native to southern California or naturalized to the arid southern California climate.
- Incorporating water conservation features in landscape and irrigation plans.

In addition to the City having adequate water supply to service the Project, these water conservation measures would decrease water demand and impacts would be less than significant. Therefore, the Project would have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years, and a less than significant impact will occur.

Impact 4.16-3 ***Would the Project result in a determination by the wastewater treatment provider, which serves or may serve the Project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? [Threshold U-3]***

Level of Significance Before Mitigation: With implementation of PPP WW-1, PPP WW-2, and PP WW-3 Impact 4.16-3 would be Less Than Significant

The Project site is located in the OR and is within IEUA's wastewater service area boundary. The Project would be served by the RP-5 wastewater treatment plant.

Buildout of the Project would generate approximately 174,219 gpd of wastewater which is equal to the indoor water demand as shown in Table 4.16-4. As stated above, the current liquid treatment capacity of RP-5 is 15 mgd, and the plant treats an average of 9 mgd. Thus, RP-5 has a remaining wastewater treatment capacity of 6 mgd. The Project's generated wastewater would represent less than three percent of the RP-5's remaining treatment capacity. Therefore, wastewater generated by the Project would be adequately treated at the RP-5.

RP-5 is required by federal and State law to meet applicable standards of treatment plant discharge requirements subject to Order No. RS-2015-0036 NPDES No. CA8000409. The permit includes the conditions needed to meet minimum applicable technology-based requirements. The NPDES permit regulates the amount and type of pollutants that the system can discharge into receiving waters. RP-5 is operating in compliance with and would continue to operate subject to State waste discharge requirements and federal NPDES permit requirements, as set forth in the NPDES permit and order. Furthermore, the Project would comply with IEUA's Ordinance No. 97 ensuring that wastewater discharge into the sewer system is compliant with the NPDES permit conditions, bio-solid use, and disposal requirements, and any other federal or State laws.

The additional wastewater (quantity and type) that would be generated by the Project and treated by the RP-5 would not impede the treatment plant's ability to continue to meet its wastewater treatment requirements. Therefore, impacts would be less than significant as the wastewater treatment provider will have adequate capacity to serve the Project's projected demand, in addition to the provider's existing commitments.

Impact 4.16-4 ***Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? [Threshold U-4]***

Level of Significance Before Mitigation: With implementation of PPP SW-1, PPP SW-2, PPP SW-3, and PPP SW-4 Impact 4.16-4 would remain Less Than Significant

Construction and Operations

Prior to construction of the Project, on-site structures would need to be demolished and its debris moved off-site to appropriate landfills. The site contains single-family residential structures, a dairy barn, a storage structure, approximately 10 feed storage barns, and numerous livestock corrals. The demolition of the existing structures may cause a strain on existing landfill capacities if waste exceeds the daily permitted capacity for the landfills serving the City. Collectively, the two primary landfills, Badlands Sanitary and El Sobrante Landfill, have a daily permitted capacity of 20,854 tons per day (tpd), and average daily disposal of 12,994 tpd, as reported in 2019. Therefore, the two landfills have a residual capacity of 7,860 tpd. The 3,041 tons of demolition waste that would be disposed of in landfills would occur over a period of approximately two and a half months and would not exceed the daily residual capacity of the landfills. Buildout of the Project is estimated to generate 21,429 ppd of solid waste, as shown in *Table 4.16-8, Estimated Solid Waste Generation*.

Table 4.16-8: Estimated Solid Waste Generation

Land Use	Buildout (sf)	Solid Waste Generation Rate (ppd)	Solid Waste Generation (ppd)
Industrial Park	1,412,739 sf	1.42 per 100 sf	20,061
Business Park	227,951 sf	6 per 1,000 sf	1,368
Total			**21,429**

Source: CalRecycle 2019e.
Notes: sf = square feet; ppd = pounds per day

As detailed in *Table 4.16-2*, the two landfills serving the City have residual capacity of 7,860 tpd. The estimated 21,429 ppd or 10.71 tpd generated by the Project would be adequately served by the Badlands Sanitary Landfill or El Sobrante Landfill.

Overall, sufficient landfill capacity is available in the region for the estimated solid waste generated by the Project during operations, and Project development would not require an expansion of landfill capacity. Impacts would be less than significant for the operational phase.

Regulatory Compliance

Additionally, AB 341 requires all businesses in California that generate four cubic yards or more of waste per week to implement one of the following actions in order to reuse, recycle, compost, or otherwise divert commercial solid waste from disposal:

- Source separate recyclable and/or compostable material from solid waste and donate or self-haul the material to recycling facilities.
- Subscribe to a recycling service with their waste hauler in the service area.

- Provide recycling service to their tenants (if commercial or multifamily complex).
- Demonstrate compliance with the requirements of California Code of Regulations Title 14.

Furthermore, the Project would implement the requirements of the City's Integrated Waste Department's Refuse & Recycling Planning Manual on refuse and recycling storage and access for service, as well as addressing the City's recycling goals. The requirements of Chapter 3, Integrated Waste Management, of the MC would also be implemented to ensure that the Project complies with all applicable State and federal laws, including, but not limited to, the Integrated Waste Management Act of 1989. A construction waste management plan would be submitted and implemented in compliance with Section 4.408 of the 2019 CALGreen Code. Therefore, a less than significant impact will occur as the Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

4.16.7 Cumulative Impacts

The area considered for cumulative water supply impacts is the City. Other projects in the service area would increase water demands. The City forecasts that it will have sufficient water supplies in its service area over the 2020 to 2040 period (see "Water Demand" under Impact 4.16-3). Other projects of certain sizes and types that would meet the requirements of SB 610 would be required to have a WSA prepared to show reliability of water supplies for the project, considering normal, single dry, and multiple dry years over a 20-year horizon. Cumulative impacts would be less than significant, and Project impacts would not be cumulatively considerable. Additionally, future projects would be served by existing and planned future water infrastructure and facilities, as planned within the City's Water Master Plan and no extensions or capacity expansions beyond the planned system would be required. Any future water infrastructure or facility would be constructed in compliance with City's Water and Sewer Design Development Guidelines and the MC. Cumulative impacts would be less than significant, and Project impacts would not be cumulatively considerable.

The area considered for cumulative impacts to wastewater treatment is IEUA's RP-5 service area. The area considered for cumulative impacts to wastewater conveyance systems is the OR area. Future growth in the OR, in accordance with TOP, would result in increases in wastewater flow. These include increases in residential, office space, and industrial effluent. Expansion and/or capacity upgrades to the existing sewer collection lines would be required due to the change in land use in the OR. The Sewer Master Plan projects daily wastewater generation in line with land use changes associated with TOP. The sewer master plan presents preliminary sizes, alignments and construction cost estimates needed to mitigate existing drainage deficiencies and support future build-out conditions. Sewer collection system expansions would be based on the Sewer Master Plan and would be constructed with development in the OR. Through the use of connection fees and agreements, the IEUA is able to maintain and expand its wastewater collection system as necessary and is able to ensure that new developments pay their fair-share costs associated with increased demand. Therefore, there would be no significant cumulative impacts on wastewater collection.

The City wastewater effluent in the OR is directed mainly to RP-5. The 2035 projected quantities of wastewater that need to be treated at RP-5 is 18.4 mgd, an increase of 9.4 mgd from current production

rates. The 20-year IEUA's CIP includes expanding the capacity of RP-5 to 22.5 mgd. The CIP also developed a capacity fee charged to new development to fund the needed capacity. Furthermore, IEUA annually prepares a wastewater treatment master plan and flow projections for all its contracting agencies, including the City. The IEUA improvement plan is sequenced considering the rate of development to ensure adequate treatment capacity exists at time of building permits but is phased to eliminate premature construction of unneeded capacity. Assuming the proposed plant expansions would be completed prior to increased urban development and the treatment of water at these plants would continue to meet the water quality standards of the Santa Ana RWQCB, there would be no significant cumulative impacts on wastewater treatment.

The area considered for cumulative impacts to electricity supplies and facilities is SCE's service area, and the area considered for natural gas is SoCalGas' service area. Forecast total electricity and natural gas supplies for the respective service areas are identified above. Other projects would increase electricity and natural gas demands.

Electricity demand forecasts are based on climate zones; economic and demographic growth forecasts, and the California Department of Finance; forecast electricity rates; effects of reasonably foreseeable energy efficiency and energy conservation efforts; anticipated partial electrification of portions of the transportation sector, including increasing adoption of light-duty plug-in electric vehicles; demand response measures, such as electricity rates that increase during high-demand times of day; and effects of climate change.

Natural gas demand forecasts are based on economic outlook; California Public Utilities Commission–mandated energy efficiency standards and programs; renewable electricity goals; and conservation savings linked to Advanced Metering Infrastructure.

It is anticipated that electricity and natural gas demands by most other projects would be accounted for in the above-referenced demand forecasts. Other projects would be subject to independent CEQA review, including analysis of impacts to electricity and natural gas supplies. Implementation of all feasible mitigation measures would be required for any significant impacts identified. Cumulative impacts would be less than significant, and Project impacts would not be cumulatively considerable.

The area considered for cumulative impacts is the area serviced by the Badlands and the El Sobrante Landfills. Collectively, Badlands and El Sobrante Landfills have a remaining disposal capacity of approximately 160 million cubic yards and El Sobrante Landfill has a disposal capacity beyond the 15-year horizon, as required by AB 939. Thus, there is sufficient landfill capacity in the region for the cumulative increase in solid waste disposal. Cumulative impacts would be less than significant, and Project impacts would not be cumulatively considerable.

4.16.8 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, Impacts 4.16-1 through 4.16-4 would be less than significant.

4.16.9 Mitigation Measures

No mitigation measures are required.

4.16.10 Level of Significance After Mitigation

No mitigation measures are required, and impacts would remain less than significant.

4.16.11 References

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5.0 ADDITIONAL CEQA CONSIDERATIONS

This section of the Draft Subsequent Environmental Impact Report (EIR) provides a discussion of additional California Environmental Quality Act (CEQA) impact considerations, including Significant Irreversible Environmental Changes and Growth-inducing Impacts.

5.1 Significant Irreversible Changes Due to the Proposed Project

Section 15126.2(c) of the State CEQA Guidelines requires that an EIR describe any significant irreversible environmental changes that would be caused by the proposed project should it be implemented. Specifically, the State CEQA Guidelines state:

> *"Uses of nonrenewable resources during the initial and continued phases of the project may be Primary impacts and, particularly, secondary impacts (such as highways improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified."*

Generally, a project would result in significant irreversible environmental changes if:

- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve a large commitment of nonrenewable resources;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The proposed irretrievable commitments of nonrenewable resources are not justified (e.g., the project involves the wasteful use of energy).

In the case of the proposed Ontario Ranch Business Park Specific Plan Amendment Project (Project), its implementation would involve a land use, development, and implementation framework to support up to a maximum build-out of 1,640,690 square feet (sf) of business park, warehouse, and ancillary office space within the City of Ontario (City). Significant irreversible changes that would be caused by implementation of the Project would be:

- Construction activities that would entail the commitment of nonrenewable and/or slowly renewable energy resources; human resources; and natural resources such as lumber and other forest products, sand and gravel, asphalt, steel, copper, lead, other metals, water, and fossil fuels.
- Operation that would require the use of natural gas and electricity, petroleum-based fuels, fossil fuels, and water. The commitment of resources required for the operation of the Project would limit the availability of such resources for future generations or for other uses during the life of the Project.
    - Increased traffic on area roadways (see *Section 4.14, Transportation and Traffic*);
    - Emissions of air pollutants associated with operations (see *Section 4.2, Air Quality*); and

  - Consumption of non-renewable energy associated with operation of the Project due to the use of automobiles, lighting, heating, and cooling systems, and appliances (see *Section 4.5, Energy,* and *Section 4.7, Greenhouse Gas Emissions*).

- An increased commitment of social services and public maintenance services (e.g., police, fire, sewer, and water services) would also be required. The energy and social service commitments would be long-term obligations in view of the low likelihood of returning the land to its original condition once it has been developed.
- Employment growth related to Project implementation would increase vehicle trips over the long term. Emissions associated with such vehicle trips would continue to contribute to the South Coast Air Basin's (SoCAB) nonattainment designations for ozone, particulate matter (PM_{10} and $PM_{2.5}$), under the California and National Ambient Air Quality Standards (CAAQS and NAAQS, respectively), and nonattainment for nitrogen dioxide (NO_2) under the CAAQS.

Given the low likelihood that the land would revert to lower intensity uses or to its current form, the Project would generally commit future generations to these environmental changes. However, as discussed in *Section 3.0, Project Description*, the Project is committed to sustainable design strategies that integrate principles of environmental stewardship into the design and construction process. Appropriate strategies would be determined for each phase of the Project. Strategies include, but are not limited to:

5.2 Sustainable Construction & Technology Concepts

- Design and construct energy-efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption.
- Employ passive design including skylights, building orientation, landscaping, and strategic colors to improve building energy performance.
- Reduce the heat island effect by providing shade structures and trees that produce large canopies. In addition, choose roof and paving materials that possess a high level of solar reflectivity.
- Use recycled and other environmentally-friendly building materials wherever possible.
- Incorporate skylights into at least two percent of warehouse/distribution building roof area to provide natural light and reduce electric lighting demand.
- Use energy-efficient light-emitting diode (LED) (or similar) products.
- Provide interior or exterior bicycle storage consistent with the California Green Building Standards Code.
- Use drought-tolerant landscaping with drip irrigation and include plantings such as trees, shrubs, groundcovers and/or vines. Optional amenities include benches, trellises, thematic fencing, and decorative walkways.
- Employ high-performance dual-pane window glazing in office storefronts.

5.3 Water Quality

- Utilize landscape areas including retention/infiltration swales and basins, or employ bio-treatment when infiltration is infeasible, as required by the San Bernardino County Municipal Separate Storm Sewer System Permit and Water Quality Management Plan.
- Select native and drought-tolerant plants to reduce water demand.
- Integrate permeable pavement and perforated curbs throughout the Project area as feasible to allow stormwater to enter planter areas, assist with filtration, and control runoff.
- Use captured runoff to augment irrigation systems whenever possible.
- Employ irrigation systems that respond to changing weather conditions, irrigate by hydro zone, and use micro-irrigation techniques.
- Use recycled water to irrigate landscape areas and for other appropriate uses. The use of recycled water for certain purposes is required by the City Recycled Water Master Plan.

The commitment of resources to the Project is not unusual or inconsistent with projects of this type and scope. However, once these commitments are made, it is improbable that the Project area would revert back to its current condition. Thus, the Project would result in significant irreversible changes to the environment throughout the lifespan of the structures.

5.4 Significant and Unavoidable Impacts

Table 1-2, Summary of Significant Impacts and Proposed Mitigation Measures, in *Section 1.0, Executive Summary*, of this Draft Subsequent EIR summarizes the impacts, mitigation measures (MMs), and levels of significance before and after mitigation. The Project has implemented MMs to reduce the level of impact, but the following impacts would remain significant and unavoidable, after MMs are implemented:

Agricultural and Forestry Resources

Impact 4.1-2: The Project would convert Farmland to non-agricultural use. No feasible MMs have been identified that would mitigate agricultural resources to below a level of significance. Impacts would remain significant and unavoidable.

Air Quality

Impact 4.2-1: Construction activities associated with the Project would not exceed construction emission standards with implementation of **MM AQ-1**. However, the Project's emissions would exceed the operational standards for NO_X. Implementation of **MMs AQ-2** through **AQ-6** are included to reduce operation emissions to the greatest amount feasible. However, even with mitigation, operational NO_X emissions would remain above the SCAQMD threshold. Therefore, the Project would potentially contribute to an existing air quality violation, and impacts would remain significant and unavoidable.

Impact 4.2-2: Long-term operation of the Project would generate emissions in exceedance of SCAQMD's thresholds for NO_X. **MM AQ-2** through **MM AQ-6** have been identified to reduce operational emissions. **MM AQ-2** requires that all cargo handling equipment used on a daily basis (yard trucks/hostlers, forklifts, etc.) be electric. **MM AQ-3** requires the implementation of a Transportation Demand

Management (TDM) program to reduce single occupant vehicle trips and encourage transit. **MM AQ-4** requires the buildings to be designed to accommodate electric vehicle (EV) infrastructure. **MM AQ-5** requires electrical hookups at all loading bays. **MM AQ-6** prohibits idling when engines are not in use. Additionally, Standard Conditions (**SC**) **AQ-9** through **SC AQ-11** would provide designated parking to promote the use of alternative fuels and clean fleets, facilitate future installation of EV supply equipment, and limit idling times. Nevertheless, mitigated operational emissions would remain above the SCAQMD thresholds; therefore, impacts would remain significant and unavoidable. The SCAQMD developed the operational thresholds of significance based on the level above which individual project emissions would result in a cumulatively considerable contribution to the SoCAB's existing air quality conditions. Therefore, a project that exceeds the SCAQMD operational thresholds would also be a cumulatively considerable contribution to a significant cumulative impact. Based on the previous statement, the Project would also create a significant and unavoidable cumulative impact.

Greenhouse Gas Emissions

Impact 4.7-1: The Project's unmitigated greenhouse gas (GHG) emissions would be approximately 24,929 metric tons of CO_2 equivalents ($MTCO_2e$) annually from both construction and operations. Project-related GHG emissions would exceed the SCAQMD's 10,000 $MTCO_2e$ per year threshold for industrial uses. The majority of the GHG emissions (70 percent) are associated with non-construction related mobile sources. The Project would generate approximately 19,268 $MTCO_2e$ per year with the implementation of operational air quality **MM AQ-2** through **MM AQ-6**. **MM AQ-2** requires the use of electrical off-road equipment such as forklifts and hostlers/yard trucks. **MM AQ-3** requires the implementation of a TDM program to reduce single-occupant vehicle trips and encourage public transit. **MM AQ-4** requires the buildings to be designed to accommodate EV infrastructure. **MM AQ-5** requires electrical hookups at all loading bays. **MM AQ 6** prohibits idling when engines are not in use.

SC GHG-1 through **SC GHG-9**, as required by the California Building Code, would provide designated parking to promote the use of alternative fuels and clean fleets, facilitate future installation of electric vehicle supply equipment, and limit idling times. Furthermore, **MM GHG-1** requires the installation of solar photovoltaic (PV) panels to offset the Project's energy consumption and **MM GHG-2** requires the Project to meet or exceed the California Green Building Standards Code (CALGreen Code) Tier 2 standards to further improve energy efficiency.

With mitigation, the majority (89 percent) of emissions are from mobile sources and neither the Project Applicant nor the City have regulatory authority to control tailpipe emissions, thus no feasible mitigation measures exist that would reduce the Project's impacts with respect to mobile operational emissions to less than significant levels. Therefore, even with the implementation of **MM AQ-2** through **MM AQ-6** and **MM GHG-1** through **MM GHG-3** and **SC GHG-1** through **SC GHG-9**, this Project impact is conservatively considered significant and unavoidable.

Impact 4.7-2: Implementation of the Project would conflict with the City's Community Climate Action Plan (CAP). Implementation of **MM GHG-3** would require future individual projects accommodated under the Project to be designed to achieve at least 100 points on the City's GHG Screening Threshold Table. This measure would ensure that future Project development is consistent with the City's Community CAP and

would reduce impacts to less than significant. However, there is the potential for the Project to generate GHG emissions that would result in significant impacts on the environment, and it is therefore conservatively considered to be a significant and unavoidable impact.

Land Use and Planning

Impact 4.10-1: While the Project is consistent with the current TOP goals and policies, the Project's land uses are not consistent with current TOP land use designations of Low-Medium Density Residential and Business Park, which represents a significant and unavoidable impact. This land use inconsistency would be remedied upon the City's approval of the proposed TOP 2050 Update planned for in August 2022. Should the Project approval follow TOP 2050 Update approval, the Project's land uses would be consistent with the City's General Plan land use designations as proposed in TOP 2050 Update.

Transportation and Traffic

Impact 4.14-2: The Project was found to exceed the City's adopted vehicle miles traveled (VMT) threshold by 19.61 percent. Although the Project VMT could be reduced through the MM GHG-1 identified above, the analysis has conservatively not taken any credit for these VMT measures. Inclusion of such VMT reduction measures in areas that are characteristically suburban in context are noted to be limited to a maximum VMT reduction of 15 percent, which is not enough to reduce Project-generated VMT to a level below the City's adopted significance threshold. Finally, as future Project design features and building tenants are not yet known, reductions in VMT related to the above TDM measures cannot be accurately estimated or guaranteed. Therefore, the Project's transportation impact based on VMT is conservatively considered significant and unavoidable.

5.5 Growth-Inducing Impacts

Pursuant to Sections 15126(d) and 15126.2(d) of the CEQA Guidelines, this section is provided to examine ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. To address this issue, potential growth-inducing effects will be examined through analysis of the following questions:

- Would this project remove obstacles to growth, e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development?
- Would this project result in the need to expand one or more public services to maintain desired levels of service?
- Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?
- Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

Please note that growth-inducing effects are not to be construed as necessarily beneficial, detrimental, or of little significance to the environment. This issue is presented to provide additional information on ways in which this Project could contribute to significant changes in the environment, beyond the direct

consequences of developing the land use concept examined in the preceding sections of this Draft Subsequent EIR.

1. **Would this project remove obstacles to growth, e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development?**

The elimination of a physical obstacle to growth, such as the construction or extension of major infrastructure facilities that are not presently in the area, would be considered a growth inducing impact. The growth-inducing potential of a project would also be considered significant if it fosters growth in excess of what is assumed in the local master plans and land use plans, or in projections made by regional planning agencies.

As described in *Section 4.16, Utilities and Service Systems*, the Project would include a network of new public sewer mains, consistent with the City's 2012 Sewer Master Plan. A 36-inch sewer main would connect to an existing Inland Empire Utilities Agency (IEUA) interceptor trunk main sewer located in Kimball Avenue to the south, run north in Euclid Avenue to Merrill Avenue, then east to Grove Avenue. The IEUA interceptor trunk sewer main is 54-inches east of Euclid Avenue and 60-inches west of Euclid Avenue. A 21-inch sewer main would run from Merrill Avenue north within Euclid Avenue to Eucalyptus Avenue. An eight-inch public sewer main would be located along Sultana Avenue.

As described in *Section 4.16, Utilities and Service Systems*, off-site construction of the water lines would be necessary for operation of the proposed Project. These facilities have been planned by the City in its Water Master Plan, and no extensions or capacity expansions beyond the planned system would be required. Furthermore, any off-site construction of potable water infrastructure would be implemented in accordance with the City's Water and Sewer Design Development Guidelines and the standards and specifications of the Municipal Code. Off-site water mains required to serve the Project will need to be constructed prior to or concurrent with on-site water improvements. Within the Project site, a private network of 2- to 4-inch water lines for domestic water service and 10- to 12-inch water lines for fire service water will be installed. The on-site water system includes connections to the water main in Eucalyptus Avenue and Euclid Avenue and to the main in Merrill Avenue and Sultana Avenue. On-site construction of the proposed infrastructure would be constructed in compliance with City's Water and Sewer Design Development Guidelines and the Municipal Code.

As described in *Section 4.14, Transportation and Traffic*, the proposed circulation plan would facilitate site access and movement of vehicles, pedestrians, and cyclists within the Project site.

Implementation of the Project would require the construction and improvement of roadways and extension of major infrastructure into areas off-site that will facilitate additional planned growth pursuant to The Ontario Plan (TOP). Although the infrastructure improvements are planned for in the City's master plans, the improvements would allow further development to occur within the overall Project site. Therefore, the Project would remove obstacles to growth to accommodate the demands of this Project at full buildout, which could allow for future development in the area once adequate infrastructure is in place and would be considered growth inducing.

2. Would this project result in the need to expand one or more public services to maintain desired levels of service?

As the City continues to develop, it requires the further commitment of public services in the form of fire protection, police services, and other public facilities. As discussed in *Section 4.13, Public Services*, none of the public service agencies consulted during the preparation of this Draft Subsequent EIR indicated that the proposed Project would necessitate the immediate expansion of their existing resources in order to maintain desired levels of service. The proposed Project would not, therefore, have significant growth-inducing consequences with respect to public services.

3. Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?

During Project construction, a number of designing, engineering, and construction-related jobs would be created. However, construction-related jobs would not result in a significant population increase because they would be filled by workers in the region and the construction phase would be temporary.

As discussed in *Section 4.12, Population and Housing*, the Project would result in the creation of up to 1,631 new long-term jobs. As the number of employees in the Project area grows, these employees would seek shopping, entertainment, auto maintenance, and other economic opportunities in the surrounding area. This would facilitate economic goods and services and could, therefore, encourage the creation of new businesses and/or the expansion of existing businesses to address these economic needs.

However, the increase in opportunities for employees would not create substantial growth inducement because it would improve the jobs-housing ratio, growth could be accommodated within regional and local projections, and jobs would be filled by the local workforce. As stated in *Section 4.12, Population and Housing*, the proposed Project would result in an improvement in the jobs-household balance, which is currently in a housing-rich area. The majority of new jobs that would be created by implementation of the Project would be positions that do not require a specialized workforce, and this type of workforce exists in the City and surrounding areas. Thus, due to the availability of a workforce within the City, it is anticipated that new jobs would be filled by people within the City and the immediately surrounding communities and would not induce an unanticipated influx of new labor into the City. Although, the proposed Project would result in new permanent employment opportunities and stimulate economic activity, it would meet future employment demands anticipated in SCAG's regional growth projections. Overall, the Project would not result in increased levels of growth that would otherwise not occur. Therefore, the Project would not encourage or facilitate economic effects that could significantly affect the environment.

4. Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

The Project consists of a Specific Plan Amendment (SPA) to allow for the incorporation of the approximately 71.69 acres abutting the eastern boundary of the approved Ontario Ranch Business Park Specific Plan area and the development of an industrial and business park on eight parcels. The Project

would allow for the development of six warehouse buildings totaling up to a maximum build-out of 1,640,690 sf for warehouse and office uses.

Pressures to develop other land in the surrounding area would derive from regional economic conditions and market demands for housing, commercial, and industrial land uses that are not directly or indirectly influenced by zoning actions on a particular property. Approval of the proposed Project would not, therefore, involve a precedent-setting action that could be applied to other properties and thereby encourage or facilitate growth that would not otherwise occur.

5.6 Environmental Impacts of Induced Growth

As described above, implementation of the proposed Project would provide development to accommodate City forecasted employment demands. All physical environmental effects from construction of development have been analyzed in all technical sections of this Draft Subsequent EIR. For example, activities such as excavation, grading, and construction as required for the proposed industrial warehousing and office uses were analyzed in the *Sections 4.2, Air Quality*; 4.7, *Greenhouse Gas Emissions*; *4.11, Noise*; and *4.14, Transportation and Traffic*. Therefore, construction of the Project has been analyzed in this Draft Subsequent EIR and would be adequately mitigated either through implementation of Plans, Programs, and Policies (PPPs) and/or mitigation measures contained in *Section 4.1, Agriculture and Forestry Resources,* through *Section 4.16, Utilities and Service Systems,* of this Draft Subsequent EIR.

6.0 ALTERNATIVES

6.1 Introduction

Purpose and Scope

The California Environmental Quality Act (CEQA) requires that an Environmental Impact Report (EIR) include a discussion of reasonable project alternatives that would "feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any significant effects of the project and evaluate the comparative merits of the alternatives" (State CEQA Guidelines Section 15126.6[a]). As required by CEQA, this section identifies and evaluates potential alternatives to the Project.

Section 15126.6 of the State CEQA Guidelines explains the foundation and legal requirements for the alternative's analysis in an EIR. Key provisions are:

- [T]he discussion of alternatives shall focus on alternatives to the Project or its location which are capable of avoiding or substantially lessening any significant effects of the Project, even if these alternatives would impede to some degree the attainment of the Project objectives or would be more costly." (Section 15126.6[b])
- "The specific alternative of 'no project' shall also be evaluated along with its impact." (Section 15126.6[e][1])
- "The no project analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." (Section 15126.6[e][2])
- "The range of alternatives required in an EIR is governed by a 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project." (Section 15126.6[f])
- "Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries…, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent)" (Section 15126.6[f][1]).
- "Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR." (Section 15126.6[f][2][A])
- "An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative." (Section 15126.6[f][3])

For each development alternative, this analysis:

- Describes the alternative.
- Analyzes the impact of the alternative as compared to the Project.
- Identifies the impacts of the Project that would be avoided or lessened by the alternative.
- Assesses whether the alternative would meet most of the basic Project objectives.
- Evaluates the comparative merits of the alternative and the Project.

According to Section 15126.6(d) of the State CEQA Guidelines, "[i]f an alternative would cause…significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed."

Project Objectives

As described in *Section 3.0, Project Description*, the following objectives have been established for the Project and would aid decision makers in their review of the Project, the Project alternatives and associated environmental impacts.

- **Objective 1:** Create a professional, well-maintained, and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/logistics complex that is compatible with nearby residential neighborhoods.
- **Objective 2:** Provide the entitlements and framework for the development of approximately 1.6 million square feet (sf) of business park and light industrial uses.
- **Objective 3:** Provide employment opportunities for community residents.
- **Objective 4:** Facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Project area.
- **Objective 5:** Expand Ontario's industrial uses in proximity to local airports and regional transportation networks.
- **Objective 6:** Create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Project vision.

6.2 Alternatives Considered but Rejected During the Scoping/Project Planning Process

The following is a discussion of the land use alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in this Draft Subsequent EIR.

Alternative Development Areas

CEQA requires that the discussion of alternatives focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project. The key question and first step in the analysis is whether any of the significant effects of the project would be avoided or

substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (State CEQA Guidelines Section 15126[5][B][1]). In addition, an alternative site need not be considered when implementation is "remote and speculative," such as when the alternative site is beyond the control of a project applicant.

There are no suitable alternative sites within the control of the Project Applicant. In the event land could be purchased of suitable size and developmental characteristics, based on the known general conditions in the southern portion of the City, an alternative site would likely have similar impacts after mitigation as the Project. Given the size and nature of the Project and the Project objectives, it would be impractical and infeasible to propose the Project on an alternate site in the area with fewer environmental impacts.

Additionally, other land in the vicinity of the Project site or within the southern portion of the City are similarly used for agricultural purposes and include agricultural soils. The loss of Prime Farmland would still occur with an alternative site. Given the size and type of the Project, a similarly sized project and use elsewhere in the South Coast Air Basin (SoCAB) would result in the same Project-level and cumulative air quality and greenhouse gas (GHG) emission impacts. Vehicle miles traveled (VMT) is not likely to be changed by a different location. Also, an alternative site would have similar traffic impacts in other jurisdictions that would be significant and unavoidable because the City cannot guarantee implementation of improvements outside of its jurisdiction. Therefore, analysis of an alternative site for the proposed 1,640,690 sf of warehouse and office uses is neither meaningful nor necessary, because the significant impacts resulting from the Project would not be avoided or substantially lessened by its implementation.

6.3 Alternatives Selected for Further Analysis

Based on the Project objectives listed above, the following three alternatives have been determined to represent a reasonable range of alternatives which have the potential to feasibly attain most of the basic objectives of the Project, but which may avoid or substantially lessen any of the significant effects of the Project. These alternatives are analyzed in detail in the following sections.

- No Project/No Build Alternative
- No Project/Existing General Plan Alternative
- Reduced Intensity Alternative

An EIR must identify an "environmentally superior" alternative and where the No Project Alternative is identified as environmentally superior, the EIR is then required to identify as environmentally superior an alternative from among the others evaluated. Each alternative's environmental impacts are compared to the Project and determined to be environmentally superior, neutral, or inferior. *Section 6.7, Environmentally-Superior Alternative,* identifies the Environmentally Superior Alternative.

6.4 No Project/No Build Alternative

Section 15126.6(e) of the State CEQA Guidelines requires analysis of the No Project Alternative. In accordance with the State CEQA Guidelines, the No Project/No Build Alternative for a development

project on an identifiable property consists of the circumstance under which the Project does not proceed as provided by Section 15126.6(e)(3)(B) of the State CEQA Guidelines. Section 15126.6(e)(3)(B) provides that, "In certain instances, the no project alternative means 'no build' wherein the existing environmental setting is maintained." Under the No Project/No Build Alternative, the Project would not be developed, and no new development would occur; however, the existing conditions would remain in operation.

The Project site contains an operational dairy farm, single-family residential structures, dairy barns, a storage structure, feed storage barns, and numerous livestock corrals. The dairy, structures, and single-family residential uses would remain. Accordingly, the No Project/No Build Alternative provides a comparison between the environmental impacts of the Project as compared to the current environmental conditions, resulting from not approving or denying the Project.

6.4.1 Agriculture and Forestry Resources

The No Project/No Build Alternative would continue the existing dairy uses on the Project site. Implementation of the No Project/No Build Alternative would avoid the significant and unavoidable impacts to agricultural and forestry resources that would occur from implementation of the proposed Project and impacts would be reduced compared to the proposed Project.

6.4.2 Air Quality

Under the No Project/No Build Alternative, no new development would occur, and no construction or demolition activities and related emissions would occur. In addition, by maintaining existing dairy and residential uses throughout the Project site, the increase in operational traffic-related air emissions would not occur. Therefore, overall air quality impacts would be reduced, and the significant and unavoidable construction-related and operational-related emission impacts would be eliminated. Further, this alternative would eliminate significant and unavoidable impacts related to inconsistency with the Air Quality Management Plan (AQMP). No impacts related to air quality would occur under the No Project/No Build Alternative. Therefore, impacts under the No Project/No Build Alternative would be reduced compared to the Project.

6.4.3 Biological Resources

The No Project/No Build Alternative would continue the existing agriculture and residential uses on the Project site. No grading or development would occur under this alternative, and there would be no potential impacts to sensitive wildlife species and migratory and nesting birds that may be present on the Project site. Therefore, the No Project/No Build Alternative would avoid all on- and off-site disturbances. The Project would have a less than significant impact on biological resources after implementation of mitigation measures. Therefore, impacts under this alternative would be reduced compared to the proposed Project.

6.4.4 Cultural Resources

The No Project/No Build Alternative would continue the existing agriculture and residential uses on the Project site. No historical resources exist on the Project site. No grading or development would occur under this alternative, and there would be no potential impacts to historical resources or subsurface

archaeological resources that may exist beneath the ground surface. Therefore, the alternative would avoid the Project's less than significant impact on historic resources and would avoid the Project's less than significant with mitigation incorporated impacts on archaeological resources. Impacts would be reduced compared to the proposed Project.

6.4.5 Energy

Under this alternative, no demolition of existing structures or construction of new buildings would occur. Therefore, energy demand for electricity, natural gas and fuel consumption would remain as is, and no impact would occur under this alternative. The Project would have a less than significant impact on energy. Compared to the proposed Project, impacts on energy would be reduced.

6.4.6 Geology and Soils

No new construction activities, including demolition and grading, would occur under the No Project/No Build Alternative. Therefore, there would be no potential for additional workers, building and structures to experience seismic ground shaking, liquefaction, lateral spreading, subsidence, or collapse within the Project site. However, the buildings and structures that exist on the Project site were built before current seismic safety codes; therefore, by retaining older buildings and structures, this alternative could expose some people to greater hazards from strong seismic ground shaking than the proposed Project. The Project would have a less than significant impact with implementation of mitigation measures on geological hazards. Therefore, impacts under the alternative would be greater than the Project for geological hazards.

Regarding paleontological resources, this alternative would not result in impacts to paleontological resources since no grading would occur. Therefore, the paleontological resources impacts under the No Project/No Build Alternative would be reduced compared to the Project.

6.4.7 Greenhouse Gas Emissions

Under the No Project/No Build Alternative, no new development would occur, and no construction, demolition, or operational activities would generate GHG emissions. Under the No Project/No Build Alternative the existing, minimal emissions would continue. These emissions would be incorporated and accounted for in the City's long-range planning efforts and would therefore act as a baseline for the City's air quality goals. Furthermore, this alternative would not increase GHG emissions by 19,268 $MTCO_2e$, unlike the proposed Project and would avoid the proposed Project's significant and unavoidable impacts. Therefore, impacts under the No Project/No Build Alternative would be reduced compared to the Project.

6.4.8 Hazards and Hazardous Materials

Because no development would occur under the No Project/No Build Alternative, no impacts related to hazards or hazardous materials would occur. The dairy farming uses, and contaminated soils would remain on-site. Although this alternative would avoid the Project's potential effects related to hazards and hazardous materials, no cleanup of contaminated soils would occur as a result of the Project. While the Project would have a less than significant impact on hazards and hazardous materials with mitigation incorporated, remediation of on-site contamination is a benefit of the proposed Project that would not

be realized under this alternative. Therefore, hazards and hazardous materials impacts would be greater under the alternative than compared to the proposed Project.

6.4.9 Hydrology and Water Quality

Existing water quality conditions, groundwater supplies, drainage patterns, and runoff water amounts would remain "as is" under this alternative because no new development would occur. This alternative would not introduce new sources of water pollutants from either the construction or operation phases of development to the Project site, because no new development would occur. Additionally, this alternative would not require off-site storm drain facility improvements required by the proposed Project. However, this alternative would not include installation of new low-impact development (LID), source control, site design, and treatment control best management practices (BMPs) to minimize runoff and water pollution, which would occur under the proposed Project. The stormwater leaving the site would not be filtered and would continue to contain sediment and other potential pollutants associated with the dairy, agricultural, and residential uses. The beneficial water quality improvements that would occur under the proposed Project would not occur, and hydrology and water quality impacts would be greater compared to the proposed Project.

6.4.10 Land Use and Planning

The No Project/No Build Alternative would continue the existing agriculture and residential uses, and the City's existing TOP land use and zoning designations for the Project site would remain consistent. The Project site is located within an Agricultural Overlay Zoning, which allows for agricultural uses within the City, until such time that urban development consistent with the Ontario Plan (TOP) occurs. Due to provisions of the Agricultural Overlay Zoning which would allow for the existing agricultural land uses to continue as-is, impacts under the No Project/No Build Alternative would be less than significant. The Project as proposed conflicts with the existing TOP land use designations and as such results in a significant and unavoidable impact. This land use inconsistency would be remedied upon the City's approval of the proposed TOP 2050 Update planned for in August 2022. Should the Project approval follow TOP 2050 Update approval, the Project's land uses would be consistent with the City's General Plan land use designations as proposed in TOP 2050 Update. Impacts under this alternative would be reduced compared to the proposed Project.

6.4.11 Noise

The No Project/No Build Alternative would not result in construction; therefore, would not generate any noise or vibration associated with construction. Mobile-source and stationary noise volumes would be lower under this alternative compared to the proposed Project, given the lack of urban development, and associated vehicular traffic noise; noise from industrial warehousing uses; heating, ventilation, and air conditioning (HVAC) equipment; and other noise sources. The Project would have a less than significant impact on noise with mitigation incorporated. Therefore, impacts under this alternative would be reduced compared to the proposed Project.

6.4.12 Population and Housing

The No Project/No Build Alternative would continue the existing agriculture and residential uses. Employment growth would not occur under the No Project/No Build Alternative because no new businesses or other infrastructure would be constructed. Employees on the Project site would remain as is under this alternative, and the alternative would have no impact to population and housing. However, the employment growth under the proposed Project was determined to be within the growth projections for the area and impacts to population and housing were determined to be less than significant. Therefore, population and housing impacts under this alternative would be reduced compared to the proposed Project.

6.4.13 Public Services

The existing number of residents and workers on the Project site would remain under the No Project/No Build Alternative. There would be no increase in demand for fire or police services, and the alternative would have no impact on public services. Although the proposed Project's impacts related to fire and police services were determined to be less than significant, the public services impacts would be reduced under this alternative compared to the proposed Project.

6.4.14 Transportation and Traffic

The No Project/No Build Alternative would continue the existing agriculture and residential uses on the Project site. Under this alternative, no new employees or industrial warehouse uses would be introduced on the Project site, and existing VMT would be maintained. Therefore, there would be no impacts under this alternative, and the significant and unavoidable traffic impacts that would occur from the proposed Project would be avoided. Impacts under this alternative would be reduced compared to the proposed Project.

6.4.15 Tribal Cultural Resources

The No Project/No Build Alternative would continue the existing agriculture and residential uses on the Project site. No grading or development would occur under this alternative, and there would be no potential impacts to tribal cultural resources that may exist beneath the ground surface. Therefore, the No Project/No Build Alternative would avoid site disturbances on the Project site and the Project's potential impacts to tribal cultural resources would not occur. Impacts under this alternative would be reduced compared to the proposed Project.

6.4.16 Utilities and Service Systems

The No Project/No Build Alternative would not demand any more utilities or services than those currently being expended to service the Project site. Because no new development and employee increases would occur under the No Project/No Build Alternative, the existing on-site water well and septic systems would continue to be used, and no water or wastewater infrastructure would be constructed. No additional demand for regional water supplies would occur, and no additional wastewater would be conveyed to the regional wastewater treatment facilities. The alternative would have no impacts on utilities and service systems. Project operations would create a demand for water, and increase wastewater and solid waste

generation, but impacts to utilities and service systems would be less than significant. Therefore, the impacts related to water supplies and wastewater would be reduced compared to the Project.

Similarly, no additional drainage infrastructure would be developed by the No Project/No Build Alternative, and runoff in the Project site would remain in its current condition and would not connect to or require capacity in the regional stormwater system. Solid waste generation would remain the same as existing conditions and increases in solid waste generation would not occur with the No Project/No Build Alternative. Furthermore, the demand on dry utilities would remain the same as existing conditions and increases in dry utilities would not occur with the No Project/No Build Alternative. There would be no impacts under the alternative. Therefore, impacts to utilities and service systems would be reduced compared to the proposed Project.

6.4.17 Conclusion

Ability to Reduce Impacts

The No Project/No Build Alternative would eliminate the significant and unavoidable impacts related to agriculture and forestry resources, air quality, GHG emissions, land use and planning, and transportation and traffic that would occur from implementation of the proposed Project. This alternative would also reduce impacts related to biological resources, cultural resources, energy, geology, and soils in relation to paleontological resources, noise, population and housing, public services, tribal cultural resources, and utility and service systems. Impacts related to geologic hazards, hazards and hazardous materials and hydrology and water quality would be greater under this alternative.

Ability to Achieve Project Objectives

Implementation of the No Project/No Build Alternative means that new development would not occur on the Project site, and none of the Project objectives would be achieved under this alternative. The No Project/No Build Alternative would not create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/logistics complex that is compatible with nearby residential neighborhoods (Objective 1); provide the entitlements and framework for the development of approximately 1.6 million sf of business park and light industrial uses (Objective 2); provide employment opportunities for community residents (Objective 3); facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Project area (Objective 4); expand the City's industrial uses in proximity to local airports and regional transportation networks (Objective 5); nor would it create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Project vision (Objective 6).

6.5 No Project/Existing General Plan Alternative

Section 15126.6(e) of the State CEQA Guidelines requires that an EIR evaluate and analyze the impacts of the "No-Project" Alternative. When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the no-project alternative is the continuation of the plan, policy, or operation into the future. Therefore, under the No Project/Existing General Plan Alternative, the current General Plan land uses and zoning would remain in effect. Development in accordance with the existing General

Plan and zoning would occur. The City's TOP designates the Project site for development of Business Park (0.6 floor area ratio [FAR]), and Low-Medium Density Residential at 5.1-11 dwelling units per acre (du/ac). The existing land use designations would allow approximately 473,061 sf of business park, and 479 dwelling units at 8.5 du/ac. This alternative would generate approximately 1,660 employees and 1,914 residents.[1] However, as part of the forthcoming proposed TOP 2050 Update that will precede approval of this Project, the underlying land use designations for the Project site will include 11.63 acres of Business Park (at a maximum FAR of 0.6) and 60.06 acres of Industrial (at a maximum FAR of 0.55). The maximum allowable FARs in the TOP 2050 Update are greater than those proposed for this Project; as such, the No Project/Existing General Plan Alternative under the TOP 2050 Update would generate approximately 227,951 sf of business park development, 1,412,739 sf of industrial development, 1,631 employees, and zero residents.

6.5.1 Agriculture and Forestry Resources

The No Project/Existing General Plan Alternative would have the same development area as the proposed Project. The existing dairy farming uses would be removed from the Project site. Therefore, implementation of the No Project/Existing General Plan Alternative would result in the same significant and unavoidable impacts to agricultural and forestry resources that would occur from implementation of the proposed Project. Thus, impacts under this alternative would be the same compared to the proposed Project.

6.5.2 Air Quality

The No Project/Existing General Plan Alternative would reduce the amount of employment-generating building square footage and would result in a decrease of 4,099 employees. This alternative would result in 479 dwelling units, 1,914 residents, and 1,660 employees. Overall, there would be a decrease in total building square footage. The No Project/Existing General Plan Alternative would result in a decrease in vehicle trips when compared to the proposed Project. Therefore, construction and operation related air quality emissions would decrease. Overall, impacts would be less than the proposed Project, but the impacts would remain significant and unavoidable.

6.5.3 Biological Resources

The No Project/Existing General Plan Alternative would have the same overall impact area as the proposed Project. Impacts to sensitive wildlife species, and migratory and nesting birds would continue to occur, and similar mitigation measures from the Project would be implemented to reduce impacts to such resources to a less than significant level. Therefore, impacts would be similar when compared to the proposed Project.

[1] Buildout was based on 18.10 acres of Business Park and 56.34 acres of Low-Medium Density Residential retrieved from: https://sbcounty.maps.arcgis.com/apps/webappviewer/index.html?id=87e70bb9b6994559ba7512792588d57a. Floor Area Ratio assumed from the City's TOP Future Buildout Table (2020). Retrieved from: https://www.ontarioplan.org/wp-content/uploads/sites/4/2020/12/LU-03-Table.pdf. Land Use Modeling Methodology. (2009). Employee and Resident generating. Retrieved from: https://www.ontarioplan.org/wp-content/uploads/sites/4/2016/05/32253.pdf.

6.5.4 Cultural Resources

The No Project/Existing General Plan Alternative would result in a similar potential to adversely affect any undiscovered archaeological resources on the Project site as the proposed Project. Grading or development would occur under this alternative, and there would be potential impacts to subsurface archaeological resources that may exist beneath the ground surface. Similar to the Project, a less than significant impact would occur to historical resources under the No Project/Existing General Plan Alternative. Further, under the No Project/Existing General Plan Alternative, impacts to archeological resources could occur, as ground disturbing activities would occur. This No Project/Existing General Plan Alternative would be similar to the Project's potential for disturbing human remains. However, like the proposed Project mitigation measures would be required to reduce potential impacts to less than significant. Therefore, impacts under the No Project/Existing General Plan Alternative would be similar compared to the Project.

6.5.5 Energy

The No Project/Existing General Plan Alternative would reduce the amount of employment-generating building square footage and would result in a decrease of the number of 1,660 employees. However, this alternative would result in 479 dwelling units and 1,914 residents. Overall, there would be a decrease in total building square footage. Additionally, this alternative would result in a decrease in the number of vehicle trips when compared to the proposed Project. Therefore, building energy and fuel consumption would be reduced under this alternative as compared to the Project and would result in a less than significant impact.

6.5.6 Geology and Soils

Grading and development of the Project site would still occur under the No Project/Existing General Plan Alternative. The new structures under this alternative would still result in additional persons and structures in the Project area that would be subject to risks associated with seismic ground shaking and geologic hazards. Therefore, the No Project/Existing General Plan Alternative would be required to meet the same regulatory requirements as the proposed Project. Impacts to geological hazards under the alternative would be similar to those associated with the proposed Project.

This alternative would result in a similar potential to adversely affect any undiscovered paleontological resources on the Project site on the proposed Project. However, like the proposed Project, mitigation measures would be required to reduce potential impacts to less than significant. Therefore, impacts to paleontological resources from the No Project/Existing General Plan Alternative would be similar to those associated with the proposed Project.

6.5.7 Greenhouse Gas Emissions

The No Project/Existing General Plan Alternative would reduce the amount of employment-generating building square footage and would result in a decrease of 4,099 employees compared to the Project. This alternative would result in 479 dwelling units and 1,914 residents. Overall, there would be a decrease in total building square footage. Additionally, this alternative would result in a decrease in the number of vehicle trips when compared to the proposed Project. Therefore, GHG emissions would decrease when

compared to the proposed Project. However, the No Project/Existing General Plan Alternative would still implement similar mitigation to that of the proposed Project but would remain significant and unavoidable. Impacts under this alternative would be reduced compared to those of the proposed Project.

6.5.8 Hazards and Hazardous Materials

The No Project/Existing General Plan Alternative would develop the Project site for business park and residential uses and would not have an industrial component. However, the use and storage of hazardous materials would be regulated by the same federal, State, and local laws and permitting requirements as would be done by the proposed Project. In addition, this alternative would include cleanup of contaminated soils that exist on the Project site during construction activities and would be required to implement the same type of mitigation measures that would be implemented for the proposed Project. However, this alternative would place residences within Safety Zone III, Traffic Pattern/Overflight Zone of the Chino Airport. Airport Land Use Commission (ALUC) review of all residential development exceeding two du/ac is required to determine consistency. Due to the increased risk of aircraft accident within this zone, restrictions on residential development may be imposed. Therefore, impacts with respect to Chino Airport's Airport Land Use Compatibility Plan (ALUCP) would be greater than impacts under the proposed Project. Like the proposed Project, this alternative would also result in less than significant impacts with implementation of mitigation measures but impacts under the alternative would be greater than those of the Project.

6.5.9 Hydrology and Water Quality

Under the No Project/Existing General Plan Alternative, the area of impervious surfaces would be similar compared to the proposed Project. Therefore, this alternative would result in similar runoff and potential for impacts to drainage, erosion, and water quality. Like the proposed Project, this alternative would introduce new sources of water pollutants from construction and operation activities. Additionally, this alternative would be required to include storm drain facility improvements, LID, source control, site design, and treatment control BMPs. Overall, hydrology and water quality impacts would be less than significant. Therefore, the No Project/Existing General Plan Alternative would result in impacts to hydrology and water quality that are similar to those that would occur from the proposed Project.

6.5.10 Land Use and Planning

The No Project/Existing General Plan Alternative would develop the Project site with business park and residential land uses. This alternative would be consistent with existing TOP and zoning designations and would result in a less than significant impact. However, the Project's proposed land uses are inconsistent with current TOP land uses and zoning, and the Project would result in a significant and unavoidable impact for land use consistency under the current TOP. However, the City is planning to adopt TOP 2050 Update in August 2022, which shows the Project site as Business Park and Industrial, consistent with the proposed Specific Plan Amendment (SPA) for the Project. As the Project SPA is planned for approval after approval of the City's TOP 2050 Update, the Project would be consistent with the land use designations as proposed in TOP 2050 Update. Therefore, unlike the proposed Project, the No Project/Existing General Plan Alternative would result in a less than significant impact related to land use, and impacts are reduced compared to the proposed Project.

6.5.11 Noise

The No Project/Existing General Plan Alternative would reduce the amount of employment-generating building square footage and would result in a decrease of 4,099 employees. This alternative would result in 479 dwelling units and 1,914 residents. Overall, there would be a decrease in total building square footage. Additionally, this alternative would result in a decrease in the number of vehicle trips when compared to the proposed Project. Similarly, the No Project/Existing General Plan Alternative would still implement similar mitigation to that of the proposed Project. Therefore, the alternative would result in a less than significant impact, and impacts would be reduced compared to the Project.

6.5.12 Population and Housing

The No Project/Existing General Plan Alternative would increase employees and residents on the Project site. Under this alternative, the population, housing, and employment at buildout would be consistent with the City's growth projections identified in Southern California Association of Governments' (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The addition of housing under this alternative would be consistent with the current TOP. Growth associated with the proposed Project was also within growth projections, but the Project would not provide housing that would be consistent with the current TOP. While impacts under the Project would be less than significant, impacts under the alternative would be reduced compared to the proposed Project due to the alternative's consistency with current TOP land use designations and associated housing projections.

6.5.13 Public Services

The No Project/Existing General Plan Alternative would introduce new residents at the Project site which would increase the demand for public services, including fire and police. The proposed Project would have less than significant impacts to fire and police services. Similar to the Project, this alternative would require payment of fees, and compliance with applicable plans and regulations, but due to the increase in residents on-site, the alternative result in greater impacts to public services compared to the proposed Project.

6.5.14 Transportation and Traffic

Under the No Project/Existing General Plan Alternative, transportation and traffic impacts would be decreased when compared to the proposed Project due to the decrease in vehicle trips associated with business park, office spaces, and residential uses. This alternative would reduce the amount of employment-generating building square footage and would result in a decrease of 4,099 employees, as well as result in an increase of 479 dwelling units and 1,914 residents. The alternative would be required to implement similar roadway improvements as the Project. The corresponding reduction in traffic would result in reduced traffic-related impacts as compared to the Project because the Project would result in a significant unavoidable impact. Therefore, impacts that could occur by the No Project/Existing General Plan Alternative would be less than those associated with the proposed Project.

6.5.15 Tribal Cultural Resources

The No Project/Existing General Plan Alternative would result in a similar potential to adversely affect tribal cultural resources on the Project site as the proposed Project, as this alternative would require the same ground disturbing activities as the Project. However, like the proposed Project, mitigation measures would be required to reduce potential impacts to less than significant. Therefore, impacts that could occur by the No Project/Existing General Plan Alternative would be similar to those associated with the proposed Project.

6.5.16 Utilities and Service Systems

The No Project/Existing General Plan Alternative would result in greater impacts to utilities and service systems due to the increase in water demand and sewer generation associated with development of business park, office uses, and residential development allowed by TOP. This No Project/Existing General Plan Alternative would increase the demand for water and wastewater, solid waste services, and gas and electricity services. Under the No Project/Existing General Plan Alternative, similar improvements to water or wastewater infrastructure would be constructed to accommodate the residential and business park designations. Additional demand for regional water supplies would occur, and additional wastewater would be conveyed to the regional wastewater treatment facilities due to overall greater demand from land uses allowed under the current TOP. Therefore, the impacts related to utilities and services systems would be greater compared to the Project.

Similarly, additional drainage infrastructure would be developed by the No Project/ Existing General Plan Alternative, and runoff in the Project area site would increase and would connect to or require capacity in the regional stormwater system. Increases in solid waste generation would occur with the No Project/ Existing General Plan Alternative due to the mix of land uses allowed under the current TOP. Furthermore, increases in dry utilities impacts would occur with the No Project/Existing General Plan Alternative due to the mix of land uses allowed under the current TOP. Therefore, impacts to utilities and service systems would be greater compared to the proposed Project.

6.5.17 Conclusion

Ability to Reduce Impacts

The No Project/Existing General Plan Alternative would result in reduced impacts to air quality, energy, GHG emissions, land use and planning, noise, population and housing, and transportation and traffic under the current TOP land use districts when compared to the impacts under the Project. This alternative will have greater impacts compared to the proposed Project related to hazards and hazardous materials, public services, and utilities and service systems. Impacts related to agricultural and forestry resources, biological resources, cultural resources, geology and soils, hydrology and water quality, and tribal cultural resources would be similar compared to the proposed Project.

However, as part of the forthcoming proposed TOP 2050 Update that will precede this Project, the No Project/Existing General Plan Alternative would result in increased impacts to air quality, energy, GHG emissions, land use and planning, noise, population and housing, and transportation and traffic under the proposed TOP 2050 Update, when compared to the impacts under the Project. Under the TOP 2050

Update, this alternative will have similar impacts compared to the proposed Project related to agricultural and forestry resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and public services, tribal cultural resources, and utilities and service systems would be similar compared to the proposed Project.

Ability to Achieve Project Objectives

Implementation of the No Project/Existing General Plan Alternative would not meet four of the six Project objectives. For example, this alternative would not create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/ logistics complex that is compatible with nearby residential neighborhoods (Objective 1); provide the entitlements and framework for the development of approximately 1.6 million sf of business park and light industrial uses (Objective 2); expand Ontario's industrial uses in proximity to local airports and regional transportation networks (Objective 5); nor would it create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Specific Plan vision (Objective 6). This alternative would provide employment opportunities for community residents (Objective 3) and facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Specific Plan area (Objective 4).

However, as part of the forthcoming proposed TOP 2050 Update that will precede this Project, the underlying land use designations for the Project site will include Business Park and Industrial. Therefore, under the TOP 2050 Update, the No Project/Existing General Plan Alternative would meet all six Project objectives as it would create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/logistics complex that is compatible with nearby residential neighborhoods (Objective 1); provide the entitlements and framework for the development of approximately 1.6 million sf of business park and light industrial uses (Objective 2); expand Ontario's industrial uses in proximity to local airports and regional transportation networks (Objective 5); and it would create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Specific Plan vision (Objective 6). This alternative would provide employment opportunities for community residents (Objective 3) and facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Specific Plan area (Objective 4).

6.6 Reduced-Intensity Alternative

The Reduced-Intensity Alternative proposes a 25 percent reduction in building area of the proposed industrial warehousing and business park uses. Under this alternative, a total of 1,640,690 sf of industrial and warehouse uses will have a reduction of 410,173 sf and would be developed with 982,838 sf of high-cube fulfillment center warehousing and 158,843 sf of office uses. The development impact area would generally remain the same as the Project. This alternative would generate approximately 1,223 employees. Access to the site would be similar to the Project with a reduction in the number of parking spaces. Given the infrastructure costs, including off-site improvements, a 25 percent reduction was considered aggressive and further reduction is likely not financially feasible.

6.6.1 Agriculture and Forestry Resources

The Reduced-Intensity Alternative would develop the Project site for the same type of business park, industrial and warehousing uses and have the same impact area to the proposed Project. The existing dairy farming uses would be removed from the Project site. Therefore, implementation of the Reduced-Intensity Alternative would result in the same significant and unavoidable impacts to agricultural and forestry resources that would occur from implementation of the proposed Project. Thus, impacts under this alternative would be similar to those of the proposed Project.

6.6.2 Air Quality

The Reduced-Intensity Alternative would develop the Project site for the same type of business park, industrial and warehousing uses, but with less intensity than the proposed Project. Therefore, with similar mitigation incorporated, a reduced volume of construction activities and the related emissions would occur; however, the alternative would still result in a significant and unavoidable construction-related air quality impact from the exceedance of NO_X emissions. In addition, the reduced amount of square footage that would be developed by this alternative would result in less stationary source emissions from equipment on-site and less transportation-related air emissions than the proposed Project. Therefore, overall air quality impacts would be reduced in comparison to the proposed Project. However, the volume of NO_X emissions from operational vehicular and truck trips generated by the Reduced-Intensity Alternative would remain significant and unavoidable due to the volume of vehicular and truck trips that would occur from operation of 1,230,517 sf industrial warehousing space and business park use. With mitigation implemented, the air quality emissions would be reduced to approximately 118 pounds per day of NO_X generated for this alternative. The SCAQMD threshold for NO_X is 55 pounds per day. Therefore, significant and unavoidable impacts due to exceedance of NO_X emissions would continue to occur. Impacts under this alternative would be reduced compared to the proposed Project but would remain significant and unavoidable.

6.6.3 Biological Resources

The Reduced-Intensity Alternative would continue to cover the same impact area as the Project site. Impacts to sensitive wildlife species and migratory and nesting birds would continue to occur, and mitigation measures would be implemented to reduce impacts to such resources to a less than significant level. Therefore, impacts would be similar to those of the proposed Project.

6.6.4 Cultural Resources

The Reduced-Intensity Alternative would result in similar impacts with a potential to adversely affect any undiscovered historical or archaeological resources on the Project site. Grading or development would occur under this alternative, and there would be potential impacts to subsurface archaeological resources that may exist beneath the ground surface. Similar to the Project, less than significant impacts would occur to historical resources under the Reduced-Intensity Alternative. This Reduced-Intensity Alternative would be similar to the Project's potential for impacts to archaeological resources and disturbing human remains and would require similar mitigation. The Project would have a less than significant impact on cultural

resources with implementation of mitigation. Therefore, impacts under the Reduced-Intensity Alternative would be similar compared to the Project.

6.6.5 Energy

Under this alternative, allowable building square footage would be reduced, and the associated energy demand would also be reduced by approximately 25 percent. Additionally, the reduction in vehicle trips associated with this alternative would reduce fuel consumption. Impacts under the alternative would remain less than significant. Construction and operational activities associated with this alternative would have reduced energy demand compared to the proposed Project and impacts under the alternative would be reduced compared to the proposed Project.

6.6.6 Geology and Soils

Grading and development of the Project site would still occur under the Reduced-Intensity Alternative. The new structures under this alternative would still result in additional persons and structures in the Project area that would be subject to risks associated with seismic ground shaking and geologic hazards. Therefore, the Reduced-Intensity Alternative would be required to meet the same regulatory requirements as the proposed Project. Impacts to geological hazards would be similar to those of the Project.

Regarding paleontological resources, the alternative would have similar potential to adversely affect any undiscovered resources. This alternative would result in a similar potential to impact paleontological resources, and implementation of mitigation measures would reduce potential impacts to less than significant. Therefore, impacts to paleontological resources under the alternative would be similar to those of the proposed Project.

6.6.7 Greenhouse Gas Emissions

The Reduced-Intensity Alternative would develop the Project site for the same type of business park, industrial and warehousing uses, but with less intensity than the proposed Project. Therefore, a reduced volume of construction activities and associated GHG emissions would occur. In addition, the reduced square footage would result in less stationary source emissions from equipment on-site, and less traffic related GHG emissions than the proposed Project. The proposed Project would result in the generation of approximately 19,268 $MTCO_2e$ per year, which would be reduced by approximately 25 percent to 14,451 $MTCO_2e$ per year under the Reduced-Intensity Alternative. This alternative would still result in significant and unavoidable GHG impacts, since it would exceed the threshold of 3,000 $MTCO_2e$ per year, and mitigation measures would not reduce emissions to less than significant levels. Therefore, the alternative would have a significant and unavoidable impact on GHG emissions, but would be reduced compared to the proposed Project.

6.6.8 Hazards and Hazardous Materials

The Reduced-Intensity Alternative would develop the Project site for business park and industrial warehousing uses, and therefore the same type of hazardous materials typically used for construction and operation of the proposed Project would be used under the Reduced-Intensity Alternative. Similarly, the

use and storage of hazardous materials would be regulated by the same federal, State, and local laws and permitting requirements as would be done by the proposed Project. In addition, this alternative would include cleanup of contaminated soils that exist on the site during construction activities and would be required to implement the same type of mitigation measures proposed for the Project. Therefore, like the proposed Project, this alternative would also result in less than significant impacts with implementation of mitigation measures, and impacts under the alternative would be similar to those of the proposed Project.

6.6.9 Hydrology and Water Quality

The Reduced-Intensity Alternative would reduce the total building square footage; however, the area of impervious surfaces would be similar compared to the proposed Project as the area would be paved. Therefore, this alternative would result in similar runoff and potential for impacts to drainage, erosion, and water quality. Like the proposed Project, this alternative would introduce new sources of water pollutants from construction and operation activities. Additionally, this alternative would be required to include storm drain facility improvements, LID, source control, site design, and treatment control BMPs. Overall, hydrology and water quality impacts would be less than significant. Therefore, the Reduced-Intensity Alternative would result in impacts to hydrology and water quality that are similar to those that would occur from the proposed Project.

6.6.10 Land Use and Planning

The Reduced-Intensity Alternative would require a SPA to implement the Project. This alternative would have similar levels of consistency with the SCAG RTP/SCS policies, the City's General Plan, the City's Development Code, and consistency with airport plans. Similar to the Project, the Reduced-Intensity Alternative would be inconsistent with current TOP land use designations and would require a SPA, resulting in a significant and unavoidable impact for land use consistency under the current TOP. However, the City is planning to adopt TOP 2050 Update in August 2022, which shows the Project site as Business Park and Industrial, consistent with the proposed SPA for the Project. As the Project SPA is planned for approval after approval of the City's TOP 2050 Update, the Project would be consistent with the land use designations following TOP 2050 Update. Therefore, like the proposed Project, the Reduced-Intensity Alternative would result in a significant and unavoidable impact related to land use and would be similar compared to the proposed Project.

6.6.11 Noise

The Reduced-Intensity Alternative would develop the Project site for the same type of business park, industrial and warehousing uses, but with less intensity than the proposed Project. Construction and operation noise impacts would be reduced under the Reduced-Intensity Alternative because this alternative would decrease the development area by 410,173 sf. Although construction of this alternative would generate the same peak noise volumes and similar type and volume of construction noise as the proposed Project, the duration of construction and the associated noise would be slightly reduced compared to the Project (due to less total building square footage). Operational noise would also be reduced under this alternative as traffic-generated and stationary noise sources would decrease in relation to the reduction in industrial warehousing square footage. Noise impacts from the Reduced-

Intensity Alternative would be less than significant with implementation of mitigation measures and reduced compared to the proposed Project.

6.6.12 Population and Housing

Under the Reduced-Intensity Alternative, buildout would result in an approximate 25 percent reduction in employees on-site. Under this alternative, the population, housing, and employment at buildout would be consistent with the City's growth projections identified in SCAG's RTP/SCS. However, growth associated with the proposed Project was also within growth projections. The Reduced-Intensity Alternative would provide fewer employment opportunities. Overall, impacts to population and housing would remain less than significant with this alternative and reduced to the proposed Project.

6.6.13 Public Services

The Reduced-Intensity Alternative would reduce buildout of the industrial and business park portions of the Project area by 25 percent compared to the proposed Project. This would reduce the number of employees on the Project site in relation to the reduction in industrial warehousing and business park square footage. However, as with the proposed Project, this alternative is not anticipated to result in new residences that could demand new services and would include design features to lessen the need for services; therefore, impacts would be less than significant with compliance of other applicable plans and regulations, and payment of fees. Overall, the need for public services would be reduced under this alternative compared to the proposed Project.

6.6.14 Transportation and Traffic

Construction and operation-related traffic and truck trips would be reduced under the Reduced-Intensity Alternative because this alternative would decrease the industrial and business park development area by 410,173 sf to 1,230,517 sf, in comparison to the proposed Project. The volume of traffic that would be generated by the industrial warehousing space and business park use that would be developed under the Reduced-Intensity Alternative would still require implementation of the mitigation measures that involve roadway improvements in locations that are (1) not within the jurisdiction of the City of Ontario, and thus, the City cannot guarantee implementation of the mitigation measure improvements, and (2) within the City of Ontario, but not accounted for in an adopted plan or program for improvements. Additionally, this alternative would not reduce total VMT/service population (SP) by at least 15 percent compared to the Citywide average. As a result, similar mitigation would apply, and transportation and traffic impacts based on VMT generated from this alternative would be reduced compared to the proposed Project but would remain significant and unavoidable.

6.6.15 Tribal Cultural Resources

The Reduced-Intensity Alternative would result in similar impacts with a potential to adversely affect any undiscovered tribal cultural resources on the Project site However, like the proposed Project, mitigation measures would be required to reduce the alternative's potential impacts on tribal cultural resources to less than significant. Therefore, impacts under the alternative would be similar to those associated with the proposed Project.

6.6.16 Utilities and Service Systems

The Reduced-Intensity Alternative would reduce buildout of the Project site by 410,173 sf compared to the proposed Project. This would reduce the number of employees on the Project site in relation to the reduction in industrial warehousing and business park square footage and would also reduce the demand for utilities and service systems.

The demand for regional water supplies and generation of wastewater and solid waste would be approximately 25 percent less than the proposed Project. Thus, the impacts related to water supplies, wastewater, and solid waste would result in less than significant impacts. Therefore, impacts under the alternative would be reduced compared to those of the proposed Project.

6.6.17 Conclusion

Ability to Reduce Impacts

The Reduced-Intensity Alternative would result in reduced impacts related to air quality, energy, GHG emissions, noise, population and housing, public services, transportation and traffic, and utilities and service systems due to the reduction in square footage and associated vehicular trips. However, significant and unavoidable impacts related to agricultural and forestry resources, air quality, GHG emissions, land use and planning, and transportation and traffic would continue to occur from implementation of this alternative. Impacts related to agricultural and forestry resources, biological resources, cultural resources, geology and soils, hazardous and hazardous materials, hydrology and water quality, land use and planning, population and housing, and tribal cultural resources would be similar to the proposed Project.

Ability to Achieve Project Objectives

Implementation of the Reduced-Intensity Alternative would achieve the Project objectives, but not to the extent as would be achieved by the proposed Project. The Reduced-Intensity Alternative would create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/logistics complex that is compatible with nearby residential neighborhoods (Objective 1); provide employment opportunities for community residents (Objective 3); facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Specific Plan area (Objective 4); expand Ontario's industrial uses in proximity to local airports and regional transportation networks (Objective 5); and create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Specific Plan vision (Objective 6). However, the reduction of 353,184 sf would attract fewer or smaller businesses and less employment opportunities to area residents. In addition, the smaller development would provide less flexibility to meet the needs of an ever-changing business market. This alternative would not fully meet Objective 2 to provide the entitlements and framework for the development of approximately 1.6 million sf of business park and light industrial uses.

6.7 Environmentally-Superior Alternative

CEQA requires a lead agency to identify the "environmentally-superior alternative" and, in cases where the "No Project" Alternative is environmentally superior to the proposed Project, the environmentally-

superior development alternative must be identified. The Reduced-Intensity Alternative has been identified as "environmentally superior" to the proposed Project.

Reduced-Intensity Alternative

The Reduced-Intensity Alternative has been identified as the environmentally-superior alternative because it would result in reduced impacts related to air quality, energy, GHG emissions, land use and planning, noise, population and housing, public services, transportation and traffic, and utilities and service systems due to the reduction in square footage and associated vehicular trips. However, the Reduced-Intensity Alternative would still result in significant and unavoidable impacts related to agricultural and forestry resources, air quality, GHG emissions, land use and planning, and transportation and traffic. Impacts related to biological resources, cultural resources, geology and soils, hazardous and hazardous materials, hydrology and water quality, and tribal cultural resources would be similar to the proposed Project.

CEQA does not require the lead agency (the City of Ontario) to choose the environmentally-superior alternative. Instead, CEQA requires the City to consider environmentally-superior alternatives, weigh those considerations against the environmental impacts of the proposed Project, and make findings that the benefits of those considerations outweigh the harm. "Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts" (State CEQA Guidelines Section 15126.6[c]).

7.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

7.1 Introduction

California Public Resources Code (PRC) Section 21003 (f) states: "…it is the policy of the state that…[a]ll persons and public agencies involved in the environmental review process be responsible for carrying out the process in the most efficient, expeditious manner in order to conserve the available financial, governmental, physical, and social resources with the objective that those resources may be better applied toward the mitigation of actual significant effects on the environment." This policy is reflected in the California Environmental Quality Act (CEQA) Guidelines Section 15126.2(a), which states that "[a]n EIR [Environmental Impact Report] shall identify and focus on the significant environmental impacts of the Project" and Section 15143, which states that "[t]he EIR shall focus on the significant effects on the environment." State CEQA Guidelines Section 15128 requires that an EIR contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the Draft Subsequent EIR. This section briefly describes effects found to have no impact or a less than significant impact based on the analysis conducted during the Draft Subsequent EIR preparation process.

7.2 Aesthetics

Impact 7.2-1 Would the Project have a substantial adverse effect on a scenic vista? [Threshold AE-1]

Level of Significance: Less Than Significant Impact

Less than Significant Impact. A substantial adverse effect on a scenic vista would occur if the vista was screened from view, the access to a formerly available public viewing position was blocked, or visual resources were obstructed by view or access to them.

There are no scenic vistas within the Ontario Ranch Business Park Specific Plan Amendment project (Project) site, nor would the Project otherwise adversely affect a designated scenic vista. Views of the San Gabriel Mountains, located to the north of the City of Ontario (City), are the dominant scenic resource in the area. As described in The Ontario Plan (TOP) Draft Subsequent EIR, "… the scale and design of the City, including its land uses, would not deter views of the mountain backdrop."[1] Therefore, the Project would not have a substantial adverse effect on a scenic vista, and impacts would be less than significant.

Impact 7.2-2 Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? [Threshold AE-2]

Level of Significance: No Impact

No Impact. The City is served by four freeways: Interstate 10 (I-10), I-15, State Route 83 (SR 83), and State Route 60 (SR 60). The Project site is located due east of SR 83 and approximately three miles west of SR 60.

[1] The Ontario Plan (TOP), Draft EIR, pg. 5.1-8. (2009). Retrieved from: https://www.ontarioplan.org/wp-content/uploads/sites/4/2016/05/31672.pdf.

These segments of I-10, I-15, SR 83, and SR 60 have not been officially designated as scenic highways by the California Department of Transportation (Caltrans).[2] Thus, the Project would result in no adverse impacts on scenic resources within a state scenic highway.

Impact 7.2-3 ***Would the Project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? [Threshold AE-3]***

Level of Significance: Less Than Significant Impact

Less than Significant Impact. The existing visual character of the Project site is defined primarily by agricultural uses and related structures. The site is designated as Business Park and Low-Medium Density Residential in the City's Land Use Map.[3] The Project area is dominated by agricultural uses to the north and east, and public uses for the Chino Airport to the south and approved Ontario Ranch Business Park Specific Plan (Approved SP) area with Business Park and Industrial designations to the west. The Project site itself is currently used primarily for agricultural uses, including dairies and field crops. The Project site also has single-family residences located along Eucalyptus Avenue, multiple farm structures, a water tank, and overhead powerlines.

The Project is located in an urbanizing area and is subject to those provisions of the City's TOP and the City's Development Code governing scenic quality. The City's TOP Community Development Element[4] establishes multiple policies that protect scenic resources and promote high quality, visually compatible development. For example, Community Design Element Policy CD 1-2 requires that "development in growth areas to be distinctive and unique places within which there are cohesive design themes"; Policy CD 1-5 requires that "all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountains, which are part of the City's visual identity and a key to geographic orientation. Such views should be free of visual clutter, including billboards and may be enhanced by framing with trees"; Policy CD 2-1 encourages "all development projects to convey visual interest and character. . ."; Policy CD 2-15 supports "excellence in design and construction quality through collaboration with trade and professional organizations that provide expertise, resources, and programs for developers, builders and the public."

The City's TOP measures governing scenic quality, including those noted above, ensure protection of scenic resources and promote visually compatible and appealing development. These policies are implemented through the City's Development Code Chapter 6.0, Development and Subdivision Regulations, et al.[5] The City would assure that the Project, as implemented, contains Development

[2] California State Scenic Highway System Map. (2018). Retrieved from: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=2e921695c43643b1aaf7000dfcc19983.
[3] TOP. Land Use Map. (2010). Retrieved from: https://www.ontarioplan.org/wp-content/uploads/sites/4/2021/02/TOPLUP_Map24x3610_6._20210212.pdf.
[4] TOP. Community Design Element. (2010). Retrieved from: https://www.ontarioplan.org/policy-plan/community-design-element/.
[5] City of Ontario, Development Code Chapter 6.0 Development and Subdivision Regulations. Retrieved from: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Documents/chapter_6.0_-_development_and_subdivision_regulations_20151201.pdf.

Regulations and Design Guidelines that would, at a minimum, conform to provisions of the City's TOP and Development Code. All subsequent development within the Project area would be required to comply with the Specific Plan Development Regulations and Design Guidelines addressing visual and scenic qualities. Conformance with the Project Specific Plan Amendment (SPA) would minimize the potential for the Project to adversely affect scenic resources or result in development that would conflict with applicable zoning and other regulations governing scenic quality. Therefore, the Project would not conflict with applicable zoning and other regulations governing scenic quality, and impacts would be less than significant.

Impact 7.2-4 Would the Project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? [Threshold AE-4]

Level of Significance: Less Than Significant Impact

Less than Significant Impact. Spill light occurs when lighting fixtures such as streetlights, parking lot lighting, exterior building lighting, and landscape lighting are not properly aimed or shielded to direct light to the desired location and light escapes and partially illuminates a surrounding location.

Glare is the result of improperly aimed or blocked lighting sources that are visible against a dark background such as the night sky. Glare may also refer to the sensation experienced looking into an excessively bright light source that causes a reduction in the ability to see or causes discomfort. Glare generally does not result in illumination of off-site locations but results in a visible source of light viewable from a distance. Glare could also occur from building materials of the new structures, including glass and other reflective materials.

The Project would introduce new sources of light and glare compared to the current dairy and row crop agricultural uses on-site. However, the Project includes design guidelines and standards for lighting of on-site areas. The Project requires lighting fixtures to be selected and located to confine the area of illumination to within the site boundaries, including lighting for parking areas, pedestrian walkways, graphics and signage, architectural and landscape features, shipping and loading areas, and any additional exterior areas. This would reduce the potential for spill light. All subsequent development within the Project area would be required to conform with the Project Development Regulations and Design Guidelines addressing light, glare, and overspill from the Project SPA.

Additionally, the Project would be subject to the City's Development Code, and Project lighting would be required to be shielded, diffused or indirect to avoid glare to both on- and off-site residents, pedestrians, and motorists. The City would assure that the proposed Project, as implemented, contains Development Regulations and Design Guidelines that would, at a minimum, conform to City regulations addressing lighting and light overspill (see: Development Code, Division 6.01 – District Standards and Guidelines, Lighting). Therefore, the potential for the Project to create a new source of substantial light or glare that would adversely affect day or nighttime views is considered less than significant.

7.3 Agriculture and Forestry Resources

Impact 7.3-1 ***Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? [Threshold AG-3]***

Level of Significance: No Impact

No Impact. "Forest land" is defined as "land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits." "Timberland" is defined as "land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees." Pursuant to Sections 51112 and 51113 of the California Government Code,[6] "Timberland Production Zone" (TPZ) is defined as "an area which has been zoned and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in subdivision (h)."

The Project site is identified as having an Agricultural Overlay (SP-AG) and is not zoned for forest land, timberland, or TPZ. TOP does not designate any forest land or timberland land uses within the City. Therefore, the Project would have no adverse forest or timber land impacts.

Impact 7.3-2 ***Would the Project result in the loss of forest land or conversion of forest land to non-forest use? [Threshold AG-4]***

Level of Significance: No Impact

No Impact. As stated above in Impact 7.3-2, the Project site is not zoned as forest land and currently contains agricultural uses. There is no land in the City that qualifies as forest land as defined in PRC Section 12220(g). Consequently, the Project would not result in the loss or conversion of forest land to non-forest use. Therefore, the Project would have no impact regarding loss of forest land.

7.4 Air Quality

Impact 7.4-1 ***Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? [Threshold AQ-4]***

Level of Significance: Less Than Significant Impact

Less than Significant Impact. The Project would not emit odors that would affect a substantial number of people. The threshold for odor is if a project creates an odor nuisance pursuant to South Coast Air Quality Management District (SCAQMD) Rule 402, Nuisance, which states:

[6] California Government Code. (2021). Retrieved from: https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=51113.

> *A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.*

Emissions from construction equipment, such as diesel exhaust, and from volatile organic compounds from architectural coatings and paving activities, may generate odors; however, these odors would be temporary, intermittent in nature, and not expected to affect a substantial number of people. Additionally, noxious odors would be confined to the immediate vicinity of the construction equipment. By the time such emissions reach any sensitive receptor sites, they would be diluted to well below any level of odor concern. Furthermore, short-term construction-related odors are expected to cease upon the drying or hardening of the odor-producing materials.

The type of facilities that are considered to have objectionable odors include wastewater treatments plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities. Odors generated by the operation of the proposed office and industrial project are not expected to be significant or highly objectionable and would be required to be following SCAQMD Rule 402, which would prevent nuisances to sensitive land uses. Compared to existing conditions, the Project would result in a positive impact through the elimination of current dairy and farming operations which produce odors in close proximity to residential uses along Eucalyptus Avenue.

Therefore, impacts associated with construction- and operation-generated odors would be less than significant.

7.5 Biological Resources

Impact 7.5-1 Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? [Threshold B-5]

Level of Significance: No Impact

No Impact. The Project site contains some trees, particularly near the single-family residences on site. The Project would remove these trees as well as other ornamental trees. The City Development Code Section 6.05.020, Tree Preservation Policy and Protection Measures[7] was established to further the preservation, protection, and maintenance of healthy heritage trees. The Project would be required to comply with the

[7] City of Ontario Development Code Section 6.05.020, Tree Preservation Policy and Protection Measures. (2010). Retrieved from: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Documents/chapter_6.0_-_development_and_subdivision_regulations_20151201.pdf

Development Code requirements, which would ensure that the Project does not conflict with the City's Tree Preservation Policy. As a result, there would be no impact.

Impact 7.5-2 ***Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? [Threshold B-6]***

Level of Significance: No Impact

No Impact. The Project site does not fall within the boundaries of any Habitat Conservation Plan, Natural Community Conservation Plan, or other local or regional conservation plan. Therefore, there would be no impact related to conflicting with the provisions of any of the aforementioned plans.

7.6 Cultural Resources

Impact 7.6-1 ***Would the project disturb any human remains, including those interred outside of formal cemeteries? [Threshold C-3]***

Level of Significance: Less Than Significant Impact

Less than Significant Impact. California Health and Safety Code (HSC) Section 7050.5,[8] CEQA Guidelines Section 15064.5, [9] and PRC Section 5097.98[10] mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery. Specifically, California HSC Section 7050.5 requires that if human remains are discovered within the Project site, disturbance of the site shall remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of death, and made recommendations concerning the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in PRC Section 5097.98. If the coroner determines that the remains are not subject to his or her authority and if the coroner has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC). Subsequently, the NAHC shall identify the most likely descendant. The most likely descendant shall then make recommendations and engage in consultations concerning the treatment of the remains, as provided in PRC Section 5097.98. Although soil-disturbing activities associated with the Project could result in the discovery of human remains, compliance with existing law would ensure that impacts to human remains would be reduced to a less than significant level.

[8] California Health and Safety Code Section 7050.5. (1987). Retrieved from: https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC&sectionNum=7050.5.

[9] CEQA Section 15064.5. (2021). Retrieved from: https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-5-preliminary-review-of-projects-and-conduct-of-initial-study/section-150645-determining-the-significance-of-impacts-to-archaeological-and-historical-resources.

[10] PRC Section 5097.98. (1939). Retrieved from; https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=5.&title=&part=&chapter=1.75.&article=.

7.7 Geology and Soils

Impact 7.7-1 ***Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: [Thresholds G-1i and -iv]***

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?

Level of Significance: Less Than Significant Impact

Less than Significant Impact. There are no active faults known on the site and the Project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The TOP Final EIR identifies eight active or potentially active fault zones near the City.[11] Additionally, the California Geologic Survey[12] identified that the closest fault is the Chino Fault, located 3.3 miles from the Project site. All Project construction would also be developed in compliance with the Ontario Municipal Code (MC), the recommendations of a geotechnical investigation and all other ordinances adopted by the City related to construction and safety. The Ontario Building Department would review the building plans through building plan checks, issuance of a building permit, and inspection of the building during construction, which would ensure that all required California Building Code (CBC) seismic safety measures are incorporated into the building. The Project would be required to be compliant with these regulations. Therefore, impacts are less than significant.

iv) Landslides?

Level of Significance: Less Than Significant Impact

Less than Significant Impact. The Project site is located in the southern portion of the City where largely flat agricultural fields dominate the topography. According to the Southern California Geotechnical Report,[13] the Project site gently falls to the south at an average gradient of one percent. The flat topography of the Project site does not present any potential risks related to landslides or other slope failure. The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. Impacts would be less than significant.

Impact 7.7-2 ***Would the project result in substantial soil erosion or the loss of topsoil? [Threshold G-2]***

Level of Significance: Less Than Significant Impact

Less than Significant Impact. The Project site is currently used for agricultural uses, mainly dairy and field crop operations, which has resulted in agriculture-related residues in on-site soils. Grading during Project construction would increase the potential for erosion by removing the protective vegetation, changing

[11] TOP Final EIR, Section 5.7, Figure 5.7-2. Regional Faults Map. (2010). Retrieved from: https://www.ontarioplan.org/wp-content/uploads/sites/4/2016/05/32048.pdf.
[12] California Geological Survey, Earthquake Zone. (2018). Retrieved from: https://maps.conservation.ca.gov/cgs/.
[13] Southern California Geotechnical (SCG). January 2020. Geotechnical Feasibility Study. Proposed Commercial/Industrial Development NEC Grove Avenue and Merrill Avenue, Ontario, California.

the natural drainage patterns, and constructing slopes. However, compliance with the CBC and review of grading and development plans by the City Engineer would ensure no significant soil erosion impacts would occur. In addition, the City requires an erosion/dust control plan for Projects located within this area. The Project would not result in significant soil erosion or loss of topsoil because of the previously-disturbed and developed nature of the Project site and the limited size and scope of the Project.

During construction, the Project would be required to prepare and implement a Storm Water Pollution Prevention Program (SWPPP) per requirements of the General Construction Permit (Order No. 2009-0009-DWQ) issued by the State Water Resources Control Board (SWRCB). The SWPPP would specify best management practices (BMPs) for reducing or eliminating soil erosion from the site during Project construction and operation. Erosion control measures implemented as part of BMPs can include the placement of sandbags around basins; use of proper grading techniques; appropriate sloping, shoring, and bracing of the construction site; and covering topsoil stockpiles. Potential erosion impacts incurred during construction activities are mitigated below the level of significance through the Project's mandated compliance with a City-approved SWPPP, that that prohibit grading activities and site disturbance during high wind events.

For operational activities under the Project, landscaping would exist throughout the Project site; and areas of loose topsoil that could be eroded by wind or water, would not exist. In addition, the hydrologic features of the Project area have been designed to slow, filter, and retain stormwater within landscaping and the detention basins on the Project site, which would also reduce the potential for stormwater to erode topsoil. Furthermore, pursuant to Ontario MC Section 6-6.501, implementation of the Project requires a Stormwater Quality Management Plan (SWQMP). The SWQMP would be required to outline appropriate non-structural and structural BMPs, including stormwater infiltration and treatment devices that would be implemented and installed to prevent pollutants from being discharged into the City's stormwater drainage system after construction. The SWQMP describes the operational BMPs that would be implemented pursuant to MC Section 6-6.505 to minimize or eliminate the potential for soil erosion or loss of topsoil during operation of the Project. As a result of implementation of these existing requirements, potential impacts related to substantial soil erosion or loss of topsoil would be less than significant.

Impact 7.7-3 ***Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? [Threshold G-4]***

Level of Significance: Less Than Significant Impact

Less Than Significant Impact. The Project site is not located on expansive soils as defined in Table 18-1-B of the Uniform Building Code. The United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) National Cooperative Soil Survey identifies the site soils as Chino series, described as silt loam and somewhat poorly drained with moderate infiltration rates.[14] Therefore, the Project would result in a less than significant impact as the Project site is not located on expansive soils.

[14] Citadel Environmental Services Inc. (Citadel). 2020, January 10. Phase I Environmental Site Assessment Report.

Impact 7.7-4 ***Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater [Threshold G-5]***

Level of Significance: No Impact

No Impact. The Project would be served by the City sewer utilities and would not include the use of septic tanks or alternative wastewater disposal systems. There is no impact related to these systems.

7.8 Hazards and Hazardous Materials

Impact 7.8-1: ***Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? [Threshold H-3]***

Level of Significance: No Impact

No Impact. The Project site is not located within one-quarter mile of an existing or proposed school. The nearest school is Edwin Rhodes Elementary in the City of Chino, approximately one mile northwest of the Project site. Edwin Rhodes Elementary is not located along a construction or operational truck route for the Project. Therefore, there would be no impact related to handling or hazardous materials in close proximity of a school.

Impact 7.8-2: ***Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? [Threshold H-6]***

Level of Significance: Less Than Significant Impact

Less than Significant Impact. The City's Safety Element[15] includes policies and procedures to be administered in the event of a disaster. The TOP seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to, and recover from every day and disaster emergencies. The City manages disaster preparedness through the Technical Services Bureau of the Ontario Fire Department (OFD). This bureau is responsible for the preparation of the community for disasters and the organization of recovery efforts. The City updated a Local Hazard Mitigation Plan[16] prepared by the Office of Emergency Services of the OFD in 2018. Because the Project site has been historically used for agricultural uses, it is not identified in any of these plans as being an evacuation area.

Furthermore, Project construction would be generally confined to the Project site and would not physically impair access to the site or the Project area. During both construction and long-term operation, the Project would be required to maintain adequate emergency access for emergency vehicles as required by the City and the OFD. Because the Project is required to comply with all applicable City codes, any emergency evacuation or emergency response plan, impacts would less than significant.

[15] TOP. Safety Element. (2010). Retrieved from: https://www.ontarioplan.org/policy-plan/safety-element/.
[16] City of Ontario, Hazard Mitigation Plan. (2018). Retrieved from: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Emergency-Management/ReadyOntario/city_of_ontario_2018_hmp.pdf.

Impact 7.8-3: ***Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? [Threshold H-7]***

Level of Significance: No Impact

No Impact. According to the California Fire Hazard Severity Zone (FHSZ) Viewer Map[17] for the City, the Project site is not within a Very High FHSZ. Additionally, when using wildland-urban interface (WUI) as a measure of proximity, the Project site is also not near a FHSZ. WUI is defined as any area for which a Community Wildfire Protection Plan is not in effect but is within a half mile of the boundary of an "at risk community." An "at risk community" is defined as a community where conditions are conducive to a large-scale wildland fire disturbance event, thereby posing a significant threat to human fire or property.[18] Adjacent areas to the Project site are also urbanized; therefore, there are no wildlands adjacent to the site that may expose people or structures to wildland fire hazards and no impact would occur.

7.9 Hydrology and Water Quality

Impact 7.9-1: ***Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? [Threshold HYD-2]***

Level of Significance: Less Than Significant Impact

Less than Significant Impact. The Project site is currently used for agricultural uses, including dairy operations and field crops. The Project site utilizes groundwater for irrigation of crops and other agricultural-related uses, which would cease with Project buildout. There is also one water well on-site which is used to supply drinking water for the cattle.[19] In compliance with the Chino Basin Water Master's Well Procedure for Developers, a well use/destruction plan and schedule for all existing private/ agricultural wells shall be submitted to the City for approval prior to the issuance of permits for any construction activity. If a private well is actively used for water supply, the Developer shall submit a plan to abandon such well and connect users to the City's water system (residential to the domestic water system and agricultural to the recycled water system) when available. Wells shall be destroyed/ abandoned per the California Water Resource Guidelines and require permitting from the County Health Department. A copy of such permit and Form Department of Water Resources (DWR) 188 Well Completion Form shall be provided to the DWR Development Engineering Department and the Utilities Engineering Department prior to issuance of grading and/or building permits. If the Project Applicant proposes temporary use of an existing agricultural well for purposes other than agriculture, such as grading, dust control, etc., the Project Applicant shall make a formal request to the City for such use prior to issuance of permits for any construction activity. Upon approval, the Project Applicant shall enter into an agreement with the City and pay any applicable fees as set forth by the agreement.

Upon development, the Project site would be served by domestic water provided by the City; direct additions or withdrawals of groundwater are not proposed by the Project. As described in TOP Final EIR,

[17] California Fire Hazard Severity Zone Viewer Map. (2020). Retrieved from: https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414?fullScreen=true.
[18] United States Department of Agriculture, Forest Service. What is Wildland Urban Interface. Retrieved from: https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fsbdev3_053107.pdf.
[19] Citadel Environmental Services Inc. (Citadel). 2020, January 10. Phase I Environmental Site Assessment Report.

the City's water demand is accommodated through potable and non-potable water supplies managed by the City's Public Works Agency. The City manages both the potable and non-potable supplies to ensure withdrawals from the Chino Groundwater Basin for domestic demands do not exceed the safe yield for the basin, consistent with and in support of implementation of the Chino Basin Watermaster's Optimum Basin Management Program, commonly called the "OBMP Peace Agreement." Groundwater which may be consumed by the Project and the City, as a whole, would be recharged pursuant to the Department's policies and programs. The Project site is not a designated groundwater recharge area. The Project does not propose or require facilities or operations that would otherwise adversely affect designated recharge areas. The potential for the Project to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin is considered less than significant.

Impact 7.9-2: ***Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: [Threshold HYD-3i]***

i) result in substantial erosion or siltation on- or off-site?

Level of Significance: Less Than Significant Impact

Less than Significant Impact. Refer to Impact 7.9-1, above.

7.10 Land Use and Planning

Impact 7.10-1 ***Would the project physically divide an established community? [Threshold LU-1]***

Level of Significance: No Impact

No Impact. The Project site is bound by Eucalyptus Avenue to the north, Sultana Avenue to the west, Campus Avenue to the east, and Merrill Avenue to the south that follows the Ontario-Chino city boundaries. The Project would change the current land uses located on the approximately 71.69-acre Project site from agricultural uses including dairies and field crops into a business and industrial park with up to approximately 1.6 million square feet (sf) of total building space.

7.11 Mineral Resources

Impact 7.11-1: ***Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State? and; [Threshold MR-1]***

Impact 7.11-2: ***Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plans? [Threshold MR-2]***

Level of Significance: Less Than Significant Impact

Less than Significant Impact. There are no known mineral resources either on the Project site or in the immediate vicinity of the site that would be impacted by the Project. TOP does not identify any known or suspected mineral resources in the Project site that could be impacted. The Project is located in Mineral

Resource Zone (MRZ) MRZ-3 as identified in the TOP Final EIR Mineral Resources Zones Map.[20] Areas designated by the State of California Geologist as MRZ-3 include land that the significance of mineral deposits cannot be determined from the available data. Since there are no known mineral resources present that are of value to the State in the Project site, the Project would not impact mineral resources. Therefore, the Project would not result in a loss of availability of any locally important mineral resource and no impact would occur. Furthermore, the Project site has no known mineral resources of value to the region and residents of the City according to the TOP. Therefore, the Project would not result in a loss of availability of any locally important mineral resource and no impact would occur.

7.12 Population and Housing

Impact 7.12-1 ***Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? [Threshold PH-2]***

Level of Significance: Less Than Significant Impact

Less than Significant Impact. There are currently single-family residences on the Project site that would be displaced upon development of the Project. However, due to the low number of residents that would be displaced compared to the existing larger housing stock in the region, the Project would not displace a substantial number of people or houses and would not necessitate the construction of replacement housing elsewhere. Therefore, the Project would have a less than significant impact on displacing existing people or housing.

7.13 Public Services

Impact 7.13-1 ***Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: [Threshold PS-1]***

Level of Significance: Less Than Significant Impact

i) Schools?

Less than Significant Impact. The Project would be located in the Chino Valley Unified School District (CVUSD). While the need for additional facilities has been identified for overall development within the City, as defined by TOP, if or when new schools are needed and proposed, the project-specific details for those facilities would be analyzed for the potential impacts pursuant to CEQA at that time. Therefore, through application of TOP and conformance to its goals and policies related to the provision of schools and associated infrastructure, it is anticipated that adequate services would be provided.

Project development would require Development Impact Fee (DIF) payments, in accordance with TOP and SB 50, to the corresponding school district for the construction of new schools. Each school district that

[20] TOP Final EIR, Mineral Resources Zones Map. (2010). Retrieved from: https://www.ontarioplan.org/wp-content/uploads/sites/4/2016/05/32084.pdf.

serves the City charges a different amount for development impact fees, which is usually dependent on the student generation rates for that district. These payments would accommodate the need for new facilities based on the increase in student population in each district.

Furthermore, developers would be required to pay the impact fees levied by each school district, set within the limits of California Senate Bill (SB) 50.[21] This funding program has been found by the Legislature to constitute "full and complete mitigation of the impacts" on the provision of adequate school facilities (CGC Section 65995[h]). SB 50 establishes three potential limits for school districts, depending on the availability of new school construction funding from the state and the particular needs of the individual school districts. The school districts serving the City qualify for Level 1 fees, in which each district justifies their development fees for each land use and cannot request payment of development fees for school facility construction exceeding the amount of the statutory fees expressed in Education Code Section 17620. If school districts conduct a school facility needs assessment and qualify for participation in the State Funding Program by the State Allocation Board, among meeting other requirements, they can be eligible for Level 2 and Level 3 Fees. SB 50 also relieves jurisdictions from having the authority of denying approval of a legislative or adjudicative action under CEQA in reference to real estate development based upon the inadequacy of school facilities.

Although the increased demand for school facilities would result in substantial impact, payment of impact fees in compliance with SB 50 would reduce the impacts to an acceptable level. TOP is meant to guide development until buildout year 2035 but it is not a development project. The City overall may reach a significant increase of students, but the number of students that would be generated within the enrollment area of each school cannot be determined specifically at this point. The population buildout of TOP gives an estimate for the City's future student population. The development impact fees charged by each district would be used to accommodate the construction of new facilities. Schools would need to expand their services, but payment of SB 50 fees would make these impacts less than significant.

Lastly, the development of the Project does not include modifications to existing school facilities or the development of new school facilities. As stated earlier in this section, the nearest school is located half a mile to the west of the Project site. The development or operation of the Project would not create a physical impact to that school facility or any other school facilities. Therefore, a less than significant impact would occur.

ii) Parks?

Less than Significant Impact. The City provides over 30 parks for its residents. There are numerous parks in proximity to Project site that could be used by existing local residents and future employees of the Project site. Unplanned new residents would not be generated as part of the Project and rezoning the existing dwelling units would not result in a net increase of planned City population. Furthermore, the nearest parks to the Project are Centennial Park, Constellation Park, and Cypress Trails Park. These parks are approximately three miles north, less than one mile west, and two miles northwest of the Project site. Lastly, the Project would pay applicable development impact fees including Quimby Act park fees. These fees, along with additional funding accruing to the City's general fund through direct and indirect

[21] Senate Bill 50. (2020). Retrieved from: https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB50.

economic benefit, would offset any additional demand caused by the Project's business park and industrial uses. The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities. Therefore, a less than significant impact will occur.

iii) Other Public Facilities?

Less Than Significant Impact. Other public facilities generally refers to libraries and government buildings that serve the population within the jurisdiction. Project construction and operation would not require the physical modification of any of the City's public facilities. Specifically, the development of the warehousing and office buildings would not conflict with any library facilities. The City's libraries are managed by the Community Life and Culture Department. The Community Life and Culture Department manages the City's two public libraries, neither of which are near the Project site. The South Ontario Lewis Family Branch Library (South Ontario Library) is approximately 5 miles northeast of the Project site, and the Ovitt Family Community Library is located 5.4 miles north of Project site. Project construction and operation would not result in a substantial increase in demand for these services such that a significant deterioration of the existing facilities would occur, or such that new facilities would be required. Regardless of any added level of use to existing libraries or other public facilities, the Project Applicant would be required to pay its fair share of DIF's to help offset incremental impacts to libraries by helping fund capital improvements and expenditures. Because of the lack of substantial population growth, a less than significant impact is expected to occur on surrounding public facilities. Overall, a less than significant impact would occur to nearby public facilities.

7.14 Recreation

Impact 7.14-1: ***Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? [Threshold R-1]***

Level of Significance: Less Than Significant Impact

Less than Significant Impact. The Project would result in the conversion of an agricultural site into a business and industrial park. Development of the Project would not directly increase housing or population, which typically cause an increase in the demand for and use of existing neighborhood parks and other citywide recreational facilities. Although new employees may occasionally increase the use of existing local parks, neighborhood and regionals parks, employees' limited use would not result in deterioration to facilities such that the construction or expansion of recreational facilities would be necessary. Therefore, impacts related to the physical deterioration of existing recreation parks or facilities would be less than significant.

Impact 7.14-2: ***Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? [Threshold R-2]***

Level of Significance: Less Than Significant Impact

Less than Significant Impact. The Project involves industrial and business park development and would not include any recreational facilities, nor result in the expansion of any existing recreational facilities. Therefore, impacts associated with recreational facilities would be less than significant.

7.15 Transportation

Impact 7.15-1 Would the project result in inadequate emergency access? [Threshold T-4]

Level of Significance: Less Than Significant Impact

Less than Significant Impact. Buildout of the Project would not result in any significant emergency access impacts. The Project's site conditions, during and after the workday, would be regulated by the Division of Occupational Safety and Health (OSHA) safety standards to prevent any hazardous condition that may affect construction staff and emergency responders. In case of an emergency, the Project construction manager or assigned safety personnel would flag emergency response vehicles and direct them to the emergency location. Unimpeded access throughout the Project site would be maintained by ensuring that vehicles would not impede access for emergency response vehicles. In addition, access roads would be constructed throughout the Project site for construction staff/inspectors, construction equipment and materials delivery/removal, and emergency response vehicles. The access roads would be adequately maintained to allow for the safe passage for emergency response vehicles. Further, the Project would implement both on- and off-site improvements, consistent with Recommendations 1 through 28 of the Traffic Analysis Study (see *Appendix I*) to ensure the safe and efficient access to the Project site. Consequently, implementation of the proposed roadway circulation pursuant to the City's transportation/ traffic standards and implementation of Recommendations 1 through 28 would ensure the adequacy of emergency access during the Project's operational phase and discussions with City Fire and Police Departments. Therefore, the Project's impact concerning emergency access would be less than significant.

7.16 Utilities and Service Systems

Impact 7.16-1 Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste? [Threshold U-5]

Level of Significance: Less Than Significant Impact

Less than Significant Impact. The Resource Conservation and Recovery Act (RCRA) of 1976 (U.S. Code Title 42, Section 6901 et seq.) governs the creation, storage, transport, and disposal of hazardous wastes and operators of hazardous waste disposal sites.

Assembly Bill (AB) 939, the Integrated Waste Management Act of 1989 (California PRC Section 40000 et seq.) requires all local governments to develop source reduction, reuse, recycling, and composting programs to reduce tonnage of solid waste going to landfills. Cities must divert at least 50 percent of their solid waste generation into recycling. Compliance with AB 939 is measured for each jurisdiction, in part, as actual disposal amounts compared to target disposal amounts. Actual disposal amounts at or below target amounts comply with AB 939. As required by Title 6, Chapter 3 of the Ontario MC, the City must comply with State law to reduce solid waste generation, promote reuse, and require solid waste collection for recycling and composting. The City would require the Project to reduce solid waste generation and

recycle materials as much as feasible to reduce solid waste. Since the proposed Project would be required by the City to recycle, the Project would have a less than significant impact to any federal, State, or local statutes or regulations related to solid waste.

7.17 Wildfire

Impact 7.17-1 ***If located in or near SRA or lands classified as Very High FHSZ, would the project substantially impair an adopted emergency response plan or emergency evacuation plan? [Threshold W-1]***

Impact 7.17-2 ***If located in or near SRA or lands classified as Very High FHSZ, would the Project, due to slope, prevailing winds, and other factors, exacerbate wildlife risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? [Threshold W-2]***

Impact 7.17-3 ***If located in or near SRA or lands classified as Very High FHSZ, would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? [Threshold W-3]***

Impact 7.17-4 ***If located in or near SRA or lands classified as Very High FHSZ, would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? [Threshold W-4]***

Level of Significance: No Impact

No Impact. According to the California Department of Forestry and Fire Protection's fire hazard map for the City, the Project site is not within a Very High FHSZ.[22] Additionally, when using WUI as a measure of proximity, the Project site is also not near a FHSZ. WUI is defined as any area for which a Community Wildfire Protection Plan is not in effect but is within half mile of the boundary of an "at risk community." An "at risk community" is defined as a community where conditions are conducive to a largescale wildland fire disturbance event, thereby posing a significant threat to human fire or property.[23]

The City's Safety Element, as contained within TOP, includes policies and procedures to be administered in the event of a disaster. The TOP seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to, and recover from every day and disaster emergencies. The City manages disaster preparedness through the Technical Services Bureau of the OFD. This bureau is responsible for the preparation of the community for disasters and the organization of recovery efforts. The City updated a Local Hazard Mitigation Plan prepared by the Office of Emergency Services of the OFD in 2018. Because the Project site has been historically used for agricultural uses, it is not identified in any of these plans as being an evacuation area.

[22] California Department of Forestry and Fire Protection's FHSZ Viewer Map. (2020). Retrieved from: https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414.
[23] United States Department of Agriculture, Forest Service. What is Wildland Urban Interface. Retrieved from: https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fsbdev3_053107.pdf.

Furthermore, construction of the Project would be generally confined to the Project site and would not physically impair access to the site or the Project area. During both construction and long-term operation, the Project would be required to maintain adequate emergency access for emergency vehicles as required by the City and the OFD. Because the Project is required to comply with all applicable City codes and is not located in a Very High FHSZ, any emergency evacuation or emergency response plan, no impacts would occur.

7.18 References

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8.0 EIR CONSULTATION AND PREPARATION

This section is consistent with the requirements set forth in Public Resources Code (PRC) Section 21153 and Section 15129 of the CEQA Guidelines, which states: "The EIR shall identify all federal, state, or local agencies, other organizations, and private individuals consulted in preparing the draft EIR, and the persons, firm, or agency preparing the draft EIR, by contract or other authorization." Refer to *Section 2.2, Notice of Preparation,* for a summary of public notification and consultation.

The Notice of Preparation (NOP) and NOP comment letters are provided in *Appendix A*, *Notice of Preparation & Public Scoping Meeting*, of this Draft EIR. The City of Ontario (City) provided multiple opportunities for public input, both as part of the CEQA process and as part of Project scoping. In addition to required public notifications under CEQA, the City has engaged in extensive consultation with the Gabrieleno Band of Mission Indians – Kizh Nation, pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18, as discussed further in *Section 4.15, Tribal Cultural Resources,* and provided in *Appendix D* of this Draft EIR.

8.1 EIR Consultation

Lead Agency

City of Ontario (CEQA Lead Agency)
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Project Applicant

Real Estate Development Associates (Project Applicant)
Bill Goltermann, Principal
Jason Krotts, Principal
Jeffery G. Johnston, Senior Vice President

Public Agencies/Organizations

Ontario Municipal Utilities Company
Dennis Mejia, Utilities Engineering Manager
Thom Lambertson, PE, PMP, Senior Associate Engineer

EPD Solutions, Inc. (Specific Plan/Development Advisor)
Jeremy Krout, AICP, President
Norah Jaffan, Senior Project Manager

Interested Parties

As noted above, the City engaged in public and agency consultation through the NOP and public scoping process. The following entities provided comments on the NOP, which have been considered as part of this EIR preparation process.

California Department of Transportation	*Jacob Mathew, D-8 Planning*
City of Chino	*Warren Morelion, AICP, City Planner*
City of Eastvale	*Gustavo N. Gonzalez, AICP, Planning Manager*
South Coast Air Quality Management District	*Lijin Sun, J.D, Program Supervisor, CEQA IGR*
Chino Hills Ferrari Club	*Chuck Stuewe, ATP*

8.2 List of Preparers

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Citadel EHS
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Urban Crossroads

(Traffic Analysis)

(Vehicle Miles Traveled Analysis)

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Contacts: *Aric Evatt, PTP*
Charlene So, PE, Associate Principal
Robert Vu, PE

RESOLUTION NO. PC22-054

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PSPA21-002, AN AMENDMENT TO THE ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN, INCORPORATING PROPERTY ADJACENT TO THE EXISTING SPECIFIC PLAN AREA AND ESTABLISHING THE LAND USE DESIGNATIONS, DEVELOPMENT STANDARDS, AND GUIDELINES WHICH WILL GOVERN THE DEVELOPMENT OF 71.69 ACRES OF LAND GENERALLY BORDERED BY CAMPUS, SULTANA, MERRILL, AND EUCALYPTUS AVENUES, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1054-041-01, 1054-041-02, 1054-031-01, 1054-031-02, 1054-261-01, 1054-261-02, 1054-291-01, AND 1054-291-02.

WHEREAS, on September 15, 2020, the City Council approved the original Ontario Ranch Business Park Specific Plan (File No. PSP18-002), which established a comprehensive set of design guidelines and development regulations to guide and regulate site planning, landscape, and architectural character, and ensure that excellence in community design is achieved during project development. The Specific Plan also established the procedures and requirements to approve new development within the project site to ensure The Ontario Plan (“TOP”) goals and policies are achieved; and

WHEREAS, Euclid Land Venture LLC ("Applicant") has filed an Application for the approval of an amendment to the Ontario Ranch Business Park Specific Plan, File No. PSPA21-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, on August 16, 2022, the City Council certified a Supplemental Environmental Impact Report (“SEIR”) (State Clearinghouse No. 2021070364), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations, in conjunction with the following: [1] The Ontario Plan (“TOP”) 2050 update General Plan Amendment (File No. PGPA20-002) to the Vision, Governance Manual, and Policy Plan components of TOP, and [2] an update to the Community Climate Action Plan (File No. PADV22-002); and

WHEREAS, the Application applies to 71.69 acres of land immediately adjacent to the existing Ontario Ranch Business Park Specific Plan area, generally located north of Merrill Avenue, south of Eucalyptus Avenue, west of Campus Avenue, and east of Sultana Avenue, currently within the SP(AG) (Agricultural Overlay) zoning district, and is predominantly improved with agricultural and dairy land uses; and

WHEREAS, the properties to the north of the Project site are within the SP(AG) (Agricultural Overlay) zoning district and predominantly developed with agricultural and

dairy land uses. The properties to the west are within the Ontario Ranch Business Park Specific Plan and under construction with industrial and business park developments. The property to the south is within the City of Chino and is developed with the Chino Airport. The properties to the east are within the South Ontario Logistics Center Specific Plan and predominantly developed with agricultural and dairy land uses; and

WHEREAS, the Project will establish Planning Areas ("PAs") 3 and 4. PA 3 will be designated Business Park (maximum 0.45 FAR), sited to the north of the Project area along Eucalyptus Avenue, and will allow for the potential development of up to 227,951 square feet of business park and office uses on 11.63 acres of land. PA 4 will be designated Industrial – General (maximum 0.54 FAR), sited to the south of the Project area along Merrill Avenue, and will allow for the potential development of up to 1,412,739 square feet of industrial land uses on 60.06 acres of land. The land use and development intensity of PA 3 and PA 4 will complement the existing PA 1 and PA 2, respectively. The proposed maximum FARs are consistent with the original Ontario Ranch Business Park Specific Plan, and are lower than the maximum allowable thresholds listed in the Policy Plan Land Use designations for Business Park and Industrial; and

WHEREAS, the Ontario Ranch Business Park Specific Plan has been prepared in conformance with the goals and policies of the City of Ontario Policy Plan (General Plan). Chapter 7 of the Specific Plan, "General Plan Consistency", describes the manner in which the Ontario Ranch Business Park Specific Plan complies with the Policy Plan goals and policies applicable to the Ontario Ranch Business Park Specific Plan; and

WHEREAS, a Subsequent Environmental Impact Report ("SEIR") (State Clearinghouse No. 2019050018), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Consideration have been prepared in accord with the California Environmental Quality (CEQA), the State CEQA Guidelines and the City of Ontario Guidelines to address the environmental effects of the Specific Plan Amendment; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make recommendation to the City Council on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, the project site is also located within the Airport Influence of Chino Airport and must be consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics and the Chino Airport Land Use Compatibility Plan, which addresses the safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on August 23, 2022, the Planning Commission of the City of Ontario conducted a duly noticed public hearing and continued the Project to the August 30, 2022, Special Planning Commission meeting. The Planning Commission opened the public hearing at which time all persons wishing to testify were heard; and

WHEREAS, on August 30, 2022, the Planning Commission of the City of Ontario conducted a special hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: ***Environmental Determination and Findings.*** As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the Subsequent Environmental Impact Report ("EIR") and supporting documentation. Based upon the facts and information contained in the EIR (SCH# 2019050018) and supporting documentation, the Planning Commission recommends that the City Council make the following findings:

(1) The EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(2) The EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(3) The EIR reflects the independent judgment of the City Council; and

SECTION 2: ***Planning Commission Action.*** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the Planning Commission recommends that the City Council make the following findings:

(1) The Project EIR analyzed the environmental impacts associated with the implementation of the Ontario Ranch Business Park Specific Plan Amendment, and finds that, if the Specific Plan Amendment is adopted and development occurs as proposed by this plan, and with implementation of proposed mitigation measures, the following impacts will still be significant and unavoidable:

(a) Air Quality – Impacts related to a net increase in criteria pollutants would remain significant and unavoidable with the implementation of recommended mitigation measures; and

(b) Agricultural Resources – Project-specific impacts and cumulative impacts would remain significant and unavoidable; and

(c) Transportation – Impacts related to intersections are projected to be cumulatively significant and unavoidable; and

(d) Greenhouse Gas Emissions – Project-specific impacts and cumulative impacts would remain significant and unavoidable.

SECTION 3: ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 4: ***Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance and Chino Airport Influence Area.*** The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State and rely upon the 2011 California Airport Land Use Planning Handbook published by the California

Department of Transportation, Division of Aeronautics; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

(1) On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP; and

(2) On August 2, 2022, the City Council of the City of Ontario approved and adopted a Development Code Amendment to establish the Chino Airport Overlay Zoning District ("OZD") and Reference L, Chino Airport Land Use Compatibility Plan ("ALUCP"). The Chino OZD and ALUCP established the Airport Influence Area for Chino Airport, solely within the City of Ontario, and limits future land uses and development within the Airport Influence Area, as they relate to safety, airspace protection, and overflight impacts of current and future airport activity. The Chino ALUCP is consistent with policies and criteria set forth within the Caltrans 2011 California Airport Land Use Planning Handbook. The proposed Project is located within the Airport Influence Area of Chino Airport and was evaluated and found to be consistent with the California Airport Land Use Planning Handbook and the Chino ALUCP. As the recommending authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including Safety, Airspace Protection, Overflight. As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project will be consistent with the policies and criteria set forth within the California Airport Land Use Planning Handbook and the Chino Airport Land Use Compatibility Plan.

SECTION 5: ***Concluding Facts and Reasons.*** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed Specific Plan, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The Project site is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The business park and industrial land uses in the proposed Ontario Ranch Business Park Specific Plan Amendment districts are appropriate for the area and will be in harmony in terms of access, size, and compatibility with existing land uses in the surrounding area. The Project site is located within an industrial corridor and the Chino Airport Influence Area and is subject to the policies and criteria of the Chino Airport Land Use Compatibility Plan. The proposed Ontario Ranch Business Park Specific Plan Amendment is consistent the Chino Airport Land Use Compatibility Plan which places additional restrictions on land use, building/structure heights and limits the concentration of people.

(2) ***The proposed Specific Plan, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** The proposed amendment to the Ontario Ranch Business Park Specific Plan would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. The Project proposes to designate a piece of land so as to be consistent with the greater industrial corridor that flanks it on the west and east, with business park land uses located along the northerly portion of the Project site to act as a buffer between the industrial uses and airport to the south of the Project site and the future residential, commercial, and mixed-use developments to the north of the Project site. General industrial land uses have been sited toward the south of the Project site, adjacent to the Chino Airport, so as to limit potential airport-related hazards from impacting land uses that generate greater concentrations of people.

(3) ***In the case of an application affecting specific property(ies), the proposed Specific Plan, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses.*** The proposed amendment to the Ontario Ranch Business Park Specific Plan will bring the properties into compatibility and harmony with the larger industrial corridor, located south of Eucalyptus Avenue and generally stretching from Euclid Avenue on the west to the Cucamonga Creek Channel on the east. The Project site is the last remaining piece of land without an industrial designation in the corridor, which includes the approved original Ontario Ranch Business Park Specific Plan to the west and the approved South Ontario Logistics Center, Merrill Commerce Center, and West Ontario Commerce Center Specific Plans to the east. All of the approved specific plans contain industrial development in varying stages.

(4) ***In the case of an application affecting specific property(ies), the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.***

The 71.69-acre Project site is physically suitable by means of parcel size, shape, access, and availability of utilities to serve the anticipated development. Future maps and development plans will be required to meet all design standards and regulations. The Project will be part of a larger industrial corridor which has a shared and vested interest in development of utilities to serve the corridor, and the Project site would be tying into existing development plans and, subsequently, reimbursing other developers for their fair share of the cost burden. Further, the substantial investment made by the surrounding industrial development to install infrastructure to serve the area will enable future residential, recreational, commercial, and mixed-use projects to occur that would not have been economically feasible without the industrial corridor.

SECTION 6: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVES the herein described Application.

SECTION 7: ***Final Specific Plan Amendment Documents.*** The Ontario Ranch Business Park Specific Plan document shall be updated and revised to reflect TOP 2050 Update land use changes for the Project Site. The Applicant shall submit to the Planning Department within 30 days following City Council approval of the Specific Plan Amendment, (1) five bound copies of the final Specific Plan document, (2) one complete, unbound copy of the final Specific Plan document; (3) One CD or flash drive containing a complete Microsoft Word copy of the final Specific Plan document, including all required revisions, as well as a complete PDF copy of the final Specific Plan document and an electronic website version (reduced file size, broken down by chapters), and (4) five CDs, each containing a complete PDF copy of the final Specific Plan document, including all required revisions.

