CITY OF ONTARIO
CITY COUNCIL/HOUSING AUTHORITY
AGENDA
FEBRUARY 2, 2021

Paul S. Leon
Mayor

Alan D. Wapner
Mayor pro Tem

Jim W. Bowman
Council Member

Debra Dorst-Porada
Council Member

Ruben Valencia
Council Member

Sheila Mautz
City Clerk

James R. Milhiser
Treasurer

Scott Ochoa
City Manager

Ruben Duran
City Attorney

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 provide public comment or to address the Council have been provided alternative measures including U.S. mail, email, and a website comment form. All public comments received by the established deadline for this meeting will be included as part of the official meeting record.**
- **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.**

SPECIAL AND URGENT NOTICE

In accordance with the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20), the Ontario City Council Meetings are being conducted via teleconference to limit in-person attendance at the upcoming meeting of the City of Ontario City Council and Housing Authority.

Members of the Public may utilize alternative measures established by the City of Ontario to view the City Council meetings and/or to address the Mayor and City Council Members.

The meeting will be live broadcast on local cable Channel 3, as well as, live streamed at: www.ontarioca.gov/Agendas/CityCouncil or Zoom.

TO PROVIDE PUBLIC COMMENT: Those wishing to speak during the "Public Comment" portion for any Closed Session item must call 909-395-2900 between 4:45 p.m. and 5:00 p.m. the day of the meeting. Those wishing to speak during the "Public Comment" portion of the meeting or any item on "Consent Calendar" must call 909-395-2900 between 6:00 p.m. and 6:30 p.m. the day of the meeting.

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.

TO COMMENT BY MAIL: To submit your comments by mail, provide your name, agenda item you are commenting on, and your comment by mailing to Records Management, Ontario City Hall, 303 East "B" Street, Ontario, CA 91764. Comments by mail must be received by the Records Management Department no later than 4:00 p.m. on the day of the meeting. Postmarks are not accepted. All comments received by the deadline will be provided to the City Council for consideration before action is taken on the matter.

We appreciate your understanding during this unprecedented time of social distancing under the Stay at Home Order. These procedures may be modified in the future as social and public gathering protocols change.

ORDER OF BUSINESS

The regular City Council and Housing Authority meeting begins with Closed Session and Closed Session Comment at 5:00 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

Members of the public who wish to address a Closed Session agenda item may do so by mailing comments to the City Clerk's Office, or by calling (909) 395-2900 between 4:45 - 5:00 p.m. or by emailing PublicComments@ontarioca.gov no later than 4:00 p.m. on the day of the meeting. Under provisions of the Brown Act, Council is prohibited from taking action on oral requests.

CLOSED SESSION

GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 0218-131-18; west side of Archibald Avenue, approximately 1,320 feet south of Chino Avenue; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating Parties: LHC Ontario Holdings, LLC; Under Negotiation: Price and terms of payment.

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

GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN: 0113-221-31; 1236 East Airport Drive; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating Parties: Airport Drive Industrial Owner, L.P.; Under Negotiation: Price and terms of payment.

ATTACHMENT: 20210202 Closed Session.pdf

PLEDGE OF ALLEGIANCE

Council Member Dorst-Porada

INVOCATION

REPORT ON CLOSED SESSION

City Attorney

PUBLIC COMMENTS **6:30 p.m.**

Members of the Public who wish to provide a general comment or address a specific agenda item may do so by mailing comments to the City Clerk's Office, or by calling (909) 395-2900 between 6:00 - 6:30 p.m. or by emailing PublicComments@ontarioca.gov no later than 5:00 p.m. on the day of the meeting. Under provisions of the Brown Act, Council is prohibited from taking action on oral requests.

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 meeting of the City Council and Housing Authority of January 5, 2021, and the special meeting on January 8, 2021, approving same as on file in the Records Management Department.

ATTACHMENT: 20210105 Minutes (not official until approved).pdf
ATTACHMENT: 20210108 S Minutes (not official until approved).pdf

2. BILLS & PAYROLL

Bills December 23, 2020 through January 14, 2021 and Payroll December 20, 2020 through January 2, 2021 when audited by the Finance Committee.

3. ***A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A QUIT CLAIM DEED FOR A PORTION OF PARK VISTA DRIVE AND PARKSIDE DRIVE***

That the City Council adopt a resolution authorizing the City Manager to execute a Quit Claim Deed to SC Ontario Development Company, LLC, for fee title ownership of a portion of Park Vista Drive and Parkside Drive.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO SIGN A QUIT CLAIM DEED TO SC ONTARIO DEVELOPMENT COMPANY, LLC, FOR FEE TITLE OWNERSHIP OF A PORTION OF PARK VISTA DRIVE AND PARKSIDE DRIVE.

ATTACHMENT: 20200202 Quit Claim^02 Exh A.pdf
ATTACHMENT: 20210202_Quit_Claim_Deed_03_RESO^RM.docx

4. ***A CONSTRUCTION CONTRACT FOR THE HAVEN AVENUE-CHINO AVENUE RECYCLED WATER PRESSURE REDUCING STATION***

That the City Council approve the plans and specifications and award Contract No. UT 1023 (on file with the Records Management Department) to R.I.C. Construction Co., Inc. of Hesperia, California, for the construction of the Haven Avenue-Chino Avenue Recycled Water Pressure Reducing Station, in the amount of $592,083 plus a 15% contingency of $88,813, for a total amount of $680,896; and authorize the City Manager to execute said contract and file a notice of completion at the conclusion of all construction activities related to the project.

ATTACHMENT: 20210202 UT1023 Haven Avenue-Chino Avenue Recycled Water Pressure Reducing Station ^EXH

5. ***REJECTION OF BIDS RECEIVED FOR THE UT1027 WATER MAIN REPLACEMENT PROJECT, PHASE 1***

That the City Council reject all bids received through the City's electronic bid management system for Bid No. 1381, Water Improvement Plan for Water Main Replacement Project (Phase 1), OMUC Contract No. UT1027.

ATTACHMENT: Exhibit A- Agenda Map UT1027 Phase 1 02

6. ***GOODS AND SERVICES AGREEMENT WITH WAXIE SANITARY SUPPLY FOR THE PURCHASE OF JANITORIAL SUPPLIES***

That the City Council authorize the City Manager to execute a three-year Goods and Services Agreement (on file in the Records Management Department) with Waxie Sanitary Supply of Ontario, California for janitorial supplies in the amount of $450,000 under the OMNIA Partners Cooperative Contract #202329-01, and authorize the option to extend the agreement for one additional, two-year period consistent with City Council approved budgets.

7. ***AUTHORIZE THE PURCHASE OF PUBLIC SAFETY EQUIPMENT FROM FISHER SCIENTIFIC COMPANY, L.L.C.***

That the City Council award Bid no. 1394 and authorize the purchase of public safety equipment from Fisher Scientific Company, L.L.C. of Pittsburgh, Pennsylvania, in the amount of $123,100.

8. A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 20316 LOCATED AT THE NORTHWEST CORNER OF EUCALYPTUS AVENUE AND ARCHIBALD AVENUE

That the City Council adopt a resolution approving an improvement agreement, improvement security and Final Tract Map No. 20316 located at the northwest corner of Eucalyptus Avenue and Archibald Avenue within the Parkside Specific Plan area.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 20316, LOCATED AT THE NORTHWEST CORNER OF EUCALYPTUS AVENUE AND ARCHIBALD AVENUE.

ATTACHMENT: 20200202 Tract Map 20316^02 Exh A.pdf
ATTACHMENT: 20200202_Tract_Map_20316_03^RESO^RM.docx

9. REJECT ALL BIDS AND AUTHORIZE RE-BIDDING OF THE ONTARIO MUSEUM OF HISTORY AND ART GALLERY IMPROVEMENTS AND STORAGE

That the City Council reject all bids received for Bid No. 1386, D&C 19-009 Ontario Museum of History and Art Gallery Improvements and Storage and authorize staff to solicit new bids for this project.

10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DENYING THE APPEAL OF APPELLANT MOTEL 6 ONTARIO AIRPORT CONCERNING THE ASSESSMENT OF TRANSIENT OCCUPANCY TAXES, INCLUDING PENALTIES AND INTEREST, BY THE CITY LICENSE OFFICIAL

That the City Council Adopt the Resolution Denying the Appeal of Appellant Motel 6 Ontario Airport Concerning the Assessment of Transient Occupancy Taxes, Including Penalties and Interest, by the City License Official

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DENYING THE APPEAL OF APPELLANT MOTEL 6 ONTARIO AIRPORT CONCERNING THE ASSESSMENT OF TRANSIENT OCCUPANCY TAXES, INCLUDING PENALTIES AND INTEREST, BY THE CITY LICENSE OFFICIAL.

ATTACHMENT: EXHIBIT A - Findings of Fact and Statement of Decision_dated November 5_2020.pdf
ATTACHMENT: Resolution_Denying_Motel_6_Appeal BBK Revised.docx

11. A RESOLUTION OF INTENTION TO MODIFY THE GREATER ONTARIO TOURISM MARKETING DISTRICT PLAN

That the City Council adopt a resolution of intention to modify the existing Greater Ontario Tourism Marketing District Management District Plan (Plan).

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO MODIFY THE MANAGEMENT DISTRICT PLAN OF THE GREATER ONTARIO TOURISM MARKETING DISTRICT, FIXING THE TIME AND PLACE OF A PUBLIC MEETING AND PUBLIC HEARING THEREON, AND GIVING NOTICE THEREOF.

ATTACHMENT: 20210202 GOTMD^02 RESO^RM
ATTACHMENT: GOTMD Mangament District Plan^ 03 EXH A.pdf

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.

12. ***A PUBLIC HEARING TO CONSIDER CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2019049079), INCLUDING THE ADOPTION OF A MITIGATION MONITORING AND REPORTING PROGRAM AND A STATEMENT OF OVERRIDING CONSIDERATIONS, IN CONJUNCTION WITH THE FOLLOWING: [1] A GENERAL PLAN AMENDMENT (FILE NO. PGPA18-003) TO MODIFY THE POLICY PLAN (GENERAL PLAN) LAND USE PLAN (EXHIBIT LU-01), CHANGING THE LAND USE DESIGNATION ON 376.3 ACRES OF LAND FROM BUSINESS PARK (0.6 FAR), OFFICE COMMERCIAL (0.75 FAR) AND GENERAL COMMERCIAL (0.4 FAR), TO BUSINESS PARK (0.6 FAR) AND INDUSTRIAL (0.55 FAR), AND MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE PROPOSED LAND USE DESIGNATION CHANGES; AND [2] A SPECIFIC PLAN (FILE NO. PSP18-001 - MERRILL COMMERCE CENTER) TO ESTABLISH THE LAND USE DISTRICTS, DEVELOPMENT STANDARDS, GUIDELINES, AND INFRASTRUCTURE IMPROVEMENTS FOR THE POTENTIAL DEVELOPMENT OF UP TO 8,455,000 SQUARE FEET OF INDUSTRIAL AND BUSINESS PARK LAND USES ON THE PROJECT SITE, GENERALLY BORDERED BY EUCALYPTUS AVENUE TO THE NORTH, MERRILL AVENUE TO THE SOUTH, CARPENTER AVENUE TO THE EAST, AND GROVE AVENUE TO THE WEST; (APNS: 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05; 1073-111-06)***

That the City Council take the following actions:

A. Adopt a resolution certifying the Environmental Impact Report (SCH#2019049079) prepared for Merrill Commerce Center Specific Plan, File No. PSP18-001, which includes the adoption of a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program;
B. Adopt a resolution approving a General Plan Amendment (File No. PGPA18-003) to modify the Land Use Element of The Ontario Plan (General Plan) to change the land use designations shown on the Land Use Plan Map (Exhibit LU-01) for 376.3 acres of land from General Commercial, Office Commercial and Business Park to General Industrial and Business Park and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and
C. Introduce and waive further reading of an ordinance approving the Merrill Commerce Center Specific Plan (File No. PSP18-001).

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH# 2019049079) PREPARED FOR THE MERRILL COMMERCE CENTER SPECIFIC PLAN (FILE NOS. PGPA18-003 AND PSP18-001) AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, A STATEMENT OF OVERRIDING CONSIDERATIONS, AND A MITIGATION MONITORING AND REPORTING PROGRAM (APNS: 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05 AND 1073-111-06.)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA18-003, AN AMENDMENT TO THE LAND USE ELEMENT OF THE POLICY PLAN (GENERAL PLAN), REVISING EXHIBIT LU-01 (OFFICIAL LAND USE PLAN) AND EXHIBIT LU-03 (FUTURE BUILDOUT), AFFECTING PROPERTIES BOUNDED BY EUCALYPTUS AVENUE ON THE NORTH, MERRILL AVENUE ON THE SOUTH, CARPENTER AVENUE FROM THE EAST, AND GROVE AVENUE ON THE WEST, FROM GENERAL COMMERCIAL (0.4 FAR), OFFICE COMMERCIAL (0.75 FAR), AND BUSINESS PARK (0.6 FAR) TO INDUSTRIAL (0.55 FAR) AND BUSINESS PARK (0.6 FAR), AND MAKING FINDINGS IN SUPPORT THEREOF — APN: 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-

01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05; 1073-111-06. (SEE ATTACHMENTS A AND B) (PART OF CYCLE 1 FOR THE 2021 CALENDAR YEAR).

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSP18-001, TO ESTABLISH LAND USE DISTRICTS, DEVELOPMENT STANDARDS, DESIGN GUIDELINES, AND INFRASTRUCTURE IMPROVEMENTS FOR THE POTENTIAL DEVELOPMENT OF UP TO 8,455,000 SQUARE FEET OF GENERAL INDUSTRIAL AND BUSINESS PARK LAND USES ON 376.3 ACRES OF LAND GENERALLY BORDERED BY EUCALYPTUS AVENUE TO THE NORTH, MERRILL AVENUE TO THE SOUTH, CARPENTER AVENUE TO THE EAST, AND GROVE AVENUE TO THE WEST, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05 AND 1073-111-06.

ATTACHMENT: 20210202 File No. PGPA18-003_PSP18-001 Merrill Commerce^01_AR Exhibits A to E.pdf
ATTACHMENT: 20210202 File No. PGPA18-003_PSP18-001 Merrill Commerce^02_PC Backup.pdf
ATTACHMENT: 20210202_File_No._PGPA18-003_PSP18-001_Merrill_Commerce_03_Reso__MCCSP_FEIR^RM.docx
ATTACHMENT: 20210202 File No. PGPA18-003_PSP18-001 Merrill Commerce^04_Reso Attachment A - MCCSP FEIR.pdf
ATTACHMENT: 20210202_File_No._PGPA18-003_PSP18-001_Merrill_Commerce_05_GPA^RESO^RM.docx
ATTACHMENT: 20210202_File_No._PGPA18-003_PSP18-001_Merrill_Commerce_06_SP^ORD^RM.docx
ATTACHMENT: 20210202 File No. PGPA18-003_PSP18-001 Merrill Commerce^07_SP Ord_Attachment A MCCSP.pdf

13. ***A PUBLIC HEARING TO CONSIDER: [1] A GENERAL PLAN AMENDMENT (FILE NO. PGPA18-002) TO MODIFY POLICY PLAN EXHIBIT LU-01, LAND USE PLAN, CHANGING THE LAND USE DESIGNATION ON APPROXIMATELY 46 ACRES OF LAND FROM GENERAL COMMERCIAL AND BUSINESS PARK TO 4.13 ACRES OF NEIGHBORHOOD COMMERCIAL, 3.51 ACRES OF BUSINESS PARK, AND 39 ACRES OF INDUSTRIAL; [2] MODIFY POLICY PLAN EXHIBIT LU-03, FUTURE BUILDOUT, TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES; AND [3] AN AMENDMENT (FILE NO. PSPA18 003) TO THE EDENGLEN SPECIFIC PLAN, CHANGING THE LAND USE DESIGNATION FROM COMMUNITY COMMERCIAL, COMMERCIAL/BUSINESS PARK FLEX ZONE, AND BUSINESS PARK/LIGHT INDUSTRIAL, TO 4.13 ACRES OF NEIGHBORHOOD COMMERCIAL, 3.51 ACRES OF BUSINESS PARK, AND 39 ACRES OF LIGHT INDUSTRIAL, INCLUDING UPDATES TO THE DEVELOPMENT STANDARDS, EXHIBITS, AND TEXT CHANGES TO REFLECT***

THE PROPOSED LAND USES. THE PROJECT SITE IS LOCATED AT THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND HAMNER AVENUE (APNS: 0218-171-21 AND 0218-171-27)

That the City Council consider and adopt:

A. A resolution approving the use of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140);
B. A resolution approving File No. PGPA18-002, a General Plan Amendment modifying Policy Plan Exhibit LU-01, Land Use Plan, changing the land use designation on approximately 46 acres of land located at the southwest corner of Riverside Drive and Hamner Avenue from General Commercial and Business Park, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Industrial designated land, and modify the Policy Plan Exhibit LU-03, Future Buildout, to be consistent with the proposed land use designation changes; and
C. A resolution approving File No. PSPA18-003, an Amendment to the Edenglen Specific Plan, changing the land use designation on approximately 46 acres of land located at the southwest corner of Riverside Drive and Hamner Avenue from Neighborhood Commercial, Commercial/Business Park Flex Zone, and Business Park/Light Industrial, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Light Industrial designated land, including updates to development standards and exhibits, along with text changes to reflect the proposed land use changes.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN ADDENDUM TO THE ONTARIO PLAN CERTIFIED ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2008101140), PURSUANT TO THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA18-002, AN AMENDMENT TO THE LAND USE ELEMENT OF THE POLICY PLAN (GENERAL PLAN), REVISING EXHIBIT LU-01 (OFFICIAL LAND USE PLAN) AND EXHIBIT LU-03 (FUTURE BUILDOUT), AFFECTING PROPERTY LOCATED AT THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND HAMNER AVENUE, FROM GENERAL COMMERCIAL (20 ACRES) AND BUSINESS PARK (26.64 ACRES), TO 4.13 ACRES OF NEIGHBORHOOD COMMERCIAL, 3.51 ACRES OF BUSINESS PARK, AND 39 ACRES OF INDUSTRIAL DESIGNATED LAND, AND MAKING FINDINGS IN SUPPORT THEREOF - APNS: 0218-171-21 AND 0218-171-27. (SEE EXHIBITS A AND B) (PART OF CYCLE 1 FOR THE 2021 CALENDAR YEAR).

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA18-003, AN AMENDMENT TO THE EDENGLEN SPECIFIC PLAN TO: (1) CHANGE THE LAND USE DESIGNATION ON 46.64 ACRES OF LAND FROM COMMUNITY COMMERCIAL, COMMERCIAL/BUSINESS PARK FLEX ZONE, AND BUSINESS PARK/LIGHT INDUSTRIAL, TO 4.13 ACRES OF NEIGHBORHOOD

COMMERCIAL, 3.51 ACRES OF BUSINESS PARK, AND 39 ACRES OF LIGHT INDUSTRIAL DESIGNATED LAND, ON TWO PROPERTIES LOCATED AT THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND HAMNER AVENUE; AND (2) AMEND THE SPECIFIC PLAN TO UPDATE THE DEVELOPMENT STANDARDS, EXHIBITS, AND TEXT CHANGES TO REFLECT THE PROPOSED LAND USES, AND MAKING FINDINGS IN SUPPORT THEREOF - APNS: 0218-171-21 AND 0218-171-27.

ATTACHMENT: 20210202 File No. PGPA18-002_PSPA18-003 Edenglen ^01A_AR Exhibit A-B.docx
ATTACHMENT: 20210202 File No. PGPA18-002_PSPA18-003 Edenglen ^02_AR Attachment A.pdf
ATTACHMENT: 20210202 File No. PGPA18-002_PSPA18-003 Edenglen ^03_PC Backup.pdf
ATTACHMENT: 20210202_File_No._PGPA18-002_PSPA18-003_Edenglen__04_Addendum^RESO^RM.docx
ATTACHMENT: 20210202 File No. PGPA18-002_PSPA18-003 Edenglen ^05_Attachment A Addendum.pdf
ATTACHMENT: 20210202_File_No._PGPA18-002_PSPA18-003_Edenglen__06_GPA_RESO^RM.docx
ATTACHMENT: 20210202_File_No._PGPA18-002_PSPA18-003_Edenglen__07_SPA_RESO^RM.docx
ATTACHMENT: 20210202 File No. PGPA18-002_PSPA18-003 Edenglen ^08_Attachment A Edenglen SPA.pdf

14. ***A PUBLIC HEARING TO CONSIDER AN ORDINANCE APPROVING THE DEVELOPMENT AGREEMENT (FILE NO. PDA18-006) BETWEEN THE CITY OF ONTARIO AND ONTARIO CC, LLC., TO ESTABLISH THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF TENTATIVE PARCEL MAP 20027 (FILE NO. PMTT18-009), FOR A 46.64-ACRE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND HAMNER AVENUE, WITHIN THE PROPOSED NEIGHBORHOOD COMMERCIAL, BUSINESS PARK AND LIGHT INDUSTRIAL LAND USE DESIGNATIONS OF THE EDENGLEN SPECIFIC PLAN (APNS: 0218-171-21 AND 0218-171-27)***

That the City Council introduce and waive further reading of an ordinance approving the Development Agreement (File No. PDA18-006) between the City of Ontario and Ontario CC, LLC., to establish the terms and conditions for the development of Tentative Parcel Map 20027 (File No. PMTT18-009), for a 46.64-acre property located at the southwest corner of Riverside Drive and Hamner Avenue, within the proposed Neighborhood Commercial, Business Park and Light Industrial land use designations of the Edenglen Specific Plan (APNs: 0218-171-21 and 0218 171-27).

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDA18-006, A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND ONTARIO CC, LLC., TO ESTABLISH THE TERMS AND CONDITIONS FOR THE DEVELOPMENT

OF TENTATIVE PARCEL MAP 20027 (FILE NO. PMTT18-009), FOR A 46.64 ACRE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND HAMNER AVENUE, WITHIN THE PROPOSED NEIGHBORHOOD COMMERCIAL, BUSINESS PARK AND LIGHT INDUSTRIAL LAND USE DESIGNATIONS OF THE EDENGLEN SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF – APNS: 0218-171-21 AND 0218 171-27.

ATTACHMENT: 20210202 Agenda Report - Exhibit A.docx
ATTACHMENT: 20210202 Agenda Report - Exhibit B.docx
ATTACHMENT: 20210202 File No. PDA18-006 Ontario CC, LLC^02 PC Backup.pdf
ATTACHMENT: 20210202_File_No._PDA18-006_Ontario_CC__LLC_03_ORD_RM.docx

15. A PUBLIC HEARING TO CONSIDER THE SALE OF CITY OWNED PROPERTY IN ACCORDANCE WITH GOVERNMENT CODE SECTION 37420 ET. SEQ., MAKING CERTAIN FINDINGS; AND ADOPTION OF A RESOLUTION APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF ONTARIO AND PHELAN DEVELOPMENT COMPANY, LLC.

That the City Council conduct a public hearing to consider the sale of City owned property; and adopt a resolution approving a Purchase and Sale Agreement ("Agreement") between the City of Ontario ("City") and Phelan Development Company, LLC ("Developer") of Newport Beach, California (on file with the Records Management Department); and authorize the City Manager to execute the Agreement and all other documents required for implementation of the Agreement.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE SALE OF PROPERTY PURSUANT TO A PURCHASE AND SALE AGREEMENT BY AND BETWEEN THE CITY OF ONTARIO AND PHELAN DEVELOPMENT COMPANY, LLC, FOR PROPERTY GENERALLY LOCATED AT 1108 AND 1120 EAST CALIFORNIA STREET (APNS: 1049-382-01 AND 1049-382-02).

ATTACHMENT: 20210202 Phelan_1108-1120_California_Ave_Purchase_and_Sale_Agreement^RESO^RM.docx

16. A RESOLUTION OF NECESSITY FOR THE ACQUISITION BY EMINENT DOMAIN OF FEE INTEREST IN CERTAIN REAL PROPERTY LOCATED AT 1236 EAST AIRPORT DRIVE

That the City Council conduct a public hearing and adopt a Resolution of Necessity declaring that the acquisition of a fee interest in certain real property located at 1236 East Airport Drive, more particularly described as Assessor Parcel No. 0113-221-31 (the "Property"), for the construction of airport fueling facilities (the "Project") in Ontario, California.

A RESOLUTION OF NECESSITY OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, FOR THE ACQUISITION BY EMINENT DOMAIN OF FEE INTERESTS IN CERTAIN REAL PROPERTY LOCATED AT 1236 EAST AIRPORT DRIVE, IN ONTARIO, SAN BERNARDINO COUNTY, CALIFORNIA,

MORE PARTICULARLY DESCRIBED AS ASSESSOR PARCEL NO. 0113-221-31, FOR THE CONSTRUCTION OF AIRPORT FUELING FACILITIES.

ATTACHMENT: 1236 Airport Drive Resolution of Necessity Staff Report Exhibit 1 2-2-2021^02.pdf
ATTACHMENT: 1236 Airport Drive Resolution of Necessity Resolution 2-2-2021^03.DOC
ATTACHMENT: Amended Notice of Hearing to Property Owner.PDF
ATTACHMENT: 1236 Airport Drive Resolution of Necessity Resolution Exhibit B 2-2-2021^04.PDF

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)*
February 2, 2021

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 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
  Property: APN: 0218-131-18; west side of Archibald Avenue, approximately 1,320 feet south of Chino Avenue; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating Parties: LHC Ontario Holdings, LLC; Under Negotiation: Price and terms of payment.

No Reportable Action	Continue	Approved
/ /	/ /	/ /

Disposition: _____

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

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

No Reportable Action	Continue	Approved
/ /	/ /	/ /

Disposition: _____

CITY OF ONTARIO
CLOSED SESSION REPORT
City Council // Housing Authority // Other // *(GC 54957.1)*
February 2, 2021
(continued)

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

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS
  Property: APN: 0113-221-31; 1236 East Airport Drive; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating Parties: Airport Drive Industrial Owner, L.P.; Under Negotiation: Price and terms of payment.

No Reportable Action	Continue	Approved
/ /	/ /	/ /

Disposition: _____

Reported by:

_____
City Attorney / City Manager / Executive Director

ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
JANUARY 5, 2021
(Not Official Until Approved)

JOINT MEETINGS

The Regular Joint Meetings of the Ontario City Council and the Ontario Housing Authority scheduled for January 5, 2021, were cancelled due to the City's Holiday closure. The next regularly scheduled City Council / Housing Authority meetings will be held on Tuesday, January 19, 2021, at City Hall, 303 East B Street, Ontario, California.

Respectfully submitted,

_____
CLAUDIA Y. ISBELL, MMC, ASSISTANT CITY CLERK/SECRETARY

APPROVED

_____
PAUL S. LEON, MAYOR/CHAIRMAN

SPECIAL ONTARIO CITY COUNCIL/
ONTARIO HOUSING AUTHORITY
MINUTES
January 8, 2021
(Not Official Until Approved)

JOINT MEETINGS

A Special Meeting of the Ontario City Council/Ontario Housing Authority was held on Friday, January 8, 2021, at the Ontario City Hall, 303 East B Street, Ontario, California.

CALLED TO ORDER

Mayor Leon called the Joint City Council and Ontario Housing Authority meetings to order at 9:03 a.m.

SPECIAL AND URGENT ANNOUNCEMENT

In accordance with the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20), the Ontario City Council Meetings are being conducted via teleconference to limit in-person attendance at meetings of the City of Ontario City Council and Housing Authority.

Members of the public were advised to utilize alternative measures to view the City Council meetings and/or to address the Mayor and City Council Members.

The meeting was live broadcast on local cable Channel 3, as well as, internet live streamed at www.ontarioca.gov/Agendas/CityCouncil.

ROLL CALL

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

Also present were City Manager/Executive Director Scott Ochoa, City Attorney/Legal Counsel Ruben Duran and Assistant City Clerk/Assistant Secretary Claudia Y. Isbell (all participating via teleconference).

The Pledge of Allegiance was led by Council Member Valencia.

CLOSED SESSION

Mayor Leon inquired whether persons were present who wished to speak to the Closed Session items. 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 9:07 a.m. for discussion of the following:

- GC 54956.8 CONFERENCE WITH REAL PROPERTY NEGOTIATORS Property: APN: 0218-251-06; 10511 E. Edison Avenue; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating Parties: Dunnigan Ranch, LLC; Under Negotiation: Price and terms of payment.

- GC 54956.8 CONFERENCE WITH REAL PROPERTY NEGOTIATORS Property: APN: 0218-251-07; 14321 S. Cleveland Avenue; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating Parties: Loyola Properties I, LP; Under Negotiation: Price and terms of payment.

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS Property: APNs: 0218-331-18 and 0218-331-30; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating Parties: SL Ontario Development Company, LLC; Under Negotiation: Price and terms of payment.

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS Property: APN: 0218-331-25; 10529 E. Eucalyptus Avenue; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating Parties: Warm Springs Investments LTD; Under Negotiation: Price and terms of payment.

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS Property: APN: 0218-331-28; 10869 E. Eucalyptus Avenue; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating Parties: LHC Ontario Holdings; Under Negotiation: Price and terms of payment.

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS Property: APNs: 1048-363-02, 1048-363-03, 1048-363-04, and 1048-363-05; 404-426 North Euclid Avenue; City Negotiator: Scott Ochoa or his designee; Negotiating parties: Grapevine Development; Under negotiation: Price and terms of payment.

- GC 54956.8 CONFERENCE WITH REAL PROPERTY NEGOTIATORS Property: APNs: 1049-059-06 and 1049-054-04; 309/310 West Emporia Street; City/Authority Negotiator: Scott Ochoa or his designee; Negotiating Parties: Negotiating Parties: American Legion Post 112; LaBarge Industries; Under negotiation: Price and terms for assignment of purchase and acquisition.

- GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS Property: APNs 1049-111-01, 1049-111-05, 1049-111-06, and 1049-111-07; City/Agency Negotiator: Scott Ochoa or his designee; Negotiating parties: Opone, LLC, CLS Properties, LLC, and Diadia, LLC; Under negotiation: Price and terms of payment.

- GC 54956.9(e)(5) CONFERENCE WITH LEGAL COUNSEL – Significant Exposure to Litigation; a copy of the documented threat is available in the office of the City Clerk.

CALLED TO ORDER – OPEN SESSION

Mayor Leon reconvened the meetings at 10:24 a.m.

REPORT ON CLOSED SESSION

City Attorney Duran announced that Council Member Bowman recused himself from Closed Session Item GC 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS for the Properties located at 309/310 West Emporia Street. Under negotiation were the price and terms for assignment of purchase and acquisition. He further noted that that recusal was not for legal reasons, but out of an abundance of caution.

Council considered the rest of the items as listed on the agenda, provided direction, and there was no reportable action.

ADJOURNMENT

Mayor Leon adjourned the meetings of the Joint Agencies at 10:25 a.m.

Respectfully submitted,

_____
CLAUDIA Y. ISBELL, ASSISTANT CITY CLERK/
ASSISTANT SECRETARY

APPROVED:

_____
PAUL S. LEON, MAYOR/CHAIRMAN

CITY OF ONTARIO *Agenda Report* **February 2, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Engineering Prepared By: Jesus Plasencia 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 AUTHORIZING THE CITY MANAGER TO SIGN A QUIT CLAIM DEED FOR A PORTION OF PARK VISTA DRIVE AND PARKSIDE DRIVE

RECOMMENDATION: That the City Council adopt a resolution authorizing the City Manager to execute a Quit Claim Deed to SC Ontario Development Company, LLC, for fee title ownership of a portion of Park Vista Drive and Parkside Drive.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
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: There is not a direct fiscal impact associated with this action. SC Ontario Development Company LLC (developer) has paid the applicable processing fees to defray the City's cost to process this request.

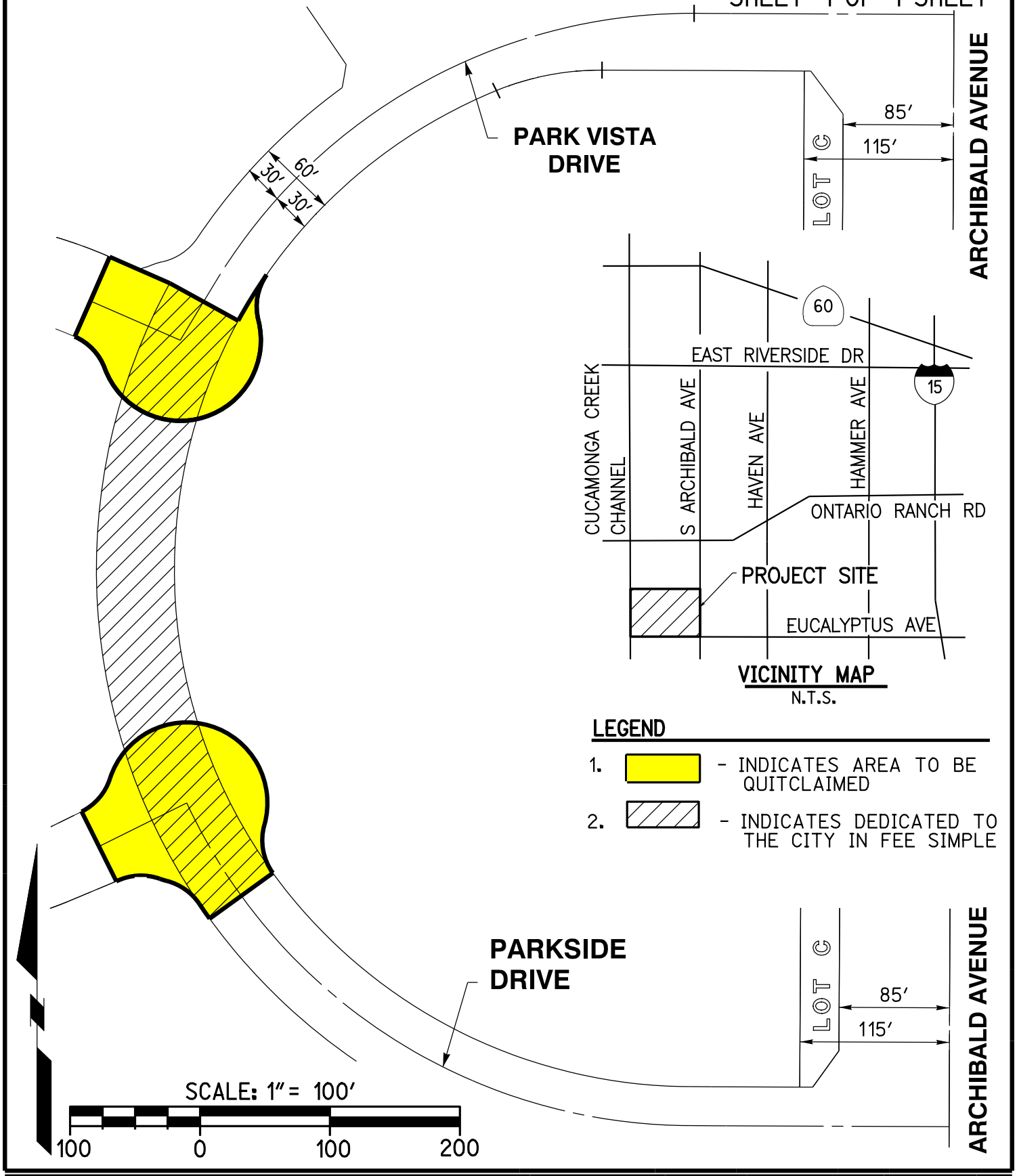
BACKGROUND & ANALYSIS: On May 11, 2010, Tract Map No. 18048 was recorded and thus the City of Ontario acquired the right-of-way of Park Vista Drive and Parkside Drive in fee simple. Both streets are located in Ontario Ranch within the Parkside Specific Plan area.

On May, 26, 2020, the Planning Commission approved Tentative Tract Map No. 20316, which includes a modification to the internal street circulation of Park Vista Drive and Parkside Drive for the purposes of improving access to future neighborhood and commercial areas. The revised street circulation includes connecting Park Vista Drive and Parkside Drive, rather than terminating as cul-de-sac streets, as shown in Exhibit "A". Therefore, the fee title ownership within a portion of the previously proposed cul-de-sac areas is no longer needed by the City for any present or future public street or utility purpose.

The recordation of Tract Map No. 20316 would eliminate the public easement right-of-way in the cul-de-sac areas. However, a quit claim deed needs to be recorded first in order to transfer fee title ownership of the subject land back to the previous owner, which is the developer.

EXHIBIT A

SHEET 1 OF 1 SHEET



VICINITY MAP
N.T.S.

LEGEND

1. - INDICATES AREA TO BE QUITCLAIMED
2. - INDICATES DEDICATED TO THE CITY IN FEE SIMPLE

RICK ENGINEERING COMPANY
Riverside

1770 IOWA AVENUE - SUITE 100
RIVERSIDE, CA 92507
951.782.0707
(FAX)951.782.0723
rickengineering.com
San Diego - Orange - San Luis Obispo - Bakersfield - Sacramento - Phoenix - Tucson

EXHIBIT "A"
PORTION OF PARK VISTA DRIVE & PARKSIDE DRIVE

SCALE: 1"=100' | DATE: JAN. 11, 2021

© 2021 Rick Engineering Company

PLOT DATE: 11-JAN-2021 JN 19033

\\cp.rickeng.com\projects\C19000\19033_Parkside\19033-A\19033-AM\Survey\19033exb09_ParkVista.dgn

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA AUTHORIZING THE CITY MANAGER TO SIGN A QUIT CLAIM DEED TO SC ONTARIO DEVELOPMENT COMPANY, LLC, FOR FEE TITLE OWNERSHIP OF A PORTION OF PARK VISTA DRIVE AND PARKSIDE DRIVE.

WHEREAS, on May 11, 2010, Tract Map No. 18048 was recorded and thus the City of Ontario acquired right-of-way in fee simple for street and utility purposes along Park Vista Drive and Parkside Drive; and

WHEREAS, on May 26, 2020, the Planning Commission approved Tentative Tract Map No. 20316, which includes a modification to the internal street circulation of Park Vista Drive and Parkside Drive for the purposes of improving access to future neighborhood and commercial areas; and

WHEREAS, the revised street circulation includes connecting Park Vista Drive and Parkside Drive rather than terminating as cul-de-sac streets; and

WHEREAS, the fee title ownership within a portion of the previously proposed cul-de-sac areas is no longer needed by the City for any present or future public street or utility purpose.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, California, as follows:

1. That the right of way more particularly described in Exhibit “A” is no longer needed by the City for any present or future public street or utility purpose; and

2. That title of the above-described portion of Park Vista Drive and Parkside Drive shall revert to SC Ontario Development Company, LLC; and

3. That the City Manager is authorized to sign the Quit Claim Deed on behalf 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 2nd day of February 2021.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

_____
BEST, BEST & KREIGER, 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. 2021- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held February 2, 2021 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. 2021- duly passed and adopted by the Ontario City Council at their regular meeting held February 2, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO *Agenda Report* **February 2, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Utilities Prepared By: Thomas Palmieri 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: 4

SUBJECT: A CONSTRUCTION CONTRACT FOR THE HAVEN AVENUE-CHINO AVENUE RECYCLED WATER PRESSURE REDUCING STATION

RECOMMENDATION: That the City Council approve the plans and specifications and award Contract No. UT 1023 (on file with the Records Management Department) to R.I.C. Construction Co., Inc. of Hesperia, California, for the construction of the Haven Avenue-Chino Avenue Recycled Water Pressure Reducing Station, in the amount of $592,083 plus a 15% contingency of $88,813, for a total amount of $680,896; and authorize the City Manager to execute said contract and file a notice of completion at the conclusion of all construction activities related to the project.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Focus Resources in Ontario's Commercial and Residential Neighborhoods
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: The Fiscal Year 2020-21 Budget includes appropriations from the NMC Local Adjacent Water Fund for the construction of the Haven Avenue-Chino Avenue Recycled Water Pressure Reducing Station.

Pursuant to subsequent agreements under the First Amended and Restated Agreement for the Financing and Construction of Limited Infrastructure Improvements to Serve an Easterly Portion of the New Model Colony with the NMC Builders, LLC, the NMC Builders have contributed $325,000 towards the recently completed recycled water main on Haven Avenue, between Riverside Drive and Chino Avenue, and contributed $340,000 towards this project for the construction of the recycled water pressure reducing station located on the northwest corner of Haven Avenue and Chino Avenue.

The recommended construction contract award to R.I.C. Construction Co., Inc. is for $592,083 plus a 15% contingency of $88,813, for a total amount of $680,896. There is no impact to the General Fund.

BACKGROUND & ANALYSIS: The City's 2015 Urban Water Management Plan identifies the use of recycled water as a critical element of the City’s supply to meet its future demand for water. Under potential severe drought conditions, water use restrictions may be implemented, restricting the use of

potable (drinking) water for irrigation of ornamental landscapes or turf on medians. Expanding the use of recycled water provides a long-term sustainable water source that is not subject to the same limitations under drought conditions as potable water supplies. Recycled water is used for irrigation and industrial applications as approved by the California Division of Drinking Water and will result in significant reductions in the City's long-term reliance on more expensive and increasingly less reliable imported potable water supplies.

The proposed project will be an integral part of the backbone recycled water system for Ontario Ranch and will connect specified zones (1050 zone to the 930 zone) at the northwest corner of Chino Avenue and Haven Avenue. This project will provide recycled water for City maintained parkways, parks and landscape, as well as homeowner association usage. The work under this contract consists of installation of approximately 160 linear feet of 12-inch diameter recycled water mains; installation of recycled water pressure reducing station and appurtenances; connection to existing recycled water connections; approximately 50 linear feet of 12-inch PVC drain pipe; construction of concrete pad; installation of electrical and SCADA system; and pavement repair and street restoration. A location map is provided for reference.

On November 18, 2020, eight (8) bids were received for Bid No. 1373, Haven Avenue-Chino Avenue Recycled Water Pressure Reducing Station Project, OMUC Contract No. UT1023. The bids ranged from $592,083 to $991,607 as summarized below.

Bidder	**Location**	**Amount**
R.I.C. Construction Co., Inc.	Hesperia, CA	$592,083
Pacific Hydrotech Corporation	Perris, CA	$664,370
TK Construction	San Bernardino, CA	$668,800
T.E. Roberts, Inc.	Orange, CA	$744,122
Big Ben Engineering	Irvine, CA	$744,435
Ferreira Coastal Construction Company	Rancho Cucamonga, CA	$751,424
Hemet Mfg. Co., Inc. dba Genesis Construction	Hemet, CA	$821,056
Metro Builders & Engineering Group, Ltd.	Newport Beach, CA	$991,607

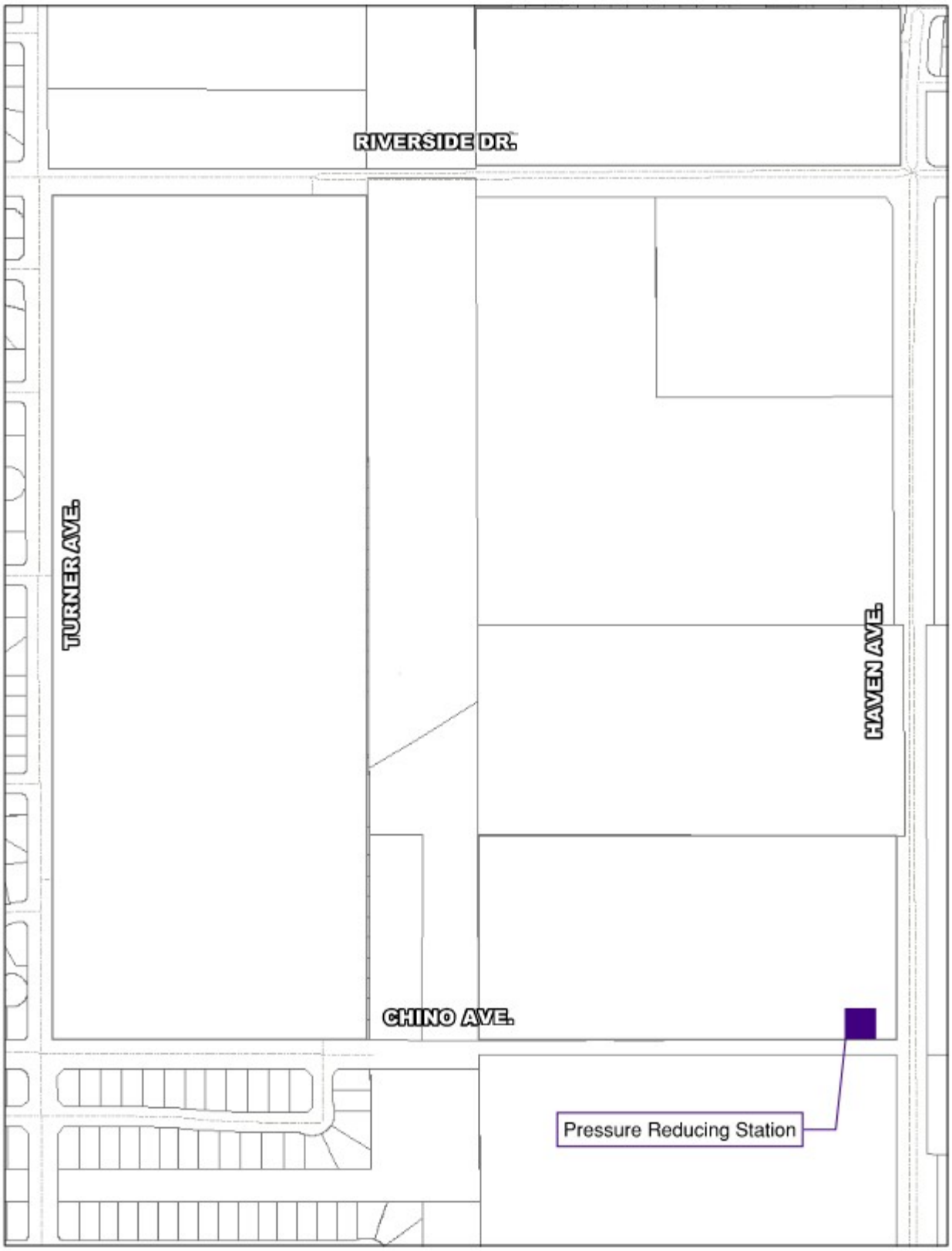
Staff recommends the award to R.I.C. Construction Co., Inc. of Hesperia, California based on their expertise and ability to perform the work in a timely manner and their successful completion of this type of work in the past.

ENVIROMENTAL REVIEW: The project is a component of the 2012 Infrastructure Master Plans approved by the City Council on December 4, 2012. A Mitigated Negative Declaration was prepared and approved for the 2012 Infrastructure Master Plans pursuant to the provisions of CEQA. The Mitigated Negative Declaration addressed the drainage, sewer, water and recycled water master plans (2012 Infrastructure Master Plans), including their alignments, pipe sizes and installation for the City. An analysis of the project has determined that there is no deviation from the description of this component from the overall 2012 Infrastructure Master Plans.

Furthermore, under the West Haven Specific Plan, which includes the Haven Avenue improvements south of Riverside Drive, a complete Environmental Impact Report was certified by the City Council on

January 16, 2007. No further CEQA analysis is required.

RECYCLE WATER IMPROVEMENT PROJECT
HAVEN AVENUE-CHINO AVENUE RECYCLE WATER PRESSURE REDUCING STATION
CITY OF ONTARIO



CITY OF ONTARIO *Agenda Report* **February 2, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Utilities Prepared By: Cynthia Heredia-Torres Staff Member Presenting: Scott Burton, Utilities General Manager Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 5

SUBJECT: REJECTION OF BIDS RECEIVED FOR THE UT1027 WATER MAIN REPLACEMENT PROJECT, PHASE 1

RECOMMENDATION: That the City Council reject all bids received through the City's electronic bid management system for Bid No. 1381, Water Improvement Plan for Water Main Replacement Project (Phase 1), OMUC Contract No. UT1027.

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

FISCAL IMPACT: There is not a direct fiscal impact associated with this action.

BACKGROUND & ANALYSIS: The City's potable water system includes approximately 596 miles of pipeline. The City's Water Master Plan and related asset management programming are used to identify and replace undersized and aging pipelines to maintain the reliability of water service to the community and to improve service pressure and fire flow availability. Improvements are prioritized based on capacity deficiencies, condition assessments, and current level of maintenance activities required to provide adequate and reliable water service.

The proposed work under this project will be located in the areas south of Mission Boulevard, east and west of Euclid Avenue, as well as east of Euclid Avenue, south of the I-10 Freeway, and will include the replacement of approximately two (2) miles of 8-inch and 12-inch diameter water mains, installation of water service lines to new water meters, multiple water main connections at various street intersections, installation of corrosion test stations, street restoration, and other improvements as described in the Plans and Technical Specifications. A location map is provided as an exhibit to this report.

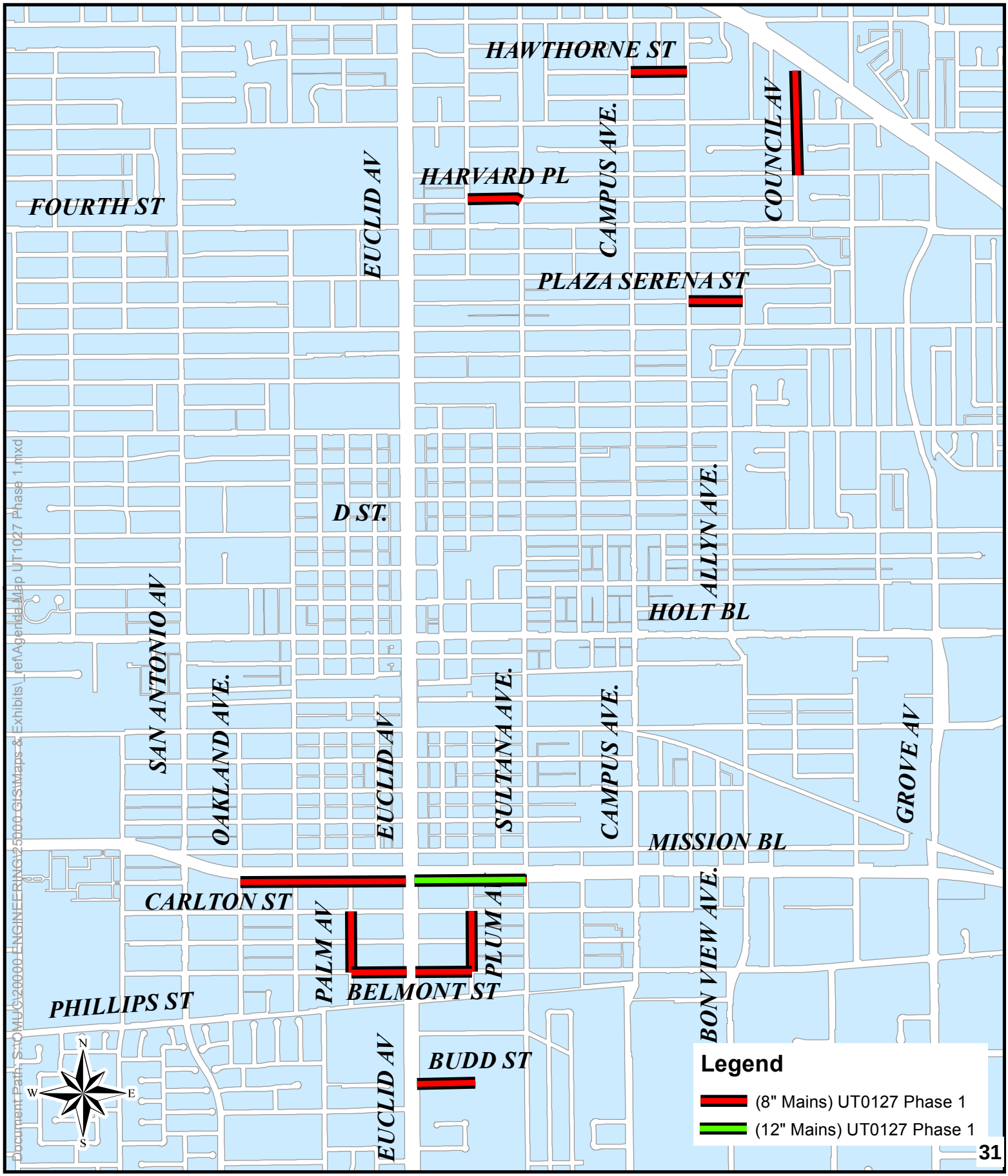
On December 1, 2020, twelve (12) bids were received in response for Bid No. 1381, Water Main Replacement Project (Phase 1), OMUC Contract UT1027, through the City's electronic bid management system. The bids ranged from a low bid amount of $3,299,765 to a high bid amount of $6,190,681. The lowest five (5) bids are summarized below.

Bidder	Location	Amount
Big Ben Engineering	Irvine, CA	$3,299,765
Gentry Brothers, Inc.	Irwindale, CA	$3,569,153

Norstar Plumbing & Engineering, Inc.	Alta Loma, CA	$3,697,309
Ferreira Coastal Const. Co.	Chino, CA	$4,143,831
Borden Excavating, Inc.	Calimesa, CA	$4,202,505

Upon review of the three lowest responsive bids, staff re-evaluated the contract requirements and potential project impacts to Ontario residents given the current challenging times. In consultation with the City Attorney's office, staff is recommending to reject all bids under the provisions of California Public Contract Code Section 22038 and Title 2, Chapter 6, Section 2-6.20(a) of the Ontario Municipal Code and to rebid the project with revised contract specifications to allow for better sequencing of work to minimize disruptions to the affected communities. The twelve (12) bidders were notified of the staff's recommendation through the City's electronic bid management system, as well as the date of the City Council meeting when this item will be considered by the City Council.

OMUC Contract No. UT1027 (PHASE 1)
CITY OF ONTARIO
WATER MAIN IMPROVEMENT PROJECT



CITY OF ONTARIO *Agenda Report* **February 2, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Public Works Prepared By: Michael Johnson Staff Member Presenting: Tito Haes, Executive Director Public Works Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 6

SUBJECT: GOODS AND SERVICES AGREEMENT WITH WAXIE SANITARY SUPPLY FOR THE PURCHASE OF JANITORIAL SUPPLIES

RECOMMENDATION: That the City Council authorize the City Manager to execute a three-year Goods and Services Agreement (on file in the Records Management Department) with Waxie Sanitary Supply of Ontario, California for janitorial supplies in the amount of $450,000 under the OMNIA Partners Cooperative Contract #202329-01, and authorize the option to extend the agreement for one additional, two-year period consistent with City Council approved budgets.

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

FISCAL IMPACT: The Fiscal Year 2020-21 Adopted Budget includes appropriations in the Facilities Maintenance Fund of $90,000 for the procurement of janitorial supplies for the City's custodial services department. Annual expenditures are estimated at $90,000 and pricing will be based on the awarded OMNIA Partners Cooperative Contract. The total compensation paid by the City under the original term and any subsequent term extensions will be contingent upon the type and number of items procured, billed at the contracted fixed price consistent with OMNIA Partners Cooperative Contract #202329-01, and shall not exceed $450,000 over a 5-year term.

The OMNIA Partners Cooperative Contract #202329-01 is a three year contract and has the option to renew for one additional two-year period, extending the agreement to May 31, 2025. At the City's discretion, this extension may be exercised to avoid the cost of re-bidding, to provide service continuity, and allow the City to better project future years' costs.

BACKGROUND & ANALYSIS: The Facilities Maintenance Custodial Department cleans, maintains, and sanitizes 8 City buildings including City Hall, City Hall Annex, Revenue/Public Works Administration, Ontario Municipal Utilities Company, and all Police Department buildings. This is in addition to any other City facilities, upon special request. The department also supplies sanitizing equipment used in all other City-owned buildings and has been instrumental in keeping City departments operational during the COVID-19 pandemic. The City relies on its vendors to provide items on a regular basis to keep an adequate supply available in our warehouse for City staff to use as needed.

The proposed contract is in general conformation with the provisions of Government Code Section 54201 through 54204, Ontario Municipal Code Section 2-6.29, which allows for the purchase of supplies and equipment through cooperative purchasing programs, pursuant to California Government Code Section 6502 and City of Ontario Resolution No. 91-141. 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* **February 2, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Fire Department Prepared By: Mike Gerken Staff Member Presenting: Ray Gayk, Fire Chief Reviewed By: Jordan T Villwock Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 7

SUBJECT: AUTHORIZE THE PURCHASE OF PUBLIC SAFETY EQUIPMENT FROM FISHER SCIENTIFIC COMPANY, L.L.C.

RECOMMENDATION: That the City Council award Bid no. 1394 and authorize the purchase of public safety equipment from Fisher Scientific Company, L.L.C. of Pittsburgh, Pennsylvania, in the amount of $123,100.

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

FISCAL IMPACT: The Fiscal Year 2020-21 Adopted Operating Budget includes appropriations of $141,000 in the General Fund Grants for the purchase of public safety equipment as part of the Fiscal Year 2019 Urban Area Security Initiative (UASI) grant award spending plan accepted and approved by the City Council.

BACKGROUND & ANALYSIS: The purchase of the Gemini Rugged Handheld Chemical Analyzer will enhance the regional response capabilities in the west end of San Bernardino County and strengthen Ontario's role as a mutual aid resource for surrounding and regional agencies, including the Ontario International Airport. The Chemical Analyzer will identify a broad range of unknown chemicals and explosives in the field quickly, safely, and confidently using FTIR and Raman spectroscopy in a single instrument. This equipment is consistent with, and in support of the Riverside UASI scope and purpose.

CITY OF ONTARIO *Agenda Report* **February 2, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Engineering Prepared By: Jesus Plasencia Staff Member Presenting: Scott Murphy, Executive Director Community Development Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 8

SUBJECT: A RESOLUTION APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 20316 LOCATED AT THE NORTHWEST CORNER OF EUCALYPTUS AVENUE AND ARCHIBALD AVENUE

RECOMMENDATION: That the City Council adopt a resolution approving an improvement agreement, improvement security and Final Tract Map No. 20316 located at the northwest corner of Eucalyptus Avenue and Archibald Avenue within the Parkside Specific Plan area.

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
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: There is not a direct fiscal impact associated with this action. All public infrastructure improvements required for this subdivision will be constructed by the developer at its sole cost.

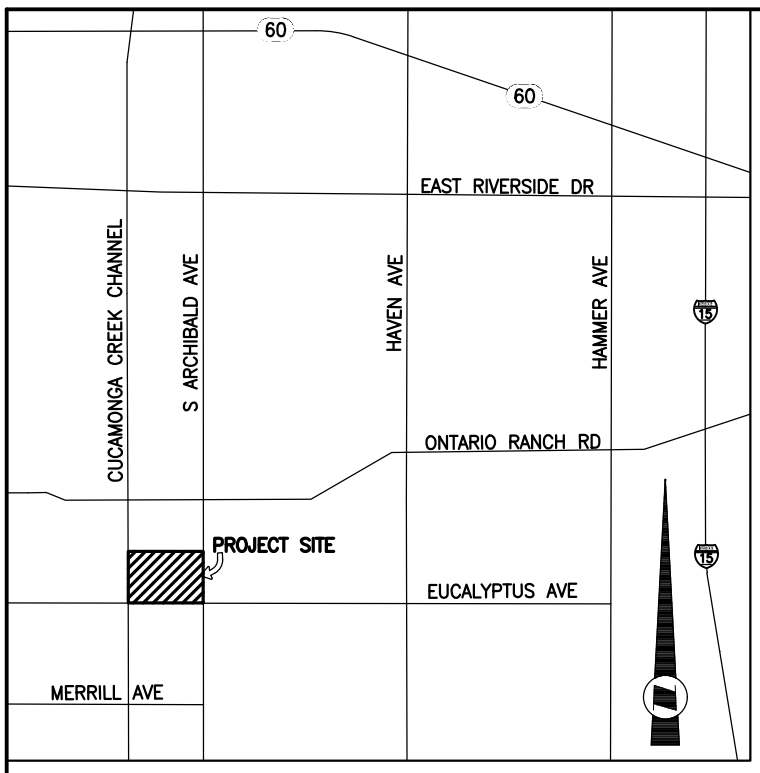
BACKGROUND & ANALYSIS: A Final Tract Map (No. 20316) consisting of four (4) numbered lots and nine (9) lettered lots for Condominium purposes on 51.195 acres as shown on Exhibit 'A', has been submitted by SC Ontario Development Company, LLC, A Delaware Limited Liability Company (Mr. Damon Gascon, Vice President - Regional Planned Communities). Tentative Tract Map No. 20316 was approved by the Planning Commission on May 26, 2020, and is consistent with the adopted Parkside Specific Plan.

Improvements will include AC pavement, curb, gutter, sidewalk, landscaped parkways, fiber optic conduits, fire hydrants, sewer, water, recycled water mains, storm drain, and street lights. The improvements in parkway landscaping will be consistent with current City approved drought measures.

The developer has entered into an improvement agreement with the City for Final Tract Map No. 20316 and has posted adequate security to ensure construction of the required public improvements.

The map meets all conditions of the Subdivision Map Act and the Ontario Municipal Code and has been reviewed and approved by the City Engineer.

EXHIBIT 'A'



VICINITY MAP
N.T.S.

LOT D
LOT B
LOT M
LOT C
ARCHIBALD AVENUE
LOT 3
LOT 2
LOT 4
LOT L
LOT A
LOT K
LOT 1
LOT J
LOT I
EUCALYPTUS AVENUE

RICK ENGINEERING COMPANY
1770 IOWA AVENUE - SUITE 100
RIVERSIDE, CA 92507
951-782-0707
(FAX) 951-782-0723
rickengineering.com

EXHIBIT 'A'

TRACT NO. 20316
4 NUMBERED LOT &
9 LETTERED LOT
SUBDIVISION

SCALE: 1"=200'

200 0 200 400

C:\RICK\PROJECTS\C19000\19033_PARKSIDE\19033-A\19033-AC\CIVIL\EXHIBITS\19033A-EXHIBIT A.DWG

PLOT DATE: 15-12-2020 JN 19033

© 2019 Rick Engineering Company

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN IMPROVEMENT AGREEMENT, IMPROVEMENT SECURITY AND FINAL TRACT MAP NO. 20316, LOCATED AT THE NORTHWEST CORNER OF EUCALYPTUS AVENUE AND ARCHIBALD AVENUE.

WHEREAS, Tentative Tract Map No. 20316, submitted for approval by SC Ontario Development Company, LLC was approved by the Planning Commission of the City of Ontario on May 26, 2020; and

WHEREAS, Tentative Tract Map No. 20316 consists of 4 numbered lots and 9 lettered lots for Condominium purposes within the Parkside Specific Plan being all of Lots 4, 6, 9, 10, 11, 12, 13,14, portion of Lot F, and Lots G, H, K, and M of Tract No. 18048, as per Map recorded inclusive of maps, in the County of San Bernardino, State of California; and

WHEREAS, to meet the requirements established as prerequisite to final approval of Tract Map No. 20316, said developer has offered the improvement agreement together with good and sufficient improvement security, in conformance with the City Attorney's approved format, for approval and execution by the City; and

WHEREAS, the requirement for the preparation of Covenants, Conditions and Restrictions (CC&R's), approved by the City Attorney's Office, to ensure the right to mutual ingress and egress and continued maintenance of common facilities by the commonly affected property owners has been deferred to a date that coincides with the recordation of the subject Tract Map.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, California, as follows:

1. That said Improvement Agreement be, and the same is, approved and the City Manager is authorized to execute same on behalf of said City, and the City Clerk is authorized to attest thereto; and

2. That said Improvement Security is accepted as good and sufficient, subject to approval as to form and content thereof by the City Attorney; and

3. That Final Tract Map No. 20316 be approved and that the City Clerk be authorized to execute the statement thereon on behalf of said City.

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

PASSED, APPROVED, AND ADOPTED this 2nd day of February 2021.

_____
PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

_____
BEST, BEST & KREIGER, 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. 2021- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held February 2, 2021 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. 2021- duly passed and adopted by the Ontario City Council at their regular meeting held February 2, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO *Agenda Report* **February 2, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Public Works Prepared By: Daniel P Beers Staff Member Presenting: Tito Haes, Executive Director Public Works Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 9

SUBJECT: REJECT ALL BIDS AND AUTHORIZE RE-BIDDING OF THE ONTARIO MUSEUM OF HISTORY AND ART GALLERY IMPROVEMENTS AND STORAGE

RECOMMENDATION: That the City Council reject all bids received for Bid No. 1386, D&C 19-009 Ontario Museum of History and Art Gallery Improvements and Storage and authorize staff to solicit new bids for this project.

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

FISCAL IMPACT: There is not a direct fiscal impact associated with this action.

BACKGROUND & ANALYSIS: The City of Ontario received a federal grant from the Institute of Museum & Library Services for construction of a Built On Water Exhibit to be placed in the Ontario Museum of History and Art. In preparation for this exhibit, certain renovations were required to comply with the Americans with Disabilities Act (ADA), including the addition of a new ADA restroom. The renovations also include a conversion of the Carlson Room into a new Children's Workspace/Exhibit room, and a new 2,500 square foot "museum quality" storage facility.

On November 9, 2020, staff began soliciting bids for the Ontario Museum of History and Art Gallery Improvements and Storage Project (the "Project"). On December 15, 2020, staff received six (6) construction bids ranging from $744,000 to $1,486,000 for the Project. After review of the bids, it was determined that the two lowest bidders did not meet the minimum bid qualifications for this project and were deemed non-responsive. Staff determined that it is in the best interest of the City to reject all bids in accordance with Ontario Municipal Code Section 2-6.20(a), to re-define the scope of work and to rebid the Project. The new bid will include a base bid of the Built on Water Exhibit, an ADA Restroom, the addition of the Carlson Gallery Improvement, and the addition of approximately 2,500 square feet of museum quality storage space.

CITY OF ONTARIO *Agenda Report* **February 2, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Financial Services Prepared By: Armen Harkalyan Staff Member Presenting: Armen Harkalyan, Executive Director of Finance Reviewed By: Darlene M Sanchez Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 10

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DENYING THE APPEAL OF APPELLANT MOTEL 6 ONTARIO AIRPORT CONCERNING THE ASSESSMENT OF TRANSIENT OCCUPANCY TAXES, INCLUDING PENALTIES AND INTEREST, BY THE CITY LICENSE OFFICIAL

RECOMMENDATION: That the City Council Adopt the Resolution Denying the Appeal of Appellant Motel 6 Ontario Airport Concerning the Assessment of Transient Occupancy Taxes, Including Penalties and Interest, by the City License Official

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

FISCAL IMPACT: The Transient Occupancy Tax License Official has determined that the Appellant Motel 6 Ontario Airport owes the City of Ontario $1,533,448.53 through June 30, 2020, in unpaid taxes, penalties, and interest. Additional taxes, penalties, and accrued interests are still owed to the City from July 1, 2020.

BACKGROUND & ANALYSIS: The City Council heard an appeal by Motel 6 Ontario Airport ("Appellant") concerning the City License Official's assessment of Transient Occupancy Taxes ("TOT") at a special City Council meeting held on January 15, 2021. At this hearing, the Appellant was represented by counsel who presented evidence and argument on the Appellant's behalf. The City Council also received argument from its License Official and legal counsel, appearing on the License Official's behalf. At the conclusion of the public hearing, and following deliberations, the City Council announced its intention to deny the appeal and affirm the Statement of Decision (Exhibit A) in full. The Council further directed that a resolution reflecting its decision be prepared and placed on the agenda for the current meeting.

A resolution reflecting the City Council's decision is included for Council consideration and adoption. Staff notes that this resolution references an assessment amount of $1,533,448.53, which includes penalties and interest through June 30, 2020, for the audit period at issue, as presented at the January 15, 2021, special City Council meeting.

Staff recommends that the City Council adopt the resolution affirming the License Official's Statement of Decision, attached hereto as Exhibit A.

BEFORE THE

TRANSIENT OCCUPANCY TAX LICENSE OFFICIAL

FOR THE

CITY OF ONTARIO, CALIFORNIA

IN RE

MOTEL 6 ONTARIO AIRPORT
1560 E. 4th Street
Ontario, CA 91764

FINDINGS OF FACT AND STATEMENT OF DECISION OF THE TRANSIENT OCCUPANCY TAX LICENSE OFFICIAL AFTER HEARING

License Official: Armen Harkalyan
Date: September 2, 2020
Time: 11:00 a.m.

INTRODUCTION

1. This matter involves the application of the City of Ontario's Transient Occupancy Tax to the revenues of the Motel 6 Ontario Airport Hotel. Executive Director of Finance Armen Harkalyan ("License Official"), sitting as the Transient Occupancy Tax License Official under Chapter 6 of Title 3 of the Ontario Municipal Code, heard this matter on September 2, 2020 in Ontario, California. The License Official was advised by attorney Steven P. Graham, special counsel to the City of Ontario.
2. City of Ontario ("City") is a municipal corporation existing under the laws of the State of California.
3. Motel 6 Ontario Airport Hotel ("Hotel") is a hotel operated in the City of Ontario by Ashish Kumar "Alex" Patel. The Hotel was represented by attorney Frank A. Weiser at the hearing.
4. The following Findings of Fact, Conclusions of Law, and Decision and Order are based on the evidence presented during the evidentiary hearing for this matter held on September 2, 2020, the City's investigation, and per oral stipulation at the September 2, 2020 hearing, a letter brief with exhibits from counsel for Motel 6 Ontario Airport Hotel that was received on September 17, 2020 and considered.

5. The License Official considered the testimony of all witnesses at the evidentiary hearing and all exhibits received into evidence. The mere fact that a particular witness testimony or exhibit may not be specifically referred to below does not and shall not be construed to mean that said testimony or exhibit was not considered.

6. The court reporter certified the Reporter's Transcript (RT) on September 18, 2020 and provided to all attorneys.

7. This Order is being provided within thirty days of receipt of the Reporter's Transcript.

ISSUES

8. Pursuant to Ontario Municipal Code Section 3-6.09, the issue to be determined by the License Official on the application of Hotel is whether the amount of Transient Occupancy Tax, along with any interest and penalties, specified within the Notice of Assessment issued by the License Official on December 10, 2019 should be upheld.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

A. Jurisdictional Matters

9. This matter is before the License Official following the City's December 10, 2019 Notice of Assessment for Transient Occupancy Tax ("Notice of Assessment") which found that Hotel had unpaid Transient Occupancy Taxes. The Notice of Assessment is attached hereto as **Attachment A**.

10. Hotel filed an Application for Hearing on December 16, 2019 challenging the Notice of Assessment. The Application for Hearing is attached hereto as **Attachment B**.

11. Pursuant to Ontario Municipal Code Section 3-6.09, a hearing before Executive Director of Finance Armen Harkalyan sitting as the Transient Occupancy Tax License Official was set where the Hotel could appear and offer evidence why the specified tax, interest, and penalties within the Notice of Assessment should not be so fixed.

B. Procedural Background

11. The evidentiary hearing for this matter was held on September 2, 2020 in Ontario, California.

12. The Hotel called no witnesses and offered no sworn testimony at the hearing.

13. The matter was taken under submission by the Hearing Officer at the conclusion of the hearing, pending receipt of the letter brief from the Hotel and the Reporter's Transcript.

14. Per oral stipulation at the hearing, the Hotel was given the opportunity to file a letter brief with evidentiary exhibits. The letter brief with exhibits from counsel for Motel 6 Ontario Airport Hotel was received on September 17, 2020 and considered. The Hotel Brief is attached hereto as **Attachment C.**

15. The Reporter's Transcript was certified on September 18, 2020. The Reporter's Transcript is attached hereto as **Attachment D.**

C. The Transient Occupancy Tax Ordinance

16. The City of Ontario imposes a Transient Occupancy Tax of eleven and three-quarters percent (11¾%) of rent on the privilege of occupancy of space in a hotel within its jurisdiction. O.M.C. § 3-6.03.

17. Rent is defined by the Ontario Municipal Code as "the consideration charged, whether or not received, for the occupancy of space in a hotel valued in money, whether to be received in money, goods, labor, or otherwise, including all receipts, cash, credits, property, and services of any kind or nature, without any deduction therefrom whatsoever." O.M.C. § 3-6.02(e).

18. Hotel is defined by the Ontario Municipal Code as "any structure, or any portion of any structure, which is occupied, or intended or designed for occupancy, by transients for dwelling, lodging, or sleeping purposes and shall include any hotel, inn, tourist home or house, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location, or other similar structure, or portion thereof." O.M.C. § 3-6.02(a).

19. The Ontario Municipal Code requires that "[e]ach operator shall collect and hold in trust for the account and benefit of the City the tax imposed by the provisions of this chapter to the same extent and at the same time as the rent is collected from every transient." O.M.C. § 3-6.05.

20. Operator is defined by the Ontario Municipal Code as "…the person who is the proprietor of the hotel whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or

any other capacity. Where the operator performs his or her functions through a managing agent of any type or character, other than an employee, the managing agent shall also be deemed an operator for the purposes of this chapter and shall have the same duties and liabilities as his or her principal." O.M.C. § 3-6.02(c).

21. The City of Ontario requires all operators of hotels to register such hotel with the License Official and obtain a "Transient Occupancy Registration Certificate" which shall be posted in a conspicuous place on the hotel premises. O.M.C. § 3-6.06. Such certificate shall include the name and address of the operator, the address of the hotel, the date the certificate was issued, and a statement required by the code. O.M.C. § 3-6.06.

22. The City of Ontario requires all operators to report and remit Transient Occupancy Taxes to the License Official. O.M.C. § 3-6.07. "Each operator shall, on or before the last day of the month following the close of each calendar quarter, or at the close of any shorter reporting period which may be established by the License Official, make a return to the License Official, on forms provided by him or her, of the total rents charged and received and the amount of tax collected for transient occupancies. At the time the return is filed, the full amount of the tax collected shall be remitted to the License Official." O.M.C. § 3-6.07.

23. Operators who fail to report and remit any Transient Occupancy Tax are subject to penalties and interest. O.M.C. § 3-6.08.

24. When an operator fails or refuses to report or remit Transient Occupancy Tax in the manner required by the Ontario Municipal Code, the License Official "shall proceed in such manner as he may deem best to obtain the facts and information on which to base his estimate of the tax due." O.M.C. § 3-6.09. Once the License Official has obtained such facts and information, the License Official "shall proceed to determine and assess against such operator the tax, interest, and penalties" and "give notice of the amount so assessed by serving it personally or depositing it in the United States mail, postage prepaid, addressed to the operator so assessed at his last known place of address." O.M.C. § 3-6.09.

25. The Ontario Municipal Code creates a rebuttable presumption that the amount of Transient Occupancy Tax, along with any penalties and interest, determined by the License Official is

correct. O.M.C. § 3-6.09. If not challenged, the determination of the License Official is "final and conclusive and immediately due and payable." O.M.C. § 3-6.09.

26. Any operator receiving a notice of assessment "may, within ten (10) days after the service or mailing of such notice, make an application in writing to the License Official for a hearing on the amount assessed." O.M.C. § 3-6.09. At the hearing "the operator may appear and offer evidence why such specified tax, interest, and penalties should not be so fixed." O.M.C. § 3-6.09.

27. After the hearing, the License Official "shall determine the proper tax to be remitted and shall thereafter give written notice to the person in the manner prescribed in this section of such determination and the amount of such tax, interest, and penalties." O.M.C. § 3-6.09.

D. The Hearing

28. Except as discussed below, the facts of this matter are essentially undisputed.

29. Under the Ontario Municipal Code, a rebuttable presumption exists at the hearing that the amount of tax assessed by the License Official is correct and operator has the opportunity to appear and offer evidence why the specified tax, interest, and penalties are incorrect.

30. The Hotel appeared by attorney Frank A. Weiser, who offered legal arguments orally at the hearing and in writing by way of a letter brief with exhibits submitted on September 17, 2020. Additionally, Mr. Weiser produced documents entitled "Monthly STAR Reports" for the Rodeway Inn Ontario Mills Mall. These documents were introduced to show that the occupancy rates for the area were lower than the License Official determined during the estimate of taxes owed. Additionally, as an attachment to the Hotel's letter brief, Mr. Weiser produced a copy of a grant deed that purports to show the property on which the Hotel exists is owned by HP Lodging, LLC. The Hotel did not otherwise produce testimony or evidence as to why the specified tax, interest, and penalties described in the Notice of Assessment was incorrect.

31. The Hotel provides the following arguments in opposition to the assessment of the License Official:

    31.1. The assessment is outside the statute of limitations pursuant to O.M.C. § 3-6.112 and California Code of Civil Procedure § 338.

31.2. The assessment was improper because it included time periods that had not yet occurred.

31.3. Alex Patel is not the true owner or operator of the Hotel, but rather, the owner or operator is HP Lodging, LLC. Mr. Weiser alleges that the City should have sent the Notice of Assessment to HP Lodging, LLC.

32. In addition to the above arguments, Mr. Weiser argued that the City of Ontario's Transient Occupancy Tax Ordinance was unconstitutional for the following reasons:

32.1. The City of Ontario's Transient Occupancy Tax Ordinance is facially unconstitutional, and unconstitutional as applied to Alex Patel and HP Lodging, LLC, under the Fourth Amendment to the United States Constitution because of the privacy interests of the business and guests.

32.2. The City of Ontario's Transient Occupancy Tax Ordinance violates due process because it does not provide a "clear and certain" post-deprivation remedial scheme.

32.3. The City of Ontario's Transient Occupancy Tax Ordinance fails to property distinguish between transient and permanent guests.

32.4. The City of Ontario's Transient Occupancy Tax Ordinance violates Equal Protection principles, the Commerce Clause of the United States Constitution, and the right of persons to travel because it requires the collection of taxes in violation of guests' constitutional right to travel.

1. Evidence and Testimony

33. The Hotel entered into the record at the September 2, 2020 hearing as Exhibit 1 copies of Monthly STAR Reports for the Rodeway Inn Ontario Mills Mall. The records were entered to show that the License Official's estimated occupancy rate for the Hotel was higher than appropriate, and therefore, the estimated tax was too high.

34. The License Official is not persuaded by the Monthly STAR Reports. The purpose of the STAR reports is purportedly to show an appropriate occupancy rate of "a subset of the motels in the City that are more in the vicinity of this particular motel." (Reporter's Transcript, 16:2-4.). However, the only hotel the Monthly STAR Reports were provided for is the Rodeway Inn Ontario Mills Mall, a hotel over four (4) miles away from the Hotel that sits between an active

railway and a truck stop south of Interstate 10. It is not clear from Hotel's presentation why these Monthly STAR Reports, for a single hotel significantly further from the Hotel than many others would form a better basis for determining the occupancy rate than the methodology used by the Licensed Official.

35. Additionally, it is unclear to the License Official why, in attempting to demonstrate the appropriate occupancy rate for the Hotel, the Hotel would produce reports on the Rodeway Inn Ontario Mills Mall, rather than reports or records related to the Hotel itself. While it would be speculation to determine whether Monthly STAR Reports on the Hotel would be more persuasive than the methodology employed by the License Official, it would certainly be more persuasive than reports of an unrelated single hotel located several miles away.

2. Statute of Limitations

36. The Hotel argues in its letter brief that "the August 18, 2020 assessment [falls] … outside the statute of limitations under the City Municipal Code § 3-6.112 ("OMC") and California Code of Civil Procedure ("CCP") § 338. Both sections clearly require that an audit can only be conducted going back three years as records under OMC § 3-6.112 [sic] must be kept only for three years and CCP § 338 sets a three year statute of limitations for the City to sue to collect on a debt." (Appeal Letter Brief for Alex Patel, Motel 6 Ontario Airport, dated September 17, 2020 ["Hotel Brief"], page 2).

37. The Notice of Assessment for the Hotel was submitted on December 13, 2019. (Notice of Assessment, page 1). The Notice of Assessment covers the time period from January 2016 through June 2019. (Id.) This time period is acknowledged by the Hotel. (Hotel Brief, p. 2). This time period is within the three year record-keeping requirement of OMC § 3-6.11.

38. CCP § 338 requires that an action on a liability created by statute, other than a penalty or forfeiture, must be commenced within three years. CCP § 338 governs actions brought in state court, not audit determinations of the License Official under the OMC. Additionally, the time period to bring an action for collection of local taxes does not begin until after the deficiency determination of the local official is final. (*See City of Los Angeles v. A. E. C. Los Angeles* (1973)

33 Cal.App.3d 933, 941). As the License Official's determination is not final on this appeal, the three years under the CCP for initiation of a collection action has not begun.

39. The License Official therefore finds that the Transient Occupancy Tax Assessment was properly made within any applicable statute of limitations.

3. Time Period Covered

40. The Hotel argues in its letter brief that the time period is inappropriate because the Audit Period is'allegedly revised to include the time period up to June 2020, based on statements in the Notice of Assessment, dated December 13, 2019 which includes the amount of tax, interest, and penalties owing as of that date at $1,135,244.97, and the License Official's Notice of Appeal Hearing, dated August 18, 2020, which includes the amount of tax, interest, and penalties owing as of that date at $1,553,448.53.

41. The audit period was from January 2016 through April 2019. The August 18, 2020 letter states that the amount owing to the City as of that date is "the sum of $1,553,448.53, which includes penalties and interest from January 2016 through June 2020." The difference between the amount of taxes, penalties, and interest stated in December 2019 and August 2020 represents the interest accruing on the unpaid taxes during that time period and does not represent any change in scope to the audit period.

4. Owner of the Hotel

42. The Hotel next argues at the September 2, 2020 hearing and in its letter brief that the City has failed to notify the true legal owner and operator of the property, which it asserts is HP Lodging, LLC. The Hotel argues that the failure to send the December 13, 2019 Notice of Assessment and/or August 18, 2020 Notice of the Appeal Hearing to HP Lodging, LLC constitutes a due process violation, as HP Lodging, LLC has a property interest at stake and must have an opportunity to be heard.

43. The City of Ontario Municipal Code requires all businesses operating within its jurisdiction register with the City and receive a business license. O.M.C. § 3-1.105.

44. The Hotel has a business license with the City and is registered with the name of the business Motel 6 Ontario Airport with a contact address of 1560 E 4th Street, Ontario, CA 91764. The owner of the Hotel and the contact for the Hotel were provided as Ashish Kumar "Alex" Patel.

45. The grant deed supplied by the Hotel in support of its argument only shows that HP Lodging, LLC, is the owner of property upon which the Hotel operates, it does not demonstrate on its face that HP Lodging, LLC meets the definition of "operator" under the OMC. An operator is the proprietor of the hotel, and the definition allows for an operator to be a person other than the owner of the property, including, for example, a lessee of real property who acts as the proprietor of the hotel.

46. In any case, the Statement of Information for HP Lodging, LLC, on file with the California Secretary of State for all relevant time periods lists as its agent for service of process, and as one of its members, Ashish Kumar "Alex" Patel, the same person registered with the City as the owner of the Hotel and a person who has received actual notice of the Notice of Assessment and the Notice of Hearing.

47. The License Official finds that in applying for and receiving a business license pursuant to OMC Chapter 3-1, Ashish Kumar "Alex" Patel provided the following information to the City: the business operating a hotel is the Motel 6 Ontario Airport, and that the contact address is 1560 E 4th Street, Ontario, CA 91764. Mr. Patel listed himself as the owner of the Hotel. The License Official further finds that Mr. Patel is listed as the Agent for Service of Process and member for the purported "true legal owner" HP Lodging, LLC. Finally, the License Official finds that Mr. Patel had actual notice of both the Notice of Assessment and Notice of Appeal Hearing, was afforded the opportunity to provide evidence and testimony to demonstrate that the amount of taxes determined by the License Official was improper, and did not appear at the hearing.

48. Based on the foregoing, the License Official finds that the City fulfilled any obligation it had to ensure that the operator of the Hotel was provided with the Notice of Assessment and the Notice of the Appeal Hearing.

5. Constitutional Arguments

49. In addition to the arguments addressed above in Subsections D.2., D.3., and D.4., the Hotel makes several arguments that the City of Ontario Transient Occupancy Tax Ordinance is facially unconstitutional or unconstitutional as applied to the Hotel. A summary of those arguments is included above at Subsection 33.1 – 33.5.

50. The License Official recognizes that he lacks jurisdiction to determine whether the City of Ontario Transient Occupancy Tax Ordinance is constitutional. *See* Cal. Const. Art. III § 3.5. Nevertheless, the License Official intends to respond briefly to the legal arguments made by Hotel and discuss why the License Official believes the City of Ontario Transient Occupancy Tax Ordinance is constitutional and enforceable.

a. Fourth Amendment - Privacy

51. Hotel argues that the City of Ontario's Transient Occupancy Tax Ordinance is facially unconstitutional, and unconstitutional as applied under the Fourth Amendment to the United States Constitution. Hotel cites City of Los Angeles v. Patel, 135 S. Ct. 2443 (2015) in support of its position.

52. The City of Ontario's Transient Occupancy Tax Ordinance is distinguishable from the City of Los Angeles ordinance. The Los Angeles ordinance required hotel operators to provide police officers with specified information concerning guests upon demand and a hotel owner who refuses to give an officer access to his or her registry can be arrested on the spot.

53. Here, the City of Ontario's Transient Occupancy Tax Ordinance requires that hotel operators keep records related to taxes owed for three years and that the License Official shall have the right to inspect at reasonable times. The Hotel acknowledges that the City is authorized to require a business to maintain business records and make them available when necessary to further a legitimate regulatory interest. (Hotel Brief, p. 10).

54. The Hotel fails to demonstrate that the City of Ontario's Transient Occupancy Tax Ordinance on its face, or the City in its application of the City of Ontario's Transient Occupancy Tax Ordinance, imposes/imposed any penalties on the Hotel for its failure to produce the records absent a subpoena. Rather, the License Official, when faced with Hotel's refusal to provide

business records necessary to establish the correct amount of tax owed, followed the remedy authorized by the City of Ontario's Transient Occupancy Tax Ordinance and he proceeded "in such manner as he may deem best to obtain the facts and information on which to base his estimate of the tax due." O.M.C. § 3-6.09. That is, the License Official used available records to estimate the daily rate and occupancy of the Hotel to estimate its tax liability. Hotel has never suffered a penalty for its failure to provide records.

b. Due Process - Refunds

55. Hotel argues that the City of Ontario's Transient Occupancy Tax Ordinance violates due process because it does not provide a "clear and certain" post-deprivation remedial scheme.

56. OMC § 3-6.12 provides a clear and certain refund process for overpaid taxes by either operators or transients.

c. Due Process - Definitions of Transient

57. Hotel argues that the City of Ontario's Transient Occupancy Tax Ordinance fails to property distinguish between transient and permanent guests.

58. OMC § 3-6.02(g) defines a transient as any person "who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license, or other agreement for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days." (emphasis added).

59. The City of Ontario's Transient Occupancy Tax Ordinance is not unconstitutionally vague under the due process principles, since it gives fair notice of collection and reporting requirements and provides reasonably adequate standards to guide enforcement. While the definitions of "hotel" and "occupancy" contain the words "dwelling" and "lodging," the tax clearly applies solely to those who occupy a hotel for a period of 30 consecutive calendar days or less. (*See* Patel v. City of Gilroy (2002) 97 Cal.App.4th 483, 487).

d. Equal Protection/Commerce Clause/Right to Travel

60. Hotel argues that the City of Ontario's Transient Occupancy Tax Ordinance violates Equal Protection principles, the Commerce Clause of the United States Constitution, and the right of

persons to travel because it requires the collection of taxes in violation of guests' constitutional right to travel.

61. The City of Ontario's Transient Occupancy Tax Ordinance distinguishes between persons who stay in accommodations for only short periods of time and persons who do not. The rational basis for the classification is City's desire to tax persons for the privilege of enjoying short-term occupancy of accommodations within City's jurisdiction. Transient occupancy is a proper subject of taxation and does not violate equal protection, the commerce clause, or the right to travel. (City of Santa Cruz v. Patel (2007) 155 Cal.App.4th 234, 248).

DECISION AND ORDER

62. The Hotel has not presented evidence or testimony that refutes the findings of the License Official. Therefore, the amount assessed by the License Official is upheld.

63. The amount of unpaid Transient Occupancy Taxes, interest, and penalties that Hotel is ordered to pay is the amount of $1,553,448.53 for the Audit Period.

64. Under O.M.C. § 3-6.09 and 3-6.10 this decision shall be final and the amount determined above shall be payable to the City unless you file an appeal to the City Council within fifteen (15) days of service of this Order. Any decision of the City Council following an appeal is final and conclusive and shall be the final administrative procedure available. You may have the right to appeal the decision of the City Council to a court of competent jurisdiction. If you seek judicial review of a decision of the City Council under California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City Council's decision became final pursuant to Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Dated: November 5, 2020

License Official

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DENYING THE APPEAL OF APPELLANT MOTEL 6 ONTARIO AIRPORT CONCERNING THE ASSESSMENT OF TRANSIENT OCCUPANCY TAXES, INCLUDING PENALTIES AND INTEREST, BY THE CITY LICENSE OFFICIAL.

WHEREAS, in 2019, the City of Ontario ("City") contracted with HdL Companies to perform a Transient Occupancy Tax ("TOT") Audit Review and Greater Ontario Tourism Market District ("GOTMD") Audit Review for each hotel within the City. The audit was for the period of January 2016 through April 2019 ("Audit Period"); and

WHEREAS, an audit was requested of Appellant Motel 6 Ontario Airport ("Appellant") located at 1560 E. 4th Street, Ontario, CA 91764, but the Appellant denied the request; and

WHEREAS, in addition to declining the audit request, the Appellant had not filed TOT or GOTMD returns, and had not remitted any taxes at all, for the Audit Period. As the Appellant failed or refused to collect and remit taxes owed, and refused to consent to the City's Audit request, the City Executive Director of Finance, acting in his capacity as the City License Official, proceeded to assess taxes, penalties, and interest in accordance with Ontario Municipal Code Section 3-6.09; and

WHEREAS, based on the City's average daily rate and average occupancy for hotel stays, the License Official determined and assessed the Appellant owed $1,135,244.97 in TOT (including penalties and interest) and $183,340.31 in GOTMD (including penalties and assessments) for a total of $1,318,585.28; and

WHEREAS, on December 13, 2019, the License Official notified the Appellant in writing of the above determination and assessment, as required under Ontario Municipal Code Section 3-6.09; and

WHEREAS, on December 16, 2019, the Appellant appealed the decision and requested a hearing before the License Official where the Appellant would be afforded an opportunity under Ontario Municipal Code Section 3-6.09 to "…appear and offer evidence why such specified tax, interest, and penalties should not be so fixed[.]"; and

WHEREAS, the hearing before the License Official occurred on September 2, 2020; and

WHEREAS, following the September 2, 2020 hearing, and after consideration of all evidence, including the written brief and evidence from Appellant's counsel of record, the License Official concluded that the amount of unpaid taxes, including interest and penalties was $1,553,448.53 ($1,318,585.28 for the Audit Period and $234,863.25 in interest and penalties from the end of the Audit Period through June 30, 2020); and

WHEREAS, on November 5, 2020, the License Official transmitted his Findings of Fact and Statement of Decision on the Transient Occupancy Tax Appeal ("Statement of Decision") to the Appellant per Ontario Municipal Code Section 3-6.09; and

WHEREAS, on November 19, 2020, the Appellant submitted an appeal of the Statement of Decision and requested a hearing before the City Council; and

WHEREAS, in accordance with Ontario Municipal Code Section 3-6.10, the License Official gave notice in writing to Appellant's counsel of record on January 4, 2021 advising that the City Council would hold a hearing to consider the Appellant's appeal on January 15, 2021, at 9:00 a.m.; and

WHEREAS, in advance of the January 15, 2021 hearing, Appellant presented evidence for City Council consideration in the form of TOT returns of Appellant during the Audit Period; and

WHEREAS, on January 15, 2021, the City Council held a hearing concerning the Appellant's appeal. The hearing was conducted in accordance with the Governor of the State of California's Declarations for Emergency for the State of California (Executive Orders N-25-20 and N-29-20). Appellant and the public were provided the opportunity to participate in Zoom audio-visual platform that allowed for the simultaneous exchange of oral and written evidence to the City Council during the hearing; and

WHEREAS, at the January 15, 2021 hearing, Appellant was represented by legal counsel who presented argument on behalf of Appellant; and

WHEREAS, at the January 15, 2021 hearing, the City Council, acting in its appellate capacity under Ontario Municipal Code Section 3-6.10, considered all testimony, evidence, and comment received on behalf of the Appellant, License Official, and public; and

WHEREAS, at the January 15, 2021 hearing, following the close of the hearing, the City Council deliberated and, upon Motion by Mayor Pro Tem Wapner and Second by Councilmember Dorst-Porada, announced its intention to deny the appeal and affirm the Statement of Decision of the License Official.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Ontario, California:

SECTION 1. That the City Council denies the appeal of Appellant concerning the TOT assessment of the City License Official.

SECTION 2. That the City Council affirms in full the Statement of Decision of the License Official, a true and correct copy of which is attached as Exhibit A hereto and incorporated by reference, and the City Council adopts the same as its reasons and bases for denying the appeal.

SECTION 3. That the City Council determines that the amount of TOT to be assessed against the Appellant that's owed to the City, including penalties and interest through June 30, 2020, is $1,533,448.53.

SECTION 4. That the City Council directs the License Official to determine and assess penalties and interest consistent with Chapter 3-6 of the Ontario Municipal Code until Appellant makes payment in full to the City.

SECTION 5. That the City Council directs the License Official to serve notice of this Resolution in accordance with the requirements of Chapter 3-6 of the Ontario Municipal Code.

SECTION 6. That in accordance with Code of Civil Procedure Section 1094.6(f), notice is hereby given to the Appellant that the time to commence any action seeking judicial review of the City Council's decision in this matter is governed by Section 1094.6 of the Code of Civil Procedure.

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

PASSED, APPROVED AND ADOPTED this 2nd day of February 2021.

_____
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 the foregoing Resolution No. 2021- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held February 2, 2021 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. 2021- duly passed and adopted by the Ontario City Council at their regular meeting held February 2, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO *Agenda Report* **February 2, 2021**	**SECTION:** **CONSENT CALENDAR**
Department: Management Services Prepared By: Michael Krouse Staff Member Presenting: Darlene M. Sanchez, Assistant City Manager Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 11

SUBJECT: A RESOLUTION OF INTENTION TO MODIFY THE GREATER ONTARIO TOURISM MARKETING DISTRICT PLAN

RECOMMENDATION:
That the City Council adopt a resolution of intention to modify the existing Greater Ontario Tourism Marketing District Management District Plan (Plan).

THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:
Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner
Pursue City's Goals and Objectives by Working with Other Governmental Agencies

FISCAL IMPACT: There is no direct fiscal impact with the adoption of this resolution of intention.

BACKGROUND & ANALYSIS: The Greater Ontario Tourism Marketing District (GOTMD) is a benefit assessment district created in 2013 and renewed in 2018, to fund marketing and sales promotion efforts for assessed lodging businesses. The GOTMD currently includes all lodging businesses with fifty (50) rooms or more located within the boundaries of the cities of Ontario and Rancho Cucamonga.

The Property and Business Improvement District Law of 1994, Streets and Highways Code §36600 et seq., allows for the Owners' Association to request the City Council to modify the Management District Plan (Plan). The Greater Ontario Convention and Visitors Bureau (Bureau) is the Owners' Association of the GOTMD and has requested that City Council begin proceedings to modify the Plan. The proposed modification will modify the Plan to include all lodging businesses with fifty (50) rooms or more and all short-term rentals located within the boundaries of the cities of Ontario and Rancho Cucamonga.

Hoteliers and the Bureau decided to pursue formation and renewal of the GOTMD in order to have a revenue source devoted to marketing the Greater Ontario area as a tourist, meeting and event destination. The Bureau is requesting to modify the Plan to include all short-term rentals. This modification will continue to enhance this region as a tourist, meeting and event destination.

TOURISM MARKETING DISTRICTS: Tourism Marketing Districts (TMDs) utilize the efficiencies of the private sector, in the market-based promotion of tourism. These special assessment districts allow lodging and tourism-related business owners to organize their efforts to increase tourism. Tourism-related business owners within the district fund the TMD, and those funds are used to provide services that the businesses desire and that benefit the lodging businesses within the TMD.

In California, most Tourism Marketing Districts are formed pursuant to the Property and Business Improvement District Law of 1994. This law allows for the creation of a benefit assessment district to raise funds within a specific geographic area. The key difference between TMDs and other benefit assessment districts is that funds raised are returned to the private non-profit corporation governing the district.

MANAGEMENT DISTRICT PLAN: The Management District Plan, attached as Exhibit A, includes the boundary of the GOTMD, a service plan and budget and a means of governance. The modified Plan indicates that the GOTMD will include all lodging businesses with fifty (50) rooms or more and all short-term rentals located within the boundaries of the cities of Ontario and Rancho Cucamonga.

The modified Plan, with the addition of short-term rentals, would take effect on May 1, 2021, and will continue until the expiration of the GOTMD on June 30, 2028. Once per year, beginning on the anniversary of district formation, there is a 30-day period in which business owners paying more than fifty percent (50%) of the assessment may protest and begin proceedings to terminate the district.

The Bureau will continue to be responsible for collecting the assessment on a monthly basis from each assessed business in the GOTMD. Upon a successful modification, this will include short-term rentals in addition to all lodging businesses with fifty (50) rooms or more.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, DECLARING ITS INTENTION TO MODIFY THE MANAGEMENT DISTRICT PLAN OF THE GREATER ONTARIO TOURISM MARKETING DISTRICT, FIXING THE TIME AND PLACE OF A PUBLIC MEETING AND PUBLIC HEARING THEREON, AND GIVING NOTICE THEREOF.

WHEREAS, on May 3, 2016, the City Council of the City of Ontario ("City Council") adopted Resolution No. 2016-030 adopting the Management District Plan and renewing the Greater Ontario Tourism Marketing District (GOTMD); and

WHEREAS, the Property and Business Improvement District Law of 1994, Streets and Highways Code §36600 et seq authorizes the City to modify the Management District Plan ("MDP") at the request of the Owners' Association; and

WHEREAS, the City received a recommendation from the GOTMD Owners' Association, the Greater Ontario Convention and Visitors Bureau ("Bureau"), recommending modification of the Management District Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THAT:

1. The recitals set forth herein are true and correct.

2. The City Council declares its intention to modify the GOTMD MDP.

3. The proposed modification of the GOTMD will now include all lodging businesses with fifty (50) rooms or more and all short-term rentals located within the boundaries of the cities of Ontario and Rancho Cucamonga.

4. The time and place for a public meeting to hear public comment on modification of the GOTMD MDP is set for 6:30 PM or as soon thereafter as the matter may be heard on March 2, 2021 at City Council Chambers, 303 East B Street, Ontario, CA 91764.

5. The time and place for a public hearing on modification of the GOTMD assessment to include short-term rentals is set for 6:30 PM or as soon thereafter as the matter may be heard on April 6, 2021 at City Council Chambers, 303 East B Street, Ontario, CA 91764.

6. This Resolution shall take effect immediately upon its adoption by the City Council.

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

PASSED, APPROVED, AND ADOPTED this 2nd day of February 2021.

_____
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. 2021- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held February 2, 2021 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. 2021- duly passed and adopted by the Ontario City Council at their regular meeting held February 2, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

2018-2028



Greater Ontario Tourism marketing District

Management District Plan

Prepared pursuant to the Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq.

~~February 19,~~ 2016December 21

I. CONTENTS

I. CONTENTS 1

II. OVERVIEW 2

III. ACCOMPLISHMENTS ..... 3~~4~~

IV. BACKGROUND ..... 4~~5~~

V. BOUNDARY ..... 5~~6~~

VI. BUDGET AND SERVICES ..... 7~~87~~

A. Annual Service Plan ..... 7~~87~~
B. Annual Budget ..... 8~~98~~
C. California Constitutional Compliance ..... 9~~109~~
D. Assessment ..... 12~~1311~~
E. Penalties and Interest ..... 12~~1312~~
F. Time and Manner for Collecting Assessments ..... 13~~1412~~

VIII. GOVERNANCE ..... 14~~1513~~

A. Owners' Association ..... 14~~1513~~
B. Brown Act and California Public Records Act Compliance ..... 14~~1513~~
C. Annual Report ..... 14~~1513~~

APPENDIX 1 – LAW ..... 15~~1614~~

APPENDIX 2 – ASSESSED BUSINESSES ..... 26~~2725~~

APPENDIX 3 – BENEFIT STUDY ..... 28~~2927~~

Prepared by
Civitas

(800)999-7781
www.civitasadvisors.com

II. OVERVIEW

Developed by the Greater Ontario Convention and Visitors Bureau (Bureau), the Greater Ontario Tourism Marketing District (GOTMD) is an assessment district designed to provide specific benefits to payors, by funding marketing and sales promotion efforts for assessed businesses. The GOTMD was formed in 2013 for a five (5) year term. Lodging businesses now wish to renew the GOTMD for an additional ten (10) years.

Location: The renewed GOTMD includes all lodging businesses with fifty (50) rooms or more and all short-term rentals located within the boundaries of the cities of Ontario and Rancho Cucamonga, as shown on the map in section IV.

Services: The GOTMD is designed to provide specific benefits directly to assessed lodging businesses by increasing room night sales. Marketing and sales promotions will increase overnight tourism to and market assessed lodging businesses as tourist, meeting and event destinations, thereby increasing room night sales.

Budget: The total GOTMD annual budget for the initial year of its ten (10) year operation is anticipated to be approximately $2,200,000. This budget is expected to fluctuate as room sales do, and will increase to approximately $~~3,825,000~~ 5,300,000 in year six (6) when the assessment rate increases.

Cost: The annual cost to each assessed lodging business is based on room rental revenue. The annual assessment rate is two percent (2%) of gross short-term room rental revenue in years one through five of this term. The assessment rate will automatically increase to three percent (3%) of gross short-term room rental revenue in years six through ten of this term. Because the marketing programs will not promote or seek certain stays, assessments will not be collected on revenue resulting from: stays of more than thirty (30) consecutive days; stays by any Federal officer or employee when on official Federal government business; nor on stays by any officer or employee of a foreign government who is exempt by express provision of Federal law or international treaty.

Collection: The Bureau will be responsible for collecting the assessment on a monthly basis (including any delinquencies, penalties and interest) from each assessed lodging business located in its jurisdiction. The Bureau shall take all reasonable efforts to collect the assessments from each lodging business.

Duration: The GOTMD will have a ten (10) year life, beginning July 1, 2018 through June 30, 2028. Once per year beginning on the anniversary of district renewal there is a 30-day period in which owners paying more than fifty percent (50%) of the assessment may protest and initiate a City Council hearing on district termination.

Management: The Bureau will continue to serve as the GOTMD's Owners' Association. The Owners' Association is charged with managing funds and implementing programs in accordance with the Plan, and must provide annual reports to the City Council.

III. ACCOMPLISHMENTS

The GOTMD has successfully provided specific benefits to assessed businesses for several years. These benefits will continue under the renewed district. A summary of key benefits from the District's initial term is provided below.

1. Economic Impact

During its first year, GOTMD hotels received:

- Increased Group Room Night Bookings by 9%
- Increased Lead Generation by 19%
- Total Economic Impact grew 12.5% year over year
- Research Reporting, market trends and quarterly updates

2. Five Year Strategic Plan

Developed a Five Year Strategic Plan to drive room night sales that includes:

- New Brand Identity and Brand Positioning
- New Websites and social media platforms
- An Advertising and PR Plan
- Destination & Viral Videos
- Upgraded collateral including Visitor & Meeting Professional Guides
- Industry and Consumer Newsletters about the destination

3. Regional Events

Produced Regional Events to create destination awareness and attract overnight visitors and increase overnight hotel stays:

Huck Finn Jubilee Bluegrass Music Festival

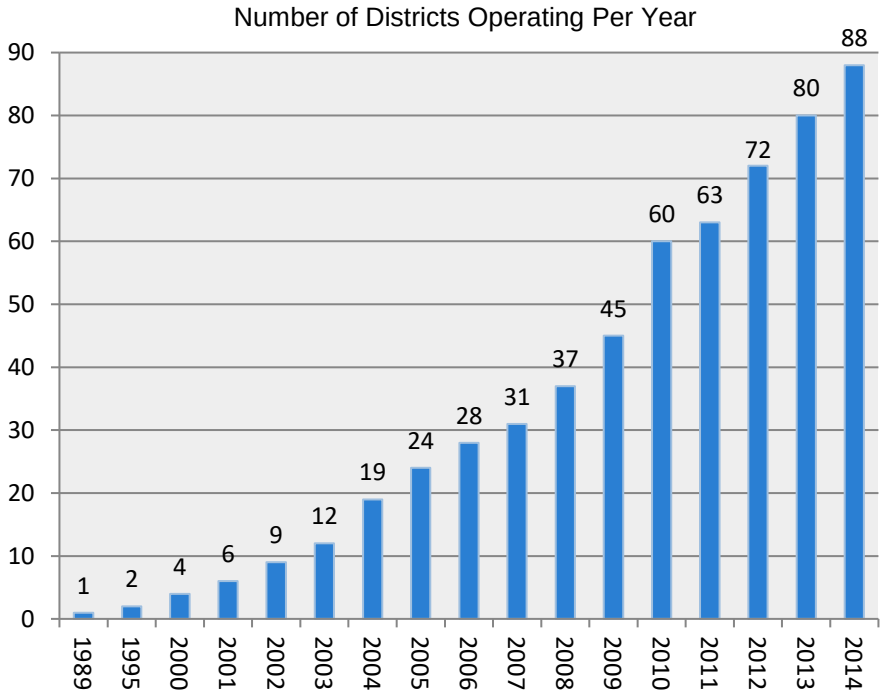
- Total attendance: 30,000
- The largest 3-day Bluegrass Music Festival on the west coast with a line-up of Grammy winning artists spanning a genre that includes the more traditional Bluegrass and also the more contemporary bands

Route 66 Cruisin' Reunion – Classic Car Show

- Total attendance: 200,000
- Classic Car Registrants: Over 1,000 classic car participants
- The Route 66 Cruisin' Reunion features 3 days of classic cars, cruising, contests, live entertainment on two stages, fabulous food and revelry to make it one of the nation's most extended, long play events of its kind.

IV. BACKGROUND

TMDs are an evolution of the traditional Business Improvement District. The first TMD was formed in West Hollywood, California in 1989. Since then, over eighty California destinations have followed suit. In recent years, other states have begun adopting the California model – Washington, Montana, and Texas have adopted TMD laws. Several other states are in the process of adopting their own legislation. And, some cities, like Portland, Oregon, have utilized their charter powers to create TMDs without a state law.



California's TMDs collectively raise over $190 million for local destination marketing. With competitors raising their budgets, and increasing rivalry for visitor dollars, it is important that Greater Ontario lodging businesses invest in stable, lodging-specific marketing programs.

TMDs utilize the efficiencies of private sector operation in the market-based promotion of tourism districts. TMDs allow lodging business owners to organize their efforts to increase room night sales. Lodging business owners within the TMD pay an assessment and those funds are used to provide services that increase room night sales.

In California, TMDs are formed pursuant to the Property and Business Improvement District Law of 1994. This law allows for the creation of a benefit assessment district to raise funds within a specific geographic area. *The key difference between TMDs and other benefit assessment districts is that funds raised are returned to the private non-profit corporation governing the district.*

There are many benefits to TMDs:

- Funds must be spent on services and improvements that provide a specific benefit only to those who pay;
- Funds cannot be diverted to general government programs;
- They are customized to fit the needs of payors in each destination;
- They allow for a wide range of services;
- They are ***designed, created and governed by those who will pay*** the assessment; and
- They provide a stable, long-term funding source for tourism promotion.

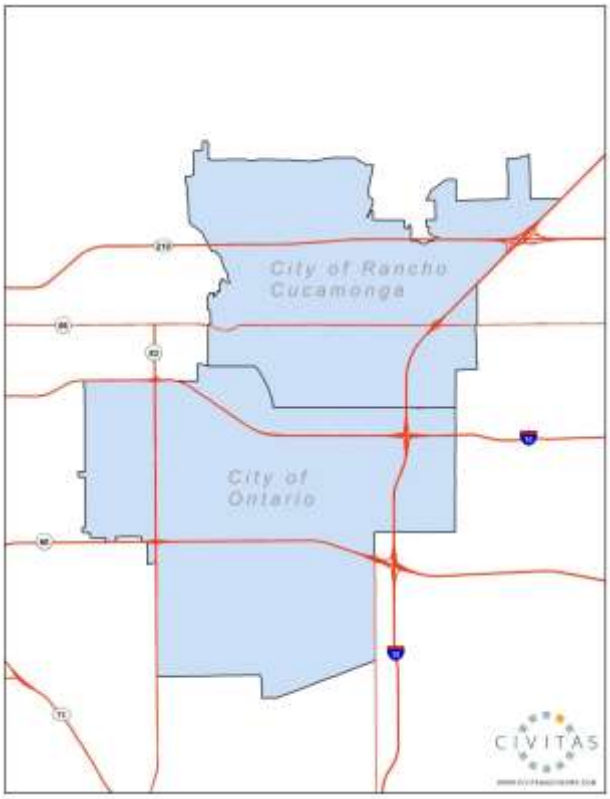
V. BOUNDARY

The GOTMD will include all lodging businesses with fifty (50) or more rooms, and all short-term rentals, existing and in the future, available for public occupancy within the boundaries of the cities of Ontario and Rancho Cucamonga.

Lodging business means: any structure, or any portion of any structure, which is occupied, or intended or designed for occupancy, by transients for dwelling, lodging, or sleeping purposes and shall include any hotel, inn, tourist home, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location, or other similar structure, or portion thereof.

"Short-term rental means: a dwelling unit, or any portion thereof, that is rented by the host to another party for a period of not more than 30 consecutive days in exchange for any form of monetary or non-monetary compensation or consideration. "Short-term rental" shall include rental activity in which the host remains on the site of his or her primary residence throughout the duration of the guest's stay, rental activity in which the host remains off the site of his or her primary residence-site for some or all of the duration of the guest's stay, and rental activity that is not a primary residence, and which is available for temporary lodging, for compensation or any form of consideration. "Short-term rental" shall not include: single-room occupancy buildings and a dwelling unit for which a tenant has a month-to-month rental agreement and the rental payments are made on a monthly basis, or corporate housing.

The boundary, as shown in the map below, currently includes fifty-six (56)~~nine (59)~~ lodging businesses. A complete listing of lodging businesses within the Greater Ontario ~~GO~~TMD can be found in Appendix 2.

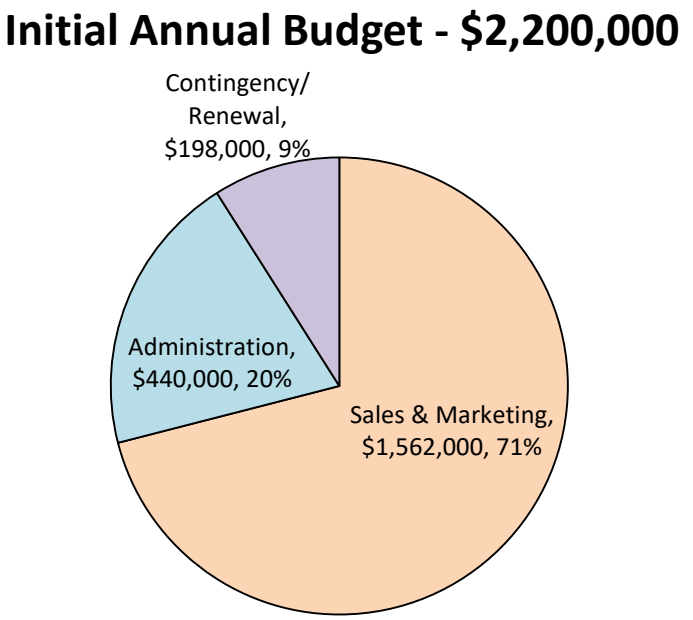

City of Rancho Cucamonga
City of Ontario
CIVITAS

VI. BUDGET AND SERVICES

A. Annual Service Plan

Assessment funds will be spent to provide specific government services and specific benefits conferred or privileges granted directly to the payors that are not provided to those not charged, and which do not exceed the reasonable cost to the City of conferring the benefits or granting the privileges. The privileges and services provided with the GOTMD funds are sales and marketing programs available only to assessed businesses.

A service plan budget has been developed to deliver services that benefit assessed businesses in the District. A detailed annual budget will be developed and approved by the Bureau. The table below illustrates the initial annual budget allocations. The total initial budget is $2,200,000.



Although actual revenues will fluctuate due to market conditions and the automatic assessment rate increase in the sixth year of the term, the proportional allocations of the budget shall remain the same. However, the City and the Bureau board shall have the authority to adjust budget allocations between the categories by no more than fifteen percent (15%) of the total budget per year. A description of the proposed improvements and activities for the initial year of operation is below. The same activities are proposed for subsequent years. In the event of a legal challenge against the GOTMD, any and all assessment funds may be used for the costs of defending the GOTMD.

Each budget category includes all costs related to providing that service, in accordance with Generally Accepted Accounting Procedures (GAAP). For example, the sales and marketing budget includes the cost of staff time dedicated to overseeing and implementing the sales and marketing program. Staff time dedicated purely to administrative tasks is allocated to the administrative portion of the budget. The costs of an individual staff member may be allocated to multiple budget categories, as appropriate in accordance with GAAP. The staffing levels necessary to provide the services below will be determined by the Bureau on an as-needed basis.

Sales and Marketing
A sales and marketing program will promote assessed businesses as tourist, meeting, and event destinations. The sales and marketing program will have a central theme of promoting Greater Ontario and Rancho Cucamonga as desirable places for overnight visits. The program will have the goal of increasing overnight visitation and room night sales at assessed businesses, and may include the following activities:

- Internet marketing efforts to increase awareness and optimize internet presence to drive overnight visitation and room sales to assessed businesses;
- Print ads in magazines and newspapers targeted at potential visitors to drive overnight visitation and room sales to assessed businesses;
- Television ads targeted at potential visitors to drive overnight visitation and room sales to assessed businesses;
- Promotion and production of special events that draw overnight visitors to assessed businesses;
- Radio ads targeted at potential visitors to drive overnight visitation and room sales to assessed businesses;
- Attendance of trade shows to promote assessed businesses;
- Sales blitzes for assessed businesses;
- Familiarization tours of assessed businesses;
- Preparation and production of collateral promotional materials such as brochures, flyers and maps featuring assessed businesses;
- Attendance of professional industry conferences and affiliation events to promote assessed businesses;
- Market research to identify targets and opportunities to attract overnight visitors to assessed businesses;
- Lead generation activities designed to attract tourists and group events to assessed businesses; and
- Director of Sales and General Manager meetings to plan and coordinate tourism promotion efforts for assessed businesses.

Administration and Operations
The administration and operations portion of the budget shall be utilized for administrative staffing costs, office costs, and other general administrative costs such as insurance, legal, and accounting fees related to providing specific benefits and government services to the assessed businesses.

Contingency/Renewal
A prudent portion of the budget will be allocated to a contingency fund, to account for lower than anticipated collections. If there are contingency funds collected and near the expiration of the district there are contingency funds remaining, and business owners wish to renew the district, the contingency funds may be used for renewal costs.

B. Annual Budget

The total ten (10) year improvement and service plan budget is below. The assessment rate increase in the sixth year (FY 2023-24) of the ten-year term is taken into account to calculate the increase in fiscal year 2023-24. The budget below includes a three percent (3%) annual increase to the budget

resulting from increased revenue at assessed businesses due to GOTMD programs. The actual annual budgets may fluctuate as room sales and revenue increase at assessed businesses.