SECTION 8: ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 9: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East “B” Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 10: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

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The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 30th day of August, 2022, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning Commissioner

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC22-054, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 30, 2022, by the following roll call vote, to wit:

AYES: Anderson, Dean, Gage, Lampkin, Ricci

NOES: None

ABSENT: DeDiemar, Willoughby

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:
Amended Ontario Ranch Business Park Specific Plan Document (Redline)

(Amended Ontario Ranch Business Park Specific Plan Document to follow this page)

1.0 INTRODUCTION

The Ontario Ranch Business Park Specific Plan (this "Specific Plan") is one of the initial industrial specific plans implementing the vision outlined by the City of Ontario for the Ontario Ranch area (formerly New Model Colony). The Ontario Ranch area covers 8,200 acres of the former 14,000-acre San Bernardino Agricultural Preserve, which was historically used for dairy or cattle farming by descendants of Dutch, French Basque, Portuguese, and Mexican families.

The Agricultural Preserve was divided in 1999, with portions incorporated into the three adjacent cities of Chino, Chino Hills, and Ontario. The City of Ontario named its portion the *New Model Colony* after the original *Model Colony of Ontario* established by the Chaffey Brothers, William and George Jr., in 1882. The original Model Colony was founded on innovative land development principles that included the distribution of water rights with land purchases (Mutual Water Company), a grand boulevard (Euclid Avenue), and an agricultural college (Chaffey College, established 1885).

Within Ontario Ranch the City of Ontario promotes innovative land development principles to continue the legacy of the Model Colony. The land use plan for Ontario Ranch provides for housing, commercial and industrial areas, parks, a lake, a golf course, and trail and bike links. Specific plans are required to guide development in Ontario Ranch to ensure the City objectives are achieved.

On January 26, 2010, the City of Ontario adopted The Ontario Plan, which serves as its new business plan and includes a long-term vision and principle-based policy plan, essentially functioning as the General Plan for the city, including Ontario Ranch.

The Ontario Ranch Business Park Specific Plan (ORBP SP) was approved in October of 2020 and consisted of a General Plan Amendment (GPA), Specific Plan, Development Plan Review, Tentative Parcel Maps, and a Development Agreement to allow for development of an industrial and business park on eleven parcels covering 85 acres in the City. The ORBP SP project included eight warehouse buildings ranging from 46,900 square feet (sf) to 618,353 sf, totaling a maximum development of 1,905,027 sf of warehouse and office uses. The proposed Project would incorporate the abutting approximately 72 acres to the east of the approved ORBP SP site into the overall ORBP SP area. This document has been revised to allow for the expansion.

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1.1 Purpose and Intent of the Specific Plan

The Ontario Ranch Business Park Specific Plan provides zoning regulations for development of the project site by establishing permitted land use, development standards, infrastructure requirements, and implementation requirements for development. A comprehensive set of design guidelines and development regulations are included to guide and regulate site planning, architectural character, and landscape within the community, ensuring that excellence in

community design is achieved during project development. The Specific Plan establishes the procedures and requirements to approve new development within the project site.

The purpose of the Specific Plan is to:

1. Provide a planning framework that responds to the physical and market driven aspects of future development opportunities;
2. Specify adequate and coordinated infrastructure, utilities, and public services for this area of the Ontario Ranch;
3. Promote compatible uses and interfaces with adjacent properties;
4. Ensure the appropriate location and intensity of uses through new development parameters; and
5. Conform with State laws and local ordinances and policies for the preparation of the Specific Plan.

The objectives of the Specific Plan are to:

1. Create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/logistics complex that is compatible with nearby residential neighborhoods.
2. Provide the entitlements and framework for the development of approximately 1.9 million square feet (sf) of business park and light industrial uses.
3. Provide employment opportunities for community residents.
4. Facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Specific Plan area.
5. Expand Ontario's industrial uses in proximity to local airports and regional transportation networks.
6. Create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Specific Plan vision.

1.2 Project Description

This Specific Plan is the regulatory document for the Ontario Ranch Business Park, accommodating up to 3,545,717 square feet (sf) of business park and light industrial uses on approximately 157 acres of land. The Specific Plan addresses consistency with The Ontario Plan; provides a development plan identifying land uses, circulation, infrastructure, streetscape, and landscape plans; establishes allowable uses and development standards for reviewing individual

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projects; presents design guidelines to create a visually attractive environment; summarizes the development review process; and specifies provisions for administration and implementation of the Specific Plan.

Location and Specific Plan Boundary

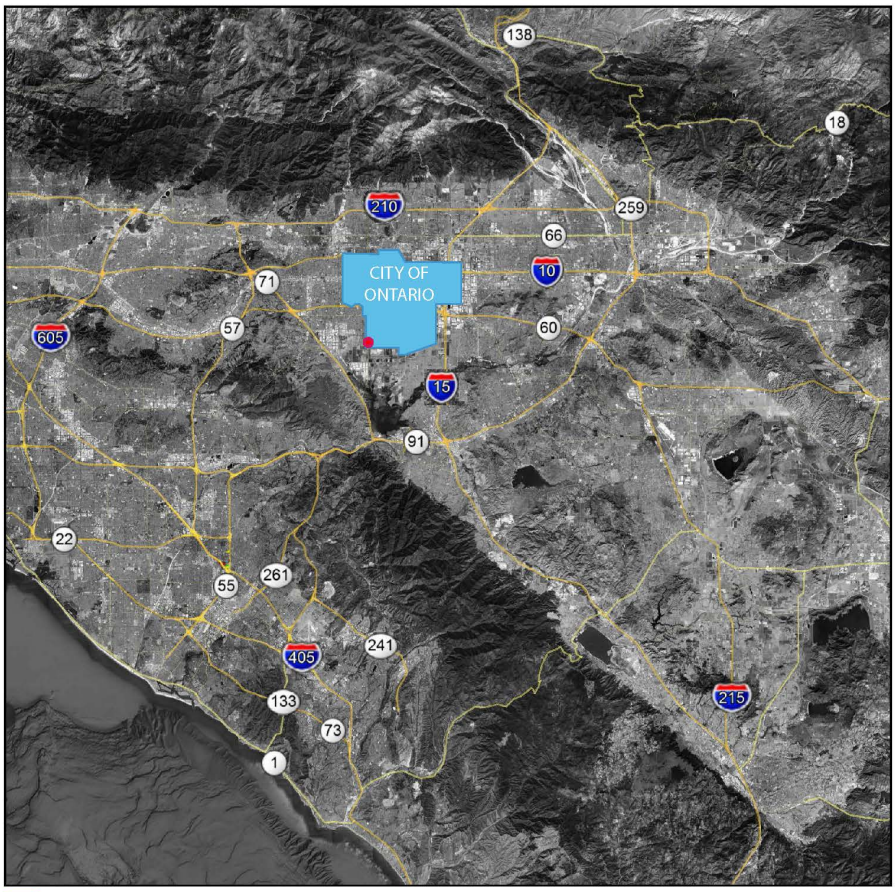
The Specific Plan area is located along the western and southern boundaries of the city of Ontario, adjacent to the City of Chino (Figure 1.1), within Ontario Ranch (Figure 1.2). The Specific Plan area is bounded by Eucalyptus Avenue on the north, Campus Avenue on the east, Merrill Avenue on the south, and Euclid Avenue on the west. Figure 1.3, Specific Plan Boundary, illustrates the limits of the Specific Plan area and identifies the nineteen parcels that it encompasses.

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FIGURE 1.1:**REGIONAL LOCATION**



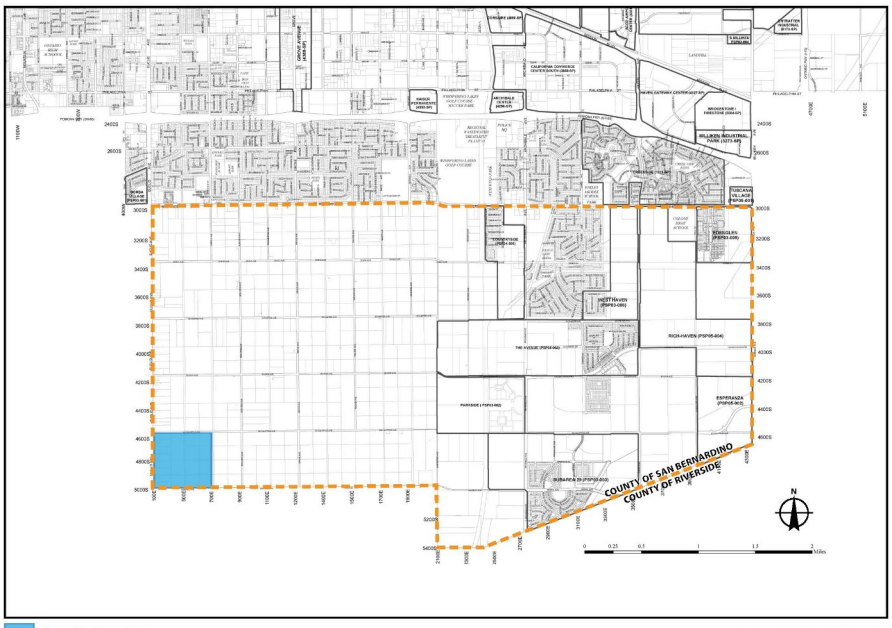
SPECIFIC PLAN AREA

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FIGURE 1.2: ONTARIO RANCH



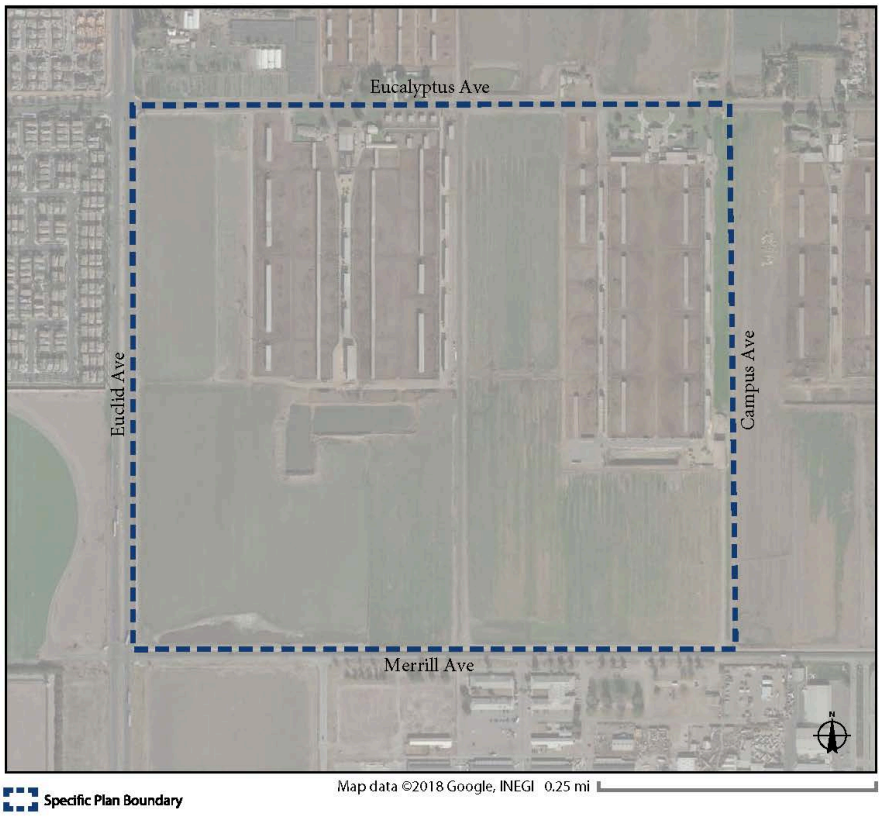
Specific Plan Area
Ontario Ranch
Assessor Parcels

Map Data City of Ontario

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FIGURE 1.3: **SPECIFIC PLAN BOUNDARY**



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Employment Generation

At build-out, the Ontario Ranch Business Park is anticipated to create hundreds of jobs in warehousing, logistics, light manufacturing, and administration. Actual job creation depends on the type of land uses ultimately developed, as a wide range of office, business park, and industrial uses are permitted. For example, e-commerce uses such as internet merchant fulfillment would yield more jobs than a distribution warehouse since many e-commerce companies employ labor-intensive picking and packing operations. Employment opportunities will range from entry level to highly skilled labor, adding to Ontario's competitive advantage in the region. Ontario Ranch Business Park will also provide expanded opportunities for start-up businesses.

Infrastructure Framework

In cooperation with adjacent property owners and developers, the Specific Plan will help establish the necessary framework to enable the continued growth and development of Ontario Ranch. The Specific Plan identifies master planned water, sewer, and storm drain infrastructure. The extent of infrastructure to be provided by Ontario Ranch Business Park will be established as part of the development agreement.

Community Compatibility

The Specific Plan is sensitive to the existing residential use located across the street on the west side of Euclid Avenue. Its land use plan designates the northern frontage and the western frontage across from the residential use as Business Park, which provides for smaller scale buildings with less intense uses. The Industrial designation is applied to the remainder of the Specific Plan area where there are no existing sensitive uses.

1.3 Specific Plan Requirements

The range of issues contained in a specific plan is left to the discretion of the decision-making body. However, all specific plans must, at a minimum, address the following:

1. The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
2. The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
3. Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.

4. A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the above identified items.

1.4 Authority and Scope

The Ontario Plan requires approval of a Specific Plan for development within Ontario Ranch to guide development of the project site, ensure unified districts and neighborhoods, and implement the City's goals and policies. The City of Ontario has zoned the project site SP (Specific Plan) Zoning District with an AG (Agriculture) Overlay District. This Specific Plan provides zoning regulations to govern development of the project site and shall take precedence over the City of Ontario Development Code. However, in instances where the Specific Plan is silent, the Development Code shall prevail.

The California Government Code (Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457) grants the City the authority to adopt a specific plan by ordinance (a regulatory plan) or resolution (a policy driven plan). This Specific Plan is a regulatory document, providing land use and design guidance adopted by ordinance.

As a regulatory plan, this document serves as zoning law for the land within the Specific Plan area. Development plans, site plans, and tentative tract and parcel maps must be consistent with this Specific Plan and The Ontario Plan. The topics covered in this Specific Plan include land use, infrastructure, development standards, design guidelines, and implementation measures. The minimum requirements of a specific plan are established by California Government Code Sections 65450 through 65457 and City of Ontario Code Sections 9-1.2100 to 9-1.2125.

No local public works project may be approved, no tentative map or parcel map for which a tentative map was not required may be approved, and no zoning ordinance may be adopted or amended within an area covered by a specific plan unless it is consistent with the adopted specific plan (California Government Code Section 65455). The California Government Code also requires compatibility with local, regional and other planning measures. For example, the Specific Plan must be consistent with any applicable comprehensive airport land use plan (ALUP) (California Government Code Section 65302.3). After adoption, any identification of inconsistency must be followed by the amendment of either existing plans and regulations or the specific plan itself. Failure to correct inconsistencies can result in the inability to enforce specific plan regulations and policies.

1.5 California Environmental Quality Act Compliance

The Specific Plan is a discretionary project and is subject to the requirements of the California Environmental Quality Act (CEQA). Pursuant to State and local CEQA guidelines, an Environmental Impact Report addressing the impacts associated with the development of the project must be considered and certified by the City prior to approval of the Specific Plan.

To address potential environmental impacts, it is anticipated that an environmental impact report (EIR) will be prepared. The EIR will analyze the potential environmental impacts of the adoption and implementation of the Specific Plan and any concurrently processed permits. The EIR for the Specific Plan will be most helpful in dealing with concurrently processed implementing projects (such as development within the Specific Plan and/or related infrastructure provision) and subsequent activities within the Specific Plan area. With a detailed analysis of the Specific Plan and development, many subsequent activities, such as grading permits or other development permits, could be found to be within the scope of the project described in the EIR, and no further environmental documents would be required.

1.6 Organization of this Specific Plan

The Specific Plan is organized by chapter as follows:

1. **Introduction.** This chapter states the purpose and intent of the Specific Plan, introduces the proposed project, summarizes specific plan requirements, and explains the scope and authority of the Specific Plan and its compliance with CEQA.

2. **Existing Conditions.** This chapter explains the baseline conditions for the project site including current and surrounding land uses, airport influence, circulation, utilities, and environmental conditions.

3. **Development Plan.** This chapter establishes the overall development concept for the Specific Plan including the land use plan, infrastructure plans for water, sewer, utilities, and circulation, and the provision of public services such as fire, police, and solid waste disposal.

4. **Land Use and Development Regulations.** This chapter establishes the land use designations and regulations for the Specific Plan. Upon adoption of this Specific Plan, the land use and development standards within this chapter serve as the legal zoning for the Specific Plan area.

5. **Design Guidelines.** This chapter identifies the conceptual themes for site planning, architecture, and landscape design in the Specific Plan area.

6. **Administration and Implementation.** This chapter provides requirements for the development review and administration of the Specific Plan including amendment procedures and implementation priorities.

7. **The Ontario Plan Consistency.** This chapter describes the Specific Plan's conformance with The Ontario Plan.

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2.0 EXISTING CONDITIONS

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The following sections document the conditions prior to the adoption of this Specific Plan, including land uses, airport influence areas, Williamson Act contracts, land use designations, circulation, and environmental conditions.

2.1 Existing and Surrounding Land Uses

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The Specific Plan area is occupied by agricultural uses, including a dairy farm, row crops, and vacant land. Dairy farming and agriculture have been the primary uses of the property since the 1930s or earlier.

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Figure 2.1 shows the existing uses in the vicinity, which include:

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- North across Eucalyptus Avenue: plant nursery, dairy farm
- South across Merrill Avenue (City of Chino): Chino Airport
- East across Campus Avenue: dairy farms, row crops, and vacant land
- West across Euclid Avenue (City of Chino): residential uses, vacant land, and the former Stark Youth Correctional Facility

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The Ontario Plan designates the surrounding areas in Ontario Ranch for business park, industrial, and residential uses.

2.2 Airport Influence Areas

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Ontario International Airport Influence Area

The Ontario International Airport Land Use Compatibility Plan (ONT ALUCP) was adopted by the Ontario City Council on April 19, 2011. The intent of a compatibility plan is to avoid conflicts between airport operations and surrounding land uses. The Specific Plan area is not within the safety, noise impact, or airspace protection zones of the ONT ALUCP; however, it is within the Airport Influence Area, as is the entire City of Ontario. While a Real Estate Transaction Disclosure policy is not required for non-residential land, developers or tenants may purchase a Natural Hazard Disclosure report that would indicate that the property is in an Airport Influence Area.

Chino Airport Overlay Zone

The Specific Plan area is within Safety Zone 6 of the Chino Airport Overlay (Generic Safety Zones for General Aviation Airports from the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook). Zone 6 compatibility criteria prohibit people-intensive uses such as stadiums, large day care centers, hospitals, and nursing homes.

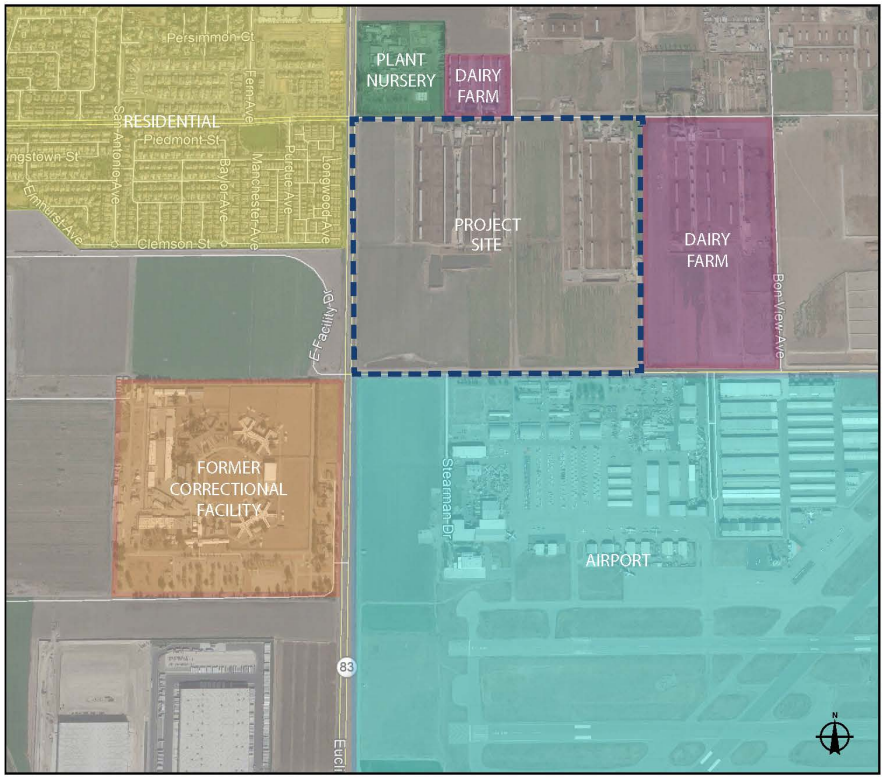
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FIGURE 2.1: SURROUNDING LAND USES



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The Specific Plan's land uses are compatible with these guidelines. The Handbook guidelines suggest the provision of approximately 10 percent usable open land in projects within Safety Zone 6. The Handbook further indicates that ideal emergency landing sites are ones that are long, level, free of obstacles and with minimum dimensions of 300 feet long by 75 feet wide, much like a runway. In the Specific Plan area, surrounding roads (Euclid, Eucalyptus, Sultana and Merrill Avenues), drive aisles, and truck parking lots can be considered as acceptable open lands in urbanized settings.

2.3 Williamson Act Contracts

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The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments that are much lower than normal because they are based upon farming and open space uses as opposed to full market value. The motivation for the Williamson Act is to promote voluntary land conservation, particularly farmland conservation. There are no active Williamson Act contracts located within the Specific Plan area.

2.4 Existing Ontario Plan and Zoning Designations

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The Ontario Plan existing land use designations and existing zoning map designations for the Specific Plan area (prior to adoption of the Ontario Ranch Business Park Specific Plan) are shown in Figure 2.2

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The Ontario Plan existing land use designations are:

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- General Commercial (0.4 Floor Area Ratio (FAR))
  Assessor Parcel Number (APN): 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02 and 1054-281-03
- Office Commercial (0.75 FAR)
  APN: 1054-011-01, 1054-011-02, 1054-021-01 and 1054-021-02
- Low-Medium Density Residential (5.1 – 11 dwelling units per acre)
  APN: 1054-011-04, 1054-041-02, 1054-031-02, 1054-261-02, 1054-261-01, 1054-031-01, 1054-041-01
- Light Industrial (0.55 FAR)
  APN: 1054-291-01, 1054-291-02

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The project includes an application for a General Plan Amendment to change the land use designations to Industrial and Business Park, as discussed in Chapter 3, Development Plan.

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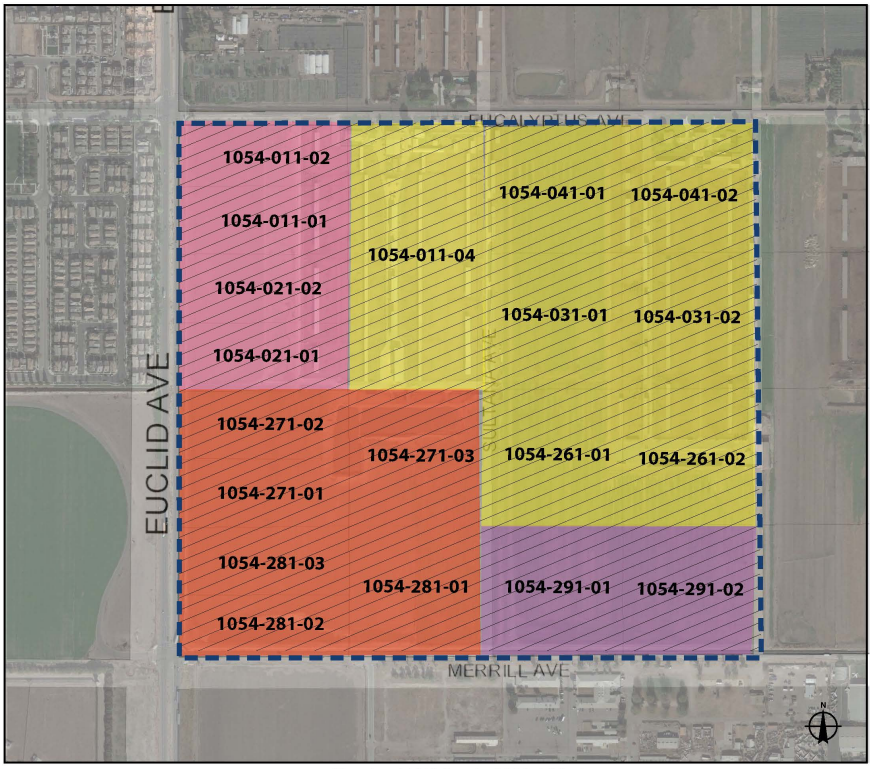
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FIGURE 2.2: EXISTING LAND USE AND ZONING



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Existing Conditions

The existing zoning designation is SP (Specific Plan) Zoning District with an AG (Agriculture) Overlay District. The AG Overlay indicates that the land can continue to be used for agricultural uses, but the SP District designation requires approval of a specific plan by the City for urban development of the project site.

2.5 Existing Circulation

The Specific Plan area is located approximately three miles south of State Route 60 via State Route 83 (Euclid Avenue), which is located on the western boundary of the Specific Plan area, as shown in Figure 2.3.

Vehicular circulation in the Specific Plan area is provided by Eucalyptus Avenue on the north, Merrill Avenue on the south, and Euclid Avenue on the west and Campus Avenue on the East.

Existing improvements for Euclid Avenue include interim pavement and an unimproved dirt center median. Euclid Avenue has a fully dedicated right-of-way as specified in The Ontario Plan.

Eucalyptus and Merrill Avenues are substandard, requiring right-of-way dedication and major street and parkway improvements.

Campus Avenue is a partially dedicated yet unimproved street that exists only on paper.

Sultana Avenue is a fully dedicated yet unimproved street that exists only on paper.

Along Euclid Avenue traffic signals are located at the Eucalyptus Avenue and Merrill Avenue intersections.

Access to the site is currently provided via five driveway entrances located on Eucalyptus Avenue.

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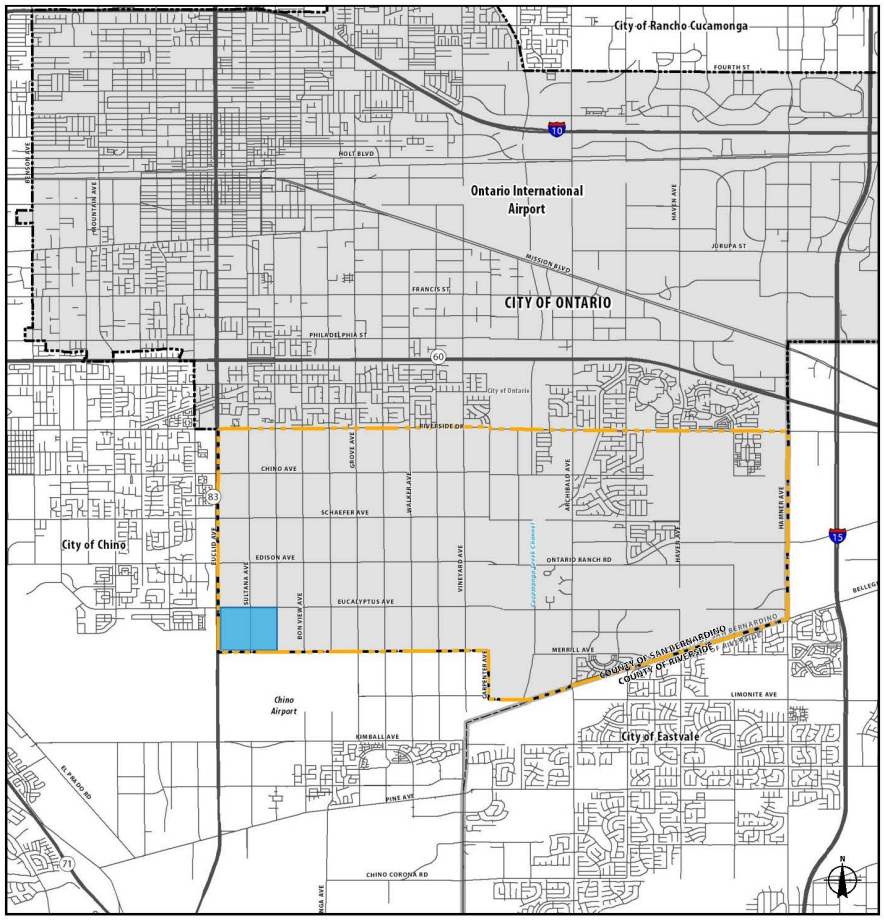
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FIGURE 2.3: REGIONAL CIRCULATION



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2.6 Existing Environmental Conditions

Topography

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The overall project site is moderately flat, sloping from north to south with approximately a 30-foot drop in elevation.

Geology, Soils, and Seismicity

The Phase I environmental site assessment (ESA) included boring to depths of 10 to 30± feet and trenching to depths of 4 to 12± feet. Soils encountered through boring and trenching consist of highly organic soils to depths of 1 to 1½± feet. The near-surface soils possess low to medium expansion potentials. Groundwater was not encountered in any of the soil borings conducted as part of the assessment.

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The near-surface soils are considered corrosive to ferrous metals, including ductile iron pipe. Additionally, the near surface soils encountered at a boring located in the cattle pen area possessed chloride concentrations that can be deleterious to steel in reinforced concrete. A methane gas survey determined on-site levels are below the threshold.

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A geotechnical feasibility study on the Specific Plan site indicated that the proposed development is considered feasible from a geotechnical standpoint. The subject site is located in an area that is subject to strong ground motions due to earthquakes. Research of available maps indicates that the Plan area is not located within an Alquist-Priolo Earthquake Fault Zone. Furthermore, a geotechnical feasibility study did not identify any evidence of faulting during the geotechnical investigation. Therefore, the possibility of significant fault rupture on the site is considered low.

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The potential for other geologic hazards such as seismically induced settlement, lateral spreading, tsunamis, inundation, seiches, flooding, and subsidence affecting the site is considered low. Research of the San Bernardino County Land Use Services website indicates that the subject site is not located within a zone of liquefaction susceptibility. Based on the mapping performed by San Bernardino County and the conditions encountered at the boring locations, liquefaction is not considered to be a design concern for development within the Specific Plan area.

Hydrology

Storm runoff from the project site generally drains from north to south. There are two detention areas onsite, one located in the center of the site and the other at the southerly portion of the site adjacent to Merrill Avenue.

The southeast portion of the Specific Plan area surface drains southerly to a dirt swale located adjacent to Merrill Avenue, then westerly to a set of four corrugated steel pipes, then southerly to an earthen channel adjacent to Euclid Avenue.

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The remainder of the Specific Plan area surface drains southerly to an onsite detention basin, then southerly via a concrete spillway to the dirt swale adjacent to Merrill Avenue, the corrugated steel pipes, and finally the earthen channel adjacent to Euclid Avenue.

Areas north of the project site drain southerly towards Eucalyptus Avenue and then westerly towards Euclid Avenue. Eucalyptus Avenue is not fully improved, so it is possible that offsite flows from the north enter the project site.

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According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps, the project site is not located within a flood hazard zone.

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Biological Resources

The Specific Plan area generally represents low biological resource value due to highly disturbed site conditions and historic dairy/agricultural use, resulting in low biological diversity. There is limited vegetation on the majority of the site; the vegetation that exists is generally non-native grasses and weeds.

2.7 Existing Ground Water Wells

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In compliance with the Chino Basin Water Master's Well Procedure for Developers, a well use/destruction plan and schedule for all existing private/agricultural wells shall be submitted to the City of Ontario for approval prior to the issuance of permits for any construction activity. If a private well is actively used for water supply, the Developer shall submit a plan to abandon such well and connect users to the City's water system (residential to the domestic water system and agricultural to the recycled water system) when available. Wells shall be destroyed/abandoned per the California Water Resource Guidelines and require permitting from County Health Department. The locations of existing wells are shown in Exhibit 2.4, "Existing Wells". A copy of such permit and Form DWR 188 Well Completion Form shall be provided to the Development Engineering Department and the Utilities Engineering Department prior to issuance of grading and/or building permits. If the Developer proposes temporary use of an existing agricultural well for purposes other than agriculture, such as grading, dust control, etc., the developer shall make a formal request to the City of Ontario for such use prior to issuance of permits for any construction activity. Upon approval, the Developer shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by the agreement.

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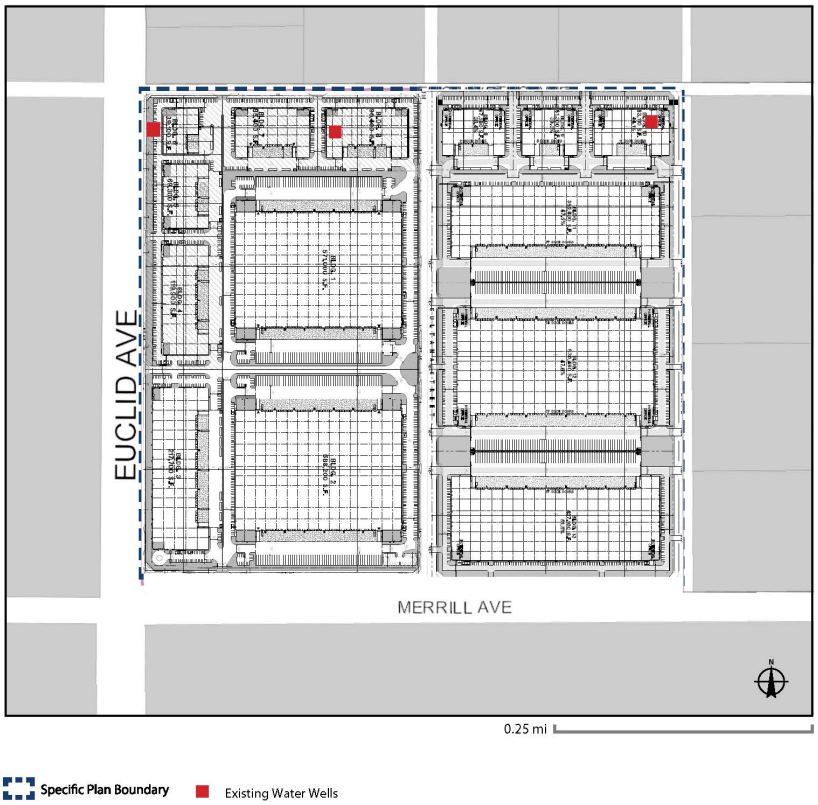
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FIGURE 2.4: **EXISTING WATER WELLS**



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3.0 DEVELOPMENT PLAN

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This chapter provides the framework to guide development of the Ontario Ranch Business Park Specific Plan. The chapter presents the proposed planning areas, infrastructure plans, and public services to support the project.

3.1 Land Use Plan

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The Specific Plan consists of four Planning Areas accommodating a variety of industrial-serving commercial, low-intensity office, technology, light manufacturing, and warehouse/distribution uses that are compatible with the site's location within Safety Zone 3 of the Chino Airport. The Land Use Plan implements the vision of the Ontario Plan by providing opportunities for employment in manufacturing, distribution, and research and development at intensities designed to meet the demand of current and future market conditions. A list of allowable uses by Planning Area is presented in Chapter 4 (Land Use and Development Standards).

Figure 3.1 (Land Use Plan) identifies the location of the Planning Areas. The two Zoning Districts are described below:

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BP (Business Park) Zoning District: The BP zoning district accommodates industrial-serving commercial, low intensity office uses, and certain light industrial uses. Development within this district is typically multi-tenant in nature; however, single-tenant buildings are not precluded.

IG (Industrial - General) Zoning District: The IG zoning district accommodates storage and warehousing uses located in larger buildings on larger sites. Uses may include e-commerce, high cube warehouses, or distribution. A wide range of manufacturing and assembly uses are also permitted in this district.

Table 3.1 provides the maximum allowable gross building area for each Planning Area at its associated floor area ratio. Development standards (found in Chapter 4), such as setback requirements, parking, landscaping, infrastructure, and site design, may reduce the maximum gross square footage.

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Table 3.1 Maximum Specific Plan Build-Out

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Planning Area	Maximum Floor Area Ratio[1,2]	Site Acreage[3]	Maximum Building Square Footage
Planning Area 1: Business Park	0.45	23.4	457,904
Planning Area 2: Industrial - General	0.54	61.5	1,447,123
Planning Area 3: Business Park	0.45	11.63	227,951
Planning Area 4: Industrial - General	0.54	60.06	1,412,739
TOTAL		**156.59**	**3,545,717 SF**

Note:
1. Provided the General Plan Amendment application submitted in conjunction with this Specific Plan to designate PA 1 and 3 as Business Park and PA 2 and 4 as Industrial - General is approved.
2. The project EIR as proposed is reviewing square footages below the maximum TOP thresholds. The FAR may be increased to the TOP max levels of 0.60 and 0.55 for BP and IG respectively with a Specific Plan Amendment and appropriate CEQA analysis.
3. PA 1 is rounded from 23.3601, PA is rounded from 61.521 PA 3 is rounded from 11.629 and PA 4 is rounded from 60.0593

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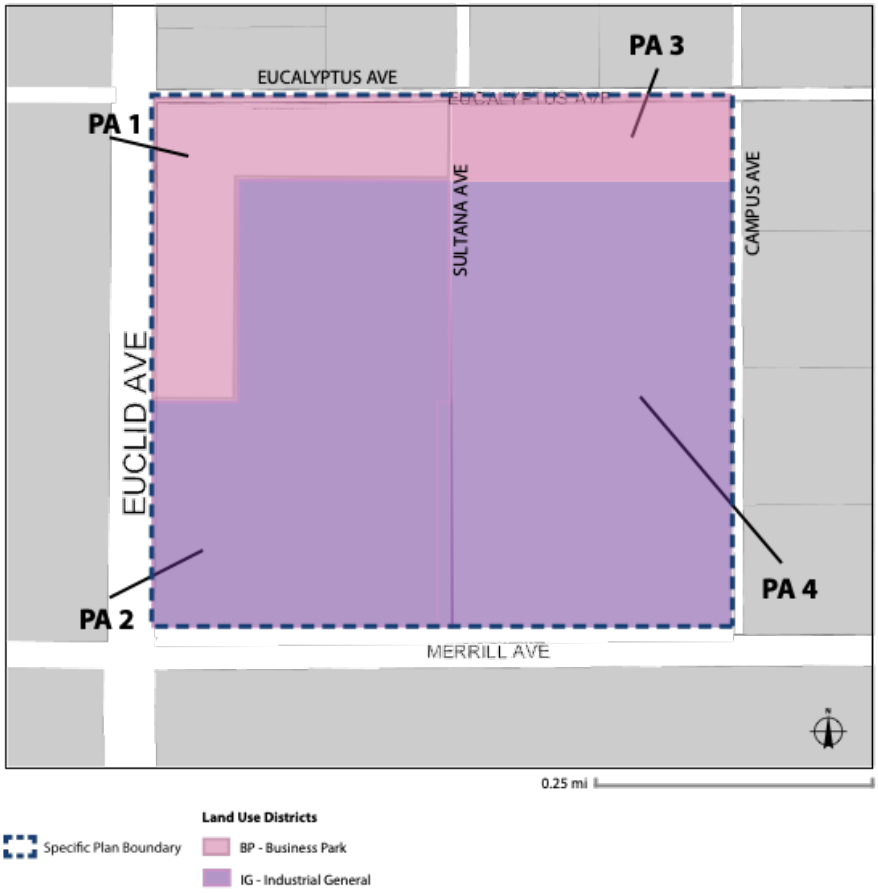
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FIGURE 3.1: LAND USE PLAN



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3.2 Conceptual Site Plan

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The conceptual site plan for the Ontario Ranch Business Park Specific Plan is presented in Figure 3.2. Under this conceptual plan, Planning Area 1 (Business Park Zoning District) is developed with five buildings totaling 457,904 square feet (SF) and Planning Area 2 (Industrial – General Zoning District) is developed with three buildings totaling 1,447,123 SF (Table 3.2). Planning Area 3 (Business Park Zoning District) is developed with three buildings totaling 211,790 square feet (SF) and Planning Area 4 (Industrial – General Zoning District) is developed with three buildings totaling 1,310,450 SF (Table 3.2). Cumulatively, the fourteen buildings depicted in the conceptual site plan provide **3,427,267 SF** of development.

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The conceptual site plan reflects current market trends, site conditions, and planned infrastructure. However, the conceptual site plan may be modified provided it does not exceed the maximum building area presented in Table 3.1 and complies with this Specific Plan and applicable provisions of the City of Ontario Development Code.

Table 3.2 Conceptual Site Plan

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Planning Area	SP Zoning District	Site Acreage	Proposed Conceptual Building Square Footage
1	BP	23.4	457,904
2	IG	61.5	1,447,123
3	BP	11.63	211,790
4	IG	60.06	1,310,450
TOTAL		**156.59**	**3,427,267 SF**

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3.3 Circulation Plan

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The Circulation Plan (Figure 3.3) facilitates movement of vehicles, pedestrians and cyclists within the Specific Plan area, consistent with the City of Ontario's Roadway Classification System, shown in Figure 3.4

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Figure 3.5 presents typical street cross sections for Campus, Euclid, Eucalyptus, Sultana, and Merrill Avenues. Conceptual streetscape design is presented in Chapter 5 (Design Guidelines). Road surface, sidewalk, and trail improvements within the Specific Plan area must be approved by the City's Engineering Department.

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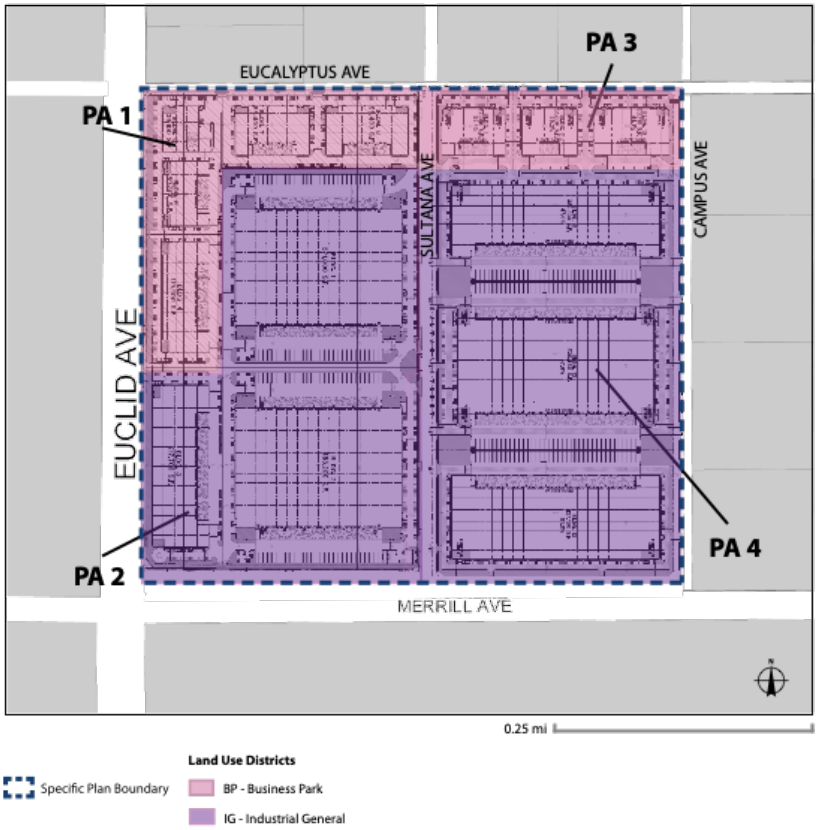
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FIGURE 3.2: **CONCEPTUAL SITE PLAN**



Note: This Site Plan is for conceptual purposes only. This site plan is subject to change based on future development proposals within the Specific Plan Area, and/or results of a roadway alignment study.

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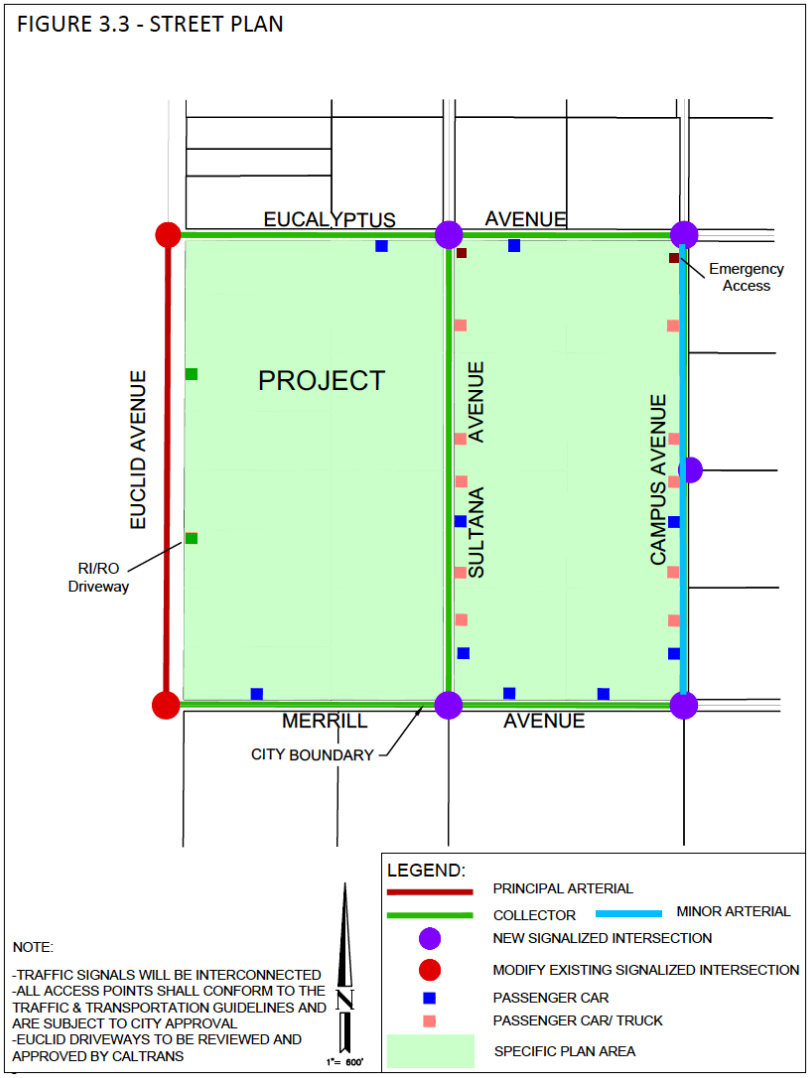
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FIGURE 3.3 - STREET PLAN



Note: The driveway locations are for conceptual purposes only. Locations are subject to change based on future development proposals within the Specific Plan Area, and/or results of a roadway alignment study.

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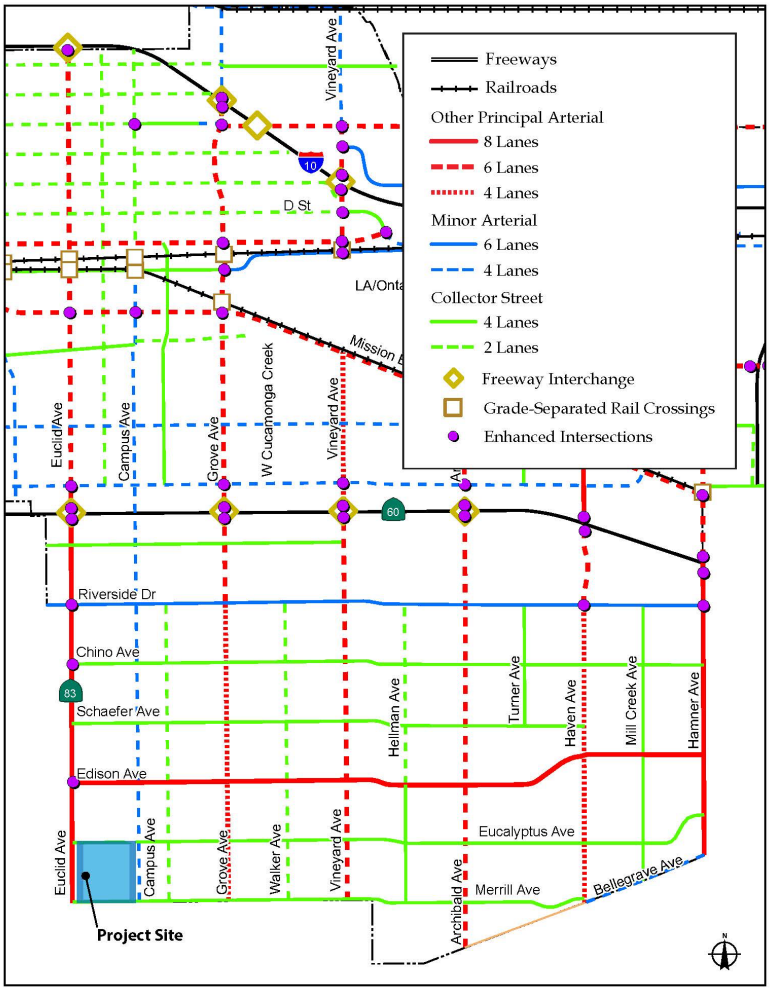
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FIGURE 3.4: **CITY OF ONTARIO ROAD CLASSIFICATION SYSTEM**



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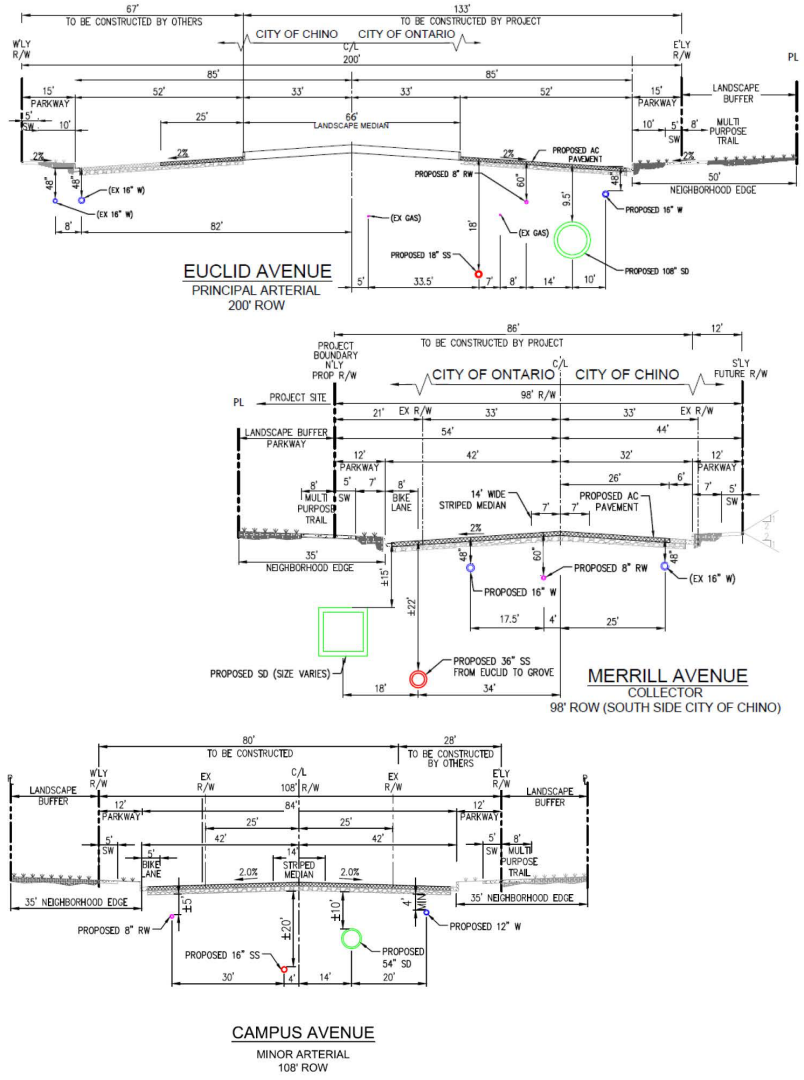
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FIGURE 3.5 - STREET SECTIONS



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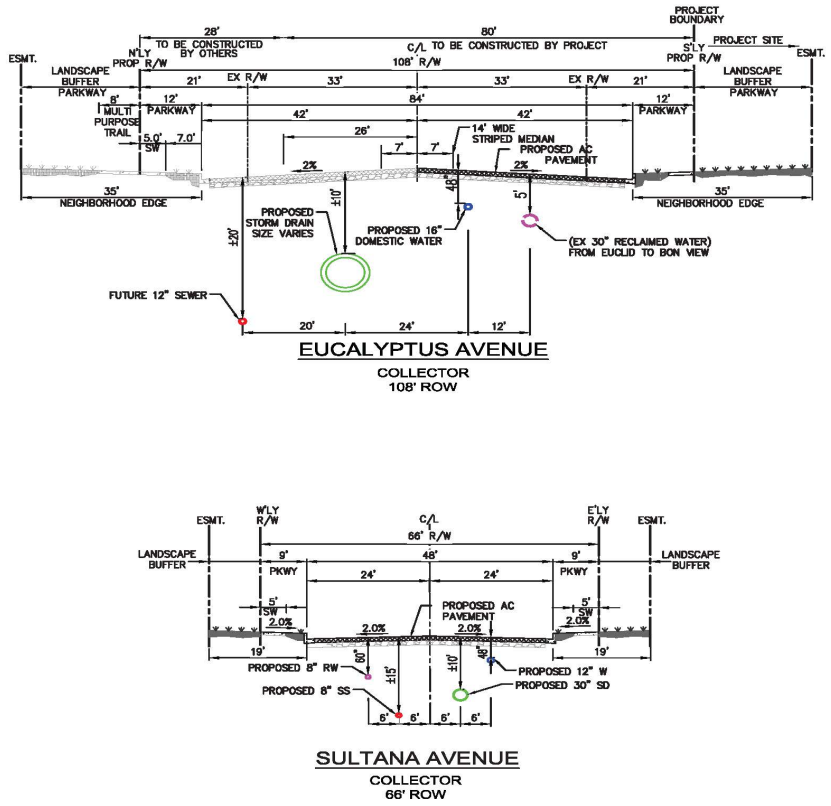
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FIGURE 3.5 - STREET SECTIONS



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3.3.1 Euclid Avenue (Route 83)

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Euclid Avenue is an expressway under Caltrans' jurisdiction that is designated as an eight-lane Principal Arterial in The Ontario Plan's Functional Roadway Classification Plan. The centerline of this street forms the boundary between the City of Ontario to the east and the City of Chino to the west. Euclid Avenue is designed with a 200-foot wide right-of-way, a 66-foot wide center median, and 52-feet of pavement including curbs and gutter. The existing half-width street right-of-way is 100 feet; therefore, no dedication is required.

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The Euclid Avenue streetscape design illustrated in Chapter 5, Design Guidelines, for the east side of the street adjacent to the project site specifies a 15-foot wide parkway including a five-foot wide sidewalk and an eight-foot wide on-site multipurpose trail within a 35-foot wide landscape buffer, creating a 50-foot wide neighborhood edge as specified in the *Ontario Ranch Colony Streetscape Master Plan*.

3.3.2 Eucalyptus Avenue

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Eucalyptus Avenue is located along the northern boundary of the Specific Plan area, providing east/west access to the site. Eucalyptus Avenue is designated by the Functional Roadway Classification Plan as a four-lane Collector Street. The Specific Plan specifies an 108-foot wide right-of-way with 84 feet of pavement including curb/gutter.

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The Eucalyptus Avenue streetscape design presented in Chapter 5, Design Guidelines, specifies a 12-foot wide parkway including a seven-foot wide curb-adjacent landscaped area and a five-foot wide sidewalk. The north side also provides an eight-foot wide on-site multipurpose trail within a 23-foot wide landscape buffer setback. Together, the parkway and landscape buffer setback create a 35-foot wide neighborhood edge, as described in the *Ontario Ranch Colony Streetscape Master Plan*. A 21-foot dedication will be required for Eucalyptus Avenue.

3.3.3 Sultana Avenue

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Sultana Avenue is designated as a Collector Street with a 66-foot wide right-of-way and 48 feet of pavement including curb and gutter. The Sultana Avenue streetscape presented in Chapter 5, Design Guidelines, specifies a 9-foot-wide parkway including a 4 foot landscape and a five-foot wide sidewalk. The west side of the street adjacent to the project site provides a 10-foot wide landscape buffer setback. Sultana Avenue is not yet developed adjacent to the Specific Plan area. However, the right-of-way exists, and no dedication is required.

3.3.4 Merrill Avenue

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Merrill Avenue is designated as a four-lane Collector Street in the Functional Roadway Classification Plan and provides east-west access to the project's southern boundary. The centerline of this street forms the boundary between the City of Ontario to the north and the City

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of Chino to the south. The Specific Plan specifies an 98-foot wide right-of-way and 74 feet of pavement including curb and gutter for Merrill Avenue.

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The Merrill Avenue streetscape design presented in Chapter 5, Design Guidelines, for the north side of the street adjacent to the project site includes an eight-foot wide Class II on-street bike lane at the edge of the street, a seven-foot wide curb-adjacent landscaped area, and a five-foot wide sidewalk. An eight-foot wide multipurpose trail is located within a 23-foot wide landscape buffer setback. Together, these improvements establish a 35-foot wide neighborhood edge, as specified in the *Ontario Ranch Streetscape Master Plan*. A 21-foot street dedication will be required for Merrill Avenue.

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3.3.5 Campus Avenue

Campus Avenue is located along the eastern boundary of the Specific Plan area, providing north-south access to the site. Campus Avenue is designated as a Minor Arterial Street per the Functional Roadway Classification Plan. The Specific Plan specifies a 108-foot wide right-of-way and will require a 25-foot half-width dedication and a 12-foot parkway including the sidewalk. An additional 23ft dedication for the neighborhood edge is required.

3.3.6 Local Circulation

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Final site planning and off-site design shall be subject to City approval. In addition to the typical street sections described and depicted, additional geometric enhancements, including but not limited to those at intersections, may be required to adequately mitigate impacts identified in the Traffic Impact Analysis/Specific Plan EIR. Local roadway circulation shall accommodate trucks with a double trailer combination wheelbase of 67 feet (known as the WB-67 design vehicle).

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Driveways shall conform to access requirements of the Traffic and Transportation Design Guidelines. Driveway locations, specifically those that are in proximity to master-planned or future traffic signals, shall be located so as not to interfere with queues as projected in the Traffic Impact Analysis for the Specific Plan. The use of surrounding roads, drive aisles and truck parking lots to address the open land requirement for the Chino Airport Overlay zone is discussed in Chapter 2 (Section 2.2: Airport Influence Areas).

Fair share responsibilities for street improvements will be addressed in a Development Agreement with the City.

3.3.7 Traffic Control Devices

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All traffic signs regulating, warning, and/or guiding traffic on public roads will conform to the California Manual on Uniform Traffic Control Devices (MUTCD), latest edition. All traffic-control signs, whether on public or private property, shall conform to the California MUTCD.

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3.3.8 Truck Routes

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The City of Ontario designates and maintains a network of truck routes that provide for the effective transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses (Figure 3.6). Euclid Avenue, located at the western perimeter of the Specific Plan area, is a designated truck route. Merrill Avenue, which runs along the southern boundary of the Specific Plan area, is a designated truck route from Euclid Avenue to Archibald Avenue.

3.3.9 Pedestrian Circulation

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To improve safety and the pedestrian experience, connect the various parts of the Specific Plan area, and expand access to nearby land uses, sidewalks will be provided along all streets abutting the Specific Plan area. Sidewalks will be five-feet wide, constructed of concrete, and installed in conjunction with adjacent roadway improvements.

3.3.10 Trails and Bike Paths

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Trails and bicycle paths will provide an additional mode of circulation in and around the Specific Plan area. Multipurpose trails will be provided on the east side of Euclid Avenue, and the north side of Merrill Avenue, north side of Eucalyptus Avenue and east side of Campus Avenue (Figure 3.7).

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The Ontario Plan Mobility Element specifies a Class II bikeway on the north side of Merrill Avenue and on the west side of Campus Avenue. Class II bikeways are defined as dedicated (striped) lanes along streets, with no parking allowed in the bike lane. This bike lane provides linkages to the City's bike path system (Figure 3.8).

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The trail and bikeway improvements will be installed along the project frontages in conjunction with street improvements. The city reserves the right to implement bike lanes on Eucalyptus at the discretion of the Traffic and Transportation Division.

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3.3.11 Transit

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Transit options provide an alternative mode of transportation for motorists and a primary mode for the transit dependent. The City is coordinating with regional transit agencies to implement Bus Rapid Transit (BRT) service to target destinations and along corridors, including Euclid Avenue on the western boundary of the Specific Plan area.

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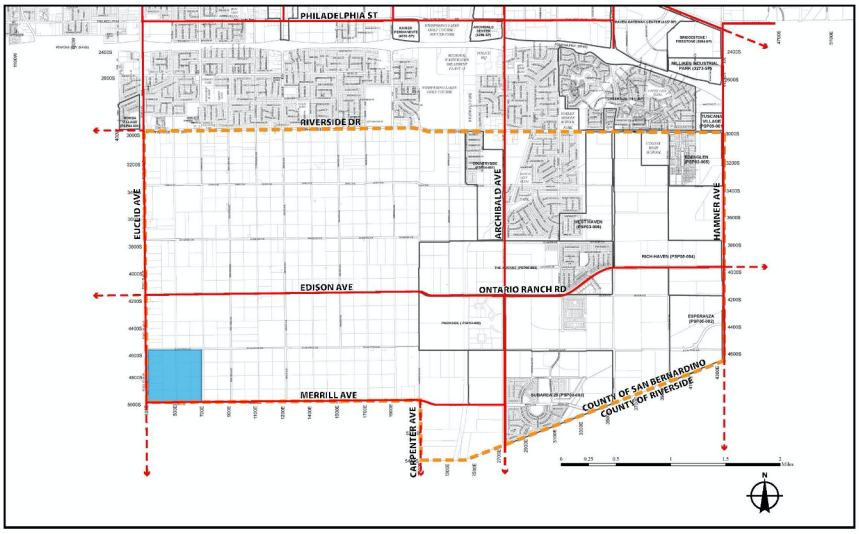
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FIGURE 3.6: **TRUCK ROUTES**



Truck Routes

- Specific Plan Area
- Ontario Ranch
- City of Ontario Truck Routes
- Adjacent Agency Truck Routes

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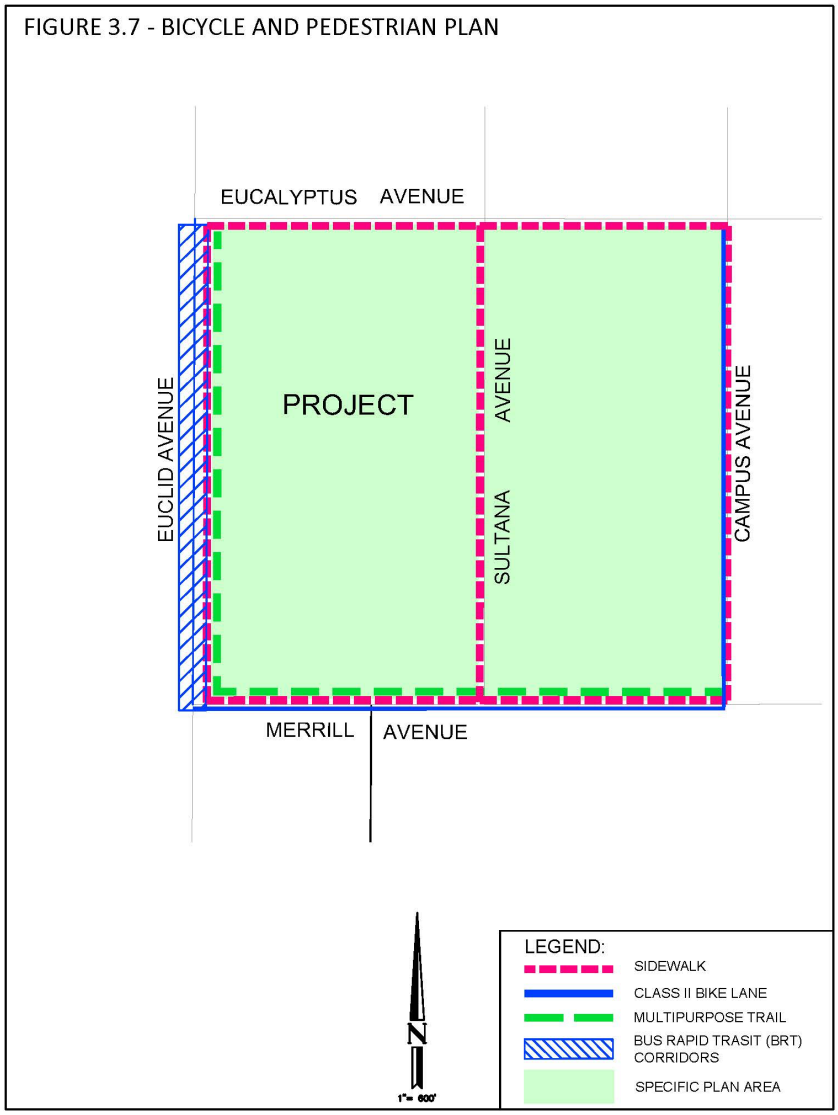
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FIGURE 3.7 - BICYCLE AND PEDESTRIAN PLAN



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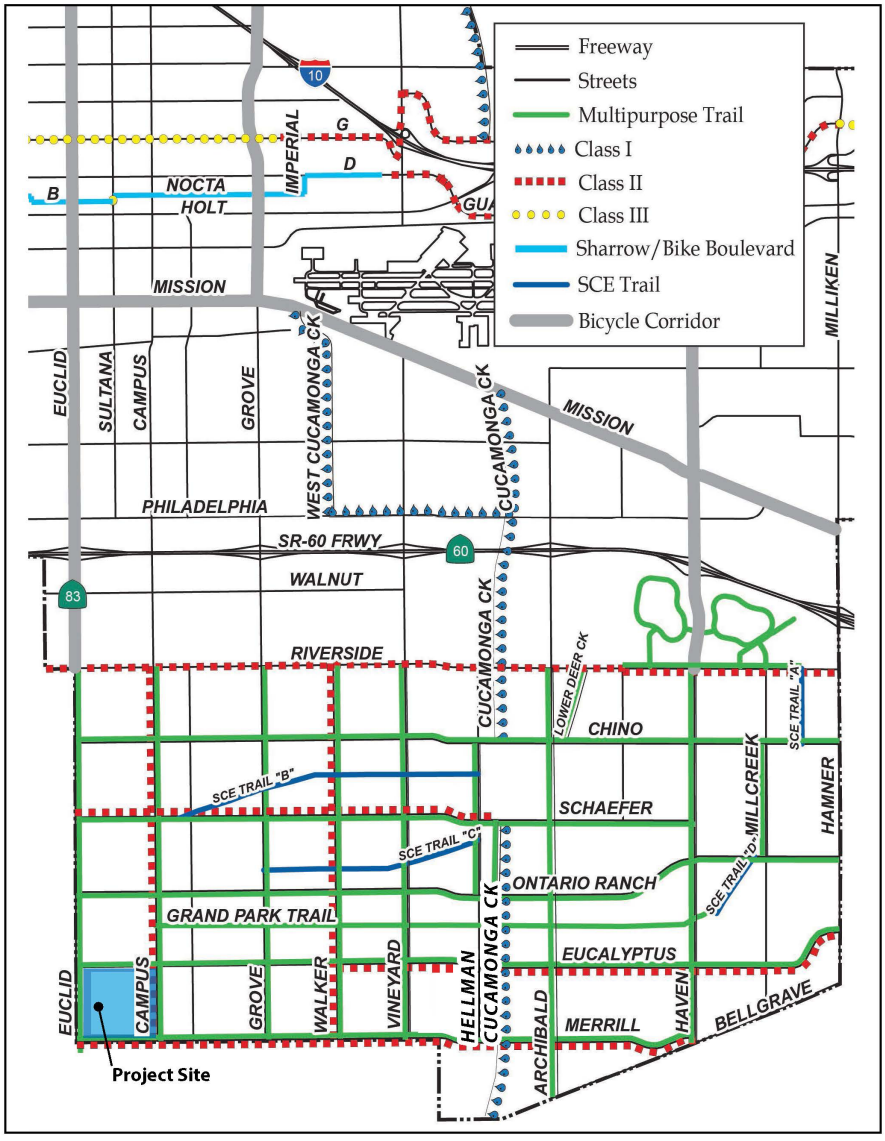
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FIGURE 3.8: CITY OF ONTARIO TRAIL AND BIKEWAYS PLAN



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3.4 Potable Water Plan

Water service to the Specific Plan area will be provided by the City of Ontario. Potable water is provided by imported water from the Water Facilities Authority (WFA), Chino Basin Desalter Authority (CDA) and groundwater from the Chino Basin, extracted via the City's wells. The WFA was formed in 1980 as a Joint Powers Authority by the Cities of Chino, Chino Hills, Ontario and Upland, and the Monte Vista Water District. It was formed to construct and operate water treatment facilities that provide a supplemental supply of potable water to its member agencies.

Currently there are no City potable water mains or City potable water infrastructure in the vicinity of the Specific Plan Area. The project site lies within the 925 Pressure Zone (PZ) (Figure 3.10). Providing potable water service to the Specific Plan Area requires extending the Phase 2 West Backbone 24-inch potable water main in Eucalyptus Avenue from Carpenter Avenue to Grove Avenue; extending this potable water main in Eucalyptus Avenue with a 16-inch potable water main from Grove Avenue to Euclid Avenue; installing a 16-inch potable water main in Euclid Avenue from Eucalyptus Avenue to Merrill Avenue; installing a 16-inch potable water main in Merrill Avenue from Euclid Avenue to Walker Avenue; installing a 16-inch potable water main in Walker Avenue from Merrill Avenue to the 24-inch potable water main in Eucalyptus Avenue. This will provide the primary potable water loop for the Specific Plan Area (Figure 3.9).

In addition to extending the 925 Pressure Zone (PZ) Phase 2 West Backbone, the Specific Plan area requires a connection between the 925 Pressure Zone (PZ) Phase 2 West Backbone and the 1010 Pressure Zone (PZ). This will supply a second source of potable water to the Specific Plan Area. The connection to the 1010 Pressure Zone (PZ) will require extending the Phase 2 West Backbone at Eucalyptus Avenue and Grove Avenue by installing a 30-inch to 42-inch potable water main north on Grove Avenue to Chino Avenue. The connection to the 1010 Pressure Zone will require installing an 18-inch potable water main in Chino Avenue easterly to the existing 18-inch potable water main located on the west side of the Cucamonga Creek channel and installing a Pressure Reducing Station between the 1010 PZ and 925 PZ near the intersection of Grove Avenue and Chino Avenue. Other elements of the Phase 2 Water System are shown on Figure 3.9. The elements shown north of Chino Avenue will be constructed by others. The balance of Phase 2 Water System will be completed as required by future development of Ontario Ranch. The Project will be required to participate in the future Phase 2 Water System improvements, as detailed in the development agreement with the City.

The Specific Plan area also requires the planning, design, and construction of the Adjacent Potable Water System, which includes: installing a 12-inch potable water main in Sultana Avenue connecting to the 16- inch potable water main in Eucalyptus Avenue and extending to connect to the 16-inch potable water main in Merrill Avenue. and installing a 12-inch potable water main in Campus Avenue connecting to the 16-inch potable water main in Eucalyptus Avenue and extending to connect to the 16-inch potable water main in Merrill Avenue.

Water mains required to serve the project will need to be constructed prior to or concurrent with on-site water improvements. Within the project site, a private network of 2- to 4-inch water lines

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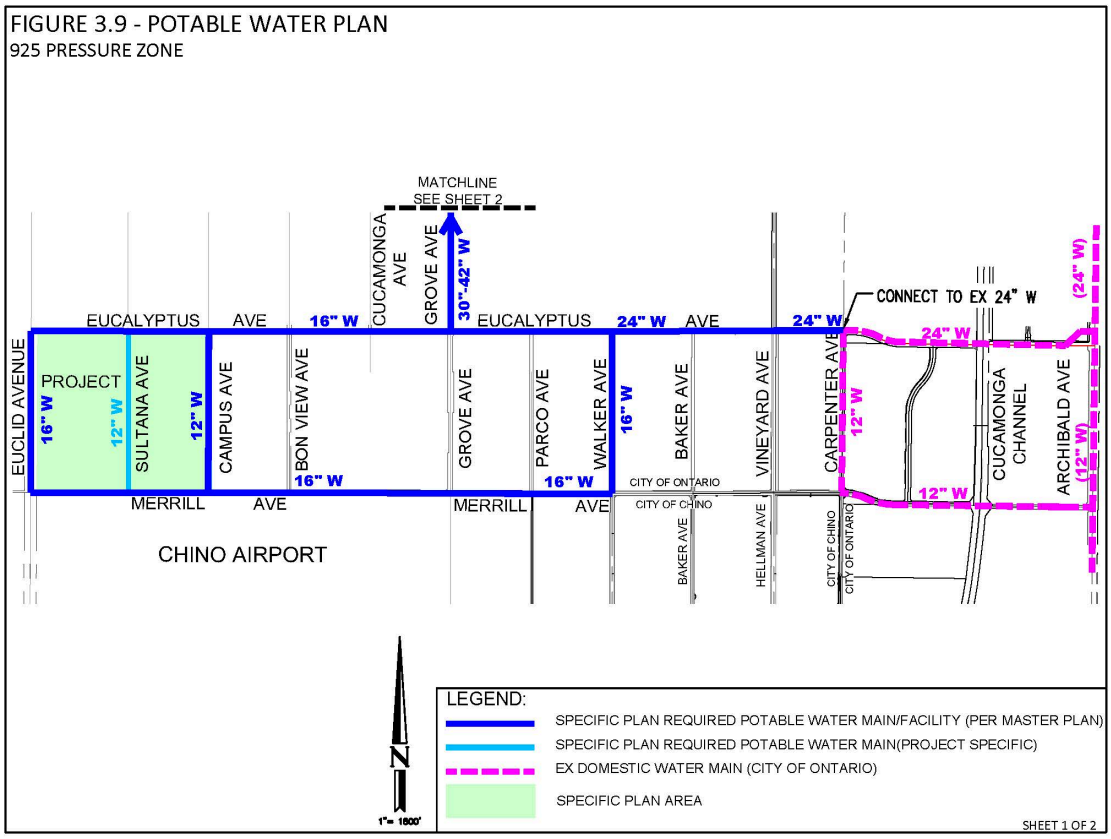
for domestic water service and 10- to 12-inch water lines for fire service water will be installed. The on-site water system includes connections to the water main in Eucalyptus Avenue and Euclid Avenue to serve PA-1 and PA-3 and to the main in Merrill Avenue and Sultana Avenue to serve PA-2 and PA 4.

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Until the ultimate pipeline network for Ontario Ranch has been completed, there may be instances where construction of improvements to serve a project may not meet the required fire flow demands.
Therefore, projects within the Specific Plan area may be required to construct additional pipelines not indicated in the Master Plan or upsize master planned pipelines to meet Fire Department fire flow requirements and/or Water Master Plan criteria. The developer will submit a hydraulic analysis to the City for review and approval to demonstrate adequate fire flow and adherence to Potable Water Master Plan criteria.

The overall water infrastructure plan to serve the City of Ontario is shown on Figure 3.10. The City's ultimate domestic water system will consist of five pressure zones. Most of Ontario Ranch (including the Specific Plan area) is in the 925 Pressure Zone. The sizing and alignment of potable water lines will follow the most current approved City of Ontario water system plan. Required Potable Water Infrastructure is subject to change based upon findings of approved hydraulic study and master plan updates; and, Potable Water main locations are also subject to change based upon the developer conducted and City approved Conceptual Design Report.

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Size and location of the waterlines are subject to change based on the current approved Master Plan as well as a City conducted and approved hydraulic analysis.

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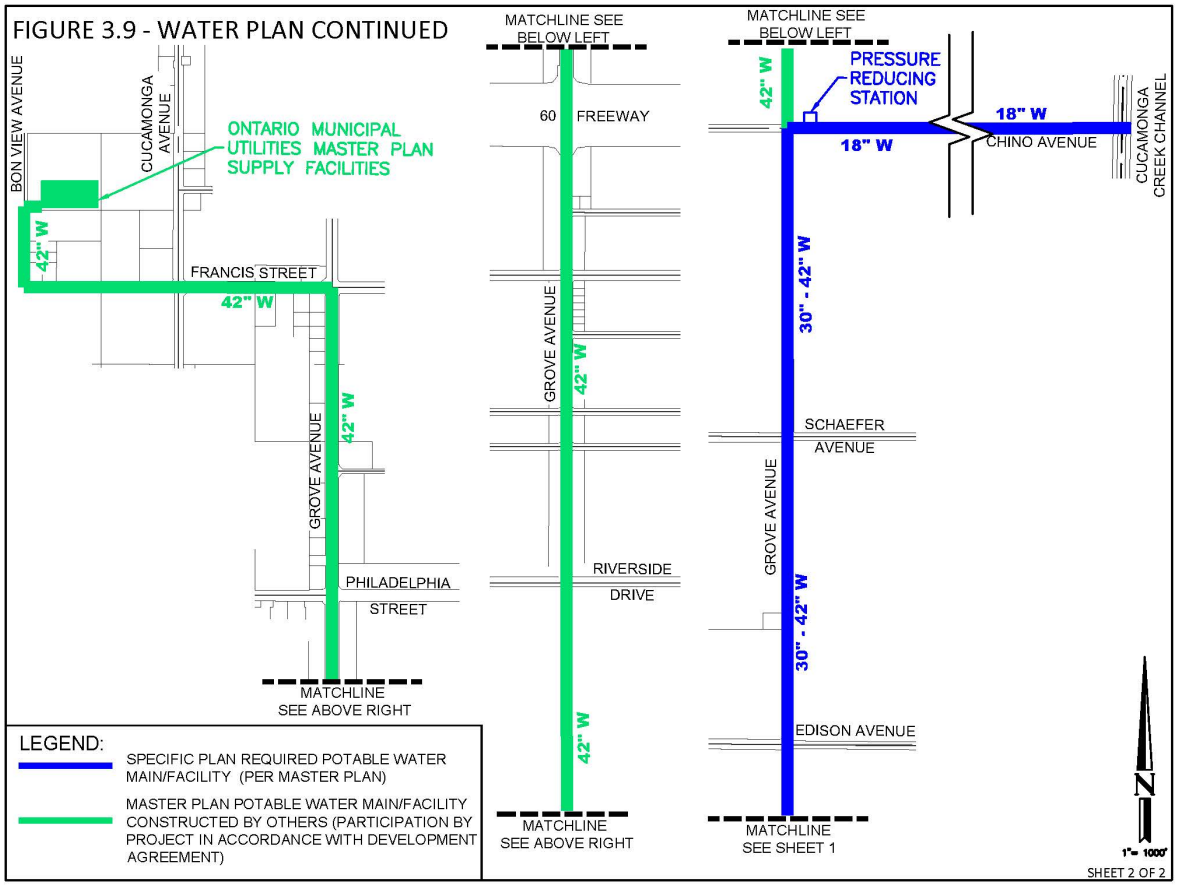
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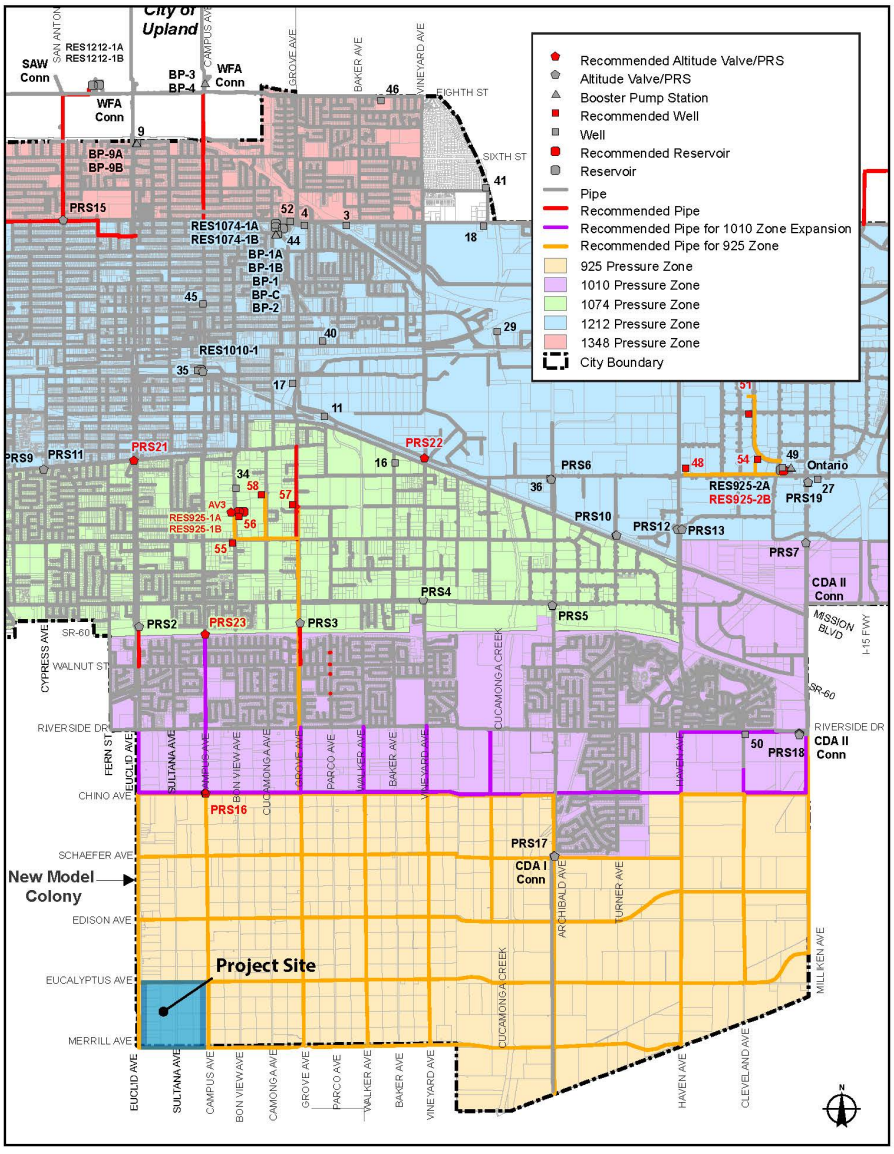
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FIGURE 3.10: CITY OF ONTARIO ULTIMATE WATER SYSTEM



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3.5 Recycled Water Plan

The City of Ontario Ordinance 2689 requires all new development in Ontario Ranch to connect to and use recycled water for all approved uses, including but not limited to landscape irrigation. Prior to use of recycled water, approval from the City of Ontario and State Water Resources Control Board (SWRCB) is required. Interim connection to potable water is not allowed.

Currently there are no City owned recycled water mains or City recycled water infrastructure in the vicinity of the Specific Plan Area. There is an existing 30-inch Inland Empire Utility Agency (IEUA) recycled water main in Eucalyptus Avenue adjacent to the Specific Plan Area. Recycled Water is provided to the City of Ontario by the IEUA from its four wastewater reclamation plants. The entire Specific Plan area is within the City's master planned 930 Pressure Zone. Recycled water infrastructure improvements requiring the planning, design, and construction of new 930 Pressure Zone (PZ) Recycled Water Master Plan main lines area will be required (Figure 3.11). New recycled water infrastructure is planned to include installing an 8-inch recycled water main in Euclid Avenue connecting the existing IEUA 30-inch 930 Pressure Zone Recycled Water main in Eucalyptus Avenue to an 8-inch recycled water main in Merrill Avenue. The 8-inch recycled water main in Merrill Avenue will extend from Euclid Avenue easterly to Campus Avenue. An 8-inch recycled water main will be installed in Sultana Avenue connecting the recycled water main in Merrill Avenue to the existing IEUA 30-inch recycled water main in Eucalyptus Avenue and an 8-inch recycled water main will be installed in Campus Avenue that also connects the 8-inch recycled water main in Merrill Avenue to the existing 30-inch recycled water main in Eucalyptus Avenue. The existing 30-inch IEUA recycled water main in Eucalyptus between Euclid and Bon View may need to be relocated as part of the infrastructure improvements in order to meet minimum Division of Drinking Water (DDW) separations and/or City of Ontario/IEUA standards & requirements.

Sizing and alignment of the recycled water lines will be consistent with the City of Ontario recycled water system plan and a City approved hydraulic analysis.

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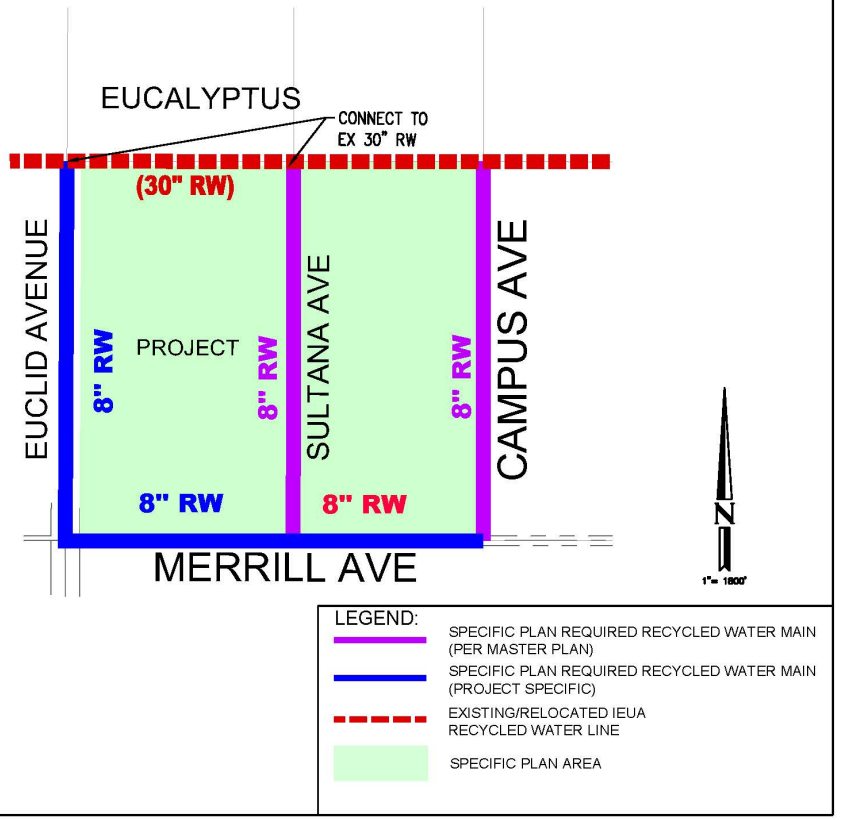
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FIGURE 3.11 - RECYCLED WATER PLAN



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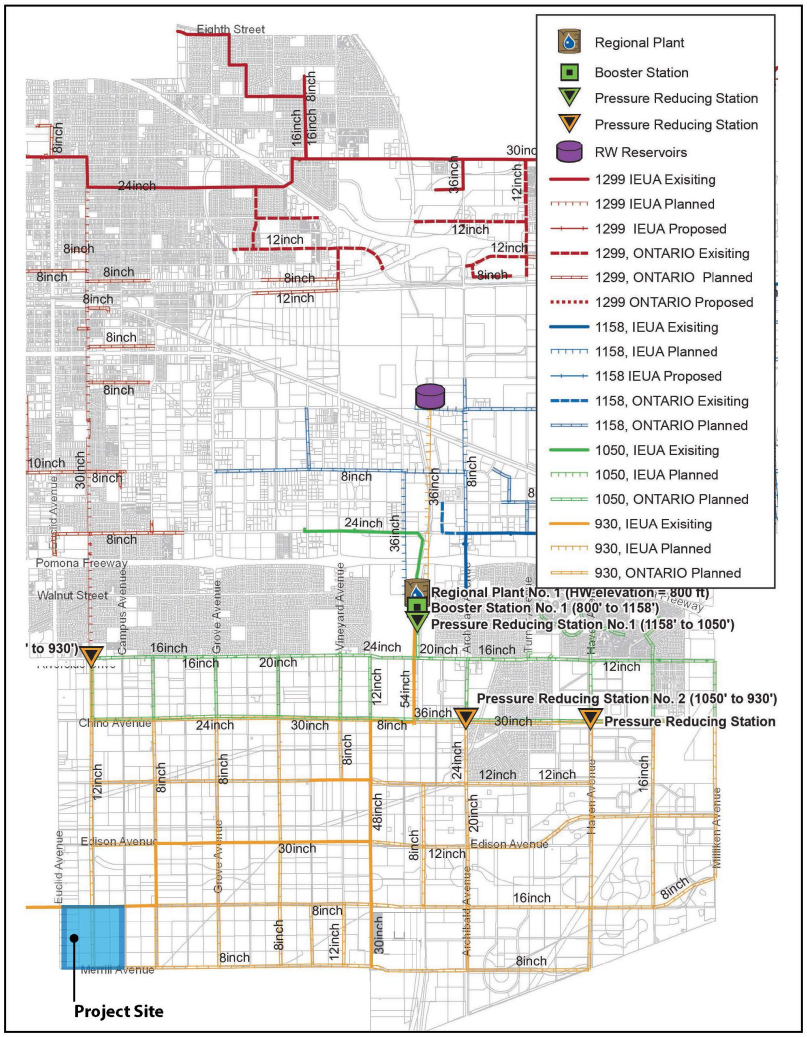
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FIGURE 3.12: **CITY OF ONTARIO FUTURE RECYCLED WATER SYSTEM**



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3.6 Sewer Plan

Regional wastewater treatment services are provided to the City of Ontario and its neighboring agencies by the Inland Empire Utilities Agency (IEUA). Several regional trunk sewers collect sewage generated in the City and transport it to IEUA's Regional Plant No.1 and Regional Plant No.5 for treatment. The City of Ontario's sewer service area is divided into eight sewersheds, primarily based on the outlet points where the City's system ties into the IEUA downstream facility. Ontario Ranch is located in Sewershed 8.

There are no sewer mains located within the broader vicinity of the Specific Plan area; therefore, the Specific Plan includes a network of new public sewer mains (Figure 3.13), consistent with the 2012 City of Ontario's ultimate sewer system plan (Figure 3.14). A 36-inch sewer main will connect to an existing IEUA interceptor trunk main sewer located in Kimball Avenue to the south, run north in Euclid Avenue to Merrill Avenue, then east to Campus Avenue. The IEUA interceptor trunk sewer main is 54-inches east of Euclid and 60-inches west of Euclid Avenue. The final point of connection to the existing IEUA interceptor trunk sewer at Euclid Avenue and Kimball Avenue will be determined at the time of final design subject to the approval of the City and IEUA. A 21-inch sewer main will run from Merrill Avenue north within Euclid Avenue to Eucalyptus Avenue. A 16-inch public sewer main will be located along Sultana Avenue and Campus Avenue. Both sewer mains will connect to the 36-inch sewer main in Merrill Avenue and extend north, through the Eucalyptus Avenue intersection (Figure 3.13). An 8-inch private main will also be installed in an on-site easement to provide for connections at the northeast portion of the site. 6-inch sewer laterals will connect buildings to sewer mains.

The ultimate sizing and alignment of the sewer shall be consistent with the City of Ontario ultimate sewer system plan and/or a City conducted and approved hydraulic analysis.

A Sewer Sub-Area Master Plan (SSAMP) shall be prepared for each Tract Map and Development within the Specific Plan

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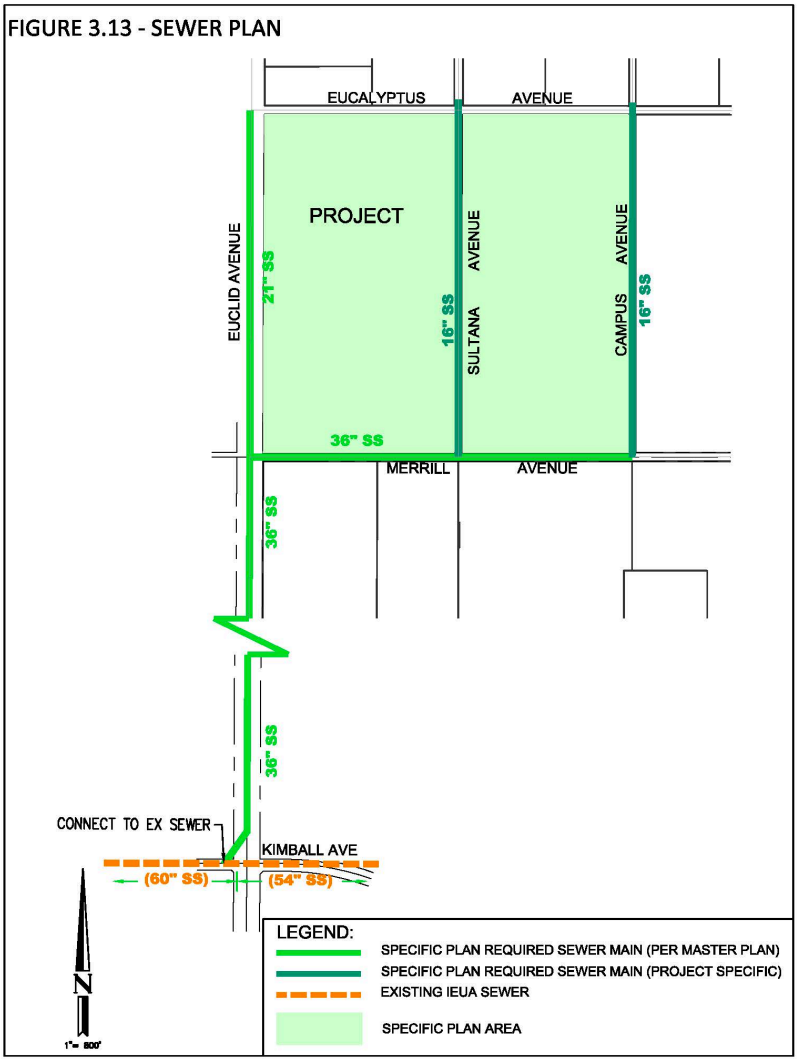
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FIGURE 3.13 - SEWER PLAN



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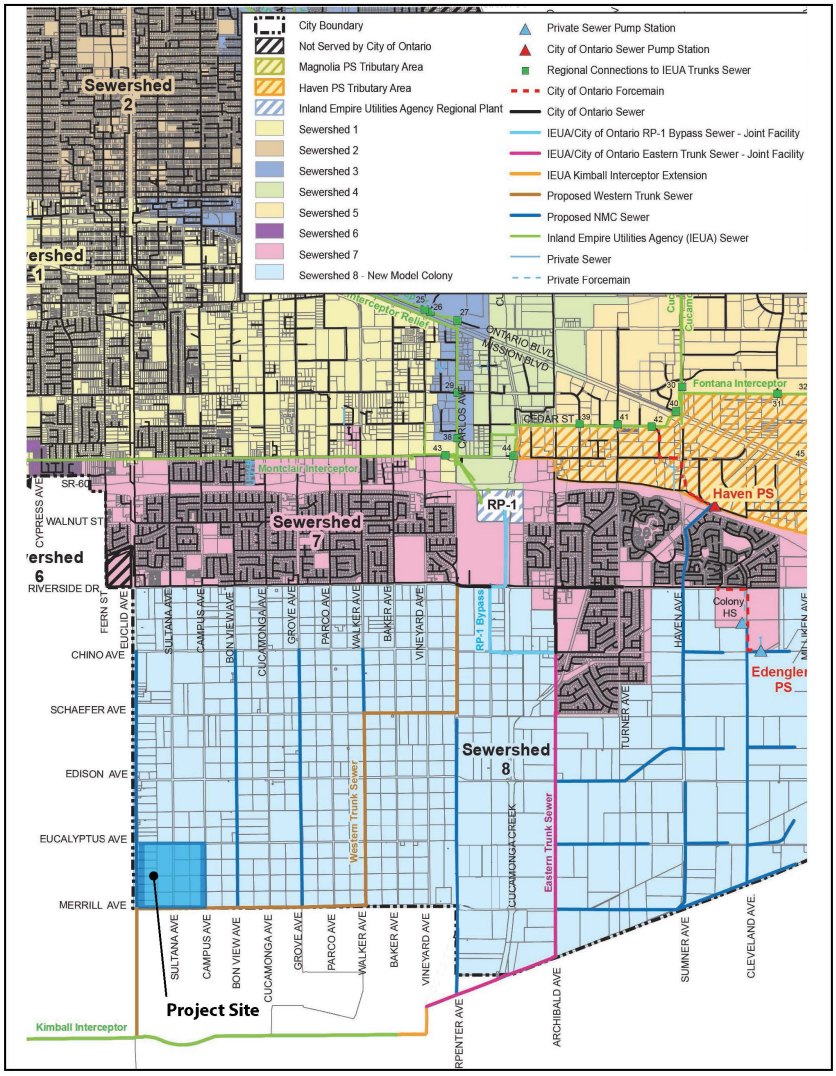
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FIGURE 3.14: CITY OF ONTARIO ULTIMATE SEWER SYSTEM



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3.7 Conceptual Grading Plan

Site topography is moderately flat, sloping from the north to the south. There is an approximately 30-foot change in elevation across the Specific Plan area.

The grading activities for the Specific Plan area will generally consist of clearing and grubbing, demolition of existing structures, and moving surface soils to construct building pads, driveways and streets.

The Conceptual Grading Plan (Figure 3.15) provides a balance of cut and fill for the Specific Plan area. Grading and earthwork analysis indicate the project can balance without the use of retaining walls. Earthwork will include approximately 242,079 cubic yards (CY) of cut and 242,079 CY of fill with 292,457 CY of over-excavation. Geotechnical and/or environmental conditions encountered during grading operations may impact final earthwork calculations. Grading plans for each development project within the Specific Plan area will be reviewed and approved by the City of Ontario prior to the issuance of grading permits. Grading plans and activities will conform to the City's grading ordinance and dust and erosion control requirements.

All landscaped areas within the Specific Plan area shall be graded as shallow swales and designed to accept runoff water from impervious surfaces. Water quality retention basins, trenches, etc., (the exact location of which will be determined at the time of Water Quality Management Plan (WQMP) approval for individual implementing projects) will have a maximum side slope of 3:1.

3.8 Dry Utilities Plan

Utility services provided to the site will be installed underground in accordance with City of Ontario guidelines.

3.8.1 Communication System

Developments in Ontario Ranch are required to install and provide fiber conduit to all improved lots. Proposed on-site facilities will be placed underground within a duct and structure system that will be installed by the developer. Pursuant to the City of Ontario 2013 Fiber Optic Master Plan, the fiber optic network will be owned and operated by the City of Ontario and as such maintenance of the installed system will be the responsibility of the City and/or Special District fiber optic entity and not the developer. According to the City's Fiber Optic Master Plan, the proposed fiber optic infrastructure, including approximately 23 miles of backbone fiber south of Riverside Drive, is an investment into a long term capital asset using newly constructed and existing conduit to provide high speed communication links to key locations throughout the City. The Specific Plan area will be connected to the City's system as shown on Figure 3.16.

3.8.2 Natural Gas

The Gas Company will provide natural gas to the Specific Plan area. Gas mains will be installed to the individual development projects by the Gas Company, as necessary.

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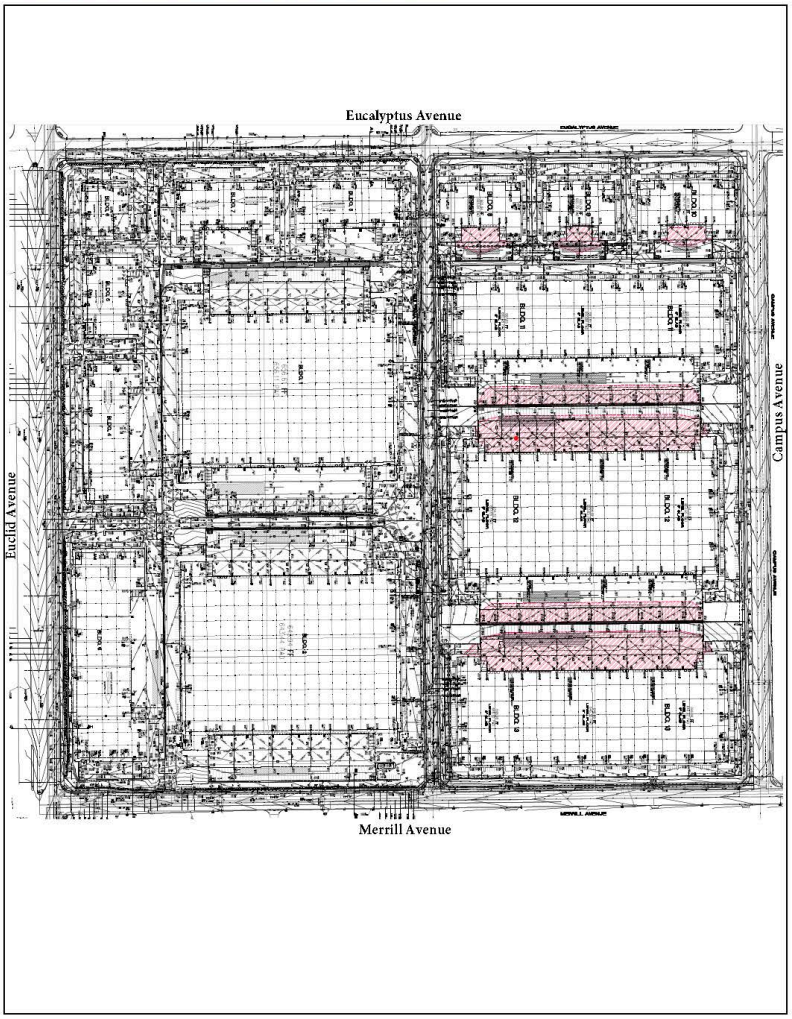
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FIGURE 3.15: CONCEPTUAL GRADING PLAN



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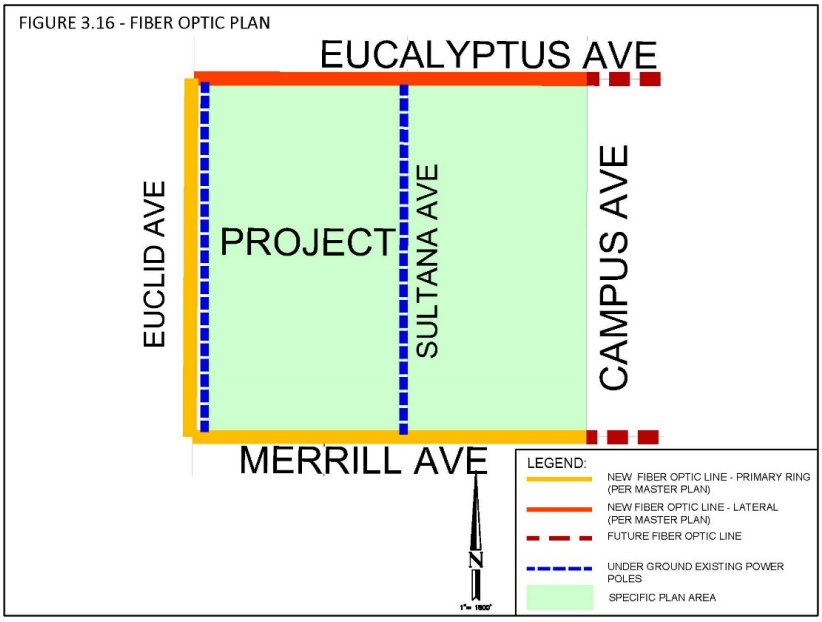
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FIGURE 3.16 - FIBER OPTIC PLAN



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3.8.3 Electricity

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Southern California Edison will provide electricity to the Specific Plan area from existing facilities in the vicinity. All new lines within the Specific Plan area shall be installed according to City of Ontario requirements.

3.9 Storm Drainage Plan

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The Specific Plan area storm drain improvements (Figure 3.17) are consistent with the facilities specified in Drainage Area XIV of the City of Ontario Storm Drain Master Plan (Figure 3.18).

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Catch basins located throughout the site will collect runoff. On-site storm drain systems will convey runoff southerly to a reinforced concrete box facility in Merrill Avenue. Landscaped areas adjacent to Euclid Avenue will continue to drain to the street. The Specific Plan will also construct storm drains in Eucalyptus Avenue and Euclid Avenue north of Merrill Avenue. The reinforced concrete box facility in Merrill Avenue will end just north of the existing earthen channel, located between the paved portions of Euclid Avenue and the existing easterly right-of-way. The storm water will then bubble up in the structure and spill out into the existing channel where it will continue to flow south to eventually discharge south of Pine Avenue in the City of Chino.

Though the Specific Plan will construct several storm drains consistent with the Storm Drain Master Plan, the ultimate discharge location downstream, between Pine Avenue and Merrill Avenue in the City of Chino, is not fully improved at this time. Until this occurs, the project will utilize on-site storm water detention so that discharge from Specific Plan development remains less than peak flow rates prior to development.

Each storm drain in Euclid Avenue and Merrill Avenue will be equipped with a hydrodynamic separator or equivalent alternative approved devices to satisfy the statewide trash mandate. Each device will be approved by and listed on the Certified Full Capture System List of Trash Treatment Control Devices of the State Water Resources Control Board (SWRCB).

3.9.1 NPDES Compliance

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The grading and drainage of the Specific Plan area will be designed to retain/infilter, harvest, and re-use or biotreat surface runoff to comply with the current requirements of the San Bernardino County NPDES Stormwater Program's Water Quality Management Plan (WQMP) for significant new development projects. The objective of the WQMP for this project is to minimize the detrimental effects of urbanization on the beneficial uses of receiving waters, including effects caused by increased pollutants and changes in hydrology. These effects may be minimized through the implementation of site designs that reduce runoff and pollutant transport by minimizing impervious surfaces and maximizing on-site infiltration, employing Source Control Best Management Practices (BMP's), or using on-site structural Treatment Control BMP's where the infeasibility of installing Low Impact Development BMP's is demonstrated.

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New development within the Specific Plan area will utilize a variety of Low Impact Development site drainage designs to manage stormwater, including but not limited to retention/infiltration basins, trenches and swales, and above ground bio-treatment systems. Development projects within the Specific Plan area will comply with the latest Low Impact Development guidelines and incorporate features including but not limited to:

- Landscape designs that promote water retention and incorporation of water conservation elements such as use of native plants and drip irrigation systems;
- Stormwater basins and swales shall be no greater than 40% of the landscape area width to allow for ornamental landscape;
- Permeable surface designs in areas with low traffic;
- Parking lots that drain to landscaped areas to provide retention and infiltration, or bio-treatment where infiltration is infeasible;
- Limit soil compaction during grading operations within landscaped storm water infiltration areas to no more than 80 percent compaction.

Prior to the issuance of a grading or construction permit, a Storm Water Pollution Prevention Plan (SWPPP), Erosion & Sediment Control Plan sheets, and a WQMP will be prepared and approved. The SWPPP and Erosion & Sediment Control Plan Sheets will identify and detail all appropriate BMP's to be implemented or installed during construction of the project, and the WQMP will describe all post-construction BMP's designed to address water quality and quantity of runoff for the life of the project.

All Priority Land Use (PLU) areas within the Specific Plan Area shall comply with the statewide Trash Provisions adopted by the State Water Resources Control Board (SWRCB) and trash requirements in the most current San Bernardino County Area-Wide MS4 Permit.

3.10 Public Services

This sub-section addresses public services within the Specific Plan area, including police, fire and solid waste disposal services.

3.10.1 Police

The City of Ontario will provide police services to the Specific Plan area. The closest police station is located approximately five miles north of the Specific Plan area at 2500 S. Archibald Avenue, just south of SR-60. This station is also the City of Ontario Police Department headquarters.

3.10.2 Fire

The City of Ontario will provide fire protection services to the Specific Plan area. The Ontario Fire Department currently has eight stations, which are staffed with eight four-man paramedic engine companies and two four-man truck companies. The closest operational fire station, Station 2, is located at 544 W Francis Street, approximately four miles north of the Specific Plan area.

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3.10.3 Solid Waste Disposal

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The City of Ontario will provide solid waste services to the Specific Plan area. The City offers a full array of commercial and industrial services designed to meet the business community's needs. Solid waste facilities will follow the "Solid Waste Department Refuse and Recycling Planning Manual." The Manual establishes the City of Ontario's requirements for refuse and recycling storage and access for service, as well as addresses the City's recycling goals. The Mid-Valley Landfill is the nearest County of San Bernardino landfill located at 2390 N. Alder Avenue in the City of Rialto, approximately 20 miles northeast of the Specific Plan area.

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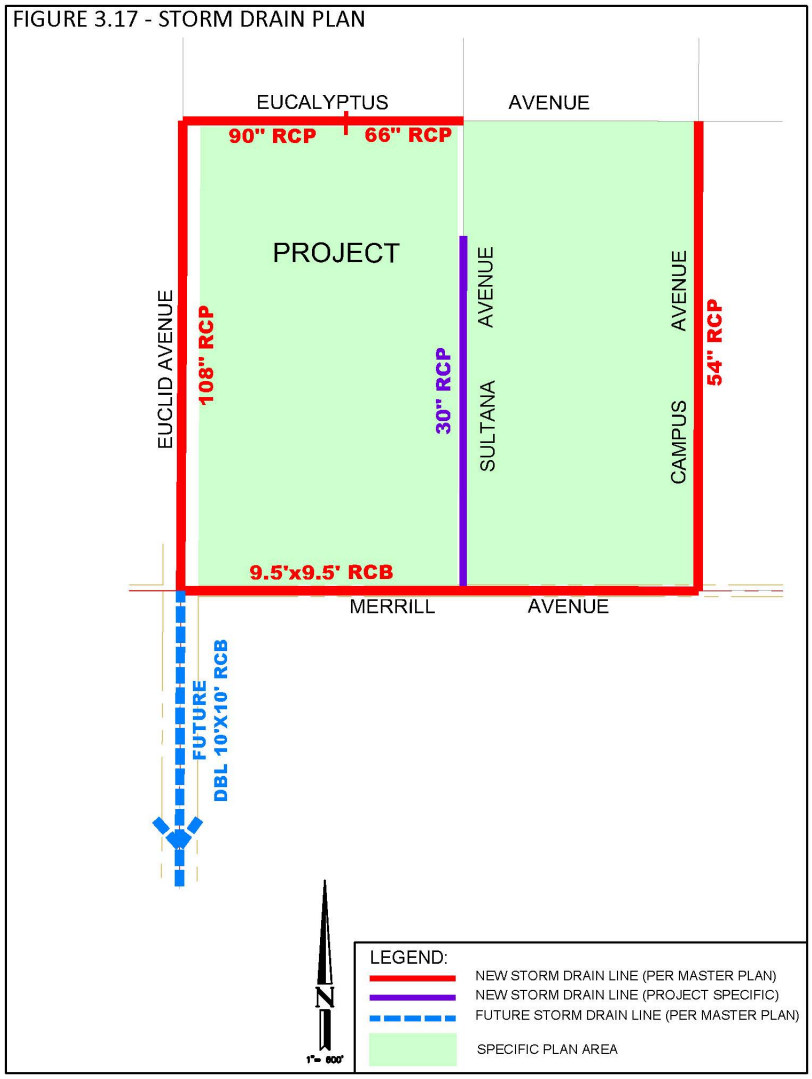
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FIGURE 3.17 - STORM DRAIN PLAN



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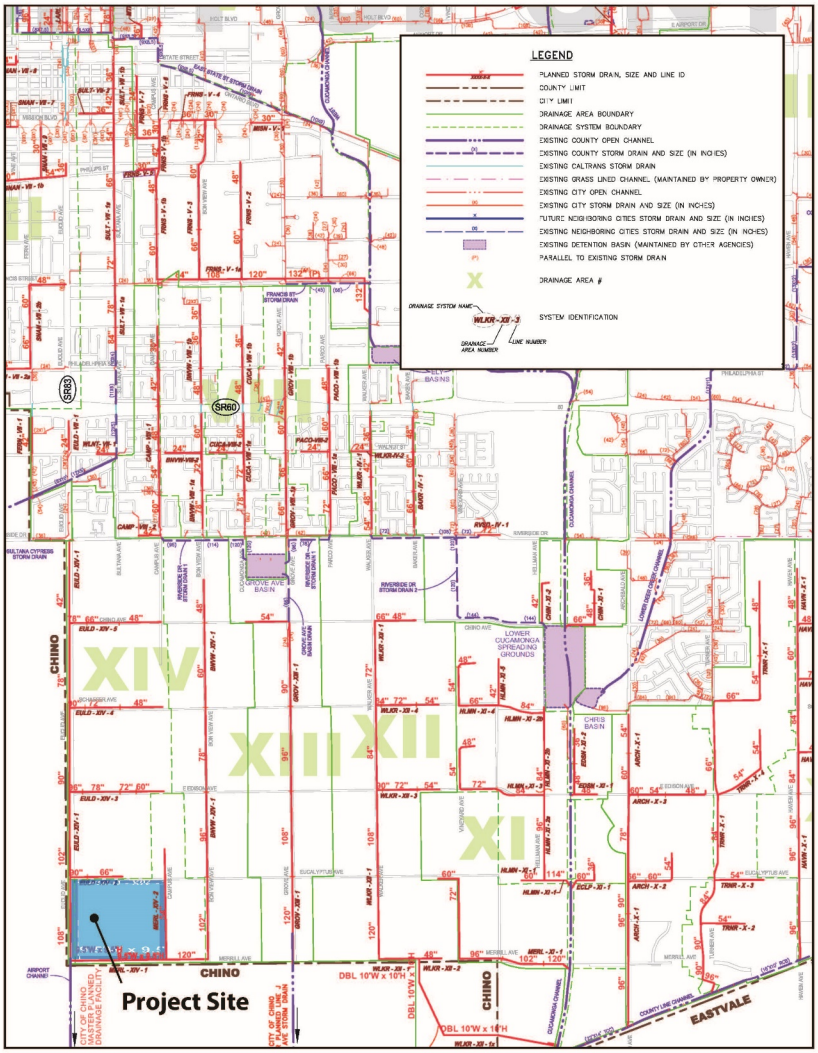
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FIGURE 3.18: **CITY OF ONTARIO PLANNED DRAINAGE FACILITIES**



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3.11 Phasing Plan

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Development phasing of the project site will be determined by the landowner and/or developer based upon real estate market conditions. Phasing will occur as appropriate levels of infrastructure are provided. Phasing sequencing is subject to change over time to respond to various market and local factors and as such, individual phases may overlap or develop concurrently. Infrastructure improvements, as required and approved by the City Engineer to support the development, will be installed by the developer. Figure 3.19, Conceptual Phasing Plan, describes three general phases of development for Ontario Ranch Business Park.

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Specific Plan backbone infrastructure will be installed by the project developer, in accordance with the applicable City-adopted infrastructure plan for the area, as well as the provisions of this Specific Plan and an approved Development Agreement. Fair share responsibilities for improvements will be addressed in a Development Agreement with the City of Ontario. The timing for installation of infrastructure and utilities within the Specific Plan area will be determined as part of the City's approval of parcel maps. Infrastructure will be constructed and made available in a timely manner as development progresses. All of the Specific Plan required infrastructure can be found in Section 3.3 (Figures 3.3 and 3.5) for Streets, Section 3.4 (Figure 3.9) for Potable Water, Section 3.5 (Figure 3.11) for Recycled Water, Section 3.6 (Figure 3.13) for Sewer, Section 3.8 (Figure 3.16) for Fiber Optics, and Section 3.9 (Figure 3.17) for Storm Drain. Phasing will be determined per separate Development Agreement.

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Phase 1: Phase 1 consists of the construction of the storage, warehousing, and industrial development in Planning Area 2. This phase may be developed in two or more sub-phases, based on development plans.

Phase 2: Phase 2 consists of the construction of the business park development in Planning Area 1. This phase may be developed in several sub-phases in response to market demands and according to the logical and orderly completion of infrastructure improvements.

Phase 3: Phase 3 consists of the construction of the business park development in Planning Area 3 and the construction of the storage, warehousing, and industrial development in Planning Area 4. This phase may be developed in two or more sub-phases, based on development plans.

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Final grading and infrastructure improvements will be completed in accordance with the approved Development Agreement and City Engineer approval.