GOTMD Estimated Annual Budget	
Fiscal Year	Estimated Budget
2018-19	$ 2,200,000
2019-20	$ 2,266,000
2020-21	$ 1,769,082*
2021-22	$ 3,330,316
2022-23	$ 3,430,225
2023-24	$ 5,299,698
2024-25	$ 5,458,689
2025-26	$ 5,622,450
2026-27	$ 5,791,123
2027-28	$ 5,964,857
Total	$ 41,132,442

~~GOTMD Estimated Annual Budget~~	
~~Fiscal Year~~	~~Estimated Budget~~
~~2018-19~~	~~$2,200,000.00~~
~~2019-20~~	~~$2,266,000.00~~
~~2020-21~~	~~$2,333,980.00~~
~~2021-22~~	~~$2,403,999.40~~
~~2022-23~~	~~$2,476,119.38~~
~~2023-24~~	~~$3,825,604.45~~
~~2024-25~~	~~$3,940,372.58~~
~~2025-26~~	~~$4,058,583.76~~
~~2026-27~~	~~$4,180,341.27~~
~~2027-28~~	~~$4,305,751.51~~
~~Total~~	~~$31,990,752.34~~

**The FY2020-21 estimated budget includes a reduction in collections due to COVID-19.*

C. California Constitutional Compliance

The GOTMD levy is a charge on the lodging businesses for the cost of providing the specific benefits and specific government services. The GOTMD levy is not a tax for general or special purposes, nor is it a property-based assessment subject to the requirements of Proposition 218. The Court has found, "Proposition 218 limited the term 'assessments' to levies on real property."[1] Rather, the GOTMD assessment is a business-based assessment, and is subject to Proposition 26. Pursuant to Proposition 26 all levies are a tax unless they fit one of seven exceptions. Two of these exceptions apply to the GOTMD, a "specific benefit" and a "specific government service." Both require that the costs of benefits or services do not exceed the reasonable costs to the City of conferring the benefits or providing the services.

[1] *Jarvis v. the City of San Diego* 72 Cal App. 4th 230

1. Specific Benefit

Proposition 26 requires that assessment funds be expended on, "a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege."[2] The services in this Management District Plan are designed to provide targeted specific benefits directly to assessed lodging businesses, and are intended only to provide specific benefits and services directly to those businesses paying the assessment. These services are tailored not to benefit the general public, businesses in general, or parcels of land, but rather to provide a specific benefit to the assessed lodging businesses within the District. The activities described in this Plan are specifically targeted to increase room night sales and revenue for assessed lodging businesses within the boundaries of the District, and are narrowly tailored. GOTMD funds will be used exclusively to provide the specific benefit of increased room night sales directly to the assessees. For example, assessment funds shall not be used to feature non-assessed lodging businesses in GOTMD programs. Further, assessment funds shall not be used to directly generate sales for non-assessed businesses. The activities paid for from assessment revenues are business services constituting and providing specific benefits to the assessed businesses.

The assessment imposed by this District is for a specific benefit conferred directly to the payors that is not provided to those not charged. The specific benefit conferred directly to the payors is an increase in room night sales and revenue. The specific benefit of an increase in room night sales and revenue for assessed lodging businesses will be provided only to lodging businesses paying the district assessment, with marketing and sales programs promoting lodging businesses paying the district assessment. The marketing and sales programs will be designed to increase room night sales at each assessed lodging businesses. Because they are necessary to provide the marketing and sales programs that specifically benefit the assessed lodging businesses, the administration, collection and contingency services also provide the specific benefit of increased room night sales to the assessed lodging businesses.

Although the District, in providing specific benefits to payors, may produce incidental benefits to non-paying businesses, the incidental benefit does not preclude the services from being considered a specific benefit. The legislature has found that, "A specific benefit is not excluded from classification as a 'specific benefit' merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific benefit to the payor."[3]

2. Specific Government Service

The assessment may also be utilized to provide, "a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product."[4] The legislature has recognized that marketing and promotions services like those to be provided by the GOTMD are government services within the meaning of Proposition 26[5].

Although the District, in providing specific government services to payors, may produce incidental benefits to non-paying businesses, the incidental benefit does not preclude the services from being considered a specific government service. The legislature has found that "a specific government

[2] Cal. Const. art XIII C § 1(e)(1)
[3] Government Code section 53758(a)
[4] Cal. Const. art XIII C § 1(e)(2)
[5] Government Code section 53758(b)

service is not excluded from classification as a 'specific government service' merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific government service to the payor."[6]

3. Reasonable Cost

District services will be implemented carefully to ensure they do not exceed the reasonable cost of such services. The full amount assessed will be used to provide the services described herein. Funds will be managed by the Owners' Association, and reports submitted on an annual basis to the City. Only assessed lodging businesses will be featured in marketing materials, receive sales leads generated from district-funded activities, be featured in advertising campaigns, and benefit from other district-funded services. Non-assessed lodging businesses will not receive these, nor any other, district-funded services and benefits.

The District-funded programs are all targeted directly at and feature only assessed businesses. It is, however, possible that there will be a spill over benefit to non-assessed businesses. If non-assessed lodging businesses receive incremental room nights, that portion of the promotion or program generating those room nights shall be paid with non-District funds. GOTMD funds shall only be spent to benefit the assessed businesses, and shall not be spent on that portion of any program which generates incidental room nights for non-assessed businesses.

4. Benefit to NonPayors

The specific benefits and government services provided by the GOTMD will only be directly provided to the assessed businesses; they will not be directly provided to non-assessed businesses. Possible indirect benefit does not preclude the GOTMD services from being considered a specific benefit or government service. The legislature has directly indicated, in the context of tourism marketing districts, that services are not precluded from classification as a specific benefit or a specific government service merely because an indirect benefit to a non-payor occurs as a consequent of providing the service and without cost to the payor.

Although the legislature does not require the cost of any incidental benefit to non-payors be separated from the assessment, out of an abundance of caution a study was conducted on benefit generated by the GOTMD programs. The study is attached as Appendix 3. The study found that 6.5% of marketing programs generate incidental room night sales at non-assessed lodging businesses. Although it is not required, the portion of programs that generate this benefit will be paid for with non-assessment funds. Assessment funds will only fund that portion of the programs (94.5%) which represents a specific benefit to the assessed businesses. For example, if a program costs $100,000 total, the GOTMD will fund $94,500 and the remaining $6,500 will be sourced from non-assessment funds.

The amount of the assessment is no more than necessary to cover the reasonable costs of the proposed activities, and the manner in which the costs are allocated to a business owner bears a fair share or reasonable relationship to the businesses' benefits received from the proposed activities. The benefit study in Appendix ## found that the benefits provided by the GOTMD do not exceed the reasonable cost.

The programs provided with GOTMD funding receive additional non-assessment funding in the form of grants, corporate sponsorships, event income, transient occupancy tax, and other funds. These

funding sources shall be equal to or exceed the amount of benefit conferred to non-payors annually by the GOTMD's services. These non-assessment funds will be used to pay for the benefit to non-payors provided by the GOTMD services, ensuring that assessments will only be used to provide specific benefits and government services to assessed businesses.

D. Assessment

The annual assessment rate is two percent (2%) in years one through five (FY 2018-19 through FY 2022-23) and three percent (3%) in years six through ten (FY 2023-24 through FY 2027-28) of gross short term room rental revenue. Because the marketing programs will not promote or seek certain stays, assessments will not be collected on revenue resulting from: stays of more than thirty (30) consecutive days; stays by any Federal officer or employee when on official Federal government business; nor on stays by any officer or employee of a foreign government who is exempt by express provision of Federal law or international treaty. Every vacation rental, listing a property or room for rent, operating on a Hosting Platform shall be subject to the assessment.

The term "gross room rental revenue" as used herein means: the consideration charged, whether or not received, for the occupancy of space in a lodging business valued in money, whether to be received in money, goods, labor, or otherwise, including all receipts, cash, credits, property, and services of any kind or nature, without any deduction therefrom whatsoever. Gross room rental revenue shall not include any federal, state or local taxes collected, including but not limited to transient occupancy taxes.

The assessment is levied upon and a direct obligation of the assessed lodging businesses. However, the assessed lodging business may, at its discretion, pass the assessment on to transients. The amount of assessment, if passed on to each transient, shall be disclosed in advance and separately stated from the amount of rent charged and any other applicable taxes, and each transient shall receive a receipt for payment from the business. The assessment shall be disclosed as the "GOTMD Assessment." The assessment is imposed solely upon, and is the sole obligation of the assessed lodging business even if it is passed on to transients. The assessment shall not be considered revenue for any purposes, including calculation of transient occupancy taxes.

An assessed business may use a hosting platform to list their vacation rental. "Hosting Platform" means a natural person, joint venture, joint stock company, partnership, association, club, company corporation, business trust, or organization of any kind who participates in the short-term rental business by facilitating a booking transaction using any medium of facilitation. If a hosting platform is used to facilitate a booking transaction, the business owner is still solely responsible for ensuring the assessment is remitted for each short-term stay.

Bonds shall not be issued.

E. Penalties and Interest

1. Any business which fails to remit any assessment within thirty (30) days shall pay a penalty in the amount of one-half of one percent (0.5%) per day of the assessment due and owning in addition to the amount of the assessment.
2. Any business which fails to remit any delinquent assessment on or before a period of thirty (30) days following the date on which the assessment first became delinquent (or sixty [60] days after the initial due date) shall pay a second delinquency penalty in the amount of ten percent (10%) of the assessment due and owing in addition to the amount of the assessment and the one-half of one percent (0.5%) penalty first imposed pursuant to section 1 above.

3. If the collecting city determines that the non-payment of any assessment is due to fraud, a penalty in the amount of twenty-five (25%) of the amount of assessment due and owning shall be added thereto in addition to the penalties set forth in section 1 and 2 above.
4. In addition to the penalties imposed, any business which fails to remit any assessment shall pay interest at the rate of one-half of one percent (0.5%) per month, or fraction thereof, on the amount of the assessment due and owing, exclusive of penalties, from the date on which the assessment first became delinquent until paid.

F. Time and Manner for Collecting Assessments

The GOTMD assessment will be implemented beginning July 1, 2018 and will continue for ten (10) years through June 30, 2028. The Bureau will be responsible for collecting the assessment on a monthly basis (including any delinquencies, penalties and interest) from each assessed lodging business located in their respective jurisdictions. The Bureau shall take all reasonable efforts to collect the assessments from each lodging business within the GOTMD.

VIII. GOVERNANCE

A. Owners' Association

The City Council, through adoption of this Management District Plan, has the right, pursuant to Streets and Highways Code §36651, to identify the body that shall implement the proposed program, which shall be the Owners' Association of the GOTMD as defined in Streets and Highways Code §36614.5. The City Council has determined that Greater Ontario Convention and Visitors Bureau will continue to serve as the Owners' Association for the GOTMD.

B. Brown Act and California Public Records Act Compliance

An Owners' Association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose.[7] The Owners' Association is, however, subject to government regulations relating to transparency, namely the Ralph M. Brown Act and the California Public Records Act. These regulations are designed to promote public accountability. The Owners' Association acts as a legislative body under the Ralph M. Brown Act (Government Code §54950 et seq.). Thus, meetings of the Bureau board and certain committees must be held in compliance with the public notice and other requirements of the Brown Act. The Owners' Association is also subject to the record keeping and disclosure requirements of the California Public Records Act. Accordingly, the Owners' Association shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

C. Annual Report

The Bureau shall present an annual report at the end of each year of operation to the City Council pursuant to Streets and Highways Code §36650 (see Appendix 1). The annual report shall include:

- Any proposed changes in the boundaries of the improvement district or in any benefit zones or classification of businesses within the district.
- The improvements and activities to be provided for that fiscal year.
- An estimate of the cost of providing the improvements and the activities for that fiscal year.
- The method and basis of levying the assessment in sufficient detail to allow each business owner to estimate the amount of the assessment to be levied against his or her business for that fiscal year.
- The amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
- The amount of any contributions to be made from sources other than assessments levied pursuant to this part.

[7] Streets and Highways Code section 36612

APPENDIX 1 – LAW

STREETS AND HIGHWAYS CODE
Division 18. Parking
Part 7. Property and Business Improvement District Law of 1994

Cal Sts & Hy Code Div. 18, Pt. 7 Note (2015)

*** This document is current through the 2015 Supplement ***
(All 2014 legislation)

36600. Citation of part

This part shall be known and may be cited as the "Property and Business Improvement District Law of 1994."

36601. Legislative findings and declarations

The Legislature finds and declares all of the following:
(a) Businesses located and operating within business districts in some of this state's communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.
(b) It is in the public interest to promote the economic revitalization and physical maintenance of business districts in order to create jobs, attract new businesses, and prevent the erosion of the business districts.
(c) It is of particular local benefit to allow business districts to fund business related improvements, maintenance, and activities through the levy of assessments upon the businesses or real property that receive benefits from those improvements.
(d) Assessments levied for the purpose of conferring special benefit upon the real property or businesses in a business district are not taxes for the general benefit of a city, even if property or persons not assessed receive incidental or collateral effects that benefit them.
(e) Property and business improvement districts formed throughout this state have conferred special benefits upon properties and businesses within their districts and have made those properties and businesses more useful by providing the following benefits:
(1) Crime reduction. A study by the Rand Corporation has confirmed a 12-percent reduction in the incidence of robbery and an 8-percent reduction in the total incidence of violent crimes within the 30 districts studied.
(2) Job creation.
(3) Business attraction.
(4) Business retention.
(5) Economic growth.
(6) New investments.
(f) With the dissolution of redevelopment agencies throughout the state, property and business improvement districts have become even more important tools with which communities can combat blight, promote economic opportunities, and create a clean and safe environment.
(g) Since the enactment of this act, the people of California have adopted Proposition 218, which added Article XIII D to the Constitution in order to place certain requirements and restrictions on the formation of, and activities, expenditures, and assessments by property-based districts. Article XIII D of the Constitution provides that property-based districts may only levy assessments for special benefits.
(h) The act amending this section is intended to provide the Legislature's guidance with regard to this act, its interaction with the provisions of Article XIII D of the Constitution, and the determination of special benefits in property-based districts.
(1) The lack of legislative guidance has resulted in uncertainty and inconsistent application of this act, which discourages the use of assessments to fund needed improvements, maintenance, and activities in property-based districts, contributing to blight and other underutilization of property.

(2) Activities undertaken for the purpose of conferring special benefits upon property to be assessed inherently produce incidental or collateral effects that benefit property or persons not assessed. Therefore, for special benefits to exist as a separate and distinct category from general benefits, the incidental or collateral effects of those special benefits are inherently part of those special benefits. The mere fact that special benefits produce incidental or collateral effects that benefit property or persons not assessed does not convert any portion of those special benefits or their incidental or collateral effects into general benefits.

(3) It is of the utmost importance that property-based districts created under this act have clarity regarding restrictions on assessments they may levy and the proper determination of special benefits. Legislative clarity with regard to this act will provide districts with clear instructions and courts with legislative intent regarding restrictions on property-based assessments, and the manner in which special benefits should be determined.

36602. Purpose of part

The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within property and business improvement districts, to ensure that those assessments conform to all constitutional requirements and are determined and assessed in accordance with the guidance set forth in this act. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.

36603. Preemption of authority or charter city to adopt ordinances levying assessments

Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).

36603.5. Part prevails over conflicting provisions

Any provision of this part that conflicts with any other provision of law shall prevail over the other provision of law, as to districts created under this part.

36604. Severability

This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

36606. "Activities"

"Activities" means, but is not limited to, all of the following that benefit businesses or real property in the district:
(a) Promotion of public events.
(b) Furnishing of music in any public place.
(c) Promotion of tourism within the district.
(d) Marketing and economic development, including retail retention and recruitment.
(e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.
(f) Other services provided for the purpose of conferring special benefit upon assessed businesses and real property located in the district.

36606.5. "Assessment"

"Assessment" means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and providing activities that will provide certain benefits to properties or businesses located within a property and business improvement district.

36607. "Business"

"Business" means all types of businesses and includes financial institutions and professions.

36608. "City"

"City" means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, the public member agencies of which includes only cities, counties, or a city and county, or the State of California.

36609. "City council"

"City council" means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.

36609.4. "Clerk"

"Clerk" means the clerk of the legislative body.

36609.5. "General benefit"

"General benefit" means, for purposes of a property-based district, any benefit that is not a "special benefit" as defined in Section 36615.5.

36610. "Improvement"

"Improvement" means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:
(a) Parking facilities.
(b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.
(c) Trash receptacles and public restrooms.
(d) Lighting and heating facilities.
(e) Decorations.
(f) Parks.
(g) Fountains.
(h) Planting areas.
(i) Closing, opening, widening, or narrowing of existing streets.
(j) Facilities or equipment, or both, to enhance security of persons and property within the area.
(k) Ramps, sidewalks, plazas, and pedestrian malls.
(l) Rehabilitation or removal of existing structures.

36611. "Management district plan"; "Plan"

"Management district plan" or "plan" means a proposal as defined in Section 36622.

36612. "Owners' Association"

"Owners' association" means a private nonprofit entity that is under contract with a city to administer or implement improvements, maintenance, and activities specified in the management district plan. An owners' association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners' association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners' association shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and

with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code), for all records relating to activities of the district.

36614. "Property"

"Property" means real property situated within a district.

36614.5. "Property and business improvement district"; "District"

"Property and business improvement district," or "district," means a property and business improvement district established pursuant to this part.

36614.6. "Property-based assessment"

"Property-based assessment" means any assessment made pursuant to this part upon real property.

36614.7. "Property-based district"

"Property-based district" means any district in which a city levies a property-based assessment.

36615. "Property owner"; "Business owner"; "Owner"

"Property owner" means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. "Business owner" means any person recognized by the city as the owner of the business. "Owner" means either a business owner or a property owner. The city council has no obligation to obtain other information as to the ownership of land or businesses, and its determination of ownership shall be final and conclusive for the purposes of this part. Wherever this part requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient. Wherever this part requires the signature of the business owner, the signature of the authorized agent of the business owner shall be sufficient.

36615.5. "Special benefit"

"Special benefit" means, for purposes of a property-based district, a particular and distinct benefit over and above general benefits conferred on real property located in a district or to the public at large. Special benefit includes incidental or collateral effects that arise from the improvements, maintenance, or activities of property-based districts even if those incidental or collateral effects benefit property or persons not assessed. Special benefit excludes general enhancement of property value.

36616. "Tenant"

"Tenant" means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

36617. Alternative method of financing certain improvements and activities; Effect on other provisions

This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

36620. Establishment of property and business improvement district

A property and business improvement district may be established as provided in this chapter.

36620.5. Requirement of consent of city council

A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.

36621. Initiation of proceedings; Petition of property or business owners in proposed district

(a) Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property or a business owned by the same property or business owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property or business owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.
(b) The petition of property or business owners required under subdivision (a) shall include a summary of the management district plan. That summary shall include all of the following:
(1) A map showing the boundaries of the district.
(2) Information specifying where the complete management district plan can be obtained.
(3) Information specifying that the complete management district plan shall be furnished upon request.
(c) The resolution of intention described in subdivision (a) shall contain all of the following:
(1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement as to whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities, and the location and extent of the proposed district.
(2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

36622. Contents of management district plan

The management district plan shall include, but is not limited to, all of the following:
(a) If the assessment will be levied on property, a map of the district in sufficient detail to locate each parcel of property and, if businesses are to be assessed, each business within the district. If the assessment will be levied on businesses, a map that identifies the district boundaries in sufficient detail to allow a business owner to reasonably determine whether a business is located within the district boundaries. If the assessment will be levied on property and businesses, a map of the district in sufficient detail to locate each parcel of property and to allow a business owner to reasonably determine whether a business is located within the district boundaries.
(b) The name of the proposed district.
(c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected property and businesses included, which may be made by reference to any plan or map that is on file with the clerk. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part. This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.
(d) The improvements, maintenance, and activities proposed for each year of operation of the district and the maximum cost thereof. If the improvements, maintenance, and activities proposed for each year of operation are the same, a description of the first year's proposed improvements, maintenance, and activities and a statement that the

same improvements, maintenance, and activities are proposed for subsequent years shall satisfy the requirements of this subdivision.
(e) The total annual amount proposed to be expended for improvements, maintenance, or activities, and debt service in each year of operation of the district. If the assessment is levied on businesses, this amount may be estimated based upon the assessment rate. If the total annual amount proposed to be expended in each year of operation of the district is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years shall satisfy the requirements of this subdivision.
(f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against his or her property or business. The plan also shall state whether bonds will be issued to finance improvements.
(g) The time and manner of collecting the assessments.
(h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years. Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.
(i) The proposed time for implementation and completion of the management district plan.
(j) Any proposed rules and regulations to be applicable to the district.
(k) **(1)** A list of the properties or businesses to be assessed, including the assessor's parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof.

(2) In a property-based district, the proportionate special benefit derived by each identified parcel shall be determined exclusively in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the activities. An assessment shall not be imposed on any parcel that exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and a property-based district shall separate the general benefits, if any, from the special benefits conferred on a parcel. Parcels within a property-based district that are owned or used by any city, public agency, the State of California, or the United States shall not be exempt from assessment unless the governmental entity can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit. The value of any incidental, secondary, or collateral effects that arise from the improvements, maintenance, or activities of a property-based district and that benefit property or persons not assessed shall not be deducted from the entirety of the cost of any special benefit or affect the proportionate special benefit derived by each identified parcel.
(l) In a property-based district, the total amount of all special benefits to be conferred upon the properties located within the property-based district.
(m) In a property-based district, the total amount of general benefits, if any.
(n) In a property-based district, a detailed engineer's report prepared by a registered professional engineer certified by the State of California supporting all assessments contemplated by the management district plan.
(o) Any other item or matter required to be incorporated therein by the city council.

36623. Procedure to levy assessment

(a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with Section 53753 of the Government Code.
(b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with Section 54954.6 of the Government Code, except that notice shall be mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the public hearing. The city council may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the city as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business or the authorized representative. A written protest that does not comply with this section shall not be counted in determining a majority protest. If written protests are received from the owners or authorized representatives of

businesses in the proposed district that will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50 percent, no further proceedings to levy the proposed assessment against such businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

(c) If a city council proposes to conduct a single proceeding to levy both a new or increased property assessment and a new or increased business assessment, the notice and protest and hearing procedure for the property assessment shall comply with subdivision (a), and the notice and protest and hearing procedure for the business assessment shall comply with subdivision (b). If a majority protest is received from either the property or business owners, that respective portion of the assessment shall not be levied. The remaining portion of the assessment may be levied unless the improvement or other special benefit was proposed to be funded by assessing both property and business owners.

36624. Changes to proposed assessments

At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements, maintenance, and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements, maintenance, and activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

36625. Resolution of formation

(a) If the city council, following the public hearing, decides to establish a proposed property and business improvement district, the city council shall adopt a resolution of formation that shall include, but is not limited to, all of the following:

(1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property, businesses, or both within the district, a statement on whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements need not be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities and the location and extent of the proposed district.

(2) The number, date of adoption, and title of the resolution of intention.

(3) The time and place where the public hearing was held concerning the establishment of the district.

(4) A determination regarding any protests received. The city shall not establish the district or levy assessments if a majority protest was received.

(5) A statement that the properties, businesses, or properties and businesses in the district established by the resolution shall be subject to any amendments to this part.

(6) A statement that the improvements, maintenance, and activities to be conferred on businesses and properties in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements, maintenance, or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district.

(7) A finding that the property or businesses within the area of the property and business improvement district will be benefited by the improvements, maintenance, and activities funded by the proposed assessments, and, for a property-based district, that property within the district will receive a special benefit.

(8) In a property-based district, the total amount of all special benefits to be conferred on the properties within the property-based district.

(b) The adoption of the resolution of formation and, if required, recordation of the notice and map pursuant to Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the management district plan.

36626. Resolution establishing district

If the city council, following the public hearing, desires to establish the proposed property and business improvement district, and the city council has not made changes pursuant to Section 36624, or has made changes that do not substantially change the proposed assessment, the city council shall adopt a resolution establishing the district. The resolution shall contain all of the information specified in Section 36625.

36627. Notice and assessment diagram

Following adoption of the resolution establishing district assessments on properties pursuant to Section 36625 or Section 36626, the clerk of the city shall record a notice and an assessment diagram pursuant to Section 3114. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.

36628. Establishment of separate benefit zones within district; Categories of businesses

The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone. If the assessment is to be levied on businesses, the city council may also define categories of businesses based upon the degree of benefit that each will derive from the improvements or activities to be provided within the district and may impose a different assessment or rate of assessment on each category of business, or on each category of business within each zone.

36628.5. Assessments on businesses or property owners

The city council may levy assessments on businesses or on property owners, or a combination of the two, pursuant to this part. The city council shall structure the assessments in whatever manner it determines corresponds with the distribution of benefits from the proposed improvements, maintenance, and activities, provided that any property-based assessment conforms with the requirements set forth in paragraph (2) of subdivision (k) of Section 36622.

36629. Provisions and procedures applicable to benefit zones and business categories

All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones or categories of business. The city council shall, to establish, modify, or disestablish a benefit zone or category of business, follow the procedure to establish, modify, or disestablish a property and business improvement district.

36630. Expiration of district; Creation of new district

If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of Section 36622, a new management district plan may be created and the district may be renewed pursuant to this part.

36631. Time and manner of collection of assessment; Delinquent payments

The collection of the assessments levied pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution levying the assessment. Assessments levied on real property may be collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part may be charged interest and penalties.

36632. Assessments to be based on estimated benefit; Classification of real property and businesses; Exclusion of residential and agricultural property

(a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.

(b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.
(c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

36633. Time for contesting validity of assessment

The validity of an assessment levied under this part shall not be contested in any action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36626. Any appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

36634. Service contracts authorized to establish levels of city services

The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.

36635. Request to modify management district plan

The owners' association may, at any time, request that the city council modify the management district plan. Any modification of the management district plan shall be made pursuant to this chapter.

36636. Modification of plan by resolution after public hearing; Adoption of resolution of intention; Modification of improvements and activities by adoption of resolution after public hearing

(a) Upon the written request of the owners' association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623. Notice of all other public hearings pursuant to this section shall comply with both of the following:
(1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public hearing.
(2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public hearing, to each business owner or property owner affected by the proposed modification.
(b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

36637. Reflection of modification in notices recorded and maps

Any subsequent modification of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100), in a manner consistent with the provisions of Section 36627.

36640. Bonds authorized; Procedure; Restriction on reduction or termination of assessments

(a) The city council may, by resolution, determine and declare that bonds shall be issued to finance the estimated cost of some or all of the proposed improvements described in the resolution of formation adopted pursuant to Section 36625, if the resolution of formation adopted pursuant to that section provides for the issuance of bonds, under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500)) or in conjunction with Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code). Either act, as the case may be, shall govern the proceedings relating to the

issuance of bonds, although proceedings under the Bond Act of 1915 may be modified by the city council as necessary to accommodate assessments levied upon business pursuant to this part.
(b) The resolution adopted pursuant to subdivision (a) shall generally describe the proposed improvements specified in the resolution of formation adopted pursuant to Section 36625, set forth the estimated cost of those improvements, specify the number of annual installments and the fiscal years during which they are to be collected. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from assessments over 30 years.
(c) Notwithstanding any other provision of this part, assessments levied to pay the principal and interest on any bond issued pursuant to this section shall not be reduced or terminated if doing so would interfere with the timely retirement of the debt.

36650. Report by owners' association; Approval or modification by city council

(a) The owners' association shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements, maintenance, and activities described in the report. The owners' association's first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, including any categories of business, if a classification is used.
(b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information:

(1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.

(2) The improvements, maintenance, and activities to be provided for that fiscal year.

(3) An estimate of the cost of providing the improvements, maintenance, and activities for that fiscal year.

(4) The method and basis of levying the assessment in sufficient detail to allow each real property or business owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property or business for that fiscal year.

(5) The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.

(6) The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.

(c) The city council may approve the report as filed by the owners' association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636.
The city council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments, including any commitment to pay principal and interest on any bonds issued on behalf of the district.

36651. Designation of owners' association to provide improvements and activitites

The management district plan may, but is not required to, state that an owners' association will provide the improvements, maintenance, and activities described in the management district plan. If the management district plan designates an owners' association, the city shall contract with the designated nonprofit corporation to provide services.

36660. Renewal of district; Transfer or refund of remaining revenues; District term limit

(a) Any district previously established whose term has expired, or will expire, may be renewed by following the procedures for establishment as provided in this chapter.
(b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.

(c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

36670. Circumstances permitting disestablishment of district; Procedure

(a) Any district established or extended pursuant to the provisions of this part, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:

(1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.

(2) During the operation of the district, there shall be a 30-day period each year in which assessees may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners or authorized representatives of real property or the owners or authorized representatives of businesses in the area who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.

(b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel or to the owner of each business subject to assessment in the district, as appropriate. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property or business owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.

36671. Refund of remaining revenues upon disestablishment or expiration without renewal of district; Calculation of refund; Use of outstanding revenue collected after disestab-lishment of district

(a) Upon the disestablishment or expiration without renewal of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, or from bond reserve or construction funds, shall be refunded to the owners of the property or businesses then located and operating within the district in which assessments were levied by applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district is disestablished or expires. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the management district plan.

(b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.

APPENDIX 2 – ASSESSED BUSINESSES

BUSINESS NAME	ADDRESS	CITY	STATE	ZIP
American Inn	755 North Euclid Ave.	Ontario	CA	91762
America's Best Value Inn & Suites	2425 South Archibald Ave.	Ontario	CA	91761
Azure Hotel & Suites~~Ayres Hotel & Suites Airport~~	1945 East Holt Blvd.	Ontario	CA	91764
Ayres Suites at Ontario Mills~~Ayres Suites Ontario at the Mills Mall~~	4370 East Mills Circle	Ontario	CA	91764
Best Inn Ontario	1045 West Mission Blvd.	Ontario	CA	91762
Best Western InnSuites Hotel & Suites	3400 Shelby Ave.	Ontario	CA	91764
Best Western Plus Ontario Airport	209 North Vineyard Ave.	Ontario	CA	91764
~~Bright Star Motel~~	~~1530 West Mission Blvd.~~	~~Ontario~~	~~CA~~	~~91762~~
~~Capri Motel~~	~~1217 East Holt Blvd.~~	~~Ontario~~	~~CA~~	~~91761~~
Comfort Suites	1811 East Holt Blvd.	Ontario	CA	91764
County Inn & Suites by Carlson at Ontario Mills	4674 East Ontario Mills Pkwy.	Ontario	CA	91764
County Inn Ontario	2359 South Grove Ave.	Ontario	CA	91761
Days Inn Ontario	1405 East Fourth St.	Ontario	CA	91764
Doubletree Ontario Airport	222 N. Vineyard Ave.	Ontario	CA	91764
~~Econo Inn~~	~~2301 South Euclid Ave.~~	~~Ontario~~	~~CA~~	~~91764~~
~~Econo Inn~~	~~724 South San Antonio Ave.~~	~~Ontario~~	~~CA~~	~~91762~~
EconoLodge	1655 East 4th St.	Ontario	CA	91764
Embassy Suites	3663 East Guasti Rd.	Ontario	CA	91761
Extended Stay America	3990 East Inland Blvd.	Ontario	CA	91764
Fairfield Inn by Marriott Ontario	3201 East Center Lake Dr.	Ontario	CA	91764
Golden Bear Inn	661 West Holt Blvd.	Ontario	CA	91762
Hampton Inn & Suites	4500 East Mills Circle	Ontario	CA	91764
Holiday Inn Express Hotel & Suites	2280 South Haven Ave.	Ontario	CA	91761
Holiday Inn - Ontario Convention Center~~Holiday Inn Ontario Airport~~	2155 East Convention Center Way	Ontario	CA	91764
Hyatt Place Ontario Mills	4760 East Mills Circle	Ontario	CA	91764
Knights Inn at Ontario Airport	1120 East Holt Blvd.	Ontario	CA	91764
La Quinta Inn & Suites	3555 Inland Empire Blvd.	Ontario	CA	91764
Mission Inn	1514 West Mission Blvd.	Ontario	CA	91762
Motel 6	1560 East 4th St.	Ontario	CA	91764
Motel 6 Ontario Vineyard Avenue	231 North Vineyard Ave.	Ontario	CA	91764
~~Mountain Inn~~	~~2289 South Mountain Ave.~~	~~Ontario~~	~~CA~~	~~91762~~
Ontario ~~Airpirt~~Airport Inn	1801 East G St.	Ontario	CA	91764
Ontario Airport Hotel	700 North Haven Ave.	Ontario	CA	91764
Ontario Grand Inn & Suites Ontario-Rancho Cucamonga	3333 Shelby Dr.	Ontario	CA	91764
~~Ontario Motor Inn~~	~~1522 West Mission Blvd.~~	~~Ontario~~	~~CA~~	~~91762~~

Pepper Tree Motel	1241 East Holt Blvd.	Ontario	CA	91761
Quality Inn Ontario Airport	514 North Vineyard Ave.	Ontario	CA	91764
Radisson Ontario Airport	2200 East Holt Blvd.	Ontario	CA	91764
Ramada Inn	1841 East G St.	Ontario	CA	91764
Rancho Motel	1440 West Mission Blvd.	Ontario	CA	91762
Red Carpet Motel	1117 North Baker Ave.	Ontario	CA	91764
Red Lion Suites	204 North Vineyard Ave.	Ontario	CA	91764
Red Roof Inn	1818 East Holt Ave.	Ontario	CA	91764
Residence Inn	2025 East Convention Center Way	Ontario	CA	91764
Rodeway Inn	4075 East Guasti Rd.	Ontario	CA	91761
~~Sands Motel~~	~~1240 West Mission Blvd.~~	~~Ontario~~	~~CA~~	~~91762~~
Sheraton Ontario Airport	429 North Vineyard Ave.	Ontario	CA	91764
Star Motel	1250 West Mission Blvd.	Ontario	CA	91762
Super 8 Motel-Airport South	2441 South Euclid Ave.	Ontario	CA	91764
Travelodge	1150 Grove Ave.	Ontario	CA	91764
West Coast Inn	1211 North Grove Ave.	Ontario	CA	91764
Aloft Ontario-Rancho Cucamonga	10480 Fourth St.	Rancho Cucamonga	CA	91730
Best Western Heritage Inn	8179 Spruce Ave.	Rancho Cucamonga	CA	91730
Courtyard by Marriott Ranch Cucamonga	11525 Mission Vista Dr.	Rancho Cucamonga	CA	91730
Four Points Ranch Cucamonga	11960 Foothill Blvd.	Rancho Cucamonga	CA	91730
Hilton Garden Inn RC	11481 Mission Vista Dr.	Rancho Cucamonga	CA	91730
Holiday Inn Express Hotel & Suites	9589 Milliken Ave.	Rancho Cucamonga	CA	91730
Homewood Suites by Hilton Ontario-Rancho Cucamonga	11433 Mission Vista Dr.	Rancho Cucamonga	CA	91730
TownePlace Suites by Marriott	9625 Milliken Ave.	Rancho Cucamonga	CA	91730
Folk Inn Ontario Airport	204 N. Vineyard Avenue	Ontario	CA	91764
Four Points Rancho Cucamonga	11960 Foothill Blvd.	Rancho Cucamonga	CA	91730
Spring Hill Suites	3595 E. Guasti Road	Ontario	CA	91761
Residence Inn-Rancho Cucamonga	9299 Haven Avenue	Rancho Cucamonga	CA	91730

APPENDIX 3 – BENEFIT STUDY

CITY OF ONTARIO *Agenda Report* **February 2, 2021**	**SECTION:** **PUBLIC HEARINGS**
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: 12

SUBJECT: **A PUBLIC HEARING TO CONSIDER CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2019049079), INCLUDING THE ADOPTION OF A MITIGATION MONITORING AND REPORTING PROGRAM AND A STATEMENT OF OVERRIDING CONSIDERATIONS, IN CONJUNCTION WITH THE FOLLOWING: [1] A GENERAL PLAN AMENDMENT (FILE NO. PGPA18-003) TO MODIFY THE POLICY PLAN (GENERAL PLAN) LAND USE PLAN (EXHIBIT LU-01), CHANGING THE LAND USE DESIGNATION ON 376.3 ACRES OF LAND FROM BUSINESS PARK (0.6 FAR), OFFICE COMMERCIAL (0.75 FAR) AND GENERAL COMMERCIAL (0.4 FAR), TO BUSINESS PARK (0.6 FAR) AND INDUSTRIAL (0.55 FAR), AND MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE PROPOSED LAND USE DESIGNATION CHANGES; AND [2] A SPECIFIC PLAN (FILE NO. PSP18-001 - MERRILL COMMERCE CENTER) TO ESTABLISH THE LAND USE DISTRICTS, DEVELOPMENT STANDARDS, GUIDELINES, AND INFRASTRUCTURE IMPROVEMENTS FOR THE POTENTIAL DEVELOPMENT OF UP TO 8,455,000 SQUARE FEET OF INDUSTRIAL AND BUSINESS PARK LAND USES ON THE PROJECT SITE, GENERALLY BORDERED BY EUCALYPTUS AVENUE TO THE NORTH, MERRILL AVENUE TO THE SOUTH, CARPENTER AVENUE TO THE EAST, AND GROVE AVENUE TO THE WEST; (APNS: 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05; 1073-111-06)**

RECOMMENDATION: That the City Council take the following actions:

A. Adopt a resolution certifying the Environmental Impact Report (SCH#2019049079) prepared for Merrill Commerce Center Specific Plan, File No. PSP18-001, which includes the adoption of a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program;
B. Adopt a resolution approving a General Plan Amendment (File No. PGPA18-003) to modify the Land Use Element of The Ontario Plan (General Plan) to change the land use designations shown

on the Land Use Plan Map (Exhibit LU-01) for 376.3 acres of land from General Commercial, Office Commercial and Business Park to General Industrial and Business Park and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and

C. Introduce and waive further reading of an ordinance approving the Merrill Commerce Center Specific Plan (File No. PSP18-001).

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 Merrill Commerce Center Specific Plan would result in both short and long-term fiscal impacts to the City. Short-term impacts include infrastructure improvements to serve the new Industrial and Business Park development. The cost of these improvements is included in the Nexus Study and Development Impact Fees previously adopted by the City Council. The developer will be required to install improvements or pay the Development Impact Fees ("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. While the development will result in increased property tax revenue, the increase is not sufficient to cover the cost of services associated with the project. To address this shortfall, the developer will be required to form and/or join a Community Facilities District ("CFD") to cover the additional public service costs. No Original Model Colony dollars will be used to fund this Ontario Ranch development.

BACKGROUND & ANALYSIS: 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 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 that details land use, circulation, infrastructure improvements (such as drainage, sewer, and water facilities), provision for public services, and urban and design landscape standards.

The Merrill Commerce Center Specific Plan area is 376.3 acres in size and bordered by Eucalyptus Avenue on the north, Merrill Avenue on the South, Carpenter Avenue on the east, and Grove Avenue on the west (see Exhibit A – Project Location).

GENERAL PLAN AMENDMENT: The Merrill Commerce Center Specific Plan serves to implement the City's Policy Plan (General Plan) for the Project site and provides zoning regulations for development of the Project site by establishing permitted land uses, development standards, infrastructure requirements, and implementation requirements for the development of approximately 376.3 acres of land within the Specific Plan boundaries. In order to implement the Specific Plan land use, as shown in Exhibit D – Merrill Commerce Center Specific Plan Land Use Plan, the Project includes a General Plan Amendment to change the land uses designated Business Park (0.6 Floor Area Ratio ("FAR")), Office Commercial (0.75 FAR), and General Commercial (0.4 FAR), to Industrial (0.55 FAR) and Business Park (0.6 FAR). The General Plan Amendment will facilitate the potential development of 8,455,000 square feet of General Industrial and Business Park development. The

amendment includes changes to Policy Plan Exhibit LU-01, Official Land Use Plan, (Exhibit B – General Plan Land Use Plan Amendment) and Exhibit LU-03, Future Buildout, to reflect the proposed land use designation changes (Exhibit C – Amended LU-03: Future Buildout Table).

The proposed General Plan Amendment would change the land use designations to allow for a larger area for industrial development along the southern portion of the Project site, abutting Merrill Avenue, and allow for a business park buffer along the northern portion of the site, abutting Eucalyptus Avenue. The Business Park land use district serves as a buffer of very light industrial, commercial, and office uses to transition between the future residential and mixed use land uses north of the Project site, within the Medium Density Residential (11.1 – 25 du/ac) and NMC West Mixed Use land use designations of the Policy Plan.

The southwest portion of the City, including the Project site, are impacted by Chino Airport. The City is currently working towards completing an Airport Land Use Compatibility Plan for portions of the City that are impacted by aircraft operations at Chino Airport. Public Utilities Code Section 21370.1(c) requires that local jurisdictions under the "alternative process" are to "rely upon" the California Airport Land Use Planning Handbook (Handbook) published by the California Department of Transportation (Caltrans), Division of Aeronautics, October 2011, for preparing Compatibility Plans and utilize the Handbook's height, land use, noise, safety, and density criteria. The Project site is located within Safety Zones 1, 2, 3, 4, and 6, as shown in Exhibit F – Chino Airport Safety Zones, which limits the concentration of people, land uses such as schools, day care centers, hospitals, nursing homes, indoor/outdoor stadiums/arenas, and the storage of any hazardous materials. The Project site is also impacted by aircraft traffic patterns from Runway 3-21, where aircraft fly directly over the Project site when performing touch-and-go landings, a maneuver where aircraft land on a runway and immediately take-off again without coming to a full stop, and the pilot then circles the airport in a defined pattern to allow many landings to be practiced in a short time. The proposed Industrial and Business Park land uses are compatible land uses in Safety Zones 2, 3, 4, and 6, in that these land uses are not considered sensitive land uses.

The proposed General Industrial and Business Park land uses are consistent with other approved and proposed Specific Plans along the same corridor, generally bound by Eucalyptus Avenue to the north and Merrill Avenue to the south, including the South Ontario Logistics Center, Ontario Ranch Business Park, and the West Ontario Commerce Center Specific Plans.

MERRILL COMMERCE CENTER SPECIFIC PLAN: The Merrill Commerce Center Specific Plan establishes a comprehensive set of design guidelines and development regulations to guide and regulate site planning, landscape, and architectural character, and ensuring that excellence in community design is achieved during Project development. The Merrill Commerce Center Specific Plan establishes the procedures and requirements to approve new development within the Project site to ensure that Policy Plan goals and policies are achieved.

Land Use Plan – The Merrill Commerce Center Specific Plan consists of eleven Planning Areas that will accommodate a variety of commercial, office, technology, light industrial, and warehouse/distribution uses. The Land Use Plan implements The Ontario Plan vision by providing opportunities for employment in manufacturing, distribution, research and development, service, professional office, and supporting retail at intensities designed to meet the demand of current and future market conditions.

The Specific Plan identifies the land use intensity anticipated throughout the eleven proposed Planning Areas (See Exhibit D – Land Use Plan). The Specific Plan is proposing a maximum 0.55 FAR within

the Industrial land use district (Planning Areas 1, 2, 3, 4, 5, and 6) and 0.6 FAR within the Business Park land use district (Planning Areas 1A, 3A, 4A, 5A, and 6A). The proposed FARs for the Planning Areas are consistent within the Policy Plan land use designations for the Industrial and Business Park districts.

The Specific Plan proposes the potential development of up to 8,455,000 square feet of industrial and business park development. Planning Areas 1, 2, 3, 4, 5, and 6, located along the southern portion of the Specific Plan, total approximately 292.8 acres of land and can potentially be developed with 7,014,000 square feet of industrial development. Planning Areas 1A, 3A, 4A, 5A, and 6A, located along the northern portion of the Specific Plan Area, total approximately 55.1 acres of land and can potentially be developed with up to 1,441,000 square feet of business park development (see Exhibit E – Land Use Summary Table).

Design Guidelines – The design theme and concept for the Merrill Commerce Center Specific Plan was created to ensure a high-quality, attractive, and cohesive design structure for the Specific Plan. The guidelines provide the following objectives for all future development within the Specific Plan area:

- 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 Merrill Commerce Center is competitive regionally and appropriate in the Ontario Ranch community.
- Illustrates the distinctive characteristics of the two land use districts: Industrial and Business Park.
- 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 Merrill Commerce Center Specific Plan area.
- Incorporates construction and landscape design standards that promote energy and water conservation strategies.
- Implements the goals and policies of the Policy Plan and the intent of the Ontario Development Code.

The Planning Areas within the Merrill Commerce Center Specific Plan are designed to be architecturally consistent, yet distinct through use and circulation. The Design Guidelines have been established to promote high-quality architecture as required by the Policy Plan and the Ontario Development Code. The proposed architectural theme of the Specific Plan incorporates a contemporary architectural style, with the two land use areas designed to be compatible with and complement one another. The design guidelines of the Specific Plan will require all buildings to provide a recognizable base, body, roofline, and entry. The Specific Plan provides examples of the type of industrial and business park concepts that are envisioned to be constructed within the Specific Plan.

The Specific Plan requires all buildings to be designed to highlight the primary entryways by incorporating special materials, visual relief, massing, and shading. Additionally, the facades that front onto a public street must incorporate vertical and horizontal articulation and material changes that will assist in enhancing these elevations and provide visual interest in areas that may be viewed by the public.

Circulation Concept — The circulation plan for the Specific Plan reinforces the objective of moving vehicles, pedestrians, cyclists, and public transit safely and efficiently through and around the Project. The Specific Plan contains a Conceptual Vehicular Circulation and Access Plan that establishes the

hierarchy and general location of roadways within the Merrill Commerce Center Specific Plan, as well as traffic signal locations.

Primary access into the business park development will be provided along Eucalyptus Avenue. Primary access into the industrial developments will be provided along via Merrill Avenue to Grove Avenue, Walker Avenue, Baker Avenue, Vineyard Avenue, and Carpenter Avenue.

Merrill and Eucalyptus Avenues, which run east-to-west along the southern and northern portions of the Project site, will be improved as four-lane collector streets with 98-foot and 108-foot rights-of-way, respectively. Each street will include a parkway, a multipurpose trail, and a Class-II bike lane.

Landscaping — The landscape design theme for the Merrill Commerce Center Specific Plan encourages durable landscape materials and designs that enhance the aesthetics of the structure, create, and define public and private spaces, and provide shade and environmental benefits. Table 6-1 of the Merrill Commerce Center Specific Plan establishes a base palette for the Merrill Commerce Center 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 6-1 if the alternative plans are climate appropriate and enhance the thematic setting.

The minimum landscape coverage required for both Business Park and Industrial land use districts is 10 percent. The Specific Plan also identifies the required neighborhood edge widths to ensure landscape opportunities along public rights-of-way. Eucalyptus and Merrill Avenues will each be required to provide a 35-foot wide neighborhood edge. Vineyard Avenue will be required to provide a 45-foot wide neighborhood edge. Grove Avenue will be designed with a 40-foot wide neighborhood edge. Walker Avenue will provide a 30-foot wide neighborhood edge. Baker Avenue, Carpenter Avenue, and Street "A" will each be designed with a 9-foot wide parkway that includes a 5-foot wide sidewalk and a 4-foot wide curb adjacent landscape area.

Infrastructure and Services — The backbone infrastructure to serve all areas of the Specific Plan will be installed by the developers in accordance with the Ontario Ranch (New Model Colony) Master Plans for streets, water (including recycled water), sewer, storm drain, and fiber optics facilities. Natural gas will be provided by Southern California Gas Company and the electricity by Southern California Edison. Development of the Project requires installation by the developer of all infrastructure necessary to serve the Project as a standalone development, with phasing and ultimate details to be reviewed and approved via a Development Agreement that will be reviewed by the Planning Commission and City Council.

Specific Plan Phasing — Development phasing within the Specific Plan will be determined by the developer, based upon the real estate market conditions, infrastructure extensions, and associated Development Agreement. The Specific Plan provides a Conceptual Phasing Plan and anticipates development to occur in three phases. The phases may be developed as subphases and may occur either sequentially or concurrently with one another.

Signage — The Merrill Commerce Center Specific Plan requires that signage within the Specific Plan area adhere to Section 6.10 (Signage Guidelines) of the Merrill Commerce Center Specific Plan and comply with Chapter 8 (Sign Regulations) of the Development Code.

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.

The California Government Code (Title 7, Division 1, Chapter 3, Article 8, Section 65450-65457) permits the adoption and administration of specific plans as an implementation tool for elements contained in the local general plan. Specific plans must demonstrate consistency in regulations, guidelines, and programs, with the goals and policies set forth in the General Plan. The Merrill Commerce Center Specific Plan has been prepared in conformance with the goals and policies of the Policy Plan (General Plan) component of The Ontario Plan. The policy analysis in Appendix A of the Specific Plan describes the manner in which the Merrill Commerce Center Specific Plan complies with the Policy Plan goals and policies.

HOUSING ELEMENT COMPLIANCE: The Project is consistent with the Housing Element of the Policy 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 Project site is located within the Airport Influence Area of Ontario International Airport and has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan. 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. Any special conditions of approval associated with uses near the airport are included in the conditions of approval provided with the attached Ordinance.

The Project site is also located within Chino Airport's airport influence area and the Chino Airport zoning overlay. Land use compatibility assessments are part of the Chino Airport Master Plan. The Project site is within Safety Zones 1, 2, 3, 4, and 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). The restrictions applicable to the Safety Zones are summarized as follows:

- **Zone 1 – Runway Protection Zone:** No Build Zone (Sitewide Average – 0 people, Single Acre – 0 people)
- **Zone 2 – Inner Approach/Departure Zone:** At least 25 percent of the zone should remain as open land (Sitewide Average – 60 people, Single Acre – 120 people).
- **Zone 3 – Inner Turning Zone:** Maintain approximately 15 percent open land within the overall zone (Sitewide Average – 100 people, Single Acre – 300 people).
- **Zone 4 – Outer Approach/Departure Zone:** Maintain approximately 15 percent open land within the overall zone (Sitewide Average – 150 people, Single Acre – 450 people).
- **Zone 6 – Traffic Pattern Zone:** Approximately 10 percent of usable open land or an open area approximately every 1⁄4 to 1⁄2 mile should be provided (Sitewide Average – 300 people, Single Acre – 1,200 people).

The Specific Plan is consistent with the California Airport Land Use Planning Handbook.

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

On January 27, 2010, the City adopted The Ontario Plan and certified the accompanying Environmental Impact Report. The Policy Plan component of The Ontario Plan serves as the General Plan for the entire City, including the New Model Colony (now referred to as "Ontario Ranch"). The Ontario Plan identified many areas of development 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 Environmental Impact Report 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.

The Policy Plan 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 include:

- Agriculture Resources –

Impact 5.2-1. Buildout of The Policy Plan 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 The Policy Plan 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 Ontario Ranch, implementation of the proposed land use plan for The Policy 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 The Policy Plan 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 the 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.

- Air Quality –

Impact 5.3-1. The Project would not be consistent with the Air Quality Management Plan 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. 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 South Coast Air Basin. As both criteria must be met in order for a project to be considered consistent with the Air Quality Management Plan, the Project would be considered inconsistent with the Air Quality Management Plan. 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 The Ontario Plan would result in general short-term emissions that exceed the South Coast Air Quality Management District's regional significance thresholds; cumulatively contribute to the South Coast Air Basin'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 The Ontario Plan would generate long-term emissions that would exceed South Coast Air Quality Management District's regional significant thresholds and cumulatively contribute to the South Coast Air Basin 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 objectional odors. Consequently, Impact 5.3-6 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

- Cultural Resources –

Impact 5.5-1. Although protective regulations are in place and preservation policies are included in The Ontario Plan, implementation of the Proposed Land Use Plan, especially within growth focus areas, has the potential to impact Tier III historic resources. Mitigation Measures 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 impacted 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.

- 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. Greenhouse gas 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.

- 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 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.

- Transportation and Traffic –

Impact 5.16-1. 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.

Even though an environmental impact report was prepared for The Ontario Plan, the analyses focused on the program or "big picture" impacts associated with development. With the submittal of the Merrill Commerce Center Specific Plan, staff is charged with evaluating the potential impacts of development at the project level. Staff completed an Initial Study for the Project and determined that an environmental impact report should be prepared for the Merrill Commerce Center Specific Plan. Through the Initial Study preparation and scoping meeting discussion, an environmental impact report was prepared for the Merrill Commerce Center Specific Plan addressing the following issues:

- Agriculture Resources
- Air Quality
- Biological Resources
- Cultural Resources

- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use and Planning
- Noise
- Population/Housing
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

The Merrill Commerce Center Specific Plan Environmental Impact Report evaluates each of these various areas and identifies mitigation measures and/or revisions to the plan to lessen the level of significance. 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 15 areas considered by the Environmental Impact Report, all but six areas were less than significant or mitigated to a level of less than significant. The six 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 are:

- Air Quality
- Agricultural Resources
- Transportation
- Greenhouse Gas Emissions
- Noise
- Cultural (Historical) Resources

While mitigation of all potential impacts to a level of less than significant is desirable, the fact that six 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 Ontario Plan. Staff continues to believe that the benefits of the proposed development outweigh the potential impacts associated with it. Therefore, staff recommends the City Council certify the Merrill Commerce Center Specific Plan Environmental Impact Report and that a Statement of Overriding Considerations be adopted for the Project.

PLANNING COMMISSION REVIEW: On December 22, 2020, the Planning Commission conducted a public hearing and voted (5-0) to recommend City Council certification of the Merrill Commerce Center Specific Plan Environmental Impact Report (State Clearinghouse No. 2019049079), including the adoption of a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Plan; approval of the General Plan Amendment (File No. PGPA18-003); and approval of the Merrill Commerce Center Specific Plan (File No. PSP18-001).

Exhibit A

Project Location

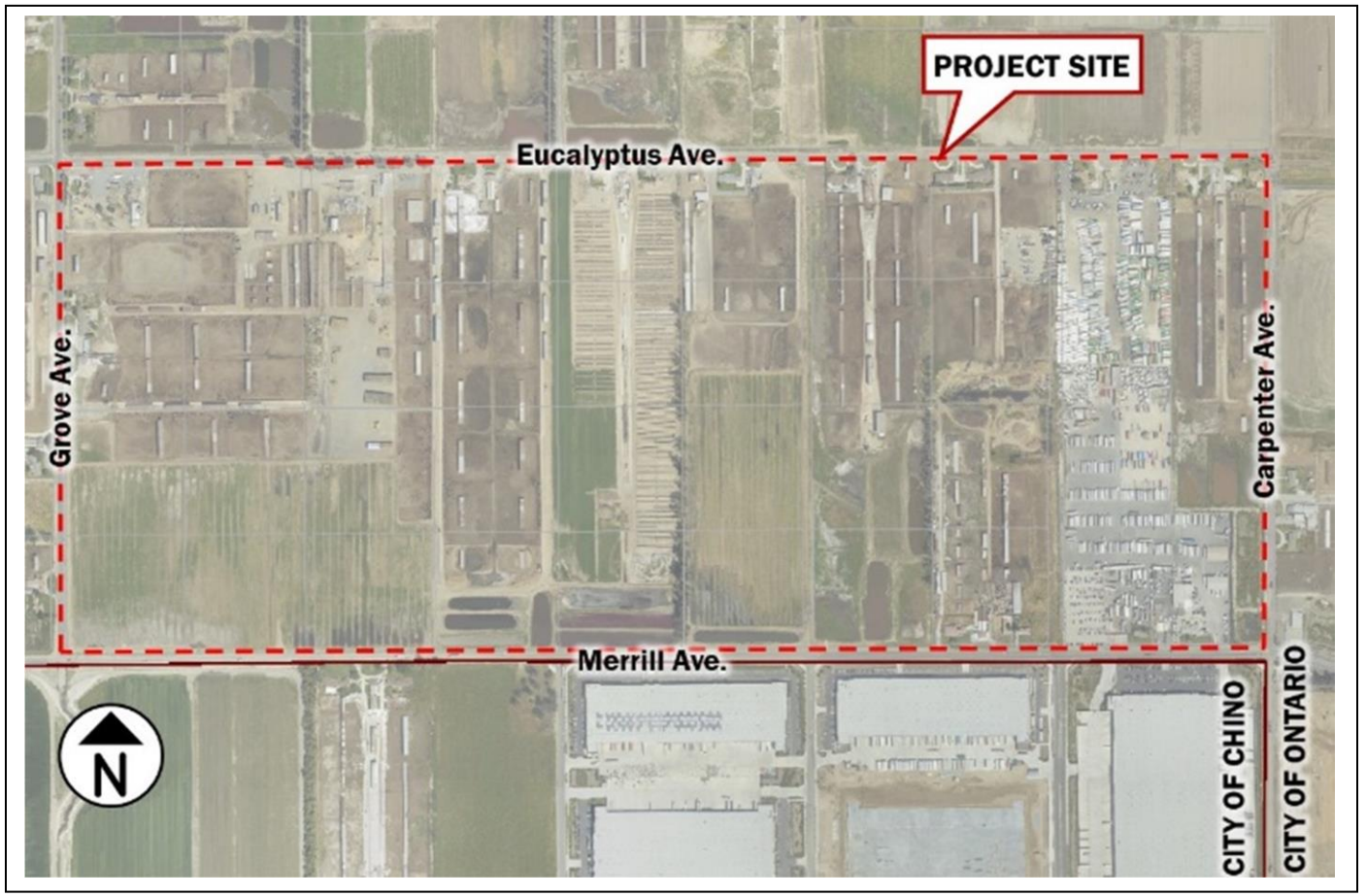


Exhibit B

General Plan Land Use Map Amendment

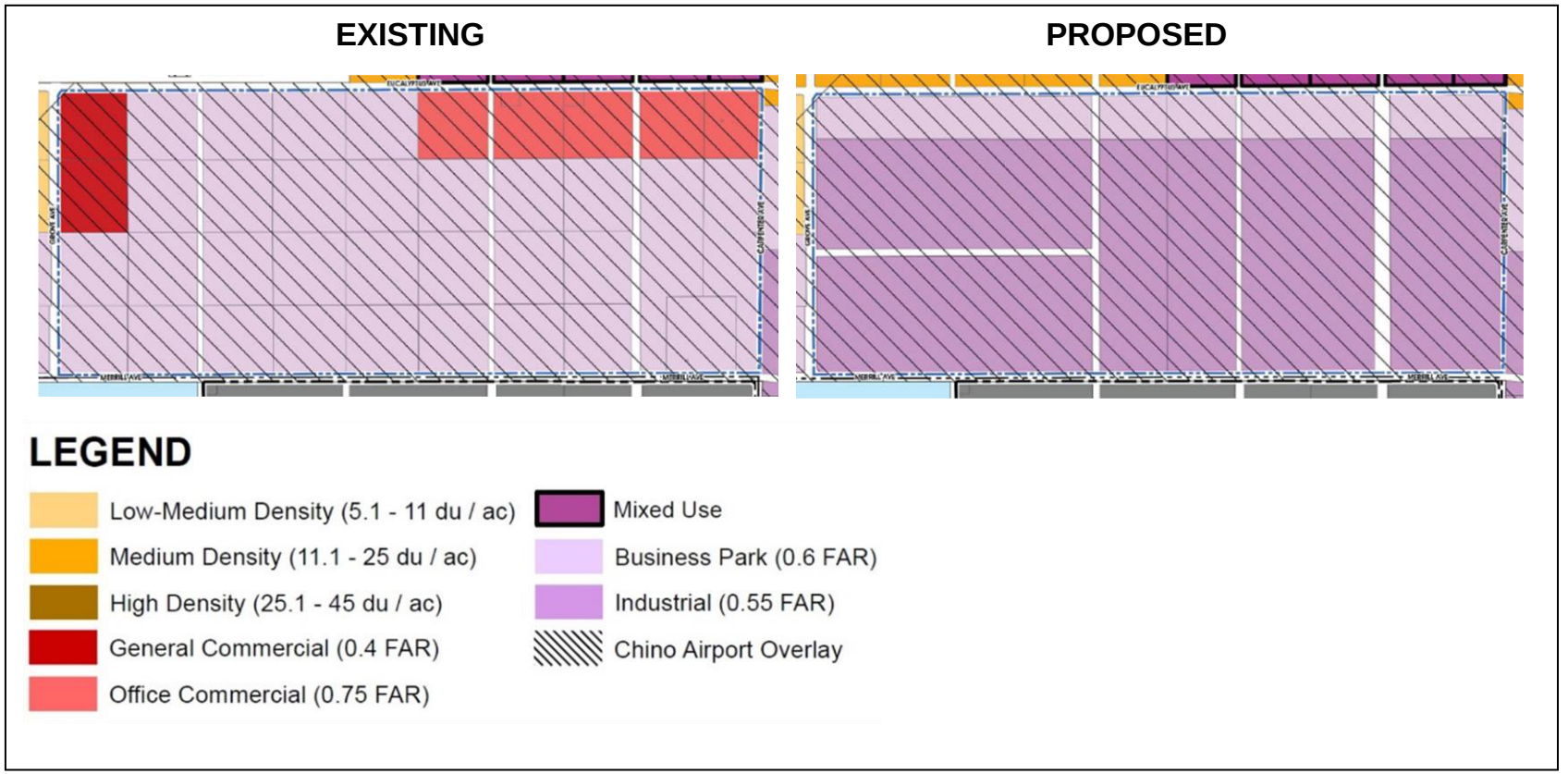


Exhibit C

Future Buildout Table

LU-03 Future Buildout[1]

Land Use	Acres[2]	Assumed Density/Intensity[3]	Units	Population[4]	Non-Residential Square Feet	Jobs[5]
Retail/Service						
Neighborhood Commercial[6]	285	0.30 FAR			3,725,556	9,015
General Commercial	~~464~~ 446	0.30 FAR			~~6,067,342~~ 5,827,805	~~5,636~~ 5,414
Office/ Commercial	~~490~~ 447	0.75 FAR			~~16,018,428~~ 14,612,311	~~35,523~~ 32,405
Hospitality	142	1.00 FAR			6,177,679	7,082
Subtotal	***~~1,382~~ 1,320***				***~~31,989,005~~ 30,343,352***	***~~57,256~~ 53,916***
Employment						
Business Park	~~1,508~~ 1,259	0.40 FAR			~~26,273,284~~ 21,940,980	~~46,096~~ 38,495
Industrial	~~6,518~~ 6,808	0.55 FAR			~~156,162,964~~ 163,101,440	~~137,208~~ 143,304
Subtotal	***~~8,026~~ 8,067***				***~~182,436,247~~ 185,042,420***	***~~183,304~~ 181,799***
Other						
Open Space–Non-Recreation	1,232	Not applicable				
Open Space–Parkland[6]	950	Not applicable				
Open Space-Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	621	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	~~4,871~~ 4,891	Not applicable				
Subtotal	***~~9,895~~ 9,915***					
Total	***31,786***		***100,976***	***348,467***	***~~248,083,563~~ 249,044,083***	***~~310,358~~ 305,512***

Notes

1 Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.

2 Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.

3 Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.

4 Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.

5 To view the factors used to generate the number of employees by land use category, access the Methodology report.

6 Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

Exhibit D

Merrill Commerce Center Specific Plan Land Use Map

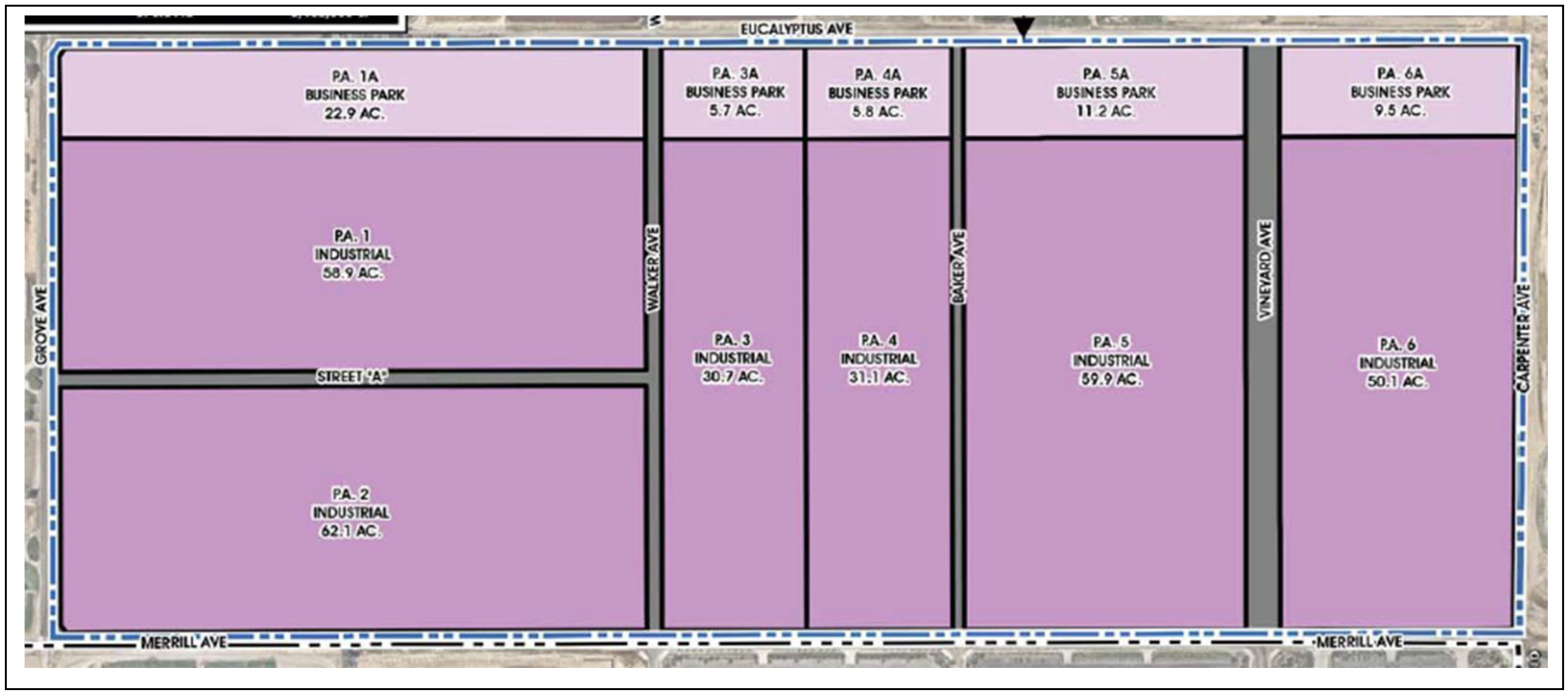


Exhibit E

Land Use Summary Table

Planning Area	Site Acreage	Maximum Building Square Footage
Industrial (Max. 0.55 FAR)		
1	58.9	1,411,000
2	62.1	1,488,000
3	30.7	735,000
4	31.1	745,000
5	59.9	1,435,000
6	50.1	1,200,000
Subtotal	*292.8*	*7,014,000*
Business Park (Max. 0.60 FAR)		
1A	22.9	598,000
3A	5.7	150,000
4A	5.8	152,000
5A	11.2	293,000
6A	95	248,000
Subtotal	*55.1*	*1,441,000*
Circulation	*28.4*	--
TOTAL	**376.3**	**8,455,000**

CITY OF ONTARIO PLANNING DEPARTMENT

PLANNING COMMISSION STAFF REPORT

December 22, 2020

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

FILE NOS.: PGPA18-003 and PSP18-001

SUBJECT: A public hearing to consider certification of an Environmental Impact Report (SCH#. 2019049079), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations, in conjunction with the following: [1] A General Plan Amendment (File No. PGPA18-003) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01), changing the land use designation on 376.3 acres of land from Business Park (0.6 FAR), Office Commercial (0.75 FAR) and General Commercial (0.4 FAR), to Business Park (0.6 FAR) and Industrial (0.55 FAR), and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and [2] A Specific Plan (File No. PSP18-001 – Merrill Commerce Center) to establish the land use districts, development standards, guidelines, and infrastructure improvements for the potential development of up to 8,455,000 square feet of Industrial and Business Park land uses on the Project site, generally bordered by Eucalyptus Avenue to the north, Merrill Avenue to the south, Carpenter Avenue to the east, and Grove Avenue to the west; (APNs: 1054-111-01, 1054-111-02, 1054-121-01, 1054-121-02, 1054-131-01, 1054-131-02, 1054-141-01, 1054-141-02, 1054-151-01, 1054-151-02, 1054-161-01, 1054-201-01, 1054-201-02, 1054-211-01, 1054-211-02, 1054-221-01, 1054-221-02, 1054-331-01, 1054-331-02, 1054-341-01, 1054-341-02, 1054-351-01, 1054-351-02, 1054-171-02, 1054-171-04, 1054-181-01, 1054-181-02, 1054-191-01, 1054-191-02, 1054-361-01, 1054-361-02, 1054-161-02, 1054-161-03, 1054-171-01, 1051-171-03, 0218-261-29, 0218-261-34, 0218-261-35, and 0218-261-37). **submitted by Merrill Commerce Center East LLC & Merrill Commerce Center West LLC. City Council action is required**

PROPERTY OWNERS: Prologis L.P.; Joseph and Doleen Borba Administrative Trust; Minaberry Family, LLC;

RECOMMENDED ACTION: That the Planning Commission consider and recommend that the City Council: 1) certify the Merrill Commerce Center Specific Plan Environmental Impact Report (EIR) (SCH# 2019049079) including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations; 2) Approve the General Plan Amendment (File No. PGPA18-003); and 3) Approve the Merrill Commerce Center Specific Plan (File No. PSP18-001), 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.

Case Planner:	Edmelynne V. Hutter, AICP
Planning Director Approval:	
Submittal Date:	06/19/2018

Hearing Body	Date	Decision	Action
DAB			
PC	12/22/2020	Approval	Recommend
CC	TBD		Final

PROJECT SETTING: The Project site is comprised of 376.3 acres of agricultural/dairy uses, a truck terminal, and vacant land located at the northeast corner of Merrill and Grove Avenues, within the Specific Plan and Agricultural Overlay (SP(AG)) zoning district, and is depicted in Figure 1: Project Location. The Project site is bordered by Eucalyptus Avenue on the north, Merrill Avenue on the south, Carpenter Avenue on the east, and Grove Avenue on the west. The properties to the north of the site are currently developed with agricultural uses and dairies and are located within the SP(AG) zoning district. The properties to the south are developed with the Chino Airport, industrial buildings and agricultural uses, and are located within the City of Chino. The properties east of the Project are improved with industrial and warehousing developments. The properties to the west are developed with dairy farms. 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.

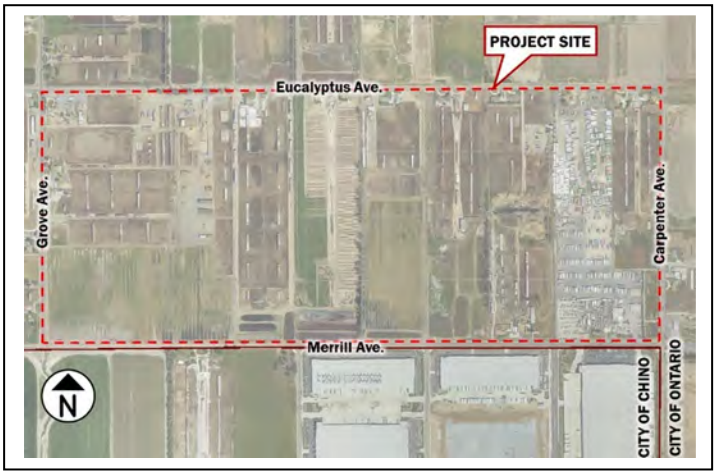


Figure 1: Project Location

PROJECT ANALYSIS:

(1) Background — 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 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.

(2) General Plan Amendment – The Merrill Commerce Center Specific Plan serves to implement the City's Policy Plan for the Project site and provides zoning regulations for development of the Project site by establishing permitted land uses, development standards, infrastructure requirements, and implementation requirements for the development of approximately 376.3 acres within the Specific Plan boundaries. In order to implement the Specific Plan land use as shown in Figure 4: Land Use Plan, the Project includes a General Plan Amendment ("GPA") to change the land uses designated Business Park (0.6 Floor Area Ratio ("FAR")), Office Commercial (0.75 FAR), and General Commercial (0.4 FAR), to Business Park (0.6 FAR) and Industrial (0.55 FAR). The GPA will

facilitate the potential development of 8,455,000 square feet of General Industrial and Business Park development. The amendment includes changes to TOP Policy Plan Exhibit LU-01, Official Land Use Plan, (Figure 2: General Plan Land Use Plan Amendment) and Exhibit LU-03, Future Buildout, to reflect the proposed land use designation changes (Exhibit A—Amended LU-03: Future Buildout Table).

The proposed GPA would change the land use designations to allow for a larger area for industrial development along the southern portion of the Project site, abutting Merrill Avenue, and allow for a business park buffer along the northern portion of the site, abutting Eucalyptus Avenue. The Business Park land use district serves as a buffer of very light industrial, commercial, and office uses to transition between the future residential and mixed use land uses north of the Project site, within the Medium Density Residential (11.1 – 25 du/ac) and NMC West Mixed Use TOP land use designations.

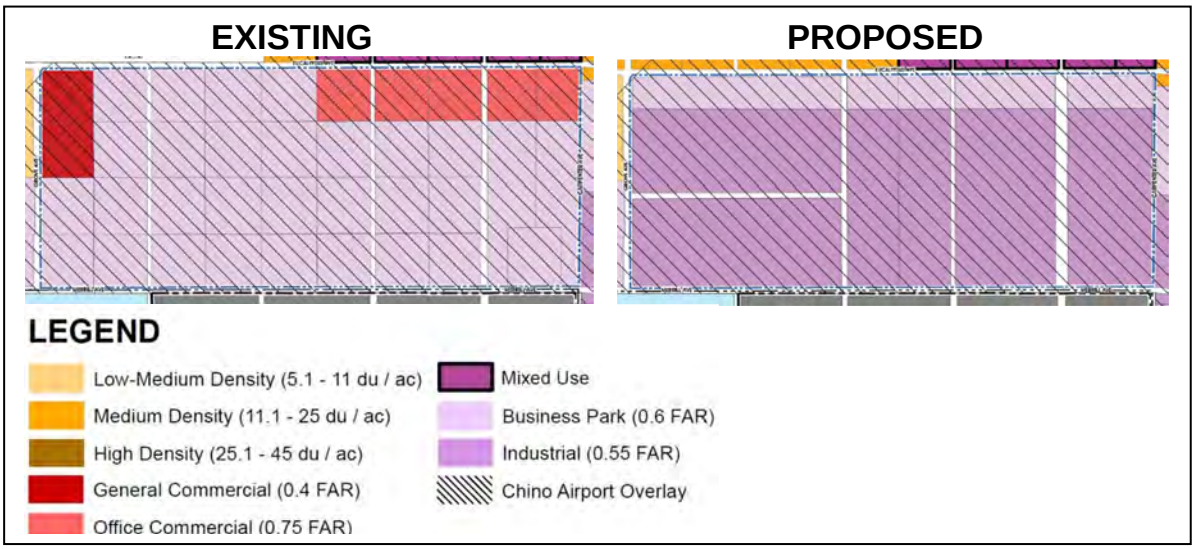


Figure 2: General Plan Land Use Plan Amendment

The southwest portion of the City, including the Project site, are impacted by the Chino Airport. The City is currently working towards completing an Airport Land Use Compatibility Plan for portions of the City that are impacted by aircraft operations at Chino Airport. Public Utilities Code Section 21370.1(c) requires that local jurisdictions under the "alternative process" to "rely upon" the California Airport Land Use Planning Handbook (Handbook) published by the California Department of Transportation (Caltrans), Division of Aeronautics, October 2011, for preparing Compatibility Plans and utilize the Handbook's height, land use, noise, safety, and density criteria. The Project site is located within Safety Zones 1, 2, 3, 4, and 6, as shown in Figure 3: Chino Airport Safety Zones, which limits the concentration of people, land uses such as schools, day care centers, hospitals, nursing homes, indoor/outdoor stadiums/arenas, and the storage of any hazardous materials. The Project site is also impacted by aircraft traffic patterns from Runway 3-21, where aircraft fly directly over the Project site when performing Touch-and-

Go Landings ("TGL"), a maneuver where aircraft are landing on a runway and taking off again without coming to a full stop, and the pilot then circles the airport in a defined pattern to allow many landings to be practiced in a short time. The proposed Industrial and Business Park land uses are compatible land uses in Safety Zones 2, 3, 4, and 6, in that these land uses are not considered sensitive land uses.

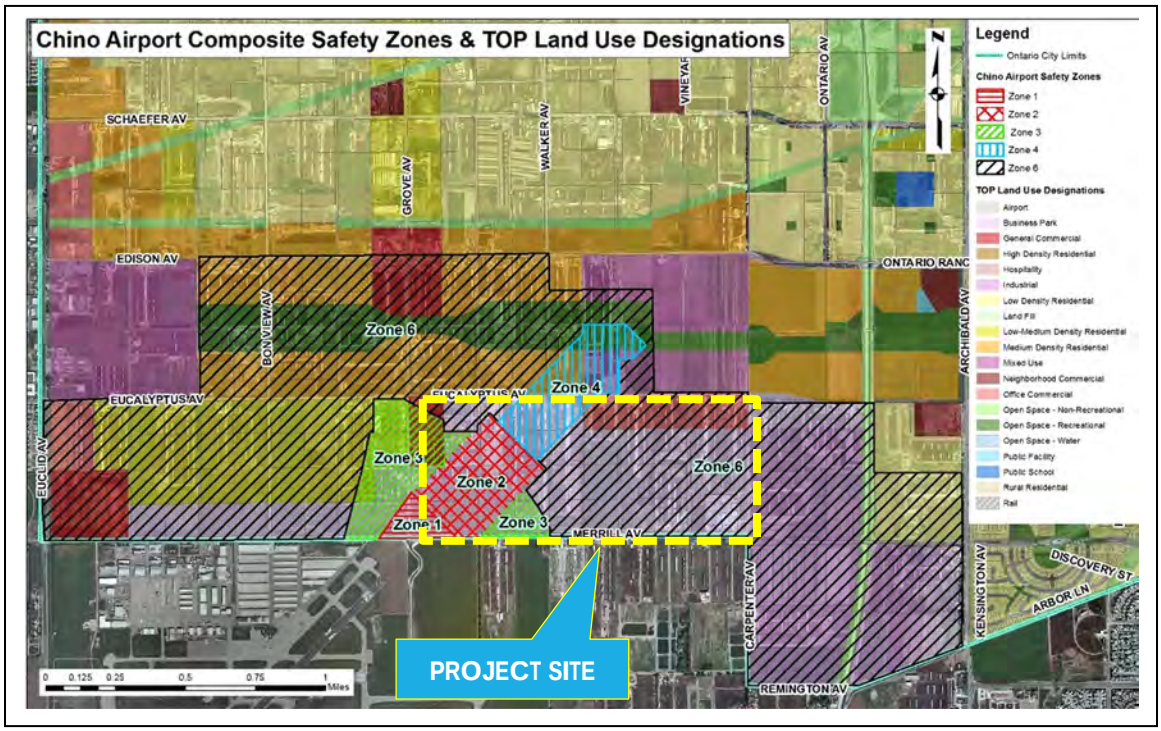


Figure 3: Chino Airport Safety Zones and Existing TOP Land Use Designations

The proposed Business Park and General Industrial land uses are consistent with other approved and proposed Specific Plans along the same corridor, generally bound by Eucalyptus Avenue to the north and Merrill Avenue to the south, including the South Ontario Logistics Center, Ontario Ranch Business Park, and the West Ontario Commerce Center Specific Plans.

(3) Specific Plan — The Merrill Commerce Center Specific Plan establishes a comprehensive set of design guidelines and development regulations to guide and regulate site planning, landscape, and architectural character, and ensuring that excellence in community design is achieved during Project development. The Merrill Commerce Center Specific Plan establishes the procedures and requirements to approve new development within the Project site to ensure that TOP Policy Plan goals and policies are achieved.

(4) Land Use Plan — The Merrill Commerce Center Specific Plan consists of eleven Planning Areas that will accommodate a variety of commercial, office, technology, light

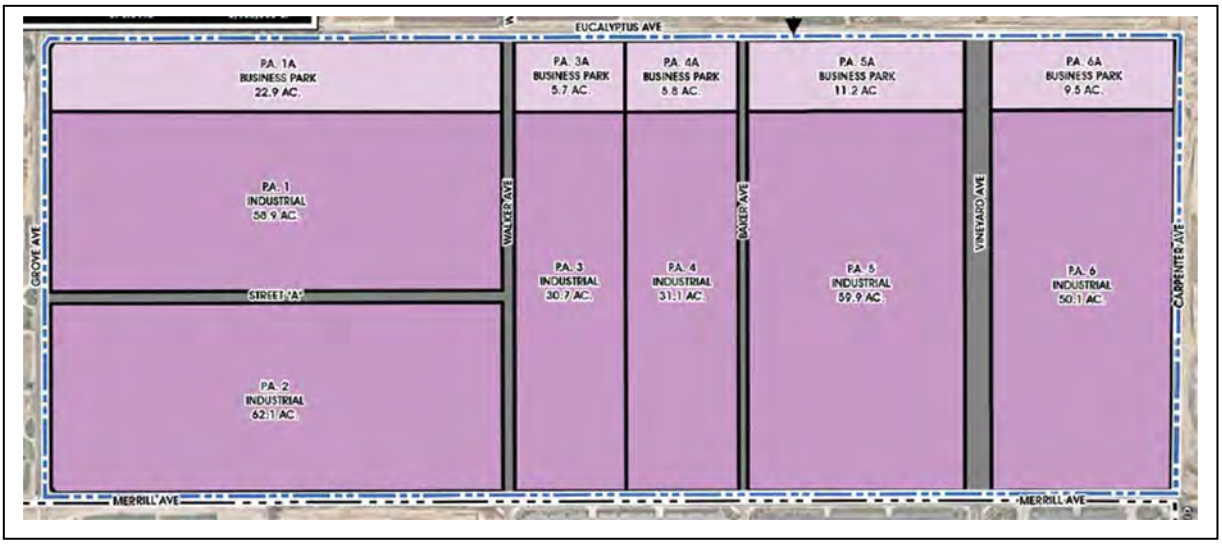


Figure 4: Land Use Plan

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, professional office, and supporting retail at intensities designed to meet the demand of current and future market conditions.

The Specific Plan identifies the land use intensity anticipated in the eleven proposed planning areas (see Figure 4: Land Use Plan, above). The Specific Plan is proposing a maximum 0.6 FAR within the Business Park land use district (Planning Areas 1A, 3A, 4A, 5A, and 6A) and 0.55 FAR within the Industrial land use district (Planning Areas 1, 2, 3, 4, 5, and 6). The proposed FARs for the Planning Areas are consistent within the Policy Plan Land Use designations for Business Park and Industrial.

Planning Area	Site Acreage	Maximum Building Square Footage
Industrial (Max. 0.55 FAR)		
1	58.9	1,411,000
2	62.1	1,488,000
3	30.7	735,000
4	31.1	745,000
5	59.9	1,435,000
6	50.1	1,200,000
Subtotal	*292.8*	*7,014,000*
Business Park (Max. 0.60 FAR)		
1A	22.9	598,000
3A	5.7	150,000
4A	5.8	152,000
5A	11.2	293,000
6A	95	248,000
Subtotal	*55.1*	*1,441,000*
Circulation	*28.4*	--
TOTAL	**376.3**	**8,455,000**

Figure 5: Land Use Summary Table

The Specific Plan proposes the potential development of up to 8,455,000 square feet of industrial and business park development. Planning Areas 1A, 3A, 4A, 5A, and 6A, located along the northern portion of the Specific Plan Area, is approximately 55.1 acres in size and can potentially be developed with 1,441,000 square feet of business park development. Planning Areas 1, 2, 3, 4, 5, and 6, located along the southern

portion of the Specific Plan, is approximately 292.8 acres in size and can potentially be developed with 7,014,000 square feet of industrial development (see Figure 5: Land Use Summary Table, above).

(5) Design Guidelines — The design theme and concept for the Merrill Commerce Center Specific Plan was created to ensure a high-quality, attractive, and cohesive design structure for the Specific Plan. The guidelines provide the following objectives for all future development within the Specific Plan area:

- 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 Merrill Commerce Center is competitive regionally and appropriate in the Ontario Ranch community.
- Illustrates the distinctive characteristics of the two land use districts: Business Park and Industrial.
- Establishes criteria for building design and materials, landscape design, and site design that provide guidance to developers, buildings, 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 Merrill Commerce Center Specific Plan area.
- Incorporates construction and landscape design standards that promote energy and water conservation strategies.
- Implements the goals and policies of TOP and the intent of the Ontario Development Code.



Figure 6: Building Architecture Design Examples

The Planning Areas within the Merrill Commerce Center Specific Plan are designed to be architecturally consistent yet distinct through use and circulation. The Design Guidelines have been established to promote high-quality architecture as required by the Ontario Development Code and TOP. The proposed architectural theme of the

Specific Plan incorporates a Contemporary Architectural style, and the two planning areas shall be designed to be compatible with and complement one another. The design guidelines of the Specific Plan will require all buildings to provide a recognizable base, body, roofline, and entry. The Specific Plan provides examples of the type of industrial and business park concepts that are envisioned to be constructed within the Specific Plan (see Figure 6: Architecture Design Examples, above).

The Specific Plan requires all buildings to be designed to highlight the primary entryways by incorporating special materials, visual relief, massing, and shading. Additionally, the facades that front onto a public street must incorporate vertical and horizontal articulation and material changes that will assist in enhancing these elevations and providing visual interest from the public view.

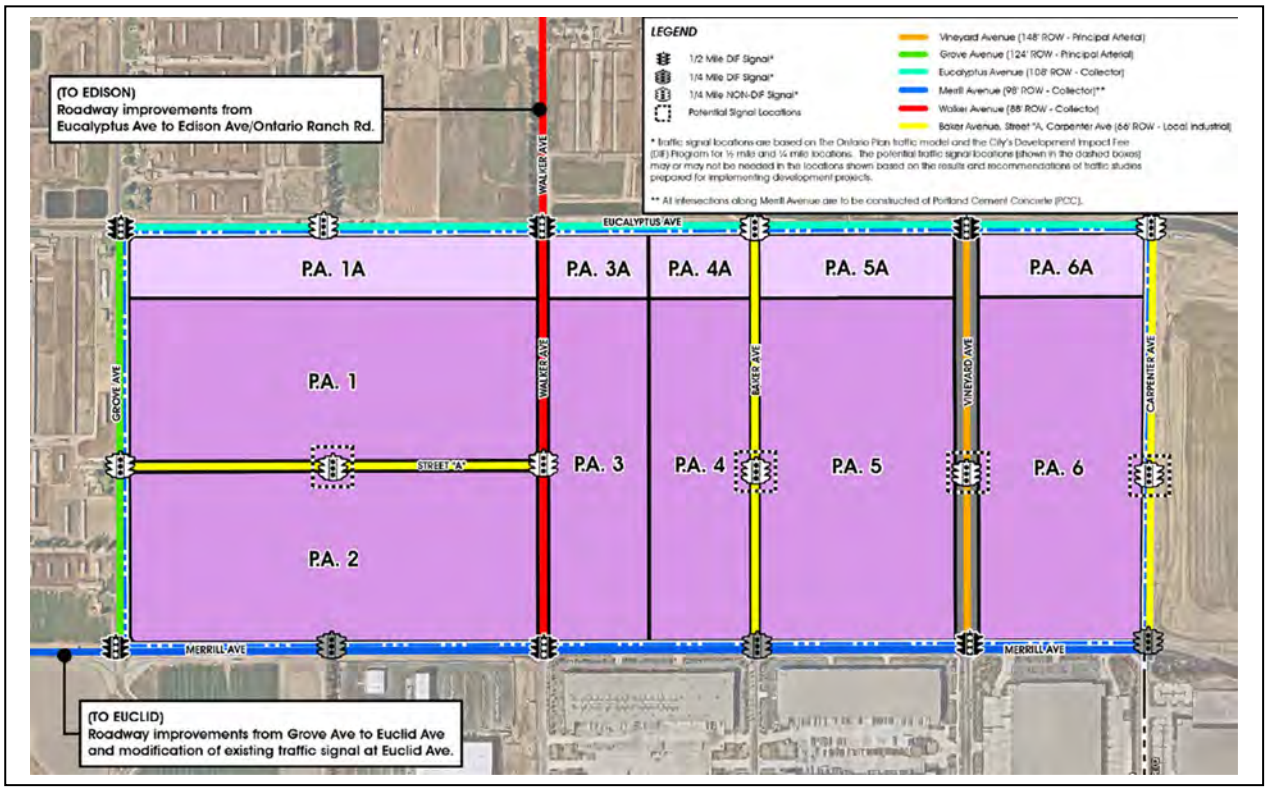


Figure 7: Conceptual Vehicular Circulation and Access Plan

(6) Circulation Concept — The circulation plan for the Specific Plan reinforces the objective of moving vehicles, pedestrians, cyclists, and public transit safely and efficiently through and around the Project. The Specific Plan establishes the hierarchy and general location of roadways within the Merrill Commerce Center Specific Plan (see Figure 7: Conceptual Vehicular Circulation and Access Plan, above).

Future traffic signals are planned at the following ten intersections:

- Eucalyptus and Grove Avenues
- Eucalyptus and Walker Avenues
- Eucalyptus and Vineyard Avenues
- Grove Avenue and Street "A"
- Merrill and Grove Avenues
- Merrill Avenue – between Grove and Walker Avenues
- Merrill and Walker Avenues
- Merrill and Baker Avenues
- Merrill and Vineyard Avenues
- Merrill and Carpenter Avenues

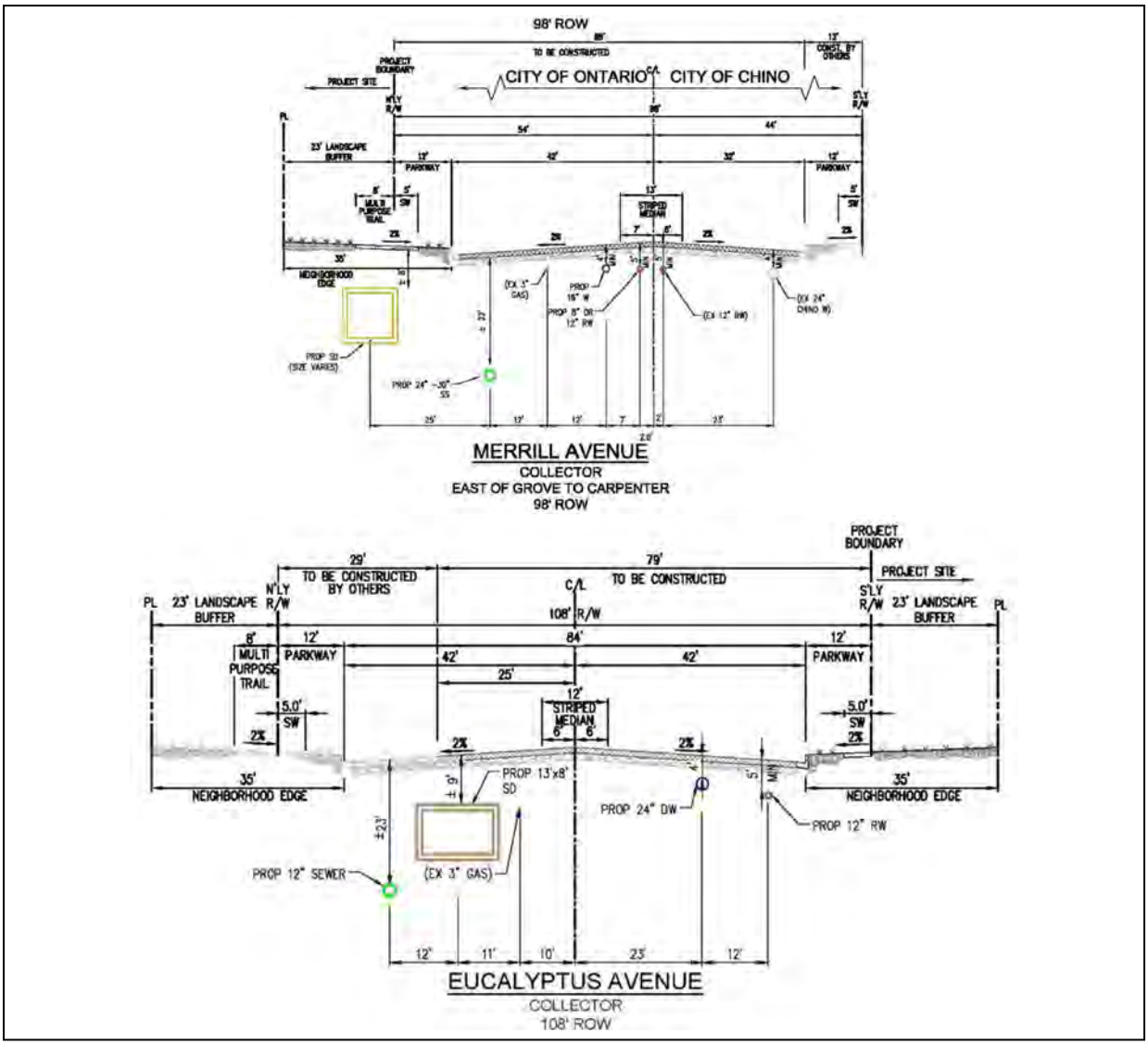


Figure 8: Merrill and Eucalyptus Avenues Street Cross Sections

Additionally, primary access into the business park development will be provided along Eucalyptus Avenue. Primary access into the industrial developments will be provided along Grove Avenue, Walker Avenue, Baker Avenue, Vineyard Avenue, Carpenter Avenue, and Merrill Avenue.

Merrill and Eucalyptus Avenues, which run east-to-west along the southern and northern portions of the Project site, will be improved as four-lane collector streets with 98-foot and 108-foot rights-of-way, respectively. Each street will include a parkway and a multipurpose trail. Merrill and Eucalyptus Avenues will include a Class-II bike lane (see Figure 8: Merrill and Eucalyptus Avenues Street Cross Sections, above).

(7) Landscaping — The landscape design theme for the Merrill Commerce Center Specific Plan encourages durable landscape materials and designs that enhance the aesthetics of the structure, create, and define public and private spaces, and provide shade and environmental benefits. Table 6-1 of the Merrill Commerce Center Specific Plan establishes a base palette for the Merrill Commerce Center 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 6-1 if the alternative plans are climate appropriate and enhance the thematic setting.

The minimum landscape coverage required for both Business Park and Industrial land use districts is 10 percent. As illustrated in the street sections, Eucalyptus and Merrill Avenues will each be required to provide a 35-foot wide neighborhood edge (see Figure 8: Merrill and Eucalyptus Avenues Street Cross Sections, above). Vineyard Avenue will be required to provide a 45-foot wide neighborhood edge. Grove Avenue will be designed with a 40-foot wide neighborhood edge, and Walker Avenue will provide a 30-foot wide neighborhood edge. Baker Avenue, Carpenter Avenue, and Street "A" will each be designed with a 9-foot wide parkway that includes a 5-foot wide sidewalk and a 4-foot wide curb adjacent landscape area.

(8) Infrastructure and Services — The backbone infrastructure to serve all areas of the Specific Plan will be installed by the developers in accordance with the Ontario Ranch (New Model Colony) Master Plans for streets, water (including recycled water), sewer, storm drain, and fiber optics facilities. Natural gas will be provided by Southern California Gas Company and the electricity by Southern California Edison ("SCE"). Development of the Project requires installation by the developer, all infrastructure necessary to serve the Project as a standalone development, with phasing and ultimate details to be reviewed and approved via a Development Agreement that will be reviewed by the Planning Commission in conjunction with the Project site's subdivision map.

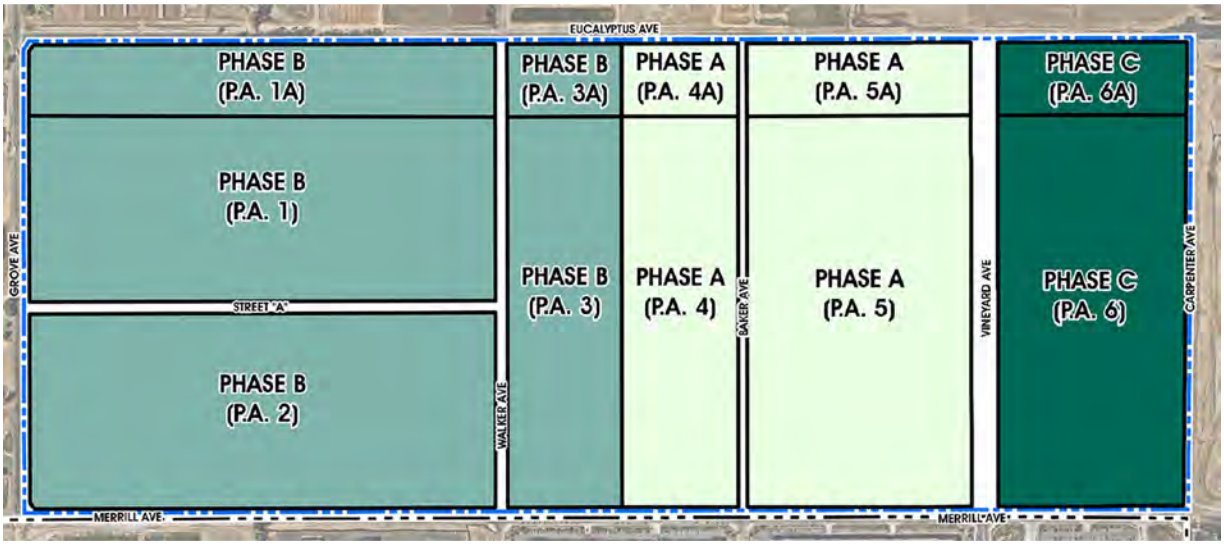


Figure 9: Conceptual Phasing Plan

(9) Specific Plan Phasing — Development phasing within the Specific Plan will be determined by the developer, based upon the real estate market conditions, infrastructure extensions, and associated Development Agreements. The Specific Plan provides a Conceptual Phasing Plan and anticipates development to occur in three phases (see Figure 9: Conceptual Phasing Plan, above). The phases may be developed as subphases and may occur either sequentially or concurrently with one another.

(10) Signage — The Merrill Commerce Center Specific Plan requires that signage within the Specific Plan area adhere to Section 6.10 (Signage Guidelines) of the Merrill Commerce Center Specific Plan and comply with Chapter 8 (Sign Regulations) of the Development Code.

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 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 Ontario Ranch area

(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:

- 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.

  - LU1-1 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.

  - LU1-3 Adequate Capacity. We require adequate infrastructure and services for all development.

  - 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.

  - LU2-6: Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community character.

- Goal LU5: Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.

  - LU5-3: Airport Impacts. We work with agencies to maximize resources to mitigate the impacts and hazards related to airport operations.

  - LU5-6: Alternative Process. We fulfill our responsibilities and comply with state law with regard to Alternative Process for proper airport land use compatibility planning.

➢ 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.

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.

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.
- Be compatible with the streetscape and surrounding land uses.

➢ M1-2 Mitigation of Impacts. We require development to mitigate its traffic impacts.

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.

▪ 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.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The Project site is located within the Airport Influence Area ("AIA") of Ontario International Airport and has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan. 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 near the airport are included in the conditions of approval provided with the attached Resolution.

The Project site is also located within Chino Airport's airport influence area and the Chino Airport zoning overlay. Land use compatibility assessments are part of the Chino Airport Master Plan. The Project site is within Safety Zones 1, 2, 3, 4, and 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). The restrictions applicable to the Safety Zones are summarize as follows:

- Zone1 – Runway Protection Zone – No Build Zone (Sitewide Average – 0 People, Single Acre – 0 People)

- Zone 2 - Inner approach/departure zone: At least 25 percent of the zone should remain as open land. (Sitewide Average – 60 People, Single Acre – 120 People)
- Zone 3- Inner Turning Zone: Maintain approximately 15 percent open land within the overall zone (Sitewide Average – 100 People, Single Acre – 300 People).
- Zone 4 - Outer approach/departure zone: Maintain approximately 15 percent open land within the overall zone (Sitewide Average – 150 People, Single Acre – 450 People).
- Zone 6 - Traffic pattern zone: Approximately 10 percent of usable open land or an open area approximately every 1/4 to 1/2 mile should be provided (Sitewide Average – 300 People, Single Acre – 1200 People).

ENVIRONMENTAL REVIEW: The Specific Plan is located in the City of Ontario in what was formally 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 bound by Riverside Drive to the north, Milliken Avenue to the east, Euclid Avenue to the west, and Merrill Avenue/Bellegrave to the south.

On January 27, 2010, the City adopted The Ontario Plan and certified the accompanying EIR. The Policy Plan component of TOP serves as the General Plan for the entire City, including the NMC (now referred to as "Ontario Ranch"). TOP 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 include:

- 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 Ontario Ranch, implementation of the proposed land use plan for TOP 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 the 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.

- 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 result in general 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 significant 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 objectional odors. Consequently, Impact 5.3-6 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

- 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 Measures 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 impacted 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.

- Global Climate Change –

  Impact 5.6-1. Buildout of the City of Ontario would generate greenhouse gas ("GHG") 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.

- 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 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.

- 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.

Even though and EIR was prepared for TOP, the analyses focused on the program or "big picture" impacts associated with development. With the submittal of the Merrill Commerce Center Specific Plan, staff is charged with evaluating the potential impacts of development at the project level. Staff completed an Initial Study for the Project and determined that an EIR should be prepared for the Merrill Commerce Specific Plan. Through the Initial Study preparation and scoping meeting discussion, an EIR was prepared for the Merrill Commerce Center Specific Plan addressing the following issues:

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

The Merrill Commerce Center Specific Plan EIR evaluates each of these various areas and identifies mitigation measures and/or revisions to the plan to lessen the level of significance. 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 15 areas considered by the EIR, all but six areas were less than significant or mitigated to a level of less than significant. The six 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 are:

- Air Quality
- Agricultural Resources
- Transportation
- GHG Emissions
- Noise
- Cultural (Historical) Resources

While mitigation of all potential impacts to a level of less than significant is desirable, the fact that six areas will remain significant and unavoidable is not unexpected. The identification of these areas as significant and unavoidable validates the work previously completed for TOP. 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 certification of the EIR to the City Council and that a Statement of Overriding Considerations be adopted for the Project.

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:	Agriculture, Dairy, Truck Terminal, and vacant	General Commercial (0.4 FAR), Office Commercial (0.75 FAR), and Business Park (0.6 FAR)	Specific Plan / Agricultural Overlay	N/A
North:	Agriculture and Dairy	Mixed Use (NMC West) and Medium Density Residential (11.1 – 25 du/ac)	Specific Plan / Agricultural Overlay	N/A
South:	Chino Airport, Agriculture, and Industrial (City of Chino)	Public and General Industrial (City of Chino)	AD (Airport Development), M2 (General Industrial), and Airport Overlay District (City of Chino)	N/A
East:	Industrial (under construction)	Business Park (0.6 FAR) and Industrial (0.55 FAR)	Specific Plan	West Ontario Commerce Center
West:	Dairy	Low Medium Density Residential (5.1 – 11 du/ac) and Business Park (0.6 FAR),	Specific Plan / Agricultural Overlay	N/A

Exhibit A – Amended LU-03: Future Buildout Table

THE ONTARIO PLAN

LU-03 Future Buildout[1]

Land Use	Acres[2]	Assumed Density/Intensity[3]	Units	Population[4]	Non-Residential Square Feet	Jobs[5]
Retail/Service						
Neighborhood Commercial[6]	285	0.30 FAR			3,725,556	9,015
General Commercial	~~464~~ 446	0.30 FAR			~~6,087,342~~ 5,827,805	~~5,636~~ 5,414
Office/ Commercial	~~498~~ 447	0.75 FAR			~~16,013,428~~ 14,613,311	~~35,523~~ 32,405
Hospitality	142	1.00 FAR			6,177,679	7,082
Subtotal	~~*1,392*~~ *1,320*				~~*31,989,005*~~ *30,343,352*	~~*57,256*~~ *53,916*
Employment						
Business Park	~~1,506~~ 1,259	0.40 FAR			~~26,273,284~~ 21,940,980	~~46,096~~ 38,495
Industrial	~~6,518~~ 6,806	0.55 FAR			~~156,162,964~~ 163,101,440	~~137,208~~ 143,304
Subtotal	~~*8,026*~~ *8,067*				~~*182,436,247*~~ *185,042,420*	~~*183,304*~~ *181,799*
Other						
Open Space– Non-Recreation	1,232	Not applicable				
Open Space– Parkland[6]	950	Not applicable				
Open Space- Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	621	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	~~4,871~~ 4,891	Not applicable				
Subtotal	~~*9,895*~~ *9,915*					
Total	***31,786***		***100,976***	***348,467***	~~*248,083,563*~~ *249,044,083*	~~*310,358*~~ *305,512*

Notes
1 Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
2 Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
3 Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
4 Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
5 To view the factors used to generate the number of employees by land use category, access the Methodology report.
6 Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

RESOLUTION NO. PC20-094

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL CERTIFY THE PROJECT ENVIRONMENTAL IMPACT REPORT (SCH# 2019049079) AND ADOPT FINDINGS OF OVERRIDING CONSIDERATIONS FOR THE MERRILL COMMERCE CENTER SPECIFIC PLAN (FILE NOS. PSP18-001/PGPA18-003), LOCATED WITHIN THE ONTARIO RANCH AND BOUNDED BY EUCALYPTUS AVENUE TO THE NORTH, MERRILL AVENUE TO THE SOUTH, CARPENTER AVENUE TO THE EAST, AND GROVE AVENUE TO THE WEST, AND MAKING FINDINGS IN SUPPORT THEREOF – APNS: 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05; AND 1073-111-06.

WHEREAS, the Project Environmental Impact Report ("EIR") for the Merrill Commerce Center Specific Plan (File No. PSP18-001/PGPA18-003) (State Clearinghouse No. 2019049079) has been prepared in accord with the California Environmental Quality Act ("CEQA"), the state CEQA Guidelines, and the City of Ontario Guidelines for implementation of the CEQA Guidelines; and

WHEREAS, the EIR for File Nos. PSP18-001/PGPA18-003 consists of the Draft EIR and the comments and responses to comments made on the Draft EIR; and

WHEREAS, the EIR for File Nos. PSP18-001/PGPA18-003 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, copies of the EIR were distributed to the Planning Commission, City departments, and federal, state, regional, local, and other agencies and individuals; and

WHEREAS, the EIR for File Nos. PSP18-001 and PGPA18-003 has been prepared to address the environmental effects of a Specific Plan (Merrill Commerce Center) to establish land use designations, development standards, and design guidelines for approximately 376.3 acres of land within the Ontario Ranch, generally north of Merrill Avenue, south of Eucalyptus Avenue, east of Grove Avenue, and west of Carpenter Avenue; and

WHEREAS, on December 22, 2020, the Planning Commission of the City of Ontario conducted a duly noticed public 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 Environmental Impact Report (EIR) and supporting documentation. Based upon the facts and information contained in the EIR (State Clearinghouse No. 2019049079) and supporting documentation, the Planning Commission finds as follows:

(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 judgement 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 hereby concludes as follows:

(1) The Project EIR analyzed the environmental impacts associated with the implementation of the Merrill Commerce Center Specific Plan, and finds that, if the Specific Plan 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.

(c) Transportation – Impacts related to vehicle miles traveled are projected to be cumulatively significant and unavoidable.

(d) Greenhouse Gas Emissions – Project-specific impacts and cumulative impacts would remain significant and unavoidable.

(e) Noise – Impacts related to construction of off-site infrastructure are projected to be individually and cumulatively significant and unavoidable for the duration of off-site infrastructure construction activities.

(f) Cultural (Historic) Resources – Impacts related to demolition of potential District Contributors within the Project site is considered a significant and unavoidable impact.