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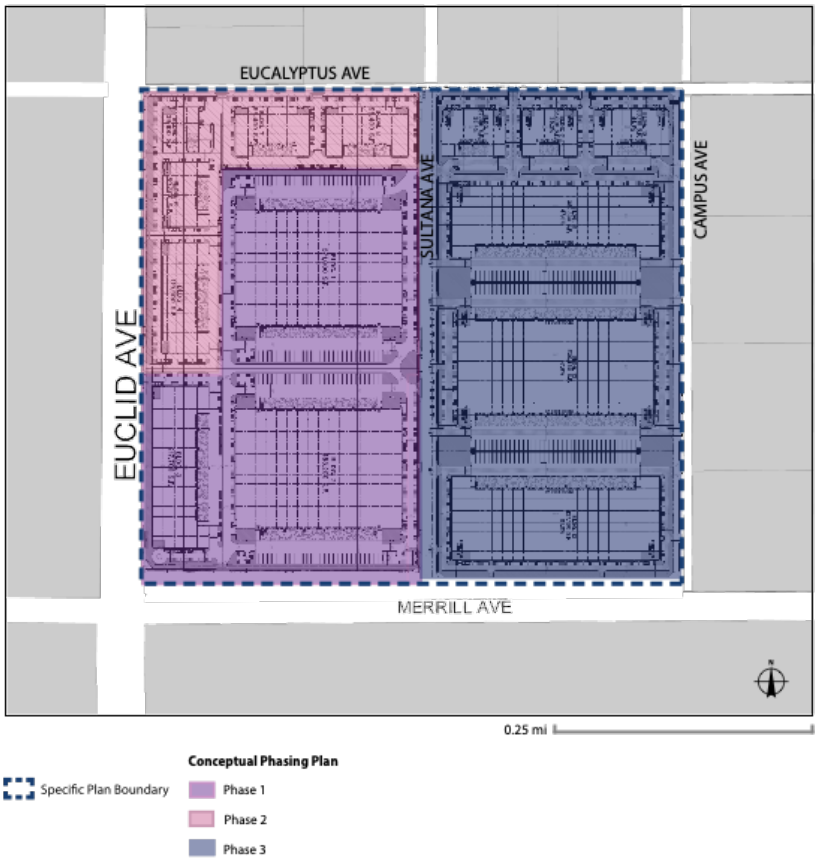
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FIGURE 3.19: **CONCEPTUAL PHASING PLAN**



Note: This Site Plan is for conceptual purposes only. This site plan is subject to change based on future development proposals within the Specific Plan Area, and/or results of a roadway alignment study.

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4.0 LAND USE AND DEVELOPMENT STANDARDS

This chapter identifies the allowable uses and the standards for building heights, setbacks, parking, coverage, landscape, signage, and all other development standards within the Specific Plan area. The application of these regulations is intended to create a harmonious relationship within the Specific Plan area and with the surrounding land uses as well as to protect the health, safety, and general welfare of the community.

4.1 General Provisions

Upon adoption of the Specific Plan, the development standards and procedures established within the Specific Plan become the governing zoning standards for any new construction, addition, or remodel within the Specific Plan area. However, in reviewing individual projects requiring discretionary approval, additional conditions may be applied by the approving body to accomplish the goals and objectives of this Specific Plan.

4.2 Allowable Uses

Table 4.1 (Land Use Matrix) shows the allowable land use, activity, or facility permitted within the Specific Plan's BP (Business Park) and IG (Industrial - General) Zoning Districts, as discussed in Chapter 3. These uses include a variety of industrial-serving commercial, low-intensity office, technology, light manufacturing, and warehouse/distribution uses that are compatible with the site's location within Safety Zone 3 of the Chino Airport. The letters/symbols used in Table 4.1 shall have the following meanings:

"P" - Permitted Land Uses

A Permitted Use (P) is permitted by right and may be established as the primary use of a building without the need for discretionary approval. Permitted Uses are subject to the development standards and guidelines applicable to the zoning district in which the use is located.

"C" - Conditionally Permitted Land Uses

A Conditionally Permitted Use (C) is permitted upon issuance of a Conditional Use Permit (CUP) pursuant to Section 4.02.015 of the Ontario Development Code and City processing procedures.

"A" - Administratively Permitted Uses

An Administratively Permitted Use (A) is permitted upon issuance of an Administrative Use Permit (AUP) pursuant to Section 4.03.015 of the Ontario Development Code and City processing procedures.

"--" - Prohibited Land Uses

A land use indicated with a " --" symbol is prohibited within the zoning district.

Land Uses Not Listed

A land use not listed in Table 4.1 shall be considered a prohibited land use. For land uses similar to those listed in Table 4.1, but not expressly stated in this Specific Plan, the Planning Director or his/her designee has the authority to make a determination of the applicability of similar land uses.

Table 4.1: Allowable Uses

Land Use	BP District	IG District
AGRICULTURAL USES		
Commercial Crop Production and Farming (excluding marijuana)	C	P
Community Gardens, Urban Farms, and Related Uses	A	A
Kennels and Catteries	--	P
RESIDENTIAL USES		
Caretaker's Unit (not to exceed 1,000 square feet)	A	A
CONSTRUCTION		
Contractors (e.g., building construction, site preparation, capital improvement projects)		
• Completely within a building	P	P
• With outdoor storage	--	P
MANUFACTURING		
Apparel Manufacturing	P	P
Artisan Crafts (made by hand) such as glassworks, jewelry, and pottery	P	P
Beverage Manufacturing	--	C
Chemical Manufacturing (excludes pesticides and fertilizers)	--	C
Computer and Electronic Product Manufacturing	P	P
Electrical Equipment, Appliance and Component Manufacturing	P	P
Fabricated Metal Product Manufacturing	--	P
• Ammunition and Arms	C	C
Food Manufacturing, General (but excluding animal slaughtering and processing and seafood product preparation and packaging)	--	C
Food Manufacturing, Limited (bread, tortilla, snack foods, roasted nuts and peanut butter, coffee, tea, flavoring syrup, seasoning and dressing, spice extract)	C	C
Furniture and Related Product Manufacturing	P	P
Glass and Glass Product Manufacturing	--	C

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Table 4.1: Allowable Uses

Land Use	BP District	IG District
Leather and Allied Product Manufacturing (excluding leather and hide tanning and finishing)	P	P
Machinery Manufacturing	--	P
Miscellaneous Manufacturing (medical equipment and supplies, jewelry, sporting goods, toys, office supplies, signs, etc.)	P	P
Paper Manufacturing	--	C
Pharmaceutical and Medicine Manufacturing (excludes biological product manufacturing)	C	C
Printing and Related Support Activities	P	P
Primary Metal Manufacturing	--	C
Petroleum and Coal Products Manufacturing	--	C
Plastics Product Manufacturing	--	C
Rubber Product Manufacturing	--	C
Textile Mills	--	C
Textile Product Mills	--	C
Transportation Equipment Manufacturing	--	P
Wood Product Manufacturing	--	C
WHOLESALE TRADE		
Merchant Wholesalers, Durable Goods - General (includes motor vehicles and parts, lumber and construction materials, metals and minerals other than petroleum, and machinery equipment and supplies)	--	P
Merchant Wholesalers, Durable Goods - Limited (includes furniture and home furnishings, professional and commercial equipment and supplies, hardware, plumbing, and heating equipment and supplies)	P	P
Merchant Wholesalers, Nondurable Goods (excludes industrial gases, petroleum bulk stations and terminals, and fireworks and explosives merchant wholesalers)	--	P
Wholesale Electronic Markets, Agents and Brokers (excludes automobile auctions)	P	--
HEALTH CARE AND SOCIAL ASSISTANCE		
Ambulatory Health Care Services	P	--
Child Day Care Services (Commercial Facilities)	--	--
Child Day Care Services (Employer Provided Services)	--	--
Medical Office	P	--
Vocational Rehabilitation Services	C	--
COMMERCIAL USES		
Information		
Broadcasting	P	P
Data Processing, Health, and Related Services	P	P
Publishing Industries	P	P

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Table 4.1: Allowable Uses

Land Use	BP District	IG District
Motion Picture and Sound Recording Facilities (excludes movie theaters)	P	P
Recording and sound studios	P	--
Telecommunication Facilities	P	P
Eating and Drinking Places, and Food Services		
Alcoholic beverage sales for consumption on the premises (includes all retailer's on-sale licenses issued by the State of California Department of Alcoholic Beverage Control)	C	--
Food Bank or Meal Delivery Services	C	C
Restaurant		
• Without drive-thru	P	--
• With drive-thru	C	--
Motor Vehicle Mechanical and Electrical Repair and Maintenance		
Servicing Facilities (limited to retail-oriented services, such as emissions testing, battery replacement and other similar retail activities that involves the limited use of pneumatic tools or equipment that create noise impacts)	P	--
General Repair Facilities (includes general motor vehicle mechanical and electrical repair and maintenance of air conditioning, brake, cooling, electric, exhaust, fuel, suspension system, engine, transmission, and drive train)		
• General Repair Facilities - Automobile, Light Truck and Van Repair and Maintenance	C	C
• General Repair Facilities- Large Truck, Bus and Similarly Large Motor Vehicle Repair and Maintenance	--	C
Automotive Body, Paint, Interior and Glass Repair		
• Automobile, Light Truck and Van Body, Paint, and Interior Repair and Customization	C	C
• Minor Customization Work (limited to the "bolt-on" replacement or addition of parts only -- no body or paint work is allowed)	C	C
• Large Truck and Bus Body, Paint, and Interior Repair and Maintenance	--	C
Personal Services		
Couriers and Messengers	P	P
Commercial and Industrial Machinery and Equipment Repair and Maintenance (except automotive and electronic)	--	P
Electronic and Precision Equipment Repair and Maintenance	P	P
Fitness and Recreational Sports Center		
• Gross Floor Area less than 10,000 square feet	P	--
• Gross Floor Area 10,000 square feet or more	C	--
Industrial Laundry and Linen Supply	C	C

Table 4.1: Allowable Uses

Land Use	BP District	IG District
Personal and Household Goods Repair and Maintenance	P	P
Pet Boarding and Kennels		
• Day only (e.g. Doggie Daycare)	C	--
• Overnight Stays	C	--
Postal Services	P	P
Passenger Car Rental and Leasing	C	--
Truck, Utility Trailer, and Recreational Vehicle Rental and Leasing	C	P
Offices		
Administrative and Support Services	P	--
Finance and Insurance Offices	P	--
Management of Companies and Enterprises	P	--
Office Ancillary to a Primary Industrial Use (less than 10% of GFA)	P	P
Professional, Scientific, and Technical Services (e.g. accounting, tax preparation, architecture, bookkeeping, legal, engineering, consulting)	P	--
Real Estate Offices	P	--
Retail		
Alcoholic beverage sales for consumption off the premises (includes all retailer's off-sale licenses issued by the State of California Department of Alcoholic Beverage Control)	C	--
Auction Houses	C	--
Automotive Parts and Accessories (including tires)	P	--
Convenience stores (without alcoholic beverage sales)	P	--
Gasoline Fueling Station with or without Convenience Store (without alcoholic beverage sales)	C	--
Internet Fulfillment/Warehousing/Distribution (E-Commerce)	P	P
Industrial Retail Sales (retail sales of goods and/or products either manufactured, warehoused or wholesaled on-site)		
• Maximum 15% of building floor area or 8,000 square feet, whichever is less	A	A
• Over 15% of building floor area or 8,000 square feet	C	C
Non-Store Retailers (includes electronic shopping and mail-order houses, vending machine operators, and other direct selling establishments (excluding fuel/petroleum dealers)	P	P
WAREHOUSING		
Warehousing and Storage (General and Other)		
• Completely within a building	P	P
• Outdoor Storage Accessory to an Allowed Use	A	A
• Outdoor Storage as the Primary Use	--	C
Refrigerated Warehousing and Storage	P	P

Table 4.1: Allowable Uses

Land Use	BP District	IG District
OTHER		
Religious Assembly	C	--
Parking Facilities	P	--
Vocational/Trade Schools	C	C

Notes:
1. P=Permitted, C= Conditionally Permitted, A=Administratively Permitted, -- = Prohibited
2. Refer to the Specific Plan EIR and Ontario International Airport Land Use Compatibility Plan (ONT ALUCP) for additional development criteria and policies that may affect allowable land uses.

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4.3 Development Standards

Table 4.2 (Development Standards) provides a summary of the development standards applicable to the land uses, structures, and related improvements located within the Specific Plan area. Refer to the Ontario Development Code for any standard not addressed in Table 4.2.

Table 4.2 Development Standards

Development Standard	Zoning District	
	BP	IG
Minimum Lot Area	10,000 sq ft	20,000 sq ft
Minimum Lot Dimensions		
1. Lot Width	100 ft	100 ft
2. Lot Depth	100 ft	100 ft
Maximum Floor Area Ratio[1,2]	0.45	0.54
Maximum Building Footprint [3]	125,000 sq ft	N/A
Minimum Landscape Setback		
1. Euclid Avenue	35 ft	35 ft
2. Eucalyptus Avenue	23 ft	N/A
3. Merrill Avenue	N/A	23 ft
4. Sultana Avenue	10 ft	10 ft
5. Campus Avenue	10 ft	10 ft
6. Interior Side	N/A	N/A
7. Interior Rear	N/A	N/A
Minimum Building Setback [4]		
1. Euclid Avenue	35 ft	35 ft
2. Eucalyptus Avenue	23 ft	N/A
3. Merrill Avenue	N/A	23 ft
4. Sultana Avenue	10 ft	10 ft
5. Campus Avenue	10 ft	10 ft
6. Interior Side	10 ft	10 ft
7. Interior Rear	10 ft	10 ft
Minimum Parking Space and Drive Aisle Separations[5,6,9]		
1. Parking Space or Drive Aisle to Street Property Line	20 ft	10 ft
2. Parking Space or Drive Aisle to Interior Property Line	5 ft	5 ft
3. Parking Space to Buildings, Walls, and Fences	Areas adjacent to public entries and office areas: 10 ft Areas adjacent to other building areas: 5 ft Within screened loading and storage yard areas: 0 ft	
4. Drive Aisles to Buildings, Walls, and Fences	5 ft	5ft

Table 4.2 Development Standards

Development Standard	Zoning District	
	BP	IG
5. Drive Aisles within Screened Loading and Storage Yard Areas	0 ft	0 ft
Maximum Building Height [7,8]	45 ft	55 ft
Minimum Landscape Coverage[9]	15%	10%
Walls, Fences, and Hedges: Per Ontario Development Code Division 6.02 (Walls, Fences, and Obstructions) and Section 5.5 (Buffering and Screening) in the Design Guidelines.		

Notes:

1. The max Floor Area Ratio (FAR) for Planning Area 1 and 3, Business Park, may exceed an FAR of 0.45 up to an FAR of 0.60, provided that the total average FAR for the entire Planning Area 1 does not exceed 0.45 FAR and the total combined building square footage does not exceed 457,904 square feet.
2. The max Floor Area Ratio (FAR) for Planning Area 2 and 4, Industrial General, may exceed an FAR of 0.54 up to an FAR of 0.55, provided that the total average FAR for the entire Planning Area 2 does not exceed 0.54 FAR and the total combined building square footage does not exceed 1,447,123 square feet.
3. The maximum building footprint limit is applicable only to buildings that front onto a public right-of-way. All setback areas shall be measured from the property line and shall be landscaped.
4. Within yard areas fully screened by a decorative wall, there shall be no minimum drive aisle or parking space setback required, unless adjacent to residentially zoned properties.
5. The minimum separation area between a building, wall, or fence, and a parking space or drive aisle shall be fully landscaped. The separation area may include pedestrian walkways, as necessary; however, a minimum 5-foot wide planter area shall be maintained between a building wall and a pedestrian walkway. The minimum separation dimension does not include any area devoted to vehicle overhang.
6. Architectural projections, mechanical equipment, and focal elements may be allowed to exceed maximum height up to 25 percent above the prescribed height limit.
7. The maximum building height and floor area ratio may be restricted pursuant to the Ontario International Airport Land Use Compatibility Plan (ONT ALUCP). Refer to the ALUCP for properties affected by airport safety zones for additional development criteria and policies that may affect allowable land uses.
8. The use of surrounding roads, drive aisles and truck parking lots to address the open land requirement for the Chino Airport Overlay zone is discussed in Chapter 2 (Section 2.2: Airport Influence Areas).
9. The total landscape coverage for Building 1 may be less than the required percent, so long as the deficiency in landscaping square footage is distributed across Buildings 2 through 13, to be maintained in perpetuity

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Table 4.3 (Off-Street Parking and Loading Design Standards) establishes the design standards for off-street parking in the Specific Plan area. Refer to the Ontario Development Code for any standard not addressed in Table 4.3.

Table 4.3: Off-Street Parking and Loading Design Standards

Development Standard	Requirement
Parking space dimensions	
1. Standard parking	9 feet wide by 18 feet long
2. Tractor trailer parking	12 feet wide by 45 feet long
3. At grade loading space	12 feet wide by 18 feet long
Minimum aisle width with 90-degree parking angle	24 feet
Maximum gradient at parking space	5 percent measured in any direction
Dock-high loading facilities	
1. Dock high loading door loading space	12 feet wide by 45 feet long with 14-foot minimum vertical clearance measured from finished surface of loading dock.
2. Truck maneuvering area	Designed to accommodate the minimum practical turning radius of a 53-foot semi-trailer and tractor combination.

Table 4.4 (Required Number of Parking and Loading Spaces) specifies the number of parking spaces that must be provided according to land use. For a use not specified in the table, refer to the Ontario Development Code, Table 6.03-1: Off-Street Parking Requirements.

Table 4.4: Required Number of Parking and Loading Spaces

Land Use	Number of Required Spaces
Multi-tenant business park	3 spaces per 1,000 square feet plus required parking for "general business offices" when exceeding 10 percent of gross floor area; plus one tractor trailer parking space per 4 dock-high loading doors
General office when office use exceeds 10 percent of building gross floor area	4 spaces per 1,000 square feet of gross floor area of office use
Industrial speculative buildings	Per 1,000 square feet of gross floor area: • Up to 50,000 sq ft: 1.85 spaces • 50,001 – 100,000 sq ft: 1 space • 100,001 sq ft and over: 0.5 space • One tractor trailer parking space per 4 dock-high loading doors. Plus required parking for "general business offices" and other associated uses, when those uses exceed 10 percent of the building gross floor area.
Manufacturing	1.85 spaces per 1,000 square feet of gross floor area, plus one tractor trailer parking space per 4 dock-high loading doors, plus required parking for "general business offices" and other associated uses, when

Table 4.4: Required Number of Parking and Loading Spaces

Land Use	Number of Required Spaces
	those uses exceed 10 percent of the building gross floor area.
Restaurants (includes outdoor seating area up to 25 percent of gross floor area)	• Under 2,000 square feet: 5 spaces per 1,000 square feet of gross floor area • More than 2,000 square feet:10 spaces per 1,000 square feet of gross floor area
Warehousing and distribution (includes office uses if less than 10 percent of building gross floor area)	1 space per 1,000 square feet of gross floor area for first 20,000 square feet; 0.5 space per 1,000 square feet of additional gross floor area, plus one tractor trailer parking space per 4 dock-high loading doors plus required parking for "general business offices" and other associated uses, when those uses exceed 10 percent of the building gross floor area.

Sufficient off-street loading and unloading spaces shall be provided on each development site, and adequate provisions and space shall be made for maneuvering freight vehicles and handling freight. Loading activity, including turnaround and maneuvering, shall be made on site. Buildings, structures, and loading facilities shall be designed and placed on the site so that vehicles, whether rear loading or side loading, may be loaded or unloaded at any loading dock, door, or area without extending beyond the property line.

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5.0 DESIGN GUIDELINES

This chapter identifies conceptual themes for site planning, architecture, and landscape design within the Specific Plan area. The guidelines are intended to ensure a cohesive and attractive development that meets the following objectives:

1. Demonstrates high quality development that complements and integrates into the community and adds value to the City.
2. Creates a functional and sustainable place that ensures Ontario Ranch Business Park is competitive regionally and appropriate in the Ontario Ranch community.
3. Illustrates the distinctive characteristics of the two land use plan zoning districts: Business Park District (Planning Area 1 and 3) and Industrial - General District (Planning Area 2 and 4).
4. Establishes criteria for building design and materials, landscape design, and site design that provide guidance to developers, builders, architects, landscape architects, and other professionals preparing plans for construction.
5. Provides guidance to City staff and the Planning Commission in the review and evaluation of future development projects in the Ontario Ranch Business Park Specific Plan area.
6. Incorporates construction and landscape design standards that promote energy and water conservation strategies.
7. Implements the goals and policies of The Ontario Plan and the intent of the Ontario Development Code.

5.1 Site Design

As discussed in Chapter 3, Planning Area 1 and 3 is sited along the northern portion of the site to buffer the existing residential uses located on the west side of Euclid Avenue within the City of Chino from the industrial and/or warehouse and distribution uses of Planning Area 2 and 4. Site design within Planning Area 1 and 3 (Business Park District) and Planning Area 2 and 4 (Industrial - General District) shall incorporate the following design features.

Key provisions include:

1. Provide a well-organized site plan that emphasizes pedestrian connectivity and attractive landscape areas for the public through the location and arrangement of buildings, circulation, and parking areas.
2. Orient buildings towards street frontages to create an inviting public perimeter. Enhanced elevations shall be provided for buildings that front Euclid Ave.
3. Provide visible pedestrian access to buildings from the street, parking areas, and perimeter sidewalks through signage, prominent architectural features, and landscape design.

4. Employ enhanced paving, accent trees, and other landscape features that highlight major building entries.
5. Design drive aisles to minimize impact to pedestrians, provide adequate stacking space, and prevent queuing of vehicles onto public streets.
6. Locate visitor and short-term parking areas at the front and sides of buildings near primary building entrances.
7. Organize landscaped areas, drive entrances, and/or buildings to create separate parking areas to prevent the parking lot from being the dominant visual element.
8. Locate loading and storage areas away from streets when feasible, ensure adequate space for vehicle backing and maneuvering on-site, and provide adequate parking for loading vehicles so normal traffic flow is not impeded.
9. Screen parking areas and loading docks facing the street using landscape buffers planted with screen trees and drought tolerant vegetation.
10. Orient and screen elements such as trash enclosures, loading bay doors, and service docks to minimize their visibility.
11. Locate service entrance to prevent conflict with front entry.
12. Place electrical rooms and transformers away from front entries and street views.

5.2 Architectural Design

The building design, materials, colors, and textures establish its theme and character. Architecture shall be compatible and complementary with other buildings within the Specific Plan area; however, design diversity is encouraged to provide visual interest. Although development within Planning Area 1 and Planning Area 2 differ in building height and scale, similar design concepts apply as follows.

Key provisions include:

1. Ensure scale, massing, fenestration, materials, and colors are consistent with the building's architectural style and compatible with the overall design in the Specific Plan area.
2. Avoid blank walls by providing articulation on building elevations visible from a public right-of-way through elements such as cornices, parapets, expression lines, and changes in materials and/or colors.
3. Provide the greatest level of articulation on the front facades that are visible from the public rights-of-way and at the main entrances.
4. Design entry features as a significant aspect of a building's overall composition through massing, detailing, architectural treatments, and/or special materials and colors.
5. Employ recessed or covered building entrances to provide shade and visual relief.
6. Design office buildings, business parks, and office areas of industrial or warehouse buildings with an emphasis on the use of windows, architectural details, and building articulation.
7. Integrate the design of industrial/warehouse office areas into the overall building composition so they create powerful architectural statements and not visually disjointed "add-ons".
8. Employ a minimum of four different colors, materials, and/or textures on each building.
9. Avoid terminating a change in material or color at a building edge; instead, select a logical termination point in relation to the architectural features or massing.
10. Paint exposed downspouts, service doors, and mechanical screens the same color as the adjacent wall. Exposed downspouts are not permitted on elevations that front onto a street.

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Planning Area 1 and 3 Architectural Design Examples





Planning Area 2 and 4 Architectural Design Examples

5.3 Landscape Design

Conceptual landscape plans encourage durable landscape materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits. The following guidelines ensure that intersection sight lines and pedestrian safety are preserved. Landscaping plans within the Specific Plan area to comply with City of Ontario Landscape Development Guidelines and the Standard Drawings and Traffic and Transportation Guidelines for sight-distance.

Key provisions include:

1. Landscape and irrigate all areas of the site not covered by buildings, structures, paving, or impervious surfaces.
2. Design and grade projects to direct storm runoff from building roofs and paved areas into swaled landscape areas for retention/infiltration. Landscape areas may be used for storm water basins and swales at no greater than 50% of the available landscape area and may not obstruct the mature root zone of required tree locations
3. Provide shade for expanses of paving, building walls, roofs, and windows with irrigated shade trees located in appropriate areas where space permits to reduce the impacts of heat gain.
4. Design parking lot landscaping to reduce associated heat buildup, improve aesthetics, and integrate with on-site landscape and adjacent streetscape.
5. Use landscaping to aid in the screening and buffering of mechanical equipment, trash collection areas, loading docks and outside storage areas from public view.
6. Show utilities on plan and keep utilities clear of required tree locations. Coordinate with the landscape plans. Utilities such as backflow devices and transformers shall be screened using landscaping that provides at least 75 percent coverage. Backflow devices and transformers shall be located at least five feet from hardscape to ensure space for landscape screening.
7. Prepare landscape plans that meet the requirements of the Landscape Development Guidelines and provide for the efficient use of water. Plants shall be selected and planted based upon their adaptability to the climate and topographical conditions of the project site.
8. Select drought-tolerant plants such as colorful shrubs and groundcovers, ornamental grasses and succulents, evergreen and deciduous trees, and species native to Southern California or naturalized to the arid Southern California climate.
9. Incorporate water conservation features in landscape and irrigation plans.
10. Place a landscape planter island every ten parking spaces within parking lots. Planter islands shall be at least five feet in width exclusive of curbs and the length of the abutting parking space. Planter islands shall include at least one tree, appropriate shrubs, and groundcover. Parking areas located behind screen walls shall not be subject to this provision.

11. Provide a minimum dimension of five feet exclusive of curbs for all landscape areas, except for vine pockets.

12. Space living plant materials less than or equal to the mature plant diameter. Non-living ornamental landscape materials may comprise a maximum of five percent of the landscape area requirements and shall be permeable.

5.3.1 Streetscapes

Streetscape design creates an aesthetically pleasing view for pedestrians and motorists, screens parking and loading areas from the public right-of-way, and integrates the development into the surrounding community. The streetscape designs presented are conceptual only; final grading, plantings, and tree locations will be determined on a project-by-project basis.

5.3.1.1 Euclid Avenue Streetscape

Euclid Avenue features a wide raised landscaped median planted with trees, a 15-foot wide parkway and a 35-foot wide landscape setback with an eight-foot multi-purpose trail. The parkway will include a 10-foot wide curb-adjacent landscape strip generally planted with trees and groundcover and a five-foot wide sidewalk. Tree species along the perimeter of Euclid Avenue will include a double row of Quercus agrifolia, Schinus molle will be used as accents. Groups of Cercis canadensis 'Forest Pansy' and Schinus molle will be used in the median. Combined, the parkway and landscape setback create a 50-foot "Neighborhood Edge" as established in the Ontario Ranch Streetscape Master Plan, which is intended to provide a buffer at the Specific Plan boundary as well as a pleasing visual statement along the major City thoroughfare (Figure 5.1).

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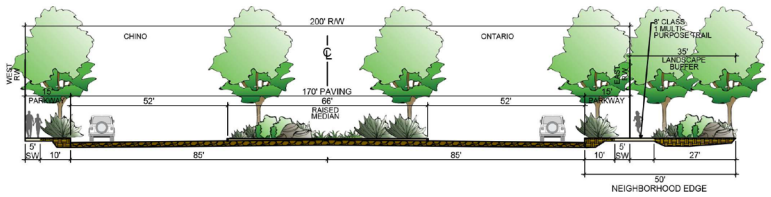
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FIGURE 5.1: **EUCLID AVENUE CONCEPTUAL STREETSCAPE**



EUCLID AVENUE (200' ROW)

5.3.1.2 Eucalyptus Avenue Streetscape

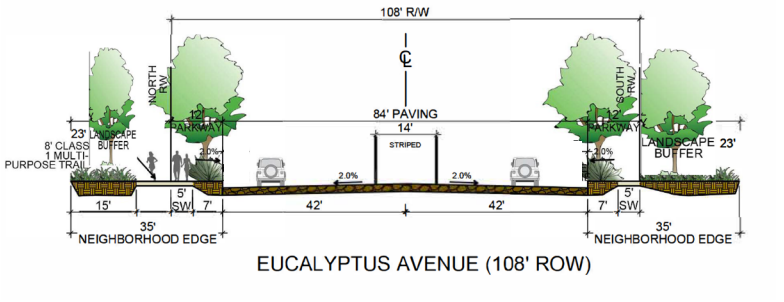
The typical Eucalyptus Avenue section will feature a 12-foot wide parkway and 23-foot wide landscape setback to create a 35-foot Neighborhood Edge. The parkway will include a seven-foot wide curb-adjacent landscape strip generally planted with trees and groundcover and a five-

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foot wide sidewalk. Tree species along Eucalyptus Avenue will include Pistache trees in the parkway and behind the sidewalk alternating with groups of Podocarpus gracilior trees. The Neighborhood Edge creates a buffer along the Specific Plan boundary as well as a visual statement (Figure 5.2).

FIGURE 5.2: **EUCALYPTUS AVENUE CONCEPTUAL STREETSCAPE**

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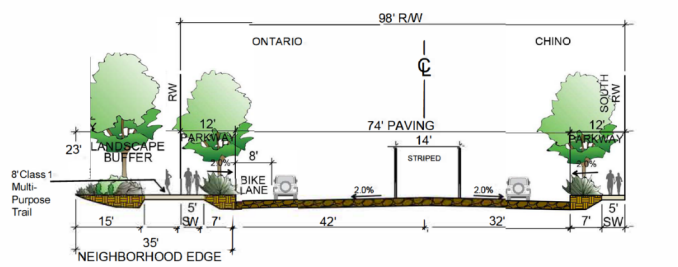


5.3.1.3 Merrill Avenue Streetscape

The typical Merrill Avenue section will feature an eight-foot wide multi-purpose trail, 12-foot wide parkway and 23-foot wide landscape setback. The parkway will include a seven-foot wide curb-adjacent landscape strip and a five-foot wide sidewalk. Tree species along Merrill Avenue will include Quercus agrifolia in the parkway and behind the sidewalk alternating with Cercis canadensis 'Forest Pansy.' The parkway and landscape setback will combine to form the 35-foot Neighborhood Edge buffer (Figure 5.3).

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FIGURE 5.3: **MERRILL AVENUE CONCEPTUAL STREETSCAPE**

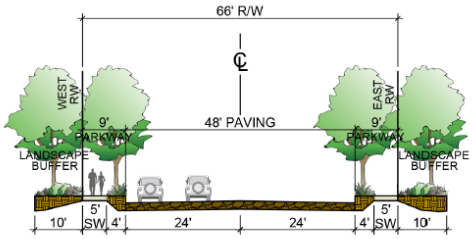


MERRILL AVENUE (98' ROW)

5.3.1.4 Sultana Avenue Streetscape

The typical Sultana Avenue section will feature a nine-foot wide parkway and 10-foot wide landscape setback. The parkway will include a four-foot wide curb-adjacent landscape strip and a five-foot wide sidewalk. Tree species along Sultana Avenue will include Koelreuteria paniculata and behind the sidewalk will include Quercus ilex (Figure 5.4).

FIGURE 5.4: **SULTANA AVENUE CONCEPTUAL STREETSCAPE**



SULTANA AVENUE (66' ROW)

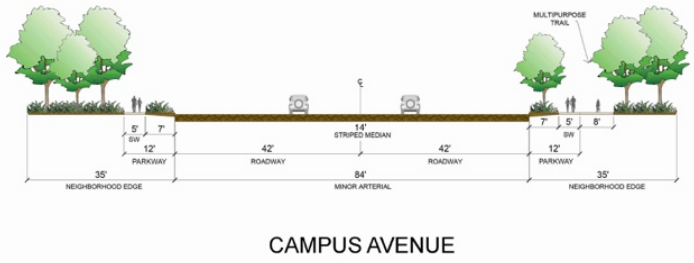
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5.3.1.5 Campus Avenue Streetscape

The Campus Avenue section features a 7-foot wide landscape setback to create a 35-foot Neighborhood Edge (Figure 5.5). The east side of Campus Avenue includes a 12-foot parkway with a 5' sidewalk and an 8' multipurpose trail as part of the 35-foot Neighborhood Edge, while the western side includes a five-foot wide Class II on-street bike lane at the edge of the street. The Neighborhood Edges include a 7-foot wide curb-adjacent landscape strip that will be planted with trees and groundcover. Tree species along Campus Avenue include Ulmus parvifolia 'Drake' in the parkways with clusters of Tabebuia chrysotricha and Celtis sinensis behind the sidewalk.



CAMPUS AVENUE

FIGURE 5.5: **CAMPUS AVENUE CONCEPTUAL STREETSCAPE**

5.3.2 Project Entries

The Specific Plan area includes multiple shared vehicular driveways accessible from Euclid, Eucalyptus, Sultana, Campus and Merrill Avenues. Figure 5.5 presents a typical conceptual entry design featuring enhanced paving; a landscaped setback with flowering accent trees, canopy trees, and drought-tolerant landscaping; a multipurpose trail; sidewalk; and landscaped parkway with street trees.

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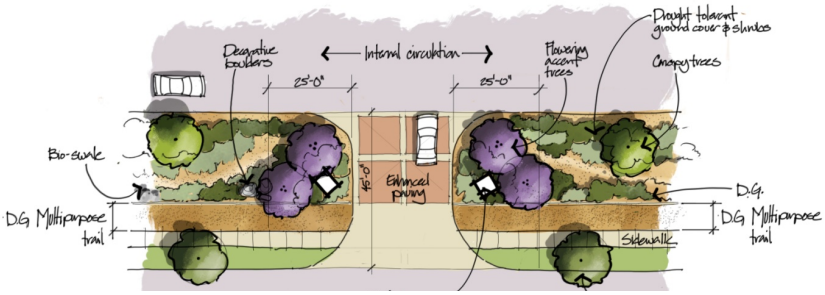
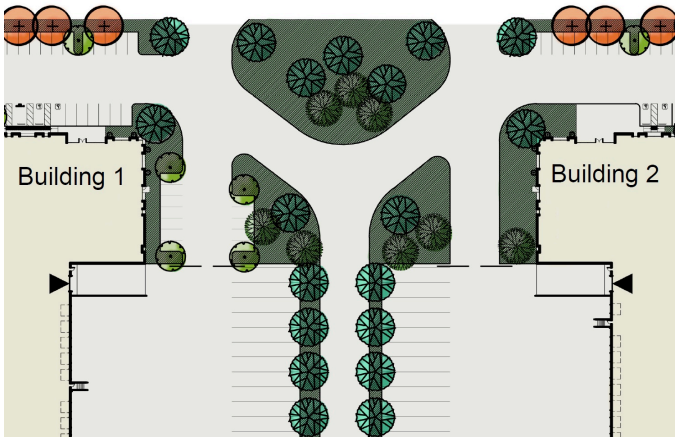


FIGURE 5.6: **CONCEPTUAL VEHICULAR ENTRY**

The conceptual site plan provides truck access via Sultana Avenue. Figure 5.6 illustrates the conceptual design featuring dedicated entry and exit driveways separated by a landscaped island planted with Coast Live Oak and California Sycamore.

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FIGURE 5.7: **CONCEPTUAL TRUCK ENTRY**



5.3.3 Plant Palette

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The Plant Palette shown in Table 5.1 establishes a base palette for the Specific Plan area and includes a variety of groundcovers, shrubs, ornamental grasses, and evergreen and deciduous trees. The selection complements the design theme of the Specific Plan area and features water-efficient, drought-tolerant species native to the region. Similar plant materials may be substituted for the species listed in Table 5.1 if the alternative plants are climate appropriate and enhance the thematic setting.

Table 5.1: Plant Palette

Botanical Name	Common Name	Use
Chilopsis linearis	Desert Willow	Tree
Chitalpa tashkentensis	Chitalpa	Tree
Cinnamomum camphora	Camphor Tree	Tree
Cupressus sempervirens	Italian Cypress	Tree
Heteromeles arbutifolia	Toyon	Tree
Juniperus s. 'Skyrocket'	Skyrocket Juniper	Tree
Koelreuteria bipinnata	Chinese Flame Tree	Tree
Lagerstroemia i 'Muskogee'	Crape Myrtle	Tree
Olea europaea	Olive	Tree
Pinus canariensis	Canary Island Pine	Tree
Pinus eldarica	Afghan Pine	Tree
Pistacia chinensis	Chinese Pistache	Tree
Platanus acerifolia	London Plane	Tree
Platanus racemosa	California Sycamore	Tree
Quercus agrifolia	Coast Live Oak	Tree
Schinus molle	California Pepper	Tree
Tristania conferta	Brisbane Box	Tree
Washingtonia filifera	California Fan Palm	Tree
Phoenix dactylifera	Date Palm	Tree
Acca sellowiana	Pineapple Guava	Shrub
Buxus j. 'Green Beauty'	Japanese Boxwood	Hedge
Callistemon 'Little John'	Dwarf Bottle Brush	Shrub
Carissa macrocarpa 'Tuttle'	Natal Plum	Shrub
Cistus 'Sunset Pink'	Sunset Pink Rockrose	Shrub
Dianella 'Little Rev'	Dwarf Dianella	Shrub
Dianella tasmanica	Dianella	Shrub
Dodonaea viscosa 'Purpurea'	Hopseed Bush	Shrub
Eleagnus pungens	Silverberry	Shrub
Leucophyllum f. 'Green Cloud'	Texas Ranger	Shrub
Ligustrum j. texanum	Texas Privet	Shrub
Pittosporum tobira 'Variegata'	Variegated Mock Orange	Hedge
Pittosporum t. 'Wheeleri'	Wheeler's Dwarf	Shrub
Rhaphiolepis i. 'Clara'	Indian Hawthorn	Hedge
Rhaphiolepis i. 'Springtime'	Indian Hawthorn	Hedge
Rhamnus californica	Coffeeberry	Shrub
Rhamnus c. 'Mound San Bruno'	Dwarf Coffeeberry	Shrub
Rosmarinus o. 'Tuscan Blue'	Rosemary	Shrub
Salvia c. 'Allen Chickering'	Allen Chickering Sage	Shrub
Salvia greggii	Autumn Sage	Shrub
Salvia leucantha	Mexican Sage	Shrub
Westringia fruticosa	Coast Rosemary	Shrub

Table 5.1: Plant Palette

Botanical Name	Common Name	Use
Xylosma congestum	Shiny Xylosma	Hedge
Agave 'Blue Flame'	Blue Flame Agave	Accent
Aloe maculata	Soap Aloe	Accent
Aloe petricola	Stone Aloe	Accent
Aloe polyphylla	Spiral Aloe	Accent
Aloe striata	Coral Aloe	Accent
Echeveria 'Ruffles'	Ruffles Echeveria	Accent
Hesperaloe parviflora	Red Yucca	Accent
Acacia redolens 'Low Boy'	Dwarf Acacia	Groundcover
Baccharis p. 'Pigeon Point'	Dwarf Coyote Bush	Groundcover
Baccharis p. 'Centenial'	Coyote Bush	Groundcover
Carex pansa	California Meadow Sedge	Grass
Carex tumulicola	Foothill Sedge	Grass
Festuca mairei	Altas Fescue	Grass
Festuca o. 'Glauca'	Blue Fescue	Grass
Lonicera j. 'Halliana'	Hall's Honeysuckle	Groundcover
Muhlenbergia capillaris	Pink Muhly	Grass
Myoporum parvifolium	Myoporum	Groundcover
Rosa 'Flower Carpet' - Red	Red Flower Carpet Rose	Groundcover
Rosmarinus o. 'Huntington Carpet'	Prostrate Rosemary	Groundcover
Salvia 'Bee's Bliss'	Bee's Bliss Sage	Groundcover
Senecio mandraliscae	Blue Fingers	Groundcover
Sesleria autumnali	Moor Gras	Grass
Trachelopspermum jasminiode	Star Jasmin	Groundcover
Distictus buccinatoria	Blood-red Trumpet Vine	Vine

5.4 Walls and Fences

Walls and fences are an important design feature intended to both complement building and landscape architecture and provide functional elements. Any proposed entry gates shall be reviewed and approved by the City of Ontario Traffic and Transportation Division prior to installation and will be permitted only if approved.

Key provisions include:

1. Provide attractive, durable, and complementary wall and fencing materials consistent with the building design.
2. Offset and architecturally treat long expanses of wall surfaces every 100 feet with material changes, pilasters and posts, staggered walls, or landscape treatments to prevent visual monotony.

3. Soften the appearance of fencing with plants that reach the height of the wall or fence at maturity.
4. Construct sliding gates visible from a public street with tubular steel, vertical steel pickets, or high-density perforated metal screening painted to match or complement adjacent walls. Interior gates not visible to public view may be galvanized steel or chain link.
5. Prohibit chain link fencing visible to the public.





Wall and Fence Examples

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5.5 Buffering and Screening

To alleviate the unsightly appearance of parking, loading and service areas, buffering and screening design features should be used to enhance the overall development. Any proposed entry gates shall be reviewed and approved by the City of Ontario Traffic and Transportation Division prior to installation.

5.5.1 Parking Lots

1. Buffer parking lots adjacent to and visible from public streets using a combination of architectural wing walls, buildings, decorative screen walls, evergreen hedges, and landscape buffers.
2. Use plants for screening that are a minimum of 3 feet tall at the time of installation.

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Examples of Parking Lot Buffering

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5.5.2 Loading and Service Areas (Truck Courts)

1. Screen loading docks and truck parking areas visible from Euclid Avenue, Eucalyptus Avenue, and Sultana Avenue. Screening may include portions of buildings and/or decorative walls. Landscaping and evergreen hedges shall be provided to soften screen walls.
2. Incorporate gated/screened entrances to loading areas into the overall architectural design of the development.
3. Design walls and fencing a minimum of eight-feet high and a maximum of 14-feet high, as measured from finished grade, to screen truck courts and hide views of the top of loading bays or trailers.
4. Utilize portions of a building, architectural wing walls, and/or landscaping to screen service areas.
5. Screen ground- and roof-mounted mechanical equipment from public view. Ground-mounted equipment shall be screened with decorative walls or landscaping. Building architecture shall be designed to screen roof-mounted equipment.
6. Ensure refuse containers are easily accessible by service vehicles yet screened from public view within the building's façade or within a walled enclosure.
7. Obtain a use permit for outdoor storage, which shall be limited to predefined areas. Storage areas shall be screened from public view by decorative walls or with a minimum height of eight feet and a maximum height of 14 feet. The height of outdoor storage shall not-exceed the height of screening.



Loading and Service Area Example

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5.6 Lighting

Site lighting provides illumination for operations, safety, security, and ambiance in parking lots, loading dock areas, pedestrian walkways, building entrances, signage, and architectural and landscape features.

Key provisions include:

1. Choose lighting fixtures that complement the building architecture and promote consistency throughout the Planning Areas.
2. Install ground or low mounted fixtures to provide safety and convenience along pedestrian walkways, entrances, activity areas, steps, ramps, and special features.
3. Allow building-mounted accent lighting for general illumination provided there is no light spill or distraction onto roadways or adjacent property. Plain shoebox or unshielded wall packs are not permitted.
4. Direct exterior lighting fixtures downward to avoid unnecessary light spill and glare.
5. Limit pole-mounted, building-mounted, or tree-mounted lighting fixtures to no more than 30 feet in height to minimize light spill and glare.
6. Shield and direct pole-mounted lights away from public streets.
7. Ensure exterior lighting is consistent with the Chino Airport Land Use Compatibility Plan.
8. Design parking lot lighting to avoid placing fixtures in required tree locations.

5.7 Signage

Approval of a comprehensive sign program shall be required for development within the Specific Plan area. A sign program facilitates integration of signs with the overall site and building design to create a unified visual statement and provide for flexible application of sign regulations in the design and display of multiple signs.

Key provisions include:

1. Install an entry monument at the northeast corner of Euclid and Merrill Avenues to identify the Ontario Ranch area and/or the Ontario Ranch Business Park. Entry monuments shall be designed in accordance with City of Ontario Traffic and Transportation Guidelines for monument placement.
2. Employ signage to identify a center and tenants within a center, direct vehicular traffic, and provide on-site way-finding for pedestrians.
3. Employ signage within industrial sites to give direction to loading and receiving, visitor parking, and other special uses.

4. Provide a unifying sign theme in developments with multiple users.
5. Coordinate signage with the building design, materials, color, size, and placement.
6. Select signage with backlit or internally illuminated individual channel letters. Can-type box signs with translucent backlit panels are discouraged.
7. Avoid covering significant architectural elements with signage.
8. Position flush-mounted signs with respect to architectural features and align with signs on other buildings to maintain a pattern.
9. Place street address signs perpendicular to approaching vehicular traffic.
10. Ensure signage located within a landscaped planter is not blocked or damaged by plant materials.
11. Conserve energy by utilizing an automatic illumination shut-off mechanism when businesses are closed.
12. Construct signs from high quality materials and avoid exposed wiring, ballasts, conduits, fasteners, raceways, or similar hardware.

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Signage Examples

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Signage Examples Continued

5.8 Sustainable Design Strategies

Ontario Ranch Business Park is committed to sustainable design strategies that integrate principles of environmental stewardship into the design and construction process. Appropriate strategies will be determined for each project within the Specific Plan area. Strategies include, but are not limited to:

5.8.1 Sustainable Construction & Technology Concepts

1. Design and construct energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption.
2. Employ passive design including skylights, building orientation, landscaping, and strategic colors to improve building energy performance.
3. Reduce the heat island effect by providing shade structures and trees that produce large canopies. In addition, choose roof and paving materials that possess a high level of solar reflectivity (cool roofs).
4. Use recycled and other environmentally friendly building materials wherever possible.
5. Incorporate skylights into at least two percent of warehouse/distribution building roof area to provide natural light and reduce electric lighting demand.
6. Use energy efficient LED (or similar) products.
7. Provide interior or exterior bicycle storage consistent with the California Green Building Standards Code.
8. Use drought tolerant landscaping with drip irrigation and include plantings such as trees, shrubs, groundcovers and/or vines. Optional amenities include benches, trellises, thematic fencing, and decorative walkways.
9. Employ high performance dual pane window glazing in office storefronts.

5.8.2 Water Quality

1. Utilize landscape areas including retention/infiltration swales and basins or bio-treatment when infiltration is infeasible, as required by the San Bernardino County MS4 Permit and Water Quality Management Plan.
2. Select native and drought tolerant plants to reduce water demand.
3. Integrate permeable pavement and perforated curbs throughout the project area as feasible to allow stormwater to enter planter areas, assist with filtration and control runoff.
4. Use captured runoff to augment irrigation systems whenever possible.

5. Employ irrigation systems that respond to changing weather conditions, irrigate by hydrozone, and use micro-irrigation techniques.
6. Use recycled water to irrigate landscape areas and for other appropriate uses. The use of recycled water for certain purposes is required by the City of Ontario Recycled Water Master Plan.

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Sustainable Design Examples

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6.0 IMPLEMENTATION

This chapter summarizes the development process for implementation of the Ontario Ranch Business Park Specific Plan and provides for the orderly development of the Specific Plan area.

6.1 Applicability

The provisions, guidelines, and regulations contained within this Specific Plan provide the standards for land uses and development within Ontario Ranch Business Park. The Specific Plan supersedes the development standards and regulations of the Ontario Development Code unless stated otherwise in this document. Whenever the provisions and development standards of the Specific Plan conflict with those of the Ontario Development Code, the Specific Plan shall take precedence. Where the Specific Plan is silent, the Ontario Development Code shall apply.

6.1.1 Definition of Terms

The terms used within the Specific Plan shall mean the same as defined in the Ontario Development Code, unless otherwise noted.

6.2 Severability

The Specific Plan serves as the implementation tool for the City's Policy Plan (General Plan). In the event that any provision of this Specific Plan or its application to any person or circumstance is held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct and independent, and shall not affect the validity of the remaining provisions of this Specific Plan or applications thereof, which can be implemented without the invalid provision or application.

6.3 Interpretation

If an issue, condition, or situation occurs that is not sufficiently covered or provided for in this Specific Plan, those that are applicable for the most similar issue, condition, or situation shall be used. Unless otherwise provided, any ambiguity concerning the content or application of the Specific Plan shall be resolved by the City Planning Director in a manner consistent with the goals, policies, objectives, and intent established in the Specific Plan.

6.4 Consistency with Other Plans and Regulations

This sub-section discusses consistency of the Specific Plan with The Ontario Plan, Airport Land Use Compatibility Plans, the California Building Code, and CEQA.

6.4.1 Consistency with The Ontario Plan

No land use, activity, or facility shall be permitted that is inconsistent with the objectives, policies, general land uses, and programs of The Ontario Plan, as amended.

The Ontario Ranch Business Park entitlement application includes a General Plan Amendment to change the site's land use designations to Business Park and General Industrial to be consistent with this Specific Plan.

6.4.2 Consistency with Airport Land Use Compatibility Plans

Projects located within the Specific Plan area are subject to the restrictions and provisions of the Airport Land Use Compatibility Plans prepared for Ontario International Airport and Chino Airport.

6.4.3 Consistency with California Building Code

Projects located within the Specific Plan area must comply with the State of California Building Code as adopted and implemented by the City of Ontario.

6.4.4 Consistency with CEQA

The City of Ontario is defined as the lead agency under the California Environmental Quality Act (CEQA) based upon its authority to approve this Specific Plan. Concurrent with approval of this Specific Plan, the City Council will be required to certify the associated Environmental Impact Report (EIR), including a Mitigation Monitoring and Reporting Program to ensure that all approved EIR mitigation measures are implemented. The Planning Director shall be responsible for confirming that mitigation measures have been implemented through each project's approved plans.

6.5 Specific Plan Revisions

It is recognized that modifications to the text or exhibits of this Specific Plan may be warranted in the future to accommodate unforeseen conditions or events. Revisions shall be processed in a manner prescribed by the City of Ontario Planning Department pursuant to the provisions in this section.

6.5.1 Minor Modifications to the Specific Plan

Minor modifications to the Specific Plan will be processed administratively without the submission of a formal Specific Plan Amendment application and will not require a public hearing or review by the Planning Commission. The Planning Director shall have the authority to review and make a determination of approval, approval with conditions, or denial of a request for minor modification to the Specific Plan. The Planning Director may, at his/her discretion, refer any such request to the Planning Commission or the City Council.

Minor modifications are defined as:

1. Expansions or reductions to a Planning Area boundary or acreage, provided that the total acreage within each affected Planning Area is not modified by more than 20 percent.

2. An increase in maximum building area for single- and multi-tenant buildings of up to 20 percent, provided that the maximum square footage for the Planning Area established by this Specific Plan is not exceeded.
3. A modification of up to 20 percent of a project's required minimum lot area, minimum lot dimensions, or setback if compatible with the surrounding land uses and consistent with the overall design character of the Ontario Ranch Business Park.
4. Additions, deletions, or modifications to Table 4.1, Allowable Uses, which lists the permitted and conditionally permitted uses in the Specific Plan area, provided the Planning Director determines the changes to be consistent with the objectives and intent of the Specific Plan.
5. Minor modification of conceptual design criteria for architectural features and materials, landscape treatments, lighting, signage, and sustainable design strategies.
6. Revisions to roadway alignment when the change results in centerline shift of less than 250 feet.
7. Revisions to infrastructure facility sizing and precise location for dry utilities, water, sewer, and storm drainage improvements subject to approval of the City Engineer.
8. Changes to the Phasing Plan, provided infrastructure is available to serve the phase as determined by the City Engineer.
9. Revisions to exhibits in the Specific Plan that do not substantially change its intent or character.
10. Modifications of a similar nature to those listed above, which are deemed minor by the Planning Director and conform to the purpose and intent of this Specific Plan and The Ontario Plan.

6.5.2 Specific Plan Amendments

Proposed changes to this Specific Plan that do not meet the criteria for a Minor Modification will be subject to a formal Specific Plan Amendment application process pursuant to Section 4.01.035 of the Ontario Development Code and California Government Code Section 65450, et seq.

If the proposed amendment requires supplemental environmental analysis pursuant to CEQA, the applicant will adhere to the City's adopted procedures and CEQA Guidelines.

6.6 Subdivision Maps

Development within the Specific Plan area may require the processing of tentative and final tract or parcel maps and/or lot line adjustments or mergers. Subdivision maps and lot changes shall be reviewed and approved pursuant to Section 4.02.085 of the Ontario Development Code and other applicable City codes and regulations, California Government Code Section 66410 et seq. (Subdivision Map Act), as well as the provisions of this Specific Plan.

6.7 Development and Land Use Review Procedures

Review procedures for development and land use within the Specific Plan area shall be as provided in this Specific Plan and in accordance with the Ontario Development Code.

6.7.1 Development Plan Review

Development proposed within the Specific Plan area will be subject to Development Plan review pursuant to Section 4.02.025 of the Ontario Development Code. The review is intended to ensure compliance with the provisions of this Specific Plan, protect the integrity and character of the physical composition of the City, and encourage high quality development.

6.7.2 Conditional Use Permit

A Conditional Use Permit is required for uses deemed "conditionally permitted" in Table 4.1 (Allowable Uses). Applications for a Conditional Use Permit will be processed pursuant to Section 4.02.015 of the Ontario Development Code.

6.7.3 Administrative Use Permit

An Administrative Use Permit is required for uses deemed "administratively permitted" in Table 4.1 (Allowable Uses). Applications for an Administrative Use Permit will be processed pursuant to Section 4.03.015 of the Ontario Development Code.

6.7.4 Appeals

Appeals of decisions of the Development Advisory Board, Zoning Administrator, Planning Director or the Planning Commission regarding implementation of this Specific Plan may be made by the applicant or other aggrieved party pursuant to Division 2.04 of the Ontario Development Code.

6.8 Development Agreement

Approval of a statutory development agreement authorized pursuant to California Government Code Section 65864 et seq. is required by this Specific Plan. The Development Agreement shall include, but not be limited to, methods for financing, acquisition, and construction of necessary infrastructure. The Development Agreement shall be fully executed prior to recordation of the first Final Map.

6.9 Specific Plan Phasing

Implementation of this Specific Plan is anticipated to occur in three phases, as discussed in Chapter 3.11, Phasing Plan (Figure 3.19):

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- Phase 1: Construction of the storage, warehousing, and/or industrial uses in Planning Area 2.

- Phase 2: Construction of the business park uses in Planning Area 1, and c
- Phase 3: Construction of the storage, warehousing, and/or industrial uses in Planning Area 4 and construction of the business park uses in Planning Area 3.

These phases may be developed as sub-phases and may occur either sequentially or concurrently with one another.

All of the Specific Plan required infrastructure by Section 3.4 (Figure 3.9) for Potable Water, Section 3.5 (Figure 3.11) for Recycled Water, and Section 3.6 (Figure 3.13) for Sewer phasing will be determined per separate Development Agreement.

6.9.1 Phasing Objectives

Development phasing shall meet the following objectives:

1. The orderly build-out of the project based upon market and economic conditions;
2. The provision of adequate parking, infrastructure, and public facilities concurrent with the development of each phase; and
3. The protection of the public health, safety, and welfare.

6.9.2 Findings for Modification of the Phasing Plan

The Planning Director shall have the authority to approve modification of the Phasing Plan, subject to the following findings:

1. The modification is consistent with the Policy Plan (General Plan);
2. The modification will not adversely affect the implementation of the Specific Plan;
3. The modification will not be detrimental to public health, safety, and general welfare; and
4. The modification will not delay the construction of infrastructure improvements necessary to serve the development.

6.10 Financing of Public Improvements

The financing of the construction, operation, and maintenance of public infrastructure improvements, facilities, and services within the Specific Plan area shall be provided through a combination of mechanisms. Final determination of the scope of improvements, maintenance responsibilities, and funding sources shall be specified in the approved Development Agreement, executed prior to recordation of the first Final Map.

Financing options may include, but are not limited to, the following:

1. Private capital investment by the project developer, the property owner(s), or a Property Owners Association.
2. Private capital investment by a consortium of property owners and/or developers of the project and/or surrounding area.
3. Community Facilities District (CFD) established pursuant to the Mello-Roos Community Facilities District Act of 1982, or other special district, to provide funding for the construction of public facilities or the provision of public services. City Council approval is a prerequisite for use of special district financing mechanisms.
4. Development Impact Fee (DIF) credits to be applied for infrastructure completed by the project developer. The City does not issue DIF credits unless the developer has entered into a separate DIF credit agreement after approval of the Development Agreement.
5. Enhanced Infrastructure Financing District to fund infrastructure development through tax increment financing pursuant to Senate Bill 628.
6. Community Revitalization and Investment Authorities (CRIA) to fund infrastructure development through tax increment financing pursuant to Assembly Bill 2.

6.11 Maintenance Plan

Final determination of maintenance responsibilities for the public and private improvements constructed in association with this Specific Plan shall be specified in the approved Development Agreement, which shall be executed prior to recordation of the first Final Map. However, it is anticipated that maintenance shall be generally shared by three entities as described below and outlined in Table 6.1, Maintenance Responsibilities.

6.11.1 City of Ontario, Community Facilities District & other Special District

The establishment of a community facilities district, landscape and lighting district, or other special district to fund the maintenance of public facilities shall be at the City's discretion. It is anticipated that public maintenance shall include the following:

1. Right-of-way for public streets within the Specific Plan area (Euclid Avenue, Eucalyptus Avenue, Merrill Avenue, Campus Avenue and Sultana Avenue) shall be dedicated to the City of Ontario per the provisions of this Specific Plan (Chapter 3, Development Plan) and as approved by the City Engineer.
2. Landscape improvements and public streetlights within the public right-of-way and neighborhood edge shall be maintained through a landscape and lighting district or other special maintenance district established by the City.
3. The City shall maintain off-site infrastructure improvements, including water, recycled water, sewer, and storm drainage facilities after they are accepted by the City.

4. The City shall maintain NPDES facilities located within the curb-to-curb area of public streets after they are accepted by the City. Operation and maintenance requirements for NPDES stormwater runoff source control and treatment control Best Management Practices shall be identified in the approved Water Quality Management Plan for the project.

6.11.2 Property Owners Association

A Property Owners Association (POA) shall be established for the maintenance of common areas, including such improvements as on-site landscape areas and parking and drive aisles within Ontario Ranch Business Park. It is anticipated that improvements maintained by the POA will include the following:

1. Driveways;
2. On-site open spaces, on-site landscape areas, common areas, parking lots, and walkways;
3. Landscaping within setback/landscape buffer areas along Sultana Ave;
4. NPDES facilities within landscape setbacks and on-site common areas;
5. Property identification signage and architectural elements located within the landscaped buffer; and
6. Fencing and walls, including graffiti removal.
7. Water, sewer, recycled water facilities and storm drainage facilities located on-site shall be constructed by the developer are considered privately owned and maintained by property owners or Property Owners Association however the Property Owners Association shall maintain permanent on-site water quality basins, trenches, swales and biotreatment filters required by the San Bernardino County MS4 Permit and Water Quality Management Plan.

Table 6.1: Maintenance Responsibilities

Area of Responsibility	City or Special District	Property Owners Association	Utility
Master Planned Roadways: Euclid Avenue, Eucalyptus Avenue, Merrill Avenue, Sultana Avenue and Campus Avenue			
Curb-to-curb improvements	♦		
Behind the curb improvements - landscaping within the public right-of-way (parkways), sidewalks and neighborhood edge	♦		
Other Improvements			
Traffic Signals and Traffic Control Signs on public streets	♦		
Streetlights in the public right-of-way	♦		
Drive aisles		♦	
On-site parking areas		♦	
Common open space		♦	
Landscaping within setback/landscape buffer areas (Sultana Ave)		♦	
Monument signage		♦	
Walls and fences		♦	
Stormwater drainage/water quality control facilities within the curb-to-curb area of public streets	♦		
Stormwater drainage/water quality control facilities behind the curb		♦	
Water, recycled water, and sewer infrastructure in the public right-of-way	♦		
Dry utilities: electricity, natural gas, communication systems			♦

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6.12 Additional Entitlement Requirements

Currently, there are no existing City utilities, nor any improvement plans for City Utilities in the vicinity of the Specific Plan area. Several miles of new infrastructure are required to provide City utility services to the Specific Plan area. In order to ensure orderly expansion of the City Utility Systems and other City Infrastructure, the following Additional Entitlement Requirements are imposed upon all Subdivision Maps and Developments within the Specific Plan area.

6.12.1 Conceptual Design Report

Prior to approval of any entitlement application (subdivision maps, Development Plan Reviews, etc.), a conceptual design report shall be prepared and submitted to the Development Agency Engineering Department and the Utilities Engineering Department for review and approval for

the established extent of all public improvements required for the project. The study shall identify existing and future rights-of-ways (ROW) and infrastructure improvements and establish all vertical and horizontal alignments for each utility. The report shall include cross-sections, profiles, and any supporting details needed to demonstrate that utilities can be adequately accommodated in the public ROW. The study shall account for all utility conflicts, right-of-way variations, existing obstructions, and the timing of utility installation. Utilities cannot be located along an alignment that conflicts with existing conditions (e.g. electrical poles, private property, etc.) unless that applicant is accepting the responsibility of modifying the existing conditions (e.g. undergrounding, relocation, ROW acquisition, etc.).

Western Trunk Sewershed Scope: In order to assure that the Western Trunk Sewer (WTS) is designed to serve its entire Sewer Master Plan Tributary Area, all the Master Plan Trunk Sewers connecting to the WTS and the WTS shall be included in the Conceptual Design Report. This shall include: the Western Trunk Sewer from the Inland Empire Utility Agency's Kimball Interceptor to the Whispering Lakes Pump Station Riverside Drive and Carpenter Avenue; the Euclid Trunk Sewer from the Western Trunk Sewer in Merrill Avenue to Chino Avenue; the Bon View Trunk Sewer from the Western Trunk Sewer in Merrill Avenue to Chino Avenue; the Grove Trunk Sewer from the Western Trunk Sewer in Merrill Avenue to Chino Avenue; the Walker Trunk Sewer from the Western Trunk Sewer in Schaeffer Avenue to Chino Avenue.

6.12.2 Preliminary Design Report

As a condition of entitlements (subdivision maps, Development Plan Reviews, etc.) within the Specific Plan and prior to submittal of Infrastructure Improvements Plans, a Preliminary Design Report (PDR) for all public infrastructure shall be submitted and approved by the Development Agency Engineering Department and the Utilities Engineering Department. The PDR shall include the following:

Conceptual Design Compliance: A discussion modifying or confirming the conceptual design established with the Project's Conceptual Design Report. The study shall confirm all rights-of-ways (ROW), infrastructure improvements, and vertical and horizontal alignments for each utility. Street Cross Sections and Profiles:

Street Cross Sections and Profiles shall be provided for each public street, private street and Public Utility Easement (PUE) containing a public utility and at any points along the alignments where the ROW varies. The cross sections shall show the location and size of each utility and shall annotate the property/ROW lines, the type of finished surface material, the distance of each utility from centerline, the depth from finished surface to top of pipe, and the distance between utilities (outside wall to outside wall).

Constructability Review: The report shall include a discussion of the constructability issues along the proposed alignment and identify the recommended construction methods that may be utilized. The study shall perform field investigation (field survey and potholing) in order to identify

potential utility conflicts, right-of-way variations, existing obstructions, and constructability issues created by the timing of utility installation.

Supporting Details: The PDR shall include any supporting details needed to demonstrate that utilities can be adequately accommodated in the public ROW, including the placement of large appurtenances, clearance from existing obstructions, etc.

30% Design Drawings: The PDR findings shall be incorporated into a 30% design plan set and included in the PDR.

Western Trunk Sewershed Scope: In order to qualify for Development Impact Fees (DIF) and to assure that the Western Trunk Sewer (WTS) is designed to serve its entire Sewer Master Plan Tributary Area, the PDR shall include all the Master Plan Trunk Sewers connecting to the WTS and the WTS. The PDR shall include: the Western Trunk Sewer from the Kimball Interceptor to the Whispering Lakes Pump Station Riverside Drive and Carpenter Avenue; the Euclid Trunk Sewer from the Western Trunk Sewer in Merrill Avenue to Chino Avenue; the Bon View Trunk Sewer from the Western Trunk Sewer in Merrill Avenue to Chino Avenue; the Grove Trunk Sewer from the Western Trunk Sewer in Merrill Avenue to Chino Avenue; the Walker Trunk Sewer from the Western Trunk Sewer in Schaeffer Avenue to Chino Avenue. At minimum, the PDRs shall include:

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Horizontal and vertical alignment studies assuring that the entire sewershed and subsewersheds can be sewered.

Sewer sizing hydraulic calculations assuring the Trunk Sewer, with the proposed designs, can accommodate the Master Plan Flows meeting Master Plan Design Criteria.

As it relates to Ontario Ranch Business Park, this requirement has already been completed by the developer and no additional reports are required.

7.0 GENERAL PLAN CONSISTENCY

California Government Code (Title 7, Division 1, Chapter 3, Article 8, Section 65440-65457) permits the adoption and administration of Specific Plans as an implementation tool for elements contained within a jurisdiction's local General Plan. Approval of this Specific Plan is based on the finding that the regulations, guidelines, and programs contained within this Specific Plan are consistent with The Ontario Plan. The Ontario Plan establishes the direction and vision for the City of Ontario and provides a single comprehensive document to shape its future. The Ontario Plan provides for policies to accommodate change over its 30-year lifespan. The Ontario Plan consists of a six-part Component Framework: 1) Vision, 2) Governance Manual, 3) Policy Plan, 4) City Council Priorities, 5) Implementation, and 6) Tracking and Feedback. The following sections demonstrate the Ontario Ranch Business Park Specific Plan implements the goals and policies of the City's Policy Plan (General Plan).

7.1 Land Use Element

GOAL LU1:	**A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.**

Policy LU1-2 Sustainable Community Strategy

We integrate state, regional, and local Sustainable Community/Smart Growth principles into the development and entitlement process.

The Specific Plan encourages the efficient use of energy resources in design, product selection, and operational techniques. The Design Guidelines in Chapter 5 address lighting, bicycle parking, sustainable landscaping, and sustainable design strategies. Landscape provisions require the use of native drought-resistant vegetation and shade trees to conserve water and reduce heat islands. The sustainable design strategies include design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption. Protecting water quality, reducing runoff, and reducing water demand for landscaping are promoted in the Development Plan in Chapter 3 through the recycled water plan and storm drainage facilities source control and treatment practices.

Policy LU1-3 Adequate Capacity

We require adequate infrastructure and services for all development.

The Specific Plan establishes a Phasing Plan that has been coordinated with affected infrastructure providers and ensures that uses on the project site will be adequately served. The Specific Plan requires infrastructure development to occur in a timely manner. Potable and recycled water, sewer, fiber optic communications, and storm drain infrastructure improvements that will ultimately serve the Specific Plan area are addressed in Chapter 3, Development Plan. Infrastructure and services will be consistent with City of Ontario infrastructure master plans and the approved development agreement.

GOAL LU2: Compatibility between a wide-range of uses.

Policy LU2-3 Hazardous Uses

We regulate the development of industrial and similar uses that use, store, produce or transport toxic substances, air emissions, other pollutants or hazardous materials.

Uses within the Specific Plan are required to comply with federal, state, and local regulations pertaining to the use, storage, disposal, and transportation of hazardous materials, toxic substances, and other pollutants.

Policy LU2-5 Regulation of Uses

We regulate the location, concentration and operations of uses that have impacts on surrounding uses.

The Specific Plan land use plan contained in Chapter 3, Development Plan, utilizes the Business Park designation (Planning Area 1) to buffer the Industrial-General (IG) land use designation (Planning Area 2) from the existing residential uses located across Euclid Avenue within the City of Chino. Chapter 4, Land Use and Development Standards, restricts Planning Area 1 to less intense business park uses and requires the building height to be lower. Furthermore, the conceptual site design places truck traffic ingress and egress and visible loading docks away from the existing residential uses.

Policy LU2-6 Infrastructure Compatibility

We require infrastructure to be aesthetically pleasing and in context with the community character.

The Specific Plan design guidelines (Chapter 5) are intended to support high-quality development that complements the surrounding community. Landscaped areas and drive entrances will be

planned to separate parking areas and keep the parking lot from being the dominant visual element of the site. The Specific Plan also establishes landscape setback requirements (Chapter 4, Land Use and Development Standards) and conceptual streetscape design (Chapter 5, Design Guidelines) along all roadways within the Specific Plan area to create safe and attractive streets for pedestrians and motorists and ensure cohesive patterns of development.

Policy LU2-9 Methane Gas Sites

We require sensitive land uses and new uses on former dairy farms or other methane-producing sites to be designed to minimize health risks.

The Specific Plan incorporates into its Implementation Plan (Chapter 6) requirements for the project to comply with any mitigation measures identified in the project environmental impact report, including those for soil remediation and proper venting to address the potential existence of methane gases within the Specific Plan area.

GOAL LU5: Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.

Policy LU5-7 ALUCP Consistency with Land Use Regulations

We comply with state law that requires policy plan/general plans, specific plans, and all new development be consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

The Specific Plan area is within the Ontario International Airport Influence Area and the Chino Airport Influence Area. The Specific Plan discusses compliance with the ALUCP requirements for the Ontario Airport and the Chino Airport in Chapter 2, Section 2.2, Airport Influence Areas.

7.2 Community Design Element

GOAL CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

Policy CD1-2 Growth Areas

We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

The Specific Plan design guidelines (Chapter 5, Design Guidelines) and development standards (Chapter 4, Land Use and Development Standards) ensure high quality, cohesive, attractive, and

appropriately-scaled development that complements and integrates into the Ontario Ranch community and adds value to the City.

GOAL CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional, and distinct.

Policy CD2-1 Quality Architecture

We encourage all developments to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section, and elevation through all aspects of the building and site design and appropriate for its setting;
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

The Specific Plan design guidelines (Chapter 5) ensure that: 1) scale, massing, fenestration, materials, and colors are consistent with the building's architectural style and compatible with the overall design in the Specific Plan area, 2) articulation is provided through elements such as cornices, parapets, expression lines, and changes in materials and/or colors, 3) use of a variety of colors, materials, and/or textures on each building is appropriate to the architectural features or massing.

Policy CD2-5 Streetscapes

We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identify through improvements to the public right-of-way such as sidewalks, street trees, parkways, curbs, street lighting, and street furniture.

Chapter 3.3, Circulation Plan, addresses connectivity, street improvements, pedestrian and bicycle plans, and transit. In Chapter 5.3, Landscape Design, the Specific Plan identifies street improvements and streetscape including parkways, street trees, sidewalks, landscape buffers, and street lighting for Euclid Avenue, Eucalyptus Avenue, Merrill Avenue, and Sultana Avenue within the Specific Plan area, which are consistent with the Circulation Element of The Ontario Plan. The Specific Plan streetscape design creates an aesthetically pleasing view for pedestrians and motorists, screens parking and loading areas from the public right-of-way, and visually integrates the development into the surrounding Ontario Ranch community.

Policy CD2-6 Connectivity

We promote development of local street patterns and pedestrian networks that create and unify neighborhoods, rather than divide them, and create cohesive and continuous corridors, rather than independent "islands".

The Specific Plan creates an efficient street system by providing convenient connections with adjacent land uses in compliance with the vision of The Ontario Plan Circulation Element. Roads will be improved with sidewalks, trails and bikeways to supplement vehicular transportation through the design of Specific Plan street sections (Chapter 3.3: Circulation Plan) and streetscape (Chapter 5.3, Landscape Design).

Policy CD2-7 Sustainability

We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

The Specific Plan is committed to sustainable design strategies that integrate principles of environmental stewardship into the design, construction and operation process. The Specific Plan incorporates sustainability principles into its design guidelines (Chapter 5.8, Sustainable Design Strategies), such as drought tolerant landscaping, skylights in warehouse/distribution buildings to provide natural light and reduce lighting demand, high performance dual pane glazing in office storefronts, and LED products for energy efficient site lighting. Design strategies include the design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption. The use of recycled water to irrigate landscape is required by the Specific Plan's Recycled Water Plan (Chapter 3.5), consistent with the City of Ontario Recycled Water Master Plan.

Policy CD2-9 Landscape Design

We encourage durable landscaping materials and designs that enhance the aesthetics of structure, create and define public and private spaces, and provide shade and environmental benefits.

Consistent with the vision for Ontario Ranch as outlined in the Ontario Ranch Streetscape Master Plan, the Specific Plan (Chapter 5.3, Landscape Design) provides for landscaped setbacks and landscaped parkways adjacent to bike lanes and sidewalks, defining these public spaces. The landscaped setbacks and parkways will include drought-tolerant plants featuring colorful shrubs and groundcovers, ornamental grasses and succulents, evergreen and deciduous trees, and species native to Southern California or naturalized to the arid Southern California climate to promote durable plant materials. The plant selection will complement the design theme of the Specific Plan area. Parking lot landscaping will reduce associated heat buildup, improve aesthetics, and integrate into onsite landscape design and adjacent streetscapes. Swaled landscape areas will retain/infiltrate stormwater run-off to improve water quality and promote groundwater recharge.

Shade trees thoughtfully located near expanses of paving, building walls, roofs, and windows will reduce the impacts of heat gain.

Policy CD2-11 Entry Statements

We encourage the inclusion of amenities, signage, and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

The Specific Plan establishes design guidelines to ensure high-quality development and a sense of place. As discussed in Chapter 5.3, Landscape Design, Euclid, Eucalyptus, Merrill and Sultana Avenues will feature landscaped setbacks adjacent to the Specific Plan area that will provide attractive entries to the site. An entry monument will be located at the northeast corner of Euclid and Merrill Avenues to identify the Ontario Ranch area and/or the Ontario Ranch Business Park.

Policy CD2-12 Site and Building Signage

We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structure.

The Specific Plan (Chapter 5.7, Signage) requires approval of a comprehensive sign program to address parcel identification, building identification and directional signage within the Specific Plan area. A comprehensive sign program will integrate project signage with the overall design of the site and structures to create a unified visual statement. A comprehensive sign program provides a means for flexible application of sign regulations to provide incentive and latitude in the design and display of multiple signs. Industrial uses on the site will also be appropriately signed to give direction to loading and receiving, visitor parking, and other special uses.

GOAL CD3:	**Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing, and safe during all hours.**

Policy CD3-1 Design

We require that pedestrian, vehicular, bicycle, and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort, and aesthetics.

The Specific Plan (Chapter 3.3, Circulation Plan) coordinates street, trail, and bikeway designs to serve onsite land uses and extend access to the surrounding area in compliance with The Ontario Plan Mobility Element. The Specific Plan specifies street improvements for Euclid Avenue, Eucalyptus Avenue, Merrill Avenue, and Sultana Avenue. The Specific Plan streetscape design (Chapter 5.3, Landscape Design) provides an aesthetically pleasing view for pedestrians and motorists, screens parking and loading areas from the public right-of-way, and integrates the development into the surrounding community.

Policy CD3-5 Paving

We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public places.

The Specific Plan development standards (Chapter 4, Land Use and Development Standards) require that design and materials for sidewalks and road surfaces within the Specific Plan area be approved by the City's Engineering Department. Specific Plan design guidelines (Chapter 5) encourage the use of enhanced paving to mark major building entries and paving materials that possesses a high level of solar reflectivity to reduce the heat island effect.

GOAL CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investment.

Policy CD5-1 Maintenance of Buildings and Property

We require all public and privately owned buildings and property (including trails and easements) to be properly and consistency maintained.

The Specific Plan includes a Maintenance Responsibility Matrix in Chapter 6, Implementation, identifying the parties responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Specific Plan area. Privately owned buildings will be maintained as specified by the Property Owners Association (Chapter 6.10.2).

Policy CD5-2 Maintenance of Infrastructure

We require the continued maintenance of infrastructure.

The Specific Plan includes a Maintenance Responsibility Matrix in Chapter 6, Implementation, identifying the parties responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Specific Plan area.

7.3 Mobility Element

GOAL M1: A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.

Policy M1-1 Roadway Design and Maintenance

We require our roadways to:

- Comply with federal, state, and local design and safety standards.
- Meet the needs of multiple transportation modes and users.
- Handle the capacity envisioned in the Functional Roadway Classification Plan.
- Endeavour to maintain a peak hour Level of Service (LOS) E or better at all intersections.
- Be compatible with the streetscape and surrounding land uses.
- Be maintained in accordance with best practices and our Right-of-Way Management Plan

The Specific Plan complies with the Functional Roadway Classification Plan of the Mobility Element and, therefore, aims to comply with federal, state, and local design and safety standards; meet the needs of multiple transportation modes and users; and maintain a Level of Service of E or better at all intersections addressed in the project environmental impact report. Specific Plan site design strives to minimize the effects of truck traffic on nearby residential uses by locating truck entries and loading docks away from residential use.

Policy M1-2 Mitigation of Impacts

We require development to mitigate its traffic impact.

The Specific Plan requires in Chapter 6.3.4, Compliance with CEQA, that projects within the Specific Plan area comply with all mitigation measures, conditions, and project design features identified in the project environmental impact report. Chapter 5.1, Site Design, provides guidelines to ensure buildings, structures, and loading facilities will be designed so loading and unloading activities occur on-site without extending beyond the property line.

GOAL M2: A system of trails and corridors that facilitate and encourage bicycling and walking.

Policy M2-1 Bikeway Plan

We maintain our Multipurpose Trails & Bikeway Corridor Plan to create a comprehensive system of on- and off-street bikeways that connect residential areas, businesses, schools, parks, and other key destination points.

The Specific Plan includes a Circulation Plan in Chapter 3 to provide connectivity to the trails and bikeway corridors identified in the Ontario Multipurpose Trails and Bikeway Corridor Plan, including installation of a Class II Bikeway along Merrill Avenue and multipurpose trails along Euclid, Eucalyptus, and Merrill Avenues.

Policy M2-3 Pedestrian Walkways

We require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, and other key destination points.

The Specific Plan street sections and streetscape designs (Chapter 3.1, Circulation Plan and Chapter 5.3, Landscape Design) provide for construction of five-foot wide public pedestrian sidewalks for Euclid Avenue, Eucalyptus Avenue, Merrill Avenue, and Sultana Avenue to connect with adjacent existing and planned pedestrian circulation systems. Pedestrian sidewalks are separated from vehicular travel lanes by a landscaped parkway. Proposed improvements for the Specific Plan area streets are consistent with the City's Ontario Ranch Streetscape Master Plan.

GOAL M3: A public transit system that is a viable alternative to automobile travel and meets basic transportation needs of the transit dependent.

Policy M3-2 Transit Facilities at New Development

We require new development to provide transit facilities, such as bus shelters, transit bays and turnouts, as necessary.

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The Specific Plan discusses in Chapter 3.3.10, Transit, that the City is coordinating with regional transit agencies to implement Bus Rapid Transit (BRT) service to target destinations and along corridors, including Euclid Avenue on the western boundary of the Specific Plan area.

GOAL M4: An efficient flow of goods through the City that maximizes economic benefits and minimizes negative impacts.

Policy M4-1 Truck Routes

We designate and maintain a network of City truck routes that provide for the effective transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses, as shown as shown in the Truck Routes Plan..

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The Specific Plan is designed to enable easy vehicular access to the truck route network and to encourage its industrial users to implement effective goods movement strategies. The Land Use and Circulation Plans for the Specific Plan area (Chapter 3, Development Plan) are designed to direct truck traffic away from nearby residential use in the City of Chino and focus trucks on the designated Merrill Avenue truck route. Chapter 3.1, Site Design, of the Design Guidelines stipulates buildings, structures, and loading facilities will be designed to ensure that loading and unloading activities and maneuvering of freight vehicles occurs on-site without extending beyond the property line.

7.4 Environmental Resources Element

GOAL ER1:	**A reliable and cost effective system that permits the City to manage its diverse water resources and needs.**

Policy ER1-3 Conservation

We require conservation strategies that reduce water usage.

The Specific Plan incorporates water conservation strategies into its development plan and design guidelines. The use of recycled water to irrigate landscape areas is required consistent with the City of Ontario Recycled Water Master Plan (Chapter 3, Development Plan). Landscape and irrigation plans are encouraged to use water conservation features such as drought-tolerant plant species native to the region and drip irrigation (Chapter 5, Design Guidelines). The Specific Plan encourages the design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption.

Policy ER1-5 Groundwater Management

We protect groundwater quality by incorporating strategies that prevent pollution, require remediation where necessary, capture and treat urban run-off, and recharge the aquifer.

In Chapter 3.7, Storm Drainage Plans, the Specific Plan stipulates that prior to issuance of grading or construction permits, a Storm Water Pollution Prevention Plan (SWPPP) be prepared and approved by the City. The SWPPP will identify and detail appropriate Best Management Practices (BMPs) to prevent pollutant discharge into storm drain systems and natural drainages and aquifers. In addition to the preparation of a SWPPP, a WQMP will be prepared and approved that will enforce long-term BMPs to prevent pollutant discharges into storm drain systems, for the life of the project. Chapter 5.8.2, Water Quality, requires the provision of on-site landscape swales to collect and treat stormwater run-off.

Policy ER1-6 Urban Run-off Quantity

We encourage the use of low impact development strategies to intercept run-off, slow the discharge rate, increase infiltration, and ultimately reduce discharge volumes to traditional storm drain systems.

The Specific Plan (Chapter 3.9, Storm Drainage Plan) incorporates low impact development strategies including landscape designs that promote water retention; permeable surface designs in parking lots and areas with low traffic; parking lots that drain to landscaped areas to provide treatment, retention, or infiltration; and limited soil compaction during grading.

Policy ER1-7 Urban Run-off Quality

We require the control and management of urban run-off, consistent with Regional Water Quality Control Board regulations.

In Chapter 3.9, Storm Drainage Plan, the Specific Plan states that prior to issuance of grading or construction permits, a Water Quality Management Plan (WQMP) is required to minimize

stormwater runoff and provide on-site opportunities for groundwater recharge integrated into project design and amenities. The grading and drainage of the Specific Plan area will be designed to retain/infilter, harvest & re-use or biotreat surface runoff to comply with the current requirements of the San Bernardino County NPDES Stormwater Program's WQMP for significant new development projects.

Policy ER1-8 Wastewater Management

We require the management of wastewater discharge and collection consistent with waste discharge requirements adopted by the Regional Water Quality Control Board.

In Chapter 3.6, Sewer Plan, the Specific Plan provides for design of a wastewater system consistent with City and Regional Water Quality Board requirements. The Specific Plan includes a network of new public sewer mains consistent with the City of Ontario's Ultimate Sewer System Plan.

GOAL ER3:	**Cost-effective and reliable energy system sustained through a combination of low impact building, site and neighborhood energy conservation and diverse sources of energy generation that collectively helps to minimize the region's carbon footprint.**

Policy ER3-1 Conservation Strategy

We require conservation as the first strategy to be employed to meet applicable energy-saving standards.

The Specific Plan incorporates energy-saving conservation strategies into its design guidelines (Chapter 5) by addressing lighting, bicycle parking, sustainable landscaping, and energy efficiency. Sustainable design strategies (Chapter 5.8) include design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption.

Policy ER3-3 Building and Site Design

We require new construction to incorporate energy efficient building and site design strategies, which could include appropriate solar orientation, maximum use of natural daylight, passive solar and natural ventilation.

The Specific Plan's Sustainable Design Strategies (Chapter 5.8) include the use of passive design to improve building energy performance through skylights, building orientation, landscaping, and use of select colors.

GOAL ER4:	Improved indoor and outdoor air quality and reduced locally generated pollutant emissions.

Policy ER4-4 Indoor Air Quality

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We comply with State Green Building Codes relative to indoor air quality.

The Specific Plan requires development projects in the Specific Plan area to comply with the State of California Building Code as adopted and implemented by the City. The Specific Plan's Sustainable Design Strategies (Chapter 5.8) include the design and construction of energy efficient buildings to reduce air, water, and land pollution.

GOAL ER5:	Protected high value habitat and farming and mineral resources extraction activities that are compatible with adjacent development.

Policy ER5-2 Entitlement and Permitting Process

We comply with state and federal regulations regarding protected species.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all mitigation measures of the project environmental impact report.

7.5 Safety Element

GOAL S1:	Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.

Policy S1-1 Implementation of Regulations and Standards

We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

The Specific Plan requires all future development projects to comply with the State of California Building Code as adopted and implemented by the City.

Policy S1-2 Entitlement and Permitting Process

We follow state guidelines and the California Building Code to determine when development proposals must conduct geotechnical and geological investigations.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with state guidelines and the California Building Code. Research of available maps indicates that the Specific Plan site is not located within an Alquist-Priolo Earthquake Fault Zone. Furthermore, there was no visible evidence of faulting during a geotechnical investigation conducted in 2015.

GOAL S2: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by flooding and inundation hazards.

Policy S2-1 Entitlement and Permitting Process

We follow State guidelines and building code to determine when development proposals require hydrological studies prepared by a State-certified engineer to assess the impact that the new development will have on the flooding potential of existing development down-gradient.

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The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all applicable mitigation measures of the project environmental impact report, state guidelines, and the California Building Code regarding flooding and inundation hazards.

GOAL S3: Reduced risk of death, injury, property damage and economic loss due to fires, accidents and normal everyday occurrences through prompt and capable emergency response.

Policy S3-8 Fire Prevention through Environmental Design

We require new development to incorporate fire prevention consideration in the design of streetscapes, sites, open spaces and buildings.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with the City's development review process, which provides for review by the City's Fire Department and potential redesign to incorporate fire prevention design elements within streetscapes, sites, open spaces, and buildings.

GOAL S4: An environment where noise does not adversely affect the public's health, safety, and welfare.

Policy S4-1 Noise Mitigation

We utilize the City's Noise Ordinance, building codes and subdivision and development codes to mitigate noise impacts.

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The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all mitigation measures of the project environmental impact report, the City's noise ordinance, subdivision and development codes, and the California Building Code to mitigate noise impacts.

GOAL S5:	Reduced risk of injury, property damage and economic loss resulting from windstorms and wind-related hazards.

Policy S5-2 Dust Control Measures

We require the implementation of Best Management Practices for dust control at all excavation and grading projects.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all mitigation measures of the project environmental impact report, the construction management plan, and any subdivision and development codes regarding dust control.

GOAL S6:	Reduced potential for hazardous materials exposure and contamination.

Policy S6-9 Remediation of Methane

We require development to assess and mitigate the presence of methane, per regulatory standards and guidelines.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all mitigation measures of the project environmental impact report.

GOAL S7:	Neighborhoods and commercial and industrial districts that are kept safe through a multi-faceted approach of prevention, suppression, community involvement, and a system of continuous monitoring.

Policy S7-4 Crime Prevention through Environmental Design (CPTED)

We require new development to incorporate CPTED in the design of streetscapes, sites, open spaces and buildings.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with the City's development review process, which provides for review by the City's Police Department and potential redesign to incorporate crime prevention design elements in streetscapes, sites, open spaces, and buildings. Parcel lighting (Chapter 5.6, Lighting) addresses illumination of parking lots, loading dock areas, pedestrian walkways, building entrances, signage, and architectural and landscape features. A key provision includes the installation of ground or low mounted fixtures to provide for safety and convenience along pedestrian walkways, entrances, activity areas, steps, ramps, and special features. Chapter 5.1, Site Design, also encourages delineation of pedestrian access to on-site buildings from adjacent streets and parking areas by marking building entrances with signage, prominent architectural features, and/or landscaping features.

7.6 Community Economics Element

GOAL CE1: A complete community that provides for all incomes and stages of life.

Policy CE1-1 Jobs-Housing Balance

We pursue improvement to the Inland Empire's balance between jobs and housing by promoting job growth that reduces the regional economy's reliance on out-commuting.

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The Specific Plan anticipates the creation of jobs in warehousing, logistics, light manufacturing, and administration within the Specific Plan area, which helps improve the region's jobs-housing balance. Actual job creation depends on the type of land uses ultimately developed on the site as a wide-range of commercial, office, and industrial uses are permitted in the Specific Plan. The Land Use Plan (Chapter 3.1) implements the vision of The Ontario Plan by providing opportunities for employment in manufacturing, distribution, research and development, service, and supporting retail at intensities designed to meet the demand of current and future market conditions.

Policy CE1-5 Business Attraction

We proactively attract new and expanding businesses to Ontario in order to increase the City's share of growing sectors of the regional and global economy.

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In Chapter 3.1, Land Use Plan, the Specific Plan provides for the construction of over 1.3 million square feet of industrial development in compliance with City and regional planning goals and strategies that facilitate goods movement throughout the SCAG region.

GOAL CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.

Policy CE2-1 Development Projects

We require new development and redevelopment to create unique, high-quality places that add value to the community.

The Specific Plan contains design guidelines in Chapter 5 to guide future development, consistent with the vision for Ontario Ranch. The guidelines are intended to ensure high quality, cohesive and attractive development that complements and integrates into the community and adds value to the City. The Specific Plan also establishes landscape setbacks along all roadways within the Specific Plan area to create safe and attractive streets for pedestrians and motorists.

Policy CE2-2 Development Review

We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.

The Specific Plan establishes a land use plan (Chapter 3.1) and design guidelines (Chapter 5) addressing site design, building design, and landscape design that ensure high-quality, functional and sustainable development that is regionally competitive and appropriate for the Ontario Ranch community.

Policy CE2-5 Private Maintenance

We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

The Specific Plan includes a Maintenance Responsibility Matrix (Chapter 6.11) identifying the public, private, or utility providers responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Specific Plan area. A Property Owners Association will be established for the maintenance of on-site common areas, including such improvements as landscape areas and drive aisles.

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Policy CE2-6 Public Maintenance

We require the establishment and operation of maintenance districts or other vehicles to fund the long-term operation and maintenance of the public realm whether on private land, in rights-of-way, or on publicly-owned property.

The Specific Plan includes a Maintenance Responsibility Matrix (Chapter 6.11) identifying the public, private, or utility providers responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Specific Plan area. Right-of-way for public streets within the Specific Plan area and infrastructure improvements shall be dedicated to the City of Ontario for maintenance purposes. Landscape improvements and public streetlights within the public right-of-way shall be maintained through a landscape and lighting district or other special maintenance district established by the City. Dry utilities such as electricity, natural gas, and communication systems will be maintained by the appropriate utility company.

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RESOLUTION NO._____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CERTIFYING THE ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN AMENDMENT FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2019050018), AND ADOPTING FINDINGS OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PROGRAM, LOCATED WITHIN ONTARIO RANCH AND GENERALLY BORDERED BY EUCALYPTUS AVENUE TO THE NORTH, CAMPUS AVENUE TO THE EAST, MERRILL AVENUE TO THE SOUTH, AND SULTANA AVENUE TO THE WEST, AND MAKING FINDINGS IN SUPPORT THEREOF – APNS: 1054 041-01, 1054 041-02; 1054-031-01, 1054-031-02; 1054-261-01, 1054-261-02; 1054-291-01-, AND 1054-291-02.

WHEREAS, EUCLID LAND VENTURE, LLC. ("Applicant") proposes to develop the Ontario Ranch Business Park Specific Plan Amendment ("Project"), an approximately 1,640,690-square foot business and industrial park on an approximately 72-acre site in the southwestern portion of the City of Ontario; and

WHEREAS, the Project site consists of eight parcels and is bound by Eucalyptus Avenue to the north, Sultana Avenue to the west, Merrill Avenue to the south, and Campus Avenue to the east; and

WHEREAS, the City prepared The Ontario Plan Final Environmental Impact Report ("TOP EIR") (State Clearinghouse No. 2008101140) in association with the 2009 General Plan Update ("GPA") and certified the TOP EIR on January 26, 2010; and

WHERAS, the City certified the Program Supplemental Environmental Impact Report ("Supplemental EIR", State Clearinghouse No. 2021070364) for The Ontario Plan 2050 Technical Update, in association of the General Plan Update, File No. PGPA20-002, and certified the Supplemental EIR on August 16, 2022; and

WHEREAS, the TOP EIR is a Program EIR from which later specific plan EIRs, such as the EIR for this Project, are tiered; and

WHEREAS, the City originally issued a Notice of Preparation ("NOP") for the Ontario Ranch Business Park Specific Plan Amendment for which the public review period extended through August 6, 2021. The NOP was published in the Inland Valley Daily Bulletin, a newspaper of general circulation in the Project area. The City received comments from multiple agencies on the NOP; and

WHEREAS, pursuant to Public Resources Code (PRC) §21083.9 and State California Environmental Quality Act (CEQA) Guidelines §15082(c) and 15083, a public scoping meeting was held on Wednesday, July 21, 2021, where comments were received; and

WHEREAS, a Draft Subsequent Environmental Impact Report ("Draft Subsequent EIR") was prepared, incorporating comments received in response to the NOP, and determined that mitigation measures were required to mitigate impacts to a less than significant level for biological resources, cultural resources, geology and soils, hazards and hazardous materials, noise, tribal cultural resources, and further concluded that despite the incorporation of all feasible mitigation measures, the proposed Project would nonetheless result in significant and unavoidable impacts relating to agriculture and forestry resources, air quality, greenhouse gas emissions, and transportation and traffic; and

WHEREAS, after completing the Draft Subsequent EIR (State Clearinghouse No. 2019050018), the City released the document for public review for a 45-day public comment period, beginning June 7, 2022 and concluding July 22, 2022. A Notice of Availability ("NOA") was circulated along with the Draft Subsequent EIR and was published in the Inland Valley Daily Bulletin and posted in the Office of the Clerk of the Board of Supervisors of San Bernardino County. At that time, the City also provided a Notice of Availability to all organizations and individuals who had previously requested such notice; and

WHEREAS, copies of the Draft Subsequent EIR were distributed to the Planning Commission, City departments, and federal, state, regional, local, and other agencies and individuals; and

WHEREAS, during the 45-day comment period on the Draft Subsequent EIR, the City consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies and others pursuant to State CEQA Guidelines §15086; and

WHEREAS, during the official public review period for the Draft Subsequent EIR, the City received five written comment letters, all of which the City responded to in the Final Subsequent EIR; and

WHEREAS, pursuant to PRC §21092.5, the City provided copies of its responses to commenting public agencies at least ten days prior to the City's consideration of the Final Subsequent EIR on October 4, 2022; and

WHEREAS, on August 30, 2022, the Planning Commission of the City of Ontario conducted a duly noticed special public hearing on the Subsequent EIR at which time all persons wishing to testify were heard and the Subsequent EIR was fully studied, and concluded said hearing on that date. After considering all public testimony, the Planning Commission issued Resolution No. PC22-053,recommending City Council certification of the Project EIR; and

WHEREAS, five written public comments were received prior to the Planning Commission hearing and several people spoke on the project at said hearing; and

WHEREAS, the City prepared the Final Subsequent EIR, which consists of the Draft Subsequent EIR, all technical appendices prepared in support of the Draft Subsequent EIR, all written comment letters received on the Draft Subsequent EIR, and written responses to all written comment letters received on the Draft Subsequent EIR; and

WHEREAS, the "EIR" consists of the Final Subsequent EIR and its attachments and appendices, as well as the Draft Subsequent EIR and its attachments and appendices (as modified by the Final Subsequent EIR); and

WHEREAS, pursuant to PRC §21092.5, the City provided copies of the Final Subsequent EIR to all commenting public agencies; and

WHEREAS, the City provided a Notice of Public Hearing and/or Intent to Certify a Subsequent Environmental Impact Report to all organizations and individuals who had previously requested such notice, and published the Notice of Public Hearing, in the Inland Valley Daily Bulletin, a newspaper of general circulation in the Project area; and

WHEREAS, all potential significant adverse environmental impacts were sufficiently analyzed in the Final Subsequent EIR; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the City Council is the approving authority for the proposed approval to construct and otherwise undertake the Project; and

WHEREAS, on October 4, 2022, the City Council of the City of Ontario conducted a hearing on the Project and concluded said hearing on that date; and

WHEREAS, as contained herein, the City has endeavored in good faith to set forth the basis for its decision on the Project; and

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

WHEREAS, the EIR prepared in connection with the Project sufficiently analyzes both the feasible mitigation measures necessary to avoid or substantially lessen the Project's potential environmental impacts and a range of feasible alternatives capable of eliminating or reducing these effects in accordance with CEQA, the State CEQA Guidelines and the City's Local Guidelines; and

WHEREAS, all of the findings and conclusions made by the City Council pursuant to this Resolution are based upon all oral and written evidence presented to it as a whole and are not based solely on the information provided in this Resolution; and

WHEREAS, environmental impacts identified in the EIR which the City finds are less than significant and do not require mitigation are described in Section IV, B hereof; and

WHEREAS, environmental impacts identified in the EIR as potentially significant but which the City finds can be mitigated to a level of less than significant, through the imposition of feasible mitigation measures identified in the EIR and set forth herein and in the Mitigation Monitoring and Reporting Plan, attached hereto as Exhibit B, are described in Section IV, C hereof; and

WHEREAS, environmental impacts identified in the EIR as potentially significant and which the City finds cannot be fully mitigated to a level of less than significant, despite the imposition of all feasible mitigation measures identified in the Final Subsequent EIR and set forth herein, are described in Section IV, D hereof; and

WHEREAS, the cumulative impacts of the Project identified in the EIR and set forth herein, are described in Section IV, E hereof; and

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

WHEREAS, the existence of any growth-inducing impacts and significant and irreversible environmental changes resulting from the proposed Project identified in the EIR and set forth herein, are described in Section IV, G hereof; and

WHEREAS, because some environmental impacts identified in the EIR as potentially significant cannot be fully mitigated to a level of less than significant, despite the imposition of all feasible mitigation measures identified in the EIR and set forth herein, the City Council has balanced the economic, legal, social, technological, and other benefits of the Project against its significant and unavoidable impacts, and has determined that the benefits of the Project outweigh the unavoidable adverse impacts, and therefore, render those impacts "acceptable." The City Council has documented its determination regarding significant and unavoidable impacts in the Statement of Overriding Considerations in Section V hereof; and

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

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

WHEREAS, no comments made in the public hearings conducted by the City, or any additional information submitted to the City, have produced substantial new information requiring recirculation or additional environmental review under State CEQA Guidelines section 15088.5; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the City Council of the City of Ontario, as follows:

SECTION I. RECITALS

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

SECTION II. SUMMARY OF FINDINGS

The City Council hereby finds that it has been presented with the EIR, which it has reviewed and considered, and further finds that the EIR is an accurate and objective statement that has been completed in full compliance with CEQA and the State CEQA Guidelines. The City Council finds that the EIR reflects the independent judgment and analysis of the City. The City Council declares that no evidence of new significant impacts or any new information of "substantial importance" as defined by State CEQA Guidelines §15088.5, has been received by the City after circulation of the Draft Subsequent EIR that would require recirculation. Therefore, the City Council hereby certifies the EIR based on the entirety of the record of proceedings.

SECTION III. PROCEDURAL COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT

A. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed Project consists of the following documents and other evidence, at a minimum:

- The NOP, NOA, and all other public notices issued by the City in conjunction with the proposed Project.
- The Draft Subsequent EIR and Final Subsequent EIR for the proposed Project.
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft Subsequent EIR.
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Draft Subsequent EIR.
- All written and verbal public testimony presented during noticed public hearings for the proposed Project.
- The Mitigation Monitoring and Reporting Program.
- The reports and technical memoranda included or referenced in the Final Subsequent EIR.
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft Subsequent EIR and Final Subsequent EIR.
- The Resolutions adopted by the City in connection with the proposed Project, and all documents incorporated by reference therein, including comments received after the close of the comment period and responses thereto.
- Matters of common knowledge to the City, including but not limited to federal, state, and local laws and regulations.
- Any documents expressly cited in these Findings.
- Any other relevant materials required to be in the record of proceedings by PRC §21167.6(e).

B. CUSTODIAN AND LOCATION OF RECORDS

The documents and other materials that constitute the administrative record for the City's actions related to the proposed Project are at the City of Ontario - Planning Department, 303 East "B" Street, Ontario, CA. The City Planning Department is the custodian of the administrative record for the Project. Copies of these documents, which constitute the record of proceedings, are and at all relevant times have been and will be available upon request at the offices of the Planning Department. This information is provided in compliance with PRC §21081.6(a)(2) and CEQA Guidelines §15091 (e).

C. PROJECT PURPOSE AND OBJECTIVES

The Project provides zoning regulations for development of the Project site by establishing permitted land uses, development standards, infrastructure requirements, and implementation requirements for development. The Project establishes the procedures and requirements to approve new development within the Project site.

The purpose of the Project is to:

- Provide a planning framework that responds to the physical and market driven aspects of future development opportunities;
- Specify adequate and coordinated infrastructure, utilities, and public services for this area of the Ontario Ranch;
- Promote compatible uses and interfaces with adjacent properties;
- Ensure the appropriate location and intensity of uses through new development parameters; and
- Conform with State laws and local ordinances and policies for the preparation of the Project.

The following objectives have been established for the proposed Project and will aid decision makers in their review of the proposed Project and associated environmental impacts:

- Create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/logistics complex that is compatible with nearby residential neighborhoods.
- Provide the framework and facilitate entitlements for the development of approximately 1.6 million square feet (sf) of business park and light industrial uses.
- Allow for employment opportunities for community residents.
- Facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Project site.

- Expand Ontario's industrial uses in proximity to local airports and regional transportation networks.
- Create an economic engine to drive future growth in Ontario Ranch, fund Project-related infrastructure improvements in the area and support Project development.

SECTION IV. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

CEQA (Pub. Resources Code, §21000 et seq.) requires that public agencies shall not approve or carry out a project for which an environmental impact report (EIR) has been certified that identifies one or more significant adverse environmental effects of a project unless the public agency makes one or more written Findings for each of those significant effects, accompanied by a brief explanation of the rationale for each Finding (State CEQA Guidelines [Cal. Code Regs., tit. 14, §15000 et seq.], §15091). This document presents the CEQA Findings of Fact made by the City of Ontario, in its capacity as the CEQA lead agency, regarding the Ontario Ranch Business Park Specific Plan Amendment (Project), evaluated in the Draft Subsequent Environmental Impact Report ("Draft Subsequent EIR") and Final Subsequent Environmental Impact Report (Final Subsequent EIR) for the Project.

The City Council hereby adopts the "CEQA Findings of Fact" which were prepared in accordance with State CEQA Guidelines §15091, and which are as follows:

A. INTRODUCTION

PRC §21002 states that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" Section 21002 further states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects."

Pursuant to §21081 of the PRC, a public agency may only approve or carry out a project for which an EIR has been completed that identifies any significant environmental effects if the agency makes one or more of the following written finding(s) for each of those significant effects accompanied by a brief explanation of the rationale for each finding:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

As indicated above, §21002 requires an agency to "avoid or substantially lessen" significant adverse environmental impacts. Thus, mitigation measures that "substantially lessen" significant environmental impacts, even if not completely avoided, satisfy §21002's mandate. (*Laurel Hills Homeowners Assn. v. City Council* (1978) 83 Cal.App.3d 515, 521 ["CEQA does not mandate the choice of the environmentally best feasible project if through the imposition of feasible mitigation measures alone the appropriate public agency has reduced environmental damage from a project to an acceptable level"]; *Las Virgenes Homeowners Fed., Inc. v. County of Los Angeles* (1986) 177 Cal. App. 3d 300, 309 ["[t]here is no requirement that adverse impacts of a project be avoided completely or reduced to a level of insignificance . . . if such would render the project unfeasible"].)

While CEQA requires that lead agencies adopt feasible mitigation measures or alternatives to substantially lessen or avoid significant environmental impacts, an agency need not adopt infeasible mitigation measures or alternatives. (Pub. Resources Code, §21002.1(c) [if "economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment of a project, the project may nonetheless be carried out or approved at the discretion of a public agency"]; see also State CEQA Guidelines, §15126.6(a) [an "EIR is not required to consider alternatives which are infeasible"].) CEQA defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." (Pub. Resources Code, §21061.1.). The State CEQA Guidelines add "legal" considerations as another indicia of feasibility. (State CEQA Guidelines, §15364.) Project objectives also inform the determination of "feasibility." (*Jones v. U.C. Regents* (2010) 183 Cal. App. 4th 818, 828-829.). "'[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) "Broader considerations of policy thus come into play when the decision-making body is considering actual feasibility[.]" (*Cal. Native Plant Soc'y v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1000 ("Native Plant"); see also Pub. Resources Code, §21081(a)(3) ["economic, legal, social, technological, or other considerations" may justify rejecting mitigation and alternatives as infeasible] (emphasis added).)

Environmental impacts that are less than significant do not require the imposition of mitigation measures. (*Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1337, 1347)

The California Supreme Court has stated, "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 576). In addition, perfection in a project or a project's environmental alternatives is not required; rather, the requirement is that sufficient information be produced "to permit a reasonable choice of alternatives so far as environmental aspects are concerned." Outside agencies (including courts) are not to

"impose unreasonable extremes or to interject [themselves] within the area of discretion as to the choice of the action to be taken." (*Residents Ad Hoc Stadium Com. v. Board of Trustees* (1979) 89 Cal.App.3d 274, 287)

B. FINDINGS REGARDING ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The City Council hereby finds that the following potential environmental impacts of the Project are less than significant and therefore do not require the imposition of Mitigation Measures.

1. AESTHETICS

a. *Scenic Vistas*

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

Finding: Less than significant (Draft Subsequent EIR, p. 7-1)

Explanation: There are no scenic vistas within the Ontario Ranch Business Park Specific Plan Amendment project (Project) site, nor would the Project otherwise adversely affect a designated scenic vista. Views of the San Gabriel Mountains, located to the north of the City of Ontario (City), are the dominant scenic resource in the area. As described in The Ontario Plan (TOP) Subsequent EIR, "... the scale and design of the City, including its land uses, would not deter views of the mountain backdrop." Therefore, the Project would not have a substantial adverse effect on a scenic vista, and impacts would be less than significant.

b. *Scenic Resources*

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

Finding: No impact. (Draft Subsequent EIR, p. 7-1 through 7-2)

Explanation: The City is served by four freeways: Interstate 10 (I-10), I-15, State Route 83 (SR 83), and State Route 60 (SR 60). The Project site is located due east of SR 83 and approximately three miles west of SR 60. These segments of I-10, I-15, SR 83, and SR 60 have not been officially designated as scenic highways by the California Department of Transportation (Caltrans). Thus, the Project would result in no adverse impacts on scenic resources within a state scenic highway.

c. *Visual Character*

Threshold: Would the Project, in non-urbanized areas, substantially degrade the existing visual character or quality of public view of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized

area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Finding: Less than significant. (Draft Subsequent EIR, p. 7-2 through 7-3)

Explanation: The existing visual character of the Project site is defined primarily by agricultural uses and related structures. The site is designated as Business Park and Low-Medium Density Residential in the City's Land Use Map. The Project area is dominated by agricultural uses to the north and east, and public uses for the Chino Airport to the south and approved Ontario Ranch Business Park Specific Plan (Approved SP) area with Business Park and Industrial designations to the west. The Project site itself is currently used primarily for agricultural uses, including dairies and field crops. The Project site also has single-family residences located along Eucalyptus Avenue, multiple farm structures, a water tank, and overhead powerlines.

The Project is located in an urbanizing area and is subject to those provisions of the City's TOP and the City's Development Code governing scenic quality. The City's TOP Community Design Element establishes multiple policies that protect scenic resources and promote high quality, visually compatible development.

The City's TOP measures governing scenic quality, including those noted above, ensure protection of scenic resources and promote visually compatible and appealing development. These policies are implemented through the City's Development Code Chapter 6.0, Development and Subdivision Regulations, et al. The City would assure that the Project, as implemented, contains Development Regulations and Design Guidelines that would, at a minimum, conform to provisions of the City's TOP and Development Code. All subsequent development within the Project area would be required to comply with the Specific Plan Development Regulations and Design Guidelines addressing visual and scenic qualities. Conformance with the Project Specific Plan Amendment (SPA) would minimize the potential for the Project to adversely affect scenic resources or result in development that would conflict with applicable zoning and other regulations governing scenic quality. Therefore, the Project would not conflict with applicable zoning and other regulations governing scenic quality, and impacts would be less than significant.

d. *Light and Glare*

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

Finding: Less than significant. (Draft Subsequent EIR, p. 7-3)

Explanation: The Project would introduce new sources of light and glare compared to the current dairy and row crop agricultural uses on-site. However, the Project includes design guidelines and standards for lighting of

on-site areas. The Project requires lighting fixtures to be selected and located to confine the area of illumination to within the site boundaries, including lighting for parking areas, pedestrian walkways, graphics and signage, architectural and landscape features, shipping and loading areas, and any additional exterior areas. This would reduce the potential for spill light. All subsequent development within the Project area would be required to conform with the Project Development Regulations and Design Guidelines addressing light, glare, and overspill from the Project SPA.

Additionally, the Project would be subject to the City's Development Code, and Project lighting would be required to be shielded, diffused or indirect to avoid glare to both on- and off-site residents, pedestrians, and motorists. The City would assure that the proposed Project, as implemented, contains Development Regulations and Design Guidelines that would, at a minimum, conform to City regulations addressing lighting and light overspill (see: Development Code, Division 6.01 – District Standards and Guidelines, Lighting). Therefore, the potential for the Project to create a new source of substantial light or glare that would adversely affect day or nighttime views is considered less than significant.

2. AGRICULTURE AND FORESTRY RESOURCES

a. *Williamson Contract*

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

Finding: Less than Significant. (Draft Subsequent EIR, p. 4.1-10 through 4.1-11)

Explanation: The Project site is identified as having an Agricultural Overlay (SP-AG) and there are no active Williamson Act Contracts within the Project site. Therefore, the Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract.

b. *Forestland Zoning*

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

Finding: No impact. (Draft Subsequent EIR, p. 7-4)

Explanation: The Project site is identified as having an Agricultural Overlay (SP-AG) and is not zoned for forest land, timberland, or TPZ. TOP does not designate any forest land or timberland land uses within the City. Therefore, the Project would have no adverse forest or timber land impacts.

c. ***Loss of Forest Land***

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

Finding: No impact. (Draft Subsequent EIR, p. 7-4)

Explanation: As stated above, the Project site is not zoned as forest land and currently contains agricultural uses. There is no land in the City that qualifies as forest land as defined in PRC §12220(g). Consequently, the Project would not result in the loss or conversion of forest land to non-forest use. Therefore, the Project would have no impact regarding loss of forest land.

3. AIR QUALITY

a. ***Other Adverse Emissions***

Threshold: Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Finding: Less than significant. (Draft Subsequent EIR, p. 7-4)

Explanation: ***Construction***

Emissions from construction equipment, such as diesel exhaust, and from volatile organic compounds from architectural coatings and paving activities, may generate odors; however, these odors would be temporary, intermittent in nature, and not expected to affect a substantial number of people. Additionally, noxious odors would be confined to the immediate vicinity of the construction equipment. By the time such emissions reach any sensitive receptor sites, they would be diluted to well below any level of odor concern. Furthermore, short-term construction-related odors are expected to cease upon the drying or hardening of the odor-producing materials. Therefore, impacts associated with construction-generated odors are considered less than significant.

Operations

The type of facilities that are considered to have objectionable odors include wastewater treatments plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities. Odors generated by the operation of the proposed office and industrial project are not expected to be significant or highly objectionable and would be required to be following South Coast Air Quality Management District (SCAQMD) Rule 402, which would prevent nuisances to sensitive land uses. Compared to existing conditions, the Project would result in a positive impact through the elimination of current dairy and farming operations which produce odors in close proximity to residential uses along Eucalyptus Avenue. Therefore, the Project would not create objectionable odors.

4. BIOLOGICAL RESOURCES

a. *Sensitive Species*

Threshold: Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Finding: Less than significant. (Draft Subsequent EIR, pp. 4.3-18 through 4.3-19).

Explanation: ***Sensitive Plants***

No special-status plant species are expected to occur on the Project site due to lack of suitable habitat. Long-standing use of the Project site for agricultural uses and other anthropogenic disturbances have likely altered soil chemistry and other substrate characteristics such that on-site soils are not likely capable of supporting those sensitive plant species known from the Project site vicinity. Project site development would not eliminate significant amounts of habitat for potentially occurring special-status plant species, nor reduce population size of sensitive plant species below self-sustaining levels on a local or regional basis (if present). Therefore, the development of the Project would not result in a substantial adverse effect, either directly or through habitat modification, on any plant specifies identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulation or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS). Hence, no significant impact to special-status plant species or their habitat would occur. (Draft Subsequent EIR, p. 4.3-15)

Sensitive Wildlife

No special-status wildlife species were directly recorded on-site; however, the California horned lark and loggerhead shrike have moderate-high occurrence potential because they are well known to utilize agricultural areas. However, these species were deemed by USFWS to be too widespread and common to warrant listing as threatened or endangered, and as such, were removed from formal sensitive species status. Impacts to agricultural-related habitats could amount to an incremental reduction of potential foraging habitat for certain species that may be considered locally adverse. However, Project site development would not eliminate significant amounts of habitat for these species, nor reduce population size below self-sustaining levels on a local or regional basis. Therefore, less than significant impacts to these species would be expected. (Draft Subsequent EIR, p. 4.3-16)

b. ***Riparian Habitat and Wetlands***

Threshold: Would the Project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Finding: Less than significant. (Draft Subsequent EIR, pp. 4.3-18 through 4.3-19)

Explanation: Based on the field investigation conducted by Ecological Sciences, USACE "waters of the United States" per Sections 401 and 404 of the federal Clean Water Act and "streambeds" per Section 1600-1603 of the CDFW Code were not observed on the property.

The on-site detention basins on the southern border of the Project site were listed in the USFWS National Wetlands Inventory as freshwater ponds. However, these basins would not be subject to federal wetland regulatory requirements and would not be considered freshwater ponds. The artificial basins are not connected to a natural stream, nor do they divert natural flow from any river, stream or lake. Since the source of the water for these artificial features are not part of a natural stream, river, or lake, the stock ponds are not considered jurisdictional under the CDFW Lake and Streambed Alteration Program. The program states: "An entity shall not substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake…". Therefore, the stock ponds/basins on the Project site are not a "natural flow" of a stream, river, or lake, and would not be considered jurisdictional by CDFW. Further, the artificial basins are not adjacent to and are not considered Waters of the United States. The stock ponds/basins are isolated features that are not tributary to, nor do they have a significant nexus (biological, chemical, or physical connection) to traditional navigable waters of the United States. Therefore, the artificial basins on the Project site would not be considered federally jurisdictional under the CWA. Therefore, the Project would not have a substantial adverse effect on State or federally protected wetlands and a less than significant impact would occur in this regard.

c. ***Local Policies and Ordinances***

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

Finding: No impact. (Draft Subsequent EIR, pp. 7-5 through 7-6)

Explanation: The Project site contains some trees, particularly near the single-family residences on site. The Project would remove these trees as

well as other ornamental trees. The City Development Code §6.05.020, Tree Preservation Policy and Protection Measures was established to further the preservation, protection, and maintenance of healthy heritage trees. The Project would be required to comply with the Development Code requirements, which would ensure that the Project does not conflict with the City's Tree Preservation Policy. As a result, there would be no impact.

d. ***Habitat Conservation Plans***

Threshold: Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Finding: No impact. (Draft Subsequent EIR, p. 7-6)

Explanation: The Project site does not fall within the boundaries of any Habitat Conservation Plan, Natural Community Conservation Plan, or other local or regional conservation plan. Therefore, there would be no impact related to conflicting with the provisions of any of the aforementioned plans.

5. CULTURAL RESOURCES

a. ***Historical Resources***

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

Finding: Less than significant. (Draft Subsequent EIR, p. 4.4-27)

Explanation: Under CEQA Guidelines §15064.5(b)(1), a project has a significant impact on a historical resource if it "would result in the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resources would be materially impaired." Under CEQA Guidelines §15064.5(b)(2), material impairment would occur if the project would result in demolition or material alteration of those physical characteristics that convey the resource's historical significance.

Potential historical resources in the Project site were evaluated to determine if they are considered historical resources. Since the assessment of the Project site's historical resources found no significance of the dairy farm or its structures, the structures were not found to be integral in the history of dairy farming or dairy operations in the City or the Chino Valley area. Therefore, they are not considered eligible for listing pursuant to criterion in the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), or as a Landmark in the City. Therefore, the Project would not cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5.

b. ***Human Remains***

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

Finding: Less than significant. (Draft Subsequent EIR, p. 7-6)

Explanation: California Health and Safety Code (HSC) §7050.5, CEQA Guidelines §15064.5, and PRC §5097.98 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery. Specifically, California HSC §7050.5 requires that if human remains are discovered within the Project site, disturbance of the site shall remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of death, and made recommendations concerning the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in PRC §5097.98. If the coroner determines that the remains are not subject to his or her authority and if the coroner has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC). Subsequently, the NAHC shall identify the most likely descendant. The most likely descendant shall then make recommendations and engage in consultations concerning the treatment of the remains, as provided in PRC §5097.98. Although soil-disturbing activities associated with the Project could result in the discovery of human remains, compliance with existing law would ensure that impacts to human remains would be reduced to a less than significant level.

6. ENERGY

a. ***Wasteful Use of Energy***

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

Finding: Less than significant. (Draft Subsequent EIR, pp. 4.5-10 through 4.5-13)

Explanation: ***Construction***

During construction, the Project would consume energy through the combustion of fossil fuels in construction vehicles, worker commute vehicles, and construction. Construction vehicles and related energy-consuming equipment would be used during all phases of construction. Limitations on idling of vehicles and equipment and requirements that equipment be properly maintained would result in fuel savings.

The Project would use gasoline and diesel-powered construction and transportation equipment. The Project is estimated to consume 319,184 gallons of gasoline and 313,152 gallons of diesel fuel over the entire construction period.