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, included as Attachment A of this Resolution, 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 22nd day of December 2020, 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. PC20-094, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on December 22, 2020, by the following roll call vote, to wit:

AYES: DeDiemar, Gage, Gregorek, Ricci, Willoughby

NOES: None

ABSENT: None

ABSTAIN: None

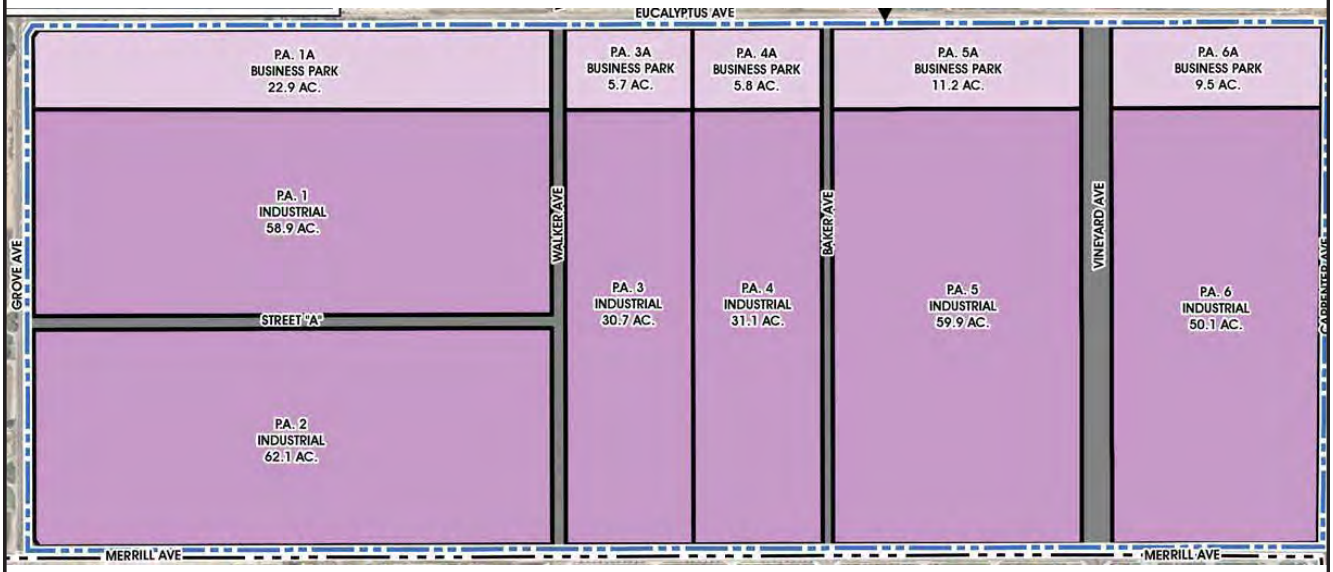
Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT :

Merrill Commerce Center SP Draft EIR

(Document to follow this page)

Merrill Commerce Center
Specific Plan
Draft EIR



October 2020

DRAFT ENVIRONMENTAL IMPACT REPORT

for the

Merrill Commerce Center Specific Plan
State Clearinghouse Number:
2019049079

October 2020

Prepared for:

City of Ontario
303 East "B" Street
Ontario, CA 91764

Prepared by:

Applied Planning, Inc.
11762 De Palma Road
Suite 1-C 310
Corona, CA 92883

Table of Contents

Section			Page
1.0	**Executive Summary**		**1-1**
	1.1	Introduction	1-1
	1.2	Project Elements	1-5
	1.3	Project Objectives	1-31
	1.4	Discretionary Approvals and Permits	1-31
	1.5	Initial Study	1-33
	1.6	Impacts Not Found to be Potentially Significant	1-33
	1.7	Areas of Concern or Controversy	1-47
	1.8	EIR Topical Issues	1-50
	1.9	Summary of Significant Project Impacts	1-51
	1.10	Alternatives to the Project	1-53
	1.11	Summary of Impacts and Mitigation Measures	1-67
2.0	**Introduction**		**2-1**
	2.1	Overview	2-1
	2.2	Authorization	2-1
	2.3	Lead and Responsible Agencies	2-2
	2.4	Project Applicant	2-2
	2.5	The EIR Process	2-3
	2.6	EIR Content and Format	2-4
	2.7	Intended Use of this EIR	2-6
	2.8	Documents Incorporated By Reference	2-7
	2.9	Project Technical Studies/EIR Appendices	2-9

Section **Page**

3.0 Project Description 3-1

3.1 Overview & Location 3-1

3.2 Existing Land Uses 3-4

3.3 Land Use Designations 3-12

3.4 Project Elements 3-12

3.5 Project Objectives 3-45

3.6 Discretionary Approvals and Permits 3-46

4.0 Environmental Impact Analysis 4-1

4.1 Land Use and Planning 4.1-1

4.2 Transportation 4.2-1

4.3 Air Quality 4.3-1

4.4 Greenhouse Gas Emissions 4.4-1

4.5 Noise 4.5-1

4.6 Hazards/Hazardous Materials 4.6-1

4.7 Hydrology/Water Quality 4.7-1

4.8 Biological Resources 4.8-1

4.9 Geology and Soils 4.9-1

4.10 Cultural/Tribal Resources 4.10-1

4.11 Agricultural Resources 4.11-1

4.12 Utilities and Service Systems 4.12-1

4.13 Energy 4.13-1

4.14 Population/Housing 4.14-1

5.0 Other CEQA Considerations 5-1

5.1 Cumulative Impact Analysis 5-1

5.2 Alternatives Analysis 5-30

5.3 Growth-Inducing Impacts of the Proposed Action 5-85

5.4 Significant Environmental Effects 5-90

5.5 Significant and Irreversible Environmental Changes 5-92

Section **Page**

6.0 Acronyms and Abbreviations..... 6-1

7.0 References..... 7-1

APPENDICES (Provided on accompanying CD-ROM)

Appendix A: Initial Study, NOP, and NOP Responses

Appendix B: Merrill Commerce Center Specific Plan

Appendix C: Traffic Impact Analysis

Appendix D: Air Quality Impact Analyses

Appendix E: Greenhouse Gas Analysis

Appendix F: Noise Impact Analysis

Appendix G: Environmental Site Assessments

Appendix H: Hydrology Report

Appendix I: Biological Resources Assessments

Appendix J: Geotechnical Investigation

Appendix K: Cultural Resources Investigation

Appendix L: Non-Renewal of Land Conservation Contracts

Appendix M: Water Supply Assessment

Appendix N: Project Energy Estimates

List of Figures

Figure **Page**

1.1-1 Project Location 1-4
1.2-1 Specific Plan Land Use Plan 1-8
1.2-2 Phasing Concept 1-10
1.2-3 Circulation Plan 1-11
1.2-4 Potable Water Plan 1-13
1.2-5 Sanitary Sewer Plan 1-18
1.2-6 Recycled Water Plan 1-20
1.2-7 Storm Water Management Plan 1-24
1.2-8 Dry Utilities Infrastructure Plan 1-27
1.2-9 Fiber Optics Plan 1-28
3.1-1 Project Location 3-2
3.2-1 Existing Land Uses 3-5
3.2-2 Site Photographs 3-6
3.2-3 Site Photographs 3-7
3.2-4 Site Photographs 3-8
3.2-5 Site Photographs 3-9
3.2-6 Site Photographs 3-10
3.4-1 Existing and Proposed Land Use Designations 3-14
3.4-2 Existing and Proposed Zoning Designations 3-15
3.4-3 Specific Plan Land Use Plan 3-18
3.4-4 Phasing Concept 3-20
3.4-5 Circulation Plan 3-21
3.4-6 Potable Water Plan 3-24
3.4-6A City of Ontario Ultimate Water System 3-25
3.4-7 Sanitary Sewer Plan 3-29

Figure **Page**

3.4-7A City of Ontario Ultimate Sewer System 3-30
3.4-8 Conceptual Recycled Water Plan 3-33
3.4-8A City of Ontario Future Recycled Water System 3-34
3.4-9 Conceptual Storm Water Management Plan 3-37
3.4-9A City of Ontario Planned Drainage Facilities 3-38
3.4-10 Conceptual Dry Utilities Plan 3-41
3.4-11 Conceptual Fiber Optics Plan 3-43
4.1-1 Project Location 4.1-5
4.1-2 Existing Land Uses 4.1-6
4.1-3 Existing Policy Plan Land Use Designations 4.1-9
4.1-4 Existing Zoning Designations 4.1-13
4.1-5 Existing and Proposed Policy Plan Land Use Designations 4.1-18
4.1-6 Existing and Proposed Zoning Designations 4.1-20
4.1-7 Specific Plan Land Use Plan 4.1-22
4.1-8 Phasing Concept 4.1-24
4.3-1 SCAB O3 Trend 4.3-16
4.3-2 SCAB 24-Hour Average Concentration PM10 Trend vs. Federal Standard 4.3-17
4.3-3 SCAB Annual Average Concentration PM10 Trend vs. State Standard 4.3-17
4.3-4 SCAB 24-Hour Average Concentration PM2.5 Trend vs. Federal Standard 4.3-18
4.3-5 SCAB 24-Hour Average Concentration PM2.5 Trend vs. State Standard 4.3-18
4.3-6 SCAB 24-Hour Average Concentration CO Trend 4.3-20
4.3-7 SCAB 1-Hour Average Concentration NO2 Trend vs. Federal Standard 4.3-21
4.3-8 SCAB 1-Hour Average Concentration NO2 Trend vs. State Standard 4.3-21
4.3-9 California Toxic Air Contaminant Data Sites 4.3-23
4.3-10 Diesel Particulate Matter and Diesel Vehicle Miles Trends 4.3-24
4.3-11 Proximate Receptor Land Uses 4.3-57
4.3-12 Operational DPM Emissions Modeled MEIR, MEIW, and MEISC Locations .4.3-72
4.3-13 Construction HRA Modeled Sensitive Receptor Locations 4.3-75
4.5-1 Typical Noise Levels 4.5-3

Figure **Page**

4.5-2 Noise Measurement Locations ..4.5-8
4.5-3 Noise Level Exposure and Land Use Compatibility Guidelines .4.5-14
4.5-4 Receiver Locations .4.5-21
4.6-1 On-site Properties 4.6-3
4.6-2 Existing Well Locations 4.6-22
4.6-3 Chino Airport Safety Zones 4.6-41
4.7-1 Flood Hazard Zones 4.7-7
4.7-2 Project Location within MDP Area 4.7-8
4.7-3 MDP/Regional Stormwater Management System Improvements 4.7-12
4.7-4 On-Site Stormwater Management System Concept 4.7-14
4.8-1 Vegetation Communities 4.8-6
4.8-2 Corps/RWQCB Jurisdictional Areas 4.8-10
4.8-3 CDFW Jurisdictional Areas 4.8-11
4.9-1 Regional Faults 4.9-5
4.11-1 Existing Land Uses 4.11-10
4.11-2 Project Site Farmland Mapping Designations 4.11-12
4.11-3 Existing Williamson Act Contract Properties 4.11-13
4.12-1 City of Ontario Ultimate Water System 4.12-4
4.12-1A City of Ontario Future Recycled Water System 4.12-6
4.12-2 City of Ontario Ultimate Sewer System 4.12-7
4.12-3 City of Ontario Planned Drainage Facilities 4.12-10
4.12-4 Potable Water Plan Concept 4.12-14
4.12-5 Recycled Water Plan Concept 4.12-19
4.12-6 Sanitary Sewer Plan Concept 4.12-22
4.12-7 Dry Utilities Plan Concept 4.12-25
4.12-8 Fiber Optics Plan Concept 4.12-27

List of Tables

Table **Page**

1.2-1 Existing and Proposed Policy Plan Designations 1-5
1.7-1 List of NOP Respondents and Summary of NOP Comments 1-48
1.9-1 Summary of Significant and Unavoidable Impacts 1-51
1.10-1 Site Development Comparison, Project and No Project Alternative 1-54
1.10-2 Site Development Comparison, Project and Reduced Intensity Alternative 1-55
1.11-1 Summary of Impacts and Mitigation 1-68
3.4-1 Existing and Proposed Policy Plan Land Use Designations 3-13
4.1-1 Project Site – Existing Land Use Designations 4.1-8
4.1-2 Vicinity Properties - Land Use Designations 4.1-10
4.1-3 Existing and Proposed Policy Plan Land Use Designations 4.1-17
4.1-4 Policy Plan-Land Use Element Goals and Policies Consistency Analysis 4.1-26
4.1-5 Consistency with SCAG RTP/SCS Regional Goals 4.1-36
4.2-1 VMT, Population, Employment, SP. And VMT/SP Estimates 4.2-9
4.2-2 City Average VMT/SP Estimates 4.2-9
4.2-3 Project Trip Generation by Vehicle Category 4.2-10
4.2-4 Project TAZ average Trip Length 4.2-11
4.2-5 Project VMT Summary 4.2-11
4.2-6 Project VMT/SP 4.2-12
4.2-7 Trip Generation Comparison – Existing Policy Plan Land Use vs. Project 4.2-25
4.2-8 City of Ontario Policy Plan Consistency Analysis 4.2-26
4.2-9 Consistency with SCAG RTP/SCS Goals 4.2-30

Table **Page**

4.3-1 SCAB Attainment Status 4.3-12
4.3-2 Area Air Quality Monitoring Summary 2016-2018 ..... 4.3-13
4.3-3 Regional Thresholds 4.3-31
4.3-4 Trip Generation Comparison-Existing Policy Plan Land Uses vs. Project 4.3-35
4.3-5 Project Development Summary by Phase 4.3-40
4.3-6 Project Construction Schedule by Phase 4.3-41
4.3-7 Maximum Daily Construction-Source Emissions—Unmitigated (lbs./day) 4.3-42
4.3-8 Maximum Daily Construction-Source Emissions-Mitigated (lbs./day) 4.3-44
4.3-9 Peak Operational-Source Emissions Summary, Maximum Daily Summer/Winter – Unmitigated (lbs./day) 4.3-45
4.3-10 Construction-Source/Operational-Source Emissions Overlap 4.3-52
4.3-11 Localized Thresholds Summary 4.3-59
4.3-12 Localized Construction-Source Emissions Impacts Summary 4.3-61
4.3-13 Localized Operational-Source Emissions Impacts Summary 4.3-63
4.3-14 2003 Hot Spot Analysis Intersection Traffic Volumes 4.3-65
4.3-15 2003 Hot Spot Analysis CO Modeling Results 4.3-65
4.3-16 Residential Exposure Parameters and Assumptions 4.3-69
4.3-17 Worker Exposure Parameters and Assumptions 4.3-70
4.3-18 School Child Exposure Parameters and Assumptions 4.3-70
4.4-1 GHG Global Warming Potentials and Atmospheric Lifetimes 4.4-3
4.4-2 Global GHG Emissions by Source Countries and the EU (2017) 4.4-8
4.4-3 Annual Project GHG Emissions 4.4-34
4.4-4 2008 Scoping Plan Consistency 4.4-39
4.4-5 2017 Scoping Plan Consistency 4.4-41
4.5-1 Ambient Noise Level Measurements 4.5-9
4.5-2 City of Ontario & City of Chino Noise Ordinance Standards (Operations) 4.5-17
4.5-3 Incremental Noise Contribution Significance Criteria 4.5-18
4.5-4 Significance Criteria Summary 4.5-20
4.5-5 Received Construction-Source Noise Levels by Activity (Unmitigated) 4.5-24
4.5-6 Received Construction-Source Noise Levels: On-site Construction Activities (Unmitigated) 4.5-24

Table **Page**

4.5-7 Received Construction-Source Noise Levels: On-site Construction Activities (Mitigated) 4.5-26
4.5-8 Received Construction-Source Noise Levels: Off-site Infrastructure Construction Activities 4.5-27
4.5-9 Construction-Source Noise Contributions to Ambient Conditions (Unmitigated) 4.5-29
4.5-10 Noise Threshold and Received Area-Source Noise Levels (Unmitigated) 4.5-30
4.5-11 Noise Thresholds and Received Area-Source Noise Levels (Mitigated) 4.5-32
4.5-12 Project Daytime Operational Area-Source Noise Contributions 4.5-33
4.5-13 Project Nighttime Operational Area-Source Noise Contributions 4.5-33
4.6-1 Pesticide Screening Level Thresholds (µg/kg) 4.6-26
4.6-2 Existing Potential Hazards 4.6-30
4.8-1 Summary of Project Biological Surveys/Assessments 4.8-3
4.8-2 Special-Status Wildlife Species with Potential to Occur Onsite 4.8-8
4.10-1 Project HRS Summary 4.10-22
4.11-1 San Bernardino County 2010 – 2012 Land Use Conversion 4.11-5
4.11-2 San Bernardino County Top Ten Agricultural Products 4.11-6
4.11-3 Farmland Categories 4.11-14
4.12-1 Receiving Landfill Information 4.12-11
4.12-2 Water Demand Comparison - Project and 2015 UWMP Estimates 4.12-32
4.12-3 Estimated Construction/Demolition Waste 4.12-34
4.12-4 Estimated Operational Solid Waste Generation 4.12-35
4.13-1 State and Local Energy Efficiency/Energy Conservation Plan Consistency 4.13-6
4.13-2 Construction Energy Consumption Estimates 4.13-9
4.13-3 Transportation Energy Consumption Estimates 4.13-11
4.13-4 Project Annual Operational Energy Demand Summary 4.13-11
4.14-1 Growth Projections 4.14-4
4.14-2 City of Ontario Population Trends 2000-2018 ..... 4.14-5
4.14-3 City of Ontario Housing Trends 2000-2018 ..... 4.14-5
4.14-4 RHNA Responsibility-Housing Units by Income Level, City of Ontario 2013–2021 ..... 4.14-6

Table **Page**

4.14-5 Jobs by Sector – 2017 ..... 4.14-7
4.14-6 City of Ontario Job Trends 2007-2017 ..... 4.14-7
4.14-7 Employment Comparison, Existing Policy Plan Land Uses vs. Project Land Uses 4.14-15
5.1-1 Proposed Policy Plan (Land Use Element) Amendments 5-7
5.1-2 Cumulative Mobile-Source Noise Increases 5-17
5.2-1 Site Development Comparison, Project and No Project Alternative 5-37
5.2-2 Site Development Comparison, Project and Reduced Intensity Alternative 5-38
5.2-3 Trip Generation Comparison-No Project Alternative vs. Project 5-49
5.2-4 Project & No Project Alt., Operational-Source Emissions Comparison 5-52
5.2-5 Project and Reduced Intensity Alternative, Operational-Source Emissions Comparison 5-54
5.2-6 Summary of Potential Impacts, Alternatives Compared to Project, By Topic ... 5-75
5.3-1 Employment Comparison, Existing Policy Plan Land Uses vs. Project Land Uses 5-87

1.0 EXECUTIVE SUMMARY

1.0 EXECUTIVE SUMMARY

1.1 INTRODUCTION

The Merrill Commerce Center Specific Plan Project (Project, Specific Plan) proposes development and operation of Specific Plan Industrial and Business Park Land Uses on approximately 376.3 acres located in the City of Ontario, within San Bernardino County. The Specific Plan area is apportioned into approximately 292.8 acres of Industrial Land Use; approximately 55.1 acres of Business Park Land Use; and approximately 28.4 acres allocated for Circulation (vehicular and non-vehicular) rights-of-ways, easements, and similar non-building uses. The Specific Plan Land Use Plan is presented subsequently at Figure 1.2-1.

Detailed information regarding land uses and development that would be allowed under the Specific Plan is presented within the *Merrill Commerce Center Specific Plan* (T&B Planning, Inc.) September 29, 2020, EIR Appendix B. The Specific Plan document in total is incorporated in this Project Description by reference. Under the current Project Development Concept evaluated in this EIR, the Specific Plan area would be developed with the following uses:

- **Industrial:** Approximately 6,312,600 square feet of high-cube fulfillment center warehouse use, and approximately 701,400 square feet of high-cube cold storage warehouse use.

- **Business Park:** Approximately 1,441,000 square feet of mixed uses including merchant wholesale, professional services, professional office, warehouse/storage, and research and development.

  Total Development: 8,455,000 square feet.

The Project would also implement off-site City of Ontario Master Plan infrastructure improvements (roads, potable water, recycled water, sanitary sewer, storm drains, and fiber optic lines) in support of the Project. Predominantly, off-site areas that would be affected by construction of these infrastructure improvements comprise already-disturbed/developed rights-of-way and easements. City of Ontario Master Plan infrastructure systems improvements that would be implemented by the Project would conform to City Master Plan Utilities/Service Systems Concepts. Descriptions of infrastructure systems that would be implemented in support of the Project improvements are presented within this Section. Detailed analysis of impacts resulting from construction and operation of Master Plan infrastructure improvements that would be constructed in support of the Project is presented in this EIR.

It is also noted that potential impacts resulting from construction and operation of City Master Plan infrastructure systems have been previously considered and addressed in Initial Study and Mitigated Negative Declaration City of Ontario Infrastructure Master Plans (City of Ontario) July 2012 (Infrastructure Master Plans MND). The Infrastructure Master Plans MND concluded that construction and operation of Master Plan infrastructure improvements would not result in significant impacts not already considered and addressed in correlating analyses in The Ontario Plan EIR. Similarly, Master Plan infrastructure improvements constructed in support of the Project would not result in significant impacts not already considered and addressed in correlating analyses presented within the Infrastructure Master Plans MND; and by extension would not result in significant infrastructure systems impacts not already considered and addressed in correlating analyses presented within The Ontario Plan EIR.

Analyses within this EIR reflect the range and types of uses permitted or conditionally permitted under the Specific Plan Industrial and Business Park Land Use designations. Should future development proposals proposed within the Specific Plan area, or supporting infrastructure proposed as part of the Project differ substantially from the development concepts analyzed herein, the Lead Agency would comply with CEQA in consideration of those proposals.

It is specifically noted that any site plan concepts, building footprints, building sizes, and/or building orientations depicted in the EIR or supporting technical analyses are provided for illustrative purposes only. This EIR in all instances evaluates likely maximum impact scenarios. No site plans or building plans would be entitled under the EIR Project or as part of the Specific Plan approval.

The Project site[1] is located within the Ontario Ranch (formerly the "New Model Colony," NMC) area of the City. More specifically, the Project site is located along Merrill Avenue, between Grove Avenue and Carpenter Avenue. Eucalyptus Avenue forms the northerly boundary of the Specific Plan area. Please refer to Figure 1.1-1, *Project Location*.

The analysis presented in this EIR considers and addresses environmental impacts resulting from development of the Project site proper, and also evaluates impacts that would result from off-site activities or improvements necessary to implement and support the Project. This EIR Section summarizes relevant Project background issues, provides a brief description of the Project and its Objectives, and summarizes potential environmental impacts of the Project. Table 1.11-1, *Impacts and Mitigation Summary*, presented at the conclusion of this Section, lists these impacts and presents the mitigation measures recommended to eliminate or reduce the effects of impacts determined to be potentially significant.

Alternatives to the Project which could avoid or substantially lessen the Project's identified significant environmental impacts are also briefly described within this Section. For a full description of the Project, its impacts, recommended mitigation measures, and considered Alternatives, please refer to EIR Sections 3.0, 4.0, and 5.0, respectively.

[1] The Project site is defined as the area encompassed by the Merrill Commerce Center Specific Plan (the Specific Plan area). The analysis presented in this Environmental Impact Report (EIR) considers and addresses environmental impacts resulting from development of the Project site proper, and also evaluates impacts that would result from off-site activities or improvements necessary to implement and support the Project.



NOT TO SCALE

Source: Google Earth; Applied Planning, Inc.

Figure 1.1-1
Project Location

1.2 PROJECT ELEMENTS

Primary elements comprising the Project are summarized below. Please refer also to the expanded characterization of Project facilities and operations presented at EIR Section 3.0, *Project Description*.

1.2.1 Existing and Proposed Land Use Designations

Existing City of Ontario Policy Plan (General Plan) Project site Land Use designations are: "Business Park," "Office Commercial," and "General Commercial." To allow for the Project, the Applicant proposes to amend the current Project site Policy Plan Land Use designations to "Business Park" and "Industrial." Existing and proposed Policy Plan Land Use designations are summarized at Table 1.2-1.

Table 1.2-1
Existing and Proposed Policy Plan Land Use Designations

Existing	Proposed
Business Park – 314.7 Acres	Business Park - 55.1 acres
Office Commercial - 43.3 acres	Industrial - 292.8 acres
General Commercial - 18.3 acres	Circulation - 28.4 acres
Total: 376.3 Acres	**Total: 376.3 Acres**

The existing Zoning designation of the Project site is "Specific Plan" with an "AG" (Agricultural) Overlay. If adopted by the City, the proposed Merrill Commerce Center Specific Plan would establish the effective Zoning of the Project site.

1.2.2 Site Preparation, Construction Traffic Management

As an initial action, the Project site would be cleared of vegetation. All on-site improvements associated with or supporting the existing on-site land uses would be demolished or removed. At a minimum, debris generated by site preparation and demolition activities would be disposed of/recycled consistent with provisions of the California Integrated Waste Management Plan Act (AB 939) and the City's Integrated Waste Department *Refuse and Recycling Planning Manual*.[2]

[2] City of Ontario, California: *Solid Waste Department* [Integrated Waste Department] *Refuse and Recycling Manual*, Updated March 17, 2016. https://www.ontarioca.gov/omuc/integrated-waste. Additionally, the Project Construction and Demolition Waste Management Plan will be designed and implemented to yield a minimum of 90 percent recycled/salvaged materials.

The natural topography of the Project site is relatively flat. No unusual grading conditions are present and substantial import or export of earth materials is not expected. The primary objectives of the grading plan are to: provide stable development pads for construction; balance the cut and fill grading quantities on-site; and meet City of Ontario building standards and acceptable infrastructure gradient requirements.

To avoid or minimize temporary construction-related traffic impacts throughout site preparation and construction activities, the Project Applicant would be required to prepare and implement a City-approved construction traffic management plan. Typical elements and information incorporated in the Plan would include, but not be limited to:

- **Name of on-site construction superintendent and contact phone number.**

- **Identification of Construction Contract Responsibilities** - For example, for excavation and grading activities, describe the approximate depth of excavation, and quantity of soil import/export (if any).

- **Identification and Description of Truck Routes** - to include the number of trucks and their staging location(s) (if any).

- **Identification and Description of Material Storage Locations (if any).**

- **Location and Description of Construction Trailer (if any).**

- **Identification and Description of Traffic Controls** - Traffic controls shall be provided per the Manual of Uniform Traffic Control Devices (MUTCD) if the occupation or closure of any traffic lanes, parking lanes, parkways or any other public right-of-way is required. If the right-of-way occupation requires configurations or controls not identified in the MUTCD, a separate traffic control plan must be submitted to the City for review and approval. All right-of-way encroachments would require permitting through the City.

- **Identification and Description of Parking** - Estimate the number of workers and identify parking areas for their vehicles.

Identification and Description of Maintenance Measures - Identify and describe measures taken to ensure that the work site and public right-of-way would be maintained (including dust control).

The Plan would be reviewed and approved by the City prior to the issuance of the first building permit. The Plan and its requirements would also be required to be provided to all contractors as one component of building plan/contract document packages.

1.2.3 Development Concept

1.2.3.1 Land Use Plan Concept

The Specific Plan Land Use Plan is presented at Figure 1.2-1. The Specific Plan area comprises approximately 376.3 acres apportioned as follows:

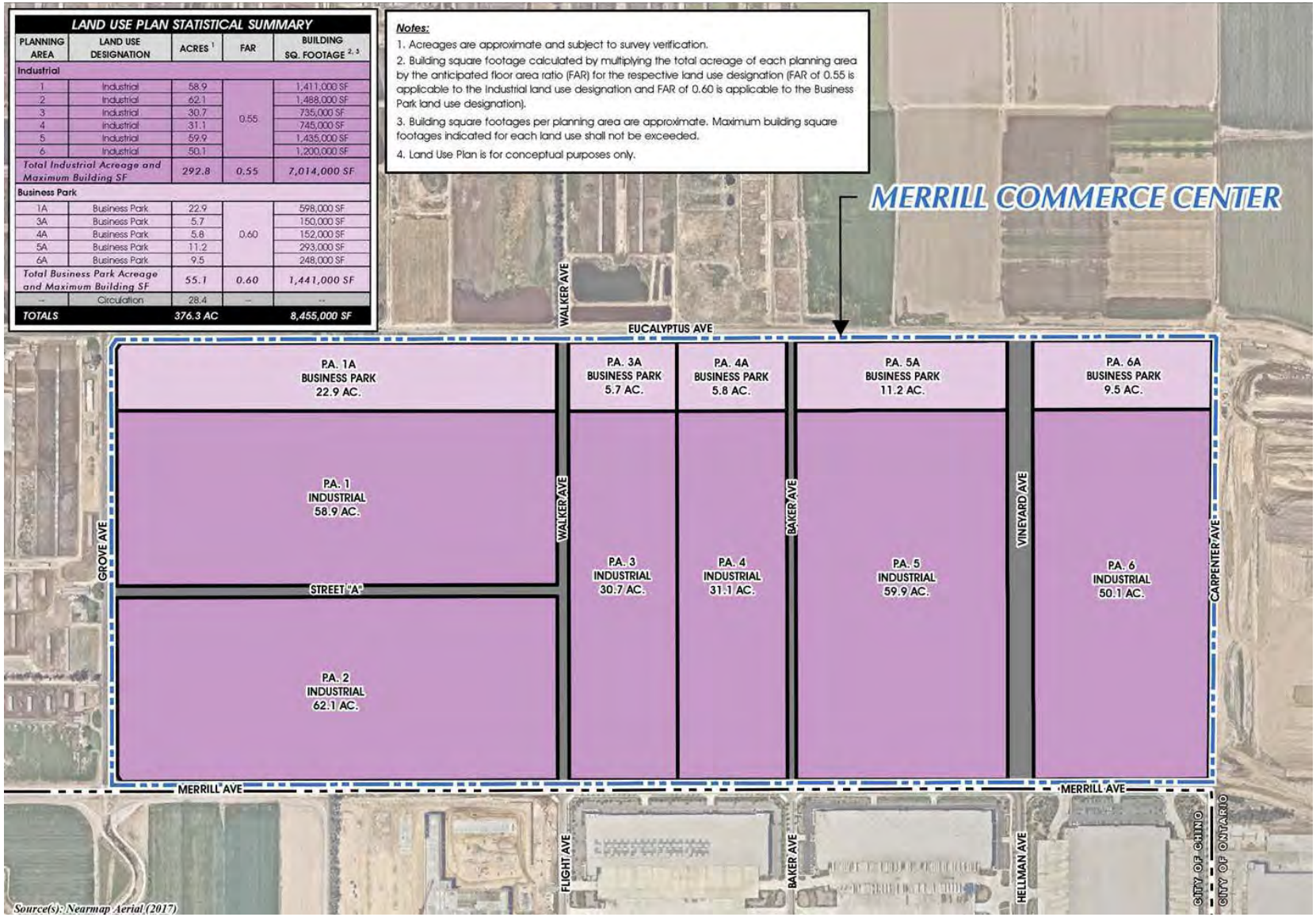
- Industrial Land Use: Approximately 292.8 acres;
- Business Park Land Use: Approximately 55.1 acres; and
- Circulation (vehicular and non-vehicular): Approximately 28.4 acres.

Under the Project Development Concept evaluated in this EIR, the Specific Plan area would be developed with the following uses:

- **Industrial Land Use:** The Specific Plan Industrial Land Use would be developed with approximately 6,312,600 square feet of high-cube fulfillment center warehouse use, and approximately 701,400 square feet of high-cube cold storage warehouse use;

- **Business Park Land Use**: The Specific Plan Business Park Land Use would be developed with approximately 1,441,000 square feet of mixed uses including merchant wholesale, professional services, professional office, warehouse/storage, and research and development.

Total Development: 8,455,000 square feet



NOT TO SCALE

Source: T&B Planning, Inc.

Figure 1.2-1
Land Use Plan

Analyses within this EIR address the range and types of uses permitted or conditionally permitted under the Specific Plan Industrial and Business Park Land Use designations. Should future development proposals proposed within the Specific Plan area, or supporting infrastructure proposed as part of the Project differ substantially from the development concepts analyzed herein, the Lead Agency would comply with CEQA in consideration of those proposals.

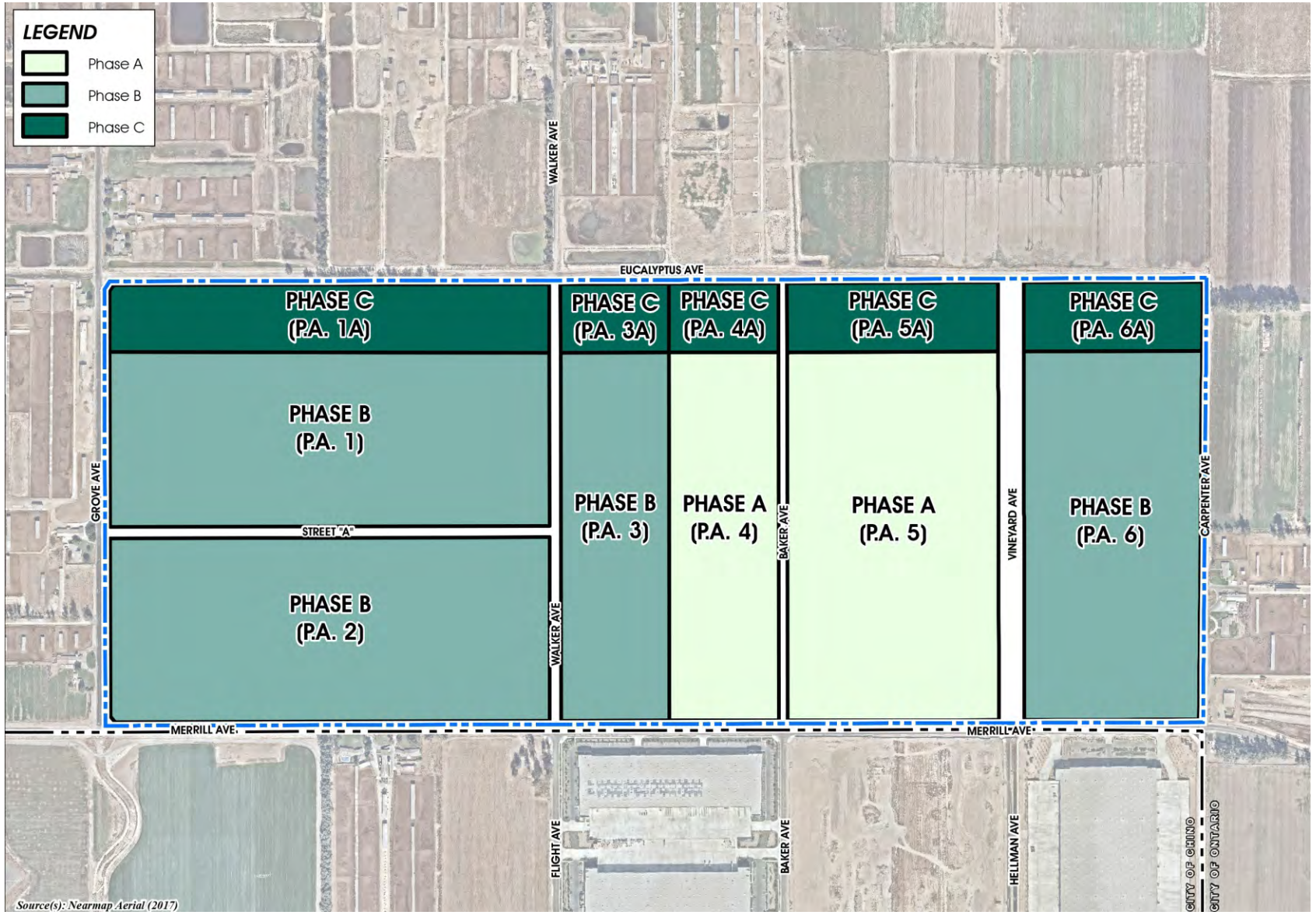
1.2.3.2 Project Phasing Concept

The Project would be implemented in 3 Phases – "A," "B," and "C." Phase A is anticipated to be completed by 2022, Phase B by 2025, and Phase C by 2026. Project phasing would ultimately respond to market demands and would be contingent on availability of supporting infrastructure. The Project Phasing Plan is presented at Figure 1.2-2.

1.2.3.3 Access and Circulation

As illustrated at Figure 1.2-3, access to the Specific Plan area would be provided via surrounding roadways, including Merrill Avenue, Grove Avenue, Vineyard Avenue, and Eucalyptus Avenue. The roadway improvements listed below would be constructed as part of the Specific Plan buildout. Please refer also to Specific Plan Section 4.1, *Circulation and Access Plan* for further details regarding Project roadway and access improvements.

- Walker Avenue would be constructed as a north-south oriented Collector road that would connect to Edison Avenue/Ontario Ranch Road to the north and Merrill Avenue to the south;
- Street "A" would be constructed as an east-west oriented Local Industrial Street that would provide access through the western portion of the Specific Plan area and connect to Grove Avenue at its westerly terminus and future Walker Avenue at its easterly terminus;
- Baker Avenue would be constructed as a north-south oriented Local Industrial Street that would provide access through the Specific Plan area and connect to Eucalyptus Avenue at its northerly terminus and Merrill Avenue at its southerly terminus;



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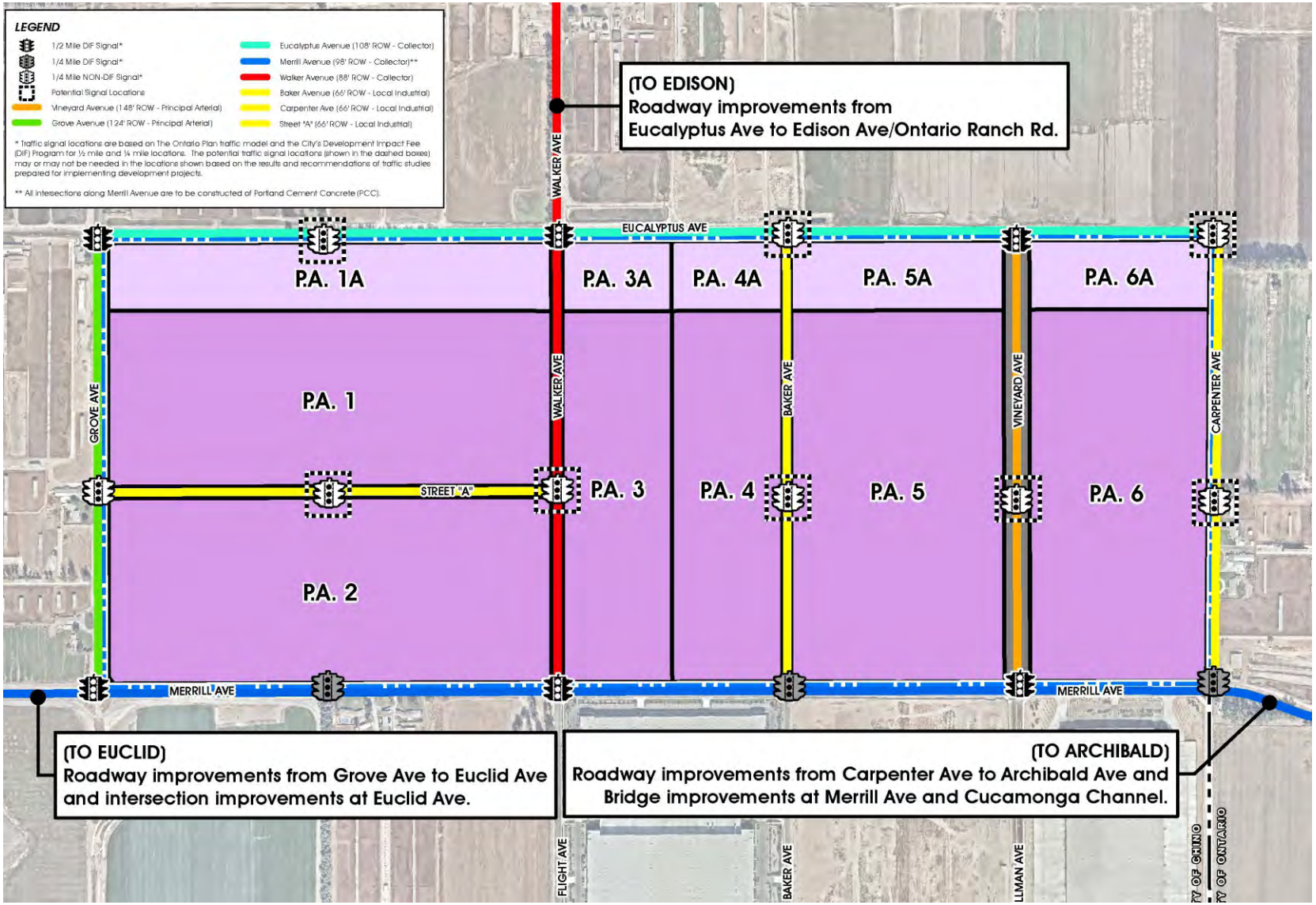
Source: T&B Planning, Inc.

Figure 1.2-2
Phasing Concept



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Source: T&B Planning, Inc.

Figure 1.2-3
Circulation Plan

- Vineyard Avenue would be constructed as a north-south oriented Principal Arterial that would provide access through the Specific Plan area and connect to Eucalyptus Avenue at its northerly terminus and Merrill Avenue at its southerly terminus;
- Frontage improvements to Carpenter Avenue as a Local Industrial roadway along the entirety of the easterly Specific Plan boundary;
- Frontage improvements to Eucalyptus Avenue as a Collector roadway along the entirety of the northerly Specific Plan boundary;
- Frontage improvements to Grove Avenue as a Principal Arterial roadway along the entirety of the westerly Specific Plan boundary;
- Improvements to the segment of Merrill Avenue as a Collector roadway located between Euclid Avenue and Archibald Avenue; and
- Widening of the existing bridge crossing Merrill Avenue at the Cucamonga Flood Control Channel.

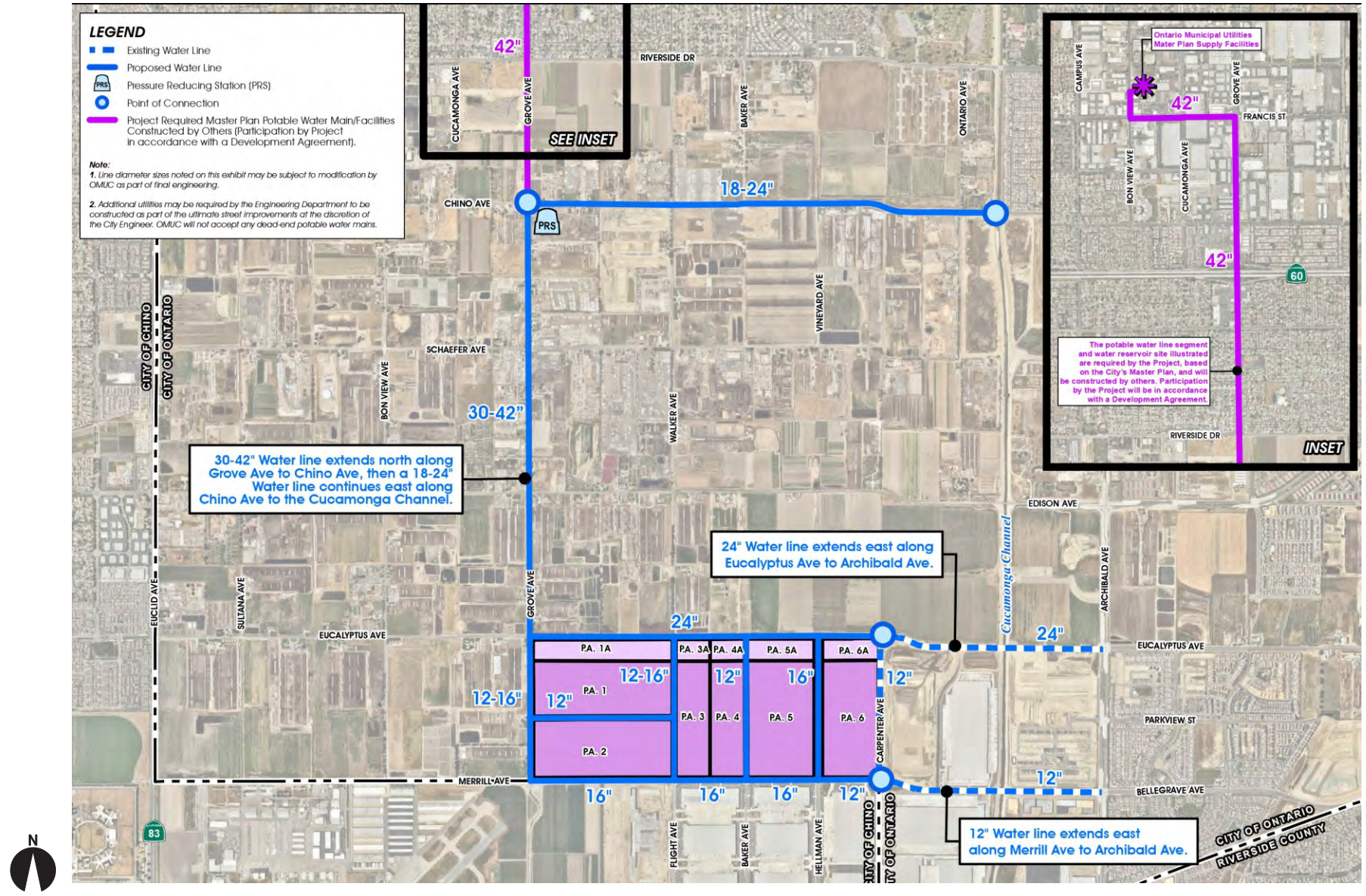
1.2.4 Utilities Infrastructure

Development of the Project would require the installation of water, sewer, drainage and other utility facilities. Proposed utilities infrastructure plans and improvements to be implemented by the Project are summarized below.

City of Ontario Policy Plan Policy LU4-3 *Infrastructure Timing* requires that necessary infrastructure and services be in place prior to or concurrent with new development. Similarly, the Merrill Commerce Center Specific Plan includes a development phasing plan and infrastructure phasing plan that require infrastructure supporting buildout of the Specific Plan be adequately phased concurrent with development (see: Specific Plan, p. A-6).

1.2.4.1 Potable Water Plan

The Project Potable Water Plan Concept is presented at Figure 1.2-4. Potable water services to the Specific Plan area would be provided by the City of Ontario (Ontario Municipal Utilities Company, OMUC). Please refer also to correlating discussions presented at EIR Section 3.0, *Project Description;* and EIR Section 4.12, *Utilities & Services.*



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Source: T&B Planning, Inc.

Figure 1.2-4
Conceptual Water Plan

Currently there are no City potable water mains or City potable water infrastructure in the vicinity of the Project. Potable Water System Improvements for the Specific Plan area require the planning, design, and construction of the 925 Pressure Zone (PZ) Phase 2 West Backbone, which includes:

- Extending the 24-inch potable water main in Eucalyptus Avenue from Carpenter Avenue to Grove Avenue;

- A 30-inch to 42-inch potable water main in Grove Avenue connecting from the 24-inch potable water main in Eucalyptus Avenue and extending to Chino Avenue;

- An 18-inch to 24-inch potable water main in Chino Avenue and connecting to the existing 18-inch potable water main located on the west side of the Cucamonga Creek Channel;

- A Pressure Reducing Station between the 1010 PZ and 925 PZ near the intersection of Grove Avenue and Chino Avenue.

Master Plan Phase 2 facilities that are required to serve the Project but that will be constructed by others include:

- A 42-inch potable water main in Grove Avenue connecting from the 30-inch potable water main in Grove Avenue at Chino Ave and extending to Francis Avenue;

- A 42-inch potable main in Francis Avenue connecting from the 42-inch potable water main in Grove Avenue and extending to Bon View Avenue;

- A 42-inch potable water main in Bon View Avenue connecting from the 42-inch potable water main in Francis Avenue and extending to the Bon View Avenue Reservoir site and to the Reservoir;

- A 9 million gallon reservoir on the Bon View Reservoir site, two 2,500 gpm wells with any treatment necessary to meet water quality standards and the 16-inch to 42-inch well collection mains from the wells to the reservoirs.

At the time the Specific Plan was prepared, the alignment of the 42-inch water line between Chino Avenue and the water reservoir site had not been finalized and is subject to change. The Project will be required to participate in the future Phase 2 Water System Improvements north of Chino Avenue, as detailed in the Development Agreement with the City.

In addition to the 925 Pressure Zone (PZ) Phase 2 West Backbone system described above, the Project would implement a Secondary Loop between the 925 Pressure Zone (PZ) Phase 2 West Backbone system and the Project site. These improvements would include:

- A 24-inch potable water main in Eucalyptus Avenue connecting to the 30-inch to 42-inch 925 Pressure Zone (PZ) Phase 2 West Backbone main in Grove Avenue;

- A 16-inch potable water main in Merrill Avenue connecting from the 12-inch to 16-inch potable water main in Grove Avenue and extending to Vineyard Avenue;

- A 16-inch potable water main in Vineyard Avenue connecting from the 16-inch potable water main in Merrill Avenue and extending to connect to the 24-inch potable water main in Eucalyptus Avenue; and

- A 12-inch potable water main in Merrill Avenue connecting from the 16-inch potable water main in Vineyard Avenue and extending east to connect to the 12-inch potable water main in Carpenter Avenue.

The Project would also construct the Local Adjacent Potable Water System. Improvements would include:

- A 12-inch to 16-inch potable water main in Grove Avenue connecting to the 24-inch potable water main in Eucalyptus Avenue and extending to connect to the 16-inch potable water main in Merrill Avenue;

- A 12-inch to 16-inch potable water main in Walker Avenue connecting to the 24-inch potable water main in Eucalyptus Avenue and extending to connect to the 16-inch potable water main in Merrill Avenue;

- A 12-inch potable water main in Baker Avenue connecting to the 24-inch potable water main in Eucalyptus Avenue and extending to connect to the 16-inch potable water main in Merrill Avenue; and

- A 12-inch potable water main in "Street A" connecting to the 12-inch potable water main in Grove Avenue and extending to connect to the 12-inch to 16-inch potable water main in Walker Avenue.

Water infrastructure improvements required of the Project are subject to change based upon findings of City-approved hydraulic studies, master plan updates, and Project final designs. Orientation and configuration of water mains are also subject to change based upon the developer-conducted and City-approved Conceptual Design Report. Any existing utilities, including Inland Empire Utility Agency (IEUA) water mains, that do not meet minimum depths, standard alignment locations, and/or minimum horizontal and vertical separation requirements shall be subject to relocation/replacement by the Project developer(s). Within the Project site, on individual private property, all onsite potable water systems, non-potable water systems, and fire protection/suppression water systems shall be private and be privately-maintained.

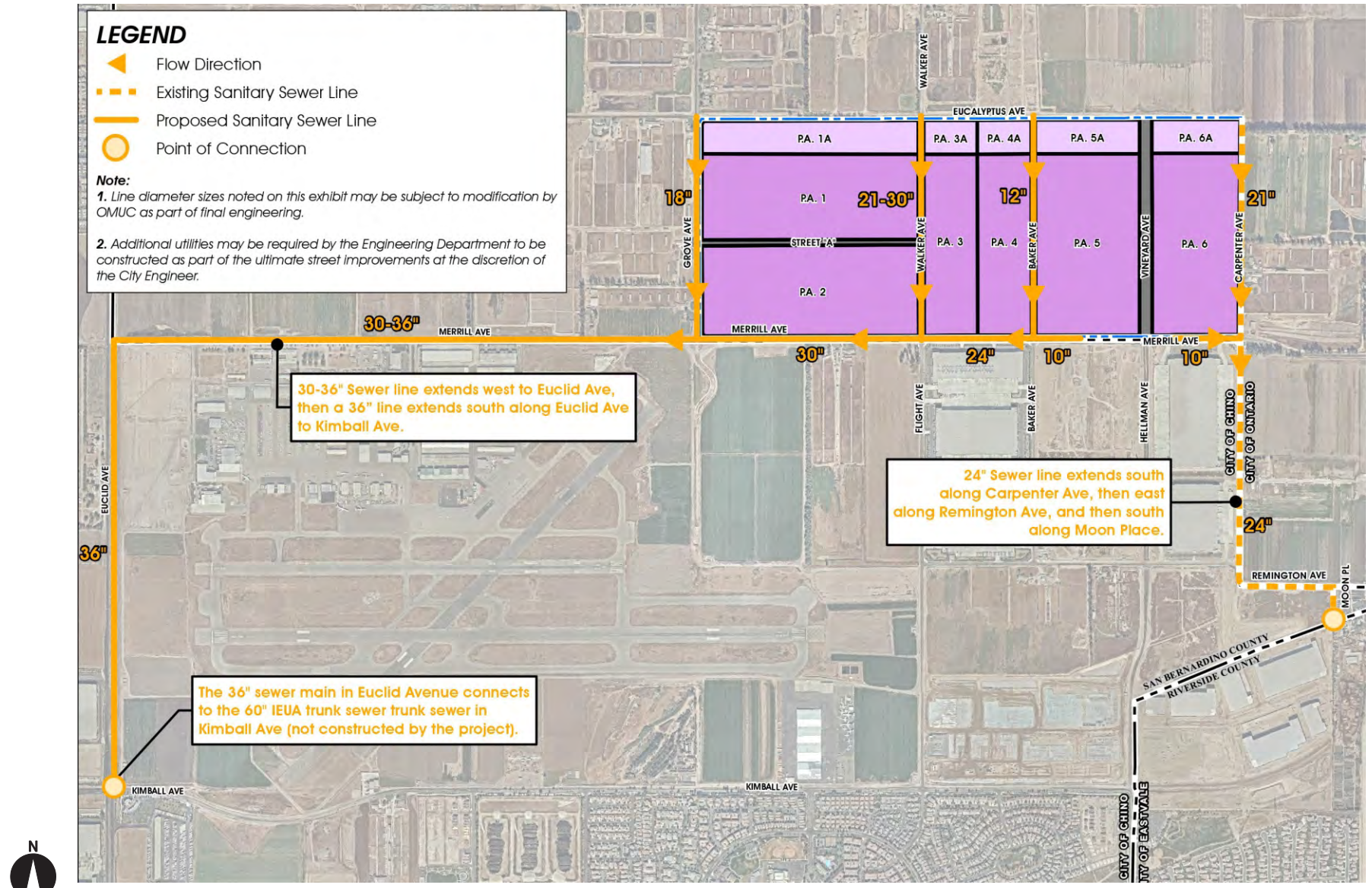
1.2.4.2 Sewer Plan

The Project Sanitary Sewer Plan Concept is presented at Figure 1.2-5. Please refer also to correlating discussions presented at EIR Section 3.0, *Project Description;* and EIR Section 4.12, *Utilities & Services.*

Sanitary sewer service to the Project site and surrounding area is provided by OMUC. OMUC conveys wastewater to IEUA for transmission to area-serving treatment facilities. Existing 21-inch and existing 24-inch City sanitary sewer mains are located in Carpenter Avenue to the east and south of the Project site. The Project site and surrounding properties are included within the City's Sewer Master Plan. The areas west of Vineyard Avenue are Tributary to the Western Trunk Sewer (WTS), which connect to IEUA's system at Kimball Avenue and Euclid Avenue. The areas east of Vineyard Avenue are Tributary to the Eastern Trunk Sewer (ETS), through the City's Carpenter Trunk Sewer which connect to IEUA's system at Vineyard/Hellman Avenue and the San Bernardino/Riverside County line. Specific Plan Planning Areas 1 to 5 and 1A to 5A are within the WTS tributary area. Specific Plan Planning Area 6 and 6A are within the ETS tributary area.

The Project would construct the following Primary Sewer Master Plan Backbone mains of the WTS:

- A 36-inch sewer main in Euclid Avenue connecting to the IEUA's 60-inch Kimball Interceptor at the intersection of Kimball Avenue and Euclid Avenue and extending north to Merrill Avenue;
- A 30-inch to 36-inch sewer main in Merrill Ave from Euclid Avenue to Grove Avenue;
- A 30-inch sewer main in Merrill Avenue from Grove Avenue to Walker Avenue; and
- A 21-inch to 30- inch sewer main in Walker Avenue from Merrill Avenue to Eucalyptus Avenue.



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Source: T&B Planning, Inc.

Figure 1.2-5
Conceptual Sewer Plan

In addition to the Primary Sewer Master Plan Backbone mains, the Specific Plan area requires the planning, design, and construction of a Secondary Master Plan Trunk Sewer, which includes: installing an 18-inch Grove Trunk Sewer main in Grove Avenue from the WTS in Merrill Avenue and extending north in Grove Avenue to Eucalyptus Avenue.

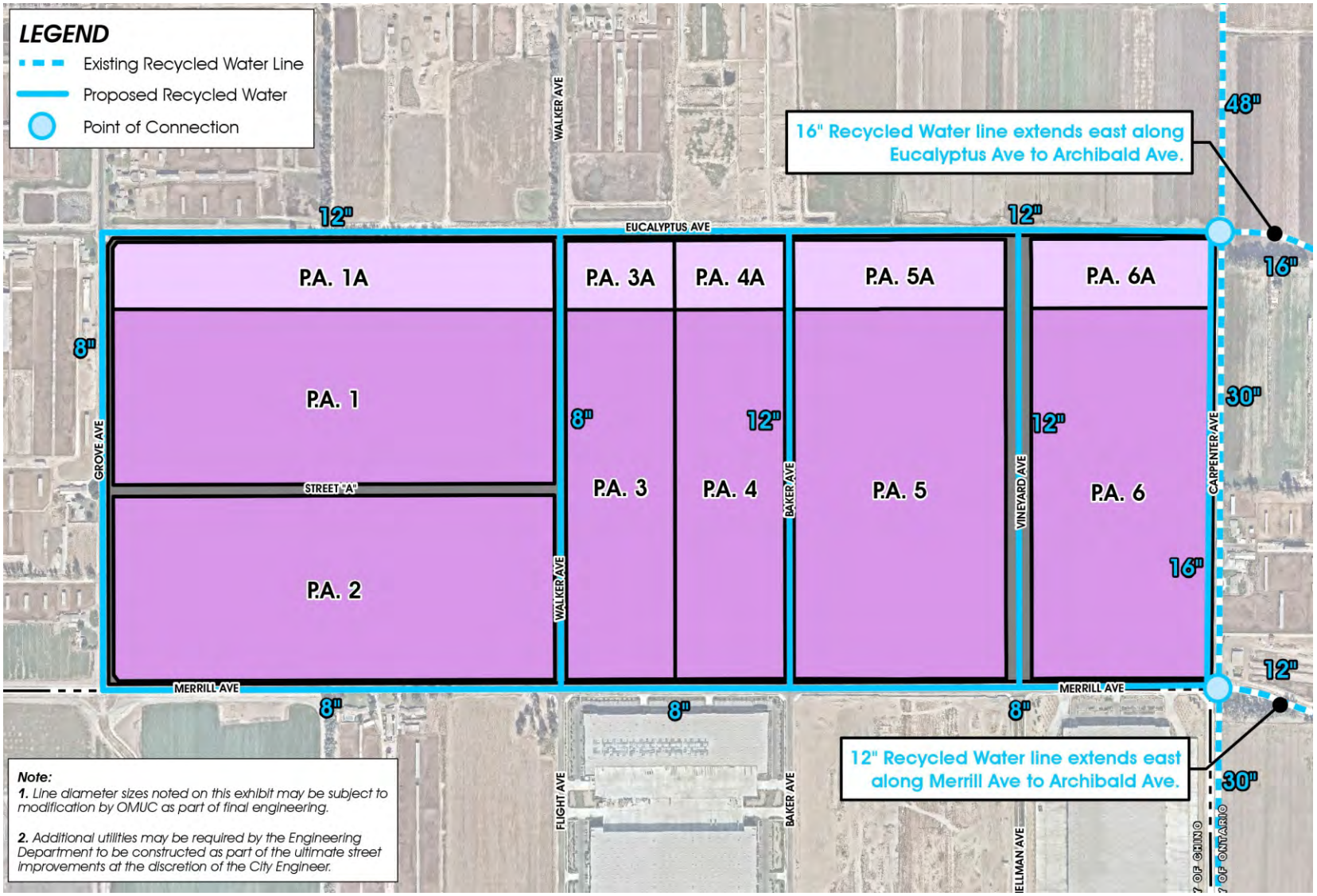
The Project would also construct the Local Adjacent Sewer System. These improvements include:

- A 10-inch sewer main in Merrill Avenue from Carpenter Avenue extending westerly towards Vineyard Avenue;
- A 24-inch sewer main in Merrill Avenue from the WTS in Walker Avenue and extending easterly to Baker Avenue;
- A 10-inch sewer main in Merrill Avenue from Baker Avenue extending easterly towards Vineyard Avenue; and
- A 12-inch sewer main in Baker Avenue from Merrill Avenue extending northerly toward Eucalyptus Avenue.

Sanitary sewer infrastructure improvements required of the Project are subject to change based upon findings of City-approved hydraulic studies, master plan updates, and Project final designs. Sewer main orientations and configurations are also subject to change based upon the developer-conducted and City-approved Conceptual Design Report. Any existing utilities, including IEUA Recycled Water mains, that do not meet minimum depth, standard alignment locations, and/or minimum horizontal and vertical separation requirements shall be subject to relocation/replacement by the Project developer(s). Within the Project site, on individual private property, the onsite sanitary sewer systems shall be private and be privately maintained.

1.2.4.3 Recycled Water Plan

The Project Recycled Water Plan Concept is presented at Figure 1.2-6. Please refer also to correlating discussions presented at EIR Section 3.0, *Project Description;* and EIR Section 4.12, *Utilities & Services.*



Source: T&B Planning, Inc.

Figure 1.2-6
Conceptual Recycled Water Plan

In the vicinity of the Project, existing City recycled water infrastructure is located in Carpenter Avenue, Eucalyptus Avenue, and Merrill Avenue. Recycled water supplied to the Project would be provided by OMUC. OMUC recycled water supplies are produced by IEUA from IEUA's four wastewater reclamation plants. The Project site and surrounding properties lie within the City's Master Plan 930 Pressure Zone.

The following Master Plan 930 Pressure Zone recycled water system improvements would be constructed as part of the Project:

- A 16-inch recycled water main in Carpenter Avenue connecting to the 16-inch 930 Pressure Zone Recycled Water main in Eucalyptus Avenue and extending it to connect to the 8-inch 930 Pressure Zone Recycled Water main in Merrill Avenue;

- A 12-inch recycled water main in Eucalyptus Avenue connecting to the existing 30-inch to 48-inch 930 Pressure Zone recycled water main in Carpenter Avenue and existing 16-inch recycled water main in Eucalyptus Avenue between Carpenter Avenue and Archibald Avenue;

- An 8-inch recycled water main in Grove Avenue connecting to the 12-inch recycled water main in Eucalyptus Avenue and extending in Grove Avenue to Merrill Avenue;

- An 8-inch recycled water main in Merrill Avenue connecting to the existing City 12-inch 930 Pressure Zone Recycled Water main in Merrill Avenue at the intersection of Merrill Avenue and Carpenter Avenue and extending it west to Baker Avenue; and

- An 8-inch recycled water main in Merrill Avenue connecting to the 12-inch recycled water main in Merrill Avenue at Baker Avenue and extending west to Grove Avenue.

In addition to the Master Plan 930 Pressure Zone improvements listed above, the Project would construct the following Secondary Loop improvements:

- An 8-inch recycled water main in Merrill Avenue connecting to the 8-inch recycled water main in Merrill Avenue at Grove Avenue and extending west to Euclid Avenue.

The Project would also construct the Local Adjacent Recycled Water System. These improvements include:

- A 12-inch recycled water main in Vineyard Avenue connecting to the 8-inch recycled water main in Merrill Avenue and extending it to connect to the 12-inch main in Eucalyptus Avenue;

- A 12-inch recycled water main in Baker Avenue connecting to the 8-inch recycled water main in Merrill Avenue and extending it to connect to the 12-inch main in Eucalyptus Avenue;

- An 8-inch recycled water main in Walker Avenue connecting to the 8-inch recycled water main in Merrill Avenue and extending it to connect to the 12-inch main in Eucalyptus Avenue.

Recycled water infrastructure improvements required of the Project are subject to change based upon findings of City-approved hydraulic studies, master plan updates, and Project final designs. Recycled water main orientations and configurations are also subject to change based upon the developer-conducted and City-approved Conceptual Design Report. Any existing utilities, including IEUA Recycled Water mains, that do not meet minimum depth, standard alignment locations, and/or minimum horizontal and vertical separation requirements shall be subject to relocation/replacement by the Project developer(s). Within the Project site, on individual private property, the onsite recycled water systems shall be private and be privately maintained.

1.2.4.4 Storm Water Management Plan

The Project Storm Water Management Plan Concept is presented at Figure 1.2-7. Please refer also to correlating discussions presented at EIR Section 3.0, *Project Description;* and EIR Section 4.12, *Utilities & Services.*

The Project Storm Water Management Plan Concept responds to and incorporates City of Ontario Master Plan of Drainage standards. Storm drain improvements listed below would be installed to service the Specific Plan area. Line diameter sizes and other storm drain facility sizes noted herein may be subject to modification by the City of Ontario and/or the San Bernardino Flood Control District as part of the Project final designs and engineering. Where required by the City, storm drains shall be equipped with a hydrodynamic separator(s) 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). Project stormwater management system improvements include:

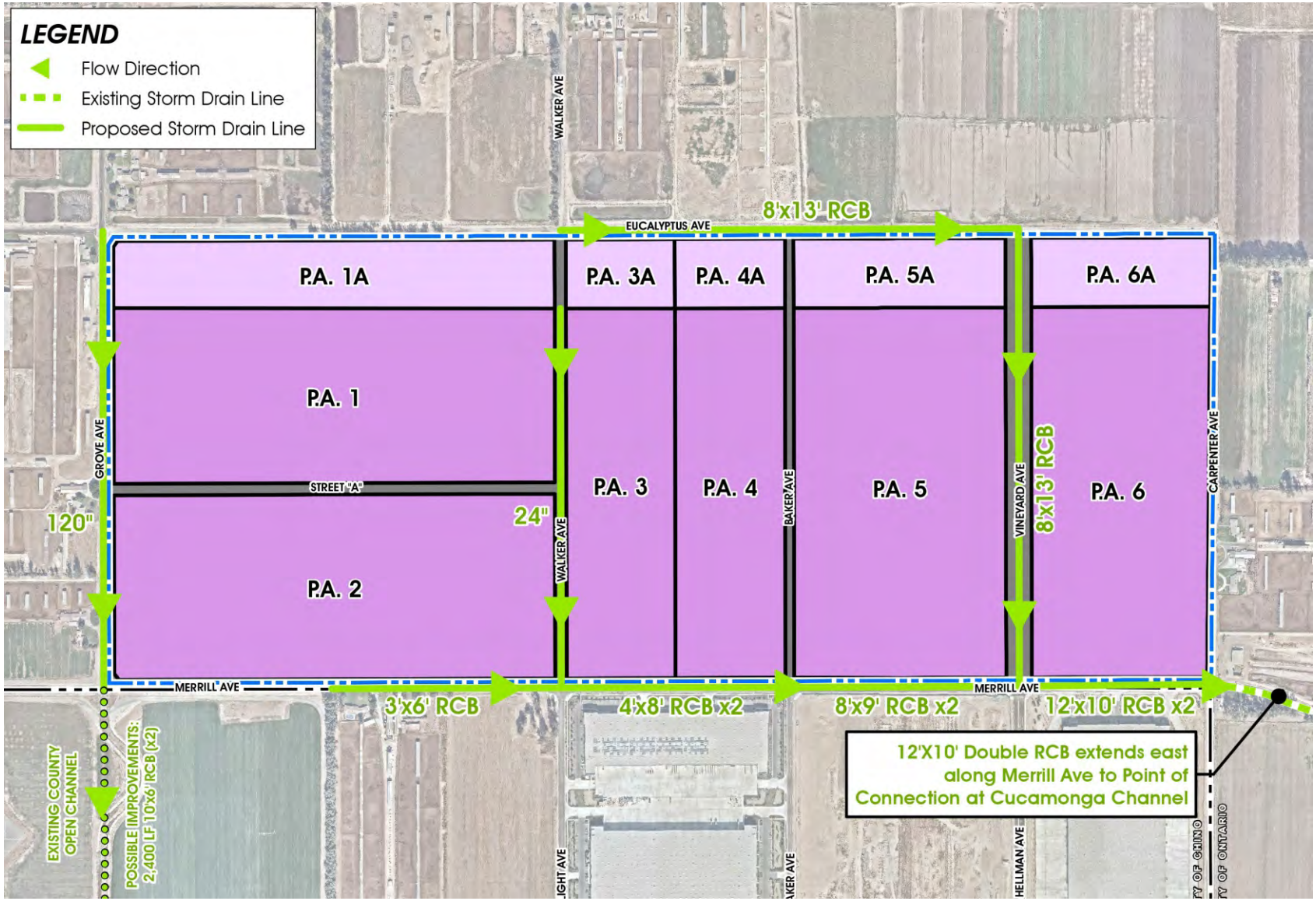
- An 8-foot by 13-foot Reinforced Concrete Box (RCB) in the segment of Eucalyptus Avenue located between Walker Avenue and Vineyard Avenue;

- A 3-foot by 6-foot RCB, a double 4-foot by 8-foot RCB, a double 8-foot by 9-foot RCB, and a double 12-foot by 10-foot RCB in various segments of Merrill Avenue between the midpoint of the southerly boundary of Planning Area 2 and Carpenter Avenue;

- A 24-inch storm drain line in the segment of Walker Avenue located between the southerly boundary of Planning Area 1A and Merrill Avenue;

- A 120-inch storm drain line in the segment of Grove Avenue located between Eucalyptus Avenue and Merrill Avenue (with a point of connection to the existing open flood channel located south of the intersection of Merrill Avenue and Grove Avenue); and

- An 8-foot by 13-foot RCB in the segment of Vineyard Avenue located between Merrill Avenue and Eucalyptus Avenue.



NOT TO SCALE

Source: T&B Planning, Inc.

Figure 1.2-7
Conceptual Storm Drain Plan

- Additionally, the developer(s) of the Project may be conditioned to improve the existing open flood channel located south of the intersection of Merrill Avenue and Grove Avenue. Improvements may consist of either lowering the elevation of the existing earthen channel or installing a double 10-foot by 6-foot RCB within the existing earthen channel to connect to an existing RCB located at the southerly terminus of the existing earthen flood channel. The ultimate solution will be determined during the final Project design and engineering process.

- On-site storm drain improvements would include storm water detention/retention/water quality basins, which would capture, treat, and provide controlled release of storm water discharges to the public storm drain system.

Planning Areas 1, 1A, and 2 would drain southerly, the drainage ultimately flowing into either a water quality basin located in the southwest portion of Planning Area 2, the existing flood channel located south of the intersection of Merrill Avenue and Grove Avenue, or to the RCB drainage system in Merrill Avenue, which would then convey flows easterly to the Cucamonga Channel.

Storm water flows from Planning Areas 3 and 3A would drain southerly, the drainage ultimately flowing into either the 24-inch line within Walker Avenue or to the RCB system in Merrill Avenue.

Planning Areas 4 and 4A would also drain southerly, the drainage ultimately flowing to either a storm drain line installed in Baker Avenue or to the RCB system in Merrill Avenue.

Planning Areas 5, 5A, 6 and 6A would drain southerly, the drainage ultimately flowing to the 8-foot by 13-foot RCB in Vineyard Avenue or the double 8-foot by 9-foot RCB in Merrill Avenue.

Stormwater discharges from Planning Areas 3, 3A, 4, 4A, 5, 5A, 6, and 6A would ultimately drain easterly to an existing inlet connection to the Cucamonga Creek Channel

via the existing double 12-foot by 10-foot RCB in Merrill Avenue (east of Carpenter Avenue).

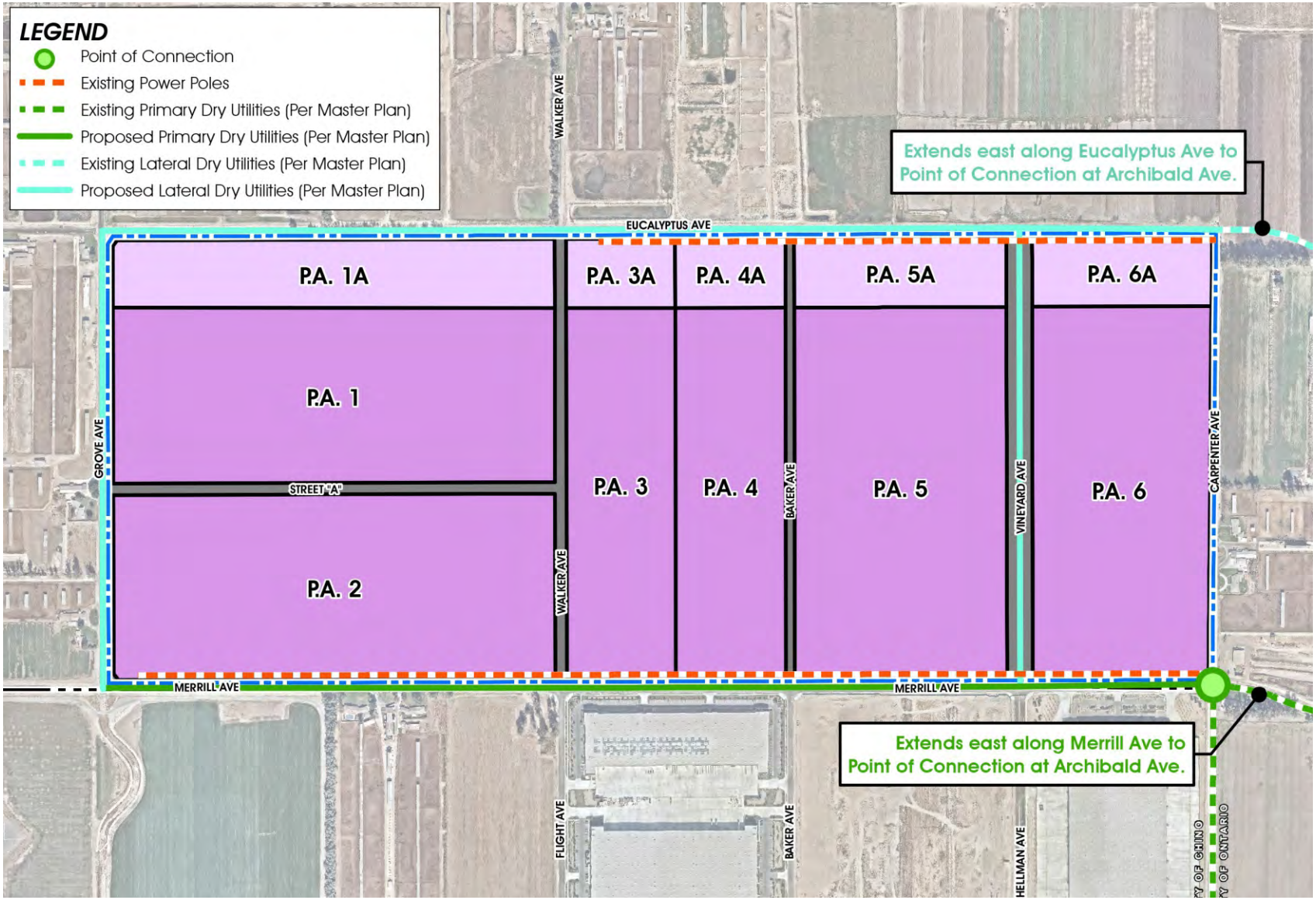
1.2.4.5 Dry Utilities/Fiber Optics Plan

Figure 1.2-8 presents the Project Dry Utilities Infrastructure Plan Concept. Please refer also to correlating discussions presented at EIR Section 3.0, *Project Description;* and EIR Section 4.12, *Utilities & Services.*

Dry utility lines (e.g., natural gas lines, electric lines) would be installed within joint trenches in Merrill Avenue and would connect to existing lines in Merrill Avenue to the west of Grove Avenue, and to existing lines in Merrill Avenue to the east of Carpenter Avenue. Lateral dry utility lines within joint trenches would be installed in Grove Avenue, Vineyard Avenue, and Eucalyptus Avenue. The lateral dry utility line within Eucalyptus Avenue would connect to existing dry utility lines in Merrill and Archibald Avenue to the east. The lateral dry utility lines within Grove Avenue and Vineyard Avenue would connect to the primary dry utility lines within Merrill Avenue.

Dry utilities internal to the Specific Plan Area would be installed underground in accordance with applicable purveyor standards and specifications and to the satisfaction of the City Engineer. The locations and configurations of utilities connections, transformers, switches, pull boxes, and manholes would be determined in conjunction with final Project designs and engineering. Existing power poles located along Eucalyptus Avenue and Merrill Avenue will be undergrounded as part of the Specific Plan's buildout.

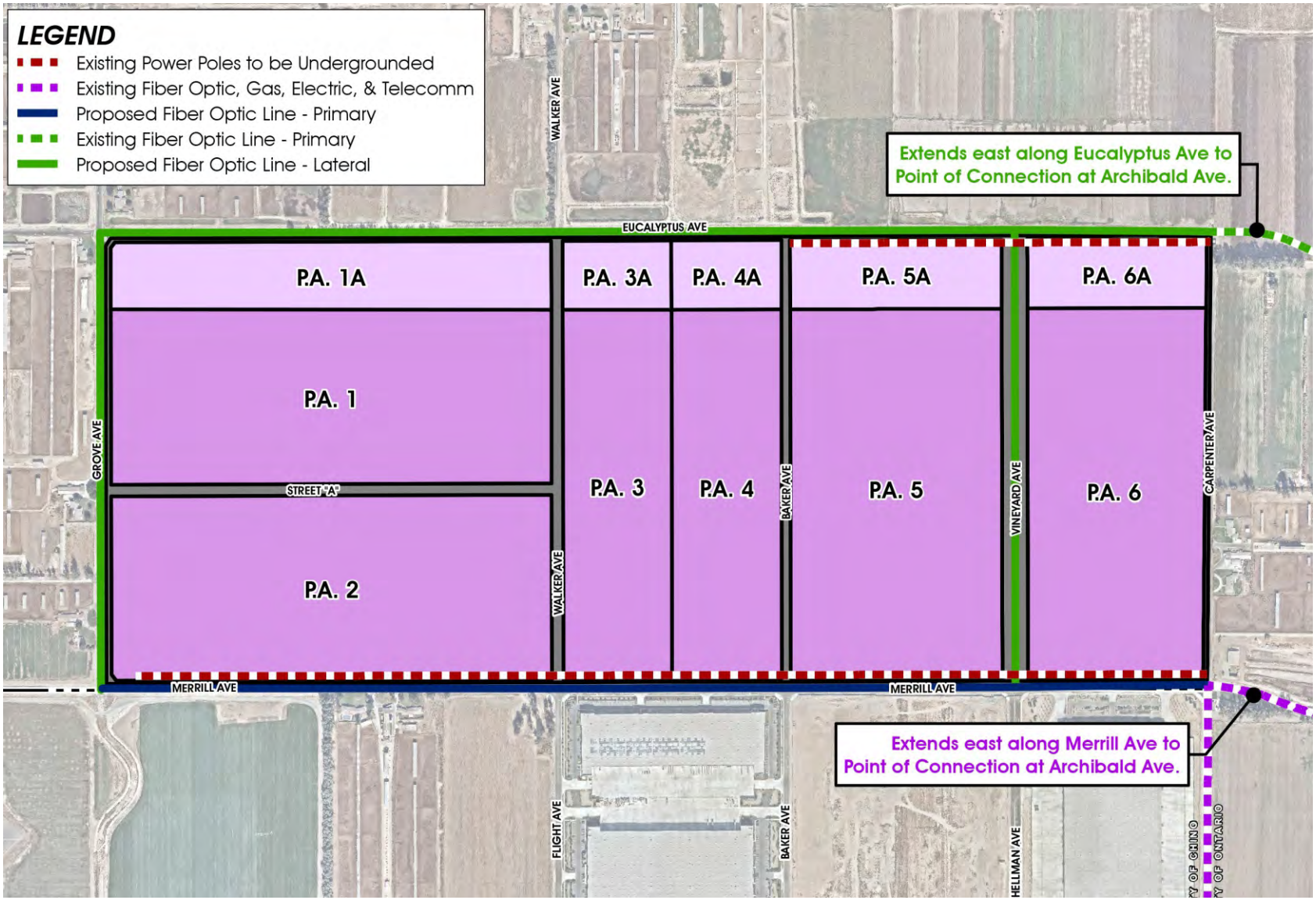
The Specific Plan Fiber Optics Plan is illustrated at Figure 1.2-9. Fiber optic lines would be installed on- and off-site in accordance with the City of Ontario's Master Plan standards. Per the City of Ontario's Master Fiber Optic Plan, lines will be installed in Merrill Avenue between Grove Avenue and Carpenter Avenue, Grove Avenue abutting Planning Areas 1 and 2; in Eucalyptus Avenue from Grove Avenue to Carpenter Avenue; and in Vineyard Avenue abutting Planning Areas 5 and 6.



NOT TO SCALE

Source: T&B Planning, Inc.

Figure 1.2-8
Dry Utilities Plan



NOT TO SCALE

Source: T&B Planning, Inc.

Figure 1.2-9
Conceptual Fiber Optics Plan

Backbone fiber optics components (conduits, hand holes, tracer wire, and fiber) will be placed underground within a duct and structure system to be installed in a joint trench within adjacent streets. Within the Specific Plan Area, in-tract fiber and conduit will be installed per the City's in-tract fiber optic design guidelines (see: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Information-Technology/2014-12-16_in-tract_designguidelines.pdf).

Maintenance of the installed fiber optic system will be the responsibility of the City/Special District. Development of the Project requires installation of all fiber optic infrastructure and peripheral equipment necessary to service the Specific Plan as a stand-alone development.

1.2.5 Project Design Features

Design features proposed by the Applicant and incorporated in the Project would promote efficient use of energy and other resources, would further City conservation and sustainability goals and strategies, and would diminish the Project's potential environmental effects. In consultation with the Lead Agency, final designs of Project buildings, site plans, and improvements would incorporate the following:

- All Project buildings will be LEED Certified;
- Building and site designs will facilitate and incorporate use of renewable energy sources, including roofs structurally designed to support solar photovoltaic (PV) panels;
- Building and site designs will incorporate conduit and infrastructure for electric car chargers;
- Building and site designs will incorporate conduit and infrastructure for electric truck chargers;
- To minimize the potential for on-site truck idling, site plans will be designed to ensure adequate circulation and access for trucks;
- Truck trailer parking areas will be designed and configured to avoid vehicle stacking at the Project site access point and along adjacent streets;
- LED Lighting will be provided throughout the Project (interior and exterior);

- Project grading will be balanced, thereby minimizing potential requirements for truck conveyance of soil import/export;
- Project warehouse designs will provide 40-foot or higher interior clear heights, allowing for greater storage per square foot of building, reducing building footprints, and generally reducing construction material and energy demands;
- Site designs will incorporate pedestrian/bicycle/multi-use paths and supporting amenities;
- The Project Construction and Demolition Waste Management Plan will be designed and implemented to yield a minimum of 90 percent recycled/salvaged materials.

1.2.6 Specific Plan Development Regulations

The proposed Specific Plan Development Regulations address physical requirements and attributes of development within the Specific Plan area including, but not limited to: building/facility setbacks, lot coverage requirements, and maximum building heights. In instances where the Specific Plan is silent, applicable development regulations of the City of Ontario Municipal Code would apply. See also: Merrill Commerce Center Specific Plan, Chapter 5, *Development Regulations*.

1.2.7 Specific Plan Design Guidelines

The Specific Plan document proposes architectural and landscape Design Guidelines that would establish the quality and character of the built environment within the Specific Plan Area. More specifically, the proposed Design Guidelines would provide criteria for architecture, lighting, signage, and landscape design. In instances where the Specific Plan is silent, applicable design guidelines of the City of Ontario Municipal Code would apply. See also: Merrill Commerce Center Specific Plan, Chapter 6, *Design Guidelines.*

1.3 PROJECT OBJECTIVES

The primary goal of the Project is the development of the subject site with a productive mix of business park and industrial uses. Complementary Project Objectives include the following:

- Implement a Specific Plan development supporting business park and industrial uses providing a broad range of long-term employment opportunities.
- Implement business park and industrial uses providing a broad range of additional construction employment opportunities.
- Provide safe and convenient access for trucks in a manner that minimizes any potential disruption to residential areas.
- Provide business park and industrial uses near existing roadways and freeways to reduce traffic congestion and air emissions.
- Facilitate goods movement locally, regionally, nationally, and internationally.
- Provide land uses that are compatible with surrounding land uses and that would not conflict with the policies and environmental constraints identified in the Policy Plan.
- Support the Policy Plan vision for urbanization of the Ontario Ranch area of the City.
- Establish new development that would further the City's near-term and long-range fiscal goals.
- Improve the regional jobs/housing balance.

1.4 DISCRETIONARY APPROVALS AND PERMITS

Anticipated discretionary actions, permits, and consultation(s) necessary to approve the Project are summarized below.

1.4.1 Discretionary Actions

CEQA Guidelines Section 15124 states in pertinent part that if "a public agency must make more than one decision on a project, all its decisions subject to CEQA should be listed…" Requested decisions, or City discretionary actions, necessary to realize the Merrill Commerce Center Specific Plan would include:

- Certification of the Merrill Commerce Center Specific Plan EIR;
- Approval of Policy Plan (General Plan) Amendment (Land Use);
- Adoption of the Merrill Commerce Center Specific Plan;
- Approval of Parcel Maps;
- Adoption of a Development Agreement; and
- Cancellation of the existing Williamson Act Contracts on APN 0218-261-35 (Contract #69-147, initiated in 1973); and APNs 1054-151-02, 1054-161-02, 1054-161-03, 1054-201-02 and 1054-351-02 (Contract #70-167, initiated in 1970).[3]

1.4.2 Consultation and Permits

CEQA Guidelines Section 15124 also states that environmental documentation should, to the extent known, list other permits or approvals required to implement the Project. Anticipated permits and consultation necessary to realize the Project would likely include, but would not be limited to, the following:

- Permitting by/through the Regional Water Quality Control Board (RWQCB) pursuant to requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit;

- Permitting by/through the South Coast Air Quality Management District (SCAQMD) for certain equipment or land uses that may be implemented within the Project area;

- Consultation with requesting Tribes as provided for under *AB 52, Gatto. Native Americans: California Environmental Quality Act*; and *SB 18, Burton. Traditional tribal cultural places*;

- Review and approval by the City for conformance with the Compatibility Plan for Chino Airport;

- Review and approval by the Federal Aviation Administration (FAA) for potential airspace obstruction(s), if any;

[3] A notice of non-renewal dated September 14, 2017, and recorded, has initiated the termination process for Contract #70-167.

- CWA Section 404 authorization from the Army Corps of Engineers (Corps);

- Clean Water Act (CWA) Section 401 Water Quality Certification;

- California Department of Fish and Wildlife (CDFW) Section 1602 Streambed Alteration Agreement(s);

- CDFW consultation/coordination addressing protected species impact mitigation; and

- Various construction, grading, and encroachment permits from affected agencies allowing implementation of Project facilities including construction/modification of utilities systems and roadways.

1.5 INITIAL STUDY

The City of Ontario, through the Initial Study process, has determined that the Project has the potential to cause or result in significant environmental impacts, and warranted further analysis, public review, and disclosure through the preparation of an EIR. The Initial Study (IS) and associated EIR Notice of Preparation (NOP), dated April 2019, were forwarded to the California Office of Planning and Research, State Clearinghouse (SCH), and circulated for public review and comment. The State Clearinghouse established the public comment period for the NOP/IS as April 12 through May 13, 2019. The assigned State Clearinghouse reference for the Project is SCH No. 2019049079. The Initial Study, NOP, and NOP responses are presented at Appendix A of this EIR.

1.6 IMPACTS NOT FOUND TO BE POTENTIALLY SIGNIFICANT

The following discussions identify those environmental issues that have been determined not to be potentially significant, and consistent with *CEQA Guidelines* Section 15143, *Emphasis*, need not be addressed in detail in the EIR. Accordingly, the specific issues listed are not substantively discussed within the body of this EIR. Any related technical studies and references are noted in the following discussions. A complete list of references is provided at the conclusion of the EIR. All cited materials are available at, or can be made available by contacting, the City of Ontario Planning Department.

Aesthetics

There are no scenic vistas within the 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, are the dominant scenic resource in the area. As described in the Ontario Plan Draft EIR, "... the scale and design of the City, including its land uses, would not deter views of the mountain backdrop" (Ontario Plan Draft EIR, p. 5.1-8).

The City of Ontario is served by three freeways, including Interstate 10 (I-10), Interstate 15 (I-15), and State Route 60 (SR-60). The segments of these freeways located within the City are not designated as scenic highways by the California Department of Transportation. There are no scenic resources, including, but not limited to trees, rocks, outcroppings, and historic buildings within a state scenic highway located within the Project site. Nor does the Project propose or require facilities or operations that would otherwise substantially damage such resources.

The Project is located in an urbanized area and is subject to those provisions of the City of Ontario Policy Plan (Policy Plan) and City of Ontario Development Code governing scenic quality. The Policy Plan Community Development Element 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."[4] The City would review development proposals for conformance with Policy Plan Community Development Element Policies prior to issuance of development permits.

[4] City of Ontario. "Policy Plan." The Ontario Plan, City of Ontario, www.ontarioplan.org/policy-plan/.

Additionally, all development proposals within the Specific Plan Area would be required to conform to the Specific Plan Development Regulations, Design Guidelines, and Implementation Plan (Specific Plan Chapters 5, 6, and 7 respectively). Conformance with the Specific Plan further ensures that the Project would not substantially degrade the existing visual character or quality of the site and its surroundings.

The Project would create new sources of lighting, including ground, building-mounted, wall-mounted, and pole-mounted lighting fixtures. The Project would also provide illuminated exterior signs. The City would assure that the proposed Merrill Commerce Center Specific Plan, 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*). All subsequent development within the Specific Plan area would be required to conform with the Specific Plan Development Regulations and Design Guidelines addressing light, glare and overspill. Conformance with the Specific Plan would minimize the potential for the Project to result in adverse light and glare impacts. Further all development proposals would be reviewed by the City for conformance with applicable light/glare provisions of the Compatibility Plan for Chino Airport.

As such, the Project would not result in potentially significant impacts for the following considerations:

- Have a substantial adverse effect on a scenic vista;

- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
- In a non-urbanized area, substantially degrade the existing visual character or quality of the site and its surroundings; and

- Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

Agriculture and Forest Resources

There is currently no land in the City of Ontario that qualifies as forest land or timberland. Neither the Policy Plan nor the City's Development Code provide such designations. As such, the Project will not conflict with existing zoning for, or cause rezoning of, forest land or timberland, or result in the loss or conversion of forest land.

The Project does not involve other changes to the environment which could result in the conversion of farmland or forest land to other uses beyond those discussed in Section 4.11, *Agricultural Resources*.

Based on the preceding, the Project would not result in potentially significant impacts for the following considerations:

- Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned "Timberland Production;"

- Result in the loss of forest land or conversion of forest land to non-forest use; or

- 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

Temporary, short-term odor releases are potentially associated with Project construction activities. Potential sources of odors associated with construction activities would include, but not be limited to: asphalt/paving materials, glues, paint, and other architectural coatings. Construction-source odor impacts are minimized through compliance with established regulations (Code of Federal Regulations [CFR], Subpart H-*Materials Handling, Storage Use and Disposal*, et al.) addressing construction materials storage, use, and disposal. In pertinent part the isolation/containment devices or mechanisms specified under these regulations prevent significant release of odors. The Project would be required to comply with these regulations.

Uses typically considered to be sources of odors or other emissions that could adversely affect a substantial number of people include agricultural operations, cement plants, wastewater treatment plants, and the like. The Project proposes none of these. Rather, the Project would implement contemporary high-cube fulfillment center warehouse and business park uses. Refuse generated by the Project uses could be a source of localized odors. Project refuse is required to be collected, contained, and disposed of as stipulated in the City of Ontario Municipal Code (see: Municipal Code, Chapter 3: *Integrated Solid Waste Management*).

Further, all Project construction activities, uses and occupancies would be required to conform to SCAQMD Rule 402. Rule 402 provides in pertinent part that there shall be no "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."

Based on the preceding, the Project would not result in potentially significant impacts for the following consideration:

- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Cultural Resources

There are no known formal cemeteries or informal burial sites within the Project site or in off-site areas that would likely be affected by Project construction activities. The likelihood of encountering human remains in the course of Project development is therefore considered minimal. Further, as required by California Health and Safety Code Section 7050.5, should human remains be found, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains were found to be prehistoric, the coroner would coordinate

with the California Native American Heritage Commission as required by State law.

Based on the preceding, the Project would not result in potentially significant impacts for the following consideration:

- Disturb any human remains, including those interred outside of formal cemeteries.

Geology and Soils

The Ontario Plan Draft EIR (Figure 5.7-2) identifies active and/or potentially active fault zones in the region, none of which are located within the City. There are no active faults known with the Project site, or in off-site areas that would be affected by Project construction activities. The Project site and potentially affected off-site locations are outside any Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Project does not propose actions or facilities that would otherwise exacerbate known or probable adverse earthquake fault conditions.

The Project site topography evidences little internal difference, with a general northeast to southwest downward trending slope. Elevations within the Project site range from approximately 686 feet above mean sea level (amsl) at the northeast corner of the Project site, to approximately 651 feet amsl at the southwest corner of the Project site – an elevation difference of approximately 35 feet over approximately 1.3 miles with average internal slopes ranging between +2.3 % to -2.6% (Google Earth Imagery 2018). The Project site is not considered internally susceptible to land sliding. Any slopes manufactured in the course of Project development would be subject to review and approval by the City Building Department to ensure their stability. Adjacent properties also present little topographic relief.

No septic tanks or other alternative wastewater disposal systems are proposed as part of the Project. The Project does not propose or require facilities or programs that would substantively affect off-site septic systems or alternative wastewater disposal systems.

Based on the preceding, the Project would not result in potentially significant impacts under the following topics:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault;

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving landslides; or

- 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.

Hazards and Hazardous Materials

The Project site is located in an urbanizing area, and no wildlands are located in the vicinity of the Project site. Fire protection services are provided to the City and the Project site by the Ontario Fire Department. Pre-construction coordination with Fire Department staff and adherence to local fire regulations during construction and operation of the Project would be required. The Project site is located in an urbanizing area, and no wildlands are located in the vicinity of the Project site. Fire protection services are provided to the City and the Project site by the Ontario Fire Department. Preconstruction coordination with Fire Department staff and adherence to local fire regulations during construction and operation of the Project would be required. The City and Fire Department would require that fire prevention/fire suppression measures are incorporated in the Project designs and that water delivery systems serving the Project site provide adequate fire flow. Creation and maintenance of firebreaks and fire-defensible spaces adjacent to building and roadways as required by the City and Fire Department would further reduce the potential for exposure to wildland fires and the spread of wildland fires. The City would also enforce weed abatement measures, minimizing potential fire fuel loads. Lastly, as noted in the Ontario Plan Draft EIR, "development of the Ontario Ranch [including the Project site] would actually reduce fire

hazard risks for that area because, upon buildout, it would eliminate brush, dry grass, manure, and hay" (Ontario Plan Draft EIR, p. 5.8- 29).

Based on the preceding, the Project would not result in potentially significant impacts under the following topic:

- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Hydrology and Water Quality

Direct additions or withdrawals of groundwater are not proposed by the Project. Further, construction proposed by the Project would not involve substructures or other intrusions at depths that would significantly impair or alter the direction or rate of flow of groundwater. Water is provided throughout the City by the City of Ontario Utilities Department. Groundwater which may be consumed by the Project and the City of Ontario, 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.

Project construction activities would temporarily expose underlying soils, thereby increasing their susceptibility to erosion. Potential erosion impacts incurred during construction activities are mitigated below the level of significance through the Project's mandated compliance with a City-approved Storm Water Pollution Prevention Plan (SWPPP), as well as compliance with SCAQMD Rules that prohibit grading activities and site disturbance during high wind events. At Project completion, potential soil erosion impacts in the area will be resolved, as pavement, roads, buildings, and landscaping are established, overcovering previously exposed soils.

Based on the preceding, the Project would not result in potentially significant impacts under the following topics:

- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin; or

- 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 result in substantial erosion or siltation on- or off-site.

Land Use and Planning

Pursuant to the Specific Plan as approved by the City, the Project would establish a pattern of cohesive and complementary land uses. The Specific Plan configuration and orientation of land uses, combined with integral development standards and design guidelines, act to preclude division or disruption of an established community, whether that community be internal or external to the Project site.

Physical arrangement of surrounding areas would not be modified or otherwise affected by the Project. Based on the preceding discussion, the Project's potential to disrupt or divide the physical arrangement of an established community is considered less-than-significant.

Based on the preceding, the Project would not result in potentially significant impacts under the following topic:

- Physically divide an established community.

Mineral Resources

Mineral resources in the City are limited to construction aggregates such as sand and gravel. There are currently no permitted mining operations located within the City (Ontario Plan Draft EIR, p. 5.11-2). The Ontario Plan Draft EIR at Figure 5.11-1, *Mineral Resources Zones,* indicates that the Project site is classified pursuant to the California Geological Survey as Mineral Resource Zone 3 (MRZ-3). The Ontario Plan Draft EIR

concludes that "[d]evelopment in a MRZ-3 [area] would not result in significant impacts as mineral resources of statewide or local importance are not identified in the California Geological Survey PC maps" (Ontario Plan Draft EIR, p, 5.11-6).

Based on the preceding, the Project would not result in potentially significant impacts under the following topics:

- Result in the loss of availability of a known mineral resource that would be of value to the region and to the residents of the state; and

- Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Population and Housing

Limited single-family residential uses (fewer than 20 single-family residences) exist within the Project site. These residences are ancillary to the site's current dairy/agricultural/trucking operations and would be demolished along with all other surface improvements as part of the Project site preparation activities. The loss of these residential units in the context of the City's existing 50,000 +/- housing units[5] is not considered substantial.

Based on the preceding, the Project would not result in potentially significant impacts under the following topic:

- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Public Services

Fire suppression and emergency response services for the Project would be provided by the Ontario Fire Department. The Ontario Plan Draft EIR recognizes the potential for

5 http://www.ontarioplan.org/wp-content/uploads/sites/4/2016/05/29467.pdf

development pursuant to the Ontario Plan, including development of the Ontario Ranch (formerly known as New Model Colony, NMC) area encompassing the Project site, to result in increased demands for fire protection services. (Ontario Plan Draft EIR, p. 5.14-5).

The Ontario Plan Draft EIR also recognizes that evaluation of potential environmental impacts resulting from the construction or expansion of new or modified fire protection facilities would be speculative until such time the location(s) of such facilities are determined. Environmental review of new or modified fire stations would be conducted when and as required by the City.

The Project does not propose or require construction or modification of fire protection facilities. The Project site is not designated or proposed as the location for new or modified fire protection facilities. Incremental fire protection service demands generated by the Project are offset through Project payment of City of Ontario General City (GC) Development Impact Fees. A portion of the City's GC Development Impact Fees are allocated for fire protection services. The Project Applicant would pay incumbent City GC Development Impact Fees at issuance of building permit(s).

The Ontario Fire Department has not indicated that substantial expansion of fire protection facilities or new fire protection facilities would be required as part of this Project. The Ontario Plan Draft EIR also recognizes that evaluation of potential environmental impacts resulting from the construction or expansion of new or modified fire protection facilities would be speculative until such time the location(s) of such facilities are determined. Environmental review of new or modified fire protection facilities would be conducted when and as required by the City.

Additionally, to the satisfaction of the Ontario Fire Department, the Project would comply with City and Fire Department fire prevention and suppression requirements, including building/site design requirements, fire flow adequacy, and provisions for emergency access, thereby reducing potential increased demands for fire protection services.

Police protection services for the Project would be provided by the Ontario Police Department. The Ontario Plan Draft EIR (see discussion excerpted below) recognizes the

potential for development pursuant to the Ontario Plan, including development of the Ontario Ranch (formerly known as New Model Colony, NMC) area encompassing the Project site, to result in increased demands for police protection services. (Ontario Plan Draft EIR, p. 5.14-8). The Ontario Police Department has not indicated that substantial expansion of police facilities or new police facilities would be required as part of this Project. The Project does not propose or require construction or modification of police protection facilities. Evaluation of potential environmental impacts resulting from the construction or expansion of new or modified police protection facilities would be speculative until such time the location(s) of such facilities are determined. Environmental review of new or modified police protection facilities would be conducted when and as required by the City.

The Project site is not designated or proposed as the location for new or modified police protection facilities. Incremental police protection service demands generated by the Project are offset through Project payment of City of Ontario General City (GC) Development Impact Fees. A portion of the City's GC Development Impact Fees are allocated for police protection services. The Project Applicant would pay incumbent City GC Development Impact Fees at issuance of building permit(s).

Additionally, the Project site plan concept and proposed building designs would be reviewed by the Ontario Police Department to ensure incorporation of appropriate safety and security elements. Such design features would include secure building designs, defensible spaces, and area and facility security lighting. These design features would act to reduce Project demands for police protection services.

The Project site lies within the Chino Valley Unified School District. The Project does not propose residential uses that would result in populations of resident school-aged children requiring public education, and would therefore not directly cause or contribute to a need to construct new or physically altered public school facilities. Indirectly, the Project may contribute to area demands for school services if Project employees and their school age children would relocate to school districts serving the City.

The Project does not propose or require construction or modification of school facilities. The Project site is not designated or proposed as the location for new or modified school facilities. Project incremental impacts to school services would be offset through payment of school impact fees. The Project Applicant would pay incumbent school impact fees at issuance of building permit(s). Payment of school impact fees would reduce the Project's potential impacts to school services to levels that would be less-than-significant.

Uses proposed by the Project would not increase demands for parks or parks services.

Development of the Project would require established public agency oversight including, but not limited to, various plan check and permitting actions by the City. Impacts of the Project would fall within routine tasks of these agencies/departments and are paid for via plan check and inspection fees. Impacts of the Project would not be of such magnitude that new or physically altered facilities would be required. There are no known or probable other public facilities that would be substantially affected by the Project.

Based on the preceding, the Project would result in less-than-significant impacts under the following topics:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts for any of the public services:

    - Fire Protection;
    - Police Protection;
    - Schools;
    - Parks; or
    - Other Public Facilities.

Recreation

The Project does not propose residential development, and would not directly contribute to resident populations that would increase the use of existing neighborhood and regional

parks or other recreational facilities. Job opportunities created by the Project may result in relocation of persons to the City that could indirectly contribute to resident populations, demands for new housing, and resulting increased use of existing neighborhood and regional parks or other recreational facilities. New residential development within the City is required to pay City GC Development Impact Fees, a portion of which would be allocated for parks facilities, acting to offset incremental demands on neighborhood and regional parks or other recreational facilities.

The Project does not propose recreational facilities. Based on the discussion above, the Project would not require the construction or expansion of recreational facilities.

Based on the preceding, the Project would result in less-than-significant impacts under the following topics:

- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial deterioration of the facility would occur or be accelerated; and

- Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

Wildfire

CAL FIRE maintains California Fire Hazard Severity Zone Maps, including maps for State responsibility areas, as well as local responsibility areas.[6] As shown on the State responsibility map for southwestern San Bernardino County, the City of Ontario is located within a local responsibility area. According to the local responsibility map, Ontario is located in a non-very high fire hazard severity zone (Non-VHFHSZ).

6 http://www.fire.ca.gov/fire_prevention/fhsz_maps_sanbernardinosw

As such, the Project is not located within or near a state responsibility area, or within an area classified as a very high fire hazard severity zone. All development within the Specific Plan area would be required to comply with City building and Fire Codes. All building plans within the City are reviewed by the Ontario Fire Department to ensure their compliance with the City's fire code. Additionally, the Ontario Plan Draft EIR at page 5.8-29 states, ". . . development of the Ontario Ranch would actually reduce fire hazard risks for that area because, upon buildout, it would eliminate brush, dry grass, manure, and hay."

Based on the preceding, the Project would result in less-than-significant impacts under the following topics:

- Substantially impair an adopted emergency response plan or emergency evacuation plan;

- Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire;

- 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; or

- 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.

1.7 AREAS OF CONCERN OR CONTROVERSY

Section 15123 of the *CEQA Guidelines* requires that the EIR summary identify areas of potential concern or controversy known to the lead agency, including issues raised by other agencies and the public. Issues of concern were identified by the Lead Agency,

through responses to the Project Initial Study (IS)/Notice of Preparation (NOP), and other communications addressing the Project and the Project EIR.

Responses received pursuant to distribution of the NOP and Public Scoping Meeting are presented at EIR Appendix A. Table 1.7-1 presents a list of NOP respondents, and a corresponding summary of NOP comments, indicated by *italicized text*. Responses to comments, together with correlating EIR references are indicated in subsequent statements. Unless otherwise noted, all NOP respondent comments are addressed within the body of the EIR.

Table 1.7-1
List of NOP Respondents and Summary of NOP Comments

Respondent	Summary of Comments
State Agencies	
Office of Planning and Research - State Clearinghouse (SCH)	*SCH provided receipt and record of distribution of the NOP/IS and established the NOP review and comment period of April 12 through May 13, 2019. SCH assigns the SCH No. 2019049079 to the Project environmental documents.* EIR Appendix A includes a copy of the Project IS/NOP and NOP Responses.
State of California Native American Heritage Commission (NAHC)	*NAHC provides procedural guidance in evaluating and determining potential impacts to cultural resources and Tribal Cultural Resources (TCRs).* The EIR evaluates potential impacts to cultural resources consistent with NAHC guidelines and requirements. Please refer to EIR Section 4.10, *Cultural Resources/Tribal Cultural Resources*.
California Air Resources Board (CARB)	*CARB identifies potential air quality impact concerns including potential health risks associated with air pollutants generated during Project construction and Project operations.* Potential air quality impacts of the Project, including potential health risks associated with air pollutant emissions generated during Project construction and Project operations are addressed at EIR Section 4.3, *Air Quality*. As matter of clarification for the commentor, the Project evaluated in the EIR assumes 701,400 square feet of high-cube cold storage warehouse use.
California Department of Conservation (DOC)	*DOC identifies potential impacts to agricultural resources and Williamson Act contract properties.* Potential agricultural resources impacts are considered and addressed at EIR Section 4.11, Agricultural Resources. Cancellation of the existing Williamson Act Contracts are identified as a Project Discretionary Action.
California Department of Transportation District 8 (Caltrans)	*Caltrans notes its roles as the owner and operator of the State Highway System (SHS) and as a CEQA Responsible Agency. Caltrans notes that the Project traffic may impact the SHS and recommends that a Traffic Impact Analysis (TIA) be prepared for the Project and submitted to Caltrans prior to circulation of the DEIR. Caltrans provides various design*

Table 1.7-1
List of NOP Respondents and Summary of NOP Comments

Respondent	Summary of Comments
	recommendations for transportation system improvements that may be implemented by the Project. Caltrans is recognized as the owner and operator of the SHS and as a CEQA Responsible Agency. Consistent with Caltrans recommendations, a TIA has been prepared for the Project. The TIA is presented at EIR Appendix C and has been provided to Caltrans under separate cover. Caltrans transportation system design recommendations are recognized and have been incorporated where appropriate.
County/Regional Agencies	
Santa Ana Regional Water Quality Control Board (SARWQCB)	*SARWQCB recommends that DEIR address potential impacts to water quality resulting from demolition of dairies to include disposition of manure, wastewater and soils. SARWQCB recommends that DEIR address potential increase of stormwater runoff through on-site and/or off-site dairy production areas. SARWQCB recommends that DEIR include pertinent requirements of Regional Board Order No. R8-2010-0036, for controlling post-construction stormwater pollutant discharges.* Potential Project hydrology/water quality impacts, including those noted by SARWQCB, are addressed at DEIR Section 4.7, *Hydrology/Water Quality*. In total stormwater management systems implemented by the Project would result in net improvement in existing drainage and water quality conditions. Disposition of potentially contaminated soils is addressed at EIR Section 4.6, *Hazards/Hazardous Materials*. The Project Water Quality Management Plan (WQMP, EIR Appendix H) responds to Regional Board Order No. R8-2010-0036 requirements for controlling post-construction stormwater pollutant discharges.
San Bernardino County, Department of Public Works (DPW)	DPW review and permitting requirements are identified. DPW requests inclusion on the circulation/notification lists for all Project notices, public reviews, and public hearings. Potential environmental impacts resulting construction of off-site infrastructure improvements, including master plan drainage improvements are comprehensively addressed in the EIR. The Project Applicant will comply with all DPW review and permitting requirements. Concurrent with final designs of master plan drainage improvements, the City will coordinate with DPW and other extra-jurisdictional agencies in instances where master plan drainage improvements would interface with or potentially affect DPW or other extra-jurisdictional facilities. DPW has been included on the circulation/notification lists for all Project notices, public reviews, and public hearings.
South Coast Air Quality Management District (SCAQMD)	*SCAQMD provides detailed guidance in regard to the preparation of the Project air quality impact analysis and greenhouse gas analysis, and requests that modeling data and electronic copies air quality technical studies accompany submittal of the Draft EIR to SCAQMD.* The Project Air Quality Impact Analysis (AQIA) and Greenhouse Gas Analysis GHGA) are presented at EIR Appendices D and E, respectively. Specific topics referenced by SCAQMD in their NOP response are addressed at EIR Sections 4.3, *Air Quality*; and 4.4, *Greenhouse Gas Emissions*. Modeling data files, technical

Table 1.7-1
List of NOP Respondents and Summary of NOP Comments

Respondent	Summary of Comments
	studies and supporting air quality documentation have been provided to SCAQMD in electronic format(s) as requested.
Local Agencies	
City of Chino	*The City of Chino requests review of infrastructure improvements that may affect off-site areas in the City of Chino. The City of Chino requests review of the Project traffic study scoping agreement including proposed trip distribution and analyzed Study area intersections.* The EIR comprehensively addresses potential impacts associated with implementation of proposed infrastructure improvements, including potential impacts at off-site locations. The City of Ontario will coordinate final designs and construction of infrastructure improvements with all potentially affected extra-jurisdictional agencies. The TIA Scoping Agreement is provided at TIA Appendix 1.1. All potentially affected transportation/traffic facilities located with the City of Chino have been evaluated within the Project TIA. The Project TIA also considers effects of related cumulative projects located in the City of Chino. Please refer also to EIR Section 4.2, *Transportation*.

1.8 EIR TOPICAL ISSUES

Based upon the Initial Study analysis, comments received pursuant to circulation of the NOP, and other public/agency input, the analysis of the EIR addresses the following topics:

- Agricultural Resources;
- Air Quality;
- Biological Resources;
- Cultural/Tribal Resources;
- Energy;
- Geology and Soils;
- Greenhouse Gas Emissions;
- Hazards/Hazardous Materials;
- Hydrology/Water Quality;
- Land Use and Planning;
- Noise;

- Population/Housing;
- Transportation; and
- Utilities and Service Systems.

Additionally, EIR Section 5.0, *Other CEQA Considerations*, presents discussions of other mandatory CEQA topics including:

- Cumulative Impact Analysis;
- Alternatives Analysis;
- Growth-Inducing Impacts of the Proposed Action;
- Significant Environmental Effects;
- Significant and Irreversible Environmental Changes; and
- Energy Conservation.

1.9 SUMMARY OF SIGNIFICANT PROJECT IMPACTS

Implementation of the Project as proposed will result in certain impacts which are determined to be significant. These impacts are discussed in detail in the body of the EIR text under their associated topical headings, and are summarized below.

Table 1.9-1
Summary of Significant and Unavoidable Impacts

Environmental Topic	Comments
Transportation	**Vehicle Miles Traveled (VMT) Impacts** Consistent with to CEQA Guidelines Section 15064.3 requirements (statute effective July 1, 2020) this EIR presents an analysis of the Project's potential vehicle miles traveled (VMT) impacts. Detailed analysis of the Project's potential VMT impacts is presented in Merrill Commerce Center Specific Plan, Vehicle Miles Traveled (VMT) Assessment (Urban Crossroads, Inc.) January 14, 2020 (Project VMT Assessment). The Project VMT Assessment is presented at EIR Appendix C. The Project VMT Assessment estimates the Project VMT/Service Population (Project VMT/SP) and compares the Project VMT/SP to a calculated City Average Existing VMT/SP. Project VMT/SP that would exceed 85 percent of the City Average Existing VMT/SP would be considered a potentially significant VMT Impact. Potentially significant VMT impacts are mitigated through implementation of Transportation Demand Management (TDM) measures. However, even with implementation of proposed TDM measures, Project VMT impacts would be individually and cumulatively significant and unavoidable.
Air Quality	EIR Section 4.3, *Air Quality*, details the Project's potential air quality impacts. As discussed within that Section, even after compliance with applicable regulations and requirements, and application of

Table 1.9-1
Summary of Significant and Unavoidable Impacts

Environmental Topic	Comments
	mitigation measures, the Project would result in the following significant and unavoidable air quality impacts: • The South Coast Air Basin (SCAB, Basin) encompassing the Project site is designated as non-attainment for ozone, PM10, and PM2.5 (VOC and NOX are both ozone precursors; NOX is a precursor to PM10/PM2.5). Project operational-source VOC, NOX, PM10, and PM2.5 emissions regional threshold exceedances would result in a cumulatively considerable net increase in criteria pollutants (ozone and PM10/PM2.5) for which the Project region is non-attainment. These are cumulatively significant and unavoidable air quality impacts. • Because a change in land use is proposed under the Project, it is assumed that the emissions generated by the Project's proposed land uses are not reflected in the 2016 AQMP air quality standards, interim emissions reductions targets, and emissions inventories. Consequently, development of the subject site as proposed by the Project is conservatively assumed to conflict with the 2016 AQMP. This is a significant and unavoidable impact.
GHG Emissions	EIR Section 4.4, *Greenhouse Gases*, details the Project's potential GHG emissions impacts. As discussed within that Section, even after compliance with applicable regulations and requirements, and application of mitigation measures, the Project GHG could directly or indirectly generate GHG emissions that may have a significant impact on the environment. Further, the Project could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. These are cumulatively significant and unavoidable impacts.
Noise	EIR Section 4.5, *Noise*, details the Project's potential noise impacts. As discussed within that Section, even after compliance with applicable regulations and requirements, and application of mitigation measures, noise impacts associated with the construction of off-site infrastructure improvements would be individually and cumulatively significant and unavoidable for the duration of off-site infrastructure construction activities.
Cultural (Historic) Resources	As discussed at EIR Section 4.10, *Cultural/Tribal Cultural Resources*, 5 buildings or structures within the Project site appear to qualify as Contributors to the New Model Colony / Chino Valley Dairy Historic District (District). These 5 potential Contributors would be demolished to allow for implementation of the Project. Per CCR Title 14, Section 15126.4(b), the demolition or destruction of a historical resource cannot typically be fully mitigated. Demolition of potential District Contributors resulting from the Project is therefore considered a significant and unavoidable impact. The proposed demolition of potential District Contributors within the Project site would considerably and cumulatively contribute to impacts to District historic resources. This is a cumulatively significant impact.
Agricultural Resources	As substantiated at EIR Section 4.11, *Agricultural Resources*, the Project would result in conversion of on-site Farmland to urban uses. Additional conversion of off-site agricultural lands to non-agricultural purposes could also occur as a result of construction of master plan infrastructure improvements supporting the Project. These are considered to be significant and unavoidable impacts. However, the Project would not cause or result in significant and unavoidable agricultural resources impacts and loss of Farmland impacts beyond those already considered and addressed in the Ontario Sphere of Influence (New Model Colony [Ontario Ranch]) General Plan Amendment EIR, The Ontario Plan EIR, and the [City of Ontario] Infrastructure Master Plans MND. The Project would not result in new significant and unavoidable agricultural resources impacts and loss of Farmland not otherwise occurring pursuant to the Policy Plan Land Use Plan.

As substantiated within this EIR, all other potential environmental effects of the Project would be less-than-significant or are reduced below levels of significance with application of mitigation measures identified herein. A summary of all Project impacts and proposed mitigation measures is presented in EIR Section 1.11, *Summary of Impacts and Mitigation*.

1.10 ALTERNATIVES TO THE PROJECT

Consistent with provisions of the *CEQA Guidelines*, this EIR evaluates alternatives to the Project that would lessen its significant environmental effects while allowing for attainment of the basic Project Objectives. Alternatives to the Project are described and summarized below. Please refer also to the detailed Alternatives Analysis presented in EIR Section 5.0, *Other CEQA Considerations*; 5.2, *Alternatives Analysis.*

Alternatives to the Project considered in detail include:

- No Project Alternative: No Build;
- No Project Alternative: Development per Existing Policy Plan Land Uses; and
- Reduced Intensity Alternative.

As provided for at *CEQA Guidelines* 15126.6(c), alternatives that were considered by the lead agency but were rejected as infeasible are also identified. These included:

- Alternative Sites;
- "No Threshold Exceedance" Alternative for Significant Transportation Impacts;
- "No Threshold Exceedance" Alternative for Significant Air Quality Impacts;
- "No Threshold Exceedance" Alternative for Significant GHG Impacts;
- "No Threshold Exceedance" Alternative for Significant Noise Impacts;
- Preservation Alternatives for Significant Historical Resources Impacts;
- "No Threshold Exceedance" Alternative for Significant Agricultural Resources Impacts.

1.10.1 No Project Alternatives

1.10.1.2 Overview

The *CEQA Guidelines* require that the EIR include in its evaluation of Alternatives a "No Project" Alternative. Within this analysis, two No Project scenarios are considered – "No Build" and "Development per Existing Policy Plan Land Uses."

No Project Alternative: No Build

If a No Build scenario were maintained, its comparative environmental impacts would replicate the existing conditions discussions for each of the environmental topics evaluated in this EIR; and comparative impacts of the Project would be as presented under each of the EIR environmental topics. A No Build condition would achieve none of the basic Project Objectives.

No Project Alternative: Development per Existing Policy Plan Land Uses

The No Project Alternative: Development per Existing Policy Plan Land Uses (Existing Policy Plan Land Uses) scenario represents foreseeable development of the subject site pursuant to the site's current Policy Plan Land Use designations. Table 1.10-1 compares the composition and scope of uses under the Project with development that could result under the Existing Policy Plan Land Uses scenario.

Table 1.10-1
Site Development Comparison
Project and No Project Alternative: Existing Policy Plan Land Uses

Project	No Project Alternative: Existing Policy Plan Land Uses
Business Park: 55.1 acres; 1,441,000 building sf	Business Park: 314.7 acres; 8,225,000 building sf
N/A	Office Commercial: 43.3 acres; 1,414,600 building sf
N/A	General Commercial: 18.3 acres; 318,900 building sf
Industrial: 292.8 acres; 7,014,000 building sf	N/A
Circulation: 28.4 Acres	N/A
Total: 376.3 Acres; 8,455,000 building sf	**Total: 376.3 Acres; 9,958,500 building sf**

Sources: Policy Plan Land Use Element; Merrill Commerce Center Specific Plan.
Notes:
1. Maximum building square footage calculated by multiplying the total acreage of each land use by the anticipated floor area ratio (FAR) for the respective land use designation. Per Policy Plan Table LU-02 Land Use Designations Summary Table: Industrial FAR = 0.55; Business Park FAR = 0.60; General Commercial FAR = 0.040; Office Commercial FAR = 0.75.

1.10.2 Reduced Intensity Alternative

The Reduced Intensity Alternative focuses on a development scenario that would reduce the significant operational-source air quality impacts otherwise occurring under the Project.

Of the total operational-source emissions generated by the Project, approximately 90 percent (by weight) would be generated by Project traffic. An effective way to reduce the Project operational-source emissions would therefore be an Alternative that would reduce the total amount of traffic generated by the Project.

Based on the reduction in total traffic, the Reduced Intensity Alternative would also reduce the scope and/or intensity of significant transportation impacts, air quality impacts, and GHG emissions impacts that would result from implementation of the Project.

For purposes of the EIR Alternatives Analysis, the Reduced Intensity Alternative would implement the proposed Merrill Commerce Center Specific Plan uses at an approximately 25 percent reduction in overall development intensity. The mix of land uses proposed by the Project would be proportionally maintained under the Reduced Intensity Alternative. When compared to the approximately 8,455,000 square feet of light industrial/ business park uses proposed by the Project, the Reduced Intensity alternative would realize approximately 6,341,000 square feet of light industrial/business park development. Development under the Project and the Reduced Intensity Alternative is compared at Table 1.10-2.

Table 1.10-2
Site Development Comparison
Project and Reduced Intensity Alternative

Project	Reduced Intensity Alternative
Business Park: 55.1 acres; 1,441,000 building sf	Business Park: 55.1 acres; 1,081,000 building sf
Industrial: 292.8 acres; 7,014,000 building sf	Industrial: 292.8 acres; 5,260,000 building sf
Circulation: 28.4 Acres	Circulation: 28.4 Acres
Total: 376.3 Acres; 9,958,500 building sf	**Total: 376.3 Acres; 6,341,000 building sf**

Sources: Project Development - Merrill Commerce Center Specific Plan; Reduced Intensity Alternative Development - Applied Planning, Inc.

1.10.3 Alternatives Considered and Rejected

1.10.3.1 Alternative Sites Considered and Rejected

As stated in the *CEQA Guidelines* §15126.6 (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] 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." *CEQA Guidelines* §15126.6 (f) (1) also provides that when considering the feasibility of potential alternative sites, the factors that may be taken into account include: "site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), 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). None of these factors establishes a fixed limit on the scope of reasonable alternatives."

As discussed below, relocation of the Project would not avoid or substantially lessen the Project's significant impacts. Further, there are no feasible alternative sites under control or likely control of the Applicant that would allow for relocation of the Project in manner that could substantially reduce the Project's significant environmental impacts.

Significant Transportation Impacts Not Substantially Reduced at Alternative Site

- Relocation to an Alternative Site is not likely to achieve any measurable reduction in the Project's VMT impacts. VMT impacts are influenced by the Project location, but are also a product of the Project land uses. Relocation of the Project within the City could shorten certain worker commutes trip lengths; however, others could be lengthened. There is no demonstrable evidence indicating that worker trip lengths would be substantially altered by relocation of the Project. Further, Project truck trip lengths are determined by SCAQMD trip length modeling protocols, and would not be affected by relocation of the Project site. Further, there are no feasible alternative sites under control or likely control of the Applicant that

would allow for relocation of the Project and associated reassignment of traffic that in manner that could substantially reduce VMT impacts.

Significant Air Quality Impacts Not Substantially Reduced at Alternative Site

- Relocation to an Alternative Site would not likely achieve any measurable reduction in the Project's operational-source air quality impacts and contributions to nonattainment conditions. Relocation of the Project anywhere within the South Coast Air Basin would not alter or diminish the significance of this impact.
- The AQMP land use inconsistency resulting from the Project could not be feasibly avoided by relocation of the Project to an alternative site. That is, there are no alternative sites under control or likely control of the Applicant that would allow for relocation of the Project and that would preclude a changes or changes in land use designations.

Significant Noise Impacts Not Substantially Reduced at Alternative Site

- Significant noise impacts are assumed to occur at land uses adjacent to alignments of off-site infrastructure to be constructed by the Project. These infrastructure alignments are determined by, and are consistent with, City infrastructure master plans. These master plan infrastructure alignments are beyond the control of the Applicant. Relocation of the Project would not substantially alter master plan infrastructure alignments, or substantially diminish construction-source noise impacts that are assumed to occur at adjacent land uses. Moreover, there are no alternative sites under control or likely control of the Applicant that would allow for relocation of the Project and that would substantially reduce construction-source noise impacts affecting land uses adjacent to infrastructure alignments.

Significant GHG Emissions Impacts Not Substantially Reduced at Alternative Site

- GHG emissions impacts are by definition cumulative and global in their effects. Relocation of the Project would not alter or diminish the significance of its GHG emissions impacts.

Significant Impacts to Historical Resources Not Substantially Reduced at Alternative Site

- Consistent with City requirements, the EIR incorporates mitigation that would reduce impacts to the 5 potential contributors to historical resources to the extent feasible. However, buildout of the City as envisioned under The Ontario Plan would ultimately result in urbanization of the area and would not allow for relocation of the Project in manner that would preclude or substantially reduce historical resources impacts otherwise resulting from the Project. In this regard, the Ontario Plan EIR recognizes that implementation of the Proposed General Plan Land Use Plan could threaten historic resources, and recognizes these impacts as significant and unavoidable (General Plan EIR, pp. 5.5-23, 5.5-24). Moreover, there are no alternative sites of under control or likely control of the Applicant that would allow for relocation of the Project and that would substantially reduce potential impacts to historic resources.

Significant Agricultural Resources Impacts Not Substantially Reduced at Alternative Site

- The Project's significant agricultural resources impacts are consistent with the significant agricultural resources impacts anticipated under buildout of the City. In this regard, The Ontario Plan envisions the City buildout condition comprising urban mixed-use, commercial, industrial, and residential land uses. The Ontario Plan vision does not support the continuation of existing agricultural uses. In this latter regard, existing agricultural uses within the City are becoming economically unsustainable and represent land uses that are increasingly incongruous with continuing urbanization of the City. Moreover, there are no alternative sites under control or likely control of the Applicant that would allow for relocation of the Project and that would substantially reduce agricultural resources impacts.

Based on the preceding considerations, analysis of an Alternative Site as means of reducing the Project's significant environmental impacts was not further considered.

1.10.3.2 "No Threshold Exceedance" Alternative for Significant Transportation Impacts Considered and Rejected

VMT impacts are defined in terms of miles traveled per service population (VMT/SP). Reduction in VMT impacts could therefore be potentially reduced by diminishing trip lengths relative to the service population, or increasing the service population relative to trip lengths. Trip lengths for the Project are fixed by its location and land use context. As noted previously in these discussions, relocation of the Project would likely not substantially reduce VMT impacts. The Project Service Population is a function of the land uses proposed. Alteration of the Project land uses would be required in order to significantly increase the Service Population while maintaining or decreasing VMT and thereby improve the VMT/SP ratio and diminish potential VMT impacts. Such land use alterations would result in some undefined development concept other than the Project evaluated in this EIR. Analysis of this other, undefined development would be speculative and would not support the Project Objectives; and is therefore not considered here.

Based on the preceding, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant.

1.10.3.3 "No Threshold Exceedance" Alternative for Significant Air Quality Impacts Considered and Rejected

In order to reduce Project operational-source air quality emissions to levels that would preclude exceedance of all SCAQMD thresholds, the Project scope would need to be reduced by approximately 90 percent (this would achieve the most restrictive threshold [NO_x] and all subordinate thresholds). At such a reduction in scope, however, the Project Objectives would not be realized in any meaningful sense. As such, potential alternatives with the specific goal of avoiding all significant operational-source air quality impacts resulting from the Project were rejected from consideration, and are not further evaluated in this discussion.

The Project operational-source emissions exceedances noted herein would result in cumulatively considerable contributions to existing Basin pollutant non-attainment conditions. For the same reasons noted above, there are no feasible means or alternatives

to avoid this impact or reduce the impact to levels that would be less-than-significant. However, this impact and all operational-source air quality impacts would be diminished under the EIR Reduced Intensity Alternative.

The Project proposes Policy Plan Land Use amendments that would allow for implementation of the Project uses. Because the Project's proposed Policy Plan Land Uses designations are not reflected in the AQMP, the Project is considered to be inconsistent with AQMP emissions assumptions and projected AQMP emissions inventory. To maintain AQMP consistency, avoidance of the proposed amendments to the site's current Policy Plan Land Use designations would be required. This would effectively negate the Project in total. Additionally, there are no alternative locations under control or likely control of the Applicant that would preclude any potential change in land use designations, thereby avoiding potential inconsistencies with the AQMP.

Based on the preceding, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant.

1.10.3.4 "No Threshold Exceedance" Alternative for GHG Emissions Impacts Considered and Rejected

The Project cannot feasibly achieve no net increase in GHG emissions, nor can the applicable SCAQMD screening-level threshold (3,000 MTCO2e/year) be achieved. In this regard, the majority (approximately 70 percent) of the Project GHG emissions would be generated by Project vehicular sources. Responsibility and authority for regulation of vehicular-source emissions resides with the State of California (CARB, et al.). Neither the Applicant nor the Lead Agency can effect or mandate substantive reductions in vehicular-source GHG emissions, much less reductions that would achieve no net increase condition or achieve the SCAQMD screening-level 3,000 MTCO2e/year threshold. In effect, all Project traffic would need to be eliminated or be "zero GHG emissions sources" in order to achieve the SCAQMD threshold. There is no feasible means to or alternatives to eliminate all Project traffic, or to ensure that Project traffic would zero GHG emissions sources. In terms of its practical application, this would constitute a "no build" condition.

The Project would implement all feasible measures to provide consistency with the current City CAP and pending CAP update. The CAP as updated by the City may implement performance standards and GHG emissions reduction targets differing from the current CAP. There is therefore the potential for Project development proposals to conflict with as-yet-unknown performance standards and GHG emissions reduction targets implemented under the pending CAP updates, and thereby result in GHG emissions that would be considered to represent a significant impact on the environment. Moreover, it cannot be assured that the CAP as updated by the City would be determined to be consistent with applicable State and regional plans adopted for the for the purpose of reducing the emissions of greenhouse gases. There are no feasible alternatives that would ensure consistency with the pending CAP update, or to ensure that the CAP update would be consistent with applicable State and regional plans adopted for the for the purpose of reducing the emissions of greenhouse gases.

Based on the preceding, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant.

1.10.3.5 "No Threshold Exceedance" Alternative for Significant Noise Impacts Considered and Rejected.

Construction-source noise impacts resulting construction of off-site infrastructure improvements would be significant and unavoidable. Construction-source noise impacts reflect maximum noise levels generated by likely operations of typical construction equipment. The types and quantities of equipment employed, and associated maximum noise levels generated, would not differ substantively under any reasonable scenario for construction of off-site infrastructure.

Based on the preceding, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant.

1.10.3.6 Preservation Alternatives for Significant Historical Resources Impacts Considered and Rejected

Consistent with City requirements, this EIR incorporates mitigation that would reduce impacts to historical resources to the extent feasible. However, even with application of mitigation, impacts would be significant and unavoidable. In this regard, the Ontario Plan EIR recognizes that implementation of the Proposed Land Use Plan could threaten historic resources and recognizes these impacts as significant and unavoidable (General Plan EIR, pp. 5.5-23, 5.5-24). Preservation Alternatives that could lessen or avoid impacts to historical resources were also considered, but were ultimately determined to be infeasible and were therefore rejected. These Alternatives and the basis for their rejection are summarized below:

- **In Situ Retention:** In situ of these contributors would be incompatible with, and would conflict with the proposed Specific Plan Land Use Plan, Development Standards, and Design Guidelines and would not allow for implementation of the Project. In situ retention of these contributors is therefore not considered feasible.

- **Retention and Adaptive Reuse:** Similarly, retention and adaptive reuse of these contributors would be incompatible with, and would conflict with the proposed Specific Plan Land Use Plan, Development Standards, and Design Guidelines and would not allow for implementation of the Project. Retention of and adaptive use of these contributors is therefore not considered feasible.

- **Relocation:** Relocation of the contributors may be possible, pending identification of a recipient site that is within the New Model Colony [Ontario Plan] boundaries and that maintains similar setting and location, and historic associations. Additionally, each relocated building should retain original materials and design features that give evidence of original workmanship and feeling / aesthetic such that the resource, upon relocation, maintains the ability to convey its identified significance. There are no designated recipient sites that meet the relocation criteria noted. Moreover, buildout of the City as envisioned under The Ontario Plan would ultimately result in urbanization of the area and would not allow for

relocation at a recipient site that maintains similar setting, and location, and historic associations for the affected contributors. Relocation of the contributors is therefore considered infeasible.

Based on the preceding, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant.

1.10.3.7 "No Threshold Exceedance" Alternative for Significant Agricultural Resources Impacts Considered and Rejected

The Ontario Plan vision does not support the continuation of existing agricultural uses within the City. In this regard, existing agricultural uses within the City are becoming economically unsustainable and represent land uses that are increasingly incongruous with continuing urbanization of the City.

Long-term maintenance of agricultural/farmland uses within the Project site would therefore be contrary to General Plan Land Use Plan and the goals of the Ontario Plan. Persisting agricultural/farmland uses within the Project site would likely result in on-going and increasing land use incompatibilities as surrounding areas continue to urbanize as envisioned under the General Plan. Long-term maintenance of agricultural/farmland uses within the Project would therefore potentially exacerbate rather than reduce environmental impacts. Further, transition of the Project site from agricultural/farmland uses and associated significant impacts to agricultural uses are consistent with and have been previously addressed in certified/adopted City environmental documents. The Project would not result in significant agricultural resources impacts not already considered and addressed in these documents.

Moreover, there are no alternative sites under control or likely control of the Applicant that would allow for relocation of the Project and that would substantially reduce agricultural resources impacts. 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 General Plan Land Use Plan policies and vision as summarized previously, and would require comprehensive amendment of

the General Plan. Neither the City nor Applicant has indicated that such amendment is warranted or desired, and neither has initiated such action.

Additionally, creation of new Farmland-status properties within the City could result in new and additional adverse impacts to the environment associated with typical farm/dairy operations, including but not limited to:

- Animal waste and creation of methane gas, and soil contamination from nitrates and ammonia.

- Use of petroleum products and above ground storage tanks (ASTs) used for fueling, maintaining and repairing farm equipment.

- Use of formaldehyde, iodine, glycerol, muriatic acid and chlorinated alkaline as cleaning solutions. Application of pesticides to prevent parasite infestations.

- Holding ponds for contaminated runoff from agricultural/dairy farm operations and discharge of wastewater from these processes to pastures or to the area drainage system.

- Accumulating general debris that may have the potential to impact on-site surficial soil.

- Potential presence of septic systems.

These adverse impacts would be amplified at the interface of any agricultural uses imposed within the City's urbanizing context.

Further, creation of new Farmland-status properties outside the City is beyond the Lead Agency and Applicant 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. Additionally, creation of new

Farmland-status properties at extra-jurisdictional locations could result in adverse impacts noted above. These impacts would be similar to those the City has experienced, and seeks to avoid through implementation of the Policy Plan Land Use Plan.

Based on the preceding, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant.

1.10.4 Environmentally Superior Alternative

The *CEQA Guidelines* require that the environmentally superior alternative (other than the No Project Alternative) be identified among the Project and other Alternatives considered in an EIR.

Excluding the No Project Alternatives as stipulated under CEQA[7], the Reduced Intensity Alternative would likely result in a general reduction in environmental effects when compared to the Project. For the purposes of CEQA, the Reduced Intensity Alternative is identified as the "environmentally superior alternative."

Reduced Intensity Alternative Would Reduce but Would not Eliminate Significant Impacts

The Reduced Intensity Alternative would reduce, but not eliminate the Project's significant impacts in regard to transportation, air quality, GHG emissions, noise, agricultural resources noise. More specifically:

- Traffic volumes otherwise generated by the Project may be reduced. However, significant traffic impacts at Study Area facilities would likely persist until such time as the recommended improvements are completed.

- Total VMT would be reduced. However, VMT/SP ratios would be similar to the Project and related VMT impacts would be significant and unavoidable.

[7] If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives (*CEQA Guidelines* Section 15126.6 (e)(2)).

- The magnitude of operational-source air quality impacts (VOC, NO_x, CO, PM_{10} and $PM_{2.5}$ emissions impacts) would be diminished but would remain significant and unavoidable.

- Construction-source noise impacts affecting off-site properties along infrastructure improvements corridors would be similar to the Project and would remain significant and unavoidable.

- Demolition of historic District Contributors would be required. Impacts to historic resources would be similar to the Project and would remain significant and unavoidable.

- GHG emissions impacts would be similar to the Project and would remain significant and unavoidable.

- Agricultural resources impacts would be similar to the Project and would remain significant and unavoidable.

Reduced Intensity Alternative Would Marginalize Attainment of Project Objectives
Based on the reduction in overall development scope, the Reduced Intensity Alternative would broadly restrict attainment of all Project Objectives. Where quantifiable (e.g., additional sales tax revenues, job creation, incremental property tax revenues), this reduction in attainment of Objectives would be approximately 25 percent less than would be otherwise realized under the Project. Qualitatively, development of the subject site under the Reduced Intensity Alternative fails to optimize use of a significant vacant property, and would is not be considered by the Lead Agency to represent the highest and best use of the subject site.

Reduced Intensity Alternative Identified as the Environmentally Superior Alternative
In conclusion, the Reduced Intensity Alternative would result in potential incremental reduction in certain significant environmental impacts otherwise occurring under the Project, but would not eliminate these impacts. The Reduced Intensity Alternative would

provide for limited attainment of the Project Objectives. On this basis, the Reduced Intensity Alternative is identified as the environmentally superior alternative.

Other Considerations

Countering its potential environmental benefits, the Reduced Intensity Alternative would broadly and substantially diminish attainment of the Project Objectives, with related diminishment of socio-economic benefits to the City and region. CEQA indicates that socioeconomic effects (while not lone determinants) are important considerations for decision-makers in evaluating and considering EIR Alternatives. With respect to socioeconomics, the Project and the Reduced Intensity Alternative would each have beneficial effects for the area. Either of these scenarios would contribute to area employment and the City's overall tax base. However, as noted previously, because the scope and variety of land uses would be reduced by approximately 25 percent under the Reduced Intensity Alternative, the resulting effective realization of the Project Objectives, to include economic benefits to the City and region, would likely be similarly diminished.

Additionally, at an approximate 25 percent reduction in the Project's development scope, the Reduced Intensity Alternative would not recognize the site's value as one of the remaining undeveloped properties within the City; or take advantage of the site's available acreage and consequently would not result in development of the subject site in a manner considered to be its highest and best use.

1.11 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table 1.11-1 summarizes potential impacts resulting from implementation and operations of the Project. The impacts identified in Table 1.11-1 correspond with environmental topics and impacts discussed in EIR Section 4.0, *Environmental Impact Analysis*. Table 1.11-1 also lists measures proposed to mitigate potentially significant environmental impacts of the Project and indicates the level of significance after application of proposed mitigation.

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Table 1.11-1
Summary of Impacts and Mitigation

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
4.1 Land Use and Planning			
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.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
4.2 Transportation			
Conflict or be inconsistent with *CEQA Guidelines* Section 15064.3, subdivision (b).			
VMT Impacts:	Potentially Significant.	4.2.1 *The following language or similar shall be incorporated in all Project contract, construction, and property sale/lease documents: "Owners/tenants shall, to the extent practical, allow for and encourage Telecommuting and Alternative Work Schedules."* 4.2.2 *The following language or similar shall be incorporated in all Project contract, construction, and property sale/lease documents: "Owners/tenants shall, to the extent practical, allow for and encourage ride-sharing programs."* 4.2.3 *The Applicant shall record a covenant of a Transportation Demand Management (TDM) program for each Project building/occupancy with 250 or more employees. The form of the covenant shall be approved by the City Attorney's Office. The covenant shall be recorded prior to issuance of Certificate of Occupancy for the subject building(s).*	**Significant and Unavoidable.** Implementation of Mitigation Measures 4.2.1 through 4.2.4 have the potential to reduce Project VMT. The effectiveness of these measures would be dependent in part on final Project designs and occupancies, which are unknown at this time. Beyond Project design and tenancy considerations, land use context is a major factor relevant to the potential application and effectiveness of TDM measures. More specifically, the land use context of the Project is characteristically suburban. Of itself, the Project's suburban context acts to reduce the range

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		4.2.4 Prior to issuance of a Certificate of Occupancy for each building/occupancy providing for 250 or more employees, each owner/tenant shall develop a use/occupant-specific TDM program. The TDM program shall submitted to the City Planning Department and City Building Department as part of tenant improvements plan(s) documentation. At a minimum, the TDM program shall: • *Identify physical improvements (if any) to be implemented as part of the TDM program. The City Planning/Building Department shall verify completion of physical TDM improvements as part of the Certificate of Occupancy process.* • *Identify TDM program operational strategies to be implemented. These TDM strategies may include but would not be limited to the following:* o *On-site services such as food, retail, and other services to be provided.* o *Ridesharing. Develop a commuter listing of all employee members for the purpose of providing a "matching" of employees with other employees who live in the same geographic areas and who could rideshare.* o *Vanpooling. Develop a commuter listing of all employees for the purpose of matching numbers of employees who live in geographic*	of feasible TDM measures and moderates their potential effectiveness.

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
		proximity to one another and could comprise a vanpool or participate in the existing vanpool programs. o *Guaranteed Ride Home Program. Develop and implement a program to provide employees who rideshare, or use transit or other means of commuting to work, with a prearranged ride home in a taxi, rental car, shuttle, or other vehicle, in the event of emergencies during the work shift.* o *Target Reduction of Longest Commute Trip. Provide incentives for ridesharing and other alternative transportation modes to put highest priority on reduction of longest employee commute trips.* o *Implement staggered work shifts to the extent practical.* o *Implement telecommute programs to the extent practical.* • *Establish a TDM coordinator position. The position of TDM coordinator may be fulfilled by the building owner/lessee, an employee, or third*	

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
		party provider. The TDM coordinator shall: o *Identify proposed TDM measures to be implemented and provide a list of implemented measures to the City Planning Department;* o *Inform employees of commute options and shall, as applicable, arrange rideshare or vanpool programs;* o *Develop and implement a TDM monitoring program. The TDM monitoring program shall identify trip generation, trip origin(s), average vehicle ridership, and provide an estimate of VMT/employee. The results of the survey shall be submitted annually to the City Planning Department;* o *Based on the results of the TDM monitoring program, provide TDM modification recommendations to the City and affected owners/tenants. Additional/alternative VMT reduction measures that would act to reduce Project VMT levels and that are mutually agreed to by the City and owners/tenants shall be implemented.*	

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Summary of Impacts and Mitigation

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
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 necessary.	Not applicable.
Substantially increase hazards to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
Result in inadequate emergency access.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
4.3 Air Quality			
Conflict with or obstruct implementation of the applicable air quality plan.	Potentially Significant.	The Project would implement development-specific air quality mitigation measures acting to generally reduce the Project's construction-source and operational-source air pollutant emissions. Additionally, incorporation of contemporary energy-efficient technologies and operational programs, and compliance with SCAQMD emissions reductions and control requirements act to reduce Project air pollutant emissions generally.	**Significant and Unavoidable**. Notwithstanding, because a change in land use is proposed under the Project, it is assumed that the emissions generated by the Project's proposed land uses are not reflected in the 2016 AQMP air quality standards, interim emissions reductions targets, and emissions inventories. Consequently, development of the subject site as proposed by the Project is conservatively assumed to

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
			conflict with the 2016 AQMP.
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.	***Potentially Significant*** (VOC and NO_X construction-source emissions)	*4.3.1 The Project shall utilize "Super-Compliant" low VOC paints which have been reformulated to exceed the regulatory VOC limits put forth by SCAQMD's Rule 1113. Super-Compliant low VOC paints shall be no more than 10g/L of VOC. Alternatively, the applicant may utilize tilt-up concrete buildings that do not require the use of architectural coatings.* *4.3.2 Construction contractors shall ensure that large off-road diesel fueled construction equipment, including but not limited to excavators, graders, rubber-tired dozers, and similar large pieces of equipment be equipped with CARB Tier 4 Compliant engines. If the operator lacks Tier 4 equipment, and Tier 4 equipment is not available for lease or short-term rental within 50 miles of the project site, Tier 3 Compliant or cleaner off-road construction equipment may be utilized.*	Less-Than-Significant**.**
	Potentially Significant (VOC, NO_X, CO, PM_{10}, and $PM_{2.5}$ operational-source emissions)	*4.3.3 Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations. At a minimum, each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for drivers of diesel trucks to restrict idling to no more than five (5) minutes once the*	***Significant and Unavoidable.*** Mitigation Measures 4.3.3 through 4.3.8 would act to globally reduce Project operational-source emissions. However, there is no way to quantify these reductions in the California Emissions Estimator

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		vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; and 3) telephone numbers of the building facilities manager and the CARB to report violations. Prior to the issuance of an occupancy permit, the City shall conduct a site inspection to ensure that the signs are in place. *4.3.4 Prior to tenant occupancy, the Project Applicant or successor in interest shall provide documentation to the City demonstrating that occupants/tenants of the Project site have been provided documentation on funding opportunities, such as the Carl Moyer Program, that provide incentives for using cleaner-than-required engines and equipment.* *4.3.5 The minimum number of automobile electric vehicle (EV) charging stations required by the California Code of Regulations (CCR) Title 24 shall be provided. As agreed to by the Applicant and Lead Agency, final designs of Project buildings shall include electrical infrastructure sufficiently sized to accommodate the potential installation of additional auto and truck EV charging stations.* *4.3.6 As agreed to by the Applicant and Lead Agency, final Project designs shall provide for installation of*	Model (CalEEMod). This analysis therefore conservatively assumes that mitigated and unmitigated Project operational-source emissions are substantively equal.

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
		conduit in tractor trailer parking areas for the purpose of accommodating potential installation of EV truck charging stations. *4.3.7 Where transport refrigeration units (TRUs) are in use, electrical hookups shall be installed in order to allow TRUs to use electric standby capabilities.* *4.3.8 All diesel trucks accessing the Project shall be compliant with the CARB Truck and Bus Regulation 2010 engine emissions standards.*	
Expose sensitive receptors to substantial pollutant concentrations.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
4.4 Greenhouse Gas Emissions			
Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	Potentially Significant.	*4.4.1 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*	***Significant and Unavoidable.*** 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 Project development proposals are consistent with the CAP as updated, the potential for Project GHG emissions to result in a significant impact on the

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
		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. 4.4.2 *Project development proposals with building permit applications on file with the City subsequent to approval and adoption of updates to the December 16, 2014 CAP shall comply with performance standards and GHG emissions reduction targets of the incumbent CAP. The City shall verify incorporation of measures that would achieve performance standards and GHG emissions reduction targets of the incumbent CAP prior to the issuance of building permit(s) and/or site plans (as applicable). The City shall verify implementation of applicable CAP provisions prior to the issuance of Certificate(s) of Occupancy. Multiple development proposals may, at the discretion of the City, be allowed to collectively demonstrate consistency with applicable provisions of the incumbent CAP.*	environment is considered to be a significant and unavoidable impact.
Conflict with an applicable plan, policy or regulation adopted for the	Potentially Significant.	Please refer to Mitigation Measures 4.4.1, 4.4.2.	***Significant and Unavoidable.*** Pending adoption of the City

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
purpose of reducing the emissions of greenhouse gases.			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 Project development proposals are consistent with the CAP as updated, the potential for Project GHG emissions to result in a significant impact on the environment is considered to be a significant and unavoidable impact.
4.5 Noise			
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.	Potentially Significant. (On-site Construction)	*4.5.1 Provide a minimum 150-foot buffer distance between large construction equipment (e.g. dozers, graders, scrapers, etc.) and receiver locations R3, R4, R7 and R8, if residences at these locations are occupied and actively used at the time Project demolition and/or grading activities occur.* *4.5.2 If a 150-foot buffer is not achievable, install temporary noise control barriers that provide a minimum noise level attenuation of 10.0 dBA when Project demolition or grading activities occur within 150 feet of existing residential structures, or other*	Less-Than-Significant.

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
		off-site sensitive land uses that are occupied and actively utilized. General noise control barrier design parameters are presented below, though any solution(s) providing the required 5.0 dBA noise attenuation is/are acceptable. o *The noise control barrier should present a generally solid face from top to bottom. Unnecessary openings should not be made.* o *The noise control barrier shall be maintained and any damage in the barrier or openings between the barrier and the ground shall be promptly repaired.* o *The noise control barrier(s) and associated elements shall be removed and affected portion(s) of the site restored at the conclusion of grading/demolition activities.* *4.5.3 Alternatively, the Applicant may employ construction equipment and construction techniques that would demonstrably ensure that noise levels at potentially affected sensitive receptors would not exceed 65 dBA. A combination of noise-receptor separation, noise barriers and use of noise reducing construction equipment and construction techniques may be employed provided that noise levels at potentially affected receptors does not exceed 65 dBA.*	

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Summary of Impacts and Mitigation

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
	Potentially Significant. (Offsite Infrastructure Construction)	4.5.4 *Off-site infrastructure improvement plans and construction documents shall include a note indicating that noise-generating Project construction activities shall only occur between the hours of 7:00 a.m. to 6:00 p.m. any weekday, or on Saturday or Sunday from 9:00 a.m. to 6:00 p.m. (City of Ontario Municipal Code, Section 5-29.09).* 4.5.5 *Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. Construction contractors shall place all stationary construction equipment so that emitted noise is directed away from the nearest noise sensitive receivers.* 4.5.6 *Construction contractors shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers.* 4.5.7 *Construction contractors shall limit haul truck deliveries to the same hours specified for construction equipment (between the hours of 7:00 a.m. to 6:00 p.m. any weekday, or on Saturday or Sunday from 9:00 a.m. to 6:00 p.m.). Contractors*	***Significant and Unavoidable.*** Implementation of these measures would reduce off-site construction-source noise levels at potentially affected receptors. However, the degree of reduction cannot be assured, and is subject to varied source-receptor distances, numbers and types of equipment used, variable terrain and weather conditions and other factors beyond control of the Applicant. For the purposes of this analysis, even with the application of mitigation, noise generated by construction of off-site infrastructure is assumed to exceed the applicable 65 dBA Leq noise standard, and would be significant and unavoidable.

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
		shall design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise.	
	Potentially Significant. (Operational-Source)	*4.5.8 Cold storage loading dock activities and distribution/warehouse facilities shall be designed so that truck bays and loading docks are a minimum of 300 feet away from the property line of sensitive receivers, measured from the dock building door. This distance may be reduced if the site design includes berms or other similar features to appropriately shield and buffer the sensitive receivers from the active truck operations areas.* *4.5.9 Cold storage loading dock activities and distribution/warehouse facilities shall be designed to provide adequate on-site parking for commercial trucks and passenger vehicles and on-site queuing for trucks that is away from sensitive receivers. The general queuing and spill-over of trucks onto surrounding public streets shall be prevented. Commercial trucks shall not be parked in the public road right-of-way or nearby residential areas.* *4.5.10 All Project PA systems shall be oriented to direct sound away from sensitive receivers. PA volumes shall be set such that received noise levels are not readily audible past the property line.*	Less-Than-Significant.

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
		4.5.11 Individual development proposals within the Project site shall demonstrate to the satisfaction of the Lead Agency that noise impacts generated by such proposals would not exceed or be substantially different than noise impacts considered and addressed in the Project Noise Impact Analysis.	
Generation of excessive groundborne vibration or groundborne noise.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
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.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
4.6 Hazards/Hazardous Materials			
Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.	Potentially Significant (Existing On-site Hazards and Construction Hazards).	*4.6.1 Soil Management Plan(s) Required. Prior to commencement of site disturbance activities, the Applicant shall retain a qualified professional to prepare a Soil Management Plan. The Soil Management Plan shall address the Specific Plan Area proper as well as areas potentially affected by construction of off-site infrastructure. The Soil Management Plan shall include a Health and Safety Plan (HASP), soil excavation monitoring protocols, and measures to monitor and control*	Less-Than-Significant.

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
		vapors and dust. The Applicant shall submit the Soil Management Plan to the California Department of Toxic Substances (DTSC) for review and approval. The City shall not authorize any activity at the Project site that has the potential to disturb soil until DTSC has approved the Soil Management Plan and all necessary permits have been obtained. Should contaminated soils be encountered as part of Project development, the protocols identified within the Soil Management Plan(s) shall be followed in regard to monitoring, handling, disposal, and reporting of management activities to the California Department of Toxic Substance Control, Regional Water Quality Control Board, and/or South Coast Air Quality Management District (including copies of all daily field logs containing SCAQMD Rule 1166 monitoring results), as required. Copies of all submitted reports and responses from responsible agencies shall be provided to the City of Ontario. 4.6.2 *On-Site Environmental Manager Required. The Applicant shall retain a qualified Environmental Manager who shall be on-site during all site disturbance activities. The Environmental Manager shall ensure implementation of the Soil Management Plan required under Mitigation*	

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
		Measure 4.6.1. The Environmental Manager shall also be responsible for monitoring of site disturbance activities to include identification of potentially contaminated media. The Environmental Manager shall have the responsibility and authority to halt on-site activities should any contaminated media or potentially contaminated media be encountered during site disturbing activities. Any contaminated media or potentially contaminated media identified by the Environmental Manager shall be excavated, handled, inventoried, stockpiled, and disposed of in accordance with the approved Soil Management Plan and consistent with all applicable provisions of local, state, and federal laws and regulations. 4.6.3 *Consistent with the City of Ontario requirements, prior to the issuance of building permits, all lots in potential methane areas shall be tested for the presence of methane and its concentration 30 days after building pads are graded and created. Measures set forth by the Ontario Methane Design Guidelines shall be implemented to the satisfaction of the City Building Department.*	

Table 1.11-1
Summary of Impacts and Mitigation

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
		4.6.4 Prior to the issuance of grading permits, a subsurface investigation shall be completed to assess the presence or absence of soil contaminants due to the sites past agricultural use, and current dairy farming uses.	
		4.6.5 Prior to the issuance of grading permits, the Project Applicant shall demonstrate to the satisfaction of the City that Soil Management Plan(s) have been developed for the site and areas potentially affected by construction of off-site infrastructure. Grading plans shall include a copy of the Soil Management Plan(s). *4.6.6 Prior to the issuance of grading permits, any existing debris shall be removed. All debris, including soils that evidence surficial staining, shall be disposed of off-site, consistent with the protocols of the Soil Management Plan(s).* *4.6.7 Prior to any relocation, demolition, or destructive renovation activities involving the on-site structures, the Applicant shall submit documentation to the City that ACMs and LBP issues are not applicable to Project. Negative ACM/LBP findings shall be documented in Site/Structure Survey Report (Report) prepared by the Environmental Manager or qualified assignee.*	

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		The Report shall be submitted to and approved by the City prior to the issuance of applicable relocation, demolition, renovation and/or site disturbing permit(s). If results of the Report indicate presence of ACMs and/or LBP, an action plan shall be implemented in accordance with all appropriate regulatory agency guidelines to abate any issues. Please refer to Mitigation Measure 4.6.8. 4.6.8 *Any confirmed and suspected ACMs or LBP shall be handled and disposed of by licensed contractors in accordance with all appropriate regulatory agency guidelines. Abatement, containment and disposal of any ACMs encountered shall comply with SCAQMD Rule 1403. The removal and disposal of lead-based paint material shall be implemented in accordance with California Code of Regulations, Title 8 Section 1532.1, the Code of Federal Regulations (Title 40, Part 745, and Title 29, Part 1926), the 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 Toxic Substances Control Act (TSCA).*	

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		4.6.9 For the duration of off-site Project ground-disturbing activities: • *Stained or odorous soil encountered during ground-disturbing activities shall be removed, stockpiled, and transported for disposal in accordance with local, state, and federal regulations. Soil samples shall be collected from the resulting excavation(s) to verify complete removal of any impacted soil.* • *During soils/debris removal operations, a Project Environmental Professional (Environmental Professional) shall be retained and shall be available to identify and address other issues that may arise in the course Project development. As determined necessary by the Environmental Professional, additional measures shall be employed to minimize effects of any encountered hazards. Documentation of the measures employed and resulting conditions after their application shall be documented and submitted to the Lead Agency.* • *Contractors and the Environmental Professional shall maintain ongoing observation and assessment of areas of possible contamination. Such areas would include but not be limited to: the presence of unexpected*	

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		underground facilities, buried debris, stained soil or odorous soils. Should such materials be encountered, the Environmental Professional in consultation with the Lead Agency shall determine the scope of investigation, analysis, and remediation warranted.	
Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	No Impact.	No mitigation is necessary.	Not applicable.
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.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
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 the people residing or working in the project area.	Potentially Significant.	*4.6.10 Prior to Final Project Plan approvals (including but not limited to: Site Plans, Building Plans, Landscape Plans, Utility Plans, and Roadway Plans), the Project Applicant shall document compliance with applicable provisions of the City of Ontario Chino Airport Compatibility Plan and correlating provisions of the Merrill Commerce Center Specific Plan. Overflight Deed Notices shall be provided for any properties identified in the Compatibility Plan as subject routine aircraft overflight(s).*	Less-Than-Significant.

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Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
4.7 Hydrology and Water Quality			
Violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
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: substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of the existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.

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Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
4.8 Biological Resources			
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.	Potentially Significant.	*4.8.1 A qualified biologist shall conduct a pre-construction presence/absence survey for burrowing owls within 14 days prior to site disturbance. If the species is absent, no additional mitigation is required. If burrowing owl(s) is (are) detected within the Project's disturbance footprint located within the City of Chino Preserve Resource Management Plan (RMP) boundary, the owl(s) are required to be handled as indicated by the RMP:* *Prior to disturbance of occupied burrows (if any), suitable and unoccupied replacement burrows shall be provided at a ratio of 2:1 within the City of Chino designated relocation area (e.g., the NTS basins). A qualified biologist through coordination with the City shall confirm that the artificial burrows are currently unoccupied and suitable for use by owls.* *Until suitable replacement burrows have been provided/confirmed within the designated relocation area (e.g., the NTS basins), no disturbance shall occur within 50 meters (approximately 160 feet) of*	Less-Than-Significant.

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		occupied burrows during the nonbreeding season (September 1 through January 31) or within 75 meters (approximately 250 feet) during the breeding season (February 1 through August 31). *Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.* *If burrowing owls are present at the time that the occupied burrows are to be disturbed, then the owls shall be excluded from the site following the 2012 CDFG Staff Report and Table 4-6 of the RMP.* *Pursuant to mitigation measure B-3(8) of The Preserve EIR, and as noted on Page 4-39 of the RMP, the Project shall pay the required mitigation fee prior to initiation of ground disturbing activities.*	

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Summary of Impacts and Mitigation

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		4.8.2 If burrowing owl(s) is (are) detected within the Project's proposed disturbance footprint outside of the RMP boundary: *Prior to disturbance of the occupied burrows, suitable and unoccupied replacement burrows shall be provided at a ratio of 2:1 within designated off-site conserved lands to be identified through coordination with CDFW and the City in which the burrowing owl(s) is(are) detected (either the City of Ontario or the City of Chino). A qualified biologist shall confirm that the artificial burrows are currently unoccupied and suitable for use by owls.* *Until suitable replacement burrows have been provided/confirmed within the off-site conserved lands to be identified through coordination with CDFW and the City of Ontario or the City of Chino, no disturbance shall occur within 50 meters (approximately 160 feet) of occupied burrows during the nonbreeding season (September 1 through January 31) or within 75 meters (approximately 250 feet) during the breeding season (February 1 through August 31).* *Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31)*	

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		unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival. *If burrowing owls are present at the time that the occupied burrows are to be disturbed, then the owls shall be relocated from the site following the 2012 [CDFW] Staff Report.*	
		4.8.3 Vegetation clearing should be conducted outside of the nesting season (February 1 through August 31) to avoid impacts to nesting birds, including raptors. If avoidance of the nesting season is not feasible, then a qualified biologist shall conduct a nesting bird survey within three days prior to any disturbance of the site, including disking, demolition activities, and grading. If active nests are identified, the biologist shall establish suitable buffers around the nests (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), and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.	

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		4.8.4 *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 shall 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 single roosting individual of a special-status bat species or a total of a 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 (Plan) shall be developed to ensure mortality to bats does not occur. For each location confirmed to be occupied by bats, the Plan shall 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. Preliminary Plan components and performance standards are outlined below:*	

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		To avoid the direct loss of bats that could result from removal of trees that may provide maternity roost habitat (e.g., in cavities or under loose bark), the following steps should be taken: *1) If trees and/or structures must be removed or disturbed as part of Project activities, a qualified bat specialist should conduct surveys to identify use of habitat by any bat species. Focused surveys using electronic detection should be used to identify general bat use and any special status bat species using any habitat proposed for removal or disturbance;* *2) Maternity season lasts from March 1 to September 30. Trees and/or structures should not be removed until the end of the maternity season;* *3) If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of year, it is preferable to push any tree down using heavy machinery rather than felling it with a chainsaw. In order to ensure the optimum warning for any roosting bats that may still be present, the tree should be pushed lightly two to three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree should*	

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		then be pushed to the ground slowly and should remain in place overnight and until it is inspected by a bat specialist. Trees that are suspected to be bat roosts should not be sawed up or mulched immediately. A period of at least 24 hours, and preferably 48 hours, should elapse prior to such operations to allow bats to escape. Bats should be allowed to escape prior to demolition of buildings. This may be accomplished by placing one way exclusionary devices into areas where bats are entering a building that allow bats to exit but not enter the building; *4) The bat specialist should document all demolition monitoring activities, and prepare a summary report to the Lead Agency upon completion of tree disturbance and/or building demolition activities. CDFW requests copies of any reports prepared related to bat surveys (e.g., monitoring, demolition);* *5) If confirmed occupied or formerly occupied bat roosting and foraging habitat is destroyed, habitat of comparable size and quality should be preserved and maintained at a nearby suitable undisturbed area. The bat habitat mitigation shall be determined by the bat specialist in consultation with CDFW;*	

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		6) A monitoring plan should be prepared and submitted to the Lead Agency. The monitoring plan should describe proposed mitigation habitat, and include performance standards for the use of replacement roosts by the displaced species, as well as provisions to prevent harassment, predation, and disease of relocated bats; and, *7) Annual reports detailing the success of roost replacement and bat relocation should be prepared and submitted to Lead Agency and CDFW for five years following relocation or until performance standards are met, whichever period is longer.* *The Plan shall be reviewed and approved by CDFW prior to disturbance of any roost(s).* *4.8.5 Prior to the issuance of any grading permits and prior to any physical disturbance of any possible jurisdictional areas, the Project Applicant shall purchase credits from an approved mitigation bank/in-lieu fee program at a minimum of a 1:1 ratio, for a minimum of 4.15 acres (inclusive of the 2.14 acres of non-wetland Waters of the US) of mitigation credits, or a number of mitigation credits equal to Project impacts based on final Project design during aquatic permitting.*	

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		If an approved mitigation bank/in-lieu fee program cannot be identified to mitigate the loss of Corps, Regional Board, and CDFW jurisdiction, the Project Applicant shall enhance, re-establish, or establish Corps, Regional Board, and CDFW jurisdictional areas on off-site conserved lands at a minimum of a 1:1 ratio, for a minimum of 4.15 acres (inclusive of the 2.14 acres of non-wetland Waters of the US) of enhancement, re-establishment, or establishment, or a number acres equal to Project impacts based on final Project design during aquatic permitting. Conservation and compensation shall conform to Conservation and Mitigation Banking Guidelines (CDFW) July 2019, to include applicable interagency (e.g., Corps, Regional Board, and USFWS) measures. See also: https://wildlife.ca.gov/Conservation/Planning/Banking/Guidelines. *Compensatory mitigation shall be coordinated with CWA 401 and 404 permitting and CDFW 1602 Streambed Alteration Agreement acquisition to ensure efficiency and efficacy of the mitigation effort.*	

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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 U.S. Fish and Wildlife Service.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) though direct removal, filling, hydrological interruption, or other means.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
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 wildlife nursery sites.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.

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Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
4.9 Geology and Soils			
Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving strong seismic ground shaking; seismic-related ground failure, including liquefaction; or 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.	Potentially Significant.	*4.9.1 Design and development of the Project shall comply with Recommendations and Grading Specifications identified within Project Geotechnical Studies, to include preparation of and conformance with design-level geotechnical studies for individual development proposals within the Project site. Where the Project Geotechnical Studies and design-level geotechnical studies are silent, requirements of the California Building Code as adopted and implemented by the City shall prevail.*	Less-Than-Significant.
Location on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), thereby creating substantial direct or indirect risks to life or property.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
Result in substantial soil erosion or the loss of topsoil.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.

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4.10 Cultural/Tribal Resources			
Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5.	Potentially Significant. (Impacts to residences and/or dairy properties at: 8731 Eucalyptus Avenue; 8831 Eucalyptus Avenue; 8888 Eucalyptus Avenue; 14651 S. Grove Avenue; and 8643 Eucalyptus Avenue).	*4.10.1 Mitigation shall be provided consistent with City requirements, to include:* • *Payment of mitigation fees;* • *Provisions of as-built drawings and Historic American Buildings Survey (HABS) photo documentation; and* • *Development of Historic Context Reports for significant persons in the dairy farm industry, such as the Borba family.* *(See also EIR Section 4.10 for further mitigation details).*	**Significant and Unavoidable.** Application of mitigation, per City requirements, would diminish impacts to the noted potential Historic District Contributors (8731 Eucalyptus Avenue; 8831 Eucalyptus Avenue; 8888 Eucalyptus Avenue; 14651 S. Grove Avenue; and 8643 Eucalyptus Avenue). However, because these potential Contributors would be demolished as part of the Project, this impact could not be reduced to levels that would be less-than-significant. On this basis, impacts to residences and/or dairy properties at: 8731 Eucalyptus Avenue; 8831 Eucalyptus Avenue; 8888 Eucalyptus Avenue; 14651 S. Grove Avenue; and 8643 Eucalyptus Avenue would be significant and unavoidable.
Cause a substantial adverse change in the significance of an archaeological	Potentially Significant.	*4.10.2 Archaeological, Historical, and Tribal Cultural Resources: Prior to the issuance of the first grading*	Less-Than-Significant.

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resource pursuant to §15064.5.		*permit, the applicant shall provide a letter to the City of Ontario Building Department, or designee, from a qualified professional archeologist meeting the Secretary of Interior's Professional Qualifications for Archaeology as defined at 36 CFR Part 61, Appendix A stating that the archeologist has been retained to provide on-call services in the event archeological resources are discovered. The archeologist shall be present at the pre-grading conference to establish procedures for archeological resource surveillance. In the event a previously unrecorded archaeological deposit is encountered during construction, all activity within 50 feet of the area of discovery shall cease and the City shall be immediately notified. The archeologist shall be contacted to flag the area in the field and determine if the archaeological deposits meet the CEQA definition of historical (State CEQA Guidelines 15064.5(a)), unique archaeological resource (Public Resources Code 21083.2(g)), or Tribal Cultural Resource (Public Resources Code 21074 (a)). If the find is considered a "resource" the archaeologist shall pursue either protection in place or recovery, salvage and treatment of the deposits. A qualified archaeologist and a Native American Monitor of Gabrieleño Ancestry shall evaluate all archaeological resources unearthed by Project construction*	

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		activities. If the resources are Native American in origin, they shall have the opportunity to consult with the City and/or Project developer on appropriate treatment and curation of these resources. If unique archaeological resources, or Tribal Cultural Resources cannot be preserved in place or left in an undisturbed state, recovery, salvage and treatment shall be required at the applicant's expense. Recovery, salvage and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines 15064.5 and 15126.4. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the archaeologist. Resources shall be identified and curated into an established accredited professional repository. The archaeologist shall have a repository agreement in hand prior to initiating recovery of the resource. Excavation as a treatment option will be restricted to those parts of the unique archaeological resource, or Tribal Cultural Resource that would be damaged or destroyed by the Project.	
		4.10.3 Native American Monitoring. Prior to commencement of any excavation activities, the Project developer shall retain a Native American Monitor of Gabrieleño Ancestry to:	

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		• *Conduct a Native American Indian Sensitivity Training for construction personnel. The training session shall include a handout and focus on how to identify Tribal Cultural Resources/Native American resources encountered during earthmoving activities and the procedures followed if resources are discovered, the duties of the Native American Monitor of Gabrieleño Ancestry, and the general steps the Monitor would follow in conducting a salvage investigation.* • *Monitor all project-related, ground-disturbing construction activities (e.g., pavement removal, auguring, boring, grading, excavation, potholing, trenching, and grubbing) of previously undisturbed native soils to a maximum depth of 30 feet below ground surface. At their discretion and expense, a Native American Monitor of Gabrieleño Ancestry can be present during the removal of dairy manure to native soil.*	
		4.10.4 Native American Human Remains Prior to the start of ground disturbing activities, the project developer shall designate a location within the footprint of the Project site for the respectful reburial of Native American human remains and/or ceremonial objects. All human skeletal material discoveries shall be reported immediately to the	

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		County Coroner. The Native American Monitor shall immediately divert work a minimum of 50 feet from the discovery site and place an exclusion zone around the burial. The Native American Monitor shall notify the construction manager who shall contact the San Bernardino County Coroner. Pursuant to California Health and Safety Code, Section 7050.5, all construction activity shall be diverted while the San Bernardino County Coroner determines if the remains are Native American. If the San Bernardino County Coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the San Bernardino County Coroner. Reburial will be in an appropriate setting. If the San Bernardino County Coroner determines the remains to be modern, the San Bernardino County Coroner shall take custody of the remains. *If Native American, the San Bernardino County Coroner shall notify the Native American Heritage Commission (NAHC) as mandated by state law who will then appoint a Most Likely Descendent. The discovery shall be confidential and secure to prevent further disturbance. In the case where discovered human remains cannot be documented and*	

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General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
		recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside working hours. The Native American Tribe of Gabrieleño Ancestry shall make every effort to recommend diverting the Project and keep the remains in situ and protected. If the Project cannot be diverted, it may be determined that burials will be removed. If data recovery is approved by the Tribe, documentation shall be taken, which includes at a minimum, detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. No scientific study or the utilization of any invasive diagnostics shall be allowed to any Native American human remains. Cremations will either be removed in bulk or means necessary to ensure complete recovery of all material. If the discovery of human remains includes four (4) or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The Project developer shall consult with the Tribe regarding avoidance of all cemetery sites. Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human	

Table 1.11-1
Summary of Impacts and Mitigation

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
		remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container onsite if possible. These items shall be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the Project site, but at a location agreed upon between the Tribe and the developer and protected in perpetuity. There shall be no publicity regarding any cultural materials recovered. Once complete, a final report of all activities shall be submitted to the NAHC.	
Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: (iii) Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section	Potentially Significant.	Please refer to Mitigation Measures 4.10.2, 4.10.3, and 4.10.4.	Less-Than-Significant.

Table 1.11-1
Summary of Impacts and Mitigation

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
5020.1(k), or (iv) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			
Directly or indirectly destroy a unique paleontological resource or site or unique geological feature.	Potentially Significant.	*4.10.5 Paleontological monitoring shall be conducted during all grading and trenching operations. Monitoring shall be conducted intermittently during initial cuts until the Quaternary deposits are encountered. Once Quaternary deposits are identified, paleontological monitoring shall be conducted on a full-time basis.* *4.10.6 Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediment that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor shall be empowered to temporarily halt or*	Less-Than-Significant.

Table 1.11-1
Summary of Impacts and Mitigation

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
		divert equipment to allow for the removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if they are present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. *4.10.7 Recovered specimens shall be prepared of to a point of identification and permanent preservation, including screen-washing sediments to recover small invertebrates and vertebrates if indicated by the results of test sampling.* *4.10.8 All recovered fossils shall be deposited in an accredited institution (university or museum) that maintains collections of paleontological materials. All costs of the paleontological monitoring and mitigation program, including any one-time charges by the receiving institution, shall be the responsibility of the developer(s).* *4.10.9 At the conclusion of monitoring activities at a given location, the paleontological monitor shall prepare a Final Mitigation and Monitoring Report (Final Report). The Report shall identify*	

Table 1.11-1
Summary of Impacts and Mitigation

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
		findings and significance of findings, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). A letter documenting receipt and acceptance of all fossil collections by the receiving institution shall be included in the Final Report. The Final Report, when submitted to and accepted by the Lead Agency (City of Ontario), shall signify satisfactory completion of mitigation of potential impacts to paleontological resources.	
4.11 Agricultural Resources			
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 nonagricultural use.	Potentially Significant.	No Feasible Mitigation Measures.	*Significant and Unavoidable.* The Project would result in conversion of on-site Farmland to urban uses. Additional conversion of off-site agricultural lands to non-agricultural purposes could also occur as a result of construction of master plan infrastructure improvements supporting the Project. These are considered to be significant and unavoidable impacts. However, the Project would not cause or result in significant and unavoidable agricultural resources impacts

Table 1.11-1
Summary of Impacts and Mitigation

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
			and loss of Farmland impacts beyond those already considered and addressed in the *Ontario Sphere of Influence (New Model Colony* [Ontario Ranch]*) General Plan Amendment* EIR, The Ontario Plan EIR, and the Infrastructure Master Plans MND. Nor would the Project otherwise result in new significant and unavoidable agricultural resources impacts and loss of Farmland that would not otherwise occur pursuant to the Land Use Plan.
Conflict with existing zoning for agricultural use, or a Williamson Act contract.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
4.12 Utilities and Service Systems			
Require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effect.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.

Table 1.11-1
Summary of Impacts and Mitigation

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Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
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.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
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.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
Comply with federal, state, and local statutes and regulations related to solid waste.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
4.13 Energy			
Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.

Table 1.11-1
Summary of Impacts and Mitigation

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit.*

Impact	Level of Significance Without Mitigation	Mitigation Measures	Level of Significance With Mitigation/Remarks
Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.	Less-Than-Significant.	No mitigation is necessary.	Not applicable.
4.14 Population and Housing			
Induce substantial unplanned population growth in the area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension or roads or other infrastructure).	Less-Than-Significant.	No mitigation is necessary.	Not applicable.

2.0 INTRODUCTION

2.0 INTRODUCTION

2.1 OVERVIEW

This Environmental Impact Report (DEIR or EIR) proposes development and operation of up to 7,014,000 square feet of high-cube fulfillment center warehouse uses and up to 1,441,000 square feet of business park uses (total of 8,455,000 square feet of development) on approximately 376.3 acres located in the City of Ontario, within San Bernardino County. Elements of the Project are further described at EIR Section 3.0, *Project Description*.

An EIR is an informational document intended to inform decision-makers and the general public of potentially significant environmental impacts of a Project. An EIR also identifies possible ways to preclude or minimize these potentially significant impacts (referred to as mitigation) and describes reasonable alternatives to the Project that may also reduce or avoid significant impacts. Having the authority to take action on the Project, the City of Ontario will consider the information in this EIR in their evaluations of the proposal. The findings and conclusions of the EIR regarding environmental impacts do not control the City's discretion to approve, deny, or modify the Project, but instead are presented as information to aid the decision-making process.

2.2 AUTHORIZATION

This EIR has been prepared by the City of Ontario in accordance with the *Guidelines for the Implementation of the California Environmental Quality Act (CEQA Guidelines)*, (Sections 15000-15387 of the California Code of Regulations), and the City *CEQA Guidelines*, 2019 and updates. The Merrill Commerce Center Specific Plan considered in this EIR is a "project," as defined by Section 15378 of the *CEQA Guidelines*. The *CEQA Guidelines* stipulate that an EIR must be prepared for any project that may have a significant

impact on the environment. Upon initial environmental review of the Project, the City determined that the Merrill Commerce Center Specific Plan may have a significant adverse impact on the environment and, therefore, the preparation of an EIR was required.

2.3 LEAD AND RESPONSIBLE AGENCIES

CEQA defines a "lead agency" as the public agency which has the principal responsibility for carrying out or approving a Project which may have a significant effect upon the environment. Other agencies, e.g., the California Department of Transportation (Caltrans), the South Coast Air Quality Management District (SCAQMD) or the Regional Water Quality Control Board (RWQCB), which also have some authority or responsibility to issue permits for Project implementation, are designated as "responsible agencies." Both the lead agency and responsible agencies must consider the information contained in the EIR prior to acting upon or approving the Project. The City of Ontario is the lead agency for the Project.

The City's address is:	City of Ontario 303 East "B" Street Ontario, CA 91764
Contact:	Chuck Mercier, Principal Planner

2.4 PROJECT APPLICANT

The Project Applicant is:	Prologis 3546 Concours Street, Suite 100 Ontario, California 91764
Contact:	Thomas Donahue, Director of Construction & Development

2.5 THE EIR PROCESS

When a public agency determines that there is substantial evidence that a Project may have a significant effect on the environment, the agency must prepare an EIR before a decision is made to approve or deny the Project. The purpose of the EIR is to disclose a project's potential environmental impacts and recommend measures to reduce or avoid significant impacts. The basic content of an EIR includes a description of the project under consideration and its objectives, a description of the existing project site and vicinity environmental conditions, a discussion of the potentially significant environmental effects of the project, recommended measures for reducing these effects, and identification and evaluation of feasible alternatives to the project which may also reduce potentially significant impacts of the proposal.

Typically, EIRs consist of two documents: a Draft EIR, distributed by the lead agency for review and comment by the general public and any interested governmental agencies; and a Final EIR, which consists of responses to comments received on, together with any necessary modifications to, the Draft EIR. After the Draft EIR has been circulated for review and the Final EIR has been prepared, the EIR must be certified by the lead agency as having complied with CEQA and considered by the agency's decision-making body before any action can be taken on a project.

When a public agency receives a complete project application or decides to undertake a Project of its own, it first determines if the project is subject to environmental review under CEQA and, if it is, the agency then typically prepares an Initial Study (IS) to determine if the project has the potential to cause significant adverse environmental effects. The IS serves as a tool to help the agency determine if an EIR is needed and also helps determine what issues should be examined in the EIR. An agency may skip the Initial Study process if it is evident in the preliminary assessment of a project that an EIR will be required.

The EIR process is initiated by the distribution of a Notice of Preparation (NOP). Together with the Initial Study, the NOP is sent to agencies and interested individuals

to solicit their suggestions for appropriate issues and types of analysis to be included in the Draft EIR. When preparation of the Draft EIR has been completed, it is circulated to responsible agencies, other affected or interested agencies, and interested members of the public for review and comment. The review period for a Draft EIR is typically 45 days. To provide for appropriate consideration in the Final EIR, all comments and concerns regarding the Draft EIR should be received by the lead agency during this 45-day period.

Responses to comments received on the Draft EIR are prepared by the lead agency and included in the Final EIR. The Final EIR may also contain some additional information about the project's potential impacts and minor corrections or modifications to the Draft EIR. The Final EIR must be certified by the lead agency's decision-making body before, or in conjunction with, any action to approve or deny a project.

CEQA requires that the EIR only address significant adverse impacts. The *CEQA Guidelines* suggest thresholds or standards which define the significance of various types of impacts. The *CEQA Guidelines* also state that the significance of impacts should be considered in relation to their severity and probability of occurrence. However, ultimately, the determination of the significance of impacts is at the discretion of the lead agency. The identification of significant impacts in the EIR does not prevent an agency from approving a project. A project may be approved if the lead agency determines that impacts cannot be feasibly mitigated below a level of significance and if the agency determines that there are important overriding considerations, such as social and economic benefits, which are sufficient to justify approval of the considered project.

2.6 EIR CONTENT AND FORMAT

This EIR is organized into seven Chapters or Sections, each addressing a separate aspect of the required content of an EIR as described in the *CEQA Guidelines*. A summary of the Project's impacts and recommended mitigation measures is provided at Chapter 1.0. An introduction and general overview of the environmental process and the format of this EIR can be found at Chapter 2.0. Chapter 3.0 contains a complete description of the

Project, including its location, objectives, and physical and operational characteristics. The complete and detailed environmental impact analysis is presented at Chapter 4.0. The topical issues mandated by CEQA dealing with cumulative impacts, alternatives, long-term implications of the Project, and energy conservation are found at Chapter 5.0. Chapter 6.0 lists and defines the acronyms and abbreviations contained in this document. Chapter 7.0 lists the information sources and persons consulted during the environmental analysis process, and presents a list of the persons who prepared the EIR. The Initial Study and responses to the NOP, with supporting technical studies, are appended to the primary EIR document.

Chapter 4.0, entitled "Environmental Impact Analysis," is the focal component of the EIR. The environmental impact analysis has been organized into a series of sections, each addressing an environmental topic or area of concern identified through the Initial Study process (e.g., Land Use and Planning, Transportation, Air Quality, Noise, etc.). To assist the reader in understanding the organization and basis of the analysis, the sections covering each individual environmental topic are typically divided into the following subsections:

- **Reader's Abstract:** An introductory reader's abstract, summarizing content and findings, is provided at the beginning of each topical section.

- **Introduction:** The introduction summarizes the content of the section and references other important studies and reports, such as technical studies appended to the EIR.

- **Setting:** This subsection describes environmental conditions at the Project site and its vicinity which may be subject to change as a result of implementation of the proposal. Separate descriptions of existing environmental conditions are provided for each environmental topic.

- **Existing Policies and Regulations:** Various relevant policies, regulations, and programs related to the environmental topic are briefly described. Often, these existing policies and regulations serve to reduce or avoid potential environmental impacts.

- **Standards of Significance:** Before potential impacts are evaluated, the standards which will serve as the basis for judging significance are presented.

- **Potential Impacts and Mitigation Measures:** This subsection states and explains potential impacts caused by the Project. Based on the standards of significance, impacts are categorized as either potentially significant or less-than-significant. If the impacts are considered to be potentially significant, mitigation measures are proposed to reduce the impacts. At the conclusion of each discussion for a potentially significant impact, a determination is made as to whether the impact can be reduced to a less-than-significant level with the application of feasible mitigation measures. Impacts that cannot be reduced to levels that are less-than-significant are identified as "significant."

The summary presented at Chapter 1.0 provides a comprehensive overview of the Project's impacts. For a more detailed description of Project impacts, it is recommended that the reader review the Project description (Chapter 3.0), and then read the sections on the topics of interest in the environmental impact analysis (Chapter 4.0).

2.7 INTENDED USE OF THIS EIR

This EIR addresses the potential environmental effects of the implementation and operation of the proposed Merrill Commerce Center Specific Plan Project. The City of Ontario (City) is the Lead Agency for the purposes of CEQA because it has the principal responsibility and authority for deciding whether or not to approve the Project, and how it will be implemented. As the Lead Agency, the City is also responsible for preparing the environmental documentation for the Project in compliance with CEQA.

The Lead Agency will employ this EIR in its evaluation of potential environmental impacts resulting from, or associated with, approval and implementation of the Project, to include potential effects of the Project's component elements. It is anticipated that this EIR may also be employed by Responsible Agencies, e.g., Air Quality Management District(s), Regional Water Quality Control Board(s), *et al*.; as well as utilities and service providers for their related or dependent environmental analyses.

In employing this EIR, the City and other agencies need recognize that Project plans and development concepts identified herein are just that, plans and concepts which are subject to refinement and the Project is further defined. Recognizing the potential for these future minor alterations to the Project, this EIR in all instances evaluates likely maximum impact scenarios that would account for these minor alterations. These refinements and/or minor revisions to development proposals do not typically warrant modified or revised environmental documentation. Notwithstanding, at the discretion and direction of the City, substantive modifications to the Project described herein may warrant additional environmental evaluation.

2.8 DOCUMENTS INCORPORATED BY REFERENCE

Section 15150 of the State *CEQA Guidelines* permits and encourages an environmental document to incorporate, by reference, other documents that provide relevant data. The documents summarized below are incorporated by reference, and the pertinent material is summarized throughout this EIR, where that information is relevant to the analysis of potential impacts of the Project. All documents incorporated by reference are available for review at, or can be obtained through, the City of Ontario Planning Department.

2.8.1 City of Ontario Policy Plan (General Plan) and General Plan EIR

The Policy Plan serves as the City's General Plan which is mandated by state law. The City of Ontario Policy Plan (General Plan) establishes Goals and Policies and provides guidance for future development of the City. The General Plan, which was updated and adopted in 2010, incorporates and relies upon its Implementation Plan to provide the guidance necessary for successful implementation of General Plan Goals and Policies.

Ontario's General Plan is made up of nine elements: Land Use, Housing, Mobility, Safety (including Noise), Environmental Resources (including Conservation), Parks and Recreation (including Open Space), Community Economics, Community Design, and Social Resources. The General Plan EIR (SCH No. 2008101140) evaluates and addresses potential environmental impacts that would result from implementation of the General Plan. The General Plan and General Plan EIR documents contain background information employed in this EIR. These documents are available through the City of Ontario Planning Department, or can be accessed at: http://www.ontarioplan.org/policy-plan/.

2.8.2 City of Ontario Development Code

The City of Ontario Development Code (Development Code) codifies and complements the City General Plan. The Development Code, in effect, provides the mechanism to implement and enforce the goals, objectives, policies and programs articulated in the General Plan. The City's Development Code was adopted by the Ontario City Council on July 7, 1998 and continues to be periodically updated to reflect current Federal/State laws. The Development Code is available through the City of Ontario Planning Department, or can be accessed at: https://www.ontarioca.gov/Planning/Applications.

2.8.3 *Initial Study and Mitigated Negative Declaration City of Ontario Infrastructure Master Plans* (City of Ontario) July 2012 (Infrastructure Master Plans MND).

City of Ontario Master Plan infrastructure systems improvements that would be implemented by the Project would conform to City Master Plan Utilities/Service Systems Concepts. Descriptions of these Master Plan improvements are presented at EIR Section 3.0, *Project Description*. Potential impacts resulting from construction and operation of City Master Plan Utilities/Service Systems have been previously considered and addressed in *Initial Study and Mitigated Negative Declaration City of Ontario Infrastructure Master Plans* (City of Ontario) July 2012 (Infrastructure Master Plans MND). The Infrastructure Master Plans MND concluded that construction and operation of Master Plan infrastructure improvements would not result in significant impacts not already considered and addressed in correlating analyses in The Ontario

Plan EIR. Similarly, Master Plan infrastructure improvements constructed in support of the Project would not result in significant impacts not already considered and addressed in correlating analyses presented within the Infrastructure Master Plans MND; and by extension would not result in significant infrastructure systems impacts not already considered and addressed in correlating analyses presented within The Ontario Plan EIR. Detailed analysis of impacts resulting from construction and operation of the Master Plan infrastructure improvements that would be constructed in support of the Project are addressed in this EIR. The Infrastructure Master Plans MND is available through the City of Ontario Planning Department.

2.8.4 Ontario Ranch Business Park Specific Plan Draft EIR (SCH No. 2019050018)

The Ontario Ranch Business Park Specific Plan is a contemporaneous light industrial/warehouse development proposal located within Ontario Ranch, approximately 1 mile westerly of the Merrill Commerce Center Specific Plan Project evaluated in this EIR. Relevant analyses presented in the Ontario Ranch Business Park Specific Plan Draft EIR inform certain of the discussions presented in this EIR for the Merrill Commerce Center Specific Plan Project. The Ontario Ranch Business Park Specific Plan Draft EIR is available through the City of Ontario Planning Department, or can be accessed at: https://www.ontarioca.gov/Planning/Reports/EnvironmentalImpact.

2.9 PROJECT TECHNICAL STUDIES/EIR APPENDICES

Following are summary descriptions of documents and supporting technical studies which are appended to the main body of the EIR. Working titles of these documents generically refer to the Project and its physical attributes, and may not necessarily reflect the currently assigned "Merrill Commerce Center Specific Plan" development title.

2.9.1 Initial Study, NOP, and NOP Responses - EIR Appendix A

The EIR Initial Study (IS), Notice of Preparation (NOP) and responses received pursuant to distribution of the IS/NOP are presented at EIR Appendix A. Based on the

Initial Study and responses to the NOP, the EIR addresses the following environmental topics:

- Agricultural Resources;
- Air Quality;
- Biological Resources;
- Cultural Resources/Tribal Cultural Resources;
- Energy;
- Geology and Soils;
- Greenhouse Gas Emissions;
- Hazards/Hazardous Materials;
- Hydrology/Water Quality;
- Land Use and Planning;
- Noise;
- Population/Housing;
- Transportation; and
- Utilities and Service Systems.

2.9.2 Merrill Commerce Center Specific Plan - EIR Appendix B

The *Merrill Commerce Center Specific Plan* (Specific Plan) is presented in its entirety at EIR Appendix B. If adopted by the City, the Specific Plan would become the effective zoning for the subject site, and would regulate all development within the site.

The proposed Specific Plan would establish land use plans, development standards, and design guidelines directing the ultimate buildout of the Project site. Land uses and development concepts reflected within the proposed Specific Plan can be feasibly implemented consistent with applicable provisions of the City General Plan (as amended) and City Development Code.

2.9.3 Transportation Impact Analysis - EIR Appendix C

Detailed analysis of the Project's potential VMT impacts is presented in *Merrill Commerce Center Specific Plan, Vehicle Miles Traveled (VMT) Assessment* (Urban Crossroads, Inc.) January 14, 2020.

Additionally, although not specifically relevant to an analysis of CEQA transportation impacts, for City use and informational purposes, a Project Traffic Impact Analysis (Project TIA, TIA) addressing LOS impacts has been prepared (see: *Merrill Commerce Center Specific Plan, Traffic Impact Analysis, City of Ontario* [Urban Crossroads, Inc.] June 30, 2020. The TIA identifies Study Area LOS deficiencies and recommends improvements to address any identified deficient conditions. Project trip generation estimates developed as part of the Project TIA are employed in the EIR VMT analysis and the trip generation estimates also employed in related analyses (e.g., vehicular-source emissions air quality impacts, vehicular-source noise impacts) presented elsewhere in this EIR.

2.9.4 Air Quality Impact Analysis - EIR Appendix D

Air quality impact analyses germane to the Project are provided at EIR Appendix D. These analyses include: *Merrill Commerce Center Specific Plan, Air Quality Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020; *Merrill Commerce Center Specific Plan, Mobile Source Health Risk Assessment, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020; and *Merrill Commerce Center Specific Plan, Construction Health Risk Assessment Memorandum* (Urban Crossroads, Inc.) January 12, 2020.

2.9.5 Greenhouse Gas Analysis - EIR Appendix E

Detailed analysis of the Project's potential Greenhouse Gas and Global Climate Change impacts are presented in *Merrill Commerce Center Specific Plan, Greenhouse Gas Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.

2.9.6 Noise Impact Analysis - EIR Appendix F

Potential noise impacts of the Project, including construction-source and operational source noise impacts are assessed within *Merrill Commerce Center Specific Plan, Noise Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) July 28, 2020.

2.9.7 Environmental Site Assessments - EIR Appendix G

An assessment of potential hazards/hazardous conditions affecting the Project site and potential hazards resulting from the Project, including potential effects at off-site land uses is provided in:

- *Phase I Environmental Site Assessment, Borba Land Phase II (189 acres), 14545 South Grove Avenue, Ontario, California 91762* (Partner Engineering and Science, Inc.) May 2, 2017;
- *Limited Phase II Subsurface Investigation and Limited Methane Investigation Report, Borba Land Phase II (189 acres) 14545 South Grove Avenue, Ontario, California 91762* (Partner Engineering and Science, Inc.) June 26, 2017;
- *Phase I Environmental Site Assessment, GH Dairy Farm, 8643 Eucalyptus Avenue, Ontario, San Bernardino County, California* (AECOM) April 13, 2017;
- *Limited Phase II Environmental Site Assessment, GH Dairy, 8643 Eucalyptus Avenue, Ontario, San Bernardino County, CA* (AECOM) June 12, 2017;
- *Phase I Environmental Site Assessment Report, Minaberry Land, 8731 Eucalyptus Avenue, Ontario, California 91762* (Partner Engineering and Science, Inc.) February 28, 2017;
- *Limited Methane Investigation Report, 8731 Eucalyptus Avenue, Ontario, California 91762* (Partner Engineering and Science, Inc.) May 31, 2017;
- *Phase I Environmental Site Assessment Report, Lanting Land, 9032 Merrill Avenue and 8911 Eucalyptus Avenue, Ontario, California 91762* (Partner Engineering and Science, Inc.) August 24, 2018;
- *Limited Phase II Subsurface Investigation and Limited Methane Investigation Report, Lanting Land, 9032 Merrill Avenue, Ontario, California 91762* (Partner Engineering and Science, Inc.) August 31, 2018;

- *Phase I Environmental Site Assessment Report, Alewyn Land, 9031 Eucalyptus Avenue, Ontario, California 91762* (Partner Engineering and Science, Inc.) August 2, 2018; and
- *Limited Methane Investigation Report, Alewyn Land, 9031 Eucalyptus Avenue, Ontario, California 91762* (Partner Engineering and Science, Inc.) August 31, 2018.

2.9.8 Hydrology Report - EIR Appendix H

Potential impacts of the Project on hydrology and water quality are assessed in: *Technical Memorandum Borba II Project* [Merrill Commerce Center Specific Plan Project] *Hydrology & Hydraulic Assessment* (JLC Engineering & Consulting, Inc.) September 19, 2019 (Project Hydrology Report); *Preliminary Water Quality Management Plan (PWQMP) for Merrill Commerce Center Specific Plan Project* (JLC Engineering & Consulting, Inc.) September 17, 2019 (Project WQMP).

2.9.9 Biological Report - EIR Appendix I

Biological resources potentially affected by the Project are assessed in: *Biological Technical Report for Merrill Commerce Center Specific Plan, Located in the City of Ontario, San Bernardino County, California with Off-Site Improvements Located in the Cities of Ontario and Chino, San Bernardino County, California* (Glenn Lukos Associates, Inc.) September 19, 2019.

2.9.10 Geotechnical Investigations - EIR Appendix J

An assessment of the soils and geological conditions affecting the Project site and vicinity properties is presented in:

- *Geotechnical Feasibility Study, Proposed Commercial/Industrial Development, NEC Grove Avenue and Merrill Avenue, Ontario, California* (Southern California Geotechnical) November 21, 2017;
- *Geotechnical Feasibility Study, Proposed Commercial/Industrial Development, NWC Vineyard Avenue and Merrill Avenue, Ontario, California* (Southern California Geotechnical) November 21, 2017;

- *Geotechnical Investigation, Proposed Commercial/Industrial Development, 8643 Eucalyptus Avenue, Ontario, California* (Southern California Geotechnical) May 18, 2017;
- *Geotechnical Investigation, Proposed Commercial/Industrial Development, NWC Merrill Avenue and Carpenter Avenue, Ontario, California* (Southern California Geotechnical) August 21, 2018.

The Geotechnical Investigations also provide recommendations pertaining to geotechnical aspects of constructing the Project.

2.9.11 Cultural Resources Investigation - EIR Appendix K

A cultural resources investigation was prepared for the Project: *Cultural Resources Study for the Merrill Commerce Center Specific Plan Project, City of Ontario, San Bernardino County, California* (Brian F. Smith and Associates, Inc.) August 27, 2019. Additionally, historical resources that may be affected by the Project were in: *Proposed Merrill Commerce Center Specific Plan – Revised Historical Resource Survey* (Urbana Preservation & Planning) April 28, 2020. Paleontological resources impacts are evaluated in: *Paleontological Resource Assessment for the Proposed Merrill Commerce Center Specific Plan Project, City of Ontario, Southern San Bernardino County, California* (Brian F. Smith and Associates, Inc.) April 1, 2020.

2.9.12 Project Water Supply Assessment (WSA) - EIR Appendix M

The Project WSA (*Water Supply Assessment Merrill Commerce Center Specific Plan for City of Ontario* [Placeworks] July 2019) evaluates Project water supply and reliability under near-term and long-range scenarios; and under normal, dry and extended drought conditions.

2.9.13 Project Energy Estimates - EIR Appendix N

Detailed Project construction energy consumption estimates are presented in the *Merrill Commerce Center Specific Plan Energy Tables* (Urban Crossroads, Inc.) January 22, 2020.

3.0 PROJECT DESCRIPTION

3.0 PROJECT DESCRIPTION

3.1 PROJECT OVERVIEW AND LOCATION

The Merrill Commerce Center Specific Plan Project (Project, Specific Plan) proposes development and operation of Specific Plan Industrial and Business Park Land Uses on approximately 376.3 acres located in the City of Ontario, within San Bernardino County. The Project site[1] is located within the Ontario Ranch (formerly known as New Model Colony, NMC) area of the City. More specifically, the Project site is located along Merrill Avenue, between Grove Avenue and Carpenter Avenue. Eucalyptus Avenue forms the northerly boundary of the Specific Plan area. Please refer to Figure 3.1-1, *Project Location*.

The Specific Plan area is apportioned into approximately 292.8 acres of Industrial Land Use; approximately 55.1 acres of Business Park Land Use; and approximately 28.4 acres allocated for Circulation (vehicular and non-vehicular) rights-of-ways, easements, and similar non-building uses. The Specific Plan Land Use Plan is presented subsequently at 3.4-3. Detailed information regarding land uses and development that would be allowed under the Specific Plan is presented within the *Merrill Commerce Center Specific Plan* (T&B Planning, Inc.) September 29, 2020, EIR Appendix B. The Specific Plan document in total is incorporated in this Project Description by reference.

[1] The Project site is defined as the area encompassed by the Merrill Commerce Center Specific Plan (the Specific Plan area). The analysis presented in this Environmental Impact Report (EIR) considers and addresses environmental impacts resulting from development of the Project site proper, and also evaluates impacts that would result from off-site activities or improvements necessary to implement and support the Project.



NOT TO SCALE

Source: Google Earth; Applied Planning, Inc.

Figure 3.1-1
Project Location

Under the Project Development Concept evaluated in this EIR, the Specific Plan area would be developed with the following uses:

- **Industrial:** Approximately 6,312,600 square feet of high-cube fulfillment center warehouse use, and approximately 701,400 square feet of high-cube cold storage warehouse use.

- **Business Park:** Approximately 1,441,000 square feet of mixed uses including merchant wholesale, professional services, professional office, warehouse/storage, and research and development.

Total Development: 8,455,000 square feet

The Project would also implement off-site City of Ontario Master Plan infrastructure improvements (roads, potable water, recycled water, sanitary sewer, storm drains, and fiber optic lines) in support of the Project. Predominantly, off-site areas that would be affected by construction of these infrastructure improvements comprise already-disturbed/developed rights-of-way and easements. City of Ontario Master Plan infrastructure systems improvements that would be implemented by the Project would conform to City Master Plan Utilities/Service Systems Concepts. Descriptions of infrastructure systems that would be implemented in support of the Project improvements are presented within this Section. Detailed analysis of impacts resulting from construction and operation of Master Plan infrastructure improvements that would be constructed in support of the Project is presented in this EIR.

It is also noted that potential impacts resulting from construction and operation of City Master Plan infrastructure systems have been previously considered and addressed in Initial Study and Mitigated Negative Declaration City of Ontario Infrastructure Master Plans (City of Ontario) July 2012 (Infrastructure Master Plans MND). The Infrastructure Master Plans MND concluded that construction and operation of Master Plan infrastructure improvements would not result in significant impacts not already considered and addressed in correlating analyses in The Ontario Plan EIR. Similarly,

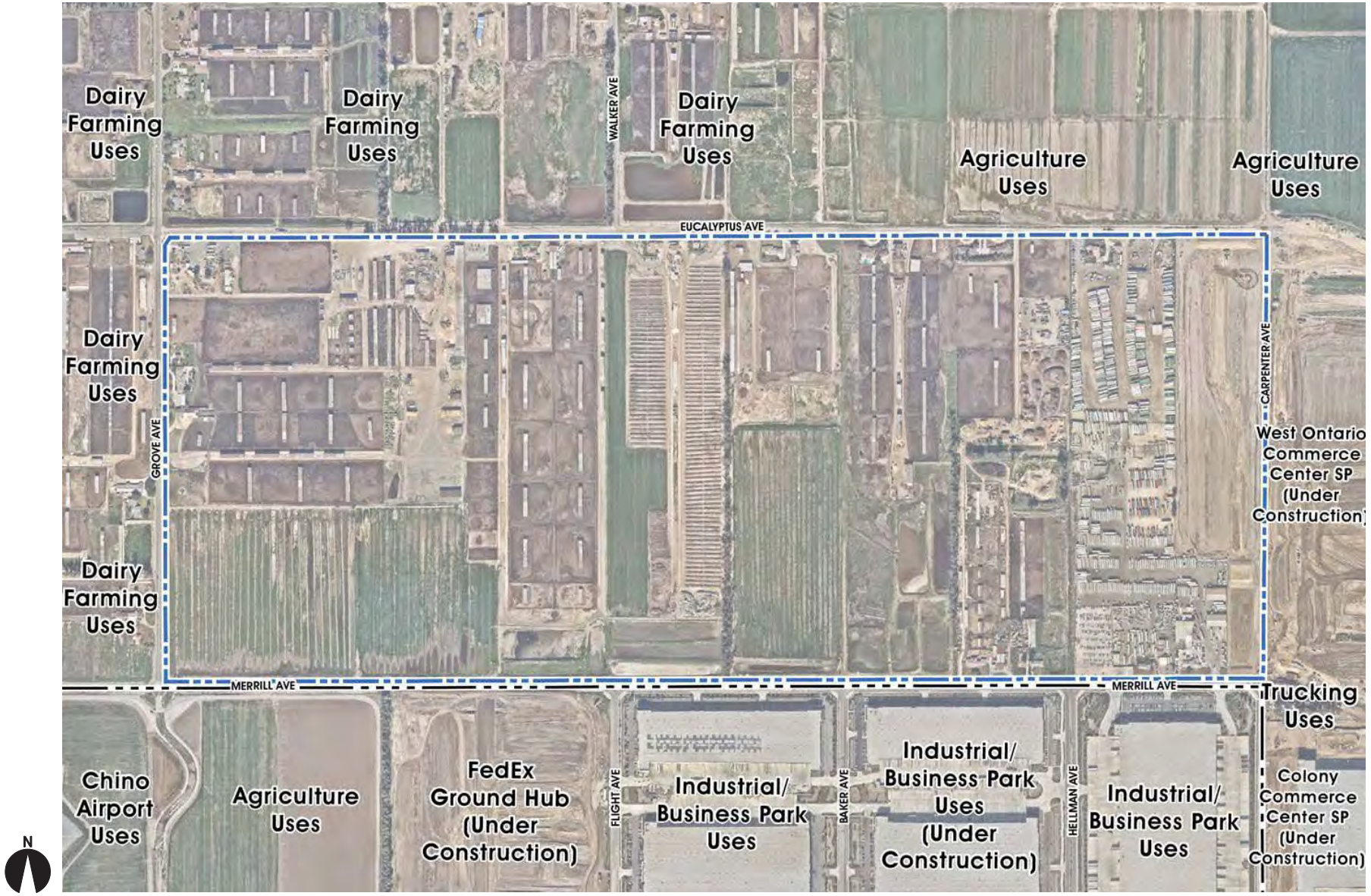
Master Plan infrastructure improvements constructed in support of the Project would not result in significant impacts not already considered and addressed in correlating analyses presented within the Infrastructure Master Plans MND; and by extension would not result in significant infrastructure systems impacts not already considered and addressed in correlating analyses presented within The Ontario Plan EIR.

Analyses within this EIR reflect the range and types of uses permitted or conditionally permitted under the Specific Plan Industrial and Business Park Land Use designations. Should future development proposals proposed within the Specific Plan area, or supporting infrastructure proposed as part of the Project, differ substantially from the development concepts analyzed herein, the Lead Agency would comply with CEQA in consideration of those proposals.

It is specifically noted that any site plan concepts, building footprints, building sizes, and/or building orientations depicted in the EIR or supporting technical analyses are provided for illustrative purposes only. This EIR in all instances evaluates likely maximum impact scenarios. No site plans or building plans would be entitled under the EIR Project or as part of the Specific Plan approval.

3.2 EXISTING LAND USES

Existing land uses within, and adjacent to, the Project site are illustrated at Figure 3.2-1 and described below. Representative photos of existing Project site conditions are presented at Figures 3.2-2 through 3.2-6.



NOT TO SCALE

Source: T&B Planning, Inc.

Figure 3.2-1
Existing Land Uses



View of truck service building and office.



View of truck washing area.



View of three-chamber clarifier in truck washing area.



View of paper product storage by shelter.



View of paper product loading area by shelter.



View of unpaved truck parking area.

Source: Partner Engineering and Science, Inc.; AECOM; Applied Planning, Inc.

Figure 3.2-2
Site Photographs



View of former dairy structure.



View of fenced cattle pasture.



View of stormwater drainage swale.



View of wastewater leachfield.



View of wastewater lagoon.



View of 35-gallon drum of iodine and associated leaking.

Source: Partner Engineering and Science, Inc.; AECOM; Applied Planning, Inc.

Figure 3.2-3
Site Photographs



View of scrap storage
(vehicles, scrap wash water treatment drums).



View of scrap storage.



View of scrap storage.



View of beef ranch area.



View of pallet company.



View of manure piles (mixed with clean sand).

Source: Partner Engineering and Science, Inc.; AECOM; Applied Planning, Inc.

Figure 3.2-4
Site Photographs



View of a typical calf corral.



View of the milk bottle and other milking equipment cleaning area located in the calf milk barn.



View of maintenance shop.



View of 10,000-gallon and three 1,000-gallon diesel ASTs for fueling.



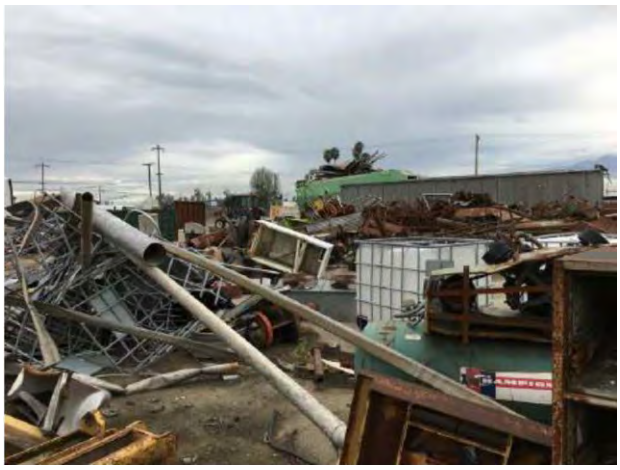
View of fuel pump for the 10,000-gallon diesel AST with staining around the base.



View of typical feed silos.

Source: Partner Engineering and Science, Inc.; AECOM; Applied Planning, Inc.

Figure 3.2-5
Site Photographs



View of scrap metal storage.



View of old equipment located in the scrap metal yard.



View of several empty 55-gallon drums.



View of vehicle/equipment staging for parts.



View of the interior of an abandoned milk barn.



View of the detention ponds.

Source: Partner Engineering and Science, Inc.; AECOM; Applied Planning, Inc.

Figure 3.2-6
Site Photographs

3.2.1 Project Site

The Project site currently evidences dairy farm uses, interior unpaved roads, cattle stockades, support equipment for cattle and dairy farming, bio-retention basins, a trucking operation in the easterly portion of the Project site, and appurtenant residences at various locations within the Project site.

The Project site is extensively disturbed and evidences environmental degradation due to historic and on-going agricultural and trucking uses. Such degradation includes, but is not limited to:

- Animal waste from the long-term dairy farm uses have potentially created methane gas, and soil contamination from nitrates and ammonia.

- Numerous automotive fluids, including several large above ground storage tanks (ASTs) on or near the on-site maintenance shop. These materials are used for maintaining and repairing farm equipment.

- Additional ASTs used for truck and equipment refueling are located on-site.

- A scrap metal area containing drums, ASTs, farming equipment, and vehicles is located on the property.

- Dairy operations use formaldehyde, iodine, and glycerol to wash the cows. The dairies also use muriatic acid and chlorinated alkaline as a cleaning solution. Pesticides are applied to prevent parasite infestations. Wastewater from these processes is discharged to the pastures for irrigation.

- Holding ponds for contaminated runoff from agricultural/dairy farm operations. Discharge from these ponds to surrounding areas; and potential infiltration of contaminated runoff to underlying groundwater.

- General debris observed throughout the property, including vehicle equipment staging areas, used tires, concrete rubble piles, compressors, and generators may have the potential to impact on-site surficial soil.

- Presence of septic systems.

3.2.2 Vicinity Land Uses

Eucalyptus Avenue comprises the northerly Project site boundary. Northerly, across Eucalyptus Avenue, are dairy farming and agricultural land uses. Carpenter Avenue comprises the easterly Project site boundary. Easterly, across Carpenter Avenue, properties are designated for Specific Plan development: West Ontario Commerce Center Specific Plan, Parkside Specific Plan, and Colony Commerce Center Specific Plan. The Colony Commerce Center Specific Plan and the West Ontario Commerce Center Specific Plan are current under construction. Merrill Avenue comprises the southerly Project site boundary. Merrill Avenue at this location is also the common City of Ontario/City of Chino municipal boundary. Southerly, across Merrill Avenue, are agricultural uses, and industrial/business park land uses (existing and under construction) located in the City of Chino. Grove Avenue comprises the westerly Project site boundary. Westerly, across Grove Avenue, are dairy farming land uses. Chino Airport is located southwesterly of the Project site, within the City of Chino.

3.3 EXISTING LAND USE DESIGNATIONS

Existing City of Ontario Policy Plan (General Plan) Land Use designations for the Project site are "Business Park," "Office Commercial," and "General Commercial." Zoning for the Project site is Specific Plan with an AG (Agricultural) Overlay.

3.4 PROJECT ELEMENTS

3.4.1 Existing and Proposed Land Use Designations

Existing City of Ontario Policy Plan (General Plan) Project site Land Use designations are: "Business Park," "Office Commercial," and "General Commercial." To allow for the Project, the Applicant proposes to amend the current Project site Policy Plan Land Use

designations to "Business Park" and "Industrial." Existing and proposed Policy Plan Land Use designations are summarized at Table 3.4-1 and are illustrated at Figure 3.4-1.

Table 3.4-1
Existing and Proposed Policy Plan Land Use Designations

Existing	Proposed
Business Park – 314.7 acres	Business Park - 55.1 acres
Office Commercial - 43.3 acres	Industrial - 292.8 acres
General Commercial - 18.3 acres	Circulation - 28.4 acres
Total: 376.3 Acres	**Total: 376.3 Acres**

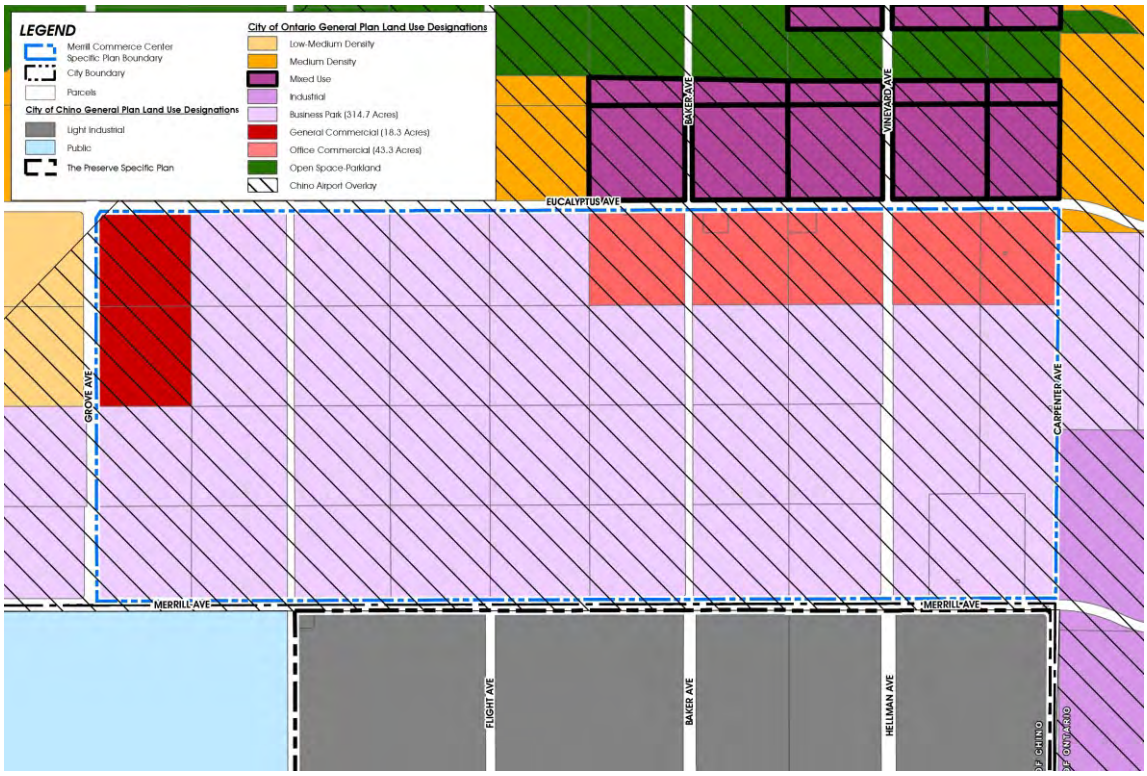
The existing Zoning designation of the Project site is "Specific Plan" with an "AG" (Agricultural) Overlay. If adopted by the City, the proposed Merrill Commerce Center Specific Plan would establish the effective Zoning of the Project site. Existing and proposed zoning designations are presented at Figure 3.4-2.

3.4.2 Site Preparation, Construction Traffic Management

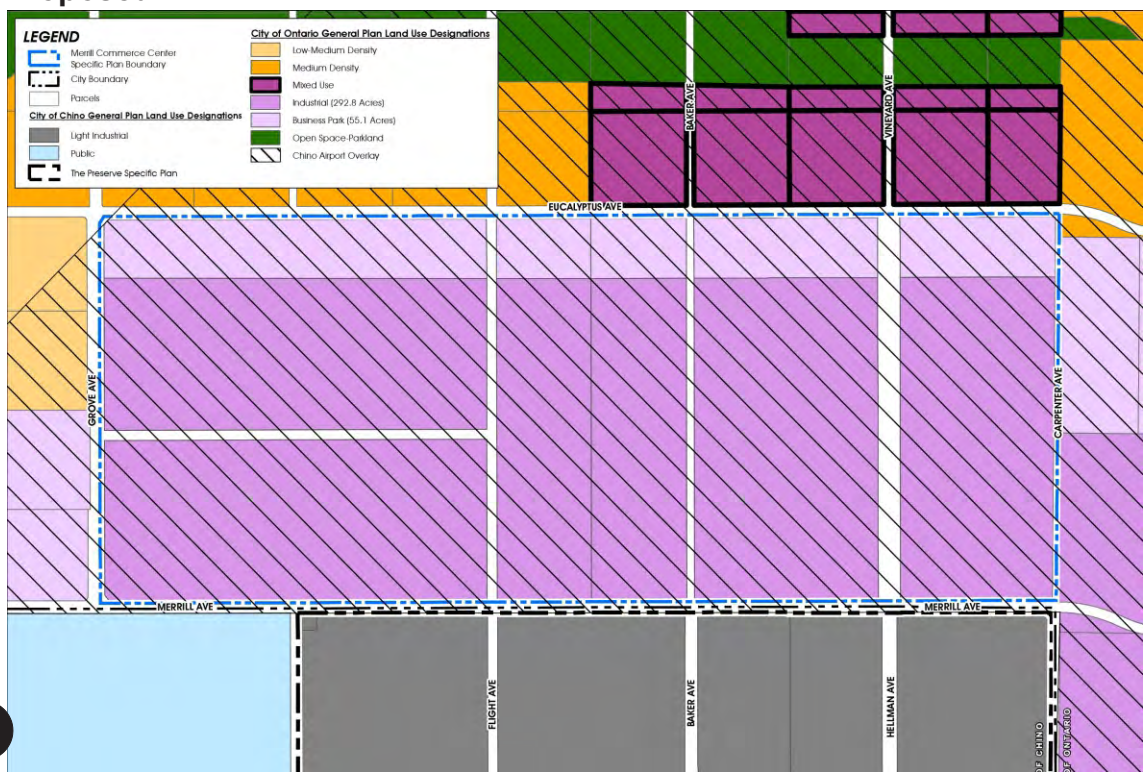
As an initial action, the Project site would be cleared of vegetation. All on-site improvements associated with or supporting the existing on-site land uses would be demolished or removed. At a minimum, debris generated by site preparation and demolition activities would be disposed of/recycled consistent with provisions of the California Integrated Waste Management Plan Act (AB 939) and the City's Integrated Waste Department *Refuse and Recycling Planning Manual*.[2]

[2] City of Ontario, California: *Solid Waste Department* [Integrated Waste Department] *Refuse and Recycling Manual*, Updated March 17, 2016. https://www.ontarioca.gov/omuc/integrated-waste.

Existing:



Proposed:

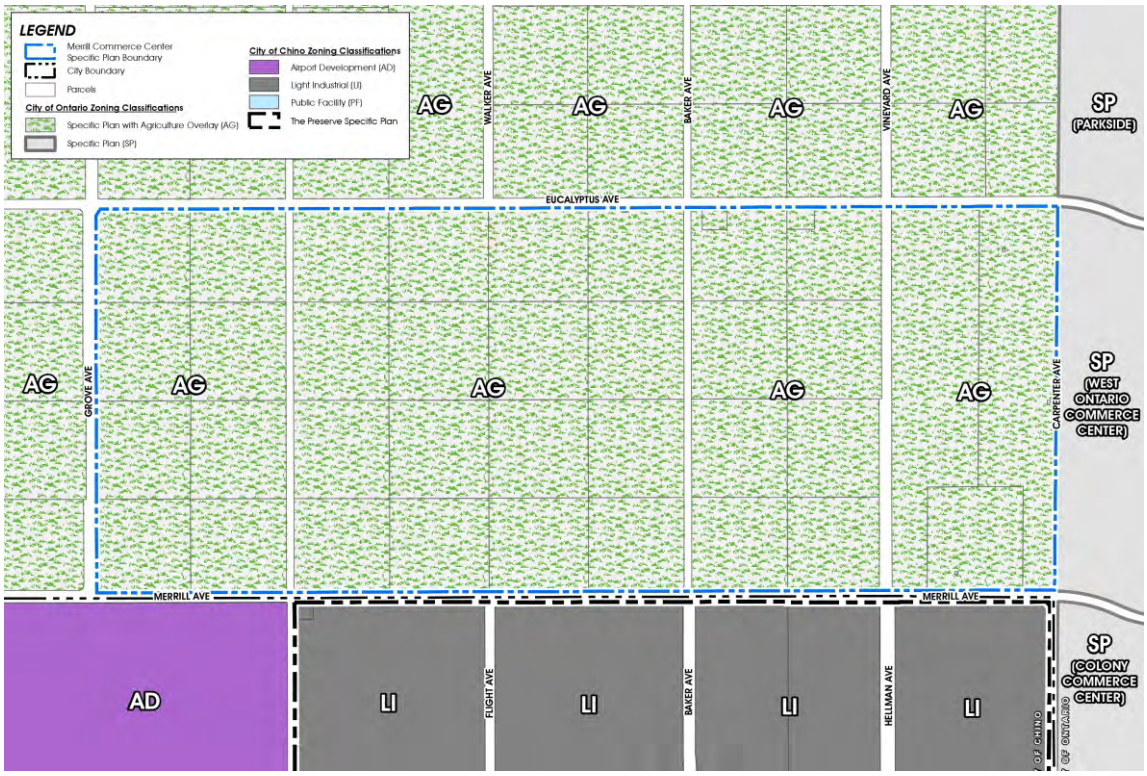


NOT TO SCALE

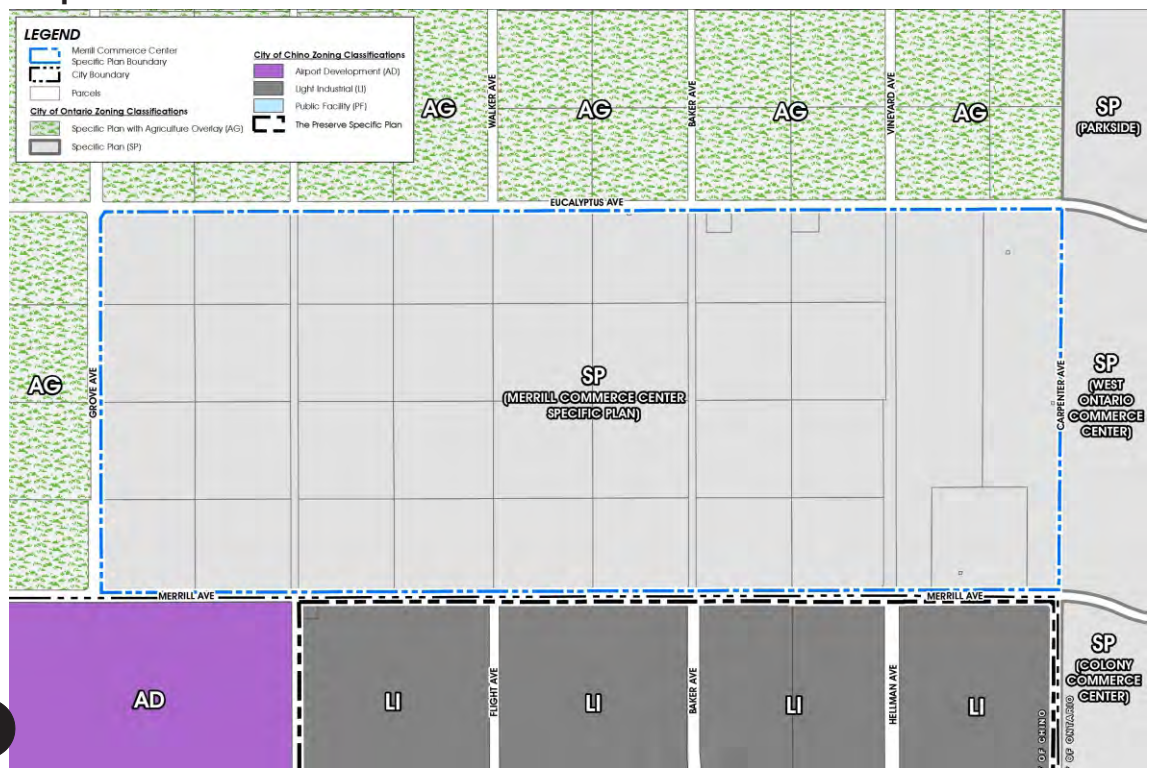
Source: City of Ontario, City of Chino

Figure 3.4-1
Existing/Proposed Policy Plan Land Use Designations

Existing:



Proposed:



NOT TO SCALE

Source: City of Ontario, City of Chino

Figure 3.4-2
Existing/Proposed Zoning Designations

The natural topography of the Project site is relatively flat. No unusual grading conditions are present and substantial import or export of earth materials is not expected. The primary objectives of the grading plan are to: provide stable development pads for construction; balance the cut and fill grading quantities on-site; and meet City of Ontario building standards and acceptable infrastructure gradient requirements.

To avoid or minimize temporary construction-related traffic impacts throughout site preparation and construction activities, the Project Applicant would be required to prepare and implement a City-approved Construction Traffic Management Plan (Plan). Typical elements and information incorporated in the Plan would include, but not be limited to:

- **Name of on-site construction superintendent and contact phone number.**

- **Identification of Construction Contract Responsibilities** - For example, for excavation and grading activities, describe the approximate depth of excavation, and quantity of soil import/export (if any).

- **Identification and Description of Truck Routes** - to include the number of trucks and their staging location(s) (if any).

- **Identification and Description of Material Storage Locations (if any).**

- **Location and Description of Construction Trailer (if any).**

- **Identification and Description of Traffic Controls** - Traffic controls shall be provided per the Manual of Uniform Traffic Control Devices (MUTCD) if the occupation or closure of any traffic lanes, parking lanes, parkways or any other public right-of-way is required. If the right-of-way occupation requires configurations or controls not identified in the MUTCD, a separate traffic control plan must be submitted to the City for review and approval. All right-of-way encroachments would require permitting through the City.

- **Identification and Description of Parking** - Estimate the number of workers and identify parking areas for their vehicles.

- **Identification and Description of Maintenance Measures** - Identify and describe measures taken to ensure that the work site and public right-of-way would be maintained (including dust control).

The Plan would be reviewed and approved by the City prior to the issuance of the first building permit. The Plan and its requirements would also be required to be provided to all contractors as one component of building plan/contract document packages.

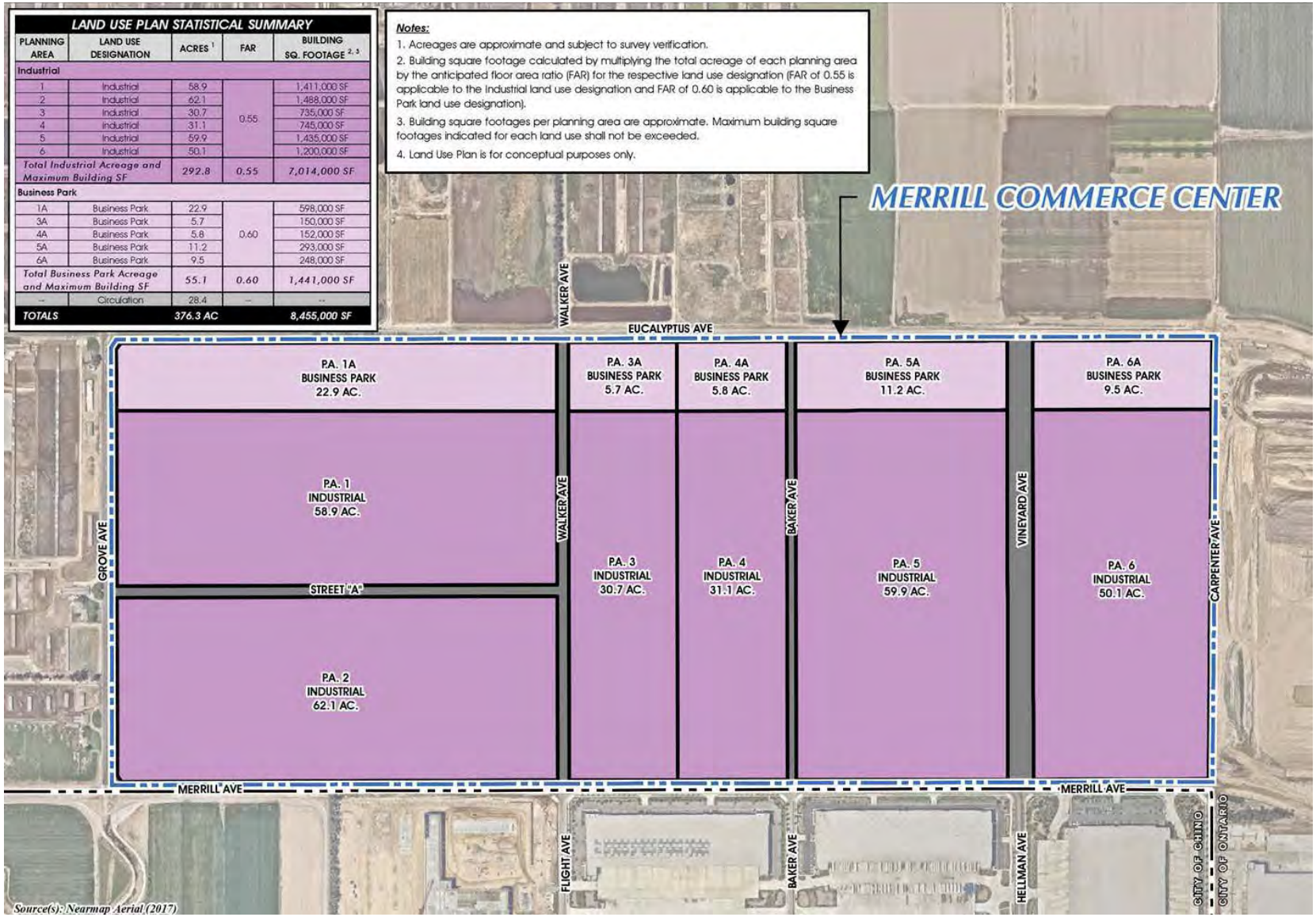
3.4.3 Development Concept

3.4.3.1 Land Use Plan Concept

The Specific Plan Land Use Plan is presented at Figure 3.4-3. The Specific Plan area comprises approximately 376.3 acres apportioned as follows:

- Industrial Land Use: Approximately 292.8 acres;
- Business Park Land Use: Approximately 55.1 acres; and
- Circulation (vehicular and non-vehicular): Approximately 28.4 acres.

Under the Project Development Concept evaluated in this EIR, the Specific Plan area would be developed with the following uses:



NOT TO SCALE

Source: T&B Planning, Inc.

Figure 3.4-3
Land Use Plan

- Industrial Land Use: The Specific Plan Industrial Land Use would be developed with approximately 6,312,600 square feet of high-cube fulfillment center warehouse use, and approximately 701,400 square feet of high-cube cold storage warehouse use.

- Business Park Land Use: The Specific Plan Business Park Land Use would be developed with approximately 1,441,000 square feet of mixed uses including merchant wholesale, professional services, professional office, warehouse/storage, and research and development.

Total Development: 8,455,000 square feet

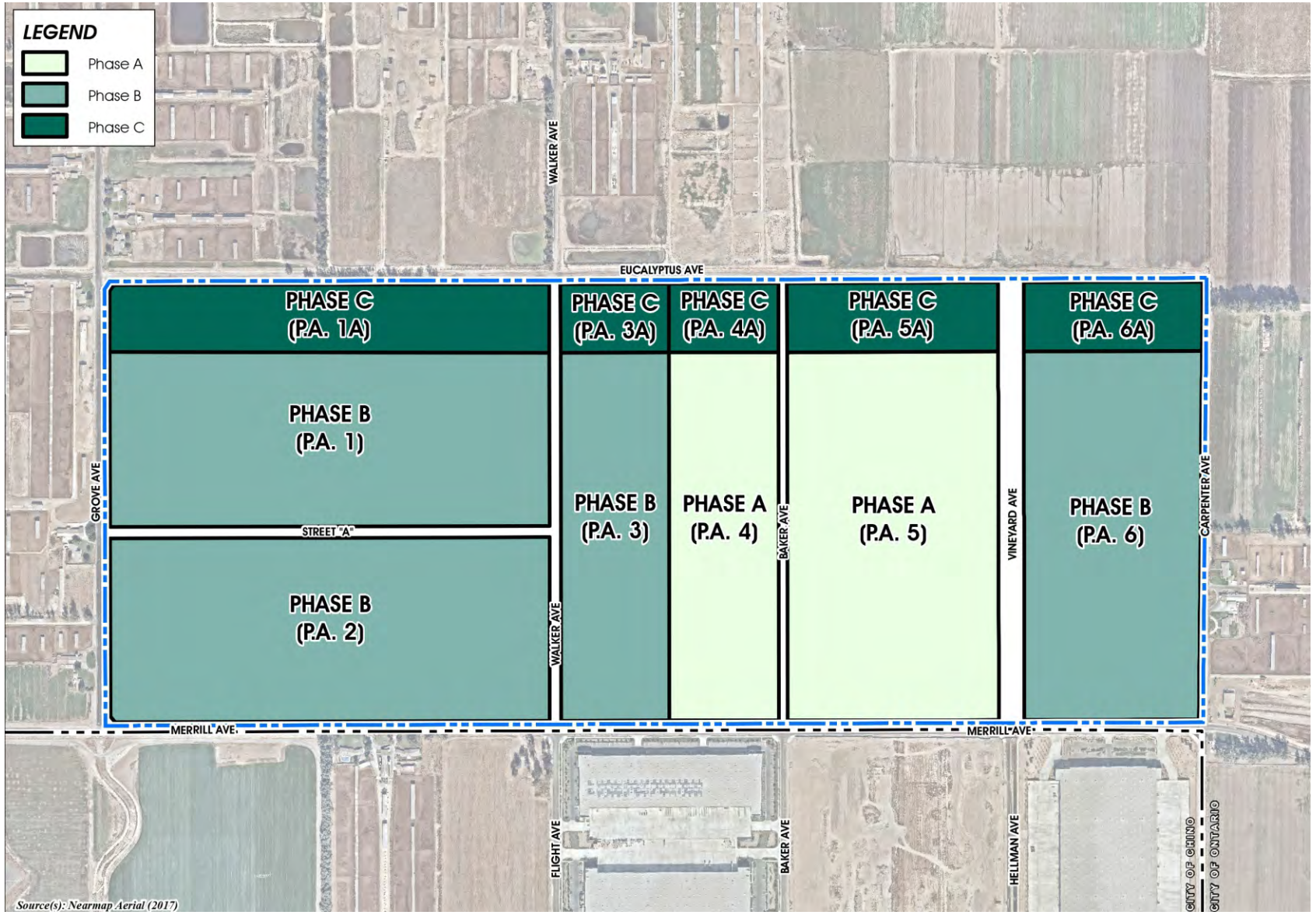
Analyses within this EIR address the range and types of uses permitted or conditionally permitted under the Specific Plan Industrial and Business Park Land Use designations. Should future development proposals proposed within the Specific Plan area, or supporting infrastructure proposed as part of the Project differ substantially from the development concepts analyzed herein, the Lead Agency would comply with CEQA in consideration of those proposals.

3.4.3.2 Project Phasing Concept

The Project would be implemented in 3 Phases – "A," "B," and "C" as illustrated at Figure 3.4-4, *Phasing Concept*. Phase A is anticipated to be completed by 2022, Phase B by 2025, and Phase C by 2026. Project phasing would ultimately respond to market demands and would be contingent on availability of supporting infrastructure.

3.4.3.3 Access and Circulation

The Project Access and Circulation Concept is presented at Figure 3.4-5. Access to the Specific Plan area would be provided via surrounding roadways, including Merrill Avenue, Grove Avenue, Vineyard Avenue, and Eucalyptus Avenue. The roadway improvements listed below would be constructed as part of the Specific Plan buildout. Please refer also to Specific Plan Section 4.1, *Circulation and Access Plan* for further details regarding Project roadway and access improvements.



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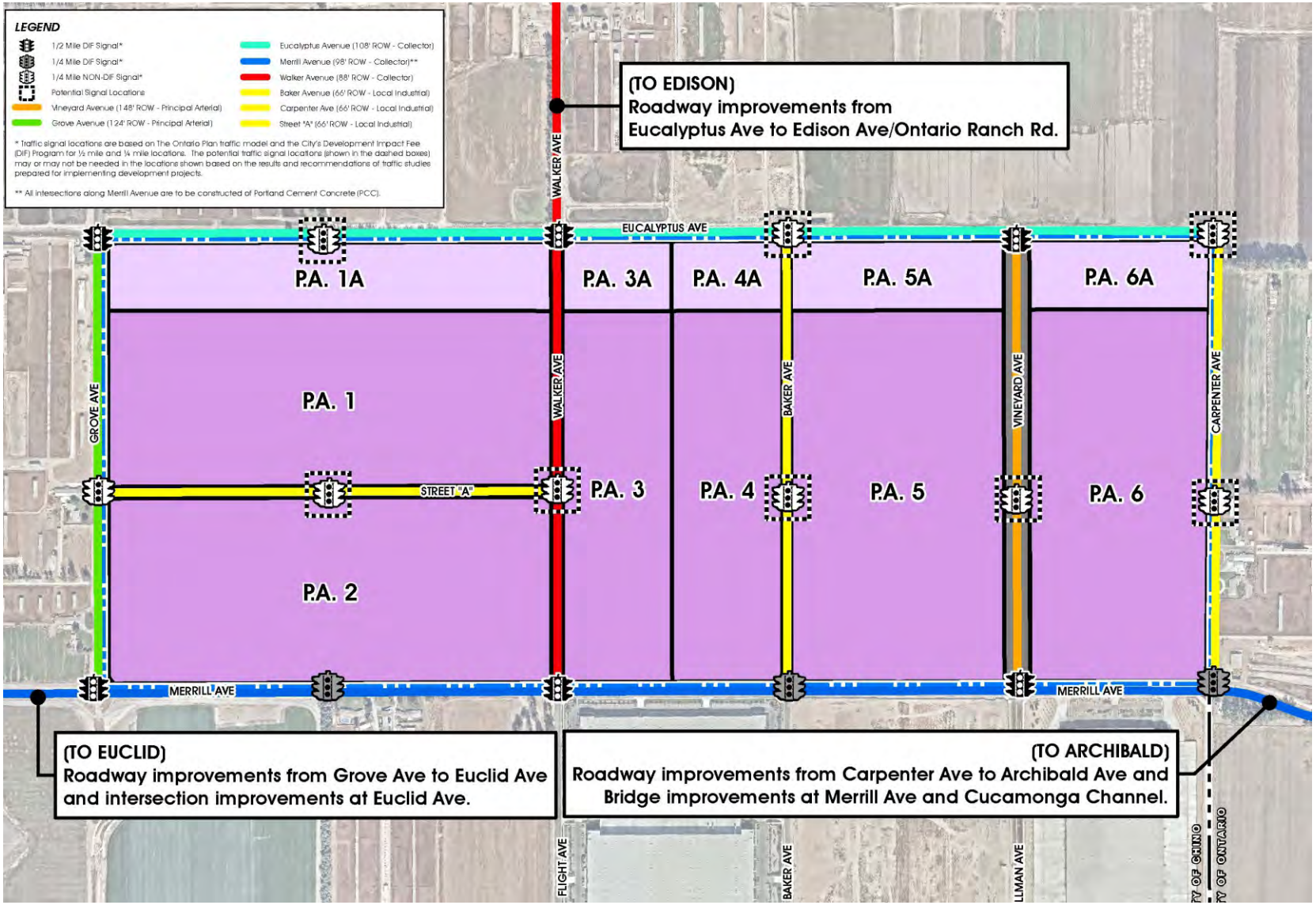
Source: T&B Planning, Inc.

Figure 3.4-4
Phasing Concept



NOT TO SCALE

Source: T&B Planning, Inc.

Figure 3.4-5
Circulation Plan

- Walker Avenue would be constructed as a north-south oriented Collector road that would connect to Edison Avenue/Ontario Ranch Road to the north and Merrill Avenue to the south;
- Street "A" would be constructed as an east-west oriented Local Industrial Street that would provide access through the western portion of the Specific Plan area and connect to Grove Avenue at its westerly terminus and future Walker Avenue at its easterly terminus;
- Baker Avenue would be constructed as a north-south oriented Local Industrial Street that would provide access through the Specific Plan area and connect to Eucalyptus Avenue at its northerly terminus and Merrill Avenue at its southerly terminus;
- Vineyard Avenue would be constructed as a north-south oriented Principal Arterial that would provide access through the Specific Plan area and connect to Eucalyptus Avenue at its northerly terminus and Merrill Avenue at its southerly terminus;
- Frontage improvements to Carpenter Avenue as a Local Industrial roadway along the entirety of the easterly Specific Plan boundary;
- Frontage improvements to Eucalyptus Avenue as a Collector roadway along the entirety of the northerly Specific Plan boundary;
- Frontage improvements to Grove Avenue as a Principal Arterial roadway along the entirety of the westerly Specific Plan boundary;
- Improvements to the segment of Merrill Avenue as a Collector roadway located between Euclid Avenue and Archibald Avenue; and
- Widening of the existing bridge crossing Merrill Avenue at the Cucamonga Flood Control Channel.

3.4.3.4 Utilities Infrastructure

Development of the Project would require the installation of water, sewer, drainage and other utility facilities. Proposed utilities infrastructure plans and improvements to be implemented by the Project are summarized below.