Construction equipment would comply with the latest U.S. Environmental Protection Agency (U.S. EPA) and California Air Resources Board (CARB) engine emission standards designed to reduce pollutants and minimize unnecessary fuel consumption. Energy use during construction of the Project would not result in wasteful, inefficient, or unnecessary consumption of energy and would not require expanded energy supplies or the construction of new infrastructure. Therefore, it is anticipated that the construction phase of the Project would not conflict with State or local plan for renewable energy efficiency objectives. Impacts associated with construction would be less than significant.

Operation

The operational phase of the Project would consume energy as part of building operations and transportation activities. Building operations for the Project would involve energy consumption for multiple purposes, including but not limited to heating, cooling, and ventilation of buildings; water heating; operation of electrical systems, use of on-site equipment and appliances; and indoor, outdoor, perimeter, and parking lot lighting. The Project would be required to comply with California Building Energy Efficiency Standards (Title 24). Title 24 establishes planning and design standards for sustainable site development, energy efficiency, water conservation, and material conservation.

Based on the modeling output files used to estimate Greenhouse Gas (GHG) emissions associated with the proposed land uses, operations would consume approximately 12,583,038 kWh/year of electricity and 12,404,974 kBTU/year of natural gas.

In 2024, Californians are anticipated to use approximately 14,197,483,655 gallons of gasoline and approximately 3,195,776,812 gallons of diesel fuel. San Bernardino County annual fuel use in 2024 is anticipated to be 854,295,454 gallons of gasoline and 280,932,332 gallons of diesel fuel. Operational energy would also be consumed by vehicle trips associated with the Project. Fuel consumption would be primarily related to vehicles used by employees and visitors associated with the Project. Based on estimates contained in the California Emissions Estimator Model (CalEEMod) output files, Project operation-related vehicle trips would result in the consumption of 658,838 gallons of gasoline and 1,805,989 gallons of diesel fuel annually. These annual fuel consumption estimates represent likely potential maximums that would occur under Project Buildout Conditions. Under future conditions, average fuel economies of vehicles accessing the Project

site can be expected to improve as older, less fuel-efficient vehicles are removed from circulation. Average fuel economies of vehicles accessing the Project site can also be expected to improve over time in response to fuel economy and emissions standards imposed on newer vehicles entering the transportation system.

Transportation fuels (gasoline and diesel) are produced from crude oil, which can be domestic or imported from various regions around the world. Based on current proven reserves, current crude oil production would be sufficient to meet 50 years of worldwide consumption. As such, it is expected that existing and planned transportation fuel supplies would be sufficient to serve the Project's demand.

The Project would meet or surpass standards established under the California Code Title 24, Part 6 (the California Energy Code) and California Green Building Standards Code (CALGreen; CCR, Title 24, Part 11) as implemented by the City. The Project would be consistent with City's Climate Action Plan (CAP), which includes measures related to building energy. For these reasons, Project operational fuel consumption would not result in the use of energy in a wasteful manner and would not conflict or obstruct State or local plans for renewable energy or energy efficiency. Therefore, operation impacts associated with energy consumption would be less than significant.

b. ***Energy Efficiency Plans***

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

Finding: Less than significant. (Draft Subsequent EIR, pp. 4.5-14 through 4.5-15)

Explanation: ***City of Ontario Community Climate Action Plan (CAP)***

The City's Community CAP includes measures related to building energy. However, the measures included in the City's Community CAP would generally not be applicable to the Project. For example, Measures Energy 3 through Energy 5 pertain to the retrofit of existing residential and non-residential buildings only. Implementation of the Project would result in the development and operation of new buildings only. Therefore, the Project would not be inconsistent with the energy efficiency and renewable energy measures of the City's Community CAP. A less than significant impact would occur.

City of Ontario TOP 2050

Draft Subsequent EIR Table 4.5-5, Consistency with the TOP 2010 and 2050 evaluates the consistency of the Project to the applicable policies of TOP. As shown in the table, the Project would generally be consistent with the applicable policies of TOP. A less than significant impact would occur.

7. GEOLOGY AND SOILS

a. *Fault Rupture*

Threshold: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Finding: Less than significant. (Draft Subsequent EIR, p. 7-7)

Explanation: There are no active faults known on the site and the Project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The TOP Final Subsequent EIR identifies eight active or potentially active fault zones near the City. Additionally, the California Geologic Survey identified that the closest fault is the Chino Fault, located 3.3 miles from the Project site. All Project construction would be developed in compliance with the Ontario Municipal Code (MC), the recommendations of a geotechnical investigation and all other ordinances adopted by the City related to construction and safety. The Ontario Building Department would review the building plans through building plan checks, issuance of a building permit, and inspection of the building during construction, which would ensure that all required California Building Code (CBC) seismic safety measures are incorporated into the building. The Project would be required to be compliant with these regulations. Therefore, impacts are less than significant.

b. *Seismic Ground Shaking*

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

ii) Strong seismic ground shaking

Finding: Less than significant. (Draft Subsequent EIR, p. 4.6-12 through 4.6-13)

Explanation: The Project site is not within an Alquist-Priolo Earthquake Fault Zone, and no evidence of faulting was identified during the geotechnical investigation. Additionally, the California Geologic Survey identified that the closest fault is the Chino Fault, located 3.3 miles from the Project site. The possibility of significant fault rupture on the site is considered to be low. Furthermore, Southern California is considered a seismically active region and the regional vicinity of the Project site contains a number of known earthquake faults. As part of the Geotechnical Feasibility Study (Appendix E of the Draft Subsequent EIR), 2019 CBC Seismic Design Parameters were generated for future structural improvements within the Project

area. Structures for human occupancy must be designed to meet or exceed the most recent CBC standards for earthquake resistance. The CBC contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock on-site, and the strength of ground motion with a specified probability at the Project site. Therefore, future development of habitable structures within the Project site would be conducted in accordance with the CBC Seismic Design Parameters generated as part of the Geotechnical Feasibility Study, which would reduce impacts from seismic ground shaking to a less than significant level.

c. ***Liquefaction***

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

iii) Seismic-related ground failure, including liquefaction

Finding: Less than significant. (Draft Subsequent EIR, p. 4.6-12 through 4.6-13)

Explanation: According to the Geotechnical Feasibility Study, the Project site is not within a zone of liquefaction susceptibility and the subsurface conditions at the boring locations are not considered to be conducive to liquefaction. Liquefaction potential under the site is low due to the depth of groundwater and the mix of soil type and is not considered to be a design concern for the Project. Therefore, Project development would not subject people or structures to liquefaction hazards, and impacts would be less than significant.

d. ***Landslides***

Threshold: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

iv) Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

Finding: Less than significant. (Draft Subsequent EIR, p. 7-7)

Explanation: The Project site is located in the southern portion of the City where largely flat agricultural fields dominate the topography. According to the Geotechnical Feasibility Study, the Project site gently falls to the south at an average gradient of one percent. The flat topography of the Project site does not present any potential risks related to landslides or other slope failure. The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. Impacts would be less than significant.

e. *Soil Erosion*

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

Finding: Less than significant. (Draft Subsequent EIR, pp. 7-7 through 7-8)

Explanation: ***Construction***

The Project site is currently used for agricultural uses, mainly dairy and field crop operations, which has resulted in agriculture-related residues in on-site soils. Grading during Project construction would increase the potential for erosion by removing the protective vegetation, changing the natural drainage patterns, and constructing slopes. However, compliance with the CBC and review of grading and development plans by the City Engineer would ensure no significant soil erosion impacts would occur. In addition, the City requires an erosion/dust control plan for Projects located within this area. The Project would not result in significant soil erosion or loss of topsoil because of the previously-disturbed and developed nature of the Project site and the limited size and scope of the Project.

During construction, the Project would be required to prepare and implement a Storm Water Pollution Prevention Program (SWPPP) per requirements of the Construction General Permit (CGP) (Order No. 2009 0009 Division of Water Quality (DWQ)) issued by the State Water Resources Control Board (SWRCB). The SWPPP would specify best management practices (BMPs) for reducing or eliminating soil erosion from the site during Project construction and operation. Erosion control measures implemented as part of BMPs can include the placement of sandbags around basins; use of proper grading techniques; appropriate sloping, shoring, and bracing of the construction site; and covering topsoil stockpiles. Potential erosion impacts incurred during construction activities are mitigated below the level of significance through the Project's mandated compliance with a City-approved SWPPP, that that prohibit grading activities and site disturbance during high wind events.

Operations

For operational activities under the Project, landscaping would exist throughout the Project site; and areas of loose topsoil that could be eroded by wind or water, would not exist. In addition, the hydrologic features of the Project area have been designed to slow, filter, and retain stormwater within landscaping and the detention basins on the Project site, which would also reduce the potential for stormwater to erode topsoil. Furthermore, pursuant to Ontario MC Section 6-6.501, implementation of the Project requires a Stormwater Quality Management Plan (SWQMP). The SWQMP would be required to outline appropriate non-structural and structural BMPs, including stormwater infiltration and treatment devices that would be implemented and installed to prevent pollutants from being

discharged into the City's stormwater drainage system after construction. As a result of implementation of these existing requirements, potential impacts related to substantial soil erosion or loss of topsoil would be less than significant.

f. ***Expansive Soils***

Threshold: Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Finding: Less than significant. (Draft Subsequent EIR, p. 7-8)

Explanation: The Project site is not located on expansive soils as defined in Table 18-1-B of the Uniform Building Code. The United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) National Cooperative Soil Survey identifies the site soils as Chino series, described as silt loam and somewhat poorly drained with moderate infiltration rates. Therefore, the Project would result in a less than significant impact as the Project site is not located on expansive soils.

g. ***Septic Tanks***

Threshold: Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Finding: No impact. (Draft Subsequent EIR, p. 7-9)

Explanation: ***Construction and Operations***

No septic tanks or other alternative wastewater disposal systems are proposed. The Project proposes a sewer infrastructure plan that includes a network of new public sewer mains that would connect to the Inland Empire Utilities Agency (IEUA) sewer system. Water and wastewater systems and their development are further discussed in *Section 4.16, Utilities and Service* of this EIR. No impact would occur.

8. HAZARDS AND HAZARDOUS MATERIALS

a. ***Hazardous Materials***

Threshold: Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Finding: No impact. (Draft Subsequent EIR, p. 7-9)

Explanation: The Project site is not located within one-quarter mile of an existing or proposed school. The nearest school is Edwin Rhodes Elementary in the City of Chino, approximately one mile northwest of the Project site. Edwin Rhodes Elementary is not located along a construction or operational truck route for the Project. Therefore,

there would be no impact related to handling or hazardous materials in close proximity of a school.

b. *Airport Noise*

Threshold: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Finding: Less than significant. (Draft Subsequent EIR, p. 4.8-25)

Explanation: The Project site is within the Ontario International Airport and Chino Airport's airport influence area. Furthermore, although the Project site is within Safety Zone 6 of the Chino Airport, Zone 6 compatibility criteria prohibit people-intensive uses such as stadiums, large day care centers, hospitals, and nursing homes. The Project site would not contain such uses and would comply with Safety Zone 6 standard. Additionally, the Project site is not within the Ontario International Airport safety zone, noise impact zone, or airspace protection zone. The Project site also lies within an allowable range of 130 feet to 160 feet of building height as depicted in Figure 4.8-3, Allowable Building Heights, see page 4.8-26 of the Draft Subsequent EIR. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area and impacts would be less than significant.

c. *Emergency Plans*

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

Finding: Less than significant. (Draft Subsequent EIR, p. 4.7-9)

Explanation: The Project site does not contain any emergency facilities, nor does it serve as an emergency evacuation route, due to its historical agricultural uses. Furthermore, Project construction would be generally confined to the Project site and would not physically impair access to the site or the Project area. During both construction and long-term operation, the Project would be required to maintain adequate emergency access for emergency vehicles as required by the City and the Ontario Fire Department (OFD). Because the Project is required to comply with all applicable City codes, any emergency evacuation or emergency response plan, impacts would less than significant.

d. *Wildland Fires*

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

Finding: No Impact. (Draft Subsequent EIR, p. 7-10)

Explanation: The Project site is not located within a State Responsibility Area or a very high fire hazard severity zone. Neither the California Department of Forestry and Fire Protection (CalFire) nor the County of San Bernardino identify the Project site within an area susceptible to wildland fires. Adjacent areas to the Project site are also urbanized; therefore, there are no wildlands adjacent to the site that may expose people or structures to wildland fire hazards. The Project would comply with all applicable local and state regulations related to fire safety, as evaluated through the City's standard development review process. No impact would occur.

9. HYDROLOGY AND WATER QUALITY

a. *Water Quality Standards*

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

Finding: Less than significant. (Draft Subsequent EIR, p. 4.9-11 through 4.9-14)

Explanation: ***Construction***

Development of the Project would require compliance with the CGP Water Quality Order 2009-0009-DWQ (as amended by Order No. 2010 0014-DWQ and 2012-006-DWQ), which requires the preparation and implementation of a SWPPP. A SWPPP requires the incorporation of BMPs to control sediment, erosion, and hazardous materials contamination of runoff during construction and prevent contaminants from reaching receiving water bodies. The SWRCB mandates that projects that disturb one or more acres of land must obtain coverage under the Statewide CGP. The Project would comply with all State, County, and local regulations regarding stormwater runoff during construction phases of the Project and the Project Applicant would prepare a SWPPP that would include and implement all construction BMPs identified in the SWPPP during construction activities. Categories of potential BMPs that would be implemented for this Project are described in Table 4.9-2, Construction BMPs, of the Draft Subsequent EIR.

In addition, the City requires that an erosion and sediment control plan be submitted prior to grading plan approval and the issuance of a grading permit. Implementation of the erosion control plan would address any potential erosion issues associated with the proposed grading and site preparation activities.

Operations

Once the Project has been constructed, a preliminary WQMP and a final WQMP would be required for the Project under the MS4 Permit.

A preliminary WQMP has been prepared by Thienes Engineering (2022) (see Appendix G2 of the Draft Subsequent EIR) and a final WQMP would be submitted to the City prior to the start of construction.

The preliminary WQMP shows that the Project can treat the stormwater runoff captured on-site, via detention basins that will then convey runoff into hydrodynamic separators. Once runoff is treated, it is then released into the on-site storm drains for eventual discharge into the regional storm drain network.

As specified in the preliminary WQMP, the total volume of stormwater runoff detained is greater than the calculated volume needed to meet requirements. Therefore, implementation of the Project would not increase the time of concentration and the post-development runoff volume would not exceed pre-development conditions for the design storm event. Operational water quality impacts would be less than significant with implementation and maintenance of the BMPs described and specified in the WQMP. Also, the Project would comply with all State, County, and local regulations regarding stormwater runoff during operational phases of the Project. Therefore, water quality standards and waste discharge requirements would not be exceeded, and surface water and groundwater quality would not be degraded. Impacts would be less than significant.

b. ***Groundwater Supplies***

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

Finding: Less than significant. (Draft Subsequent EIR, p. 7-10 through 7-11)

Explanation: ***Construction and Operation***

Upon development, the Project site would be served by domestic water provided by the City; direct additions or withdrawals of groundwater are not proposed by the Project. As described in TOP 2050 Draft Supplemental EIR, the City's water demand is accommodated through potable and non-potable water supplies managed by the City's Public Works Agency. The City manages both the potable and non-potable supplies to ensure withdrawals from the Chino Groundwater Basin for domestic demands do not exceed the safe yield for the basin, consistent with and in support of implementation of the Chino Basin Watermaster's Optimum Basin Management Program, commonly called the "OBMP Peace Agreement." Groundwater which may be consumed by the Project and the City, as a whole, would be recharged pursuant to the Department's policies and programs. The Project site is not a designated groundwater recharge area. The Project does not

propose or require facilities or operations that would otherwise adversely affect designated recharge areas. The potential for the Project to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin is considered less than significant.

c. ***Erosion or Siltation***

Threshold: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

(i) result in substantial erosion or siltation on- or off-site

Finding: Less than significant. (Draft Subsequent EIR, p.7-11)

Explanation: ***Construction and Operations***

Construction of the Project would alter the existing drainage pattern of the site, but not in a manner that would result in substantial erosion or siltation. The Project would include the use of an Erosion Control Plan and methods that reduce overall erosion during construction and operation, such as preserving vegetation, soil binders, mulching, soil roughening, and stabilization. Therefore, a less than significant impact would occur.

d. ***Flooding and Runoff***

Threshold: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

ii) Substantially increase the rate or amount of surface run-off in a manner which would result in flooding on- or off-site?

iii) Create or contribute run-off water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off?

iv) Impede or redirect flood flows?

Finding: Less than significant. (Draft Subsequent EIR, p. 4.9-14 through 4.9-16)

Explanation: ***Construction and Operations***

With the implementation of Plans, Programs, and Policies (PPP) HYD-1 through HYD-3 which includes SWPPP, the BMPs and storm plan Project features, the Project would not substantially increase the rate or amount of surface runoff in a manner that would result in on- or off-site flooding. Also, the Project site design LID features and on-

site detention facilities would ensure that stormwater runoff does not exceed the capacity of the storm drain system. The calculated stormwater runoff volume for the 100-year storm under post development conditions would be less than the amount of stormwater runoff for the 25-year storm under existing conditions. Therefore, this impact would be less than significant

e. ***Flood Hazard***

Threshold: Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Finding: Less than significant. (Draft Subsequent EIR, p. 4.9-16 through 4.9-17)

Explanation: ***Construction and Operations***

The Project site is not within a 100-year floodplain, as per FEMA FIRM No. 06071C9335H, dated August 28, 2008. It is designated as within Zone D, where no analysis of flood hazards has been conducted. However, the Project site is relatively flat and there are no nearby water bodies or streams or other conditions that would result in flooding at the Project site.

The Project site, as well as a large portion of the City, is within the dam inundation zone of San Antonio Dam. The dam is owned and operated by the USACE and functions as a flood control and debris dam for the San Antonio River. Dams in California are monitored and inspected annually by the California Division of Safety of Dams (DSOD).

The probability of dam failure is very low, and the City of Ontario has never been impacted by a major dam failure. In addition, the proposed BMPs and LID measures at the Project site would result in the treatment and biofiltration of any floodwaters that enter the site and prevent pollutants from entering the regional storm drain system.

The Project site is also not located near any water storage tanks or reservoirs that would result in a seiche during seismic activity. The Project site is inland and approximately 30 miles from the ocean and therefore is not at risk of flooding due to tsunamis. Impacts associated with the release of pollutants due to inundation would be less than significant.

f. ***Water Quality Control Plan***

Threshold: Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Finding: Less than significant. (Draft Subsequent EIR, p. 4.9-17 through 4.9-18)

Explanation: ***Construction and Operations***

Implementation of the Project per the TOP would not obstruct or conflict with the implementation of a water quality control plan or sustainable groundwater management plan. Implementation of PPP HYD-2, PPP HYD-3, and PPP HYD-4, and compliance with all applicable regulatory framework and implementation of standards of approval governing water quality and groundwater would ensure that any water quality control plan or sustainable management plan cited above would not be obstructed by the Project. Impacts would be reduced to less than significant levels and no mitigation is required.

10. LAND USE AND PLANNING

a. *Established Communities*

Threshold: Would the Project physically divide an established community?

Finding: No impact. (Draft Subsequent EIR, p. 4.9-13)

Explanation: **Specific Plan – Phase I/Future Development Areas**

Construction and Operations

The Project proposes business park and industrial uses on approximately 71.69 acres. The Project would replace the existing agricultural uses and does not propose any new streets or other physical barriers, which could physically divide an established community. Given its nature and scope, the Project would not physically divide an established community. Therefore, no impact would occur.

b. *Conflict*

Threshold: Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Finding: No Impact. (Draft Subsequent EIR, p. 4.10-6 through 4.10-20; see Resolution No. 2022-129)

Explanation: The Project consists of a SPA to allow for development of an industrial and business park on eight parcels covering approximately 71.69 acres in the City. The development would include six buildings ranging from 61,300 sf to 530,460 sf in building size. This would allow for the development of approximately 1,640,690 sf of industrial and business park buildings.

While, at the time the Draft SEIR was published the 71.69-acre Project site's proposed industrial and business park use was inconsistent with the Project site's then TOP land use designation, which was 56 acres of LMDR and 18 acres of BP (the Project proposes approximately 12 acres of BP, and approximately 60-acres of IND, to facilitate development of the Project), this inconsistency

has been removed due to the City's August 16, 2022, adoption of TOP 2050 Update. TOP 2050 designates the Project site as BP and IND, land uses which are consistent with the Project's proposed SPA. Thus, the Project is consistent with the City's TOP 2050 land use designation.

The Ontario Plan Compatibility

An analysis of the Project's consistency with Citywide goals in the 2010 TOP is provided in Table 4.10-6, Consistency with the City of Ontario General Plan (TOP), within Draft Subsequent EIR Section 4.10, Land Use and Planning. While the Project is consistent with the 2010 TOP goals and policies noted in Table 4.10-6, the Project's proposed land use designations as reflected in the proposed SPA are inconsistent with 2010 TOP land use designations of LMDR and BP, which represents a significant impact. This land use inconsistency was eliminated by the City's approval of the TOP 2050 Update. Under the TOP 2050 Update, the Project's land uses are consistent with the City's General Plan land use designations.

11. MINERAL RESOURCES

a. *Regional and Statewide Mineral Resources*

Threshold: Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

Finding: Less than significant. (Draft Subsequent EIR, p. 7-11 through 7-12)

Explanation: The Project is within an MRZ-3 area, indicating that there are no known deposits of significant minerals and development of the Project site would not result in the loss of identified regional or local mineral resources, conversion of an identified mineral resource use, or conflict with existing mineral resource extraction activities. Therefore, impacts would continue to be less than significant. Draft Subsequent EIR.

b. *Locally-Important Mineral Resource*

Threshold: Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plans?

Finding: Less than significant. (Draft Subsequent EIR, p. 7-11 through 7-12)

Explanation: The Project is within an MRZ-3 area, indicating that there are no known deposits of significant minerals and development of the Project site would not result in the loss of identified regional or local mineral resources, conversion of an identified mineral resource use, or conflict with existing mineral resource extraction activities. Therefore, impacts would continue to be less than significant.

12. NOISE

a. *Vibration*

Threshold: Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?

Finding: Less than significant. (Draft Subsequent EIR, p. 4.11-21 through 4.11-22)

Explanation: ***Construction Vibration***

The nearest sensitive receptor to the Project construction site is approximately 82 feet to the north of the Project site boundary. As shown in Table 4.11-12 of the Draft Subsequent EIR, at 82 feet the vibration velocities from construction equipment would not exceed 0.0150 in/sec Peak Particle Velocity (PPV), which is below the Federal Transit Administration's (FTA) 0.20 in/sec PPV threshold for building damage and below the 0.10 in/sec PPV annoyance threshold. It is also acknowledged that construction activities would occur throughout the Project site and would not be concentrated at the point closest to the nearest structure. Therefore, vibration impacts associated with Project construction would be less than significant.

Operational Vibration

The proposed Project would include truck movement activity at the proposed Project site. These movements would generally be low-speed (i.e., less than 15 miles per hour) and would occur over new, smooth surfaces. Since the Project's truck movements would not be at freeway speeds and the trucks would be a minimum of 50 feet from a sensitive receptor, Project-related vibration associated with truck activity would not result in excessive groundborne vibrations; thus, no vehicle-generated vibration impacts would occur. In addition, there are no sources of substantial ground borne vibration associated with the Project, such as rail or subways. Therefore, vibration impacts associated with Project operation would be less than significant.

b. *Airport Noise*

Threshold: For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?

Finding: Less than significant. (Draft Subsequent EIR, p. 4.11-22 through 4.11-23)

Explanation: The Project site is located directly north of the Chino Airport. The noise contours show the Project site outside the 55 dBA CNEL

contour, therefore people working at the Project site would not be exposed to excessive airport related noise.

The Project is approximately five miles southwest of the Ontario International Airport. The Ontario International Airport Land Use Compatibility Plan Policy Map 2-3, Noise Impact Zones map shows that the Project site is outside the 60-65 dB CNEL contour. People working at the Project site would not be exposed to excessive airport related noise. Impacts would be less than significant.

13. POPULATION AND HOUSING

a. *Population Growth*

Threshold: Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Finding: Less than significant. (Draft Subsequent EIR, p. 4.12-8 through 4.12-10)

Explanation: The Project would not introduce new population or housing to the Project site. Development would include business park and industrial uses; it would result in jobs for residents in the surrounding area. Table 3-1, Maximum Specific Plan Buildout, provides the maximum allowable gross building area for each Planning Area based on its allowable FAR, resulting in a combined maximum building square footage of 1,640,690 square feet (sf) of business park and industrial uses.

As a result of the Project and related components, 1,631 new employees are expected for the City of Ontario. All growth is planned according to TOP and SCAG and would put no unnecessary strain on housing in the region. The construction phase of the development would generate temporary employment opportunities and would not result in a significant population increase because they would be filled by workers in the region. A less than significant impact is expected to occur. (Draft Subsequent EIR, p. 4.12-8 through 4.12-10)

b. *Displacement of Housing*

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

Finding: Less than significant impact. (Draft Subsequent EIR, p. 7-12)

Explanation: ***Construction and Operations***

There are currently single-family residences on the Project site that would be displaced upon development of the Project. However, due to the low number of residents that would be displaced compared to

the existing larger housing stock in the region, the Project would not displace a substantial number of people or houses and would not necessitate the construction of replacement housing elsewhere.

Therefore, the Project would have a less than significant impact on displacing existing people or housing.

14. PUBLIC SERVICES

a. *Fire Protection*

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

i) Fire Protection?

Finding: Less than significant. (Draft Subsequent EIR, p. 4.13-10 through 4.13-11)

Explanation: ***Construction and Operations***

The increase in development and workers within the Project site could potentially result in additional calls for fire department services, which would increase needs for fire department staffing and equipment. The area that would be occupied by the Project is currently developed with agricultural use. Although there are existing uses, the modification of the area to industrial and office uses would potentially create an increased need for fire protection.

The six new tilt-up industrial/warehouse buildings would be constructed from non-flammable concrete and would be equipped with automatic ceiling-mounted fire sprinkler systems. All other fire-related safety features would be in accordance with the applicable provisions of the adopted CFC and the City's Municipal Code. Additionally, prior to the approval of the Project, the City's Building Department and OFD would review building plans in order to ensure that all applicable fire safety features are incorporated as part of the Project. Prior to the approval of occupancy permits for the new buildings, it would be required that the OFD would inspect all new structures in order to ensure that all fire safety features have been implemented and installed correctly.

Implementation of the Project would be required to be consistent with the City's General Plan for Business Park and Industrial uses as well as permitted floor area ratios (FAR). Therefore, fire protection and emergency services to the Project would be accommodated within the City's new and existing fire service facilities, and buildout of the

Project would not result in a significant impact on the ability to maintain an adequate level of fire protection service to the area.

The Project would not create any deficiencies in current response times or staffing models, nor require provision of new or expanded fire facilities, construction of which would have the potential to cause significant environmental impacts. Therefore, fire protection and EMS to the Project site would be accommodated within the City's existing fire service facilities, and buildout of the Project would not result in a significant impact on the ability to maintain adequate level of fire protection service to the area. Therefore, impacts related to fire protection services would be less than significant.

b. ***Police Protection***

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

ii) Police Protection?

Finding: Less than significant. (Draft Subsequent EIR, p. 4.13-11)

Explanation: ***Construction and Operations***

To accommodate the growth of the City population, new police officers and potential for new protection facilities were anticipated. To help offset costs and ensure adequate service is provided; development mitigation fees are collected. Additionally, the Project would include installation of security features and surveillance through the provision of low-intensity security lighting in and around the new buildings and parking areas. The Project would incorporate design features that would discourage crime, including features such as thematic fencing; parcel lighting which addresses illumination of parking lots, loading dock areas, pedestrian walkways, building entrances, signage, and architectural and landscape features; and the installation of ground or low mounted fixtures to provide for safety and convenience along pedestrian walkways, entrances, activity areas, steps, ramps, and special features. The design would also incorporate skylights and landscaping into the Project. Additionally, pursuant to the City's existing permitting process, the City's Building Department would review final site plans in order to ensure that crime prevention through design measures is incorporated as part of the Project. Furthermore, as the six new buildings are expected to operate 24/7, security would always be on-site, thereby lowering the crime potential for the Project site, lessening the potential for increased police facilities or personnel.

The Ontario Police Department (OPD) has prepared for growth of the Ontario Ranch area, where the Project site is located, and is expected to have adequate facilities and personnel to serve the proposed development. The OPD would continue to add staff and equipment on an as-needed basis in order to accommodate the incremental increasing demands from buildout of land uses, as was identified in TOP. Furthermore, buildout of the Project would not require construction of additional police facilities to maintain adequate police protection service. Thus, impacts related to police protection services would be less than significant.

c. ***Schools***

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

iii) Schools?

Finding: Less than significant. (Draft Subsequent EIR, p. 7-12 through 7-13)

Explanation: ***Construction and Operations***

The Project site is located within the Chino Valley Unified School District (CVUSD), which is part of the Chaffey Joint Union High School District. Therefore, the Project applicant would be required to pay the impact fees levied by the CVUSD, set within the limits of California SB 50. SB 50 also relieves jurisdictions from having the authority of denying approval of a legislative or adjudicative action under CEQA in reference to real estate development based upon the inadequacy of school facilities. Since the Project will pay any applicable fees pursuant to SB 50, a less than significant impact would occur.

d. ***Parks***

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

iii) Parks?

Finding: Less than significant. (Draft Subsequent EIR, p. 7-13 through 7-14)

Explanation: ***Construction and Operations***

There are numerous parks in proximity to Project site that could be used by existing local residents and future employees of the Project site. The Project would pay applicable development impact fees including Quimby Act park fees. These fees, along with additional funding accruing to the City's general fund through direct and indirect economic benefit, would offset any additional demand caused by the Project's business park and industrial uses. No significant impact is anticipated with payment of fees.

e. ***Other Public Facilities***

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

iii) Other Public Facilities?

Finding: Less than significant. (Draft Subsequent EIR, p. 7-14)

Explanation: ***Construction and Operations***

Other public facilities generally refers to libraries and government buildings that serve the population within the jurisdiction. Project construction and operation would not require the physical modification of any of the City's public facilities. The Community Life and Culture Department manages the City's two public libraries, neither of which are near the Project site. Project construction and operation would not result in a substantial increase in demand for these services such that a significant deterioration of the existing facilities would occur, or such that new facilities would be required. Regardless of any added level of use to existing libraries or other public facilities, the Project Applicant would be required to pay its fair share of DIF's to help offset incremental impacts to libraries by helping fund capital improvements and expenditures. Because of the lack of substantial population growth, a less than significant impact is expected to occur on surrounding public facilities. Overall, a less than significant impact would occur to nearby public facilities.

15. RECREATION

a. ***Increased Use***

Threshold: Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Finding: Less than significant. (Draft Subsequent EIR, p. 7-14)

Explanation: The demand for parks is determined by changes and increases in housing and population. The Project site would be developed with an industrial use, and no new residents or housing would be introduced to the area. Therefore, buildout of the Project would not directly induce population growth or increase demand on parks and recreational resources. Impacts in this regard would be less than significant.

b. *Construction and Expansion*

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

Finding: Less than significant. (Draft Subsequent EIR, p. 7-14 through 7-15)

Explanation: The Project involves industrial and business park development and would not include any recreational facilities, nor result in the expansion of any existing recreational facilities. Therefore, impacts associated with recreational facilities would be less than significant.

16. TRANSPORTATION AND TRAFFIC

a. *Plans, Policies, and Ordinances*

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

Finding: Less than significant. (Draft Subsequent EIR, p. 4.14-9 through 4.14-18)

Explanation: In compliance with the City's Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service (LOS) Assessment, a Traffic Analysis (TA) (see Appendix I1 of the Draft Subsequent EIR) was conducted for the Project which includes an LOS analysis.

TOP Mobility Element

The City's General Plan Mobility Element guides mobility and transportation in the City, including transit, bicycle and pedestrian facilities. The Project would be consistent with the plan, programs, goals and policies of the Mobility Element by enhancing transportation networks and for vehicles and bicycle facilities, safely accommodating pedestrian walkways and providing easy access to the Project site via public transportation. The Project's circulation system has been designed consistently with the City's traffic and transportation guidelines and existing transportation system. Additionally, the Project would comply with the City's DIF program which would require a payment of fees to ensure that the regional circulation and/or arterial expansions planned by the City and County (i.e., CMP) keep pace with the projected population increases or

other identified roadway deficiencies. Refer to the following bicycle, pedestrian and transit facilities discussion below for more information.

Bicycle and Pedestrian Facilities

According to the TOP, the City proposes to develop a Class II bikeway and multipurpose trails along Merrill Avenue and Campus Avenue, located near the Project site. As stated above, the Project would provide a payment of fees towards the City's DIF Program to ensure that existing and proposed bicycle facilities are supported and not impacted. The Project would also improve pedestrian walkways adjacent to the Project site and be designed to ensure pedestrian safety. Therefore, a less than significant impact would occur in regard to bicycle and pedestrian facilities.

Transit Facilities

Transit options provide an alternative mode of transportation for motorists and a primary mode for the transit dependent. The nearest transit facilities to the Project site are Omnitrans Bus Route 83 to the northwest and Omnitrans Route 87 to the east.

The Project would support public transit use by improving roadway circulation and pedestrian walkways near the Project site. This would allow employees to utilize public transit, specifically Omnitrans Route 83. The Project would also pay fees pursuant to the DIF program, which would support the expansion of public transit near the Project site, including the entirety of the Ontario Ranch area. Therefore, the Project would support future public transit facilities with proposed roadway and pedestrian improvements, including payment of fees; and as such, a less than significant impact would occur.

b. ***Design Hazards***

Threshold: Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Finding: Less than significant. (Draft Subsequent EIR, p. 4.14-25 through 4.14-26)

Explanation: Construction activities associated with the Project may temporarily restrict vehicular traffic or cause temporary hazards. The Project would implement feasible measures that would help facilitate the passage of vehicles through/around any required road or lane closures to maintain traffic flow near the Project site pursuant to Municipal Code Section 7-3.07. This would also apply to any off-site roadway areas. In addition, the Project includes improvements to allow for heavy truck access to the Project site. Conflicts have the

potential to occur if: 1) there is inadequate site access, or 2) there is inadequate turning radii in and out of the Project site. Implementation of the Project Specific Plan Amendment and its circulation plans will ensure avoidance of these inadequacies

Site Access and Off-Site Improvements

The Project includes the construction of access driveways from all four fronting streets, for a total of 16 driveway access points. Internal drive aisles would provide connectivity throughout the Project site. All roadway improvements would be designed according to the Traffic and Transportation Guidelines set in the TOP's Mobility Element and pursuant to the PPP TR-1 and PPP TR-2. Thus, the Project would not substantially increase hazards due to a geometric design features or dangerous intersections, and a less than significant impact would occur.

Turning Radius

The TA evaluated large trucks' turning radius to determine necessary intersection improvements in the study area. The TA overlaid a truck turning template and tables Project driveway and study areas intersections anticipated to be utilized by large trucks in order to determine appropriate curb radius and to verify that trucks will have sufficient space to execute turning maneuvers. Implementation of the Project design features and Recommendations 1 through 28, and compliance with the City's Traffic and Transportation Guidelines set in the TOP's Mobility Element, would ensure large trucks have adequate access to and from the Project site and adjacent intersections. Implementation of the identified Project design features would ensure that impacts would be less than significant, and the Project would not substantially increase hazards due to heavy truck maneuvers.

c. *Emergency Access*

Threshold: Would the Project result in inadequate emergency access?

Finding: Less than significant. (Draft Subsequent EIR, p. 7-15)

Explanation: Buildout of the Project would not result in any significant emergency access impacts. The Project's site conditions, during and after the workday, would be regulated by the Division of Occupational Safety and Health (OSHA) safety standards to prevent any hazardous condition that may affect construction staff and emergency responders. In case of an emergency, the Project construction manager or assigned safety personnel would flag emergency response vehicles and direct them to the emergency location. Unimpeded access throughout the Project site would be maintained by ensuring that vehicles would not impede access for emergency response vehicles. In addition, access roads would be constructed throughout the Project site for construction staff/inspectors,

construction equipment and materials delivery/removal, and emergency response vehicles. The access roads would be adequately maintained to allow for the safe passage for emergency response vehicles. Further, the Project would implement both on- and off-site improvements, consistent with Recommendations 1 through 28 of the Traffic Analysis Study (see Appendix I) to ensure the safe and efficient access to the Project site. Therefore, the Project's impact concerning emergency access would be less than significant.

17. UTILITIES AND SERVICE SYSTEMS

a. *Expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities*

Threshold: Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Finding: Less than significant. (Draft Subsequent EIR, p. 4.16-18 through 4.16-23)

Explanation: The Project proposes new on-and off-site public sewer, potable water, and storm drain infrastructure, and would receive SCE electrical service. There are power poles and overhead facilities located opposite the site along Eucalyptus Avenue and Sultana Avenue. On-site improvements would include storm drains, water quality systems, a sewer main and sewer lines, water lines, and dry utility connections.

Water

There are no existing water mains in the vicinity of the Project that are within the City's jurisdiction; existing water mains along the south half of Merrill Avenue are within City of Chino jurisdiction. The Project proposes a 12-inch potable water main in Campus Avenue connecting to the 16-inch potable water main in Eucalyptus Avenue and extending to connect to the 16-inch potable water main in Merrill Avenue. It should be noted that the water main to be connected to is not currently constructed. The Approved SP was conditioned to construct the water main to be connected to. This infrastructure would be constructed prior to or concurrently with implementation of the Project. There is an existing 30-inch IEUA recycled water main adjacent to the Project site in Eucalyptus Avenue. This recycled water is provided to the City by IEUA via its four wastewater reclamation plants.

Any off-site construction of potable water infrastructure would be implemented in accordance with the City's Water and Sewer Design Development Guidelines and the standards and specifications of the

MC. Within the Project site, a private network of two- to four-inch water lines for domestic water service and 10- to 12-inch water lines for fire service water would be installed. The on-site water system includes connections to the water main in Eucalyptus Avenue and Euclid Avenue and to the main in Merrill Avenue and Sultana Avenue. The necessary installation of on-site water lines is included as part of the Project and would not result in any physical environmental effects beyond those identified in other sections of this Draft Subsequent EIR.

Therefore, the Project would not require or result in the relocation or construction of new or expanded water facilities outside of already improved road rights-of-way or existing City Water Master Plan, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Recycled Water

Recycled water infrastructure improvements for the Project require the planning, design, and construction of the 930 PZ Recycled Water Master Plan mains. The Project also requires the planning, design, and construction of the adjacent recycled water system. Sizing and alignment of the recycled water lines would be consistent with the City recycled water system plan and/or a City approved hydraulic analysis. All lines would be installed per City master plans, located in road rights-of-way that are already improved, and/or already addressed in prior CEQA documents.

Wastewater Treatment

There are no existing sewer mains in the vicinity of the Project site that are within the jurisdiction of the City, and the Project would require the construction of both on- and off-site sewer mains. The Project includes a network of public sewer mains, consistent with the City's 2012 Sewer Master Plan and supplemental studies. The Project proposes a 16-inch public sewer main which will be located along Sultana Avenue and Campus Avenue. Both sewer mains will connect to a 36-inch sewer main in Merrill Avenue, to be constructed, which connects to an existing IEUA interceptor trunk main sewer located in Kimball Avenue to the south, running north in Euclid Avenue to Merrill Avenue, then east to Grove Avenue. A Sewer Sub-Area Master Plan (SSAMP) shall be prepared for each Tract Map and development within the Specific Plan.

As shown in the WSA (Appendix J of the Draft Subsequent EIR) for the Project, the indoor water demand for the Project is less than the water demand anticipated in the 2010 Policy Plan buildout scenario for the Project site. The Project would not require expansion of the wastewater infrastructure specified for the Project site in the sewer plan. No additional off-site extensions or expansions to the planned sewer system serving the region would be required. On-site

construction of the proposed sewer infrastructure would provide for connections throughout the site. Sizing and alignment of sewers would be within constructed in compliance with the City's Water and Sewer Design Development Guidelines and the Municipal Code. The necessary installation of on-site sewer lines and connections to the existing line is included as part of the Project and would not result in any physical environmental effects beyond those identified in other sections of this Draft Subsequent EIR.

Therefore, the Project would not require or result in the relocation or construction of new or expanded wastewater facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Storm Drainage

The Project site storm drain improvements (Figure 3-26, Storm Drain Plan) are consistent with the facilities specified in Drainage Area XIV of the City of Ontario Storm Drain Master Plan. Any runoff would drain into catch basins located throughout the Project site. Flows would then be conveyed via storm drains constructed as part of the Project into a Debris Separating Baffle Box (DSBB) for water pre-treatment, then to an underground perforated Chemical Mechanical Polishing (CMP) system for water quality treatment. From there, higher flows at the catch basins would be conveyed away from the Project site via a larger on-site storm drain system. The proposed on-site storm drain system would be sufficiently sized to limit storm drain discharge after construction of the Project to less 25-year and 100-year existing condition peak flow rates. Flows beyond the allowable rate will be forced to temporarily detain above ground in the proposed truck yards throughout the site, and then slowly released via the proposed on-site storm drain at a rate below the existing condition 25-year discharge. With the proposed BMPs and on-site detention, the 100-year peak flow rate from the Project site would be approximately 49.9 cfs. This is comparable to the peak flow rate under existing conditions for the 25- year storm event (49.5 cfs). Storm drainpipe sizes and hydraulics would be determined during the final design phase to ensure that the post-development 100-year flow rate is comparable to the existing condition 25-year flow rate. Storm drains would be constructed consistent with the Storm Drain Master Plan, the ultimate discharge location downstream, between Pine Avenue and Merrill Avenue in the City of Chino, is not fully improved at this time. Until this occurs, as discussed above, the Project would utilize on-site stormwater detention so that discharge from Project development remains comparable to peak flow rates prior to development.

Electricity

Project operation is expected to use approximately 14.1 million kilowatt hours (kWh) annually. Total mid-electricity consumption in SCE's service area is forecast to increase by approximately 12,723 GWh between 2015 and 2027. SCE forecasts that it will have sufficient electricity supplies to meet demands in its service area; and the electricity demand due to the Project is within the forecast increase in SCE's electricity demands. Project development would not require or result in the relocation or construction of new or expanded electric power, and impacts would be less than significant.

Natural Gas

Project operation is estimated to use about 12.8 million kilo British Thermal Units (kBTU) per year. SoCalGas' residual supplies were forecast to remain constant at 3,775 MMCF/day from 2020 through 2035. Total natural gas consumption in SoCalGas' service area is forecast to decline slightly from 2,591 MMCF/day in 2019 to 2,313 MMCF/day in 2035. SoCalGas forecasts that it will have sufficient natural gas supplies to meet Project gas demands, and Project development would not require SoCalGas to obtain new or expanded gas supplies. Therefore, Project development would not require or result in the relocation or construction of new or expanded natural gas supplies, and impacts would be less than significant.

Furthermore, the Project would comply with the requirements of the current California Building Energy and Efficiency Standards (Title 24, Part 6) and the CALGreen Code (Title 24, Part 11). All new appliances would comply with the Appliance Efficiency Regulations (Title 20, CCR Sections 1601 through 1609).

b. *Water Supplies*

Threshold: Would the Project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years?

Finding: Less than significant. (Draft Subsequent EIR, p. 4.16-23 through 4.16-25)

Explanation: ***Water Demand***

Water use for the proposed Project was calculated using domestic water demand rates and recycled water irrigation demand rates as specified in the UWMP. Table 4.16-4, Water Demand Estimate for the Project, within the Draft Subsequent EIR shows the total water demand estimate for the proposed development.

The total domestic water demand for the Project is estimated to be 105,015 gpd (116.8 AFY). The total recycled water usage is estimated to be 116,055 gpd (131.4 AFY). The total water demand would be 221,070 gpd or 248.2 AFY.

The 2020 UWMP indicates that the City is capable of meeting the water demands of its customers in normal, single dry, and multiple dry years between 2020 and 2045. The 2020 UWMP projected water demands are based on the City's measurement of its water use through meter data and billing records. Projected water demand for the Project site is included in the 2020 UWMP projections but is based on the TOP and the City's 2020 Water Master Plan. Table 4.16-5, Water Demand Estimate for the Project Site Based on Projected Future Land Use in 2020 UWMP, shows the total water demand estimate for the Project site based on the future land uses in the 2020 UWMP.

Comparing Project water demand in Table 4.16-4 with water demand in Table 4.16-5, the total domestic water demand within the Project site would decrease compared to planned land use as depicted in the 2020 UWMP. Water usage of existing land uses per the 2020 UWMP is estimated to be 255,686 gpd (286 AFY). The total recycled water demand is estimated to be 61,158 gpd (68.6 AFY). Therefore, the total water demand for existing land uses per the 2020 UWMP would be 316,844 gpd or 354 AFY, compared to a total water demand of the proposed Project (shown in Table 4.16-4) of 221,070 gpd or 248.2 AFY.

In addition to the City having adequate water supply to service the Project, water conservation measures would be implemented, as described within the Draft Subsequent EIR, which would further reduce impacts on water demand. Therefore, the Project would have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years, and a less than significant impact will occur.

c. ***Wastewater Capacity***

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

Finding: Less than significant. (Draft Subsequent EIR, p. 4.16-25)

Explanation: The Project site is located in the OR and is within IEUA's wastewater service area boundary. The Project would be served by the RP-5 wastewater treatment plant.

Buildout of the Project would generate approximately 174,219 gpd of wastewater which is equal to the indoor water demand. The current liquid treatment capacity of RP-5 is 15 mgd, and the plant treats an average of 9 mgd. Thus, RP-5 has a remaining wastewater treatment capacity of 6 mgd. The Project's generated wastewater would represent less than three percent of the RP-5's remaining treatment

capacity. Therefore, wastewater generated by the Project would be adequately treated at the RP-5.

RP-5 is required by federal and State law to meet applicable standards of treatment plant discharge requirements subject to Order No. RS-2015-0036 NPDES No. CA8000409.

The additional wastewater (quantity and type) that would be generated by the Project and treated by the RP-5 would not impede the treatment plant's ability to continue to meet its wastewater treatment requirements. Therefore, impacts would be less than significant as the wastewater treatment provider will have adequate capacity to serve the Project's projected demand, in addition to the provider's existing commitments.

d. ***Solid Waste***

Threshold: Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Finding: Less than significant. (Draft Subsequent EIR, p. 4.16-26 through 4.16-27)

Explanation: ***Construction and Operations***

Overall, sufficient landfill capacity is available in the region for the estimated solid waste generated by the Project during construction or operations, and Project development would not require an expansion of landfill capacity. Impacts would be less than significant.

Through application and accordance of the City's goals, policies, and standards and adherence to all state, federal, and local laws and regulations, the impacts for the Project site will remain less than significant and no mitigation is required. (Draft Subsequent EIR, p. 4.16-26 through 4.16-27)

e. ***Solid Waste Laws***

Threshold: Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Finding: Less than significant. (Draft Subsequent EIR, p. 7-15 through 7-16)

Explanation: ***Construction and Operations***

The Resource Conservation and Recovery Act (RCRA) of 1976 (U.S. Code Title 42, §6901 et seq.) governs the creation, storage, transport, and disposal of hazardous wastes and operators of hazardous waste disposal sites.

Assembly Bill (AB) 939, the Integrated Waste Management Act of 1989 (California PRC §40000 et seq.) requires all local governments to develop source reduction, reuse, recycling, and composting

programs to reduce tonnage of solid waste going to landfills. Cities must divert at least 50 percent of their solid waste generation into recycling. As required by Title 6, Chapter 3 of the Ontario MC, the City must comply with State law to reduce solid waste generation, promote reuse, and require solid waste collection for recycling and composting. The City would require the Project to reduce solid waste generation and recycle materials as much as feasible to reduce solid waste. Since the proposed Project would be required by the City to recycle, the Project would have a less than significant impact to any federal, State, or local statutes or regulations related to solid waste.

18. WILDFIRE

a. *Response Plans, Pollutant Concentrations, Infrastructure Risks, and Runoff Risks*

Threshold: If located in or near SRA or lands classified as Very High FHSZ, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

If located in or near SRA or lands classified as Very High FHSZ, would the Project, due to slope, prevailing winds, and other factors, exacerbate wildlife risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

If located in or near SRA or lands classified as Very High FHSZ, would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

If located in or near SRA or lands classified as Very High FHSZ, would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Finding: No Impact. (Draft Subsequent EIR, p. 7-16 through 7-17)

Explanation: The Project is required to comply with all applicable City codes and is not located in a Very High FHSZ, any emergency evacuation or emergency response plan, no impacts would occur, and no mitigation is required. (Draft Subsequent EIR, p. 7-16 through 7-17)

C. FINDINGS REGARDING SIGNIFICANT ENVIRONMENTAL IMPACTS THAT CAN BE REDUCED TO A LESS THAN SIGNIFICANT LEVEL

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

1. AIR QUALITY

a. *Sensitive Receptors*

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

Finding: Less than significant with mitigation. (Draft Subsequent EIR, p. 4.2-25 through 4.2-33)

Explanation: ***Operational LST***

Since the Project includes warehouses, the operational phase Local Significance Thresholds (LST) protocol is conservatively applied to both the area source and a portion of the mobile source emissions. LSTs thresholds for receptors located at 25 meters in SRA 33 were utilized in this analysis because the closest receptors are located 82 feet to the north. Although the Project site is approximately 72 acres, the 5-acre LST threshold was also conservatively used for the Project, as the LSTs increase with the size of the site.

The LST analysis only includes on-site sources. However, the CalEEMod model outputs do not separate on- and off-site emissions for mobile sources. For a worst-case scenario assessment, the emissions shown in Table 4.2-13 on page 4.2-27 of the Draft Subsequent EIR, Localized Significance of Operational Emissions of the Draft Subsequent EIR, conservatively include all on-site Project-related stationary sources, on-site off-road equipment (forklifts and yard trucks) and five percent of the Project-related mobile sources, since a portion of mobile sources could include trucks idling on-site. Table 4.2-13 shows that the unmitigated localized daily operations would result in significant concentrations of PM10 and PM2.5 pollutants at nearby sensitive receptors. Therefore, operational mitigation measures are required to reduce localized operational impacts. With the implementation of **MM AQ-2** through **MM AQ-6**, operational LST impacts would be less than significant.

Criteria Pollutant Health Impacts

This analysis identifies health concerns related to particulate matter, CO, O_3, and NO_2. Table 4.2-1 on page 4.2-3 of the Draft Subsequent EIR, includes a list of criteria pollutants and summarizes common sources and effects. Localized effects of on-site Project emissions on nearby receptors for the Project would be less than significant with mitigation (refer to Table 4.2-12 and Table 4.2-13). Thus, this analysis is reasonable and intended to foster informed decision making.

Carbon Monoxide Hotspots

The Project considered herein would not produce the volume of traffic required to generate a CO hot spot in the context of SCAQMD's CO Hotspot Analysis. Therefore, impacts would be less than significant.

Construction-Related Diesel Particulate Matter (DMP)

A Health Risk Assessment (HRA) was conducted based on the SCAQMD's Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis and the SCAQMD Risk Assessment Procedures and the guidance from OEHHA.

The construction phase HRA indicate that the unmitigated cancer risk would be 150-in-one-million, which exceeds the SCAQMD threshold of 10-in-one-million. Therefore, **MM AQ-7**, requiring the use of Tier 4 construction equipment is required to reduce the cancer risk. With **MM AQ-7** the cancer risk would be reduced to 7.0-in-one-million which is below the SCAQMD threshold of 10-in-one-million. With the implementation of **MM AQ-7** non-cancer hazards for DPM would be below SCAQMD threshold of 1.0, with a chronic hazard index computed at 0.002 and an acute hazard index of 0.02. Therefore, construction risk levels would be less than SCAQMD thresholds and impacts would be less than significant.

Operational Diesel Particulate Matter

An operational phase HRA was also conducted for the Project. Analysis included both on-site and off-site impacts from the diesel trucks accessing the warehouse development on nearby residential and worker receptors.

Based on the AERMOD outputs, the highest unmitigated annual average diesel PM10 emission concentrations from diesel truck traffic near sensitive receptors would be 0.5483 µg/m3. The calculations conservatively assume no cleaner technology with lower emissions in future years. The highest calculated carcinogenic risk resulting from the Project is 474 per million, which exceed SCAQMD's threshold of 10 in one million. Therefore, **MM AQ-2** through **MM AQ-6** are required to reduce impacts. Implementation of operational mitigation measures reduces the diesel exhaust PM10 concentrations to 0.0034 µg/m3. As such, the mitigated carcinogenic risk would be reduced to 2.94 in one million and impacts would be less than significant.

Acute and chronic impacts were also evaluated in the HRA. An acute or chronic hazard index of 1.0 is considered individually significant. The hazard index is calculated by dividing the acute or chronic exposure by the REL. After incorporating operational **MM AQ-2** through **MM AQ-6**, the highest maximum chronic and acute hazard index associated with both DPM and acrolein emissions from the Project would be 0.0007 and 0.0097, respectively. As a result, non-carcinogenic hazards are calculated to be within acceptable limits. Therefore, impacts would be less than significant with mitigation.

Conclusion

MM AQ-1 would improve air quality by requiring the use of low VOC paints during the structural coating phase. Project related PM10, PM2.5, and DPM emissions from combustion engines will be reduce by **MM AQ-2**, which requires the use of electric cargo handling equipment (e.g., yard trucks/hostlers, forklifts, etc.) rather than diesel or natural gas. **MM AQ-3** would reduce vehicle emission by reducing single occupant vehicle trips through promoting carpool/vanpool/rideshare programs and providing pedestrian and bicycling amenities. **MM AQ-4** would reduce vehicle emission by promoting alternative fuel vehicles such as electric cars and trucks. **MM AQ-5** would l reduce PM10, PM2.5, and DPM by providing trucks with electrical hookups to power onboard auxiliary equipment and refrigeration units, allowing trucks to be turned off rather than remain idling. **MM AQ-6** would reduce truck emissions by requiring signs be posted that direct truck drivers to turn off their engines and provides a telephone number to report violations. In addition, **MM AQ-6** requires signs to be posted at exits that provide directional information to truck routes, directing truck traffic away from sensitive receptors. To protect sensitive receptors from NOX, PM10, PM2.5, and DPM during the construction process, **MM AQ-7** requires all construction to meet CARB Tier 4 Final off-road emission standards. implementation of **MM AQ-1** through **MM AQ-7** would ensure the Project's impact on sensitive receptors from substantial pollutant concentrations would be reduced to less than significant ((Draft Subsequent EIR, p. 4.2-25 through 4.2-33)

MM AQ-1 The Project shall utilize "Super-Compliant" low VOC paints which have been reformulated to exceed the regulatory VOC limits (i.e., have a lower VOC content than what is required) put forth by SCAQMD's Rule 1113 for all architectural coatings. Super-Compliant low VOC paints shall be no more than 10g/L of VOC. Plans shall specify that all architectural coatings will be super-compliant low VOC paints.

MM AQ-2 Only electric-powered off-road equipment (e.g., yard trucks/hostlers, forklifts, indoor material handling equipment, etc.) shall be utilized onsite for daily warehouse and business operations. The Project developer/facility owner shall disclose this requirement to all tenants/business entities prior to the signing of any lease agreement. In addition, the limitation to use only electric-powered off-road equipment shall be included in all leasing agreements.

Prior to issuance of a Business License for a new tenant/business entity, the Project developer/facility owner and tenant/business entity shall provide to the City of Ontario Planning Department and Business License Department a signed document (verification document) noting that the Project development/facility owner has disclosed to the tenant/business entity the requirement to use only

electric-powered equipment for daily operations. This verification document shall be signed by authorized agents for the Project developer/facility owner and tenant/business entities. In addition, if applicable, the tenant/business entity shall provide documentation (e.g., purchase or rental agreement) to the City of Ontario Planning Department and Business License Department to verify, to the City's satisfaction, that any off-road equipment utilized will be electric-powered.

If emergency generators are proposed, the Project applicant shall explore non-diesel options. If non-diesel generators are determined to not be feasible, the Project applicant shall provide written justification for the use of diesel-powered emergency generators to be approved by the City's Building Department. Feasibility of non-diesel generators would be explored on the basis of fire and life safety purposes, relative cost and availability of non-diesel generators, as well as whether or not the non-diesel generator has the capacity to supply the required level of power for the required uses.

MM AQ-3 Prior to issuance of occupancy permits, the Project operator shall prepare and submit a Transportation Demand Management (TDM) program detailing strategies that would reduce the use of single occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool and transit. The TDM shall include, but is not limited to the following:

- Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options;
- Promote bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the Project site;
- Provide on-site car share amenities for employees who make only occasional use of a vehicle, as well as others who would like occasional access to a vehicle of a different type than they use day-to-day;
- Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service; and
- Incorporate incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/vanpool users.

MM AQ-4 Prior to the issuance of a building permit, the Planning Department shall confirm that the Project is designed to include the following:

- The buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed to supply power for the future installation of electric vehicle (EV) truck charging stations on the site. Conduit should be installed from the electrical room to tractor trailer parking spaces in a logical location(s) on the site determined by the Project Applicant during construction document plan check, for the purpose of accommodating the future installation of EV truck charging stations at such time this technology becomes commercially available and the buildings are being served by trucks with electric-powered engines.
- The buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed in the future to supply power to trailers with transport refrigeration units (TRUs) during the loading/unloading of refrigerated goods. Conduit should be installed from the electrical room to the loading docks determined by the Project Applicant during construction document plan check as the logical location(s) to receive trailers with TRUs.

MM AQ-5 Prior to the issuance of occupancy permits, the Planning Department shall confirm that tenant lease agreements include contractual language that requires all Transport Refrigeration Units (TRUs) entering the Project site be plug-in capable. Electrical hookups shall be provided as part of the tenant improvements for any tenant that requires cold storage. The electrical hookups shall be provided at loading bays for truckers to plug in any onboard auxiliary equipment and power refrigeration units while their truck is stopped.

MM AQ-6 All truck access gates and loading docks within the Project site shall have a sign posted that states:

- Truck drivers shall turn off engines when not in use
- Truck drivers shall shut down the engine after five minutes of continuous idling operation (pursuant to Title 13 of the California Code of Regulations, §2485). Once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged.
- Telephone numbers of the building facilities manager and CARB to report violations.
- Truck travel is restricted to identified truck routes only

In addition, signage shall be installed to direct trucks to the appropriate designated truck routes.

MM AQ-7 Prior to issuance of grading permits, the applicant shall prepare and submit documentation to the City of Ontario that demonstrate that all off-road diesel-powered construction equipment greater than 50 horsepower meets California Air Resources Board Tier 4 Final off-road emissions standards. Requirements for Tier 4 Final equipment

shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of each unit's Best Available Control Technology (BACT) documentation (certified tier specification or model year specification), and CARB or SCAQMD operating permit (if applicable) shall be provided to the City at the time of mobilization of each applicable unit of equipment.

2. BIOLOGICAL RESOURCES

a. *Sensitive Species*

Threshold: Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Finding: Less than significant with mitigation. (Draft Subsequent EIR, p. 4.3-15 through 4.3-18)

Explanation: ***Sensitive Plants***

No special-status plant species are expected to occur on the Project site due to lack of suitable habitat. Project site development would not eliminate significant amounts of habitat for potentially occurring special-status plant species, nor reduce population size of sensitive plant species below self-sustaining levels on a local or regional basis (if present). Therefore, the development of the Project would not result in a substantial adverse effect, either directly or through habitat modification, on any plant specifies identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulation or by the CDFW or USFWS. Hence, no significant impact to special-status plant species or their habitat would occur.

Sensitive Wildlife

No special-status wildlife species were directly recorded on-site; however, the California horned lark and loggerhead shrike have moderate-high occurrence potential because they are well known to utilize agricultural areas. However, these species were deemed by USFWS to be too widespread and common to warrant listing as threatened or endangered, and as such, were removed from formal sensitive species status. Impacts to agricultural-related habitats could amount to an incremental reduction of potential foraging habitat for certain species that may be considered locally adverse. However, Project site development would not eliminate significant amounts of habitat for these species, nor reduce population size below self-sustaining levels on a local or regional basis. Therefore, less than significant impacts to these species would be expected.

Nesting Birds

No nesting birds were incidentally observed during surveys conducted on the Project site in 2020. Although many native bird species are not protected by California Endangered Species Act (CESA) or Federal Endangered Species Act (FESA), most are protected under the federal Migratory Bird Treaty Act and California Department of Fish and Wildlife (CDFW; California Fish and Game Code (CDFG)) Code Sections 3503, 3503.5, and 3800 which prohibit take, possession, or destruction of birds, their nests or eggs. If it were later determined that active nests of any of special-status or native species would be lost or indirectly impacted as a result of site-preparation, it could result in adverse impacts and would be in conflict with these regulations. If construction activities (e.g., site disturbances) are proposed during the nesting season, a nesting bird survey(s) may be required prior to development. Development activities performed outside of the avian breeding season (generally September 1 to December 31) usually eliminates the need to conduct pre-activity nesting surveys for most native species known from the site vicinity and ensure that there were no constraints to construction relative to the MBTA/CDFG Code. Compliance with the MBTA/CDFG Code would be necessary prior to development; however, no special permit or approval is typically required in most instances where BUOW are not present. Development activities performed outside of the avian breeding season would generally eliminate the need to conduct pre-activity nesting surveys for most common native species (other than BUOW) known from the Project site vicinity, and likely ensure that there were no constraints to construction relative to the MBTA/CDFG codes.

Although not expected on the Project site, due to absence of preferred nesting habitat, the tricolored blackbird would need to be considered under CESA due to its current status as endangered. Based on the General Habitat Assessment, absence of breeding habitat, and that no known colony sites are present in the Project site vicinity, no significant impacts are expected either to potential breeding or foraging habitat under CESA or CEQA.

Furthermore, no special-status bat species are expected to occur on-site due to absence of preferred habitat. If construction activities (e.g., tree removal) are proposed during the breeding season, acoustic bat surveys will be conducted prior to development to determine current roosting status and species present. The breeding season of native bat species in California is generally from April 1 through August 31. CDFW shall be notified of any active maternity roosts within the construction zone. If non-maternity day roosts or hibernacula are found in trees scheduled to be removed, in crevices or man-made structures within the grading footprint, the individuals will be safely evicted following approved CDFW guidelines developed specifically for the species and location. No special-status

bat species are expected to occur on the Project site due to absence of preferred habitat. Results of pre-construction bats surveys would determine specific measures if applicable.

Implementation of **MM BIO-1**, **MM BIO-2**, and **MM BIO-3** will require that nesting bird and roosting bat surveys be conducted and acoustic surveys prior to construction start to reduce impacts to nesting birds and roosting sites for bats to less than significant levels.

Burrowing Owl

BUOW is a CDFW Species of Special Concern. No direct observations or BUOW sign (feathers, pellets, fecal material, prey remains, etc.) were recorded during the 2020 focused surveys or habitat-based surveys. However, several California ground squirrel burrows potentially suitable to accommodate BUOW were recorded on-site. None of the potential burrows inspected during the surveys were determined to be currently occupied or recently used by BUOW based on the lack of owl observations and absence of sign around burrow entrances. Despite that fact that the site has been exposed to long-standing disturbances, the BUOW (Low-Moderate occurrence potential) often occur in less than optimal and/or disturbed conditions. If Project site-preparation activities occur within potential BUOW habitat, a pre-construction BUOW/Initial Take Avoidance Survey conducted no less than 14 days prior to initiating ground disturbance activities using the recommended methods described in the 2012 Staff Report is required by CDFG to determine if active nests of species protected by the MBTA and/or CDFG codes are present in the construction zone for CEQA compliance and to subsequently evaluate appropriate measures that may reduce potential adverse project-related impacts. Therefore, implementation of **MM BIO-4** would reduce impacts to less than significant.

MM BIO-1 Prior to the issuance of permits for any construction activity, the Project Applicant shall demonstrate compliance with the MBTA to the satisfaction of the City of Ontario that either of the following has been accomplished:

- Conduct grading activities and vegetation removal outside of the nesting season (February 1 to August 31) to avoid impacts to nesting birds, including raptors.
- If vegetation removal will occur during the bird nesting season, between February 1 and August 31, pre-construction nesting bird surveys shall be performed within three days prior to any disturbance of the site, including disking, demolition activities, and grading. If active nests are found, they shall be flagged and the biologist shall establish suitable buffers around the nest (generally a minimum of 200 feet up to 500 feet for raptors and a minimum of 50 feet up to 300 feet for passerine species, with specific buffer widths to be determined by a qualified biologist). The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.

MM BIO-2 The Project Applicant shall conduct surveys for tricolored blackbird across all suitable breeding and foraging habitat with the Project site. If tricolored blackbirds are identified, the Project Proponent shall avoid all occupied habitat on-site. If on-site avoidance is infeasible, the Project Proponent shall apply for an incidental take permit (ITP) with California Department of Fish and Wildlife (CDFW) and shall mitigate for the loss of all habitat through the acquisition, conservation, and management of in-kind habitat at a minimum 3:1 ratio, or as approved by the final ITP. Habitat shall be conserved in perpetuity via conveyance of a conservation easement to a CDFW-approved conservation entity and a management fund (endowment) shall be established by the Project Proponent consisting of an interest-bearing account with the amount of capital necessary to generate sufficient interest and/or income to fund all monitoring, management, and protection of the conservation area(s), including but not limited to, reasonable administrative overhead, biological monitoring, invasive species and trash removal, fencing and signage replacement and repair, law enforcement measures, long-term management reporting, and other actions designed to maintain and improve the habitat of the conserved land(s), in perpetuity. A Property Analysis Record, or substantially equivalent analysis, shall be conducted to determine the management needs and costs described above, which will then be used to calculate the capital needed for the management of the fund. Except for uses appropriate to a habitat conservation area, the public shall not have access to the mitigation area(s), and no activities shall be permitted within the site, except maintenance of habitat, including the removal of nonnative plant species, trash, and debris, and the installation of native plant materials.

MM BIO-3 Prior to implementation of Project activities, a qualified biologist shall be retained to determine whether potential roosting sites for bats may be affected. For large ornamental trees suitable for bat roosting/nursery, exit counts and acoustic surveys shall be performed prior to initial ground disturbance and vegetation removal to determine whether the project footprint and a 300-foot buffer supports a nursery or roost, and by which species. This survey work will occur between late-spring and late summer and/or in the fall (generally mid-March through late October).

If the results of the bat survey finds a total of a single roosting individual of a special-status bat species or 25 or more individuals of non-special-status bat species with potential to be present in the study area (i.e., western Mastiff bat, big free-tailed bat, pallid bat, western red bat, and western yellow bat), a Bat Management Plan shall be developed to ensure mortality to bats does not occur. For each location confirmed to be occupied by bats, the plan will provide details both in text and graphically where exclusion devices/and or staged tree removal will need to occur, the timing for exclusion work, and the timeline and methodology needed to exclude the bats. The plan will need to be reviewed and approved by CDFW prior to disturbance of the roost(s).

MM BIO-4 Prior to issuance of a demolition or grading permit for any ground disturbing activity, a qualified biologist shall conduct surveys for BUOW across all suitable breeding, wintering, and foraging habitat with the Project site, within 14 days prior to initiating ground disturbance activities. If burrowing owls are identified, the Project Proponent shall either avoid all impacts on-site or conserve non-impacted occupied habitat on-site and/or conserve occupied burrowing owl habitat off-site at a minimum total 2:1 ratio of conserved to impacted habitat. Coordination with the CDFW shall occur to mitigate for the loss of habitat through the acquisition, conservation, and management of in-kind habitat. Lands conserved shall include 1) sufficiently large acreage with fossorial mammals present; 2) permanent protection through a conservation easement for the purpose of conserving burrowing owl habitat and prohibiting activities incompatible with burrowing owl use; 3) development and implementation of a mitigation land management plan to address long-term ecological sustainability and maintenance of the site for burrowing owls; and 4) funding for the maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment.

b. ***Wildlife Movement***

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

Finding: Less than significant with mitigation. (Draft Subsequent EIR, p. 4.3-19)

Explanation: ***Wildlife Movement Corridors***

The Project site is surrounded by various forms of existing development, and therefore, it is highly unlikely that the Project site occupies an important location relative to regional wildlife movement. As such, Project implementation would not be expected to have any substantial effect on local or regional wildlife movement. The Project site is currently developed with manmade structures and is surrounded by development and/or existing agricultural uses. The Project site is separated from regional wildlife movement corridors associated with the Prado Damn Flood Control Basin and Santa Ana River. Therefore, the Project site does not function as a wildlife movement corridor.

Furthermore, no BUOW or nesting birds were incidentally observed during surveys conducted on the Project site, however there is still potential for these species to occur on-site. In order to avoid direct impacts, the Project would implement **MM BIO-1**, which would require that vegetation removal be conducted outside of the nesting season for migratory birds to avoid direct impacts and that, a pre-construction nesting bird survey would be performed within three days prior to vegetation removal. Therefore, with mitigation incorporated, impacts would be reduced to a less than significant level.

MM BIO-1 Prior to the issuance of permits for any construction activity, the Project Applicant shall demonstrate compliance with the MBTA to the satisfaction of the City of Ontario that either of the following has been accomplished:

- Conduct grading activities and vegetation removal outside of the nesting season (February 1 to August 31) to avoid impacts to nesting birds, including raptors.
- If vegetation removal will occur during the bird nesting season, between February 1 and August 31, pre-construction nesting bird surveys shall be performed within three days prior to any disturbance of the site, including disking, demolition activities, and grading. If active nests are found, they shall be flagged and the biologist shall establish suitable buffers around the nest (generally a minimum of 200 feet up to 500 feet for raptors and a minimum of 50 feet up to 300 feet for passerine species, with specific buffer widths to be determined by a qualified biologist). The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.

3. CULTURAL RESOURCES

a. *Archaeological Resources*

Threshold: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Finding: Less than significant with mitigation. (Draft Subsequent EIR, p. 4.4-27 through 4.4-28)

Explanation: The California Historical Resource Information System (CHRIS) records search identified a total of 23 cultural resources investigation that have been previously conducted within a 1-mile mile radius buffer around the Project site, with two studies adjacent to the Project site (see Draft Subsequent EIR Appendix D). Since completion of the cultural resources report, additional archaeological resources were found at two locations near the Project site.

Despite actions taken to ensure that all cultural resources are identified prior to construction, including record searches and on-site field surveying, there remains a possibility that undiscovered, buried archaeological resources might be encountered during grading activities. If discovered, impacts to those resources would be potentially significant. In order to minimize any potential impact to the environment, impacts to archaeological resources are considered potentially significant, and mitigation measures are required to ensure the proper treatment of undiscovered archaeological resources that may be encountered during grading. The implementation of mitigation measures **MM CUL-1** below and **MM TCR 1** would reduce the impacts to less than significant levels.

Following the completion of Project construction and disturbances to the Project site, the Project operation will not include further ground disturbing activities, and it is not anticipated to cause a substantial or adverse change in the significant of an archaeological resource since construction will be completed and mitigation measures applied. Therefore, operational impacts will be less than significant.

MM CUL-1 Prior to the issuance of any grading permits for the Project site, a Cultural Awareness Training Program shall be provided to all construction managers and construction personnel prior to commencing any ground disturbance work at the Project sites. The training shall be prepared and conducted by a Qualified Archaeologist to the satisfaction of the City Planning Department. The training may be discontinued when ground disturbance is completed. Construction personnel shall not be permitted to operate equipment within the construction area unless they have attended the training. A copy of the training transcript and/or training video, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgment forms shall be submitted to the City Planning Department for their review and approval.

MM TCR-1 Prior to the commencement of any ground-disturbing activity at the project site, the project applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation – the tribe that consulted on this Project pursuant to Assembly Bill (AB) 52 (the “Tribe” or the “Consulting Tribe”). A copy of the executed contract shall be submitted to the City of Ontario Planning and Building Departments prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities. Ground-disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching within the project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day’s activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources.

Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the qualified archaeologist and Tribal monitor approved by the Consulting Tribe. If the resources are Native American in

origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the Project Site, all ground disturbance shall immediately cease, and the county coroner shall be notified per PRC §5097.98, and Health and Safety Code §7050.5. Human remains and grave/burial goods shall be treated alike per California PRC §5097.98(d)(1) and (2). Work may continue on other parts of the Project Site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines §15064.5[f]). If a non-Native American resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines §15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources.

Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

4. GEOLOGY AND SOILS

a. *Unstable Soils*

Threshold: Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Finding: Less than significant with mitigation. (Draft Subsequent EIR, p. 4.6-13 through 4.6-14)

Explanation: ***Lateral Spreading and Subsidence***

Liquefaction is not considered to be a design concern for the Project, and potential for lateral spreading would be low. The major cause of ground subsidence is the excessive withdrawal of groundwater. Based on the conditions encountered in the borings and trenches conducted for the Geotechnical Feasibility Study, groundwater was not observed within 30 feet of the ground surface, and recent water

level data obtained from a SWRCB indicates that the highest groundwater levels range around 83 feet bgs in the vicinity of the Project site. Therefore, based on anticipated groundwater depths, it is not expected that groundwater would affect excavations for the foundations and utilities. However, minor subsidence is expected to occur in the soils below the zone of soil removal, due to settlement and machinery working; the subsidence is estimated to be 0.10 feet. Furthermore, removal and recompacting of the near-surface native fill soils is estimated to result in an average shrinkage of 7 to 17 percent. Additional exploration during the design level investigation will help to refine the potential shrinkage estimate. If a more accurate and precise shrinkage estimate is desired, a shrinkage study will be performed involving several excavated test-pits where in-place densities are determined using in-situ testing methods instead of laboratory density testing on small-diameter samples.

In accordance with Mitigation Measure (MM) GEO-1, SCG will perform a shrinkage study involving several excavated test-pits where in-place densities are determined using in-situ testing methods instead of laboratory density testing on small-diameter samples; special care will need to be taken to properly moisture condition and maintain adequate moisture content within all subgrade soils as well as newly placed fill soils; protection for embedded metal improvements will be required; additional chloride content testing be performed on soils. Therefore, with implementation of **MM GEO-1**, impacts would be reduced to less than significant.

Consolidated and Collapsible Soils

Highly organic topsoil materials were encountered at the trench locations performed in the planted areas on the Project site. The concentrations of these soils are considered to be negligible and therefore, specialized concrete mix designs are not considered to be necessary, with regard to sulfate protection purposes.

Therefore, in accordance with **MM GEO-2** and **MM GEO-3**, all of the manure and any organic topsoil will be removed from the site or utilized in non-structural areas, provided that they are cleaned of highly organic materials and can be blended with the underlying soils in order to reduce the organic content to less than three percent throughout; and additional soluble sulfate testing will be conducted during the design-level geotechnical investigation and at the completion of rough grading to verify the soluble sulfate concentrations of the soils which are present at the proposed building pad grades.

Furthermore, any remedial grading performed will be in accordance with **MM GEO-4**, which ensures the removal of any existing undocumented fill soils and near-surface native alluvium will be

replaced with materials such as compacted structural fill. With application of **MM GEO-4**, post-construction settlements of the proposed structures are expected to be within tolerable limits. Therefore, with implementation of **MM GEO-2** through **MM GEO-4**, impacts would be reduced to less than significant.

MM GEO-1 A shrinkage study will be performed involving several excavated test-pits where in-place densities are determined using in-situ testing methods instead of laboratory density testing on small-diameter samples. Special care will be taken to properly moisture condition and maintain 2 to 4 percent above the optimum moisture content within all subgrade soils as well as newly placed fill soils. Additional expansion index testing will be performed at the time of the design-level geotechnical investigation. Protection (protective coating, metal plating, corrosive inhibitors, etc.) for embedded metal improvements will be installed and additional chloride content testing will be performed on soils.

MM GEO-2 All manure and any organic topsoil will be removed during initial site stripping and that additional organic testing will be conducted during the design-level geotechnical investigation. Prior to grading, grubbing, and segregating of the manure in the cattle pens and the highly organic soils in the planted areas will be done. These soils will be removed from the site or reutilized in nonstructural areas, such as landscape planters. Any additional organic materials encountered in buried fills will also be segregated during grading and reutilized in nonstructural areas, such as landscape planters. Any additional organic materials encountered in buried fills will also be segregated during grading.

MM GEO-3 Additional soluble sulfate testing would be conducted during the design-level geotechnical investigation and at the completion of rough grading to verify the soluble sulfate concentrations of the soils.

MM GEO-4 The remedial grading would be performed to remove the existing undocumented fill soils as well as a portion of the near-surface native alluvium and replace these materials as compacted structural fill. The over excavation would extend to a sufficient depth so that the native soils that will remain in place below the recommended depth of over excavation will not be subject to significant load increases from the foundations of the new structures.

b. *Paleontological Resources*

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

Finding: Less than significant with mitigation. (Draft Subsequent EIR, p. 4.6-14 through 4.6-15)

Explanation: The Project site currently operates with agricultural uses and is frequently disturbed by human and machine activity. A Phase I

Cultural and Paleontological Resources Assessment was prepared for the proposed Project to review the susceptibility of subsurface geologic units to provide paleontological resources as well as review records for fossil localities near the Project site. No paleontological resources or unique geologic formations were identified on the Project site during the field survey. A records search within a one-mile radius of the Project site did not yield any fossil localities and there were no fossil localities identified within the Project site boundaries. The Project site is considered low to moderate sensitivity for paleontological resources. The Project would require remedial grading to remove all existing undocumented fill soils and near-surface alluvial soils. Over excavation to depths of 4 to 6 feet bgs is anticipated; however, design-level investigation could result in additional over excavation requirements. Should excavation exceed a depth of 10 feet bgs, there is the potential to encounter paleontological resources. Therefore, MM GEO-5 will be required to ensure the impacts related to grading activities that have the potential to encounter unknown, buried resources would be reduced to less than significant.

MM GEO-5 Periodic paleontological spot checks would be conducted when excavation exceeds depths of 10 feet below the surface to determine if older, paleontologically-sensitive sediments are present. If present, full-time monitoring would be implemented. Prior to the start of construction, a paleontological resource monitoring plan (PRMP) would be prepared and implemented. The Project's PRMP would implement the following procedures:

- A trained and qualified paleontological monitor would perform spot-check and/or monitoring of any excavations on the Project that have the potential to impact paleontological resources in undisturbed native sediments below 10 feet in depth. The monitor will have the ability to redirect construction activities to ensure avoidance of adverse impacts to paleontological resources.
- The Project paleontologist may re-evaluate the necessity for paleontological monitoring after examination of the affected sediments during excavation, with approval from Lead Agency and Client representatives.
- Any potentially significant fossils observed shall be collected and recorded in conjunction with best management practices and Society of Vertebrate Paleontology professional standards.
- Any fossils recovered during mitigation shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.
- A report documenting the results of the monitoring, including any salvage activities and the significance of any fossils, shall be prepared and submitted to the appropriate personnel

5. HAZARDS AND HAZARDOUS MATERIALS

a. *Hazardous Materials*

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

Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Finding: Less than significant with mitigation. (Draft Subsequent EIR, p. 4.18-23 through 4.8-25)

Explanation: ***Construction***

Project-related construction activities would involve the use of larger amounts of hazardous materials than would Project operation. Construction activities would include the use of materials such as fuels, lubricants, and greases in construction equipment and coatings used in construction. According to the City's Fire Department Hazardous Materials standards, the materials used would be in small quantities or stored in such a manner as to reduce any safety hazards. The use of these materials would also be temporary and short-term or single-use in nature and would cease upon completion of the proposed Project's construction phase. Project construction workers would also be required to conduct the safe handling of hazardous materials use as proposed in **MM HAZ-4**.

Project operation, the use, storage, transport, and disposal of construction-related hazardous materials would be required to conform to existing laws and regulations. Compliance with applicable laws and regulations governing the use, storage, transportation, and disposal of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. For example, all spills or leakage of petroleum products during construction activities are required to be immediately contained, the hazardous material identified, and the material remediated in compliance with applicable state and local regulations for the cleanup and disposal of that contaminant. All contaminated waste would be required to be collected and disposed of at an appropriately licensed disposal or treatment facility. Furthermore, strict adherence to all emergency response plan requirements set forth by San Bernardino County Fire Department (SBCFD) would be required through the duration of the Project construction phase. Therefore, hazards to the public or the environment arising from the routine use of hazardous materials during Project construction would be less than significant.

Grading Activities

Grading activities required to develop the Project would involve the disturbance of on-site soils. There is the potential for the discovery of contamination during grading activities, due to potential for chemical constituents to accumulate in the ponds and become trapped in the sediment (i.e., pesticides, heavy metals, or chemicals). Furthermore, site grading requires the removal of Aboveground Storage Tanks (ASTs), where areas of staining were observed. Contaminated soils encountered during grading would be required to be removed and disposed of off-site in accordance with all applicable regulatory guidelines. The handling and transport of these materials and exposure to contaminated soils for workers and the surrounding environment could result in a significant impact. Contaminated soils encountered during grading would be required to be removed and disposed of off-site in accordance with all applicable regulatory guidelines. **MM HAZ-2** would further reduce these risks, as a Phase II subsurface assessment would be required. Site grading also requires the removal of ASTs, where areas of staining were observed, and septic tanks prior to site development. A demolition permit from San Bernardino County Building & Safety Division will be required to remove the septic tank(s). **MM HAZ-5** would be applied to these activities prior to the commencement of construction activities.

The historic and current use of the Project site as a dairy-production farm may produce methane gas in the subsurface from animal wastes. A methane assessment was conducted to assess subsurface methane levels across a portion of the site. Based on the results of this investigation, methane gas was detected in subsurface vapor probes at maximum concentrations of approximately 10 percent of the lower explosive limit (LEL) for methane. The methane survey conducted is a preliminary investigation that identified methane on site, and further investigation is required to determined maximum concentrations across the project site. **MM HAZ-1** would be applied in order to minimize risks associated with the risk of methane encountered on the Project site.

Demolition

Demolition of buildings and equipment on-site has the potential to expose and disturb asbestos containing materials (ACMs), polychlorinated biphenyls (PCBs), lead-based paint (LBP), and mercury. Project site buildings were constructed prior to bans on ACBMs, PCBs, and LBP coming into effect. Such releases could pose significant risks to persons living and working in and around the Project site, as well as to Project construction workers. Before demolition, a comprehensive ACM survey would be conducted to identify the locations and quantities of ACM in above-ground structures, pursuant to **MM HAZ-6**. **MM HAZ-6** would be

incorporated to reduce the risk from ACMs. The removal of hazardous materials, such as PCBs, mercury-containing light ballast, and mold, shall be completed in accordance with applicable regulations.

The potential exposure of construction workers to ACMs, PCBs, LBP, or mercury is a potentially significant impact. Through **MM HAZ-6**, survey of existing structures prior to demolition will characterize the potential exposure and further reduce impacts from the potential release of these materials.

Operation

Operation of the Project would involve the use of small amounts of hazardous materials, such as industrial cleansers, greases, and oils for cleaning and maintenance purposes. The industrial park, intended for warehousing and ancillary office uses, may also involve transport, use, and disposal of hazardous materials; the specific substances and quantities of such materials are presently unknown. The use, storage, transport, and disposal of hazardous materials would be governed by existing regulations. Compliance with applicable laws and regulations governing the use, storage, transportation, and disposal of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts. Additionally, the proposed Project would also be operated with strict adherence to all emergency response plan requirements set forth by the San Bernardino County Fire Protection District. Mandatory compliance with laws and regulations, would ensure that operational impacts would be less than significant.

The **MM HAZ-1** through **6** require further testing for methane and a Phase II subsurface assessment to evaluate subsurface sediments for chemical risks to human health once the ponds are drained. Additionally, a SMP would be required to ensure safe and appropriate handling, transportation, off-site disposal, reporting, oversight, and protocols used during construction to protect the health and safety of workers and future residents. The mitigation measures also require the proper removal and disposal of ASTs and ACMs. These measures will reduce risks to human health and potential impacts of hazards and hazardous materials to less than significant levels. In addition to implementation of **MM HAZ-1** through **MM HAZ-6**, the Project would also be compliant with regulatory requirements and PPPs; therefore, the overall impact is reduced to less than significant. No significant unavoidable adverse impacts relating to hazards have been identified.

MM HAZ-1 Prior to the issuance of grading permits, the Project applicant shall conduct further testing for the presence of methane on the Project site, in accordance with Department of Toxic Substances Control (DTSC) methane assessment guidelines. The Project applicant shall

prepare a methane gas soil survey and implement grading activity recommendations to the satisfaction of the City Building Department. This survey and recommendation shall include a post-construction soil gas investigation and installation of methane gas mitigation systems where post-grading methane levels exceed 5,000 ppmv, should any such levels occur.

MM HAZ-2 Following drainage of the on-site ponds, the Project applicant shall conduct a limited Phase II subsurface assessment of sediments to evaluate the sediments for chemical risks to human health and the environment. If contamination from dairy and animal-related wastes is encountered at a level above Environmental Screening Levels (ESLs) for non-residential uses, the appropriate environmental agency (Regional Water Quality Control Board, Department of Toxic Substance Control, South Coast Air Quality Management District) shall be notified. Any contamination identified as a result of such testing/sampling shall be investigated and removed or remediated to the satisfaction of the environmental agency with evidence provided to the City, such that there are no residual significant impacts following mitigation. Prior to allowing the commencement of any soil removal or hauling activities at the Proposed Project, the City will review and/or evaluate potential air quality impacts (criteria pollutants and toxic air contaminants from equipment exhaust, earthmoving, and other on-site remedial activities, as applicable) to verify that impacts are properly assessed and disclosed in accordance with CEQA.

MM HAZ-3 **Soil Management Plan**. Prior to issuance of a grading permit, the Project applicant shall retain a qualified environmental consultant to prepare a Soil Management Plan that details procedures and protocols for on-site management of soils containing potentially hazardous materials. The SMP would be implemented during grading activities on-site to ensure that soils containing residual levels of hydrocarbons or arsenic are properly identified, monitored, and managed on-site, and include the following:

- A certified hazardous waste hauler shall remove all potentially hazardous soils. In addition, sampling of soil shall be conducted during excavation to ensure that all petroleum hydrocarbon and arsenic impacted soils are removed, and that Environmental Screening Levels (ESLs) for non-residential uses are not exceeded. Excavated materials shall be transported per California Hazardous Waste Regulations to a landfill permitted by the State to accept hazardous materials.
- Any subsurface materials exposed during construction activities that appear suspect of contamination, either from visual staining or suspect odors, shall require immediate cessation of excavation activities. Soils suspected of contamination shall be tested for potential contamination. If contamination is found to be present

per the Department of Toxic Substances Control Screening Levels for industrial/commercial land use (DTSCSLi) and the U.S. EPA Regional Screening Levels for industrial/commercial land use (EPARSLi), it shall be transported and disposed of per state regulations to an appropriately permitted landfill.

- The SMP shall include a Health and Safety Plan (HSP) that addresses potential safety and health hazards and includes the requirements and procedures for employee protection; each contractor will be required to have their own HSP tailored to their particular trade that addresses the general project safety requirements. The HSP shall also outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction.
- The SMP shall be prepared and executed in accordance with South Coast Air Quality Management District (SCAQMD) Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil. The SMP shall require the timely testing and sampling of soils so that contaminated soils can be separated from inert soils for proper disposal. The SMP shall specify the testing parameters and sampling frequency. Anticipated testing includes total petroleum hydrocarbons (TPH), volatile organic compounds (VOCs), and semi-volatile organic compounds (SVOCs). During excavation, Rule 1166 requires that soils identified as contaminated shall be sprayed with water or another approved vapor suppressant or covered with sheeting during periods of inactivity of greater than an hour, to prevent contaminated soils from becoming airborne. Under Rule 1166, contaminated soils shall be transported from the project site by a licensed transporter and disposed of at a licensed storage/treatment facility to prevent contaminated soils from becoming airborne or otherwise released into the environment.
- All SMP measures shall be printed on the construction documents, contracts, and project plans prior to issuance of grading permits.

MM HAZ-4 **Construction period testing**. Construction at the Project site shall be conducted under a Project-specific Construction Risk Management Plan (CRMP) to protect construction workers, the general public, and the environment from subsurface hazardous materials previously identified and to address the possibility of encountering unknown contamination or hazards in the subsurface. The CRMP shall summarize soil and groundwater analytical data collected on the Project sites during past investigations and during site investigation activities; delineate areas of known soil and groundwater contamination, if applicable; and identify soil and groundwater management options for excavated soil and groundwater, in compliance with local, state, and federal statutes and regulations.

The CRMP shall:

- Provide procedures for evaluating, handling, storing, testing, and disposing of soil and groundwater during Project excavation and dewatering activities, respectively.
- Require the preparation of a Project-specific Health and Safety Plan that identifies hazardous materials present, describes required health and safety provisions and training for all workers potentially exposed to hazardous materials in accordance with State and Federal worker safety regulations, and designates the personnel responsible for Health and Safety Plan implementation.
- Require the preparation of a contingency plan that shall be applied should previously-unknown hazardous materials be encountered during construction activities. The contingency plan shall include provisions that require collection of soil and/or groundwater samples in the newly-discovered affected area by a qualified environmental professional prior to further work, as appropriate. The analytical results of the sampling shall be reviewed by the qualified environmental professional and submitted to the appropriate regulatory agency. The environmental professional shall provide recommendations, as applicable, regarding soil/waste management, worker health and safety training, and regulatory agency notifications, in accordance with local, state, and federal requirements. Work shall not resume in the area(s) affected until these recommendations have been implemented under the oversight of the County or regulatory agency, as appropriate.
- Designate personnel responsible for implementation of the CRMP. The CRMP shall be submitted to the County for review and approval prior to the issuance of construction and demolition permits.

MM HAZ-5 Prior to the commencement of any construction-related site activities (clearing, demolition, grading etc.), all above-ground storage tanks (ASTs) and underground storage tanks (USTs) shall be removed. ASTs storing diesel shall be disposed of by a State of California licensed contractor and in compliance with the required SBCFD Hazardous Materials Division regulations for tank removals. For stained soils in the vicinity of diesel containing ASTs, as identified in the Phase I Environmental Site Assessment (ESA) dated January 10, 2020, soil samples shall be collected, as directed by the SBCFD inspector, for chemical analysis at a laboratory licensed by the State of California. If contaminated soils are encountered, a soil management plan shall be prepared to manage the stained soils during redevelopment. USTs shall be removed through reviewing available files at the SBCFD and ensuring the proper removal of the UST and a subsurface investigation to determine if the UST had impacted the subsurface.

MM HAZ-6 Prior to the issuance of a demolition permit for any buildings or structures on-site, the Project applicant shall conduct a comprehensive ACM survey to identify the locations and quantities of ACM in above-ground structures. The Project applicant shall retain a licensed or certified asbestos consultant to inspect buildings and structures on-site. The consultant's report shall include requirements for abatement, containment, and disposal of ACM, if encountered, in accordance with the South Coast Air Quality Management District's Rule 1403.

b. ***Accident or Upset***

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

Finding: Less than significant with mitigation. (Draft Subsequent EIR, p. 4.7-22)

Explanation: The Project site was identified on the Waste Discharge System (WDS) database as an agricultural facility with designated/influent or solid wastes that pose a significant threat to water quality (dairy waste ponds). As noted in Impact 4.8-1, the Project Applicant shall perform a Phase II subsurface assessment, pursuant to **MM HAZ-2** of the sediments after the ponds have been drained. If the Phase II subsurface assessment detects chemical risks to human health and the environment due to sediments in the ponds, the Project Applicant is required to prepare a soils management plan, and any engineering or administrative controls or long-term operations and maintenance plan that is required by DTSC. Implementation of **MM HAZ-2** would require a Phase II subsurface assessment to evaluate subsurface sediments for chemical risks to human health once the ponds are drained. Implementation of **MM HAZ-2** will reduce risks to human health and potential impacts of hazards and hazardous materials to less than significant levels. In addition to implementation of **MM HAZ-2**, the Project would also be compliant with regulatory requirements and PPPs; therefore, the overall impact is reduced to less than significant. No significant unavoidable adverse impacts relating to hazards have been identified.

MM HAZ-2 Following drainage of the on-site ponds, the Project applicant shall conduct a limited Phase II subsurface assessment of sediments to evaluate the sediments for chemical risks to human health and the environment. If contamination from dairy and animal-related wastes is encountered at a level above Environmental Screening Levels (ESLs) for non-residential uses, the appropriate environmental agency (Regional Water Quality Control Board, Department of Toxic Substance Control, South Coast Air Quality Management District) shall be notified. Any contamination identified as a result of such

testing/sampling shall be investigated and removed or remediated to the satisfaction of the environmental agency with evidence provided to the City, such that there are no residual significant impacts following mitigation. Prior to allowing the commencement of any soil removal or hauling activities at the Proposed Project, the City will review and/or evaluate potential air quality impacts (criteria pollutants and toxic air contaminants from equipment exhaust, earthmoving, and other on-site remedial activities, as applicable) to verify that impacts are properly assessed and disclosed in accordance with CEQA.

6. NOISE

a. *Noise Standards*

Threshold: Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Finding: Less than significant with mitigation incorporated. (Draft Subsequent EIR, p. 4.11-15 through 4.11-21)

Explanation: ***Construction***

During construction, exterior noise levels could affect the residential neighborhoods surrounding the construction site. The nearest sensitive receptor to the Project construction area is an existing residence located approximately 82 feet from the Project site boundary, on the north side of Eucalyptus Avenue.

The City has not established noise limits for temporary construction activities. Chino's City limits are adjacent to the southern boundary of the Project site. Therefore, for the purposes of this analysis, the City of Chino's construction noise threshold of 65 dBA for noise generated for 30 minutes or more in an hour when measured at an affected residential property, is used to analyze construction noise impacts to affected residences in the City of Ontario. Chino's MC §15.44.030 only permits construction to occur between 7:00 am and 8:00 pm Monday through Saturday. Construction noise levels cannot exceed 70 dBA for a period of fifteen minutes in an hour or 85 dBA for any period of time. As shown in Table 4.11-9 on page 4.11-16 of the Draft Subsequent EIR, if construction equipment were located on the Project site boundary it would not exceed 85 dBA. However, if equipment nearest to a sensitive receptor were to remained stationary for over fifteen minutes, construction noise would exceed the City's 70 dBA threshold. **MM NOI-1** prohibits heavy construction equipment from remaining stationary for more than fifteen minutes when within 500 feet of sensitive receptors, as noise attenuates based on distance noise and levels would decrease as equipment moves away from sensitive receptors. As shown in Table 4.11-9, at 500 feet from receptors construction noise would not exceed 70 dBA.

Therefore, **MM NOI-2** would require all stationary equipment to be located a minimum of 500 feet from a sensitive receptor.

The noise levels calculated in Table 4.11-10 on page 4.11-17 of the Draft Subsequent EIR, Construction Noise Levels at Nearest Receptor, show estimated exterior construction noise. Project site and not at a fixed location for extended periods of time. During each construction phases, the distance used in the Roadway Construction Noise Model (RCNM) model was 1,286 feet, measured from the center of the Project to the nearest sensitive receptor located to the north. Construction noise would not exceed the 65 dBA threshold at residential properties. In addition, compliance with the Chino MC would minimize impacts from construction noise by limiting construction to daytime hours on weekdays and Saturdays. Construction activities would result in a less than significant noise impact.

Operations

Implementation of the proposed Project would create new sources of noise in the Project vicinity. The major noise sources associated with the Project that would potentially impact existing nearby residences include stationary noise equipment (i.e., trash compactors, air conditioners, etc.); truck and loading dock (i.e., slow moving truck on the site, maneuvering and idling trucks, equipment noise); parking areas (i.e., car door slamming, car radios, engine start-up, and car pass-by); and off-site traffic noise.

Mechanical Equipment

The nearest sensitive receptor to the Project site is the residence on the north side of Eucalyptus Avenue, approximately 82 feet from the Project site boundary. Potential stationary noise sources related to long-term operation of the Project would include mechanical equipment. Mechanical equipment (e.g., heating, ventilation, and air conditioning [HVAC] equipment) typically generates noise levels of approximately 52 dBA at 50 feet. Based on preliminary site plans, the nearest potential location for a HVAC unit would be on the roof of Building 10, approximately 200 feet from the nearest residential property. HVAC noise levels would attenuate by the distance to approximately 40 dBA, which is well below the City's 65 dBA daytime and 45 dBA nighttime noise standards for residential uses (refer to Table 4.11-6, Exterior Noise Standards – City of Ontario). Operation of mechanical equipment would not increase ambient noise levels beyond the acceptable compatible land use noise levels.

Truck and Loading Dock Noise

During loading and unloading activities, noise would be generated by the trucks' diesel engines, exhaust systems, and brakes during low gear shifting' braking activities; backing up toward the docks; dropping down the dock ramps; and maneuvering away from the docks. The nearest loading/unloading activities to residential properties would occur along the northern perimeter of the Project site.

The proposed Project buildings include dock-high doors for truck loading/unloading and manufacturing/ light industrial operations. The nearest dock-high doors are located approximately 270 feet from the Project site boundary and 380 feet from the nearest sensitive receptor. The dock doors are oriented to the south, away from the residences to the north. Loading dock noise is approximately 68 dB at 30 feet. Loading dock noise levels would be approximately 37.9 dBA at the nearest receptor after accounting for distance and the intervening structures. Furthermore, loading dock doors would be surrounded with protective aprons, gaskets, or similar improvements that, when a trailer is docked, would serve as a noise barrier between the interior warehouse activities and the exterior loading area. This would attenuate noise emanating from interior activities, and as such, interior loading and associated activities would be permissible during all hours of the day. Therefore, noise levels associated with truck loading/unloading activities would not exceed the City's 65 dBA daytime and 45 dBA nighttime noise standards when measured at the nearest residential uses.

Parking Noise

Parking would be scattered throughout the site and located on the north, south, east, and west portions of the Project site and central areas between buildings. The proposed Project would provide 816 parking stalls, 288 trailers stalls, and 259 dock doors. Traffic associated with parking lots is typically not of sufficient volume to exceed community noise standards, which are based on a time-averaged scale such as the CNEL scale. The instantaneous maximum sound levels generated by a car door slamming, engine starting up, and car pass-by range from 53 to 61 dBA. Conversations in parking areas may also be an annoyance to adjacent sensitive receptors. Sound levels of speech typically range from 33 dBA at 50 feet for normal speech to 50 dBA at 50 feet for very loud speech. It should be noted that parking lot noises are instantaneous noise levels compared to noise standards in the hourly Leq metric, which are averaged over the entire duration of a time period. Based on the peak hour trip generation rates in the Traffic Analysis, approximately 274 trips during peak a.m. hours and 323 trips during p.m. hours would be made to and from the Project site each day. At 50 feet from the noise source, the Project's highest peak hour vehicle trips would generate noise levels of approximately 51.5 dBA Leq at 50 feet from the parking lot. The nearest sensitive receptor is 150 feet from a parking area. Based strictly on distance attenuation, parking lot noise at the nearest receptor would be 42 dBA which is below the City's nighttime residential noise standard of 45 dBA. Therefore, noise impacts from parking lots would be less than significant

Off-Site Traffic Noise

Implementation of the Project would generate increased traffic volumes along nearby roadway segments. According to the Traffic Analysis, the Project would generate 3,656 two-way daily trips which would result in noise increases on Project area roadways. In general, a traffic noise increase of less than 3 dBA is barely perceptible to people, while a 5-dBA increase is readily noticeable. Generally, traffic volumes on Project area roadways would have to approximately double for the resulting traffic noise levels to increase by 3 dBA. Therefore, permanent increases in ambient noise levels of less than 3 dBA are considered to be less than significant.

Table 4.11-11 on page 4.11-20 of the Draft Subsequent EIR, Phase 1 Opening Year and Opening Year Plus Project Traffic Noise Levels demonstrates that opening year Project traffic-generated noise levels on Project area roadways would range between 55.5 dBA CNEL and 75.8 dBA CNEL at 100 feet from the centerline, and the Project would result in a maximum increase of 0.9 dBA CNEL along Eucalyptus Avenue. Noise impacts from off-site traffic would be less than significant.

Conclusion

Implementation of **MM NOI-1** and **MM NOI-2** would ensure that construction impacts remain less than significant.

In addition to compliance with existing regulatory requirements, implementation of **MM NOI-1** and **MM NOI-2** would ensure the Project applicant and construction contractors are aware of potential construction noise impacts and have specified procedures to reduce impacts sensitive receptors. (Draft Subsequent EIR, p. 4.11-15 through 4.11-21)

MM NOI-1 Heavy construction equipment will not remain stationary for more than fifteen minutes while operating within 500 feet of a sensitive receptor.

MM NOI-2 Stationary construction equipment will not be placed within 500 feet of a sensitive receptor and will be oriented away from receptors.

7. TRIBAL CULTURAL RESOURCES

a. *Tribal Cultural Resources*

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

a) Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC §5020.1(k), or

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC §5024.1. In applying the criteria set forth in subdivision (c) of PRC §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Finding: Less than significant with mitigation. (Draft Subsequent EIR, p. 4.15-11 through 4.15-12)

Explanation: ***Construction and Operations***

As previously stated, TCRs are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that is either eligible or listed in the CRHR or local register of historical resources (PRC §21074). Conducting consultation early in the CEQA process allows tribal governments, public lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to TCRs, and reduce the potential for delay in the environmental review process. The intent of the consultations is to provide an opportunity for interested Native American contacts to collaborate with the City during the project approval process to identify and protect TCRs.

Sacred Lands File Search

As stated, a SLF search was conducted by NAHC to determine if any sacred lands or traditional cultural properties had been identified near the Project site. The NAHC's SLF record search found no record of TCRs on or within one mile of the Project site (see Appendix D). The Project would not impact any known TCR that is listed or eligible for listing. However, since completion of the search, additional archaeological resources were found at two locations near the Project site. Therefore, the Project site is considered archaeologically sensitive and could cause a substantial adverse change to a TCR listed or eligible in the CRHR, should such resources be discovered during grading. Further, as required by **MM TCR-1** a Qualified Archaeologist would consult with local experts and Native American Representatives for the preparation of a treatment plan, respectively, if significant unknown cultural resources are discovered during construction mass grading and trenching activities.

Implementation of the Project could result in disturbance or destruction of unknown buried TCR that were not identified during previous studies or site evaluation. **MM CUL-1** and **MM TCR-1** include provisions that will ensure the protection of any unknown or inadvertently discovered archaeological resources and human remains, or other culturally-significant resources. All such finds would be required to be treated in accordance with all CEQA

requirements and all other applicable laws and regulations. With implementation of these measures, impacts in this regard would be less than significant.

Conclusion

Buildout of the Project and would not cause a substantial adverse change to a tribal cultural resource listed or eligible in the CRHR with proper mitigation implemented. All such finds would be required to be treated in accordance with all CEQA requirements and all other applicable laws and regulations. With implementation of these measures, impacts in this regard would be less than significant. (Draft Subsequent EIR, p. 4.15-11 through 4.15-12)

MM CUL-1 Prior to the issuance of any grading permits for the Project site, a Cultural Awareness Training Program shall be provided to all construction managers and construction personnel prior to commencing any ground disturbance work at the Project sites. The training shall be prepared and conducted by a Qualified Archaeologist to the satisfaction of the City Planning Department. The training may be discontinued when ground disturbance is completed. Construction personnel shall not be permitted to operate equipment within the construction area unless they have attended the training. A copy of the training transcript and/or training video, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgment forms shall be submitted to the City Planning Department for their review and approval.

MM TCR-1 Prior to the commencement of any ground-disturbing activity at the project site, the project applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation – the tribe that consulted on this Project pursuant to Assembly Bill (AB) 52 (the “Tribe” or the “Consulting Tribe”). A copy of the executed contract shall be submitted to the City of Ontario Planning and Building Departments prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities. Ground-disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching within the project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day’s activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources.

Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the qualified archaeologist and Tribal monitor approved by the Consulting Tribe. If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the Project Site, all ground disturbance shall immediately cease, and the county coroner shall be notified per Public Resources Code §5097.98, and Health and Safety Code §7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code §5097.98(d)(1) and (2). Work may continue on other parts of the Project Site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines §15064.5[f]). If a non-Native American resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines §15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources.

Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

D. FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS THAT CANNOT BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The City Council hereby finds that, despite the incorporation of Mitigation Measures identified in the EIR and in these Findings, the following environmental impacts cannot be fully mitigated to a less than significant level and a Statement of Overriding Considerations is therefore included herein:

1. AGRICULTURE AND FORESTRY RESOURCES

a. *Farmland Conversion*

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

Finding: Significant and unavoidable. (Draft Subsequent EIR, p. 4.1-9 through 4.1-10)

Explanation: ***Construction and Operations***

The Project proposes to convert the existing Prime Farmland, The Project includes a Specific Plan Amendment. The Project will enable future development approvals, including a Development Plan, Tentative Parcel Map(s), and a Development Agreement. The Specific Plan Amendment includes Development Standards and Design Guidelines, where all subsequent development within the Specific Plan Amendment would be required to conform with these Standards and Guidelines. In accordance with the Specific Plan Amendment's Allowable Uses, commercial crop production and farming would be conditionally allowed within the Business Park (BP) Zoning District and would be permitted by-right in the Industrial-General (IG) Zoning District. Additionally, community gardens, urban farms, and related uses would be administratively allowed within the BP and IG Districts, and kennels and catteries would not be allowed within BP but permitted in the IG District.

The proposed improvements would also include buffering from parking lots, loading and service areas in accordance with the provisions of the Specific Plan Amendment. These requirements support the City's planned orderly transition of existing agricultural uses to urban uses and include the following:

- Site Design: Screen parking areas and loading docks facing the street using landscape buffers planted with screen trees and drought-tolerant vegetation.
- Landscape Design: use landscaping to aid in the screening and buffering of mechanical equipment, trash collection areas, loading docks and outside storage from public view.
- Buffering and Screening: to alleviate the unsightly appearance of parking lots, loading, and service areas, buffering and screening design features will be used to enhance overall development.

The California Department of Conservation's FMMP is charged with producing maps for analyzing impacts on the state's agricultural resources. California's agricultural lands are rated based on soil quality and irrigation status. The classification system is contiguous with U.S. Department of Agriculture soil surveys and current land use. These maps are updated every two years, with the most recent data being from 2016. For CEQA purposes, the following categories are qualified as "agricultural land": Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land (Public Resource Code §21060.1; California Department of Conservation 2019).

The Project site has historically been used for agricultural purposes, primarily dairy operations, and field crops. Over 40 acres in the southwestern portion of the site are identified as Prime Farmland, and the remainder of the site (approximately 30 acres) is identified as Other Land. The Project would convert the over 40 acres of Prime Farmland from agriculture to urban use, which would be a significant impact as addressed within the TOP 2010 EIR.

As identified in the TOP 2010 EIR, build out of the Ontario Policy Plan would result in conversion of all agricultural-designated land to urban uses; remaining agricultural uses would be retained within 200 acres of the SoCALF preserves. It was determined that the mitigation proposed and considered would not prevent significant impacts from occurring, and impacts would be significant and unavoidable. The City adopted a Statement of Overriding Considerations in 2018 for significant and unavoidable impacts to agricultural lands with full buildout of the Policy Plan, which allows the decision-making body of the City to approve a project despite one or more unmitigated significant environmental impacts identified in the TOP Final Subsequent EIR. Therefore, consistent with Findings made at the time of certification of the City's TOP 2010 EIR, this impact is significant and unavoidable.

Lastly, although implementation of **MM AG-1** would reduce the potential for pressure to convert nearby agricultural land to other uses, with full buildout of the City in accordance with TOP, all agricultural lands would be converted to urban land uses, which would be a significant and unavoidable impact.

Conclusion

As stated above, the City is focusing on developing land in an economically productive way that would serve the growing population. Thus, the City's future development emphasizes mixed-use, commercial, industrial, and residential projects rather than supporting the continuation of agricultural uses, which are becoming less economically viable. Development and implementation of TOP 2010 and 2050 would have significant impacts on agricultural resources in the City. With the development of the Project site, a significant and unavoidable impact will occur. (Draft Subsequent EIR, p. 4.1-9 through 4.1-10)

MM AG-1 **Deed disclosure** – In order to reduce conflicts issued between sensitive receptors and agricultural uses, all property owners in the Ontario Ranch Business Park Specific Plan Amendment shall be provided with a deed disclosure or similar notice approved by the City Attorney regarding the proximity and nature of neighboring agricultural uses. This disclosure shall be applied at the tentative map stage to the affected properties, or otherwise prior to finalizing

the sale or rental agreement of any property. The written disclosure shall be supplied to the property purchaser or renter by the vendor or vendor's agent. The content and text of the disclosure shall be approved by the City Attorney and shall include language to inform new residents that existing agricultural uses may create nuisances such as flies, odors, dust, night-light, and chemical spraying.

In accordance with the findings of the TOP 2010 EIR and as deleted in the SEIR, there are no feasible mitigation measures that would reduce the Project's significant impacts regarding agricultural conversion to levels that would be less than significant. According to the TOP 2010 EIR findings, while the City maintains a Right-to-Farm ordinance, use of farm equipment and odors associated with dairy farming in the Ontario Ranch area is not compatible with densities proposed in the City's Land Use Plan. Furthermore, as detailed in the SEIR, several mitigation measures to reduce the impacts of TOP 2010 on agriculture were considered; however, the agriculture development within the City burdened the San Bernardino County region with air quality issues resulting from methane, water quality pollution, and hazardous emissions. None of the mitigation measures considered by the City would feasibly be able to reduce the significant impacts to levels less than significant and impacts would remain significant and unavoidable. The measures considered are discussed further below. Furthermore, conversion of agricultural lands and loss of Prime Farmland resulting from the Project were considered and addressed in the TOP 2010 EIR.

Considered TOP 2010 EIR Mitigation Measure: Retention of On-Site Agricultural Uses. Retention of agricultural uses within the City of Ontario would create or maintain islands of agricultural uses within an urbanized setting, exacerbating potential land use conflicts and land use incompatibilities. Moreover, TOP does not envision long-term use of City properties for agricultural purposes. This is evidenced in the adopted Land Use Plan, which does not establish or maintain any "Agricultural" Land Use designations within the City. Preservation of agricultural land uses would therefore conflict with the adopted Land Use Plan. The "Retention of On-Site Agricultural Uses" mitigation strategy would require comprehensive amendment of the Policy Plan. Neither the City nor applicant has indicated that such amendment is warranted or desired, and neither has initiated such action.

Additionally, economic viability of agricultural uses in the City has declined as a result of losing many of the necessary support services. Increasing urbanization, rising land values, and relatively high operational costs have also put City agricultural and dairy farming uses at a competitive disadvantage in regional markets. Ultimately, the long-term viability of agriculture within the City is limited due to the increasing land values, increased water costs, higher labor costs, higher property taxes, competition from other parts of the state, and the growing urbanization of the area. Based on the preceding, retention of on-site agricultural uses is considered infeasible.

Considered TOP 2010 EIR Mitigation Measure: Replacement of Agricultural Resources Off-Site. Replacement of agricultural resources at an off-site location would require the applicant to purchase off-site replacement acreage not designated as Farmland and improve or restore it to Farmland status. Creation of

additional Farmland in the City is contrary to the Land Use Plan policies and vision as summarized previously and would require comprehensive amendment of the Policy Plan. Neither the City nor applicant has indicated that such amendment is warranted or desired, and neither has initiated such action. The potential to provide off-site mitigation for the loss of agricultural land and agricultural uses was considered but rejected as infeasible in the TOP 2010 EIR. Using another area within Ontario Ranch for mitigation of impacts related to the Project would result in the same issues as previously described in consideration of on-site mitigation. Therefore, similar to the reasons why on-site mitigation is not feasible, off-site mitigation within Ontario Ranch is also infeasible. In addition, off-site mitigation within the region is also considered infeasible due to the decreasing economic vitality of agriculture in Ontario Ranch and Southern California and increased urbanization pressures on existing agricultural lands.

Further, creation of new Farmland-status properties outside the City is beyond the Lead Agency and Project applicant's control. The Farmland status at any site would be assigned through the California Department of Conservation Farmland Mapping and Monitoring Program Important Farmland Series mapping protocol. Moreover, creation of new Farmland-status properties at extra-jurisdictional locations could result in land use conflicts at the interface of agricultural uses and urban uses similar to those the City has experienced and seeks to avoid through implementation of the Land Use Plan.

Additionally, the "Replacement of Agricultural Resources Off-Site" mitigation strategy would likely result in potentially adverse environmental impacts including, but not limited to, impacts to biological resources, hydrology/water quality, air quality, greenhouse gas emissions, and land use and planning. In this regard, the mitigation strategy would likely result in increased, rather than diminished environmental impacts. Based on the preceding, replacement of agricultural resources at off-site locations is considered infeasible.

Considered 2010 TOP EIR Mitigation Measure: Relocation of Farmland Topsoil. Relocation of Farmland topsoil would entail removal of the top 12 to 18 inches of topsoil from Farmland properties and the placement of this soil at sites that have lesser quality soil. This would promote creation of new or additional Farmland status properties in the City, rather than provide for their transition to urban uses. This would be contrary to the Land Use Plan policies and vision as summarized previously and would require comprehensive amendment of the Policy Plan. Neither the City nor applicant has indicated that such amendment is warranted or desired, and neither has initiated such action.

Further, creation of new Farmland-status by means of imported Farmland topsoil is beyond the Lead Agency and Project applicant's control. The Farmland status at any site would be assigned through the California Department of Conservation Farmland Mapping and Monitoring Program Important Farmland Series mapping protocol. Moreover, creation of new Farmland-status properties at extra-jurisdictional locations could result in land use conflicts at the interface of agricultural uses and urban uses similar to those the City has experienced and seeks to avoid through implementation of the Land Use Plan.

Additionally, excavation and relocation of topsoil would likely result in potentially adverse environmental impacts affecting biological resources, hydrology/water quality, air quality, greenhouse gas emissions, and land use and planning. Based on the preceding, relocation of Farmland topsoil is considered infeasible.

Considered 2010 TOP EIR Mitigation Measure: Establishment of Conservation Easement or Preserves. Establishment of conservation easements or preserves is contrary to the Land Use Plan policies and vision providing for transition of agricultural uses to urban uses. This mitigation strategy would require comprehensive amendment to the Policy Plan. The City has not indicated that such amendment is warranted or desired and has initiated no such action. At the Project site, establishment of agricultural conservation easements or preserves would negate the Project, resulting in a No-Build condition. Based on the preceding, the "Establishment of Conservation Easement or Preserves" mitigation strategy is considered infeasible.

Considered 2010 TOP EIR Mitigation Measure: Transfer of Development Rights. SCAG provides the following summary of description and application of Transfer of Development Rights (TDR) programs:

- TDR "is a device by which the development potential of a site is severed from its title and made available for transfer to another location. The owner of a site within a transfer area retains property ownership, but not approval to develop. The owner of a site within a receiving area may purchase transferable development rights, allowing a receptor site to be developed at a greater density."

TDR is most commonly used to preserve agricultural lands, but it can also be used for preserving natural, open space. TDR programs can vary depending on the need of the local jurisdiction but in general there are a few common factors that contribute to the success of a TDR program. These include having a donor site with development constraints, appropriate zoning regulations, and infrastructure requirements."

The Project Site is not currently entitled for development absent an adopted Specific Plan, and it is unclear what if any development rights would be transferred under a TDR program. Further, there is no designated or contemplated receiving area to accept these development rights. Moreover, a TDR program would preserve agricultural uses at the Project Site rather than further planned transition of agricultural uses to non-agricultural uses as envisioned under the Policy Plan. This would be contrary to the Land Use Plan policies and vision as summarized previously.

The City of Ontario has not implemented a TDR Program. Implementation of a TDR program would require amending the City Development Code and comprehensive amendment of the Policy Plan. Neither the City nor applicant has indicated that such amendments are warranted or desired, and neither has initiated such actions. Based on the preceding, implementation of a "Transfer of Development Rights Program" mitigation strategy is considered infeasible.

The City has considered but rejected the collection of fees for off-site mitigation of agricultural impacts. Neither the City nor the adjoining counties have adopted fee programs. Absent viable programs in the region, the imposition of fees would not serve to mitigate the impacts of the Project. Furthermore, an off-site fee mitigation program would not avoid the loss of farmland; would not minimize the effect of the Project; would not repair, rehabilitate, or restore the affected farmland; and, absent a viable fee program, would not replace affected farmland with substitute farmland. Thus, such a program would not actually mitigate or substantially lessen the significant impact of the Project (CRR State CEQA Guidelines §15370; San Franciscans for Reasonable Growth v. City and County of San Francisco (1989) 209 Cal.App.3d 1502, 1519). The same factors that make on-site mitigation infeasible would apply off-site in the region as well. The challenges to continued agricultural production in the Chino Basin area, also challenge agriculture throughout Southern California (Defend the Bay v. City of Irvine [2004] 119 Cal. App. 4th 1261, 1270-72).