City of Ontario Policy Plan Policy LU4-3 *Infrastructure Timing* requires that necessary infrastructure and services be in place prior to or concurrent with new development. Similarly, the Merrill Commerce Center Specific Plan includes a development phasing plan and infrastructure phasing plan that require infrastructure supporting buildout of the Specific Plan be adequately phased concurrent with development (see: Specific Plan, p. A-6).

Potable Water Plan

The Project Potable Water Plan Concept is presented at Figure 3.4-6. Context of the Project within the City of Ontario Ultimate Water System is presented at Figure 3.4-6A. Potable water services to the Specific Plan area would be provided by the City of Ontario (Ontario Municipal Utilities Company, OMUC).

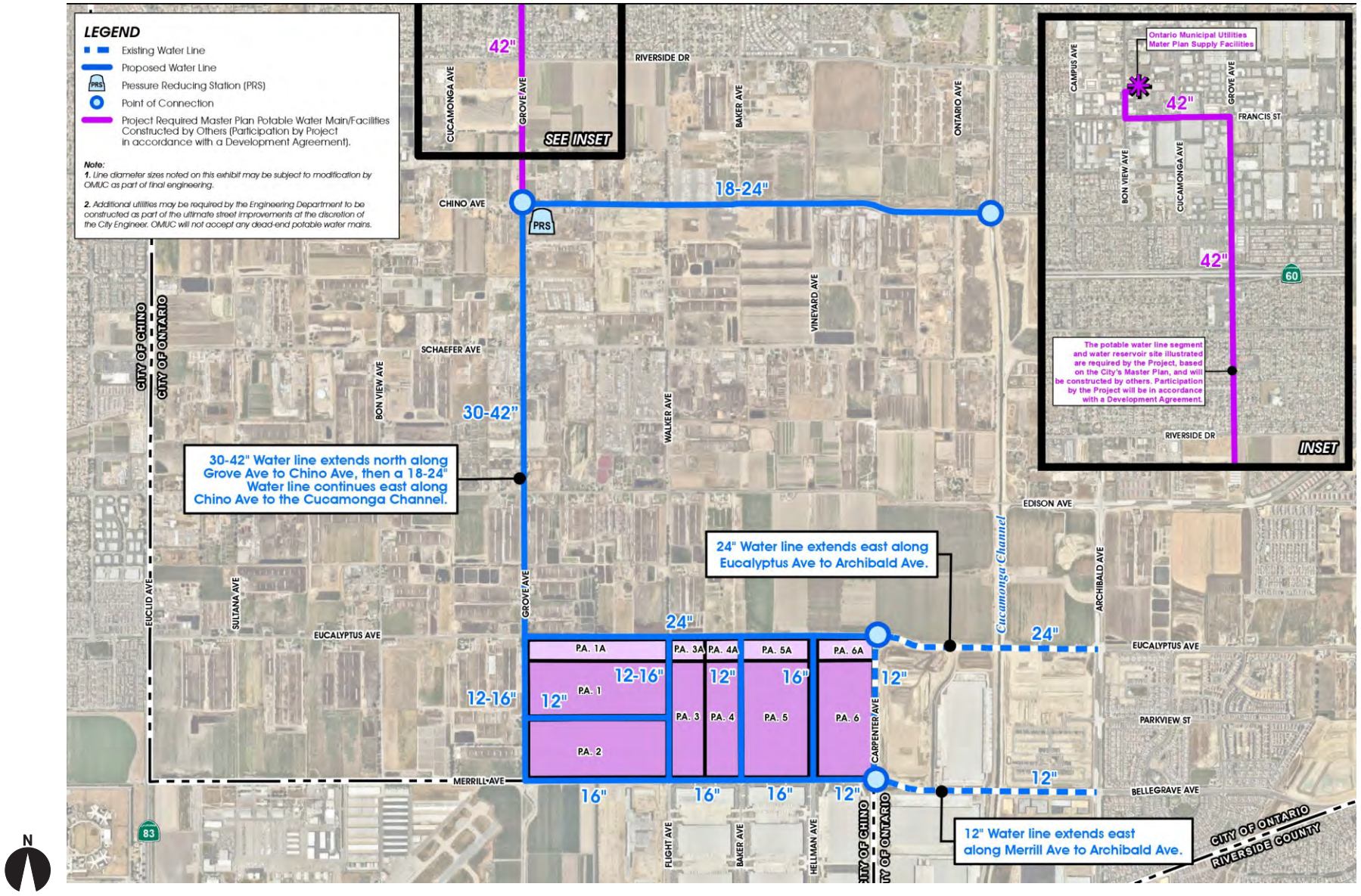
Currently there are no City potable water mains or City potable water infrastructure in the vicinity of the Project. Potable Water System Improvements for the Specific Plan area require the planning, design, and construction of the 925 Pressure Zone (PZ) Phase 2 West Backbone, which includes:

- Extending the 24-inch potable water main in Eucalyptus Avenue from Carpenter Avenue to Grove Avenue;

- A 30-inch to 42-inch potable water main in Grove Avenue connecting from the 24-inch potable water main in Eucalyptus Avenue and extending to Chino Avenue;

- An 18-inch to 24-inch potable water main in Chino Avenue and connecting to the existing 18-inch potable water main located on the west side of the Cucamonga Creek Channel;

- A Pressure Reducing Station between the 1010 PZ and 925 PZ near the intersection of Grove Avenue and Chino Avenue.

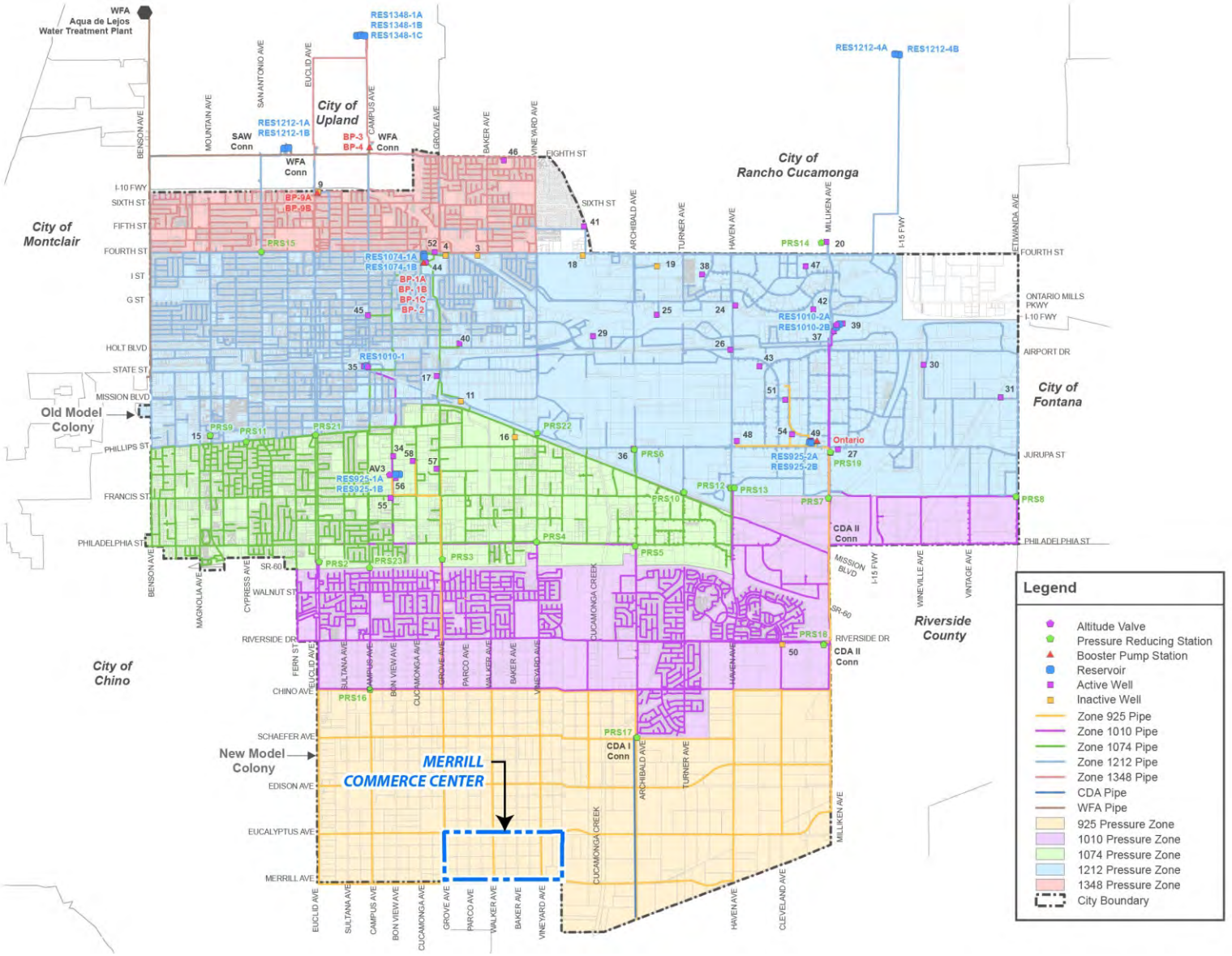


NOT TO SCALE

Source: T&B Planning, Inc.

applied planning inc

Figure 3.4-6
Conceptual Water Plan



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Source: T & B Planning

Figure 3.4-6A
City of Ontario Water Master Plan

Master Plan Phase 2 facilities that are required to serve the Project but that will be constructed by others include:

- A 42-inch potable water main in Grove Avenue connecting from the 30-inch potable water main in Grove Avenue at Chino Ave and extending to Francis Avenue;

- A 42-inch potable main in Francis Avenue connecting from the 42-inch potable water main in Grove Avenue and extending to Bon View Avenue;

- A 42-inch potable water main in Bon View Avenue connecting from the 42-inch potable water main in Francis Avenue and extending to the Bon View Avenue Reservoir site and to the Reservoir;

- A 9 million gallon reservoir on the Bon View Reservoir site, two 2,500 gpm wells with any treatment necessary to meet water quality standards and the 16-inch to 42-inch well collection mains from the wells to the reservoirs.

At the time the Specific Plan was prepared, the alignment of the 42-inch water line between Chino Avenue and the water reservoir site had not been finalized and is subject to change. The Project will be required to participate in the future Phase 2 Water System Improvements north of Chino Avenue, as detailed in the Development Agreement with the City.

In addition to the 925 Pressure Zone (PZ) Phase 2 West Backbone system described above, the Project would implement a Secondary Loop between the 925 Pressure Zone (PZ) Phase 2 West Backbone system and the Project site. These improvements would include:

- A 24-inch potable water main in Eucalyptus Avenue connecting to the 30-inch to 42-inch 925 Pressure Zone (PZ) Phase 2 West Backbone main in Grove Avenue;

- A 16-inch potable water main in Merrill Avenue connecting from the 12-inch to 16-inch potable water main in Grove Avenue and extending to Vineyard Avenue;

- A 16-inch potable water main in Vineyard Avenue connecting from the 16-inch potable water main in Merrill Avenue and extending to connect to the 24-inch potable water main in Eucalyptus Avenue; and

- A 12-inch potable water main in Merrill Avenue connecting from the 16-inch potable water main in Vineyard Avenue and extending east to connect to the 12-inch potable water main in Carpenter Avenue.

The Project would also construct the Local Adjacent Potable Water System. Improvements would include:

- A 12-inch to 16-inch potable water main in Grove Avenue connecting to the 24-inch potable water main in Eucalyptus Avenue and extending to connect to the 16-inch potable water main in Merrill Avenue;

- A 12-inch to 16-inch potable water main in Walker Avenue connecting to the 24-inch potable water main in Eucalyptus Avenue and extending to connect to the 16-inch potable water main in Merrill Avenue;

- A 12-inch potable water main in Baker Avenue connecting to the 24-inch potable water main in Eucalyptus Avenue and extending to connect to the 16-inch potable water main in Merrill Avenue; and

- A 12-inch potable water main in "Street A" connecting to the 12-inch potable water main in Grove Avenue and extending to connect to the 12-inch to 16-inch potable water main in Walker Avenue.

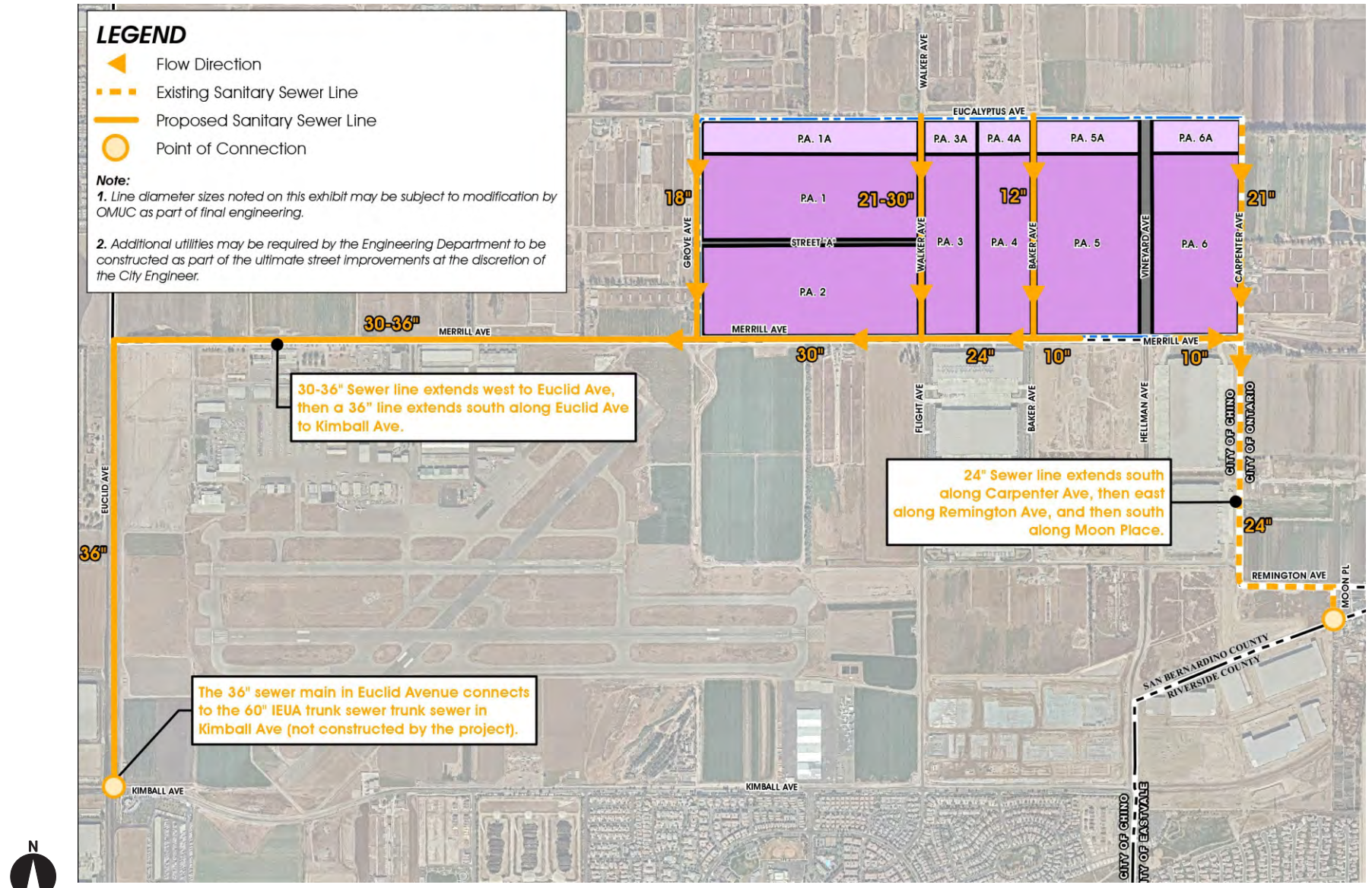
Water infrastructure improvements required of the Project are subject to change based upon findings of City-approved hydraulic studies, master plan updates, and Project final

designs. Orientation and configuration of water mains are also subject to change based upon the developer-conducted and City-approved Conceptual Design Report. Any existing utilities, including Inland Empire Utility Agency (IEUA) water mains, that do not meet minimum depths, standard alignment locations, and/or minimum horizontal and vertical separation requirements shall be subject to relocation/replacement by the Project developer(s). Within the Project site, on individual private property, all onsite potable water systems, non-potable water systems, and fire protection/suppression water systems shall be private and be privately-maintained.

Sanitary Sewer Plan

The Project Sanitary Sewer Plan Concept is presented at Figure 3.4-7. Context of the Project with the City of Ontario Ultimate Sewer System is presented at Figure 3.4-7A. Sanitary sewer service to the Project site and surrounding area is provided by OMUC. OMUC conveys wastewater to IEUA for transmission to area-serving treatment facilities.

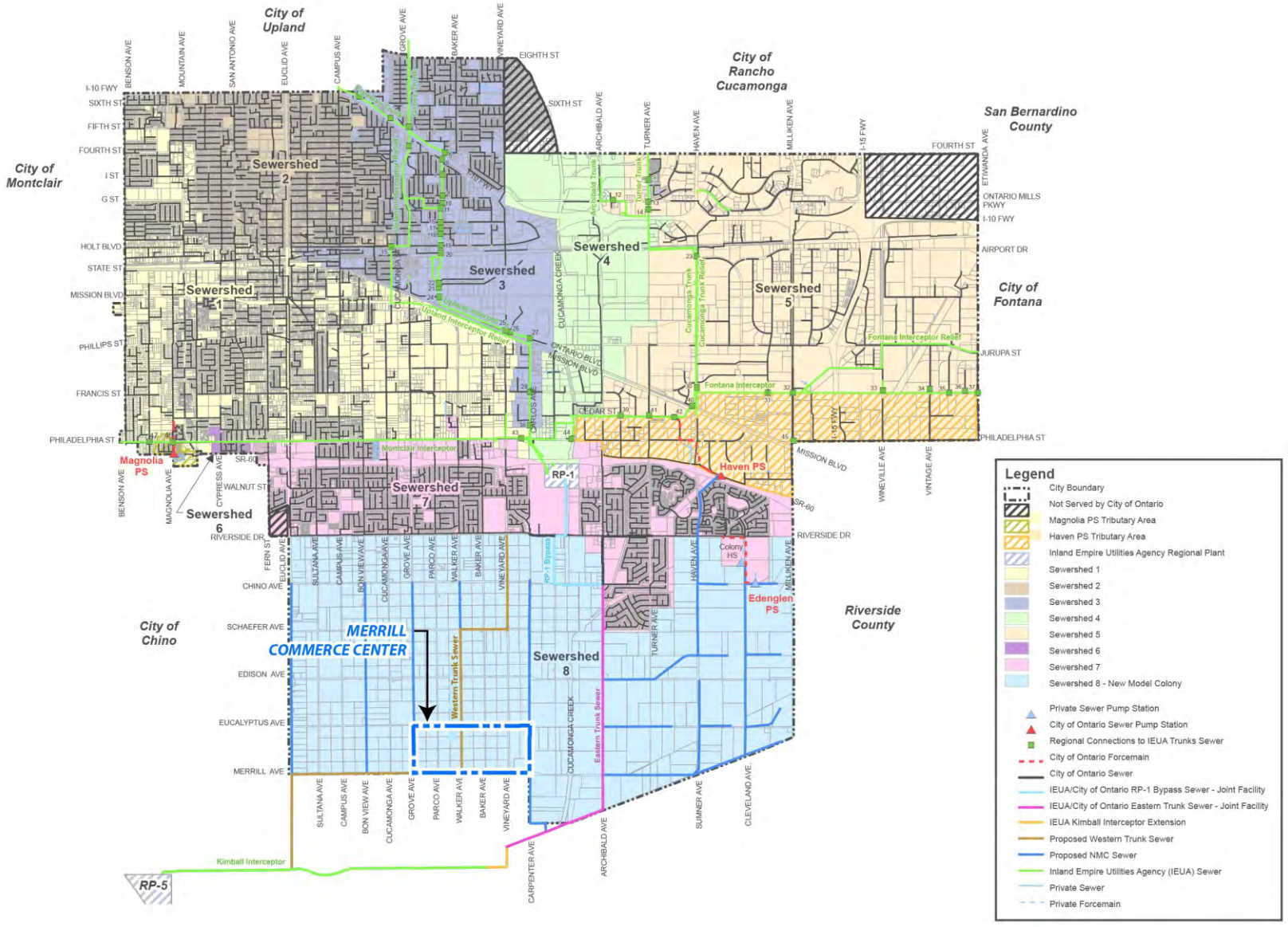
Existing 21-inch and existing 24-inch City sanitary sewer mains are located in Carpenter Avenue to the east and south of the Project site. The Project site and surrounding properties are included within the City's Sewer Master Plan. The areas west of Vineyard Avenue are Tributary to the Western Trunk Sewer (WTS), which connect to IEUA's system at Kimball Avenue and Euclid Avenue. The areas east of Vineyard Avenue are Tributary to the Eastern Trunk Sewer (ETS), through the City's Carpenter Trunk Sewer which connect to IEUA's system at Vineyard/Hellman Avenue and the San Bernardino/Riverside County line. Specific Plan Planning Areas 1 to 5 and 1A to 5A are within the WTS tributary area. Specific Plan Planning Areas 6 and 6A are within the ETS tributary area.



NOT TO SCALE

Source: T&B Planning, Inc.

Figure 3.4-7
Conceptual Sewer Plan



Source: T & B Planning

Figure 3.4-7A
City of Ontario Sewer Master Plan

The Project would construct the following Primary Sewer Master Plan Backbone mains of the WTS:

- A 36-inch sewer main in Euclid Avenue connecting to the IEUA's 60-inch Kimball Interceptor at the intersection of Kimball Avenue and Euclid Avenue and extending north to Merrill Avenue;
- A 30-inch to 36-inch sewer main in Merrill Avenue from Euclid Avenue to Grove Avenue;
- A 30-inch sewer main in Merrill Avenue from Grove Avenue to Walker Avenue; and
- A 21-inch to 30-inch sewer main in Walker Avenue from Merrill Avenue to Eucalyptus Avenue.

In addition to the Primary Sewer Master Plan Backbone mains, the Specific Plan area requires the planning, design, and construction of a Secondary Master Plan Trunk Sewer, which includes: installing an 18-inch Grove Trunk Sewer main in Grove Avenue from the WTS in Merrill Avenue and extending north in Grove Avenue to Eucalyptus Avenue.

The Project would also construct the Local Adjacent Sewer System. These improvements include:

- A 10-inch sewer main in Merrill Avenue from Carpenter Avenue extending westerly towards Vineyard Avenue;
- A 24-inch sewer main in Merrill Avenue from the WTS in Walker Avenue and extending easterly to Baker Avenue;
- A 10-inch sewer main in Merrill Avenue from Baker Avenue extending easterly towards Vineyard Avenue; and
- A 12-inch sewer main in Baker Avenue from Merrill Avenue extending northerly toward Eucalyptus Avenue.

Sanitary sewer infrastructure improvements required of the Project are subject to change based upon findings of City-approved hydraulic studies, master plan updates, and Project final designs. Sewer main orientations and configurations are also subject to

change based upon the developer-conducted and City-approved Conceptual Design Report. Any existing utilities, including IEUA Recycled Water mains, that do not meet minimum depth, standard alignment locations, and/or minimum horizontal and vertical separation requirements shall be subject to relocation/replacement by the Project developer(s). Within the Project site, on individual private property, the onsite sanitary sewer systems shall be private and be privately maintained.

Recycled Water Plan

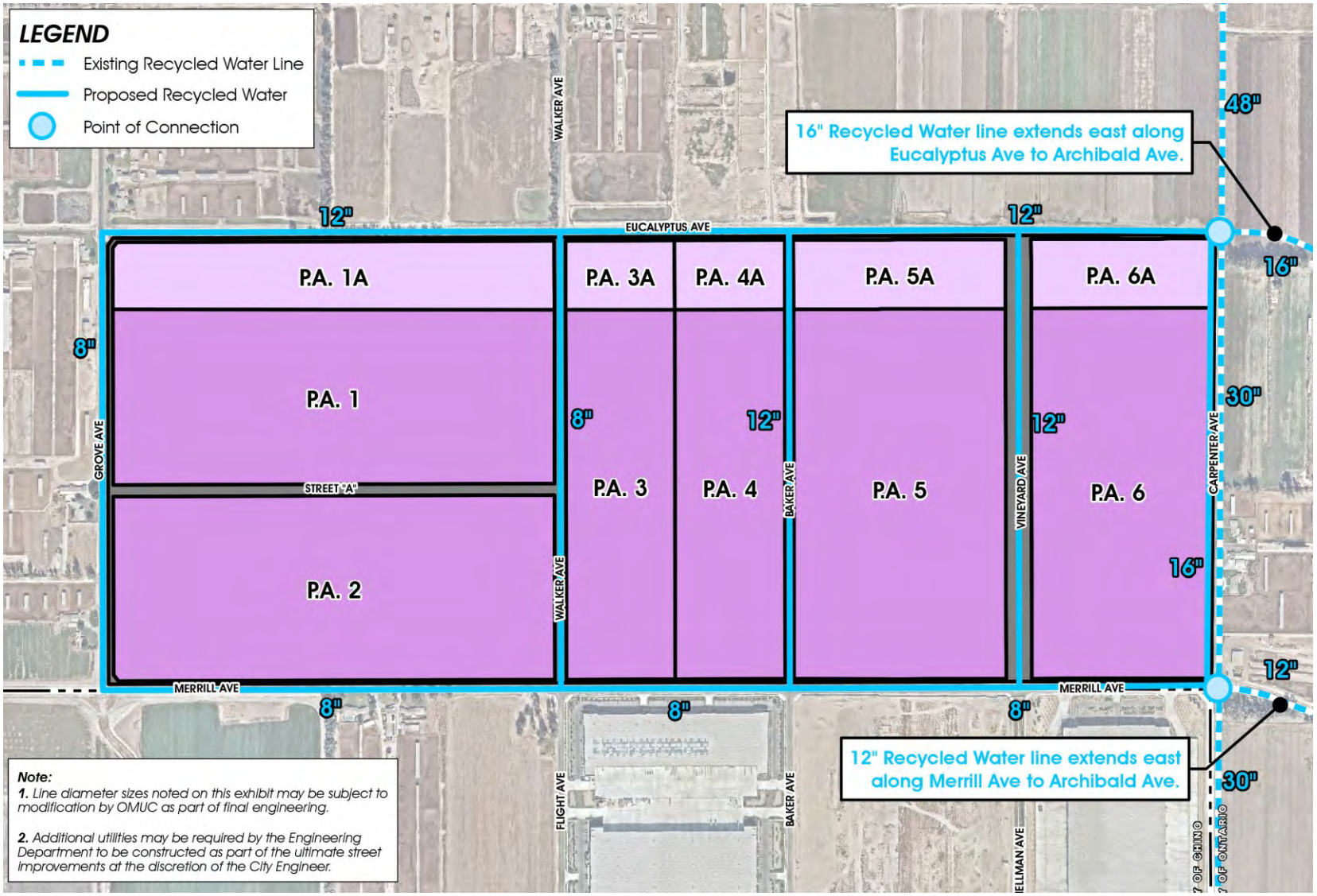
The Project Recycled Water Plan Concept is presented at Figure 3.4-8. Context of the Project within the City of Ontario Future Recycled Water System is presented at Figure 3.4-8A. In the vicinity of the Project, existing City recycled water infrastructure is located in Carpenter Avenue, Eucalyptus Avenue, and Merrill Avenue. Recycled water supplied to the Project would be provided by OMUC. OMUC recycled water supplies are produced by IEUA from IEUA's four wastewater reclamation plants. The Project site and surrounding properties lie within the City's Master Plan 930 Pressure Zone.

The following Master Plan 930 Pressure Zone recycled water system improvements would be constructed as part of the Project:

- A 16-inch recycled water main in Carpenter Avenue connecting to the 16-inch 930 Pressure Zone Recycled Water main in Eucalyptus Avenue and extending it to connect to the 8-inch 930 Pressure Zone Recycled Water main in Merrill Avenue;

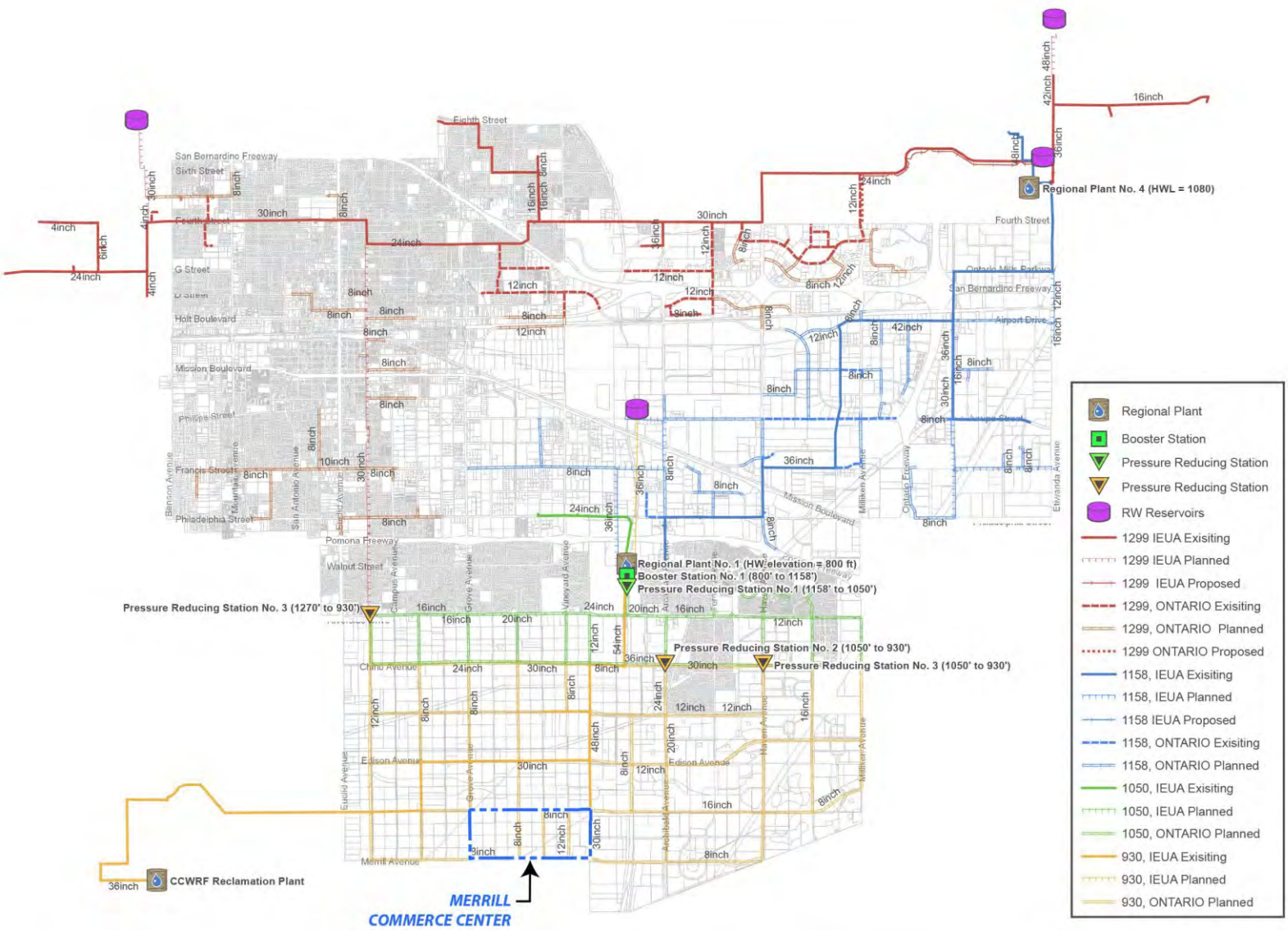
- A 12-inch recycled water main in Eucalyptus Avenue connecting to the existing 16-inch 930 Pressure Zone recycled water main at the intersection of Carpenter Avenue and Eucalyptus Avenue and extending to Grove Avenue;

- An 8-inch recycled water main in Merrill Avenue connecting to the existing City 12-inch 930 Pressure Zone Recycled Water main in Merrill Avenue at the intersection of Merrill Avenue and Carpenter Avenue and extending westerly to Baker Avenue;



Source: T&B Planning, Inc.

Figure 3.4-8
Conceptual Recycled Water Plan



Source: T & B Planning

Figure 3.4-8A
City of Ontario Future Recycled Water System

- An 8-inch recycled water main in Merrill Avenue connecting to the 12-inch recycled water main in Merrill Avenue at Baker Avenue and extending westerly to Grove Avenue.

In addition to the Master Plan 930 Pressure Zone improvements listed above, the Project would construct the following Secondary Loop improvements:

- An 8-inch recycled water main in Merrill Avenue connecting to the 8-inch recycled water main in Merrill Avenue at Grove Avenue and extending west to Euclid Avenue.

The Project would also construct the Local Adjacent Recycled Water System. These improvements include:

- A 12-inch recycled water main in Vineyard Avenue connecting to the 8-inch recycled water main in Merrill Avenue and extending it to connect to the 12-inch main in Eucalyptus Avenue;

- A 12-inch recycled water main in Baker Avenue connecting to the 8-inch recycled water main in Merrill Avenue and extending it to connect to the 12-inch main in Eucalyptus Avenue;

- An 8-inch recycled water main in Walker Avenue connecting to the 8-inch recycled water main in Merrill Avenue and extending it to connect to the 12-inch main in Eucalyptus Avenue.

Recycled water infrastructure improvements required of the Project are subject to change based upon findings of City-approved hydraulic studies, master plan updates, and Project final designs. Recycled water main orientations and configurations are also subject to change based upon the developer-conducted and City-approved Conceptual Design Report. Any existing utilities, including IEUA Recycled Water mains, that do not meet minimum depth, standard alignment locations, and/or minimum horizontal and

vertical separation requirements shall be subject to relocation/replacement by the Project developer(s). Within the Project site, on individual private property, the onsite recycled water systems shall be private and be privately maintained.

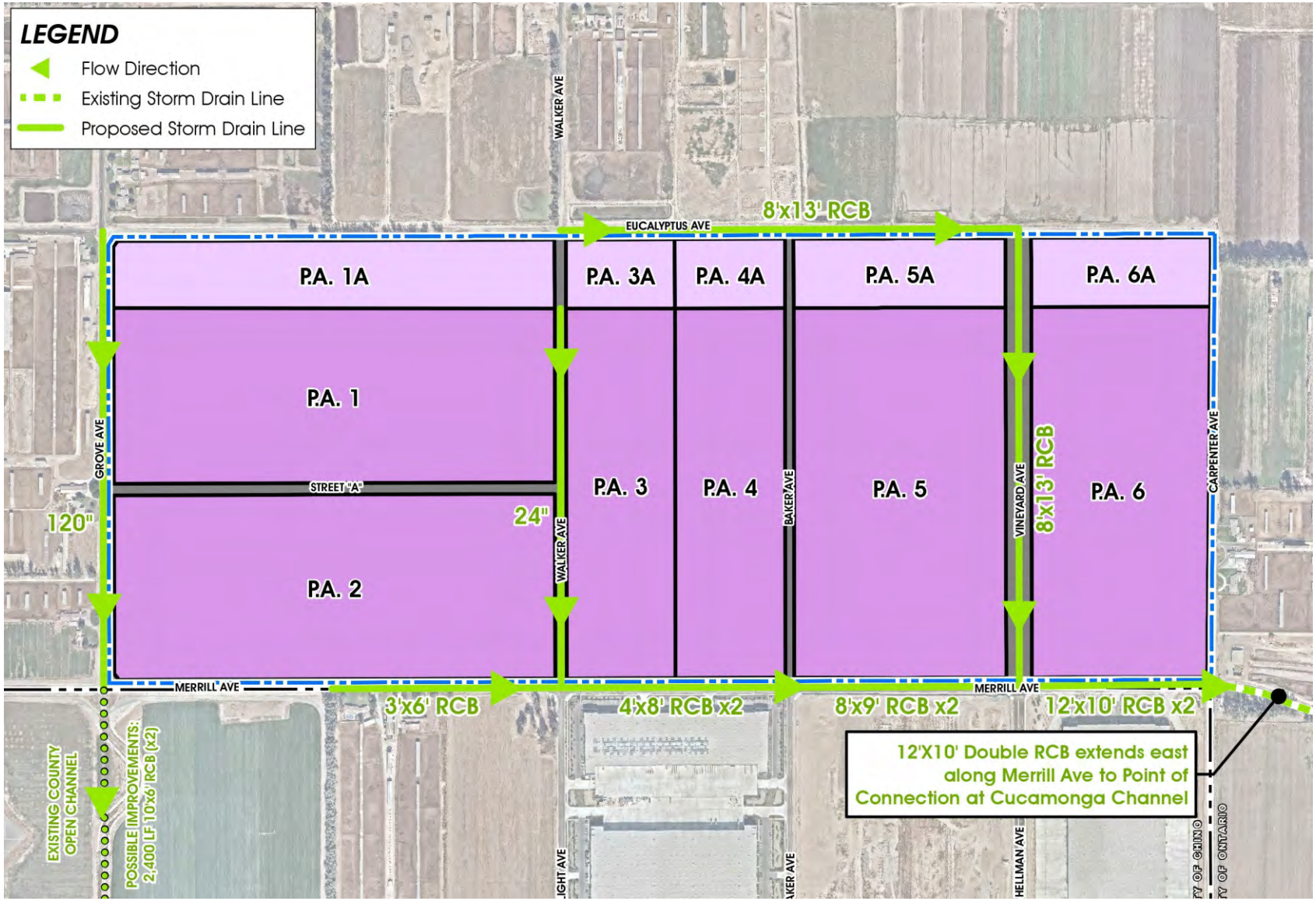
Storm Water Management Plan

The Project Storm Water Management Plan Concept is presented at Figure 3.4-9. Context of the Project within the City of Ontario Planned Drainage Facilities is presented at Figure 3.4-9A. The Project Storm Water Management Plan Concept responds to and incorporates City of Ontario Master Plan of Drainage standards. Storm drain improvements listed below would be installed to service the Specific Plan area. Line diameter sizes and other storm drain facility sizes noted herein may be subject to modification by the City of Ontario and/or the San Bernardino Flood Control District as part of the Project final designs and engineering. Where required by the City, storm drains shall be equipped with a hydrodynamic separator(s) 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). Project stormwater management system improvements include:

- An 8-foot by 13-foot Reinforced Concrete Box (RCB) in the segment of Eucalyptus Avenue located between Walker Avenue and Vineyard Avenue;

- A 3-foot by 6-foot RCB, a double 4-foot by 8-foot RCB, a double 8-foot by 9-foot RCB, and a double 12-foot by 10-foot RCB in various segments of Merrill Avenue between the midpoint of the southerly boundary of Planning Area 2 and Carpenter Avenue;

- A 24-inch storm drain line in the segment of Walker Avenue located between the southerly boundary of Planning Area 1A and Merrill Avenue;



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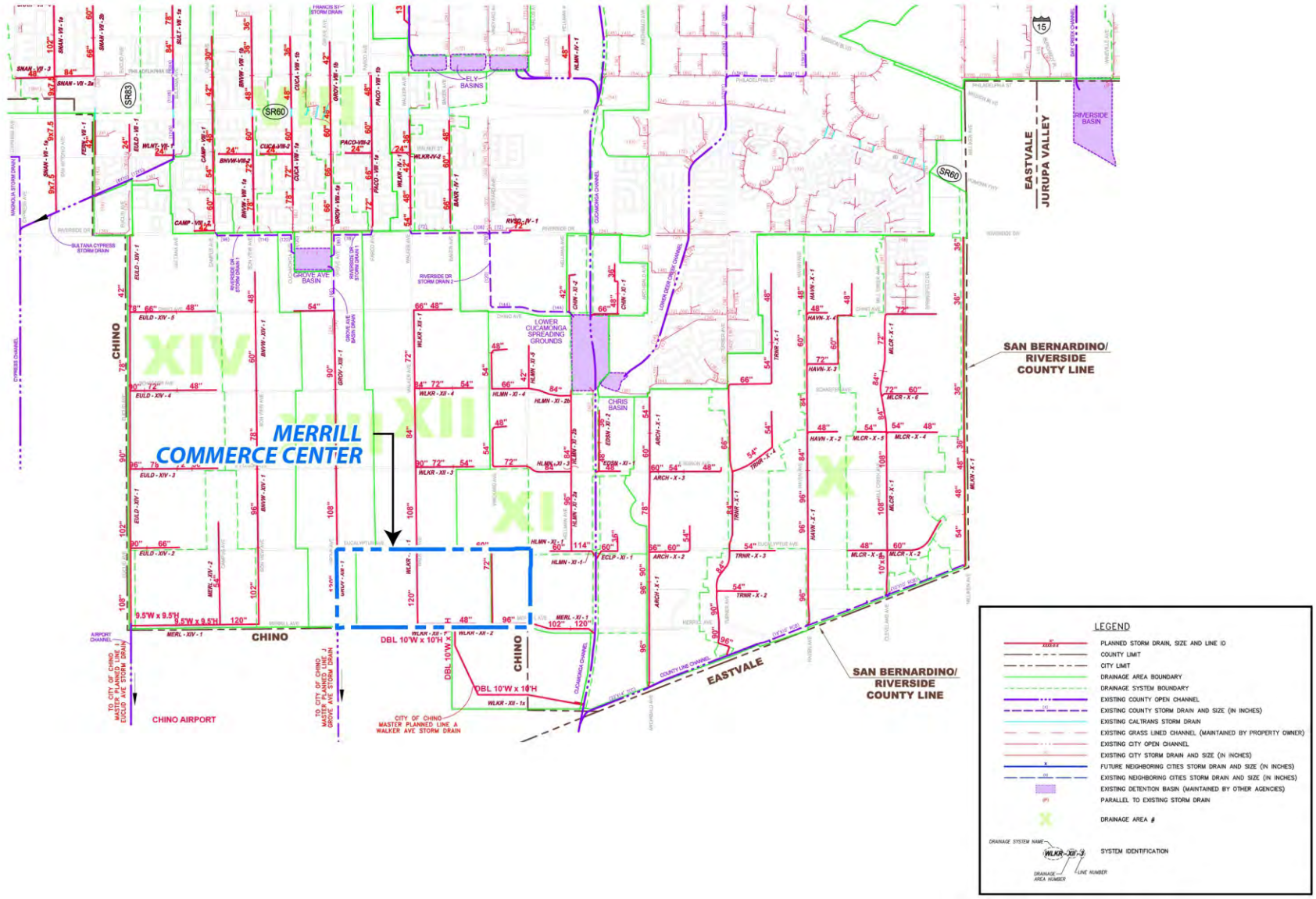
Source: T&B Planning, Inc.

Figure 3.4-9
Conceptual Storm Drain Plan



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Source: T & B Planning

Figure 3.4-9A
City of Ontario Planned Drainage Facilities

- A 120-inch storm drain line in the segment of Grove Avenue located between Eucalyptus Avenue and Merrill Avenue (with a point of connection to the existing open flood channel located south of the intersection of Merrill Avenue and Grove Avenue); and

- An 8-foot by 13-foot RCB in the segment of Vineyard Avenue located between Merrill Avenue and Eucalyptus Avenue.

- Additionally, the developer(s) of the Project may be conditioned to improve the existing open flood channel located south of the intersection of Merrill Avenue and Grove Avenue. Improvements may consist of either lowering the elevation of the existing earthen channel or installing a double 10-foot by 6-foot RCB within the existing earthen channel to connect to an existing RCB located at the southerly terminus of the existing earthen flood channel. The ultimate solution will be determined during the final Project design and engineering process.

- On-site storm drain improvements would include storm water detention/retention/water quality basins, which would capture, treat, and provide controlled release of storm water discharges to the public storm drain system.

Planning Areas 1, 1A, and 2 would drain southerly, the drainage ultimately flowing into either a water quality basin located in the southwest portion of Planning Area 2, the existing flood channel located south of the intersection of Merrill Avenue and Grove Avenue, or to the RCB drainage system in Merrill Avenue, which would then convey flows easterly to the Cucamonga Channel.

Storm water flows from Planning Areas 3 and 3A would drain southerly, the drainage ultimately flowing into either the 24-inch line within Walker Avenue or to the RCB system in Merrill Avenue.

Planning Areas 4 and 4A would also drain southerly, the drainage ultimately flowing to either a storm drain line installed in Baker Avenue or to the RCB system in Merrill Avenue.

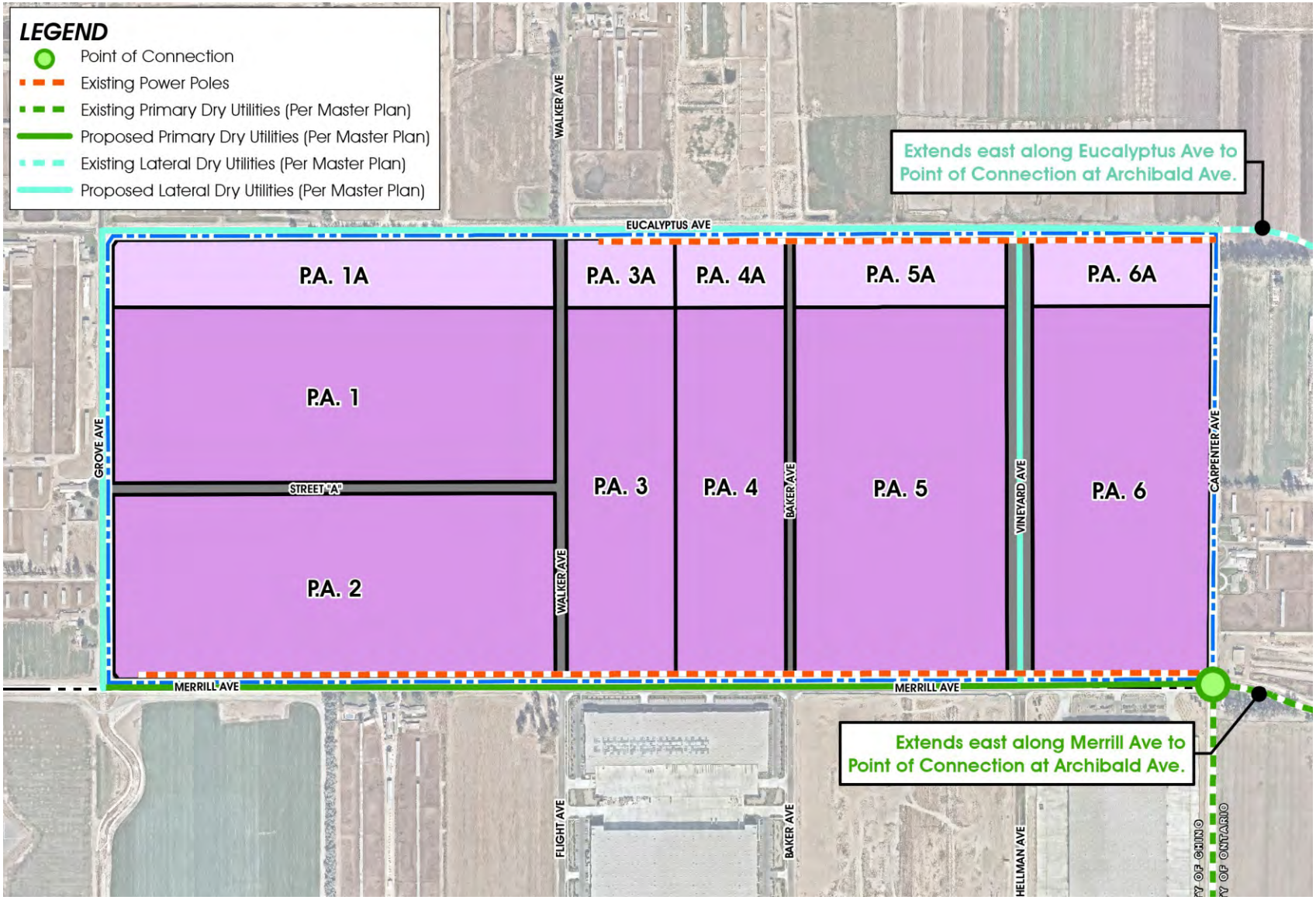
Planning Areas 5, 5A, 6 and 6A would drain southerly, the drainage ultimately flowing to the 8-foot by 13-foot RCB in Vineyard Avenue or the double 8-foot by 9-foot RCB in Merrill Avenue.

Stormwater discharges from Planning Areas 3, 3A, 4, 4A, 5, 5A, 6, and 6A would ultimately drain easterly to an existing inlet connection to the Cucamonga Creek Channel via the existing double 12-foot by 10-foot RCB in Merrill Avenue (east of Carpenter Avenue).

Dry Utilities/Fiber Optics Plan

Figure 3.4-10 presents the Project Dry Utilities Infrastructure Plan concept. Dry utility lines (e.g., natural gas lines, electric lines) would be installed within joint trenches in Merrill Avenue and would connect to existing lines in Merrill Avenue to the west of Grove Avenue, and to existing lines in Merrill Avenue to the east of Carpenter Avenue. Lateral dry utility lines within joint trenches would be installed in Grove Avenue, Vineyard Avenue, and Eucalyptus Avenue. The lateral dry utility line within Eucalyptus Avenue would connect to existing dry utility lines in Merrill and Archibald Avenue to the east. The lateral dry utility lines within Grove Avenue and Vineyard Avenue would connect to the primary dry utility lines within Merrill Avenue.

Dry utilities internal to the Specific Plan Area would be installed underground in accordance with applicable purveyor standards and specifications and to the satisfaction of the City Engineer. The locations and configurations of utilities connections, transformers, switches, pull boxes, and manholes would be determined in conjunction with final Project designs and engineering. Existing power poles located along Eucalyptus Avenue and Merrill Avenue will be undergrounded as part of the Specific Plan's buildout.



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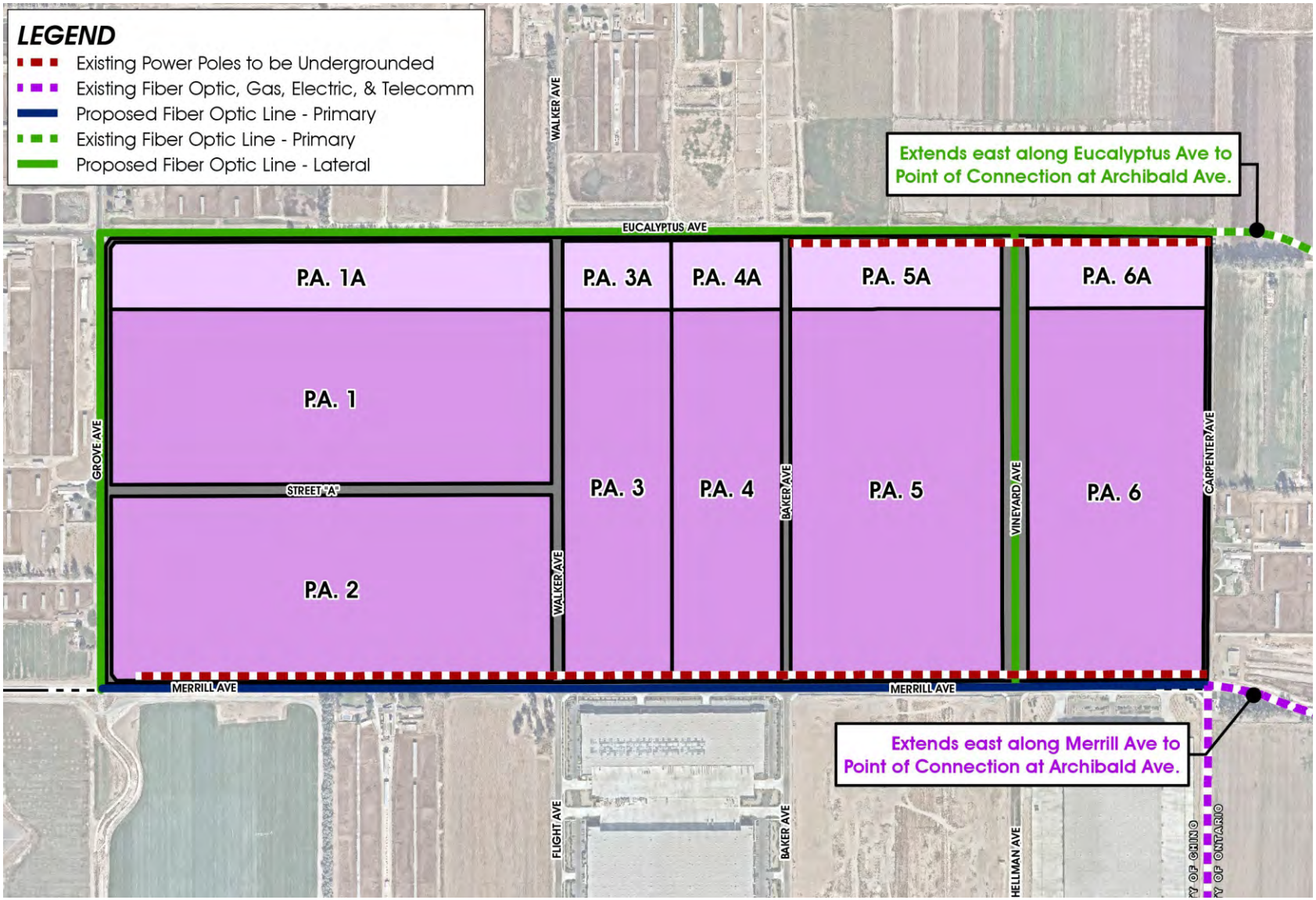
Source: T&B Planning, Inc.

Figure 3.4-10
Dry Utilities Plan

The Specific Plan Fiber Optics Plan is illustrated at Figure 3.4-11. Fiber optic lines would be installed on- and off-site in accordance with the City of Ontario's Master Plan standards. Per the City of Ontario's Master Fiber Optic Plan, lines will be installed in Merrill Avenue between Grove Avenue and Carpenter Avenue, Grove Avenue abutting Planning Areas 1 and 2; in Eucalyptus Avenue from Grove Avenue to Carpenter Avenue; and in Vineyard Avenue abutting Planning Areas 5 and 6.

Backbone fiber optics components (conduits, hand holes, tracer wire, and fiber) will be placed underground within a duct and structure system to be installed in a joint trench within adjacent streets. Within the Specific Plan Area, in-tract fiber and conduit will be installed per the City's in-tract fiber optic design guidelines (see: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Information-Technology/2014-12-16_in-tract_designguidelines.pdf).

Maintenance of the installed fiber optic system will be the responsibility of the City/Special District. Development of the Project requires installation of all fiber optic infrastructure and peripheral equipment necessary to service the Specific Plan as a stand-alone development.



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Source: T&B Planning, Inc.

Figure 3.4-11
Conceptual Fiber Optics Plan

3.4.3.6 Project Design Features

Design features proposed by the Applicant and incorporated in the Project would promote efficient use of energy and other resources, would further City conservation and sustainability goals and strategies, and would diminish the Project's potential environmental effects. In consultation with the Lead Agency, final designs of Project buildings, site plans, and improvements would incorporate the following:

- All Project buildings will be LEED Certified;
- Building and site designs will facilitate and incorporate use of renewable energy sources, including roofs structurally designed to support solar photovoltaic (PV) panels;
- Building and site designs will incorporate conduit and infrastructure for electric car chargers;
- Building and site designs will incorporate conduit and infrastructure for electric truck chargers;
- To minimize the potential for on-site truck idling, site plans will be designed to ensure adequate circulation and access for trucks;
- Truck trailer parking areas will be designed and configured to avoid vehicle stacking at the Project site access point and along adjacent streets;
- LED Lighting will be provided throughout the Project (interior and exterior);
- Project grading will be balanced, thereby minimizing potential requirements for truck conveyance of soil import/export;
- Project warehouse designs will provide 40-foot or higher interior clear heights, allowing for greater storage per square foot of building, reducing building footprints, and generally reducing construction material and energy demands;
- Site designs will incorporate pedestrian/bicycle/multi-use paths and supporting amenities;
- The Project Construction and Demolition Waste Management Plan will be designed and implemented to yield a minimum of 90 percent recycled/salvaged materials.

3.4.4 Specific Plan Development Regulations

The proposed Specific Plan Development Regulations address physical requirements and attributes of development within the Specific Plan area including, but not limited to: building/facility setbacks, lot coverage requirements, and maximum building heights. In instances where the Specific Plan is silent, applicable development regulations of the City of Ontario Municipal Code would apply. See also: Merrill Commerce Center Specific Plan, Chapter 5, *Development Regulations*.

3.4.5 Specific Plan Design Guidelines

The Specific Plan document proposes architectural and landscape Design Guidelines that would establish the quality and character of the built environment within the Specific Plan Area. More specifically, the proposed Design Guidelines would provide criteria for architecture, lighting, signage, and landscape design. In instances where the Specific Plan is silent, applicable design guidelines of the City of Ontario Municipal Code would apply. See also: Merrill Commerce Center Specific Plan, Chapter 6, *Design Guidelines.*

3.5 PROJECT OBJECTIVES

The primary goal of the Project is the development of the subject site with a productive mix of business park and industrial uses. Complementary Project Objectives include the following:

- Implement a Specific Plan development supporting business park and industrial uses providing a broad range of long-term employment opportunities.

- Implement business park and industrial uses providing a broad range of additional construction employment opportunities.

- Provide safe and convenient access for trucks in a manner that minimizes any potential disruption to residential areas.

- Provide business park and industrial uses near existing roadways and freeways to reduce traffic congestion and air emissions.

- Facilitate goods movement locally, regionally, nationally, and internationally.

- Provide land uses that are compatible with surrounding land uses and that would not conflict with the policies and environmental constraints identified in the Policy Plan.

- Support the Policy Plan vision for urbanization of the Ontario Ranch area of the City.

- Establish new development that would further the City's near-term and long-range fiscal goals.

- Improve the regional jobs/housing balance.

3.6 DISCRETIONARY APPROVALS AND PERMITS

Anticipated discretionary actions, permits, and consultation(s) necessary to approve the Project are summarized below.

3.6.1 Discretionary Actions

CEQA Guidelines Section 15124 states in pertinent part that if "a public agency must make more than one decision on a project, all its decisions subject to CEQA should be listed…" Requested decisions, or City discretionary actions, necessary to realize the Merrill Commerce Center Specific Plan would include:

- Certification of the Merrill Commerce Center Specific Plan EIR;
- Approval of Policy Plan (General Plan) Amendment (Land Use);
- Adoption of the Merrill Commerce Center Specific Plan;
- Approval of Parcel Maps;
- Adoption of a Development Agreement; and

- Cancellation of the existing Williamson Act Contracts on APN 0218-261-35 (Contract #69-147, initiated in 1973); and APNs 1054-151-02, 1054-161-02, 1054-161-03, 1054-201-02 and 1054-351-02 (Contract #70-167, initiated in 1970).[3]

3.6.2 Consultation and Permits

CEQA Guidelines Section 15124 also states that environmental documentation should, to the extent known, list other permits or approvals required to implement the Project. Anticipated permits and consultation necessary to realize the Project would likely include, but would not be limited to, the following:

- Permitting by/through the Regional Water Quality Control Board (RWQCB) pursuant to requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit;

- Permitting by/through the South Coast Air Quality Management District (SCAQMD) for certain equipment or land uses that may be implemented within the Project area;

- Consultation with requesting Tribes as provided for under *AB 52, Gatto. Native Americans: California Environmental Quality Act*; and *SB 18, Burton. Traditional tribal cultural places*;

- Review and approval by the City for conformance with the Compatibility Plan for Chino Airport;

- Review and approval by the Federal Aviation Administration (FAA) for potential airspace obstruction(s) if any;

- CWA Section 404 authorization from the Army Corps of Engineers (Corps);

[3] A notice of non-renewal dated September 14, 2017, and recorded, has initiated the termination process for Contract #70-167.

- Clean Water Act (CWA) Section 401 Water Quality Certification;

- California Department of Fish and Wildlife (CDFW) Section 1602 Streambed Alteration Agreement(s);

- CDFW consultation/coordination addressing protected species impact mitigation; and

- Various construction, grading, and encroachment permits from affected agencies allowing implementation of Project facilities including construction/modification of utilities systems and roadways.

4.0 ENVIRONMENTAL IMPACT ANALYSIS

4.0 ENVIRONMENTAL IMPACT ANALYSIS

This chapter of the EIR analyzes and describes the potential environmental impacts associated with the adoption and implementation of the Merrill Commerce Center Specific Plan (Project). The environmental impact analysis has been organized into a series of sections, each addressing a separate environmental topic. Environmental topics addressed in this EIR are presented in the following sections:

Section	**Topic**
4.1	Land Use and Planning
4.2	Transportation
4.3	Air Quality
4.4	Greenhouse Gas Emissions
4.5	Noise
4.6	Hazards/Hazardous Materials
4.7	Hydrology/Water Quality
4.8	Biological Resources
4.9	Geology and Soils
4.10	Cultural/Tribal Resources
4.11	Agricultural Resources
4.12	Utilities and Service Systems
4.13	Energy
4.14	Population and Housing

Within each of the above topical Sections, the discussion is typically divided into subsections which: describe the "setting" or existing environmental conditions; identify regulations and policies, which through their observance typically resolve many

potential environmental concerns; identify thresholds of significance applicable to potential environmental effects of the Project; describe the significance of Project-related environmental effects in the context of applicable significance thresholds; and for impacts which are potentially significant or significant, recommend mitigation measures to eliminate or reduce their effects. In this latter regard, it is recognized that the intent of the California Environmental Quality Act (CEQA) is to focus on significant, or potentially significant adverse effects of the Project, and therefore, mitigation is proposed only for potential impacts of this magnitude.

As noted above, before potential impacts are evaluated, the standards or thresholds which will serve as the basis for judging the relative significance of impacts are presented. Often thresholds serve as a general guide or gauge for determining an impact's potential relative significance, rather than defining its absolute effects. Subsequent to identification of relevant significance thresholds, potential Project-related effects and impacts are identified and explained. If an impact is considered to be potentially significant, mitigation measures are proposed to avoid the impact, or reduce its effects to the extent feasible. In determining the potential significance of impacts, the adequacy of existing policies and regulations in addressing each impact is taken into consideration. At the conclusion of each discussion for a potentially significant impact, a determination is made as to whether the impact can be reduced to a less-than-significant level with the application of mitigation measures.

In the environmental analysis, the following terms are used to describe the potential effects of the Project:

- **Less-Than-Significant Impacts**: Minor changes or effects on the environment caused by the Project which do not meet or exceed the criteria, standards, or thresholds established to gauge significance are considered to be less-than-significant impacts. Less-than-significant impacts do not require mitigation. In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these

potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation.

- **Potentially Significant Impacts**: Potentially significant impacts are defined as a substantial, or potentially substantial, adverse change in the environment. The *CEQA Guidelines* and various responsible agencies provide guidance for determining the significance of impacts. However, the determination of impact significance is ultimately based on the judgment of the lead agency. Similarly, the establishment of any criteria to be used in evaluating the significance of impacts is the responsibility of the lead agency. Wherever possible, mitigation is proposed in the EIR to avoid or reduce the magnitude of potentially significant impacts.

- **Significant Impacts**: Impacts identified in the EIR which cannot be mitigated below thresholds of significance through the application of feasible mitigation measures are categorized as "significant."

- **Cumulative Impacts**: A discussion of cumulative impacts is provided in Section 5.0 of this environmental analysis. Cumulative impacts refer to the impacts of the Project as they are combined or interact with anticipated impacts of other vicinity projects and physical effects of projected ambient regional growth.

4.1 LAND USE AND PLANNING

4.1 LAND USE AND PLANNING

Abstract

This Section identifies and addresses potential impacts that may result from land use and planning decisions necessary to implement the proposed development. More specifically, the land use and planning analysis presented here examines whether the Project would:

- *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.*

Additionally, as discussed in the EIR Initial Study (EIR Appendix A), the Project's potential impacts under the following topic were previously determined to be less-than-significant, and are not further substantively discussed here:

- *Physically divide an established community.*

As supported by the analysis presented in this Section, potential land use and planning impacts of the Project would be less-than-significant.

4.1.1 INTRODUCTION

The Land Use and Planning Section of the EIR focuses on the Project's consistency with applicable land use plans, policies and regulations; and also evaluates the Project's compatibility with existing and proposed development in the vicinity. Discussions and analysis within this Section are based on and supported by the following documents and source information:

- The Ontario Plan (TOP), Policy Plan (General Plan), and TOP Final Environmental Impact Report (TOP Final EIR). These documents are available through the City of Ontario, or are accessible at: http://www.ontarioplan.org/;

- The City of Ontario Development Code, available through the City of Ontario, or accessible at: https://www.ontarioca.gov/planning/documents/development-code; and

- The proposed Merrill Commerce Center Specific Plan (Specific Plan, SP) included at EIR Appendix B.

4.1.2 SETTING

4.1.2.1 Project Overview and Location

The Merrill Commerce Center Specific Plan Project (Project, Specific Plan) proposes development and operation of Specific Plan Industrial and Business Park Land Uses on approximately 376.3 acres located in the City of Ontario, within San Bernardino County. The Specific Plan area is apportioned into approximately 292.8 acres of Industrial Land Use; approximately 55.1 acres of Business Park Land Use; and approximately 28.4 acres allocated for Circulation (vehicular and non-vehicular).

The Project would also implement off-site infrastructure (roads, potable water, recycled water, sanitary sewer, storm drains, and fiber optic lines) in support of the Project. Preliminary studies prepared for the Project indicate that an additional 113.3 acres of off-site areas could be disturbed during construction of off-site master plan infrastructure

improvements. Predominantly, off-site areas that would be affected by construction of infrastructure improvements comprise already-disturbed/developed rights-of-way and easements.

Detailed information regarding land uses and development that would be allowed under the Specific Plan is presented within the *Merrill Commerce Center Specific Plan* (T&B Planning, Inc.) September 29, 2020, EIR Appendix B. The Specific Plan document in total is incorporated by reference. Under the current Project Development Concept evaluated in this EIR, the Specific Plan area would be developed with the following uses:

- Industrial: Approximately 6,312,600 square feet of high-cube fulfillment center warehouse use, and approximately 701,400 square feet of high-cube cold storage warehouse use;
- Business Park: Approximately 1,441,000 square feet of mixed uses including merchant wholesale, professional services, professional office, warehouse/storage, and research and development.

Total Development: 8,455,000 square feet

Analyses within this EIR reflect the range and types of uses permitted or conditionally permitted under the Specific Plan Industrial and Business Park Land Use designations. Should future development proposals proposed within the Specific Plan area, or supporting infrastructure proposed as part of the Project differ substantially from the development concepts analyzed herein, the Lead Agency would comply with CEQA in consideration of those proposals.

It is specifically noted that any site plan concepts, building footprints, building sizes, and/or building orientations depicted in the EIR or supporting technical analyses are provided for illustrative purposes only. This EIR in all instances evaluates likely maximum impact scenarios. No site plans or building plans would be entitled under the EIR Project or as part of the Specific Plan approval.

The Project site[1] is located within the Ontario Ranch (formerly New Model Colony)[2] area of the City. More specifically, the Project site is located along Merrill Avenue, between Grove Avenue and Carpenter Avenue. Eucalyptus Avenue forms the northerly boundary of the Specific Plan area. Please refer to Figure 4.1-1, *Project Location*.

4.1.2.2 Existing Land Uses

Project site and vicinity land uses are denoted at Figure 4.1-2 and are summarized below.

Project Site Land Use

The Project site currently contains a dairy farm with interior unpaved roads, cattle stockades, support equipment for cattle and dairy farming, bio-retention basins located at the southern boundary, a trucking operation on the eastern portion, and appurtenant residences at various locations within the Project site.

The Project site is extensively disturbed and evidences environmental degradation due to historic and on-going agricultural and trucking uses. Such degradation includes, but is not limited to:

- Animal waste from the long-term dairy farm uses have potentially created methane gas, and soil contamination from nitrates and ammonia.

- Numerous automotive fluids, including several large above ground storage tanks (ASTs) on or near the on-site maintenance shop. These materials are used for maintaining and repairing farm equipment.

[1] The Project site is defined as the area encompassed by the Merrill Commerce Center Specific Plan (the Specific Plan area). The analysis presented in this EIR considers and addresses environmental impacts resulting from development of the Project site proper, and also evaluates impacts that would result from off-site activities or improvements necessary to implement and support the Project.

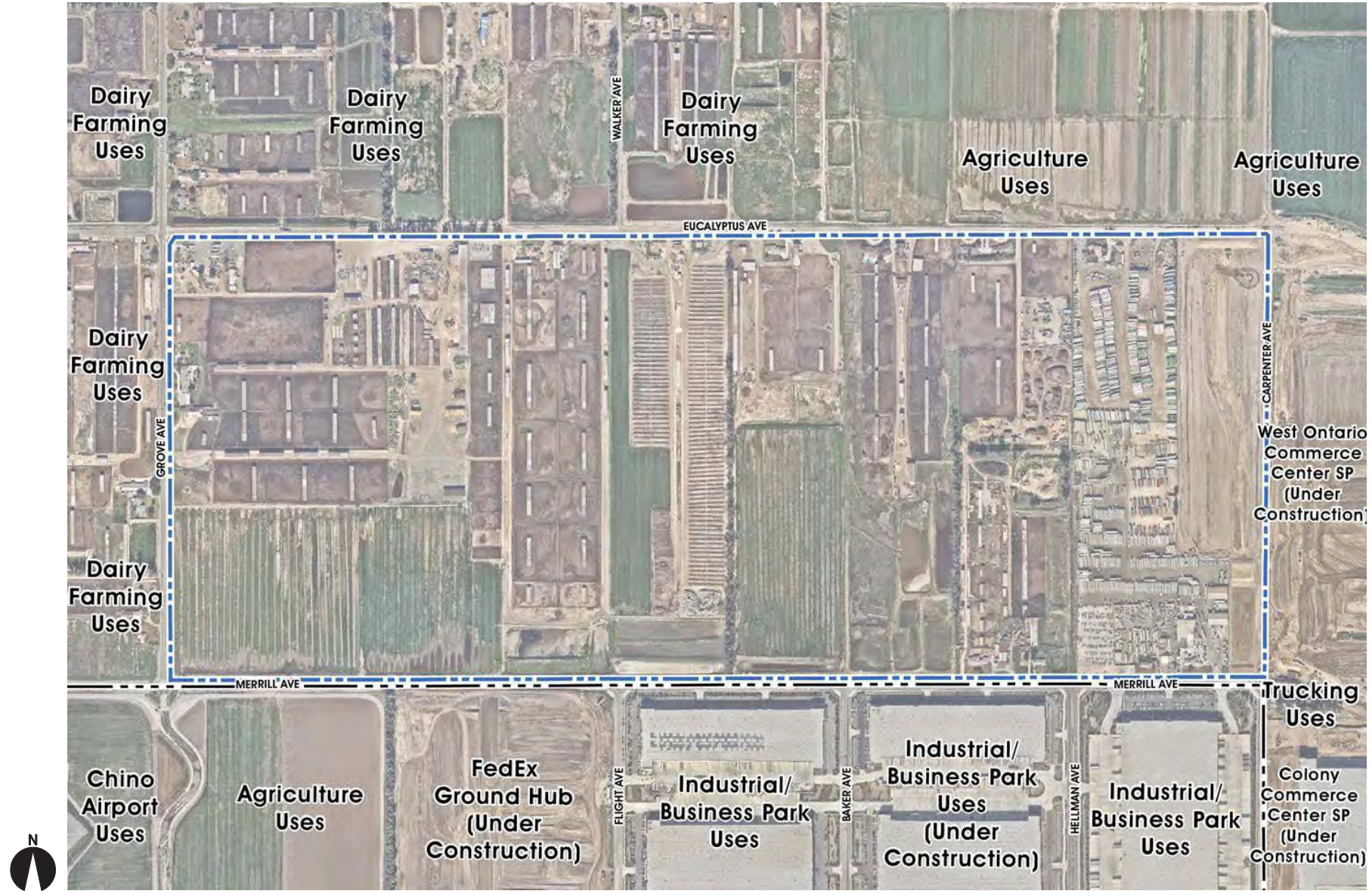
[2] Within these discussions, City documents referring to or citing the "New Model Colony" area have been revised to reference the "Ontario Ranch" area.



NOT TO SCALE

Source: Google Earth; Applied Planning, Inc.

Figure 4.1-1
Project Location



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Source: T&B Planning, Inc.

Figure 4.1-2
Existing Land Uses

- Additional ASTs used for truck and equipment refueling are located on-site.

- A scrap metal area containing drums, ASTs, farming equipment, and vehicles is located on the property.

- The property is located within the South Archibald Tricholroethyleme (TCE) Plume. The 2,000-acre TCE Plume contains contaminated groundwater that underlies the Project site.

- Dairy operations use formaldehyde, iodine, and glycerol to wash the cows. The dairies also use muriatic acid and chlorinated alkaline as a cleaning solution. Pesticides are applied to prevent parasite infestations. Wastewater from these processes is discharged to the pastures for irrigation.

- Holding ponds for contaminated runoff from agricultural/dairy farm operations.

- General debris observed throughout the property, including vehicle equipment staging areas, used tires, concrete rubble piles, compressors, and generators may have the potential to impact on-site surficial soil.

- Presence of septic systems.

Vicinity Land Uses

Eucalyptus Avenue comprises the northerly Project site boundary. Northerly, across Eucalyptus Avenue, are dairy farming and agricultural land uses. Carpenter Avenue comprises the easterly Project site boundary. Easterly, across Carpenter Avenue, properties are designated for Specific Plan development (West Ontario Commerce Center Specific Plan, Parkside Specific Plan, and Colony Commerce Center Specific Plan. The Colony Commerce Center Specific Plan and the West Ontario Commerce Center Specific Plan are currently under construction. Merrill Avenue comprises the southerly Project site boundary. Merrill Avenue at this location is also the common City of Ontario/City of Chino municipal boundary. Southerly, across Merrill Avenue, are agricultural uses, and

industrial/business park land uses (existing and under construction) located in the City of Chino. Grove Avenue comprises the westerly Project site boundary. Westerly, across Grove Avenue, are dairy farming land uses. Chino Airport is located southwesterly of the Project site, within the City of Chino.

4.1.2.3 Existing Land Use Designations

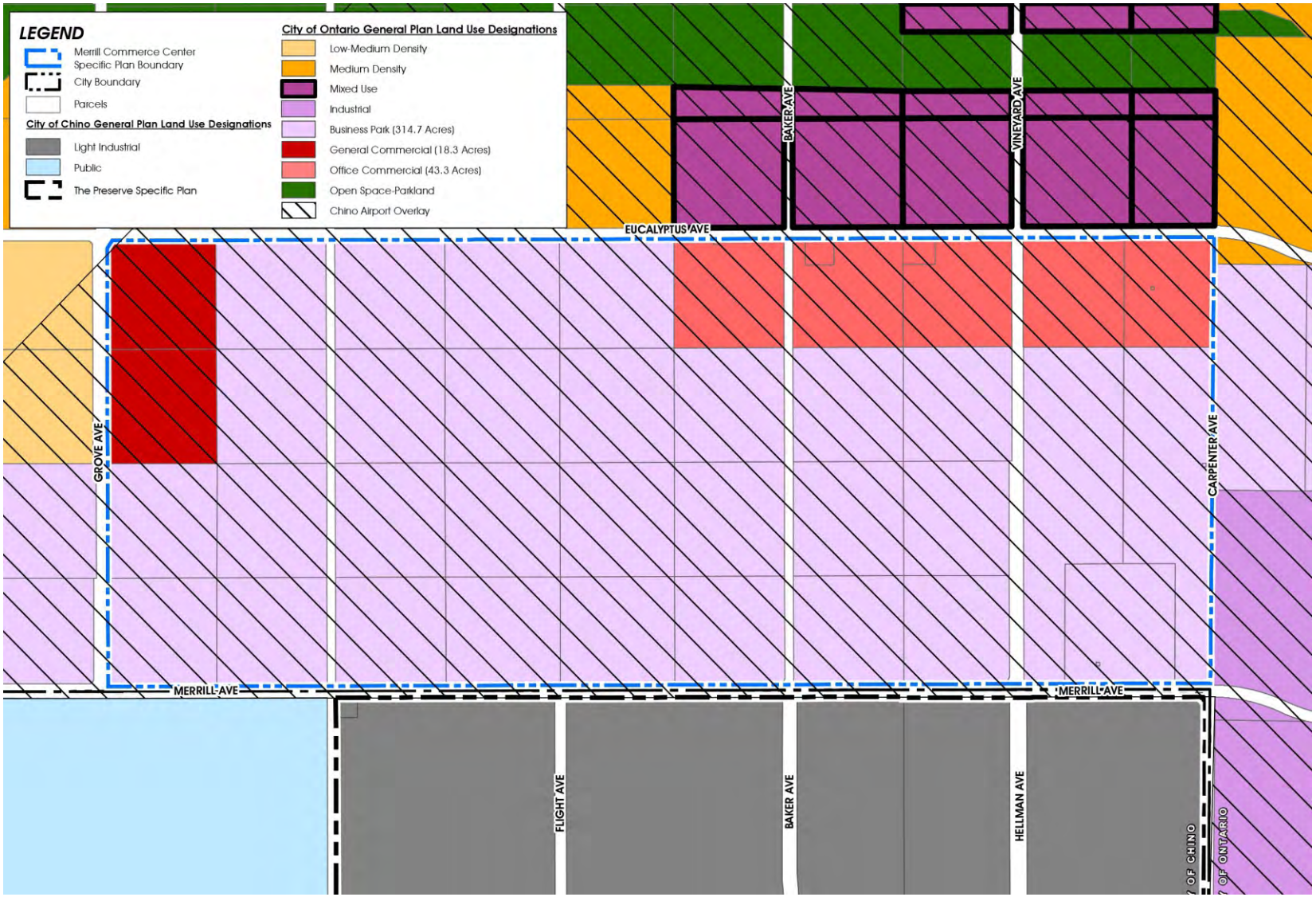
Project Site Policy Plan Land Use Designations

The City of Ontario Policy Plan (General Plan) assigns land uses by general categories, and establishes various land use designations under each category. Existing Policy Plan Land Use designations for the Project site are: "Business Park" - 303.5 acres; "Office/Commercial" - 43.3 acres; and "General Commercial" - 18.3 acres. Descriptions of existing Policy Plan Land Use designations applicable to the Project site are presented at Table 4.1-1. Existing Policy Plan Land Use designations for the Project site are illustrated at Figure 4.1-3.

Table 4.1-1
Project Site - Existing Land Use Designations

Land Use Designation	Maximum Allowable Intensity	Intent
Business Park-303.5 acres	0.60 FAR	Employee-intensive office uses including corporate offices, technology centers, research and development, "clean" industry, light manufacturing, and supporting retail.
General Commercial-18.3 acres	0.40 FAR	Local and regional serving retail, personal service, entertainment, dining, office, tourist-serving, and related commercial uses.
Office/Commercial-43.3 acres	0.75 FAR	An intense mixture of regional serving retail, service, tourist-serving, professional office, entertainment, dining, and supporting services uses that capitalize on strategic locations in Ontario. This designation also includes professional offices including financial, legal, insurance, medical, and other similar uses in a neighborhood setting and/or as adaptive reuse.

Source: Policy Plan Land Use Designation Maximum Allowable Intensities and Intent from Policy Plan Table LU-02 *Land Use Designations Summary Table* (see: http://www.ontarioplan.org/wp-content/uploads/sites/4/2015/05/LU-02-Land-Use-Designations-Table-amended-March-2017.pdf).



NOT TO SCALE

Source: City of Ontario, City of Chino

Figure 4.1-3
Existing Policy Plan Land Use Designations

Vicinity Land Use Designations

City of Ontario Policy Plan Land Use designations applicable to vicinity properties are: "Medium Density Residential," "Low-Medium Density Residential," "Mixed Use," "Business Park," and "Industrial."

Southerly of the Project site across Merrill Avenue are properties located in the City of Chino. City of Chino General Plan Land Use designations for these properties are: "Public," and "Light Industrial."

Descriptions of Ontario Policy Plan Land Use designations applicable to vicinity properties are summarized at Table 4.1-2. Description of City of Chino General Plan Land Use designations for vicinity properties are also summarized. Existing Policy Plan Land Use designations and City of Chino General Plan Land Use designations applicable to vicinity properties are illustrated at previous Figure 4.1-3. The Project does not propose or require land use amendments that would affect Land Use designations of off-site properties.

Table 4.1-2
Vicinity Properties - Land Use Designations

CITY OF ONTARIO		
Land Use Designation	**Maximum Allowable Density/Intensity**	**Intent**
Low-Medium Density Residential	>5.0–11.0 du/ac	Single/multi-family attached and detached residences, including small lot subdivisions, townhouses, and courtyard homes.
Medium Density Residential	>11.0–25.0 du/ac	Single/multi-family attached and detached residences including townhouses, stacked flats, courtyard homes, stacked flats, and small lot single-family subdivisions.
Business Park	0.60 FAR	Employee-intensive office uses including corporate offices, technology centers, research and development, "clean" industry, light manufacturing, and supporting retail.
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.

Table 4.1-2
Vicinity Properties - Land Use Designations

		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.
Ontario Ranch West Mixed Use Area	• >14.0 to 65.0 dwelling units per acre • 1.5 FAR for office uses • 1.0 FAR for retail uses • Subject to Specific Plan	The Ontario Ranch West Mixed Use Areas are envisioned as the southern activity centers of Ontario and the focus of the Ontario Ranch. These areas accommodate a vertical and horizontal mixture of commercial, office, entertainment, and residential uses in a pedestrian oriented atmosphere. It is envisioned that the major roads through these Mixed Use areas are couplets, which are a series of one-way streets that disperse traffic and allow reduced street widths, maximize the sense of community, and emphasize pedestrian accessibility. These Mixed Use areas are envisioned as low-rise (3-5 stories) with some mid-rise (5-10 stories) near the intersection of Euclid and Edison. See the Ontario Ranch Area Plan for more detail.
CITY OF CHINO		
Land Use Designation	**Maximum Allowable Density/Intensity**	
Public (Preserve Specific Plan)	---	The Public Facilities designation accommodates local and regional-serving public and quasi-public facilities and services, such as schools, libraries, places of worship, police and fire stations, and utility stations.
Light Industrial (Preserve Specific Plan)	0.45	The Light Industrial designation is intended to accommodate industrial uses that produce minimal traffic, noise, odors, or pollutants. Permitted land uses include light manufacturing, assembly and processing, and office. Permitted FAR is 0.45.

Sources: Policy Plan Land Use Designation Maximum Allowable Intensities and Intent from Policy Plan Table LU-02 *Land Use Designations Summary Table* (see: http://www.ontarioplan.org/wp-content/uploads/sites/4/2015/05/LU-02-Land-Use-Designations-Table-amended-March-2017.pdf).

City of Chino General Plan Land Use designations and descriptions from: City of Chino General Plan Land Use Element, pp. LU-18, LU-19 (see: https://www.cityofchino.org/cms/One.aspx?portalId=10382662&pageId=11469788; https://www.cityofchino.org/UserFiles/Servers/Server_10382578/File/City%20Hall/Departments/Community%20Development/Chino%20General%20Plan%20Map%20-%20Revised%20February%2013,%202020.pdf

4.1.2.4 Zoning Designations

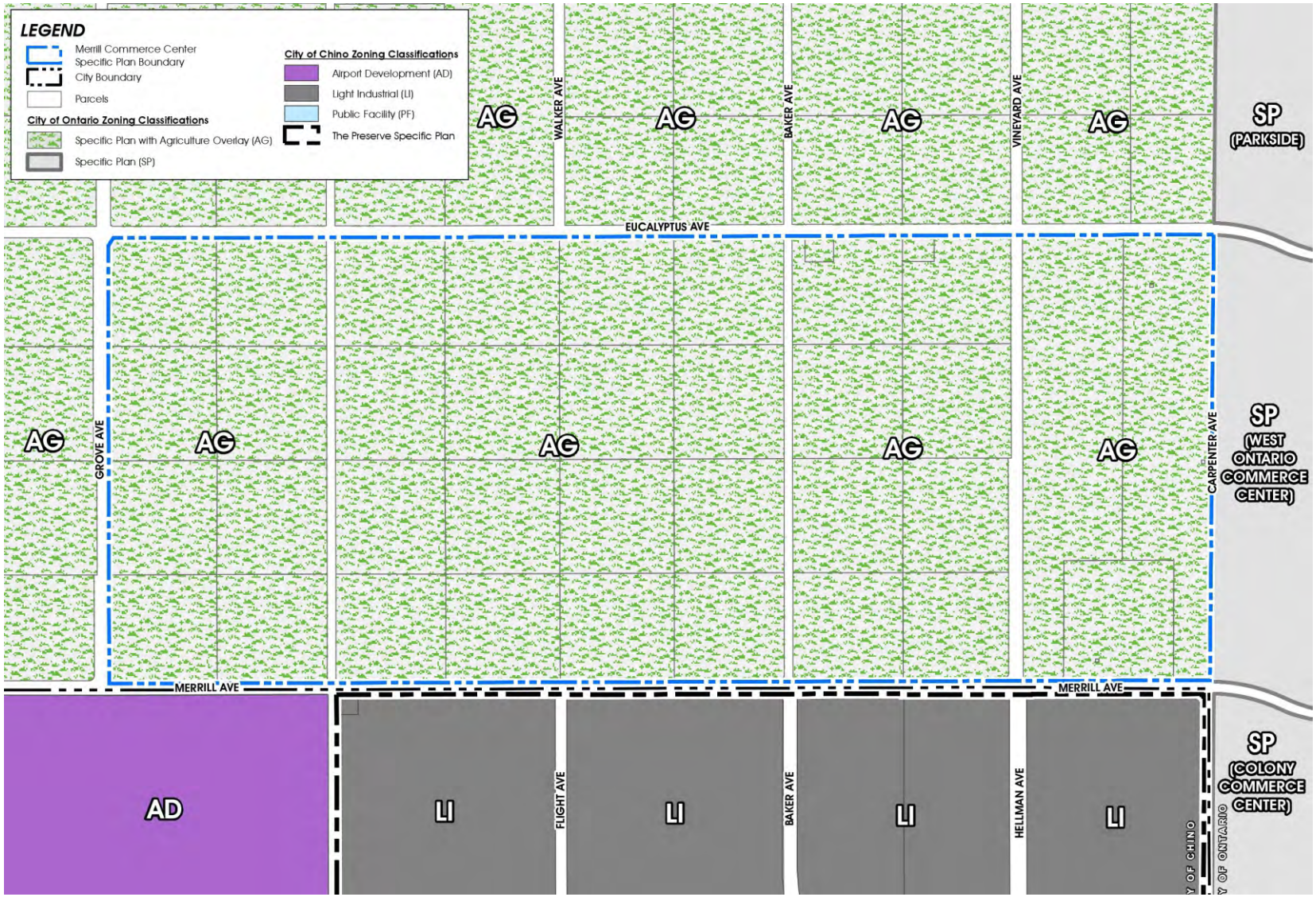
Zoning is the primary tool for implementing a General Plan. Zoning is a site-specific device designed to control the locations, densities, and intensities of various land uses. To prevent incompatible land use relationships, zoning ordinance(s) and accompanying map(s) designate different areas or zones for different types of land uses, and establish standards for development. These standards may specify requirements for lot sizes, lot

coverages, building heights, setbacks, parking, landscaping, and other development parameters. The California Government Code, Section 65860, requires City zoning designations to be consistent with the City General Plan. Existing zoning designations of the Project site and vicinity properties are presented at Figure 4.1-4.

Project Site

The existing Zoning designation of the Project site is "Specific Plan" (SP) with an "AG" (Agriculture) Overlay. City of Ontario Development Code (Development Code) descriptions of the Specific Plan Zoning District and AG Overlay are presented below:

> SP (Specific Plan) Zoning District. The SP zoning district is hereby established to accommodate the adoption of Specific Plans pursuant to this Development Code. The SP zoning district is consistent with, and implements, all land use designation of the Policy Plan component of The Ontario Plan (Development Code, p. 5.01-6).
>
> AG (Agriculture) Overlay District. The AG Overlay District is hereby established to accommodate the continuation of agricultural uses within the City, on an interim basis, until such time that development is slated to occur consistent with the Policy Plan component of The Ontario Plan and the underlying zoning district. Furthermore, it is the intent of this Overlay District to permit continued agricultural use of properties or to establish general agricultural uses, including dairies, which are appropriate for areas of concentrated agricultural uses. The AG Overlay District is consistent with, and implements, all land use designation of the Policy Plan component of The Ontario Plan (Development Code, p. 5.01-6).



Source: City of Ontario, City of Chino

Figure 4.1-4
Existing Zoning Designations

Consistent with the site's SP Zoning designation, the Project would implement industrial and business park uses under the Merrill Commerce Center Specific Plan. If adopted by the City, the Merrill Commerce Center Specific Plan (Specific Plan) would comprise the Project site Zoning. Under the proposed Specific Plan, the site's existing AG Overlay District would no longer be appropriate and would be removed.

Vicinity Properties Zoning Designations

Development of City of Ontario properties is regulated under the specific Zone Districts as detailed within the City of Ontario Development Code. Similarly, development of City of Chino properties is regulated under the specific Zone Districts as detailed within the City of Chino Zoning Code. The Project does not propose or require land use amendments that would affect existing Zoning designations of off-site properties. Zoning designations applicable to properties adjacent to the Project site are summarized below.

City of Ontario

SP Zoning with Agriculture Overlay. Properties to the north west of the Project site are designated SP Zoning with Agriculture Overlay. Please refer to previous descriptions of these Zoning designations.

West Ontario Commerce Center Specific Plan. The West Ontario Commerce Center Specific Plan exists easterly of the Project site across Carpenter Avenue. Development within the West Ontario Commerce Center Specific Plan area is regulated by the West Ontario Commerce Center Specific Plan as approved by the City of Ontario. The West Ontario Commerce Center Specific Plan provides for development of Business Park and Industrial Land Uses within an approximately 119-acre site. Please refer also to: https://www.ontarioca.gov/Planning/SpecificPlans.

Colony Commerce Center West Specific Plan. The Colony Commerce Center West Specific Plan exists southeasterly of the Project site across Carpenter Avenue. Development within the Colony Commerce Center West Specific Plan area is regulated by the Colony Commerce Center West Specific Plan as approved by the City of Ontario. The Colony Commerce Center West Specific Plan provides for development of various

Industrial Land Uses including wholesale and distribution, light manufacturing and business uses within an approximately 123.17-acre site. Please refer also to: https://www.ontarioca.gov/Planning/SpecificPlans.

Parkside Specific Plan. The Parkside Specific Plan exists northeasterly of the Project site across Carpenter Avenue. Development within the Parkside Specific Plan area is regulated by the Parkside Specific Plan as approved by the City of Ontario. The Parkside Specific Plan comprises approximately 251 acres and provides for various Single-Family and Multi-Family Residential uses, and supporting Commercial and Park land uses. Easterly adjacent to the Project site, across Carpenter Avenue, Parkside Specific Plan land uses are designated "Multi-Family Attached" and "Park." Please refer also to: https://www.ontarioca.gov/Planning/SpecificPlans.

City of Chino Zoning Designations

Southerly of the Project site, across Merrill Avenue are properties located in the City of Chino. City of Chino Zoning for certain of these properties is established by the Preserve Specific Plan. The Preserve Specific Plan comprises approximately 5,226 acres and provides for various Residential, Business, Open Space, and Other land uses. Southerly adjacent to the Project site, across Merrill Avenue, Preserve Specific Plan land uses are designated "Light Industrial" and "Public Facilities." Please refer also to: https://www.cityofchino.org/city_hall/departments/community_development/planning/plans/the_preserve.

Westerly of The Preserve Specific Plan, and south/southwesterly of the Project site, City of Chino zoning is "Airport Development." The purpose of the Airport Development (AD) district is to provide areas for the operation of airport and aviation facilities, services and administrative uses, as well as incidental office uses. The AD district also provides areas for air freight handling facilities, aircraft hangars and public transportation and related facilities, including aircraft fuel and supply services. Please refer also to: Chino, California - Code of Ordinances Title 20 - Zoning Chapter 20.07 - Industrial Zoning Districts 20.07.020 - District Purposes.

4.1.2.5 Chino Airport Overlay

The City of Ontario is currently developing a Compatibility Plan for Chino Airport (Compatibility Plan) that relies on procedures and requirements outlined in *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*.
See also: https://dot.ca.gov/-/media/dot-media/programs/aeronautics/documents/californiaairportlanduseplanninghandbook-a11y.pdf).

The City anticipates adoption of a Draft Chino Airport Compatibility Plan in late 2020 – early 2021. Final site plans and development plans within the Project site would be subject to, and would be required to comply with, applicable standards and requirements of the Compatibility Plan as adopted by the City. Please refer also to related discussions presented at EIR Section 4.6, *Hazards/Hazardous Materials*.

4.1.3 LAND USE PLANS, POLICIES, AND REGULATIONS

4.1.3.1 Southern California Association of Governments (SCAG) *2016 – 2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)*.

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. SCAG is a regional planning agency 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 region's MPO, SCAG cooperates

with the Southern California Air Quality Management District (SCAQMD), the California Department of Transportation (Caltrans), and other agencies in preparing regional planning documents. The Project's consistency with the applicable RTP/SCS goals is summarized subsequently within this Section at Table 4.1-6.

4.1.3.2 Local Planning

The City of Ontario Policy Plan [General Plan] Land Use Goals, Objectives, Policies and Actions promote a pattern of orderly and compatible land uses within the City. In support of the Policy Plan, the City Development Code regulates site and use-specific development within the City. In the case of the Project, proposed land uses and development actions are also subject to requirements of the proposed Merrill Commerce Center Specific Plan document. In many instances, Project compliance with applicable provisions of the City of Ontario Policy Plan, Development Code, and proposed Merrill Commerce Center Specific Plan would avoid potential land use and planning impacts, or would reduce those potential impacts to levels that would be less-than-significant.

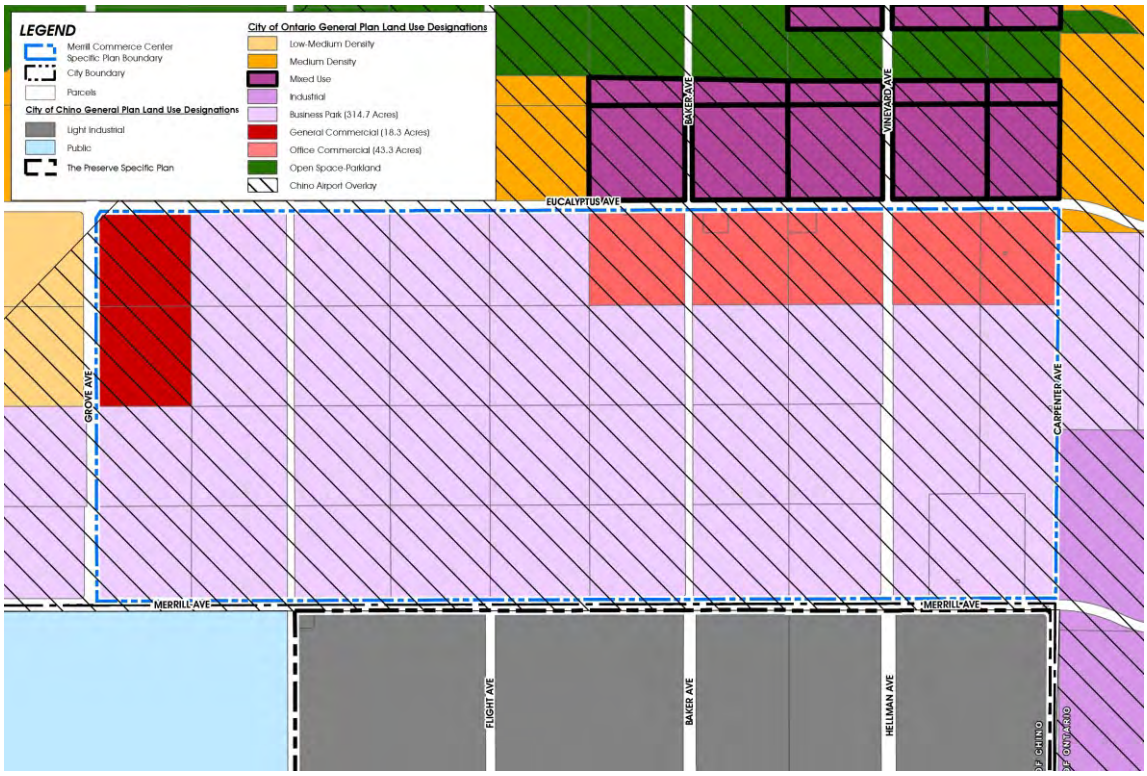
Comparison of Existing and Proposed Policy Land Use Designations

Existing Policy Plan Land Use designations for the Project site are: "Business Park" - 303.5 acres; "Office/Commercial" - 43.3 acres; and "General Commercial" - 18.3 acres. To accommodate land uses and development concepts proposed by the Project, the Applicant proposes to amend the current Policy Plan Land Use designations for the Project site. Existing and proposed Policy Plan Land Use designations for the Project site are summarized at Table 4.1-3. Existing and proposed Policy Plan Land Use designations are illustrated at Figure 4.1-5.

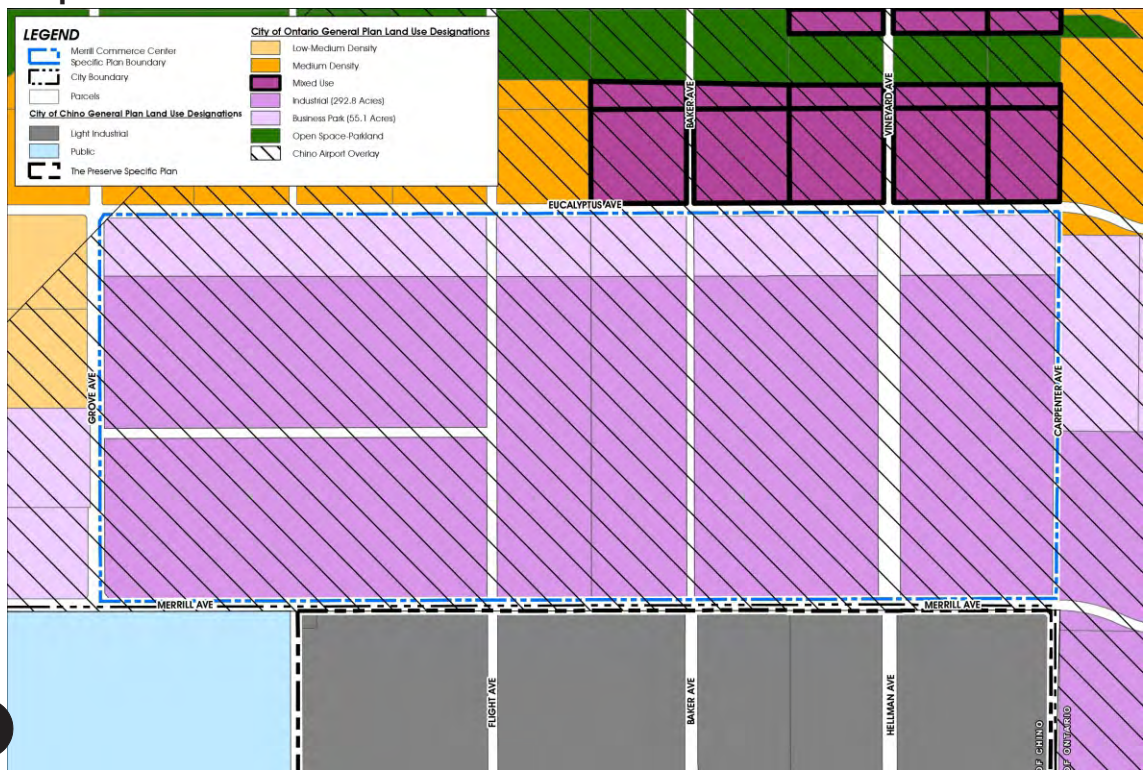
Table 4.1-3
Existing and Proposed Policy Plan Land Use Designations

Existing	Proposed
Business Park - 303.5 acres	Business Park - 55.1 acres
Office Commercial - 43.3 acres	Industrial - 292.8 acres
General Commercial - 18.3 acres	Circulation - 28.4 acres

Existing:



Proposed:



NOT TO SCALE

Source: City of Ontario, City of Chino

Figure 4.1-5
Existing/Proposed Policy Plan Land Use Designations

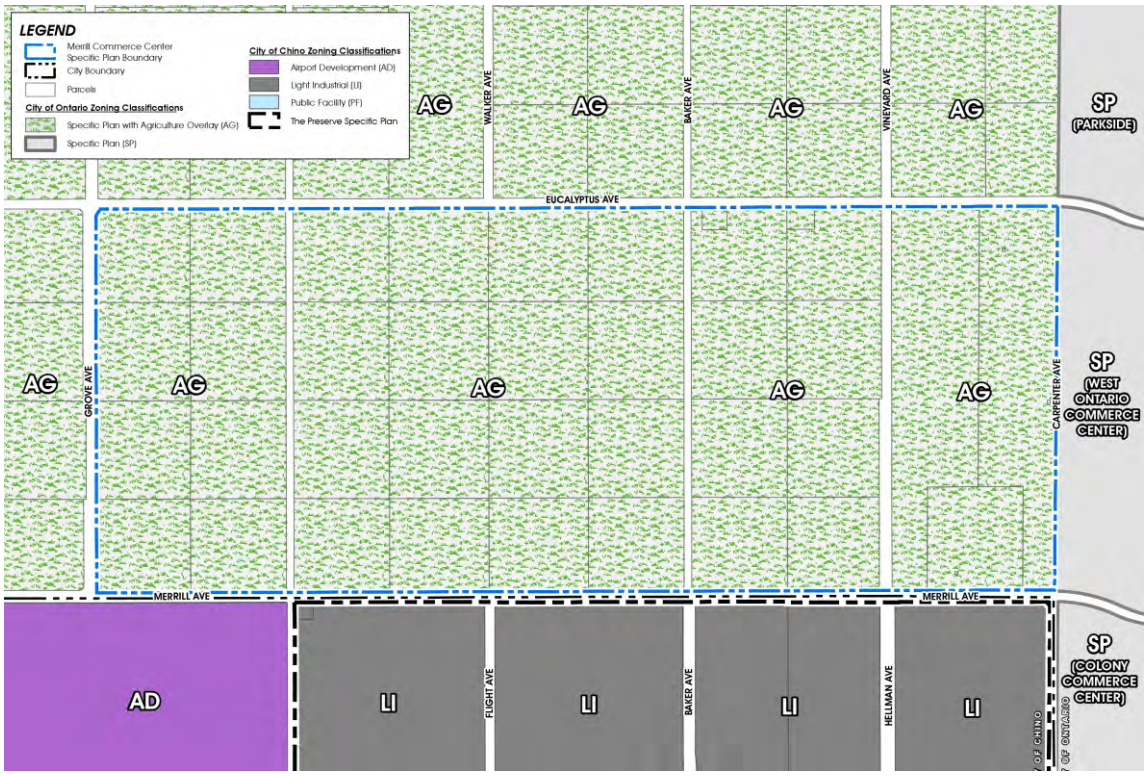
The Policy Plan Land Use Element establishes a plan for land uses within the City and directs the general character and intensities of development within the City boundaries. All proposed development projects are evaluated for consistency with the intent and purpose of the applicable Policy Plan Land Use designation(s) and related Policy Plan Goals and Policies. An assessment of Project support of, or consistency with, applicable Policy Plan Goals and Policies is presented subsequently at Section 4.1.5, *Potential Impacts and Mitigation Measures*.

4.1.3.3 Comparison of Existing and Proposed Zoning Designations

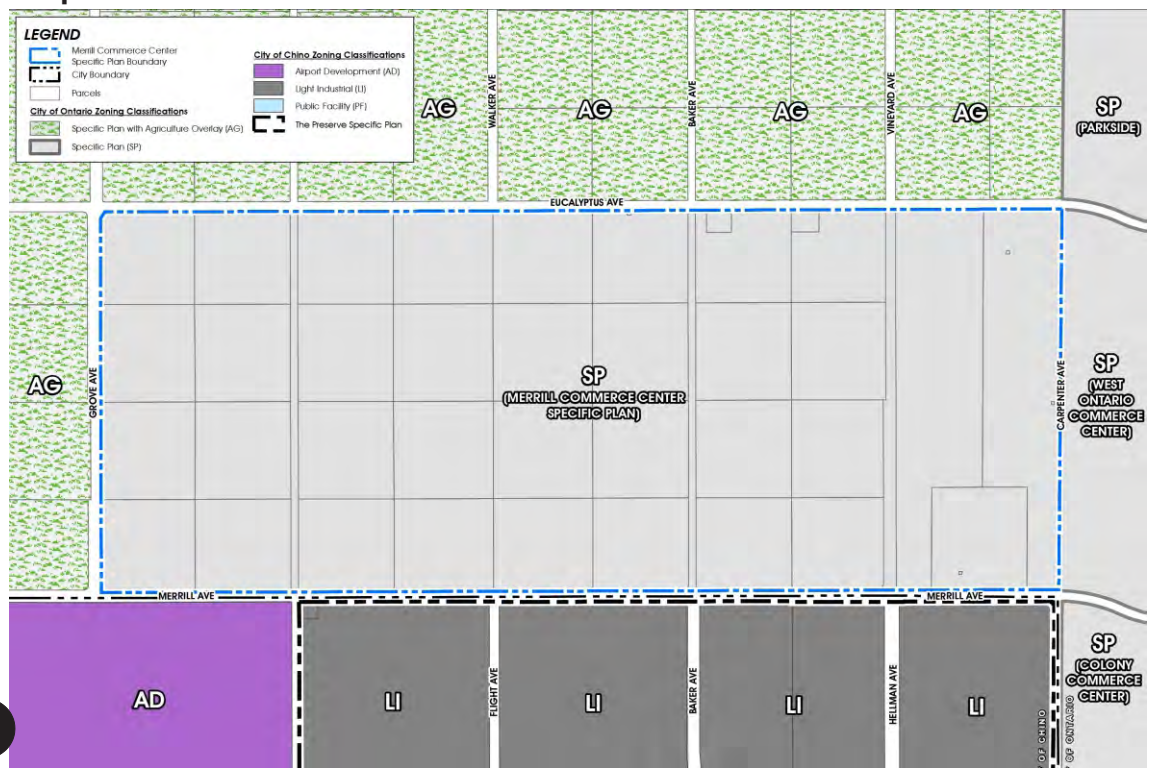
Existing Zoning of the Project site is Specific Plan with an Agricultural Overlay. The Specific Plan Zoning district accommodates the adoption of Specific Plans pursuant to the City Development Code. Consistent with the provisions of the Project site's current Specific Plan Zoning, the Project would be implemented under the provisions and requirements of a Specific Plan (the proposed Merrill Commerce Center Specific Plan). If adopted by the City, the Specific Plan would become the effective zoning for the subject site, and would regulate all development within the site. Where the Specific Plan is silent, regulations and requirements of the City Development Code would prevail. Existing and proposed Zoning designations are illustrated at Figure 4.1-6.

The site's current Agricultural Overlay is intended to accommodate the continuation of agricultural uses within the City, on an interim basis, until such time that development is slated to occur consistent with the Policy Plan and the underlying Specific Plan zoning district. Because the Project would implement a Specific Plan development that would be consistent with the Policy Plan as amended under the Project, the Project would have no impact on agricultural zoning designations. If the proposed Specific Plan is approved by the City, the site's current Agricultural Overlay designation would no longer be appropriate and would be removed.

Existing:



Proposed:



NOT TO SCALE

Source: City of Ontario, City of Chino

Figure 4.1-6
Existing/Proposed Zoning Designations

Project Land Use Concept

The Project Specific Plan Land Use Concept is presented at Figure 4.1-7, and includes the following land use designations/descriptions: "Industrial", "Business Park," and "Circulation." The Specific Plan Land Uses are described below.

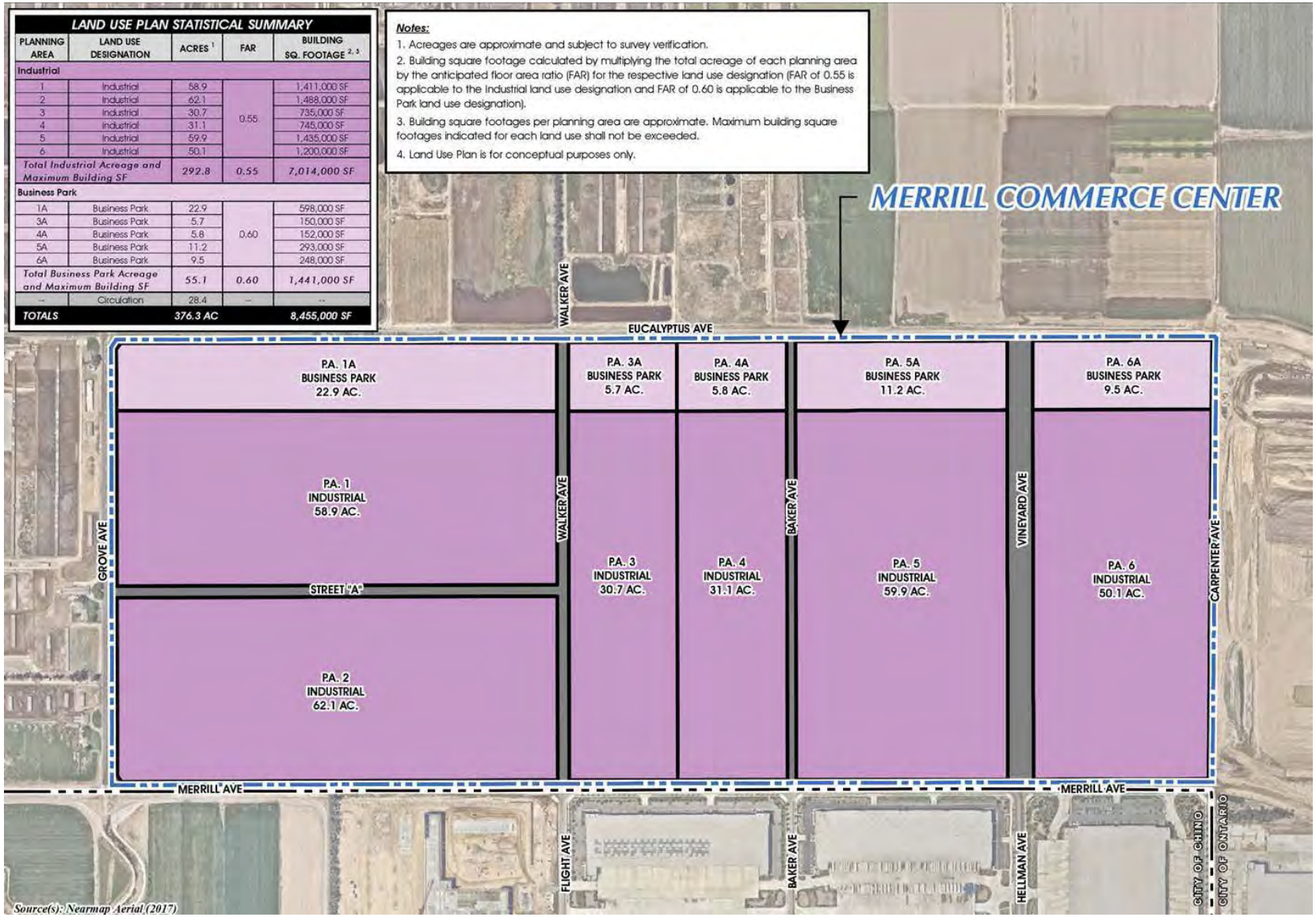
Industrial

Typical allowed uses within the Specific Plan Industrial Land Use would include: general light industrial, manufacturing, warehouse/distribution, and e-commerce fulfillment centers.[3] Please refer to Specific Plan Chapter 5, *Development Regulations*, for a list of permitted uses within the Specific Plan Industrial Land Use designation. Specific Plan Chapter 6, *Design Guidelines,* provides design criteria for all development proposals within the Specific Plan area. Criteria are established for architecture, lighting, energy efficiency, signage, and landscape design. The City would review all development proposals within the Specific Plan Industrial Land Use to ensure conformance with applicable provisions of the Specific Plan.

Business Park

Typical allowed uses within the Specific Plan Business Park Land Use would include: offices, technology centers, research and development, enterprise, and light manufacturing. Please refer to Specific Plan Chapter 5, *Development Regulations*, for a list of permitted uses within the Specific Plan Business Park Land Use designation. Specific Plan Chapter 6, *Design Guidelines,* provides design criteria for all development proposals within the Specific Plan area. Criteria are established for architecture, lighting, energy efficiency, signage, and landscape design. The City would review all development proposals within the Specific Plan Business Park Land Use to ensure conformance with applicable provisions of the Specific Plan.

[3] The analysis presented in this EIR assumes that the Specific Plan Industrial Land uses would be developed with up to 7,014,000 square feet of high-cube fulfillment center warehouses. This Industrial development scenario is considered to generate the likely maximum potential environmental impacts related to traffic, air quality, noise, and greenhouse gas emissions. As development proposals within the Specific Plan are further defined and are formalized, the City would evaluate such development to ensure that potential impacts would not be substantially greater than or different than impacts evaluated in this EIR.



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Source: T&B Planning, Inc.

Figure 4.1-7
Land Use Plan

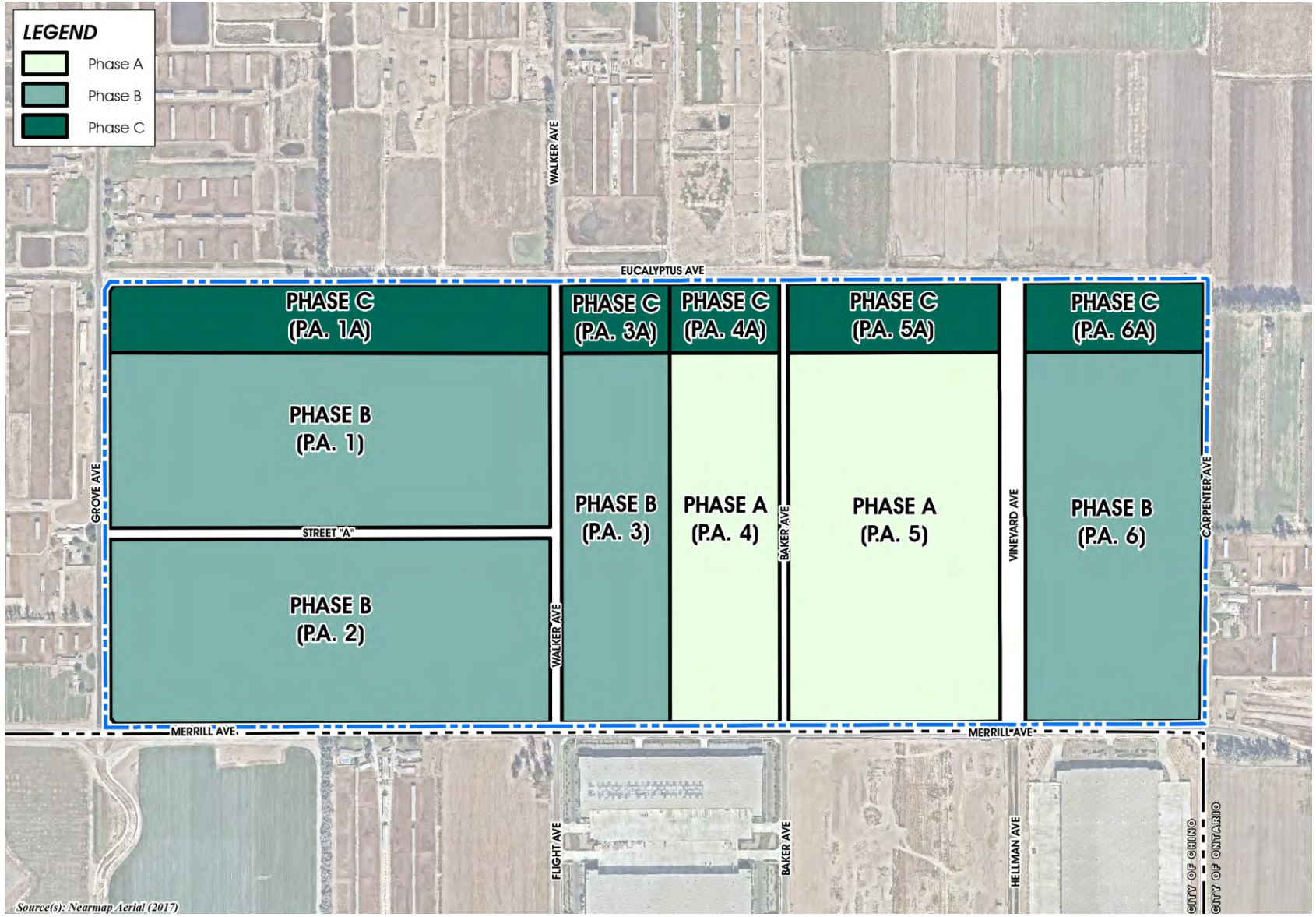
Circulation

Areas designated for "Circulation" would accommodate internal roadways and non-vehicular access.

Phasing

The Specific Plan is anticipated to be implemented in 3 Phases – "A," "B," and "C" as illustrated at Figure 4.1-8, *Phasing Concept*. Phase A is anticipated to be completed by 2022, Phase B by 2025, and Phase C by 2026. Development may occur other than per the expected Phasing sequence, provided that required supporting infrastructure and public services are available at the time of development. Project phasing and development sequencing would ultimately respond to market demands and would be contingent on availability of supporting infrastructure.

Detailed descriptions of circulation system, domestic water service, sanitary sewer service, recycled water service, storm water management system, and dry utilities needed to serve the Project Phases and Planning areas are described at Specific Plan Chapter 4, *Infrastructure Plan*.



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Source: T&B Planning, Inc.

Figure 4.1-8
Phasing Concept

4.1.4 STANDARDS OF SIGNIFICANCE

Appendix G of the California Environmental Quality Act (*CEQA*) Guidelines, as utilized by the City of Ontario, indicates a Project will normally have a potentially significant effect related to land use and planning if it would:

- Physically divide an established community; or

- 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.

4.1.5 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.1.5.1 Introduction

The following discussions focus on those areas where it has been determined that the Project may result in potentially significant land use and planning impacts, based on the previous discussions included within this Section and analysis presented within the EIR Initial Study (EIR Appendix A). As discussed within the Initial Study, the Project would not physically divide an established community. This potential impact is therefore not substantively discussed further within this Section. Please refer also to Initial Study Checklist Item XI. *Land Use and Planning*.

4.1.5.2 Impact Statements

Potential Impact: *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.*

Impact Analysis: Land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating environmental effects are established under the City of Ontario Policy Plan and the SCAG 2016 – 2040 RTP/SCS. Project Consistency with applicable provisions of the City of Ontario Policy Plan and SCAG 2016 – 2040 RTP/SCS are presented below.

City of Ontario Policy Plan

Consistency of the Project with applicable Policy Plan Land Use Element Goals and Policies that directly or indirectly address avoidance or mitigation of environmental effects is presented at Table 4.1-4. Please refer also to other EIR Sections for discussions of Goals/Policies consistency issues concerning topics other than Land Use.

Table 4.1-4
Policy Plan - Land Use Element Goals and Policies Consistency Analysis

Goals/Policies		**Remarks**
LU1 Balance		
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.		
Policies		**Remarks**
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.	**Policy LU1-1 acts to avoid or reduce environmental impacts by minimizing requirements to construct new infrastructure, and by promoting use of transit, thereby generally reducing vehicle miles traveled (VMT) within the region. This Policy reduces resources consumption, transportation system impacts, air pollutant emissions impacts, and GHG emissions impacts.** ***Consistent:*** The proposed Merrill Commerce Center Specific Plan includes a mixture of Industrial and Business Park uses on an under-utilized property surrounded by developed or developing urban land uses. Development intensities and land use configurations realized under the Specific Plan promote the highest and best use of the subject site. Location of the Project takes advantage of existing access provided by the City's roadway network. The Project would also implement those near-term access and roadway improvements the City considers necessary to support current and future area traffic volumes (please refer to EIR Section 3.0, *Project Description*, 3.4.3.4, *Access and Circulation*). The City would also collect Project Development Impact Fees (DIF) and Fair Share fees that would be assigned to roadway improvements necessary to ensure long-term adequacy of the area transportation system. Further, the Project would utilize and upgrade, as needed, other utility infrastructure systems. Development plans, development standards and design guidelines implemented pursuant to the proposed Merrill Commerce Center Specific Plan would establish a Project identity differentiated from, but compatible with, adjacent land uses. On this basis, the Project is consistent with Policy LU1-1.

Table 4.1-4
Policy Plan - Land Use Element Goals and Policies Consistency Analysis

Goals/Policies		Remarks
LU1-2	*Sustainable Community Strategy.* We integrate state, regional and local Sustainable Community/Smart Growth principles into the development and entitlement process.	**Policy LU1-2 promotes conservation and sustainability, with correlating reductions in: energy consumption and resources consumption generally, VMT, transportation impacts, air pollutant emissions impacts, and GHG emissions impacts.** ***Consistent:*** Sustainability/conservation attributes of the Project are discussed in detail in the *Merrill Commerce Center Specific Plan* (EIR Appendix B) and are summarized below. Pursuant to the Specific Plan, roofs of the Project Industrial buildings would will be structurally designed to support solar panels. Additionally, the Specific Plan Design Guidelines encourage all new construction to utilize design features, fixtures, appliances, and heating and cooling controls to conserve energy and water. Further, the Specific Plan encourages non-motorized circulation by employees and visitors via its provision of an integrated network of sidewalks, bikeways, and trails. Facilitating use of these alternative transportation modes may decrease dependence on personal automobiles with related decreases in energy consumption and vehicular emissions. The plant palette for the Project incorporates water-efficient/drought tolerant species native to Southern California or naturalized to the arid Southern California climate. Use of turf will be minimized throughout the Specific Plan area. In this manner, the Project landscape concept would provide for efficient use of water resources. Further, "purple pipe" landscape irrigation systems would be implemented throughout the Specific Plan area, and only recycled/reclaimed water would be used for landscape irrigation or other non-potable purposes, thereby reducing demands on potable water resources. Additionally, as presented at EIR Section 3.0, *Project Description*, 3.4.3.6, *Project Design Features*, the Project would incorporate the following energy efficiency, energy conservation, and sustainability measures: • All Project buildings will be LEED Certified; • Building and site designs will facilitate and incorporate use of renewable energy sources, including roofs that are structurally designed to support solar photovoltaic (PV) panels; • Building and site designs will incorporate conduit and infrastructure for electric car chargers; • Building and site designs will incorporate conduit and infrastructure for electric truck chargers; • To minimize the potential for on-site truck idling, site plans will be designed to ensure adequate circulation and access for trucks;

Table 4.1-4
Policy Plan - Land Use Element Goals and Policies Consistency Analysis

Goals/Policies		Remarks
		• Truck trailer parking areas will be designed and configured to avoid vehicle stacking at the Project site access point and along adjacent streets; • LED Lighting will be provided throughout the Project (interior and exterior); • Project grading will be balanced, thereby minimizing potential requirements for truck conveyance of soil import/export; • Project warehouse designs will provide 40-foot or higher interior clear heights, allowing for greater storage per square foot of building, reducing building footprints, and generally reducing construction material and energy demands; • Site designs will incorporate pedestrian/bicycle/multi-use paths and supporting amenities; • The Project Construction and Demolition Waste Management Plan will be designed and implemented to yield a minimum of 90 percent recycled/salvaged materials. The Project also supports sustainability and growth attributes reflected in Goals of the 2016 – 2040 SCAG RTP/SCS. Please refer to Table 4.1-6. Based on the preceding, the Project is consistent with Policy LU1-2.
LU1-3	*Adequate Capacity*. We require adequate infrastructure and services for all development.	**Policy LU1-3 reduces utilities/infrastructure and public services impacts.** ***Consistent:*** The Project Applicant would construct, or would otherwise ensure to the satisfaction of the Lead Agency, those infrastructure improvements and service enhancements necessary to meet the demands of the Project. As substantiated in this EIR, infrastructure and service demands of the Project can be satisfied without adverse impacts to existing or anticipated customers within affected service areas. Please refer also to EIR Section 4.12, *Utilities and Service Systems*. On this basis, the Project is consistent with Policy LU1-3.
LU1-4	*Mobility*. We require development and urban design, where appropriate, that reduces reliance on the automobile and capitalizes on multi-modal transportation opportunities.	**Policy LU1-4 reduces VMT, transportation system impacts; and vehicular-source air pollutant emissions impact, GHG emissions impacts, and noise impacts.** ***Consistent:*** Access is provided to the Project site by local and regional transportation facilities. Intensified development of the Project site in combination with existing and proposed proximate urban development would focus the transit ridership base, thereby supporting existing and future transit opportunities. The Project incorporates bicycle and pedestrian amenities that facilitate non-motorized transportation modes. Based on the preceding, the Project is consistent with Policy LU1-4.

Table 4.1-4
Policy Plan - Land Use Element Goals and Policies Consistency Analysis

Goals/Policies		Remarks
LU1-5	*Jobs-Housing Balance*. We coordinate land use, infrastructure, and transportation planning and analysis with regional, county and other local agencies to further regional and sub-regional goals for jobs-housing balance.	**Policy LU1-5 reduces VMT, transportation system impacts; and vehicular-source air pollutant emissions impact, GHG emissions impacts, and noise impacts.** ***Consistent:*** Via the EIR process, the City has coordinated Project land uses, infrastructure, and transportation planning and analysis with potentially affected regional, county, and local agencies. Employment opportunities created by the Project would improve the City's jobs/housing balance. Project land uses and supporting improvements would not interfere with or obstruct regional and/or sub-regional goals addressing jobs-housing balance. On this basis, the Project is consistent with Policy LU1-5.
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.	**Policy LU1-6 indirectly minimizes potentially adverse environmental impacts by promoting diverse compatible land uses, contributing to a sustainable community.** ***Consistent:*** The Project proposes Industrial and Business Park Land Uses that would expand and diversify available employment opportunities. Please refer also to the *Merrill Commerce Center Specific Plan* (EIR Appendix B). On this basis, the Project is consistent with Policy LU1-6.
LU1-7	*Revenues and Costs*. We require future amendments to our Land Use Plan to be accompanied by analyses of fiscal impacts.	**Policy LU1-7 indirectly minimizes potentially adverse environmental impacts by ensuring fiscally responsible development, acting to minimize the potential for development proposals to cause or contribute to blight conditions.** ***Consistent:*** An Economic/Fiscal Impact Analysis has been prepared for the Project. Please contact the City for further information. On this basis, the Project is consistent with Policy LU1-7.
LU2 Compatibility		
Goal LU2 Compatibility between a wide range of uses.		
Policies		**Remarks**
LU2-1	*Land Use Decisions.* We minimize adverse impacts on adjacent properties when considering land use and zoning requests.	**Policy LU1-5 minimizes potential land use conflicts that could result in potentially adverse environmental impacts.** ***Consistent:*** The Specific Plan configuration and orientation of land uses combined with integral Development Standards and Design Guidelines act to preclude or minimize potential adverse impacts affecting adjacent properties. The Project is therefore consistent with Policy LU2-1.

Table 4.1-4
Policy Plan - Land Use Element Goals and Policies Consistency Analysis

Goals/Policies		Remarks
LU2-2	*Buffers.* We require new uses to provide mitigation or buffers between existing uses where potential adverse impacts could occur.	***Consistent:*** Please refer to Remarks at Policy LU2-1.
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.	**Policy LU2-3 reduces hazards/hazardous materials impacts and hazardous air pollutant emissions impacts.** ***Consistent:*** The Project does not propose or require uses whose primary function is to store, produce, or transport toxic substances or other hazardous materials. Routine use of hazardous or potentially hazardous materials within the Specific Plan area would be subject to extensive local, regional, and federal regulatory requirements, and would not result in or cause potentially significant environmental impacts. Mitigation incorporated in this EIR reduces impacts associated with pre-existing hazards/hazardous materials conditions to levels that would be-less-than-significant. Additionally, development of the Project would eliminate existing hazardous or potentially hazardous conditions affecting the Project site, including the following: • Animal waste from the long-term dairy farm uses have potentially created methane gas, and soil contamination from nitrates and ammonia. • Numerous automotive fluids, including several large above ground storage tanks (ASTs) on or near the on-site maintenance shop. These materials are used for maintaining and repairing farm equipment. • Additional ASTs used for truck and equipment refueling are located on-site. • A scrap metal area containing drums, ASTs, farming equipment, and vehicles is located on the property. • Dairy operations use formaldehyde, iodine, and glycerol to wash the cows. The dairies also use muriatic acid and chlorinated alkaline as a cleaning solution. Pesticides are applied to prevent parasite infestations. Wastewater from these processes is discharged to the pastures for irrigation. • Holding ponds for contaminated runoff from agricultural/dairy farm operations. Discharge from these ponds to surrounding areas; and potential infiltration of contaminated runoff to underlying groundwater. • General debris observed throughout the property, including vehicle equipment staging areas, used tires, concrete rubble piles, compressors, and generators may have the potential to impact on-site surficial soil. • Presence of septic systems. Please refer also to EIR Section 4.6, *Hazards/Hazardous Materials*. Based on the preceding, the Project is consistent with Policy LU2-3.

Table 4.1-4
Policy Plan - Land Use Element Goals and Policies Consistency Analysis

Goals/Policies		Remarks
LU2-4	*Regulation of Nuisances.* We regulate the location, concentration and operations of potential nuisances.	**Policy LU2-4 reduces nuisance environmental impacts. While not considered significant of themselves, nuisance impacts could contribute to already adverse environmental conditions, or could cumulatively result in adverse environmental conditions.** ***Consistent:*** The Project does not propose or require uses or development that would be characterized as "nuisances." Rather, the implemented Project would establish a compatible and beneficial development within a currently underutilized property. The Specific Plan Development Standards and Design Guidelines and the City Development Code articulate measures and policies that would minimize potential nuisance effects of development. The Project would be required to comply with these measures and policies. On this basis, the Project is consistent with Policy LU2-4.
LU2-5	*Regulation of Uses.* We regulate the location, concentration and operations of uses that have impacts on surrounding land uses.	**Policy LU2-5 minimizes potential land use conflicts that could result in potentially adverse environmental impacts.** ***Consistent:*** As substantiated in this EIR, the Project would not adversely affect surrounding land uses. To this end, all development and operations within the Project site would be required to conform to Development Standards and Design Guidelines established under the Specific Plan. The Project would further be required to conform to all City Development Code requirements. In combination, provisions of the Specific Plan and City Development Code act to ensure that the Project would not adversely impact surrounding land uses. On this basis, the Project is consistent with Policy LU2-5.
LU2-6	*Infrastructure Compatibility.* We require infrastructure to be aesthetically pleasing and in context with the community character.	**Policy LU2-6 minimizes potential aesthetic/visual impacts.** ***Consistent:*** The Specific Plan would locate utility connections, utility cabinets, etc. in areas not visible from public vantages where feasible. In instances where utility connections or utility cabinets must be placed in areas visible to the public, the Specific Plan Design Guidelines provide for screening and/or landscaping to minimize views of utility equipment. On this basis, the Project is consistent with Policy LU2-6.
LU2-7	*Inter-jurisdictional Coordination.* We maintain an ongoing liaison with IEUA, LAWA, Caltrans, Public Utilities Commission, the railroads and other agencies to help minimize impacts and improve the operations and aesthetics of their facilities.	**Policy LU2-7 minimizes potential infrastructure systems impacts.** ***Consistent:*** The Project does not propose or require elements or actions that would obstruct or otherwise interfere with the City's Inter-jurisdictional Coordination efforts. On this basis, the Project is consistent with Policy LU2-7.

Table 4.1-4
Policy Plan - Land Use Element Goals and Policies Consistency Analysis

Goals/Policies		Remarks
LU2-8	*Transitional Areas.* We require development in transitional areas to protect the quality of life of current residents.	**Policy LU2-8 minimizes potential land use conflicts that could result in potentially adverse environmental impacts.** ***Consistent:*** The Project site does not lie within a Policy Plan Transitional Area. As substantiated in this EIR, the Project incorporates elements and operational programs that would act to minimize or avoid the Project's potentially significant environmental impacts and thereby protect the quality of life or current residents. On this basis, the Project is consistent with Policy LU2-8.
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.	**Policy LU2-9 minimizes potential methane hazards impacts.** ***Consistent:*** This EIR incorporates mitigation that would reduce potential hazards/hazardous material impacts, including methane hazards impacts, to levels that would be less-than-significant. Please refer to EIR Section 4.6, *Hazards/Hazardous Materials*. On this basis, the Project is consistent with Policy LU2-9.
Goal LU3 Staff, regulations and processes that support and allow flexible response to conditions and circumstances in order to achieve the Vision.		
LU3-1	*Development Standards.* We maintain clear development standards which allow flexibility to achieve our Vision.	**Policy LU3-1 minimizes the potential for development proposals to result in unacceptable designs, or development that would otherwise result in land use incompatibilities that would impede attainment of the City's Vision.** ***Consistent:*** The Specific Plan incorporates Development Standards and Design Guidelines allowing for flexible development of the Project site supporting the Policy Plan Vision of "sustained, community-wide prosperity which continuously adds value and yields benefits." Development pursuant to the Specific Plan would establish contemporary Industrial and Business Park uses on a currently underutilized site. Benefits of the Project including, but not limited to, jobs creation, increased property tax and sales tax revenues, would promote community-wide prosperity and add value. On this basis, the Project is consistent with Policy LU3-1.
LU3-2	*Design Incentives.* We offer design incentives to help projects achieve the Vision.	**Policy LU3-2 minimizes the potential for development proposals to result in unacceptable designs, or development that would otherwise result in land use incompatibilities that would impede attainment of the City's Vision.** ***Consistent:*** The Project does not propose elements or aspects that would obstruct or interfere with Design Incentives programs established by the City. The Specific Plan would establish land uses, Development Standards and Design Guidelines that would support the Policy Plan Vision. Please refer also to Remarks at Policy LU3-1.

Table 4.1-4
Policy Plan - Land Use Element Goals and Policies Consistency Analysis

Goals/Policies		Remarks
LU3-3	*Land Use Flexibility.* We consider uses not typically permitted within a land use category if doing so improves livability, reduces vehicular trips, creates community gathering places and activity nodes, and helps create identity.	**Policy LU3-3 promotes sustainable and compatible development that reduces or precludes potentially adverse environmental effects.** ***Consistent:*** Land uses and development concepts proposed by the Specific Plan are not currently reflected in the Policy Plan Land Use Plan. The Applicant has requested amendment of the site's existing Policy Plan Land Use designations to allow for implementation of the Specific Plan. The proposed Specific Plan provides for flexible and compatible development of the subject site. More specifically, the Specific Plan would implement compatible Industrial and Business Park uses on a currently under-utilized property. Development intensities and land use configurations proposed under the Specific Plan promote the highest and best use of the subject site. The Specific Plan Land Use Concept collocates Industrial and Business Park Land Uses in an urban/urbanizing area, thereby reducing home – work and work – home commutes, acting generally to reduce vehicle VMT locally and within the region. Corollary reductions in vehicle energy consumption and vehicular-source air pollutant and GHG emissions are anticipated. The Specific Plan development plans, Development Standards, and Design Guidelines would establish a Project identity differentiated from, but compatible with, adjacent land uses. Please refer also to Remarks at Policies LU1-1 and LU1-2. Based on the preceding, the Project is consistent with Policy LU3-3.
LU4 Phased Growth		
Goal LU4 Development that provides short-term value only when the opportunity to achieve our Vision can be preserved.		
Policies		**Remarks**
LU4-1	*Commitment to Vision.* We are committed to achieving our Vision but realize that it may take time and several interim steps to get there.	**Policy LU4-1 indirectly reduces environmental effects through continued commitment to the City's Vision which in part includes promotion of environmentally superior and sustainable development.** ***Consistent:*** The Project would support The Ontario Plan Vision of "sustained, community-wide prosperity which continuously adds value and yields benefits." Please refer to Remarks at Policies LU3-1, LU3-2. Based on the preceding, the Project is consistent with Policy LU4-1.

Table 4.1-4
Policy Plan - Land Use Element Goals and Policies Consistency Analysis

Goals/Policies		Remarks
LU4-2	*Interim Development.* We allow development in growth areas that is not immediately reflective of our ultimate Vision provided it can be modified or replaced when circumstances are right. We will not allow development that impedes, precludes or compromises our ability to achieve our Vision.	**Policy LU4-2 indirectly reduces environmental effects through rejection of development proposals that impede, preclude, or compromise attainment of the City's Vision.** ***Consistent:*** The Project does not propose interim development. Please refer to Remarks at Policies LU3-1, LU3-2, LU4-1.
LU4-3	*Infrastructure Timing.* We require that the necessary infrastructure and services be in place prior to or concurrently with development.	**Policy LU4-3 reduces infrastructure and services impacts.** ***Consistent:*** Pursuant to provisions of Specific Plan, mitigation measures identified in this EIR, and City Conditions of Approval, the Project would provide and/or otherwise ensure to the satisfaction of the City, that infrastructure and services are timely available to meet Project demands. On this basis, the Project is consistent with Policy LU4-3.
LU5 Airport Planning		
Goal LU5 Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.		
Policies		**Remarks**
LU5-1	*Coordination with Airport Authorities.* We collaborate with FAA, Caltrans Division of Aeronautics, airport owners, neighboring jurisdictions, and other shareholders in the preparation, update and maintenance of airport-related plans.	**Policy LU5-1 reduces adverse impacts associated with airfield/airport operations.** ***Consistent:*** The Applicant and City Staff would coordinate with the airport authority for the Chino Airport in evaluation of Project land uses in the context of the Chino Airport Overlay and Riverside County ALUCP for Chino Airport. Please refer also to related discussions presented at EIR Section 4.6, *Hazards/Hazardous Materials.* The Project does not propose facilities or uses that would interfere with or obstruct City collaboration or coordination with agencies or shareholders participating in or responsible for the preparation, update and maintenance of airport-related plans. On this basis, the Project is consistent with Policy LU5-1.
LU5-2	*Airport Planning Consistency.* We coordinate with airport authorities to ensure The Ontario Plan is consistent with state law, federal regulations, and/or adopted master plans and land use compatibility plans for the ONT and Chino airports.	***Consistent:*** Please refer to remarks at Policy LU5-1.

Table 4.1-4
Policy Plan - Land Use Element Goals and Policies Consistency Analysis

Goals/Policies		Remarks
LU5-3	*Airport Impacts.* We work with agencies to maximize resources to mitigate the impacts and hazards related to airport operations.	***Consistent:*** Please refer to remarks at Policy LU5-1.
LU5-6	*Alternative Process.* We fulfill our responsibilities and comply with state law with regard to the Alternative Process for proper airport land use compatibility planning.	***Consistent:*** Please refer to remarks at Policy LU5-1.
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:*** Please refer to Remarks at Policy LU5-1.
LU5-8	*Chino Airport.* We will support the creation and implementation of the Airport Land Use Compatibility Plan for Chino Airport.	***Consistent:*** Please refer to Remarks at Policy LU5-1.

Sources: Goal/Policy statements from: Policy Plan, Land Use Element; Remarks-Applied Planning, Inc.

City of Ontario Development Code/Zoning

Zoning for the subject site would be established by the Specific Plan. The Specific Plan would be consistent with the Policy Plan Land Use Element as amended under the Project.

All development within the Project site would be subject to plans, requirements, standards, and guidelines established under the Specific Plan. In instances where the Specific Plan is silent, development within the Project site would be subject to requirements of the City Development Code. The Project does not propose or require amendment(s) to the City Development Code.

SCAG 2016 – 2040 Regional Transportation Plan/Sustainable Communities Strategy

The Project is also evaluated in the context of the SCAG *2016 – 2040 Regional Transportation Plan/Sustainable Communities Strategy (2016 – 2040 RTP/SCS).* Project consistency with applicable RTP/SCS goals is presented at Table 4.1-5.

Table 4.1-5
Consistency with SCAG RTP/SCS Goals

RTP/SCS Goals	Remarks
Goal 1: Align the plan investments and policies with improving regional economic development and competitiveness.	**Goal 1 indirectly reduces potentially adverse environmental effects by promoting economically sustainable development. Economically sustainable development reduces resources consumption and evidences compatible land uses.** ***Consistent:*** The Project proposes contemporary urban uses, providing an opportunity for development investment on currently underutilized land. The Project fiscal impact analysis substantiates its economic benefit to the City and region. The Project would implement compatible land uses and designs pursuant to requirements of the Specific Plan and City Development Code. On this basis, the Project is consistent with Goal 1.
Goal 2: Maximize mobility and accessibility for all people and goods in the region.	**Goal 2 promotes integrated multimodal transportation systems, reduces regional VMT, reduces transportation system impacts reduces resources consumption, reduces air pollutant and GHG emissions impacts.** ***Consistent:*** The Project's land use concept collocates Industrial and Business Park uses in an urban context, proximate to employees and patrons. In this context, the Project would allow for reduced home – work, and work – work commutes, acting to generally reduce VMT locally and within the region. Corollary reductions in vehicle energy consumption and vehicular-source air pollutant emissions and GHG emissions would likely result. The Project would also incorporate bicycle and pedestrian access and amenities in accordance with the Specific Plan and the City Development Code. On this basis, the Project is consistent with Goal 2.
Goal 3: Ensure travel safety and reliability for all people and goods in the region.	**Goal 3 reduces transportation system impacts generally, and transportation system safety impacts specifically.** **Consistent:** The Project TIA identifies improvements that would promote and facilitate the safe movement of people and goods. All transportation modes within the Project area would be required to comply with incumbent regulatory safety standards. On this basis, the Project is consistent with Goal 3.
Goal 4: Preserve and ensure a sustainable regional transportation system.	**Goal 4 reduces transportation system impacts and resources consumption impacts.**

Table 4.1-5
Consistency with SCAG RTP/SCS Goals

RTP/SCS Goals	Remarks
	Consistent: The Project TIA assesses all potentially affected roadways and identifies required improvements to the existing transportation network. The Project would construct required improvements, and/or would offset its incremental transportation system impacts through payment of requisite transportation/traffic impact fees. Project construction of required improvements and payment of transportation/traffic impact fees preserves and maintains sustainable local and regional transportation systems. Transportation Demand Management (TDM) measures implemented under the Project would act to reduce Project Vehicle Miles Traveled (VMT) impacts. On this basis, the Project is consistent with Goal 4.
Goal 5: Maximize the productivity of our transportation system.	**Goal 5 reduces VMT, transportation system impacts, and vehicular-source air pollutant emissions and GHG emissions impacts.** **Consistent:** Under the Project, local and area-serving transportation systems would be improved and maintained to maximizes their efficiency and productivity. The City oversees the improvement and maintenance of all aspects of the public right-of-way on an as-needed basis. TDM measures implemented under the Project would act to reduce Project VMT impacts. On this basis, the Project is consistent with Goal 5.
Goal 6: Protect the environment and health of our residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking).	**Goal 5 reduces VMT, transportation system impacts, and vehicular-source air pollutant emissions and GHG emissions impacts.** **Consistent:** The Project would accommodate and would not interfere with existing or planned bicycle facilities and bikeway system improvements. The Project would incorporate bicycle and pedestrian amenities consistent with provisions of the Specific Plan and the City Development Code. TDM measures implemented under the Project would act to reduce Project VMT impacts. On this basis, the Project is consistent with Goal 6.
Goal 7: Actively encourage and create incentives for energy efficiency, where possible.	**Goal 7 reduces energy consumption, air pollutant emissions impacts and GHG emissions impacts.** **Consistent:** Energy-saving and sustainable design features and operational programs would be incorporated in the Project consistent with provisions of the Specific Plan and pursuant to California Green Building Standards Code (CALGreen; CCR, Title 24, Part 11) as implemented by the City of Ontario. Additionally, the Project would implement the following conservation/sustainability measures: • All Project buildings will be LEED Certified;

Table 4.1-5
Consistency with SCAG RTP/SCS Goals

RTP/SCS Goals	Remarks
	• Building and site designs will facilitate and incorporate use of renewable energy sources, including roofs that are structurally designed to support solar photovoltaic (PV) panels; • Building and site designs will incorporate conduit and infrastructure for electric car chargers; • Building and site designs will incorporate conduit and infrastructure for electric truck chargers; • To minimize the potential for on-site truck idling, site plans will be designed to ensure adequate circulation and access for trucks; • Truck trailer parking areas will be designed and configured to avoid vehicle stacking at the Project site access point and along adjacent streets; • LED Lighting will be provided throughout the Project (interior and exterior); and • Project grading will be balanced, thereby minimizing potential requirements for truck conveyance of soil import/export. • Project warehouse designs will provide 40-foot or higher interior clear heights, allowing for greater storage per square foot of building, reducing building footprints, and generally reducing construction material and energy demands; • Site designs will incorporate pedestrian/bicycle/multi-use paths and supporting amenities; • The Project Construction and Demolition Waste Management Plan will be designed and implemented to yield a minimum of 90 percent recycled/salvaged materials. On this basis, the Project is consistent with Goal 7.
Goal 8: Encourage land use and growth patterns that facilitate transit and non-motorized transportation.	**Goal 8 reduces VMT, transportation system impacts, and vehicular-source air pollutant emissions and GHG emissions impacts.** **Consistent:** The Project is provided proximate access to local and regional transportation facilities. Intensified development of the Project site in combination with existing and proposed proximate urban development would focus the transit ridership base, thereby supporting existing and future transit opportunities. The Project incorporates bicycle and pedestrian amenities that facilitate non-motorized transportation modes. TDM measures implemented under the Project would act to reduce Project VMT impacts. On this basis, the Project is consistent with Goal 8. Please refer also to Remarks at Goals 4 – 7.
Goal 9: Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.	**Goal 9 reduces transportation system safety/hazards impacts.** **Consistent:** The City of Ontario is responsible for monitoring of roadways and transit routes to determine the adequacy and safety of these systems. The City and other local and regional agencies and

Table 4.1-5
Consistency with SCAG RTP/SCS Goals

RTP/SCS Goals	Remarks
	organizations (e.g., RTA, Caltrans, and SCAG) cooperatively manage these systems. Security situations involving roadways and evacuations would be addressed through City emergency response plans. On this basis, the Project is consistent with Goal 9.

Sources: Goal Statements from: 2016–2040 RTP/SCS; Remarks by Applied Planning, Inc.

Summary

As outlined above, the proposed Merrill Commerce Center Specific Plan would establish Land Uses, Development Standards, and Design Guidelines directing the ultimate buildout of the Project site. Land uses and development reflected within the proposed Specific Plan can be feasibly implemented consistent with applicable provisions of the City General Plan (as amended) and the City Development Code. Prior to issuance of development permits, the City would review the final development plans for individual projects within the Specific Plan area to ensure consistency with the Specific Plan document as approved by the City, and where applicable, City Development Code requirements. Further, the Project would be consistent with applicable land use and planning provisions of the Policy Plan, as amended. Project consistency with applicable Policy Plan Land Use and Planning Policies addressing avoidance and mitigation of environmental impacts is summarized at Table 4.1-4.

The Project is also considered to be consistent with, and would support land use and planning goals articulated in the *2016-2040 RTP/SCS.* Project consistency with applicable *2016-2040 RTP/SCS* Land Use and Planning Goals addressing avoidance and mitigation of environmental impacts is summarized at Table 4.1-5.

On the basis of the preceding, the potential for the Project to 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 is less-than-significant.

Level of Significance: Less-Than-Significant.

4.2 TRANSPORTATION

4.2 TRANSPORTATION

Abstract

This discussion of potential transportation impacts is organized under the following headings:

- *Vehicle Miles Traveled Analysis; and*
- *Other Transportation Topics.*

A summary of the analysis and findings under these topical headings is presented below.

The City specifically recognizes that vehicle delay (Level of Service, LOS) deficiencies are no longer environmental impacts under CEQA.[1] *Although not specifically relevant to an analysis of CEQA transportation impacts, for City use and informational purposes, a Project Traffic Impact Analysis (Project TIA, TIA) addressing LOS impacts has been prepared (see:* Merrill Commerce Center Specific Plan, Traffic Impact Analysis, City of Ontario *[Urban Crossroads, Inc.] June 30, 2020; EIR Appendix C). The TIA identifies Study Area LOS deficiencies and recommends improvements to address any identified deficient conditions. Project trip generation estimates developed as part of the Project TIA are employed in the VMT analysis presented in this Section, and the trip generation estimates also employed in related analyses (e.g., vehicular-source emissions air quality impacts, vehicular-source noise impacts) presented elsewhere in this EIR.*

[1] *CEQA Guidelines* Section 15064.3, effective January 1, 2019, "describes specific considerations for evaluating a project's transportation impacts" and provides that, except for roadway capacity projects, "a project's effect on automobile delay (or LOS) shall not constitute a significant environmental impact." (*CEQA Guidelines*, § 15064.3, subd. (a).)

Vehicle Miles Traveled (VMT) Assessment

CEQA Guidelines *Section 15064.3 (statute effective July 1, 2020) requires analysis of the Project's potential vehicle miles traveled (VMT) impacts. Detailed analysis of the Project's potential VMT impacts is presented in* Merrill Commerce Center Specific Plan Vehicle Miles Traveled (VMT) Assessment *(Urban Crossroads, Inc.) January 14, 2020 (Project VMT Assessment). Findings and conclusions of the Project VMT Assessment are summarized in this Section and the Project VMT Assessment in total is presented at EIR Appendix C. The Project VMT Assessment estimates the Project VMT/Service Population (Project VMT/SP) and compares the Project VMT/SP to a calculated City Average Existing VMT/SP. Within this analysis, Project VMT/SP that would exceed 85 percent of the City Average Existing VMT/SP would be considered a potentially significant VMT Impact.*

It is recognized here, that the VMT thresholds employed in this EIR analysis predate the City's formal adoption of VMT thresholds in conformance with SB 743 (see: City of Ontario City Council Resolution No. 2020-071, adopted June 16, 2020).[2] *In this respect, the EIR VMT threshold (85 percent of the City Average Existing VMT/SP) is more restrictive than the City's June 16, 2020 adopted VMT threshold (exceedance of Citywide Average VMT/SP under General Plan Buildout Conditions). More specifically and quantitatively, the EIR VMT/SP thresholds are: 31.96 VMT/SP when considering only Project automobile VMT; and 35.96 VMT/SP when considering Total Project VMT/SP (Project automobile VMT + Project truck VMT/SP). In comparison, City Average VMT/SP under City General Plan Buildout Conditions (year 2040) is estimated at 37.90 VMT/SP when considering only automobile VMT/SP; and 42.80 VMT/SP when considering automobile VMT + truck VMT. The analysis presented here therefore conservatively overestimates rather than underestimates the significance of the Project's potential VMT impacts.*

Potentially significant VMT impacts are mitigated through implementation of Transportation Demand Management (TDM) measures identified in this Section. As substantiated here, even with implementation of proposed TDM measures, Project VMT impacts would be significant and unavoidable.

[2] For reference, City of Ontario City Council Resolution No. 2020-071 and the accompanying Agenda Report are included at EIR Appendix C.

Additionally, within this analysis, significant and unavoidable VMT impacts at the Project level are also determined to be cumulatively significant and unavoidable. This conclusion is consistent with the determination that would be reached employing the City's cumulative analysis threshold wherein a "[cumulatively] significant impact would occur if the project caused total daily VMT within the City to be higher than the no project [no build] alternative under cumulative conditions."

Other Transportation Topics

Other transportation topics evaluated in this Section include the following:

- *Potential to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;*
- *Potential to substantially increase hazards to a geometric design feature; and*
- *Potential to result in inadequate emergency access.*

The analysis presented here substantiates that Project impacts under the preceding "other transportation topics" would be less-than-significant.

4.2.1 VMT ASSESSMENT

4.2.1.1 Background

Transportation impact analyses prepared by the City have historically been based on level of service (LOS) and similar vehicle delay/congestion metrics. The LOS analytic model provides a reasonable assessment of vehicle congestion and driving conditions that may result from a given development project. LOS analyses do not however evaluate the range and magnitude of other environmental effects attributable to development traffic, including fuel consumption, criteria air pollutant emissions, and greenhouse gas emissions. These latter issues have however been historically addressed, and are currently addressed within this EIR's *Air Quality*, *Greenhouse Gas Emissions*, and *Energy* Sections. In response to these latter concerns and to comprehensively evaluate environmental impacts of development traffic, the *CEQA Guidelines* (amended December 2019) include new Section 15064.3 addressing transportation impacts. In summary, *CEQA*

Guidelines Section 15064.3 establishes Vehicle Miles Traveled (VMT) as the appropriate metric for evaluation of project transportation impacts.

Consistent with *CEQA Guidelines* Section 15064.3 requirements, an analysis of the Project's potential VMT impacts is presented below. Please refer also to the *Merrill Commerce Center Specific Plan, Vehicle Miles Traveled (VMT) Assessment* (Urban Crossroads, Inc) January 14, 2020 (Project VMT Assessment) presented at EIR Appendix C.

The Project VMT Assessment substantiates the potential for the Project to conflict with or be inconsistent with *CEQA Guidelines* Section 15064.3, subdivision (b). For ease of reference, *CEQA Guidelines* Section 15064.3, subdivision (b) is presented below.

> § 15064.3. Determining the Significance of Transportation Impacts.
>
> (b) Criteria for Analyzing Transportation Impacts.
>
> (1) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.
>
> (2) Transportation Projects. Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.

(3) Qualitative Analysis. If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.

(4) Methodology. A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

4.2.1.2 Methodology

As provided for under *CEQA Guidelines* Section 15064.3 (b) (4) (above), "[a] lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. Within this analysis, evaluation of the Project VMT impacts is guided by *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Technical Advisory) (Governor's Office of Planning and Research, OPR) December 2018. The Technical Advisory fulfills the state (SB 743) mandate that "OPR [is] to establish specific 'criteria for determining the significance of transportation impacts of projects[.]' (Technical Advisory, p. 7).

As provided for under the Technical Advisory, and to identify potential VMT impacts of the Project, the Project VMT Assessment establishes an Average Existing VMT/Service Population (SP) and compares that with the Project VMT/SP. The Technical Guidance

indicates "that a per capita or per employee VMT that is fifteen percent below that of existing development may be a reasonable threshold" (Technical Advisory, p. 10). In the case of the Project and the analysis presented here, the Service Population comprises employees.

Consistent with the Technical Advisory guidance, Project VMT/SP exceeding 85 percent of the Average Existing VMT/SP would be considered a potentially significant VMT impact. This is a conservative significance threshold that correlates with and supports State GHG emissions reductions targets. The VMT threshold employed in this analysis purposely does not take into account or take credit for emerging technologies or regulatory actions that would act to reduce GHG emissions, translating to less stringent VMT reduction thresholds. As just one example, by 2023, all trucks will have to be compliant with CARB 2010 Truck and Bus Regulation emissions standards. Absent any VMT reductions, the CARB 2010 Truck and Bus Regulation emissions standards would reduce truck emissions (including GHG emissions) when compared to GHG emissions generated by non-2010 fleets.[3]

Mitigation measures are proposed for Project VMT impacts determined to be potentially significant. The Project VMT Assessment and the discussions in this Section incorporate and reflect current VMT information, analysis methodologies, and analysis protocols presented in the following:

- *WRCOG SB 743 Implementation Pathway Document Package* (Fehr + Peers [for WRCOG]) March 2019 [see: http://www.fehrandpeers.com/wp-content/uploads/2019/03/WRCOG-SB743-Document-Package.pdf];

- San Bernardino Countywide Plan Draft Program Environmental Impact Report, State Clearinghouse No. 2017101033 (Placeworks [for San Bernardino County]) June 2019 [see: http://countywideplan.com/eir/];

[3] NOx emissions, an indirect greenhouse gas contributor, would be reduced by approximately 50 percent. Additionally, PM_{10} emissions would be reduced by approximately 31 percent (source EMFAC2017).

- *Quantifying Greenhouse Gas Mitigation Measures* (California Air Pollution Control Officers Association [CAPCOA] August 2010 [see: http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf]; and

- The Countywide Comprehensive Transportation Plan, San Bernardino County Transportation Analysis Model (San Bernardino County Transportation Authority [SBCTA]) 2018 [see: http://gosbcta.com/plans-projects/plans-CTP.html].

Further detail regarding the Project VMT Assessment is provided below.

VMT/SP Calculations

City Average VMT

Consistent with City protocols, the San Bernardino County Transportation Analysis Model (SBTAM, Model) was employed to estimate City Average VMT. SBTAM is a sub-regional model that was developed based on the Southern California Association of Governments (SCAG) Regional Planning model. SBTAM is functionally similar to the SCAG model with a focused approach to San Bernardino County, having disaggregated zones within the County area and aggregated zones outside of the county. SBTAM uses socioeconomic data to model travel behavior. The Model responds to changes in land use types, household and employment characteristics, transportation infrastructure, and travel costs. Use of the Model for purposes of estimating VMT is appropriate since the information contained in the Model is specific to the Project region and Project land use types. Furthermore, use of travel demand models generally is a recommended practice supported by the Technical Advisory. More specifically, the Technical Advisory states:

> . . . agencies can use travel demand models or survey data [in this case SBTAM] to estimate existing trip lengths and input those into sketch models such as CalEEMod to achieve more accurate results. Whenever possible, agencies should input localized trip lengths into a sketch model to tailor the analysis to the project location (Technical Advisory, p. 31).

Related discussion regarding selection and use of VMT analysis methodologies is presented at *CEQA Guidelines* Section 15064.3. (b) (4), excerpted in pertinent part below:

> 15064.3. (b) (4) Methodology. A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

The Project VMT Assessment and use of SBTAM to estimate VMT conforms to, and is supported by, provisions and requirements of the Technical Advisory and *CEQA Guidelines* noted above. The City Average VMT was calculated based on select-zone 2012 and 2040 SBTAM runs for all the Traffic Analysis Zones (TAZs) within the City of Ontario. SBTAM modeling data is provided at Attachment A to the Project VMT Assessment.

City Service Population

For the purposes of the Project VMT Assessment, Service Population (SP) is defined as employees + residents. The City Service Population was calculated based on SBTAM socio-economic data for City of Ontario TAZs for the years 2012 and 2040.

City Average VMT/SP

The Project would generate both automobile and truck traffic. As part of this analysis, Project VMT/SP estimates for automobiles, as well as trucks, have been calculated.

To facilitate direct comparison of Project VMT to the City Average VMT/SP, the City Average VMT/SP has been disaggregated into automobile and truck components.

SBTAM estimates of VMT (automobiles and trucks), population, employment, and resulting VMT/SP for the City of Ontario (2012 and 2040) are summarized at Table 4.2-1.

Table 4.2-1
City of Ontario VMT, Population, Employment, SP, and VMT/SP Estimates: 2012, 2040

	SBTAM 2012	SBTAM 2040
Automobile VMT	8,586,612	14,063,294
Truck VMT	1,062,164	1,810,305
TOTAL VMT	9,648,776	15,873,599
Population	163,356	256,593
Employment	65,602	114,536
SP	228,958	371,129
Auto VMT/SP	37.5	37.9
Total VMT/SP	42.1	42.8

Source: *Merrill Commerce Center Specific Plan, Vehicle Miles Traveled (VMT) Assessment* (Urban Crossroads, Inc) January 14, 2020.

The Baseline (2019) City Average VMT/SP (Automobile VMT and Total VMT) was calculated by linearly interpolating SBTAM data for the years 2012 and 2040. Table 4.2-2 provides a summary of the City Average Automobile VMT/SP and Total VMT/SP for 2012, 2019, and 2040.

Table 4.2-2
City Average VMT/SP Estimates: 2012, 2019, 2040

	2012 VMT/SP	2019 VMT/SP	2040 VMT/SP
Automobiles	37.5	37.6	37.9
Total	42.1	42.3	42.8

Source: *Merrill Commerce Center Specific Plan, Vehicle Miles Traveled (VMT) Assessment* (Urban Crossroads, Inc) January 14, 2020.

Project VMT/SP Calculation

Project VMT

The Project VMT calculation has two components – the total number of vehicle trips generated and the average trip length of each vehicle. Each calculation component is described below. Consistent with guidance provided in the Technical Advisory,

excerpted in pertinent part below, an assessment of Automobile VMT/SP has been provided.

> **Vehicle Types.** Proposed Section 15064.3, subdivision (a), states, "For the purposes of this section, 'vehicle miles traveled' refers to the amount and distance of automobile travel attributable to a project." Here, the term "automobile" refers to on-road passenger vehicles, specifically cars and light trucks (Technical Advisory, p. 4).

For disclosure and consistency purposes, VMT generated by the Project truck traffic is also identified and is reflected in the Project VMT Assessment and impact determinations are made on the basis of both automobile and truck VMT.

Project Trip Generation

Project average daily trips (ADT) have been calculated based on trip generation rates presented in *ITE Trip Generation Manual*, 10th Edition (2017). Total Project trip generation and trip generation by vehicle category (automobiles/trucks) is summarized at Table 4.2-3. Trips are expressed in terms of actual vehicles (as opposed to PCEs).

Table 4.2-3
Project Trip Generation by Vehicle Category

Vehicle Type	ADT
Automobiles	16,286
Trucks	3,520
Total	**19,806**

Source: *Merrill Commerce Center Specific Plan, Vehicle Miles Traveled (VMT) Assessment* (Urban Crossroads, Inc) January 14, 2020.

Please refer also to the discussion of trip generation presented previously within this Section and the detailed Project trip generation calculations presented in the Project TIA.

Project Average Trip Length

A select-zone SBTAM model run for the Project Traffic Analysis Zone (TAZ) was conducted to establish the Project average automobile trip lengths. Adjustments to the SBTAM data were made to reflect the Project land uses.

The average trip length for trucks was based on the South Coast Air Quality Management District (SCAQMD) documents for the implementation of the Facility-Based Mobile Source Measures (FBMSMs) adopted in the 2016 Air Quality Management Plan (AQMP). SCAQMD's "Preliminary Warehouse Emission Calculations" cites a 39.9 mile trip length for heavy-heavy trucks, and 15.5 mile trip length for light-heavy trucks (see: https://www.aqmd.gov/docs/default-source/planning/fbmsm-docs/preliminary-draft-2023-ei_warehouses.xlsx?sfvrsn=60).

Thus, the VMT estimates used for trucks in this EIR are consistent with the assumptions made by SCAQMD and those contained in the Air Quality section of this EIR. As a conservative measure and for the purposes of this analysis, a trip length of 40 miles has been utilized for all trucks. Average trip lengths are summarized at Table 4.2-4.

Table 4.2-4
Project TAZ Average Trip Length

Vehicle Type	Average Trip Length (Miles)
Automobiles	16.5
Trucks	40.0

Source: *Merrill Commerce Center Specific Plan, Vehicle Miles Traveled (VMT) Assessment* (Urban Crossroads, Inc) January 14, 2020.

Project VMT

Reflecting the Project trip generation estimates and average trip lengths presented above, Table 4.2-5 summarizes total Project Daily VMT and Daily VMT by vehicle category.

Table 4.2-5
Project VMT Summary

Vehicle Type	ADT	Average Trip Length (Miles)	Daily VMT
Automobiles	16,286	16.5	268,719
Trucks	3,520	40.0	140,800
Total	19,806	20.68	409,519

Source: *Merrill Commerce Center Specific Plan, Vehicle Miles Traveled (VMT) Assessment* (Urban Crossroads, Inc) January 14, 2020.

Project SP

The Project does not have a residential component – the Project SP therefore comprises employees only. Project tenants are not yet known, and the number of jobs that the Project would generate therefore cannot be precisely determined. For purposes of this analysis, employment estimates were calculated using employment density factors provided in *Ontario General Plan Buildout Methodology*, April 2015 (Methodology) (see: http://www.ontarioplan.org/wp-content/uploads/sites/4/2016/01/Methodology-Revised.pdf).

More specifically, the Methodology assumes that 50 percent of Business Park employment would be "non-office" and 50 percent would be "office." The Methodology also assumes that 90 percent of Industrial [warehouse] employment would be "non-office" and 10 percent would be "office." Per the Methodology, non-office uses generate 0.65 Employees/Thousand Square Feet (TSF); office uses generate 2.86 Employees/TSF. On this basis, the Project 7,014,000 sf of Industrial [Warehouse] uses would generate 4,013 non-office jobs and 2,006 office jobs. The Project 1,441,000 sf of Business Park Uses would generate 468 non-office jobs and 2,061 office jobs. In total, the Project would create an estimated 8,638 new jobs.

Project VMT/SP

Reflecting the estimated Project VMT and estimated Project SP presented above, Table 4.2-6 summarizes Project VMT/SP.

Table 4.2-6
Project VMT/SP

Project SP (Employees)	8,638
Project Automobile VMT	268,719
Project Truck VMT	140,800
Project Total VMT	409,519
Project Automobile VMT/SP	31.11
Project Total VMT/SP	47.41

Source: *Merrill Commerce Center Specific Plan, Vehicle Miles Traveled (VMT) Assessment* (Urban Crossroads, Inc) January 14, 2020.

Other Considerations

Alternative transportation modes and facilities (e.g., bus service, bicycle routes, pedestrian paths) are generally available within the Study Area and could potentially reduce the Project VMT. However, the VMT reducing potentials of alternative travel modes were not considered in the Project VMT Assessment. Project VMT estimates considered in this analysis therefore represent the likely maximum Project VMT impact conditions.

VMT Threshold of Significance

VMT threshold guidance employed herein is provided in the Technical Advisory. In this regard, the Technical Advisory recommends . . . "that a per capita or per employee VMT that is fifteen percent below that of existing development may be a reasonable threshold" (Technical Advisory, p. 10). Consistent with this guidance, a fifteen percent reduction in existing City Average VMT/Service Population (SP) is established as the VMT threshold condition for the Project. For the purposes of this analysis, the City Average VMT/SP and related thresholds are quantified as Automobile VMT/SP, and Total VMT/SP.

Stated otherwise, Project VMT/SP that exceeds 85 percent of the existing City Average VMT/SP condition is considered a potentially significant VMT/transportation impact. The Average Existing Automobile VMT/SP of 37.6 VMT/SP x 0.85 = 31.96 VMT/SP. The Automobile VMT/SP threshold for the Project is therefore 31.96 VMT/SP. The existing City Average Total VMT/SP of 42.3 VMT/SP x 0.85 = 35.96 VMT/SP. The Total VMT/SP threshold for the Project is therefore 35.96 VMT/SP.

It is recognized here, that the VMT thresholds employed in this EIR analysis predate the City's formal adoption of VMT thresholds in conformance with SB 743 (see: City of Ontario City Council Resolution No. 2020-071, adopted June 16, 2020).[4] In this respect, the EIR VMT threshold (85 percent of the City Average Existing VMT/SP) is more restrictive than the City's June 16, 2020 adopted VMT threshold (exceedance of Citywide

[4] For reference, City of Ontario City Council Resolution No. 2020-071 and the accompanying Agenda Report are included at EIR Appendix C.

Average VMT/SP under General Plan Buildout Conditions). More specifically and quantitatively, the EIR VMT/SP thresholds are: 31.96 VMT/SP when considering only Project automobile VMT; and 35.96 VMT/SP when considering Total Project VMT/SP (Project automobile VMT + Project truck VMT/SP). In comparison, City Average VMT/SP under City General Plan Buildout Conditions (year 2040) is estimated at 37.90 VMT/SP when considering only automobile VMT/SP; and 42.80 VMT/SP when considering automobile VMT + truck VMT. The analysis presented here therefore conservatively overestimates rather than underestimates the significance of the Project's potential VMT impacts.

Project VMT Impact

The Project would generate an estimated 31.11 Automobile VMT/SP. This is 0.85 Automobile VMT/SP less than the 31.96 Automobile VMT/SP significance threshold. Automobile VMT/SP impacts would therefore be less-than-significant.

The Project would generate an estimated 47.41 Total VMT/SP. This is 11.45 Total VMT/SP greater than the 35.96 Total VMT/SP significance threshold. Thus, the Project total VMT/SP impacts would be potentially significant.

Level of Significance: *Potentially Significant* (Total VMT/SP). Project Total VMT/SP of 47.41 VMT/SP would exceed the Total VMT/SP threshold of 35.96 VMT/SP. This is a potentially significant impact.

Mitigation Measures: Mitigation of the Project's potentially significant VMT impacts would be achieved through implementation of Transportation Demand Management (TDM) measures. Mitigation proposed here comprises TDM measures identified in *Quantifying Greenhouse Gas Mitigation Measures* (California Air Pollution Control Officers Association [CAPCOA] August 2010 (see: http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf).

CAPCOA identifies 41 TDM measures that could potentially reduce VMT. With respect to the Project, the predominance of these measures are actions or programs that would

be challenging for the Lead Agencies to reasonably implement and monitor. Other CAPCOA TDMs would completely change the nature of the Project or include strategies beyond the purview of the Lead Agency and/or Applicant. These TDMs in effect compare types of projects that would be less likely to cause VMT impacts rather than establish feasible development-level VMT mitigation.

Of the 41 TDM measures identified by CAPCOA, 7 have potential relevance to the Project considered here. These TDM measures are identified below, and their potential application in the context of the Project is discussed.

- *TDM Measure 1: Increase Diversity of Land Uses.* 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 transport. 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 up to 7,014,000 square feet of high-cube fulfillment center uses and up to 1,441,000 square feet of business park uses. In order for the above measure to apply, at least three of the following need to be located on-site, or off-site within ¼ mile of the Project: Residential Development, Retail Development, Park, Open Space, or Office. There may be office space located on-site and off-site within ¼ mile of the Project; and potential future residential development may occur off-site within ¼ mile of the Project. However, there are no existing or proposed retail developments within a ¼ mile of the Project, nor is there existing or proposed designated Open Space. This measure is therefore not evaluated further as means of providing a substantial 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-wide commute VMT. This analysis however conservatively assumes no such VMT reduction.

- *TDM Measure 2: Provide Pedestrian Network Improvements.* Providing a pedestrian access network to link areas of the Project site encourages people to walk instead of drive. This mode shift results in people driving less and thus a reduction in VMT.

  Remarks: There are existing sidewalks off-site along portions of Merrill Avenue, Flight Avenue, and Van Vliet Avenue. However, field observations indicate there is nominal pedestrian activity in the Study Area (Project TIA, p. 39). This is likely due to the current lack of diversity of land uses.

  Additionally, in the vicinity of the Project site, a multipurpose trail is planned along Grove Avenue (N – S); a multipurpose trail is planned alone Vineyard Avenue (N – S); a multipurpose trail and Class II Bike Route (striped separate bike lanes) are planned along Walker Avenue (N – S); a multipurpose trail and Class II Bike Route are planned along Eucalyptus Avenue; and a multipurpose trail and Class II Bike Route are planned along Merrill Avenue. These improvements would globally improve pedestrian and bicycle access within and through the Study Area. Additionally, consistent with City requirements and provisions of the Merrill Commerce Center Specific Plan, the Project would implement on-site pedestrian/bicycle/multi-purpose paths and supporting amenities that would encourage use of alternative transportation modes. These Project design features in combination with City master-planned facilities would act to generally reduce VMT within the Study Area. At this concept stage of development, quantification of resulting VMT reductions is uncertain, and this analysis conservatively takes no credit for such reductions. This measure is therefore not evaluated further as means of providing a substantial reduction in Project VMT.

- *TDM Measure 3: Provide Traffic Calming Measures.* Providing traffic calming measures encourages people to walk or bike instead of using a vehicle. This mode shift will 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: As noted in the preceding discussions, the industrial nature of the Project and similar characteristics of surrounding uses tend to constrain pedestrian and bicycle activity as alternative transportation modes that would reduce Project VMT. This measure is therefore not evaluated further as means of providing a substantial reduction in Project VMT.

The Project would nonetheless provide on-site pedestrian and bicycle amenities as required by the City of Ontario Development Code, CALGreen, and pursuant to applicable provisions of the Merrill Commerce Center Specific Plan.

- *TDM Measure 4: Implement Car-Sharing Program.* 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 of VMT but would rather transfer the VMT source from individually-owned autos to employee-subsidized autos. Moreover, CAPCOA indicates that this measure would at most result in 0.4 to 0.7% reduction in VMT (*Quantifying Greenhouse Gas Mitigation Measures,* p. 245*).* This measure is therefore not evaluated further as means of providing a substantial reduction in Project VMT.

- *TDM Measure 5: Increase Transit Service Frequency and Speed.* This measure serves to reduce transit-passenger travel time through 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 Study Area is currently served by Omnitrans and RTA. No bus routes currently provide proximate service (within one-quarter mile) of the Project site.

Transit service is periodically reviewed and updated by Omnitrans and RTA to address ridership demand and community needs. Changes in land use can affect these periodic adjustments which may lead to correlating revisions to transit services. It is recommended that the Applicant, Lead Agency, Omnitrans, and RTA coordinate transit services and amenities available to the Project area. Implementation of this measure would require agency planning, oversight, and authorization beyond control of the Applicant. It is therefore not evaluated further as means of providing a substantial reduction in Project VMT.

- *TDM Measure 6: Encourage Telecommuting and Alternative Work Schedule.* Encouraging telecommuting and alternative work schedules reduces the number of commute trips and employee VMT. 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 % (*Quantifying Greenhouse Gas Mitigation Measures,* p. 236*).*

- *TDM Measure 7: Provide Ride-Sharing Programs.* Increasing the vehicle occupancy by ride sharing will result in fewer cars driving the same trip, and thus a decrease in VMT. This measure would provide for a ride-sharing program as well as a permanent transportation management association membership and a funding requirement. Funding may be provided by Community Facilities, District, or County Service Area, or other non-revocable funding mechanism. Ride-sharing programs could be facilitated through:

  - Designating a certain percentage of parking spaces for ride sharing vehicles;
  - Designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles; and
  - Providing a web site or message board for coordinating rides.

Remarks: The effectiveness of this measure is dependent on the ultimate building designs and 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% (*Quantifying Greenhouse Gas Mitigation Measures,* p. 227*).*

As indicated above, of the seven TDM measures with potential application to the Project, only two (*TDM Measure 6: Encourage Telecommuting and Alternative Work Schedule;* and *TDM Measure 7: Provide Ride-Sharing Programs)* could provide for any potentially meaningful reduction in Project VMT. These TDM measures are restated as EIR Mitigation Measures, below:

4.2.1 *The following language or similar shall be incorporated in all Project contract, construction, and property sale/lease documents: "Owners/tenants shall, to the extent practical, allow for and encourage Telecommuting and Alternative Work Schedules."*

4.2.2 *The following language or similar shall be incorporated in all Project contract, construction, and property sale/lease documents: "Owners/tenants shall, to the extent practical, allow for and encourage ride-sharing programs."*

4.2.3 *The Applicant shall record a covenant for the Project requiring implementation and administration of a Transportation Demand Management (TDM) program for each Project building/occupancy with 250 or more employees. The form of the covenant shall be approved by the City Attorney's Office. The covenant shall be recorded prior to issuance of a Certificate of Occupancy for the subject building(s).*

4.2.4 *Prior to issuance of a Certificate of Occupancy for each building/occupancy providing for 250 or more employees, each owner/tenant shall develop a use/occupant-specific TDM program. The TDM program shall submitted to the City Planning Department and City Building Department as part of tenant improvements plan(s) documentation. At a minimum, the TDM program shall:*

- *Identify physical improvements (if any) to be implemented as part of the TDM program. The City Planning/Building Department shall verify completion of physical TDM improvements as part of the Certificate of Occupancy process.*

- *Identify TDM program operational strategies to be implemented. These TDM strategies may include but would not be limited to the following:*

    - *On-site services such as food, retail, and other services to be provided.*

    - *Ridesharing. Develop a commuter listing of all employee members for the purpose of providing a "matching" of employees with other employees who live in the same geographic areas and who could rideshare.*

    - *Vanpooling. Develop a commuter listing of all employees for the purpose of matching numbers of employees who live in geographic proximity to one another and could comprise a vanpool or participate in the existing vanpool programs.*

    - *Guaranteed Ride Home Program. Develop and implement a program to provide employees who rideshare, or use transit or other means of commuting to work, with a prearranged ride home in a taxi, rental car, shuttle, or other vehicle, in the event of emergencies during the work shift.*

    - *Target Reduction of Longest Commute Trip. Provide incentives for ridesharing and other alternative transportation modes to put highest priority on reduction of longest employee commute trips.*

    - *Implement staggered work shifts to the extent practical.*

    - *Implement telecommute programs to the extent practical.*

- *Establish a TDM coordinator position. The position of TDM coordinator may be fulfilled by the building owner/lessee, an employee, or third-party provider. The TDM coordinator shall:*

- *Identify proposed TDM measures to be implemented and provide a list of implemented measures to the City Planning Department;*

- *Inform employees of commute options and shall, as applicable, arrange rideshare or vanpool programs;*

- *Develop and implement a TDM monitoring program. The TDM monitoring program shall identify trip generation, trip origin(s), average vehicle ridership, and provide an estimate of VMT/employee. The results of the survey shall be submitted annually to the City Planning Department;*

- *Based on the results of the TDM monitoring program, provide TDM modification recommendations to the City and affected owners/tenants. Additional/alternative VMT reduction measures that would act to reduce Project VMT levels and that are mutually agreed to by the City and owners/tenants shall be implemented.*

Level of Significance With Mitigation: *Significant and Unavoidable.* Implementation of Mitigation Measures 4.2.1 through 4.2.4 have the potential to reduce Project VMT. The effectiveness of these measures would be dependent in part on final Project designs and occupancies, which are unknown at this time. Beyond Project design and tenancy considerations, land use context is a major factor relevant to the potential application and effectiveness of TDM measures. More specifically, the land use context of the Project is characteristically suburban. Of itself, the Project's suburban context acts to reduce the range of feasible TDM measures and moderates their potential effectiveness. Relevant discussion in this regard is presented in *WRCOG SB 743 Implementation Pathway Document Package* (Fehr + Peers [for WRCOG]) March 2019, excerpted in pertinent part below:

> The [OPR] Technical Advisory relies on the *Quantifying Greenhouse Gas Mitigation Measures*, (CAPCOA) 2010 resource document to help justify the 15 percent reduction in VMT threshold stating, "…fifteen percent reduction in VMT are achievable at the project level in a variety of place types…". A more accurate reading of the CAPCOA document is that a fifteen percent is the maximum reduction when combining multiple mitigation strategies for

> the *suburban center*[5] place type. For *suburban*[6] place types, 10 percent is the maximum and requires a project to contain a diverse land use mix, workforce housing, and project-specific transit. It is also important to note that the maximum percent reductions were not based on data or research comparing the actual performance of VMT reduction strategies in these place types. Instead, the percentages were derived from a limited comparison of aggregate citywide VMT performance for Sebastopol, San Rafael, and San Mateo where VMT performance ranged from 0 to 17 percent below the statewide VMT/capita average based on data collected prior to 2002. Little evidence exists about the long-term performance of similar TDM strategies in different land use contexts. As such, VMT reductions from TDM strategies cannot be guaranteed in most cases (*WRCOG SB 743 Implementation Pathway Document Package*, pp. 65 – 66).

As indicated in the preceding discussion, even under the most favorable circumstances, projects located within a suburban context, such as the Project evaluated here, could realize a maximum 10 percent reduction in VMT through implementation of feasible TDM measures. For the Project, this could reduce the Project Automobile VMT/SP from to 31.11 VMT/SP to 28.00 VMT/SP which would not exceed the applicable Automobile VMT/SP of 31.96 Automobile VMT/SP. A 10 percent reduction in Project Total VMT (47.41 Total VMT/SP) would yield 42.67 Total VMT/SP, which would still exceed the threshold condition of 35.96 Total VMT/SP.

It is also recognized that as the Project area and City develop as envisioned under the Policy Plan, 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/SP, and support implementation of new or

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[5] ***Suburban Center:*** A project typically involving a cluster of multi-use development within dispersed, low-density, automobile dependent land use patterns (a suburb). The center may be an historic downtown of a smaller community that has become surrounded by its region's suburban growth pattern in the latter half of the 20th Century. The suburban center serves the population of the suburb with office, retail and housing which is denser than the surrounding suburb (*Quantifying Greenhouse Gas Mitigation Measures,* p. 60).

[6] ***Suburban:*** A project characterized by dispersed, low-density, single-use, automobile dependent land use patterns, usually outside of the central city . . . (*Quantifying Greenhouse Gas Mitigation Measures,* p. 60).

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/SP are dependent on a as yet unknown final Project designs building tenant(s); and as noted above, "VMT reductions from TDM strategies cannot be guaranteed in most cases."

In summary, unmitigated Project Automobile VMT/SP would not exceed applicable thresholds. However, unmitigated Project Total VMT/SP would exceed applicable thresholds. The Project would implement TDM measures that could potentially further reduce already less-than-significant Automobile VMT/SP impacts. However, even with implementation of TDM measures, Total VMT/SP impacts could not be reduced to levels that would be less-than-significant. In any case, the efficacy of TDM measures and reduction of VMT impacts below thresholds cannot be assured at this concept stage of Project development. ***The Project VMT impact is therefore considered significant and unavoidable.***

Cumulative VMT Impacts

As summarized in *WRCOG SB 743 Implementation Pathway Document Package . . .* "VMT thresholds based on an efficiency form of the metric such as VMT per capita, can address project and cumulative impacts in a similar manner that some air districts do for criteria pollutants and GHGs (*WRCOG SB 743 Implementation Pathway Document Package, p. 67).* In this respect, significant and unavoidable VMT impacts at the Project level would also be considered cumulatively significant. This conclusion is consistent with the determination that would be reached employing the City's cumulative analysis threshold wherein a "[cumulatively] significant impact would occur if the project caused total daily VMT within the City to be higher than the no project [no build] alternative under cumulative conditions."

Induced VMT Assessment

Use of VMT as an environmental impact metric for transportation projects is discretionary under Section 15064.3 (b) (2) of the *CEQA Guidelines*:

> *(2) Transportation Projects. Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.*

The Technical Advisory states that building new roadways, adding roadway capacity in congested areas, or adding roadway capacity to areas where congestion is expected in the future, typically induces additional vehicle travel. OPR identifies addition of through lanes on existing or new highways, including general purpose lanes, HOV lanes, peak period lanes, auxiliary lanes, or lanes through grade-separated interchanges as project types that would likely lead to a measurable and substantial increase in induced vehicle travel. Further, the Technical Advisory acknowledges that addition of capacity on local or collector streets, provided the project also substantially improves conditions for pedestrians, cyclists, and, if applicable, transit would not likely lead to a substantial or measurable increase in vehicle travel, and therefore generally should not require an induced travel analysis (Technical Advisory, pp. 20, 21).

The Project would construct site adjacent local streets, collectors, and arterials, including sidewalk and bicycle lanes consistent with the City of Ontario Policy Plan Mobility Element. The construction of these local facilities consistent with the Policy Plan Mobility Element is not likely to significantly alter regional or interregional travel.

Project job creation would not exceed employment projections developed under the Policy Plan. Growth resulting from Project job creation is anticipated under the Policy Plan, and such growth would not result in environmental impacts not already considered and addressed in the Policy Plan EIR. Growth resulting from or facilitated by Project infrastructure improvements is anticipated under the Policy Plan, and environmental impacts attributable to such growth, including but not limited to VMT effects, is considered and addressed in the Policy Plan EIR.

Additionally, the Policy Plan EIR notes that while the City of Ontario is jobs-rich, the subregion as a whole is housing-rich. The Policy Plan EIR concludes that buildout of the Ontario Plan would act to improve the job/housing balance within the sub-region. Creation of additional jobs as the result of the Project would tend to collocate employment and housing opportunities and would act to reduce sub-regional employment-based VMT.

It is further noted that the Project would generate approximately one-half of the total daily trips that would result from development of the subject site under the site's current Policy Plan Land Use designations (see Table 4.2-7). A comparable reduction in total VMT could be expected.

Table 4.2-7
Trip Generation Comparison-Existing Policy Plan Land Uses vs. Project

Existing Policy Plan Land Uses			Project	
Policy Plan Land Use Designation	**ITE Land Use Metric**	**ADT (PCE)**	**Policy Plan Land Use Designation**	**ADT (PCE)**
Business Park: 314.7 acres; 8,225,000 sf	ITE Land Use 130 3.37 Trips/TSF	27,718	Business Park: 55.1 acres; 1,441,000 sf	5,842
Office Commercial: 43.3 acres; 1,414,600 sf	ITE Land Use 710 9.74 Trips/TSF	13,778	N/A	---
General Commercial: 18.3 acres; 318,900 sf	ITE Land Use 820 33.37 Trips/TSF	10,642	N/A	---
N/A	---	---	Industrial: 292.8 acres; 7,014,000 sf	19,356
N/A	---	---	Circulation: 28.4 Acres	---
Total ADT	**---**	**52,138**	**Total ADT**	**25,198**

Sources: Policy Plan Land Use Element; ITE Trip Generation Manual, 10th Edition (2017); Merrill Commerce Center Specific Plan.
Notes:
1. Maximum building square footage calculated by multiplying the total acreage of each land use by the anticipated floor area ratio (FAR) for the respective land use designation per Policy Plan Table LU-02 Land Use Designations Summary Table – Industrial FAR = 0.55; Business Park FAR = 0.60; General Commercial FAR = 0.040; Office Commercial FAR = 0.75.
2. No Project Alternative Land Use Trip Generation Metrics from ITE Trip Generation Manual, 10th Edition (2017). ITE Land Use Codes: 130-Industrial Park; 710 General Office, 820 Shopping Center.
3. Project Trip Generation from *Merrill Commerce Center Specific Plan, Traffic Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) June 30, 2020.
4. ADT = Average Daily Trips, TSF = Thousand Square Feet

Environmental impacts of VMT generated under the current Policy Plan Land Uses are reflected in related Policy Plan EIR Traffic, Air Quality, Greenhouse Gas/Global Climate Change, and Vehicular-source Noise analyses. The Project would result in a comparative reduction in total ADT and VMT when compared to ADT and VMT generated by the site's current Policy Plan Land Uses. Additionally, roadway improvements proposed by

the Project are consistent with and would not provide capacity beyond that reflected in the Policy Plan Mobility Element.

While roadway improvements associated with the Project may facilitate vehicular travel within the City and surrounding areas, total VMT and environmental impacts of such travel would be comparatively reduced when compared with VMT and VMT-related impacts already considered and addressed in the Policy Plan EIR.

4.2.2 OTHER TRANSPORTATION TOPICS

Potential Impact: *Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities***.**

City of Ontario Policy Plan

City of Ontario programs, plans, and policies addressing the circulation system are established under the City of Ontario Policy Plan. Project consistency with applicable provisions of the Policy Plan is summarized at Table 4.2-8. As provided for under CEQA, the analysis presented here considers program, plan, and policy inconsistencies that could result in potentially significant environmental impacts. As a matter of law, the Project would be required to comply with City ordinances addressing the Study Area circulation system.

Table 4.2-8
City of Ontario Policy Plan Consistency Analysis

MOBILITY ELEMENT		
M1 roadway		
Goal M1 A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.		
Policies		**Remarks**
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.	**Consistent.** Project roadway designs and all proposed improvements would conform with the City's *Master Plan of Streets and Highways,* City design standards and applicable federal/state design and safety standards. City design review processes would ensure compliance with all applicable standards. LOS Policies: LOS deficiencies are no longer impacts under CEQA. For informational purposes and use by the City, a TIA addressing potential LOS deficiencies has been prepared and is included at EIR Appendix C.

Table 4.2-8
City of Ontario Policy Plan Consistency Analysis

MOBILITY ELEMENT		
	• Be compatible with the streetscape and surrounding land uses. • Be maintained in accordance with best practices and our Right-of-Way Management Plan.	Streetscape design concepts implemented pursuant to the *Merrill Commerce Center Specific Plan* establish compatible continuation of existing perimeter streetscapes. All public roadways would be maintained in accordance with City requirements to include implementation of City Best Management Practices and City Right-of-Way Management Plan. On this basis, the Project is considered consistent with Policy M1-1.
M1-2	*Mitigation of Impacts.* We require development to mitigate its traffic impacts.	**Consistent.** Potentially significant VMT impacts are addressed via the mitigation measures presented in this Section. LOS deficiencies are no longer impacts under CEQA. Improvements addressing LOS deficiencies are identified in the Project TIA. On this basis, the Project is considered consistent with Policy M1-2.
M1-3	*Roadway Improvements.* We work with Caltrans, SANBAG and others to identify, fund and implement needed improvements to roadways identified in the Functional roadway Classification Plan.	**Consistent.** Please refer to remarks at Policies M1-1, M1-2.
M1-4	*Adjacent Jurisdictions.* We work with neighboring jurisdictions to meet our level of service standards at the City limits.	**Consistent.** Potentially significant VMT impacts are addressed via the mitigation measures presented in this Section. LOS deficiencies are no longer impacts under CEQA. Improvements addressing LOS deficiencies are identified in the Project TIA. On this basis, the Project is considered consistent with Policy M1-4.
M2 Bicycle and Pedestrians		
Goal M2 A system of trails and corridors that facilitate and encourage bicycling and walking.		
Policies		**Remarks**
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.	**Consistent.** Bikeway improvements would be implemented consistent with the *City of Ontario Multipurpose Trails & Bikeway Corridor Plan* and provisions of the *Merrill Commerce Center Specific Plan.* On this basis, the Project is considered consistent with Policy M2-1.
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.	**Consistent.** Pedestrian paths would be provided within the Project site and along the Project perimeter consistent with City standards and provisions of the Merrill Commerce Center Specific Plan. On this basis, the Project is considered consistent with Policy M2-3.
M3 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.		
Policies		**Remarks**
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.** Developers of the Project would coordinate transit service options and provision of transit facilities with the local mass transit provider (Omnitrans). Adequate area for any bus turnouts and bus amenities would be provided consistent with City and Omnitrans requirements.

Table 4.2-8
City of Ontario Policy Plan Consistency Analysis

MOBILITY ELEMENT		
		On this basis, the Project is considered consistent with Policy M3-2.
M4 Goods Movement		
Goal M4 An efficient flow of goods through the City that maximizes economic benefits and minimizes negative impacts.		
Policies		**Remarks**
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.** Trucks accessing the Project site would utilize the City's designated truck routes. Vehicular-source noise and air quality impacts are evaluated within this EIR, and mitigation is proposed for those impacts determined to be potentially significant, thereby minimizing negative impacts on local circulation and noise-sensitive land uses. On this basis, the Project is considered consistent with Policy M4-1.
M4-2	*Regional Participation*. We work with regional and sub-regional transportation agencies to plan and implement goods movement strategies, including those that improve mobility, deliver goods efficiently and minimize negative environmental impacts.	**Consistent.** The Project land uses take advantage of proximate available regional transportation systems acting to facilitate mobility, goods movement, and goods delivery on a local, sub-regional and regional basis. The Project would not interfere with or otherwise obstruct City efforts and actions to coordinate regional and sub-regional plans and strategies facilitating mobility, goods movement, and goods delivery. On this basis, the Project is considered consistent with Policy M4-2.
M4-4	*Environmental Considerations.* We support efforts to reduce/eliminate the negative environmental impacts of goods movement.	**Consistent.** The Merrill Commerce Center Specific Plan Design Guidelines and Development Standards globally act to minimize potential environmental impacts of goods movement associated with the Project. Mitigation proposed in this further reduces potentially adverse impacts resulting from Project goods movement activities. Please refer also to remarks at Policies M4-1, M4-2.
LU5 Airport Planning		
Goal LU5 Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.		
Policies		**Remarks**
LU5-3	*Airport Impacts.* We work with agencies to maximize resources to mitigate the impacts and hazards related to airport operations.	***Consistent:*** The Project does not propose or require amendment to the Ontario International Airport Land Use Compatibility Plan (ONT ALUCP). Nor would the Project otherwise interfere or obstruct the City's administration and maintenance of the ONT ALUCP. The City fulfills its state Airport Land Compatibility requirements pursuant to the "Alternative Process." Under the Alternative Process, affected agencies are responsible for conducting their own consistency evaluations for new development and/or major land use actions within their portions of the ONT Airport Influence Area (AIA). In this regard, the City of Ontario is responsible for ALUCP consistency evaluations/determinations for the Project. Land uses and development that would be realized pursuant to the Project would conform to all applicable provisions and restrictions of the ONT ALUCP as determined by the City. In this latter regard, all future development within the Specific Plan area would be required to comply with development standards and design guidelines established under, as well as the applicable requirements of the City

Table 4.2-8
City of Ontario Policy Plan Consistency Analysis

MOBILITY ELEMENT		
		of Ontario Development Code (please refer to City of Ontario Municipal Code Title 9, Development Code, Chapter 1 Zoning and Land Use Requirements, Sec. 9-1.2980. Airport safety zones. In combination, compliance with provisions of the Meredith SPA and the City Development Code would preclude any potential inconsistencies with the ONT ALUCP. Discussion of Project consistency with the Chino Airport Land Use Compatibility Plan (ALUCP) is presented at EIR Section 4.6 *Hazards/Hazardous Materials*. Pursuant to EIR Mitigation Measure 4.6.9, the Project Applicant would be required to document compliance with applicable provisions of the Riverside County ALUC and Riverside County ALUCP Policy Document, including the findings of any FAA airspace review. On this basis, the Project is considered consistent with Policy LU5-3.
LU5-5	*Airport Compatibility Planning for ONT.* We create and maintain the Airport Land Use Compatibility Plan for ONT.	***Consistent:*** Please refer to remarks at Policy LU5-3.
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:*** Please refer to remarks at Policy LU5-3.

Sources: Goal and Policy statements from the City of Ontario Policy Plan; remarks by Applied Planning, Inc.

Prior to the issuance of Building Permits, the City would review the final Project designs to ensure consistency with City Policy Plan circulation system programs, plans and policies. Consistency with applicable City ordinance requirements is required as a matter of law.

The Project does not propose facilities or activities that would otherwise potentially conflict with City circulation system programs, plans, policies and ordinances.

SCAG Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) Consistency

Table 4.2-9 summarizes the Project's consistency with the goals of the 2016 – 2040 SCAG Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS).

Table 4.2-9
Consistency with SCAG RTP/SCS Goals

RTP/SCS Goals	Remarks
Goal 1: Align the plan investments and policies with improving regional economic development and competitiveness.	**Consistent**: The Project proposes contemporary urban uses, providing an opportunity for development investment on currently underutilized land.
Goal 2: Maximize mobility and accessibility for all people and goods in the region.	**Consistent**: The transportation network in the Project area has been developed and maintained to meet local and regional transportation demands, and to ensure efficient mobility. Local and regional transportation, traffic, and transit are discussed in this Section.
Goal 3: Ensure travel safety and reliability for all people and goods in the region.	**Consistent:** The Project TIA identifies improvements that would promote and facilitate the safe movement of people and goods. All transportation modes within the Project area would be required to comply with incumbent regulatory safety standards.
Goal 4: Preserve and ensure a sustainable regional transportation system.	**Consistent:** The Project TIA assesses all roadways and identifies required improvements to the existing transportation network. The Project would offset its incremental LOS impacts by construction of required improvements and through payment of requisite transportation/traffic impact fees. In combination, these measures preserve and ensure sustainable local and regional transportation systems. VMT impacts would be reduced to the extent feasible through implementation of Transportation Demand Management (TDM) measures.
Goal 5: Maximize the productivity of our transportation system.	**Consistent:** Local and regional transportation systems would be improved and maintained to encourage their efficiency and productivity. The City oversees the improvement and maintenance of all aspects of the public right-of-way on an as-needed basis.
Goal 6: Protect the environment and health of our residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking).	**Consistent:** The Project would accommodate and would not interfere with existing or planned bicycle facilities and improvements. The Project would provide a pedestrian access network that internally links on-site uses to the existing and proposed off-site pedestrian facilities.
Goal 7: Actively encourage and create incentives for energy efficiency, where possible.	**Consistent:** The Project would comply with or surpass incumbent performance standards established under the Building Energy Efficiency Standards contained in the California Code of Regulations (CCR), Title 24, Part 6 (Title 24, Title 24 Energy Efficiency Standards). Additional energy efficiency/conservation measures would be implemented pursuant to the Merrill Commerce Center Specific Plan.
Goal 8: Encourage land use and growth patterns that facilitate transit and non-motorized transportation.	**Consistent:** The Project proposes development with proximate access to local and regional transportation facilities. Intensified development of the Project site in combination with existing proximate development acts to focus transit ridership base, thereby supporting existing and future transit opportunities.

Table 4.2-9
Consistency with SCAG RTP/SCS Goals

RTP/SCS Goals	Remarks
Goal 9: Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.	**Consistent:** The City of Ontario is responsible for monitoring of roadways and transit routes to determine the adequacy and safety of these systems. The City and other local and regional agencies and organizations (e.g., Omnitrans, Caltrans, and SCAG) cooperatively manage these systems. Security situations involving roadways and evacuations would be addressed through City emergency response plans.

Sources: Goal Statements from: 2016–2040 RTP/SCS; Remarks by Applied Planning, Inc.

Level of Significance: Less-Than-Significant.

Potential Impact: *Substantially increase hazards to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) or result in inadequate emergency access?*

Impact Analysis: To ensure appropriate design and implementation of all Project circulation improvements, the final design of the Project site plan, to include locations and design of proposed driveways, shall be reviewed and approved by the City Traffic Engineer. In addition, representatives of the City's Police and Fire Departments will review the Project's plans in regard to emergency access. Efficient and safe operations of the Project would be provided by on-site and localized circulation and intersection improvements to be developed as the Project individual site and building designs are finalized. The City would ensure that all on-site and localized circulation and intersection improvements would be designed and constructed consistent with applicable provisions of the Merrill Commerce Center Specific Plan and pursuant to City site plan and Building Permit review processes and requirements.

Traffic signing and striping would be implemented in conjunction with detailed Project construction plans. Sight distance at each project access point would 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.

It is also recognized that temporary and short-term traffic detours and traffic disruption could result during Project construction activities. These interim and transient impacts are considered potentially significant for the duration of Project construction activities. Management and control of construction traffic would be addressed through the preparation and submittal of a construction area traffic management plan, to be reviewed and approved by City prior to or concurrent with Project building plan review(s). The Project Construction Area Traffic Management Plan (Plan), also summarized within the EIR Project Description, would identify traffic controls for any street closures, detours, or other potential disruptions to traffic circulation during Project construction. The Plan would also be required to identify construction vehicle access routes, and hours of construction traffic.

The Project would generate passenger car trips and truck trips typical of business park and light industrial uses. As part of established site and Building Permit review processes, the City would require implementation of on-site truck and passenger car travel paths, signing, and traffic controls to ensure that conflicts between trucks and passenger cars are minimized or avoided. Trucks accessing the Project site would use designated truck routes, thereby avoiding or minimizing off-site passenger car/truck traffic conflicts. Land uses proximate to the Project site are planned for, or are being developed with urban uses similar to those proposed by the Project. These uses would generate urban traffic types similar to traffic generated by the Project and would generate traffic that would be incompatible with the Project traffic types.

As supported by the preceding discussions, the potential for the Project to substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or result in inadequate emergency access is considered less-than-significant.

Level of Significance: Less-Than-Significant.

4.3 AIR QUALITY

4.3 AIR QUALITY

Abstract

This Section identifies and addresses potential air quality impacts that may result from construction and operations of the Project. More specifically, the air quality analysis evaluates the potential for the Project to result in the following impacts:

- *Conflict with or obstruct implementation of the applicable air quality plan;*
- *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; or*
- *Expose sensitive receptors to substantial pollutant concentrations.*

As discussed in the EIR Initial Study (EIR Appendix A), the Project's potential impacts under the following topic were previously determined to be less-than-significant, and are not further substantively discussed here:

- *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.*

On the basis of the analysis presented herein, even after the application of mitigation measures, the Project would cause or result in the following significant and unavoidable air quality impacts:

- *The South Coast Air Basin (SCAB, Basin) encompassing the Project site is designated as non-attainment for ozone, PM_{10}, and $PM_{2.5}$ (VOC and NO_X are both ozone precursors; NO_X is a precursor to $PM_{10}/PM_{2.5}$). Project operational-source VOC, NO_X, PM_{10}, and $PM_{2.5}$ emissions regional threshold exceedances would result in a cumulatively considerable net increase in criteria pollutants (ozone and $PM_{10}/PM_{2.5}$) for which the Project region is non-attainment. These are cumulatively significant and unavoidable air quality impacts.*

- *Because a change in land use is proposed under the Project, it is assumed that the emissions generated by the Project's proposed land uses are not reflected in the 2016 AQMP air quality standards, interim emissions reductions targets, and emissions inventories. Consequently, development of the subject site as proposed by the Project is conservatively assumed to conflict with the 2016 AQMP. This is a significant and unavoidable impact.*

4.3.1 INTRODUCTION

This Section presents existing air quality conditions and identifies potential air quality impacts resulting from construction and operation of the Project. The information presented in this Section is summarized from: *Merrill Commerce Center Specific Plan, Air Quality Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020 (Project AQIA); *Merrill Commerce Center Specific Plan, Mobile Source Diesel Health Risk Assessment, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020 (Project HRA); and *Merrill Commerce Center Specific Plan, Construction Health Risk Assessment Memorandum* (Urban Crossroads, Inc.) January 12, 2020 (Project Construction HRA). The Project AQIA, Project HRA, Project Construction HRA and all supporting information, are presented in their entirety at EIR Appendix D.

4.3.2 AIR QUALITY FUNDAMENTALS

Air pollution comprises many substances generated from a variety of sources, both man-made and natural. Industrialization occurring in the twentieth century, and especially activities relying on the burning of fossil fuels, creates air pollution. Most air pollutant contaminants are wasted energy in the form of unburned fuels or by-products of the combustion process. Motor vehicles are by far the most significant source of air pollutants

in urban areas, emitting photochemically reactive hydrocarbons (unburned fuel), carbon monoxide, and oxides of nitrogen. These primary pollutants chemically react in the atmosphere with sunlight and the passage of time to form secondary pollutants such as ozone.

Air pollutants are generally classified as either primary or secondary pollutants. Primary pollutants are generated daily and emitted directly from the source, whereas secondary pollutants are created over time and occur within the atmosphere as chemical and photochemical reactions take place. Examples of primary pollutants include carbon monoxide (CO), oxides of nitrogen (NO_2 and NO), sulfur dioxide (SO_2), particulate matter (PM_{10} and $PM_{2.5}$), and various hydrocarbons or reactive organic gases (ROG). Examples of secondary pollutants include ozone (O_3), which is a product of the reaction between NO_X and ROG in the presence of sunlight. Other secondary pollutants include photochemical aerosols.

To aid in the review of discussions presented subsequently in this Section, recurring terms, abbreviations, and acronyms are defined as follows: PPM - Parts per Million; $\mu g/m^3$ - Micrograms Per Cubic Meter; PM_{10} - Particulate Matter Less Than 10 Microns In Diameter; $PM_{2.5}$ - Particulate Matter Less Than 2.5 Microns In Diameter.

4.3.2.1 Criteria Air Pollutants

Criteria air pollutants are those air contaminants for which air quality standards currently exist. Currently, state and federal air quality standards exist for ozone, nitrogen dioxide (NO_2), sulfur dioxide (SO_2), carbon monoxide (CO), suspended particulate matter (PM_{10} and $PM_{2.5}$), and lead. California has also set standards for visibility, sulfates, hydrogen sulfide, and vinyl chloride. Evaluated criteria air contaminants, or their precursors, typically also include reactive organic gases (ROG), oxides of nitrogen (NO_X), sulfur oxides (SO_x), and respirable particulate matter (PM_{10}, $PM_{2.5}$). Pollutant characteristics, mechanisms of pollutant origination and potential health effects of air pollutants are described below.

Carbon Monoxide

Properties and Sources

Carbon monoxide (CO) is a colorless, odorless, toxic gas formed by incomplete combustion of fossil fuels. CO levels tend to be highest during the winter mornings, when little to no wind and surface-based inversions trap the pollutant at ground levels. Because CO is emitted directly from internal combustion engines, motor vehicles operating at slow speeds are the primary source of CO in the Basin. The highest CO concentrations are generally found near congested transportation corridors and intersections. Other sources include aircraft, off-road vehicles, stationary equipment (e.g., fuel-fired furnaces, gas water heaters, fireplaces, gas stoves, gas dryers, charcoal grills), and landscape maintenance equipment such as lawnmowers and leaf blowers.

Human Health Effects

A consistent association between increased ambient CO levels and higher-than-average rates of hospital admissions for heart diseases (such as congestive heart failure) has been observed. Carbon monoxide can cause decreased exercise capacity, and adversely affects conditions with an increased demand for oxygen supply (fetal development, chronic hypoxemia, anemia, and diseases involving the heart and blood vessels). Exposure to CO can cause impairment of time interval estimation and visual function.

Ozone

Properties and Sources

Ozone (O_3) is a highly reactive and unstable gas that is formed when volatile organic compounds (VOC) and oxides of nitrogen (NO_x), which are both byproducts of internal combustion engine exhaust, undergo slow photochemical reactions in the presence of sunlight. Ozone concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable to the formation of the pollutant.

Human Health Effects

Short-term exposure to ozone can cause a decline in pulmonary function in healthy individuals including breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue and immunological changes. Additionally, an increase in the frequency of asthma attacks, cough, chest discomfort and headache can result.

A correlation has been reported between elevated ambient ozone levels and increases in daily hospital admission rates and mortality because of long-term ozone exposure. A risk to public health implied by altered connective tissue metabolism and host defense in animals has also been reported.

Oxides of Nitrogen

Properties and Sources

Oxides of nitrogen (NO_X) are integral to the process of photochemical smog production. During combustion, oxygen reacts with nitrogen to produce NO_X. Two major forms of NO_X are nitric oxide (NO) and nitrogen dioxide (NO_2). Natural causal sources or originators of NO_X include lightning, soils, wildfires, stratospheric intrusion, and the oceans. Natural sources accounted for approximately seven percent of 1990 emissions of NO_X for the United States (EPA 1997). Atmospheric deposition of NO_X occurs when atmospheric or airborne nitrogen is transferred to water, vegetation, soil, or other materials. Acid deposition involves the deposition of nitrogen and/or sulfur acidic compounds that can harm natural resources and materials. The major source of NO_X in the Basin is on-road vehicles. Stationary commercial and service source fuel combustion are other contributors.

Human Health Effects

Exposure to NO_X may alter sensory responses or impair pulmonary function and may increase incidence of acute respiratory disease including infections and respiratory symptoms in children. Difficulty in breathing in healthy individuals as well as bronchitic groups may also occur. NO_X is also a precursor to ozone and PM_{10}/$PM_{2.5}$. As noted above,

health effects of ground-level ozone include: aggravated asthma; reduced lung capacity; increased respiratory illness susceptibility; increased respiratory and cardiovascular hospitalizations; and premature deaths.

Sulfur Dioxide

Properties and Sources

Sulfur dioxide (SO_2) is a colorless, pungent gas. At levels greater than 0.5 ppm, SO_2 has a strong odor. Sulfuric acid is formed from sulfur dioxide, which is an aerosol particle component that affects acid deposition. Anthropogenic, or human-caused, sources include fossil-fuel combustion, mineral ore processing, and chemical manufacturing. Volcanic emissions are a natural source of sulfur dioxide. SO_2 is a precursor to sulfates and PM_{10}.

Human Health Effects

Health effects of SO_2 include higher frequencies of acute respiratory symptoms (including airway constriction in some asthmatics and reduction in breathing capacity leading to severe difficulties) and diminished ventilatory function in children. Extreme exposure can cause lung edema (fluid accumulation), lung tissue damage, and damage to lining the respiratory tract.

Particulate Matter

Properties and Sources

Particulate matter is a generic term that defines a broad group of chemically and physically different particles (either liquid droplets or solids) that can exist over a wide range of sizes. Examples of atmospheric particles include those produced from combustion (diesel soot or fly ash), light (urban haze), sea spray (salt particles), and soil-like particles from re-suspended dust. Fugitive dust is defined as any solid particulate matter that becomes airborne, other than that emitted from an exhaust stack, directly or indirectly because of human activities (Rule 403, Fugitive Dust, SCAQMD).

Within air quality analyses, particulate matter is categorized by diameter: PM_{10} and $PM_{2.5}$. PM_{10} refers to particulate matter that is 10 microns or less in diameter (1 micron is one millionth of a meter, or one micrometer [μm]). $PM_{2.5}$ refers to particulate matter that is 2.5 microns or less in diameter. The size of particles can determine the residence time of the material in the atmosphere. $PM_{2.5}$ has a longer atmospheric lifetime than PM_{10} and, therefore, can be transported over longer distances.

Particulate matter originates from a variety of stationary and mobile sources. Stationary sources that generate particulate matter include: fuel combustion for electric utilities, residential space heating, and industrial processes; construction and demolition; metals, minerals, and petrochemicals; wood products processing; mills and elevators used in agriculture; erosion from tilled lands; waste disposal and recycling. Mobile or transportation-related sources that generate particulate matter include highway vehicles, non-road vehicles and fugitive dust from paved and unpaved roads.

Human Health Effects

A consistent correlation between elevated ambient PM_{10} levels and an increase in mortality rates, respiratory infections, number and severity of asthma attacks and the number of hospital admissions has been observed.[1]

Diesel Particulate Matter (DPM), a subcategory of particulate matter, is a mixture of many exhaust particles and gases that is produced when an engine burns diesel fuel. Many compounds found in diesel exhaust are carcinogenic, including sixteen compounds that are classified as possibly carcinogenic by the International Agency for Research on Cancer. DPM includes the particle-phase constituents in diesel exhaust. Some short-term (acute) effects of diesel exhaust include eye, nose, throat and lung irritation, as well as coughs, headaches, light-headedness and nausea. Diesel exhaust is a major source of ambient particulate matter pollution, and numerous studies have linked elevated particle levels in the air to increased hospital admission, emergency room visits, asthma attacks,

[1] www.aqmd.gov/docs/default-source/planning/air-quality-guidance/appendix-c.pdf

and premature deaths among those suffering from respiratory problems. DPM in the Basin poses the greatest cancer risk of all identified toxic air pollutants.

Reactive Organic Gases

Properties and Sources

Reactive Organic Gases (ROGs) (also termed Volatile Organic Compounds [VOCs]) are defined as any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions. It should be noted that there is no state or national ambient air quality standard for ROGs because they are not classified as criteria pollutants. They are regulated, however, because a reduction in ROG emissions reduces certain chemical reactions that contribute to the formulation of ozone. ROGs are also transformed into organic aerosols in the atmosphere, which contribute to higher PM_{10} and lower visibility. The major sources of ROGs in the Basin are on-road motor vehicles and solvent evaporation. ROGs are also an ozone and $PM_{10}/PM_{2.5}$ precursor.

Human Health Effects

As described previously, health effects of ground-level ozone include: aggravated asthma; reduced lung capacity; increased respiratory illness susceptibility; increased respiratory and cardiovascular hospitalizations; and premature deaths.

Benzene is a reactive organic compound and a known carcinogen Typical sources of benzene emissions include: gasoline service stations (fuel evaporation), motor vehicle exhaust, tobacco smoke, and oil and coal incineration. Benzene is also sometimes employed as a solvent for paints, inks, oils, waxes, plastic, and rubber. It is used in the extraction of oils from seeds and nuts. It is also used in the manufacture of detergents, explosives, dyestuffs, and pharmaceuticals. Short-term (acute) exposure to high doses from inhalation of benzene may cause dizziness, drowsiness, headaches, eye irritation, skin irritation, and respiratory tract irritation, and at higher levels, unconsciousness can occur. Long-term (chronic) occupational exposure to high doses by inhalation has caused blood disorders, including aplastic anemia and lower levels of red blood cells.

4.3.3 SETTING

4.3.3.1 Local and Regional Climate

The Project site is located in the South Coast Air Basin (SCAB, Basin) within the jurisdiction of SCAQMD. The SCAQMD was created by the 1977 Lewis-Presley Air Quality Management Act, which merged four county air pollution control bodies into one regional district. Under the Act, the SCAQMD is responsible for bringing air quality in areas under its jurisdiction into conformity with federal and state air quality standards. The SCAQMD has jurisdiction over an area of approximately 10,743 square miles, consisting of the four-county Basin (Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino Counties), and the Riverside County portions of the Salton Sea Air Basin and Mojave Desert Air Basin.

The 6,745-square-mile SCAB is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The Los Angeles County portion of the Mojave Desert Air Basin is bounded by the San Gabriel Mountains to the south and west, the Los Angeles/Kern County border to the north, and the Los Angeles/San Bernardino County border to the east. The Riverside County portion of the Salton Sea Air Basin is bounded by the San Jacinto Mountains in the west and spans eastward up to the Palo Verde Valley.

Regional climate and variations in temperature, wind, humidity, precipitation, and amount of sunshine influence air quality within the SCAB. The annual average temperatures throughout the Basin vary from the low to middle 60s (degrees Fahrenheit). Due to a decreased marine influence, the eastern portion of the SCAB experiences greater variability in average annual minimum and maximum temperatures. January is the coldest month throughout the SCAB, with average minimum temperatures of 47°F in downtown Los Angeles and 36°F in San Bernardino. All portions of the SCAB have recorded maximum temperatures above 100°F.

Although the climate of the SCAB can be characterized as semi-arid, the air near the land surface is quite moist on most days because of the presence of a marine layer. This

shallow layer of sea air is an important modifier of SCAB climate. Humidity restricts visibility in the SCAB, and the conversion of sulfur dioxide to sulfates is heightened in air with high relative humidity. The marine layer provides an environment for that conversion process, especially during the spring and summer months. The annual average relative humidity within the SCAB is 71 percent along the coast and 59 percent inland. Since the ocean effect is dominant, periods of heavy early morning fog are frequent and low stratus clouds are a characteristic feature. It should be noted that these effects decrease with distance from the coast.

More than 90 percent of the SCAB's rainfall occurs from November through April. The annual average rainfall varies from approximately nine inches in Riverside to fourteen inches in downtown Los Angeles. Monthly and yearly rainfall totals are extremely variable. Summer rainfall usually consists of widely scattered thunderstorms near the coast and slightly heavier shower activity in the eastern portion of the SCAB, with frequency being higher near the coast.

Due to its generally clear weather, about three-quarters of available sunshine is received in the SCAB. The remaining one-quarter is absorbed by clouds. The ultraviolet portion of this abundant radiation is a key factor in photochemical reactions. On the shortest day of the year there are approximately 10 hours of possible sunshine, and on the longest day of the year there are approximately 14-½ hours of possible sunshine.

The importance of wind to air pollution is considerable. Wind speed and direction determines the horizontal dispersion and transport of the air pollutants. During the late autumn to early spring rainy season, the SCAB is subjected to wind flows associated with the traveling storms moving through the region from the northwest. This period also brings five to ten periods of strong, dry offshore winds, locally termed "Santa Anas," each year. During the dry season, which coincides with the months of maximum photochemical smog concentrations, the wind flow is bimodal, typified by a daytime onshore sea breeze and a nighttime offshore drainage wind.

Summer wind flows are created by the pressure differences between the relatively cold ocean and the unevenly heated and cooled land surfaces that modify the general northwesterly wind circulation over southern California. Nighttime drainage begins with the radiational cooling of the mountain slopes. Heavy, cool air descends the slopes and flows through the mountain passes and canyons as it follows the lowering terrain toward the ocean. Another characteristic wind regime in the SCAB is the "Catalina Eddy," a low level cyclonic (counterclockwise) flow centered over Santa Catalina Island which results in an offshore flow to the southwest. On most spring and summer days, some indication of an eddy is apparent in coastal areas.

In the SCAB, there are two distinct temperature inversion structures that control vertical mixing of air pollution. During the summer, warm high-pressure descending (subsiding) air is undercut by a shallow layer of cool marine air. The boundary between these two layers of air is a persistent marine subsidence/inversion. This boundary prevents vertical mixing which effectively acts as an impervious lid to pollutants over the entire SCAB. The mixing height for the inversion structure is normally situated 1,000 to 1,500 feet above mean sea level.

A second inversion-type forms in conjunction with the drainage of cool air off the surrounding mountains at night followed by the seaward drift of this pool of cool air. The top of this layer forms a sharp boundary with the warmer air aloft and creates nocturnal radiation inversions. These inversions occur primarily in the winter, when nights are longer and onshore flow is weakest. They are typically only a few hundred feet above mean sea level. These inversions effectively trap pollutants, such as NO_x and CO from vehicles, as the pool of cool air drifts seaward. Winter is therefore a period of high levels of primary pollutants along the coastline.

4.3.3.2 Existing Air Quality

Existing air quality is monitored and evaluated in the context of National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS). These Standards are the levels of air quality that are considered safe, with an adequate margin of safety, to protect the public health and welfare. For further information regarding NAAQS and CAAQS currently in effect, please refer to the Project Air Quality

Impact Analysis, Table 2-2, *Ambient Air Quality Standards*. NAAQS and CAAQS can also be accessed at: http://www.arb.ca.gov/research/aaqs/aaqs.htm. Determination of whether a region's air quality is healthful or unhealthful is established by comparing sampled air contaminant levels to the state and federal standards.

Regional Air Quality

The SCAQMD monitors levels of various criteria pollutants at 30 monitoring stations throughout the Basin. Attainment status for Basin air pollutants is based on monitored conformance with applicable CAAQS and/or NAAQS. SCAB attainment status reflecting current (2013) criteria pollutant monitoring data is summarized at Table 4.3-1.

Table 4.3-1
SCAB Criteria Pollutant Attainment Status

Criteria Pollutant	State Designation	Federal Designation
O_3 – 1-hour standard	Nonattainment	--
O_3 – 8-hour standard	Nonattainment	Nonattainment
PM_{10}	Nonattainment	Attainment
$PM_{2.5}$	Nonattainment	Nonattainment
CO	Attainment	Unclassifiable/Attainment
NO_2	Attainment	Unclassifiable/Attainment
SO_2	Unclassifiable/Attainment	Unclassifiable/Attainment
Pb*	Attainment	Unclassifiable/Attainment

Source: *Merrill Commerce Center Specific Plan Air Quality Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.
Notes: *The Federal nonattainment designation for lead is only applicable towards the Los Angeles County portion of the SCAB.

Local Air Quality

Proximate monitoring stations providing local ambient air quality data for this analysis are listed below.

- SCAQMD CA-60 Near Road monitoring station (approximately 2.86 miles northerly of the Project site) is the nearest monitoring station providing data for NO_2 and $PM_{2.5}$.

- SCAQMD I-10 Near Road monitoring station (approximately 7.39 miles northeasterly of the Project site) is the nearest monitoring station providing data for CO.

- SCAQMD Pomona/Walnut Valley (SRA 10) monitoring station (approximately 8.64 miles northwesterly of the Project site) is the nearest monitoring station providing data for O_3.

- SCAQMD Corona/Norco Area monitoring station (approximately 4.92 miles southeasterly of the Project site) is the nearest monitoring station providing data for PM_{10}.

The most recent three years of available air quality monitoring data is presented at Table 4.3-2. Data for SO_2 has been omitted from Table 4.3-2 as attainment is regularly met in the South Coast Air Basin and few monitoring stations record SO_2 concentrations.

Table 4.3-2
Area Air Quality Monitoring Summary 2016-2018

Pollutant Standards		Year		
		2016	2017	2018
O_3				
Maximum Federal 1-Hour Concentration (ppm)		0.127	0.147	0.112
Maximum Federal 8-Hour Concentration (ppm)		0.092	0.114	0.092
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	20	18	7
Number of Days Exceeding State/Federal 8-Hour Standard	> 0.070 ppm	29	38	10
CO				
Maximum Federal 1-Hour Concentration	> 35 ppm	1.7	4.2	1.6
Maximum Federal 8-Hour Concentration	> 20 ppm	1.3	1.3	1.3
NO_2				
Maximum Federal 1-Hour Concentration	> 0.100 ppm	0.089	0.093	0.079
Annual Average		31.0	32.1	30.4

Table 4.3-2
Area Air Quality Monitoring Summary 2016-2018

Pollutant Standards		Year		
		2016	2017	2018
PM_{10}				
Maximum Federal 24-Hour Concentration (μg/m³)	> 150 μg/m³	62.0	85.1	100
Annual Federal Arithmetic Mean (μg/m³)		31.7	31.2	30.2
Number of Days Exceeding Federal 24-Hour Standard	> 150 μg/m³	0	0	0
Number of Days Exceeding State 24-Hour Standard	> 50 μg/m³	7	7	3
$PM_{2.5}$				
Maximum Federal 24-Hour Concentration (μg/m³)	> 35 μg/m³	55.9	67.8	47.90
Annual Federal Arithmetic Mean (μg/m³)	> 12 μg/m³	14.8	14.6	14.31
Number of Days Exceeding Federal 24-Hour Standard	> 35 μg/m³	7	9	5

Source: *Merrill Commerce Center Specific Plan Air Quality Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.

4.3.3.3 Air Quality Improvement Trends

Discussions below have been excerpted and summarized from the Project AQIA. Please refer also to Project AQIA Section 2.9 *Regional Air Quality Improvement*.

The Project lies within the jurisdiction of the SCAQMD. In 1976, California adopted the Lewis Air Quality Management Act which created SCAQMD from a voluntary association of air pollution control districts in Los Angeles, Orange, Riverside, and San Bernardino counties. SCAQMD develops comprehensive plans and regulatory programs for the South Coast Air Basin (SCAB) that will attain federal air quality standards by dates specified by law. SCAQMD is also responsible for meeting State air quality standards by the earliest date achievable.

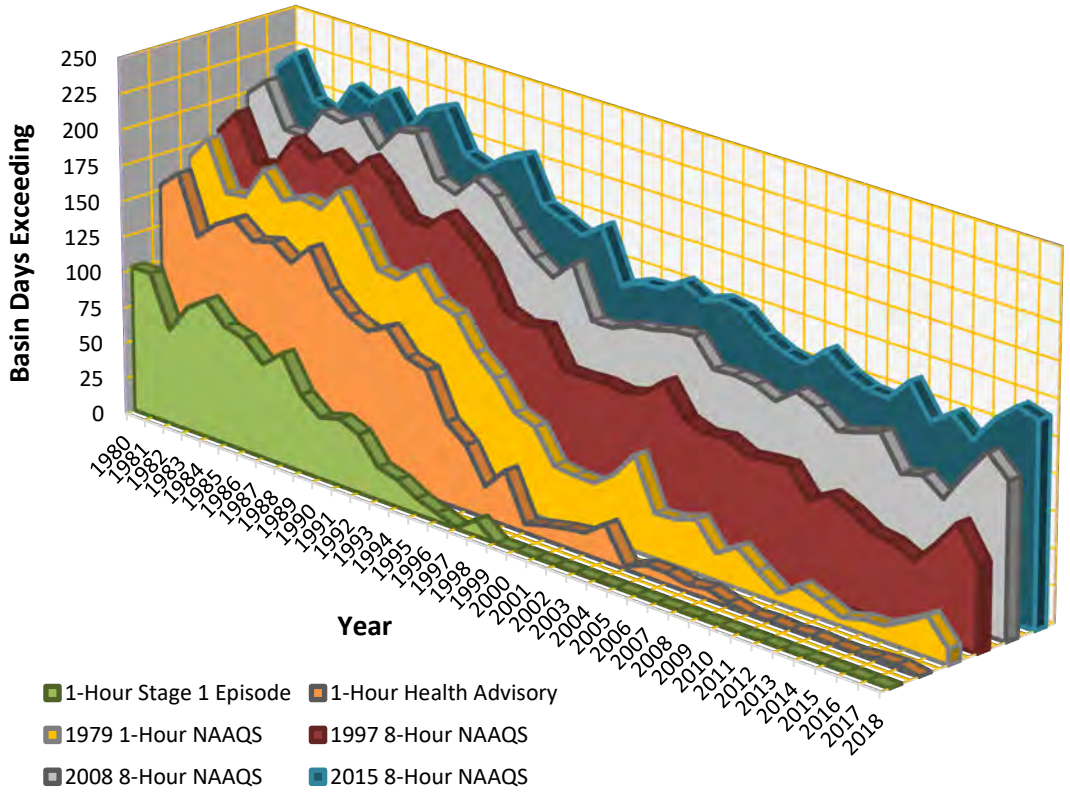
SCAQMD rule development through the 1970s and 1980s resulted in dramatic improvement in SCAB air quality. Nearly all control programs developed through the early 1990s relied on (i) the development and application of cleaner technology; (ii) add-on emission controls, and (iii) uniform CEQA review throughout the SCAB. Industrial emission sources have been significantly reduced by this approach and vehicular emissions have been reduced by technologies implemented at the state level by CARB.

SCAQMD has implemented Air Quality Management Plans (AQMPs) providing a regional blueprint for achieving healthful air within the SCAB. The 2012 AQMP attributes the historical improvement in air quality since the 1970's as the direct result of Southern California's comprehensive, multi-year strategy of reducing air pollution from all sources as outlined in its AQMPs.

Emissions of O_3, NO_X, VOC, and CO have been decreasing in the SCAB since 1975 and are projected to continue to decrease through 2020. These decreases result primarily from motor vehicle controls and reductions in evaporative emissions. Although vehicle miles traveled (VMT) in the SCAB continue to increase, NO_X and VOC 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 use of cleaner fuels and renewable energy. O_3 contour maps show that the number of days exceeding the 8-hour NAAQS has decreased between 1997 and 2007. In the 2007 period, there was an overall decrease in exceedance days compared with the 1997 period. However, as shown on Figure 4.3-1, O_3 levels have increased in the past two years due to higher temperatures and stagnant weather conditions. Notwithstanding, O_3 levels in the SCAB have decreased substantially over the last 30 years with the current maximum measured concentrations being approximately one-third of concentrations within the late 70's.

Ambient PM_{10} and $PM_{2.5}$ levels in the SCAB have also trended downward and show an overall improvement since 1975. Direct emissions of PM_{10} have remained somewhat constant in the SCAB and direct emissions of $PM_{2.5}$ have decreased slightly since 1975. Area wide sources (fugitive dust from roads, dust from construction and demolition, and other sources) contribute the greatest amount of particulate matter emissions.

Figure 4.3-1
SCAB O_3 Trend

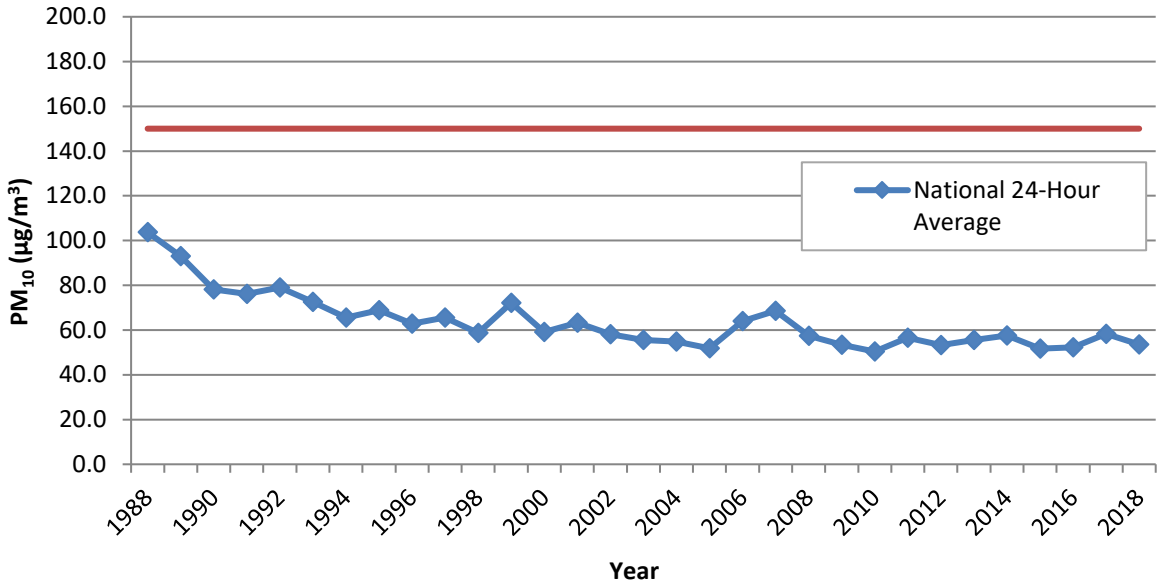


Source: SCAQMD

PM_{10} improvements in the context of federal and state standards are illustrated at Figures 4.3-2, 4.3-3. During the period for which data are available, the 24-hour annual average concentration for PM_{10} decreased by approximately 48 percent, from 103.7 μg/m³ in 1988 to 53.5 μg/m³ in 2018. Although the values are below the federal standard, it should be noted that there are days within the year where the concentrations continue to exceed the threshold. The annual average for emissions for PM_{10}, have decreased by approximately 53 percent since 1988. Although data in the late 1990's show some variability, this is probably due to the advances in meteorological science rather than a change in emissions. The number of days above the 24-hour PM_{10} standards has also shown an overall drop.

Figure 4.3-2

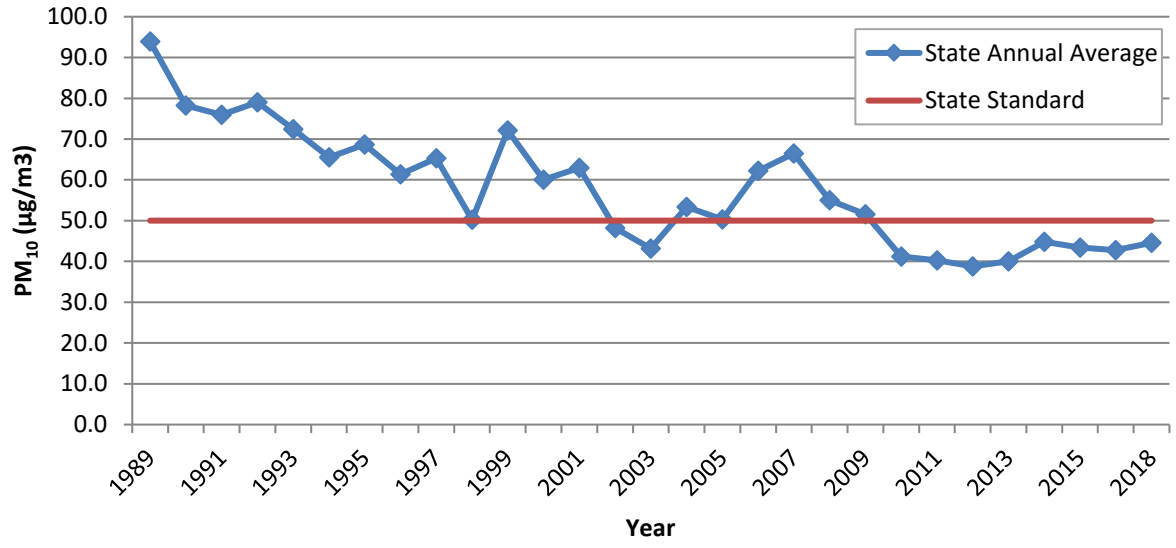
SCAB 24-Hour Average Concentration PM_{10} Trend vs. Federal Standard



Source: CARB

Figure 4.3-3

SCAB Annual Average Concentration PM_{10} Trend vs. State Standard



Source: CARB

Figures 4.3-4, 4.3-5 present 24-hour and annual average $PM_{2.5}$ concentrations in the SCAB for the period 1999 – 2018. In the context of federal and state standards, $PM_{2.5}$ concentrations have decreased by almost 52 percent and 33 percent respectively. The SCAB is currently designated as nonattainment for the state and federal $PM_{2.5}$ standards.