Off-site mitigation would require the City to purchase replacement acreage for Important Farmland currently not in use elsewhere in California and restore it as viable farmland. However, distant mitigation would not reduce impacts because these mitigation parcels could have no bearing or relationship on the loss of agricultural lands within the City or the County. In addition, experience indicates a program consisting of the required purchase of agricultural easements on other land or through fee programs for the acquisition of agricultural easements would be of limited utility or benefit. Such a program is inherently dependent upon voluntary agreements by farm owners to sell such easements on their property for an agreed price, which, within the City, is largely driven by the City's TOP land use designations, population growth, urbanization of the surrounding area, and the limited supply of suitable farmland. In remote areas not planned for development in the near-term, owner's may be more willing to sell such an easement at a reasonable price but within the region much of the land is already subject to development pressure.

As a result, the most likely result would be a "patchwork" of easements, with some owners more willing than others to sell them, potentially creating a more dispersed development pattern and loss of viability of farmland over time, which would not serve as a feasible measure to mitigate the loss of farmland by the Project. Neither the City nor the County have adopted programs for the acquisition of off-site agricultural easements. Consequently, for the reasons previously outlined, it is determined that off-site mitigation of agricultural resources is neither feasible nor effective in mitigating such impacts.

Overall, no feasible mitigation measures have been identified, which would substantially lessen the Project's significant impacts related to the loss of Prime Farmland and conversion of farmland to non-agricultural use. This finding is consistent with the finding in TOP 2010 EIR; that there are no feasible mitigation measures to reduce impacts on Important Farmland or the conversion of agricultural land to non-agricultural uses, and thus impacts would be significant and unavoidable.

b. ***Agricultural Zoning***

Threshold: Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Finding: Significant and unavoidable. (Draft Subsequent EIR, p. 4.1-11)

Explanation: ***Construction and Operations***

According to the City's Zoning Map, the site is within the SP-AG Overlay zone. While sites within the SP AG Overlay zone currently operate with agricultural production, these lands are designated for future urban development in the City's Policy Plan with land use designations of mixed use to the north and Business Park and Industrial to the east. Property to the south is located within the City of Chino and has an industrial zoning district identified as Airport Development. Property to the immediate west is within the Approved SP area, and contains Business Park and Industrial General land use designations. The area due west of the Approved SP across Euclid Avenue is in the City of Chino are near the City Policy Plan-designated Euclid Avenue Corridor, which is planned to feature a transition to mixed-use development with a focus on retail uses and some higher-intensity residential development. Implementation of the Project would result in the conversion of the agricultural use on the Project site, and the surrounding area to the north, south, east, and west is proposed to be developed with uses other than for agricultural purposes.

Because of the provisions in the SP-AG Overlay zone for lands within the Project area, existing nearby agricultural uses would be able to continue via notice in the form of a deed disclosure to future business, or property owners that agricultural nuisances such as noise and odor (see Section 4.2, Air Quality, and Section 4.11, Noise), are present and can legally exist so long as the land is not developed otherwise. The deed disclosure ensures that property owners and users within the Project area are aware of nuisances and operations of the nearby agricultural properties to reduce conflicts between existing and proposed uses. Nonetheless, impacts would remain significant and unavoidable.

Conclusion

Implementation of **MM AG-1** would reduce the potential for pressure to convert nearby agricultural land to other uses. Nevertheless, with full buildout of the City in accordance with the Policy Plan, all agricultural lands would be converted to urban land uses, which would be a significant and unavoidable impact. (Draft Subsequent EIR, p. 4.1-11)

MM AG-1 Deed disclosure – In order to reduce conflicts issued between sensitive receptors and agricultural uses, all property owners in the Ontario Ranch Business Park Specific Plan Amendment shall be provided with a deed disclosure or similar notice approved by the City Attorney regarding the proximity and nature of neighboring agricultural uses. This disclosure shall be applied at the tentative map stage to the affected properties, or otherwise prior to finalizing the sale or rental agreement of any property. The written disclosure shall be supplied to the property purchaser or renter by the vendor or vendor's agent. The content and text of the disclosure shall be approved by the City Attorney and shall include language to inform new residents that existing agricultural uses may create nuisances such as flies, odors, dust, night-light, and chemical spraying

2. AIR QUALITY

a. *Air Quality Plans and Air Quality Standards*

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

Finding: Significant and unavoidable. (Draft Subsequent EIR, p. 4.2-17 through 4.2-18)

Explanation**:** The Project is located within the South Coast Air Basin (SoCAB or SCAB), which is under the jurisdiction of the SCAQMD. The SCAQMD is required, pursuant to the Federal Clean Air Act (FCAA), to reduce emissions of criteria pollutants for which the SoCAB is in nonattainment. To reduce such emissions, the SCAQMD drafted the 2016 Air Quality Management Plan (AQMP). The 2016 AQMP establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving state (California) and national air quality standards. The 2016 AQMP is a regional and multi-agency effort including the SCAQMD, the CARB, the SCAG, and the U.S. EPA. The plan's pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including SCAG's 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), updated emission inventory methodologies for various source categories, and SCAG's latest growth forecasts. SCAG's latest growth forecasts were defined in consultation with local governments and with reference to local general plans. The Project is subject to the SCAQMD's AQMP.

Consistency Criterion No. 1

As shown in Draft Subsequent EIR Table 4.2-8: Construction-Related Emissions, the Project would not exceed construction emission standards with the implementation of **MM AQ-1**. However, Project emissions would exceed the operational standard for NO_X despite the implementation of all feasible mitigation, as shown in Draft Subsequent EIR Table 4.2-10, Mitigated Operational Emissions. **MM AQ-2** through **MM AQ-6** are included to reduce

operation emissions to the greatest amount feasible. However, even with mitigation, operational emissions would remain above the SCAQMD threshold. Therefore, the Project would potentially contribute to an existing air quality violation. Thus, the Project is not consistent with the first criterion.

Consistency Criterion No. 2

The AQMP contains air pollutant reduction strategies based on SCAG's latest growth forecasts, and SCAG's growth forecasts were defined in consultation with local governments and with reference to local general plans. The Project would result in a change of land use designations not reflected in the AQMP. Therefore, the Project is conservatively assumed to generate emissions not reflected within the current 2016 AQMP regional emissions inventory for the SCAB and is considered to be inconsistent with the AQMP. Thus, Phase 1 of the Project is not consistent with the second criterion.

Conclusion

Implementation of the Project would result in air pollutant emissions that exceed SCAQMD's operational emission thresholds following completion of the Project. Although **MMs AQ-1** through **AQ-6** would reduce Project emissions by the greatest feasible amount, Project emissions levels would remain significant and would contribute to the nonattainment designations in the SCAB. Therefore, the Project would be inconsistent with the AQMP, resulting in a significant and unavoidable impact despite the implementation of mitigation.

In addition, in accordance with South Coast AQMD Rule 2305 (refer to South Coast Air Quality Management District under Section 4.2.2 Regulatory Setting of the Subsequent Draft Subsequent EIR) the Project operator would be required to pay a mitigation fee if the Project does not generate enough WAIRE Points. The Project operator may be required to implement additional emission reduction strategies. Conservatively, this EIR is not taking credit for these potential reductions. Compliance with proposed Rule 2305 would reduce emissions below what is currently analyzed. (Draft Subsequent EIR, pp. 4.2-17 through 4.2-18)

b. ***Cumulatively Considerable Pollutant Emissions***

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

Finding: Significant and unavoidable. (Draft Subsequent EIR, pp. 4.2-20 through 4.2-25)

Explanation: ***Operations***

Long-term operational emissions attributable to the Project are summarized in Draft Subsequent EIR Table 4.2-9: Unmitigated

Operational Emissions. Primary sources of operational criteria pollutants are from motor vehicle use and area sources.

As indicated in Draft Subsequent EIR Table 4.2-9, operation of the Project would exceed SCAQMD thresholds for NO_X. The majority of the Project's NO_X emissions are from mobile sources. Mitigation measures would be required to reduce emissions to the maximum extent feasible; however, emissions of motor vehicles are controlled by State and Federal standards, and the Project has no control over these standards. **MM AQ-2** through **MM AQ-6** have been identified to reduce operational emissions. **MM AQ-2** requires that all cargo handling equipment used on a daily basis (yard trucks/hostlers, forklifts, etc.) be electric. **MM AQ-3** requires the implementation of a Transportation Demand Management (TDM) program to reduce single occupant vehicle trips and encourage transit. **MM AQ-4** requires the buildings to be designed to accommodate electric vehicle (EV) infrastructure, **MM AQ-5** requires electrical hookups at all loading bays, and **MM AQ 6** prohibits idling when engines are not in use. Additionally, **SC AQ-9** through **SC AQ 11** would provide designated parking to promote the use of alternative fuels and clean fleets, facilitate future installation of EV supply equipment, and limit idling times. Draft Subsequent EIR Table 4.2-10, Mitigated Operational Emissions shows that despite the implementation of **MM AQ-2** through **MM AQ 6**, operational emissions of NO_x would remain above the SCAQMD's thresholds; therefore, impacts would be significant and unavoidable. (Draft Subsequent EIR, pp. 4.2-20 through 4.2-23)

SC AQ-9 Provide designated parking for any combination of low-emitting, fuel efficient and carpool/vanpool vehicles. At least eight percent of the total parking spaces are required to be designated in accordance with Section 5.106.5.2, Designated Parking for Clean Air Vehicles, of the CALGreen Part 11.

SC AQ-10 Provide at least six percent of the total parking spaces to facilitate future installation of electric vehicle supply equipment in accordance with §5.106.5.3.2, Multiple Charging Space Requirements, of the CALGreen Part 11.

SC AQ-11 Limit idling time for commercial vehicles to no more than five minutes per Title 13 of the California Code of Regulations, §2485.

3. GREENHOUSE GAS EMISSIONS

a. *Emissions Generation*

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

Finding: Significant and unavoidable. (Draft Subsequent EIR, p. 4.7-18 through 4.7-21)

Explanation: ***Short-Term Construction Greenhouse Gas Emissions***

The Project would result in direct emissions of CO2, N2O, and CH4 from construction equipment and the transport of materials and construction workers to and from the Project site. The GHG emissions only occur during temporary construction activities and would cease once construction is complete. The total GHG emissions generated during all phases of construction were combined and are shown in Table 4.7-2, Construction-Related Greenhouse Gas Emissions, of the Draft Subsequent EIR.

The Project would result in the generation of approximately 5,988 MTCO2e over the course of construction. Construction GHG emissions are typically summed and amortized over the lifetime of the Project (assumed to be 30 years), then added to the operational emissions. The amortized Project construction emissions would be 200 MTCO2e per year. Once construction is complete, the generation of these GHG emissions would cease.

Long-Term Operational Greenhouse Gas Emissions

Operational or long-term emissions occur over the life of the Project. GHG emissions would result from direct emissions such as Project-generated vehicular traffic, on-site combustion of natural gas, and operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power, the energy required to convey water to, and wastewater from the Project, the emissions associated with solid waste generated from the Project, and any fugitive refrigerants from air conditioning or refrigerators.

Total GHG emissions associated with the Project are summarized in Table 4.7-3, Project Greenhouse Gas Emissions of the Draft Subsequent EIR. As shown in Table 4.7-3, the Project's unmitigated emissions would be approximately 24,929 MTCO2e annually from both construction (amortized) and operations. Project-related GHG emissions would exceed the SCAQMD's 10,000 MTCO2e per year threshold for industrial uses. The majority of the GHG emissions (70 percent) are associated with non-construction related mobile sources. Emissions of motor vehicles are controlled by State and Federal standards, and the Project has no control over these standards.

The Project would generate approximately 19,268 MTCO2e per year with the implementation of operational air quality **MM AQ-2** through **MM AQ-6**. **MM AQ-2** requires the use of electrical off-road equipment such as forklifts and hostlers/yard trucks. **MM AQ-3** requires the implementation of a Transportation Demand Management (TDM) program to reduce single-occupant vehicle trips and encourage public transit. **MM AQ-4** requires the buildings to be designed to accommodate electric vehicle (EV) infrastructure, **MM AQ-5** requires

electrical hookups at all loading bays, and **MM AQ-6** prohibits idling when engines are not in use.

Standard condition (SC) GHG-1 through SC GHG-9, as required by the CBC, would provide designated parking to promote the use of alternative fuels and clean fleets, facilitate future installation of EV supply equipment, and limit idling times. Furthermore, **MM GHG-1** requires the installation of solar photovoltaic (PV) panels to offset the Project's energy consumption and **MM GHG-2** requires the Project to meet or exceed CALGreen Code Tier 2 standards to further improve energy efficiency.

With mitigation, the majority (89 percent) of emissions are from mobile sources and neither the Project Applicant nor the City have regulatory authority to control tailpipe emissions, no feasible mitigation measures exist that would reduce the Project's impacts with respect to mobile operational emissions to less than significant levels. While the Project has some control over GHG emissions (refer to **MM AQ-2** through **MM AQ-6**), the majority of emissions are beyond the Project's control. However, **MM GHG-3** would require that the Project incorporate Project Design Features to achieve a minimum score of 100 points on the Screening Tables. As stated in the Community CAP, projects that achieve a minimum score of 100 points or provide additional mitigation that achieves a 25 percent reduction are considered less than significant. However, at the time of this analysis, the City's CAP update is underway and the potential timeframes for approval and adoption of the City CAP update are unknown. Once approved, the CAP may implement performance standards and GHG emissions reduction targets differing from the current CAP. There is the potential that even after achieving more than 100 points on the current Screening Tables, the Project may conflict with as-yet-unknown performance standards and GHG emissions reduction targets implemented under the anticipated CAP updates, and thereby result in GHG emissions that would be considered to represent a significant impact on the environment. Therefore, even with the implementation of **MM AQ-2** through **MM AQ-6** and **MM GHG-1** through **MM GHG-**3, this Project impact is conservatively considered significant and unavoidable.

Conclusion

In addition to Project Design Features and compliance with existing regulatory requirements and PPPs, the Project's long-term operational GHG emissions would exceed City's threshold of 3,000 MTCO2e per year despite the implementation of **MM AQ-2** through **MM AQ-6** (refer to Section 4.2, Air Quality), as well as **MM GHG-1** through **MM GHG-3**, which requires the Project to acquire energy from renewable sources, meet or exceed CALGreen Code Tier 2 standards, and achieve a minimum of 100 points on the CAP Screening Threshold Checklist. Achieving 100 points ensures that

the Project would not impede California's statewide GHG reduction goals for 2030 and 2050, but the Project's GHG emissions remain a significant and unavoidable impact. Therefore, even with the implementation of **MM AQ-2** through **MM AQ-6** and **MM GHG-1** through **MM GHG-3**, the Project's impact on GHG emissions is conservatively considered significant and unavoidable. Draft Subsequent EIR, p. 4.7-18 through 4.7-21)

Standard Conditions and Requirements:

SC GHG-1 Require construction equipment to turn off when not in use per Title 13 of the CCR §2449.

SC GHG-2 In accordance with California Title 24 Standards, buildings will be designed to have 15 percent of the roof area "solar ready" that will structurally accommodate later installation of rooftop solar panels. If future building operators pursue providing rooftop solar panels, they will submit plans for solar panels prior to occupancy.

SC GHG-3 Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls and sensors for landscaping according to the City's Water Efficient Landscape Requirements (§17.06.030 of the City's MC).

SC GHG-4 Design buildings to be water-efficient. Install water-efficient fixtures in accordance with Section 5.303 of the CALGreen Part 11.

SC GHG-5 Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1 of the CALGreen Code Part 11.

SC GHG-6 Provide storage areas for recyclables and green waste and adequate recycling containers located in readily accessible areas in accordance with Section 5.410.1 of the CALGreen Code Part 11.

SC GHG-7 Provide designated parking for any combination of low-emitting, fuel efficient and carpool/van pool vehicles. At least eight percent of the total parking spaces are required to be designated in accordance with Section 5.106.5.2, Designated Parking for Clean Air Vehicles, of the CALGreen Code Part 11.

SC GHG-8 Provide at least six percent of the total parking spaces to facilitate future installation of EV supply equipment in accordance with Section 5.106.5.3.2, Multiple Charging Space Requirements, of the CALGreen Code Part 11.

SC GHG-9 Limit idling time for commercial vehicles to no more than five minutes per Title 13 of the California Code of Regulations, §2485.

Refer to **MM AQ-2** through **MM AQ-6** in the Section 4.2, Air Quality. The following additional mitigation is also required.

MM GHG-1 Project development proposals with building permit applications on file with the City prior to approval and adoption of updates to the December 16, 2014 CAP shall implement Screening Table Measures that achieve at least 100 points per the Screening Tables. The City shall verify that Screening Table Measures achieving the 100-point performance standard are incorporated in development plans prior to the issuance of building permit(s) and/or site plans (as applicable). The City shall verify implementation of the selected Screening Table Measures prior to the issuance of Certificate(s) of Occupancy. At the discretion of the City, measures that provide GHG reductions equivalent to GHG emissions reductions achieved via the Screening Table Measures may be implemented. Multiple development proposals may, at the discretion of the City, be allowed to collectively demonstrate achievement of at least 100 points per the Screening Tables.

b. ***Emission Reduction Plans***

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

Finding: Significant and unavoidable. (Draft Subsequent EIR, p. 4.7-21 through 4.7-35)

Explanation: ***City of Ontario Community Climate Action Plan***

The primary purpose of the City's Community CAP is to design a The primary purpose of the City's Community CAP is to design a feasible strategy to reduce GHG emissions generated by community activities that is consistent with statewide Scoping Plan GHG reduction efforts. The City has identified a series of reduction measures to be implemented by the City. These reduction measures include programs that improve building energy efficiency, increase use of public and active transit and decrease VMT, increase use of alternative-fueled vehicles, increase use of renewable energy, reduce water consumption, and reduce waste.

Table 4.7-4, Community CAP Consistency evaluates the consistency of the proposed Project to the applicable measures of the Community CAP. As discussed in the table, the proposed Project would be consistent with all applicable measures. By using energy more efficiently, harnessing renewable energy to power buildings, recycling waste, and enhancing access to sustainable transportation modes, the City can keep dollars in local economy, create new green jobs, and improve community quality of life. As shown in Table 4.7-4, the Project would not conflict with the goals of the Community CAP.

The CAP Appendix B, Greenhouse Gas Emissions CEQA Thresholds and Screening Tables (CAP Screening Tables), establishes a points system that assigns values for each GHG emissions mitigation design element or operational program feature incorporated into a given development project. The CAP Screening Tables point values correspond to the minimum GHG emissions reduction expected from each feature. Projects with features that yield at least 100 Screening Table points are considered consistent with the reduction quantities anticipated in the City's CAP. Such projects would be determined to have a less than significant individual and cumulative GHG emissions impact. Table 4.7-5, GHG Reduction Measures Screening Table for Industrial Development, identifies potential design features and their associated scores. The City is also considering additional design features, but they have not yet been assigned point values as part of the ongoing CAP update process. The Project Applicant may work with the City to determine point values for additional design features with the goal of achieving a minimum of 100 points. Table 4.7-5 shows that the proposed Project has the potential to achieve 100 points on the CAP's screening tables.

As noted above, implementation of **MM GHG-3** would require future development accommodated under the proposed Project to be designed to achieve at least 100 points on the City's GHG Screening Threshold Table. Implementation of **MM GHG-3** would ensure that future Project development is consistent with the City's Community CAP and would reduce impacts to less than significant. However, there is the potential for the Project to generate GHG emissions that would result in significant impacts on the environment, and it is therefore conservatively considered to be a significant and unavoidable impact.

Conclusion

In addition to Project Design Features and compliance with existing regulatory requirements and PPPs, the Project's long-term operational GHG emissions would exceed City's threshold of 3,000 MTCO2e per year despite the implementation of **MM AQ-2** through **MM AQ-6** (refer to Section 4.2, Air Quality), as well as **MM GHG-1** through **MM GHG-3**, which requires the Project to acquire energy from renewable sources, meet or exceed CALGreen Code Tier 2 standards, and achieve a minimum of 100 points on the CAP Screening Threshold Checklist. Achieving 100 points ensures that the Project would not impede California's statewide GHG reduction goals for 2030 and 2050, but the Project's GHG emissions remain a significant and unavoidable impact. Therefore, even with the implementation of **MM AQ-2** through **MM AQ-6** and **MM GHG-1** through **MM GHG-3**, the Project's impact on GHG emissions is conservatively considered significant and unavoidable.

Refer to **MM AQ-2** through **MM AQ-6** in Section 4.2, Air Quality and **MM GHG-1** through **MM GHG-3**, above.

4. LAND USE AND PLANNING

a. *Conflict*

Threshold: Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Finding: Significant and unavoidable. (Draft Subsequent EIR, p. 4.10-6 through 4.10-20)

Explanation: The Project consists of a SPA to allow for development of an industrial and business park on eight parcels covering approximately 71.69 acres in the City. The development would include six buildings ranging from 61,300 sf to 530,460 sf in building size. This would allow for the development of approximately 1,640,690 sf of industrial and business park buildings.

The 71.69-acre Project site's proposed industrial and business park use is inconsistent with the Project site's current TOP land use designation, which is currently 56 acres of LMDR and 18 acres of BP (the Project proposes approximately 12 acres of BP, and approximately 60-acres of IND, to facilitate development of the Project). The Project SPA would provide a land use plan, circulation plan, streetscape plan, infrastructure service plan, grading plan, maintenance plan, phasing plan, design guidelines, development regulations, and implementation measures to guide the development of the Project site. Although the Project would be inconsistent with the City's current TOP (a significant unavoidable impact), this would be remedied upon the City's planned adoption of TOP 2050 Update, which is scheduled for City approval in August 2022. Should the Project follow approval of TOP 2050 (which proposes the site as BP and IND land uses consistent with the Project's proposed SPA), the Project would be consistent with the City's TOP 2050 land use designations.

The Project would allow for up to 227,951 sf of business park building space to be developed on a total of 11.6 acres. This would be developed with business park buildings that would allow for the development of uses such as offices, technology centers, research and development, enterprises, light manufacturing, and warehouse/distribution uses. The Project would allow up to 1,412,739 sf of industrial building space to be constructed. This would be comprised of 60 acres and would allow for the development of uses such as general and light industrial, manufacturing, warehouse/distribution, and e-commerce fulfillment center operations.

Below is an evaluation of the Project's consistency with applicable plans and policies that have been adopted for the purpose of avoiding or mitigating an environmental effect.

The Ontario Plan Compatibility

An analysis of the Project's consistency with Citywide goals in the current TOP is provided in Table 4.10-6, Consistency with the City of Ontario General Plan (TOP). Because CEQA Impact Threshold 4.10-2 emphasizes consistency with land use goals "adopted for the purpose of avoiding or mitigating an environmental effect," Table 4.10-6 focuses on consistency with the City's TOP Elements that address environmental issues. Goals and policies that do not address environmental effects or are not applicable to the Project are not addressed below. Note that the following TOP consistency analysis is based upon Project consistency with the City's current TOP. While the Project is consistent with the current TOP goals and policies noted below, the Project's proposed land use designations as reflected in the proposed SPA are inconsistent with current TOP land use designations of LMDR and BP, which represents a significant impact. As discussed further below, this land use inconsistency would be remedied upon the City's approval of the proposed TOP 2050 Update planned for August 2022. Should the Project approval follow TOP 2050 Update approval, the Project's land uses would be consistent with the City's General Plan land use designations as proposed in TOP 2050 Update.

5. TRANSPORTATION AND TRAFFIC

b. *VMT*

Threshold: Would the Project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?

Finding: Significant and unavoidable. (Draft Subsequent EIR, p. 4.14-18 through 4.14-25)

Explanation: ***Project Screening***

Projects that meet certain VMT screening criteria may be presumed to result in a less than significant transportation impact, which is consistent with the approach suggested in OPR's Technical Advisory. The screening criteria adopted by the City are generally consistent with guidance identified in the Technical Advisory. The City lists the following VMT screening criteria:

- Low VMT Area Screening
- Low Trip Generating Uses Screening
- Transit Priority Area (TPA) Screening
- Project Type Screening

A land use project need only meet one of the above screening criteria are presumed in a less than significant impact.

Low VMT Area Screening

City's Traffic Impact Analysis Guidelines state that projects are presumed to have a less than significant VMT impact if located in low VMT generating model traffic analysis zones (TAZs) that generate total daily VMT per service population (SP) that is 15 percent less than the baseline level for the County. The SBCTA screening tool was utilized to determine low areas of VMT within the City. The screening tool uses the sub-regional San Bernardino Transportation Analysis Model (SBTAM) to measure VMT performance within individual TAZ's throughout the region. Parcel(s) containing the proposed Project were selected and the screening tool was run for the Origin/Destination (OD) VMT per SP measure of VMT. Based on the Screening Tool results (see Appendix I2 for VMT Screening Tool Analysis), the Project resides within TAZ 53653301, which is not a low VMT generating TAZ. Thus, the Low VMT Area screening threshold is not met.

Low Trip Generating Uses Screening

The City Guidelines indicate that small development projects generating fewer than 110 daily vehicle trips or less may be presumed to have a less than significant impact, subject to discretionary approval by the City. Trips generated by the Project's proposed land uses have been estimated based on trip generation rates collected by the ITE Trip Generation Manual, 10th Edition, 2017. Based on information contained in the Project's LOS based traffic study (see Appendix I2, VMT Analysis, Low Trip Generating Uses Screening), the Project is anticipated to generate more than 110 daily trips. The Low Trip Generating Uses screening threshold is not met.

Transit Priority Area (TPA) Screening

The Project site is not located within ½-mile of an existing major transit stop, or along a high-quality transit corridor. The TPA screening threshold is not met.

Project Type Screening

City's Traffic Impact Analysis Guidelines indicate that local-serving retail less than 50,000 square feet (sf) or other local-serving essential services (e.g., daycare centers, public schools, medical/dental office buildings, etc.) are presumed to have a less than significant VMT impact absent substantial evidence to the contrary. In addition, small projects anticipated to generate low traffic volumes and by association low GHG emissions are also assumed to cause a less than significant impact. The Project consists of industrial and business park uses, which do not typically consist of local-serving retail or essential services. The Project Type screening threshold is not met.

Project Generated VMT

The City Guidelines state that projects not screened through the steps above should complete VMT analysis and forecasting through the SBTAM model to determine if they have a significant VMT impact. The first step in the analysis is to calculate project generated VMT and compare it to the City's adopted impact threshold. SBTAM is a useful tool to calculate VMT as it considers interaction between different land uses based on socio-economic data such as population, employment, and other factors. It was also the tool used to establish the City's impact threshold, so it is the appropriate tool to conduct the analysis to ensure an apples-to-apples comparison of project generated VMT to the adopted threshold.

Project-generated VMT has been calculated using the most current version of SBTAM, which was updated by SBCTA as part of the development of their recommended VMT guidelines. Adjustments to socio-economic data (SED) (i.e., estimated employment levels) have been made to the appropriate TAZ. A separate TAZ is used to isolate Project-generated VMT from other land uses in the model.

At the time of this analysis, future tenants are not known. Therefore, to perform a more conservative analysis, employment estimates were calculated using employment density factors of 0.65 employees/thousand square feet (TSF) for non-office portions and 2.86 employees/TSF for office portions of industrial and business park uses consistent with the TOP Buildout Methodology document. Based on these employment generation rates; the Project is expected to generate approximately 1,630 employees. Project employment was added to the Project's TAZ in both the base year model (2016) and the cumulative year model (2040). The base year model and cumulative year model were then run inclusive of the Project's employment estimate.

The City has chosen the OD method of calculating VMT for purposes of establishing its impact threshold. The OD method of calculating VMT includes all vehicle trips and trip purposes (i.e., passenger cars and heavy trucks). Project-generated VMT using the OD trip matrix from SBTAM was calculated for both the base year model (2016) and cumulative year model (2040), and linear interpolation was used to determine the Project's baseline (2021) VMT value. The VMT value was then normalized by dividing by the Project's SP, which in this case is the number of Project employees.

The City has selected a threshold based on the General Plan Buildout VMT performance in the City. More specifically, the City's Traffic Impact Analysis Guidelines state that a significant impact would occur if the project VMT per SP exceeds the Citywide average VMT per SP under General Plan Buildout Conditions.

Table 4.13-3 of the DRAFT SUBSEQUENT EIR presents a comparison between baseline project generated VMT per SP to the City's impact threshold. The baseline Project-generated VMT per SP is 43.30 or 19.61 percent above the City's threshold, therefore a significant impact will occur.

It is also recognized that as the Project site vicinity and the City develop as envisioned under the TOP, new residential, commercial/retail, and industrial development would be implemented. These actions could collectively alter transportation patterns, improve the City's jobs/housing ratio, diminish VMT per SP, and support implementation of new or alternative TDM measures. There is no means however to quantify any VMT reductions that could result. Additionally, the effectiveness of the TDM strategies that have potential to reduce the Project VMT per SP are dependent on as yet unknown final Project building tenant(s). Further, the identified TDM measures are not likely to reduce Project truck VMT. Pointedly, CAPCOA provides no TDM measures targeted at truck traffic."

Conclusion

In summary, the Project was found to exceed the City's adopted VMT threshold by 19.61 percent. Although the Project VMT could be reduced through the measures identified above, this analysis has conservatively not taken any credit for these VMT measures. Inclusion of such VMT reduction measures in areas that are characteristically suburban in context are noted to be limited to a maximum VMT reduction of 15 percent, which is not enough to reduce Project-generated VMT to a level below the City's adopted significance threshold. Finally, as future Project design features and building tenants are not yet known, reductions in VMT related to the above TDM measures cannot be accurately estimated or guaranteed. Therefore, the Project's transportation impact based on VMT is conservatively considered significant and unavoidable.

Impact would be significant, unavoidable, and unmitigable for the Project. The VMT reduction measures could include VMT measures 1, 6 and 7 above. Furthermore, **MM GHG-1** may provide further VMT reduction depending on which GHG reduction strategies are chosen from the City's CAP Screening Table discussed in Section 4.7, Greenhouse Gas Emissions. No other mitigation measures are feasible to reduce VMT below the City's thresholds of significance.

E. CUMULATIVE IMPACTS

Regarding the Project's potential to result in cumulative impacts, the City hereby finds as follows:

1. AESTHETICS

Construction of the Project site would result in alterations to the scenic vistas views. However, while construction activities on the Project site would modify foreground views as observed by some viewers, construction is temporary and considering the existing nature of the Project site, developed nature of surrounding areas, and the current partially obscured views from existing off-site development, the changes the construction activities

would represent are not considered to be substantial. Upon completion of construction on the Project site, the new structure would be a new permanent visual element in the environment. The new structures and operations associated with the Project would change the foreground views of the San Gabriel Mountains as observed from viewers looking north, across the site; however, most views are already obscured, limited, and short-in duration so views, as seen to the north, would not be significantly adversely affected. The proposed Project and all related projects are required to adhere to City and State regulations designed to reduce and/or avoid impacts related to aesthetics. With compliance with these regulations, cumulative impacts related to aesthetics would be less than significant. (Draft Subsequent EIR, p. 7-1 through 7-3)

2. AGRICULTURE AND FORESTRY RESOURCES

The cumulative study area for agriculture includes the County of San Bernardino. Throughout the County, numerous related projects exist that would result in the additional conversion of agricultural land, including Prime Farmland and Important Farmland, to nonagricultural uses. Important Farmland in the County has continually declined and all of the prime agricultural land in the southern area of the City of Ontario is planned for development by the City's TOP. Continued conversion of agricultural lands to urban uses would substantially reduce overall agricultural productivity in the City and the region. According to the TOP 2010 EIR, agricultural land within the Ontario Ranch area has the potential to be converted to non-agricultural uses, upon buildout of TOP and the Specific Plan overlay. This was identified as a significant cumulative impact in TOP 2010 EIR. Implementation of the proposed Project would contribute to the reduction of agricultural resources in the region and cumulatively contribute to the loss of agricultural resources. Although the proposed conversion is consistent with the projected decline in agricultural productivity of the region, the Ontario Ranch area, and the Project site, the Project would result in a cumulatively considerable impact to agricultural resources. The City's TOP 2010 EIR and the TOP 2010 CEQA Findings determined that implementation of the TOP 2010 would result in individual and cumulative significant and unavoidable impacts to various resources including, agricultural resources. Significant and unavoidable impacts to agriculture resources have been identified; refer to Impacts 4.1 1 and 4.1-3. (Draft Subsequent EIR, p. 4.1-12.

3. AIR QUALITY

Regional

In accordance with SCAQMD's methodology, any project that produces a significant project-level regional air quality impact in an area that is in nonattainment contributes to the cumulative impact. Cumulative projects in the local area include new development and general growth in the Project area. The greatest source of emissions in the SoCAB is mobile sources. Due to the extent of the area potentially impacted from cumulative project emissions (i.e., the SoCAB), SCAQMD considers a project cumulatively significant when project-related emissions exceed the SCAQMD regional emissions thresholds.

Construction

The SoCAB is designated nonattainment for O3 and PM2.5 under both the California and federal standards and nonattainment for PM10 and lead (Los Angeles County only) under the federal standards. O3 is created by chemical reactions between NOX and VOCs; thus, NOX and VOCs are precursor to O3. Construction of cumulative projects will further

degrade the regional and local air quality. The Project would not make a cumulative considerable contribution to PM2.5 or PM10, but air quality from VOCs would potentially be impacted during construction activities. However, as discussed under Impact 4.2-2, implementation of **MM AQ-1** would reduce Project-related construction emissions to below the SCAQMD regional significance thresholds on a Project and cumulative basis. Therefore, the proposed Project's contribution to cumulative air quality impacts would not be cumulatively considerable with incorporation of mitigation.

Operation

For operational air quality emissions, any project that does not exceed or can be mitigated to less than the daily regional threshold values is not considered by SCAQMD to be a substantial source of air pollution and does not add significantly to a cumulative impact. Operation of the Project, after incorporation of mitigation, would still result in emissions in excess of the SCAQMD regional emissions thresholds for NOX. Therefore, the air pollutant emissions associated with the proposed Project would be cumulatively considerable and therefore significant and unavoidable.

Localized

Under SCAQMD guidance, projects that exceed the project-specific significance threshold of 10 in a million are considered to be cumulatively considerable (SCAQMD 2003). Per the MATES IV study, the proposed Project is in an area that has an estimated cancer risk of about 898.83 in a million. Project-related construction activities would result in a cancer risk of 7.0 in a million to the maximally exposed individual resident (MEIR). Development and operation of the proposed Project would result in cancer risk of 2.94 in a million to the MEIR, which would be below 10 in a million. As a result, the Project would not cumulatively contribute to the overall elevated levels of DPM in the SoCAB. Therefore, the Project's contribution to health risk impacts in the SoCAB is less than significant with mitigation incorporated. (Draft Subsequent EIR, pp. 4.2-33 through 4.2-34)

4. BIOLOGICAL RESOURCES

The cumulative study area for biological resources includes the southwestern San Bernardino County region. This area consists of a variety of land uses that includes agricultural, residential, commercial, and industrial uses. The agricultural areas may include sensitive habitats which may contain special-status plants, migratory bird species, and jurisdictional resources. However, as discussed above the Project would implement mitigation measures to reduce impacts to the identified species to less than significant levels. Therefore, the Project would result in a less than significant contribution to cumulative impacts to these resources, and impacts would be less than cumulatively significant.

Project development would not involve the removal of critical habitat and is not expected to make a considerable contribution to the decline of wildlife species. The Project would remove potential raptor foraging habitat through development of the warehousing and business park structures. Although the existing agriculture may provide foraging habitat for raptors, it is not expected to be valuable, as the lands are actively maintained to minimize use by small mammals (prey for raptors) and active ground squirrel management programs are continually implemented. This loss of potential raptor foraging habitat would not make a cumulatively considerable contribution to the regional decline of raptors.

Mitigation has been incorporated into the Project that would avoid direct impacts to any potentially sensitive wildlife species that may occur on-site. Therefore, the mitigation measures for the proposed Project would mitigate the potential of the Project to cumulatively combine with other projects; and the Specific Plan Amendment would not contribute to the cumulative loss of any special status wildlife species.

According to the several field surveys, none of the potential burrows identified on the Project site were determined to be currently occupied by BUOW. **MM BIO-4** would be implemented to further reduce potential BUOW impacts to less than significant levels.

The types of birds potentially affected are common to the region and the number of individuals would be limited given the type of vegetation proposed for removal (agriculture, ornamental plantings). Based on the types of species and expected limited number of nesting pairs potentially affected, development of the project would not make a cumulatively considerable contribution to the regional decline of native nesting bird populations. However, because native birds are protected by MBTA, mortality to a single native bird due to the Project would be in violation of the MBTA, CESA or FESA CESA. Therefore, cumulative impacts related to nesting birds would be less than cumulatively significant.

The General Habitat Assessment also indicated that the Project would not impact CDFW jurisdictional waters and riparian habitats. Thus, the Project would not make a cumulatively considerable contribution to the regional decline of jurisdictional waters.

5. CULTURAL RESOURCES

Cultural resources impacts are site-specific and generally do not combine to result in cumulative impacts. In the immediate vicinity of the Project site, no significant cultural resources were identified that if altered could combine with the effects of the Project to result in a cumulatively significant impact to cultural resources. Additionally, cultural resources investigations would be required for other projects before the City would permit ground disturbances or demolition or substantial alteration of existing structures. Such investigations would identify resources on the affected project sites that are or appear to be eligible for listing on the NRHP or CRHR. Such investigations would also recommend mitigation measures to protect and preserve cultural resources. The proposed Project includes mitigation measures to ensure proper identification, treatment, and preservation of cultural resources that could be inadvertently discovered on the Project site to reduce impacts to less than significant levels. Therefore, cumulative impacts to historical resources would be less than significant.

The Project could result in potential site-specific impacts to currently unknown archaeological resources discovered during grading and trenching activities. Other projects within the cumulative study area also have the potential to result in damage and/or loss to these resources. The combination of the Project as well as past, present, and reasonably foreseeable projects in the City and County would be required to comply with all applicable federal, State, County, and local regulations concerning preservation, salvage, or handling of cultural resources, including compliance with required mitigation. Similar to the Project, these projects also would be required to implement and conform to mitigation measures, which would be likely to reduce impacts to less than significant. Although in the process of development, some known or unknown resources may be lost, it is not anticipated that these impacts would be cumulatively considerable. In addition,

implementation of **MM CUL-1** would reduce Project-specific impacts to a less than significant level. Therefore, the Project's contribution to cumulative impacts would be less than significant. (Draft Subsequent EIR, p. 4.4-28)

6. ENERGY

The areas considered for cumulative impacts to electricity and natural gas supplies are the service areas of SCE and SoCalGas, respectively, described above in Section 4.5.1. Other projects would generate increased electricity and natural gas demands. However, all projects within the SCE and SoCalGas service areas would be required to comply with the Building Energy Efficiency Standards and the CALGreen Code, which would contribute to minimizing wasteful energy consumption. Therefore, cumulative impacts would be less than significant, and Project impacts would not be cumulatively considerable.

7. GEOLOGY AND SOILS

Geology and soils impacts are site-specific and generally do not combine to result in Geology and soils impacts are site-specific and generally do not combine to result in cumulative impacts. Like the Project, future development projects would be required to comply with applicable state and local building regulations, including the most recent CBC. Site-specific geologic hazards would be addressed in each project's geotechnical investigation. Further, future developments would be required to comply with environmental analysis and review. Therefore, no significant cumulative impact would occur. (Draft Subsequent EIR, p. 4.5-15)

Additionally, other projects in the area would involve ground disturbance and could damage paleontological resources that could be buried in those project sites. As with the Project, other projects would require site-specific paleontological analysis that could lead to mitigation requiring monitoring and recovery, identification, and curation of any resources discovered. Cumulative impacts to paleontological resources would be less than significant, and Project contribution would not be cumulatively considerable. (Draft Subsequent EIR, p. 4.6-15)

8. GREENHOUSE GAS EMISSIONS

Project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Therefore, impacts under Impact Threshold 4.7-1 are not Project-specific impacts, but the proposed Project's contribution to cumulative GHG impact. As discussed previously, incorporation of mitigation would contribute to minimizing emissions, although implementation of the proposed Project would still result in net annual emissions that exceed the GHG emissions significance threshold of 3,000 MTCO2e per year under the City's CAP. Therefore, Project-related GHG emissions and their contribution to global climate change would be cumulatively considerable, and GHG emissions impacts would be significant. (Draft Subsequent EIR, p. 4.7-35)

9. HAZARDS AND HAZARDOUS MATERIALS

Hazards and hazardous waste impacts are typically unique to each site and do not usually contribute to cumulative impacts. Cumulative development projects would be required to assess potential hazardous materials impacts on the development site prior to grading. The Project and other cumulative projects would be required to comply with laws and regulations governing hazardous materials and hazardous wastes used and generated as described previously. Therefore, cumulative impacts related to hazards and hazardous materials would be less than significant after regulatory compliance.

The areas considered for cumulative airport-related hazards impacts are the airport influence areas of ONT and Chino Airport. Some related projects may be proposed within the safety compatibility zones of the ONT and Chino airport influence areas, and thus could expose the nearby population to potential hazards such as aircraft crashes. Airport land use planning agencies for ONT and Chino Airport regulate development within their safety compatibility zones. Related projects proposed within safety compatibility zones would be required to comply with each safety zone's respective land use regulations set forth by the affected agencies. After regulatory compliance, cumulative impacts would be less than significant. (Draft Subsequent EIR, p. 4.8-27)

10. HYDROLOGY AND WATER QUALITY

Hydrology and Drainage

Cumulative projects within the Chino Watershed could increase impervious areas and increase stormwater runoff rates. However, all projects within the watershed would be required to prepare and implement WQMPs that include provisions for the capture and infiltration of runoff or the temporary detention of stormwater runoff in HCOC areas so that post-development runoff discharges do not exceed pre-development runoff rates, in accordance with the NPDES MS4 permit. Thus, no significant cumulative drainage impacts would occur, and Project drainage impacts would not be cumulatively considerable.

Water Quality

Cumulative projects have the potential to generate pollutants during project construction and operation. All construction projects that disturb one acre or more of land would be required to prepare and implement SWPPPs in order to obtain coverage under the Statewide Groundwater Conservation Plan. All projects within the watershed would also be required to prepare and implement WQMPs specifying BMPs, including LID measures, that would be applied during project design and project operation to minimize water pollution from project operation. Furthermore, all future development would be required to comply with applicable local, State and federal requirements, as part of the City's discretionary review process. This includes compliance with the City's Municipal Code, which specifically addresses water quality (Municipal Code Article 5, Construction Requirements). Thus, no significant cumulative water quality impacts would occur, and Project water quality impacts would not be cumulatively considerable. (Draft Subsequent EIR, p. 4.9-18)

11. LAND USE AND PLANNING

The geographic context for this cumulative analysis includes the City in relation to the City's TOP, as well as nearby projects in neighboring jurisdictions. Cumulative development would result in substantial changes to existing land use patterns through conversion of agricultural and dairy lands into urban uses pursuant to the General Plan land use designations. Cumulative development would be subject to site-specific environmental and planning reviews that would address consistency with adopted General Plan goals, objectives, and policies, as well as with the City's Development Code and ALUCP policies. As part of environmental review, projects would be required to provide mitigation for any inconsistencies with TOP and environmental policies that would result in significant adverse environmental effects. The cumulative projects as a whole would continue the steady urbanization of the City, and in particular the continued development of this industrial corridor within the City.

Cumulative projects could include General Plan amendments and/or zone changes, modifications to existing land uses. However, such amendments do not necessarily represent an inherent negative effect on the environment, particularly if the proposed changes involve changes in types and intensity of uses, rather than eliminating application of policies that were specifically adopted for the purpose of avoiding or mitigating environmental effects. Determining whether any future project might include such amendments and determining the cumulative effects of any such amendments would be speculative since it cannot be known what applications that are not currently filed might request. As noted above the Project's proposed land uses were inconsistent with the City's 2010 TOP at the time of publication of the Draft SEIR. . This Project and cumulative impact were remedied upon the City's adoption of TOP 2050 Update on August 16, 2022. (Draft Subsequent EIR, pp. 4.10-21) As such, no significant cumulative Land Use and Planning impacts would occur. (Draft Subsequent EIR, p. 4.9-18; see Resolution No. 2022-129).

12. MINERAL RESOURCES

The Project site is within the City and its Sphere of Influence is designated Mineral Resource Zones (MRZ)-3, which is defined as areas where the significance of mineral deposits cannot be determined from available data. Only areas in the far north of the City have been designated as areas where significant mineral deposits are present or there is a likelihood of their presence, and development should be controlled. Therefore, the development of the Project site would not result in the loss of availability of known mineral resources or locally important mineral resource recovery sites. (Draft Subsequent EIR, p. 7-11 through 7-12) No cumulative impact would occur.

13. NOISE

Construction Noise

Project-related construction activities would not result in a substantial temporary increase in ambient noise levels. Construction noise impacts would be periodic and temporary and would cease upon completion of construction activities. The Project would contribute to other proximate construction Project noise impacts if construction activities were conducted concurrently. However, based on the noise analysis above, the Project's construction-related noise impacts would be less than significant.

Construction activities at other planned and approved projects near the Project site would be required to comply with applicable City rules related to noise. Activities would take place during daytime hours on the days permitted by the applicable MC, and projects requiring discretionary City approvals would be required to evaluate construction noise impacts, comply with the City's standard conditions of approval, and implement mitigation, if necessary, to minimize noise impacts. Construction noise impacts are by nature localized. Because noise dissipates as it travels away from its source, noise impacts would be limited to the Project site and immediate vicinity. Therefore, Project construction would not result in a cumulatively considerable contribution to significant cumulative impacts, assuming such a cumulative impact existed, and impacts would not be cumulatively considerable.

Operational Noise

Cumulative Off-Site Traffic Noise

Cumulative noise impacts describe how much noise levels are projected to increase over existing conditions with the development of the proposed Project and other foreseeable projects. Cumulative noise impacts would occur primarily as a result of increased traffic on local roadways due to buildout of the Project and other projects in the vicinity. Cumulative increases in traffic noise levels were estimated by comparing the Existing and Future Without Project scenarios to the Future Plus Project scenario. The traffic analysis considers cumulative traffic from future growth assumed in the transportation model, as well as cumulative projects.

A project's contribution to a cumulative traffic noise increase would be considered significant when the combined effect exceeds perception level (i.e., auditory level increase) threshold. The following criteria is used to evaluate the combined and incremental effects of the cumulative noise increase.

- **Combined Effect**. The cumulative with Project noise level ("Cumulative With Project") would cause a significant cumulative impact if a 3.0 dB increase over "Existing" conditions occurs and the resulting noise level exceeds the applicable exterior standard at a sensitive use. Although there may be a significant noise increase due to the proposed Project in combination with other related projects (combined effects), it must also be demonstrated that the Project has an incremental effect. In other words, a significant portion of the noise increase must be due to the proposed Project.
- **Incremental Effects**. The "Cumulative With Project" causes a 1.0 dBA increase in noise over the "Cumulative Without Project" noise level.

A significant impact would result only if both the combined and incremental effects criteria have been exceeded. Noise by definition is a localized phenomenon and attenuates as the distance from the source increases. Consequently, only the proposed Project and growth due to occur in the general area would contribute to cumulative noise impacts.

Table 4.11-13, Cumulative Plus Project Conditions Predicted Traffic Noise Levels, identifies the traffic noise effects along roadway segments in the Project vicinity for "Existing," "Cumulative Without Project," and "Cumulative With Project," conditions, including incremental and net cumulative impacts.

A significant cumulative traffic noise increase would be identified if a cumulative traffic noise increase of greater than the 3 dBA significance threshold of perceptibility is calculated, and the relative contribution from project traffic is calculated to contribute 1 dBA or more to this cumulative impact. As shown in Table 4.11-13, combined traffic noise increases greater than 3 dBA would occur along several roadway segments. However, no roadway segments would exceed the 1 dBA incremental increase threshold. Therefore, the proposed Project's contribution to noise levels would not be cumulatively considerable.

Cumulative Stationary Noise

Stationary noise sources associated with the Project would result in an incremental increase in non-transportation noise sources in the Project vicinity. However, as discussed above, operational noise caused by the Project would be less than significant. Additionally, due to Project site's distance to sensitive receptors, cumulative stationary noise impacts would not occur. Similar to the proposed Project, other planned and approved projects would be required to mitigate for stationary noise impacts at nearby sensitive receptors, if necessary. As stationary noise sources are generally localized, there would be a limited potential for other projects to contribute to cumulative noise impacts.

No known past, present, or reasonably foreseeable projects would combine with the operational noise levels generated by the Project to increase noise levels above acceptable standards because each project must comply with applicable City regulations that limit operational noise. Therefore, the Project, together with other projects, would not create a significant cumulative impact.

Given that noise attenuates as the distance from its source increases, operational noise impacts from on-site activities and other stationary sources would be limited to the Project site and the immediate vicinity. Thus, cumulative operational noise impacts from related projects, in conjunction with Project-specific noise impacts, would not be cumulatively significant. (Draft Subsequent EIR, p. 4.11-23 through 4.11-26)

14. POPULATION AND HOUSING

The area considered for cumulative impacts is the County. Impacts are analyzed using County projections in SCAG's 2020-2045 RTP/SCS Demographics and Growth Forecast. Development of the Project in conjunction with the related project list in Table 4-1, Related Approved and Pending Projects, in Section 4.0, Environmental Impact Analysis, of this Draft Subsequent EIR, would not result in cumulative wide population and/or housing impacts, as business park projects would further improve the jobs-housing balance. This would encourage alignment with objectives set by SCAG's 2020-2045 RTP/SCS as it would increase employment opportunities in an area that is predominantly residential. Furthermore, the Project would be consistent with the goals set forth in TOP by providing long-term employment opportunities associated with the buildout of the Project. Related projects would be reviewed by the City, and development would be required to be consistent with adopted State and City development standards, regulations, plans, and policies to minimize the effect of the increase in population on physical impacts on the environment. Additionally, the indirect effect of Project employment on housing and population growth in the City has been anticipated in TOP, and therefore in regional housing and population forecasts provided in the 2020-2045 RTP/SCS. As such, the Project would not contribute to cumulatively adverse growth impacts. Upon approval, the Project would improve the jobs-housing balance in the County which is considered a housing-rich area. Therefore, the Project combined with related projects would not result in cumulatively considerable impacts to population and housing as no substantial new unplanned growth would occur. (Draft Subsequent EIR, p. 4.12-10)

15. PUBLIC SERVICES

Fire Project Services

The cumulative study area for fire protection services is the City of Ontario. Future development projects are anticipated to occur throughout the City, specifically in the Ontario Ranch area, including the Project site. As indicated in the City's TOP,

development of the Ontario Ranch area would generate a proportional increase in demand for additional fire protection and EMS. The City is in the process of constructing two new fire stations with one proposed in the Ontario Ranch area that would help accommodate cumulative increases to fire protection services in the southern portion of the City, including the Project site.

As stated above, the Project would increase the demand for fire protection services through the incorporation of additional people on-site in addition to the cumulative development of projects within the City. Thus, a periodic review process would ensure that adequate service would be maintained throughout the City and would add staffing and equipment as necessary. The OFD can presently serve the Project site without the need for additional fire facilities with payment of DIFs.

Since the Project would be consistent with the buildout assumptions of TOP and other applicable plans and regulations, and payment of fees, implementation of the Project would not result in a cumulatively considerable increase in the need for fire protection and EMS facilities or personnel.

Police Project Services

Similarly, future development projects are anticipated to occur within the City. This overall development would generate a proportional increase in calls for police services. All future cumulative projects would be reviewed by OPD staff prior to issuance of any development permit to ensure adequate security measures are provided for each site-specific development in the City, including this Project. It is anticipated that future development would result in the need of additional sworn officers and equipment, but with payment of DIF, implementation of the Project would not create a cumulatively considerable need for new or expanded police stations. Therefore, cumulative impacts associated with the implementation of the Project would be less than significant.

Schools, Parks, and Other Public Services

As discussed above, the Project is not anticipated to cumulatively increase the need for schools, parks, and other public services in the City. The anticipated increased demands for schools, parks, and other public services within the City was accounted for in the City's General Plan and analyzed in TOP 2010 EIR, which accounts for the cumulative growth in the City. In addition, cumulative development projects would pay the required development fees that would be appropriately allocated, in this case, to schools and parks. In addition, the TOP concluded that additional library services would not be required with buildout of the TOP. Therefore, cumulative impacts associated with schools, parks, and other public services from the Project would be less than cumulatively significant. (Draft Subsequent EIR, p. 4.13-11 through 4.13-12)

16. RECREATION

The Project site would be developed with an industrial use, and no new residents or housing would be introduced to the area. Buildout of the Project would not directly induce population growth or increase demand on parks and recreational resources, and therefore impacts would be less than significant. Furthermore, any future development, such as the Project, would be required to comply with the City's standard discretionary review process, including provision of adequate on-site recreational amenities, as well as

payment of applicable DIF fees to offset impacts to recreational facilities. (Draft Subsequent EIR, p. 7-14) Thus, no cumulative impacts would occur.

17. TRANSPORTATION

Cumulative traffic impacts are addressed in the Project TA (Appendix I1) and summarized above. The Project's contribution to operational LOS deficiencies would be fully addressed through implementing the recommended measures and providing construction or funding for the identified improvements (note that operational LOS is no longer a significant impact under CEQA per SB 743). The Project's VMT analysis (Appendix I2, summarized above) provides an analysis of the Project's cumulative impacts on VMT. The cumulative analysis is based on the Project's effect on VMT using total VMT within the City (boundary method). The VMT analysis concludes that Citywide VMT would increase with the Project, resulting in a significant and unavoidable cumulative VMT impact. As noted above, although the identified VMT reduction measures could reduce Project and cumulative VMT impacts, this analysis has conservatively assumed no VMT reduction for reasons noted above. Therefore, the VMT analysis concludes that Citywide VMT increases from the Project will result in a significant and unavoidable Project and cumulative VMT impact. (Draft Subsequent EIR, p. 4.14-26)

18. TRIBAL CULTURAL RESOURCES

Cumulative impacts to TCRs would occur when the impacts of the Project, in conjunction with other projects and development in the region, result in multiple and/or cumulative impacts to TCRs in the Ontario Ranch area. The cultural records search identified six previously-recorded cultural resources within one mile of the Project site. No previously-recorded fossil localities are located within a one-mile radius of the Project area, and no sacred sites are documented within or adjacent to the Project site. However, it is possible that buried prehistoric artifacts or TCRs could be present within the area. The proposed Project includes mitigation to ensure proper identification, treatment, and preservation of TCRs. Implementation of these measures would reduce the potential for the Project's adverse impacts on TCRs. Each future Project considered for approval by the City would be required to do its own consultation and include mitigation measures to protect resources if they are uncovered during grading activities. The Project would not combine with other projects in the region to create a cumulative impact to TCRs. Therefore, cumulative impacts to TCRs would be less than significant. (Draft Subsequent EIR, p. 4.15-12)

19. UTILITIES AND SERVICE SYSTEMS

The area considered for cumulative water supply impacts is the City. Other projects in the service area would increase water demands. The City forecasts that it will have sufficient water supplies in its service area over the 2020 to 2040 period (see "Water Demand" under Impact 4.16-3). Other projects of certain sizes and types that would meet the requirements of SB 610 would be required to have a WSA prepared to show reliability of water supplies for the project, considering normal, single dry, and multiple dry years over a 20-year horizon. Cumulative impacts would be less than significant, and Project impacts would not be cumulatively considerable. Additionally, future projects would be served by existing and planned future water infrastructure and facilities, as planned within the City's Water Master Plan and no extensions or capacity expansions beyond the planned system would be required. Any future water infrastructure or facility would be constructed in

compliance with City's Water and Sewer Design Development Guidelines and the MC. Cumulative impacts would be less than significant, and Project impacts would not be cumulatively considerable.

The area considered for cumulative impacts to wastewater treatment is IEUA's RP-5 service area. The area considered for cumulative impacts to wastewater conveyance systems is the OR area. Future growth in the OR, in accordance with TOP, would result in increases in wastewater flow. These include increases in residential, office space, and industrial effluent. Expansion and/or capacity upgrades to the existing sewer collection lines would be required due to the change in land use in the OR. The Sewer Master Plan projects daily wastewater generation in line with land use changes associated with TOP. The sewer master plan presents preliminary sizes, alignments and construction cost estimates needed to mitigate existing drainage deficiencies and support future build-out conditions. Sewer collection system expansions would be based on the Sewer Master Plan and would be constructed with development in the OR. Through the use of connection fees and agreements, the IEUA is able to maintain and expand its wastewater collection system as necessary and is able to ensure that new developments pay their fair-share costs associated with increased demand. Therefore, there would be no significant cumulative impacts on wastewater collection.

The City wastewater effluent in the OR is directed mainly to RP-5. The 2035 projected quantities of wastewater that need to be treated at RP-5 is 18.4 mgd, an increase of 9.4 mgd from current production rates. The 20-year IEUA's CIP includes expanding the capacity of RP-5 to 22.5 mgd. The CIP also developed a capacity fee charged to new development to fund the needed capacity. Furthermore, IEUA annually prepares a wastewater treatment master plan and flow projections for all its contracting agencies, including the City. The IEUA improvement plan is sequenced considering the rate of development to ensure adequate treatment capacity exists at time of building permits but is phased to eliminate premature construction of unneeded capacity. Assuming the proposed plant expansions would be completed prior to increased urban development and the treatment of water at these plants would continue to meet the water quality standards of the Santa Ana RWQCB, there would be no significant cumulative impacts on wastewater treatment.

The area considered for cumulative impacts to electricity supplies and facilities is SCE's service area, and the area considered for natural gas is SoCalGas' service area. Forecast total electricity and natural gas supplies for the respective service areas are identified above. Other projects would increase electricity and natural gas demands.

Electricity demand forecasts are based on climate zones; economic and demographic growth forecasts, and the California Department of Finance; forecast electricity rates; effects of reasonably foreseeable energy efficiency and energy conservation efforts; anticipated partial electrification of portions of the transportation sector, including increasing adoption of light-duty plug-in electric vehicles; demand response measures, such as electricity rates that increase during high-demand times of day; and effects of climate change.

Natural gas demand forecasts are based on economic outlook; California Public Utilities Commission– mandated energy efficiency standards and programs; renewable electricity goals; and conservation savings linked to Advanced Metering Infrastructure.

It is anticipated that electricity and natural gas demands by most other projects would be accounted for in the above-referenced demand forecasts. Other projects would be subject to independent CEQA review, including analysis of impacts to electricity and natural gas supplies. Implementation of all feasible mitigation measures would be required for any significant impacts identified. Cumulative impacts would be less than significant, and Project impacts would not be cumulatively considerable.

The area considered for cumulative impacts is the area serviced by the Badlands and the El Sobrante Landfills. Collectively, Badlands and El Sobrante Landfills have a remaining disposal capacity of approximately 160 million cubic yards and El Sobrante Landfill has a disposal capacity beyond the 15-year horizon, as required by AB 939. Thus, there is sufficient landfill capacity in the region for the cumulative increase in solid waste disposal. Cumulative impacts would be less than significant, and Project impacts would not be cumulatively considerable. (Draft Subsequent EIR, p. 4.16-27 through 4.16-28)

20. WILDFIRE

The Project site is not within Very High FHSZ zone and is within a Local Responsibility Areas (LRA) zone. Cumulative projects near the Project site would also be located within LRA zone, and therefore no impact would occur. Moreover, future projects, such as this project, would be required to comply with applicable local and state requirements, including applicable provisions of the City's Municipal Code related to fire safety and emergency access. (The Project would not result in significant wildfire hazard impacts following conformance with applicable local and state requirements. (Draft Subsequent EIR, p. 7-16 through 7-17) Thus, cumulative impacts would be less than significant.

F. ALTERNATIVES TO THE PROPOSED PROJECT

The City Council hereby declares that it has considered and rejected as infeasible the alternatives identified in the EIR and described below. Section 15126.6 of the State CEQA Guidelines requires an EIR to describe a range of reasonable alternatives to the Project, or to the location of the Project, which could feasibly achieve most of its basic objectives, but would avoid or substantially lessen any of the significant effects identified in the EIR analysis. An EIR is not required to consider every conceivable alternative to a proposed project. Rather, an EIR must consider a reasonable range of alternatives that are potentially feasible; an EIR is not required to consider alternatives that are infeasible. In addition, an EIR should evaluate the comparative merits of the alternatives. Therefore, this section sets forth the potential alternatives to the Project analyzed in the EIR and evaluates them in light of the objectives of the Project, as required by CEQA.

Key provisions of the State CEQA Guidelines relating to the alternatives' analysis (§15126.6 et seq.) are summarized below (Draft Subsequent EIR at p. 6-1 through 6-2):

- [T]he discussion of alternatives shall focus on alternatives to the Project or its location which are capable of avoiding or substantially lessening any significant effects of the Project, even if these alternatives would impede to some degree the attainment of the Project objectives or would be more costly." (§15126.6[b]).
- "The specific alternative of 'no project' shall also be evaluated along with its impact." (§15126.6[e][1])

- "The no project analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." (§15126.6[e][2])
- "The range of alternatives required in an EIR is governed by a 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project." (§15126.6[f])
- "Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries…, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent)" (§15126.6[f][1])
- "Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR." (§15126.6[f][2][A])
- "An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative." (§15126.6[f][3])

1. RATIONALE FOR SELECTING POTENTIALLY FEASIBLE ALTERNATIVES

The alternatives must include a no-project alternative and a range of reasonable alternatives to the Project if those reasonable alternatives would attain most of the Project objectives while substantially lessening the potentially significant Project impacts. The range of alternatives discussed in an EIR is governed by a "rule of reason," which the State CEQA Guidelines §15126.6(f)(3) defines as:

> *. . . set[ting] forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision-making.*

Among the factors that may be taken into account when addressing the feasibility of alternatives (as described in the State CEQA Guidelines §15126.6(f)([1]) are environmental impacts, site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the Project proponent could reasonably acquire, control, or otherwise have

access to an alternative site. An EIR need not consider an alternative whose effects could not be reasonably identified, and whose implementation is remote or speculative.

For purposes of this analysis, the Project alternatives are evaluated to determine the extent to which they attain the basic Project objectives, while significantly lessening any significant effects of the Project.

2. ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING/PROJECT PLANNING PROCESS

Section 15126.6(c) of the State CEQA Guidelines specifies that an EIR should (1) identify alternatives that were considered by the lead agency but were eliminated from detailed consideration because they were determined to be infeasible during the scoping process; and (2) briefly explain the reasons underlying the lead agency's determination. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives; (ii) infeasibility; and/or (iii) inability to avoid significant environmental impacts.

The following is a discussion of the land use alternative considered during the scoping and planning process and the reasons why it was not selected for detailed analysis in the EIR.

a. *Alternative Development Areas*

CEQA requires that the discussion of alternatives focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project. The key question and first step in the analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (State CEQA Guidelines §15126[5][B][1]). In addition, an alternative site need not be considered when implementation is "remote and speculative," such as when the alternative site is beyond the control of a project applicant.

There are no suitable alternative sites within the control of the Project Applicant. In the event land could be purchased of suitable size and developmental characteristics, based on the known general conditions in the southern portion of the City, an alternative site would likely have similar impacts after mitigation as the Project. Given the size and nature of the Project and the Project objectives, it would be impractical and infeasible to propose the Project on an alternate site in the area with fewer environmental impacts.

Additionally, other land in the vicinity of the Project site or within the southern portion of the City are similarly used for agricultural purposes and include agricultural soils. The loss of Prime Farmland would still occur with an alternative site. Given the size and type of the Project, a similarly sized project and use elsewhere in the South Coast Air Basin (SoCAB) would result in the same Project-level and cumulative air quality and greenhouse gas (GHG) emission impacts. Vehicle miles traveled (VMT) is not likely to be changed by a different location. Also, an alternative site would have similar traffic impacts in other jurisdictions that would be significant and unavoidable because the City cannot guarantee implementation of improvements outside of its jurisdiction. Therefore, analysis of an alternative site for the proposed 1,640,690 sf of warehouse and office uses is neither meaningful nor necessary, because the significant impacts resulting from the Project would not be avoided or substantially lessened by its implementation. (Draft subsequent EIR, p. 6-2 through 6-3)

Finding: The City Council rejects the Alternative Development Areas alternative, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative does not avoid any significant and unavoidable impacts, (2) the alternative would likely not further reduce any of the proposed project's significant impacts; and (3) the alternatives are technically, financially, and legally infeasible given that there are no suitable alternative sites within the control of the Project applicant. Therefore, the Alternative Development Areas alternative is eliminated from further consideration.

3. ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

Based on the Project objectives listed above, the following three alternatives have been determined to represent a reasonable range of alternatives which have the potential to feasibly attain most of the basic objectives of the Project, but which may avoid or substantially lessen any of the significant effects of the Project. These alternatives are analyzed in detail in the following sections.

- **Alternative 1: No Project/No Build Alternative**
- **Alternative 2: No Project/Existing General Plan Alternative**
- **Alternative 3: Reduced Intensity Alternative**

a. *Alternative 1: No Project/No Build Alternative*

Description: Section 15126.6(e) of the State CEQA Guidelines requires analysis of the No Project Alternative. In accordance with the State CEQA Guidelines, the No Project/No Build Alternative for a development project on an identifiable property consists of the circumstance under which the Project does not proceed as provided by §15126.6(e)(3)(B) of the State CEQA Guidelines. Section 15126.6(e)(3)(B) provides that, "In certain instances, the no project alternative means 'no build' wherein the existing environmental setting is maintained." Under the No Project/No Build Alternative, the Project would not be developed, and no new development would occur; however, the existing conditions would remain in operation.

The Project site contains an operational dairy farm, single-family residential structures, dairy barns, a storage structure, feed storage barns, and numerous livestock corrals. The dairy, structures, and single-family residential uses would remain. Accordingly, the No Project/No Build Alternative provides a comparison between the environmental impacts of the Project as compared to the current environmental conditions, resulting from not approving or denying the Project. (Draft Subsequent EIR, p. 6-3 through 6-4)

Impacts: **Agriculture and Forestry Resources**

The No Project/No Build Alternative would continue the existing dairy uses on the Project site. Implementation of the No Project/No Build Alternative would avoid the significant and unavoidable impacts to agricultural and forestry resources that would occur from implementation of the proposed Project and impacts would be reduced compared to the proposed Project.

Air Quality

Under the No Project/No Build Alternative, no new development would occur, and no construction or demolition activities and related emissions

would occur. In addition, by maintaining existing dairy and residential uses throughout the Project site, the increase in operational traffic-related air emissions would not occur. Therefore, overall air quality impacts would be reduced, and the significant and unavoidable construction-related and operational-related emission impacts would be eliminated. Further, this alternative would eliminate significant and unavoidable impacts related to inconsistency with the Air Quality Management Plan (AQMP). No impacts related to air quality would occur under the No Project/No Build Alternative. Therefore, impacts under the No Project/No Build Alternative would be reduced compared to the Project.

Biological Resources

The No Project/No Build Alternative would continue the existing agriculture and residential uses on the Project site. No grading or development would occur under this alternative, and there would be no potential impacts to sensitive wildlife species and migratory and nesting birds that may be present on the Project site. Therefore, the No Project/No Build Alternative would avoid all on- and off-site disturbances. The Project would have a less than significant impact on biological resources after implementation of mitigation measures. Therefore, impacts under this alternative would be reduced compared to the proposed Project.

Cultural Resources

The No Project/No Build Alternative would continue the existing agriculture and residential uses on the Project site. No historical resources exist on the Project site. No grading or development would occur under this alternative, and there would be no potential impacts to historical resources or subsurface archaeological resources that may exist beneath the ground surface. Therefore, the alternative would avoid the Project's less than significant impact on historic resources and would avoid the Project's less than significant with mitigation incorporated impacts on archaeological resources. Impacts would be reduced compared to the proposed Project.

Energy

Under this alternative, no demolition of existing structures or construction of new buildings would occur. Therefore, energy demand for electricity, natural gas and fuel consumption would remain as is, and no impact would occur under this alternative. The Project would have a less than significant impact on energy. Compared to the proposed Project, impacts on energy would be reduced.

Geology and Soils

No new construction activities, including demolition and grading, would occur under the No Project/No Build Alternative. Therefore, there would be no potential for additional workers, building and structures to experience seismic ground shaking, liquefaction, lateral spreading, subsidence, or collapse within the Project site. However, the buildings and structures that exist on the Project site were built before current seismic safety codes;

therefore, by retaining older buildings and structures, this alternative could expose some people to greater hazards from strong seismic ground shaking than the proposed Project. The Project would have a less than significant impact with implementation of mitigation measures on geological hazards. Therefore, impacts under the alternative would be greater than the Project for geological hazards.

Regarding paleontological resources, this alternative would not result in impacts to paleontological resources since no grading would occur. Therefore, the paleontological resources impacts under the No Project/ No Build Alternative would be reduced compared to the Project.

Greenhouse Gas Emissions

Under the No Project/No Build Alternative, no new development would occur, and no construction, demolition, or operational activities would generate GHG emissions. Under the No Project/No Build Alternative the existing, minimal emissions would continue. These emissions would be incorporated and accounted for in the City's long-range planning efforts and would therefore act as a baseline for the City's air quality goals. Furthermore, this alternative would not increase GHG emissions by 19,268 MTCO2e, unlike the proposed Project and would avoid the proposed Project's significant and unavoidable impacts. Therefore, impacts under the No Project/No Build Alternative would be reduced compared to the Project.

Hazards and Hazardous Materials

Because no development would occur under the No Project/No Build Alternative, no impacts related to hazards or hazardous materials would occur. The dairy farming uses, and contaminated soils would remain on-site. Although this alternative would avoid the Project's potential effects related to hazards and hazardous materials, no cleanup of contaminated soils would occur as a result of the Project. While the Project would have a less than significant impact on hazards and hazardous materials with mitigation incorporated, remediation of on-site contamination is a benefit of the proposed Project that would not be realized under this alternative. Therefore, hazards and hazardous materials impacts would be greater under the alternative than compared to the proposed Project.

Hydrology and Water Quality

Existing water quality conditions, groundwater supplies, drainage patterns, and runoff water amounts would remain "as is" under this alternative because no new development would occur. This alternative would not introduce new sources of water pollutants from either the construction or operation phases of development to the Project site, because no new development would occur. Additionally, this alternative would not require off-site storm drain facility improvements required by the proposed Project. However, this alternative would not include installation of new low-impact development (LID), source control, site design, and treatment control best management practices (BMPs) to minimize runoff and water pollution,

which would occur under the proposed Project. The stormwater leaving the site would not be filtered and would continue to contain sediment and other potential pollutants associated with the dairy, agricultural, and residential uses. The beneficial water quality improvements that would occur under the proposed Project would not occur, and hydrology and water quality impacts would be greater compared to the proposed Project.

Land Use and Planning

Following approval of the TOP 2050 Update, the No Project/No Build Alternative would not continue the existing agriculture and residential uses. The Project site is located within an Agricultural Overlay Zoning, which allows for agricultural uses within the City, until such time that urban development consistent with the Ontario Plan (TOP) occurs. Due to provisions of the Agricultural Overlay Zoning which would allow for the existing agricultural land uses to continue as-is, impacts under the No Project/No Build Alternative would be less than significant. However, the existing Project's land uses are not consistent with the City's TOP 2050 General Plan land use designations. Impacts under this alternative would be similar compared to the proposed Project.

Noise

The No Project/No Build Alternative would not result in construction; therefore, would not generate any noise or vibration associated with construction. Mobile-source and stationary noise volumes would be lower under this alternative compared to the proposed Project, given the lack of urban development, and associated vehicular traffic noise; noise from industrial warehousing uses; heating, ventilation, and air conditioning (HVAC) equipment; and other noise sources. The Project would have a less than significant impact on noise with mitigation incorporated. Therefore, impacts under this alternative would be reduced compared to the proposed Project.

Population and Housing

The No Project/No Build Alternative would continue the existing agriculture and residential uses. Employment growth would not occur under the No Project/No Build Alternative because no new businesses or other infrastructure would be constructed. Employees on the Project site would remain as is under this alternative, and the alternative would have no impact to population and housing. However, the employment growth under the proposed Project was determined to be within the growth projections for the area and impacts to population and housing were determined to be less than significant. Therefore, population and housing impacts under this alternative would be reduced compared to the proposed Project.

Public Services

The existing number of residents and workers on the Project site would remain under the No Project/No Build Alternative. There would be no increase in demand for fire or police services, and the alternative would

have no impact on public services. Although the proposed Project's impacts related to fire and police services were determined to be less than significant, the public services impacts would be reduced under this alternative compared to the proposed Project.

Transportation

The No Project/No Build Alternative would continue the existing agriculture and residential uses on the Project site. Under this alternative, no new employees or industrial warehouse uses would be introduced on the Project site, and existing VMT would be maintained. Therefore, there would be no impacts under this alternative, and the significant and unavoidable traffic impacts that would occur from the proposed Project would be avoided. Impacts under this alternative would be reduced compared to the proposed Project.

Tribal Cultural Resources

The No Project/No Build Alternative would continue the existing agriculture and residential uses on the Project site. No grading or development would occur under this alternative, and there would be no potential impacts to tribal cultural resources that may exist beneath the ground surface. Therefore, the No Project/No Build Alternative would avoid site disturbances on the Project site and the Project's potential impacts to tribal cultural resources would not occur. Impacts under this alternative would be reduced compared to the proposed Project.

Utilities and Service Systems

The No Project/No Build Alternative would not demand any more utilities or services than those currently being expended to service the Project site. Because no new development and employee increases would occur under the No Project/No Build Alternative, the existing on-site water well and septic systems would continue to be used, and no water or wastewater infrastructure would be constructed. No additional demand for regional water supplies would occur, and no additional wastewater would be conveyed to the regional wastewater treatment facilities. The alternative would have no impacts on utilities and service systems. Project operations would create a demand for water, and increase wastewater and solid waste generation, but impacts to utilities and service systems would be less than significant. Therefore, the impacts related to water supplies and wastewater would be reduced compared to the Project.

Similarly, no additional drainage infrastructure would be developed by the No Project/No Build Alternative, and runoff in the Project site would remain in its current condition and would not connect to or require capacity in the regional stormwater system. Solid waste generation would remain the same as existing conditions and increases in solid waste generation would not occur with the No Project/No Build Alternative. Furthermore, the demand on dry utilities would remain the same as existing conditions and increases in

dry utilities would not occur with the No Project/No Build Alternative. There would be no impacts under the alternative. Therefore, impacts to utilities and service systems would be reduced compared to the proposed Project.

Attainment of Project Objectives**:**

Ability to Reduce Impacts

The No Project/No Build Alternative would eliminate the significant and The No Project/No Build Alternative would eliminate the significant and unavoidable impacts related to agriculture and forestry resources, air quality, GHG emissions, land use and planning, and transportation and traffic that would occur from implementation of the proposed Project. This alternative would also reduce impacts related to biological resources, cultural resources, energy, geology, and soils in relation to paleontological resources, noise, population and housing, public services, tribal cultural resources, and utility and service systems. Impacts related to geologic hazards, hazards and hazardous materials and hydrology and water quality would be greater under this alternative.

Ability to Achieve Project Objectives

Implementation of the No Project/No Build Alternative means that new development would not occur on the Project site, and none of the Project objectives would be achieved under this alternative. The No Project/No Build Alternative would not create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/logistics complex that is compatible with nearby residential neighborhoods (Objective 1); provide the entitlements and framework for the development of approximately 1.6 million sf of business park and light industrial uses (Objective 2); provide employment opportunities for community residents (Objective 3); facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Project area (Objective 4); expand the City's industrial uses in proximity to local airports and regional transportation networks (Objective 5); nor would it create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Project vision (Objective 6).

Finding: The City Council rejects Alternative 1: No Project/No Build Alternative, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative fails to meet any of the Project objectives and would not provide any of the Project benefits that would occur with the implementation of the proposed Project, including creating a professional, well-maintained and attractive environment for development; and (2) the alternative would result in increased impacts relating to geologic hazards, hazards and hazardous materials, and hydrology and water quality.

b. *Alternative 2: No Project/Existing General Plan Alternative*

Description: Section 15126.6(e) of the State CEQA Guidelines requires that an EIR evaluate and analyze the impacts of the "No-Project" Alternative. When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the no-project alternative is the continuation of the plan, policy, or operation into the future. Therefore, under the No Project/Existing General Plan Alternative, the current General Plan land uses, and zoning would remain in effect. Development in accordance with the existing General Plan and zoning would occur. Following approval of the City's TOP 2050 Update, the underlying land use designations for the Project site will include 11.63 acres of Business Park (at a maximum FAR of 0.6) and 60.06 acres of Industrial (at a maximum FAR of 0.55). The maximum allowable FARs in the TOP 2050 Update are greater than those proposed for this Project; as such, the No Project/Existing General Plan Alternative under the TOP 2050 Update would generate approximately 227,951 sf of business park development, 1,412,739 sf of industrial development, 1,631 employees, and zero residents. (Draft Subsequent EIR, p. 6-8 through 6-9)

Impacts: **Agriculture and Forestry Resources**

The No Project/Existing General Plan Alternative would have the same development area as the proposed Project. The existing dairy farming uses would be removed from the Project site. Therefore, implementation of the No Project/Existing General Plan Alternative would result in the same significant and unavoidable impacts to agricultural and forestry resources that would occur from implementation of the proposed Project. Thus, impacts under this alternative would be the same compared to the proposed Project.

Air Quality

The No Project/Existing General Plan Alternative under the TOP 2050 Update would develop the Project site for the same type of business park, industrial and warehousing uses, and the alternative would still result in a significant and unavoidable construction-related air quality impact from the exceedance of NOX emissions. Therefore, overall air quality impacts would be similar to that of the proposed Project. Impacts under this alternative would be similar compared to the proposed Project and would remain significant and unavoidable.

Biological Resources

The No Project/Existing General Plan Alternative under the TOP 2050 Update would have the same overall impact area as the proposed Project. Impacts to sensitive wildlife species, and migratory and nesting birds would continue to occur, and similar mitigation measures from the Project would be implemented to reduce impacts to such resources to a less than significant level. Therefore, impacts would be similar when compared to the proposed Project.

Cultural Resources

The No Project/Existing General Plan Alternative under the TOP 2050 Update would result in a similar potential to adversely affect any undiscovered archaeological resources on the Project site as the proposed Project. Grading or

development would occur under this alternative, and there would be potential impacts to subsurface archaeological resources that may exist beneath the ground surface. Similar to the Project, a less than significant impact would occur to historical resources under the No Project/Existing General Plan Alternative. Further, under the No Project/Existing General Plan Alternative, impacts to archeological resources could occur, as ground disturbing activities would occur. This No Project/Existing General Plan Alternative would be similar to the Project's potential for disturbing human remains. However, like the proposed Project mitigation measures would be required to reduce potential impacts to less than significant. Therefore, impacts under the No Project/Existing General Plan Alternative would be similar compared to the Project.

Energy

The No Project/Existing General Plan Alternative under the TOP 2050 Update would result in the same amount of employment-generating building square footage and employees. Additionally, this alternative would result in a similar number of vehicle trips when compared to the proposed Project. Therefore, building energy and fuel consumption would be similar under this alternative as compared to the Project.

Geology and Soils

Grading and development of the Project site would still occur under the No Project/Existing General Plan Alternative, under the TOP 2050 Update. The new structures under this alternative would still result in additional persons and structures in the Project area that would be subject to risks associated with seismic ground shaking and geologic hazards. Therefore, the No Project/Existing General Plan Alternative would be required to meet the same regulatory requirements as the proposed Project. Impacts to geological hazards under the alternative would be similar to those associated with the proposed Project.

This alternative would result in a similar potential to adversely affect any undiscovered paleontological resources on the Project site on the proposed Project. However, like the proposed Project, mitigation measures would be required to reduce potential impacts to less than significant. Therefore, impacts to paleontological resources from the No Project/Existing General Plan Alternative would be similar to those associated with the proposed Project.

Greenhouse Gas Emissions

The No Project/Existing General Plan Alternative under the TOP 2050 Update would develop the Project site for the same type of business park, industrial and warehousing uses. Therefore, GHG emissions would be similar when compared to the proposed Project, and the No Project/Existing General Plan Alternative would still implement similar mitigation to that of the proposed Project and would remain significant and unavoidable.

Hazards and Hazardous Materials

The No Project/Existing General Plan Alternative under the TOP 2050 Update would develop the Project site for business park and industrial uses. The use and storage of hazardous materials would be regulated by the

same federal, State, and local laws and permitting requirements as would be done by the proposed Project. In addition, this alternative would include cleanup of contaminated soils that exist on the Project site during construction activities and would be required to implement the same type of mitigation measures that would be implemented for the proposed Project. Like the proposed Project, this alternative would also result in less than significant impacts with implementation of mitigation measures.

Hydrology and Water Quality

Under the No Project/Existing General Plan Alternative under the TOP 2050 Update, the area of impervious surfaces would be similar compared to the proposed Project. Therefore, this alternative would result in similar runoff and potential for impacts to drainage, erosion, and water quality. Like the proposed Project, this alternative would introduce new sources of water pollutants from construction and operation activities. Additionally, this alternative would be required to include storm drain facility improvements, LID, source control, site design, and treatment control BMPs. Overall, hydrology and water quality impacts would be less than significant. Therefore, the No Project/Existing General Plan Alternative would result in impacts to hydrology and water quality that are similar to those that would occur from the proposed Project.

Land Use and Planning

The No Project/Existing General Plan Alternative under the TOP 2050 Update would develop the Project site with business park and industrial uses. This alternative would be consistent with TOP 2050 Update and zoning designations and would result in a less than significant impact. The Project's proposed land uses are consistent with TOP 2050 Update land uses and zoning, and the Project would result in a less than significant impact for land use consistency under the current TOP. Therefore, similar to the proposed Project, the No Project/Existing General Plan Alternative would result in a less than significant impact related to land use, and impacts are similar compared to the proposed Project.

Noise

The No Project/Existing General Plan Alternative under the TOP 2050 Update would result in a similar development and number of vehicle trips when compared to the proposed Project. Similarly, the No Project/Existing General Plan Alternative would implement similar mitigation to that of the proposed Project. Therefore, the alternative would result in similar impacts compared to the Project.

Population and Housing

Under the No Project/Existing General Plan Alternative under the TOP 2050 Update, the population, housing, and employment at buildout would be consistent with the City's growth projections identified in Southern California Association of Governments' (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). Impacts under the alternative would be similar compared to the proposed Project due to the alternative's consistency with TOP 2050 Update land use designations and associated housing projections.

Public Services

Similar to the Project, the No Project/Existing General Plan Alternative under the TOP 2050 Update would require payment of fees, and compliance with applicable plans and regulations. , This alternative would result in similar impacts to public services compared to the proposed Project.

Transportation

Under the No Project/Existing General Plan Alternative under the TOP 2050 Update, transportation and traffic impacts would be similar when compared to the proposed Project due to the vehicle trips associated with business park, office spaces, and industrial uses. The alternative would be required to implement similar roadway improvements as the Project. Therefore, impacts that could occur by the No Project/Existing General Plan Alternative would be similar to those associated with the proposed Project.

Tribal Cultural Resources

The No Project/Existing General Plan Alternative under TOP 2050 Update would result in a similar potential to adversely affect tribal cultural resources on the Project site as the proposed Project, as this alternative would require the same ground disturbing activities as the Project. However, like the proposed Project, mitigation measures would be required to reduce potential impacts to less than significant. Therefore, impacts that could occur by the No Project/Existing General Plan Alternative would be similar to those associated with the proposed Project.

Utilities and Service Systems

The No Project/Existing General Plan Alternative under TOP 2050 Update would result in similar impacts to utilities and service systems due to the increase in water demand and sewer generation associated with development of business park, office uses, and industrial development allowed by TOP. This No Project/Existing General Plan Alternative would be similar to the proposed Project for the demand for water and wastewater, solid waste services, and gas and electricity services. Under the No Project/Existing General Plan Alternative, similar improvements to water or wastewater infrastructure would be constructed to accommodate the business park and industrial designations. Additional demand for regional water supplies would occur, and additional wastewater would be conveyed to the regional wastewater treatment facilities due to overall greater demand from land uses allowed under the TOP 2050 Update. Therefore, the impacts related to utilities and services systems would be similar compared to the Project.

Ability to Reduce Impacts

The No Project/Existing General Plan Alternative would result in increased impacts to air quality, energy, GHG emissions, noise, population and housing, and transportation and traffic under the TOP 2050 Update, when compared to the impacts under the Project. Under the TOP 2050 Update, this alternative will have similar impacts compared to the proposed Project related to agricultural and forestry resources, biological resources, cultural

resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, and public services, tribal cultural resources, and utilities and service systems would be similar compared to the proposed Project.

Ability to Achieve Project Objectives

Therefore, under the TOP 2050 Update, the No Project/Existing General Plan Alternative would meet all six Project objectives as it would create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/logistics complex that is compatible with nearby residential neighborhoods (Objective 1); provide the entitlements and framework for the development of approximately 1.6 million sf of business park and light industrial uses (Objective 2); expand Ontario's industrial uses in proximity to local airports and regional transportation networks (Objective 5); and it would create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Specific Plan vision (Objective 6). This alternative would provide employment opportunities for community residents (Objective 3) and facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Specific Plan area (Objective 4).

Finding: Following approval of the TOP 2050 Update, the City Council rejected Alternative 2: No Project/Existing General Plan Alternative, which was analyzed against the TOP 2010, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: this alternative would not create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/ logistics complex that is compatible with nearby residential neighborhoods (Objective 1); provide the entitlements and framework for the development of approximately 1.6 million sf of business park and light industrial uses (Objective 2); expand Ontario's industrial uses in proximity to local airports and regional transportation networks (Objective 5); nor would it create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Specific Plan vision (Objective 6). This alternative would provide employment opportunities for community residents (Objective 3) and facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Specific Plan area (Objective 4) and this alternative is infeasible. See *Section 6.0, Alternatives* of the Draft Subsequent EIR. Post approval of the TOP 2050 Update, approved August 16, 2022, the Project is now consistent with the existing land use and zoning designations under the TOP 2050 Update, and this alternative is now moot.[1]

[1] City of Ontario. 2022. TOP 2050 Policy Plan. Figure LU-01, Official Land Use Plan, page 14. Available at https://www.ontarioplan.org/wp-content/uploads/sites/4/2022/07/%5E%5EFinal-Policy-Plan-20220720.pdf.

c. *Alternative 3: Reduced Intensity Alternative*

Description: The Reduced-Intensity Alternative proposes a 25 percent reduction in building area of the proposed industrial warehousing and business park uses. Under this alternative, a total of 1,640,690 sf of industrial and warehouse uses will have a reduction of 410,173 sf and would be developed with 982,838 sf of high-cube fulfillment center warehousing and 158,843 sf of office uses. The development impact area would generally remain the same as the Project. This alternative would generate approximately 1,223 employees. Access to the site would be similar to the Project with a reduction in the number of parking spaces. Given the infrastructure costs, including off-site improvements, a 25 percent reduction was considered aggressive and further reduction is likely not financially feasible. (Draft Subsequent EIR, p. 6-14)

Impacts: **Agriculture and Forestry Resources**

The Reduced-Intensity Alternative would develop the Project site for the same type of business park, industrial and warehousing uses and have the same impact area to the proposed Project. The existing dairy farming uses would be removed from the Project site. Therefore, implementation of the Reduced-Intensity Alternative would result in the same significant and unavoidable impacts to agricultural and forestry resources that would occur from implementation of the proposed Project. Thus, impacts under this alternative would be similar to those of the proposed Project.

Air Quality

The Reduced-Intensity Alternative would develop the Project site for the same type of business park, industrial and warehousing uses, but with less intensity than the proposed Project. Therefore, with similar mitigation incorporated, a reduced volume of construction activities and the related emissions would occur; however, the alternative would still result in a significant and unavoidable construction-related air quality impact from the exceedance of NOX emissions. In addition, the reduced amount of square footage that would be developed by this alternative would result in less stationary source emissions from equipment on-site and less transportation-related air emissions than the proposed Project. Therefore, overall air quality impacts would be reduced in comparison to the proposed Project. However, the volume of NOX emissions from operational vehicular and truck trips generated by the Reduced-Intensity Alternative would remain significant and unavoidable due to the volume of vehicular and truck trips that would occur from operation of 1,230,517 sf industrial warehousing space and business park use. With mitigation implemented, the air quality emissions would be reduced to approximately 118 pounds per day of NOX generated for this alternative. The SCAQMD threshold for NOX is 55 pounds per day. Therefore, significant and unavoidable impacts due to exceedance of NOX emissions would continue to occur. Impacts under this alternative would be reduced compared to the proposed Project but would remain significant and unavoidable.

Biological Resources

The Reduced-Intensity Alternative would continue to cover the same impact area as the Project site. Impacts to sensitive wildlife species and migratory and nesting birds would continue to occur, and mitigation measures would be implemented to reduce impacts to such resources to a less than significant level. Therefore, impacts would be similar to those of the proposed Project.

Cultural Resources

The Reduced-Intensity Alternative would result in similar impacts with a potential to adversely affect any undiscovered historical or archaeological resources on the Project site. Grading or development would occur under this alternative, and there would be potential impacts to subsurface archaeological resources that may exist beneath the ground surface. Similar to the Project, less than significant impacts would occur to historical resources under the Reduced-Intensity Alternative. This Reduced-Intensity Alternative would be similar to the Project's potential for impacts to archaeological resources and disturbing human remains and would require similar mitigation. The Project would have a less than significant impact on cultural resources with implementation of mitigation. Therefore, impacts under the Reduced-Intensity Alternative would be similar compared to the Project.

Energy

Under this alternative, allowable building square footage would be reduced, and the associated energy demand would also be reduced by approximately 25 percent. Additionally, the reduction in vehicle trips associated with this alternative would reduce fuel consumption. Impacts under the alternative would remain less than significant. Construction and operational activities associated with this alternative would have reduced energy demand compared to the proposed Project and impacts under the alternative would be reduced compared to the proposed Project.

Geology and Soils

Grading and development of the Project site would still occur under the Reduced-Intensity Alternative. The new structures under this alternative would still result in additional persons and structures in the Project area that would be subject to risks associated with seismic ground shaking and geologic hazards. Therefore, the Reduced-Intensity Alternative would be required to meet the same regulatory requirements as the proposed Project. Impacts to geological hazards would be similar to those of the Project.

Regarding paleontological resources, the alternative would have similar potential to adversely affect any undiscovered resources. This alternative would result in a similar potential to impact paleontological resources, and implementation of mitigation measures would reduce potential impacts to less than significant. Therefore, impacts to paleontological resources under the alternative would be similar to those of the proposed Project.

Greenhouse Gas Emissions

The Reduced-Intensity Alternative would develop the Project site for the same type of business park, industrial and warehousing uses, but with less intensity than the proposed Project. Therefore, a reduced volume of construction activities and associated GHG emissions would occur. In addition, the reduced square footage would result in less stationary source emissions from equipment on-site, and less traffic related GHG emissions than the proposed Project. The proposed Project would result in the generation of approximately 19,268 MTCO2e per year, which would be reduced by approximately 25 percent to 14,451 MTCO2e per year under the Reduced-Intensity Alternative. This alternative would still result in significant and unavoidable GHG impacts, since it would exceed the threshold of 3,000 MTCO2e per year, and mitigation measures would not reduce emissions to less than significant levels. Therefore, the alternative would have a significant and unavoidable impact on GHG emissions, but would be reduced compared to the proposed Project.

Hazards and Hazardous Materials

The Reduced-Intensity Alternative would develop the Project site for business park and industrial warehousing uses, and therefore the same type of hazardous materials typically used for construction and operation of the proposed Project would be used under the Reduced-Intensity Alternative. Similarly, the use and storage of hazardous materials would be regulated by the same federal, State, and local laws and permitting requirements as would be done by the proposed Project. In addition, this alternative would include cleanup of contaminated soils that exist on the site during construction activities and would be required to implement the same type of mitigation measures proposed for the Project. Therefore, like the proposed Project, this alternative would also result in less than significant impacts with implementation of mitigation measures, and impacts under the alternative would be similar to those of the proposed Project.

Hydrology and Water Quality

The Reduced-Intensity Alternative would reduce the total building square footage; however, the area of impervious surfaces would be similar compared to the proposed Project as the area would be paved. Therefore, this alternative would result in similar runoff and potential for impacts to drainage, erosion, and water quality. Like the proposed Project, this alternative would introduce new sources of water pollutants from construction and operation activities. Additionally, this alternative would be required to include storm drain facility improvements, LID, source control, site design, and treatment control BMPs. Overall, hydrology and water quality impacts would be less than significant. Therefore, the Reduced-Intensity Alternative would result in impacts to hydrology and water quality that are similar to those that would occur from the proposed Project.

Land Use and Planning

The Reduced-Intensity Alternative would require a SPA to implement the Project. This alternative would have similar levels of consistency with the SCAG RTP/SCS policies, the City's TOP 2050 General Plan, the City's Development Code, and consistency with airport plans. Therefore, like the proposed Project, the Reduced-Intensity Alternative would result in no impacts related to land use and would be similar compared to the proposed Project.

Noise

The Reduced-Intensity Alternative would develop the Project site for the same type of business park, industrial and warehousing uses, but with less intensity than the proposed Project. Construction and operation noise impacts would be reduced under the Reduced-Intensity Alternative because this alternative would decrease the development area by 410,173 sf. Although construction of this alternative would generate the same peak noise volumes and similar type and volume of construction noise as the proposed Project, the duration of construction and the associated noise would be slightly reduced compared to the Project (due to less total building square footage). Operational noise would also be reduced under this alternative as traffic-generated and stationary noise sources would decrease in relation to the reduction in industrial warehousing square footage. Noise impacts from the Reduced-Intensity Alternative would be less than significant with implementation of mitigation measures and reduced compared to the proposed Project.

Population and Housing

Under the Reduced-Intensity Alternative, buildout would result in an approximate 25 percent reduction in employees on-site. Under this alternative, the population, housing, and employment at buildout would be consistent with the City's growth projections identified in SCAG's RTP/SCS. However, growth associated with the proposed Project was also within growth projections. The Reduced-Intensity Alternative would provide fewer employment opportunities. Overall, impacts to population and housing would remain less than significant with this alternative and reduced to the proposed Project.

Public Services

The Reduced-Intensity Alternative would reduce buildout of the industrial and business park portions of the Project area by 25 percent compared to the proposed Project. This would reduce the number of employees on the Project site in relation to the reduction in industrial warehousing and business park square footage. However, as with the proposed Project, this alternative is not anticipated to result in new residences that could demand new services and would include design features to lessen the need for services; therefore, impacts would be less than significant with compliance of other applicable plans and regulations, and payment of fees. Overall, the need for public services would be reduced under this alternative compared to the proposed Project.

Transportation and Traffic

Construction and operation-related traffic and truck trips would be reduced under the Reduced-Intensity Alternative because this alternative would decrease the industrial and business park development area by 410,173 sf to 1,230,517 sf, in comparison to the proposed Project. The volume of traffic that would be generated by the industrial warehousing space and business park use that would be developed under the Reduced-Intensity Alternative would still require implementation of the mitigation measures that involve roadway improvements in locations that are (1) not within the jurisdiction of the City of Ontario, and thus, the City cannot guarantee implementation of the mitigation measure improvements, and (2) within the City of Ontario, but not accounted for in an adopted plan or program for improvements. Additionally, this alternative would not reduce total VMT/service population (SP) by at least 15 percent compared to the Citywide average. As a result, similar mitigation would apply, and transportation and traffic impacts based on VMT generated from this alternative would be reduced compared to the proposed Project but would remain significant and unavoidable.

Tribal Cultural Resources

The Reduced-Intensity Alternative would result in similar impacts with a potential to adversely affect any undiscovered tribal cultural resources on the Project site However, like the proposed Project, mitigation measures would be required to reduce the alternative's potential impacts on tribal cultural resources to less than significant. Therefore, impacts under the alternative would be similar to those associated with the proposed Project.

Utilities and Service Systems

The Reduced-Intensity Alternative would reduce buildout of the Project site by 410,173 sf compared to the proposed Project. This would reduce the number of employees on the Project site in relation to the reduction in industrial warehousing and business park square footage and would also reduce the demand for utilities and service systems.

The demand for regional water supplies and generation of wastewater and solid waste would be approximately 25 percent less than the proposed Project. Thus, the impacts related to water supplies, wastewater, and solid waste would result in less than significant impacts. Therefore, impacts under the alternative would be reduced compared to those of the proposed Project.

Attainment of Project Objectives:

Ability to Reduce Impacts

The Reduced-Intensity Alternative would result in reduced impacts related to air quality, energy, GHG emissions, noise, population and housing, public services, transportation and traffic, and utilities and service systems due to the reduction in square footage and associated vehicular trips. However, significant and unavoidable impacts related to agricultural and forestry resources, air quality, GHG emissions, land use and planning, and

transportation and traffic would continue to occur from implementation of this alternative. Impacts related to agricultural and forestry resources, biological resources, cultural resources, geology and soils, hazardous and hazardous materials, hydrology and water quality, land use and planning, population and housing, and tribal cultural resources would be similar to the proposed Project.

Ability to Achieve Project Objectives

Implementation of the Reduced-Intensity Alternative would achieve the Project objectives, but not to the extent as would be achieved by the proposed Project. The Reduced-Intensity Alternative would create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/logistics complex that is compatible with nearby residential neighborhoods (Objective 1); provide employment opportunities for community residents (Objective 3); facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Specific Plan area (Objective 4); expand Ontario's industrial uses in proximity to local airports and regional transportation networks (Objective 5); and create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Specific Plan vision (Objective 6). However, the reduction of 353,184 sf would attract fewer or smaller businesses and less employment opportunities to area residents. In addition, the smaller development would provide less flexibility to meet the needs of an ever-changing business market. This alternative would not fully meet Objective 2 to provide the entitlements and framework for the development of approximately 1.6 million sf of business park and light industrial uses.

Finding: The City Council rejects Alternative 3: Reduced Intensity Alternative, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative would not achieve the project benefits to the extent the proposed Project does since a reduction in intensity would generate less job opportunities in the City; (2) the alternative fails to avoid or reduce the Project's significant and unavoidable impacts relating to agricultural and forestry resources, air quality, GHG emissions, land use and planning, and transportation and traffic; and (3) the alternative is infeasible.

4. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires a lead agency to identify the "environmentally-superior alternative" and, in cases where the "No Project" Alternative is environmentally superior to the proposed Project, the environmentally-superior development alternative must be identified. The Reduced-Intensity Alternative has been identified as "environmentally superior" to the proposed Project.

Reduced-Intensity Alternative

The Reduced-Intensity Alternative has been identified as the environmentally-superior alternative because it would result in reduced impacts related to air quality, energy, GHG emissions, noise, population and housing, public services, transportation and traffic, and utilities and service systems due to the reduction in square footage and associated vehicular trips.

However, the Reduced-Intensity Alternative would still result in significant and unavoidable impacts related to agricultural and forestry resources, air quality, GHG emissions, and transportation and traffic. Impacts related to biological resources, cultural resources, geology and soils, hazardous and hazardous materials, hydrology and water quality, and tribal cultural resources would be similar to the proposed Project.

CEQA does not require the lead agency (the City of Ontario) to choose the environmentally-superior alternative. Instead, CEQA requires the City to consider environmentally-superior alternatives, weigh those considerations against the environmental impacts of the proposed Project, and make findings that the benefits of those considerations outweigh the harm. "Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts" (State CEQA Guidelines §15126.6[c]).

G. ADDITIONAL CEQA CONSIDERATIONS

1. SIGNIFICANT IRREVERSIBLE CHANGES DUE TO THE PROPOSED PROJECT

Section 15126.2(c) of the State CEQA Guidelines requires that an EIR describe any significant irreversible environmental changes that would be caused by the proposed project should it be implemented. Specifically, the State CEQA Guidelines state:

> *"Uses of nonrenewable resources during the initial and continued phases of the project may be Primary impacts and, particularly, secondary impacts (such as highways improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified."*

Generally, a project would result in significant irreversible environmental changes if:

- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve a large commitment of nonrenewable resources;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The proposed irretrievable commitments of nonrenewable resources are not justified (e.g., the project involves the wasteful use of energy).

In the case of the proposed Ontario Ranch Business Park Specific Plan Amendment Project (Project), its implementation would involve a land use, development, and implementation framework to support up to a maximum build-out of 1,640,690 square feet (sf) of business park, warehouse, and ancillary office space within the City of Ontario (City). Significant irreversible changes that would be caused by implementation of the Project would be:

- Construction activities that would entail the commitment of nonrenewable and/or slowly renewable energy resources; human resources; and natural resources such as lumber and other forest products, sand and gravel, asphalt, steel, copper, lead, other metals, water, and fossil fuels.

- Operation that would require the use of natural gas and electricity, petroleum-based fuels, fossil fuels, and water. The commitment of resources required for the operation of the Project would limit the availability of such resources for future generations or for other uses during the life of the Project.
    - Increased traffic on area roadways (see Section 4.14, Transportation and Traffic);
    - Emissions of air pollutants associated with operations (see Section 4.2, Air Quality); and
    - Consumption of non-renewable energy associated with operation of the Project due to the use of automobiles, lighting, heating, and cooling systems, and appliances (see Section 4.5, Energy, and Section 4.7, Greenhouse Gas Emissions).
- An increased commitment of social services and public maintenance services (e.g., police, fire, sewer, and water services) would also be required. The energy and social service commitments would be long-term obligations in view of the low likelihood of returning the land to its original condition once it has been developed.
- Employment growth related to Project implementation would increase vehicle trips over the long term. Emissions associated with such vehicle trips would continue to contribute to the South Coast Air Basin's (SoCAB) nonattainment designations for ozone, particulate matter (PM10 and PM2.5), under the California and National Ambient Air Quality Standards (CAAQS and NAAQS, respectively), and nonattainment for nitrogen dioxide (NO2) under the CAAQS.

Given the low likelihood that the land would revert to lower intensity uses or to its current form, the Project would generally commit future generations to these environmental changes. However, as discussed in Section 3.0, Project Description, the Project is committed to sustainable design strategies that integrate principles of environmental stewardship into the design and construction process. Appropriate strategies would be determined for each phase of the Project. Strategies include, but are not limited to:

Sustainable Construction & Technology Concepts

- Design and construct energy-efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption.
- Employ passive design including skylights, building orientation, landscaping, and strategic colors to improve building energy performance.
- Reduce the heat island effect by providing shade structures and trees that produce large canopies. In addition, choose roof and paving materials that possess a high level of solar reflectivity.
- Use recycled and other environmentally-friendly building materials wherever possible.
- Incorporate skylights into at least two percent of warehouse/distribution building roof area to provide natural light and reduce electric lighting demand.
- Use energy-efficient light-emitting diode (LED) (or similar) products.
- Provide interior or exterior bicycle storage consistent with the CALGreen.

- Use drought-tolerant landscaping with drip irrigation and include plantings such as trees, shrubs, groundcovers and/or vines. Optional amenities include benches, trellises, thematic fencing, and decorative walkways.
- Employ high-performance dual-pane window glazing in office storefronts.

Water Quality

- Utilize landscape areas including retention/infiltration swales and basins, or employ bio-treatment when infiltration is infeasible, as required by the San Bernardino County Municipal Separate Storm Sewer System Permit and Water Quality Management Plan.
- Select native and drought-tolerant plants to reduce water demand.
- Integrate permeable pavement and perforated curbs throughout the Project area as feasible to allow stormwater to enter planter areas, assist with filtration, and control runoff.
- Use captured runoff to augment irrigation systems whenever possible.
- Employ irrigation systems that respond to changing weather conditions, irrigate by hydro zone, and use micro-irrigation techniques.
- Use recycled water to irrigate landscape areas and for other appropriate uses. The use of recycled water for certain purposes is required by the City Recycled Water Master Plan

The commitment of resources to the Project is not unusual or inconsistent with projects of this type and scope. However, once these commitments are made, it is improbable that the Project area would revert back to its current condition. Thus, the Project would result in significant irreversible changes to the environment throughout the lifespan of the structures. (Draft Subsequent EIR, p. 5-1 through 5-3)

2. GROWTH-INDUCING IMPACTS OF THE PROPOSED PROJECT

Pursuant to Sections 15126(d) and 15126.2(d) of the CEQA Guidelines, this section is provided to examine ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. To address this issue, potential growth-inducing effects will be examined through analysis of the following questions:

- Would this project remove obstacles to growth, e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development?
- Would this project result in the need to expand one or more public services to maintain desired levels of service?
- Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?
- Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

Please note that growth-inducing effects are not to be construed as necessarily beneficial, detrimental, or of little significance to the environment. This issue is presented to provide additional information on ways in which this Project could contribute to significant changes in the environment, beyond the direct consequences of developing the land use concept examined in the preceding sections of this Draft Subsequent EIR.

1. ***Would this project remove obstacles to growth, e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development?***

The removal of a physical obstacle to growth, such as the construction or extension of major infrastructure facilities that are not presently in the area, would be considered a potentially growth inducing impact. The Project would include various new infrastructure improvements on-site and off-site, including water, wastewater, storm drain facilities, roadway improvements, and dry utilities (natural gas, electricity, telecommunications).

Implementation of the Project would require the construction and improvement of roadways and extension of major infrastructure into areas off-site that will facilitate additional planned growth pursuant to The Ontario Plan (TOP) 2050. Although the infrastructure improvements are planned for in the City's master plans, the improvements would allow further development to occur within the overall Project site. Therefore, the Project would remove obstacles to growth to accommodate the demands of this Project at full buildout, which could allow for future development in the area once adequate infrastructure is in place and would be considered growth inducing.

2. ***Would this project result in the need to expand one or more public services to maintain desired levels of service?***

As the City continues to develop, it requires the further commitment of public services in the form of fire protection, police services, and other public facilities. As discussed in Section 4.13, Public Services, none of the public service agencies consulted during the preparation of this Draft Subsequent EIR indicated that the proposed Project would necessitate the immediate expansion of their existing resources in order to maintain desired levels of service. The proposed Project would not, therefore, have significant growth-inducing consequences with respect to public services.

3. ***Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?***

During Project construction, a number of designing, engineering, and construction-related jobs would be created. However, construction-related jobs would not result in a significant population increase because they would be filled by workers in the region and the construction phase would be temporary. The Project would result in the creation of up to 1,631 new long-term jobs. As the number of employees in the Project area grows, these employees would seek shopping, entertainment, auto maintenance, and other economic opportunities in the surrounding area. This would facilitate economic goods and services and could, therefore, encourage the creation of new businesses and/or the expansion of existing businesses to address these economic needs.

The majority of new jobs that would be created by implementation of the Project would be positions that do not require a specialized workforce, and this type of workforce exists in the City and surrounding areas. Thus, due to the availability of a workforce within the City, it is anticipated that new jobs would be filled by people within the City and the immediately surrounding communities and would not induce an unanticipated influx of new labor into the City. Although, the proposed Project would result in new permanent employment opportunities and stimulate economic activity, it would meet future employment demands anticipated in SCAG's regional growth projections. Overall, the Project would not result in increased levels of growth that would otherwise not occur. Therefore, the Project would not encourage or facilitate economic effects that could significantly affect the environment.

4. Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

The Project consists of a Specific Plan Amendment (SPA) to allow for the incorporation of the approximately 71.69 acres abutting the eastern boundary of the approved Ontario Ranch Business Park Specific Plan area and the development of an industrial and business park on eight parcels. The Project would allow for the development of six warehouse buildings totaling up to a maximum build-out of 1,640,690 sf for warehouse and office uses.

Pressures to develop other land in the surrounding area would derive from regional economic conditions and market demands for housing, commercial, and industrial land uses that are not directly or indirectly influenced by zoning actions on a particular property. Approval of the proposed Project would not, therefore, involve a precedent-setting action that could be applied to other properties and thereby encourage or facilitate growth that would not otherwise occur.

<u>Environmental Impacts of Induced Growth</u>

Implementation of the Project would provide development to accommodate regional and As described above, implementation of the proposed Project would provide development to accommodate City forecasted employment demands. All physical environmental effects from construction of development have been analyzed in all technical sections of this Draft Subsequent EIR. For example, activities such as excavation, grading, and construction as required for the proposed industrial warehousing and office uses were analyzed in the Sections 4.2, Air Quality; 4.7, Greenhouse Gas Emissions; 4.11, Noise; and 4.14, Transportation and Traffic. Therefore, construction of the Project has been analyzed in this Draft Subsequent EIR and would be adequately mitigated either through implementation of Plans, Programs, and Policies (PPPs) and/or mitigation measures contained in Section 4.1, Agriculture and Forestry Resources, through Section 4.16, Utilities and Service Systems, of this Draft Subsequent EIR. (Draft Subsequent EIR, p. 5-1 through 5-8)

SECTION V. STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires decision makers to balance the benefits of the proposed Project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse effects, those effects may be considered "acceptable" (State CEQA Guidelines §15093[a]). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Such reasons must be based on substantial evidence in the FEIR or elsewhere in the administrative record (State CEQA Guidelines §15093 [b]). The agency's statement is referred to as a Statement of Overriding Considerations.

The following provides a description of the project's significant and unavoidable adverse impact and the justification for adopting a statement of overriding considerations.

A. SIGNIFICANT AND UNAVOIDABLE IMPACTS

The City identifies the following significant unavoidable adverse impacts of the Project, which would continue to be applicable upon implementation of the proposed project:

Agriculture and Forestry Resources

- Impact 4.1-1: Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- Impact 4.1-3: Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Air Quality

- Impact 4.2-1: Would the Project conflict with or obstruct implementation of the applicable air quality plan?
- Impact 4.2-2: Would the proposed project, result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Greenhouse Gas Emissions

- Impact 4.7-1: Would the Project generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment?
- Impact 4.7-2: Would the Project conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions?

Transportation and Traffic

- Impact 4.14-2: Would the Project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?

B. PROJECT BENEFITS IN SUPPORT OF THE STATEMENT OF OVERRIDING CONSIDERATIONS

The following section describes the benefits of the proposed Project that outweigh the project's unavoidable adverse effects and provides specific reasons for considering the Project acceptable even though the FEIR has indicated that there will be eight significant and unavoidable project impacts if the mitigation measures for Impacts 4.1-1, 4.1-3, 4.2-1, 4.2-2, 4.7-1, 4.7-2, and 4.14-2, are implemented. Accordingly, this Statement of Overriding Considerations regarding potentially significant adverse environmental impacts resulting from the proposed Project, as set forth below, has been prepared. Pursuant to CEQA Guidelines §15093(c), the Statement of Overriding Considerations will be included in the record of the Project approval and will also be noted in the Notice of Determination. Each of the benefits identified below provides a separate and independent basis for overriding the significant environmental effects of the proposed Project.

Having reduced the potential effects of the proposed Project through all feasible mitigation measures as described previously herein, and balancing the benefits of the proposed Project against its potential unavoidable adverse impacts, the City finds that the following legal requirements and benefits of the proposed Project individually and collectively outweigh the potentially significant unavoidable adverse impacts for the following reasons:

1. Implements the Objectives Established for the Proposed Project

The Project objectives include creating a professional, well-maintained, and attractive environment for development; providing entitlements and framework for development of business park and light industrial uses; providing employment opportunities for community residents; facilitating the construction of utilities, roads, and other major infrastructure; expanding Ontario's industrial uses in proximity to local airports and regional transportation networks; and creating an economic engine to drive future growth and spur improvements in the area.

2. Provides Employment Opportunities

The Project would provide for high-quality industrial uses within the City and the TOP area and would increase employment opportunities for City and area residents. The proposed Project would include eight warehouse buildings totaling a maximum development of 5,333,518 square feet of warehouse and office uses and would generate 5,459 employment opportunities.

3. Provides Substantial Infrastructure Improvements

The Project will be responsible for the construction of area-wide infrastructure construction within the Ontario Ranch area, including roadway, water, and sewer and storm drains as set forth in the Draft Subsequent EIR and Ontario Ranch Business Park Specific Plan Amendment. The Project would construct improvements and infrastructure consistent with the 2050 TOP and the City's various master plans for roadways and sewers, among others.

4. Consistency with the Regional Goals in the RTP/SCS

SCAG's 2020-2045 RTP/SCS was adopted September 3, 2020. The RTP/SCS identifies that land use strategies that focus on new housing and job growth in areas served by high

quality transit and other opportunity areas would be consistent with a land use development pattern that supports and complements the proposed transportation network. The overarching strategy in the 2020-2045 RTP/SCS is to provide for a plan that allows the southern California region to grow in more compact communities in existing urban areas; provide neighborhoods with efficient and plentiful public transit and abundant and safe opportunities to walk, bike, and pursue other forms of active transportation; and preserve more of the region's remaining natural lands.

The proposed Project would create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area, and would allow for the development of urban uses on currently underutilized land. The implementation of the proposed Project would facilitate the construction of roads and other major infrastructure investments that will ensure that mobility accessibility for people and goods would be maximized. The Specific Plan would expand Ontario's industrial uses in proximity to local airports and regional networks, and the vehicular and pedestrian improvements called for in the Specific Plan would be implemented and maintained to meet the needs of employees and visitors. Additionally, all modes of public and commercial transit throughout the Project area would be required to follow safety standards set by state, regional, and local regulations. The proposed Specific Plan would preserve and ensure access to the local public transportation near the Project site. The proposed project would improve and maintain local and area-serving transportation systems to maximize efficiency and productivity. Moreover, the proposed Project would incorporate energy efficiency and sustainability strategies.

5. Consistency with the City's Community Climate Action Plan

The Project will implement GHG emissions reduction measures specified in the Draft Subsequent EIR and will comply with the City's adopted CAP , which strives to achieve GHG reductions City-wide that comply with the State's reduction requirements. The primary purpose of the City's Community CAP is to design a feasible strategy to reduce GHG emissions generated by community activities that is consistent with statewide Scoping Plan GHG reduction efforts. The GHG emissions reduction target established under the CAP is 30 percent under year 2020 business-as-usual (BAU) levels. To meet this goal and to supplement statewide initiatives, the City has identified a series of reduction measures to be implemented by the City before 2020. These reduction measures include programs that improve building energy efficiency, increase use of public and active transit and decrease VMT, increase use of alternative-fueled vehicles, increase use of renewable energy, reduce water consumption, and reduce waste.

Table 4.7-4 in the Draft Subsequent EIR evaluates the consistency of the proposed Project to the applicable measures of the Community CAP. As discussed in the Table, the proposed Project would be consistent with the applicable measures. Additionally, the Project would be consistent with the CAP Appendix B, Greenhouse Gas Emissions CEQA Thresholds and Screening Tables (CAP Screening Tables), which establishes a points system that assigns values for each GHG emissions mitigation design element or operational program feature incorporated into a given development project. The CAP Screening Tables point values correspond to the minimum GHG emissions reduction expected from each feature. Projects with features that yield at least 100 Screening Table points are considered consistent with the reduction quantities anticipated in the City's CAP.

6. Remediates On-site Contamination

The Project would remediate existing site conditions, which consist of historic agricultural and dairy-related uses that contributed to on-site contamination.

C. CONCLUSION

The City Council of Ontario has balanced the Project's benefits against the significant unavoidable impacts. The City Council finds that the proposed Project's benefits, which aim to meet the goals and policies of the City of Ontario General Plan (TOP) 2050, outweigh the Project's significant unavoidable impacts, and these impacts, therefore, are considered acceptable in the light of the Project's benefits. The City Council finds that each of the benefits described above is an overriding consideration, independent of the other benefits, that warrants approval of the Project notwithstanding the Project's significant unavoidable impact.

SECTION VI. MITIGATION MONITORING AND REPORTING PLAN

Pursuant to PRC §21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Plan attached to this Resolution as Exhibit B. Implementation of the Mitigation Measures contained in the Mitigation Monitoring and Reporting Program is hereby made a condition of approval of the Project. In the event of any inconsistencies between the mitigation measures as set forth herein and the Mitigation Monitoring and Reporting Plan, the Mitigation Monitoring and Reporting Plan shall control.

SECTION VII. PROJECT APPROVAL

Based upon the entire record before it, including the EIR, Findings of Fact, Statement of Overriding Considerations, and all written and oral evidence presented, City Council hereby approves the proposed Project.

SECTION VIII. STAFF DIRECTION

A Notice of Determination shall be filed with the County of San Bernardino within five (5) working days of final Project approval

PASSED, APPROVED, AND ADOPTED this 18th day of October 2022.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held October 18, 2022, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. ____ duly passed and adopted by the Ontario City Council at their regular meeting held October 18, 2022.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A

Final Subsequent Environmental Impact Report and Response to Comments

(To follow this page)

FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT AND RESPONSE TO COMMENTS

ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN AMENDMENT

SCH No. 2019050018

LEAD AGENCY

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September 2022

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1.0 INTRODUCTION

The City of Ontario (City), as the Lead Agency, has prepared this Final Subsequent Environmental Impact Report (EIR) in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code [PCR] §§21000 et seq.) and CEQA Guidelines (California Code of Regulations [CCR] §§15000 et seq.).