Figure 4.3-4
SCAB 24-Hour Average Concentration $PM_{2.5}$ Trend vs. Federal Standard

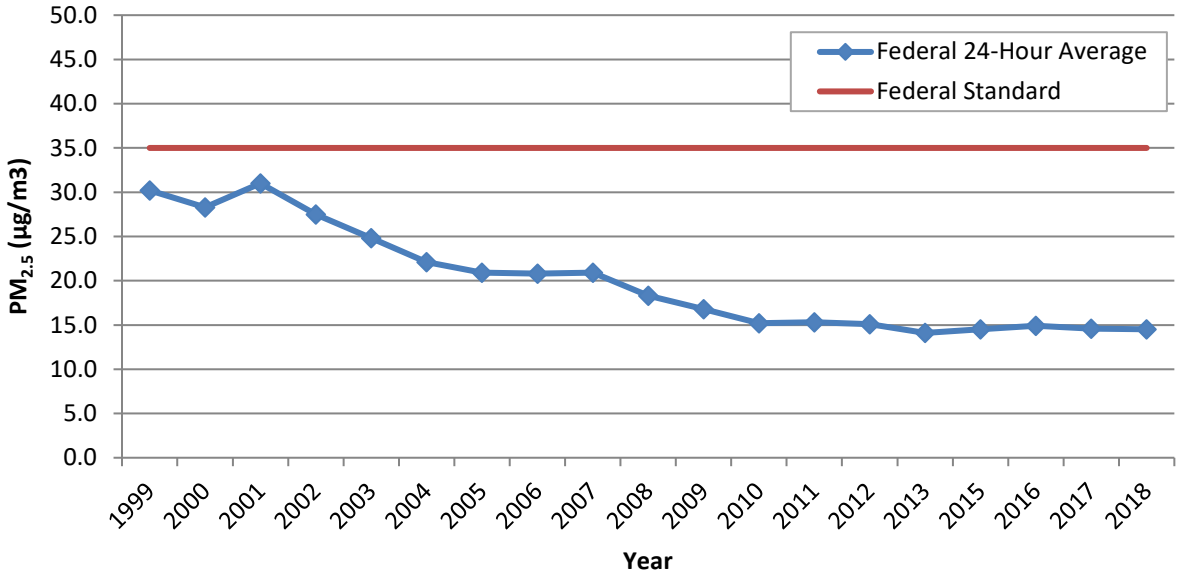
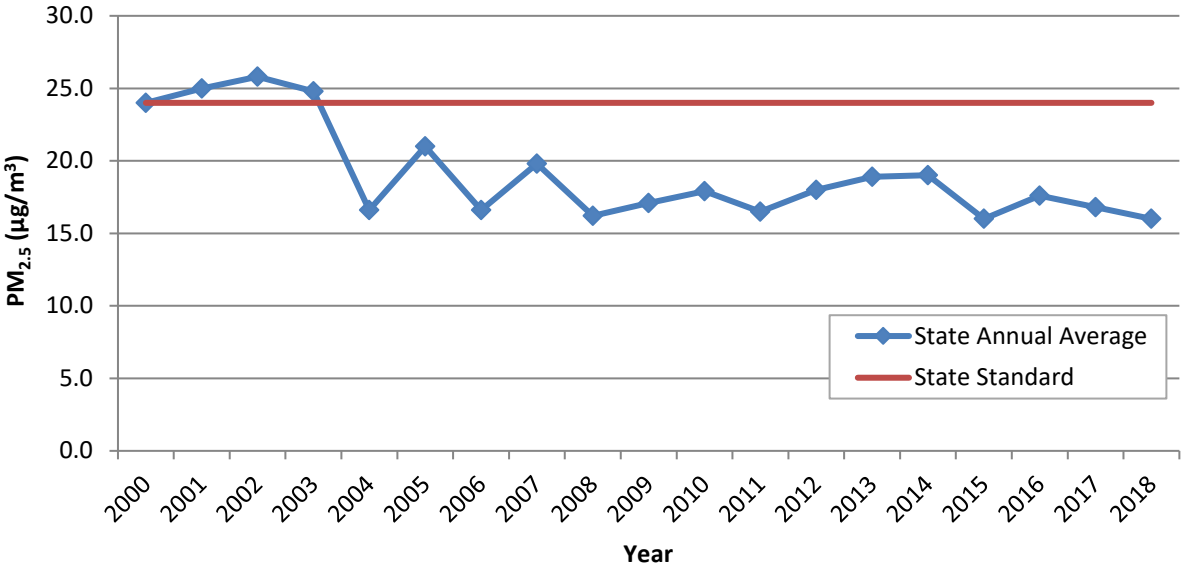


Figure 4.3-5
SCAB 24-Hour Average Concentration $PM_{2.5}$ Trend vs. State Standard



Source: CARB

While the 2012 AQMP PM_{10} attainment demonstration and the 2015 associated supplemental State Implementation Plan (SIP) submission indicated that attainment of the 24-hour standard was predicted to occur by the end of 2015, it could not anticipate the effect of the ongoing drought on the measured $PM_{2.5}$.

The 2006 – 2010 base period used for the 2012 attainment demonstration had near-normal rainfall. While the trend of $PM_{2.5}$-equivalent emission reductions continued through 2015, the severe drought conditions contributed to the $PM_{2.5}$ increases observed after 2012. As a result of the disrupted progress toward attainment of the federal 24-hour $PM_{2.5}$ standard, SCAQMD submitted a request and the EPA approved, in January 2016, a "bump up" to the nonattainment classification from "moderate" to "serious," with a new attainment deadline as soon as practicable, but not beyond December 31, 2019.

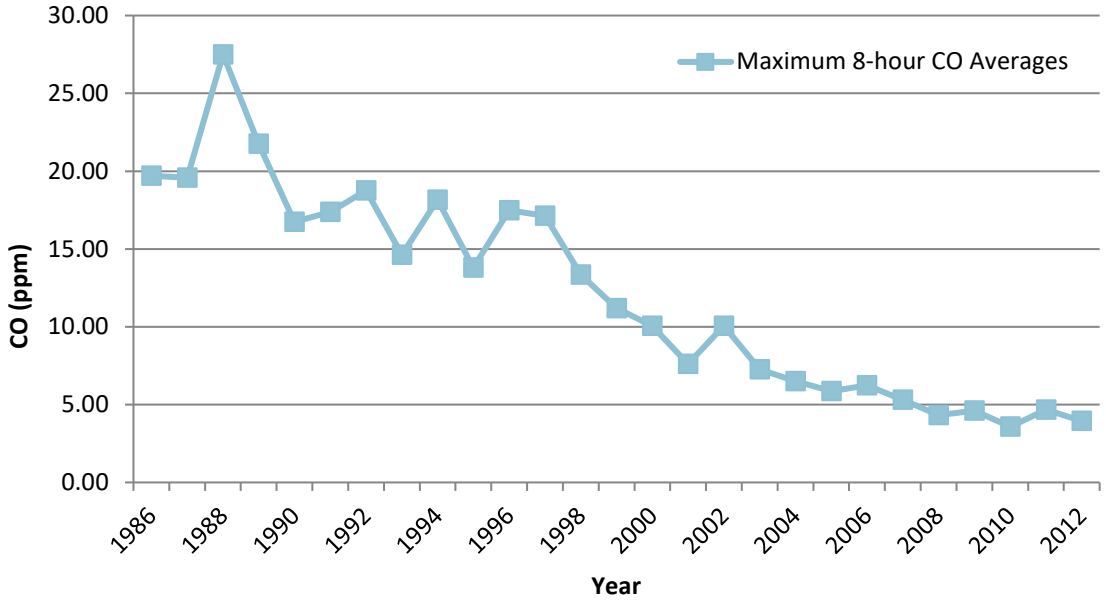
In March 2017, the AQMD released the Final 2016 AQMP. The 2016 AQMP continues to evaluate current integrated strategies and control measures to meet the NAAQS, as well as, explore new and innovative methods to reach its goals. Some of these approaches include utilizing incentive programs, recognizing existing co-benefit programs from other sectors, and developing a strategy with fair-share reductions at the federal, state, and local levels. Similar to the 2012 AQMP, the 2016 AQMP incorporates scientific and technological information and planning assumptions, including the 2016 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS) and updated emission inventory methodologies for various source categories.

CO concentrations in the SCAB are presented at Figure 4.3-6. CO concentrations in the SCAB have decreased markedly — a total decrease of more about 80 percent in the peak 8-hour concentration since 1986. The number of CO exceedance days has also declined. The entire SCAB is now designated as attainment for both the state and national CO standards. Ongoing reductions from motor vehicle control programs should continue the downward trend in ambient CO concentrations.

Part of the control process of the SCAQMD's duty to greatly improve the air quality in the SCAB is the uniform CEQA review procedures required by SCAQMD's CEQA

Handbook. The single threshold of significance used to assess Project direct and cumulative impacts has in fact "worked" as evidenced by the track record of the air quality in the SCAB dramatically improving over the course of the past decades. As stated by the SCAQMD, the District's thresholds of significance are based on factual and scientific data and are therefore appropriate thresholds of significance to use for this Project.

Figure 4.3-6
SCAB 24-Hour Average Concentration CO Trend



Source: CARB

NO_2 data for the SCAB is presented at Figures 4.3-7, 4.3-8. Over the last 50 years, NO2 values have decreased significantly; the peak 1-hour national and state averages for 2018 is approximately 82 percent lower than what it was during 1963. The SCAB attained the State 1-hour NO_2 standard in 1994, bringing the entire state into attainment. A new State annual average standard of 0.030 parts per million was adopted by the ARB in February 2007. The new standard is just barely exceeded in the SCAQMD. NO_2 is formed from NO_X emissions, which also contribute to O_3. As a result, the majority of the future emission control measures will be implemented as part of the overall ozone control strategy. Many of these control measures will target mobile sources, which account for more than three-

quarters of California's NOx emissions. These measures are expected to bring the SCAQMD into attainment of the state NOx annual average standard.

Figure 4.3-7
SCAB 1-Hour Average Concentration NO_2 Trend vs. Federal Standard

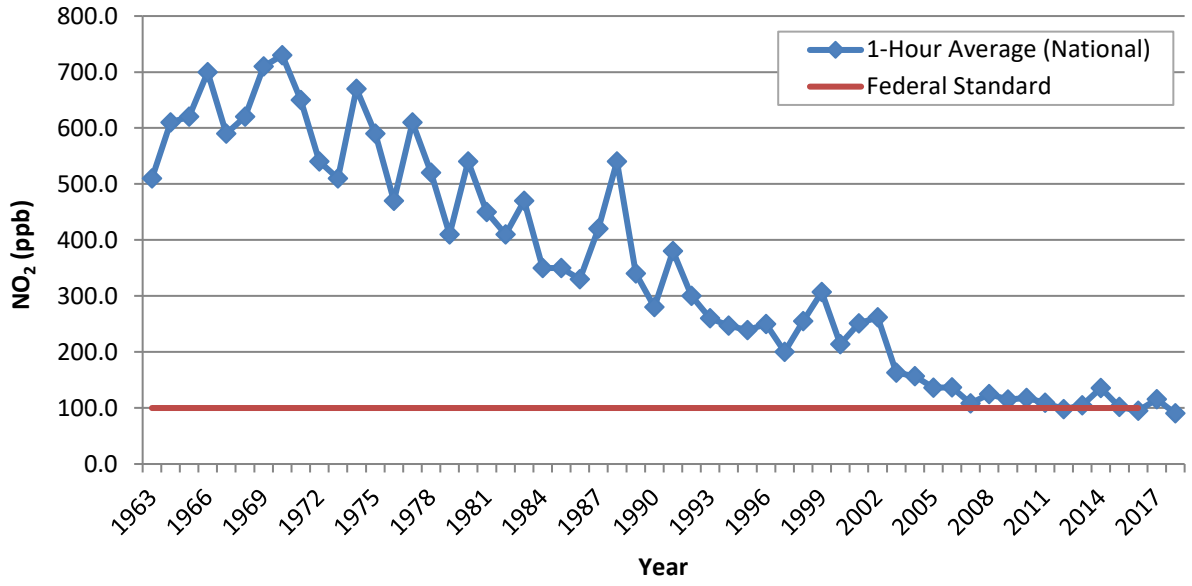
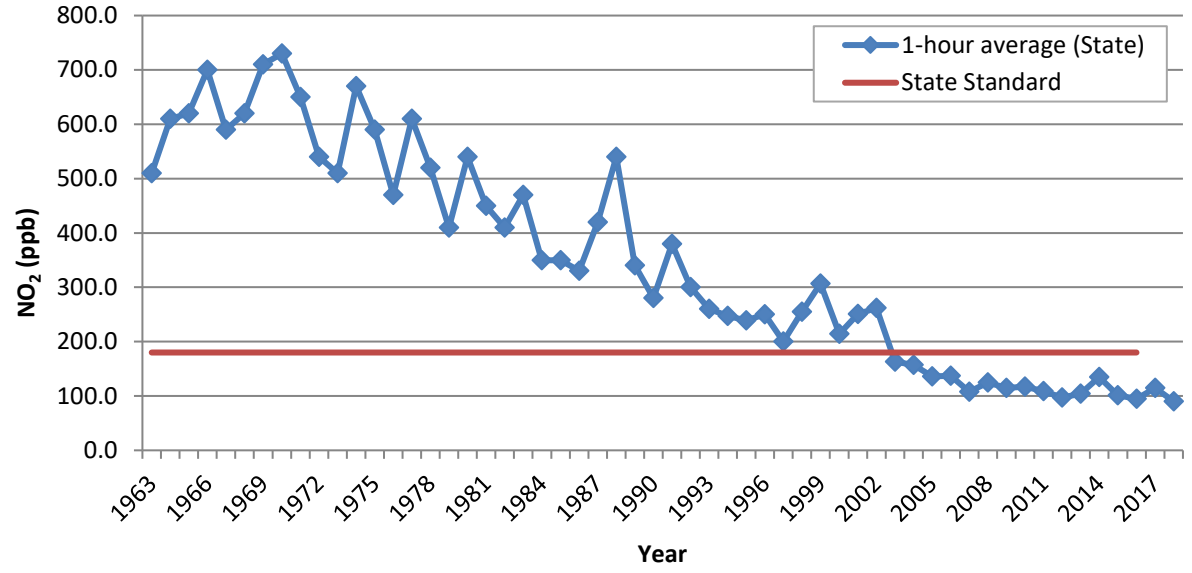


Figure 4.3-8
SCAB 1-Hour Average Concentration NO_2 Trend vs. State Standard



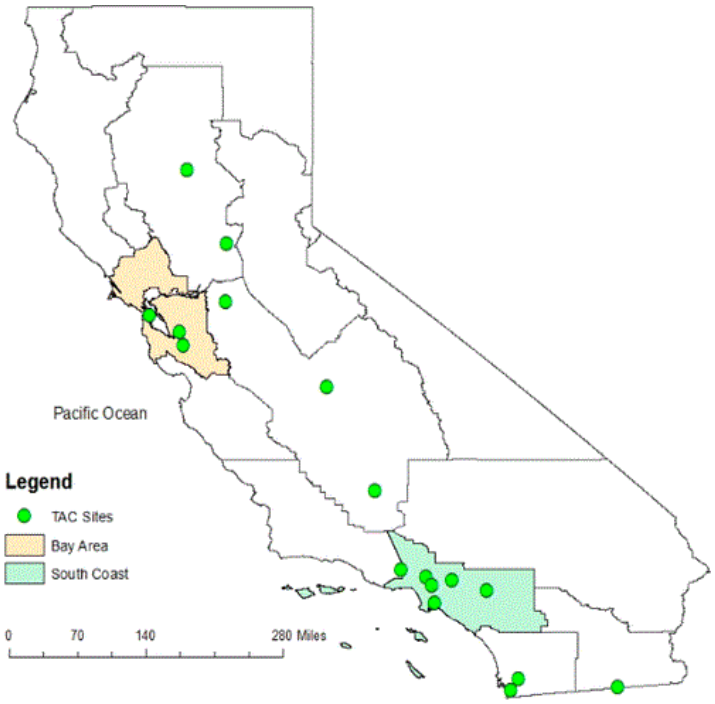
Source: CARB

Toxic Air Contaminants (TACs) Trends

In 1984, as a result of public concern for exposure to airborne carcinogens, CARB adopted regulations to reduce the amount of air toxic contaminant emissions resulting from mobile and area sources, such as cars, trucks, stationary products, and consumer products. *Ambient and Emission Trends of Toxic Air Contaminants in California* (CARB) 2015, indicates that for the period 1990 – 2012, ambient concentration and emission trends for the seven TACs responsible for most of the known cancer risk associated with airborne exposure in California have declined significantly. The seven TACs studied include those that are derived from mobile sources: diesel particulate matter (DPM), benzene, and 1,3-butadiene; those that are derived from stationary sources: perchloroethylene and hexavalent chromium; and those derived from photochemical reactions of emitted VOCs: formaldehyde and acetaldehyde[2]. TACs data was gathered at monitoring sites from both the Bay Area and SCAB indicated at Figure 4.3-9. The decline in ambient concentration and emission trends of these TACs are a result of various regulations CARB has implemented to address cancer risk.

[2] Ambient DPM concentrations are not measured directly. Rather, a surrogate method using the coefficient of haze (COH) and elemental carbon (EC) is used to estimate DPM concentrations.

Figure 4.3-9
California Toxic Air Contaminant Data Sites



Source: CARB

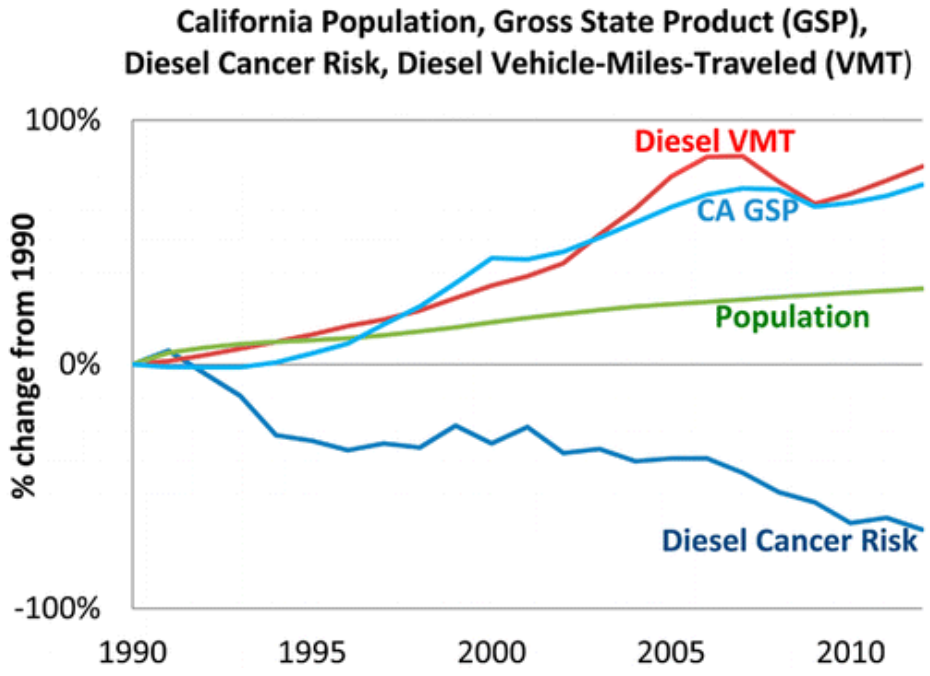
Mobile-Source TACs

CARB introduced two programs that aimed at reducing mobile emissions for light and medium duty vehicles through vehicle emissions controls and cleaner fuel. In California, light-duty vehicles sold after 1996 are equipped with California's second-generation On-Board Diagnostic (OBD-II) system. The OBD-II system monitors virtually every component that can affect the emission performance of the vehicle to ensure that the vehicle remains as clean as possible over its entire life and assists repair technicians in diagnosing and fixing problems with the computerized engine controls. If a problem is detected, the OBD-II system illuminates a warning lamp on the vehicle instrument panel to alert the driver. This warning lamp typically contains the phrase Check Engine or Service Engine Soon. The OBD-II system also stores important information about the detected malfunction so that a repair technician can accurately find and fix the problem. CARB has recently developed similar OBD requirements for heavy-duty vehicles over 14,000 lbs. CARB's phase II Reformulated Gasoline Regulation (RFG-2), adopted in 1996,

also led to a reduction of mobile source emissions. Through such regulations, benzene levels declined 88% from 1990-2012. 1,3-Butadiene concentrations also declined 85% from 1990-2012 as a result of the use of reformulated gasoline and motor vehicle regulations.

In 2000, CARB's Diesel Risk Reduction Plan (DRRP) recommended the replacement and retrofit of diesel-fueled engines and the use of ultra-low-sulfur (<15ppm) diesel fuel. As a result of these measures, DPM concentrations have declined 68% since 2000, even though the state's population increased 31% and the amount of diesel vehicles miles traveled increased 81%. Please refer to Figure 4.3-10. With the implementation of these diesel-related control regulations, CARB expects a DPM decline of 71% for the period 2000 – 2020.

Figure 4.3-10
Diesel Particulate Matter and Diesel Vehicle Miles Trends



Source: CARB

Diesel Regulations

CARB, the Port of Los Angeles (POLA), and the Port of Long Beach (POLB) have adopted several iterations of regulations for diesel trucks that are aimed at reducing DPM. More specifically, CARB Drayage Truck Regulation, CARB statewide On-road Truck and Bus Regulation, and POLA and POLB Clean Truck Programs (CTPs) require accelerated implementation of "clean trucks" into the statewide truck fleet. Under these regulations and programs, older more polluting trucks will be replaced with newer, cleaner trucks – with resulting reductions in DPM generated per mile traveled and average statewide DPM emissions for Heavy Duty Trucks. Diesel emissions identified in this analysis overstate future DPM emissions since not all the regulatory requirements are reflected in the analysis modeling.

Cancer Risk Trends

The SCAQMD has initiated a comprehensive urban toxic air pollution study, *Multiple Air Toxics Exposure Study* (MATES) that provides estimated TAC-source cancer risks within the SCAB. The first Multiple Air Toxics Exposure Study was conducted in 1986 – 87 and the findings published in June 1987. In 1997, MATES II quantified the then current magnitude of population exposure risk from existing sources of selected air toxic contaminants. In 1998 CARB identified particulate matter from diesel-fueled engines as a toxic air contaminant.

In 2008, the SCAQMD prepared an update to the MATES II study: MATES III. MATES III estimated that the average excess cancer risk level from exposure to TACs declined by approximately 17% in comparison to the MATES II study.

MATES IV (SCAQMD) 2015, substantiates a further decline in TACs and TAC-source cancer risks when compared to MATES III. MATES IV indicates that diesel particulate is the major contributor to air toxics risk in the SCAB, accounting on average for about 68% of the total. The most dramatic reduction identified in MATES IV is in the level of diesel particulate, which showed 70% reduction in average level measured at the 10 monitoring sites compared to MATES III. The carcinogenic risk from air toxics in the Basin, based on

the average concentrations at the 10 monitoring sites, is 65% lower than the monitored average in MATES III (MATES IV, p. ES-2).

In January 2018, as part of the overall effort to further reduce air toxics exposure in the SCAB, SCAQMD initiated the MATES V Program. MATES V field measurements will be conducted over a one-year period at ten fixed sites (the same sites selected for MATES III and IV) to assess trends in air toxics levels. MATES V will also include measurements of ultrafine particles (UFP) and black carbon (BC) concentrations, which can be compared to the UFP levels measured in MATES IV. SCAQMD has not yet identified completion or publication dates for MATES V.

4.3.4 REGULATORY BACKGROUND

4.3.4.1 Federal Regulations

The U.S. Environmental Protection Agency (EPA) is responsible for setting and enforcing the NAAQS for O_3, CO, NO_X, SO_2, PM_{10}, and lead. The U.S. EPA has jurisdiction over emissions sources that are under the authority of the federal government including aircraft, locomotives, and emissions sources outside state waters (Outer Continental Shelf). The U.S. EPA also establishes emission standards for vehicles sold in states other than California. Automobiles sold in California must meet the stricter emission requirements of the California Air Resource Board (CARB).

The Federal Clean Air Act (CAA) was first enacted in 1955 and has been amended numerous times in subsequent years. The CAA establishes the NAAQS and specifies future dates for achieving compliance. The CAA also mandates that states submit and implement State Implementation Plans (SIPs) for local areas not meeting these standards. These plans must include pollution control measures that demonstrate how the standards would be met.

The 1990 amendments to the CAA that identify specific emission reduction goals for areas not meeting the NAAQS require a demonstration of reasonable further progress toward

attainment and incorporate additional sanctions for failure to attain or to meet interim milestones. The sections of the CAA most directly applicable to the development of the Project site include Title I (Non-Attainment Provisions) and Title II (Mobile Source Provisions).

Title I provisions were established with the goal of attaining the NAAQS for the following criteria pollutants O_3, NO_2, SO_2, PM_{10}, CO, $PM_{2.5}$, and lead. The NAAQS were amended in July 1997 to include an additional standard for O_3 and to adopt a NAAQS for $PM_{2.5}$. Table 4.3-1 (previously presented) provides the NAAQS within the Basin.

Mobile source emissions are regulated in accordance with Title II provisions. These provisions require the use of cleaner burning gasoline and other cleaner burning fuels such as methanol and natural gas. Automobile manufacturers are also required to reduce tailpipe emissions of hydrocarbons and nitrogen oxides (NO_X). NO_X is a collective term that includes all forms of nitrogen oxides (NO, NO_2, NO_3) which are emitted as byproducts of the combustion process.

4.3.4.2 California Regulations

The CARB, which became part of the California EPA in 1991, is responsible for ensuring implementation of the California Clean Air Act (AB 2595), responding to the federal CAA, and for regulating emissions from consumer products and motor vehicles. The California CAA mandates achievement of the maximum degree of emissions reductions possible from vehicular and other mobile sources in order to attain the state ambient air quality standards by the earliest practical date. The CARB established the CAAQS for all pollutants for which the federal government has NAAQS and, in addition, establishes standards for sulfates, visibility, hydrogen sulfide, and vinyl chloride. However, at this time, hydrogen sulfide and vinyl chloride are not measured at any monitoring stations in the SCAB because they are not considered to be a regional air quality problem. Generally, the CAAQS are more stringent than the NAAQS.

Local air quality management districts, such as the SCAQMD, regulate air emissions from commercial and light industrial facilities. All air pollution control districts have been formally designated as attainment or non-attainment for each CAAQS.

Serious non-attainment areas are required to prepare air quality management plans that include specified emission reduction strategies in an effort to meet clean air goals. These plans are required to include:

- Application of Best Available Retrofit Control Technology to existing sources;
- Developing control programs for area sources (e.g., architectural coatings and solvents) and indirect sources (e.g., motor vehicle use generated by residential and commercial development);
- A District-permitting system designed to allow no net increase in emissions from any new or modified permitted sources of emissions;
- Implementing reasonably available transportation control measures and assuring a substantial reduction in growth rate of vehicle trips and miles traveled;
- Significant use of low emissions vehicles by fleet operators;
- Sufficient control strategies to achieve a five percent or more annual reduction in emissions or 15 percent or more in a period of three years for VOCs, NO_X, CO and PM_{10}. However, air basins may use alternative emission reduction strategies that achieve a reduction of less than five percent per year under certain circumstances.

Title 24 Building Energy Efficiency Standards

California Code of Regulations (CCR) Title 24 Part 6: *Building Energy Efficiency Standards for Residential and Nonresidential Buildings* was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The Title 24 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 greenhouse gas (GHG) emissions. The 2019 update to Title 24 has been adopted by the California Energy Commission (CEC) and became effective on January 1, 2020. The analysis herein reflects compliance with the 2019 Title 24 Standards. The 2019 California Energy Code can be accessed at: https://codes.iccsafe.org/content/CAEC2019/cover.

Title 24 California Green Building Standards Code

CCR, Title 24, Part 11: *California Green Building Standards Code* (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on January 1, 2011. CALGreen is updated on a regular basis. The most recent (2019) update to the CALGreen standards became effective January 1, 2020. Local jurisdictions are permitted to adopt more stringent requirements. The analysis herein reflects compliance with the 2019 CALGreen Standards. The 2019 California Green Building Standards Code can be accessed at: https://codes.iccsafe.org/content/CAGBSC2019/cover.

4.3.4.3 Regional

Currently, the NAAQS and CAAQS are exceeded in most parts of the SCAB. In response, the SCAQMD has adopted regional Air Quality Management Plans (AQMPs) to meet the state and federal ambient air quality standards. AQMPs are updated regularly in order to more effectively reduce emissions, accommodate growth, and to minimize any negative fiscal impacts of air pollution control on the economy. Project consistency with the current (2016) AQMP is provided subsequently within this Section. The 2016 AQMP can be accessed at: https://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan/final-2016-aqmp.

Complementing provisions of the AQMP, SCAQMD Rules control and regulate area-source air pollutants within the SCAB. SCAQMD Rules can be accessed at: http://www.aqmd.gov/home/rules-compliance/rules.

4.3.5 STANDARDS OF SIGNIFICANCE

Pursuant to the *CEQA Guidelines* as implemented by the City, air quality impacts would be considered potentially significant if the Project would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- 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;
- Expose sensitive receptors to substantial pollutant concentrations; or
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

4.3.5.1 SCAQMD Thresholds

To determine if a given project would cause a significant effect on air quality, the impact of the project must be determined by examining the types and levels of emissions generated and their impacts on factors that affect air quality. To accomplish this determination of significance, the SCAQMD has established air pollution thresholds against which a proposed project can be evaluated and assist lead agencies in determining if the impacts of a project are significant. If the project's air pollutant emissions exceed applicable SCAQMD thresholds, then the impact should be considered significant. While the final determination of significance thresholds is within the purview of the lead agency, the SCAQMD recommends that its regional and local air quality thresholds for regulated pollutants (summarized below) be employed by lead agencies in determining whether criteria air pollutant emissions impacts generated by construction or operations of a given project are significant.

Regional Thresholds

SCAQMD regional significance thresholds for maximum daily emissions of regulated pollutants are listed at Table 4.3-3. Project emissions exceeding these thresholds would be considered potentially significant.

Table 4.3-3
Maximum Daily Emissions-Regional Thresholds

Pollutant	Construction-source	Operational-source
NOx	100 lbs./day	55 lbs./day
VOC	75 lbs./day	55 lbs./day
PM_{10}	150 lbs./day	150 lbs./day
$PM_{2.5}$	55 lbs./day	55 lbs./day
SO_x	150 lbs./day	150 lbs./day
CO	550 lbs./day	550 lbs./day
Lead	3 lbs./day	3 lbs./day

Source: *Merrill Commerce Center Specific Plan Air Quality Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.

Carbon Monoxide Concentrations (CO "hot spots") Thresholds

CO "hot spots" are areas of carbon monoxide concentrations exceeding national or state air quality standards. CO hotspots typically occur because of excessive vehicular idling, often associated with traffic backups at underperforming intersections or congested roadway links. SCAQMD also recommends an evaluation of potential localized CO "hot spot" impacts for projects that may adversely affect, or substantially contribute to, level of service impacts along area roadway segments or at area intersections. Based on the SCAQMD's *CEQA Air Quality Handbook* (1993), a project's localized CO emissions impacts would be significant if they exceed the following California standards for localized CO concentrations:

- 1-hour CO standard of 20.0 parts per million (ppm);
- 8-hour CO standard of 9.0 ppm.

Localized Significance Thresholds (LSTs)

LSTs represent the maximum localized emissions concentrations that would not cause or contribute to an exceedance of the most stringent applicable national or state ambient air quality standard (NAAQS or CAAQS) at the nearest residence or sensitive receptor. LSTs apply to carbon monoxide (CO), nitrogen dioxide (NO_2), particulate matter less than 10 microns (PM_{10}), and particulate matter less than 2.5 microns ($PM_{2.5}$). The SCAQMD states that the Lead Agency may, at the Agency's discretion, employ LSTs as another indicator of significance in air quality impact analyses.

Health Risk Assessment (HRA) Thresholds

Carcinogenic Risks

Pursuant to SCAQMD thresholds, impacts of Toxic Air Contaminants (TACs) are considered potentially significant if a Health Risk Assessment (HRA) shows an increased carcinogenic risk of greater than 10 incidents per million population.

Noncarcinogenic Risks

Noncarcinogenic risks are numerically expressed as a Hazard Index (HI), with a threshold HI of 1.0. Pursuant to SCAQMD thresholds, noncarcinogenic Hazard Indices calculated to be greater than 1.0 are considered potentially significant.

4.3.6 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.3.6.1 Introduction

The following discussions focus on areas where it has been determined that the Project may result in potentially significant air quality impacts, pursuant to comments received through the NOP process, and based on the analysis presented within this Section and included within the EIR Initial Study. As discussed within the Initial Study (EIR Appendix A), the potential for the Project to result in other emissions (such as those leading to odors) adversely affecting a substantial number of people was determined to

be less-than-significant, and is not discussed further within this Section. Please also refer to Initial Study Checklist Item III., *Air Quality*.

4.3.6.2 Impact Statements

Following is an analysis of potential air quality impacts that are expected to occur as a result of the Project. Potential emissions are considered for Project construction and operation. For each topical discussion, potential impacts are evaluated under applicable criteria established above at Section 4.3.5, *Standards of Significance*.

Potential Impact: *Conflict with or obstruct implementation of the applicable air quality plan.*

Impact Analysis: SCAQMD has adopted a series of Air Quality Management Plans (AQMPs) to achieve applicable air quality standards. AQMPs are updated regularly to effectively reduce emissions, accommodate growth, and minimize negative fiscal impacts of air pollution control. The current Final 2016 AQMP (2016 AQMP, AQMP) was adopted by the SCAQMD in March 2017.

AQMP Consistency

Criteria for determining consistency with the AQMP are identified at Chapter 12, Section 12.2 and Section 12.3 of the SCAQMD *CEQA Air Quality Handbook* (1993), as listed below. Project consistency with, and support of these criteria is presented subsequently.

- Criterion No. 1: The project under consideration will not result in an increase in the frequency or severity of existing NAAQS/CAAQS air quality violations or cause or contribute to new NAAQS/CAAQS violations; or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.

- Criterion No. 2: The project under consideration will not exceed the assumptions in the AQMP in 2011 or increments based on the years of Project build-out phase.

Criterion No. 1

The CAAQS and NAAQS cited at Criterion No. 1 comprise SCAQMD Localized Significance Thresholds (LSTs). The Project LST analysis presented subsequently in this Section substantiates that Project construction-source and operational-source emissions would not exceed applicable LSTs. Further, the Project would implement applicable best available control measures (BACMs), and would comply with applicable SCAQMD rules, acting to further reduce potential LST impacts. On this basis, the Project would not result in an increase in the frequency or severity of existing CAAQS/NAAQS air quality violations, or cause or contribute to new violations.

With regard to timely attainment of AQMP air quality standards and AQMP interim emissions reductions, the Project could potentially result in emissions not a reflected and addressed in the AQMP. That is, to allow for development of the Project business park/industrial uses, the Project site Policy Plan [General Plan] Land Use designations would be amended from "Business Park," "Office Commercial," and "General Commercial" to "Business Park" and "Industrial." This change in Land Use designations is not reflected the AQMP. The resulting development could generate emissions not accounted for in the AQMP emissions inventory and could thereby interfere with or obstruct attainment of AQMP air quality standards and AQMP interim emissions reductions. However, as discussed below, the resulting comparative reduction in trip generation resulting from the proposed change in Land Use designations provides an indication that development under the Project Land Uses would likely not result in exceedance of AQMP inventory emissions assumptions.

Trip generation (traffic) is a general proxy that broadly represents relative air quality impacts of development proposals. As indicated at Table 4.3-4, trip generation under the Project Land Uses would likely be reduced when compared to trip generation resulting from development of the site allowed under the site's current Policy Plan Land Uses. On this basis, it is likely that air quality impacts resulting from the Project would not exceed assumptions reflected in the 2016 AQMP.

Table 4.3-4
Trip Generation Comparison-Existing Policy Plan Land Uses vs. Project

Existing Policy Plan Land Uses			Project	
Policy Plan Land Use Designation	**ITE Metric**	**ADT (PCE)**	**Policy Plan Land Use Designation**	**ADT (PCE)**
Business Park: 314.7 acres; 8,225,000 sf	ITE Land Use 130 3.37 Trips/TSF	27,718	Business Park: 55.1 acres; 1,441,000 sf	5,842
Office Commercial: 43.3 acres; 1,414,600 sf	ITE Land Use 710 9.74 Trips/TSF	13,778	N/A	---
General Commercial: 18.3 acres; 318,900 sf	ITE Land Use 820 33.37 Trips/TSF	10,642	N/A	---
N/A	---	---	Industrial: 292.8 acres; 7,014,000 sf	19,356
N/A	---	---	Circulation: 28.4 Acres	---
Total ADT	**---**	**52,138**	**Total ADT**	**25,198**

Sources: Policy Plan Land Use Element; ITE Trip Generation Manual, 10th Edition (2017); Merrill Commerce Center Specific Plan.
Notes:
1. Maximum building square footage calculated by multiplying the total acreage of each land use by the anticipated floor area ratio (FAR) for the respective land use designation per Policy Plan Table LU-02 Land Use Designations Summary Table – Industrial FAR = 0.55; Business Park FAR = 0.60; General Commercial FAR = 0.040; Office Commercial FAR = 0.75.
2. No Project Alternative Land Use Trip Generation Metrics from ITE Trip Generation Manual, 10th Edition (2017). ITE Land Use Codes: 130-Industrial Park; 710 General Office, 820 Shopping Center.
3. Project Trip Generation from *Merrill Commerce Center Specific Plan, Traffic Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) March 30, 2020.
4. ADT = Average Daily Trips, TSF = Thousand Square Feet

Because a change in land use is proposed under the Project, it is conservatively assumed that the emissions generated by the Project's proposed land uses are not reflected in the 2016 AQMP air quality standards and interim emissions reductions targets. The Project could therefore delay the timely attainment of air quality standards and/or interim emissions reductions specified in the 2016 AQMP.

In conclusion, the Project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations. However, because the General Plan Land Use designations reflected in the 2016 AQMP differ from the Land Use designations proposed under the Project, it is assumed that the Project could delay the timely attainment of air quality standards and/or interim emissions reductions specified in the AQMP. Conservatively, and for the purposes of this analysis, the Project is considered to be inconsistent with Criterion No.1.

Criterion No. 2

Criterion No. 2 addresses consistency (or inconsistency) of a given project with approved local and regional land use plans and associated potential AQMP implications. That is, AQMP emissions models and emissions control strategies are based in part on land use data provided by local general plan documentation; and regional plans, which reflect and incorporate local general plan information. Projects that propose general plan amendments may increase the intensity of use and/or result in higher traffic volumes, thereby resulting in increased stationary area source emissions and/or vehicle source emissions when compared to the AQMP assumptions. However, if a given project is consistent with and does not otherwise exceed the growth projections in the applicable local general plan, then that project would be considered consistent with the growth assumptions in the AQMP and would not affect the AQMP's regional emissions inventory for the Basin.

As noted above, the current General Plan Land use designations for the Project site would be amended to allow for the various Project uses. Accordingly, the 2016 AQMP does not reflect the proposed land use designation for the Project site. For this reason, there is the potential for the Project to exceed air quality impact assumptions in the AQMP or increments based on the years of Project build-out phase. Consequently, development of the subject site as proposed by the Project is conservatively assumed to generate emissions not reflected within the current 2016 AQMP regional emissions inventory for the SCAB. On this basis, the Project is considered to be inconsistent with AQMP Consistency Criterion No. 2.

In summary, the Project would be inconsistent with AQMP Criterion No's. 1 and 2, resulting in a determination that impacts in this regard would be considered potentially significant.

Level of Significance*:* Potentially Significant.

Mitigation Measures: The Project would implement development-specific air quality mitigation measures identified in this analysis, acting to generally reduce the Project's construction-source and operational-source air pollutant emissions. Additionally, the Project Design Features identified at EIR Section 3.4.3.6 which reflect contemporary energy-efficient technologies and operational programs, CALGreen design and performance standards implemented under the Project, and Project compliance with SCAQMD emissions reductions and control requirements act to reduce Project air pollutant emissions generally.

In combination, the Project air quality mitigation measures and Project Design Features identified at EIR Section 3.4.3.6 are consistent with and support overarching AQMP air pollution reduction strategies. Project support of these strategies would globally promote timely attainment of AQMP air quality standards and would bring the Project into conformance with the AQMP to the extent feasible. Further, as discussed herein, trip generation under the Project Land Uses would likely be reduced when compared to trip generation resulting from development of the site allowed under the site's current Policy Plan Land Uses. On this basis, it is likely that air quality impacts resulting from the Project would not exceed assumptions reflected in the 2016 AQMP.

Notwithstanding, because a change in land use is proposed under the Project, it is assumed that the emissions generated by the Project's proposed land uses are not reflected in the 2016 AQMP air quality standards, interim emissions reductions targets, and emissions inventories. Consequently, development of the subject site as proposed by the Project is conservatively assumed to conflict with the 2016 AQMP. ***This is a significant and unavoidable impact.***

Level of Significance After Mitigation: ***Significant and Unavoidable.***

Potential Impact: *Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal [national] or state ambient air quality standard.*

Impact Analysis:

Overview

The Project area is designated as a non-attainment area for ozone, a non-attainment area for PM_{10}, and a non-attainment area for $PM_{2.5}$. Germane to these regional non-attainment conditions, the Project-specific evaluation of emissions presented herein indicates that even after application of mitigation Project operational-source VOC, NO_X, PM_{10}, and $PM_{2.5}$ emissions would exceed applicable SCAQMD regional thresholds. The fact that the Project operational-source emissions of VOC, NO_X, PM_{10}, and $PM_{2.5}$ would exceed applicable SCAQMD thresholds indicates that the Project impacts in these regards are significant on an individual basis, and under SCAQMD significance criteria, would therefore also be cumulatively considerable. Project operational-source emissions of the ozone precursors VOC and NO_X; as well as PM_{10} and $PM_{2.5}$ particulate emissions in exceedance of applicable SCAQMD regional thresholds would result in a cumulatively considerable net increase of in criteria pollutants within the encompassing ozone and PM_{10}/$PM_{2.5}$ non-attainment areas.

The latest SCAQMD/California Air Pollution Control Officers Association (CAPCOA)-approved version of the California Emissions Estimator Model (CalEEMod, v2016.3.2) was utilized to estimate Project-related air pollutant emissions levels. Project emissions levels were then compared to applicable SCAQMD thresholds in order to determine if air quality standards would be violated; or if Project emissions would contribute substantially to existing or projected air quality violations. Unless otherwise noted, CalEEMod default values and assumptions are applied throughout.

Detailed information regarding land uses and development that would be allowed within the Project site is presented within the *Merrill Commerce Center Specific Plan* (T&B Planning, Inc.) September 29, 2020, EIR Appendix B (Specific Plan). The Specific Plan

document in total is incorporated in this EIR by reference. Under the Project Development Concept evaluated in this EIR, the Specific Plan Area would be developed with the following uses:

- **Industrial:** Approximately 6,312,600 square feet of high-cube fulfillment center warehouse use; and approximately 701,400 square feet of high-cube cold storage warehouse use;
- **Business Park:** Approximately 1,441,000 square feet of mixed uses including merchant wholesale, professional services, professional office, warehouse/storage, and research and development.

Total Development: 8,455,000 square feet

The Project would also implement off-site master plan infrastructure (roads, potable water, recycled water, sanitary sewer, storm drains, and fiber optic lines) in support of the Project. Predominantly, off-site areas that would be affected by construction of infrastructure improvements comprise already-disturbed/developed rights-of-way and easements. Should future development proposals proposed within the Specific Plan area, or supporting infrastructure proposed as part of the Project differ substantially from the development concepts analyzed herein, the Lead Agency would comply with CEQA in consideration of those proposals. This EIR in all instances evaluates likely maximum impact scenarios.

Please refer also to EIR Section 3.0, *Project Description* for additional detail regarding Project facilities and operations.

As envisioned under the Specific Plan, the Project would be implemented in 3 Phases – "A," "B," and "C" (see EIR Section 3.0, *Project Description*, Figure 3.4-4, *Phasing Concept*). Phase A is anticipated to be completed by 2022, Phase B by 2025, and Phase C by 2026. Phase A includes Planning Areas 4 and 5; Phase B includes Planning Areas 1, 2, 3, and 6; and Phase C includes Planning Areas 1A, 3A, 4A, 5A, and 6A. These Phases may be

developed as subphases and may occur either sequentially or concurrently. Project development sequencing would ultimately respond to market demands and would be contingent on availability of supporting infrastructure. For the purposes of the Project AQIA, Project development is assumed to occur as summarized at Table 4.3-5.

Table 4.3-5
Project Development Summary by Phase

Land Use	Quantity	Units
Phase A (2022) – Planning Areas 4 & 5		
PA4: High-Cube Fulfillment Center Warehouse	642.477	TSF
PA5: High-Cube Fulfillment Center Warehouse	1,237.523	TSF
PA4/PA5: High-Cube Cold Storage Warehouse	300.000	TSF
Phase A Total	**2,180.000**	**TSF**
Phase B (2025) – Planning Areas 1, 2, 3, & 6		
PA1: High-Cube Fulfillment Center Warehouse	1,293.835	TSF
PA2: High-Cube Fulfillment Center Warehouse	1,364.441	TSF
PA3: High-Cube Fulfillment Center Warehouse	673.968	TSF
PA6: High-Cube Fulfillment Center Warehouse	1,100.356	TSF
PA1-3/PA6: High-Cube Cold Storage Warehouse	401.400	
Phase B Total	**4,834.000**	**TSF**
Phase C (2026) – Planning Areas 1A, 3A, 4A, 5A, & 6A		
PA1A: Business Park	598.000	TSF
PA3A: Business Park	150.000	TSF
PA4A: Business Park	152.000	TSF
PA5A: Business Park	293.000	TSF
PA6A: Business Park	248.000	TSF
Phase C Total	**1,441.000**	**TSF**
Off-Site Infrastructure Construction		
Off-Site Infrastructure	113.300	AC
Off-Site Infrastructure (Total)	**113.300**	**AC**

Source: *Merrill Commerce Center Specific Plan Air Quality Impact Analysis* (Urban Crossroads, Inc.) January 12, 2020.
Notes: Building area assumptions for each Planning Area are based on maximum planned development as defined by the Specific Plan.

REGIONAL IMPACTS

Construction-Source Air Pollutant Emissions

Project construction activities (listed below) would generate emissions of CO, VOC, NO_x, SO_x, PM_{10}, and $PM_{2.5}$. The Project construction schedule by Phase is summarized at Table 4.3-6.

- Demolition
- Site Preparation
- Grading
- Building Construction
- Paving
- Architectural Coating
- Off-Site Infrastructure

Table 4.3-6
Project Construction Schedule by Phase

Phase A (2022)	
Activity	**Duration (Days)**
Demolition	60
Site Preparation	60
Grading	100
Building Construction	450
Paving	110
Architectural Coating	110
Phase B (2025)	
Demolition	80
Site Preparation	80
Grading	140
Building Construction	485
Paving	330
Architectural Coating	330
Phase C (2026)	
Demolition	30

Table 4.3-6
Project Construction Schedule by Phase

Site Preparation	30
Grading	50
Building Construction	150
Paving	75
Architectural Coating	75
Off-Site Infrastructure Construction	
Off-Site Infrastructure Construction	365

Source: *Merrill Commerce Center Specific Plan Air Quality Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.

Modeled construction-source emissions reflect all construction activities and also account for associated construction worker commutes and vendor deliveries. Maximum daily Project construction-source emissions are summarized at Table 4.3-6. Please refer also to the Project AQIA, Section 3.4 *Construction Emissions* for further details regarding modeling and analysis of Project construction-source emissions.

Table 4.3-7
Maximum Daily Construction-Source Emissions—Unmitigated (lbs./day)

Phase	Pollutant					
	VOC	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Summer						
Phase A	108.38	125.44	134.29	0.41	24.02	9.80
Phase B	90.06	148.27	182.75	0.68	44.10	14.85
Phase C	101.21	93.34	104.99	0.31	17.56	8.60
Winter						
Phase A	108.47	125.19	126.44	0.39	24.02	9.80
Phase B	90.28	147.76	167.56	0.64	44.11	14.86
Phase C	101.29	93.18	100.90	0.30	17.56	8.60
Maximum Daily Emissions	**108.47**	**148.27**	**182.75**	**0.68**	**44.11**	**14.86**
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	**YES**	**YES**	No	No	No	No

Source: *Merrill Commerce Center Specific Plan Air Quality Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.
Notes: Timing and sequencing of off-site infrastructure construction is as yet-undefined. Conservatively, off-site infrastructure construction-source emissions has been modeled and added to the maximum construction-source emissions for each Project Phase.

As indicated at Table 4.3-7, unmitigated Project construction-source air pollutant emissions would exceed applicable SCAQMD regional thresholds for VOC and NO_X.

Project construction-source emissions exceedances of the ozone precursors VOC and NO_X could result in a cumulatively considerable net increase of the criteria pollutants ozone, PM_{10} and $PM_{2.5}$ (NO_X is a precursor to $PM_{10}/PM_{2.5}$) within the encompassing ozone and $PM_{10}/PM_{2.5}$ non-attainment areas. These are potentially significant impacts.

Level of Significance: ***Potentially Significant.*** (VOC and NO_X emissions)

Mitigation Measures:

4.3.1 The Project shall utilize "Super-Compliant" low VOC paints which have been reformulated to exceed the regulatory VOC limits put forth by SCAQMD's Rule 1113. Super-Compliant low VOC paints shall be no more than 10g/L of VOC. Alternatively, the applicant may utilize tilt-up concrete buildings that do not require the use of architectural coatings.

4.3.2 Construction contractors shall ensure that large off-road diesel fueled construction equipment, including but not limited to excavators, graders, rubber-tired dozers, and similar large pieces of equipment be equipped with CARB Tier 4 Compliant engines. If the operator lacks Tier 4 equipment, and Tier 4 equipment is not available for lease or short-term rental within 50 miles of the project site, Tier 3 Compliant or cleaner off-road construction equipment may be utilized.

Level of Significance After Mitigation: Less-Than-Significant**.** Table 4.3-8 summarizes Project construction-source emissions after the implementation of Mitigation Measures 4.3.1, 4.3.2. As indicated at Table 4.3-8, with the application of mitigation, maximum daily Project construction-source emissions (including VOC and NO_X emissions) would not exceed applicable SCAQMD regional thresholds and would therefore be less-than-significant. Per SCAQMD criteria, Project-level impacts that are less-than-significant are

not cumulatively considerable. As mitigated, the potential for Project construction-source emissions to result in a cumulatively considerable net increase in criteria pollutants within the encompassing non-attainment areas would be less-than-significant.

Table 4.3-8
Maximum Daily Construction-Source Emissions-Mitigated (lbs./day)

Phase	Pollutant					
	VOC	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Summer						
Phase A	27.82	51.69	153.06	0.41	20.51	6.39
Phase B	29.29	81.46	202.02	0.68	40.99	11.96
Phase C	23.78	30.67	124.67	0.31	14.66	5.78
Winter						
Phase A	27.91	51.45	145.21	0.39	20.51	6.39
Phase B	29.52	80.94	186.83	0.64	40.99	11.96
Phase C	23.86	30.49	120.59	0.30	14.66	5.78
Maximum Daily Emissions	**29.52**	**81.46**	**202.02**	**0.68**	**40.99**	**11.96**
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

Source: *Merrill Commerce Center Specific Plan Air Quality Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.
Notes: Timing and sequencing of off-site infrastructure construction is as yet-undefined. Conservatively, off-site infrastructure construction-source emissions has been modeled and added to the maximum construction-source emissions for each Project Phase.

Operational-Source Air Pollutant Emissions

Project operational activities associated with the Project would result in emissions of VOC, NO_X, CO, SO_X, PM_{10}, and $PM_{2.5}$. Project operational emissions would be generated by the mobile and stationary/area sources listed below:

- Area Sources (Architectural Coatings, Consumer Products, Landscape/Facilities Maintenance Equipment)
- Building Energy Consumption
- Mobile Sources (Project Traffic)
- On-Site Cargo Handling Equipment (Utility Tractors)
- Transport Refrigeration Units (TRUs)

Please refer also to the Project AQIA, Section 3.5 *Operational Emissions* for further details regarding modeling and analysis of Project operational-source emissions.

Operational Emissions Summary

Maximum daily Project operational-source air pollutant emissions are summarized at Table 4.3-9. Applicable SCAQMD regional significance thresholds are also identified.

Table 4.3-9
Peak Operational-Source Emissions Summary
Maximum Daily Summer/Winter – Unmitigated (lbs./day)

	Pollutant					
	VOC	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Summer Scenario						
Phase A						
Area Source	48.86	2.04e-03	0.22	2.00e-05	8.00e-04	8.00e-04
Energy Source	0.53	4.81	4.04	0.03	0.37	0.37
Mobile Source (Passenger Cars)	10.63	8.71	150.84	0.44	46.96	12.59
Mobile Source (Trucks)	5.83	230.27	51.36	0.93	34.86	11.31
On-Site Equipment Source	0.98	10.14	6.07	0.03	0.35	0.32
TRUs	1.58	12.68	19.40	0.003	0.20	0.18
Total Maximum Daily Emissions (Phase A)	**68.41**	**266.62**	**231.94**	**1.43**	**82.74**	**24.78**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**YES**	**YES**	No	No	No	No
Phase B						
Area Source	108.34	4.48e-03	0.49	4.00e-05	1.76e-03	1.76e-03
Energy Source	0.79	7.18	6.03	0.04	0.55	0.55
Mobile Source (Passenger Cars)	18.98	13.29	272.74	0.88	105.69	28.30
Mobile Source (Trucks)	6.99	399.55	90.82	1.86	72.90	22.79
On-Site Equipment Source	1.71	13.69	12.71	0.05	0.52	0.48
TRUs	2.09	16.82	25.74	0.004	0.27	0.24
Maximum Daily Emissions (Phase B only)	**138.90**	**450.54**	**408.54**	**2.84**	**179.93**	**52.37**
Total Maximum Daily Emissions (Phase A + Phase B)	**207.31**	**717.16**	**640.48**	**4.27**	**262.67**	**77.14**

Table 4.3-9
Peak Operational-Source Emissions Summary
Maximum Daily Summer/Winter – Unmitigated (lbs./day)

	Pollutant					
	VOC	**NOx**	**CO**	**SOx**	**PM10**	**PM2.5**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**YES**	**YES**	**YES**	No	**YES**	**YES**
Phase C						
Area Source	32.29	1.33e-03	0.15	1.00e-05	5.20e-04	5.20e-04
Energy Source	0.10	0.94	0.79	5.64e-03	0.07	0.07
Mobile Source (Passenger Cars)	9.01	6.06	130.57	0.43	53.69	14.37
Mobile Source (Trucks)	2.12	117.13	26.75	0.57	23.83	7.42
On-Site Equipment Source	0.50	4.03	3.74	0.02	0.15	0.14
Maximum Daily Emissions (Phase C Only)	44.03	128.16	162.00	1.02	77.75	22.00
Total Maximum Daily Emissions (Phase A + Phase B + Phase C)	**251.34**	**845.31**	**802.48**	**5.29**	**340.42**	**99.15**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**YES**	**YES**	**YES**	No	**YES**	**YES**
Winter Scenario						
Phase A						
Area Source	48.86	2.04e-03	0.22	2.00e-05	8.00e-04	8.00e-04
Energy Source	0.53	4.81	4.04	0.03	0.37	0.37
Mobile Source (Passenger Cars)	9.69	9.13	123.70	0.40	49.96	12.59
Mobile Source (Trucks)	5.48	237.56	42.78	0.94	34.80	11.28
On-Site Equipment Source	0.98	10.14	6.07	0.03	0.35	0.32
TRUs	1.58	12.68	19.40	0.003	0.20	0.18
Total Maximum Daily Emissions (Phase A)	**67.11**	**274.33**	**196.21**	**1.39**	**82.68**	**24.75**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**YES**	**YES**	No	No	No	No
Phase B						
Area Source	108.34	4.48e-03	0.49	4.00e-05	1.76e-03	1.76e-03
Energy Source	0.79	7.18	6.03	0.04	0.55	0.55
Mobile Source (Passenger Cars)	18.98	13.29	272.74	0.88	105.69	28.30
Mobile Source (Trucks)	6.99	399.55	90.82	1.86	72.90	22.79

Table 4.3-9
Peak Operational-Source Emissions Summary
Maximum Daily Summer/Winter – Unmitigated (lbs./day)

	Pollutant					
	VOC	**NOx**	**CO**	**SOx**	**PM10**	**PM2.5**
On-Site Equipment Source	1.71	13.69	12.71	0.05	0.52	0.48
TRUs	2.09	16.82	25.74	0.004	0.27	0.24
Maximum Daily Emissions (Phase B Only)	136.59	464.07	341.35	2.76	179.78	52.31
Total Maximum Daily Emissions (Phase A + Phase B)	**203.70**	**738.40**	**537.56**	**4.15**	**262.46**	**77.06**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**YES**	**YES**	No	No	**YES**	**YES**
Phase C						
Area Source	32.29	1.33e-03	0.15	1.00e-05	5.20e-04	5.20e-04
Energy Source	0.10	0.94	0.79	5.64e-03	0.07	0.07
Mobile Source (Passenger Cars)	8.24	6.34	107.53	0.39	53.69	14.37
Mobile Source (Trucks)	1.95	121.06	21.71	0.57	23.79	7.40
On-Site Equipment Source	0.50	4.03	3.74	0.02	0.15	0.14
Maximum Daily Emissions (Phase C Only)	**43.08**	**132.37**	**133.92**	**0.98**	**77.71**	**21.99**
Total Maximum Daily Emissions (Phase A + Phase B + Phase C)	**246.78**	**870.76**	**671.47**	**5.13**	**340.17**	**99.05**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**YES**	**YES**	**YES**	No	**YES**	**YES**

Source: *Merrill Commerce Center Specific Plan Air Quality Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.

Level of Significance: ***Potentially Significant.*** (VOC, NOx, CO, PM10, and PM2.5 emissions)

As indicated at Table 4.3-9, operational-source emissions generated by Project Phase A would exceed SCAQMD regional thresholds for VOC and NOx. Project Phase A + Phase B operational-source emissions would exceed SCAQMD regional thresholds for VOC, NOx, CO, PM10, and PM2.5. Project Phase A + Phase B + Phase C operational-source emissions would exceed SCAQMD regional thresholds for VOC, NOx, CO, PM10, and PM2.5. Project operational-source emissions thresholds exceedances of the ozone

precursors VOC and NO_x, and emissions thresholds exceedances of PM_{10}, and $PM_{2.5}$ could result in cumulatively considerable net increases of the criteria pollutants ozone, PM_{10}, and $PM_{2.5}$ within the encompassing ozone, PM_{10}, and $PM_{2.5}$ non-attainment areas. These are potentially significant impacts.

Operational-source emissions are reduced in part through the Project's conservation/sustainability design features and attributes described at EIR Section, 3.4.3.6 *Project Design Features,* and restated below:

> Design features incorporated in the Project would promote efficient use of energy and other resources, further City conservation and sustainability goals and strategies, and act to generally diminish the Project's potential environmental effects. In consultation with the Lead Agency, final designs of Project buildings, site plans, and improvements would incorporate the following features:
>
> - All Project buildings will be LEED Certified;
> - Building and site designs will facilitate and incorporate use of renewable energy sources, including roofs structurally designed to support solar photovoltaic (PV) panels;
> - Building and site designs will incorporate conduit and infrastructure for electric car chargers;
> - Building and site designs will incorporate conduit and infrastructure for electric truck chargers;
> - To minimize the potential for on-site truck idling, site plans will be designed to ensure adequate circulation and access for trucks;
> - Truck trailer parking areas will be designed and configured to avoid vehicle stacking at the Project site access point and along adjacent streets;
> - LED Lighting will be provided throughout the Project (interior and exterior);
> - Project grading will be balanced, thereby minimizing potential requirements for truck conveyance of soil import/export;

- Project warehouse designs will provide 40-foot or higher interior clear heights, allowing for greater storage per square foot of building, reducing building footprints, and generally reducing construction material and energy demands;
- Site designs will incorporate pedestrian/bicycle/multi-use paths and supporting amenities;
- The Project Construction and Demolition Waste Management Plan will be designed and implemented to yield a minimum of 90% recycled/salvaged materials.

Project operational-source emissions are further reduced through application of the following mitigation measures.

Mitigation Measures:

4.3.3 *Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations. At a minimum, each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for drivers of diesel trucks to restrict idling to no more than five (5) minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; and 3) telephone numbers of the building facilities manager and the CARB to report violations. Prior to the issuance of an occupancy permit, the City shall conduct a site inspection to ensure that the signs are in place.*

4.3.4 *Prior to tenant occupancy, the Project Applicant or successor in interest shall provide documentation to the City demonstrating that occupants/tenants of the Project site have been provided documentation on funding opportunities, such as the Carl Moyer Program, that provide incentives for using cleaner-than-required engines and equipment.*

4.3.5 *The minimum number of automobile electric vehicle (EV) charging stations required by the California Code of Regulations (CCR) Title 24 shall be provided. As agreed to by the*

Applicant and Lead Agency, final designs of Project buildings shall include electrical infrastructure sufficiently sized to accommodate the potential installation of additional auto and truck EV charging stations.

4.3.6 *As agreed to by the Applicant and Lead Agency, final Project designs shall provide for installation of conduit in tractor trailer parking areas for the purpose of accommodating potential installation of EV truck charging stations.*

4.3.7 *Where transport refrigeration units (TRUs) are in use, electrical hookups shall be installed in order to allow TRUs to use electric standby capabilities.*

4.3.8 *All diesel trucks accessing the Project shall be compliant with the CARB Truck and Bus Regulation 2010 engine emissions standards.*

Level of Significance After Mitigation: ***Significant and Unavoidable.*** Mitigation Measures 4.3.3 through 4.3.8 would act to globally reduce Project operational-source emissions. However, there is no way to quantify these reductions in the California Emissions Estimator Model (CalEEMod). This analysis therefore conservatively assumes that mitigated and unmitigated Project operational-source emissions are substantively equal.

In addition to emissions reduction achieved via Measures 4.3.3 through 4.3.8, Transportation Demand Management (TDM) measures implemented as mitigation for transportation VMT impacts would act to generally reduce vehicle-source emissions. The efficacy of TDMs and any resulting emissions reductions would be dependent on as yet-unknown building tenants and final site plan designs. Accordingly, potential emissions reductions resulting from implementation of TDMs are not quantified within this analysis.

Further, the Project operational-source emissions derive predominantly from vehicular sources (96% for NO_X and CO, 99% for PM_{10} and $PM_{2.5}$). Neither the Project Applicant nor

the City has any regulatory control over these emissions. Rather, vehicle tail pipe source emissions are regulated by CARB and USEPA.

The Project would implement design features acting to reduce operational-source emissions. Mitigation measures identified in this EIR and compliance with all applicable SCAQMD Rules would further reduce Project operational-source emissions. However, even after these implementation of these measures, Project operational-source emissions would still exceed applicable SCAQMD regional thresholds for VOCs, NO_X, CO, PM_{10}, and $PM_{2.5}$. These are significant and unavoidable impacts. Per SCAQMD criteria, Project-level impacts that are significant and unavoidable are also cumulatively significant and unavoidable.

Based on the preceding, Project operational-source emissions thresholds exceedances of the ozone precursors VOC and NO_X, and emissions thresholds exceedances of PM_{10}, and $PM_{2.5}$ would result in cumulatively considerable net increases of the criteria pollutants ozone, PM_{10}, and $PM_{2.5}$ within the encompassing ozone, and PM_{10}/$PM_{2.5}$ non-attainment areas. ***These are cumulatively significant and unavoidable impacts.***

Construction/Operation Emissions Overlap

Per the SCAQMD CEQA Air Quality Handbook (CEQA Handbook), the recommended approach to calculate criteria pollutant emissions generated by development projects is discrete quantification of construction-source and operational-source emissions. Construction-source and operational-source emissions are then each compared to applicable construction and operational thresholds of significance (CEQA Handbook, Chapters 6 and 9). To the City's knowledge, SCAQMD has not formally developed or published combined construction and operational emission significance thresholds (with the exception of its December 5, 2008 adoption of a GHG Significance Threshold for certain projects where SCAQMD is the lead agency). There, the construction emissions are amortized over 30 years and added to the operational emissions. Additionally, SCAQMD did not request assessment of combined construction-source and operational-source emissions in its comments on the Project NOP. Notwithstanding, SCAQMD has recently commented on other CEQA documents, requesting analysis of combined

construction and operational emissions, and comparison of these emissions to applicable operational thresholds[3].

Table 4.3-10 summarizes maximum daily emissions for each scenario where Project construction and operation activities have the potential to overlap. Total combined emissions under the overlapping conditions are compared to applicable operational thresholds. It is important to note that overlapping activities and overlapping emissions summarized at Table 4.3-10 would be temporary, and would cease upon completion of each subsequent phase of construction.

Similar to the findings presented above at *Operational Emissions Summary*, the maximum combined overlapping construction and operational emissions would exceed applicable SCAQMD thresholds of significance for emissions of VOC, NO_X, CO, PM_{10}, and $PM_{2.5}$. However, the combined overlapping totals would *not* exceed the total emissions for peak operational emissions already disclosed at Table 4.3-9, *Peak Operational-Source Emissions Summary*. As such, no new impacts would occur beyond those that have already been identified and no additional mitigation is required.

Table 4.3-10
Construction-Source/Operational-Source Emissions Overlap

Overlap Scenario 1 (Phase A Operations & Phase B Construction)						
Summer						
	VOC	**NO_X**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Phase A Operations	68.41	266.62	231.94	1.43	82.74	24.78
Phase B Construction	29.29	81.46	202.02	0.68	40.99	11.96
Maximum Daily Combined Emissions	**97.70**	**348.08**	**433.96**	**2.11**	**123.73**	**36.74**

[3] "To conservatively analyze a worst-case impact scenario, South Coast AQMD staff recommends that the Lead Agency use its best efforts to identify the overlapping years, combine construction emissions (including emissions from demolition) with operational emissions, and compare the combined emissions to South Coast AQMD's air quality CEQA *operational* thresholds of significance to determine the level of significance . . ." See SCAQMD Comments on Draft Environmental Impact Report (Draft EIR) for the Proposed Nakase Nursery/Toll Brothers Project (SCH No. 2018071035) dated October 3, 2019 (Attachment, Comment #2). http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/october/ORC190820-03.pdf?sfvrsn=8

Table 4.3-10
Construction-Source/Operational-Source Emissions Overlap

SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**YES**	**YES**	No	No	No	No
Winter						
Phase A Operations	67.11	274.33	196.21	1.39	82.68	24.75
Phase B Construction	29.52	80.94	186.83	0.64	40.99	11.96
Maximum Daily Combined Emissions	**96.63**	**355.27**	**383.04**	**2.03**	**123.67**	**36.72**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**YES**	**YES**	No	No	No	No
Overlap Scenario 2 (Phase B Operations & Phase C Construction)						
Summer						
	VOC	**NO_x**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Phase B Operations	207.31	717.16	640.48	4.27	262.67	77.14
Phase C Construction	23.78	30.66	124.67	0.31	14.66	5.78
Maximum Daily Combined Emissions	**231.09**	**747.82**	**765.15**	**4.58**	**277.33**	**82.92**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**YES**	**YES**	**YES**	No	**YES**	**YES**
Winter						
Phase B Operations	203.70	738.40	537.56	4.15	262.46	77.06
Phase C Construction	23.86	30.49	120.59	0.30	14.66	5.78
Maximum Daily Combined Emissions	**227.56**	**768.89**	**658.14**	**4.45**	**277.12**	**82.84**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**YES**	**YES**	**YES**	No	**YES**	**YES**

Source: *Merrill Commerce Center Specific Plan Air Quality Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.

Potential Impact: *Expose sensitive receptors to substantial pollutant concentrations.*

Impact Analysis: Sensitive receptors can include uses such as long-term health care facilities, rehabilitation centers, and retirement homes. Residences, schools, playgrounds, childcare centers, and athletic facilities can also be considered as sensitive receptors. As concluded in the following discussion of Localized Air Quality Impacts, the sensitive receptors nearest the Project site would not be subject to emissions exceeding SCAQMD LSTs. Nor would the Project create or result in localized CO hot spots. The Project HRA

and Project construction HRA, summarized herein, substantiate that the Project would not generate or result in localized concentrations of TACs that would create or result in potentially significant health risks. On this basis, the potential for the Project to expose sensitive receptors to substantial pollutant concentrations is considered less-than-significant.

LOCALIZED IMPACTS

Localized Significance Threshold (LST) Analysis

The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the national and/or state ambient air quality standards (NAAQS/CAAQS). Collectively, the NAAQS/CAAQS establish LSTs.

LSTs were developed in response to the SCAQMD Governing Board's Environmental Justice Initiative I-4. More specifically, to address potential Environmental Justice implications of localized air pollutant impacts, the SCAQMD adopted LSTs indicating whether a project would cause or contribute to localized air quality impacts and thereby cause or contribute to potential localized adverse health effects. LSTs apply to carbon monoxide (CO), nitrogen dioxide (NO_2), particulate matter less than 10 microns (PM_{10}), and particulate matter less than 2.5 microns ($PM_{2.5}$). LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable national or state ambient air quality standard at the nearest residence or sensitive receptor. Though not required, lead agencies may employ LSTs as another indicator of significance in its air quality impact analyses.

The significance of localized emissions impacts depends on whether ambient levels in the vicinity of the project are above or below state standards. In the case of CO and NO_2, if ambient levels are below the standards, a project is considered to have a significant impact if project emissions result in an exceedance of one or more of these standards. For the nonattainment pollutants PM_{10} and $PM_{2.5}$, background ambient concentrations

already exceed state and/or national standards. LSTs for PM_{10} and $PM_{2.5}$ are therefore based on SCAQMD Rules 403/1303 (construction-source/operational-source emissions respectively) and are established as an allowable change in concentration. Background concentrations are irrelevant.

Emissions Considered/Methodology

LSTs apply to carbon monoxide (CO), nitrogen dioxide (NO_2), particulate matter less than 10 microns (PM_{10}), and particulate matter less than 2.5 microns ($PM_{2.5}$). The Project LST analysis incorporates, and is consistent with, protocols and methodologies established in *Final Localized Significance Threshold Methodology* (Methodology) (SCAQMD, revised July 2008). The Methodology clearly states that "off-site mobile emissions from the Project should NOT be included in the emissions compared to LSTs." Accordingly, the Project LST analysis considers only "on-site" emissions sources.

Maximum Daily Disturbed-Acreage

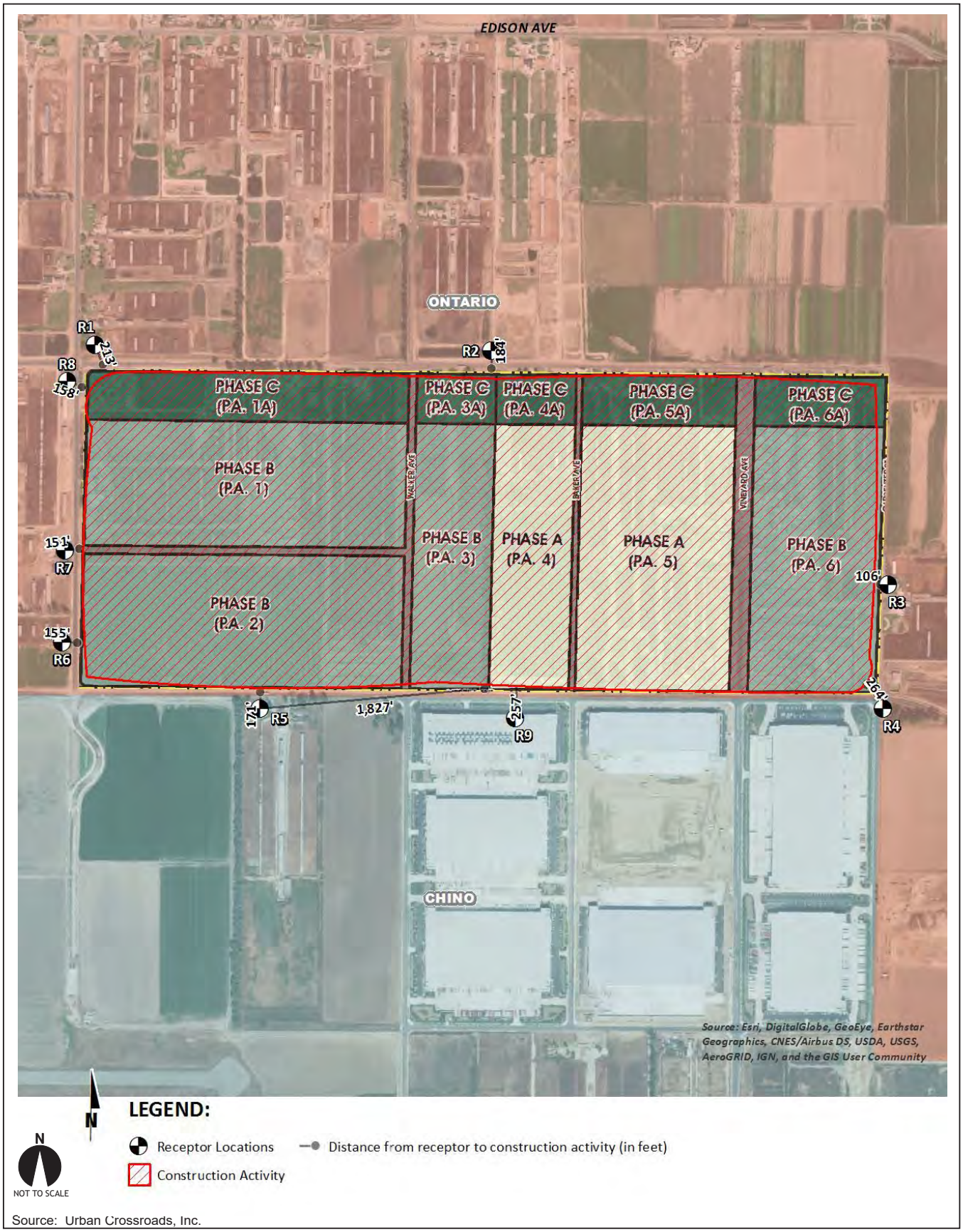
The SCAQMD has issued guidance on applying CalEEMod to LST analyses. In this regard, CalEEMod calculates construction emissions (off-road exhaust and fugitive dust) based on the number of equipment hours and the maximum daily site disturbance activity possible for each piece of equipment. It should be noted that the disturbed area per day is representative of a piece of equipment making multiple passes over the same land area. Project on-site construction activities would actively disturb approximately 1.0 acre per day during demolition, 3.5 acres per day during site preparation, and 4.0 acre per day during grading activities. During off-site infrastructure construction, it is estimated that 1.0 acre per day will be disturbed (Project AQIA, p. 56).

Receptors

Localized air quality impacts were evaluated at proximate receptor land uses. Receptors in the Project study area are described below and identified at Figure 4.3-11.

- R1: Located approximately 185 feet north of the Project site, R1 represents an existing residential home at the Gordon Hay Inc. Dairy.
- R2: Location R2 represents vacant unoccupied agricultural land located approximately 151 feet north of the Project site.
- R3: Located approximately 94 feet east of the Project site across Carpenter Avenue, R3 represents existing residential homes at the Tiva Dairy.
- R4: Location R4 represents the existing residential home at 9131 Merrill Avenue, approximately 129 feet southeast of the Project site.
- R5: Located approximately 135 feet south of the Project site (Phase B, Planning Area 2) R5 represents existing residential homes at the J&D Star Dairy.[4]
- R6: Located approximately 142 feet west of the Project site, R6 represents the existing residential home at 14848 Grove Avenue.
- R7: Location R7 represents the existing residential home located approximately 127 feet west of the Project site, across Grove Avenue.
- R8: Located approximately 114 feet west of the Project site, R8 represents the existing residential home at 14544 Grove Avenue.
- R9: Located approximately 257 feet south of the Project site, R9 represents a wholesale use located at 8601 Merrill Avenue.
- A minimum source-receptor distance of 25 meters is assumed when evaluating LST impacts resulting from construction of off-site infrastructure.[5]

[4] Minimum source – receptor separation under Phase A construction conditions is approximately 1,827 feet.
[5] The Methodology recognizes that . . . "it is possible that a project may have receptors closer than 25 meters . . ." In these instances, the Methodology notes that LSTs for receptors located at 25 meters should be used.



Source: Urban Crossroads, Inc.

Figure 4.3-11
Proximate Receptor Locations

Localized Thresholds

The basis for the Localized Emissions Thresholds employed in this analysis is discussed below. Localized emissions thresholds, by Phase and Planning Area (PA) are summarized at Table 4.3-11.

Construction-Source Emissions LSTs

The SCAQMD Screening "Look-Up" Tables were utilized in evaluating construction-source LST impacts. The Look-Up tables identify thresholds at only 1-acre, 2-acre, and 5-acre, increments. Linear regression has been utilized to determine localized significance thresholds for acreages disturbed by Project construction activities (1.0 acre per day during demolition, 3.5 acres per day during site preparation, and 4.0 acres per day during grading activities). Thresholds were then determined by cross-referencing the maximum disturbed acreage with the distance to the nearest potentially affected receptor.

Operational-Source Emissions LSTs

The Project site comprises approximately 376.3 acres. The LST Methodology provides Look-Up tables for sites with an area with daily disturbance of 5 acres or less. For projects that exceed 5 acres, the 5-acre LST Look-Up tables can be used as a screening tool to determine if additional detailed analysis is required. This approach is conservative as it assumes that operational source emissions would be concentrated within a 5-acre area. This screening method would therefore tend to over-estimate rather than under-estimate potential localized impacts. LSTs for a 5-acre site have been used as a screening tool to determine if further detailed analysis of localized Project operational-source emissions is required. Thresholds were determined by cross-referencing the 5-acre operational-source emissions area with the distance to the nearest potentially affected receptor.

Table 4.3-11
Localized Thresholds Summary

Pollutant	Construction	Operations
Phase A		
NO_X	183 lbs/day (Demolition)	345 lbs/day
	290 lbs/day (Site Preparation)	
	308 lbs/day (Grading)	
CO	1,941 lbs/day (Demolition)	4,216 lbs/day
	3,422 lbs/day (Site Preparation)	
	3,686 lbs/day (Grading)	
PM_{10}	280 lbs/day (Demolition)	78 lbs/day
	241 lbs/day (Site Preparation)	
	268 lbs/day (Grading)	
$PM_{2.5}$	141 lbs/day (Demolition)	41 lbs/day
	160 lbs/day (Site Preparation)	
	163 lbs/day (Grading)	
Phase B (P.A. 1, 2, 3)		
NO_X	134 lbs/day (Demolition)	287 lbs/day
	236 lbs/day (Site Preparation)	
	253 lbs/day (Grading)	
CO	1,105 lbs/day (Demolition)	2,601 lbs/day
	2,084 lbs/day (Site Preparation)	
	2,257 lbs/day (Grading)	
PM_{10}	10 lbs/day (Demolition)	8 lbs/day
	23 lbs/day (Site Preparation)	
	27 lbs/day (Grading)	
$PM_{2.5}$	5 lbs/day (Demolition)	3 lbs/day
	9 lbs/day (Site Preparation)	
	9 lbs/day (Grading)	
Phase B (P.A. 6)		
NO_X	122 lbs/day (Demolition)	274 lbs/day
	224 lbs/day (Site Preparation)	
	241 lbs/day (Grading)	
CO	919 lbs/day (Demolition)	2,287 lbs/day

Table 4.3-11
Localized Thresholds Summary

Pollutant	Construction	Operations
	1,798 lbs/day (Site Preparation)	
	1,961 lbs/day (Grading)	
PM_{10}	6 lbs/day (Demolition)	5 lbs/day
	14 lbs/day (Site Preparation)	
	16 lbs/day (Grading)	
$PM_{2.5}$	4 lbs/day (Demolition)	2 lbs/day
	7 lbs/day (Site Preparation)	
	8 lbs/day (Grading)	
Phase C		
NO_X	129 lbs/day (Demolition)	282 lbs/day
	231 lbs/day (Site Preparation)	
	248 lbs/day (Grading)	
CO	1,030 lbs/day (Demolition)	2,476 lbs/day
	1,970 lbs/day (Site Preparation)	
	2,138 lbs/day (Grading)	
PM_{10}	8 lbs/day (Demolition)	7 lbs/day
	19 lbs/day (Site Preparation)	
	22 lbs/day (Grading)	
$PM_{2.5}$	5 lbs/day (Demolition)	2 lbs/day
	8 lbs/day (Site Preparation)	
	9 lbs/day (Grading)	
Off-Site Infrastructure		
NO_X	118 lbs/day (Off-Site Infrastructure)	N/A
CO	863 lbs/day (Off-Site Infrastructure)	N/A
PM_{10}	5 lbs/day (Off-Site Infrastructure)	N/A
$PM_{2.5}$	4 lbs/day (Off-Site Infrastructure)	N/A

Source: *Merrill Commerce Center Specific Plan Air Quality Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.

Construction-Source Emissions LST Impacts Summary

Based on the area of disturbance, distance to receptors, and applicable thresholds, maximum daily localized construction-source emissions impacts were identified. Construction-source emissions LST Impacts are summarized at Table 4.3-12.

Table 4.3-12
Localized Construction-Source Emissions Impacts Summary

On-Site Demolition Emissions	Emissions (lbs./day)			
	NO_X	**CO**	**PM_{10}**	**$PM_{2.5}$**
Phase A				
Maximum Daily Emissions	**33.20**	**21.75**	**1.69**	**1.55**
SCAQMD Localized Threshold	156	1,459	255	125
Threshold Exceeded?	No	No	No	No
Phase B (PA's 1, 2, 3)				
Maximum Daily Emissions	**19.29**	**15.45**	**0.99**	**0.88**
SCAQMD Localized Threshold	134	1,105	10	5
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**
Phase B (PA 6)				
Maximum Daily Emissions	**6.43**	**5.15**	**0.33**	**0.29**
SCAQMD Localized Threshold	122	919	6	4
Threshold Exceeded?	No	No	No	No
Phase C				
Maximum Daily Emissions	**19.20**	**19.42**	**1.50**	**0.89**
SCAQMD Localized Threshold	129	1,030	8	5
Threshold Exceeded?	No	No	No	No
On-Site Site Preparation Emissions	**Emissions (lbs./day)**			
	NO_X	**CO**	**PM_{10}**	**$PM_{2.5}$**
Phase A				
Maximum Daily Emissions	**63.79**	**22.39**	**11.28**	**6.59**
SCAQMD Localized Threshold	260	2,641	221	143
Threshold Exceeded?	No	No	No	No
Phase B (PA's 1, 2, 3)				
Maximum Daily Emissions	**31.41**	**13.72**	**7.69**	**4.23**
SCAQMD Localized Threshold	236	2,084	23	9
Threshold Exceeded?	No	No	No	No

Table 4.3-12
Localized Construction-Source Emissions Impacts Summary

On-Site Demolition Emissions	Emissions (lbs./day)			
	NOx	CO	PM10	PM2.5
Phase B (PA 6)				
Maximum Daily Emissions	**10.47**	**4.57**	**2.56**	**1.41**
SCAQMD Localized Threshold	224	1,798	14	7
Threshold Exceeded?	No	No	No	No
Phase C				
Maximum Daily Emissions	**35.72**	**17.41**	**9.98**	**5.40**
SCAQMD Localized Threshold	231	1,970	19	8
Threshold Exceeded?	No	No	No	No
On-Site Grading Emissions	**Emissions (lbs./day)**			
	NOx	**CO**	**PM10**	**PM2.5**
Phase A				
Maximum Daily Emissions	**60.88**	**32.40**	**6.47**	**3.74**
SCAQMD Localized Threshold	277	2,841	246	146
Threshold Exceeded?	No	No	No	No
Phase B (PA's 1, 2, 3)				
Maximum Daily Emissions	**31.27**	**21.06**	**4.25**	**2.25**
SCAQMD Localized Threshold	253	2,257	27	9
Threshold Exceeded?	No	No	No	No
Phase B (PA 6)				
Maximum Daily Emissions	**10.42**	**7.02**	**1.42**	**0.75**
SCAQMD Localized Threshold	241	1,961	16	8
Threshold Exceeded?	No	No	No	No
Phase C				
Maximum Daily Emissions	**33.19**	**26.08**	**5.33**	**2.69**
SCAQMD Localized Threshold	248	2,138	22	9
Threshold Exceeded?	No	No	No	No
Off-Site Infrastructure Emissions	**Emissions (lbs./day)**			
	NOx	**CO**	**PM10**	**PM2.5**
Maximum Daily Emissions	**41.47**	**42.78**	**4.57**	**3.03**
SCAQMD Localized Threshold	118	863	5	4
Threshold Exceeded?	No	No	No	No

Source: *Merrill Commerce Center Specific Plan Air Quality Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.

As indicated at Table 4.3-12, localized Project construction-source emissions would not exceed applicable LSTs and would therefore be less-than-significant.

Level of Significance: Less-Than-Significant.

Operational-Source Emissions LST Impacts Summary

Maximum daily localized operational-source emissions impacts are summarized at Table 4.3-12. The operational-source LST analysis includes on-site sources only; however, CalEEMod outputs do not separate on-site and off-site emissions from mobile sources. In an effort to establish a likely maximum potential impact scenario, the emissions estimates presented at Table 4.3-13 represent all on-site Project-related stationary (area) sources and Project-related mobile sources. It is assumed that the maximum distance a passenger car and/or truck would make through Phase A of the Project site is 0.40 miles, 0.65 miles for Phase B (western portion), 0.40 miles for Phase B (eastern portion), and 1.20 miles for Phase C. An on-site travel distance of approximately 0.40 mile/2,112 feet for Phase A, 0.65 mile/3,432 feet for Phase B (western portion), 0.40 mile/2,112 feet for Phase B (eastern portion), and 1.20 miles/6,336 feet for each passenger car and truck trips respectively. Modeling based on these assumptions demonstrates that even within broad encompassing parameters, Project operational-source emissions would not exceed applicable LSTs.

Table 4.3-13
Localized Operational-Source Emissions Impacts Summary

	Emissions (lbs./day)			
	NO_x	**CO**	**PM_{10}**	**$PM_{2.5}$**
Phase A				
Maximum Daily Emissions	**17.55**	**14.51**	**2.20**	**1.11**
SCAQMD Localized Threshold	345	4,216	78	41
Threshold Exceeded?	No	No	No	No
Phase B (PA's 1, 2, 3)				
Maximum Daily Emissions	**26.45**	**31.08**	**6.12**	**2.41**
SCAQMD Localized Threshold	287	2,601	8	3

Table 4.3-13
Localized Operational-Source Emissions Impacts Summary

	Emissions (lbs./day)			
	NO_x	**CO**	**PM_{10}**	**$PM_{2.5}$**
Threshold Exceeded?	No	No	No	No
Phase B (PA 6)				
Maximum Daily Emissions	**6.33**	**6.69**	**1.09**	**0.48**
SCAQMD Localized Threshold	274	2,287	5	2
Threshold Exceeded?	No	No	No	No
Phase C				
Maximum Daily Emissions	**9.06**	**14.97**	**4.84**	**1.48**
SCAQMD Localized Threshold	282	2,476	7	2
Threshold Exceeded?	No	No	No	No

Source: *Merrill Commerce Center Specific Plan Air Quality Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.

As indicated at Table 4.3-13, localized Project operational-source emissions would not exceed applicable LSTs and would therefore be less-than-significant.

Level of Significance: Less-Than-Significant.

CO "Hot Spot" Analysis

Potentially adverse localized CO concentrations ("hot spots") are caused by vehicular emissions, primarily when idling at congested intersections. With the turnover of older vehicles, introduction of cleaner fuels, and implementation of increasingly sophisticated and efficient emissions control technologies, CO concentrations within the Basin have declined over time. Currently, the allowable CO emissions standard in California is a maximum of 3.4 grams/mile for passenger cars (there are requirements for certain vehicles that are more stringent).

To establish a more accurate record of baseline CO concentrations affecting the Basin, a CO "hot spot" analysis was conducted in 2003 for four busy intersections in Los Angeles at the peak morning and afternoon traffic periods. Peak hour traffic volumes reflected in

the 2003 Los Angeles CO hot spot analysis are presented at Table 4.3-14. The 2003 Los Angeles CO Hot Spot Analysis (2003 Hot Spot Analysis) did not predict any violation of CO standards (please refer to Table 4.3-15). It can, therefore, be reasonably concluded that projects (such as the proposed Project) that are not subject to the extremes in vehicle volumes and vehicle congestion that was evidenced in the 2003 Hot Spot Analysis would similarly not result in CO hot spots.

Table 4.3-14
2003 Hot Spot Analysis Intersection Traffic Volumes

Intersection Location	Peak Traffic Volumes (vph)				
	Eastbound (AM/PM)	Westbound (AM/PM)	Southbound (AM/PM)	Northbound (AM/PM)	Total (AM/PM)
Wilshire/Veteran	4,954/2,069	1,830/3,317	721/1,400	560/933	8,062/7,719
Sunset/Highland	1,417/1,764	1,342/1,540	2,304/1,832	1,551/2,238	6,614/5,374
La Cienega/Century	2,540/2,243	1,890/2,728	1,384/2,029	821/1,674	6,634/8,674
Long Beach/Imperial	1,217/2,020	1,760/1,400	479/944	756/1,150	4,212/5,514

Source: *Merrill Commerce Center Specific Plan Air Quality Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.

Table 4.3-15
2003 Hot Spot Analysis CO Modeling Results

Intersection Location	CO Concentrations (ppm)		
	Morning 1-hour	Afternoon 1-hour	8-hour*
Wilshire/Veteran	4.6	3.5	3.7
Sunset/Highland	4	4.5	3.5
La Cienega/Century	3.7	3.1	5.2
Long Beach/Imperial	3	3.1	8.4

Source: *Merrill Commerce Center Specific Plan Air Quality Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.
Notes: * Reported carbon monoxide concentrations were a result of unusual meteorological and topographical conditions and not a result of traffic volumes and congestion at a particular intersection. As evidence of this, for example the 8-hr CO concentration measured at the Long Beach Blvd. and Imperial Hwy. intersection (highest CO generating intersection within the 2003 Hot Spot Analysis, only 0.7 ppm was attributable to the traffic volumes and congestion at this intersection; the balance of the reported CO concentration (approximately 7.7 ppm) was due to the ambient conditions at the time the 2003 Hot Spot Analysis prepared. In contrast, the current ambient 8-hr CO concentration within the Project Study Area is estimated at 1.3 ppm (please refer to AQIA Table 2-4).

The busiest intersection evaluated in the 2003 Hot Spot Analysis was Wilshire Boulevard at Veteran Avenue which reported a daily traffic volume of approximately 100,000 vehicles per day, and AM/PM traffic volumes of 8,062 vehicles per hour and 7,719

vehicles per hour respectively. The 2003 AQMP estimated that the maximum 1-hour concentration for this intersection was 4.6 ppm. This indicates that, should the daily traffic volume increase by as much as four times to 400,000 vehicles per day, CO concentrations (4.6 ppm x 4 = 18.4 ppm) would still not likely exceed the most stringent 1-hour CO standard (20.0 ppm).

Similar considerations are also employed by other Air Districts when evaluating potential CO concentration impacts. More specifically, the Bay Area Air Quality Management District (BAAQMD) CO Hot Spot screening criteria provides that under existing and future vehicle emission rates, a given project would have to increase traffic volumes at a single intersection to more than 44,000 vehicles per hour—or to more 24,000 vehicles per hour where vertical and/or horizontal air does not mix (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway)—in order to generate a significant CO impact (BAAQMD CEQA Air Quality Guidelines, p. 3-4).

Under 2026 conditions with the Project, the greatest traffic volumes experienced on a segment of road would be approximately 51,800 daily trips on Euclid Avenue south of Pine Avenue (please refer to Project TIA Exhibit 8-3). This is approximately 51.8 percent of the estimated 100,000 vehicles per day traffic volumes for Wilshire Boulevard and Veteran Avenue reflected in the 2003 Hot Spot Analysis.

Additionally, under 2026 Conditions with the Project, the greatest intersection AM/PM peak hour volumes would be 4,660/6,271 vehicles per hour at the intersection of Roswell Avenue/SR-71 Northbound Ramps & Grand Avenue/Edison Avenue (please refer to Project TIA Exhibit 8-4). This is approximately 53.7 – 72.4 percent of the 8,674-vehicle peak-hour traffic volume reported at La Cienega and Century Boulevard as part of the 2003 Hot Spot Analysis.

As indicated above, the Project would not produce the volume of traffic required to generate a CO "hot spot" either in the context of the 2003 Hot Spot Analysis or based on representative Bay Area Air Quality Management District (BAAQMD) CO Hot Spot screening criteria. Therefore, CO "hot spots" are not an environmental impact of concern

for the proposed Project. Localized air quality impacts related to CO hot spots would therefore be less-than-significant.

It is further noted that as the result of the SCAQMD Air Quality Management Plan strategies and requirements, levels of all criteria pollutant (including CO) within the Basin have steadily improved and are expected to continue to do so, further reducing the potential for occurrence of CO hot spots.

Level of Significance: Less-Than-Significant.

Toxic Air Contaminants Health Risk Analysis

Toxic Air Contaminants (TACs) of primary concern for the Project would be Diesel Particulate Matter (DPM) emissions generated by heavy duty trucks accessing the Project site. Heavy equipment operations during Project construction activities would also generate DPM emissions. Project DPM sources are discussed below. Potential health risks of Project-related DPM emissions are described and evaluated subsequently.

The Project would generate truck traffic, a portion of which may be diesel-powered. DPM emissions are known carcinogens and could increase area health risks. Accordingly, an analysis of potential long-term diesel exposure health risks is provided. To this end, *Merrill Commerce Center Specific Plan, Mobile Source Health Risk Assessment, County of Riverside* (Urban Crossroads, Inc.) January 12, 2020 (Project HRA, EIR Appendix D) characterizes and quantifies potential diesel emissions generated by, and health risk exposure resulting from, Project operations.

Truck trip generation characteristics presented in the Project TIA were utilized in the developing the Project HRA. It should be noted that the Project TIA presents truck trips in terms of Passenger Car Equivalents (PCEs) in an effort to recognize and acknowledge the effects of larger/longer truck vehicles at Study Area intersections. For purposes of the HRA, however, the actual number and types of vehicles accessing the Project site (not PCEs) establishes the basis of the emissions quantification and analysis, and truck PCEs

were not used. Rather, to more accurately estimate and model vehicular-source emissions, the actual number of vehicles, by vehicle classification [e.g., passenger cars (including light trucks) and heavy trucks] were used in the analysis. This is consistent with SCAQMD modeling protocols.

The Project is required to comply with CARB's on-site truck idling limit of 5 minutes. SCAQMD staff recommends that HRA's assume a minimum of 15 minutes of on-site truck idling, which would take into account potential protracted on-site idling which could occur at loading/unloading areas, or other areas or instances where on-site truck traffic movements may be impeded or delayed. Consistent with SCAQMD recommendations, the Project HRA analysis assumed on-site truck idling for a period of 15 minutes.

To account for the possibility of refrigerated uses being accommodated at PA1, PA2, PA3, PA4, PA5, and PA6, trucks accessing these PAs are assumed to accommodate TRUs. In addition to on-site truck idling, the analysis assumes that each TRU accessing the site would idle for 15 minutes, even though as noted above, CARB anti-idling rules mandate a 5-minute idling time. Mitigation Measure 4.2.7, presented previously in this Section, requires that electrical hookups be installed in order to allow TRUs to use electric standby capabilities in lieu of idling. TRUs are also accounted for during on-site and off-site travel. Please refer also to the Project HRA at Section 2.3.2, *Transport Refrigeration Units (TRUs)* for further details regarding TRU emissions modeling assumptions and protocols.

Carcinogenic and Noncarcinogenic Risks

Carcinogenic Risks

The SCAQMD *CEQA Air Quality Handbook* (1993) states that emissions of Toxic Air Contaminants (TACs) are considered significant if a Health Risk Assessment shows an increased carcinogenic risk of greater than 10 incidents per million population. Consistent with the stated SCAQMD *Handbook* cancer risk threshold, for the purposes of this analysis, an increase in cancer risk of 10 incidents per million population is considered

significant. Also relevant to the Project HRA, specific guidance in determining health risks from diesel emissions is provided in *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD) 2003.

Health risks associated with exposure to carcinogenic compounds are defined in terms of the probability of developing cancer as a result of exposure to a chemical at a given concentration. The cancer risk probability is determined by multiplying the chemical's annual concentration by its unit risk factor (URF). The Project HRA employs the CARB-adopted diesel exhaust URF of 300 in one million per μg/m3 is based upon the upper 95 percentile of estimated risk for each of the epidemiological studies utilized to develop the URF. Using the 95th percentile, URF represents a very conservative (health-protective) risk posed by DPM.

Consistent with CARB and Office of Environmental Health Hazard (OEHHA) guidance, and SCAQMD HRA protocols, Project-related DPM-source cancer risks were evaluated for three exposure scenarios: "Residential," "Worker," and "School Child." Exposure parameters and assumptions for each scenario are summarized at Tables 4.3-16, 4.3-17, and 4.3-18 respectively.

Table 4.3-16
Residential Exposure Parameters and Assumptions

Age	Daily Breathing Rate (L/kg-day)	Age Specific Factor	Exposure Duration (years)	Fraction of Time at Home	Exposure Frequency (days/year)	Exposure Time (hours/day)
-0.25 to 0	361	10	0.25	0.85	350	24
0 to 2	1090	10	2	0.85	350	24
2 to 16	572	3	14	0.72	350	24
16 to 30	261	1	14	0.73	350	24

Source: *Merrill Commerce Center Specific Plan, Mobile Source Health Risk Assessment, County of Riverside* (Urban Crossroads, Inc.) January 12, 2020.

Table 4.3-17
Worker Exposure Parameters and Assumptions

Age	Daily Breathing Rate (L/kg-day)	Age Specific Factor	Exposure Duration (years)	Exposure Frequency (days/year)	Exposure Time (hours/day)
16 to 41	230	1	25	250	12

Source: *Merrill Commerce Center Specific Plan, Mobile Source Health Risk Assessment, County of Riverside* (Urban Crossroads, Inc.) January 12, 2020.

Table 4.3-18
School Child Exposure Parameters and Assumptions

Age	**Daily Breathing Rate (L/kg-day)**	**Age Specific Factor**	**Exposure Duration (years)**	**Exposure Frequency (days/year)**	**Exposure Time (hours/day)**
9-year duration	572	3	9	180	12

Source: *Merrill Commerce Center Specific Plan, Mobile Source Health Risk Assessment, County of Riverside* (Urban Crossroads, Inc.) January 12, 2020.

Noncarcinogenic Risks

An evaluation of the potential noncarcinogenic effects of chronic exposures was also conducted. Noncarcinogenic adverse health effects are evaluated by comparing a compound's annual concentration with its toxicity factor or Reference Exposure Level (REL). The REL for diesel particulates was obtained from OEHHA for this analysis. The REL for DPM established by OEHHA is 5 μg/m3 (OEHHA Toxicity Criteria Database, http://www.oehha.org/risk/chemicaldb/index.asp).

The SCAQMD has established non-carcinogenic risk parameters for use in HRAs. Non-carcinogenic risks are quantified by calculating a Hazard Index, expressed as the ratio between the ambient pollutant concentration and its toxicity or Reference Exposure Level (REL). An REL is a concentration at or below which health effects are not likely to occur. A Hazard Index less of than one (1.0) means that adverse health effects are not expected. Within this analysis, non-carcinogenic exposures not exceeding the SCAQMD Hazard Index of 1.0 are considered less-than-significant.

Risk Exposure: Quantification Results

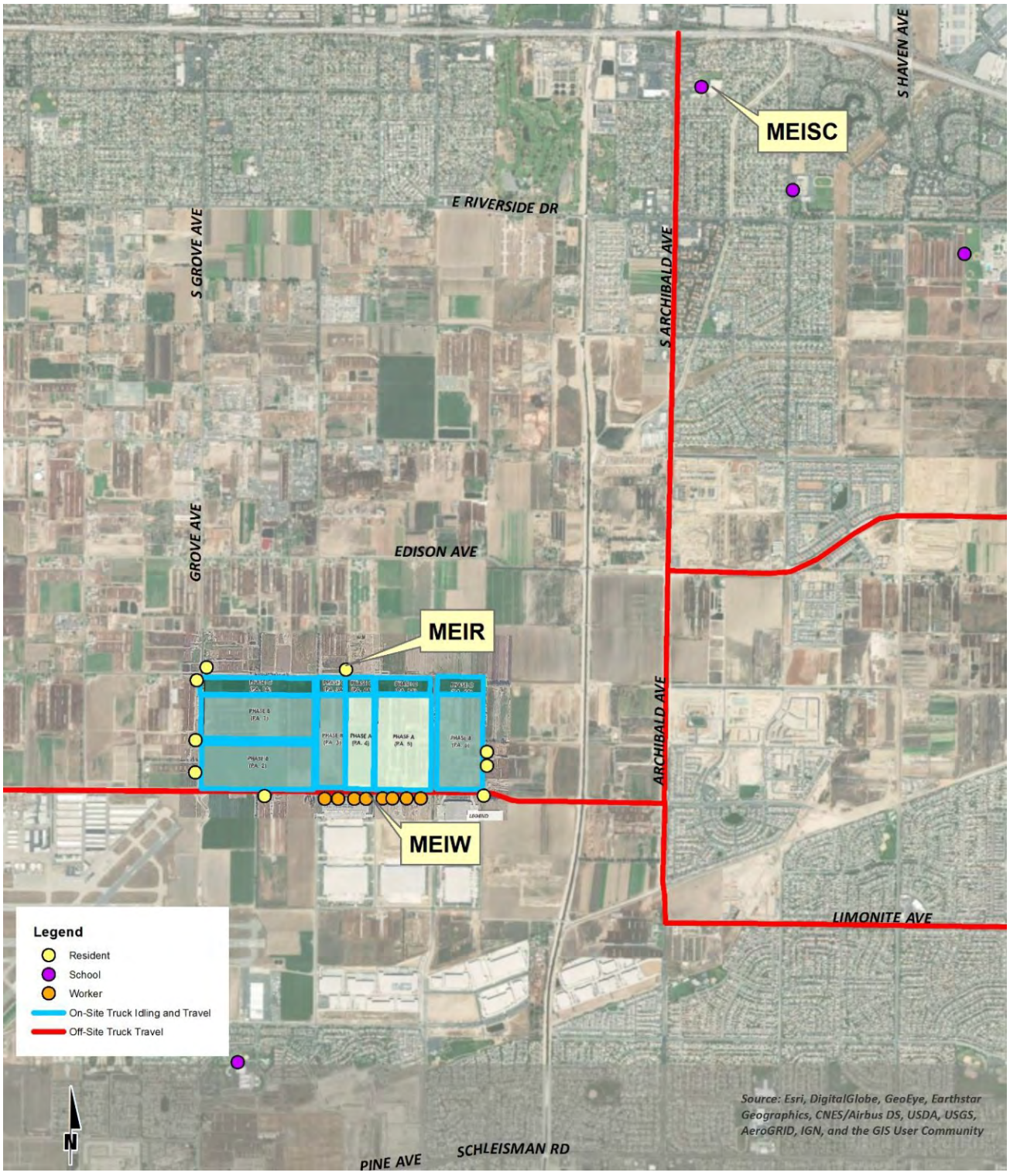
Operational-Source DPM Emissions

The Project HRA results for residential (maximally exposed individual receptor, MEIR), worker (maximally exposed individual worker, MEIW), and school child (maximally exposed individual school child, MEISC) carcinogenic and noncarcinogenic risk exposures are summarized below. Locations of the modeled MEIR, MEIW, and MEISC sites relative to the Project site are presented at Figure 4.3-12. Please refer also to the Project HRA (EIR Appendix D) for detailed exposure modeling inputs and results.

Residential Exposure Scenario

For the Residential Exposure Scenario, the Project HRA substantiates that DPM emissions generated by Project operations would in less-than-significant health risks at the maximally impacted residential land use (MEIR). More specifically, at the MEIR, the maximum carcinogenic risk is estimated at 9.34 in one million, which does not exceed the SCAQMD cancer risk threshold of 10 in one million. At this same location, the noncarcinogenic Hazard Index is estimated at 0.002, which would not exceed the applicable Hazard Index threshold of 1.0. As such, Project operations would not cause or result in potentially significant cancer risks or noncarcinogenic risks at the MEIR.

All other potentially affected residential receptors are located at greater distances from the Project site than the MEIR and would be exposed to fewer emissions and therefore less risk than would occur at the evaluated MEIR. The cancer and noncarcinogenic risks at these more distant residential receptors would also be less-than-significant.



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NOT TO SCALE

Source: Urban Crossroads, Inc.

Figure 4.3-12
Modeled MEIR, MEIW, MEISC Locations

Worker Exposure Scenario

For the Worker Exposure Scenario, the Project HRA substantiates that DPM emissions generated by Project operations would have a less-than-significant health risk at the maximally impacted worker location. More specifically, for the maximally exposed individual worker (MEIW), the maximum cancer risk is estimated at 1.15 in one million, which would not exceed the SCAQMD cancer risk threshold of 10 in one million. At this same location, the noncarcinogenic Hazard Index is estimated at 0.004, which would not exceed the applicable Hazard Index threshold of 1.0. As such, Project operations would not cause or result in potentially significant cancer risks or noncarcinogenic risks at the MEIW.

All other potentially affected worker receptors are located at greater distances from the Project site than the MEIW and would be exposed to fewer emissions and therefore less risk than would occur at the evaluated MEIW. The cancer and noncarcinogenic risks at these more distant worker receptors would also be less-than-significant.

School Child Exposure Scenario

For the School Child Exposure Scenario, the Project HRA substantiates that DPM emissions generated by Project operations would have a less-than-significant health risk at the maximally impacted worker location. More specifically, for the maximally exposed individual school child (MEISC), the maximum cancer risk is estimated at 0.08 in one million, which would not exceed the SCAQMD cancer risk threshold of 10 in one million. At this same location, the noncarcinogenic Hazard Index is estimated at 0.0002, which would not exceed the applicable Hazard Index threshold of 1.0. As such, Project operations would not cause or result in potentially significant cancer risks or noncarcinogenic risks at the MEISC.

All other potentially affected school receptors are located at greater distances from the Project site than the MEISC and would be exposed to fewer emissions and therefore less risk than would occur at the evaluated MEISC. The cancer and noncarcinogenic risks at these more distant school child receptors would also be less-than-significant.

Construction-Source DPM Emissions

CARB requests that projects that involve construction activity longer than two months include a construction health risk assessment (HRA). The Project construction HRA[6] evaluated potential health risks that could result from construction equipment and haul truck DPM emissions. Construction equipment and haul truck emissions were modeled employing CalEEMod v2016.3.2.

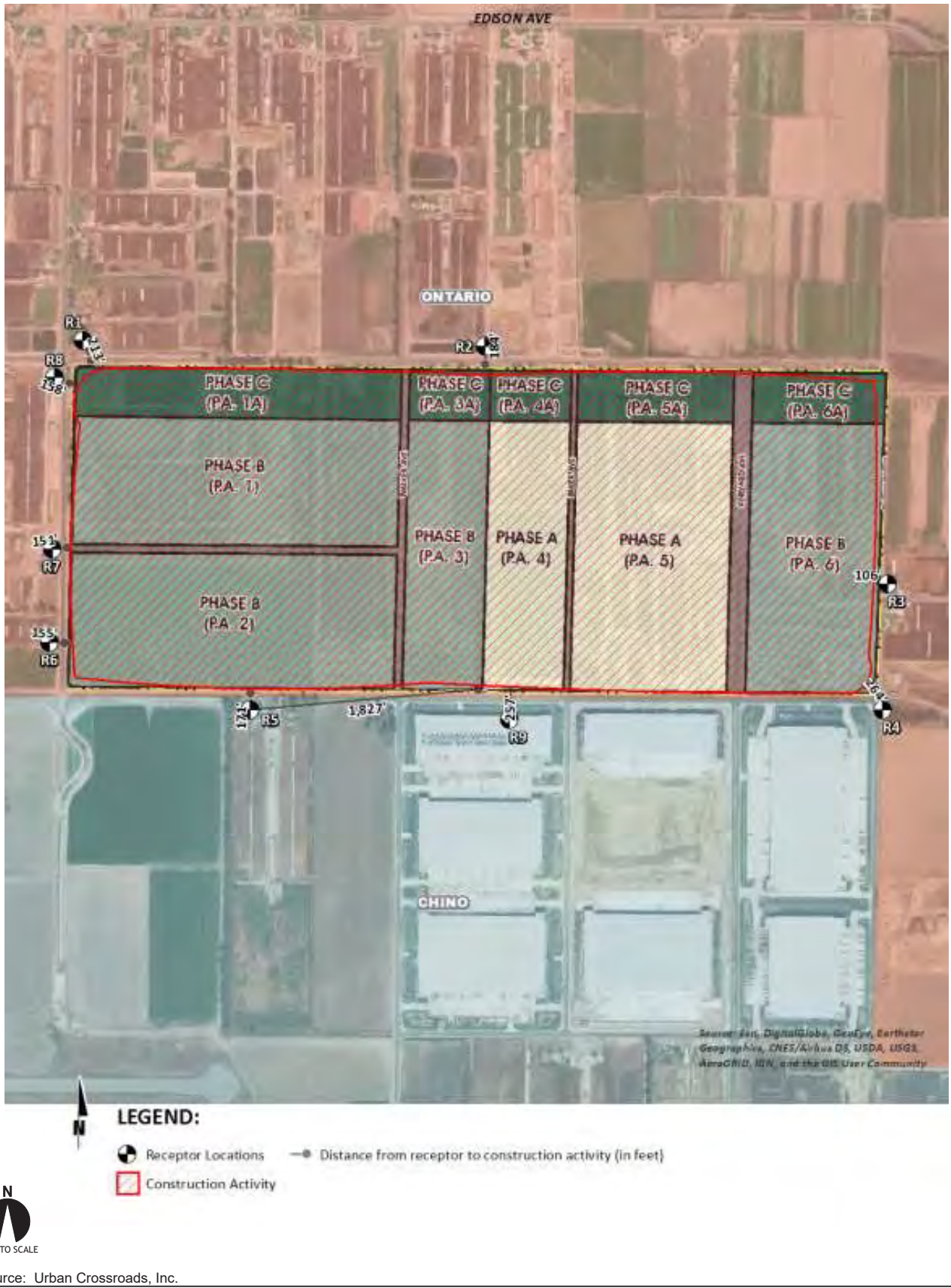
The Project construction HRA exposure quantification methodology and protocol comply with applicable provisions of *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD) 2003. SCAQMD recommends using the Environmental Protection Agency's (U.S. EPA's) AERMOD model. For purposes of this analysis, the Lakes AERMOD View (Version 9.7.0) was used to calculate annual average particulate concentrations.

For the Project construction HRA, on-site construction activity was modeled as an area source encompassing the construction area. Construction equipment haul routes were modeled as volume sources. Modeled sensitive receptors were placed at residential and non-residential locations identified at Figure 4.3-13.

Residential Exposure Scenario

For the Residential Exposure Scenario, the residential land use with the greatest potential exposure to construction-source DPM emissions (the MEIR) is located approximately 106 feet easterly of the Project site (Figure 4.3-13, Location R3.) At the MEIR, the maximum incremental cancer risk attributable to construction-source DPM emissions is estimated at 2.92 in one million, which is less than the SCAQMD cancer threshold of 10 in one million. At this same location, noncarcinogenic Hazard Index is estimated at 0.001, which would not exceed the applicable Hazard Index threshold of 1.0. As such, Project construction activities would not cause or result in potentially significant cancer risks or noncarcinogenic risks at the MEIR.

[6] *Merrill Commerce Center Specific Plan, Construction Health Risk Assessment Memorandum* (Urban Crossroads, Inc.) January 12, 2020, EIR Appendix D.



Source: Urban Crossroads, Inc.

Figure 4.3-13
Construction-Source Sensitive Receptor Locations

All other potentially affected residential receptors are located at greater distances from the Project site than the MEIR and would be exposed to fewer emissions and therefore less risk than would occur at the evaluated MEIR. The cancer and noncarcinogenic risks at these more distant residential receptors would also be less-than-significant.

Worker Exposure Scenario

For the Worker Exposure Scenario, the worker receptor land use with the greatest potential exposure to construction-source DPM emissions (the MEIW) is located approximately 257 feet southerly of the Project site (Figure 4.3-13, location R9). At the MEIW, the maximum incremental cancer risk attributable to construction-source DPM emissions is estimated at 0.28 in one million, which is less than the SCAQMD cancer threshold of 10 in one million. At this same location, the noncarcinogenic Hazard Index is estimated at 0.001, which would not exceed the applicable Hazard Index threshold of 1.0. As such, Project construction activities would not cause or result in potentially significant cancer risks or noncarcinogenic risks at the MEIW.

All other potentially affected worker receptors are located at greater distances from the Project site than the MEIW and would be exposed to fewer emissions and therefore less risk than would occur at the evaluated MEIW. The cancer and noncarcinogenic risks at these more distant worker receptors would also be less-than-significant.

Localized Air Quality Impact Summary

- Project construction-source criteria pollutant emissions would not exceed applicable LSTs. Project construction-source LST impacts would be less-than-significant. Project construction-source DPM emissions would not exceed applicable cancer or noncarcinogenic risk thresholds. Project construction-source DPM emissions health risk impacts would be less-than-significant.

- Project operational-source criteria pollutant emissions would not exceed applicable LSTs. Project operational-source LST impacts would be less-than-

significant. Project operational-source DPM emissions would not exceed applicable cancer or noncarcinogenic risk thresholds. Project operational-source DPM emissions health risk impacts would be less-than-significant.

- The Project would not result in localized significant CO Hot Spots.

Level of Significance: Less-Than-Significant.

OTHER CONSIDERATIONS - *Sierra Club v. County of Fresno (Friant Ranch)*

A recent Supreme Court of California decision, *Sierra Club v. County of Fresno (Friant Ranch)*, found an EIR inadequate and states that:

> *The EIR should be revised to relate the expected adverse air quality impacts to likely health consequences or explain in meaningful detail why it is not feasible at the time of drafting to provide such an analysis, so that the public may make informed decisions regarding the costs and benefits of the Project*[7].

Given that the AQIA for this Project identifies a significant and unavoidable Project level and cumulative impact with regard to VOCs and NO_X emissions, the following assessment serves to provide an analysis in conformance with the cited *Friant Ranch* decision. The discussion presented here further clarifies, amplifies, and augments the air quality analysis already undertaken for the Project.