According to the CEQA Guidelines Section 15132, the Final Subsequent EIR shall consist of:

(a) The Draft Environmental Impact Report (EIR) or a revision of the Draft;

(b) Comments and recommendations received on the Draft Subsequent EIR either verbatim or in summary;

(c) A list of persons, organizations, and public agencies comments on the Draft Subsequent EIR;

(d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and

(e) Any other information added by the Lead Agency.

This document contains responses to comments received on the Draft Subsequent EIR for the Ontario Ranch Business Park Specific Plan Amendment (Project) during the public review period, which began June 7, 2022, and closed July 22, 2022. This document has been prepared in accordance with CEQA and the CEQA Guidelines and represents the independent judgment of the Lead Agency. Pursuant to CEQA Guidelines §15132, this document, in conjunction with the circulated Draft Subsequent EIR, comprise the Final Subsequent EIR.

1.1 ORGANIZATION OF THE FINAL SUBSEQUENT EIR

This document is organized as follows:

- ***Section 1, Introduction***. This section describes CEQA requirements and content of this Final Subsequent EIR.
- ***Section 2, Response to Comments***. This section provides a list of agencies and interested persons commenting on the Draft Subsequent EIR; copies of comment letters received during the public review period, and individual responses to written comments. To facilitate review of the responses, each comment letter has been reproduced and assigned a number. Individual comments have been numbered for each letter and the letter is followed by responses with references to the corresponding comment number.

1.2 CEQA REQUIREMENTS FOR A FINAL SUBSEQUENT EIR

As described in CEQA Guidelines §§15088, 15089, 15090 and 15132, the Lead Agency must evaluate comments received on the Draft Subsequent EIR and prepare written responses and consider the information contained in a Final Subsequent EIR before approving a project.

CEQA Guidelines §15204(a) outlines parameters for submitting comments, and reminds persons and public agencies that the focus of review and comment of Draft Subsequent EIRs should be:

> *…on the sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible. …CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.*

CEQA Guidelines §15204(c) further advises, "Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to §15064, an effect shall not be considered significant in the absence of substantial evidence." Section 15204(d) also states, "Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency's statutory responsibility." Section 15204(e) states, "This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section."

State CEQA Guidelines §15088 recommends that where a response to comment makes important changes in the information contain in the text of the Draft Subsequent EIR, that the Lead Agency either revise the text of the Draft Subsequent EIR or include marginal notes showing that information. The Final Subsequent EIR for the Project has been prepared in accordance with CEQA. CEQA Guidelines §15132 indicates that the contents of a Final Subsequent EIR shall consist of:

- "The Draft Subsequent EIR or a revision of the draft;
- Comments and recommendations received on the Draft Subsequent EIR either verbatim or in summary;
- A list of persons, organizations, and public agencies commenting on the Draft Subsequent EIR;
- The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- Any other information added by the Lead Agency."

The City has evaluated comments on environmental issues from persons who reviewed the Draft Subsequent EIR and has prepared a written response, pursuant to CEQA Guidelines §15088(a). Pursuant to CEQA Guidelines §15088(b), the City provided written responses to comments to any public agency that commented on the Draft Subsequent EIR, at least ten (10) days prior to the City Council consideration of certifying the EIR as adequate under CEQA. Written responses to comments will also be provided to non-public agency individuals, organizations, and entities that commended on the Draft

Subsequent EIR. In addition, the Final Subsequent EIR will be made available to the general public at the City's Planning Division office and on the City's website a minimum of 10 days prior to the City Council public hearing.

The Final Subsequent EIR, along with other relevant information and public testimony at the Planning Commission and City Council public hearings, will be considered by the City's Council.

1.3 CLARIFICATIONS, AMPLIFICATIONS AND MODIFICATIONS TO THE DRAFT SUBSEQUENT EIR

CEQA requires recirculation of a Draft Subsequent EIR only when "significant new information" is added to a Draft Subsequent EIR after public notice of the availability of the Draft Subsequent EIR has occurred (refer to California Public Resources Code [PRC] Section 21092.1 and CEQA Guidelines Section 15088.5), but before the EIR is certified. Section 15088.5 of the CEQA Guidelines specifically states::

"(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the Draft Subsequent EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation include, for example, a disclosure showing that:

(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to apply it.

(4) The Draft Subsequent EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded (Mountain Lion Coalition v. Fish and Game Com. (1989) 214 Cal.App.3d 1043)."

CEQA Guidelines Section 15088.5 also provides that "[re]circulation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR... A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record." As demonstrated in this Final Subsequent EIR, the responses to comments do not constitute new significant information warranting recirculation of the Draft Subsequent EIR as set forth in CEQA Guidelines Section 15088.5. Rather, the Draft Subsequent EIR is comprehensive and has been prepared in accordance with CEQA.

As discussed herein and as elaborated upon in the respective Response to Comments, none of the responses to Draft Subsequent EIR comments reflect a new significant environmental impact, a "substantial increase" in the severity of an environmental impact for which mitigation is not proposed, or a new feasible alternative or mitigation measure that would clearly lessen significant environmental impacts but is not adopted, nor do the responses to Draft Subsequent EIR comments reflect a "fundamentally flawed" or "conclusory" Draft Subsequent EIR. In all cases, these minor clarifications do not identify new or substantially more severe environmental impacts that the City has not committed to mitigate. Here, the public has not been deprived of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project or an unadopted feasible Project alternative or mitigation measure. There were no revisions required to the Draft Subsequent EIR and recirculation is not required for further public comment under CEQA Guidelines Section 15088.5. The project will not result in a significant new environmental impact not previously disclosed or analyzed in the Draft Subsequent EIR. Therefore, this Final Subsequent EIR is not subject to recirculation prior to certification.

Furthermore, following approval of the City's TOP 2050 Update on August 16, 2022, which modified the land use designation for a portion of the Project site, the unavoidable significant impact for Land Use and Planning identified in the Draft Subsequent EIR is no longer applicable. This change was already noted as an anticipated occurrence in the Draft Subsequent EIR (See Section 1.0, Executive Summary, page 1-7, 8, Section 2.0, Introduction, page 2-5; Section 3.0, Project Description, page 3-4, 6; Section 4.10, Land Use, pages 4.10-2,3,5,7,9,20,21), it does not represent a new or substantially more severe environmental impact and therefore does not warrant recirculation of the Draft Subsequent EIR.

Section 1.0, Executive Summary

1. Subsection 1.5.2 on Page 1-7 through 1-8 is revised as follows:

1.5.2 No Project/Existing General Plan Alternative

Section 15126.6(e) of the State CEQA Guidelines requires that an EIR evaluate and analyze the impacts of the "No-Project" Alternative. When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the no-project alternative is the continuation of the plan, policy, or operation into the future. Therefore, under the No Project/Existing General Plan Alternative, the current General Plan land uses, and zoning would remain in effect. Development in accordance with the existing General Plan and zoning would occur. ~~The City's current TOP designates the Project site for development of Business Park (0.6 FAR), and Low-Medium Density Residential at 5.1-11 dwelling units per acre (du/ac).~~ Following approval of the City's TOP 2050 Update, ~~The existing land use designations would allow approximately 473,061 sf of business park, and 479 dwelling units at 8.5 du/ac. This alternative would generate approximately 1,660 employees and 1,914 residents. However, as part of the forthcoming proposed TOP 2050 Update that will precede this Project,~~ the underlying land use designations for the Project site ~~will~~ include 11.63 acres of Business Park (at a maximum FAR of 0.6) and 60.06 acres of Industrial (at a maximum FAR of 0.55). The maximum allowable FARs in the TOP 2050 Update are greater than those proposed for this Project; as such, the No Project/Existing General Plan Alternative under the TOP 2050 Update would generate approximately 227,951 sf of business park development, 1,412,739 sf of industrial development, 1,631 employees, and zero residents.

Ability to Reduce Impacts

~~The No Project/Existing General Plan Alternative would result in reduced impacts to air quality, energy, greenhouse gas emissions, land use and planning, noise, population and housing, and transportation and traffic under the current TOP land use districts when compared to the impacts under the Project. This alternative will have greater impacts compared to the proposed Project related to hazards and hazardous materials, public services, and utilities and service systems. Impacts related to agricultural and forestry resources, biological resources, cultural resources, geology and soils, hydrology and water quality, and tribal cultural resources would be similar compared to the proposed Project.~~

~~However, as part of the forthcoming proposed TOP 2050 Update that will precede this Project, t~~The No Project/Existing General Plan Alternative would result in increased impacts to air quality, energy, greenhouse gas emissions, ~~land use and planning,~~ noise, population and housing, and transportation and traffic under the ~~proposed~~ TOP 2050 Update, when compared to the impacts under the Project. Under the TOP 2050 Update, this alternative will have similar impacts compared to the proposed Project related to agricultural and forestry resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, and public services, tribal cultural resources, and utilities and service systems would be similar compared to the proposed Project.

2. Table 1-2: Summary of Significant Impacts and Proposed Mitigation Measures, is revised as follows:

Section 4.10, Land Use and Planning			
Impact 4.10-1 Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? [Threshold LU-2]	**~~Significant~~ Less Than Significant**	~~No mitigation measures are feasible. City's adoption of the proposed TOP 2050 Update this August would remedy this impact, should Project approval follow TOP 2050 Update approval.~~ No mitigation is required.	**~~Significant and Unavoidable~~ Less Than Significant**

Section 2.0, Introduction

The second paragraph on Page 2-5 is revised as follows:

City of Ontario General Plan and The Ontario Plan: The City's General Plan was comprehensively updated and adopted as a component of The Ontario Plan (TOP) on ~~January 27, 2010~~ August 16, 2022. TOP 2050 Update is the City's comprehensive business plan and serves as the major blueprint for directing growth in Ontario for the next 20 years or more. The General Plan analyzes existing conditions in the City, including physical, social, cultural, and environmental resources and opportunities. The General Plan also looks at trends, issues, and concerns that affect the region, includes City goals and objectives, and provides policies to guide development and change. The General Plan consists of a six-part Component Framework: 1) Vision, 2) Governance Manual, 3) Policy Plan, 4) City Council Priorities, 5) Implementation, and 6) Tracking and Feedback. The General Plan and TOP can be found here: https://www.ontarioplan.org/. ~~Note~~

~~that TOP is currently in the process of being updated, referred to as TOP 2050 Update, scheduled for approval by the City in August 2022. However, this Project is analyzed in accordance with the currently adopted The Ontario Plan. Note that the proposed Project is planned for City consideration after the City's planned adoption of TOP 2050 Update in August 2022 (the Project's proposed land use designations are consistent with those shown in the proposed TOP Update 2050).~~ With the City's adoption of TOP 2050, the Project is consistent with TOP 2050 designated land uses and associated underlying zoning.

Section 3.0, Project Description

1. The first paragraph on page 3-4 is revised as follows:

Existing TOP Land Use Designations

TOP's existing land use designations for the Project site are shown in Figure 3-5, Existing Land Use and Zoning. The 71.69-acre Project site has a ~~LMDR and~~ BP and IND land use designation with an Agricultural–Specific Plan (SP-AG) Overlay. Following adoption of the TOP 2050 Update, ~~The City's current TOP designates the Project site for development of BP (0.6 FAR), and LMDR at 5.1-11 du/ac. However, the City is planning to adopt TOP 2050 Update in August 2022, that will precede this Project, and change~~ the underlying land use designations for the Project site ~~to~~ include 11.63 acres of BP (at a maximum FAR of 0.6) and 60.06 acres of IG (at a maximum FAR of 0.55).

~~TOP existing land use designations for the Project site by parcel number are as follows:~~

- ~~LMDR (5.1 – 11 du/ac)~~

~~APNs: 1054-041-02, 1054-031-02, 1054-261-02, 1054-261-01, 1054-031-01, 1054-041-01~~

- ~~BP (0.6 FAR)~~

~~APNs: 1054-291-01, 1054-291-02~~

TOP 2050 Update land use designations for the Project site by parcel number are as follows:

- Industrial (0.55 FAR)

APNs: 1054-041-02, 1054-031-02, 1054-261-02, 1054-261-01, 1054-031-01, 1054-041-01

- BP (0.6 FAR)

APNs: 1054-291-01, 1054-291-02.

2. The second paragraph on page 3-6, is revised as follows:

3.5.2 SB330 Compliance

The Housing Accountability Act, or Senate Bill 330 (SB330), requires that, when approving a Project, a City must ensure that there is "no net loss" of residential zoning capacity within the City. Although the Project

site is currently zoned with SP-AG, this overlay zone requires preparation of a Specific Plan to implement the policies in the City's TOP. ~~With planned adoption of TOP 2050 Update this August~~, Following adoption of the TOP 2050 Update, the Project site has ~~would~~ general plan land use designations of Business Park and Industrial, no residential zoning capacity will be lost as part of Project approval.

The City's TOP 2050 Update process is a comprehensive policy planning process with "a particular focus on conducting technical updates to the Policy Plan to comply with state housing mandates; conform with new state laws related to community health, environmental justice, climate adaption, and mobility; bring long-term growth and fiscal projections into alignment with current economic conditions; and advance the Tracking and Feedback system and Implementation Plan."

Section 4.10, Land Use and Planning

1. The following paragraph on page 4.10-2 through 4.10-3 is revised as follows:

~~As discussed in *Section 3.0, Project Description*, the Project site's current land use designation in the City's General Plan (TOP) is Low-Medium Density Residential (LMDR) and BP. However, the City is planning to adopt TOP 2050 Update in August 2022,~~ Following approval of the TOP 2050 Update, ~~which shows~~ the Project site is designated as BP and IND consistent with the proposed SPA. ~~As this Draft Subsequent EIR is planned for approval after approval of the City's TOP 2050 Update, the Project would be consistent with the land use designations following TOP 2050 Update. As part of the forthcoming proposed TOP 2050 Update that will precede this Project, t~~The underlying land use designations for the Project site ~~will~~ include 11.63 acres of BP (at a maximum FAR of 0.6) and 60.06 acres of IND (at a maximum FAR of 0.55). The maximum allowable FARs in the ~~current~~ TOP 2050 Update are greater than those proposed for this Project. TOP 2050 Update land use designations and the Ontario MC - Title 9 Development Code zoning classifications for the Project site is shown below in *Table 4.10-2, TOP 2050 Update General Plan Land Use Designations and Zoning Classifications*.[1]

Table 4.10-2: TOP 2050 Update General Plan Land Use Designations and Zoning Classifications

Location	General Plan Land Use Designation	Zoning Classification
Project Site	Industrial (0.55 FAR) Business Park (0.6 FAR) Chino Airport Overlay	SP, Specific Plan AG, Agricultural Overlay

1. City of Ontario. 2022. *The Ontario Plan 2050 Supplemental EIR, Figure ES-3 Place Types*. Retrieved from: https://files.ceqanet.opr.ca.gov/271618-2/attachment/eWuGwlyBRUCdOW7ZaCm4H1mV0w8mPGsss0XHvAPaJ8sKEtqYcqdQkAGVxgSCOnxC8eoq7OlGLj0AWg4X0.
2. City of Ontario. Zoning Map. (2015). Retrieved from: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Documents/Zoning%20Map/Zoning_20210212.pdf

2. The last and first paragraph on Page 4.10-4 through 4.10-5 is revised as follows:

The Ontario Plan

The City adopted TOP 2050 Update on ~~January 27, 2010~~ August 16,2022. TOP is the community's blueprint for future development ~~through 2035~~. The Project site is made of 8 parcels total–2 is designated as BP

[1] This is the current land use designation in the City's TOP. However, the City is planning to adopt TOP 2050 Update this August, which shows the Project site as Business Park and Industrial, consistent with the proposed SPA. As the ORBP II SPA Subsequent EIR is planned for approval after approval of the City's TOP 2050 Update, the Project would be consistent with the land use designations following TOP 2050 Update.

and 6 as ~~LMDR~~ IND. ~~The existing land use designations and descriptions are provided in Table 4.10-3, Existing TOP Land Use Designations.~~

~~Table 4.10-3: Existing TOP Land Use Designations~~

~~Land Use~~	~~Dwelling Units per Acre or Floor Area Ratio~~	~~Description of Land Use Designation~~
~~Business Park~~	~~0.6 FAR~~	~~Employee-intensive office uses including corporate offices, technology centers, research and development, "clean" industry, light manufacturing, and supporting retail.~~
~~Low-Medium Density Residential~~	~~5.1 - 11 du/ac~~	~~Single/multi-family attached and detached residences, including small lot subdivisions, townhouses, and courtyard homes.~~
~~Source: City of Ontario. Rev 2017. *LU-02 Land Use Designations Summary Table*. https://www.ontarioplan.org/wp-content/uploads/sites/4/2020/11/LU-02-Land-Use-design-table_032017.pdf.~~		

~~The City is planning to adopt TOP 2050 Update in August 2022, which shows the Project site as BP and IND, consistent with the proposed Project SPA.~~ With the City's adoption of TOP 2050 Update following release of the Draft Subsequent EIR, the Project is consistent with existing TOP 2050 land use and associated underlying zoning~~. As this Draft Subsequent EIR is planned for approval after approval of the City's TOP 2050 Update, the Project would be consistent with the land use designations following TOP 2050 Update,~~ as shown in ~~Table 4.10-4~~ Table 4.10-3, TOP 2050 Update Land Use Designations.

3. The first impact on page 4.10-6 is revised as follows:

Impact 4.10-1 Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? [Threshold LU-2]

Level of Significance ~~Before Mitigation~~: ~~Potentially Significant Impact.~~ Less Than Significant Impact.

4. The second paragraph on page 4.10-7 is revised as follows:

The 71.69-acre Project site's proposed industrial and business park use is consistent with the TOP 2050 Update, approved August 16, 2022. ~~is inconsistent with the Project site's current TOP land use designation, which is currently 56 acres of LMDR and 18 acres of BP (the Project proposes approximately 12 acres of BP, and approximately 60 acres of IND, to facilitate development of the Project).~~ The Project SPA would provide a land use plan, circulation plan, streetscape plan, infrastructure service plan, grading plan, maintenance plan, phasing plan, design guidelines, development regulations, and implementation measures to guide the development of the Project site. ~~Although the Project would be inconsistent with the City's current TOP (a significant unavoidable impact), this would be remedied upon the City's planned adoption of TOP 2050 Update, which is scheduled for City approval in August 2022. Should the Project follow approval of TOP 2050 (which proposes the site as BP and IND land uses consistent with the Project's proposed SPA), the Project would be consistent with the City's TOP 2050 land use designations.~~

5. The first paragraph on page 4.10-9 is revised as follows:

The Ontario Plan Compatibility

An analysis of the Project's consistency with Citywide goals in the ~~current~~ TOP 2050 Update is provided in Table 4.10-6, Consistency with the City of Ontario General Plan (TOP). Because CEQA Impact Threshold 4.10-2 emphasizes consistency with land use goals "adopted for the purpose of avoiding or mitigating an

environmental effect," Table 4.10-6 focuses on consistency with the City's TOP 2050 Update Elements that address environmental issues. Goals and policies that do not address environmental effects or are not applicable to the Project are not addressed below. ~~Note that the following TOP consistency analysis is based upon Project consistency with the City's current TOP. While the Project is consistent with the current TOP goals and policies noted below, the Project's proposed land use designations as reflected in the proposed SPA are inconsistent with current TOP land use designations of LMDR and BP, which represents a significant impact.~~ The Project is consistent with TOP 2050 Update goals and policies noted below, the Project's proposed land uses as reflected in the proposed SPA are consistent with the TOP 2050 Update land use designations, which represent a less than significant impact. ~~As discussed further below, this land use inconsistency would be remedied upon the City's approval of the proposed TOP 2050 Update planned for August 2022. Should the Project approval follow TOP 2050 Update approval, the Project's land uses would be consistent with the City's General Plan land use designations as proposed in TOP 2050 Update.~~

6. The sixth paragraph on page 4.10-20 is revised as follows:

The Project would develop business park and industrial uses that would benefit from the Chino Airport to further develop the local economy and business. With the City's adoption of TOP 2050 Update, August 16, 2022, following release of the Draft Subsequent EIR, the Project is consistent with existing TOP 2050 Update land use designations and associated underlying zoning. ~~Although the proposed Project land uses are not consistent with current TOP land use designations, the City's proposed TOP 2050 Update includes land uses designations that are consistent with the Project.~~ Furthermore, the SPA would promote orderly development to coincide with adjacent land uses, including Chino Airport. The proposed Project SPA embodies the goals and policies in the applicable long-range planning documents. ~~However, as noted above, the Project's proposed land uses are inconsistent with current TOP land uses and as such, this represents a significant impact. This impact would be remedied upon the City's adoption of TOP 2050 Update which is planned for August 2022.~~ Therefore, no significant impact would result with respect to TOP land use and City zoning consistency.

7. The last four paragraphs on page 4.10-21 is revised as follows:

Cumulative projects could include General Plan amendments and/or zone changes, modifications to existing land uses. However, such amendments do not necessarily represent an inherent negative effect on the environment, particularly if the proposed changes involve changes in types and intensity of uses, rather than eliminating application of policies that were specifically adopted for the purpose of avoiding or mitigating environmental effects. Determining whether any future project might include such amendments and determining the cumulative effects of any such amendments would be speculative since it cannot be known what applications that are not currently filed might request. As noted above the Project's proposed land uses are ~~inconsistent~~ consistent with the City's ~~current~~ TOP 2050 Update, which represents a less than significant Project impact and ~~potentially~~ less than significant cumulative impact. Therefore, the Project ~~represents a~~ is not a cumulatively considerable impact related to policy consistency. ~~This Project and cumulative impact would be remedied upon the City's adoption of TOP 2050 Update planned for August 2022.~~

4.10.7 Level of Significance Before Mitigation

Upon implementation of regulatory requirements, impacts on 4.10 1 would be less than significant. ~~a significant and unavoidable impact due to conflict with current TOP land use designations: 4.10-1.~~

4.10.8 Mitigation Measures

~~No mitigation measures feasible. Should the City adopt TOP 2050 Update, there would be no mitigation measures necessary relative to land use and planning.~~ No significant Project-level or cumulative impacts to land use and planning were identified and no mitigation measures are necessary.

4.10.9 Level of Significance After Mitigation

~~Even with implementation of regulatory requirements and standard conditions of approval, the Project would result in unavoidable significant impacts with respect to conflict with the City's land use plan (Impact 4.10-1). This impact would be remedied upon the City's planned approval of TOP 2050 Update scheduled for August 2022~~ Compliance with existing regulatory requirements will ensure that impacts remain less than significant.

Section 6.0, Alternatives

1. Subsection 6.4.10 on page 6-6, is revised as follows:

The No Project/No Build Alternative would continue the existing agriculture and residential uses, and the City's existing TOP land use and zoning designations for the Project site would remain consistent. The Project site is located within an Agricultural Overlay Zoning, which allows for agricultural uses within the City, until such time that urban development consistent with the Ontario Plan (TOP) occurs. Due to provisions of the Agricultural Overlay Zoning which would allow for the existing agricultural land uses to continue as-is, impacts under the No Project/No Build Alternative would be less than significant. ~~The Project as proposed conflicts with the existing TOP land use designations and as such results in a significant and unavoidable impact. This land use inconsistency would be remedied upon the City's approval of the proposed TOP 2050 Update planned for in August 2022. Should the Project approval follow TOP 2050 Update approval, t~~ The Project's land uses ~~would~~ are ~~be~~ consistent with the City's General Plan land use designations as ~~proposed~~ shown in TOP 2050 Update. Impacts under this alternative would be reduced compared to the proposed Project.

2. Subsection 6.5 on page 6-8 through 6-9 is revised as follows:

6.5 No Project/Existing General Plan Alternative

Section 15126.6(e) of the State CEQA Guidelines requires that an EIR evaluate and analyze the impacts of the "No-Project" Alternative. When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the no-project alternative is the continuation of the plan, policy, or operation into the future. Therefore, under the No Project/Existing General Plan Alternative, the current General Plan land uses and zoning would remain in effect. Development in accordance with the existing General Plan and zoning would occur. ~~The City's TOP designates the Project site for development of Business Park (0.6 floor area ratio [FAR]), and Low-Medium Density Residential at 5.1-11 dwelling units per acre (du/ac). The existing land use designations would allow approximately 473,061 sf of business park, and 479~~

~~dwelling units at 8.5 du/ac. This alternative would generate approximately 1,660 employees and 1,914 residents. However, as part of the forthcoming proposed~~ The City's TOP 2050 Update designates ~~that will precede approval of this~~ the Project site ~~will include~~ as 11.63 acres of Business Park (at a maximum FAR of 0.6) and 60.06 acres of Industrial (at a maximum FAR of 0.55). The maximum allowable FARs in the TOP 2050 Update are greater than those proposed for this Project; as such, the No Project/Existing General Plan Alternative under the TOP 2050 Update would generate approximately 227,951 sf of business park development, 1,412,739 sf of industrial development, 1,631 employees, and zero residents.

3. Subsection 6.5.10 on page 6-11 is revised as follows:

6.5.10 Land Use and Planning

The No Project/Existing General Plan Alternative would develop the Project site with business park and ~~residential~~ industrial land uses. This alternative would be consistent with ~~existing~~ TOP 2050 Update and zoning designations and would result in a less than significant impact. ~~However, t~~The Project's proposed land uses are ~~in~~consistent with ~~current~~ TOP 2050 Update land use designations and zoning, and the Project would result in a ~~significant and unavoidable~~ less than significant impact for land use consistency under the ~~current TOP~~. ~~However, the City is planning to adopt TOP 2050 Update in August 2022, which shows the Project site as Business Park and Industrial, consistent with the proposed Specific Plan Amendment (SPA) for the Project. As the Project SPA is planned for approval after approval of the City's TOP 2050 Update, the Project would be consistent with the land use designations as proposed in TOP 2050 Update.~~ Therefore, impacts would be similar to those of the proposed Project. ~~unlike the proposed Project, the No Project/Existing General Plan Alternative would result in a less than significant impact related to land use, and impacts are reduced compared to the proposed Project~~.

4. Subheading on page 6-13 through 6-14 would be revised as follows:

6.5.17 Conclusion

Ability to Reduce Impacts

~~The No Project/Existing General Plan Alternative would result in reduced impacts to air quality, energy, GHG emissions, land use and planning, noise, population and housing, and transportation and traffic under the current TOP land use districts when compared to the impacts under the Project. This alternative will have greater impacts compared to the proposed Project related to hazards and hazardous materials, public services, and utilities and service systems. Impacts related to agricultural and forestry resources, biological resources, cultural resources, geology and soils, hydrology and water quality, and tribal cultural resources would be similar compared to the proposed Project.~~

~~However, as part of the forthcoming proposed TOP 2050 Update that will precede this Project, t~~The No Project/Existing General Plan Alternative would result in increased impacts to air quality, energy, GHG emissions, ~~land use and planning,~~ noise, population and housing, and transportation and traffic under the ~~proposed~~ TOP 2050 Update, when compared to the impacts under the Project. Under the TOP 2050 Update, this alternative will have similar impacts compared to the proposed Project related to agricultural and forestry resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, and public services, tribal cultural resources, and utilities and service systems would be similar compared to the proposed Project.

5. Subheading on page 6-14 is revised as follows:

Ability to Achieve Project Objectives

~~Implementation of the No Project/Existing General Plan Alternative would not meet four of the six Project objectives. For example, this alternative would not create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/ logistics complex that is compatible with nearby residential neighborhoods (Objective 1); provide the entitlements and framework for the development of approximately 1.6 million sf of business park and light industrial uses (Objective 2); expand Ontario's industrial uses in proximity to local airports and regional transportation networks (Objective 5); nor would it create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Specific Plan vision (Objective 6). This alternative would provide employment opportunities for community residents (Objective 3) and facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Specific Plan area (Objective 4).~~

~~However, as part of the forthcoming proposed TOP 2050 Update that will precede this Project, t~~The underlying land use designations for the Project site are Business Park and Industrial. Therefore, under the TOP 2050 Update, the No Project/Existing General Plan Alternative would meet all six Project objectives as it would create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/logistics complex that is compatible with nearby residential neighborhoods (Objective 1); provide the entitlements and framework for the development of approximately 1.6 million sf of business park and light industrial uses (Objective 2); expand Ontario's industrial uses in proximity to local airports and regional transportation networks (Objective 5); and it would create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Specific Plan vision (Objective 6). This alternative would provide employment opportunities for community residents (Objective 3) and facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Specific Plan area (Objective 4).

6. Subheading 6.6.10 is revised as follows:

6.6.10 Land Use and Planning

The Reduced-Intensity Alternative would require a SPA to implement the Project. This alternative would have similar levels of consistency with the SCAG RTP/SCS policies, the City's General Plan, the City's Development Code, and consistency with airport plans. Similar to the Project, the Reduced-Intensity Alternative would be ~~in~~consistent with ~~current~~ TOP 2050 Update land use designations and would require a SPA, resulting in a ~~significant and unavoidable~~ less than significant impact for land use ~~consistency under the current TOP~~. ~~However, the City is planning to adopt TOP 2050 Update in August 2022, which shows the Project site as Business Park and Industrial, consistent with the proposed SPA for the Project. As the Project SPA is planned for approval after approval of the City's TOP 2050 Update, the Project would be consistent with the land use designations following TOP 2050 Update.~~ Therefore, like the proposed Project, the Reduced-Intensity Alternative would result in a less than significant ~~significant and unavoidable~~ impact related to land use and would be similar compared to the proposed Project.

2.0 RESPONSE TO COMMENTS

CEQA Guidelines Section 15088(a) states that: "The lead agency shall evaluate comments on environmental issues received from persons who reviewed the Draft Subsequent EIR and shall prepare a written response. The Lead Agency shall respond to comments that were received during the noticed comment period and any extensions and may respond to late comments." In accordance with these requirements, this section of the Final Subsequent EIR provides the City of Ontario's responses to each of the comments on the Draft Subsequent EIR received during the public comment period.

Comment letters and specific comments are given letters and numbers for reference purposes. Where sections of the Draft Subsequent EIR are excerpted in this document, the sections are shown indented.

The following is a list of agencies and persons that submitted comments on the Draft Subsequent EIR during the public review period.

2.1 LIST OF DRAFT SUBSEQUENT EIR COMMENTS

Comments have been numbered as shown below, with responses to each comment following the respective comment letter.

Letter	Date Received	Organization/Name
Local		
L1	June 17, 2022	Riverside County Airport Land Use Commission (ALUC)
L2	June 21, 2022	Jurupa Unified School District
L3	July 6, 2022	South Coast Air Quality Management District (SCAQMD)
L4	July 19, 2022	City of Chino
L5	July 22, 2022	City of Eastvale

Comment Letter L1 – Riverside County Airport Land Use Commission (ALUC)

From:	Vega, Jaqueline
To:	Alexis Vaughn
Cc:	Rull, Paul
Subject:	SPA2019050018
Date:	Friday, June 17, 2022 9:31:44 AM
Attachments:	image001.png

Hello Alexis,

Thank you for transmitting the above reference project to ALUC for review. Please note that the project location is outside the Riverside County boarder, and therefor not in our jurisdiction and will not require ALUC review at this time. a

However, please refer to the Ontario airport land use compatibility plan and its potential impact on the project.

Should you have any questions, please contact, me

Jackie Vega
Urban Regional Planner I

Riverside County Airport Land Use Commission
4080 Lemon Street, 14th Floor
Riverside, Ca 92501
(951) 955-0982
Javega@RIVCO.ORG
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County of Riverside California [countyofriverside.us]

Response to Letter L1 Riverside County Airport Land Use Commission (ALUC)

June 17, 2022

Response L1-a

The commenter notes that the Project is outside of Riverside County, and therefore, it will not require Airport Land Use Commission (ALUC) review. Additionally, the commenter recommends referring to the Ontario Airport Land Use Compatibility Plan and its potential impact on the Project.

As discussed in Section 4.8, Hazards, Section 4.10, Land Use and Section 4.11, Noise, of the Draft Subsequent EIR, the Ontario Airport Land Use Compatibility Plan was utilized to evaluate potential Project impacts. The Project site is located five miles south of the Ontario International Airport. The Project site is not within a safety zone, a noise impact zone, or an airspace protection zone of the Ontario International Airport. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area and impacts would be less than significant.

Comment Letter L2 – Jurupa Unified School District

From:	Maria Christy
To:	Alexis Vaughn
Cc:	Robin Griffin
Subject:	FW: Notice of Availability of a Draft Subsequent EIR - City of Ontario - Ontario Ranch Business Park Specific Plan Amendment Project State Clearinghouse #2019050018 - June 2022
Date:	Tuesday, June 21, 2022 10:22:34 AM
Attachments:	image001.png image002.gif image003.png image004.png image005.png 01 ORBP NOA_OCR.pdf

Alexis,

Jurupa Unified School District has received the Notice of Availability of a Draft EIR for the Ontario Ranch Business Park. At this time, the District has no comments. a

Best,

Maria Christy
Facilities Analyst
Planning & Development
Phone (951) 361-6571
Email maria_christy@jusd.k12.ca.us

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Response to Letter L2 Jurupa Unified School District

June 21, 2022

Response L2-a

The commenter notes that the Jurupa Unified School District received the Notice of Availability for the Draft Subsequent EIR and has no comments. The comment is noted for the record and no further action is needed.

Comment Letter L3 – South Coast Air Quality Management District (SCAQMD)

From: Dung Nguyen
To: Alexis Vaughn
Cc: Michael Morris
Subject: Technical Data Request: Proposed Ontario Ranch Business Park Specific Plan Amendment Project
Date: Wednesday, July 6, 2022 8:50:21 AM

Dear Mr. Vaughn:

South Coast AQMD staff received the Draft Subsequent Environmental Impact Report (Draft SEIR) for the Proposed Ontario Ranch Business Park Specific Plan Amendment Project (South Coast AQMD Control Number: SBC220607-04). Staff is currently in the process of reviewing the Draft EIR. The public commenting period is from 6/7/2022 – 7/22/2022. a

Upon reviewing the files provided as part of the public review period, I was able to access the Draft SEIR through the City's website. b

Please provide all technical documents related to air quality, health risk, and GHG analyses, electronic versions of all emission calculation files, and air quality modeling and health risk assessment files (complete files, not summaries) that were used to quantify the air quality impacts from construction and/or operation of the Proposed Project as applicable, including the following: c

- CalEEMod Input Files (.csv files);
- EMFAC output files (not PDF files);
- All emission calculation spreadsheet file(s) (not PDF files) used to calculate the Project's emission sources (i.e., truck operations);
- AERMOD Input and Output files, including AERMOD View file(s) (.isc);
- Any HARP Input and Output files and/or cancer risk calculation files (excel file(s); not PDF) used to calculate cancer risk and chronic and acute hazards from the Project;
- Any files related to post-processing done outside AERMOD to calculate pollutant-specific concentrations (if applicable).

You may send the files mentioned above via a Dropbox link in which they may be accessed and downloaded by South Coast AQMD staff **by COB on Monday, 7/11/22**. Without all files and supporting documentation, South Coast AQMD staff will be unable to complete a review of the air quality analyses in a timely manner. Any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period. d

If you have any questions regarding this request, please don't hesitate to contact me.

Regards,

Dung Nguyen *(She/Her/Hers)*
Air Quality Specialist, CEQA IGR
Planning, Rule Development & Area Sources
South Coast Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765
Phone: (909) 396-3531
E-mail: dnguyen1@aqmd.gov
Please note South Coast AQMD is closed on Mondays.

Response to Letter L3 South Coast Air Quality Management District

July 6, 2022

Response L3-a

The comment is introductory and general in nature. No further action is needed.

Response L3-b

The comment is noted for the record and no further action is needed.

Response L3-c

The commenter requests that all technical documents related to air quality, health risk, and greenhouse gas emissions, and related files that were used to quantify the air quality impacts from construction and/or operation of the Project, be sent via a Dropbox link to the South Coast South Coast Air Quality Management District (AQMD) staff by Monday July 11, 2022.

In response, all technical documents were provided to the South Coast AQMD via an emailed Dropbox with a confirmed receipt dated July 7, 2022.

Response L3-d

The comment is noted for the record and no further action is needed.

Comment Letter L4 – City of Chino

EUNICE M. ULLOA
Mayor

MARC LUCIO
Mayor Pro Tem

KAREN C. COMSTOCK
CHRISTOPHER FLORES
WALT POCOCK
Council Members

ANTHONY ARROYO
Interim City Manager

CITY of CHINO

July 19, 2022

VIA US POSTAGE AND VIA EMAIL
avaughn@ontarioca.gov

Alexis Vaughn, Associate Planner
City of Ontario Planning Department
303 East "B" Street
Ontario, CA 91764

Re: Notice of Availability of a Draft Subsequent Environmental Impact Report (SEIR): Ontario Ranch Business Park Specific Plan Amendment
(State Clearinghouse #2019050018)

Dear Ms. Vaughn:

This letter is in response to the Notice of Availability of a draft SEIR for the Ontario Ranch Business Park Specific Plan Amendment, made available on June 6, 2022. The City's comments are outlined below:

Planning

1) On page 4-5, Table 4-1, City of Chino – The projects listed below should be added or revised to the EIR so that the documents projections/analyses have greater accuracy. a

   a. The list is outdated, many of the projects noted as partially complete are now complete with some projects missing. It is unclear if this would impact the EIR analysis.
   b. Eagle's Nest V and VI airport hangar project proposed to be developed on the Chino Airport along the southern portion of Merrill Avenue, west of the Grove/Merrill intersection. The project currently proposes 155,299-square feet of hangar space with 7,528-square feet of office mezzanine.

2) The current Land Use as shown on Figure 3-5 indicates the current approved land uses for the City of Ontario. Figure 3-4 indicates the proposed land use changes associated with this SEIR. There are significant land use changes proposed to properties located north of Merrill Avenue, south of Eucalyptus Avenue between Sultana Avenue and Campus Avenue. The City of Chino and the City of Ontario share Merrill Avenue for truck and vehicular access to this area. The SEIR indicates, approximately 56 acres of land are proposed to be changed from Low Medium Density Residential (LMDR) (5.11-11.00 du/ac) to Industrial (IND) (0.55 FAR), and an increase of 6 acres of land are proposed to be changed from Business Park (BP) (0.60 FAR) to Industrial (IND) (0.55 FAR). IND designated land will likely have a significant impact to truck traffic along Merrill Avenue, Euclid Avenue, and other streets in the City of Chino. It is unclear in the EIR if the BP/IND b

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land has been transferred from other areas of the City of Ontario or if these are newly proposed land uses in this area. Either way, more detail related to VMT and specifically truck traffic increases to this area based on the potential industrial building square footage on this land are needed to determine the impacts to traffic and air quality in the vicinity. b

3) Chapter 6.6 of the SEIR provides for a Reduced-Intensity Alternative to the proposed project, which indicates it would provide for a 25% reduction in total building square footage equaling a reduction of 410,173 square feet from the proposed 1,640,690 square feet. This section is not specific as to where the reduction in industrial development would occur related to which buildings would be eliminated or reduced in square footage. With this alternative how would the reduction impact truck traffic specifically. More details are needed related to what proposed land use changes and which specific parcels and/or buildings would be associated with the utilization of the Reduced-Intensity Alternative. A land use map outlining the Reduced Industrial Alternative is required along with the details needed as outlined in Comment 2 above to determine the environmental impacts to the vicinity of Merrill Avenue associated with the Reduced-Intensity Alternative. c

Traffic / Transportation

4) City of Chino did not participate in the scoping or review of the TIA for this project as previously requested. d

   a. The TIA should include the analysis of the two primary Chino Airport access intersections on Merrill (Cal Aero Dr. & Stearman Dr.) in the vicinity of the project.

5) The City of Chino has the Strategic Goal to coordinate potential truck traffic impacts along Merrill and Euclid with the City of Ontario as this area continues to develop with industrial land uses. Within the City of Chino, we have implemented a requirement of new industrial projects to provide a truck routing plan that clearly indicates to the development and their tenants the allowable truck routes to and from the project. We have also enhanced truck routing signage along truck routes. These efforts are intended to help address increasing impacts of trucks traveling off-route in the region. Chino requests that this industrial project include the same type of requirements to assist in ensuring truck traffic has minimized impacts to sensitive land uses. e

If you have any questions, please contact me by email at mhitz@cityofchino.org, or you can call me at 909-334-3448.

Sincerely,

Michael Hitz
Principal Planner

cc: Warren Morelion, AICP, City Planner
Dennis Ralls, Transportation Manager

Response to Letter L4 City of Chino

July 19, 2022

Response L4-a

The commentor indicates that the list of Related Approved and Pending Projects listed on Table 4-1 on Page 4-5 of the Draft Subsequent EIR includes outdated or missing related projects or project components. Most noticeably, the letter requests that the Eagles' Nest V and VI airport hangar project proposed to be developed on the Chino Airport along the southern portion of Merrill Avenue should be included.

The cumulative development list was compiled at the time the Traffic Analysis (Appendix I of the Draft Subsequent EIR) was prepared. Due to school and business closures associated with the COVID-19 pandemic, historic traffic counts from January 2019, in conjunction with a 2%-5% per year growth rate, were utilized for existing conditions. As such, some cumulative development projects that have recently been completed are still included in the cumulative projects list, since their traffic would not be captured within the 2019 traffic counts. Including cumulative projects that have recently been completed provides a more conservative CEQA analysis, as it can be unclear if these projects are fully occupied and operational upon completion of construction of these cumulative projects.

According to the Initial Study for the Eagle's Nest V and VI Aviation Business Park Project, prepared by Crable & Associates, September 2020, the proposed Eagle's Nest airport hangar project would not generate any significant impacts. The Initial Study determined that impacts to biological resources, noise, cultural resources, hazards and hazardous materials, and tribal cultural resources would be reduced to less than significant with the implementation of mitigation. All other impacts were determined to be less than significant and did not require mitigation measures. Regarding traffic, the proposed Eagle's Nest airport hangar project is anticipated to generate 17 AM peak hour trips, 30 PM peak hour trips, and 198 daily trips. Since the cumulative project is anticipated to generate fewer than 50 peak hour trips, the project would not generate enough trips to significantly affect the results of the Traffic Analysis (see Appendix I of the Draft Subsequent EIR). Additionally, the initial study prepared for the Eagle's Nest V and VI Aviation Business Park project concluded that since the project is anticipated to generate fewer than 50 peak hour trips, there would be no apparent safety or operational concerns. As such, the cumulative development project identified in this comment letter has not been included in the transportation analysis. Moreover, traffic from this cumulative Eagle's Nest V and VI Aviation Business Park project would be captured in the ambient traffic growth included for Opening Year Cumulative traffic conditions.[1]

Similar to the traffic impacts discussed above, a review of other Eagle's Nest V and VI Aviation Business Park project impacts would also not result in any new cumulative impacts.

[1] City of Chino. 2020. Initial Study for the Eagle's Nest V and VI Aviation Business Park Project Located at Chino Airport, Chino, California. Available at https://cityofchino.org/DocumentCenter/View/628/Eagles-Nest-Initial-Study---Mitigated-Negative-Declaration-PDF.

Response L4-b

The commentor is requesting clarification on potential traffic and air quality impacts caused by the increased industrial building square footage associated with this Project.

In general, the proposed land use designation changes for the Project from residential or business park to industrial are anticipated to result in an overall net reduction to vehicular trips, although there would be a net increase in truck traffic associated with the proposed industrial uses in comparison to residential uses. The Project Traffic Analysis (Appendix I of the Draft Subsequent EIR) evaluates the allocation of the proposed Project truck trips along the nearby truck routes, including Merrill Avenue to both Euclid Avenue (SR-83) and Archibald Avenue (Grove Avenue is not a designated truck route). As such, the analysis accounts for the anticipated increase in trips associated with the Project. The Horizon Year (2040) Without Project traffic conditions accounts for the currently adopted underlying land uses while the Horizon Year (2040) With Project traffic conditions assess the effects of the proposed land use changes, including any potential impacts caused by an increase in truck traffic along the Merrill Avenue corridor.

Air quality and greenhouse gas impacts were analyzed based on the Project Traffic Analysis (Appendix I of the Draft Subsequent EIR) which stated the Project would generate 3,656 new vehicle trips (2,908 new passenger vehicle trips and 748 new truck trips). Mobile source emissions were modeled by conservatively assuming the Project would generate 28,461,798 total annual VMT (17,571,222 VMT associated with passenger vehicles and 10,890,576 VMT associated with trucks). As a result, operational air quality impacts and greenhouse gas impacts were determined to be significant and unavoidable (refer to section 4.2 Air Quality and section 4.7 Greenhouse Gas of the Draft Subsequent EIR).

Additionally, air quality cumulative impacts were fully discussed in Draft Subsequent EIR Section 4.2. As described on pages 4.2-22 through 4.2-24, the South Coast AQMD has not established separate cumulative thresholds and does not require combining impacts from cumulative projects. Specifically, Appendix D of the South Coast AQMD White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution (2003) notes that projects that result in emissions that do not exceed the project-specific South Coast AQMD regional thresholds of significance should result in a less than significant impact on a cumulative basis unless there is other pertinent information to the contrary. The Draft Subsequent EIR explains that Project construction emissions would not be cumulatively considerable.

The South Coast AQMD has developed strategies to reduce criteria pollutant emissions outlined in the Air Quality Management Plan (AQMP) pursuant to the Federal Clean Air Act mandates. South Coast AQMD rules, mandates, and compliance with adopted AQMP emissions control measures would also be imposed on projects throughout the South Coast Air Basin, which would include related projects. Compliance with South Coast AQMD rules and regulations would further reduce the Project impacts. Even with implementation of regulatory requirements, standard conditions of approval and implementation of **MM AQ-1** through **MM AQ-6**, NO_X emissions would remain above the South Coast AQMD's operational threshold. Therefore, as disclosed in the Draft Subsequent EIR operational air quality impacts would be cumulatively considerable.

The Traffic Analysis recommends the construction of the half width section along the each of the Project fronting roadways, including along Merrill Avenue. This is a standard practice and often a requirement for most developments, however, the south side of the Project frontage located along the Chino Airport is controlled by San Bernardino County. As such, it is recommended that the Project Applicant work with the City and County of San Bernardino, to obtain easements for the Project's frontage in order to make full width improvements along Merrill Avenue. If an agreement is reached with the County of San Bernardino, these roadway improvements will only be made to the curb and gutter along the south side of Merrill Avenue under the jurisdiction of San Bernardino County (does not include sidewalks, landscaping to the south, or other utilities within the City of Chino). The ultimate roadway improvement will accommodate two lanes in each direction of travel once completed.

Traffic Analysis study area intersections along Merrill Avenue are anticipated to operate at an acceptable level of service during the peak hours with the ultimate roadway cross-section in place. Intersections along roadways are typically the "choke points" along roadway segments. In other words, the detailed peak hour intersection operations analysis on either side of a roadway segment is conducted to assess whether intersections and roadway segments can adequately process anticipated traffic flows. Additional roadway widening is typically not recommended if the adjacent intersections achieve acceptable operations without the need for additional through lanes. Since the Traffic Analysis study area intersections along Merrill Avenue are anticipated to operate at an acceptable level of service during the peak hours with the identified improvements to Merrill Avenue (4-lane roadway), the roadway segment is anticipated to process the future traffic flows, including truck traffic, along Merrill Avenue. The City of Ontario uses the methodology of Origin-Destination (OD) and the VMT efficiency metric of VMT per service population. The OD method includes calculation of all trips by trip purpose, which includes light, medium and heavy-duty truck related trips generated by the Project.

Lastly, as identified within Section 3.0, Project Description, the Project site's current land use designation in the City's General Plan (TOP) is Low-Medium Density Residential and Business Park (BP). However, the City is expected to adopt TOP 2050 Update in August 2022, which shows the Project site as BP and Industrial (IND) consistent with this Project. As certification of this Draft Subsequent EIR will post-date approval of the City's TOP 2050 Update, the Project would be consistent with the land use designations following TOP 2050 Update. As part of the TOP 2050 Update, the underlying land use designations for the Project site will include 11.63 acres of BP (at a maximum FAR of 0.6) and 60.06 acres of IND (at a maximum FAR of 0.55).

Response L4-c

The commentor would like greater clarification on the Reduced-Intensity Alternative. The commentor also requests clarification on how this Alternative would reduce potential impacts related to truck traffic compared to the Project.

Draft Subsequent EIR Section 6.6, page 6-14, states that under the Reduced-Intensity Alternative, a total of 1,640,690 square feet of industrial and warehouse uses will be reduced by 410,173 square feet and would instead be developed with 982,838 square feet of high-cube fulfillment center

warehousing and 158,843 square feet of office uses. This results in a reduction of 429,901 square feet specifically for the industrial uses on the Project site. With this Alternative, the development impact area would be similar to that of the Project, with a reduction in square footage. The truck traffic associated with the Reduced-Intensity Alternative would result in a proportional reduction in truck traffic.

Additionally, as stated in Table 4-2: Project Trip Generation Summary (Actual) in Appendix I of the Draft Subsequent EIR, the Fulfillment Center Warehouse, High-Cube Cold Storage Warehouse, and the Warehouse, would generate approximately 632 daily truck tips. Based on the 25% reduction under the Reduced-Intensity Alternative, the Reduced-Intensity Alternative is estimated to result in approximately 474 daily truck trips.

While there would be an associated reduction in truck trips under the Reduced-Intensity Alternative, the Reduced-Intensity Alternative would, as described on page 6-18 of Section 6.6 of the Draft Subsequent EIR, still result in a potential impact and still be required to implement mitigation measures in locations that are (1) not within the jurisdiction of the City of Ontario, and thus, the City cannot guarantee implementation of the mitigation measure improvements, and (2) within the City of Ontario, but not accounted for in an adopted plan or program for improvements. This alternative would not reduce total VMT/service population (SP) by at least 15 percent compared to the Citywide average. As a result, transportation and traffic impacts based on VMT generated from this alternative would be reduced compared to the proposed Project, but would remain significant and unavoidable, as concluded in Section 6.6.

Pursuant to CEQA Guidelines Section 15126.6(d), alternatives do not need to be described or analyzed at the same level of detail as the Project. Sufficient detail and analysis have been provided in Section 6.0, Alternatives, of the Draft Subsequent EIR, such that the Lead Agency can differentiate the impacts between the alternatives to select the Environmentally Preferred Alternative.

Response L4-d

The commentor is requesting that the Traffic Analysis include the analysis of two primary Chino Airport access intersections on Merrill Avenue (Cal Aero Drive and Stearman Drive) in the vicinity of the Project.

Since the identified intersections are not included in the Circulation Plan of the City of Chino General Plan, they were not selected for evaluation for the purposes of this Traffic Analysis (see Appendix I of the Draft Subsequent EIR). Consistent with other recent traffic studies performed in the City of Chino and City of Ontario, the intersections selected for evaluation include intersections with two roadways crossing one another that are classified as a Secondary or higher. The Chino Airport access intersections noted in the comment at Cal Aero Drive and Stearman Drive appear to be private roadways or local roadways that do not appear as classified roadways in the City's General Plan. Therefore, they were not included in the Traffic Analysis study area.

Response L4-e

The commenter states that the City of Chino has implemented a requirement that new industrial projects to provide a truck routing plan that clearly indicates to the development and their tenants

the allowable truck routes to and from the project, along with enhanced truck routing signage. The commentor requests that the Project include the same type of requirements to assist in ensuring truck traffic has minimized impacts to sensitive land uses.

The City of Ontario does not require truck route plans for industrial projects. Therefore, a truck route plan is not a requirement for the proposed Project. As such, no changes to the Traffic Analysis are necessary.

Comment Letter L5 –City of Eastvale

CITY OF EASTVALE
12363 Limonite Avenue | Suite 910 | Eastvale, CA 91752
951.361.0900

July 22, 2022

Alexis Vaughn, Associate Planner
Ontario Planning Department
303 East "B" Street
Ontario, CA 91764

Sent via email to: avaughn@ontarioca.gov

RE: NOTICE OF AVAILABILITY (NOA) OF A DRAFT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (SEIR) ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN (FILE NO. PSPA21-002)

Dear Ms. Vaughn:

Thank you for the opportunity to comment on the NOA of a SEIR for the Ontario Ranch Business Park Specific Plan. Eastvale values its relationship with neighboring jurisdictions and is not opposed to development of this site; however, this project has the potential to generate traffic impacts in Ontario and Eastvale. The City of Eastvale offers the following comments for consideration by the Planning Commission:

- **Piecemealing** – The California Environment Quality Act (CEQA) Guidelines define a "project" as "…. the whole of the action that may result either directly or indirectly in physical changes to the environment". This broad definition is intended to provide the maximum protection of the environment. Piecemealing or segmenting means dividing a project into two or more pieces and evaluating each piece in a separate environmental document, rather than evaluating the whole of the project in one environmental document. This is explicitly forbidden by CEQA, because dividing a project into several pieces would allow a Lead Agency to minimize the apparent environmental impacts of a project by evaluating individual pieces separately, each of which may have a less-than-significant impact on the environment, but which together may result in a significant impact. Segmenting a project may also hinder developing comprehensive mitigation strategies. Further, for a phased development project, even if details about future phases are not known, future phases must be included in the project description if they are a reasonably foreseeable consequence of the initial phase and will significantly change the initial project or its impacts. (Association of Environmental Professionals, *CEQA Topic Papers*, https://ceqaportal.org/ - accessed 7/5/2022).

  The *Draft Subsequent Environmental Impact Report for the Ontario Ranch Business Park Specific Plan Amendment* (Draft SEIR) fails to analyze the additive impacts that would result based on the development of an additional 1,604,690 square feet of industrial land and business park uses on a 72-acre site located directly adjacent to the original Ontario Ranch Business Park Specific Plan. The City of Eastvale requests that the Draft EIR is revised to analyze the environmental impacts expected from development of the approved Specific Plan (which proposed 905,027 square feet of warehouse) and the Specific Plan Amendment's addition of two new planning areas allowing for up to 1,604,690 square feet for industrial land and business park. Please indicate whether buildout of the approved Specific Plan and the two new planning areas proposed under the Specific Plan Amendment would have the potential to interact with the City of Eastvale.

- **Supplemental Traffic Impact Analysis** – As stated in the Draft SEIR, operational Level of Service (LOS) were analyzed, and improvements recommended to meet applicable local agency transportation policies. The Draft SEIR also states that while LOS is not a significant impact under CEQA per SB 743, this information is

a

b

provided to be considered by decision-makers, and recommended improvements are likely to be incorporated into the Project's conditions of approval for construction or payment of fair share contributions.

The traffic analysis included with the FEIR analyzed 52 intersections in the study area, seven of which impact the City of Eastvale. The following deficiencies in the environmental document are listed herein:

- **Summary of Deficient Intersection** – The traffic analysis (Section 2.5.3 and Table 1-2) incorrectly assumes that the acceptable Level of Service is D for the seven intersections impacted. However, the City of Eastvale General Plan sets the Level of Service at C for industrial development. The traffic analysis (Exhibit 7-1 and 7-3) also shows intersections along Limonite Ave, within the City of Eastvale, experiences increased Average Daily Traffic (ADT). However, three (3) intersections along Limonite Avenue has been omitted from the analysis: Cloverdale Marketplace and Limonite, Eastvale Gateway and Limonite, and I-15 S ramp and Limonite. Therefore, the table should be revised.

- **Summary of Improvements Recommended to Meet City of Ontario or Surrounding Agency LOS Requirements (Table 1-3)** – The table recommends improvements to the seven intersections in the City of Eastvale to mitigate LOS deficiencies. However, the LOS is incorrectly based on LOS D and no condition of approval is included to require payment to the City of Eastvale for the improvements. Lastly, additional improvements may be warranted. Therefore, the table must be revised.

c

To mitigate for the traffic impacts caused by the project, the City of Eastvale asks that the following condition of approval be added to the project entitlements:

- Prior to the issuance of grading permits the developer shall construct the improvements or pay the fair share costs for the improvements, or pay the City of Eastvale's Transportation Development Impact Fees (DIF) for the following ten intersections impacted by the project:

    - Archibald and Limonite
    - Harrison and Limonite
    - Sumner and Limonite
    - Scholar and Limonite
    - Cloverdale Marketplace and Limonite
    - Hamner and Ontario Ranch Road (Cantu Galleano)
    - Hamner and Limonite
    - Eastvale Gateway and Limonite
    - I-15 S ramp and Cantu Galleano
    - I-15 S ramp and Limonite

d

Eastvale staff would like to request a meeting to discuss these comments and potential solutions that address concerns for both cities. Please contact me at (951) 703-4499 or ggonzalez@eastvaleca.gov. to set a date and time to meet.

We look forward to working cooperatively with Ontario on regional issues that affect our respective communities.

Sincerely,

Gustavo N. Gonzalez, AICP
Planning Manager

Page 2 of 2

Response to Letter L5 City of Eastvale

July 22, 2022

Response L5-a

The commentor states that the Draft Subsequent EIR for the Project fails to analyze the Project's true potential impacts. The commentor requests that the Draft Subsequent EIR be revised to analyze the environmental impacts expected from development of the Ontario Ranch Business Park Specific Plan (Approved SP) and this Project.

The City disagrees with this Project assertion. As stated in Section 3.0, Project Description of the Draft Subsequent EIR, the Approved SP consisted of a General Plan Amendment (GPA), Specific Plan, Development Plan Review, Tentative Parcel Maps, and a Development Agreement to allow for development of an industrial and business park on 11 parcels covering 85 acres in the City of Ontario. The Approved SP project included eight warehouse buildings ranging from 46,900 square feet to 618,353 square feet, totaling a maximum development of 1,905,027 square feet of warehouse and office uses. The City Council certified an EIR for the Approved SP in October of 2020. Two months later, in December of 2020, the City issued the Notice of Preparation for this Project, which would incorporate the abutting 71.69 acres to the east of the Approved SP site into the overall Approved SP area.

An EIR can only analyze possible future actions that are a reasonably foreseeable consequence of the project that the EIR studies. Here, the Project was never a reasonably foreseeable consequence of any previous project, including Approved SP.

A project is not a piecemealed portion of a larger development if the project has independent utility or serves an independent purpose, and it is not dependent on or compelled by the completion of another development. The Project has been designed and is being processed by the City as an independent project, and can move forward regardless of the status of any other project in Ontario.

Finally, it should be noted that the Draft Subsequent EIR specifically includes the Approved SP development in its cumulative impacts analysis, and the Project's environmental analysis considered any potential impacts on the surrounding cities' traffic circulation, including the City of Eastvale (refer to Appendix I of the Draft Subsequent EIR). The cumulative impacts analysis ensures that all applicable past, present, and probable future developments are appropriately analyzed for environmental impacts that may not be individually significant but may be cumulatively significant. In summary, no analysis was "piecemealed." No additional analysis is required.

Response L5-b

The comment is noted for the record and no further action is needed.

Response L5-c

The commentor states that the Traffic Analysis contained in the Subsequent EIR is deficient as it relates to intersections in the City of Eastvale.

According to Policy C-10 of the City of Eastvale General Plan, a peak hour level of service of "D" may be allowed in commercial and employment areas, and at intersections of any combination of major highways, urban arterials, secondary highways, or freeway ramp intersections. As such, LOS D has been utilized as the target LOS for City of Eastvale intersections, consistent with the City of Eastvale's General Plan. All study area intersections within the City of Eastvale currently meet this criterion.

Consistent with other projects evaluated in the City of Eastvale and based on guidance from City of Eastvale staff, a 50 peak hour trip criterion has been utilized to determine study area intersections within the City of Eastvale. The 50 peak hour trip criterion is based on guidance from the County of Riverside's Transportation Analysis Guidelines for Level of Service and Vehicle Miles Traveled, December 2020. Additional intersections along Limonite Avenue have not been evaluated since the proposed Project is anticipated to contribute fewer than 50 trips to these intersections. Therefore, it is anticipated that the Project would not significantly affect the traffic operations at the intersections identified in the comment letter, based on the guidance set forth in the County's traffic study guidelines. Additionally, as shown in Table 1-3 of the Traffic Analysis, the Project responsibility towards these improvements is a fair share payment, with the exception of a second westbound right turn lane at Archibald Avenue Limonite Avenue. This improvement is identified as a construct obligation since it is deficient under E+P conditions. All other improvements are identified as being cumulative traffic deficiencies. Since the City of Eastvale utilizes a target LOS of D per the City of Eastvale General Plan, adopted June 13, 2012, and since the traffic study achieves LOS D for all study area intersections, with improvements, there are no additional changes necessary to the traffic study.

Response L5-d

The commentor requests that the following condition of approval be added to Project entitlements: Prior to the issuance of grading permits, the developer shall construct the improvements or pay the fair share costs for the improvements, or pay the City of Eastvale's Transportation Development Impact Fees (DIF) for the following ten intersections impacted by the project: Archibald and Limonite, Harrison and Limonite, Sumner and Limonite, Scholar and Limonite, Cloverdale Marketplace and Limonite, Hamner and Ontario Ranch Road (Cantu Galleano), Hamner and Limonite, Eastvale Gateway and Limonite, I-15 S ramp and Cantu Galleano, and I-15 S ramp and Limonite.

See Response L5-c above. The subject intersections have not been evaluated as the Project is anticipated to contribute fewer than 50 trips to these locations. As a result, no Project impacts will occur, and no improvements or fees are necessary.

Exhibit B

Mitigation Monitoring and Reporting Program

Ontario Ranch Business Park Specific Plan Amendment

SECTION 1: AUTHORITY

This environmental Mitigation Monitoring and Reporting Program (Program) has been prepared pursuant to Section 21081.6 of the *California Environmental Quality Act* (CEQA) (Public Resources Code Section 21000 et seq.), and CEQA Guidelines (14 Cal. Code Regs. Section 15000 et seq.) Sections 15091(d) and 15097, to ensure implementation of and provide for the monitoring of mitigation measures required of the Ontario Ranch Business Park Specific Plan Amendment (Project), as set forth in the Final Subsequent Environmental Impact Report (EIR) prepared for the Project. This report will be kept on file in the offices of the CEQA Lead Agency, the City of Ontario (City).

As noted in the EIR, the Project has been designed to avoid sensitive resources, as reflected in Project design plans and in Project Design Features. The Subsequent EIR also addresses the potential environmental impacts of the Project, and, where appropriate, recommends mitigation measures to avoid or substantially lessen significant environmental impacts. The Program detailed in the matrix table below is designed to monitor and ensure implementation of all mitigation measures that are adopted for the Project.

The City is the Lead Agency for the Project and assumes ultimate enforcement responsibilities for implementation of all mitigation measures listed in this Program. The City may assign responsibility for implementation or monitoring to appropriate designees such as a construction manager or third-party monitor. However, as the Lead Agency, the City remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with this Program. In some cases, the City is required to secure permits or approvals from third-party agencies in order to implement a mitigation measure. In these cases, the City is responsible for verifying that such permits or approvals have been obtained in accordance with the conditions stipulated in the mitigation measure. The City's existing planning, engineering, operations, and procurement review and inspection processes will be used as the basic foundation for the Program procedures and will also serve to provide the documentation for the reporting program.

SECTION 2: MONITORING SCHEDULE

Prior to construction, while detailed design plans are being prepared by City staff or its agents, City staff will be responsible for ensuring compliance with mitigation monitoring applicable to the Project construction, development, and design phases. Once construction has begun and is underway, monitoring of the mitigation measures associated with construction will be included in the responsibilities of City staff, who shall prepare or cause to be prepared periodic monitoring reports as appropriate. Regulatory agencies will have to harmonize CEQA mitigation with regulatory permit conditions and monitoring/reporting as part of the regulatory permitting process and will likely require submittal of formal monitoring reports. Once construction has been completed, the City will monitor the project as specified in the mitigation measures or as otherwise deemed necessary. At minimum, the City will prepare a mitigation monitoring status report prior to commencing construction, prior to commencing operations, within 90 days of commencing operations, and following completion of the first full year of operations.

SECTION 3: SUPPORT DOCUMENTATION

Findings and related documentation supporting the findings involving modifications to mitigation measures shall be maintained in the Project file with the Mitigation Monitoring and Reporting Program and shall be made available to the public upon request.

SECTION 4: FORMAT OF MITIGATION MONITORING MATRIX

The mitigation monitoring matrix on the following pages identifies the environmental issue areas for which monitoring is required, the required mitigation measures, the time frame for monitoring, and the responsible implementing and monitoring agencies.

SECTION 5: DEFINITIONS

The following list provides definitions for acronyms used in the mitigation monitoring and reporting program.

Acronyms/Abbreviation	*Description*
ACM	Asbestos-Containing Materials
AG	Agriculture and Forestry
AQ	Air Quality
AST	Aboveground Storage Tank
BIO	Biological Resources
BUOW	Burrowing Owl
CARB	California Air Resources Board
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
City	City of Ontario
County	County of San Bernardino
County Coroner	San Bernardino County Coroner
CRMP	Construction Risk Management Plan
CUL	Cultural Resources
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
ESA	Environmental Site Assessment
ESL	Environmental Screening Levels
GEO	Geology and Soils
GHG	Greenhouse Gas
HAZ	Hazards and Hazardous Materials
HSP	Health and Safety Plan
MM	Mitigation Measure
NAHC	Native American Heritage Commission
NOI	Noise
PPMV	Parts Per Million Volume
PRC	Public Resources Code
PRMP	Paleontological Resource Monitoring Plan
SBCFD	San Bernardino County Fire Protection District
SCAQMD	South Coast Air Quality Management District
SMP	Soil Management Plan
State	State of California
TCR	Tribal Cultural Resources
TDM	Travel Demand Management
TPH	Total Petroleum Hydrocarbons
TRANS	Traffic and Transportation
TRU	Transport Refrigeration Units
VMT	Vehicle Miles Travelled
VOC	Volatile Organic Compound

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
AGRICULTURE AND FORESTRY				
MM AG-1: Deed disclosure – In order to reduce conflicts issued between sensitive receptors and agricultural uses, all property owners in the Ontario Ranch Business Park Specific Plan Amendment shall be provided with a deed disclosure or similar notice approved by the City Attorney regarding the proximity and nature of neighboring agricultural uses. This disclosure shall be applied at the tentative map stage to the affected properties, or otherwise prior to finalizing the sale or rental agreement of any property. The written disclosure shall be supplied to the property purchaser or renter by the vendor or vendor's agent. The content and text of the disclosure shall be approved by the City Attorney and shall include language to inform new residents that existing agricultural uses may create nuisances such as flies, odors, dust, night-light, and chemical spraying.	Project Applicant	Prior to the approval of tentative tract map	City Attorney	
AIR QUALITY				
MM AQ-1: The Project shall utilize "Super-Compliant" low VOC paints which have been reformulated to exceed the regulatory VOC limits (i.e., have a lower VOC content than what is required) put forth by SCAQMD's Rule 1113 for all architectural coatings. Super-Compliant low VOC paints shall be no more than 10g/L of VOC. Plans shall specify that all architectural coatings will be super-compliant low VOC paints.	Project Applicant	Prior to issuance of a building permit	City of Ontario Building Department	
MM AQ-2: Only electric-powered off-road equipment (e.g., yard trucks/hostlers, forklifts, indoor material handling equipment, etc.) shall be utilized onsite for daily warehouse and business operations. The Project developer/facility owner shall disclose this requirement to all tenants/business entities prior to the signing of any lease agreement. In addition, the limitation to use only electric-powered off-road equipment shall be included in all leasing agreements. Prior to issuance of a Business License for a new tenant/business entity, the Project developer/facility owner and tenant/business entity shall provide to the City of Ontario Planning Department and Business License Department a signed document (verification document) noting that the Project development/facility owner has disclosed to the tenant/business entity the requirement to use only electric-powered equipment for daily operations. This verification document shall be signed by authorized agents for the Project developer/facility owner and tenant/business	Project Developer	Prior to issuance of a Business License	City of Ontario Planning Department and Business License Department	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
entities. In addition, if applicable, the tenant/business entity shall provide documentation (e.g., purchase or rental agreement) to the City of Ontario Planning Department and Business License Department to verify, to the City's satisfaction, that any off-road equipment utilized will be electric-powered. If emergency generators are proposed, the Project applicant shall explore non-diesel options. If non-diesel generators are determined to not be feasible, the Project applicant shall provide written justification for the use of diesel-powered emergency generators to be approved by the City's Building Department. Feasibility of non-diesel generators would be explored on the basis of fire and life safety purposes, relative cost and availability of non-diesel generators, as well as whether or not the non-diesel generator has the capacity to supply the required level of power for the required uses.				
MM AQ-3: Prior to issuance of occupancy permits, the Project operator shall prepare and submit a Transportation Demand Management (TDM) program detailing strategies that would reduce the use of single occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool and transit. The TDM shall include, but is not limited to the following: • Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options; • Promote bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the Project site; • Provide on-site car share amenities for employees who make only occasional use of a vehicle, as well as others who would like occasional access to a vehicle of a different type than they use day-to-day; • Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service; and	Project Operator	Prior to the issuance of a Certificate of Occupancy	City of Ontario Planning Department	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
• Incorporate incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/vanpool users.				
MM AQ-4: Prior to the issuance of a building permit, the Planning Department shall confirm that the Project is designed to include the following: • The buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed to supply power for the future installation of electric vehicle (EV) truck charging stations on the site. Conduit should be installed from the electrical room to tractor trailer parking spaces in a logical location(s) on the site determined by the Project Applicant during construction document plan check, for the purpose of accommodating the future installation of EV truck charging stations at such time this technology becomes commercially available and the buildings are being served by trucks with electric-powered engines. • The buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed in the future to supply power to trailers with transport refrigeration units (TRUs) during the loading/unloading of refrigerated goods. Conduit should be installed from the electrical room to the loading docks determined by the Project Applicant during construction document plan check as the logical location(s) to receive trailers with TRUs.	City of Ontario Planning Department	Prior to the issuance of a building permit	City of Ontario Planning Department	
MM AQ-5: Prior to the issuance of occupancy permits, the Planning Department shall confirm that tenant lease agreements include contractual language that requires all Transport Refrigeration Units (TRUs) entering the Project site be plug-in capable. Electrical hookups shall be provided as part of the tenant improvements for any tenant that requires cold storage. The electrical hookups shall be provided at loading bays for truckers to plug in any onboard auxiliary equipment and power refrigeration units while their truck is stopped.	City of Ontario Planning Department	Prior to the issuance of occupancy permits	City of Ontario Planning Department	
MM AQ-6: All truck access gates and loading docks within the Project site shall have a sign posted that states: • Truck drivers shall turn off engines when not in use				

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
• Truck drivers shall shut down the engine after five minutes of continuous idling operation (pursuant to Title 13 of the California Code of Regulations, Section 2485). Once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged. • Telephone numbers of the building facilities manager and CARB to report violations. • Truck travel is restricted to identified truck routes only In addition, signage shall be installed to direct trucks to the appropriate designated truck routes				
MM AQ-7: Prior to issuance of grading permits, the applicant shall prepare and submit documentation to the City of Ontario that demonstrate that all off-road diesel-powered construction equipment greater than 50 horsepower meets California Air Resources Board Tier 4 Final off-road emissions standards. Requirements for Tier 4 Final equipment shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of each unit's Best Available Control Technology (BACT) documentation (certified tier specification or model year specification), and CARB or SCAQMD operating permit (if applicable) shall be provided to the City at the time of mobilization of each applicable unit of equipment.	Project Applicant	Prior to issuance of grading permits	City of Ontario Planning Department	
BIOLOGICAL RESOURCES				
MM BIO-1: Prior to the issuance of permits for any construction activity, the Project Applicant shall demonstrate compliance with the MBTA to the satisfaction of the City of Ontario that either of the following has been accomplished: • Conduct grading activities and vegetation removal outside of the nesting season (February 1 to August 31) to avoid impacts to nesting birds, including raptors. • If vegetation removal will occur during the bird nesting season, between February 1 and August 31, pre-construction nesting bird surveys shall be performed within three days prior to any	Project Applicant Qualified Biologist	Prior to the issuance of permits for any construction activity	City of Ontario Planning Department	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
disturbance of the site, including disking, demolition activities, and grading. If active nests are found, they shall be flagged and the biologist shall establish suitable buffers around the nest (generally a minimum of 200 feet up to 500 feet for raptors and a minimum of 50 feet up to 300 feet for passerine species, with specific buffer widths to be determined by a qualified biologist). The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.				
MM BIO-2: The Project Applicant shall conduct surveys for tricolored blackbird across all suitable breeding and foraging habitat with the Project site. If tricolored blackbirds are identified, the Project Proponent shall avoid all occupied habitat on-site. If on-site avoidance is infeasible, the Project Proponent shall apply for an incidental take permit (ITP) with California Department of Fish and Wildlife (CDFW) and shall mitigate for the loss of all habitat through the acquisition, conservation, and management of in-kind habitat at a minimum 3:1 ratio, or as approved by the final ITP. Habitat shall be conserved in perpetuity via conveyance of a conservation easement to a CDFW-approved conservation entity and a management fund (endowment) shall be established by the Project Proponent consisting of an interest-bearing account with the amount of capital necessary to generate sufficient interest and/or income to fund all monitoring, management, and protection of the conservation area(s), including but not limited to, reasonable administrative overhead, biological monitoring, invasive species and trash removal, fencing and signage replacement and repair, law enforcement measures, long-term management reporting, and other actions designed to maintain and improve the habitat of the conserved land(s), in perpetuity. A Property Analysis Record, or substantially equivalent analysis, shall be conducted to determine the management needs and costs described above, which then will be used to calculate the capital needed for the management of the fund. Except for uses appropriate to a habitat conservation area, the public shall not have access to the mitigation area(s), and no activities shall be permitted within the site, except maintenance of habitat, including the removal of nonnative plant species, trash, and debris, and the installation of native plant materials.	Project Applicant	Prior to ground disturbing activities	CDFW	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
MM BIO-3: Prior to implementation of Project activities, a qualified biologist shall be retained to determine whether potential roosting sites for bats may be affected. For large ornamental trees suitable for bat roosting/nursery, exit counts and acoustic surveys shall be performed prior to initial ground disturbance and vegetation removal to determine whether the project footprint and a 300-foot buffer supports a nursery or roost, and by which species. This survey work will occur between late-spring and late summer and/or in the fall (generally mid-March through late October). If the results of the bat survey finds a total of a single roosting individual of a special-status bat species or 25 or more individuals of non-special-status bat species with potential to be present in the study area (i.e., western Mastiff bat, big free-tailed bat, pallid bat, western red bat, and western yellow bat), a Bat Management Plan shall be developed to ensure mortality to bats does not occur. For each location confirmed to be occupied by bats, the plan will provide details both in text and graphically where exclusion devices/and or staged tree removal will need to occur, the timing for exclusion work, and the timeline and methodology needed to exclude the bats. The plan will need to be reviewed and approved by CDFW prior to disturbance of the roost(s).	Qualified Biologist	Prior to implementation of Project activities	CDFW	
MM BIO-4: Prior to issuance of a demolition or grading permit for any ground disturbing activity, a qualified biologist shall conduct surveys for BUOW across all suitable breeding, wintering, and foraging habitat with the Project site, within 14 days prior to initiating ground disturbance activities. If burrowing owls are identified, the Project Proponent shall either avoid all impacts on-site or conserve non-impacted occupied habitat on-site and/or conserve occupied burrowing owl habitat off-site at a minimum total 2:1 ratio of conserved to impacted habitat. Coordination with the CDFW shall occur to mitigate for the loss of habitat through the acquisition, conservation, and management of in-kind habitat. Lands conserved shall include 1) sufficiently large acreage with fossorial mammals present; 2) permanent protection through a conservation easement for the purpose of conserving burrowing owl habitat and prohibiting activities incompatible with burrowing owl use; 3) development and implementation of a mitigation land management plan to address long-term ecological sustainability and maintenance of	Qualified Biologist Project Proponent	Prior to issuance of a demolition or grading permit for any ground disturbing activity	CDFW	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
the site for burrowing owls; and 4) funding for the maintenance and management of mitigation land through the establishment of a long-term funding mechanism such as an endowment.				
CULTURAL RESOURCES				
MM CUL-1: Prior to the issuance of any grading permits for the Project site, a Cultural Awareness Training Program shall be provided to all construction managers and construction personnel prior to commencing any ground disturbance work at the Project sites. The training shall be prepared and conducted by a Qualified Archaeologist to the satisfaction of the City Planning Department. The training may be discontinued when ground disturbance is completed. Construction personnel shall not be permitted to operate equipment within the construction area unless they have attended the training. A copy of the training transcript and/or training video, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgment forms shall be submitted to the City Planning Department for their review and approval.	Project Applicant Qualified Archaeologist	Prior to the issuance of any grading permits	City of Ontario Planning Department	
GEOLOGY AND SOILS				
MM GEO-1: A shrinkage study will be performed involving several excavated test-pits where in-place densities are determined using in-situ testing methods instead of laboratory density testing on small-diameter samples. Special care will be taken to properly moisture condition and maintain 2 to 4 percent above the optimum moisture content within all subgrade soils as well as newly placed fill soils. Additional expansion index testing will be performed at the time of the design-level geotechnical investigation. Protection (protective coating, metal plating, corrosive inhibitors, etc.) for embedded metal improvements will be installed and additional chloride content testing will be performed on soils.	Project Applicant	Prior to the start of construction	City of Ontario Building Department	
MM GEO-2: All manure and any organic topsoil will be removed during initial site stripping and that additional organic testing will be conducted during the design-level geotechnical investigation. Prior to grading, grubbing, and segregating of the manure in the cattle pens and the highly organic soils in the planted areas will be done. These soils will be removed from the site or reutilized in nonstructural areas, such as landscape planters. Any additional organic materials encountered in buried fills will also be segregated during grading and reutilized in nonstructural areas,	Project Applicant	Prior to grading	City of Ontario Building Department	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
such as landscape planters. Any additional organic materials encountered in buried fills will also be segregated during grading.				
MM GEO-3: Additional soluble sulfate testing would be conducted during the design-level geotechnical investigation and at the completion of rough grading to verify the soluble sulfate concentrations of the soils.	Project Applicant	At the completion of rough grading	City of Ontario Building Department	
MM GEO-4: The remedial grading would be performed to remove the existing undocumented fill soils as well as a portion of the near-surface native alluvium and replace these materials as compacted structural fill. The over excavation would extend to a sufficient depth so that the native soils that will remain in place below the recommended depth of over excavation will not be subject to significant load increases from the foundations of the new structures.	Project Applicant	Prior to grading	City of Ontario Building Department	
MM GEO-5: Periodic paleontological spot checks would be conducted when excavation exceeds depths of 10 feet below the surface to determine if older, paleontologically-sensitive sediments are present. If present, full-time monitoring would be implemented. Prior to the start of construction, a paleontological resource monitoring plan (PRMP) would be prepared and implemented. The Project's PRMP would implement the following procedures: • A trained and qualified paleontological monitor would perform spot-check and/or monitoring of any excavations on the Project that have the potential to impact paleontological resources in undisturbed native sediments below 10 feet in depth. The monitor will have the ability to redirect construction activities to ensure avoidance of adverse impacts to paleontological resources. • The Project paleontologist may re-evaluate the necessity for paleontological monitoring after examination of the affected sediments during excavation, with approval from Lead Agency and Client representatives. • Any potentially significant fossils observed shall be collected and recorded in conjunction with best management practices and Society of Vertebrate Paleontology professional standards.	Project Applicant Qualified Paleontological Monitor	Prior to the start of construction	City of Ontario Planning Department	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
• Any fossils recovered during mitigation shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations. • A report documenting the results of the monitoring, including any salvage activities and the significance of any fossils, shall be prepared and submitted to the appropriate personnel.				
GREENHOUSE GAS				
MM GHG-1: The Project shall install solar photovoltaic (PV) panels or other source of renewable energy generation on-site, or otherwise acquire energy from the local utility that has been generated by renewable sources, that would provide 100 percent of the expected building load. The buildings shall include an electrical system and other infrastructure sufficiently sized to accommodate the PV arrays. The electrical system and infrastructure must be clearly labeled with noticeable and permanent signage.	Project Applicant	Prior to the issuance of occupancy permits	City of Ontario Planning Department	
MM GHG-2: Prior to the issuance of a building permit, the Project Applicant or successor in interest shall provide documentation to the City of Ontario demonstrating that the Project is designed to meet or exceed CALGreen Code Tier 2 standards in effect at the time of building permit application.	Project Applicant	Prior to the issuance of a building permit	City of Ontario Planning Department	
MM GHG-3: All project development proposals shall implement Screening Table Measures that achieve at least 100 points per the Screening Tables. The City shall verify that Screening Table Measures achieving the 100-point performance standard are incorporated in development plans prior to the issuance of building permit(s) and/or site plans (as applicable). The City shall verify implementation of the selected Screening Table Measures prior to the issuance of Certificate(s) of Occupancy.	Project Applicant	Prior to the issuance of occupancy permits	City of Ontario Planning Department	
HAZARDS AND HAZARDOUS MATERIALS				
MM HAZ-1: Prior to the issuance of grading permits, the Project applicant shall conduct further testing for the presence of methane on the Project site, in accordance with DTSC methane assessment guidelines. The Project applicant shall prepare a methane gas soil survey and implement grading activity recommendations to the satisfaction of the City Building Department. This survey and recommendation shall include a post-	Project Applicant	Prior to the issuance of grading permits	City of Ontario Building Department	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
construction soil gas investigation and installation of methane gas mitigation systems where post-grading methane levels exceed 5,000 ppmv, should any such levels occur.				
MM HAZ-2: Following drainage of the on-site ponds, the Project applicant shall conduct a limited Phase II subsurface assessment of sediments to evaluate the sediments for chemical risks to human health and the environment. If contamination from dairy and animal-related wastes is encountered at a level above Environmental Screening Levels (ESLs) for non-residential uses, the appropriate environmental agency (Regional Water Quality Control Board, Department of Toxic Substance Control, South Coast Air Quality Management District) shall be notified. Any contamination identified as a result of such testing/sampling shall be investigated and removed or remediated to the satisfaction of the environmental agency with evidence provided to the City, such that there are no residual significant impacts following mitigation. Prior to allowing the commencement of any soil removal or hauling activities at the Proposed Project, the City will review and/or evaluate potential air quality impacts (criteria pollutants and toxic air contaminants from equipment exhaust, earthmoving, and other on-site remedial activities, as applicable) to verify that impacts are properly assessed and disclosed in accordance with CEQA.	Project Applicant	Following drainage of the on-site ponds	City of Ontario Planning Department	
MM HAZ-3: Soil Management Plan. Prior to issuance of a grading permit, the Project applicant shall retain a qualified environmental consultant to prepare a Soil Management Plan that details procedures and protocols for on-site management of soils containing potentially hazardous materials. The SMP would be implemented during grading activities on-site to ensure that soils containing residual levels of hydrocarbons or arsenic are properly identified, monitored, and managed on-site, and include the following: • A certified hazardous waste hauler shall remove all potentially hazardous soils. In addition, sampling of soil shall be conducted during excavation to ensure that all petroleum hydrocarbon and arsenic impacted soils are removed, and that Environmental Screening Levels (ESLs) for non-residential uses are not exceeded. Excavated materials shall be transported per California Hazardous	Project Applicant	Prior to the issuance of grading permits	City of Ontario Planning Department	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
Waste Regulations to a landfill permitted by the State to accept hazardous materials. • Any subsurface materials exposed during construction activities that appear suspect of contamination, either from visual staining or suspect odors, shall require immediate cessation of excavation activities. Soils suspected of contamination shall be tested for potential contamination. If contamination is found to be present per the Department of Toxic Substances Control Screening Levels for industrial/commercial land use (DTSCSLi) and the U.S. EPA Regional Screening Levels for industrial/commercial land use (EPARSLi), it shall be transported and disposed of per state regulations to an appropriately permitted landfill. • The SMP shall include a Health and Safety Plan (HSP) that addresses potential safety and health hazards and includes the requirements and procedures for employee protection; each contractor will be required to have their own HSP tailored to their particular trade that addresses the general project safety requirements. The HSP shall also outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction. • The SMP shall be prepared and executed in accordance with South Coast Air Quality Management District (SCAQMD) Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil. The SMP shall require the timely testing and sampling of soils so that contaminated soils can be separated from inert soils for proper disposal. The SMP shall specify the testing parameters and sampling frequency. Anticipated testing includes total petroleum hydrocarbons (TPH), volatile organic compounds (VOCs), and semi-volatile organic compounds (SVOCs). During excavation, Rule 1166 requires that soils identified as contaminated shall be sprayed with water or another approved vapor suppressant or covered with sheeting during periods of inactivity of greater than an hour, to prevent contaminated soils from becoming airborne. Under Rule 1166, contaminated soils shall be transported from the project site by a licensed transporter and disposed of at a licensed				

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
storage/treatment facility to prevent contaminated soils from becoming airborne or otherwise released into the environment. • All SMP measures shall be printed on the construction documents, contracts, and project plans prior to issuance of grading permits.				
MM HAZ-4: Construction period testing: Construction at the Project site shall be conducted under a Project-specific Construction Risk Management Plan (CRMP) to protect construction workers, the general public, and the environment from subsurface hazardous materials previously identified and to address the possibility of encountering unknown contamination or hazards in the subsurface. The CRMP shall summarize soil and groundwater analytical data collected on the Project sites during past investigations and during site investigation activities; delineate areas of known soil and groundwater contamination, if applicable; and identify soil and groundwater management options for excavated soil and groundwater, in compliance with local, state, and federal statutes and regulations. The CRMP shall: • Provide procedures for evaluating, handling, storing, testing, and disposing of soil and groundwater during Project excavation and dewatering activities, respectively. • Require the preparation of a Project-specific Health and Safety Plan that identifies hazardous materials present, describes required health and safety provisions and training for all workers potentially exposed to hazardous materials in accordance with State and Federal worker safety regulations, and designates the personnel responsible for Health and Safety Plan implementation. • Require the preparation of a contingency plan that shall be applied should previously-unknown hazardous materials be encountered during construction activities. The contingency plan shall include provisions that require collection of soil and/or groundwater samples in the newly-discovered affected area by a qualified environmental professional prior to further work, as appropriate. The analytical results of the sampling shall be reviewed by the	Project Applicant	Prior to the issuance of construction and demolition permits	San Bernardino County Department of Risk Management	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
qualified environmental professional and submitted to the appropriate regulatory agency. The environmental professional shall provide recommendations, as applicable, regarding soil/waste management, worker health and safety training, and regulatory agency notifications, in accordance with local, state, and federal requirements. Work shall not resume in the area(s) affected until these recommendations have been implemented under the oversight of the County or regulatory agency, as appropriate. • Designate personnel responsible for implementation of the CRMP. The CRMP shall be submitted to the County for review and approval prior to the issuance of construction and demolition permits.				
MM HAZ-5: Prior to the commencement of any construction-related site activities (clearing, demolition, grading etc.), all above-ground storage tanks (ASTs) and underground storage tanks (USTs) shall be removed. ASTs storing diesel shall be disposed of by a State of California licensed contractor and in compliance with the required San Bernardino County Fire Department (SBCFD) Hazardous Materials Division regulations for tank removals. For stained soils in the vicinity of diesel containing ASTs, as identified in the Phase I Environmental Site Assessment (ESA) dated January 10, 2020, soil samples shall be collected, as directed by the SBCFD inspector, for chemical analysis at a laboratory licensed by the State of California. If contaminated soils are encountered, a soil management plan shall be prepared to manage the stained soils during redevelopment. USTs shall be removed through reviewing available files at the SBCFD and ensuring the proper removal of the UST and a subsurface investigation to determine if the UST had impacted the subsurface.	Project Applicant	Prior to construction activities	City of Ontario Building Department	
MM HAZ-6: Prior to the issuance of a demolition permit for any buildings or structures on-site, the Project applicant shall conduct a comprehensive ACM survey to identify the locations and quantities of ACM in above-ground structures. The Project applicant shall retain a licensed or certified asbestos consultant to inspect buildings and structures on-site. The consultant's report shall include requirements for abatement, containment, and disposal of ACM, if encountered, in accordance with the South Coast Air Quality Management District's Rule 1403.	Project Applicant	Prior to the issuance of a demolition permit	City of Ontario Building Department	
NOISE				

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
MM NOI-1: Heavy construction equipment will not remain stationary for more than fifteen minutes while operating within 500 feet of a sensitive receptor.	Project Applicant	Prior to construction activities	City of Ontario Planning Department	
MM NOI-2: Stationary construction equipment will not be placed within 500 feet of a sensitive receptor and will be oriented away from receptors.	Project Applicant	Prior to construction activities	City of Ontario Planning Department	
TRIBAL CULTURAL RESOURCES				
MM TCR-1: Prior to the commencement of any ground-disturbing activity at the project site, the project applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation – the tribe that consulted on this Project pursuant to Assembly Bill (AB) 52 (the "Tribe" or the "Consulting Tribe"). A copy of the executed contract shall be submitted to the City of Ontario Planning and Building Departments prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities. Ground-disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching within the project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources. Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the qualified archaeologist and Tribal monitor approved by the Consulting Tribe. If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the Project Site, all ground disturbance shall immediately cease, and the county	Project Applicant	Prior to the commencement of any ground disturbing activity	Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation with coordination with the City of Ontario Planning Department	

Mitigation Measures	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
coroner shall be notified per Public Resources Code Section 5097.98, and Health and Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Work may continue on other parts of the Project Site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If a non-Native American resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.				

RESOLUTION NO._____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA21-002, AN AMENDMENT TO THE ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN, INCORPORATING PROPERTY ADJACENT TO THE EXISTING SPECIFIC PLAN AREA AND ESTABLISHING THE LAND USE DESIGNATIONS, DEVELOPMENT STANDARDS, AND GUIDELINES WHICH WILL GOVERN THE DEVELOPMENT OF 71.69 ACRES OF LAND GENERALLY BORDERED BY CAMPUS, SULTANA, MERRILL, AND EUCALYPTUS AVENUES, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1054-041-01, 1054-041-02, 1054-031-01, 1054-031-02, 1054-261-01, 1054-261-02, 1054-291-01, AND 1054-291-02.

WHEREAS, on September 15, 2020, the City Council approved the original Ontario Ranch Business Park Specific Plan (File No. PSP18-002), which established a comprehensive set of design guidelines and development regulations to guide and regulate site planning, landscape, and architectural character, and ensure that excellence in community design is achieved during project development. The Specific Plan also established the procedures and requirements to approve new development within the project site to ensure The Ontario Plan (“TOP”) goals and policies are achieved; and

WHEREAS, Euclid Land Venture LLC ("Applicant") has filed an Application for the approval of an amendment to the Ontario Ranch Business Park Specific Plan, File No. PSPA21-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, on August 16, 2022, the City Council certified a Supplemental Environmental Impact Report (“SEIR”) (State Clearinghouse No. 2021070364), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations, in conjunction with the following: [1] The Ontario Plan (“TOP”) 2050 update General Plan Amendment (File No. PGPA20-002) to the Vision, Governance Manual, and Policy Plan components of TOP, and [2] an update to the Community Climate Action Plan (File No. PADV22-002); and

WHEREAS, on August 30, 2022, the Planning Commission reviewed the Project and recommended approval to the City Council; and

WHEREAS, the Application applies to 71.69 acres of land immediately adjacent to the existing Ontario Ranch Business Park Specific Plan area, generally located north of Merrill Avenue, south of Eucalyptus Avenue, west of Campus Avenue, and east of Sultana Avenue, currently within the SP(AG) (Agricultural Overlay) zoning district, and is predominantly improved with agricultural and dairy land uses; and

WHEREAS, the properties to the north of the Project site are within the SP(AG) (Agricultural Overlay) zoning district and predominantly developed with agricultural and dairy land uses. The properties to the west are within the Ontario Ranch Business Park

Specific Plan and under construction with industrial and business park developments. The property to the south is within the City of Chino and is developed with the Chino Airport. The properties to the east are within the South Ontario Logistics Center Specific Plan and predominantly developed with agricultural and dairy land uses; and

WHEREAS, the Project will establish Planning Areas ("PAs") 3 and 4. PA 3 will be designated Business Park (maximum 0.45 FAR), sited to the north of the Project area along Eucalyptus Avenue, and will allow for the potential development of up to 227,951 square feet of business park and office uses on 11.63 acres of land. PA 4 will be designated Industrial – General (maximum 0.54 FAR), sited to the south of the Project area along Merrill Avenue, and will allow for the potential development of up to 1,412,739 square feet of industrial land uses on 60.06 acres of land. The land use and development intensity of PA 3 and PA 4 will complement the existing PA 1 and PA 2, respectively. The proposed maximum FARs are consistent with the original Ontario Ranch Business Park Specific Plan, and are lower than the maximum allowable thresholds listed in the Policy Plan Land Use designations for Business Park and Industrial; and

WHEREAS, the Ontario Ranch Business Park Specific Plan has been prepared in conformance with the goals and policies of the City of Ontario Policy Plan (General Plan). Chapter 7 of the Specific Plan, "General Plan Consistency", describes the manner in which the Ontario Ranch Business Park Specific Plan complies with the Policy Plan goals and policies applicable to the Ontario Ranch Business Park Specific Plan; and

WHEREAS, a Subsequent Environmental Impact Report ("SEIR") (State Clearinghouse No. 2019050018), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Consideration have been prepared in accord with the California Environmental Quality (CEQA), the State CEQA Guidelines and the City of Ontario Guidelines to address the environmental effects of the Specific Plan Amendment; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, the project site is also located within the Airport Influence of Chino Airport and must be consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of

Transportation, Division of Aeronautics and the Chino Airport Land Use Compatibility Plan, which addresses the safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on August 23, 2022, the Planning Commission of the City of Ontario conducted a duly noticed public hearing and continued the Project to the August 30, 2022, Special Planning Commission meeting. The Planning Commission opened the public hearing at which time all persons wishing to testify were heard; and

WHEREAS, on August 30, 2022, the Planning Commission of the City of Ontario conducted a special hearing to consider the Project, and concluded said hearing on that date, voting to issue Resolution No. PC22-054, recommending the City Council approve the Application; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act — Public Resources Code Section 21000 et seq. — (hereinafter referred to as "CEQA") and a Supplemental Environmental Impact Report (State Clearinghouse No. 2019050018) has been prepared to determine possible environmental impacts; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the City Council the responsibility and authority to review and act on the subject Application; and

WHEREAS, on October 4, 2022, the City Council of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the City Council of the City of Ontario, as follows:

SECTION 1. ***Environmental Determination and Findings.*** As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Subsequent Environmental Impact Report ("EIR") and supporting documentation. Based upon the facts and information contained in the EIR (SCH# 2019050018) and supporting documentation, the Planning Commission recommends that the City Council make the following findings:

(1) The EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(2) The EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(3) The EIR reflects the independent judgment of the City Council; and

SECTION 2. ***City Council Action.*** Based on the information presented to the City Council, and the specific findings set forth in Section 1, above, the City Council makes the following findings:

(1) The Project EIR analyzed the environmental impacts associated with the implementation of the Ontario Ranch Business Park Specific Plan Amendment, and finds that, if the Specific Plan Amendment is adopted and development occurs as proposed by this plan, and with implementation of proposed mitigation measures, the following impacts will still be significant and unavoidable:

(a) Air Quality – Impacts related to a net increase in criteria pollutants would remain significant and unavoidable with the implementation of recommended mitigation measures; and

(b) Agricultural Resources – Project-specific impacts and cumulative impacts would remain significant and unavoidable; and

(c) Transportation – Impacts related to intersections are projected to be cumulatively significant and unavoidable; and

(d) Greenhouse Gas Emissions – Project-specific impacts and cumulative impacts would remain significant and unavoidable.

SECTION 3. ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the City Council finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 4. ***Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance.*** The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State and rely upon the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

(1) On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts

of current and future airport activity. As the decision-making body for the Project, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the CITY COUNCIL, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP; and

(2) On August 2, 2022, the City Council of the City of Ontario approved and adopted a Development Code Amendment to establish the Chino Airport Overlay Zoning District ("OZD") and Reference L, Chino Airport Land Use Compatibility Plan ("ALUCP"). The Chino OZD and ALUCP established the Airport Influence Area for Chino Airport, solely within the City of Ontario, and limits future land uses and development within the Airport Influence Area, as they relate to safety, airspace protection, and overflight impacts of current and future airport activity. The Chino ALUCP is consistent with policies and criteria set forth within the Caltrans 2011 California Airport Land Use Planning Handbook. The proposed Project is located within the Airport Influence Area of Chino Airport and was evaluated and found to be consistent with the California Airport Land Use Planning Handbook and the Chino ALUCP. As the decision-making body for the Project, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including Safety, Airspace Protection, Overflight. As a result, the City Council, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5. ***Concluding Facts and Reasons.*** Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the City Council hereby concludes as follows:

(1) ***The proposed Specific Plan, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The Project site is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The business park and industrial land uses in the proposed Ontario Ranch Business Park Specific Plan Amendment districts are appropriate for the area and will be in harmony in terms of access, size, and compatibility with existing land uses in the surrounding area. The Project site is located within an industrial corridor and the Chino Airport Influence Area and is subject to the policies and criteria of the Chino Airport Land Use Compatibility Plan. The proposed Ontario Ranch Business Park Specific Plan Amendment is consistent the Chino Airport Land Use Compatibility Plan which places additional restrictions on land use, building/structure heights and limits the concentration of people.

(2) ***The proposed Specific Plan, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** The proposed amendment to the Ontario Ranch Business Park Specific Plan would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. The Project proposes to designate a piece of land so as to be consistent with the greater industrial corridor that flanks it on the west and east, with business park land uses located along the northerly portion of the Project site to act as a buffer between the industrial uses and airport to the south of the Project site and the future residential, commercial, and mixed-use developments to the north of the Project site. General industrial land uses have been sited toward the south of the Project site, adjacent to the Chino Airport, so as to limit potential airport-related hazards from impacting land uses that generate greater concentrations of people.

(3) ***In the case of an application affecting specific property(ies), the proposed Specific Plan, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses.*** The proposed amendment to the Ontario Ranch Business Park Specific Plan will bring the properties into compatibility and harmony with the larger industrial corridor, located south of Eucalyptus Avenue and generally stretching from Euclid Avenue on the west to the Cucamonga Creek Channel on the east. The Project site is the last remaining piece of land without an industrial designation in the corridor, which includes the approved original Ontario Ranch Business Park Specific Plan to the west and the approved South Ontario Logistics Center, Merrill Commerce Center, and West Ontario Commerce Center Specific Plans to the east. All of the approved specific plans contain industrial development in varying stages.

(4) ***In the case of an application affecting specific property(ies), the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.*** The 71.69-acre Project site is physically suitable by means of parcel size, shape, access, and availability of utilities to serve the anticipated development. Future maps and development plans will be required to meet all design standards and regulations. The Project will be part of a larger industrial corridor which has a shared and vested interest in development of utilities to serve the corridor, and the Project site would be tying into existing development plans and, subsequently, reimbursing other developers for their fair share of the cost burden. Further, the substantial investment made by the surrounding industrial development to install infrastructure to serve the area will enable future residential, recreational, commercial, and mixed-use projects to occur that would not have been economically feasible without the industrial corridor.

SECTION 6. ***City Council Action.*** Based upon the findings and conclusions set forth in Sections 1 through 5, above, the City Council hereby APPROVES the herein described Amended Ontario Ranch Business Park Specific Plan (File No. PSPA21-002), attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 7. ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees

to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8. ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

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

PASSED, APPROVED, AND ADOPTED this 18th day of October 2022.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST, BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2022- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held October 18, 2022, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2022- duly passed and adopted by the Ontario City Council at their regular meeting held October 18, 2022.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:

File No. PSPA21-002;
Amended Ontario Ranch Business Park Specific Plan

(Document follows this page)

ONTARIO RANCH **BUSINESS PARK SPECIFIC PLAN**





July 2020

1079

ONTARIO RANCH BUSINESS PARK
SPECIFIC PLAN
City of Ontario

Specific Plan

Developer
Real Estate Development Associates, LLC
4450 MacArthur Blvd., Suite 100
Newport Beach, CA 92660
(949) 216-7300

Amendments:
File No. PSPA21-002, Approved by City Council [Final Approval Date]- expanded the footprint of the Specific Plan boundary and established land uses therin.

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1.0 INTRODUCTION

The Ontario Ranch Business Park Specific Plan (this "Specific Plan") is one of the initial industrial specific plans implementing the vision outlined by the City of Ontario for the Ontario Ranch area (formerly New Model Colony). The Ontario Ranch area covers 8,200 acres of the former 14,000-acre San Bernardino Agricultural Preserve, which was historically used for dairy or cattle farming by descendants of Dutch, French Basque, Portuguese, and Mexican families.

The Agricultural Preserve was divided in 1999, with portions incorporated into the three adjacent cities of Chino, Chino Hills, and Ontario. The City of Ontario named its portion the *New Model Colony* after the original *Model Colony of Ontario* established by the Chaffey Brothers, William and George Jr., in 1882. The original Model Colony was founded on innovative land development principles that included the distribution of water rights with land purchases (Mutual Water Company), a grand boulevard (Euclid Avenue), and an agricultural college (Chaffey College, established 1885).

Within Ontario Ranch the City of Ontario promotes innovative land development principles to continue the legacy of the Model Colony. The land use plan for Ontario Ranch provides for housing, commercial and industrial areas, parks, a lake, a golf course, and trail and bike links. Specific plans are required to guide development in Ontario Ranch to ensure the City objectives are achieved.

On January 26, 2010, the City of Ontario adopted The Ontario Plan, which serves as its new business plan and includes a long-term vision and principle-based policy plan, essentially functioning as the General Plan for the city, including Ontario Ranch.

The Ontario Ranch Business Park Specific Plan (ORBP SP) was approved in October 2020 and consisted of a General Plan Amendment (GPA), a Specific Plan, Development Plan Review, Tentative Parcel Maps, and a Development Agreement to allow for development of an industrial and business park on 11 parcels covering 85 acres in the City. The ORBP SP project included eight warehouse buildings ranging from 46,900 square feet (sf) to 618,353 sf, totaling a maximum development of 1,905,027 sf of warehouse and office uses. The proposed Project would incorporate the abutting approximately 72 acres to the east of the approved ORBP SP site into the overall ORBP SP area. This document has been revised to allow for the expansion.

1.1 Purpose and Intent of the Specific Plan

The Ontario Ranch Business Park Specific Plan provides zoning regulations for development of the project site by establishing permitted land use, development standards, infrastructure requirements, and implementation requirements for development. Comprehensive design guidelines and development regulations are included to guide and regulate site planning, architectural character, and landscape within the community, ensuring that excellence in community design is achieved during project development. The Specific Plan establishes the procedures and requirements to approve new development within the project site.

The purpose of the Specific Plan is to:

1. Provide a planning framework that responds to the physical and market driven aspects of future development opportunities;
2. Specify adequate and coordinated infrastructure, utilities, and public services for this area of the Ontario Ranch;
3. Promote compatible uses and interfaces with adjacent properties;
4. Ensure the appropriate location and intensity of uses through new development parameters; and
5. Conform with State laws and local ordinances and policies for the preparation of the Specific Plan.

The objectives of the Specific Plan are to:

1. Create a professional, well-maintained, and attractive environment for the development of a multi-purpose business park, light industrial, and warehousing/logistics complex that is compatible with nearby residential neighborhoods.
2. Provide the entitlements and framework for the development of approximately 1.9 million square feet (sf) of business park and light industrial uses.
3. Provide employment opportunities for community residents.
4. Facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Specific Plan area.
5. Expand Ontario's industrial uses in proximity to local airports and regional transportation networks.
6. Create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Specific Plan vision.

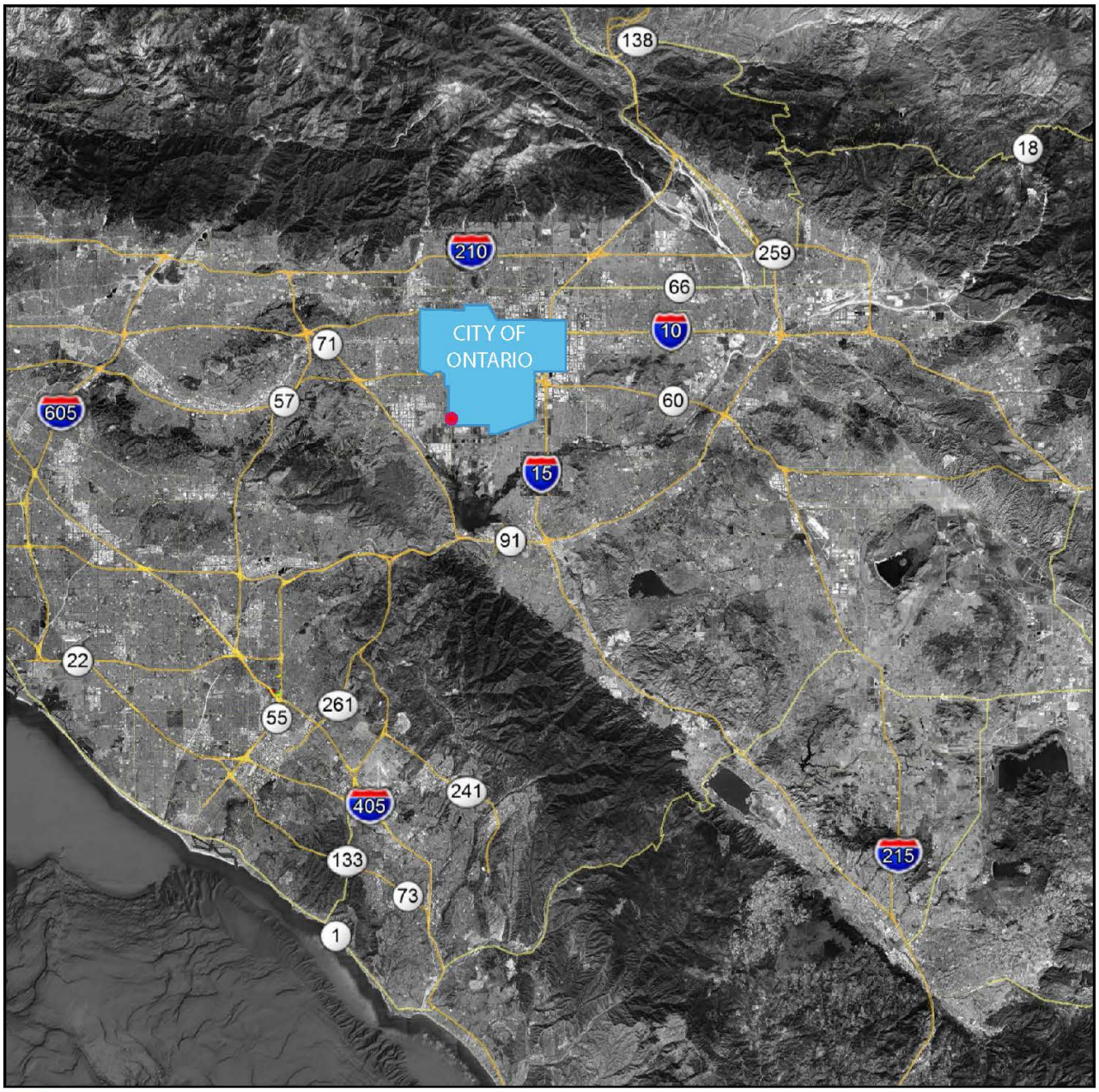
1.2 Project Description

This Specific Plan is the regulatory document for the Ontario Ranch Business Park, accommodating up to 3,545,717 square feet (sf) of business park and light industrial uses on approximately 157 acres of land. The Specific Plan addresses consistency with The Ontario Plan; provides a development plan identifying land uses, circulation, infrastructure, streetscape, and landscape plans; establishes allowable uses and development standards for reviewing individual projects; presents design guidelines to create a visually attractive environment; summarizes the development review process; and specifies provisions for administration and implementation of the Specific Plan.

1.2.1 Location and Specific Plan Boundary

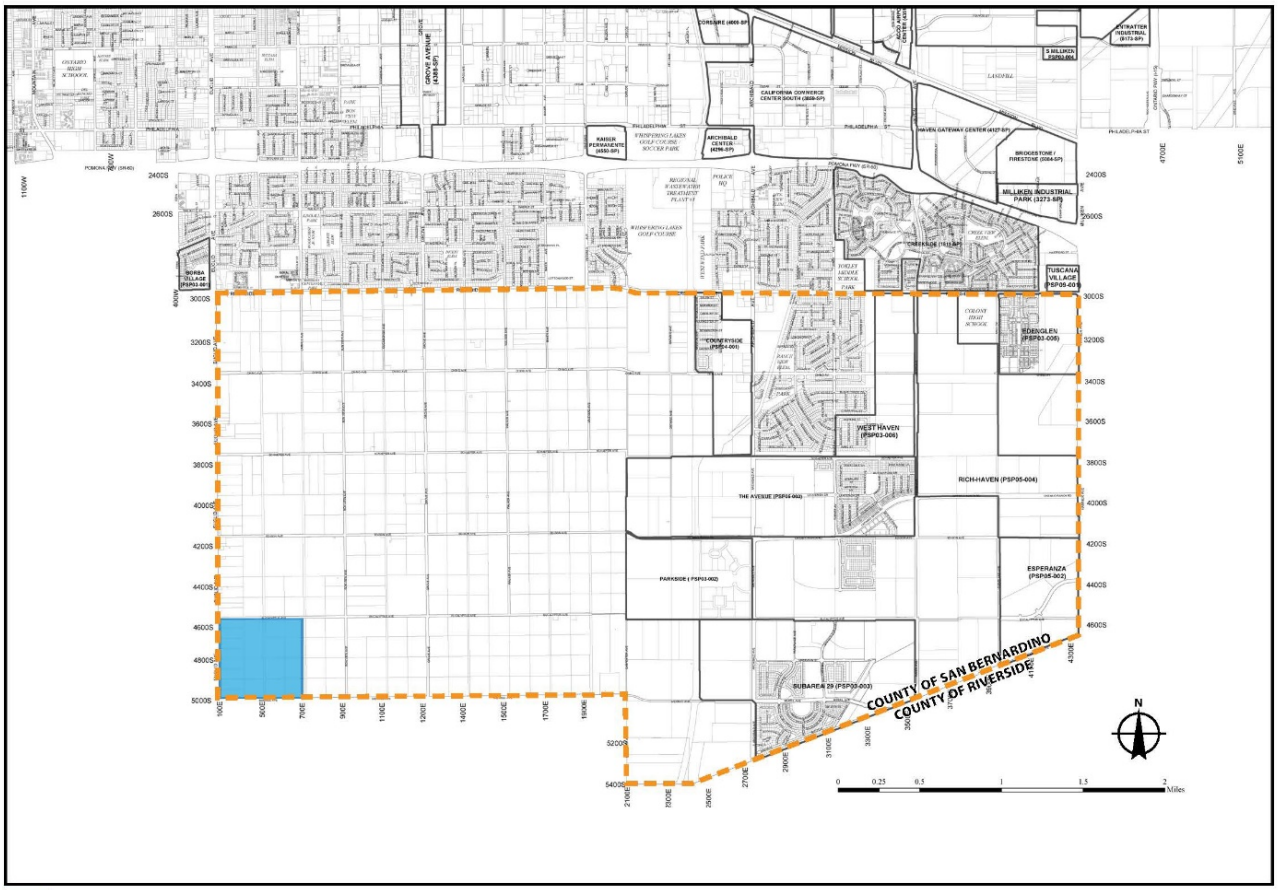
The Specific Plan area is located along the western and southern boundaries of the City of Ontario, adjacent to the City of Chino (Figure 1.1), within Ontario Ranch (Figure 1.2). The Specific Plan area is bounded by Eucalyptus Avenue on the north, Campus Avenue on the east, Merrill Avenue on the south, and Euclid Avenue on the west. Figure 1.3, Specific Plan Boundary, illustrates the limits of the Specific Plan area and identifies the 19 parcels that it encompasses.

FIGURE 1.1:REGIONAL LOCATION



SPECIFIC PLAN AREA

FIGURE 1.2: **ONTARIO RANCH**



Specific Plan Area

Ontario Ranch

Assessor Parcels

Map Data City of Ontario

FIGURE 1.3: SPECIFIC PLAN BOUNDARY



1.2.2 Employment Generation

At build-out, the Ontario Ranch Business Park is anticipated to create hundreds of jobs in warehousing, logistics, light manufacturing, and administration. Actual job creation depends on the types of land uses ultimately developed, as a wide range of office, business park, and industrial uses are permitted. For example, e-commerce uses such as internet merchant fulfillment would yield more jobs than a distribution warehouse, because many e-commerce companies employ labor-intensive picking and packing operations. Employment opportunities will range from entry level to highly skilled labor, adding to Ontario's competitive advantage in the region. Ontario Ranch Business Park will also provide expanded opportunities for start-up businesses.

1.2.3 Infrastructure Framework

In cooperation with adjacent property owners and developers, the Specific Plan will help establish the necessary framework to enable the continued growth and development of Ontario Ranch. The Specific Plan identifies master planned water, sewer, and storm drain infrastructure. The extent of infrastructure to be provided by Ontario Ranch Business Park will be established as part of the development agreement.

1.2.4 Community Compatibility

The Specific Plan is sensitive to the existing residential use located across the street on the west side of Euclid Avenue. Its land use plan designates the northern frontage and the western frontage across from the residential use as Business Park, which provides for smaller scale buildings with less intense uses. The Industrial designation is applied to the remainder of the Specific Plan area where there are no existing sensitive uses.

1.3 Specific Plan Requirements

The range of issues contained in a specific plan is left to the discretion of the decision-making body. However, all specific plans must, at a minimum, address the following:

1. The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
2. The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
3. Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
4. A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the above identified items.

1.4 Authority and Scope

The Ontario Plan requires approval of a Specific Plan for development within Ontario Ranch to guide development of the project site, ensure unified districts and neighborhoods, and implement the City's goals and policies. The City of Ontario has designated the project site SP (Specific Plan) Zoning District with an AG (Agriculture) Overlay District. This Specific Plan provides zoning regulations to govern development of the project site and shall take precedence over the City of Ontario Development Code. However, in instances where the Specific Plan is silent, the Development Code shall prevail.

The California Government Code (Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457) grants the City the authority to adopt a specific plan by ordinance (a regulatory plan) or resolution (a policy driven plan). This Specific Plan is a regulatory document, providing land use and design guidance adopted by ordinance.

As a regulatory plan, this document serves as zoning law for the land within the Specific Plan area. Development plans, site plans, and tentative tract and parcel maps must be consistent with this Specific Plan and The Ontario Plan. The topics covered in this Specific Plan include land use, infrastructure, development standards, design guidelines, and implementation measures. The minimum requirements of a specific plan are established by California Government Code Sections 65450 through 65457 and City of Ontario Code Sections 9-1.2100 to 9-1.2125.

No local public works project may be approved, no tentative map or parcel map for which a tentative map was not required may be approved, and no zoning ordinance may be adopted or amended within an area covered by a specific plan unless it is consistent with the adopted specific plan (California Government Code Section 65455). The California Government Code also requires compatibility with local, regional and other planning measures. For example, the Specific Plan must be consistent with any applicable comprehensive airport land use plan (ALUP) (California Government Code Section 65302.3). After adoption, any identification of inconsistency must be followed by the amendment of either existing plans and regulations or the specific plan itself. Failure to correct inconsistencies can result in the inability to enforce specific plan regulations and policies.

1.5 California Environmental Quality Act Compliance

The Specific Plan is a discretionary project and is subject to the requirements of the California Environmental Quality Act (CEQA). Pursuant to State and local CEQA guidelines, an Environmental Impact Report addressing the impacts associated with the development of the project must be considered and certified by the City prior to approval of the Specific Plan.

To address potential environmental impacts, it is anticipated that an environmental impact report (EIR) will be prepared. The EIR will analyze the potential environmental impacts of the adoption and implementation of the Specific Plan and any concurrently processed permits. The EIR for the Specific Plan will be most helpful in dealing with concurrently processed implementing projects (such as development within the Specific Plan and/or related infrastructure provision) and subsequent

activities within the Specific Plan area. With a detailed analysis of the Specific Plan and development, many subsequent activities, such as grading permits or other development permits, could be found to be within the scope of the project described in the EIR, and no further environmental documents would be required.

1.6 Organization of this Specific Plan

The Specific Plan is organized by chapter as follows:

1. **Introduction.** This chapter states the purpose and intent of the Specific Plan, introduces the proposed project, summarizes specific plan requirements, and explains the scope and authority of the Specific Plan and its compliance with CEQA.

2. **Existing Conditions.** This chapter explains the baseline conditions for the project site including current and surrounding land uses, airport influence, circulation, utilities, and environmental conditions.

3. **Development Plan.** This chapter establishes the overall development concept for the Specific Plan including the land use plan, infrastructure plans for water, sewer, utilities, and circulation, and the provision of public services such as fire, police, and solid waste disposal.

4. **Land Use and Development Regulations.** This chapter establishes the land use designations and regulations for the Specific Plan. Upon adoption of this Specific Plan, the land use and development standards within this chapter serve as the legal zoning for the Specific Plan area.

5. **Design Guidelines.** This chapter identifies the conceptual themes for site planning, architecture, and landscape design in the Specific Plan area.

6. **Administration and Implementation.** This chapter provides requirements for the development review and administration of the Specific Plan including amendment procedures and implementation priorities.

7. **The Ontario Plan Consistency.** This chapter describes the Specific Plan's conformance with The Ontario Plan.

2.0 EXISTING CONDITIONS

The following sections document the conditions prior to the adoption of this Specific Plan, including land uses, airport influence areas, Williamson Act contracts, land use designations, circulation, and environmental conditions.

2.1 Existing and Surrounding Land Uses

The Specific Plan area is occupied by agricultural uses, including a dairy farm, row crops, and vacant land. Dairy farming and agriculture have been the primary uses of the property since the 1930s or earlier.

Figure 2.1 shows the existing uses in the vicinity, which include:

- North across Eucalyptus Avenue: plant nursery, dairy farm
- South across Merrill Avenue (City of Chino): Chino Airport
- East across Campus Avenue: dairy farms, row crops, and vacant land
- West across Euclid Avenue (City of Chino): residential uses, vacant land, and the former Stark Youth Correctional Facility

The Ontario Plan designates the surrounding areas in Ontario Ranch for business park, industrial, and residential uses.

2.2 Airport Influence Areas

Ontario International Airport Influence Area

The Ontario International Airport Land Use Compatibility Plan (ONT ALUCP) was adopted by the Ontario City Council on April 19, 2011. The intent of a compatibility plan is to avoid conflicts between airport operations and surrounding land uses. The Specific Plan area is not within the safety, noise impact, or airspace protection zones of the ONT ALUCP; however, it is within the Airport Influence Area, as is the entire City of Ontario. While a Real Estate Transaction Disclosure policy is not required for non-residential land, developers or tenants may purchase a Natural Hazard Disclosure report that would indicate that the property is in an Airport Influence Area.

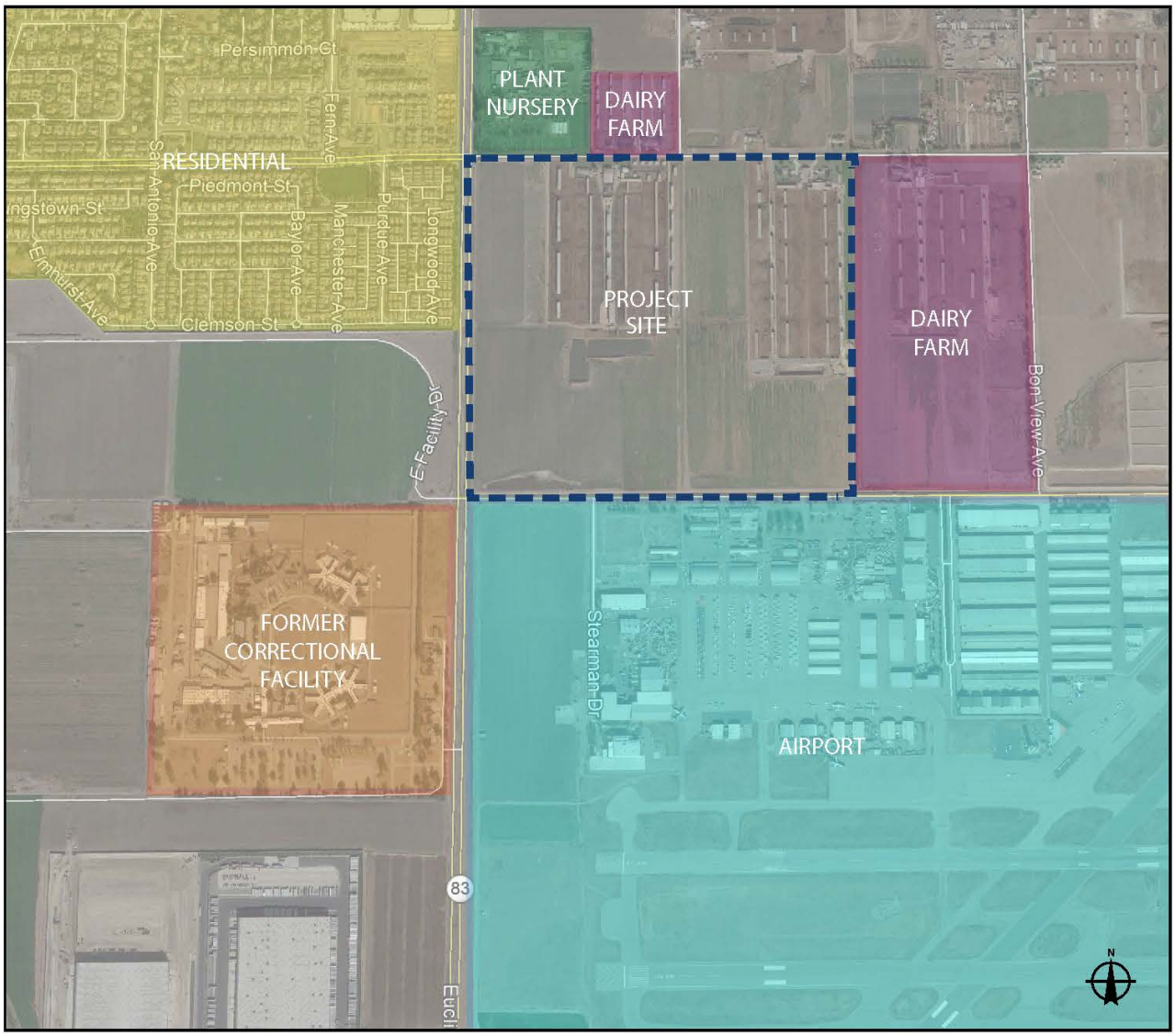
Chino Airport Overlay Zone

The Specific Plan area is within Safety Zone 6 of the Chino Airport Overlay (Generic Safety Zones for General Aviation Airports from the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook). Zone 6 compatibility criteria prohibit people-intensive uses such as stadiums, large day care centers, hospitals, and nursing homes.

The Specific Plan's land uses are compatible with these guidelines. The Handbook guidelines suggest the provision of approximately 10 percent usable open land in projects within Safety Zone 6. The

Handbook further indicates that ideal emergency landing sites are ones that are long, level, free of obstacles and with minimum dimensions of 300 feet long by 75 feet wide, much like a runway. In the Specific Plan area, surrounding roads (Euclid, Eucalyptus, Sultana, and Merrill Avenues), drive aisles, and truck parking lots can be considered as acceptable open lands in urbanized settings.

FIGURE 2.1: SURROUNDING LAND USES



2.3 Williamson Act Contracts

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments that are much lower than normal because they are based upon farming and open space uses as opposed to full market value. The motivation for the Williamson Act is to promote voluntary land conservation, particularly farmland conservation. There are no active Williamson Act contracts located within the Specific Plan area.

2.4 Existing Ontario Plan and Zoning Designations

The Ontario Plan existing land use designations and existing zoning map designations for the Specific Plan area (prior to adoption of the Ontario Ranch Business Park Specific Plan) are shown in Figure 2.2.

The Ontario Plan existing land use designations are:

- General Commercial (0.4 Floor Area Ratio (FAR))

  Assessor Parcel Number (APN): 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02 and 1054-281-03
- Office Commercial (0.75 FAR)

  APN: 1054-011-01, 1054-011-02, 1054-021-01 and 1054-021-02
- Low-Medium Density Residential (5.1 – 11 dwelling units per acre)

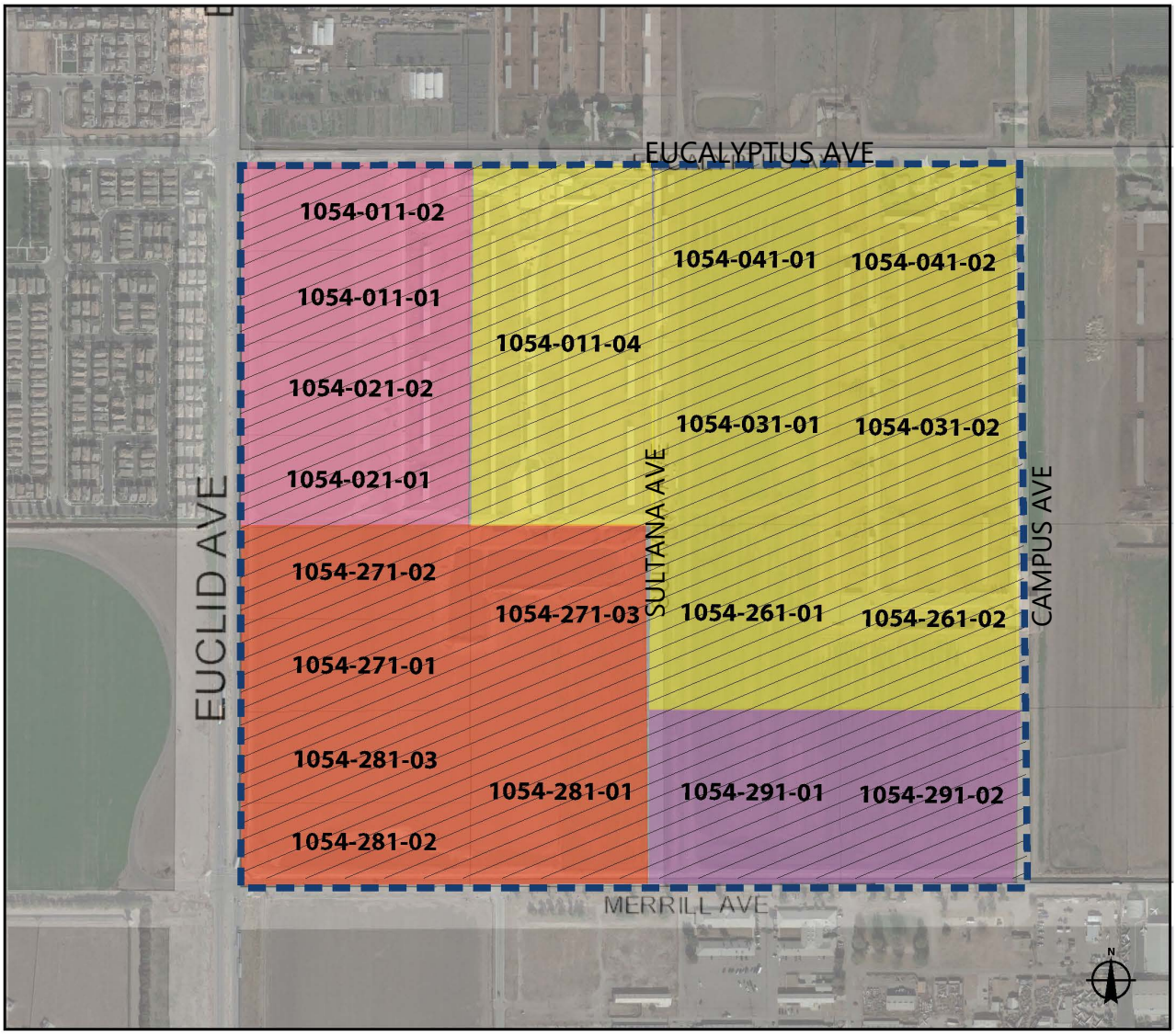
  APN: 1054-011-04, 1054-041-02, 1054-031-02, 1054-261-02, 1054-261-01, 1054-031-01, 1054-041-01
- Light Industrial (0.55 FAR)

  APN: 1054-291-01, 1054-291-02

The project includes an application for a General Plan Amendment to change the land use designations to Industrial and Business Park, as discussed in Chapter 3, Development Plan.

The existing zoning designation is SP (Specific Plan) Zoning District with an AG (Agriculture) Overlay District. The AG Overlay indicates that the land can continue to be used for agricultural uses, but the SP District designation requires approval of a specific plan by the City for urban development of the project site.

FIGURE 2.2: EXISTING LAND USE AND ZONING



2.5 Existing Circulation

The Specific Plan area is located approximately three miles south of State Route 60 via State Route 83 (Euclid Avenue), which is located on the western boundary of the Specific Plan area, as shown in Figure 2.3.

Vehicular circulation in the Specific Plan area is provided by Eucalyptus Avenue on the north, Merrill Avenue on the south, Euclid Avenue on the west, and Campus Avenue on the east.

Existing improvements for Euclid Avenue include interim pavement and an unimproved dirt center median. Euclid Avenue has a fully dedicated right-of-way as specified in The Ontario Plan.

Eucalyptus and Merrill Avenues are substandard, requiring right-of-way dedication and major street and parkway improvements.

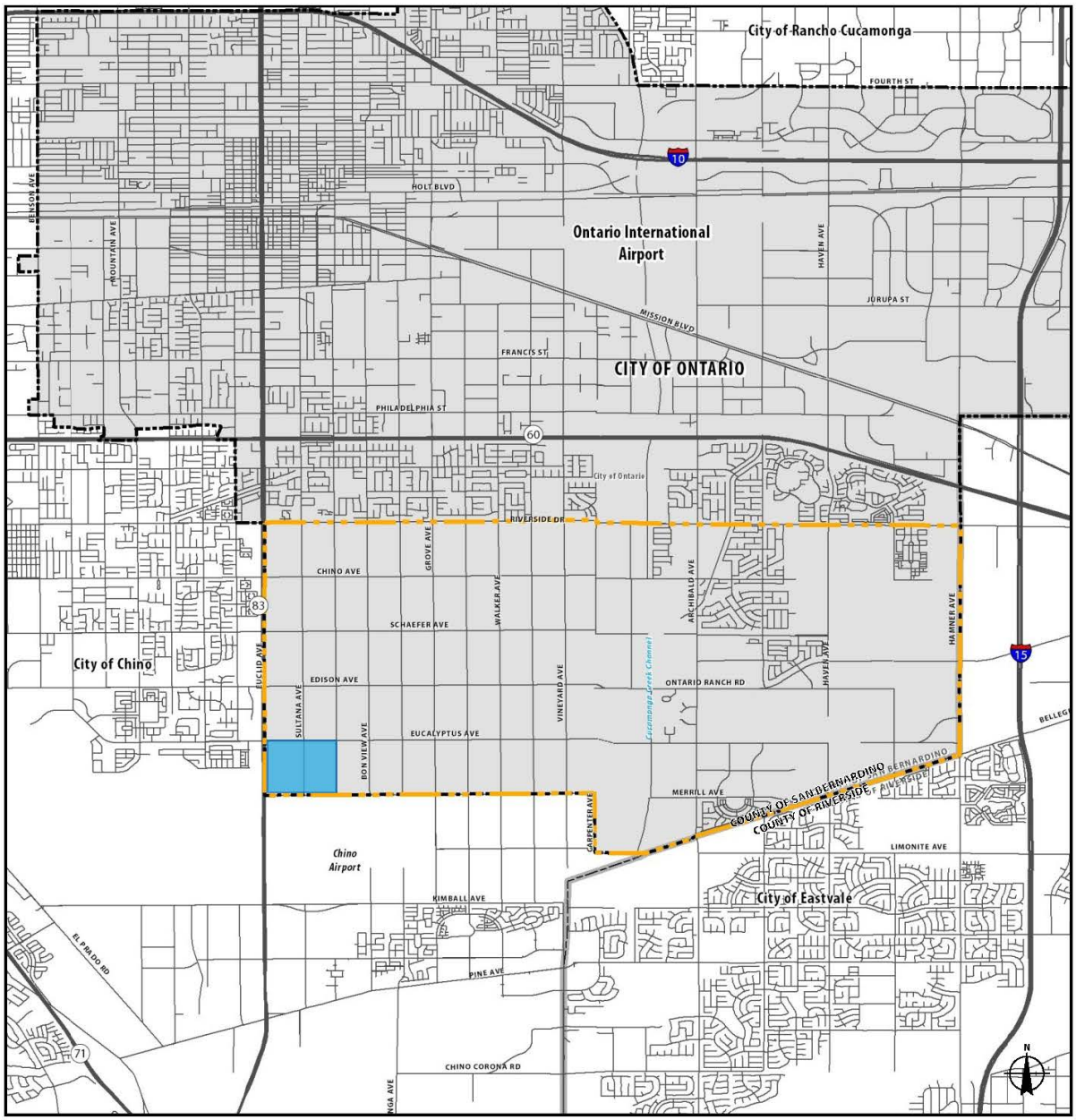
Campus Avenue is a partially dedicated yet unimproved street that exists only on paper.

Sultana Avenue is a fully dedicated yet unimproved street that exists only on paper.

Along Euclid Avenue traffic signals are located at the Eucalyptus Avenue and Merrill Avenue intersections.

Access to the site is currently provided via five driveway entrances located on Eucalyptus Avenue.

FIGURE 2.3: REGIONAL CIRCULATION



Ontario Ranch
Specific Plan Area
City of Ontario
Freeways/Highways
Roads

2.6 Existing Environmental Conditions

Topography

The overall project site is moderately flat, sloping from north to south with approximately a 30-foot drop in elevation.

Geology, Soils, and Seismicity

The Phase I environmental site assessment (ESA) included boring to depths of 10 to 30± feet and trenching to depths of 4 to 12± feet. Soils encountered through boring and trenching consist of highly organic soils to depths of 1 to 1½± feet. The near-surface soils possess low to medium expansion potentials. Groundwater was not encountered in any of the soil borings conducted as part of the assessment

The near-surface soils are considered corrosive to ferrous metals, including ductile iron pipe. Additionally, the near surface soils encountered at a boring located in the cattle pen area possessed chloride concentrations that can be deleterious to steel in reinforced concrete. A methane gas survey determined on-site levels are below the threshold.

A geotechnical feasibility study on the Specific Plan site indicated that the proposed development is considered feasible from a geotechnical standpoint. The subject site is located in an area that is subject to strong ground motions due to earthquakes. Research of available maps indicates that the Specific Plan area is not located within an Alquist-Priolo Earthquake Fault Zone. Furthermore, a geotechnical feasibility study did not identify any evidence of faulting during the geotechnical investigation. Therefore, the possibility of significant fault rupture on the site is considered low.

The potential for other geologic hazards such as seismically induced settlement, lateral spreading, tsunamis, inundation, seiches, flooding, and subsidence affecting the site is considered low. Research of the San Bernardino County Land Use Services website indicates that the subject site is not located within a zone of liquefaction susceptibility. Based on the mapping performed by San Bernardino County and the conditions encountered at the boring locations, liquefaction is not considered to be a design concern for development within the Specific Plan area.

Hydrology

Storm runoff from the project site generally drains from north to south. There are two detention areas onsite, one located in the center of the site and the other at the southerly portion of the site adjacent to Merrill Avenue.

The southeast portion of the Specific Plan area surface drains southerly to a dirt swale located adjacent to Merrill Avenue, then westerly to a set of four corrugated steel pipes, then southerly to an earthen channel adjacent to Euclid Avenue.

The remainder of the Specific Plan area surface drains southerly to an onsite detention basin, then southerly via a concrete spillway to the dirt swale adjacent to Merrill Avenue, the corrugated steel pipes, and finally the earthen channel adjacent to Euclid Avenue.

Areas north of the project site drain southerly towards Eucalyptus Avenue and then westerly towards Euclid Avenue. Eucalyptus Avenue is not fully improved, so it is possible that offsite flows from the north enter the project site.

According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps, the project site is not located within a flood hazard zone.

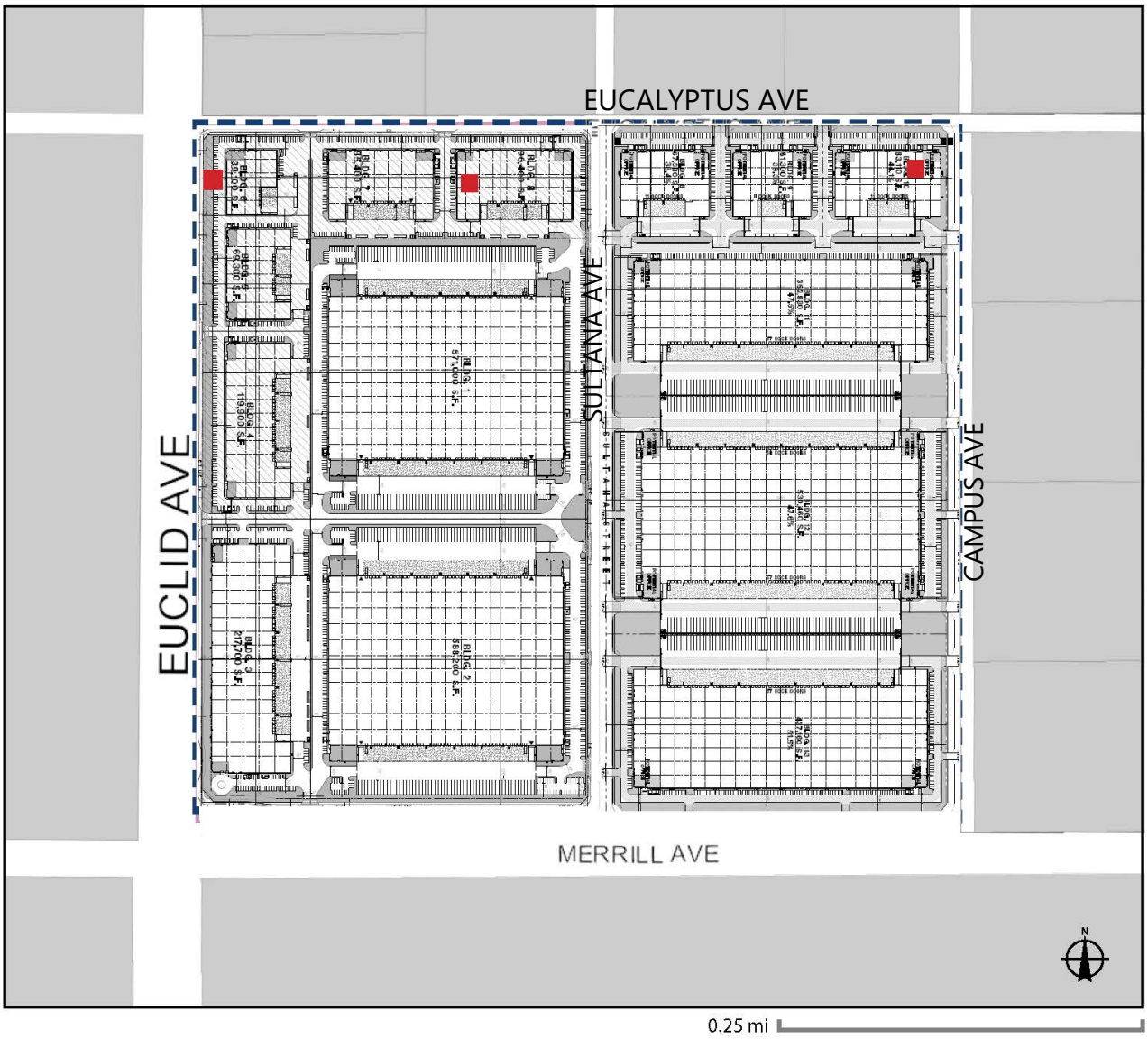
Biological Resources

The Specific Plan area generally represents low biological resource value due to highly disturbed site conditions and historic dairy/agricultural use, resulting in low biological diversity. There is limited vegetation on the majority of the site; the vegetation that exists is generally non-native grasses and weeds.

2.7 Existing Ground Water Wells

In compliance with the Chino Basin Water Master's Well Procedure for Developers, a well use/destruction plan and schedule for all existing private/agricultural wells shall be submitted to the City of Ontario for approval prior to the issuance of permits for any construction activity. If a private well is actively used for water supply, the Developer shall submit a plan to abandon such well and connect users to the City's water system (residential to the domestic water system and agricultural to the recycled water system) when available. Wells shall be destroyed/abandoned per the California Water Resource Guidelines and require permitting from County Health Department. The locations of existing wells are shown in Figure 2.4, Existing Wells. A copy of such permit and Form DWR 188 Well Completion Form shall be provided to the Development Engineering Department and the Utilities Engineering Department prior to issuance of grading and/or building permits. If the Developer proposes temporary use of an existing agricultural well for purposes other than agriculture, such as grading and dust control, the Developer shall make a formal request to the City of Ontario for such use prior to issuance of permits for any construction activity. Upon approval, the Developer shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by the agreement.

FIGURE 2.4: **EXISTING WATER WELLS**



3.0 DEVELOPMENT PLAN

This chapter provides the framework to guide development of the Ontario Ranch Business Park Specific Plan. The chapter presents the proposed planning areas, infrastructure plans, and public services to support the project.

3.1 Land Use Plan

The Specific Plan consists of four Planning Areas accommodating a variety of industrial-serving commercial, low-intensity office, technology, light manufacturing, and warehouse/distribution uses that are compatible with the site's location within Safety Zone 3 of the Chino Airport. The Land Use Plan implements the vision of the Ontario Plan by providing opportunities for employment in manufacturing, distribution, and research and development at intensities designed to meet the demand of current and future market conditions. A list of allowable uses by Planning Area is presented in Chapter 4 (Land Use and Development Standards).

Figure 3.1 (Land Use Plan) identifies the location of the Planning Areas. The two Zoning Districts are described below:

BP (Business Park) Zoning District: The BP zoning district accommodates industrial-serving commercial, low intensity office uses, and certain light industrial uses. Development within this district is typically multi-tenant in nature; however, single-tenant buildings are not precluded.

IG (Industrial - General) Zoning District: The IG zoning district accommodates storage and warehousing uses located in larger buildings on larger sites. Uses may include e-commerce, high cube warehouses, or distribution. A wide range of manufacturing and assembly uses are also permitted in this district.

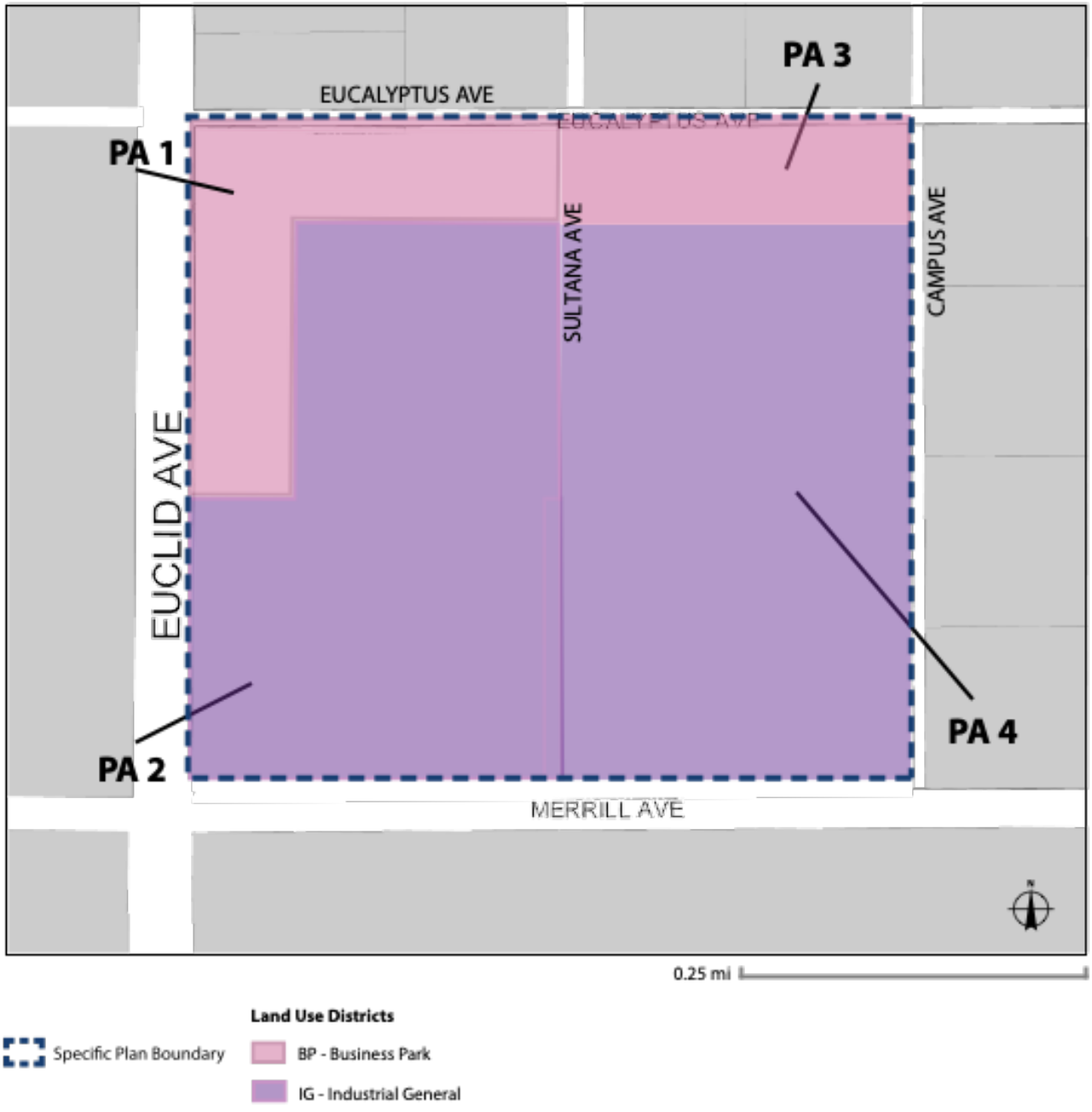
Table 3.1 provides the maximum allowable gross building area for each Planning Area at its associated floor area ratio. Development standards (found in Chapter 4), such as setback requirements, parking, landscaping, infrastructure, and site design, may reduce the maximum gross square footage.

Table 3.1 – Maximum Specific Plan Build-Out

Planning Area	Maximum Floor Area Ratio[1,2]	Site Acreage[3]	Maximum Building Square Footage
Planning Area 1: Business Park	0.45	23.4	457,904
Planning Area 2: Industrial - General	0.54	61.5	1,447,123
Planning Area 3: Business Park	0.45	11.63	227,951
Planning Area 4: Industrial - General	0.54	60.06	1,412,739
TOTAL		**156.59**	**3,545,717 SF**

Notes:
1. Provided the General Plan Amendment applications related to the Specific Plan to designate PA 1 and 3 as Business Park and PA 2 and 4 as Industrial - General are approved.
2. The project EIR as proposed is reviewing square footages below the maximum TOP thresholds. The FAR may be increased to the TOP max levels of 0.60 and 0.55 for BP and IG respectively with a Specific Plan Amendment and appropriate CEQA analysis.
3. PA 1 is rounded from 23.36009, PA 2 is rounded from 61.52108 PA 3 is rounded from 11.629 and PA 4 is rounded from 60.0593.

FIGURE 3.1: LAND USE PLAN



3.2 Conceptual Site Plan

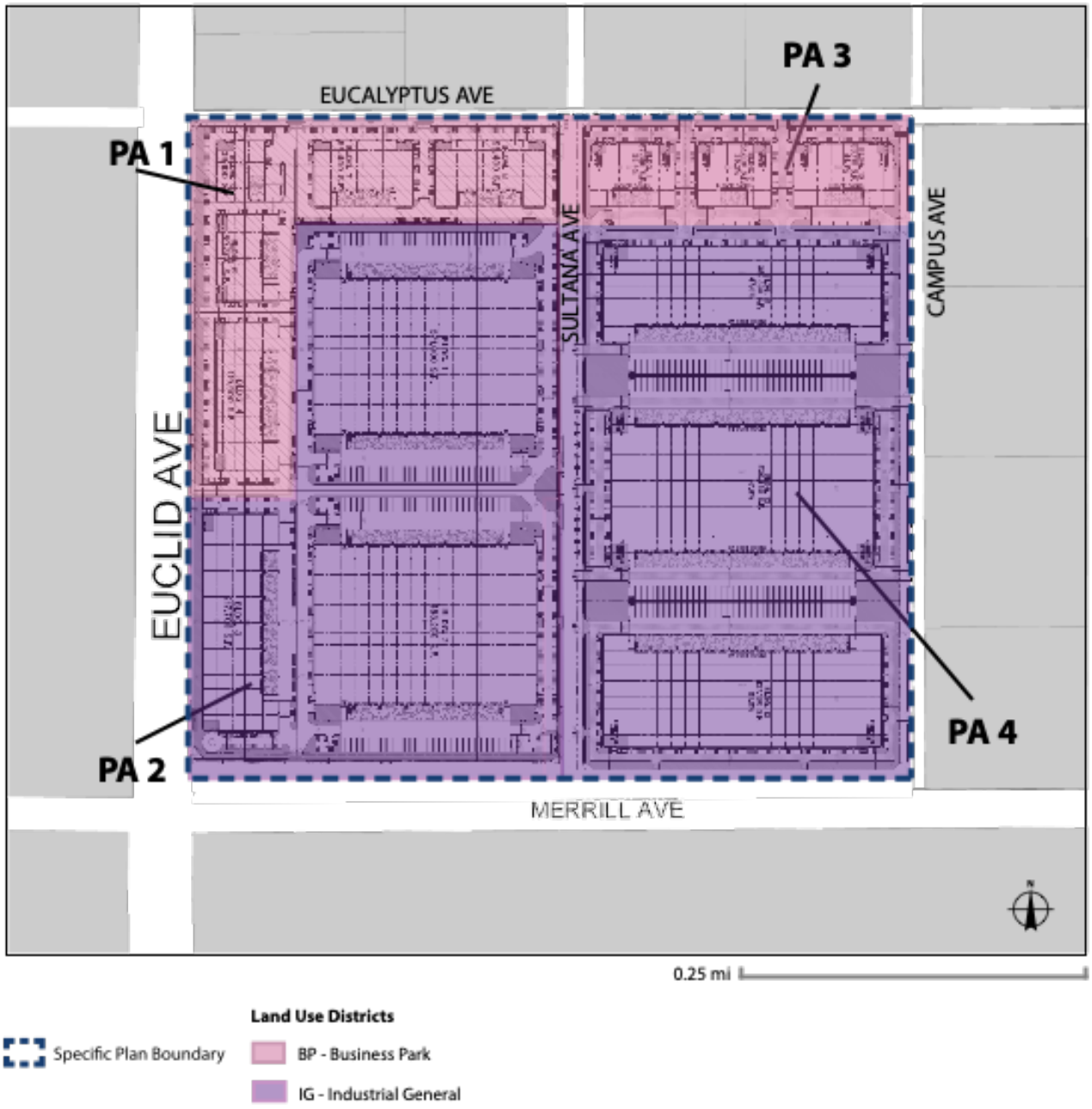
The conceptual site plan for the Ontario Ranch Business Park Specific Plan is presented in Figure 3.2. Under this conceptual plan, Planning Area 1 (Business Park Zoning District) is developed with five buildings totaling 457,904 square feet (sf) and Planning Area 2 (Industrial – General Zoning District) is developed with three buildings totaling 1,447,123 sf (Table 3.2). Planning Area 3 (Business Park Zoning District) is developed with three buildings totaling 211,790 sf, and Planning Area 4 (Industrial – General Zoning District) is developed with three buildings totaling 1,310,450 sf (Table 3.2). Cumulatively, the 14 buildings depicted in the conceptual site plan provide **3,427,267 sf** of development.

The conceptual site plan reflects current market trends, site conditions, and planned infrastructure. However, the conceptual site plan may be modified provided it does not exceed the maximum building area presented in Table 3.1 and complies with this Specific Plan and applicable provisions of the City of Ontario Development Code.

Table 3.2 – Conceptual Site Plan

Planning Area	SP Zoning District	Site Acreage	Proposed Conceptual Building Square Footage
1	BP	23.4	457,904
2	IG	61.5	1,447,123
3	BP	11.63	211,790
4	IG	60.06	1,310,450
TOTAL		**156.59**	**3,427,267 SF**

FIGURE 3.2: CONCEPTUAL SITE PLAN



Note: This Site Plan is for conceptual purposes only. This site plan is subject to change based on future development proposals within the Specific Plan Area, and/or results of a roadway alignment study.

3.3 Circulation Plan

The Circulation Plan (Figure 3.3) facilitates movement of vehicles, pedestrians, and cyclists within the Specific Plan area, consistent with the City of Ontario's Roadway Classification System, shown in Figure 3.4

Figure 3.5 presents typical street cross sections for Campus, Euclid, Eucalyptus, Sultana, and Merrill Avenues. Conceptual streetscape design is presented in Chapter 5 (Design Guidelines). Road surface, sidewalk, and trail improvements within the Specific Plan area must be approved by the City's Engineering Department.

3.3.1 Euclid Avenue (Route 83)

Euclid Avenue is an expressway under Caltrans' jurisdiction that is designated as an eight-lane Principal Arterial in The Ontario Plan's Functional Roadway Classification Plan. The centerline of this street forms the boundary between the City of Ontario to the east and the City of Chino to the west. Euclid Avenue is designed with a 200-foot-wide right-of-way, a 66-foot-wide center median, and 52 feet of pavement including curbs and gutters. The existing half-width street right-of-way is 100 feet; therefore, no dedication is required.

The Euclid Avenue streetscape design illustrated in Chapter 5, Design Guidelines, for the east side of the street adjacent to the project site specifies a 15-foot-wide parkway including a 5-foot-wide sidewalk and an 8-foot-wide on-site multipurpose trail within a 35-foot-wide landscape buffer, creating a 50-foot-wide neighborhood edge as specified in the *Ontario Ranch Colony Streetscape Master Plan*.

3.3.2 Eucalyptus Avenue

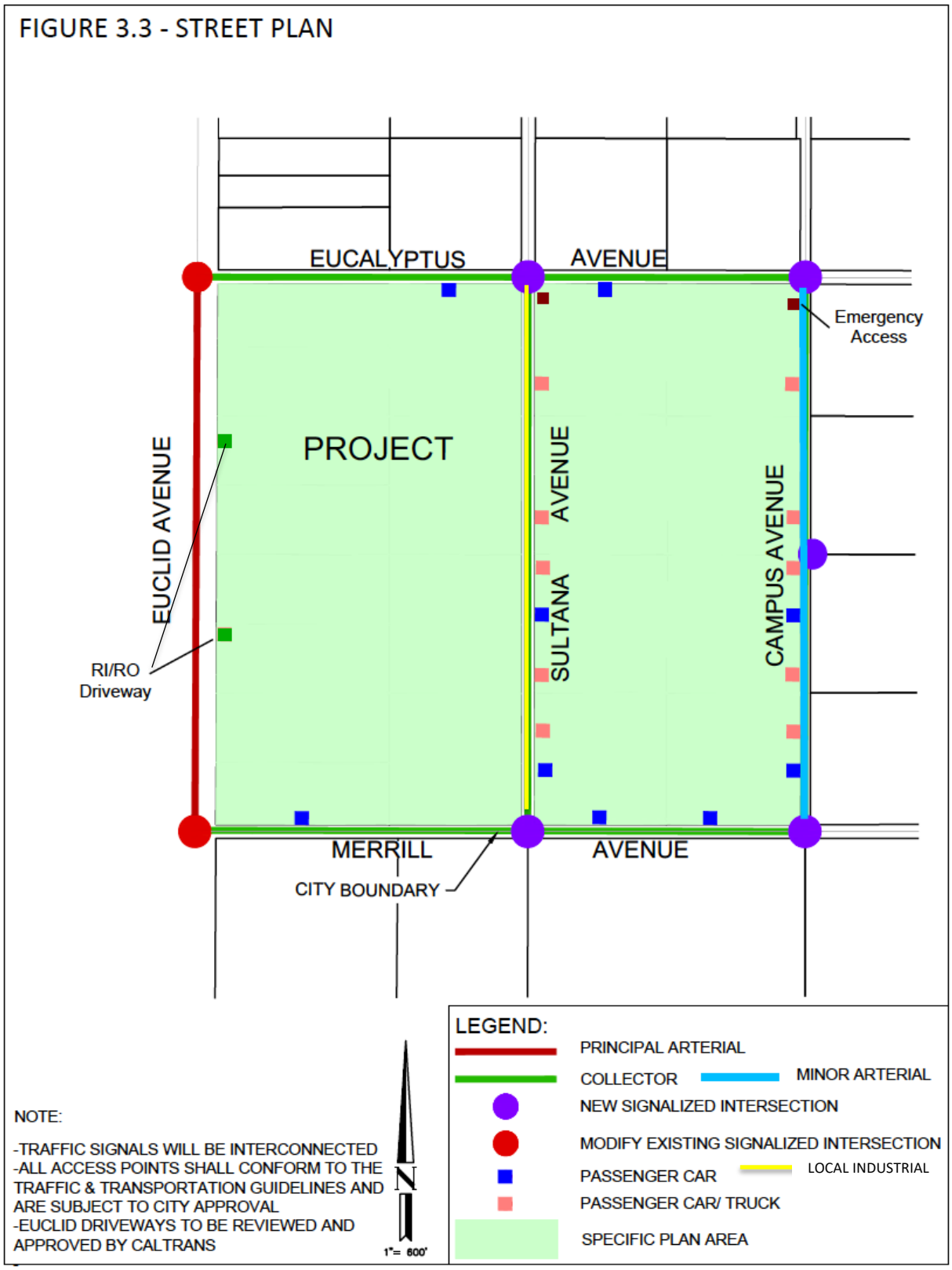
Eucalyptus Avenue is located along the northern boundary of the Specific Plan area, providing east/west access to the site. Eucalyptus Avenue is designated by the Functional Roadway Classification Plan as a four-lane Collector Street. The Specific Plan specifies a 108-foot-wide right-of-way with 84 feet of pavement including curbs and gutters.

The Eucalyptus Avenue streetscape design presented in Chapter 5, Design Guidelines, specifies a 12-foot-wide parkway including a 7-foot-wide curb-adjacent landscaped area and a 5-foot-wide sidewalk. The north side also provides an 8-foot-wide on-site multipurpose trail within a 23-foot-wide landscape buffer setback. Together, the parkway and the landscape buffer setback create a 35-foot-wide neighborhood edge, as described in the *Ontario Ranch Colony Streetscape Master Plan*. A 21-foot dedication will be required for Eucalyptus Avenue.

3.3.3 Sultana Avenue

Sultana Avenue is designated as a two-lane Local Industrial with a 66-foot-wide right-of-way and 48 feet of pavement including curbs and gutters. The Sultana Avenue streetscape presented in Chapter 5, Design Guidelines, specifies a 9-foot-wide parkway including a 4 foot landscape and a 5-foot-wide

sidewalk. The west side of the street adjacent to the project site provides a 10-foot-wide landscape buffer setback. Sultana Avenue is not yet developed adjacent to the Specific Plan area. However, the right-of-way exists, and no dedication is required.



Note: The driveway locations are for conceptual purposes only. Locations are subject to change based on future development proposals within the Specific Plan Area, and/or results of a roadway alignment study.

FIGURE 3.4: CITY OF ONTARIO ROAD CLASSIFICATION SYSTEM

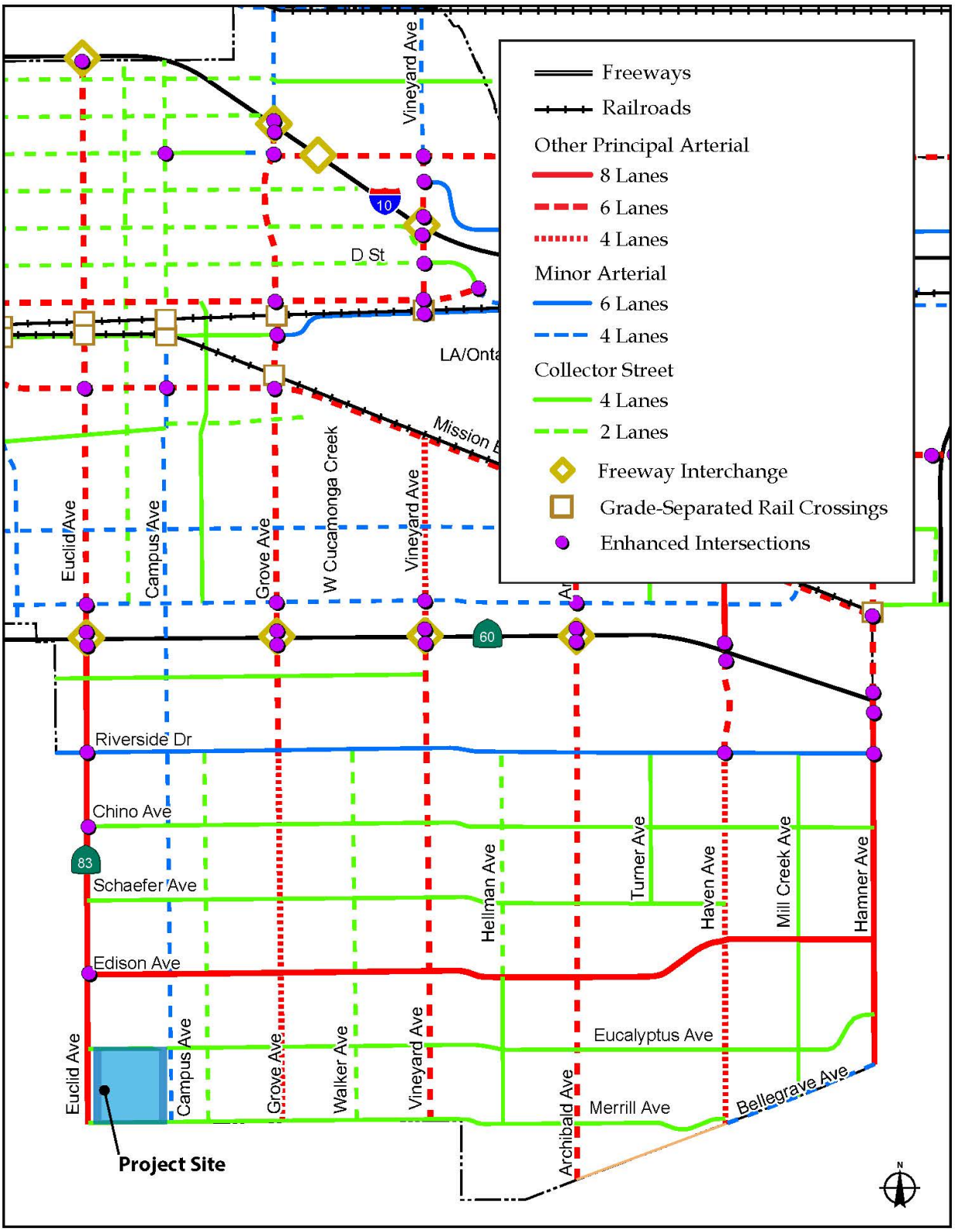


FIGURE 3.5 - STREET SECTIONS

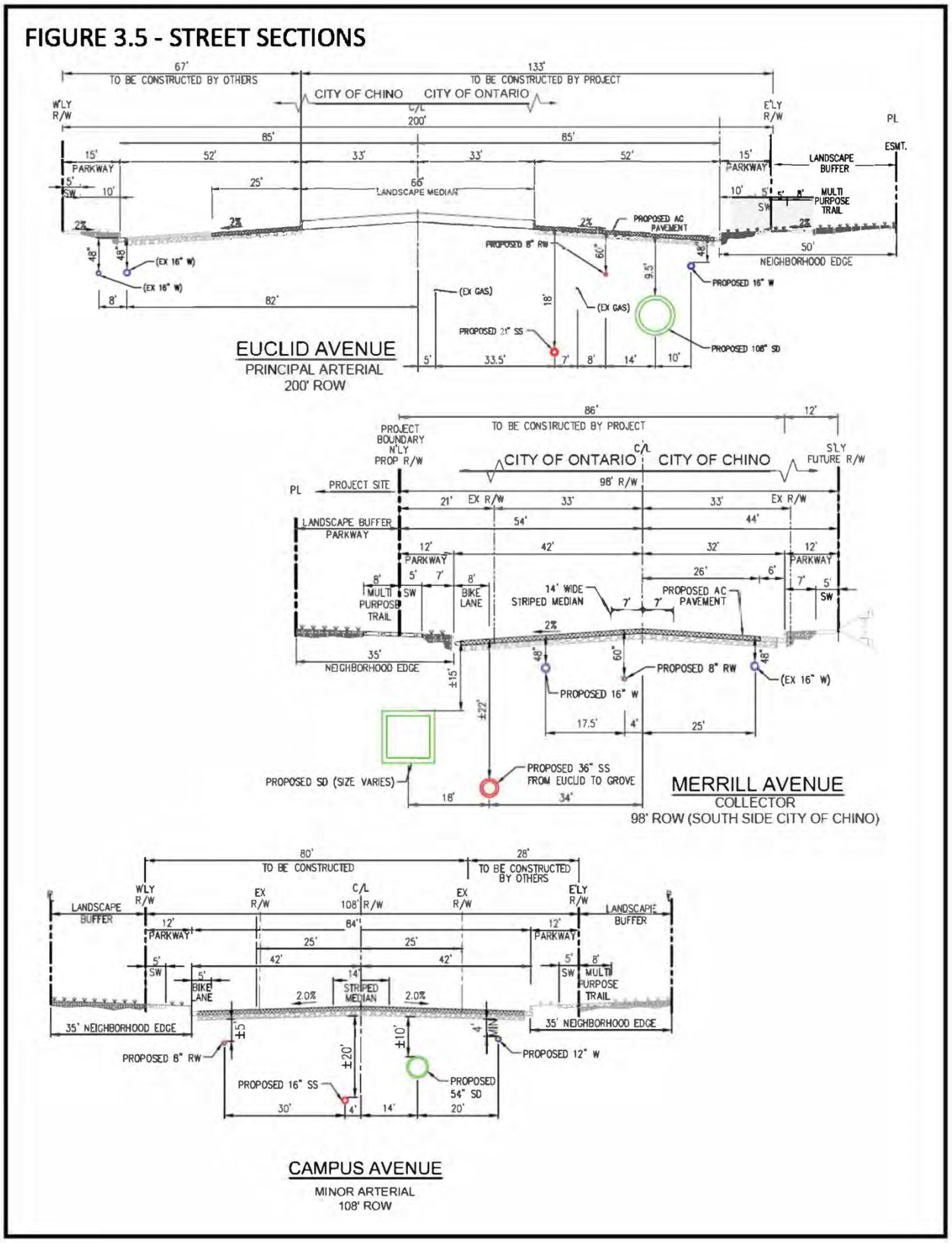
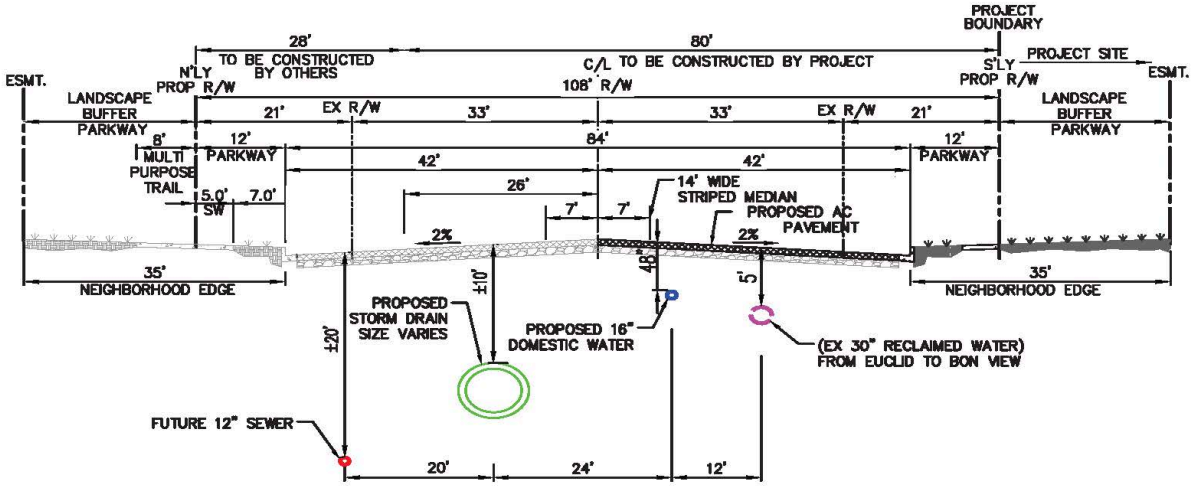
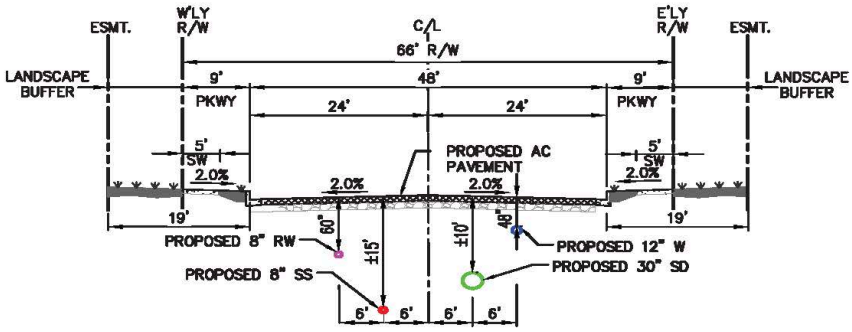


FIGURE 3.5 – STREET SECTIONS



EUCALYPTUS AVENUE
COLLECTOR
108' ROW



SULTANA AVENUE
COLLECTOR
66' ROW

3.3.4 Merrill Avenue

Merrill Avenue is designated as a four-lane Collector Street in the Functional Roadway Classification Plan and provides east-west access to the project's southern boundary. The centerline of this street forms the boundary between the City of Ontario to the north and the City of Chino to the south. The Specific Plan specifies a 98-foot-wide right-of-way and 74 feet of pavement including curbs and gutters for Merrill Avenue.

The Merrill Avenue streetscape design presented in Chapter 5, Design Guidelines, for the north side of the street adjacent to the project site includes an 8-foot-wide Class II on-street bike lane at the edge of the street, a 7-foot-wide curb-adjacent landscaped area, and a 5-foot-wide sidewalk. An 8-foot-wide multipurpose trail is located within a 23-foot-wide landscape buffer setback. Together, these improvements establish a 35-foot-wide neighborhood edge, as specified in the *Ontario Ranch Streetscape Master Plan*. A 21-foot street dedication will be required for Merrill Avenue.

3.3.5 Campus Avenue

Campus Avenue is designated as a four-lane Minor Arterial in the Functional Roadway Classification Plan and is located along the eastern boundary of the Specific Plan area, providing north-south access to the site. Campus Avenue is designated as a Minor Arterial Street per the Functional Roadway Classification Plan. The Specific Plan specifies a 108-foot-wide right-of-way and will require a 25-foot half-width dedication and a 12-foot parkway including the sidewalk. An additional 23-foot dedication for the neighborhood edge is required.

The Campus Avenue streetscape design presented in Chapter 5, Design Guidelines, for the west side of the street adjacent to the project site includes a 5-foot-wide Class II on-street bike lane at the edge of the street, a 7-foot-wide curb-adjacent landscaped area, and a 5-foot-wide sidewalk. Together, these improvements establish a 35-foot-wide neighborhood edge, as specified in the *Ontario Ranch Streetscape Master Plan*.

3.3.6 Local Circulation

Final site planning and off-site design shall be subject to City approval. In addition to the typical street sections described and depicted, additional geometric enhancements, including but not limited to those at intersections, may be required to adequately mitigate impacts identified in the Traffic Impact Analysis/Specific Plan EIR. Local roadway circulation shall accommodate trucks with a double trailer combination wheelbase of 67 feet (known as the WB-67 design vehicle).

Driveways shall conform to access requirements of the Traffic and Transportation Design Guidelines. Driveway locations, specifically those that are in proximity to master-planned or future traffic signals, shall be located so as not to interfere with queues as projected in the Traffic Impact Analysis for the Specific Plan. The use of surrounding roads, drive aisles, and truck parking lots to address the open land requirement for the Chino Airport Overlay zone is discussed in Chapter 2 (Section 2.2: Airport Influence Areas).

Fair share responsibilities for street improvements will be addressed in a Development Agreement with the City.

3.3.7 Traffic Control Devices

All traffic signs regulating, warning, and/or guiding traffic on public roads will conform to the California Manual on Uniform Traffic Control Devices (MUTCD), latest edition. All traffic-control signs, whether on public or private property, shall conform to the California MUTCD.

3.3.8 Truck Routes

The City of Ontario designates and maintains a network of truck routes that provide for the effective transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses (Figure 3.6). Euclid Avenue, located at the western perimeter of the Specific Plan area, is a designated truck route. Merrill Avenue, which runs along the southern boundary of the Specific Plan area, is a designated truck route from Euclid Avenue to Archibald Avenue. All signalized intersections and approaches on designated truck routes shall be constructed in concrete.

3.3.9 Pedestrian Circulation

To improve safety and the pedestrian experience, connect the various parts of the Specific Plan area, and expand access to nearby land uses, sidewalks will be provided along all streets abutting the Specific Plan area. Sidewalks will be 5-feet wide, constructed of concrete, and installed in conjunction with adjacent roadway improvements.

3.3.10 Trails and Bike Paths

Trails and bicycle paths will provide an additional mode of circulation in and around the Specific Plan area. Multipurpose trails will be provided on the east side of Euclid Avenue, the north side of Merrill Avenue, the north side of Eucalyptus Avenue, and the east side of Campus Avenue (Figure 3.7).

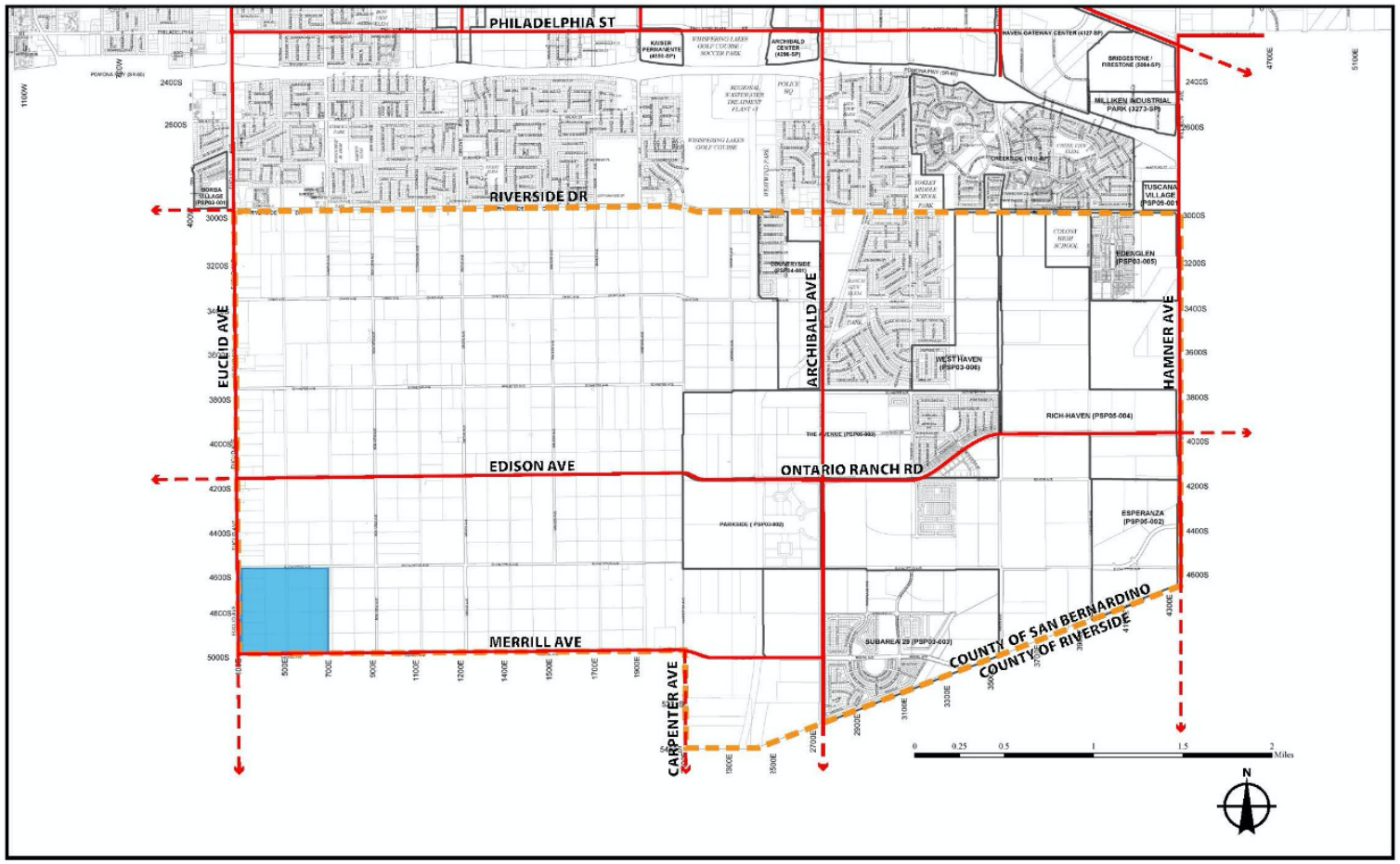
The Ontario Plan Mobility Element specifies a Class II bikeway on the north side of Merrill Avenue, south side of Eucalyptus Avenue and on the west side of Campus Avenue. Class II bikeways are defined as dedicated (striped) lanes along streets, with no parking allowed in the bike lane. This bike lane provides linkages to the City's bike path system (Figure 3.8).

The trail and bikeway improvements will be installed along the project frontages in conjunction with street improvements. The city reserves the right to implement bike lanes on Eucalyptus Avenue at the discretion of the Traffic and Transportation Division.

3.3.11 Transit

Transit options provide an alternative mode of transportation for motorists and a primary mode for the transit dependent. The City is coordinating with regional transit agencies to implement Bus Rapid Transit (BRT) service to target destinations and along corridors, including Euclid Avenue on the western boundary of the Specific Plan area.

FIGURE 3.6: TRUCK ROUTES



Truck Routes

- Specific Plan Area
- Ontario Ranch
- City of Ontario Truck Routes
- Adjacent Agency Truck Routes

FIGURE 3.7 - BICYCLE AND PEDESTRIAN PLAN

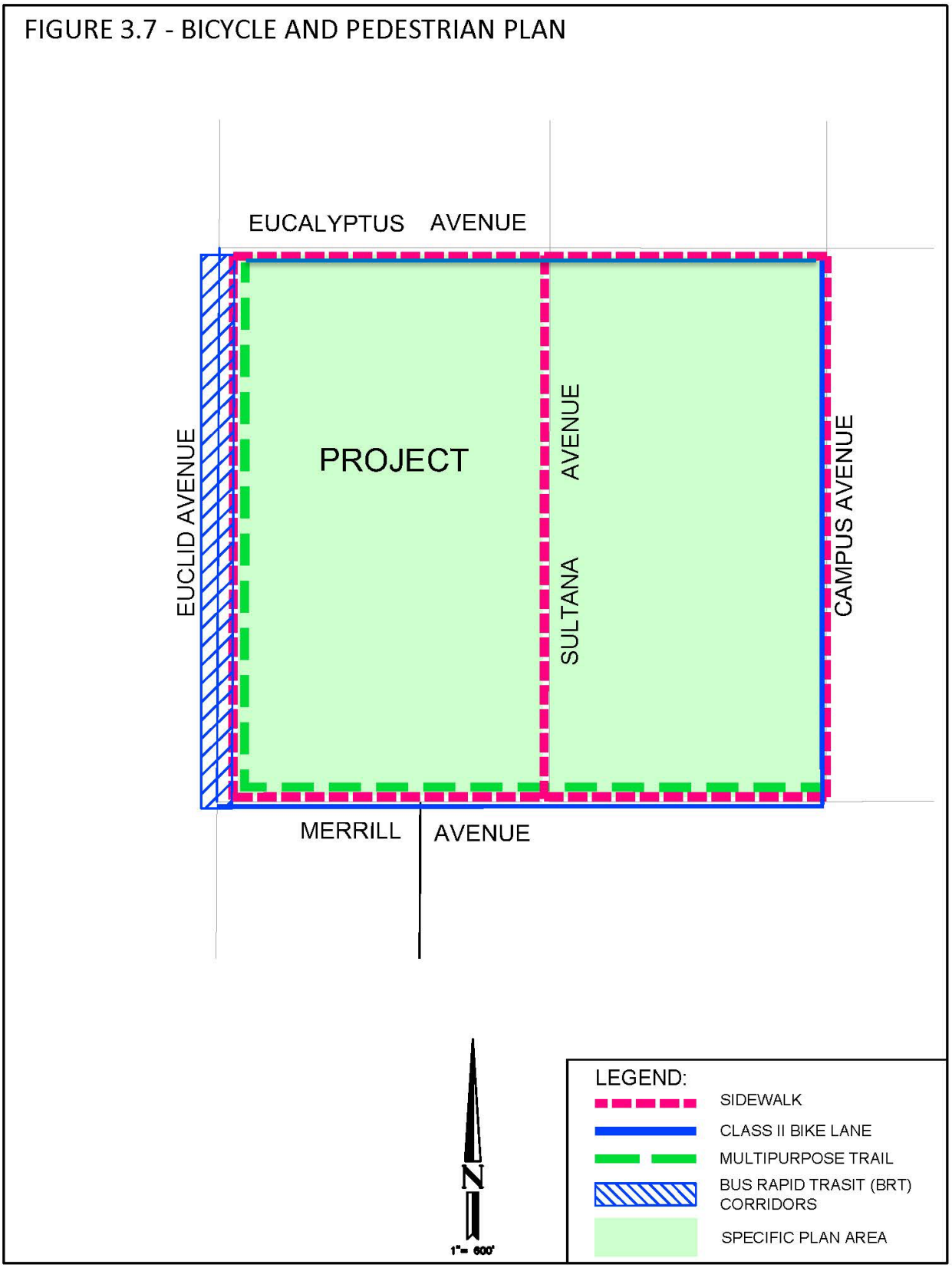
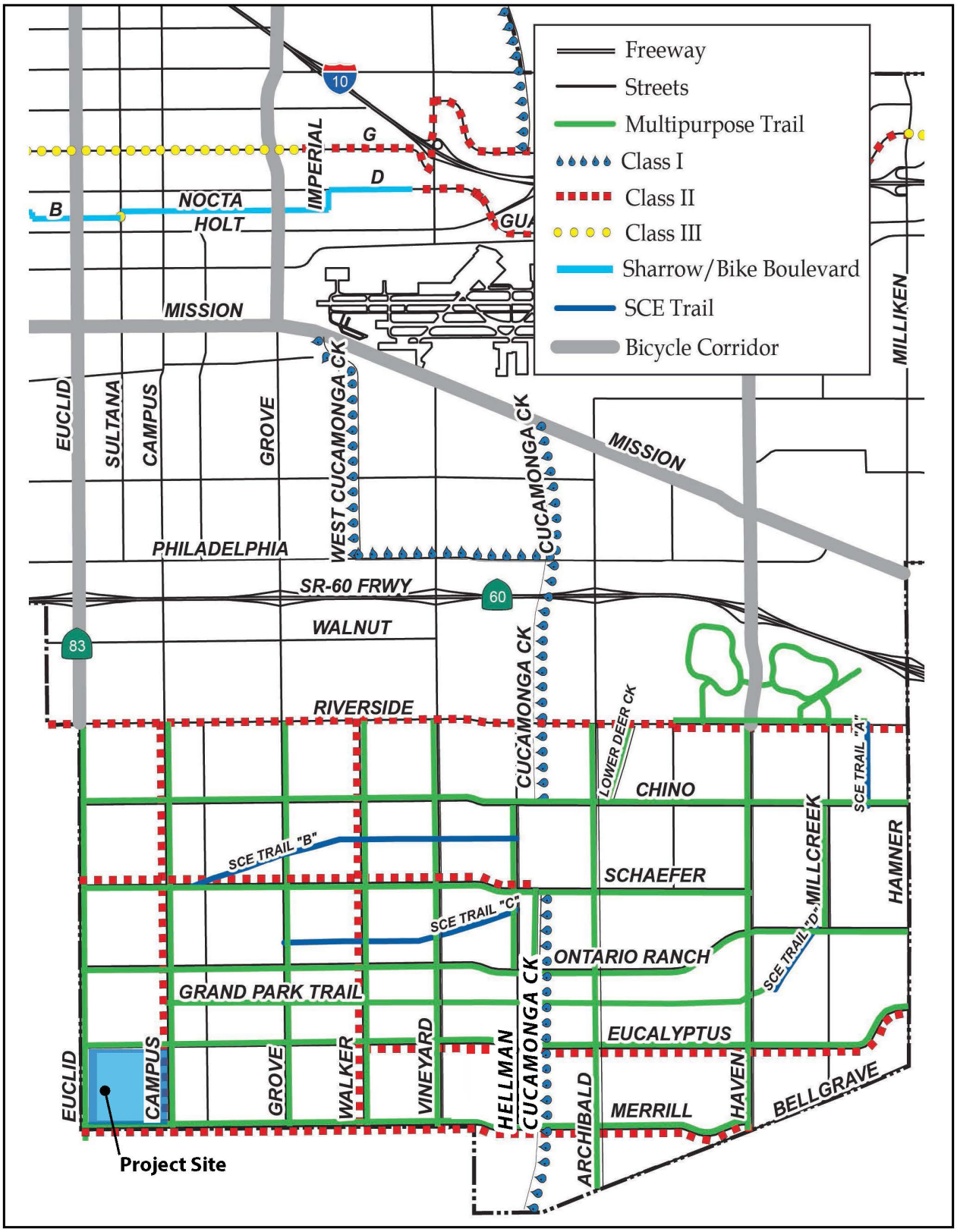


FIGURE 3.8: CITY OF ONTARIO TRAIL AND BIKEWAYS PLAN



3.4 Potable Water Plan

Water service to the Specific Plan area will be provided by the City of Ontario. Potable water is provided by imported water from the Water Facilities Authority (WFA), the Chino Basin Desalter Authority (CDA), and groundwater from the Chino Basin, extracted via the City's wells. The WFA was formed in 1980 as a Joint Powers Authority by the cities of Chino, Chino Hills, Ontario, and Upland, and the Monte Vista Water District. It was formed to construct and operate water treatment facilities that provide a supplemental supply of potable water to its member agencies.

Currently there are no City potable water mains or City potable water infrastructure in the vicinity of the Specific Plan area. The project site lies within the 925 Pressure Zone (PZ) (Figure 3.10). Providing potable water service to the Specific Plan area requires extending the Phase 2 West Backbone 24-inch potable water main in Eucalyptus Avenue from Carpenter Avenue to Grove Avenue; extending this potable water main in Eucalyptus Avenue with a 16-inch potable water main from Grove Avenue to Euclid Avenue; installing a 16-inch potable water main in Euclid Avenue from Eucalyptus Avenue to Merrill Avenue; installing a 16-inch potable water main in Merrill Avenue from Euclid Avenue to Walker Avenue; and installing a 16-inch potable water main in Walker Avenue from Merrill Avenue to the 24-inch potable water main in Eucalyptus Avenue. This will provide the primary potable water loop for the Specific Plan area (Figure 3.9).

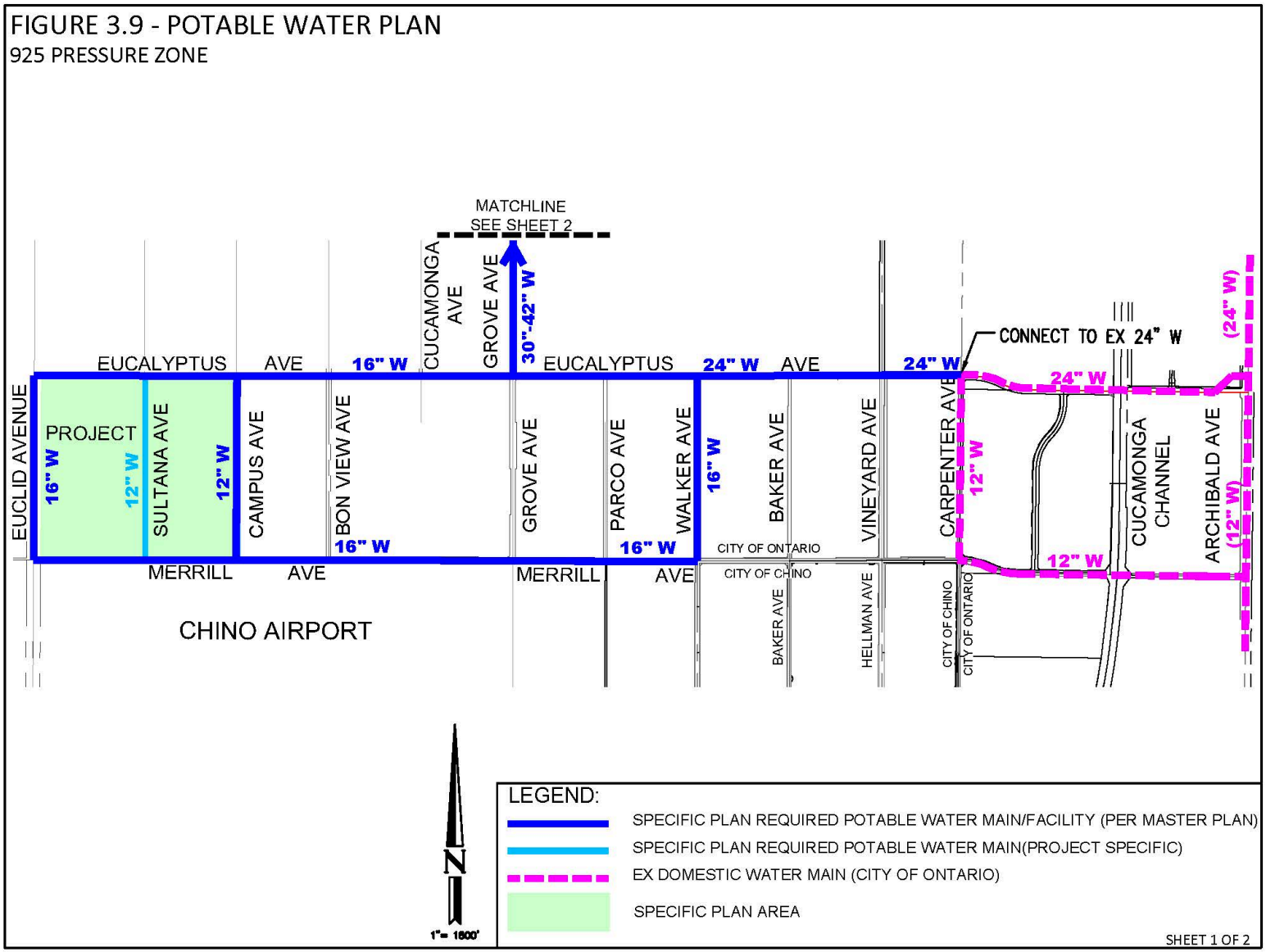
In addition to extending the 925 Pressure Zone (PZ) Phase 2 West Backbone, the Specific Plan area requires a connection between the 925 Pressure Zone (PZ) Phase 2 West Backbone and the 1010 Pressure Zone (PZ). This will supply a second source of potable water to the Specific Plan area. The connection to the 1010 Pressure Zone (PZ) will require extending the Phase 2 West Backbone at Eucalyptus Avenue and Grove Avenue by installing a 30-inch to 42-inch potable water main north on Grove Avenue to Chino Avenue. The connection to the 1010 Pressure Zone will require installing an 18-inch potable water main in Chino Avenue easterly to the existing 18-inch potable water main located on the west side of the Cucamonga Creek channel and installing a Pressure Reducing Station between the 1010 PZ and 925 PZ near the intersection of Grove Avenue and Chino Avenue. Other elements of the Phase 2 Water System are shown on Figure 3.9. The elements shown north of Chino Avenue will be constructed by others. The balance of Phase 2 Water System will be completed as required by future development of Ontario Ranch. The Project will be required to participate in the future Phase 2 Water System improvements, as detailed in the development agreement with the City.

The Specific Plan area also requires the planning, design, and construction of the Adjacent Potable Water System, which includes: installing a 12-inch potable water main in Sultana Avenue connecting to the 16-inch potable water main in Eucalyptus Avenue and extending to connect to the 16-inch potable water main in Merrill Avenue and installing a 12-inch potable water main in Campus Avenue connecting to the 16-inch potable water main in Eucalyptus Avenue and extending to connect to the 16-inch potable water main in Merrill Avenue.

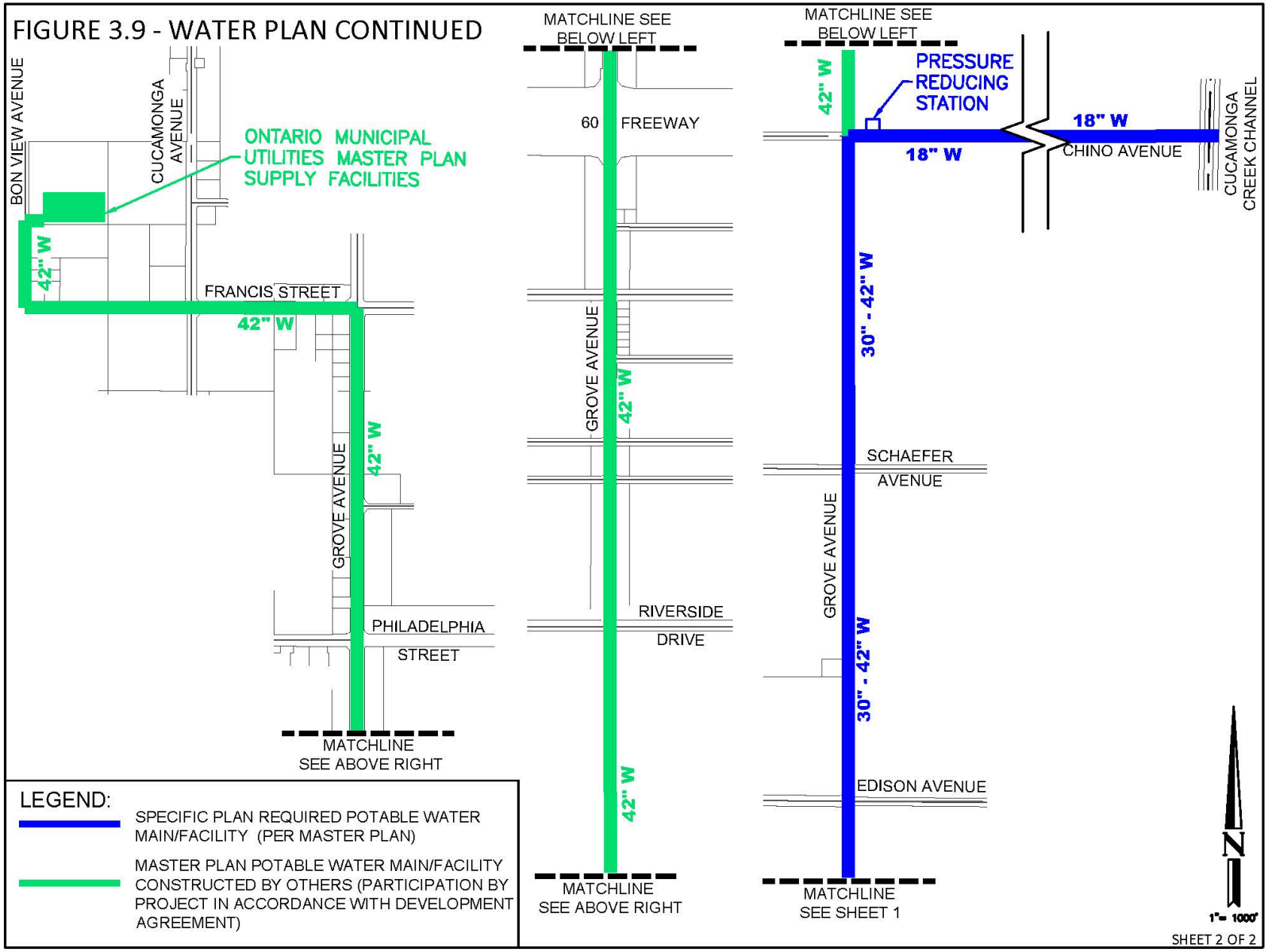
Water mains required to serve the project will need to be constructed prior to or concurrent with on-site water improvements. Within the project site, a private network of 2- to 4-inch water lines for

domestic water service and 10- to 12-inch water lines for fire service water will be installed. The on-site water system includes connections to the water main in Eucalyptus Avenue and Euclid Avenue to serve PA-1 and PA-3 and to the main in Merrill Avenue and Sultana Avenue to serve PA-2 and PA 4.

FIGURE 3.9 - POTABLE WATER PLAN
925 PRESSURE ZONE



Size and location of the waterlines are subject to change based on the current approved Master Plan as well as a City conducted and approved hydraulic analysis.

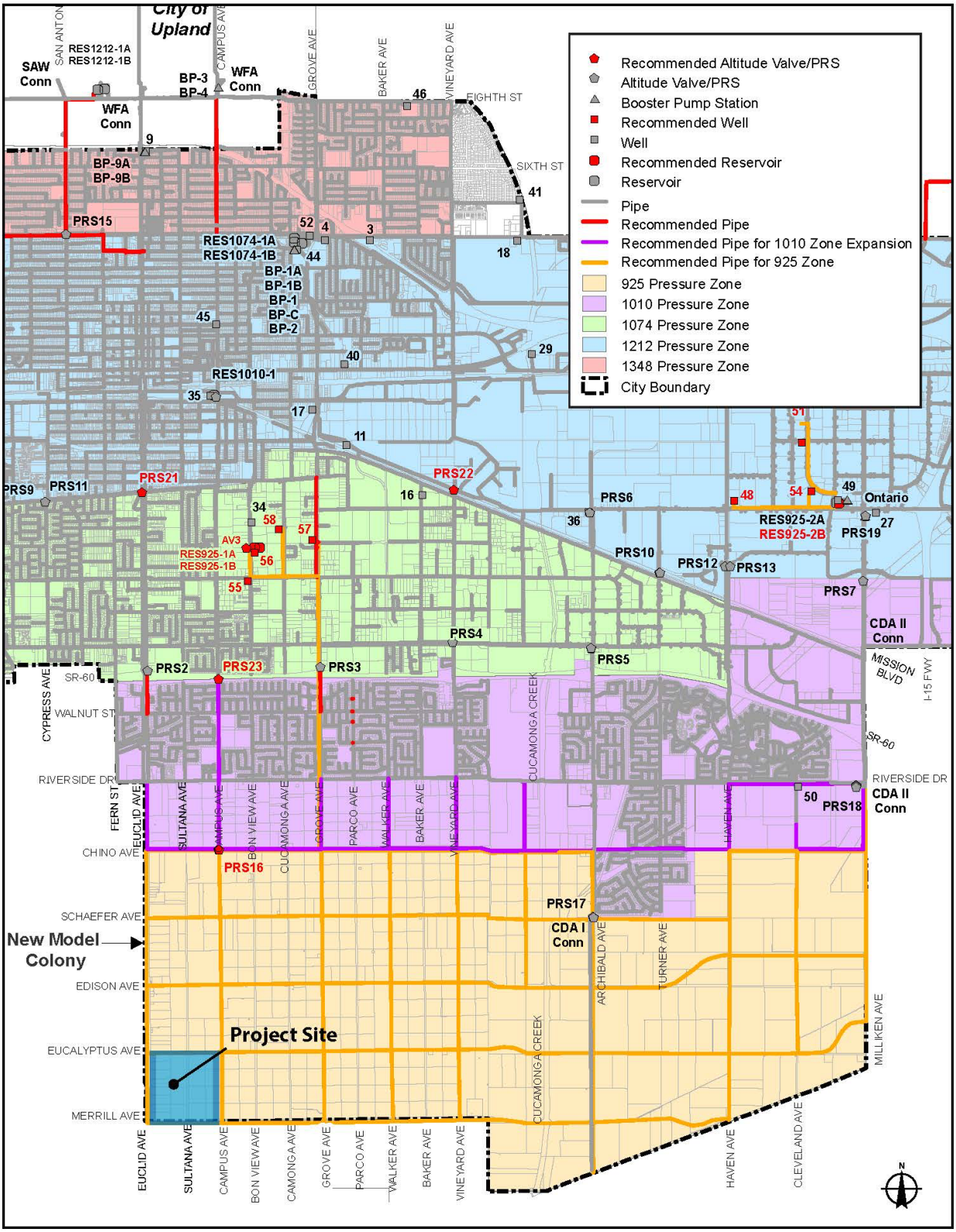

FIGURE 3.9 - WATER PLAN CONTINUED
BON VIEW AVENUE
CUCAMONGA AVENUE
ONTARIO MUNICIPAL UTILITIES MASTER PLAN SUPPLY FACILITIES
42" W
FRANCIS STREET
42" W
GROVE AVENUE
42" W
PHILADELPHIA STREET
MATCHLINE SEE ABOVE RIGHT
MATCHLINE SEE BELOW LEFT
60 FREEWAY
GROVE AVENUE
42" W
RIVERSIDE DRIVE
42" W
MATCHLINE SEE ABOVE RIGHT
MATCHLINE SEE BELOW LEFT
42" W
PRESSURE REDUCING STATION
18" W
18" W
CHINO AVENUE
CUCAMONGA CREEK CHANNEL
30" - 42" W
SCHAEFER AVENUE
GROVE AVENUE
30" - 42" W
EDISON AVENUE
MATCHLINE SEE SHEET 1
N
1"= 1000'
SHEET 2 OF 2
LEGEND:
SPECIFIC PLAN REQUIRED POTABLE WATER MAIN/FACILITY (PER MASTER PLAN)
MASTER PLAN POTABLE WATER MAIN/FACILITY CONSTRUCTED BY OTHERS (PARTICIPATION BY PROJECT IN ACCORDANCE WITH DEVELOPMENT AGREEMENT)

Until the ultimate pipeline network for Ontario Ranch has been completed, there may be instances where construction of improvements to serve a project may not meet the required fire flow demands.

Therefore, projects within the Specific Plan area may be required to construct additional pipelines not indicated in the Master Plan or upsize master planned pipelines to meet Fire Department fire flow requirements and/or Water Master Plan criteria. The Developer will submit a hydraulic analysis to the City for review and approval to demonstrate adequate fire flow and adherence to Potable Water Master Plan criteria.

The overall water infrastructure plan to serve the City of Ontario is shown on Figure 3.10. The City's ultimate domestic water system will consist of five pressure zones. Most of Ontario Ranch (including the Specific Plan area) is in the 925 Pressure Zone. The sizing and alignment of potable water lines will follow the most current approved City of Ontario water system plan. Required Potable Water Infrastructure is subject to change based upon findings of approved hydraulic study and master plan updates; and Potable Water main locations are subject to change based upon the developer-conducted and City-approved Conceptual Design Report.

FIGURE 3.10: CITY OF ONTARIO ULTIMATE WATER SYSTEM



Phase 2 transmission line locations are subject to change based on the current approved Master Plan as well as a City conducted and approved hydraulic analysis.

3.5 Recycled Water Plan

The City of Ontario Ordinance 2689 requires all new development in Ontario Ranch to connect to and use recycled water for all approved uses, including but not limited to landscape irrigation. Prior to use of recycled water, approval from the City of Ontario and the State Water Resources Control Board (SWRCB) is required. Interim connection to potable water is not allowed.

Currently there are no City owned recycled water mains or City recycled water infrastructure in the vicinity of the Specific Plan area per the City of Ontario's future recycled water system (Figure 3.12). There is an existing 30-inch Inland Empire Utility Agency (IEUA) recycled water main in Eucalyptus Avenue adjacent to the Specific Plan Area. Recycled Water is provided to the City of Ontario by the IEUA from its four wastewater reclamation plants. The entire Specific Plan area is within the City's master planned 930 Pressure Zone. Recycled water infrastructure improvements requiring the planning, design, and construction of new 930 Pressure Zone (PZ) Recycled Water Master Plan main lines area will be required (Figure 3.11). New recycled water infrastructure is planned to include installing an 8-inch recycled water main in Euclid Avenue connecting the existing IEUA 30-inch 930 Pressure Zone Recycled Water main in Eucalyptus Avenue to an 8-inch recycled water main in Merrill Avenue. The 8-inch recycled water main in Merrill Avenue will extend from Euclid Avenue easterly to Campus Avenue. An 8-inch recycled water main will be installed in Sultana Avenue connecting the recycled water main in Merrill Avenue to the existing IEUA 30-inch recycled water main in Eucalyptus Avenue, and an 8-inch recycled water main will be installed in Campus Avenue that also connects the 8-inch recycled water main in Merrill Avenue to the existing 30-inch recycled water main in Eucalyptus Avenue. The existing 30-inch IEUA recycled water main in Eucalyptus Avenue between Euclid Avenue and Bon View Avenue may need to be relocated as part of the infrastructure improvements to meet minimum Division of Drinking Water (DDW) separations and/or City of Ontario/IEUA standards and requirements.

Sizing and alignment of the recycled water lines will be consistent with the City of Ontario recycled water system plan and a City-approved hydraulic analysis.

FIGURE 3.11 - RECYCLED WATER PLAN

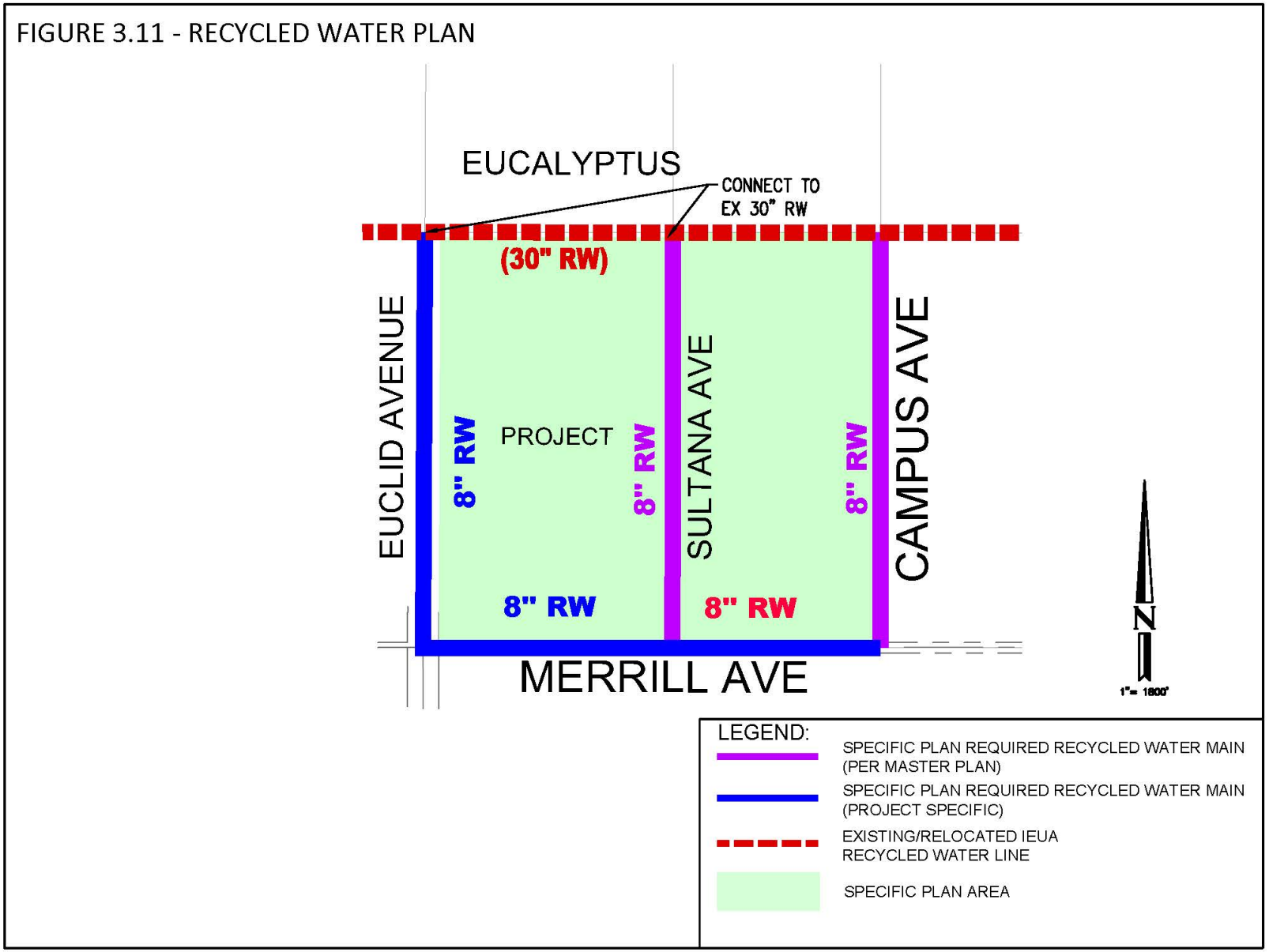
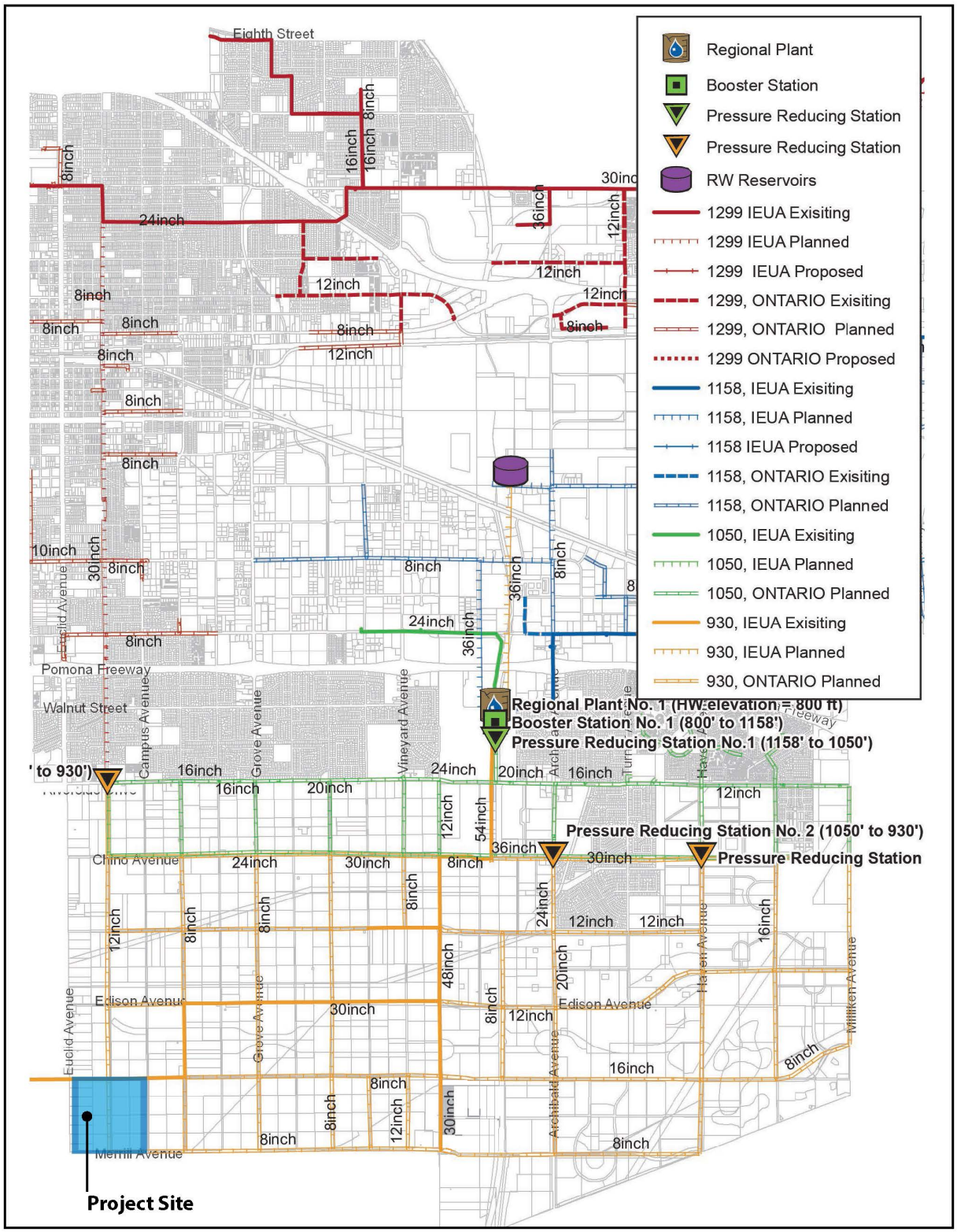


FIGURE 3.12: CITY OF ONTARIO FUTURE RECYCLED WATER SYSTEM



Phase 2 transmission line locations are subject to change based on the current approved Master Plan as well as a City conducted and approved hydraulic analysis.

3.6 Sewer Plan

Regional wastewater treatment services are provided to the City of Ontario and its neighboring agencies by the Inland Empire Utilities Agency (IEUA). Several regional trunk sewers collect sewage generated in the City and transport it to IEUA's Regional Plant No. 1 and Regional Plant No. 5 for treatment. The City of Ontario's sewer service area is divided into eight sewersheds, primarily based on the outlet points where the City's system ties into the IEUA downstream facility. Ontario Ranch is located in Sewershed 8.

There are no sewer mains located within the broader vicinity of the Specific Plan area; therefore, the Specific Plan includes a network of new public sewer mains (Figure 3.13), consistent with the 2012 City of Ontario's ultimate sewer system plan (Figure 3.14). A 36-inch sewer main will connect to an existing IEUA interceptor trunk main sewer located in Kimball Avenue to the south, run north in Euclid Avenue to Merrill Avenue, then east to Campus Avenue. The IEUA interceptor trunk sewer main is 54-inches east of Euclid and 60-inches west of Euclid Avenue. The final point of connection to the existing IEUA interceptor trunk sewer at Euclid Avenue and Kimball Avenue will be determined at the time of final design subject to the approval of the City and IEUA. A 21-inch sewer main will run from Merrill Avenue north within Euclid Avenue to Eucalyptus Avenue. A 16-inch public sewer main will be located along Sultana Avenue and Campus Avenue. Both sewer mains will connect to the 36-inch sewer main in Merrill Avenue and extend north, through the Eucalyptus Avenue intersection (Figure 3.13). An 8-inch private main will also be installed in an on-site easement to provide for connections at the northeast portion of the site. 6-inch sewer laterals will connect buildings to sewer mains.

The ultimate sizing and alignment of the sewer shall be consistent with the City of Ontario ultimate sewer system plan and/or a City conducted and approved hydraulic analysis.

A Sewer Sub-Area Master Plan (SSAMP) shall be prepared for each Tract Map and Development within the Specific Plan.

FIGURE 3.13 - SEWER PLAN

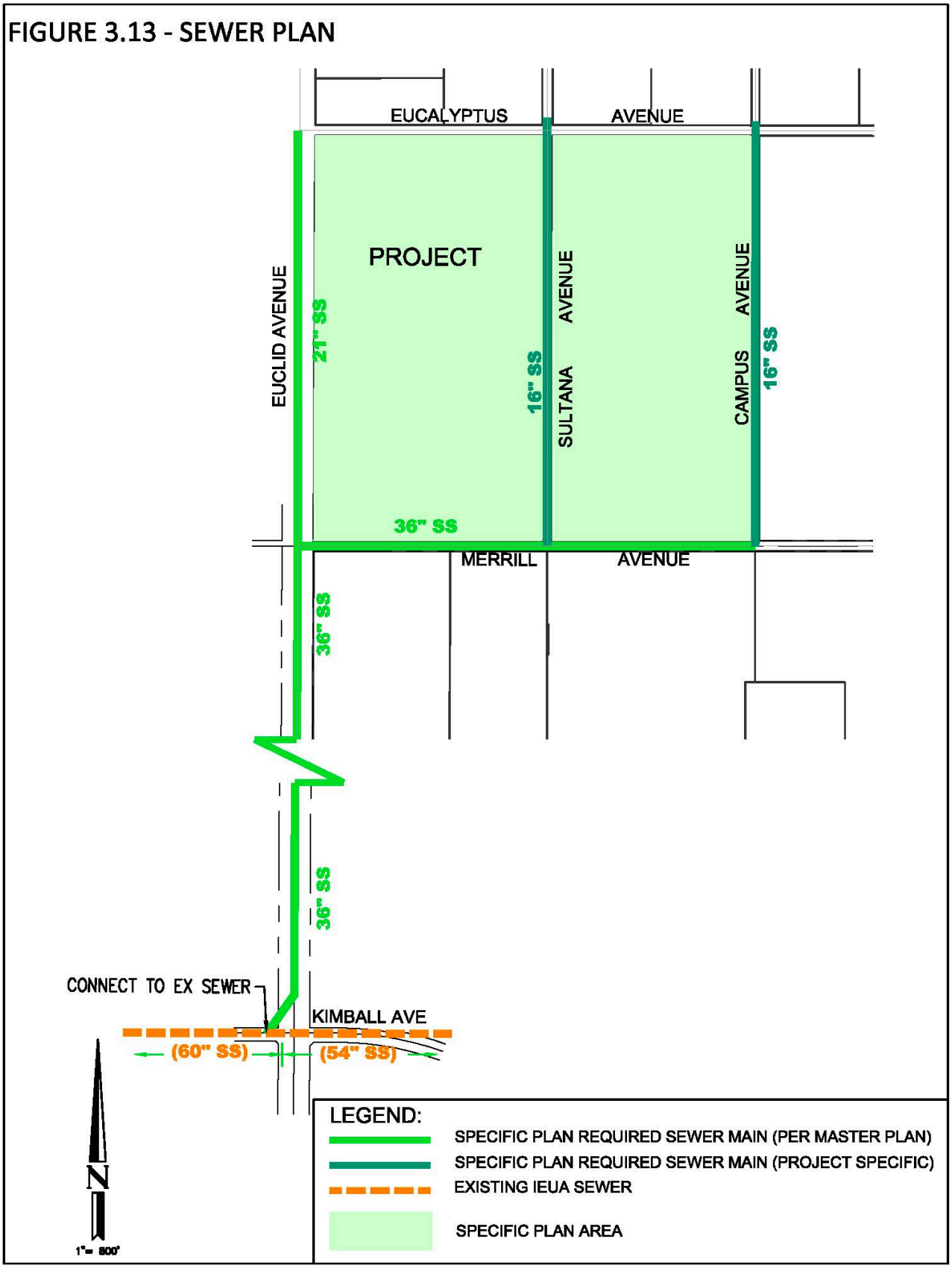
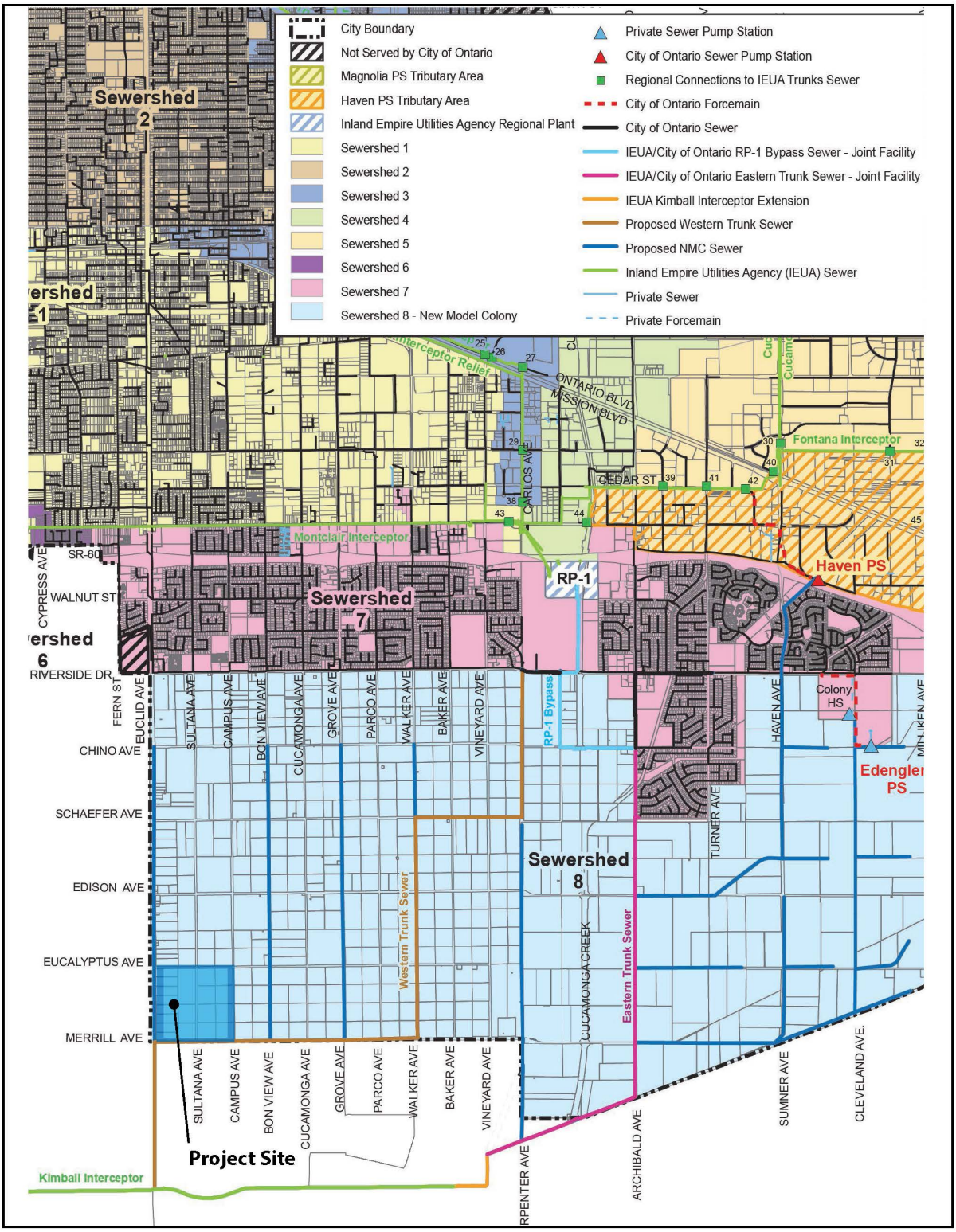


FIGURE 3.14: CITY OF ONTARIO ULTIMATE SEWER SYSTEM



Note: This is not the current exhibit. At the time of preparing this document the City of Ontario was undergoing an update to this plan.

3.7 Conceptual Grading Plan

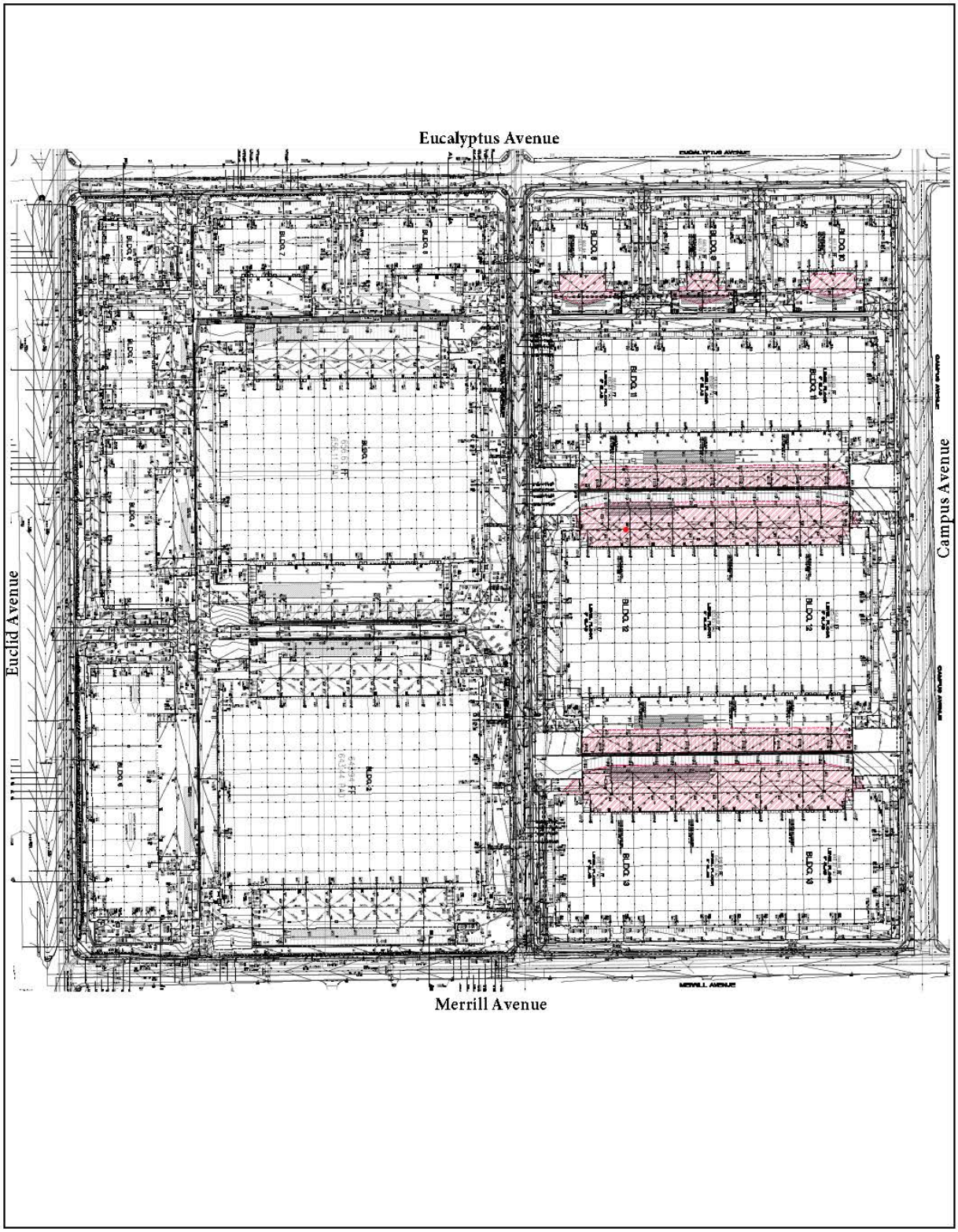
Site topography is moderately flat, sloping from the north to the south. There is an approximately 30-foot change in elevation across the Specific Plan area.

The grading activities for the Specific Plan area will generally consist of clearing and grubbing, demolition of existing structures, and moving surface soils to construct building pads, driveways, and streets.

The Conceptual Grading Plan (Figure 3.15) provides a balance of cut and fill for the Specific Plan area. Grading and earthwork analysis indicate the project can balance without the use of retaining walls. Earthwork will include approximately 242,079 cubic yards (CY) of cut and 242,079 CY of fill with 292,457 CY of over-excavation. Geotechnical and/or environmental conditions encountered during grading operations may impact final earthwork calculations. Grading plans for each development project within the Specific Plan area will be reviewed and approved by the City of Ontario prior to the issuance of grading permits. Grading plans and activities will conform to the City's grading ordinance and dust and erosion control requirements.

All landscaped areas within the Specific Plan area shall be graded as shallow swales and designed to accept runoff water from impervious surfaces. Water quality retention basins, trenches, etc., (the exact location of which will be determined at the time of Water Quality Management Plan (WQMP) approval for individual implementing projects) will have a maximum side slope of 3:1.

FIGURE 3.15: CONCEPTUAL GRADING PLAN



Note: This Site Plan is for conceptual purposes only. This site plan is subject to change based on future development proposals within the Specific Plan Area, and/or results of a roadway alignment study.

3.8 Dry Utilities Plan

Utility services provided to the site will be installed underground in accordance with City of Ontario guidelines.

3.8.1 Communication System

Developments in Ontario Ranch are required to install and provide fiber conduit to all improved lots. Proposed on-site facilities will be placed underground within a duct and structure system that will be installed by the Developer. Pursuant to the City of Ontario 2013 Fiber Optic Master Plan, the fiber optic network will be owned and operated by the City of Ontario and, as such, maintenance of the installed system will be the responsibility of the City and/or Special District fiber optic entity and not the Developer. According to the City's Fiber Optic Master Plan, the proposed fiber optic infrastructure, including approximately 23 miles of backbone fiber south of Riverside Drive, is an investment into a long term capital asset using newly constructed and existing conduit to provide high speed communication links to key locations throughout the City. The Specific Plan area will be connected to the City's system as shown on Figure 3.16.

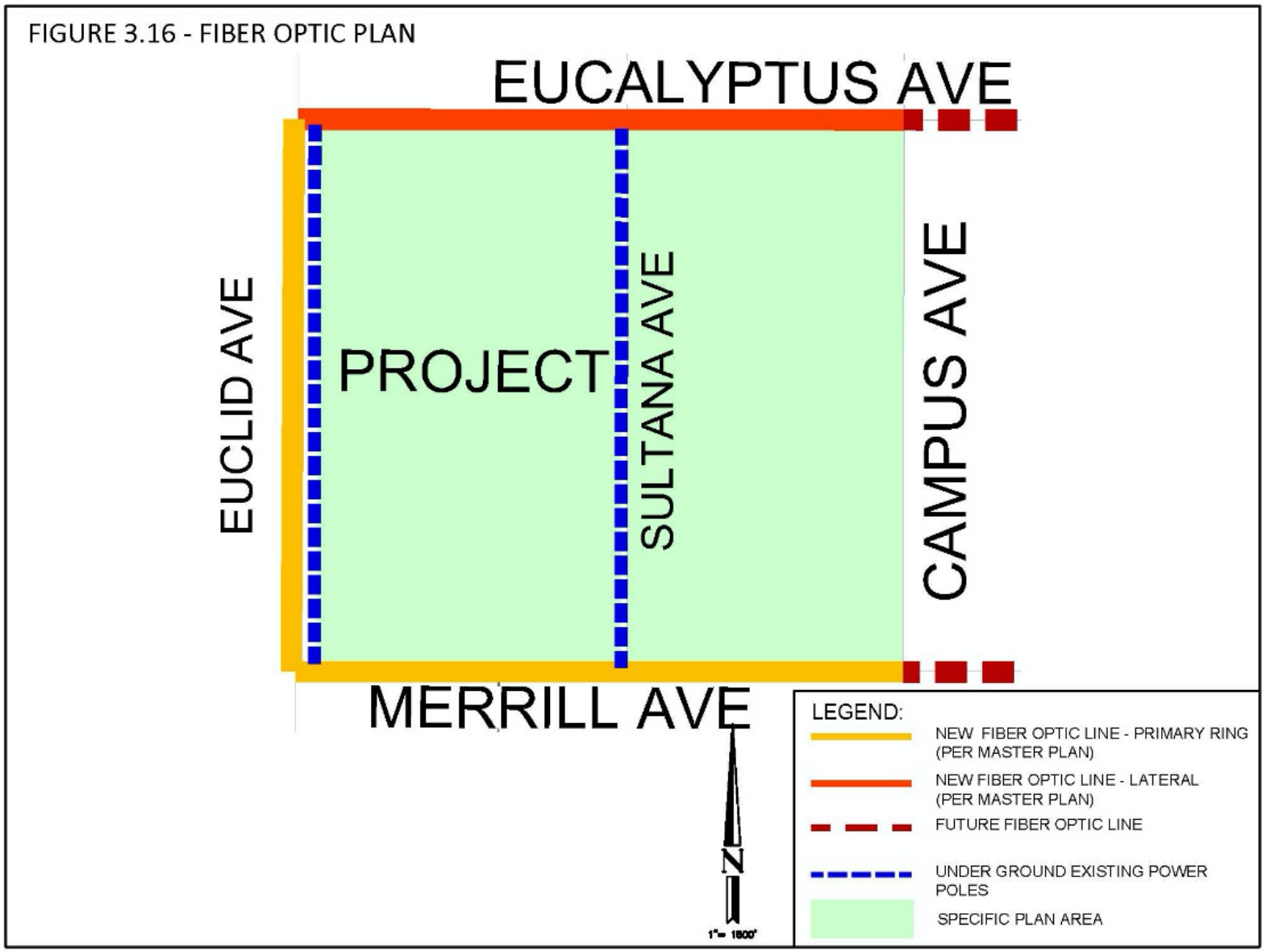
3.8.2 Natural Gas

The Gas Company will provide natural gas to the Specific Plan area. Gas mains will be installed to the individual development projects by the Gas Company, as necessary.

3.8.3 Electricity

Southern California Edison will provide electricity to the Specific Plan area from existing facilities in the vicinity. All new lines within the Specific Plan area shall be installed according to City of Ontario requirements.

FIGURE 3.16 - FIBER OPTIC PLAN



3.9 Storm Drainage Plan

The Specific Plan area storm drain improvements (Figure 3.17) are consistent with the facilities specified in Drainage Area XIV of the City of Ontario Storm Drain Master Plan (Figure 3.18).

Catch basins located throughout the site will collect runoff. On-site storm drain systems will convey runoff southerly to a reinforced concrete box facility in Merrill Avenue. Landscaped areas adjacent to Euclid Avenue will continue to drain to the street. The Specific Plan will also construct storm drains in Eucalyptus Avenue and Euclid Avenue north of Merrill Avenue. The reinforced concrete box facility in Merrill Avenue will end just north of the existing earthen channel, located between the paved portions of Euclid Avenue and the existing easterly right-of-way. The storm water will then bubble up in the structure and spill out into the existing channel where it will continue to flow south to eventually discharge south of Pine Avenue in the City of Chino.

Though the Specific Plan will construct several storm drains consistent with the Storm Drain Master Plan, the ultimate discharge location downstream, between Pine Avenue and Merrill Avenue in the City of Chino, is not fully improved at this time. Until this occurs, the project will utilize on-site storm water detention so that discharge from Specific Plan development remains less than peak flow rates prior to development.

Each storm drain in Euclid Avenue and Merrill Avenue will be equipped with a hydrodynamic separator or equivalent alternative approved devices to satisfy the statewide trash mandate. Each device will be approved by and listed on the Certified Full Capture System List of Trash Treatment Control Devices of the State Water Resources Control Board (SWRCB).

3.9.1 NPDES Compliance

The grading and drainage of the Specific Plan area will be designed to retain/infilter, harvest, and re-use or biotreat surface runoff to comply with the current requirements of the San Bernardino County NPDES Stormwater Program's Water Quality Management Plan (WQMP) for significant new development projects. The objective of the WQMP for this project is to minimize the detrimental effects of urbanization on the beneficial uses of receiving waters, including effects caused by increased pollutants and changes in hydrology. These effects may be minimized through the implementation of site designs that reduce runoff and pollutant transport by minimizing impervious surfaces and maximizing on-site infiltration, employing Source Control Best Management Practices (BMPs) or using on-site structural Treatment Control BMPs where the infeasibility of installing Low Impact Development BMPs is demonstrated.

New development within the Specific Plan area will utilize a variety of Low Impact Development site drainage designs to manage stormwater, including but not limited to retention/infiltration basins, trenches and swales, and above ground bio-treatment systems. Development projects within the Specific Plan area will comply with the latest Low Impact Development guidelines and incorporate features including but not limited to:

- Landscape designs that promote water retention and incorporation of water conservation elements such as use of native plants and drip irrigation systems;
- Stormwater basins and swales shall be no greater than 40% of the landscape area width to allow for ornamental landscape;
- Permeable surface designs in areas with low traffic;
- Parking lots that drain to landscaped areas to provide retention and infiltration, or biotreatment where infiltration is infeasible;
- Limit soil compaction during grading operations within landscaped storm water infiltration areas to no more than 80 percent compaction.

Prior to the issuance of a grading or construction permit, a Storm Water Pollution Prevention Plan (SWPPP), Erosion & Sediment Control Plan sheets, and a WQMP will be prepared and approved. The SWPPP and Erosion & Sediment Control Plan Sheets will identify and detail all appropriate BMPs to be implemented or installed during construction of the project, and the WQMP will describe all post-construction BMPs designed to address water quality and quantity of runoff for the life of the project.

All Priority Land Use (PLU) areas within the Specific Plan area shall comply with the statewide trash provisions adopted by the State Water Resources Control Board (SWRCB) and trash requirements in the most current San Bernardino County Area-Wide MS4 Permit.

FIGURE 3.17 - STORM DRAIN PLAN

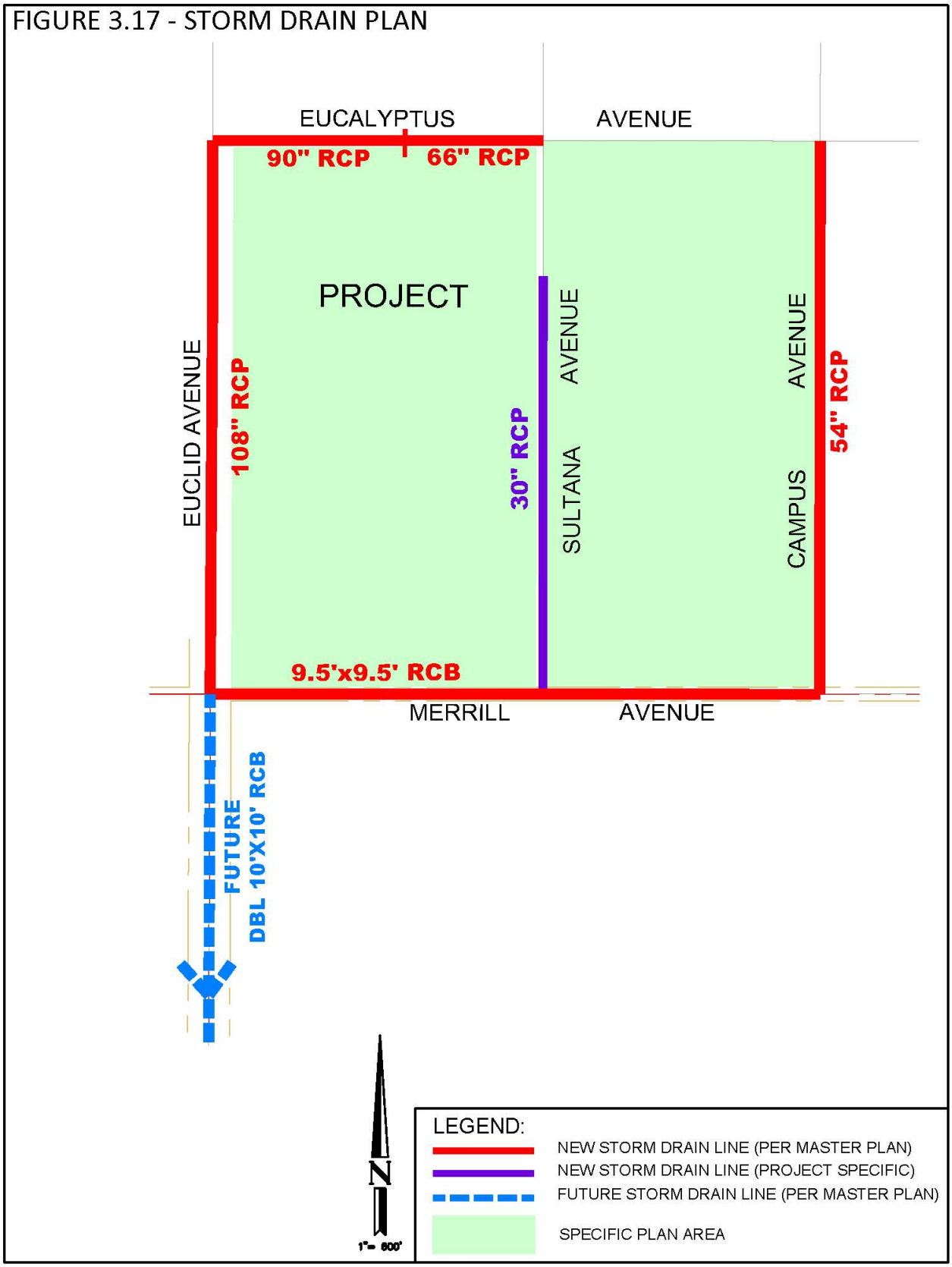
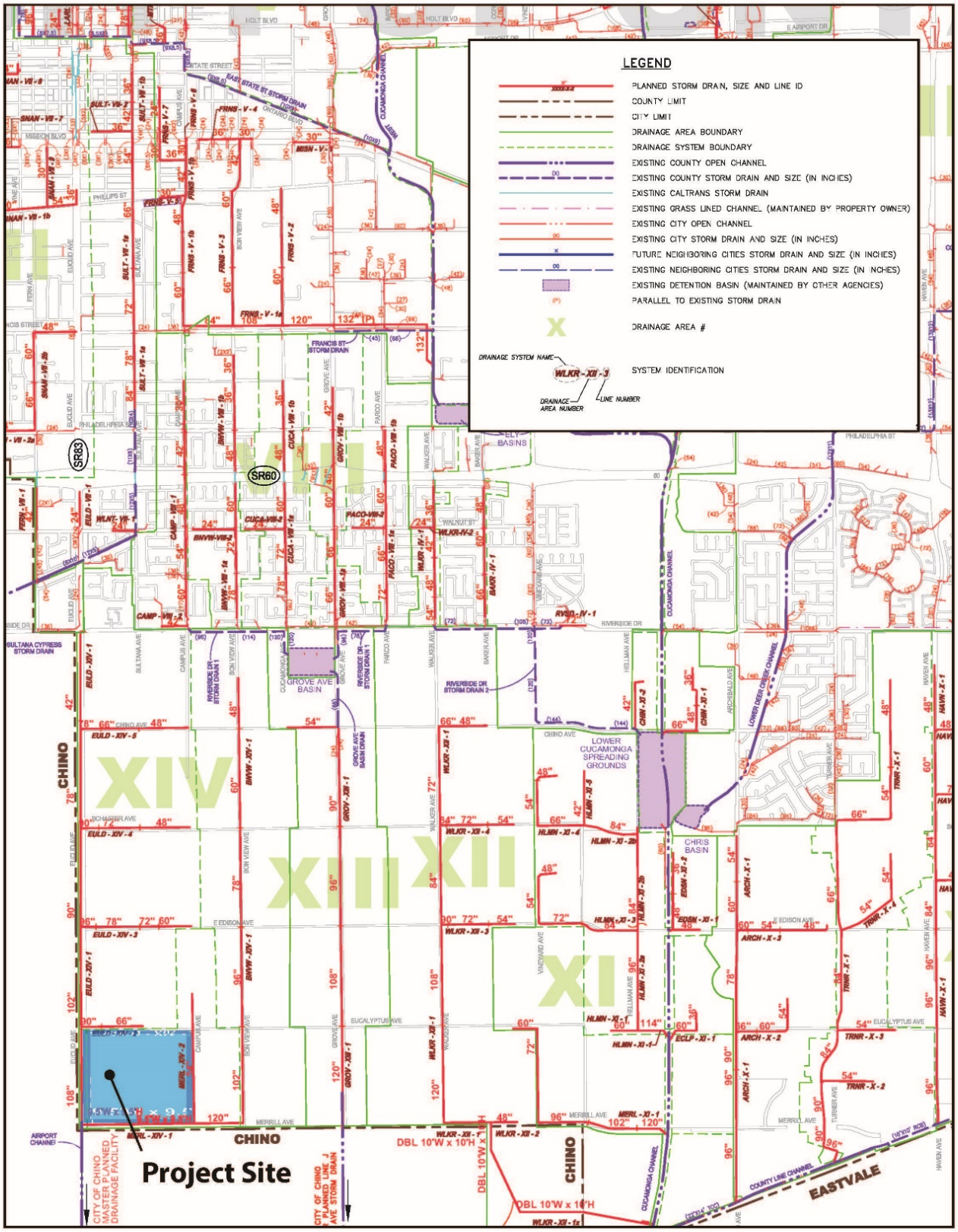


FIGURE 3.18: CITY OF ONTARIO PLANNED DRAINAGE FACILITIES



3.10 Public Services

This subsection addresses public services within the Specific Plan area, including police, fire and solid waste disposal services.

3.10.1 Police

The City of Ontario will provide police services to the Specific Plan area. The closest police station is located approximately 5 miles north of the Specific Plan area at 2500 S. Archibald Avenue, just south of SR-60. This station is also the City of Ontario Police Department headquarters.

3.10.2 Fire

The City of Ontario will provide fire protection services to the Specific Plan area. The Ontario Fire Department currently has eight stations, which are staffed with eight 4-man paramedic engine companies and two 4-man truck companies. The closest operational fire station, Station 2, is located at 544 W. Francis Street, approximately 4 miles north of the Specific Plan area.

3.10.3 Solid Waste Disposal

The City of Ontario will provide solid waste services to the Specific Plan area. The City offers a full array of commercial and industrial services designed to meet the business community's needs. Solid waste facilities will follow the "Solid Waste Department Refuse and Recycling Planning Manual." The Manual establishes the City of Ontario's requirements for refuse and recycling storage and access for service, as well as addresses the City's recycling goals. The Mid-Valley Landfill is the nearest County of San Bernardino landfill located at 2390 N. Alder Avenue in the City of Rialto, approximately 20 miles northeast of the Specific Plan area.

3.11 Phasing Plan

Development phasing of the project site will be determined by the landowner and/or the Developer based upon real estate market conditions. Phasing will occur as appropriate levels of infrastructure are provided. Phasing sequencing is subject to change over time to respond to various market and local factors and, as such, individual phases may overlap or develop concurrently. Infrastructure improvements, as required and approved by the City Engineer to support the development, will be installed by the Developer. Figure 3.19, Conceptual Phasing Plan, describes three general phases of development for Ontario Ranch Business Park.

Specific Plan backbone infrastructure will be installed by the project developer, in accordance with the applicable City-adopted infrastructure plan for the area, as well as the provisions of this Specific Plan and an approved Development Agreement. Fair share responsibilities for improvements will be addressed in a Development Agreement with the City of Ontario. The timing for installation of infrastructure and utilities within the Specific Plan area will be determined as part of the City's approval of parcel maps. Infrastructure will be constructed and made available in a timely manner as development progresses. All of the Specific Plan required infrastructure can be found in Section 3.3 (Figures 3.3 and 3.5) for Streets, Section 3.4 (Figure 3.9) for Potable Water, Section 3.5 (Figure 3.11) for Recycled Water, Section 3.6 (Figure 3.13) for Sewer, Section 3.8 (Figure 3.16) for Fiber Optics, and Section 3.9 (Figure 3.17) for Storm Drain. Phasing will be determined per separate Development Agreement.

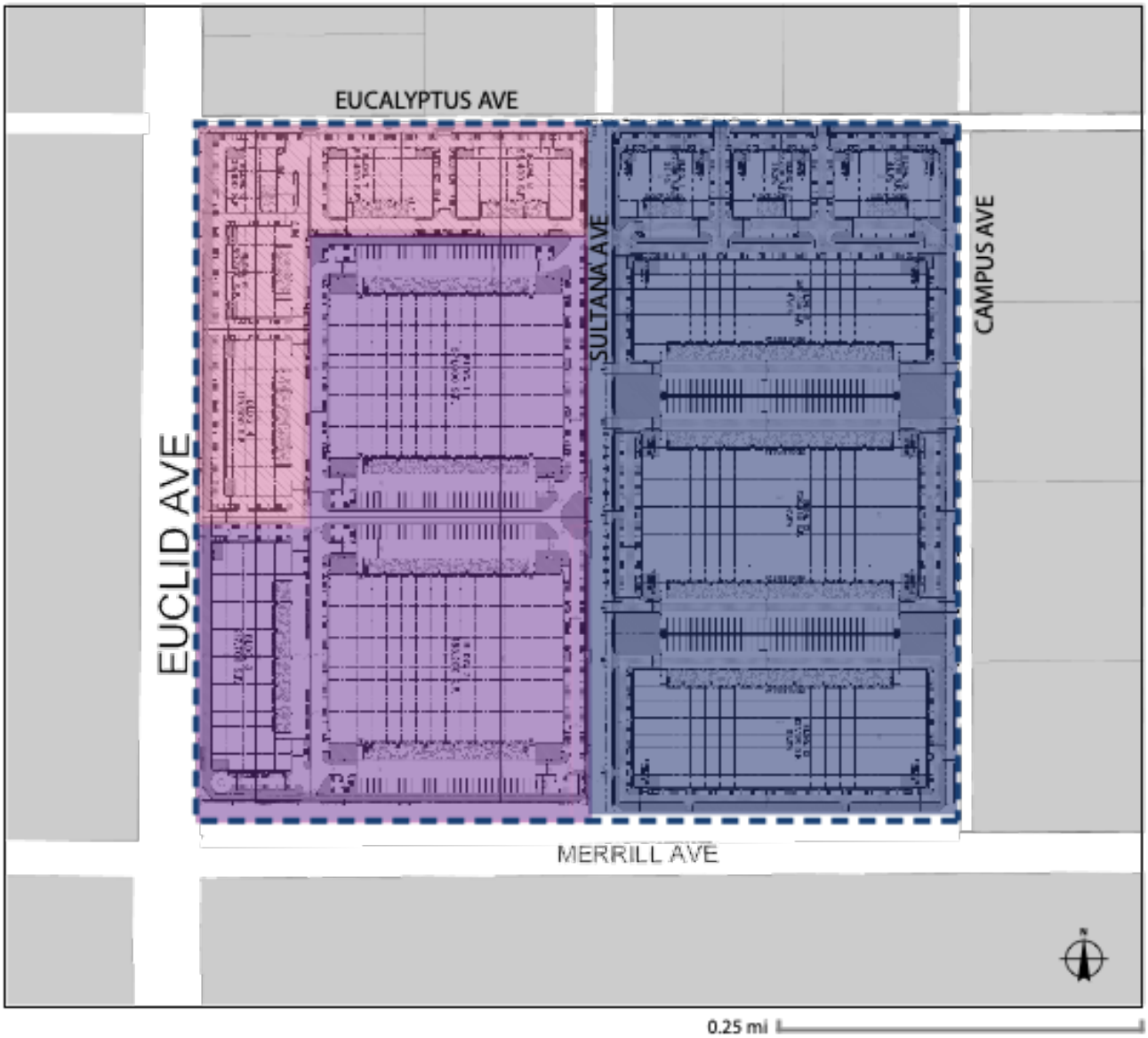
Phase 1: Phase 1 consists of the construction of the storage, warehousing, and industrial development in Planning Area 2. This phase may be developed in two or more sub-phases, based on development plans.

Phase 2: Phase 2 consists of the construction of the business park development in Planning Area 1. This phase may be developed in several sub-phases in response to market demands and according to the logical and orderly completion of infrastructure improvements.

Phase 3: Phase 3 consists of the construction of the business park development in Planning Area 3 and the construction of the storage, warehousing, and industrial development in Planning Area 4. This phase may be developed in two or more sub-phases, based on development plans.

Final grading and infrastructure improvements will be completed in accordance with the approved Development Agreement and City Engineer approval.

FIGURE 3.19: CONCEPTUAL PHASING PLAN



Note: This Site Plan is for conceptual purposes only. This site plan is subject to change based on future development proposals within the Specific Plan Area, and/or results of a roadway alignment study.

4.0 LAND USE AND DEVELOPMENT STANDARDS

This chapter identifies the allowable uses and the standards for building heights, setbacks, parking, coverage, landscape, signage, and all other development standards within the Specific Plan area. The application of these regulations is intended to create a harmonious relationship within the Specific Plan area and with the surrounding land uses as well as to protect the health, safety, and general welfare of the community.

4.1 General Provisions

Upon adoption of the Specific Plan, the development standards and procedures established within the Specific Plan become the governing zoning standards for any new construction, addition, or remodel within the Specific Plan area. However, in reviewing individual projects requiring discretionary approval, additional conditions may be applied by the approving body to accomplish the goals and objectives of this Specific Plan.

4.2 Allowable Uses

Table 4.1 (Allowable Uses) shows the allowable land use, activity, or facility permitted within the Specific Plan's BP (Business Park) and IG (Industrial - General) Zoning Districts, as discussed in Chapter 3. These uses include a variety of industrial-serving commercial, low-intensity office, technology, light manufacturing, and warehouse/distribution uses that are compatible with the site's location within Safety Zone 3 of the Chino Airport. The letters/symbols used in Table 4.1 shall have the following meanings:

4.2.1 "P" - Permitted Land Uses

A Permitted Use (P) is permitted by right and may be established as the primary use of a building without the need for discretionary approval. Permitted Uses are subject to the development standards and guidelines applicable to the zoning district in which the use is located.

4.2.2 "C" - Conditionally Permitted Land Uses

A Conditionally Permitted Use (C) is permitted upon issuance of a Conditional Use Permit (CUP) pursuant to Section 4.02.015 of the Ontario Development Code and City processing procedures.

4.2.3 "A" - Administratively Permitted Uses

An Administratively Permitted Use (A) is permitted upon issuance of an Administrative Use Permit (AUP) pursuant to Section 4.03.015 of the Ontario Development Code and City processing procedures.

4.2.4 "--" - Prohibited Land Uses

A land use indicated with a "--" symbol is prohibited within the zoning district.

4.2.5 Land Uses Not Listed

A land use not listed in Table 4.1 shall be considered a prohibited land use. For land uses similar to those listed in Table 4.1, but not expressly stated in this Specific Plan, the Planning Director or his/her designee has the authority to make a determination of the applicability of similar land uses.

Table 4.1 – Allowable Uses

Land Use	BP District	IG District
Agricultural Uses		
Commercial Crop Production and Farming (excluding marijuana)	C	P
Community Gardens, Urban Farms, and Related Uses	A	A
Kennels and Catteries	--	P
Residential Uses		
Caretaker's Unit (not to exceed 1,000 square feet)	A	A
Construction		
Contractors (e.g., building construction, site preparation, capital improvement projects)		
• Completely within a building	P	P
• With outdoor storage	--	P
Manufacturing		
Apparel Manufacturing	P	P
Artisan Crafts (made by hand) such as glassworks, jewelry, and pottery	P	P
Beverage Manufacturing	--	C
Chemical Manufacturing (excludes pesticides and fertilizers)	--	C
Computer and Electronic Product Manufacturing	P	P
Electrical Equipment, Appliance and Component Manufacturing	P	P
Fabricated Metal Product Manufacturing	--	P
• Ammunition and Arms	C	C
Food Manufacturing, General (but excluding animal slaughtering and processing and seafood product preparation and packaging)	--	C
Food Manufacturing, Limited (bread, tortilla, snack foods, roasted nuts and peanut butter, coffee, tea, flavoring syrup, seasoning and dressing, spice extract)	C	C
Furniture and Related Product Manufacturing	P	P
Glass and Glass Product Manufacturing	--	C
Leather and Allied Product Manufacturing (excluding leather and hide tanning and finishing)	P	P
Machinery Manufacturing	--	P
Miscellaneous Manufacturing (medical equipment and supplies, jewelry, sporting goods, toys, office supplies, signs, etc.)	P	P
Paper Manufacturing	--	C
Pharmaceutical and Medicine Manufacturing (excludes biological product manufacturing)	C	C
Printing and Related Support Activities	P	P
Primary Metal Manufacturing	--	C
Petroleum and Coal Products Manufacturing	--	C
Plastics Product Manufacturing	--	C
Rubber Product Manufacturing	--	C
Textile Mills	--	C
Textile Product Mills	--	C
Transportation Equipment Manufacturing	--	P
Wood Product Manufacturing	--	C
Wholesale Trade		
Merchant Wholesalers, Durable Goods - General (includes motor vehicles and parts, lumber and construction materials, metals and minerals other than petroleum, and machinery equipment and supplies)	--	P

Land Use	BP District	IG District
Merchant Wholesalers, Durable Goods - Limited (includes furniture and home furnishings, professional and commercial equipment and supplies, hardware, plumbing, and heating equipment and supplies)	P	P
Merchant Wholesalers, Nondurable Goods (excludes industrial gases, petroleum bulk stations and terminals, and fireworks and explosives merchant wholesalers)	--	P
Wholesale Electronic Markets, Agents and Brokers (excludes automobile auctions)	P	--
Health Care and Social Assistance		
Ambulatory Health Care Services	P	--
Child Day Care Services (Commercial Facilities)	--	--
Child Day Care Services (Employer Provided Services)	--	--
Medical Office	P	--
Vocational Rehabilitation Services	C	--
Commercial Uses		
Information		
Broadcasting	P	P
Data Processing, Health, and Related Services	P	P
Publishing Industries	P	P
Motion Picture and Sound Recording Facilities (excludes movie theaters)	P	P
Recording and sound studios	P	--
Telecommunication Facilities	P	P
Eating and Drinking Places, and Food Services		
Alcoholic beverage sales for consumption on the premises (includes all retailer's on-sale licenses issued by the State of California Department of Alcoholic Beverage Control)	C	--
Food Bank or Meal Delivery Services	C	C
Restaurant		
• Without drive-thru	P	--
• With drive-thru	C	--
Motor Vehicle Mechanical and Electrical Repair and Maintenance		
Servicing Facilities (limited to retail-oriented services, such as emissions testing, battery replacement and other similar retail activities that involves the limited use of pneumatic tools or equipment that create noise impacts)	P	--
General Repair Facilities (includes general motor vehicle mechanical and electrical repair and maintenance of air conditioning, brake, cooling, electric, exhaust, fuel, suspension system, engine, transmission, and drive train)		
• General Repair Facilities - Automobile, Light Truck and Van Repair and Maintenance	C	C
• General Repair Facilities- Large Truck, Bus and Similarly Large Motor Vehicle Repair and Maintenance	--	C
Automotive Body, Paint, Interior and Glass Repair		
• Automobile, Light Truck and Van Body, Paint, and Interior Repair and Customization	C	C
• Minor Customization Work (limited to the "bolt-on" replacement or addition of parts only -- no body or paint work is allowed)	C	C
• Large Truck and Bus Body, Paint, and Interior Repair and Maintenance	--	C
Personal Services		
Couriers and Messengers	P	P
Commercial and Industrial Machinery and Equipment Repair and Maintenance (except automotive and electronic)	--	P
Electronic and Precision Equipment Repair and Maintenance	P	P
Fitness and Recreational Sports Center		
• Gross Floor Area less than 10,000 square feet	P	--
• Gross Floor Area 10,000 square feet or more	C	--
Industrial Laundry and Linen Supply	C	C
Personal and Household Goods Repair and Maintenance	P	P

Land Use	BP District	IG District
Pet Boarding and Kennels		
• Day only (e.g., Doggie Daycare)	C	--
• Overnight Stays	C	--
Postal Services	P	P
Passenger Car Rental and Leasing	C	--
Truck, Utility Trailer, and Recreational Vehicle Rental and Leasing	C	P
Offices		
Administrative and Support Services	P	--
Finance and Insurance Offices	P	--
Management of Companies and Enterprises	P	--
Office Ancillary to a Primary Industrial Use (less than 10% of GFA)	P	P
Professional, Scientific, and Technical Services (e.g., accounting, tax preparation, architecture, bookkeeping, legal, engineering, consulting)	P	--
Real Estate Offices	P	--
Retail		
Alcoholic beverage sales for consumption off the premises (includes all retailer's off-sale licenses issued by the State of California Department of Alcoholic Beverage Control)	C	--
Auction Houses	C	--
Automotive Parts and Accessories (including tires)	P	--
Convenience stores (without alcoholic beverage sales)	P	--
Gasoline Fueling Station with or without Convenience Store (without alcoholic beverage sales)	C	--
Internet Fulfillment/Warehousing/Distribution (E-Commerce)	P	P
Industrial Retail Sales (retail sales of goods and/or products either manufactured, warehoused or wholesaled on-site)		
• Maximum 15% of building floor area or 8,000 square feet, whichever is less	A	A
• Over 15% of building floor area or 8,000 square feet	C	C
Non-Store Retailers (includes electronic shopping and mail-order houses, vending machine operators, and other direct selling establishments (excluding fuel/petroleum dealers)	P	P
Warehousing		
Warehousing and Storage (General and Other)		
• Completely within a building	P	P
• Outdoor Storage Accessory to an Allowed Use	A	A
• Outdoor Storage as the Primary Use	--	C
Refrigerated Warehousing and Storage	P	P
Other		
Religious Assembly	C	--
Parking Facilities	P	--
Vocational/Trade Schools	C	C

Notes:
1. P=Permitted, C= Conditionally Permitted, A=Administratively Permitted, -- = Prohibited
2. Refer to the Specific Plan EIR and Ontario International Airport Land Use Compatibility Plan (ONT ALUCP) for additional development criteria and policies that may affect allowable land uses.

4.3 Development Standards

Table 4.2 (Development Standards) provides a summary of the development standards applicable to the land uses, structures, and related improvements located within the Specific Plan area. Refer to the Ontario Development Code for any standard not addressed in Table 4.2.

Table 4.2 – Development Standards

Development Standard	Zoning District	
	BP	IG
Minimum Lot Area	10,000 sq ft	20,000 sq ft
Minimum Lot Dimensions		
1. Lot Width	100 ft	100 ft
2. Lot Depth	100 ft	100 ft
Maximum Floor Area Ratio[1,2]	0.45	0.54
Maximum Building Footprint [3]	125,000 sq ft	N/A
Minimum Landscape Setback		
1. Euclid Avenue	35 ft	35 ft
2. Eucalyptus Avenue	23 ft	N/A
3. Merrill Avenue	N/A	23 ft
4. Sultana Avenue	10 ft	10 ft
5. Campus Avenue	10 ft	10 ft
6. Interior Side	N/A	N/A
7. Interior Rear	N/A	N/A
Minimum Building Setback [4]		
1. Euclid Avenue	35 ft	35 ft
2. Eucalyptus Avenue	23 ft	N/A
3. Merrill Avenue	N/A	23 ft
4. Sultana Avenue	10 ft	10 ft
5. Campus Avenue	10 ft	10 ft
6. Interior Side	10 ft	10 ft
7. Interior Rear	10 ft	10 ft
Minimum Parking Space and Drive Aisle Separations[5,6,9]		
1. Parking Space or Drive Aisle to Street Property Line	20 ft	10 ft
2. Parking Space or Drive Aisle to Interior Property Line	5 ft	5 ft
3. Parking Space to Buildings, Walls, and Fences	Areas adjacent to public entries and office areas: 10 ft; Areas adjacent to other building areas: 5 ft; Within screened loading and storage yard areas: 0 ft	
4. Drive Aisles to Buildings, Walls, and Fences	5 ft	5ft
5. Drive Aisles within Screened Loading and Storage Yard Areas	0 ft	0 ft
Maximum Building Height [7,8]	45 ft	55 ft
Minimum Landscape Coverage[9]	15%	10%
Walls, Fences, and Hedges: Per Ontario Development Code Division 6.02 (Walls, Fences, and Obstructions) and Section 5.5 (Buffering and Screening) in the Design Guidelines.		
Notes: 1. The max Floor Area Ratio (FAR) for Planning Area 1 and 3, Business Park, may exceed an FAR of 0.45 up to an FAR of 0.60, provided that the total average FAR for the entire Planning Area 1 does not exceed 0.45 FAR and the total combined building square footage does not exceed 457,904 square feet.		

Development Standard	Zoning District	
	BP	IG
2. The max Floor Area Ratio (FAR) for Planning Area 2 and 4, Industrial General, may exceed an FAR of 0.54 up to an FAR of 0.55, provided that the total average FAR for the entire Planning Area 2 does not exceed 0.54 FAR and the total combined building square footage does not exceed 1,447,123 square feet. 3. The maximum building footprint limit is applicable only to buildings that front onto a public right-of-way. All setback areas shall be measured from the property line and shall be landscaped. 4. Within yard areas fully screened by a decorative wall, there shall be no minimum drive aisle or parking space setback required, unless adjacent to residentially zoned properties. 5. The minimum separation area between a building, wall, or fence, and a parking space or drive aisle shall be fully landscaped. The separation area may include pedestrian walkways, as necessary; however, a minimum 5-foot wide planter area shall be maintained between a building wall and a pedestrian walkway. The minimum separation dimension does not include any area devoted to vehicle overhang. 6. Architectural projections, mechanical equipment, and focal elements may be allowed to exceed maximum height up to 25 percent above the prescribed height limit. 7. The maximum building height and floor area ratio may be restricted pursuant to the Ontario International Airport Land Use Compatibility Plan (ONT ALUCP). Refer to the ALUCP for properties affected by airport safety zones for additional development criteria and policies that may affect allowable land uses. 8. The use of surrounding roads, drive aisles and truck parking lots to address the open land requirement for the Chino Airport Overlay zone is discussed in Chapter 2 (Section 2.2: Airport Influence Areas). 9. The total landscape coverage for Building 1 may be less than the required percent, so long as the deficiency in landscaping square footage is distributed across Buildings 2 through 13, to be maintained in perpetuity		

Table 4.3 (Off-Street Parking and Loading Design Standards) establishes the design standards for off-street parking in the Specific Plan area. Refer to the Ontario Development Code for any standard not addressed in Table 4.3.

Table 4.3 – Off-Street Parking and Loading Design Standards

Development Standard	Requirement
Parking space dimensions	
1. Standard parking	9 feet wide by 18 feet long
2. Tractor trailer parking	12 feet wide by 45 feet long
3. At grade loading space	12 feet wide by 18 feet long
Minimum aisle width with 90-degree parking angle	24 feet
Maximum gradient at parking space	5 percent measured in any direction
Dock-high loading facilities	
1. Dock high loading door loading space	12 feet wide by 45 feet long with 14-foot minimum vertical clearance measured from finished surface of loading dock.
2. Truck maneuvering area	Designed to accommodate the minimum practical turning radius of a 53-foot semi-trailer and tractor combination.

Table 4.4 (Required Number of Parking and Loading Spaces) specifies the number of parking spaces that must be provided according to land use. For a use not specified in the table, refer to the Ontario Development Code, Table 6.03-1: Off-Street Parking Requirements.

Table 4.4 – Required Number of Parking and Loading Spaces

Land Use	Number of Required Spaces
Multi-tenant business park	3 spaces per 1,000 square feet plus required parking for "general business offices" when exceeding 10 percent of gross floor area; plus one tractor trailer parking space per 4 dock-high loading doors
General office when office use exceeds 10 percent of building gross floor area	4 spaces per 1,000 square feet of gross floor area of office use
Industrial speculative buildings	Per 1,000 square feet of gross floor area: • Up to 50,000 sq ft: 1.85 spaces • 50,001 – 100,000 sq ft: 1 space • 100,001 sq ft and over: 0.5 space • One tractor trailer parking space per 4 dock-high loading doors. Plus required parking for "general business offices" and other associated uses, when those uses exceed 10 percent of the building gross floor area.
Manufacturing	1.85 spaces per 1,000 square feet of gross floor area, plus one tractor trailer parking space per 4 dock-high loading doors, plus required parking for "general business offices" and other associated uses, when those uses exceed 10 percent of the building gross floor area.
Restaurants (includes outdoor seating area up to 25 percent of gross floor area)	• Under 2,000 square feet: 5 spaces per 1,000 square feet of gross floor area • More than 2,000 square feet:10 spaces per 1,000 square feet of gross floor area
Warehousing and distribution (includes office uses if less than 10 percent of building gross floor area)	1 space per 1,000 square feet of gross floor area for first 20,000 square feet; 0.5 space per 1,000 square feet of additional gross floor area, plus one tractor trailer parking space per 4 dock-high loading doors plus required parking for "general business offices" and other associated uses, when those uses exceed 10 percent of the building gross floor area.

Sufficient off-street loading and unloading spaces shall be provided on each development site, and adequate provisions and space shall be made for maneuvering freight vehicles and handling freight. Loading activity, including turnaround and maneuvering, shall be made on site. Buildings, structures, and loading facilities shall be designed and placed on the site so that vehicles, whether rear loading or side loading, may be loaded or unloaded at any loading dock, door, or area without extending beyond the property line.

5.0 DESIGN GUIDELINES

This chapter identifies conceptual themes for site planning, architecture, and landscape design within the Specific Plan area. The guidelines are intended to ensure a cohesive and attractive development that meets the following objectives:

1. Demonstrates high quality development that complements and integrates into the community and adds value to the City.
2. Creates a functional and sustainable place that ensures Ontario Ranch Business Park is competitive regionally and appropriate in the Ontario Ranch community.
3. Illustrates the distinctive characteristics of the two land use plan zoning districts: Business Park District (Planning Area 1 and 3) and Industrial - General District (Planning Area 2 and 4).
4. Establishes criteria for building design and materials, landscape design, and site design that provide guidance to developers, builders, architects, landscape architects, and other professionals preparing plans for construction.
5. Provides guidance to City staff and the Planning Commission in the review and evaluation of future development projects in the Ontario Ranch Business Park Specific Plan area.
6. Incorporates construction and landscape design standards that promote energy and water conservation strategies.
7. Implements the goals and policies of The Ontario Plan and the intent of the Ontario Development Code.

5.1 Site Design

As discussed in Chapter 3, Planning Area 1 and 3 is sited along the northern portion of the site to buffer the existing residential uses located on the west side of Euclid Avenue within the City of Chino from the industrial and/or warehouse and distribution uses of Planning Area 2 and 4. Site design within Planning Areas 1 and 3 (Business Park District) and Planning Area 2 and 4 (Industrial - General District) shall incorporate the following design features.

Key provisions include:

1. Provide a well-organized site plan that emphasizes pedestrian connectivity and attractive landscape areas for the public through the location and arrangement of buildings, circulation, and parking areas.
2. Orient buildings towards street frontages to create an inviting public perimeter. Enhanced elevations shall be provided for buildings that front Euclid Avenue.
3. Provide visible pedestrian access to buildings from the street, parking areas, and perimeter sidewalks through signage, prominent architectural features, and landscape design.

4. Employ enhanced paving, accent trees, and other landscape features that highlight major building entries.
5. Design drive aisles to minimize impact to pedestrians, provide adequate stacking space, and prevent queuing of vehicles onto public streets.
6. Locate visitor and short-term parking areas at the front and sides of buildings near primary building entrances.
7. Organize landscaped areas, drive entrances, and/or buildings to create separate parking areas to prevent the parking lot from being the dominant visual element.
8. Locate loading and storage areas away from streets when feasible, ensure adequate space for vehicle backing and maneuvering on-site, and provide adequate parking for loading vehicles so normal traffic flow is not impeded.
9. Screen parking areas and loading docks facing the street using landscape buffers planted with screen trees and drought tolerant vegetation.
10. Orient and screen elements such as trash enclosures, loading bay doors, and service docks to minimize their visibility.
11. Locate service entrance to prevent conflict with front entry.
12. Place electrical rooms and transformers away from front entries and street views.

5.2 Architectural Design

The building design, materials, colors, and textures establish its theme and character. Architecture shall be compatible and complementary with other buildings within the Specific Plan area; however, design diversity is encouraged to provide visual interest. Although development within Planning Area 1 and Planning Area 2 differ in building height and scale, similar design concepts apply as follows.

Key provisions include:

1. Ensure scale, massing, fenestration, materials, and colors are consistent with the building's architectural style and compatible with the overall design in the Specific Plan area.
2. Avoid blank walls by providing articulation on building elevations visible from a public right-of-way through elements such as cornices, parapets, expression lines, and changes in materials and/or colors.
3. Provide the greatest level of articulation on the front facades that are visible from the public rights-of-way and at the main entrances.
4. Design entry features as a significant aspect of a building's overall composition through massing, detailing, architectural treatments, and/or special materials and colors.
5. Employ recessed or covered building entrances to provide shade and visual relief.
6. Design office buildings, business parks, and office areas of industrial or warehouse buildings with an emphasis on the use of windows, architectural details, and building articulation.

7. Integrate the design of industrial/warehouse office areas into the overall building composition so they create powerful architectural statements and not visually disjointed "add-ons".
8. Employ a minimum of four different colors, materials, and/or textures on each building.
9. Avoid terminating a change in material or color at a building edge; instead, select a logical termination point in relation to the architectural features or massing.
10. Paint exposed downspouts, service doors, and mechanical screens the same color as the adjacent wall. Exposed downspouts are not permitted on elevations that front onto a street.



Planning Areas 1 and 3 Architectural Design Examples







Planning Areas 2 and 4 Architectural Design Examples

5.3 Landscape Design

Conceptual landscape plans encourage durable landscape materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits. The following guidelines ensure that intersection sight lines and pedestrian safety are preserved. Landscaping plans within the Specific Plan area are to comply with City of Ontario Landscape Development Guidelines and the Standard Drawings and Traffic and Transportation Guidelines for sight-distance.

Key provisions include:

1. Landscape and irrigate all areas of the site not covered by buildings, structures, paving, or impervious surfaces.
2. Design and grade projects to direct storm runoff from building roofs and paved areas into swaled landscape areas for retention/infiltration. Landscape areas may be used for storm water basins and swales at no greater than 50% of the available landscape area and may not obstruct the mature root zone of required tree locations
3. Provide shade for expanses of paving, building walls, roofs, and windows with irrigated shade trees located in appropriate areas where space permits to reduce the impacts of heat gain.
4. Design parking lot landscaping to reduce associated heat buildup, improve aesthetics, and integrate with on-site landscape and adjacent streetscape.
5. Use landscaping to aid in the screening and buffering of mechanical equipment, trash collection areas, loading docks and outside storage areas from public view.
6. Show utilities on plan and keep utilities clear of required tree locations. Coordinate with the landscape plans. Utilities such as backflow devices and transformers shall be screened using landscaping that provides at least 75 percent coverage. Backflow devices and transformers shall be located at least five feet from hardscape to ensure space for landscape screening.
7. Prepare landscape plans that meet the requirements of the Landscape Development Guidelines and provide for the efficient use of water. Plants shall be selected and planted based upon their adaptability to the climate and topographical conditions of the project site.
8. Select drought-tolerant plants such as colorful shrubs and groundcovers, ornamental grasses and succulents, evergreen and deciduous trees, and species native to Southern California or naturalized to the arid Southern California climate.
9. Incorporate water conservation features in landscape and irrigation plans.
10. Place a landscape planter island every ten parking spaces within parking lots. Planter islands shall be at least five feet in width exclusive of curbs and the length of the abutting parking space. Planter islands shall include at least one tree, appropriate shrubs, and groundcover. Parking areas located behind screen walls shall not be subject to this provision.

11. Provide a minimum dimension of five feet exclusive of curbs for all landscape areas, except for vine pockets.
12. Space living plant materials less than or equal to the mature plant diameter. Non-living ornamental landscape materials may comprise a maximum of five percent of the landscape area requirements and shall be permeable.

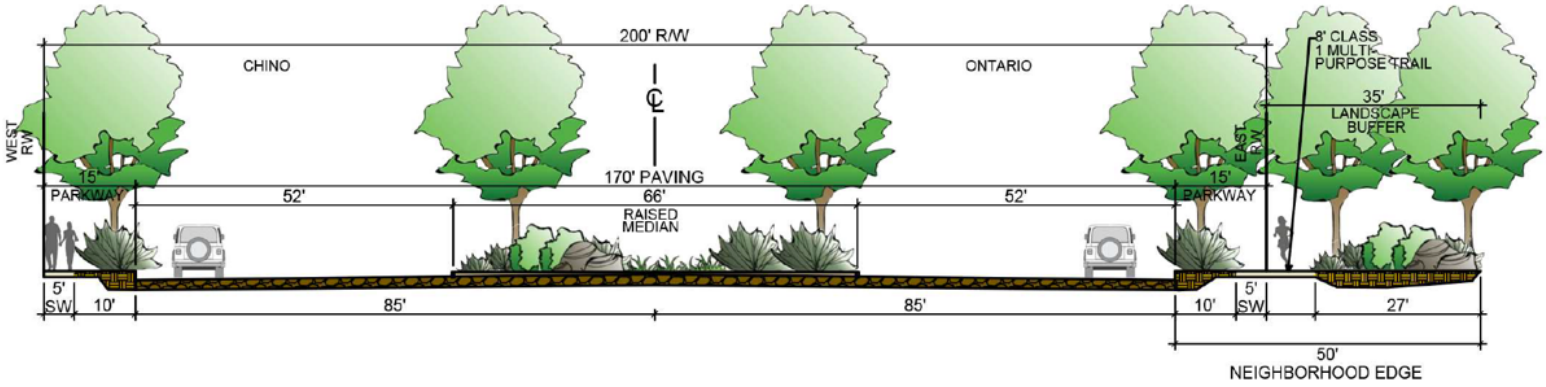
5.3.1 Streetscapes

Streetscape design creates an aesthetically pleasing view for pedestrians and motorists, screens parking and loading areas from the public right-of-way, and integrates the development into the surrounding community. The streetscape designs presented are conceptual only; final grading, plantings, and tree locations will be determined on a project-by-project basis.

5.3.1.1 Euclid Avenue Streetscape

Euclid Avenue features a wide raised landscaped median planted with trees, a 15-foot-wide parkway and a 35-foot-wide landscape setback with an 8-foot multi-purpose trail. The parkway will include a 10-foot-wide curb-adjacent landscape strip generally planted with trees and groundcover and a 5-foot-wide sidewalk. Tree species along the perimeter of Euclid Avenue will include a double row of Quercus agrifolia, Schinus molle will be used as accents. Groups of Cercis canadensis "Forest Pansy" and Schinus molle will be used in the median. Combined, the parkway and the landscape setback create a 50-foot "Neighborhood Edge" as established in the Ontario Ranch Streetscape Master Plan, which is intended to provide a buffer at the Specific Plan boundary as well as a pleasing visual statement along the major City thoroughfare (Figure 5.1).

FIGURE 5.1: **EUCLID AVENUE CONCEPTUAL STREETSCAPE**

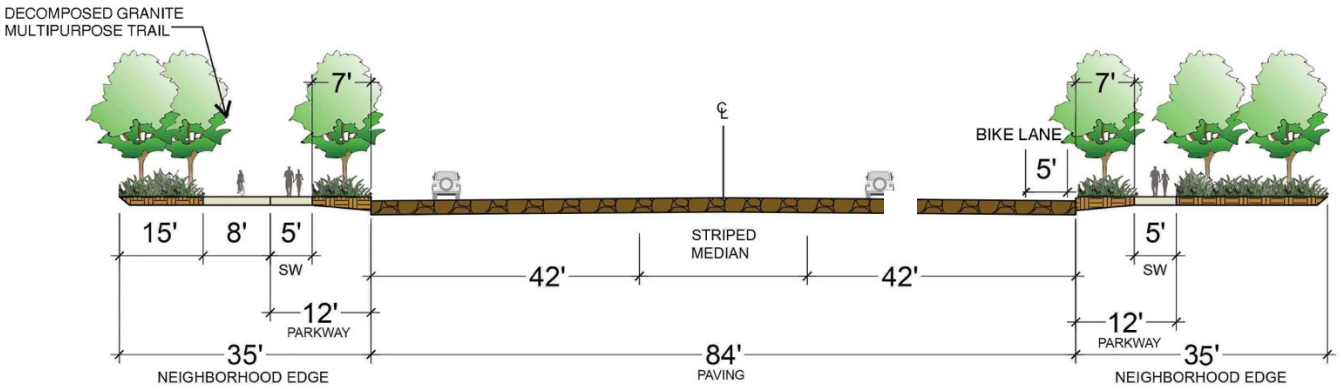


EUCLID AVENUE (200' ROW)

5.3.1.2 Eucalyptus Avenue Streetscape

The typical Eucalyptus Avenue section will feature a 12-foot-wide parkway and 23-foot-wide landscape setback to create a 35-foot Neighborhood Edge. The parkway will include a 7-foot-wide curb-adjacent landscape strip generally planted with trees and groundcover and a 5-foot-wide sidewalk. Tree species along Eucalyptus Avenue will include Pistache trees in the parkway and behind the sidewalk alternating with groups of Podocarpus gracilior trees. The Neighborhood Edge creates a buffer along the Specific Plan boundary as well as a visual statement (Figure 5.2).

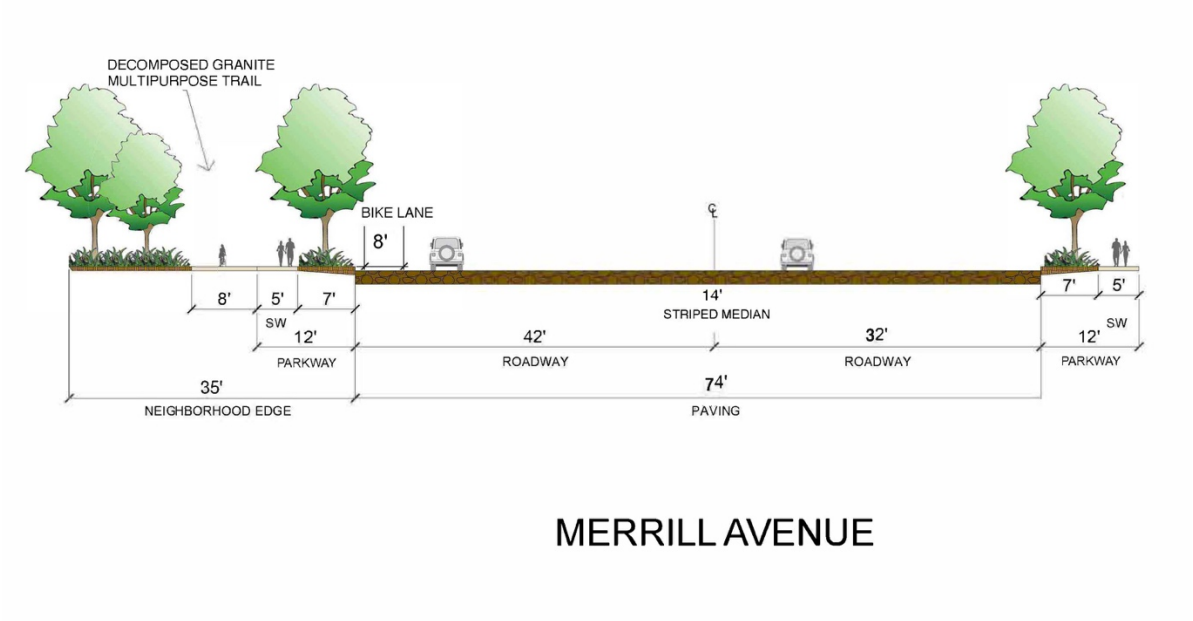
FIGURE 5.2: **EUCALYPTUS AVENUE CONCEPTUAL STREETSCAPE**



5.3.1.3 Merrill Avenue Streetscape

The typical Merrill Avenue section will feature an 8-foot-wide multi-purpose trail, 12-foot-wide parkway, and 23-foot-wide landscape setback. The parkway will include a 7-foot wide curb-adjacent landscape strip and a 5-foot-wide sidewalk. Tree species along Merrill Avenue will include Quercus agrifolia in the parkway and behind the sidewalk alternating with Cercis canadensis "Forest Pansy." The parkway and the landscape setback will combine to form the 35-foot Neighborhood Edge buffer (Figure 5.3).

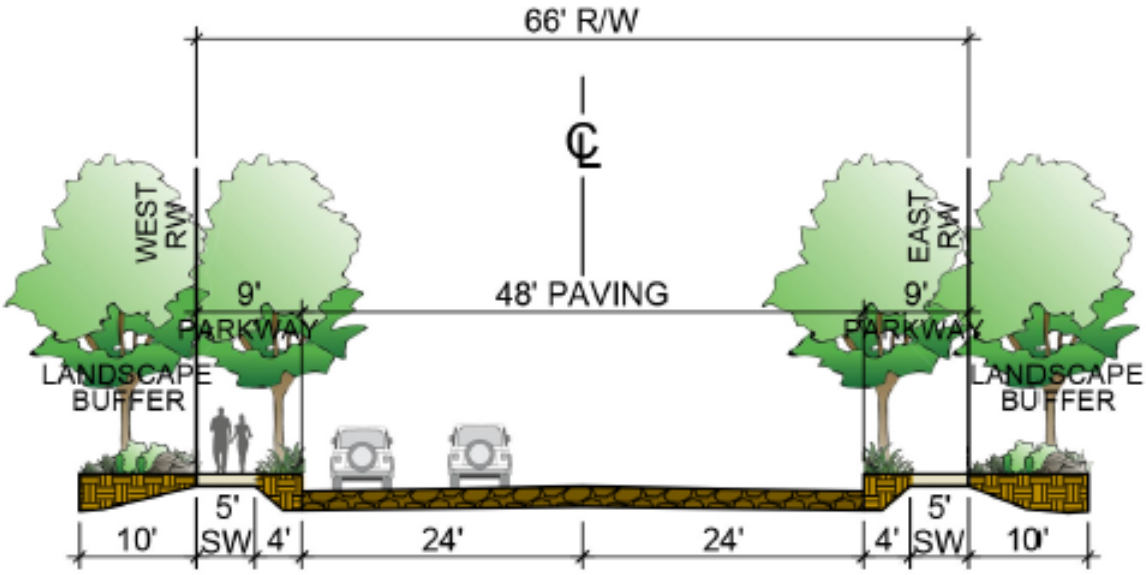
FIGURE 5.3: **MERRILL AVENUE CONCEPTUAL STREETSCAPE**



5.3.1.4 Sultana Avenue Streetscape

The typical Sultana Avenue section will feature a 9-foot-wide parkway and 10-foot-wide landscape setback. The parkway will include a 4-foot-wide curb-adjacent landscape strip and a 5-foot-wide sidewalk. Tree species along Sultana Avenue will include Koelreuteria paniculata and behind the sidewalk will include Quercus ilex (Figure 5.4).

FIGURE 5.4: **SULTANA AVENUE CONCEPTUAL STREETSCAPE**

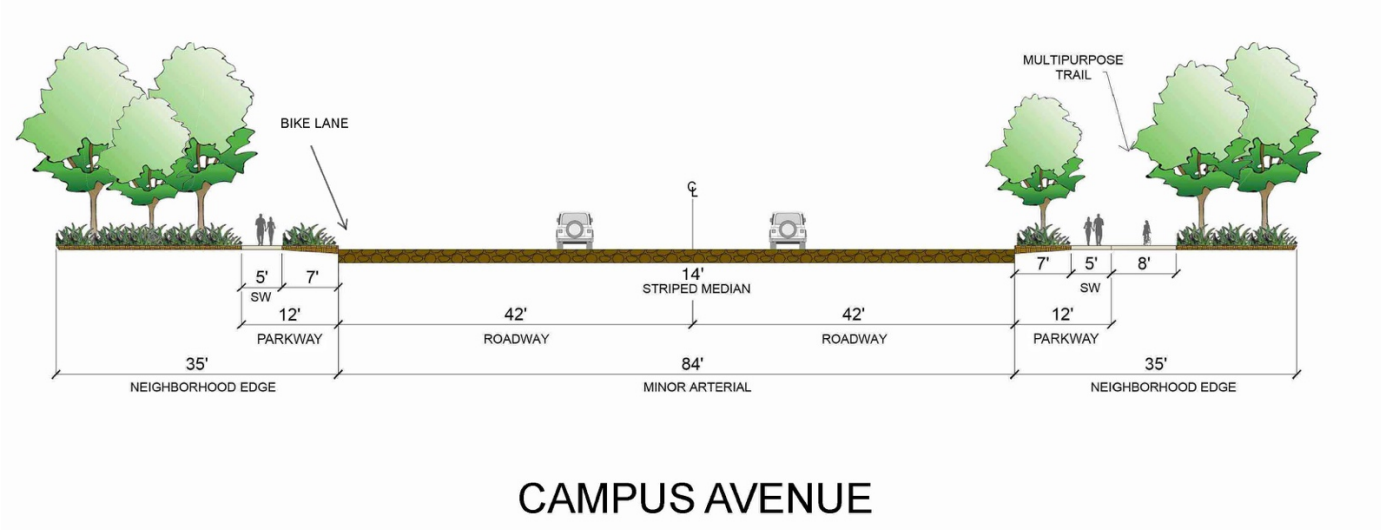


SULTANA AVENUE (66' ROW)

5.3.1.5 Campus Avenue Streetscape

The Campus Avenue section features a 7-foot-wide landscape setback to create a 35-foot Neighborhood Edge (Figure 5.5). The east side of Campus Avenue includes a 12-foot parkway with a 5-foot sidewalk and an 8-foot multi-purpose trail as part of the 35-foot Neighborhood Edge, while the western side includes a 5-foot-wide Class II on-street bike lane at the edge of the street. The Neighborhood Edges include a 7-foot-wide curb-adjacent landscape strip that will be planted with trees and groundcover. Tree species along Campus Avenue include Ulmus parvifolia "Drake" in the parkways with clusters of Tabebuia chrysotricha and Celtis sinensis behind the sidewalk.

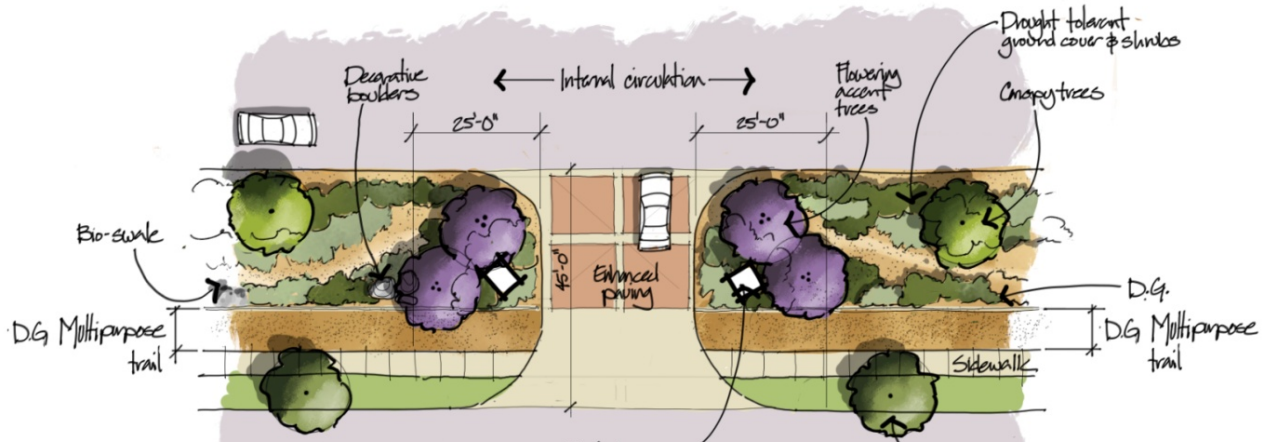
FIGURE 5.5: **CAMPUS AVENUE CONCEPTUAL STREETSCAPE**



5.3.2 Project Entries

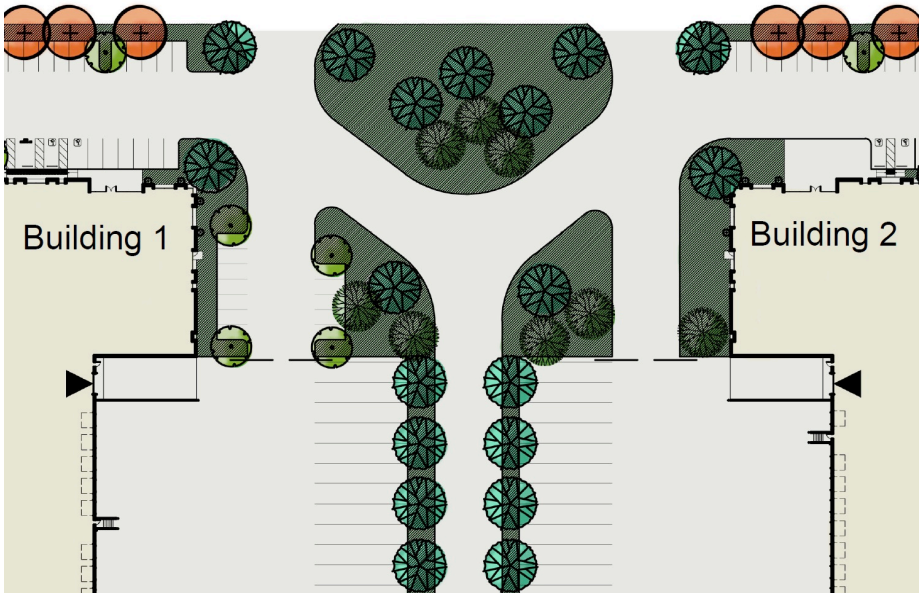
The Specific Plan area includes multiple shared vehicular driveways accessible from Euclid, Eucalyptus, Sultana, Campus and Merrill Avenues. Figure 5.6 presents a typical conceptual entry design featuring enhanced paving; a landscaped setback with flowering accent trees, canopy trees, and drought-tolerant landscaping; a multipurpose trail; sidewalk; and landscaped parkway with street trees.

FIGURE 5.6: **CONCEPTUAL VEHICULAR ENTRY**



The conceptual site plan provides truck access via Sultana Avenue. Figure 5.7 illustrates the conceptual design featuring dedicated entry and exit driveways separated by a landscaped island planted with Coast Live Oak and California Sycamore.

FIGURE 5.7: **CONCEPTUAL TRUCK ENTRY**



5.3.3 Plant Palette

The Plant Palette shown in Table 5.1 establishes a base palette for the Specific Plan area and includes a variety of groundcovers, shrubs, ornamental grasses, and evergreen and deciduous trees. The selection complements the design theme of the Specific Plan area and features water-efficient, drought-tolerant species native to the region. Similar plant materials may be substituted for the species listed in Table 5.1 if the alternative plants are climate appropriate and enhance the thematic setting.

Table 5.1: Plant Palette

Botanical Name	Common Name	Use
Chilopsis linearis	Desert Willow	Tree
Chitalpa tashkentensis	Chitalpa	Tree
Cinnamomum camphora	Camphor Tree	Tree
Cupressus sempervirens	Italian Cypress	Tree
Heteromeles arbutifolia	Toyon	Tree
Juniperus s. 'Skyrocket'	Skyrocket Juniper	Tree
Koelreuteria bipinnata	Chinese Flame Tree	Tree
Lagerstroemia i 'Muskogee'	Crape Myrtle	Tree
Olea europaea	Olive	Tree
Pinus canariensis	Canary Island Pine	Tree
Pinus eldarica	Afghan Pine	Tree
Pistacia chinensis	Chinese Pistache	Tree
Platanus acerifolia	London Plane	Tree
Platanus racemosa	California Sycamore	Tree
Quercus agrifolia	Coast Live Oak	Tree
Schinus molle	California Pepper	Tree
Tristania conferta	Brisbane Box	Tree
Washingtonia filifera	California Fan Palm	Tree
Phoenix dactylifera	Date Palm	Tree
Acca sellowiana	Pineapple Guava	Shrub
Buxus j. 'Green Beauty'	Japanese Boxwood	Hedge
Callistemon 'Little John'	Dwarf Bottle Brush	Shrub
Carissa macrocarpa 'Tuttle'	Natal Plum	Shrub
Cistus 'Sunset Pink'	Sunset Pink Rockrose	Shrub
Dianella 'Little Rev'	Dwarf Dianella	Shrub
Dianella tasmanica	Dianella	Shrub
Dodonaea viscosa 'Purpurea'	Hopseed Bush	Shrub
Eleagnus pungens	Silverberry	Shrub
Leucophyllum f. 'Green Cloud'	Texas Ranger	Shrub
Ligustrum j. texanum	Texas Privet	Shrub
Pittosporum tobira 'Variegata'	Variegated Mock Orange	Hedge
Pittosporum t. 'Wheeleri'	Wheeler's Dwarf	Shrub
Rhaphiolepis i. 'Clara'	Indian Hawthorn	Hedge
Rhaphiolepis i. 'Springtime'	Indian Hawthorn	Hedge
Rhamnus californica	Coffeeberry	Shrub
Rhamnus c. 'Mound San Bruno'	Dwarf Coffeeberry	Shrub
Rosmarinus o. 'Tuscan Blue'	Rosemary	Shrub
Salvia c. 'Allen Chickering'	Allen Chickering Sage	Shrub
Salvia greggii	Autumn Sage	Shrub
Salvia leucantha	Mexican Sage	Shrub
Westringia fruticosa	Coast Rosemary	Shrub
Xylosma congestum	Shiny Xylosma	Hedge
Agave 'Blue Flame'	Blue Flame Agave	Accent
Aloe maculata	Soap Aloe	Accent
Aloe petricola	Stone Aloe	Accent
Aloe polyphylla	Spiral Aloe	Accent
Aloe striata	Coral Aloe	Accent
Echeveria 'Ruffles'	Ruffles Echeveria	Accent
Hesperaloe parviflora	Red Yucca	Accent
Acacia redolens 'Low Boy'	Dwarf Acacia	Groundcover
Baccharis p. 'Pigeon Point'	Dwarf Coyote Bush	Groundcover
Baccharis p. 'Centenial'	Coyote Bush	Groundcover
Carex pansa	California Meadow Sedge	Grass
Carex tumulicola	Foothill Sedge	Grass
Festuca mairei	Altas Fescue	Grass
Festuca o. 'Glauca'	Blue Fescue	Grass
Lonicera j. 'Halliana'	Hall's Honeysuckle	Groundcover
Muhlenbergia capillaris	Pink Muhly	Grass
Myoporum parvifolium	Myoporum	Groundcover
Rosa 'Flower Carpet' - Red	Red Flower Carpet Rose	Groundcover
Rosmarinus o. 'Huntington Carpet'	Prostrate Rosemary	Groundcover
Salvia 'Bee's Bliss'	Bee's Bliss Sage	Groundcover
Senecio mandraliscae	Blue Fingers	Groundcover
Sesleria autumnali	Moor Gras	Grass
Trachelopspermum jasminiode	Star Jasmine	Groundcover
Distictus buccinatoria	Blood-red Trumpet Vine	Vine

5.4 Walls and Fences

Walls and fences are an important design feature intended to both complement building and landscape architecture and provide functional elements. Any proposed entry gates shall be reviewed and approved by the City of Ontario Traffic and Transportation Division prior to installation and will be permitted only if approved.

Key provisions include:

1. Provide attractive, durable, and complementary wall and fencing materials consistent with the building design.
2. Offset and architecturally treat long expanses of wall surfaces every 100 feet with material changes, pilasters and posts, staggered walls, or landscape treatments to prevent visual monotony.
3. Soften the appearance of fencing with plants that reach the height of the wall or fence at maturity.
4. Construct sliding gates visible from a public street with tubular steel, vertical steel pickets, or high-density perforated metal screening painted to match or complement adjacent walls. Interior gates not visible to public view may be galvanized steel or chain link.
5. Prohibit chain link fencing visible to the public.



Wall and Fence Examples

5.5 Buffering and Screening

To alleviate the unsightly appearance of parking, loading and service areas, buffering and screening design features should be used to enhance the overall development. Any proposed entry gates shall be reviewed and approved by the City of Ontario Traffic and Transportation Division prior to installation.

5.5.1 Parking Lots

1. Buffer parking lots adjacent to and visible from public streets using a combination of architectural wing walls, buildings, decorative screen walls, evergreen hedges, and landscape buffers.
2. Use plants for screening that are a minimum of 3 feet tall at the time of installation.



Examples of Parking Lot Buffering

5.5.2 Loading and Service Areas (Truck Courts)

1. Screen loading docks and truck parking areas visible from Euclid Avenue, Eucalyptus Avenue, and Sultana Avenue. Screening may include portions of buildings and/or decorative walls. Landscaping and evergreen hedges shall be provided to soften screen walls.
2. Incorporate gated/screened entrances to loading areas into the overall architectural design of the development.
3. Design walls and fencing a minimum of eight-feet high and a maximum of 14-feet high, as measured from finished grade, to screen truck courts and hide views of the top of loading bays or trailers.
4. Utilize portions of a building, architectural wing walls, and/or landscaping to screen service areas.

5. Screen ground- and roof-mounted mechanical equipment from public view. Ground-mounted equipment shall be screened with decorative walls or landscaping. Building architecture shall be designed to screen roof-mounted equipment.
6. Ensure refuse containers are easily accessible by service vehicles yet screened from public view within the building's façade or within a walled enclosure.
7. Obtain a use permit for outdoor storage, which shall be limited to predefined areas. Storage areas shall be screened from public view by decorative walls or with a minimum height of 8 feet and a maximum height of 14 feet. The height of outdoor storage shall not-exceed the height of screening.



Loading and Service Area Example

5.6 Lighting

Site lighting provides illumination for operations, safety, security, and ambiance in parking lots, loading dock areas, pedestrian walkways, building entrances, signage, and architectural and landscape features.

Key provisions include:

1. Choose lighting fixtures that complement the building architecture and promote consistency throughout the Planning Areas.
2. Install ground or low mounted fixtures to provide safety and convenience along pedestrian walkways, entrances, activity areas, steps, ramps, and special features.
3. Allow building-mounted accent lighting for general illumination provided there is no light spill or distraction onto roadways or adjacent property. Plain shoebox or unshielded wall packs are not permitted.
4. Direct exterior lighting fixtures downward to avoid unnecessary light spill and glare.
5. Limit pole-mounted, building-mounted, or tree-mounted lighting fixtures to no more than 30 feet in height to minimize light spill and glare.
6. Shield and direct pole-mounted lights away from public streets.
7. Ensure exterior lighting is consistent with the Chino Airport Land Use Compatibility Plan.
8. Design parking lot lighting to avoid placing fixtures in required tree locations.

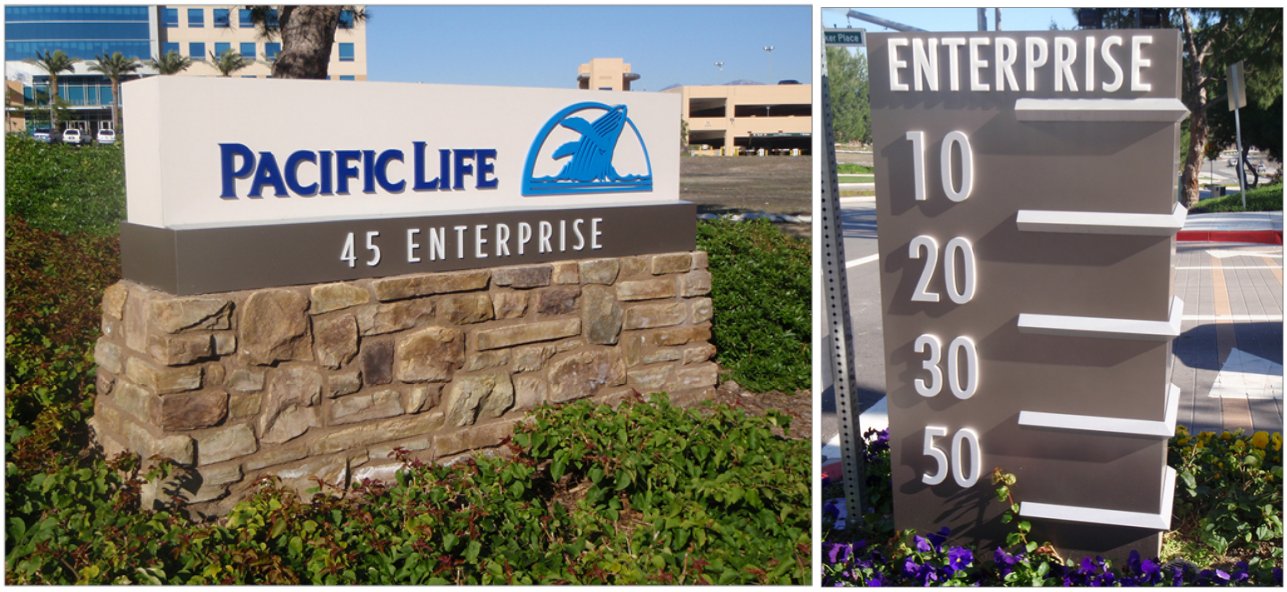
5.7 Signage

Approval of a comprehensive sign program shall be required for development within the Specific Plan area. A sign program facilitates integration of signs with the overall site and building design to create a unified visual statement and provide for flexible application of sign regulations in the design and display of multiple signs.

Key provisions include:

1. Install an entry monument at the northeast corner of Euclid and Merrill Avenues to identify the Ontario Ranch area and/or the Ontario Ranch Business Park. Entry monuments shall be designed in accordance with City of Ontario Traffic and Transportation Guidelines for monument placement.
2. Employ signage to identify a center and tenants within a center, direct vehicular traffic, and provide on-site way-finding for pedestrians.
3. Employ signage within industrial sites to give direction to loading and receiving, visitor parking, and other special uses.
4. Provide a unifying sign theme in developments with multiple users.

5. Coordinate signage with the building design, materials, color, size, and placement.
6. Select signage with backlit or internally illuminated individual channel letters. Can-type box signs with translucent backlit panels are discouraged.
7. Avoid covering significant architectural elements with signage.
8. Position flush-mounted signs with respect to architectural features and align with signs on other buildings to maintain a pattern.
9. Place street address signs perpendicular to approaching vehicular traffic.
10. Ensure signage located within a landscaped planter is not blocked or damaged by plant materials.
11. Conserve energy by utilizing an automatic illumination shut-off mechanism when businesses are closed.
12. Construct signs from high quality materials and avoid exposed wiring, ballasts, conduits, fasteners, raceways, or similar hardware.



Signage Examples





Signage Examples (continued)

5.8 Sustainable Design Strategies

Ontario Ranch Business Park is committed to sustainable design strategies that integrate principles of environmental stewardship into the design and construction process. Appropriate strategies will be determined for each project within the Specific Plan area. Strategies include, but are not limited to:

5.8.1 Sustainable Construction and Technology Concepts

1. Design and construct energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption.
2. Employ passive design including skylights, building orientation, landscaping, and strategic colors to improve building energy performance.
3. Reduce the heat island effect by providing shade structures and trees that produce large canopies. In addition, choose roof and paving materials that possess a high level of solar reflectivity (cool roofs).
4. Use recycled and other environmentally friendly building materials wherever possible.
5. Incorporate skylights into at least two percent of warehouse/distribution building roof area to provide natural light and reduce electric lighting demand.
6. Use energy efficient LED (or similar) products.
7. Provide interior or exterior bicycle storage consistent with the California Green Building Standards Code.
8. Use drought tolerant landscaping with drip irrigation and include plantings such as trees, shrubs, groundcovers and/or vines. Optional amenities include benches, trellises, thematic fencing, and decorative walkways.
9. Employ high performance dual pane window glazing in office storefronts.

5.8.2 Water Quality

1. Utilize landscape areas including retention/infiltration swales and basins or bio-treatment when infiltration is infeasible, as required by the San Bernardino County MS4 Permit and Water Quality Management Plan.
2. Select native and drought tolerant plants to reduce water demand.
3. Integrate permeable pavement and perforated curbs throughout the project area as feasible to allow stormwater to enter planter areas, assist with filtration and control runoff.
4. Use captured runoff to augment irrigation systems whenever possible.
5. Employ irrigation systems that respond to changing weather conditions, irrigate by hydrozone, and use micro-irrigation techniques.

6. Use recycled water to irrigate landscape areas and for other appropriate uses. The use of recycled water for certain purposes is required by the City of Ontario Recycled Water Master Plan.



Sustainable Design Examples

6.0 IMPLEMENTATION

This chapter summarizes the development process for implementation of the Ontario Ranch Business Park Specific Plan and provides for the orderly development of the Specific Plan area.

6.1 Applicability

The provisions, guidelines, and regulations contained within this Specific Plan provide the standards for land uses and development within Ontario Ranch Business Park. The Specific Plan supersedes the development standards and regulations of the Ontario Development Code unless stated otherwise in this document. Whenever the provisions and development standards of the Specific Plan conflict with those of the Ontario Development Code, the Specific Plan shall take precedence. Where the Specific Plan is silent, the Ontario Development Code shall apply.

6.1.1 Definition of Terms

The terms used within the Specific Plan shall mean the same as defined in the Ontario Development Code, unless otherwise noted.

6.2 Severability

The Specific Plan serves as the implementation tool for the City's Policy Plan (General Plan). In the event that any provision of this Specific Plan or its application to any person or circumstance is held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent, and shall not affect the validity of the remaining provisions of this Specific Plan or applications thereof, which can be implemented without the invalid provision or application.

6.3 Interpretation

If an issue, condition, or situation occurs that is not sufficiently covered or provided for in this Specific Plan, those that are applicable for the most similar issue, condition, or situation shall be used. Unless otherwise provided, any ambiguity concerning the content or application of the Specific Plan shall be resolved by the City Planning Director in a manner consistent with the goals, policies, objectives, and intent established in the Specific Plan.

6.4 Consistency with Other Plans and Regulations

This subsection discusses consistency of the Specific Plan with The Ontario Plan, Airport Land Use Compatibility Plans, the California Building Code, and CEQA.

6.4.1 Consistency with The Ontario Plan

No land use, activity, or facility shall be permitted that is inconsistent with the objectives, policies, general land uses, and programs of The Ontario Plan, as amended.

The Ontario Ranch Business Park entitlement application includes a General Plan Amendment to change the site's land use designations to Business Park and General Industrial to be consistent with this Specific Plan.

6.4.2 Consistency with Airport Land Use Compatibility Plans

Projects located within the Specific Plan area are subject to the restrictions and provisions of the Airport Land Use Compatibility Plans prepared for Ontario International Airport and Chino Airport.

6.4.3 Consistency with California Building Code

Projects located within the Specific Plan area must comply with the State of California Building Code as adopted and implemented by the City of Ontario.

6.4.4 Consistency with CEQA

The City of Ontario is defined as the lead agency under the California Environmental Quality Act (CEQA) based upon its authority to approve this Specific Plan. Concurrent with approval of this Specific Plan, the City Council will be required to certify the associated Environmental Impact Report (EIR), including a Mitigation Monitoring and Reporting Program to ensure that all approved EIR mitigation measures are implemented. The Planning Director shall be responsible for confirming that mitigation measures have been implemented through each project's approved plans.

6.5 Specific Plan Revisions

It is recognized that modifications to the text or exhibits of this Specific Plan may be warranted in the future to accommodate unforeseen conditions or events. Revisions shall be processed in a manner prescribed by the City of Ontario Planning Department pursuant to the provisions in this section.

6.5.1 Minor Modifications to the Specific Plan

Minor modifications to the Specific Plan will be processed administratively without the submission of a formal Specific Plan Amendment application and will not require a public hearing or review by the Planning Commission. The Planning Director shall have the authority to review and make a determination of approval, approval with conditions, or denial of a request for minor modification to the Specific Plan. The Planning Director may, at his/her discretion, refer any such request to the Planning Commission or the City Council.

Minor modifications are defined as:

1. Expansions or reductions to a Planning Area boundary or acreage, provided that the total acreage within each affected Planning Area is not modified by more than 20 percent.
2. An increase in maximum building area for single- and multi-tenant buildings of up to 20 percent, provided that the maximum square footage for the Planning Area established by this Specific Plan is not exceeded.

3. A modification of up to 20 percent of a project's required minimum lot area, minimum lot dimensions, or setback if compatible with the surrounding land uses and consistent with the overall design character of the Ontario Ranch Business Park.
4. Additions, deletions, or modifications to Table 4.1, Allowable Uses, which lists the permitted and conditionally permitted uses in the Specific Plan area, provided the Planning Director determines the changes to be consistent with the objectives and intent of the Specific Plan.
5. Minor modification of conceptual design criteria for architectural features and materials, landscape treatments, lighting, signage, and sustainable design strategies.
6. Revisions to roadway alignment when the change results in centerline shift of less than 250 feet.
7. Revisions to infrastructure facility sizing and precise location for dry utilities, water, sewer, and storm drainage improvements subject to approval of the City Engineer.
8. Changes to the Phasing Plan, provided infrastructure is available to serve the phase as determined by the City Engineer.
9. Revisions to exhibits in the Specific Plan that do not substantially change its intent or character.
10. Modifications of a similar nature to those listed above, which are deemed minor by the Planning Director and conform to the purpose and intent of this Specific Plan and The Ontario Plan.

6.5.2 Specific Plan Amendments

Proposed changes to this Specific Plan that do not meet the criteria for a Minor Modification will be subject to a formal Specific Plan Amendment application process pursuant to Section 4.01.035 of the Ontario Development Code and California Government Code Section 65450, et seq.

If the proposed amendment requires supplemental environmental analysis pursuant to CEQA, the applicant will adhere to the City's adopted procedures and CEQA Guidelines.

6.6 Subdivision Maps

Development within the Specific Plan area may require the processing of tentative and final tract or parcel maps and/or lot line adjustments or mergers. Subdivision maps and lot changes shall be reviewed and approved pursuant to Section 4.02.085 of the Ontario Development Code and other applicable City codes and regulations, California Government Code Section 66410 et seq. (Subdivision Map Act), as well as the provisions of this Specific Plan.

6.7 Development and Land Use Review Procedures

Review procedures for development and land use within the Specific Plan area shall be as provided in this Specific Plan and in accordance with the Ontario Development Code.

6.7.1 Development Plan Review

Development proposed within the Specific Plan area will be subject to Development Plan review pursuant to Section 4.02.025 of the Ontario Development Code. The review is intended to ensure compliance with the provisions of this Specific Plan, protect the integrity and character of the physical composition of the City, and encourage high quality development.

6.7.2 Conditional Use Permit

A Conditional Use Permit is required for uses deemed "conditionally permitted" in Table 4.1 (Allowable Uses). Applications for a Conditional Use Permit will be processed pursuant to Section 4.02.015 of the Ontario Development Code.

6.7.3 Administrative Use Permit

An Administrative Use Permit is required for uses deemed "administratively permitted" in Table 4.1 (Allowable Uses). Applications for an Administrative Use Permit will be processed pursuant to Section 4.03.015 of the Ontario Development Code.

6.7.4 Appeals

Appeals of decisions of the Development Advisory Board, Zoning Administrator, Planning Director or the Planning Commission regarding implementation of this Specific Plan may be made by the applicant or other aggrieved party pursuant to Division 2.04 of the Ontario Development Code.

6.8 Development Agreement

Approval of a statutory development agreement authorized pursuant to California Government Code Section 65864 et seq. is required by this Specific Plan. The Development Agreement shall include, but not be limited to, methods for financing, acquisition, and construction of necessary infrastructure. The Development Agreement shall be fully executed prior to recordation of the first Final Map.

6.9 Specific Plan Phasing

Implementation of this Specific Plan is anticipated to occur in three phases, as discussed in Chapter 3.11, Phasing Plan (Figure 3.19):

- Phase 1: Construction of the storage, warehousing, and/or industrial uses in Planning Area 2.
- Phase 2: Construction of the business park uses in Planning Area 1.
- Phase 3: Construction of the storage, warehousing, and/or industrial uses in Planning Area 4 and construction of the business park uses in Planning Area 3.

These phases may be developed as sub-phases and may occur either sequentially or concurrently with one another.

All of the Specific Plan required infrastructure by Section 3.4 (Figure 3.9) for Potable Water, Section 3.5 (Figure 3.11) for Recycled Water, and Section 3.6 (Figure 3.13) for Sewer phasing will be determined per separate Development Agreement.

6.9.1 Phasing Objectives

Development phasing shall meet the following objectives:

1. The orderly build-out of the project based upon market and economic conditions;
2. The provision of adequate parking, infrastructure, and public facilities concurrent with the development of each phase; and
3. The protection of the public health, safety, and welfare.

6.9.2 Findings for Modification of the Phasing Plan

The Planning Director shall have the authority to approve modification of the Phasing Plan, subject to the following findings:

1. The modification is consistent with the Policy Plan (General Plan);
2. The modification will not adversely affect the implementation of the Specific Plan;
3. The modification will not be detrimental to public health, safety, and general welfare; and
4. The modification will not delay the construction of infrastructure improvements necessary to serve the development.

6.10 Financing of Public Improvements

The financing of the construction, operation, and maintenance of public infrastructure improvements, facilities, and services within the Specific Plan area shall be provided through a combination of mechanisms. Final determination of the scope of improvements, maintenance responsibilities, and funding sources shall be specified in the approved Development Agreement, executed prior to recordation of the first Final Map.

Financing options may include, but are not limited to, the following:

1. Private capital investment by the project developer, the property owner(s), or a Property Owners Association.
2. Private capital investment by a consortium of property owners and/or developers of the project and/or surrounding area.
3. Community Facilities District (CFD) established pursuant to the Mello-Roos Community Facilities District Act of 1982, or other special district, to provide funding for the construction of public facilities or the provision of public services. City Council approval is a prerequisite for use of special district financing mechanisms.
4. Development Impact Fee (DIF) credits to be applied for infrastructure completed by the project developer. The City does not issue DIF credits unless the developer has entered into a separate DIF credit agreement after approval of the Development Agreement.
5. Enhanced Infrastructure Financing District to fund infrastructure development through tax increment financing pursuant to Senate Bill 628.
6. Community Revitalization and Investment Authorities (CRIA) to fund infrastructure development through tax increment financing pursuant to Assembly Bill 2.

6.11 Maintenance Plan

Final determination of maintenance responsibilities for the public and private improvements constructed in association with this Specific Plan shall be specified in the approved Development Agreement, which shall be executed prior to recordation of the first Final Map. However, it is anticipated that maintenance shall be generally shared by three entities as described below and outlined in Table 6.1, Maintenance Responsibilities.

6.11.1 City of Ontario, Community Facilities District & other Special District

The establishment of a community facilities district, landscape and lighting district, or other special district to fund the maintenance of public facilities shall be at the City's discretion. It is anticipated that public maintenance shall include the following:

1. Right-of-way for public streets within the Specific Plan area (Euclid Avenue, Eucalyptus Avenue, Merrill Avenue, Campus Avenue, and Sultana Avenue) shall be dedicated to the City of Ontario per the provisions of this Specific Plan (Chapter 3, Development Plan) and as approved by the City Engineer.
2. Landscape improvements and public streetlights within the public right-of-way and neighborhood edge shall be maintained through a landscape and lighting district or other special maintenance district established by the City.
3. The City shall maintain off-site infrastructure improvements, including water, recycled water, sewer, and storm drainage facilities after they are accepted by the City.
4. The City shall maintain NPDES facilities located within the curb-to-curb area of public streets after they are accepted by the City. Operation and maintenance requirements for NPDES stormwater runoff source control and treatment control Best Management Practices shall be identified in the approved Water Quality Management Plan for the project.

6.11.2 Property Owners Association

A Property Owners Association (POA) shall be established for the maintenance of common areas, including such improvements as on-site landscape areas and parking and drive aisles within Ontario Ranch Business Park. It is anticipated that improvements maintained by the POA will include the following:

1. Driveways;
2. On-site open spaces, on-site landscape areas, common areas, parking lots, and walkways;
3. Landscaping within setback/landscape buffer areas along Sultana Avenue;
4. NPDES facilities within landscape setbacks and on-site common areas;
5. Property identification signage and architectural elements located within the landscaped buffer;
6. Fencing and walls, including graffiti removal; and
7. Water, sewer, recycled water facilities and storm drainage facilities located on-site shall be constructed by the developer are considered privately owned and maintained by property

owners or Property Owners Association however the Property Owners Association shall maintain permanent on-site water quality basins, trenches, swales and biotreatment filters required by the San Bernardino County MS4 Permit and Water Quality Management Plan.

Table 6.1 – Maintenance Responsibilities

Area of Responsibility	City or Special District	Property Owners Association	Utility
Master Planned Roadways: Euclid Avenue, Eucalyptus Avenue, Merrill Avenue, Sultana Avenue and Campus Avenue			
Curb-to-curb improvements	♦		
Behind the curb improvements - landscaping within the public right-of-way (parkways), sidewalks and neighborhood edge	♦		
Other Improvements			
Traffic Signals and Traffic Control Signs on public streets	♦		
Streetlights in the public right-of-way	♦		
Drive aisles		♦	
On-site parking areas		♦	
Common open space		♦	
Landscaping within setback/landscape buffer areas (Sultana Ave)		♦	
Monument signage		♦	
Walls and fences		♦	
Stormwater drainage/water quality control facilities within the curb-to-curb area of public streets	♦		
Stormwater drainage/water quality control facilities behind the curb		♦	
Water, recycled water, and sewer infrastructure in the public right-of-way	♦		
Dry utilities: electricity, natural gas, communication systems			♦

6.12 Additional Entitlement Requirements

Currently, there are no existing City utilities, nor any improvement plans for City Utilities in the vicinity of the Specific Plan area. Several miles of new infrastructure are required to provide City utility services to the Specific Plan area. To ensure orderly expansion of the City Utility Systems and other City Infrastructure, the following Additional Entitlement Requirements are imposed upon all Subdivision Maps and Developments within the Specific Plan area.

6.12.1 Conceptual Design Report

Prior to approval of any entitlement application (e.g., subdivision maps, Development Plan Reviews), a conceptual design report shall be prepared and submitted to the Development Agency Engineering Department and the Utilities Engineering Department for review and approval for the established extent of all public improvements required for the project. The study shall identify existing and future rights-of-ways (ROW) and infrastructure improvements and establish all vertical and horizontal alignments for each utility. The report shall include cross-sections, profiles, and any supporting details needed to demonstrate that utilities can be adequately accommodated in the public ROW. The study shall account for all utility conflicts, right-of-way variations, existing obstructions, and the timing of utility installation. Utilities cannot be located along an alignment that conflicts with existing conditions (e.g., electrical poles, private property) unless that applicant is accepting the responsibility of modifying the existing conditions (e.g., undergrounding, relocation, ROW acquisition).

Western Trunk Sewershed Scope: In order to assure that the Western Trunk Sewer (WTS) is designed to serve its entire Sewer Master Plan Tributary Area, all the Master Plan Trunk Sewers connecting to the WTS and the WTS shall be included in the Conceptual Design Report. This shall include: the Western Trunk Sewer from the Inland Empire Utility Agency's Kimball Interceptor to the Whispering Lakes Pump Station Riverside Drive and Carpenter Avenue; the Euclid Trunk Sewer from the Western Trunk Sewer in Merrill Avenue to Chino Avenue; the Bon View Trunk Sewer from the Western Trunk Sewer in Merrill Avenue to Chino Avenue; the Grove Trunk Sewer from the Western Trunk Sewer in Merrill Avenue to Chino Avenue; the Walker Trunk Sewer from the Western Trunk Sewer in Schaeffer Avenue to Chino Avenue.

6.12.2 Preliminary Design Report

As a condition of entitlements (subdivision maps, Development Plan Reviews, etc.) within the Specific Plan and prior to submittal of Infrastructure Improvements Plans, a Preliminary Design Report (PDR) for all public infrastructure shall be submitted and approved by the Development Agency Engineering Department and the Utilities Engineering Department. The PDR shall include the following:

Conceptual Design Compliance: A discussion modifying or confirming the conceptual design established with the Project's Conceptual Design Report. The study shall confirm all rights-of-ways (ROW), infrastructure improvements, and vertical and horizontal alignments for each utility.

Street Cross Sections and Profiles shall be provided for each public street, private street and Public Utility Easement (PUE) containing a public utility and at any points along the alignments where the ROW varies. The cross sections shall show the location and size of each utility and shall annotate the property/ROW lines, the type of finished surface material, the distance of each utility from centerline, the depth from finished surface to top of pipe, and the distance between utilities (outside wall to outside wall).

Constructability Review: The report shall include a discussion of the constructability issues along the proposed alignment and identify the recommended construction methods that may be utilized. The study shall perform field investigation (field survey and potholing) in order to identify potential utility conflicts, right-of-way variations, existing obstructions, and constructability issues created by the timing of utility installation.

Supporting Details: The PDR shall include any supporting details needed to demonstrate that utilities can be adequately accommodated in the public ROW, such as the placement of large appurtenances and clearance from existing obstructions.

30% Design Drawings: The PDR findings shall be incorporated into a 30% design plan set and included in the PDR.

Western Trunk Sewershed Scope: In order to qualify for Development Impact Fees (DIF) and to assure that the Western Trunk Sewer (WTS) is designed to serve its entire Sewer Master Plan Tributary Area,

the PDR shall include all the Master Plan Trunk Sewers connecting to the WTS and the WTS. The PDR shall include: the Western Trunk Sewer from the Kimball Interceptor to the Whispering Lakes Pump Station Riverside Drive and Carpenter Avenue; the Euclid Trunk Sewer from the Western Trunk Sewer in Merrill Avenue to Chino Avenue; the Bon View Trunk Sewer from the Western Trunk Sewer in Merrill Avenue to Chino Avenue; the Grove Trunk Sewer from the Western Trunk Sewer in Merrill Avenue to Chino Avenue; the Walker Trunk Sewer from the Western Trunk Sewer in Schaeffer Avenue to Chino Avenue. At minimum, the PDRs shall include:

Horizontal and vertical alignment studies assuring that the entire sewershed and subsewersheds can be sewered.

Sewer sizing hydraulic calculations assuring the Trunk Sewer, with the proposed designs, can accommodate the Master Plan Flows meeting Master Plan Design Criteria.

As it relates to Ontario Ranch Business Park, this requirement has already been completed by the developer and no additional reports are required.

7.0 GENERAL PLAN CONSISTENCY

California Government Code (Title 7, Division 1, Chapter 3, Article 8, Section 65440-65457) permits the adoption and administration of Specific Plans as an implementation tool for elements contained within a jurisdiction's local General Plan. Approval of this Specific Plan is based on the finding that the regulations, guidelines, and programs contained within this Specific Plan are consistent with The Ontario Plan. The Ontario Plan establishes the direction and vision for the City of Ontario and provides a single comprehensive document to shape its future. The Ontario Plan provides for policies to accommodate change over its 30-year lifespan. The Ontario Plan consists of a six-part Component Framework: 1) Vision, 2) Governance Manual, 3) Policy Plan, 4) City Council Priorities, 5) Implementation, and 6) Tracking and Feedback. The following sections demonstrate the Ontario Ranch Business Park Specific Plan implements the goals and policies of the City's Policy Plan (General Plan).

7.1 Land Use Element

GOAL LU1:	**A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.**

Policy LU1-2 Sustainable Community Strategy

We integrate state, regional, and local Sustainable Community/Smart Growth principles into the development and entitlement process.

The Specific Plan encourages the efficient use of energy resources in design, product selection, and operational techniques. The Design Guidelines in Chapter 5 address lighting, bicycle parking, sustainable landscaping, and sustainable design strategies. Landscape provisions require the use of native drought-resistant vegetation and shade trees to conserve water and reduce heat islands. The sustainable design strategies include design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption. Protecting water quality, reducing runoff, and reducing water demand for landscaping are promoted in the Development Plan in Chapter 3 through the recycled water plan and storm drainage facilities source control and treatment practices.

Policy LU1-3 Adequate Capacity

We require adequate infrastructure and services for all development.

The Specific Plan establishes a Phasing Plan that has been coordinated with affected infrastructure providers and ensures that uses on the project site will be adequately served. The Specific Plan requires infrastructure development to occur in a timely manner. Potable and recycled water, sewer, fiber optic communications, and storm drain infrastructure improvements that will ultimately serve the Specific

Plan area are addressed in Chapter 3, Development Plan. Infrastructure and services will be consistent with City of Ontario infrastructure master plans and the approved development agreement.

GOAL LU2: Compatibility between a wide-range of uses.

Policy LU2-3 Hazardous Uses

We regulate the development of industrial and similar uses that use, store, produce or transport toxic substances, air emissions, other pollutants or hazardous materials.

Uses within the Specific Plan are required to comply with federal, state, and local regulations pertaining to the use, storage, disposal, and transportation of hazardous materials, toxic substances, and other pollutants.

Policy LU2-5 Regulation of Uses

We regulate the location, concentration and operations of uses that have impacts on surrounding uses.

The Specific Plan land use plan contained in Chapter 3, Development Plan, utilizes the Business Park designation (Planning Area 1) to buffer the Industrial-General (IG) land use designation (Planning Area 2) from the existing residential uses located across Euclid Avenue within the City of Chino. Chapter 4, Land Use and Development Standards, restricts Planning Area 1 to less intense business park uses and requires the building height to be lower. Furthermore, the conceptual site design places truck traffic ingress and egress and visible loading docks away from the existing residential uses.

Policy LU2-6 Infrastructure Compatibility

We require infrastructure to be aesthetically pleasing and in context with the community character.

The Specific Plan design guidelines (Chapter 5) are intended to support high-quality development that complements the surrounding community. Landscaped areas and drive entrances will be planned to separate parking areas and keep the parking lot from being the dominant visual element of the site. The Specific Plan also establishes landscape setback requirements (Chapter 4, Land Use and Development Standards) and conceptual streetscape design (Chapter 5, Design Guidelines) along all roadways within the Specific Plan area to create safe and attractive streets for pedestrians and motorists and ensure cohesive patterns of development.

Policy LU2-9 Methane Gas Sites

We require sensitive land uses and new uses on former dairy farms or other methane-producing sites to be designed to minimize health risks.

The Specific Plan incorporates into its Implementation Plan (Chapter 6) requirements for the project to comply with any mitigation measures identified in the project environmental impact report, including those for soil remediation and proper venting to address the potential existence of methane gases within the Specific Plan area.

GOAL LU5:	Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.

Policy LU5-7 ALUCP Consistency with Land Use Regulations

We comply with state law that requires policy plan/general plans, specific plans, and all new development be consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

The Specific Plan area is within the Ontario International Airport Influence Area and the Chino Airport Influence Area. The Specific Plan discusses compliance with the ALUCP requirements for the Ontario Airport and the Chino Airport in Chapter 2, Section 2.2, Airport Influence Areas.

7.2 Community Design Element

GOAL CD1:	A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

Policy CD1-2 Growth Areas

We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

The Specific Plan design guidelines (Chapter 5, Design Guidelines) and development standards (Chapter 4, Land Use and Development Standards) ensure high quality, cohesive, attractive, and appropriately-scaled development that complements and integrates into the Ontario Ranch community and adds value to the City.

GOAL CD2:	A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional, and distinct.

Policy CD2-1 Quality Architecture

We encourage all developments to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section, and elevation through all aspects of the building and site design and appropriate for its setting;
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

The Specific Plan design guidelines (Chapter 5) ensure that: 1) scale, massing, fenestration, materials, and colors are consistent with the building's architectural style and compatible with the overall design in the Specific Plan area, 2) articulation is provided through elements such as cornices, parapets,

expression lines, and changes in materials and/or colors, 3) use of a variety of colors, materials, and/or textures on each building is appropriate to the architectural features or massing.

Policy CD2-5 Streetscapes

We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identify through improvements to the public right-of-way such as sidewalks, street trees, parkways, curbs, street lighting, and street furniture.

Chapter 3.3, Circulation Plan, addresses connectivity, street improvements, pedestrian and bicycle plans, and transit. In Chapter 5.3, Landscape Design, the Specific Plan identifies street improvements and streetscape including parkways, street trees, sidewalks, landscape buffers, and street lighting for Euclid Avenue, Eucalyptus Avenue, Merrill Avenue, and Sultana Avenue within the Specific Plan area, which are consistent with the Circulation Element of The Ontario Plan. The Specific Plan streetscape design creates an aesthetically pleasing view for pedestrians and motorists, screens parking and loading areas from the public right-of-way, and visually integrates the development into the surrounding Ontario Ranch community.

Policy CD2-6 Connectivity

We promote development of local street patterns and pedestrian networks that create and unify neighborhoods, rather than divide them, and create cohesive and continuous corridors, rather than independent "islands".

The Specific Plan creates an efficient street system by providing convenient connections with adjacent land uses in compliance with the vision of The Ontario Plan Circulation Element. Roads will be improved with sidewalks, trails and bikeways to supplement vehicular transportation through the design of Specific Plan street sections (Chapter 3.3: Circulation Plan) and streetscape (Chapter 5.3, Landscape Design).

Policy CD2-7 Sustainability

We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

The Specific Plan is committed to sustainable design strategies that integrate principles of environmental stewardship into the design, construction and operation process. The Specific Plan incorporates sustainability principles into its design guidelines (Chapter 5.8, Sustainable Design Strategies), such as drought tolerant landscaping, skylights in warehouse/distribution buildings to provide natural light and reduce lighting demand, high performance dual pane glazing in office storefronts, and LED products for energy efficient site lighting. Design strategies include the design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption. The use of recycled water to irrigate landscape is

required by the Specific Plan's Recycled Water Plan (Chapter 3.5), consistent with the City of Ontario Recycled Water Master Plan.

Policy CD2-9 Landscape Design

We encourage durable landscaping materials and designs that enhance the aesthetics of structure, create and define public and private spaces, and provide shade and environmental benefits.

Consistent with the vision for Ontario Ranch as outlined in the Ontario Ranch Streetscape Master Plan, the Specific Plan (Chapter 5.3, Landscape Design) provides for landscaped setbacks and landscaped parkways adjacent to bike lanes and sidewalks, defining these public spaces. The landscaped setbacks and parkways will include drought-tolerant plants featuring colorful shrubs and groundcovers, ornamental grasses and succulents, evergreen and deciduous trees, and species native to Southern California or naturalized to the arid Southern California climate to promote durable plant materials. The plant selection will complement the design theme of the Specific Plan area. Parking lot landscaping will reduce associated heat buildup, improve aesthetics, and integrate into onsite landscape design and adjacent streetscapes. Swaled landscape areas will retain/infiltrate stormwater run-off to improve water quality and promote groundwater recharge. Shade trees thoughtfully located near expanses of paving, building walls, roofs, and windows will reduce the impacts of heat gain.

Policy CD2-11 Entry Statements

We encourage the inclusion of amenities, signage, and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

The Specific Plan establishes design guidelines to ensure high-quality development and a sense of place. As discussed in Chapter 5.3, Landscape Design, Euclid, Eucalyptus, Merrill and Sultana Avenues will feature landscaped setbacks adjacent to the Specific Plan area that will provide attractive entries to the site. An entry monument will be located at the northeast corner of Euclid and Merrill Avenues to identify the Ontario Ranch area and/or the Ontario Ranch Business Park.

Policy CD2-12 Site and Building Signage

We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structure.

The Specific Plan (Chapter 5.7, Signage) requires approval of a comprehensive sign program to address parcel identification, building identification and directional signage within the Specific Plan area. A comprehensive sign program will integrate project signage with the overall design of the site and structures to create a unified visual statement. A comprehensive sign program provides a means for flexible application of sign regulations to provide incentive and latitude in the design and display of multiple signs. Industrial uses on the site will also be appropriately signed to give direction to loading and receiving, visitor parking, and other special uses.

GOAL CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing, and safe during all hours.

Policy CD3-1 Design

We require that pedestrian, vehicular, bicycle, and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort, and aesthetics.

The Specific Plan (Chapter 3.3, Circulation Plan) coordinates street, trail, and bikeway designs to serve onsite land uses and extend access to the surrounding area in compliance with The Ontario Plan Mobility Element. The Specific Plan specifies street improvements for Euclid Avenue, Eucalyptus Avenue, Merrill Avenue, and Sultana Avenue. The Specific Plan streetscape design (Chapter 5.3, Landscape Design) provides an aesthetically pleasing view for pedestrians and motorists, screens parking and loading areas from the public right-of-way, and integrates the development into the surrounding community.

Policy CD3-5 Paving

We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public places.

The Specific Plan development standards (Chapter 4, Land Use and Development Standards) require that design and materials for sidewalks and road surfaces within the Specific Plan area be approved by the City's Engineering Department. Specific Plan design guidelines (Chapter 5) encourage the use of enhanced paving to mark major building entries and paving materials that possesses a high level of solar reflectivity to reduce the heat island effect.

GOAL CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investment.

Policy CD5-1 Maintenance of Buildings and Property

We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.

The Specific Plan includes a Maintenance Responsibility Matrix in Chapter 6, Implementation, identifying the parties responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Specific Plan area. Privately owned buildings will be maintained as specified by the Property Owners Association (Chapter 6.10.2).

Policy CD5-2 Maintenance of Infrastructure

We require the continued maintenance of infrastructure.

The Specific Plan includes a Maintenance Responsibility Matrix in Chapter 6, Implementation, identifying the parties responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Specific Plan area.

7.3 Mobility Element

GOAL M1: A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.

Policy M1-1 Roadway Design and Maintenance

We require our roadways to:

- Comply with federal, state, and local design and safety standards.
- Meet the needs of multiple transportation modes and users.
- Handle the capacity envisioned in the Functional Roadway Classification Plan.
- Endeavour to maintain a peak hour Level of Service (LOS) E or better at all intersections.
- Be compatible with the streetscape and surrounding land uses.
- Be maintained in accordance with best practices and our Right-of-Way Management Plan

The Specific Plan complies with the Functional Roadway Classification Plan of the Mobility Element and, therefore, aims to comply with federal, state, and local design and safety standards; meet the needs of multiple transportation modes and users; and maintain a Level of Service of E or better at all intersections addressed in the project environmental impact report. Specific Plan site design strives to minimize the effects of truck traffic on nearby residential uses by locating truck entries and loading docks away from residential use.

Policy M1-2 Mitigation of Impacts

We require development to mitigate its traffic impact.

The Specific Plan requires in Chapter 6.3.4, Compliance with CEQA, that projects within the Specific Plan area comply with all mitigation measures, conditions, and project design features identified in the project environmental impact report. Chapter 5.1, Site Design, provides guidelines to ensure buildings, structures, and loading facilities will be designed so loading and unloading activities occur on-site without extending beyond the property line.

GOAL M2: A system of trails and corridors that facilitate and encourage bicycling and walking.

Policy M2-1 Bikeway Plan

We maintain our Multipurpose Trails & Bikeway Corridor Plan to create a comprehensive system of on- and off-street bikeways that connect residential areas, businesses, schools, parks, and other key destination points.

The Specific Plan includes a Circulation Plan in Chapter 3 to provide connectivity to the trails and bikeway corridors identified in the Ontario Multipurpose Trails and Bikeway Corridor Plan, including

installation of a Class II Bikeway along Merrill Avenue and multipurpose trails along Euclid, Eucalyptus, and Merrill Avenues.

Policy M2-3 Pedestrian Walkways

We require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, and other key destination points.

The Specific Plan street sections and streetscape designs (Chapter 3.1, Circulation Plan and Chapter 5.3, Landscape Design) provide for construction of five-foot wide public pedestrian sidewalks for Euclid Avenue, Eucalyptus Avenue, Merrill Avenue, and Sultana Avenue to connect with adjacent existing and planned pedestrian circulation systems. Pedestrian sidewalks are separated from vehicular travel lanes by a landscaped parkway. Proposed improvements for the Specific Plan area streets are consistent with the City's Ontario Ranch Streetscape Master Plan.

GOAL M3: A public transit system that is a viable alternative to automobile travel and meets basic transportation needs of the transit dependent.

Policy M3-2 Transit Facilities at New Development

We require new development to provide transit facilities, such as bus shelters, transit bays and turnouts, as necessary.

The Specific Plan discusses in Chapter 3.3.10, Transit, that the City is coordinating with regional transit agencies to implement Bus Rapid Transit (BRT) service to target destinations and along corridors, including Euclid Avenue on the western boundary of the Specific Plan area.

GOAL M4: An efficient flow of goods through the City that maximizes economic benefits and minimizes negative impacts.

Policy M4-1 Truck Routes

We designate and maintain a network of City truck routes that provide for the effective transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses, as shown as shown in the Truck Routes Plan..

The Specific Plan is designed to enable easy vehicular access to the truck route network and to encourage its industrial users to implement effective goods movement strategies. The Land Use and Circulation Plans for the Specific Plan area (Chapter 3, Development Plan) are designed to direct truck traffic away from nearby residential use in the City of Chino and focus trucks on the designated Merrill Avenue truck route. Chapter 3.1, Site Design, of the Design Guidelines stipulates buildings, structures, and loading facilities will be designed to ensure that loading and unloading activities and maneuvering of freight vehicles occurs on-site without extending beyond the property line.

7.4 Environmental Resources Element

GOAL ER1: A reliable and cost effective system that permits the City to manage its diverse water resources and needs.

Policy ER1-3 Conservation

We require conservation strategies that reduce water usage.

The Specific Plan incorporates water conservation strategies into its development plan and design guidelines. The use of recycled water to irrigate landscape areas is required consistent with the City of Ontario Recycled Water Master Plan (Chapter 3, Development Plan). Landscape and irrigation plans are encouraged to use water conservation features such as drought-tolerant plant species native to the region and drip irrigation (Chapter 5, Design Guidelines). The Specific Plan encourages the design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption.

Policy ER1-5 Groundwater Management

We protect groundwater quality by incorporating strategies that prevent pollution, require remediation where necessary, capture and treat urban run-off, and recharge the aquifer.

In Chapter 3.7, Storm Drainage Plans, the Specific Plan stipulates that prior to issuance of grading or construction permits, a Storm Water Pollution Prevention Plan (SWPPP) be prepared and approved by the City. The SWPPP will identify and detail appropriate Best Management Practices (BMPs) to prevent pollutant discharge into storm drain systems and natural drainages and aquifers. In addition to the preparation of a SWPPP, a WQMP will be prepared and approved that will enforce long-term BMPs to prevent pollutant discharges into storm drain systems, for the life of the project. Chapter 5.8.2, Water Quality, requires the provision of on-site landscape swales to collect and treat stormwater run-off.

Policy ER1-6 Urban Run-off Quantity

We encourage the use of low impact development strategies to intercept run-off, slow the discharge rate, increase infiltration, and ultimately reduce discharge volumes to traditional storm drain systems.

The Specific Plan (Chapter 3.9, Storm Drainage Plan) incorporates low impact development strategies including landscape designs that promote water retention; permeable surface designs in parking lots and areas with low traffic; parking lots that drain to landscaped areas to provide treatment, retention, or infiltration; and limited soil compaction during grading.

Policy ER1-7 Urban Run-off Quality

We require the control and management of urban run-off, consistent with Regional Water Quality Control Board regulations.

In Chapter 3.9, Storm Drainage Plan, the Specific Plan states that prior to issuance of grading or construction permits, a Water Quality Management Plan (WQMP) is required to minimize stormwater

runoff and provide on-site opportunities for groundwater recharge integrated into project design and amenities. The grading and drainage of the Specific Plan area will be designed to retain/infilter, harvest & re-use or biotreat surface runoff to comply with the current requirements of the San Bernardino County NPDES Stormwater Program's WQMP for significant new development projects.

Policy ER1-8 Wastewater Management

We require the management of wastewater discharge and collection consistent with waste discharge requirements adopted by the Regional Water Quality Control Board.

In Chapter 3.6, Sewer Plan, the Specific Plan provides for design of a wastewater system consistent with City and Regional Water Quality Board requirements. The Specific Plan includes a network of new public sewer mains consistent with the City of Ontario's Ultimate Sewer System Plan.

GOAL ER3: Cost-effective and reliable energy system sustained through a combination of low impact building, site and neighborhood energy conservation and diverse sources of energy generation that collectively helps to minimize the region's carbon footprint.

Policy ER3-1 Conservation Strategy

We require conservation as the first strategy to be employed to meet applicable energy-saving standards.

The Specific Plan incorporates energy-saving conservation strategies into its design guidelines (Chapter 5) by addressing lighting, bicycle parking, sustainable landscaping, and energy efficiency. Sustainable design strategies (Chapter 5.8) include design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption.

Policy ER3-3 Building and Site Design

We require new construction to incorporate energy efficient building and site design strategies, which could include appropriate solar orientation, maximum use of natural daylight, passive solar and natural ventilation.

The Specific Plan's Sustainable Design Strategies (Chapter 5.8) include the use of passive design to improve building energy performance through skylights, building orientation, landscaping, and use of select colors.

GOAL ER4: Improved indoor and outdoor air quality and reduced locally generated pollutant emissions.

Policy ER4-4 Indoor Air Quality

We comply with State Green Building Codes relative to indoor air quality.

The Specific Plan requires development projects in the Specific Plan area to comply with the State of California Building Code as adopted and implemented by the City. The Specific Plan's Sustainable Design Strategies (Chapter 5.8) include the design and construction of energy efficient buildings to reduce air, water, and land pollution.

GOAL ER5:	**Protected high value habitat and farming and mineral resources extraction activities that are compatible with adjacent development.**

Policy ER5-2 Entitlement and Permitting Process

We comply with state and federal regulations regarding protected species.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all mitigation measures of the project environmental impact report.

7.5 Safety Element

GOAL S1:	**Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.**

Policy S1-1 Implementation of Regulations and Standards

We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

The Specific Plan requires all future development projects to comply with the State of California Building Code as adopted and implemented by the City.

Policy S1-2 Entitlement and Permitting Process

We follow state guidelines and the California Building Code to determine when development proposals must conduct geotechnical and geological investigations.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with state guidelines and the California Building Code. Research of available maps indicates that the Specific Plan site is not located within an Alquist-Priolo Earthquake Fault Zone. Furthermore, there was no visible evidence of faulting during a geotechnical investigation conducted in 2015.

GOAL S2:	**Minimized risk of injury, loss of life, property damage and economic and social disruption caused by flooding and inundation hazards.**

Policy S2-1 Entitlement and Permitting Process

We follow State guidelines and building code to determine when development proposals require hydrological studies prepared by a State-certified engineer to assess the impact that the new development will have on the flooding potential of existing development down-gradient.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all applicable mitigation measures of the project environmental impact report, state guidelines, and the California Building Code regarding flooding and inundation hazards.

GOAL S3:	**Reduced risk of death, injury, property damage and economic loss due to fires, accidents and normal everyday occurrences through prompt and capable emergency response.**

Policy S3-8 Fire Prevention through Environmental Design

We require new development to incorporate fire prevention consideration in the design of streetscapes, sites, open spaces and buildings.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with the City's development review process, which provides for review by the City's Fire Department and potential redesign to incorporate fire prevention design elements within streetscapes, sites, open spaces, and buildings.

GOAL S4:	**An environment where noise does not adversely affect the public's health, safety, and welfare.**

Policy S4-1 Noise Mitigation

We utilize the City's Noise Ordinance, building codes and subdivision and development codes to mitigate noise impacts.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all mitigation measures of the project environmental impact report, the City's noise ordinance, subdivision and development codes, and the California Building Code to mitigate noise impacts.

GOAL S5:	**Reduced risk of injury, property damage and economic loss resulting from windstorms and wind-related hazards.**

Policy S5-2 Dust Control Measures

We require the implementation of Best Management Practices for dust control at all excavation and grading projects.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all mitigation measures of the project environmental impact report, the construction management plan, and any subdivision and development codes regarding dust control.

GOAL S6:	Reduced potential for hazardous materials exposure and contamination.

Policy S6-9 Remediation of Methane

We require development to assess and mitigate the presence of methane, per regulatory standards and guidelines.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all mitigation measures of the project environmental impact report.

GOAL S7:	Neighborhoods and commercial and industrial districts that are kept safe through a multi-faceted approach of prevention, suppression, community involvement, and a system of continuous monitoring.

Policy S7-4 Crime Prevention through Environmental Design (CPTED)

We require new development to incorporate CPTED in the design of streetscapes, sites, open spaces and buildings.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with the City's development review process, which provides for review by the City's Police Department and potential redesign to incorporate crime prevention design elements in streetscapes, sites, open spaces, and buildings. Parcel lighting (Chapter 5.6, Lighting) addresses illumination of parking lots, loading dock areas, pedestrian walkways, building entrances, signage, and architectural and landscape features. A key provision includes the installation of ground or low mounted fixtures to provide for safety and convenience along pedestrian walkways, entrances, activity areas, steps, ramps, and special features. Chapter 5.1, Site Design, also encourages delineation of pedestrian access to on-site buildings from adjacent streets and parking areas by marking building entrances with signage, prominent architectural features, and/or landscaping features.

7.6 Community Economics Element

GOAL CE1:	A complete community that provides for all incomes and stages of life.

Policy CE1-1 Jobs-Housing Balance

We pursue improvement to the Inland Empire's balance between jobs and housing by promoting job growth that reduces the regional economy's reliance on out-commuting.

The Specific Plan anticipates the creation of jobs in warehousing, logistics, light manufacturing, and administration within the Specific Plan area, which helps improve the region's jobs-housing balance. Actual job creation depends on the type of land uses ultimately developed on the site as a wide-range of commercial, office, and industrial uses are permitted in the Specific Plan. The Land Use Plan (Chapter 3.1) implements the vision of The Ontario Plan by providing opportunities for employment in manufacturing, distribution, research and development, service, and supporting retail at intensities designed to meet the demand of current and future market conditions.

Policy CE1-5 Business Attraction

We proactively attract new and expanding businesses to Ontario in order to increase the City's share of growing sectors of the regional and global economy.

In Chapter 3.1, Land Use Plan, the Specific Plan provides for the construction of over 1.3 million square feet of industrial development in compliance with City and regional planning goals and strategies that facilitate goods movement throughout the SCAG region.

GOAL CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.

Policy CE2-1 Development Projects

We require new development and redevelopment to create unique, high-quality places that add value to the community.

The Specific Plan contains design guidelines in Chapter 5 to guide future development, consistent with the vision for Ontario Ranch. The guidelines are intended to ensure high quality, cohesive and attractive development that complements and integrates into the community and adds value to the City. The Specific Plan also establishes landscape setbacks along all roadways within the Specific Plan area to create safe and attractive streets for pedestrians and motorists.

Policy CE2-2 Development Review

We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.

The Specific Plan establishes a land use plan (Chapter 3.1) and design guidelines (Chapter 5) addressing site design, building design, and landscape design that ensure high-quality, functional and sustainable development that is regionally competitive and appropriate for the Ontario Ranch community.

Policy CE2-5 Private Maintenance

We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

The Specific Plan includes a Maintenance Responsibility Matrix (Chapter 6.11) identifying the public, private, or utility providers responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Specific Plan area. A Property Owners Association will be established for the maintenance of on-site common areas, including such improvements as landscape areas and drive aisles.

Policy CE2-6 Public Maintenance

We require the establishment and operation of maintenance districts or other vehicles to fund the long-term operation and maintenance of the public realm whether on private land, in rights-of-way, or on publicly owned property.

The Specific Plan includes a Maintenance Responsibility Matrix (Chapter 6.11) identifying the public, private, or utility providers responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Specific Plan area. Right-of-way for public streets within the Specific Plan area and infrastructure improvements shall be dedicated to the City of Ontario for maintenance purposes. Landscape improvements and public streetlights within the public right-of-way shall be maintained through a landscape and lighting district or other special maintenance district established by the City. Dry utilities such as electricity, natural gas, and communication systems will be maintained by the appropriate utility company.