As summarized in the Project AQIA, the Project's operational-source VOC, NO_X, CO, PM_{10} and $PM_{2.5}$ emissions would exceed applicable SCAQMD regional mass daily

[7] It should be noted that the EIR for Friant Ranch did not include a health risk assessment report. In contrast, the Merrill Commerce Center Project CEQA documentation includes a detailed mobile source health risk assessment which evaluates the Project's potential health impacts to sensitive land uses as a result of diesel exhaust generated by the Project's construction and on-going operations. The Project CEQA documentation also includes an analysis of potential localized impacts attributable to CO, NOx, PM_{10}, and $PM_{2.5}$ emissions that correlate to potential health impacts on a local level.

thresholds. Per SCAQMD significance guidance, these impacts at the Project level are also considered cumulatively significant and would persist over the life of the Project. VOCs and NO_X are ozone precursors and as such Project emissions of VOCs and NO_X have the potential to contribute to existing ozone non-attainment conditions within the Basin. NO_X is also a precursor to $PM_{10}/PM_{2.5}$. Project emissions of NO_X have the potential to contribute to existing $PM_{10}/PM_{2.5}$ non-attainment conditions within the Basin. Project emissions of $PM_{10}/PM_{2.5}$ have the potential to contribute to existing $PM_{10}/PM_{2.5}$ non-attainment conditions within the Basin. These are cumulatively significant impacts persisting over the life of the Project.

SCAQMD Analysis in its Brief

As noted in the Brief of Amicus Curiae by the SCAQMD in the Friant Ranch case (April 6, 2015, Appendix 3.16) (SCAQMD Brief), SCAQMD has among the most sophisticated air quality modeling and health impact evaluation capability of any of the air districts in the State, and thus it is uniquely situated to express an opinion on how lead agencies should correlate air quality impacts with specific health outcomes.

The SCAQMD discusses that it may be infeasible to quantify health risks caused by developments similar to the Project, due to many factors. It is necessary to have data regarding the sources and types of air toxic contaminants, location of emission points, velocity of emissions, the meteorology and topography of the area, and the location of receptors (worker and residence). (SCAQMD Brief, p. 9-10). The SCAQMD Brief states that it may not be feasible to perform a health risk assessment for airborne toxics that will be emitted by a generic industrial building that was built on "speculation" (i.e., without knowing the future tenant(s))[8](SCAQMD Brief, p. 10). Even where a health risk assessment can be prepared, however, the resulting maximum health risk value is only a calculation of risk--it does not necessarily mean anyone will contract cancer as a result of the Project. The SCAQMD Brief also cites the author of the CARB methodology, which

[8] The actual occurrence of specific health conditions is based on numerous other factors that are infeasible to quantify, such as an individual's genetic predisposition, diet, exercise regiment, stress, and other behavioral characteristics.

reported that a $PM_{2.5}$ methodology is not suited for small projects and may yield unreliable results (SCAQMD Brief, p. 14). Similarly, SCAQMD staff does not currently know of a way to accurately quantify ozone-related health impacts caused by NO_X or VOC emissions from relatively small projects due to photochemistry and regional model limitations (SCAQMD Brief, p. 12). The SCAQMD Brief concludes, with respect to the Friant Ranch EIR, that although it may have been technically possible to plug the data into a methodology, the results would not have been reliable or meaningful (SCAQMD Brief, p. 15).

On the other hand, for large regional projects (unlike the Project), the SCAQMD states that it has been able to correlate potential health outcomes for very large emissions sources – as part of their rulemaking activity, specifically 6,620 lbs./day of NO_X and 89,180 lbs./day of VOC were expected to result in approximately 20 premature deaths per year and 89,947 school absences due to ozone (SCAQMD Brief, p. 12).

Application of SCAQMD Analysis to the Project

The Brief makes it clear that SCAQMD does not believe that there must be a quantification of a project's health risks in all CEQA documents prepared for individual projects. Any attempt to quantify the Project's health risks would be considered unreliable and misleading. The Project is much less intense than the Friant Ranch project and has dramatically fewer air quality emissions, and the SCAQMD determined that an attempt to quantify the Friant Ranch health risks would be unreliable and misleading, due to the aforementioned factors.

The Project does not generate anywhere near 6,620 lbs./day of NO_X or 89,190 lbs./day of VOC emissions, which SCAQMD stated was a large enough emission to quantify ozone-related health impacts (SCAQMD Brief, pp. 12-14). The Project would generate a maximum of 81.46 lbs./day of NO_X during construction and a maximum of 870.76 lbs./day of NO_X during operations (1.23 percent and 13.15 percent of 6,620 lbs./day, respectively). The Project would also generate a maximum 29.52 lbs./day of VOC emissions during construction and a maximum 246.78 lbs./day of VOC emissions during operations (0.03

percent and 0.28 percent of 89,190 lbs./day, respectively). Therefore, the Project's emissions are not sufficient to use a regional modeling program to correlate health effects on a basin-wide level.

While the Project is expected to exceed the SCAQMD's regional mass daily thresholds for VOC, NO_X, CO, PM_{10}, and $PM_{2.5}$, this does not in itself constitute a significant health impact to the population adjacent to the Project and within the SCAB.

The Project AQIA does evaluate localized impacts that correlate to potential health impacts on a local level to immediately adjacent land uses. To these ends, the Project LST analysis compares Project on-site emissions of CO, NO_X, PM_{10}, and $PM_{2.5}$ to applicable SCAQMD LST thresholds. As evaluated in the Project AQIA, the Project would not result in emissions that would exceed applicable SCAQMD LSTs. Therefore, the Project would not be expected to exceed the most stringent applicable NAAQS and CAAQS for emissions of CO, NO_X, PM_{10}, and $PM_{2.5}$.

Further Discussion of the Proposed Project's Health Risks

Although it may be misleading and unreliable to attempt to specifically and numerically quantify the proposed Project's health risks, the Project AQIA provides extensive information concerning the Project's potential health risks. While the Project is expected to exceed the SCAQMD's numeric regional mass daily thresholds for VOCs, NOx, CO, PM_{10} and $PM_{2.5}$ this does not in itself constitute a significant health impact to the population adjacent to the Project and within the air basin.

The SCAQMD regional thresholds are based in part on Section 180 (e) of the federal Clean Air Act (CAA) – it should be noted that the regional mass daily thresholds have not changed since their adoption as part of the *CEQA Air Quality Handbook* published by SCAQMD in 1993 (over 20 years ago). The regional mass daily thresholds are also intended to provide a means of consistency in significance determination within the environmental review process. Notwithstanding, simply exceeding the SCAQMD's regional mass daily thresholds does not constitute a particular health impact to an

individual receptor. The reason for this is that the mass daily thresholds are in pounds per day emitted into the air whereas health effects are determined based on the concentration of emissions in the air at a particular receptor (e.g., parts per million by volume of air, or micrograms per cubic meter of air). State and federal ambient air quality standards were developed to protect the most susceptible population groups from adverse health effects and were established in terms of parts per million or micrograms per cubic meter for the applicable emissions.

For this reason, the SCAQMD developed a methodology to assist lead agencies in analyzing localized air quality impacts from a proposed project as they relate to CO, NO_X, $PM_{2.5}$ and PM_{10}. This methodology employs Localized Significance Thresholds (LSTs). LSTs differ from the regional mass daily thresholds since the LSTs are based on the amount of emissions generated from a given project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard. LSTs and the localized air quality impact analysis specifically account for ambient pollutant concentrations and the relative distance to the nearest sensitive receptor (the SCAQMD LST methodology and protocol incorporates air dispersion modeling that quantifies distance-based emissions concentrations).

The Project AQIA evaluated the Project's localized CO, NO_X, PM_{10}, and $PM_{2.5}$ air quality impacts by comparing the Project's on-site emissions to applicable LST thresholds. As substantiated in the Project AQIA, the Project would not generate emissions exceeding applicable SCAQMD LSTs. Therefore, the Project would not be expected to exceed the most stringent applicable federal or state ambient air quality standards for emissions of CO, NO_X, PM_{10}, and PM_{10}. It should be noted that the ambient air quality standards are developed and represent levels at which the most susceptible persons (children and the elderly) are protected from health-based impacts. In other words, the ambient air quality standards are purposefully set low to protect children, elderly, and those with existing respiratory problems.

Furthermore, as summarized herein at Section 4.3.3.3, *Air Quality Improvement Trends*, air quality trends for emissions of NO_X, VOCs, Ozone, PM_{10} and $PM_{2.5}$ have been trending downward within the Basin even as development has increased over the last several years. Therefore, although the Project emissions would exceed the SCAQMD's thresholds for NO_X, VOCs, PM_{10} and $PM_{2.5}$ this does not in itself constitute a basin-wide increase in potential health effects related to these pollutants.

Unfortunately, current scientific, technological, and modeling limitations prevent the relation of expected CEQA-defined adverse air quality impacts to likely health consequences. The preceding discussion explains in meaningful detail why it is not feasible to provide such a causal relationship analysis, but why health-based impacts are nonetheless anticipated to be less-than-significant.

4.4 GREENHOUSE GAS EMISSIONS

4.4 GREENHOUSE GAS EMISSIONS

Abstract

This Section identifies and addresses potential greenhouse gas (GHG) emissions impacts that may result from construction and implementation of the Project. More specifically, the GHG emissions impacts analysis evaluates the potential for the Project to cause or result in the following impacts:

- *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or*

- *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.*

As summarized herein, even after application of mitigation, the Project could directly or indirectly generate GHG emissions that may have a significant impact on the environment. Further, the Project could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. These are significant and unavoidable impacts.

4.4.1 INTRODUCTION

Global Climate Change (GCC) is defined as the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. GCC is currently one of the most controversial environmental issues in the United States, and much debate exists within the scientific community about whether or not GCC is occurring naturally or as a result of human activity. Some data suggests that GCC has occurred in the past over the course of thousands or millions of years. These historical changes to the earth's climate have occurred naturally without human influence, as in the case of an ice age. However, many scientists believe that the climate shift taking place

since the industrial revolution (1900) is occurring at a quicker rate and magnitude than in the past. Scientific evidence suggests that GCC is the result of increased concentrations of greenhouse gases in the earth's atmosphere, including carbon dioxide, methane, nitrous oxide, and fluorinated gases. Many scientists believe that this increased rate of climate change is the result of greenhouse gases resulting from human activity and industrialization over the past 200 years.

An individual development proposal, such as the Project considered herein, cannot generate enough greenhouse gas emissions to effect a discernible change in the global climate. However, the Project may contribute to GCC through its increment of greenhouse gases (GHG) in combination with the cumulative increase in GHG from all other sources, which when taken together constitute potential influences on GCC. This Section summarizes the potential for the Project to have a significant effect upon the environment as a result of its potential contribution to GCC. Detailed analysis of the Project's potential GHG/GCC impacts is presented in *Merrill Commerce Center Specific Plan, Greenhouse Gas Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020 (Project GHGA); EIR Appendix E.

4.4.2 BACKGROUND

4.4.2.1 Global Climate Change

GCC refers to the change in average meteorological conditions with respect to temperature, wind patterns, precipitation and storms. Global temperatures are regulated by naturally occurring atmospheric gases such as water vapor, CO_2 (Carbon Dioxide), N_2O (Nitrous Oxide), CH_4 (Methane), hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. These particular gases are important due to their residence time (duration) in the atmosphere, which ranges from 10 years to more than 100 years. These gases allow solar radiation into the atmosphere, but prevent heat from escaping, thus warming the atmosphere. GCC can occur naturally, as it has in the past with the previous ice ages.

4.4.2.2 Greenhouse Gases

Gases that trap heat in the atmosphere are often referred to as GHGs. GHGs are released into the atmosphere by both natural and anthropogenic (human) activity. Without the natural greenhouse gas effect, the average temperature would be approximately 61° Fahrenheit (F) cooler than it is currently. The accumulation of these gases in the atmosphere is considered to be the cause for the observed increase in the earth's temperature.

GHGs have varying global warming potential (GWP) values; GWP values represent the potential of a gas to trap heat in the atmosphere. Carbon dioxide is used as the reference gas for GWP, and thus has a GWP of 1. GWP and atmospheric lifetimes of typical GHGs are summarized in Table 4.4-1.

Table 4.4-1
GHG Global Warming Potentials and Atmospheric Lifetimes

Gas	Atmospheric Lifetime (years)	Global Warming Potential (100-year time horizon)	
		2nd Assessment Report	5th Assessment Report
CO_2	*	1	1
CH_4	12 .4	21	28
N_2O	121	310	265
HFC-23	222	11,700	12,400
HFC-134a	13.4	1,300	1,300
HFC-152a	1.5	140	138
SF_6	3,200	23,900	23,500

Source: *Merrill Commerce Center Specific Plan, Greenhouse Gas Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.
Notes: * Per IPCC 5th Assessment Report (Appendix 8.A), no single atmospheric lifetime.

The following discussions summarize and describe commonly occurring GHGs, their sources, and general characteristics.

Water Vapor

Water vapor (H_2O) is the most abundant, important, and variable GHG in the atmosphere. Water vapor is not considered a pollutant; in the atmosphere, it maintains a climate necessary for life. Changes in its concentration are primarily considered to be a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization. Climate feedback is an indirect, or secondary, change, either positive or negative, that occurs within the climate system in response to a forcing mechanism. The feedback loop in which water is involved is critically important to projecting future climate change.

As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). Because the air is warmer, the relative humidity can be higher (in essence, the air is able to 'hold' more water when it is warmer), leading to more water vapor in the atmosphere. As a GHG, the higher concentration of water vapor is then able to absorb more thermal indirect energy radiated from the earth, thus further warming the atmosphere. The warmer atmosphere can then hold more water vapor and so on and so on. This is referred to as a "positive feedback loop." The extent to which this positive feedback loop will continue is unknown as there are also dynamics that hold the positive feedback loop in check. For example, increased atmospheric water vapor translates to increased cloud cover and increased reflection of incoming solar radiation (thus diminishing potential radiant heating of the earth's surface).

There are no human health effects from water vapor itself; however, when some pollutants come in contact with water vapor, they can dissolve and the water vapor can then act as a pollutant-carrying agent. The main source of water vapor is evaporation from the oceans (approximately 85 percent). Other sources include evaporation from other water bodies, sublimation (change from solid to gas) from sea ice and snow, and transpiration from plant leaves.

Carbon Dioxide

Carbon dioxide (CO_2) is an odorless and colorless GHG. Outdoor levels of carbon dioxide are not high enough to result in negative health effects. Carbon dioxide is emitted from natural and manmade sources. Natural sources include: the decomposition of dead organic matter; respiration of bacteria, plants, animals and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources include: the burning of coal, oil, natural gas, and wood. Carbon dioxide is naturally removed from the air by photosynthesis, dissolution into ocean water, transfer to soils and ice caps, and chemical weathering of carbonate rocks.

Since the industrial revolution began in the mid-1700s, the sort of human activity that increases GHG emissions has increased dramatically in scale and distribution. Data from the past 50 years suggests a corollary increase in levels and concentrations. As an example, prior to the industrial revolution, CO_2 concentrations were fairly stable at 280 parts per million (ppm). Today, they are around 370 ppm, an increase of more than 30 percent. Left unchecked, the concentration of carbon dioxide in the atmosphere is projected to increase to a minimum of 540 ppm by 2100 as a direct result of anthropogenic sources.

Methane

Methane (CH_4) is an extremely effective absorber of radiation, though its atmospheric concentration is less than carbon dioxide and its lifetime in the atmosphere is brief (10-12 years), compared to other GHGs. No health effects are known to occur from exposure to methane.

Methane has both natural and anthropogenic sources. It is released as part of the biological processes in low oxygen environments, such as in swamplands or in rice production (at the roots of the plants). Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of methane. Other anthropogenic sources include fossil-fuel combustion and biomass burning.

Nitrous Oxide

Nitrous oxide (N_2O), also known as laughing gas, is a colorless GHG. Nitrous oxide can cause dizziness, euphoria, and sometimes slight hallucinations. In small doses, it is considered harmless. However, in some cases, heavy and extended use can cause Olney's Lesions (brain damage).

Concentrations of nitrous oxide also began to rise at the beginning of the industrial revolution. In 1998, the global concentration was 314 parts per billion (ppb). Nitrous oxide is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is used as an aerosol spray propellant (i.e., in whipped cream bottles). It is also used in potato chip bags to keep chips fresh. It is used in rocket engines and in race cars. Nitrous oxide can be transported into the stratosphere, be deposited on the earth's surface, and be converted to other compounds by chemical reaction.

Chlorofluorocarbons

Chlorofluorocarbons (CFCs) are gases formed synthetically by replacing all hydrogen atoms in methane or ethane (C_2H_6) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble and chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs are no longer being used; therefore, it is not likely that health effects would be experienced. Nonetheless, in confined indoor locations, working with CFC-113 or other CFCs is thought to result in death by cardiac arrhythmia (heart frequency too high or too low) or asphyxiation.

CFCs have no natural source but were first synthesized in 1928. They were used for refrigerants, aerosol propellants and cleaning solvents. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and was extremely successful, so much so that levels of the major CFCs are now remaining steady or declining. However, their long atmospheric lifetimes mean that some of the CFCs will remain in the atmosphere for over 100 years.

Hydrofluorocarbons

Hydrofluorocarbons (HFCs) are synthetic, man-made chemicals that are used as a substitute for CFCs. Among the constituents classified as GHGs, they are one of three groups with the highest GWP. The HFCs with the greatest measured atmospheric abundances are (in order), HFC-23 (CHF_3), HFC-134a (CF_3CH_2F), and HFC-152a (CH_3CHF_2). Prior to 1990, the only significant emissions were of HFC-23. HFC-134a emissions are increasing due to its use as a refrigerant. The U.S. EPA estimates that concentrations of HFC-23 and HFC-134a are now about 10 parts per trillion (ppt) each; and that concentrations of HFC-152a are about 1 ppt. No health effects are known to result from exposure to HFCs, which are manmade for applications such as automobile air conditioners and refrigerants.

Perfluorocarbons

Perfluorocarbons (PFCs) have stable molecular structures and do not break down through chemical processes in the lower atmosphere. High-energy ultraviolet rays, which occur about 60 kilometers above Earth's surface, are able to destroy the compounds. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF_4) and hexafluoroethane (C_2F_6). The U.S. EPA estimates that concentrations of CF_4 in the atmosphere are over 70 ppt.

No health effects are known to result from exposure to PFCs. The two main sources of PFCs are primary aluminum production and semiconductor manufacture.

Sulfur Hexafluoride

Sulfur hexafluoride (SF_6) is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It also has the highest GWP of any gas evaluated (22,800). The U.S. EPA indicates that concentrations in the 1990s were about 4 ppt. In high concentrations in confined areas, the gas presents the hazard of suffocation because it displaces the oxygen needed for breathing.

Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.

4.4.2.3 Existing Greenhouse Gases Emissions Inventories

Global

Worldwide anthropogenic GHG emissions are tracked by the Intergovernmental Panel on Climate Change for industrialized nations (referred to as Annex I) and developing nations (referred to as Non-Annex I). This GHG emission data through 2017 is available for Annex I nations. Global GHG emissions are summarized at Table 4.4-2 and are representative of currently available inventory data.

United States

As identified in Table 4.4-2, the United States, as a single country, was the number two producer of GHG emissions in 2017. Carbon dioxide from fossil fuel combustion is the largest source of GHG emissions in the United States.

Table 4.4-2
Global GHG Emissions by Source Countries and the EU (2017)

Sources	GHG Emissions (Gigagram CO_2e)
China	11,911,710
United States	6,456,718
European Union (28-member countries)	4,323,163
India	3,079,810
Russian Federation	2,155,470
Japan	1,289,630
Total	**29,216,501**

Source: *Merrill Commerce Center Specific Plan, Greenhouse Gas Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.

State of California

California has significantly slowed the rate of growth of GHG emissions through implementation of energy efficiency programs and adoption and implementation of strict emission controls, nonetheless California is still a substantial contributor to the U.S. emissions inventory total.

The California Air Resource Board (CARB) compiles GHG inventories for the State of California. Per CARB GHG inventory data for the 2000-2017 GHG emissions period, California emitted an average 424.1 million metric tons of CO_2e ($MMTCO_2e$) per year.

City of Ontario

The City community-wide 2008 GHG emissions totaled an estimated 2,503,816 metric tons of CO_2e (MTCO2e). The City's 2020 Business as Usual (BAU) GHG emissions inventory is estimated at 3,127,987 MTCO2e community-wide. [1]

Project Site

The Project site is currently occupied with a dairy farm, cattle stockades, support equipment for cattle and dairy farming, bio-retention basins at the southern boundary, a trucking operation on the eastern portion, and residences at various locations within the Project site. These uses generate GHG emissions that would be eliminated should the Project be approved. GHG emissions from the primary site sources (cattle and dairy farming operations) is estimated at 8,858.50 MTCO2e/year.[2] As a conservative measure, within this analysis no "credit" or offset against the Project GHG emissions has been taken for GHG emissions generated by existing site uses.

[1] City of Ontario Community Climate Action Plan (City of Ontario) December 16, 2014, p. ES-5.

[2] Previous analysis for a 70-acre site accommodating dairy farm operations indicates these uses would generate approximately 1,835.70 MTCO2e/year (see: *Kimball Business Park EIR* (SCH No. 2015071025). This would equate to a factor of approximately 26.224 MTCO2e/year/acre. Approximately 337.8 acres of the Project site are currently employed for various dairy farming uses. Estimated Project site baseline GHG emissions = 337.8 acres x 26.224 MTCO2e/year/acre = 8,858.50 MTCO2e/year.

4.4.2.4 Effects of Climate Change in California

Public Health

Higher temperatures may increase the frequency, duration, and intensity of conditions conducive to air pollution formation. For example, days with weather conducive to ozone formation could increase from 25 to 35 percent under the lower warming range to 75 to 85 percent under the medium warming range. In addition, if global background ozone levels increase as predicted in some scenarios, it may become impossible to meet local air quality standards. Air quality could be further compromised by increases in wildfires, which emit fine particulate matter that can travel long distances, depending on wind conditions. The Climate Scenarios Report indicates that large wildfires could become up to 55 percent more frequent if GHG emissions are not significantly reduced.

In addition, under the higher warming range scenario, there could be up to 100 more days per year with temperatures above 90°F in Los Angeles and 95°F in Sacramento by 2100. This is a large increase over historical patterns and approximately twice the increase projected if temperatures remain within or below the lower warming range. Rising temperatures could increase the risk of death from dehydration, heat stroke/exhaustion, heart attack, stroke, and respiratory distress caused by extreme heat.

Water Resources

A vast network of man-made reservoirs and aqueducts captures and transports water throughout the State from northern California rivers and the Colorado River. The current distribution system relies on Sierra Nevada snowpack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snowpack, increasing the risk of summer water shortages.

If temperatures continue to increase, more precipitation could fall as rain instead of snow, and the snow that does fall could melt earlier, reducing the Sierra Nevada spring snowpack by as much as 70 to 90 percent. Under the lower warming range scenario, snowpack losses could be only half as large as those possible if temperatures were to rise

to the higher warming range. How much snowpack could be lost depends in part on future precipitation patterns, the projections for which remain uncertain. However, even under the wetter climate projections, the loss of snowpack could pose challenges to water managers and hamper hydropower generation. It could also adversely affect winter tourism. Under the lower warming range, the ski season at lower elevations could be reduced by as much as a month. If temperatures reach the higher warming range and precipitation declines, there may be years with insufficient snow for skiing and snowboarding.

State water supplies are also at risk from rising sea levels. An influx of saltwater could degrade California's estuaries, wetlands, and groundwater aquifers. Saltwater intrusion caused by rising sea levels is a major threat to the quality and reliability of water within the southern edge of the Sacramento/San Joaquin River Delta – a major fresh water supply.

Agriculture

Increased temperatures could cause widespread changes to the agriculture industry reducing the quantity and quality of agricultural products statewide. First, California farmers could possibly lose as much as 25 percent of its water supply. Although higher CO_2 levels can stimulate plant production and increase plant water-use efficiency, California's farmers could face greater water demand for crops and a less reliable water supply as temperatures rise. Crop growth and development could change, as could the intensity and frequency of pest and disease outbreaks. Rising temperatures could aggravate O_3 pollution, which makes plants more susceptible to disease and pests and interferes with plant growth.

Plant growth tends to be slow at low temperatures, increasing with rising temperatures up to a threshold. However, faster growth can result in less-than-optimal development for many crops, so rising temperatures could worsen the quantity and quality of yield for a number of California's agricultural products. Products likely to be most affected include wine grapes, fruits, and nuts.

In addition, continued GCC could shift the ranges of existing invasive plants and weeds and alter competition patterns with native plants. Range expansion could occur in many species while range contractions may be less likely in rapidly evolving species with significant populations already established. Should range contractions occur, new or different weed species could fill the emerging gaps. Continued GCC could alter the abundance and types of many pests, lengthen pests' breeding season, and increase pathogen growth rates.

Forests and Landscapes

GCC has the potential to intensify the current threat to forests and landscapes by increasing the risk of wildfire and altering the distribution and character of natural vegetation. If temperatures rise into the medium warming range, the risk of large wildfires in California could increase by as much as 55 percent, which is almost twice the increase expected if temperatures stay in the lower warming range. However, since wildfire risk is determined by a combination of factors, including: precipitation, winds, temperature, terrain, and vegetation, future risks would likely not be uniform throughout the State. For example, wildfires in northern California could increase by up to 90 percent due to decreased precipitation.

Moreover, continued GCC has the potential to alter natural ecosystems and biological diversity within the State. For example, alpine and subalpine ecosystems could decline by as much as 60 to 80 percent by the end of the century as a result of increasing temperatures. The productivity of the State's forests has the potential to decrease as a result of GCC.

Rising Sea Levels

Rising sea levels, more intense coastal storms, and warmer water temperatures could increasingly threaten the State's coastal regions. Under the higher warming range scenario, sea level is anticipated to rise 22 to 35 inches by 2100. Increased sea level elevations of this magnitude would inundate low-lying coastal areas with saltwater, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt

wetlands and natural habitats. Under the lower warming range scenario, sea level could rise 12 to 14 inches.

4.4.2.5 Health Effects of Greenhouse Gases

Water Vapor

There are no known direct health effects related to water vapor at this time. However, water vapor can be a transport mechanism for other pollutants to enter the human body.

Carbon Dioxide

According to the National Institute for Occupational Safety and Health (NIOSH), high concentrations of carbon dioxide can result in health effects such as: headaches, dizziness, restlessness, difficulty breathing, sweating, increased heart rate, increased cardiac output, increased blood pressure, coma, asphyxia, and/or convulsions. It should be noted that current concentrations of carbon dioxide in the earth's atmosphere are estimated to be approximately 370 ppm, while the actual reference exposure level (level at which adverse health effects typically occur) is at exposure levels of 5,000 ppm averaged over 10 hours in a 40-hour workweek and short-term reference exposure levels of 30,000 ppm averaged over a 15-minute period.

Methane

Methane (CH_4) is extremely reactive with oxidizers, halogens, and other halogen-containing compounds, may displace oxygen in an enclosed space and act as an asphyxiant.

Nitrous Oxide

Nitrous Oxide (N_2O) is often referred to as laughing gas; it is a colorless GHG. Health effects associated with exposure to elevated concentrations of nitrous oxide include dizziness, euphoria, slight hallucinations. In extreme cases of elevated concentrations, nitrous oxide can also cause brain damage.

Chlorofluorocarbons (CFCs)

In confined indoor locations, working with CFCs may result in death by cardiac arrhythmia (heart frequency too high or too low) or asphyxiation.

Hydrofluorocarbons (HFCs)

No health effects are known to result from exposure to HFCs.

Perfluorinated Carbons (PFCs)

No health effects are known to result from exposure to PFCs.

Sulfur Hexafluoride (SF_6)

In high concentrations in confined areas, SF_6 may result in suffocation because it displaces the oxygen.

Nitrogen Trifluoride (NF_3)

Long-term or repeated exposure to NF_3 may adversely affect the liver and kidneys and may cause fluorosis.

4.4.3 GCC REGULATORY SETTING

The current GHG regulatory setting is extensive and constantly evolving. The GHG regulatory setting is discussed in detail within the Project GHG Analysis (Project GHGA Section 2.7). GHG regulatory setting of relevance to the Project is summarized below.

4.4.3.1 State of California

Overview

The State of California legislature has enacted a series of bills and associated actions, described below, that collectively act to reduce GHG emissions. Certain State legislation, such as Assembly Bill (AB 32) *California Global Warming Solutions Act of 2006*, was specifically enacted to address GHG emissions. Other State legislation, such as Title 24 and Title 20 energy standards, originally adopted for other purposes (energy and water conservation), also facilitate GHG emissions reductions. Additionally, California's

Executive Branch has taken several actions to reduce GHGs through the use of Executive Orders. Although not regulatory, Executive Orders set the tone for the State and guide the actions of State agencies.

AB 32. The California State Legislature enacted AB 32, which requires that GHGs emitted in California be reduced to 1990 levels by the year 2020. GHGs, as defined under AB 32, include carbon dioxide, methane, N_2O, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Since AB 32 was enacted, a seventh chemical, nitrogen trifluoride, has also been added to the list of GHGs. The California Air Resources Board (CARB) is the State agency charged with monitoring and regulating sources of GHGs.

The State has made steady progress in implementing AB 32 and achieving targets included in Executive Order S-3-05. The progress is shown in updated emission inventories prepared by CARB for 2000 through 2012. The State has achieved the Executive Order S-3-05 target for 2010 of reducing GHG emissions to 2000 levels. Substantial progress has also been made in achieving the State goal of reducing GHG emissions to 1990 levels by 2020.

CARB Scoping Plan. The CARB Climate Change Scoping Plan (Scoping Plan) contains measures designed to reduce the State's emissions to 1990 levels by the year 2020 and thereby comply with AB 32 GHG emissions reductions targets. The Scoping Plan identifies recommended measures for multiple GHG emission sectors and the associated emission reductions needed to achieve the year 2020 emissions target—each sector has a different emission reduction target. Most of the measures target the transportation and electricity sectors.

The CARB approved the First Update to the Scoping Plan (Update) on May 22, 2014. The Update identifies progress made to meet the near-term objectives of AB 32 and defines California's climate change priorities and strategies. The Update does not set new targets for the State, but rather describes a path that would achieve the State's 2050 goal to achieve GHG emissions levels that are 80 percent below 1990 baseline levels.

As part of CEQA compliance for the Scoping Plan, CARB prepared a Supplemental Functional Equivalent Document (FED) in 2011. The FED included an updated 2020 BAU emissions inventory projection based on current economic forecasts (i.e., as influenced by the 2008 economic downturn) and emission reduction measures already in place, replacing its prior 2020 BAU emissions inventory. The updated BAU estimate of 507 $MMTCO_2e$ by 2020 requires a reduction of 80 $MMTCO_2e$, or a 16 percent reduction below the estimated BAU levels to return to 1990 levels (i.e., 427 $MMTCO_2e$) by 2020.

To establish a BAU reduction scenario that is consistent with threshold definitions used in thresholds adopted by lead agencies for CEQA purposes and many climate action plans, the updated inventory without regulations was also included in the Supplemental FED. The updated CARB 2020 BAU projection in the Supplemental FED is 545 $MMTCO_2e$. Considering the updated BAU estimate of 545 $MMTCO_2e$ by 2020, CARB estimates a 21.7 percent reduction below the estimated statewide BAU levels is necessary to return to 1990 emission levels.

2017 Climate Change Scoping Plan Update. In November 2017, CARB released the final 2017 Scoping Plan Update, which identifies the State's post-2020 reduction strategy. The 2017 Scoping Plan Update reflects the 2030 target of a 40 percent reduction below 1990 levels, set by Executive Order B-30-15 and codified by Senate Bill 32 (SB 32). Key programs that the proposed Second Update builds upon include the Cap-and-Trade Regulation, the Low Carbon Fuel Standard, and much cleaner cars, trucks and freight movement, utilizing cleaner, renewable energy, and strategies to reduce methane emissions from agricultural and other wastes.

The 2017 Scoping Plan establishes a new emissions limit of 260 $MMTCO_2e$ for the year 2030, which corresponds to a 40 percent decrease in 1990 levels by 2030.

Major elements of the 2017 Scoping Plan framework include:

- Implementing and/or increasing the standards of the Mobile Source Strategy, which include increasing ZEV buses and trucks.

- Low Carbon Fuel Standard (LCFS), with an increased stringency (18 percent by 2030).
- Implementing SB 350, which expands the Renewables Portfolio Standard (RPS) to 50 percent RPS and doubles energy efficiency savings by 2030.
- California Sustainable Freight Action Plan, which improves freight system efficiency, utilizes near-zero emissions technology, and deployment of ZEV trucks.
- Implementing the proposed Short-Lived Climate Pollutant Strategy (SLPS), which focuses on reducing methane and hydrofluorocarbon emissions by 40 percent and anthropogenic black carbon emissions by 50 percent by year 2030.
- Continued implementation of SB 375.
- Post-2020 Cap-and-Trade Program that includes declining caps.
- 20 percent reduction in GHG emissions from refineries by 2030.
- Development of a Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

In addition to the statewide strategies listed above, the 2017 Scoping Plan also recognizes local governments as essential partners in achieving the State's long-term GHG reduction goals and identifies local actions to reduce GHG emissions. As part of the recommended actions, CARB advocates local government attainment of a community-wide goal of 6 $MMTCO_2e$ or less per capita by 2030, and 2 $MMTCO_2e$ or less per capita by 2050. For CEQA projects, CARB states that lead agencies may develop evidenced-based bright-line numeric thresholds—consistent with the Scoping Plan and the State's long-term GHG goals—and projects with emissions over that amount may be required to incorporate on-site design features and mitigation measures that avoid or minimize project emissions to the extent feasible. Alternatively, a lead agency may employ performance-based metric using a climate action plan or other plan to reduce GHG emissions. Note, however, that the 2017 Scoping Plan specifically acknowledges that:

> . . . [a]chieving net zero increases in GHG emissions, resulting in no contribution to GHG impacts, may not be feasible or appropriate for every project, however, and the inability of a project to mitigate its GHG

> emissions to net zero does not imply the project results in a substantial contribution to the cumulatively significant environmental impact of climate change under CEQA (2017 Scoping Plan, p. 102).

Senate Bill 32. On September 8, 2016, Governor Jerry Brown signed the Senate Bill (SB) 32 and its companion bill, Assembly Bill (AB) 197. SB 32 requires the State to reduce statewide greenhouse gas emissions to 40 percent below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15.

Cap-and-Trade Program. The Scoping Plan identifies a Cap-and-Trade Program as one of the key strategies for California to reduce GHG emissions. According to CARB, a cap-and-trade program will help put California on the path to meet its goal of reducing GHG emissions to 1990 levels by the year 2020 and ultimately achieving an 80 percent reduction from 1990 levels by 2050. Under cap-and-trade, an overall limit on GHG emissions from capped sectors is established, and facilities subject to the cap will be able to trade permits to emit GHGs within the overall limit.

CARB adopted a California Cap-and-Trade Program consistent with authority established under AB 32. The Cap-and-Trade Program is designed to reduce GHG emissions from major sources (deemed "covered entities") by setting a firm cap on statewide GHG emissions and employing market mechanisms to achieve AB 32's emission-reduction mandate of returning to 1990 levels of emissions by 2020. The statewide cap for GHG emissions from the capped sectors (e.g., electricity generation, petroleum refining, and cement production) commenced in 2013 and will decline over time, achieving GHG emission reductions throughout the program's duration.

The Cap-and-Trade Program works with other direct regulatory measures and provides an economic incentive to reduce GHG emissions. If California's direct regulatory measures reduce GHG emissions more than expected, then the Cap-and-Trade Program will be responsible for relatively fewer emissions reductions. If California's direct regulatory measures reduce GHG emissions less than expected, then the Cap-and-Trade Program will be responsible for relatively more emissions reductions. In this manner, the

Cap-and-Trade Program assures that California will meet its 2020 GHG emissions reduction mandate.

As of January 1, 2015, the Cap-and-Trade Program covered approximately 85 percent of California's GHG emissions. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, whether generated in-State or imported. Accordingly, GHG emissions associated with a 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 from combustion of other fossil fuels not directly covered at large sources in the Program's first compliance period. While the Cap-and-Trade Program technically covered fuel suppliers as early as 2012, they did not have a compliance obligation (i.e., they were not fully regulated) until 2015. The Cap-and-Trade Program covers the GHG emissions associated with the combustion of transportation fuels in California, whether refined in-State or imported. The point of regulation for transportation fuels is when they are "supplied" (i.e., delivered into commerce). Accordingly, as with stationary source GHG emissions and GHG emissions attributable to electricity use, virtually all, if not all, of GHG emissions from CEQA projects associated with vehicle-miles traveled (VMT) are covered by the Cap-and-Trade Program.

In addition, the Scoping Plan differentiates between "capped" and "uncapped" strategies. "Capped" strategies are subject to the proposed cap-and-trade program. The Scoping Plan states that the inclusion of these emissions within the Program will help ensure that the year 2020 emission targets are met despite some degree of uncertainty in the emission reduction estimates for any individual measure. Implementation of the capped strategies is calculated to achieve sufficient GHG emissions reductions by 2020 to achieve the emission target contained in AB 32. "Uncapped" strategies that will not be subject to the cap-and-trade emissions caps and requirements are provided as a margin of safety by accounting for additional GHG emission reductions.

SB 375 - the Sustainable Communities and Climate Protection Act of 2008. The Sustainable Communities and Climate Protection Act of 2008 (SB 375) implements the following measures: (1) requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, (2) aligns planning for transportation and housing, and (3) creates specified incentives for the implementation of the strategies.

Concerning CEQA, SB 375 as codified in Public Resources Code Section 21159.28, states that CEQA findings for certain projects are not required to reference, describe, or discuss (1) growth inducing impacts, or (2) any project-specific or cumulative impacts from cars and light-duty truck trips generated by the project on global warming or the regional transportation network, if the project:

1. Is in an area with an approved sustainable communities strategy or an alternative planning strategy that CARB accepts as achieving the GHG emission reduction targets.

2. Is consistent with that strategy (in designation, density, building intensity, and applicable policies).

3. Incorporates the mitigation measures required by an applicable prior environmental document.

AB 1493 Pavley Regulations and Fuel Efficiency Standards/Advanced Clean Cars Program. California 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. Initial CARB regulations and standards for 2009 – 2012 vehicles provided for an approximate 22 percent reduction in GHG emissions compared with the 2002 fleet GHG emissions. Initial CARB regulations and standards for 2013 – 2016 vehicles provided for an approximate 30 percent reduction in GHG emissions compared with the 2002 fleet GHG emissions.

The second phase of the Pavley bill, CARB Advanced Clean Cars Program, combines the control of smog-causing pollutants and GHG emissions into a single coordinated package of requirements for model years 2017 through 2025. By the year 2025, the Advanced Clean Cars Program will reduce GHGs from new cars by 34 percent from 2016 levels.

SB 350 - Clean Energy and Pollution Reduction Act of 2015. SB 350 reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key provisions include an increase in the RPS, higher energy efficiency requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for electric vehicle charging stations. Specifically, SB 350 requires the following to reduce statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33 percent to 50 percent by 2030, with interim targets of 40 percent by 2024, and 25 percent by 2027.

- Double the energy efficiency in existing buildings by 2030. This target will be achieved through the California Public Utility Commission (CPUC), the California Energy Commission (CEC), and local publicly-owned utilities.

- Reorganize the Independent System Operator (ISO) to develop more regional electricity transmission markets and to improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

Executive Order B-55-18 and SB 100. Executive Order B-55-18 establishes a carbon neutrality goal for the State of California by 2045; and sets a goal to maintain net negative emissions thereafter. The Executive Order directs the California Natural Resources Agency (CNRA), California Environmental Protection Agency (CalEPA), the Department of Food and Agriculture (CDFA), and CARB to include sequestration targets in the Natural and Working Lands Climate Change Implementation Plan consistent with the carbon neutrality goal.

SB 100 raises California's RPS requirement to 50 percent renewable resources target by December 31, 2026, and to achieve a 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.

Executive Order S-3-05. Executive Order S-3-05 established the following reduction targets for GHG emissions:

- 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 – Low Carbon Fuel Standard. The California Low Carbon Fuel Standard (LCFS) contributes to State GHG emission reduction goals established under AB 32. THE LCFS program incentivizes adoption of low-carbon transportation fuels based on the fuel's lifecycle carbon intensity (CI). The current LCFS regulation became effective on January 1, 2016. In September 2018, CARB adopted regulatory amendments to extend the LCFS for an additional ten years with a target of 20% CI reduction from 2010 levels by 2030.

Executive Order S-13-08. The 2009 California Climate Adaptation Strategy (California Natural Resources Agency 2009) was adopted pursuant to Executive Order S-13-08. The Strategy is ". . . first statewide, multi-sector, region-specific, and information-based climate change adaptation strategy in the United States." 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 B-30-15. Executive Order B-30-15 aligns California's GHG reduction targets with those of leading international governments. The Executive Order sets a new interim statewide GHG emission reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030 in order to ensure California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050 and directs CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of CO_2 equivalent ($MMCO_2e$). 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.

Title 20 Appliance Efficiency Standards. California Code of Regulations, Title 20: Division 2, Chapter 4, Article 4, Sections 1601-1608: Appliance Efficiency Regulations regulates the sale of appliances in California. The Appliance Efficiency Regulations include standards for both federally regulated appliances and non-federally regulated appliances. Twenty-three categories of appliances are included in the scope of these regulations. The standards within these regulations apply to appliances that are sold or offered for sale in California, except those sold wholesale in California for final retail sale outside the State and those designed and sold exclusively for use in recreational vehicles or other mobile equipment.

Title 24 Energy Efficiency Standards and California Green Building Standards. California Code of Regulations Title 24 Part 6: *California's Energy Efficiency Standards for Residential and Nonresidential Buildings*, 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. Buildings permitted on or after January 1, 2020, must comply with the 2019 Energy Efficiency Standards.

California Code of Regulations, Title 24, Part 11: California Green Building Standards Code (CALGreen). CALGreen is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on January 1, 2011. CALGreen is updated on a regular basis, with the most recent update consisting of the 2019 California Green Building Code Standards. Under State law, local jurisdictions are permitted to adopt more stringent requirements. CALGreen requirements applicable to the Project would include those listed below. CALGreen Section citations are presented parenthetically.

- Short-term bicycle parking. If the new project or an additional alteration is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5 percent of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack (5.106.4.1.1).

- Long-term bicycle parking. For new buildings with tenant spaces that have 10 or more tenant-occupants, provide secure bicycle parking for 5 percent of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility (5.106.4.1.2).

- Designated parking. In new projects or additions to alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).

- Construction waste management. Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1. 5.405.1.2, or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent (5.408.1).

- Excavated soil and land clearing debris. 100 percent of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reused

or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed (5.408.3).

- Recycling by Occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet a lawfully enacted local recycling ordinance, if more restrictive (5.410.1).

- Water conserving plumbing fixtures and fittings. Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following:

    - Water Closets. The effective flush volume of all water closets shall not exceed 1.28 gallons per flush (5.303.3.1)
    - Urinals. The effective flush volume of wall-mounted urinals shall not exceed 0.125 gallons per flush (5.303.3.2.1). The effective flush volume of floor-mounted or other urinals shall not exceed 0.5 gallons per flush (5.303.3.2.2).
    - Showerheads. Single showerheads shall have a minimum flow rate of not more than 1.8 gallons per minute and 80 psi (5.303.3.3.1). When a shower is served by more than one showerhead, the combine flow rate of all showerheads and/or other shower outlets controlled by a single valve shall not exceed 1.8 gallons per minute at 80 psi (5.303.3.3.2).
    - Faucets and fountains. Nonresidential lavatory faucets shall have a maximum flow rate of note more than 0.5 gallons per minute at 60 psi (5.303.3.4.1). Kitchen faucets shall have a maximum flow rate of not more than 1.8 gallons per minute of 60 psi (5.303.3.4.2). Wash fountains shall have a maximum flow rate of not more than 1.8 gallons per minute (5.303.3.4.3). Metering faucets shall not deliver more than 0.20 gallons per cycle (5.303.3.4.4). Metering faucets for wash fountains shall have a maximum flow rate not more than 0.20 gallons per cycle (5.303.3.4.5).

- Outdoor potable water use in landscaped areas. Nonresidential developments shall comply with a local water efficient landscape ordinance or the current California

Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent (5.304.1).

- Water meters. Separate submeters or metering devices shall be installed for new buildings or additions in excess of 50,000 sf or for excess consumption where any tenant within a new building or within an addition that is project to consume more than 1,000 gal/day (5.303.1.1 and 5.303.1.2).

- Outdoor water use in rehabilitated landscape projects equal or greater than 2,500 sf. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 sf requiring a building or landscape permit (5.304.3).

- Commissioning. For new buildings 10,000 sf and over, building commissioning shall be included in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (5.410.2).

CARB Refrigerant Management Program. CARB adopted a regulation in 2009 to reduce refrigerant GHG emissions from stationary sources through refrigerant leak detection and monitoring, leak repair, system retirement and retrofitting, reporting and recordkeeping, and proper refrigerant cylinder use, sale, and disposal. The regulation is set forth in sections 95380 to 95398 of Title 17, California Code of Regulations.

The rules implementing the regulation establish a limit on statewide GHG emissions from stationary facilities with refrigeration systems with more than 50 pounds of a high GWP refrigerant. The refrigerant management program is designed to (1) reduce emissions of high-GWP GHG refrigerants from leaky stationary, non-residential refrigeration equipment; (2) reduce emissions from the installation and servicing of refrigeration and air-conditioning appliances using high-GWP refrigerants; and (3) verify GHG emission reductions.

Tractor-Trailer GHG Regulation. Tractors and trailers subject to this regulation must either use EPA SmartWay certified tractors and trailers, or retrofit their existing fleet with SmartWay verified technologies. The regulation applies primarily to owners of 53-foot or longer box-type trailers, including both dry-van and refrigerated-van trailers, and owners of the heavy-duty tractors that pull them on California highways. These 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. There are also requirements for trailers to have low rolling resistance tires and aerodynamic devices.

Phase 1 and 2 Heavy-Duty Vehicle GHG Standards. CARB has adopted a new regulation for greenhouse gas (GHG) emissions from heavy-duty trucks and engines sold in California. It establishes GHG emission limits on truck and engine manufacturers and harmonizes with the U.S. EPA rule for new trucks and engines nationally. Existing heavy-duty vehicle regulations in California include engine criteria emission standards, tractor-trailer GHG requirements to implement SmartWay strategies (i.e., the Heavy Duty Tractor-Trailer Greenhouse Gas Regulation), and in-use fleet retrofit requirements such as the Truck and Bus Regulation.

CARB staff has worked jointly with the U.S. Environmental Protection Agency (U.S. EPA) and the National Highway Traffic Safety Administration (NHTSA) on the next phase of federal greenhouse gas (GHG) emission standards for medium- and heavy-duty vehicles, called federal Phase 2. The federal Phase 2 standards were built on the improvements in engine and vehicle efficiency required by the Phase 1 emission standards and represent a significant opportunity to achieve further GHG reductions for 2018 and later model year heavy-duty vehicles, including trailers.

SB 97 and the CEQA Guidelines Update. Passed in August 2007, SB 97 added Section 21083.05 to the Public Resources Code. The code states "(a) On or before July 1, 2009, the Office of Planning and Research shall prepare, develop, and transmit to the Resources Agency guidelines for the mitigation of GHG emissions or the effects of GHG emissions

as required by this division, including, but not limited to, effects associated with transportation or energy consumption. (b) On or before January 1, 2010, the Resources Agency shall certify and adopt guidelines prepared and developed by the Office of Planning and Research pursuant to subdivision (a)." Section 21097 was also added to the Public Resources Code.

Implementing SB 97, *CEQA Guidelines* Section 15064.4, was added to assist agencies in determining the significance of GHG emissions. Section 15064.4 allows agencies the discretion to determine whether a quantitative or qualitative analysis is best for a particular project. *CEQA Guidelines* Section 15064.4 has been subsequently updated and clarified under the 2019 *CEQA Guidelines.*

4.4.3.2 South Coast Air Quality Management District

The Project lies within the South Coast Air Basin, which is under the jurisdiction of the SCAQMD. Relevant SCAQMD GHG policies and regulations are summarized below.

The SCAQMD *Draft Guidance Document – Interim CEQA GHG Significance Threshold Guidance Document* provides substantial evidence supporting the approaches to significance of GHG emissions that can be considered by the lead agency in adopting its own threshold. The current interim thresholds consist of the following tiered approach:

- Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA.

- Tier 2 consists of determining whether the project is consistent with a GHG reduction plan. If a project is consistent with a qualifying local GHG reduction plan, it does not have significant GHG emissions.

- Tier 3 consists of screening values, which the lead agency can choose, but must be consistent with all projects within its jurisdiction. A project's construction emissions are averaged over 30 years and are added to the project's operational

emissions. If a project's emissions are below one of the following screening thresholds, then the project is less than significant:

- Residential and Commercial land use: 3,000 $MTCO_2e$ per year.
- Industrial land use: 10,000 $MTCO_2e$ per year.
- Based on land use type: residential: 3,500 $MTCO_2e$ per year; commercial: 1,400 $MTCO_2e$ per year; or mixed use: 3,000 $MTCO_2e$ per year.

- Tier 4 has the following options:
  - Option 1: Reduce BAU emissions by a certain percentage; this percentage is currently undefined.
  - Option 2: Early implementation of applicable AB 32 Scoping Plan measures.
  - Option 3, 2020 target for service populations (SP), which includes residents and employees: 4.8 $MTCO_2e$/SP/year for projects and 6.6 $MTCO_2e$/SP/year for plans.
  - Option 3, 2035 target: 3.0 $MTCO_2e$/SP/year for projects and 4.1 $MTCO_2e$/SP/year for plans.

- Tier 5 involves mitigation offsets to achieve target significance threshold.

SCAQMD only has authority over GHG emissions from development projects that include air quality permits. Projects requiring stationary permits are subject to applicable SCAQMD regulations. SCAQMD Regulation XXVII, adopted in 2009 includes the following Rules addressing GHG emissions:

- Rule 2700 defines terms and post global warming potentials.

- Rule 2701, SoCal Climate Solutions Exchange, establishes a voluntary program to encourage, quantify, and certify voluntary, high quality certified GHG emission reductions in the SCAQMD.

- Rule 2702, GHG Reduction Program created a program to produce GHG emission reductions within the SCAQMD. The SCAQMD will fund projects through contracts in response to requests for proposals or purchase reductions from other parties.

4.4.3.3 City of Ontario

Community Climate Action Plan (CAP)

The City of Ontario Community Climate Action Plan (CAP) was adopted December 16, 2014. The CAP provides guidance addressing CEQA analysis of GHG emissions and determination of GHG impact significance. The CAP provides City-specific GHG information and City-specific GHG reduction measures. To address the State's requirement to reduce GHG emissions, the City CAP establishes the goal of reducing GHG emissions within the City by 15% below 2008 levels by the year 2020. The CAP GHG emissions reduction target is consistent with the AB 32 target and ensures that the City of Ontario achieves GHG reductions locally that complement and are consistent with State efforts to reduce GHG emissions.

As part of the CAP, the City of Ontario published a guidance document titled "Greenhouse Gas Emissions, CEQA Thresholds and Screening Tables" (December 2014) (Screening Tables). As part of this guidance, the City determined that if GHG emissions of a given project exceeds 3,000 $MTCO_2e$/yr., 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 CAP also includes an update commitment beginning in 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 City is updating the Community Climate Action Plan as part of the Ontario Plan Update, anticipated to be completed in

2021. The City is in the process of developing an interim Development Screening Table and anticipate a draft of the Screening Tables will be available by summer/fall 2020. The City Community Climate Action Plan has been developed to be consistent with and support the SB 32 target of reducing GHG emissions by 40% below 1990 levels by 2030.

4.4.4 SOURCES OF PROJECT GHG EMISSIONS

4.4.4.1 Construction-Source GHG Emissions

Project construction activities would generate emissions of CO_2, CH_4. Project construction-source emissions are quantified and amortized over the life of the Project. To amortize the emissions over the life of the Project, the SCAQMD recommends calculating the total greenhouse gas emissions for the construction activities, dividing it by a 30-year project life, then adding that number to the annual operational GHG emissions. Accordingly, Project construction-source GHG emissions were amortized over a 30-year period and added to the annual operational-source GHG emissions of the Project.

4.4.4.2 Operational-Source GHG Emissions

Project operations would result in emissions of CO_2, CH_4, and N_2O from the primary sources listed below, and subsequently described.

- Area Sources;
- Building Energy Consumption (combustion emissions associated with natural gas and electricity);
- Mobile Sources;
- On-site Equipment (yard trucks) Operations;
- Transportation Refrigeration Units (TRUs);
- Water Supply, Treatment and Distribution; and
- Solid Waste Management.

Area Sources

Area sources would include landscape and site maintenance equipment. Landscape and site maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shedders/grinders, blowers, trimmers, chain saws, and hedge trimmers.

Building Energy Consumption

CO_2 and other GHGs are emitted by building energy consumption. Natural gas or other fuels consumed at/within each Project building site would be direct sources of Project GHGs. GHGs are also emitted by off-site fuel consumption for production of electricity; these are considered to be indirect GHG emissions.

Mobile Sources

Project traffic (mobile sources) would also generate GHGs (CO_2, CH_4, and N_2O). Trip characteristics and vehicle miles traveled (VMT) estimates available from the Project TIA and Project VMT Assessment[3] were utilized in estimating and modeling mobile source GHG emissions.

On-site Equipment Operations

Industrial warehouse buildings such as those proposed by the Project require cargo handling equipment to move empty containers and empty chassis to and from the various pieces of cargo handling equipment that receive and distribute containers. The most common type of cargo handling equipment is the yard truck which is designed for moving cargo containers. Yard trucks and similar equipment are potential sources of GHGs.

[3] *Merrill Commerce Center Specific Plan, Traffic Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) March 30, 2020 (Project TIA); *Merrill Commerce Center Specific Plan, Vehicle Miles Traveled (VMT) Assessment* (Urban Crossroads, Inc.) January 14, 2020 (Project VMT Assessment). The Project TIA and Project VMT Assessment are provided at EIR Appendix C.

Transport Refrigeration Units (TRUs)

To account for the possibility of refrigerated uses being accommodated in PA1, PA2, PA3, PA4, PA5, and PA6, trucks accessing these PAs are assumed to also have transport refrigeration units (TRUs). The Project GHGA accounts for GHG emissions that would be generated by TRUs accessing the Project.

Water Supply, Treatment and Distribution Emissions

Indirect GHG emissions result from the production of electricity used to convey, treat and distribute water and wastewater. The amount of electricity required to convey, treat and distribute water depends on the volume of water as well as the sources of the water.

Solid Waste Management

The Project land uses will result in the generation and disposal of solid waste. A large percentage of solid waste generated by the Project would be diverted and recycled consistent with requirements of AB 39. The remainder of the waste not diverted will be disposed of at a landfill. GHG emissions from landfills are associated with the anaerobic breakdown of material.

4.4.5 PROJECT GHG EMISSIONS IMPACTS

4.4.5.1 California Emissions Estimator Model™ Employed to Estimate GHG Emissions

The latest version of the California Emissions Estimator Model (CalEEMod) v2016.3.2 has been used to estimate Project construction-source and operational-source criteria pollutant (VOCs, NOx, SOx, CO, PM_{10}, and $PM_{2.5}$) and GHG emissions. CalEEMod calculates emissions from direct and indirect sources; and quantifies emissions reductions achieved from mitigation measures. Unless otherwise noted, CalEEMod default parameters have been employed in the quantification of GHG emissions.

4.4.5.2 Impact Statements

Potential Impact: *The Project could generate direct or indirect GHG emissions that would result in a significant impact on the environment***.**

Impact Analysis: An individual project cannot generate GHG emissions sufficient to influence global climate change. A project participates in potential global climate change impacts through its incremental contribution, combined with the cumulative increase of all other sources of GHGs. Taken together, these effects may have a potentially significant impact on global climate change. Project GHG emissions from construction and operations are summarized at Table 4.4-3.

As indicated at Table 4.4-3, the Project would generate approximately 121,345.81 $MTCO_2e$ per year. Of this total, approximately 36,053.35 $MTCO_2e$ per year would be generated by construction activities, area sources, building energy consumption, on-site equipment, solid waste management and water supply. An additional 85,292.46 $MTCO_2e$ per year would be generated by Project mobile sources.

Table 4.4-3
Annual Project GHG Emissions

Emission Source	Emissions (metric tons per year)			
	CO_2	CH_4	N_2O	Total CO_2E
Annual construction-related emissions amortized over 30 years	777.42	0.10	0.00	779.84
Area Sources	0.21	0.00	0.00	0.22
Building Energy Consumption	18,532.15	0.71	0.18	18,604.53
Mobile Sources (Passenger Cars)	20,520.14	0.54	0.00	26,633.74
Mobile Sources (Trucks)	58,606.26	2.09	0.00	58,658.72
On-site Equipment	1,524.89	0.49	0.00	1,537.22
TRUs	115.08	0.00	0.00	115.08
Solid Waste Management	871.06	100.53	0.00	4,214.31
Water Supply	8,732.05	64.05	1.57	10,802.14
Total CO_2E (All Sources)	**121,345.81**			

Source: *Merrill Commerce Center Specific Plan, Greenhouse Gas Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.
Note: Quantities may not sum to totals due to rounding.

Significance Determination

The CAP provides guidance addressing analysis of GHG emissions and CEQA significance determination of GHG emissions impacts. To address State requirements to reduce GHG emissions, the CAP establishes a City-wide GHG emissions reduction target of 15% below baseline (2008) GHG emissions levels by the year 2020. The CAP GHG emissions reduction target is consistent with the AB 32 target and ensures that the City will be providing GHG reductions locally that will complement State efforts to reduce GHG emissions. Because the City's CAP addresses GHG emissions reductions and is consistent with the requirements of AB 32 and international efforts to reduce GHG emissions, compliance with the CAP fulfills the description of mitigation found in the *CEQA Guidelines*.

CAP Appendix B *Greenhouse Gas Emissions CEQA Thresholds and Screening Tables* (CAP Screening Tables) establishes a point system that assigns values for each GHG emissions mitigation design element or operational program (feature) incorporated into a given development project. The 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.

The CAP also includes an update commitment beginning in 2018. At the time of this analysis, the City's CAP update is underway. However, potential timeframes for approval and adoption of the City CAP update are unknown. The updated CAP will establish GHG emissions reduction targets for 2030, 2040, and 2050 scenarios. The established targets will be consistent with broader State and federal GHG emissions reduction targets and will reflect current scientific understanding of GHG emissions reduction strategies.

As discussed within the CAP, projects that generate less than 3,000 $MTCO_2e$/yr. would have a less-than-significant GHG emissions impact. Conversely, projects that generate more than 3,000 $MTCO_2e$/yr. are presumed to have a potentially significant GHG

emissions impact. Project GHG emissions would total approximately 121,345.81 $MTCO_2e$/yr., exceeding the CAP 3,000 $MTCO_2e$/yr. significance threshold. Per the CAP, this is a potentially significant impact.

Level of Significance: Potentially Significant.

Mitigation Measures:

4.4.1 *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.*

4.4.2 *Project development proposals with building permit applications on file with the City subsequent to approval and adoption of updates to the December 16, 2014 CAP shall comply with performance standards and GHG emissions reduction targets of the incumbent CAP. The City shall verify incorporation of measures that would achieve performance standards and GHG emissions reduction targets of the incumbent CAP prior to the issuance of building permit(s) and/or site plans (as applicable). The City shall verify implementation of applicable CAP provisions prior to the issuance of Certificate(s) of Occupancy. Multiple development proposals may, at the discretion of the City, be allowed to collectively demonstrate consistency with applicable provisions of the incumbent CAP.*

Level of Significance After Mitigation: ***Significant and Unavoidable***. Mitigation measures identified in this analysis would act to ensure that to the extent feasible, the Project would not result in GHG emissions that would represent a significant impact on the environment. More specifically:

- Pursuant to Mitigation Measure 4.4.1, development proposals within the Project site 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 CAP Screening Tables. Per the current CAP, projects that achieve at least 100 Screening Table points are determined to have a less-than-significant GHG emissions impact. However, the CAP as updated may implement performance standards and GHG emissions reduction targets differing from the current CAP. There is the potential for Project development proposals to 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. This analysis conservatively recognizes this as a significant and unavoidable impact.

- Pursuant to Mitigation Measure 4.4.2, development proposals within the Project site submitting building permit applications subsequent to approval and adoption of updates to the December 16, 2014 CAP shall comply with performance standards and GHG emissions reduction targets of the incumbent CAP. It is anticipated that demonstrated compliance with the CAP as updated would result in a determination of less-than-significant GHG emissions impacts. However, because the ultimate criteria for determination of GHG impact significance under the updated CAP are unknown at this time, this conclusion cannot be assured. On this basis, Project development proposals with building permit applications submitted subsequent to updates to the December 16, 2014 CAP could generate greenhouse gas emissions that would be considered to represent a significant impact on the environment. This analysis conservatively recognizes this as a significant and unavoidable impact.

Based on the preceding, 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 Project development proposals are consistent with the CAP as updated, the potential for Project GHG emissions to result in a significant impact on the environment is considered to be a significant and unavoidable impact.***

Potential Impact: *The Project could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.*

Impact Analysis: GHG emissions reduction plans, policies and regulations applicable to the Project include: AB 32, SB 32, (including related 2008/2017 ARB Scoping Plan Elements), and the City of Ontario CAP. Project consistency with AB 32, SB 32, (including related 2008/2017 ARB Scoping Plan Elements), and the City of Ontario CAP is summarized in the following discussions.

2008 Scoping Plan Consistency

The CARB Scoping Plan identifies strategies to reduce California's greenhouse gas emissions in support of AB 32. Many of the strategies identified in the Scoping Plan are not applicable at the project level, such as long-term technological improvements to reduce emissions from vehicles. Certain measures are applicable to and supported by the Project, such as energy conservation and energy efficiency measures. Other measures, while not directly applicable, would not be obstructed by impeded by Project implementation. Table 4.4-4 summarizes the Project's consistency with the State Scoping Plan measures. As indicated, the Project would not conflict with any of the provisions of the Scoping Plan and supports the Scoping Plan through energy efficiency, water conservation, recycling, and landscaping.

Table 4.4-4
2008 Scoping Plan Consistency

Action Category	Supporting Measures	Remarks
Cap-and-Trade Program	--	**Consistent.** These programs involve capping emissions from electricity generation and similar operations. The Project would not interfere with or obstruct cap-and-trade program measures or initiatives.
Light-Duty Vehicle Standards	T-1	**Consistent.** Vehicles accessing the Project would be required to comply with these standards as implemented. Electric Vehicle (EV) charging stations would be installed on site per 2019 Title 24 standards.
Energy Efficiency	E-1	**Consistent.** The Project would achieve building, water, and solid waste management efficiencies consistent with the incumbent CALGreen requirements.
	E-2	
	CR-1	
	CR-2	
Renewables Portfolio Standard (RPS)	E-3	**Consistent.** Establishes the minimum statewide renewable energy mix. The Project would not interfere with or obstruct RPS program measures or initiatives.
Low Carbon Fuel Standard	T-2	**Consistent.** Establishes reduced carbon intensity (CI) of transportation fuels. The Project would not interfere with or obstruct transportation fuel CI program measures or initiatives.
Regional Transportation-Related GHG Targets	T-3	**Consistent**. Establishes regional GHG transportation-source GHG emissions targets. The Project would not interfere with or obstruct transportation-related GHG target measures or initiatives.
Vehicle Efficiency Measures	T-4	**Consistent.** Vehicles accessing the Project would be required to comply with these measures as implemented. The Project would not interfere with or obstruct vehicle efficiency measures or initiatives.
Goods Movement	T-5	**Consistent.** Goods movement associated with the Project would be required to comply with these measures as implemented. The Project would not interfere with or obstruct goods movement measures or initiatives.
	T-6	
Million Solar Roofs (MSR) Program	E-4	**Consistent.** The MSR program sets a goal for use of solar systems throughout the State as a whole. The Project building designs would incorporate PV solar panels or would be designed to accept future installation of PV solar panels.
Medium- & Heavy-Duty Vehicles	T-7	**Consistent.** Medium- & heavy-duty vehicles accessing the Project would be required to comply with these measures as implemented. The Project would not interfere with or obstruct medium- & heavy-duty vehicle measures or initiatives.
	T-8	

Table 4.4-4
2008 Scoping Plan Consistency

Action Category	Supporting Measures	Remarks
Industrial Emissions	I-1	**Consistent.** These measures are applicable to large industrial facilities (> 500,000 $MTCO_2e$/yr.) and other intensive uses such as refineries. The Project would not interfere with or obstruct industrial emissions measures or initiatives.
	I-2	
	I-3	
	I-4	
	I-5	
High Speed Rail	T-9	**Consistent.** Supports increased mobility choice via provision of high-speed rail. The Project would not interfere with or obstruct high speed rail measures or initiatives.
Green Building Strategy	GB-1	**Consistent.** The Project would implement building, water, and solid waste management efficiencies consistent with incumbent CALGreen requirements.
High Global Warming Potential (GWP) Gases	H-1	**Consistent.** The Project is not a substantial source of high GWP emissions. The Project would not interfere with or obstruct high GWP emissions measures or initiatives.
	H-2	
	H-3	
	H-4	
	H-5	
	H-6	
	H-7	
Recycling and Waste	RW-1	**Consistent.** The Project would comply with mandated State and City recycling and waste management measures. Beyond these mandates, the Project demolition plan will be designed and implemented to yield a minimum of 90% recycled materials.
	RW-2	
	RW-3	
Sustainable Forests	F-1	**Consistent.** The Project would promote carbon sequestration through provision of Project on-site landscaping.
Water	W-1	**Consistent.** The Project would provide low-flow fixtures and water-efficient landscaping per City and State requirements.
	W-2	
	W-3	
	W-4	
	W-5	
	W-6	
Agriculture	A-1	**Consistent.** The Project is not an agricultural use. The Project would not interfere with or obstruct Scoping Plan agricultural measures or initiatives.

Source: *Merrill Commerce Center Specific Plan, Greenhouse Gas Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.

SB 32/2017 Scoping Plan Consistency

The 2017 Scoping Plan Update reflects the 2030 target of a 40 percent reduction below 1990 levels, set by Executive Order B-30-15 and codified by SB 32. As summarized, at Table 4.4-5, the Project would support and would not conflict with SB 32/2017 Scoping Plan provisions.

Table 4.4-5
2017 Scoping Plan Consistency

Action	Responsibility	Remarks
Implement SB 350 by 2030		
Increase the Renewables Portfolio Standard to 50 percent of retail sales by 2030 and ensure grid reliability.	CPUC, CEC, CARB	**Consistent.** The Project would use energy from Southern California Edison (SCE). SCE has committed to diversify its portfolio of energy sources by increasing energy from wind and solar sources. The Project would not interfere with or obstruct SCE energy source diversification efforts.
Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030.		**Consistent.** The Project would be designed and constructed to implement the energy efficiency measures for new commercial developments and would include several measures designed to reduce energy consumption. The Project would not interfere with or obstruct policies or strategies to establish annual targets for statewide energy efficiency savings and demand reduction.
Reduce GHG emissions in the electricity sector through the implementation of the above measures and other actions as modeled in Integrated Resource Planning (IRP) to meet GHG emissions reductions planning targets in the IRP process. Load-serving entities and publicly- owned utilities meet GHG emissions reductions planning targets through a combination of measures as described in IRPs.		**Consistent.** The Project would be designed and constructed to implement energy efficiency measures acting to reduce electricity consumption. The Project includes energy efficient lighting and fixtures that meet the current Title 24 Standards. Further, the Project proposes contemporary industrial facilities that would incorporate energy efficient boilers, heaters, and air conditioning systems.
Implement Mobile Source Strategy (Cleaner Technology and Fuels)		
At least 1.5 million zero emission and plug-in hybrid light-duty electric vehicles by 2025.	CARB, California State Transportation	**Consistent.** This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB zero emission and plug-

Table 4.4-5
2017 Scoping Plan Consistency

Action	Responsibility	Remarks
	Agency (CalSTA), Strategic Growth Council (SGC), California Department of Transportation (Caltrans), CEC, OPR, Local Agencies	in hybrid light-duty electric vehicle 2025 targets.
At least 4.2 million zero emission and plug-in hybrid light-duty electric vehicles by 2030.		**Consistent.** This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB zero emission and plug-in hybrid light-duty electric vehicle 2030 targets.
Further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean cars regulations.		**Consistent.** This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB efforts to further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean cars regulations.
Medium- and Heavy-Duty GHG Phase 2.		**Consistent.** This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB efforts to implement Medium- and Heavy-Duty GHG Phase 2 standards.
Innovative Clean Transit: Transition to a suite of to-be-determined innovative clean transit options. Assumed 20 percent of new urban buses purchased beginning in 2018 will be zero emission buses with the penetration of zero-emission technology ramped up to 100 percent of new sales in 2030. Also, new natural gas buses, starting in 2018, and diesel buses, starting in 2020, meet the optional heavy-duty low-NO_X standard.		**Consistent.** This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB efforts to improve transit-source emissions.
Last Mile Delivery: New regulation that would result in the use of low NO_X or cleaner engines and the deployment of increasing numbers of zero-emission trucks primarily for class 3-7 last mile delivery trucks in California. This measure assumes ZEVs comprise 2.5 percent of new Class 3–7 truck sales in local fleets starting in 2020, increasing to 10 percent in 2025 and remaining flat through 2030.		**Consistent**. This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB efforts to improve last mile delivery emissions.

Table 4.4-5
2017 Scoping Plan Consistency

Action	Responsibility	Remarks
Further reduce VMT through continued implementation of SB 375 and regional Sustainable Communities Strategies; forthcoming statewide implementation of SB 743; and potential additional VMT reduction strategies not specified in the Mobile Source Strategy but included in the document "Potential VMT Reduction Strategies for Discussion."		**Consistent.** The Project implements Transportation Demand Measures (TDMs) that would act to reduce VMT. Please refer to the Project VMT Assessment and EIR Section 4.2, *Transportation.*
Increase stringency of SB 375 Sustainable Communities Strategy (2035 targets).	CARB	**Consistent.** This is a CARB Mobile Source Strategy. The Project would not obstruct or interfere with CARB efforts to increase stringency of SB 375 Sustainable Communities Strategy (2035 targets).
By 2019, adjust performance measures used to select and design transportation facilities		
Harmonize project performance with emissions reductions and increase competitiveness of transit and active transportation modes (e.g., via guideline documents, funding programs, project selection, etc.).	CalSTA, SGC, OPR, CARB, Governor's Office of Business and Economic Development (GO-Biz), California Infrastructure and Economic Development Bank (IBank), Department of Finance (DOF), California Transportation Commission (CTC), Caltrans	**Consistent.** The Project would not obstruct or interfere with agency efforts to harmonize transportation facility project performance with emissions reductions and increase competitiveness of transit and active transportation modes.

Table 4.4-5
2017 Scoping Plan Consistency

Action	Responsibility	Remarks
By 2019, develop pricing policies to support low-GHG transportation (e.g. low-emission vehicle zones for heavy duty, road user, parking pricing, transit discounts).	CalSTA, Caltrans, CTC, OPR, SGC, CARB	**Consistent.** The Project would not obstruct or interfere with agency efforts to develop pricing policies to support low-GHG transportation.
Implement California Sustainable Freight Action Plan		
Improve freight system efficiency.	CalSTA, CalEPA, CNRA, CARB, Caltrans, CEC, GO-Biz	**Consistent.** This measure would apply to all trucks accessing the Project site, this may include existing trucks or new trucks that are part of the statewide goods movement sector. The Project would not obstruct or interfere with agency efforts to improve freight system efficiency.
Deploy over 100,000 freight vehicles and equipment capable of zero emission operation and maximize both zero and near-zero emission freight vehicles and equipment powered by renewable energy by 2030.		**Consistent.** The Project would not obstruct or interfere with agency efforts to deploy over 100,000 freight vehicles and equipment capable of zero emission operation and maximize both zero and near-zero emission freight vehicles and equipment powered by renewable energy by 2030.
Adopt a Low Carbon Fuel Standard with a Carbon Intensity reduction of 18 percent.	CARB	**Consistent.** When adopted, this measure would apply to all fuel purchased and used by the Project in the State. The Project would not obstruct or interfere with agency efforts to adopt a Low Carbon Fuel Standard with a Carbon Intensity reduction of 18 percent.
Implement the Short-Lived Climate Pollutant Strategy (SLPS) by 2030		
40 percent reduction in methane and hydrofluorocarbon emissions below 2013 levels.	CARB, CalRecycle, CDFA, SWRCB, Local Air Districts	**Consistent.** The Project would be required to comply with this measure and reduce any Project-source SLPS emissions accordingly. The Project would not obstruct or interfere with agency efforts to reduce SLPS emissions.
50 percent reduction in black carbon emissions below 2013 levels.		
By 2019, develop regulations and programs to support organic waste landfill reduction goals in the SLPS and SB 1383.	CARB, CalRecycle, CDFA SWRCB, Local Air Districts	**Consistent.** The Project would implement waste reduction and recycling measures consistent with State and City requirements. The Project would not obstruct or interfere with agency efforts to support organic waste landfill reduction goals in the SLPS and SB 1383.

Table 4.4-5
2017 Scoping Plan Consistency

Action	Responsibility	Remarks
Implement the post-2020 Cap-and-Trade Program with declining annual caps.	CARB	**Consistent.** The Project would be required to comply with any applicable Cap-and-Trade Program provisions. The Project would not obstruct or interfere with agency efforts to implement the post-2020 Cap-and-Trade Program.
By 2018, develop Integrated Natural and Working Lands Implementation Plan to secure California's land base as a net carbon sink		
Protect land from conversion through conservation easements and other incentives.	CNRA, Departments Within CDFA, CalEPA, CARB	**Consistent.** The Project site is designated for industrial uses. The Project does not propose land conversion. The Project would not obstruct or interfere with agency efforts to protect land from conversion through conservation easements and other incentives.
Increase the long-term resilience of carbon storage in the land base and enhance sequestration capacity.		**Consistent.** The Project site is vacant disturbed property and does not comprise an area that would effectively provide for carbon sequestration. The Project would not obstruct or interfere with agency efforts to increase the long-term resilience of carbon storage in the land base and enhance sequestration capacity.
Utilize wood and agricultural products to increase the amount of carbon stored in the natural and built environments.		**Consistent.** Where appropriate, Project designs will incorporate wood or wood products. The Project would not obstruct or interfere with agency efforts to encourage use of wood and agricultural products to increase the amount of carbon stored in the natural and built environments.
Establish scenario projections to serve as the foundation for the Implementation Plan.		**Consistent.** The Project would not obstruct or interfere with agency efforts to establish scenario projections to serve as the foundation for the Implementation Plan.
Establish a carbon accounting framework for natural and working lands as described in SB 859 by 2018.	CARB	**Consistent.** The Project would not obstruct or interfere with agency efforts to establish a carbon accounting framework for natural and working lands as described in SB 859 by 2018.
Implement Forest Carbon Plan	CNRA, California Department of Forestry and Fire Protection (CAL FIRE),	**Consistent.** The Project would not obstruct or interfere with agency efforts to implement the Forest Carbon Plan.

Table 4.4-5
2017 Scoping Plan Consistency

Action	Responsibility	Remarks
	CalEPA and Departments	
Identify and expand funding and financing mechanisms to support GHG reductions across all sectors.	State Agencies & Local Agencies	**Consistent.** The Project would not obstruct or interfere with agency efforts to identify and expand funding and financing mechanisms to support GHG reductions across all sectors.

Source: *Merrill Commerce Center Specific Plan, Greenhouse Gas Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020.

City of Ontario Climate Action Plan Consistency

Per the City CAP, development projects that yield at least 100 Screening Table points (equivalent to an approximate 15% reduction in GHG emissions) are determined to be consistent with the reduction targets established in the City's GHG Technical Report, and consequently would be consistent with the CAP. Pursuant to Mitigation Measure 4.4.1, development proposals within the Project site would be required to achieve a minimum of 100 Screening Table points. On this basis, the Project would be consistent with the CAP in effect at the time this EIR was prepared.

It is however recognized that the City is currently updating the CAP. The CAP as updated may implement performance standards and GHG emissions reduction targets differing from the current CAP. There is the potential for Project development proposals to conflict with as-yet-unknown performance standards and GHG emissions reduction targets implemented under the CAP update(s). Moreover, it cannot be assured that the CAP as updated by the City would be determined to be consistent with applicable State and regional plans adopted for the for the purpose of reducing the emissions of greenhouse gases. These are potentially significant impacts.

Level of Significance: Potentially Significant.

Mitigation Measures: Please refer to Mitigation Measures 4.4.1, 4.4.2.

Level of Significance After Mitigation: ***Significant and Unavoidable***. Mitigation measures identified in this analysis would act to ensure that to the extent feasible, the Project would be consistent with known and anticipated plans, policies, and regulation adopted for the purpose of reducing the emissions of greenhouse gases. More specifically:

- Pursuant to Mitigation Measure 4.4.1, development proposals within the Project site 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 CAP Screening Tables. Projects that achieve 100 Screening Table points are considered consistent with the current CAP. The current CAP point system may not however satisfy or comply with GHG emissions reduction targets and methodologies established under the CAP update. This analysis conservatively recognizes this as a significant and unavoidable impact.

- Pursuant to Mitigation Measure 4.4.2, development proposals within the Project site submitting building permit applications subsequent to approval and adoption of updates to the December 16, 2014 CAP shall comply with performance standards and GHG emissions reduction targets of the incumbent CAP. By definition, these projects would be consistent with the incumbent CAP. However, the CAP as updated may not consistent with applicable State and regional plans adopted for the purpose of reducing the emissions of greenhouse gases. This analysis conservatively recognizes this as a significant and unavoidable impact.

Based on the preceding, there is the potential for the Project to conflict with applicable plans, policies, and regulations adopted for the purpose of reducing the emissions of greenhouse gases. ***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 Project development proposals are consistent with the CAP as updated, the potential for the Project to conflict plans, policies, and regulations adopted for the purpose of reducing GHGs is considered a significant and unavoidable impact.***

4.5 NOISE

4.5 NOISE

Abstract

This Section assesses whether the Project would substantially increase ambient noise levels, or expose land uses to noise, groundborne noise, or groundborne vibration levels exceeding established standards. In this regard, potential impacts considered within this Section include:

- *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;*

- *Generation of excessive groundborne vibration or groundborne noise; or*

- *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.*

As discussed within this Section, noise impacts associated with the construction of offsite infrastructure improvements would remain significant and unavoidable even with the application of mitigation. All other potential noise impacts of the Project are determined to be less-than-significant or can be mitigated to levels that are less-than-significant.

4.5.1 INTRODUCTION

This Section presents the noise setting, methodology, standards of significance, and potential noise impacts associated with the Project. Where impacts are determined to be potentially significant, mitigation measures are proposed to avoid or reduce the severity of impacts. The information presented herein has been summarized from the *Merrill Commerce Center Specific Plan, Noise Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) July 28, 2020 (Noise Impact Analysis). The Noise Impact Analysis in its entirety is presented at EIR Appendix F.

4.5.2 SETTING

Following are discussions of noise fundamentals applicable to the Project, together with assessments of existing ambient noise levels and noise sources in the Project vicinity.

4.5.2.1 Fundamentals of Noise

Noise levels are measured on a logarithmic scale in decibels which are then weighted and added over a 24-hour period to reflect not only the magnitude of the sound, but also its duration, frequency, and time of occurrence. In this manner, various acoustical scales and units of measurement have been developed including equivalent sound levels (Leq), day-night average sound levels (Ldn) and community noise equivalent levels (CNEL).

"A-weighted" decibels (dBA) approximate the subjective response of the human ear to a broad frequency noise source by discriminating against the very low and very high frequencies of the audible spectrum. They are adjusted to reflect only those frequencies which are audible to the human ear. The decibel scale has a value of 0.0 dBA at the threshold of hearing and 120 dBA at the threshold of pain. Each interval of 10 decibels indicates a sound energy ten times greater than before, which is perceived by the human ear as being roughly twice as loud. Thus, a 1.0 decibel increase is just audible, whereas a 10-decibel increase means the sound is perceived as being twice as loud as before. Examples of the decibel level of various noise sources are provided in the following Figure 4.5-1.

COMMON OUTDOOR ACTIVITIES	COMMON INDOOR ACTIVITIES	A - WEIGHTED SOUND LEVEL dBA	SUBJECTIVE LOUDNESS	EFFECTS OF NOISE
THRESHOLD OF PAIN		140	INTOLERABLE OR DEAFENING	HEARING LOSS
NEAR JET ENGINE		130		
		120		
JET FLY-OVER AT 300m (1000 ft)	ROCK BAND	110		
LOUD AUTO HORN		100	VERY NOISY	
GAS LAWN MOWER AT 1m (3 ft)		90		
DIESEL TRUCK AT 15m (50 ft), at 80 km/hr (50 mph)	FOOD BLENDER AT 1m (3 ft)	80		SPEECH INTERFERENCE
NOISY URBAN AREA, DAYTIME	VACUUM CLEANER AT 3m (10 ft)	70	LOUD	
HEAVY TRAFFIC AT 90m (300 ft)	NORMAL SPEECH AT 1m (3 ft)	60		
QUIET URBAN DAYTIME	LARGE BUSINESS OFFICE	50	MODERATE	SLEEP DISTURBANCE
QUIET URBAN NIGHTTIME	THEATER, LARGE CONFERENCE ROOM (BACKGROUND)	40		
QUIET SUBURBAN NIGHTTIME	LIBRARY	30	FAINT	NO EFFECT
QUIET RURAL NIGHTTIME	BEDROOM AT NIGHT, CONCERT HALL (BACKGROUND)	20		
	BROADCAST/RECORDING STUDIO	10	VERY FAINT	
LOWEST THRESHOLD OF HUMAN HEARING	LOWEST THRESHOLD OF HUMAN HEARING	0		

Source: Urban Crossroads, Inc.

Figure 4.5-1
Typical Noise Levels

Noise Rating Schemes

Equivalent sound levels are not measured directly but rather are calculated from sound pressure levels typically measured in dBA. The equivalent sound level (Leq) is the constant level that, over a given time period, transmits the same amount of acoustic energy as the actual time-varying sound. Equivalent sound levels are the basis for both the Ldn and CNEL scales.

Day-night average sound levels (Ldn) are a measure of the cumulative noise exposure of the community. The Ldn value results from a summation of hourly Leqs over a 24-hour time period with an increased weighting factor applied to the nighttime period between 10:00 p.m. and 7:00 a.m. This noise rating scheme takes into account those subjectively more annoying noise events which occur during normal sleep hours.

Community noise equivalent levels (CNEL) also carry a weighting penalty for noise that occurs during the nighttime hours. In addition, CNEL levels include a penalty for noise events that occur during the evening hours between 10:00 p.m. and 7:00 a.m. Because of the weighting factors applied, CNEL values at a given location will always be larger than Ldn values, which in turn will exceed Leq values. However, CNEL values are typically within one decibel of the Ldn value.

Sound Propagation

For a "line source" of noise such as a heavily traveled roadway, the noise level drops off by a nominal value of 3.0 decibels for each doubling of distance between the noise source and the noise receiver. The nominal value of 3.0 dBA with doubling applies to sound propagation from a line source: (1) over the top of a barrier greater than 3 meters in height; or (2) where there is a clear unobstructed view of the highway, the ground is hard, no intervening structures exist and the line-of-sight between the noise source and receiver averages more than three meters above the ground.

Notwithstanding, environmental factors such as wind conditions, temperature gradients, characteristics of the ground (hard or soft) and the air (relative humidity), and the presence of vegetation combine to typically increase the attenuation achieved outside

laboratory conditions to approximately 4.5 decibels per doubling of distance. The increase in noise attenuation in exterior environments is particularly true: (1) for freeways with an elevated or depressed profile or exhibiting expanses of intervening buildings or topography; (2) where the view of a roadway is interrupted by isolated buildings, clumps of bushes, scattered trees; (3) when the intervening ground is soft or covered with vegetation; or (4) where the source or receiver is located more than three meters above the ground.

In an area which is relatively flat and free of barriers, the sound level resulting from a single "point source" of noise drops by six decibels for each doubling of distance or 20 decibels for each factor of ten in distance. This applies to fixed noise sources and mobile noise sources which are temporarily stationary, such as an idling truck or other heavy-duty equipment operating within a confined area (such as industrial processes or construction).

Noise Barrier Attenuation

Effective noise barriers can reduce noise levels by 10 to 15 dBA, cutting the loudness of traffic noise in half. A noise barrier is most effective when placed close to the noise source or receptor. Noise barriers, however, do have limitations. For a noise barrier to work, it must be high enough and long enough to block the view of the noise source.

4.5.2.2 Factors Affecting Motor Vehicle Noise

According to the Highway Traffic Noise Analysis and Abatement Policy and Guidance, provided by the Federal Highway Administration (FHWA), the level of traffic noise depends on three primary factors: (1) the volume of the traffic, (2) the speed of the traffic, and (3) the vehicle mix within the flow of traffic. Generally, the loudness of traffic noise is increased by heavier traffic volumes, higher speeds, and a greater number of trucks. A doubling of the traffic volume, assuming that the speed and vehicle mix do not change, results in a noise level increase of 3 dBA. The vehicle mixes on a given roadway may also have an effect on community noise levels. As the number of medium and heavy trucks increases and becomes a larger percentage of the vehicle mix, adjacent noise level impacts

will increase. Vehicle noise is a combination of the noise produced by the engine, exhaust, and tires on the roadway.

Ground-effect noise attenuation is reflected in the Project Noise Study. For acoustically absorptive conditions (e.g., where the source – receptor intervening surface comprises soft dirt, grass, scattered bushes and trees or similar), a ground attenuation value of 1.5 dB per doubling of distance is normally assumed. When added to the noise cylindrical spreading characteristics, the excess ground attenuation results in an overall attenuation rate of 4.5 dB per doubling of distance from a line noise source.[1] Per FHWA guidance, use of soft site conditions is appropriate for the application of the FHWA traffic noise prediction model used in this analysis.[2]

4.5.2.3 Community Responses to Noise

Approximately 10 percent of the population has a very low tolerance for noise and will object to any noise not of their making. Consequently, even in the quietest environment, some complaints will occur. Another 25 percent of the population will not complain even in very severe noise environments. Thus, a variety of reactions can be expected from people exposed to any given noise environment.

Despite this variability in behavior on an individual level, the population as a whole can be expected to exhibit the following responses to changes in noise levels. An increase or decrease of 1.0 dBA cannot be perceived except in carefully controlled laboratory experiments. A 3.0 dBA increase may be perceptible outside of the laboratory. An increase of 5.0 dBA is often necessary before any noticeable change in community response (i.e., complaints) would be expected.

[1] FHWA. "Highway Traffic Noise: Analysis and Abatement Guidance." *Federal Highway Administration*, www.fhwa.dot.gov/environment/noise/regulations_and_guidance/analysis_and_abatement_guidance/revguidance.pdf. p. 10. Accessed 25 Nov. 2019.

[2] *Highway Traffic Noise Analysis and Abatement Policy and Guidance* (FHWA) June 1995, p. 4.

Community responses to noise may range from registering a complaint by telephone or letter, to initiating court action, depending upon each individual's susceptibility to noise and personal attitudes about noise. Several factors are related to the level of community annoyance including:

- Fear associated with noise-producing activities;
- Noise receptor's perception that they are being unfairly treated;
- Attitudes regarding the usefulness of the noise-producing activity;
- Receptor's belief that the noise source can be controlled.

Recent studies have shown that changes in long-term noise levels are noticeable and are responded to by people. For example, about 10 percent of the people exposed to traffic noise of 60 Ldn will report being highly annoyed with the noise, and each increase of one Ldn is associated with approximately two percent more people being highly annoyed. When traffic noise exceeds 60 Ldn or aircraft noise exceeds 55 Ldn, people begin complaining. Group or legal actions to stop the noise should be expected to begin at traffic noise levels near 70 Ldn and aircraft noise levels near 65 Ldn.

4.5.2.4 Land Use Compatibility with Noise

Some land uses are more tolerant of noise than others. For example, schools, hospitals, churches and residences are more sensitive to noise intrusion than are commercial or industrial activities. As ambient noise levels affect the perceived amenity or liveability of a development, so too can the mismanagement of noise impacts impair the economic health and growth potential of a community by reducing the area's desirability as a place to live, shop and work. For this reason, land use compatibility with the noise environment is an important consideration in the planning and design process.

4.5.2.5 Current Noise Exposure

To assess the existing noise level environment, ten long-term noise level measurements were taken at receiver locations in the Project study area. The noise level measurement locations were selected to describe and document the existing noise environment within the Project study area. Figure 4.5-2 illustrates the locations of the measurement locations.



N

NOT TO SCALE

Source: Urban Crossroads, Inc.

Figure 4.5-2
Noise Measurement Locations

The long-term noise level measurements were positioned at the nearest noise sensitive receiver locations to assess the existing ambient hourly noise levels surrounding the Project site. The selected receivers represent a location of noise sensitive areas, and also represent noise modeling locations used to estimate the future noise level impacts. Collecting reference ambient noise level measurements at the nearby sensitive receiver locations allows for a comparison of the before and after Project noise levels. The results of the long-term noise level measurements are presented at Table 4.5-1.

Table 4.5-1
Ambient Noise Level Measurements

Location	Description	Energy Average Noise Level (dBA Leq)		Average Median Noise Level (dBA Leq)		CNEL
		Daytime	Nighttime	Daytime	Nighttime	
L1	Located on Edison Avenue, northwest of the Project site, near existing vacant rural-residential homes and agricultural land use.	71.4	69.1	61.1	53.3	76.1
L2	Located on Edison Avenue, north of the Project site, near existing rural-residential homes and agricultural land use.	69.8	66.7	62.7	52.1	73.9
L3	Located on Walker Avenue, north of the Project site, near existing rural-residential homes and agricultural land use.	60.9	55.3	51.3	45.4	63.2
L4	Located on Eucalyptus Avenue, near the northwestern boundary of the Project site, adjacent to existing rural-residential homes and agricultural land use.	70.6	66.9	55.7	47.7	74.2
L5	Located on Eucalyptus Avenue, near the northern boundary of the Project site, adjacent to existing rural-residential homes and agricultural land use.	67.5	64.7	57.1	54.9	71.8
L6	Located on Eucalyptus Avenue, near the northeastern boundary of the Project site, adjacent to existing rural-residential homes and agricultural land use.	61.5	58.2	49.3	43.4	65.5

Table 4.5-1
Ambient Noise Level Measurements

Location	Description	Energy Average Noise Level (dBA Leq)		Average Median Noise Level (dBA Leq)		CNEL
		Daytime	Nighttime	Daytime	Nighttime	
L7	Located on Eucalyptus Avenue, near the northeastern boundary of the Project site, adjacent to existing rural-residential homes and agricultural land use.	58.2	56.1	48.5	42.0	63.0
L8	Located on Grove Avenue, west of the Project site, adjacent to existing rural-residential homes and agricultural land use.	71.5	69.6	61.9	52.4	76.5
L9	Located on Grove Avenue, near the southwestern boundary of the Project site, adjacent to existing rural-residential homes and agricultural land use.	75.3	72.3	65.3	59.6	79.5
L10	Located on Merrill Avenue, near the southern boundary of the Project site, adjacent to existing rural-residential homes and agricultural land use.	67.1	62.7	58.9	48.9	70.3

Source: *Merrill Commerce Center Specific Plan, Noise Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) July 28, 2020.

Sensitive Receptors

Land uses classified as noise-sensitive by the State of California include: schools, hospitals, rest homes, long-term care centers, and mental care facilities. Some jurisdictions also consider day care centers, single-family dwellings, mobile home parks, churches, libraries, and recreation areas to be noise-sensitive. Moderately noise-sensitive land uses typically include: multi-family dwellings, hotels, motels, dormitories, out-patient clinics, cemeteries, golf courses, country clubs, athletic/tennis clubs, and equestrian clubs.

Land uses which are considered relatively insensitive to noise include business, commercial, and professional developments. Land uses that are typically not affected by noise include: industrial, manufacturing, utilities, agriculture, natural open space,

undeveloped land, parking lots, warehousing, liquid and solid waste facilities, salvage yards, and transit terminals.

4.5.2.6 Vibration

According to the Federal Transit Administration (FTA) Transit Noise Impact and Vibration Assessment, vibration is the periodic oscillation of a medium or object. The rumbling sound caused by the vibration of room surfaces is called structure borne noise. Sources of groundborne vibrations include natural phenomena (e.g., earthquakes, volcanic eruptions, sea waves, landslides) or human-made causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. As is the case with airborne sound, groundborne vibrations may be described by amplitude and frequency. Vibration is often described in units of velocity (inches per second), and discussed in decibel (dB) units in order to compress the range of numbers required to describe vibration. Vibration impacts are generally associated with activities such as train operations, construction and heavy truck movements.

The background vibration-velocity level in residential areas is generally 50 VdB. Groundborne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the groundborne vibration is rarely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration-velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings.

4.5.3 EXISTING POLICIES AND REGULATIONS

To limit population exposure to physically and/or psychologically damaging as well as intrusive noise levels, the federal government, the State of California, various county governments, and most municipalities in the State have established standards and ordinances to control noise. In most areas, automobile and truck traffic is the major source

of environmental noise. Traffic activity generally produces an average sound level that remains fairly constant with time. Air and rail traffic, and commercial and industrial activities are also major sources of noise in some areas. Federal, state, and local agencies regulate different aspects of environmental noise. Federal and state agencies generally set noise standards for mobile sources such as aircraft and motor vehicles, while regulation of stationary sources is left to local agencies.

4.5.3.1 State of California

General Plan Noise Element Requirement

The State of California regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards and provides guidance for local land use compatibility. State law requires that each county and city adopt a General Plan that includes a Noise Element which is to be prepared according to guidelines adopted by the Governor's Office of Planning and Research. The purpose of the Noise Element is to "limit the exposure of the community to excessive noise levels." In addition, the California Environmental Quality Act (CEQA) requires that all known environmental effects of a project be analyzed, including environmental noise impacts.

California Building Code

The State of California's noise insulation standards are codified in the California Code of Regulations, Title 24, Building Standards Administrative Code, Part 2, and the California Building Code. These noise standards are applied to new construction in California for the purpose of controlling interior noise levels resulting from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are located near major transportation noise sources, and where such noise sources create an exterior noise level of 60 dBA CNEL or higher. Acoustical studies that accompany building plans must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels. For new residential buildings, schools, and hospitals, the acceptable interior noise limit for new construction is 45 dBA CNEL.

4.5.3.2 City of Ontario

The City of Ontario General Plan (Policy Plan) identifies several policies to minimize the impacts of excessive noise levels throughout the community. Policy Plan Section S4, *Noise Hazards*, establishes a goal of maintaining an environment where noise does not adversely affect the public's health, safety, and welfare. To satisfy this goal, the Policy Plan identifies six policies related to: noise mitigation; coordination with transportation authorities; airport noise mitigation; truck traffic; roadway design; and airport noise compatibility. The Policy Plan provides guidelines to evaluate land use compatibility within various noise environments, as illustrated at Figure 4.5-3.

The Project land uses are considered clearly acceptable within exterior noise level environments approaching 70 dBA CNEL and normally acceptable within noise level environments up to 80 dBA CNEL. For noise level environments greater than 80 dBA CNEL, the Project land uses would be considered normally unacceptable and new construction is discouraged.

4.5.3.3 City of Chino

The City of Chino has adopted a Noise Element of the General Plan to control and abate environmental noise, and to protect the citizens of Chino from excessive exposure to noise. In addition, the Noise Element identifies noise polices designed to protect, create, and maintain an environment free from noise that may jeopardize the health or welfare of sensitive receptors, or degrade quality of life.

To protect Chino residents from excessive noise, the Noise Element establishes the following objectives:

N-1.1 Ensure appropriate exterior and interior noise levels for existing and new land uses.
N-1.2 Reduce noise impacts from transportation.
N-1.3 Control sources of construction noise.

LAND USE CATEGORIES		COMMUNITY NOISE EQUIVALENT LEVEL (CNEL)						
Category	Land Use	55	60	65	70	75	80	
Residential/ Lodging	Single Family / Duplex							
	Multi-Family							
	Mobile Homes							
	Hotel/Motels							
Public/Institutional	Schools/Hospitals							
	Churches/ Libraries							
	Auditoriums/Concert Halls							
Commercial	Offices							
	Retail							
Industrial	Manufacturing							
	Warehousing							
Recreational/ Open Space	Parks/Playgrounds							
	Golf Courses/ Riding Stables							
	Outdoor Spectator Sports							
	Outdoor Music Shells/ Amphitheaters							
	Livestock/Wildlife Preserves							
	Crop Agriculture							

LEGEND

Clearly Acceptable:	No special noise insulation required, assuming buildings of normal conventional construction.
Normally Acceptable:	Acoustical reports will be required for major new residential construction. Conventional construction with closed windows and fresh air supply systems of air conditioning will normally suffice.
Normally Unacceptable:	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.
Clearly Unacceptable:	No new construction should be permitted.

Source: Urban Crossroads, Inc.; City of Ontario General Plan

Figure 4.5-3
Land Use Compatibility Guidelines

The noise policies specified in the City of Chino Noise Element provide guidelines necessary to satisfy these objectives. The Noise Element also establishes policies to reduce noise impacts from transportation sources (e.g., vehicular noise emanating from surface roads and freeways, aircraft/airport noise, railroad noise sources). These policies include the use of street and right-of-way design, roadway alignment, noise barriers, and pavement surface treatments.

4.5.4 STANDARDS OF SIGNIFICANCE

Based on the noise criteria presented above, and direction provided within the *CEQA Guidelines* as implemented by the Ontario, Project noise impacts would be considered potentially significant if the Project is determined to result in or cause the following conditions:

- 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.

- Generation of excessive groundborne vibration or groundborne noise.

- 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.

Construction-Source Noise Significance Criteria

Noise Ordinance Standards

Project construction-source noise that would exceed noise standards established by ordinance would be considered potentially significant. Project construction-source noise could affect properties in the City of Ontario and the City of Chino. The City of Ontario does not identify specific construction-source noise level limits. The City of Chino Municipal Code does however establish construction-source noise criteria. These criteria

are considered relevant to the analysis presented here and are employed in evaluating potential construction-source noise impacts.

The City of Chino Noise Ordinance Section 9.40.060(D) provides that . . . "[n]oise sources associated with or vibration created by construction, repair, remodeling or grading of any real property or during authorized seismic surveys, provided said activities do not take place outside the hours for construction as defined in Section 15.44.030 of this code, and provided the noise standard of sixty-five dBA plus the limits specified in Section 9.40.040(B) as measured on residential property . . ." For the purposes of this analysis, Project construction-source noise exceeding 65 dBA at receiving noise-sensitive land uses would be considered potentially significant.

Contributions to Ambient Conditions

The City of Ontario and City of Chino do not define what would comprise a substantial noise contribution to ambient conditions. Within this analysis, consideration is given to the magnitude of noise level increases, ambient noise levels, and the location of noise-sensitive receivers to determine if a noise increase represents a potentially significant adverse environmental impact. This approach recognizes that there is no single noise increase that renders the noise impact significant.[3] There is however, no completely satisfactory way to measure the subjective effects of noise or of the corresponding human reactions of annoyance and dissatisfaction. This is primarily because of the wide variation in individual thresholds of annoyance and differing individual experiences with noise. An important way of determining a person's subjective reaction to noise is by measuring incremental effects of additional or new noise sources within the existing or *ambient* noise environment.

For the purposes of this analysis, when considering temporary construction-source noise contributions to ambient conditions, relevant State-level guidance was reviewed. More specifically, Caltrans' May 2011 Traffic Noise Analysis Protocol identifies a relative noise

[3] *Gray v. County of Madera, F053661.* 167 Cal.App.4th 1099; - Cal.Rptr.3d, October 2008.

increase of 12 dBA Leq as substantial. While the Caltrans 12 dBA Leq threshold was not created specifically to address construction-source noise, it is applied in this analysis as a reasonable threshold to assess temporary noise level increases during Project construction.

Operational-Source Noise Significance Criteria

Noise Ordinance Standards (Area Sources)

Project operational-source noise that would exceed noise standards established by ordinance would be considered potentially significant. Project operational-source noise could affect properties in the City of Ontario and/or City of Chino. Relevant City of Ontario and City of Chino Noise Ordinance criteria is presented at Table 4.5-2.

Table 4.5-2
City of Ontario and City of Chino
Noise Ordinance Standards (Operations)

City	Land Use	Time Period	Exterior Noise Levels (dBA L_{eq})[3]					
			Leq (E. Avg.)	L_{50} (30 mins)	L_{25} (15 mins)	L_8 (5 mins)	L_2 (1 min)	L_{max} (Anytime)
Ontario[1]	Residential	Daytime	65	-	65	-	-	85
		Nighttime	45	-	45	-	-	65
Chino[2]	Residential	Daytime	-	55	60	65	70	75
		Nighttime	-	50	55	60	65	70

Source: *Merrill Commerce Center Specific Plan, Noise Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) July 28, 2020.
Notes:
[1] Section 5-29.04 of the City of Ontario Municipal Code.
[2] Section9.40.040 of the City of Chino Municipal Code.
[3] dBA L_{eq} represents a steady state sound level containing the same total energy as a time varying signal over a given sample period. The percent noise level is the level exceeded "n" percent of the time during the measurement period. L_{25} is the noise level exceeded 25% of the time. "Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.; "E. Avg." = logarithmic (energy) average

Contributions to Ambient Conditions (Area Sources and Traffic)

For the purposes of evaluating long-term operational noise increases, Federal Interagency Committee on Noise (FICON) guidance has been employed in this analysis. FICON guidance is based on studies that relate aircraft noise levels to the percentage of persons highly annoyed by aircraft noise. Although the FICON guidance was specifically developed to assess aircraft noise impacts, this guidance is often used in environmental

noise impact assessments involving the use of cumulative noise exposure metrics, such as the average-daily noise level (CNEL) and equivalent continuous noise level (L_{eq}). FICON guidance is employed in this analysis when considering the significance of incremental noise increases in the context of ambient conditions, as summarized at Table 4.5-3.

Table 4.5-3
Incremental Noise Contribution Significance Criteria

Analysis	Significance Criteria	
Operational Noise-Traffic	Contributions to Ambient Conditions	
	if ambient is < 60 dBA CNEL	≥ 5 dBA CNEL Project increase
	if ambient is 60 - 65 dBA CNEL	≥ 3 dBA CNEL Project increase
	if ambient is > 65 dBA CNEL	≥ 1.5 dBA CNEL Project increase
	if ambient is < 70 dBA CNEL (non-sensitive land uses only)	≥ 5 dBA CNEL Project increase
	if ambient is > 70 dBA CNEL (non-sensitive land uses only)	≥ 3 dBA CNEL Project increase
Operational Noise-Area Sources	Contributions to Ambient Conditions	
	if ambient is < 60 dBA L_{eq}	≥ 5 dBA L_{eq} Project increase
	if ambient is 60 - 65 dBA L_{eq}	≥ 3 dBA L_{eq} Project increase
	if ambient is > 65 dBA L_{eq}	≥ 1.5 dBA L_{eq} Project increase

Source: *Merrill Commerce Center Specific Plan, Noise Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) July 28, 2020.

Vibration Criteria

The City of Ontario does not identify specific vibration level limits. The City of Chino Municipal Code does however establish vibration standards. These standards (identified below) are considered relevant to the analysis presented here and are employed in evaluating potential vibration impacts.

Construction-Source Vibration Criteria

The City of Chino Noise Ordinance Section 9.40.060(D) provides that vibration created by construction activities is exempt from provisions of the Ordinance, if any construction-source vibration does not endanger the public health, welfare, and safety. As a conservative measure, this analysis employs the City of Chino's more restrictive operational-source vibration standard (0.05 inches RMS vertical velocity) when evaluating construction-source noise impacts. Under this criteria, perceptible vibration would be considered potentially significant. Please refer to related discussion below.

Operational-Source Vibration Criteria

City of Chino Noise Ordinance Section 9.40.110 - *Vibration*, states in pertinent part:

> It is unlawful for any person to create, maintain or cause any ground vibration which is perceptible without instruments at any point on any affected property adjoining the property on which the vibration source is located. For the purpose of this chapter, the perception threshold shall be presumed to be more than 0.05 inches per second (root mean square–RMS) vertical velocity.

For the purposes of this analysis, received operational-source vibration exceeding 0.05 inches per second RMS would be considered potentially significant.

Summary

Significance criteria employed in this analysis are summarized at Table 4.5-4. These criteria reflect applicable City of Ontario and City of Chino noise/vibration standards, state and federal noise impact analysis protocols, and significance/threshold guidance provided at *CEQA Guidelines* Appendix G. Please refer also to related discussions presented at Project Noise Study Section 4.3, *Significance Criteria Summary*.

Table 4.5-4
Significance Criteria Summary

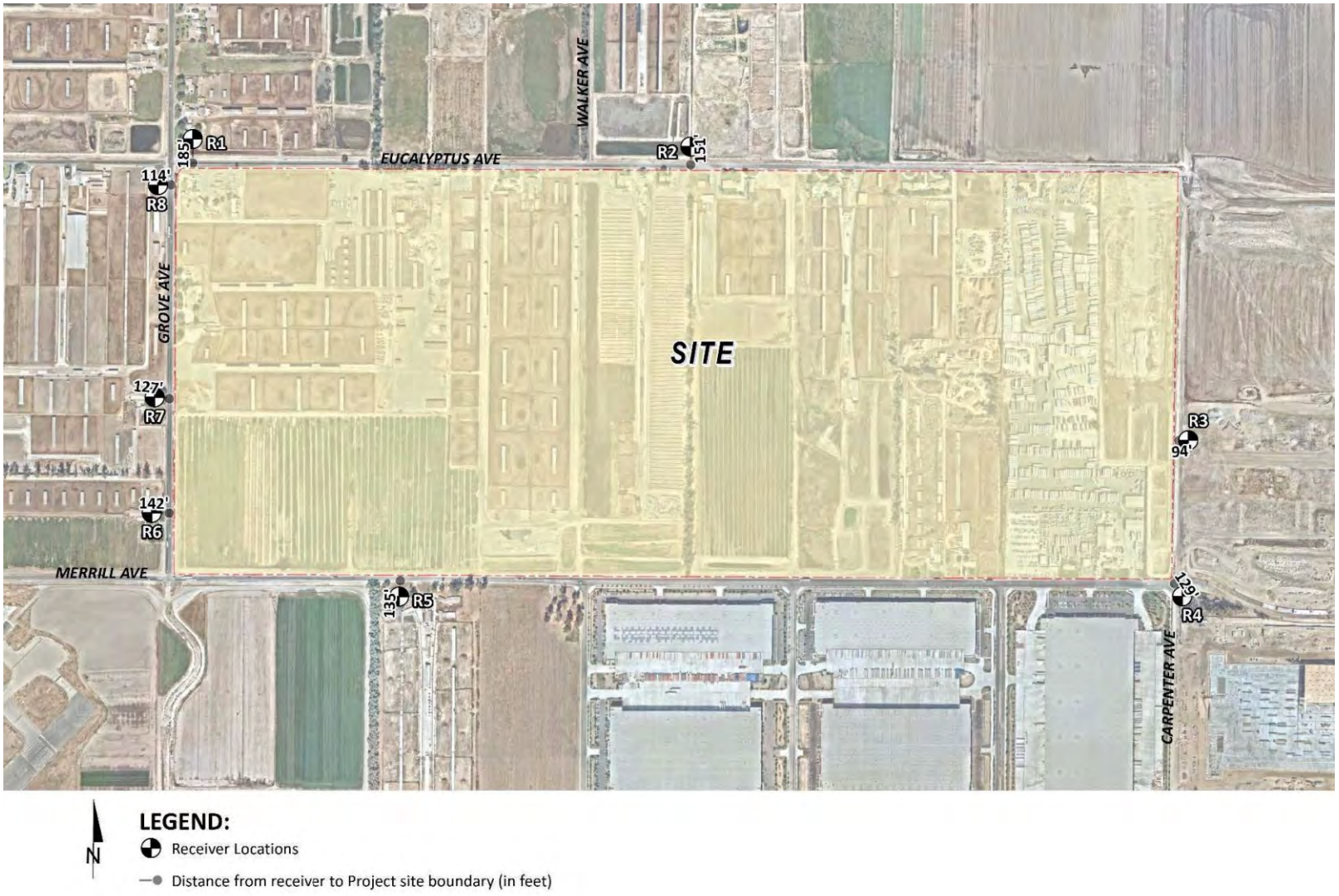
Analysis	Jurisdiction	Significance Criteria	
Operational Noise-Traffic	All	Contributions to Ambient Conditions	
		if ambient is < 60 dBA CNEL	≥ 5 dBA CNEL Project increase
		if ambient is 60 - 65 dBA CNEL	≥ 3 dBA CNEL Project increase
		if ambient is > 65 dBA CNEL	≥ 1.5 dBA CNEL Project increase
		if ambient is < 70 dBA CNEL (non-sensitive land uses only)	≥ 5 dBA CNEL Project increase
		if ambient is > 70 dBA CNEL (non-sensitive land uses only)	≥ 3 dBA CNEL Project increase
Operational Noise-Area Sources	All	Contributions to Ambient Conditions	
		if ambient is < 60 dBA L_{eq}	≥ 5 dBA L_{eq} Project increase
		if ambient is 60 - 65 dBA L_{eq}	≥ 3 dBA L_{eq} Project increase
		if ambient is > 65 dBA L_{eq}	≥ 1.5 dBA L_{eq} Project increase
Construction Noise	All	Ordinance Standards	> 65 dBA Leq
		Contributions to Ambient Conditions	> 12 dBA L_{eq}
Vibration	All	Ordinance Standards (City of Chino)	> 0.05 in/sec RMS

Source: *Merrill Commerce Center Specific Plan, Noise Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) July 28, 2020.

4.5.5 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.5.5.1 Introduction

Potential noise impacts of the Project are assessed in the following discussions. Potential impacts are evaluated under applicable criteria established at previous Section 4.5.4, *Standards of Significance*. Potential impacts of on-site construction-source and operational-source noise were evaluated at the receivers described below and identified at Figure 4.5-4.



Source: Urban Crossroads, Inc.

Figure 4.5-4
Receiver Locations

R1: Located approximately 185 feet north of the Project site, R1 represents an existing residential home serving the Gordon Hay Inc. Dairy in the City of Ontario. A 24-hour noise level measurement was taken near this location, L4, to describe the existing ambient noise environment.

R2: Location R2 represents vacant unoccupied agricultural land located approximately 151 feet north of the Project site in the City of Ontario. A 24-hour noise level measurement was taken near this location, L5, to describe the existing ambient noise environment.

R3: Located approximately 94 feet east of the Project site across Carpenter Avenue, R3 represents existing residential homes serving the Tiva Dairy in the City of Ontario. L7 represents the nearest 24-hour noise level measurement taken near this location to describe the existing ambient noise environment.

R4: Location R4 represents the existing residential home located at 9131 Merrill Avenue located approximately 129 feet southeast of the Project site. The 24-hour noise level measurement location L7 is used to describe the existing ambient noise environment.

R5: Located approximately 135 feet south of the Project, R5 represents a couple of existing residential homes serving the J&D Star Dairy. A 24-hour noise level measurement was taken near this location, L10, to describe the existing ambient noise environment.

R6: Located approximately 142 feet west of the Project site, R6 represents an existing residential home located at 14848 Grove Avenue. A 24-hour noise level measurement was taken near this location, L9, to describe the existing ambient noise environment.

R7: Location R7 represents the existing residential home located roughly 127 feet west of the Project site across Grove Avenue. A 24-hour noise level measurement was taken near this location, L8, to describe the existing ambient noise environment.

R8: Located approximately 114 feet west of the Project site, R8 represents an existing residential home located at 14544 Grove Avenue. A 24-hour noise level measurement was taken near this location, L8, to describe the existing ambient noise environment.

4.5.5.2 Impact Statements

Potential Impact: *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.*

Impact Analysis: The following discussions of potential noise impacts are organized to reflect categories or types of noise sources, including Construction-Source Noise, Operational/Area-Source Noise, and Vehicular-Source Noise.

Construction-Source Noise

On-site Project Construction Activities – Noise Standards Compliance

Reference noise level measurements were used to describe the typical construction activity noise levels for each Project construction stage. The construction reference noise level measurements represent a list of typical construction activity noise levels and can be found at Table 10-1 of the Project Noise Study. Project construction would include the following activities:

- Demolition
- Site Preparation
- Grading
- Building Construction

- Paving
- Architectural Coating

Using the reference construction equipment noise levels, Project construction-source noise levels (by activity) received at potentially affected receiver locations were estimated, as summarized at Table 4.5-5.

Table 4.5-5
Received Construction-Source Noise Levels by Activity (Unmitigated)

Receiver Location	Construction Noise Levels by Activity (dBA Leq)						
	Demolition	Site Preparation	Grading	Building Construction	Paving	Architectural Coating	Highest Construction Noise Level
R1	60.5	52.8	62.1	56.8	60.2	56.1	62.1
R2	62.3	54.6	63.9	58.6	62.0	57.9	63.9
R3	66.4	58.7	68.0	62.7	66.1	62.0	68.0
R4	63.7	56.0	65.3	60.0	63.4	59.3	65.3
R5	63.3	55.6	64.9	59.6	63.0	58.9	64.9
R6	62.8	55.1	64.4	59.1	62.5	58.4	64.4
R7	63.8	56.1	65.4	60.1	63.5	59.4	65.4
R8	64.7	57.0	66.3	61.0	64.4	60.3	66.3

Source: *Merrill Commerce Center Specific Plan, Noise Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) July 28, 2020.

As shown above, received unmitigated construction-source noise levels are expected to range from 62.1 to 68.0 dBA Leq. Table 4.5-6 summarizes the Project construction-source noise level ordinance compliance at potentially affected receivers.

Table 4.5-6
Received Construction-Source Noise Levels:
On-site Construction Activities (Unmitigated)

Receiver Location	Land Use	Maximum Received Construction-Source Noise Levels (dBA L_{eq})	Threshold (dBA L_{eq})	Threshold Exceeded?
R1	Residential	62.1	65	No
R2	Agricultural	63.9	n/a	No
R3	Residential	68.0	65	Yes
R4	Residential	65.3	65	Yes

Table 4.5-6
Received Construction-Source Noise Levels:
On-site Construction Activities (Unmitigated)

Receiver Location	Land Use	Maximum Received Construction-Source Noise Levels (dBA L_{eq})	Threshold (dBA L_{eq})	Threshold Exceeded?
R5	Residential	64.9	65	No
R6	Residential	64.4	65	No
R7	Residential	65.4	65	Yes
R8	Residential	66.3	65	Yes

Source: *Merrill Commerce Center Specific Plan, Noise Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) July 28, 2020.

Noise generated by on-site Project construction activities would exceed the applicable 65 dba Leq construction noise standard at receiver locations R3, R4, R7, and R8. On this basis, construction-source noise impacts at receiver locations R3, R4, R7, and R8 would be potentially significant.

Level of Significance: Potentially Significant.

Mitigation Measures:

4.5.1 *Provide a minimum 150-foot buffer distance between large construction equipment (e.g. dozers, graders, scrapers, etc.) and receiver locations R3, R4, R7 and R8, if residences at these locations are occupied and actively used at the time Project demolition and/or grading activities occur.*

4.5.2 *If a 150-foot buffer is not achievable, install temporary noise control barriers that provide a minimum noise level attenuation of 10.0 dBA when Project demolition or grading activities occur within 150 feet of existing residential structures, or other off-site sensitive land uses that are occupied and actively utilized. General noise control barrier design parameters are presented below, though any solution(s) providing the required 5.0 dBA noise attenuation is/are acceptable.*

- *The noise control barrier should present a generally solid face from top to bottom. Unnecessary openings should not be made.*

- *The noise control barrier shall be maintained and any damage in the barrier or openings between the barrier and the ground shall be promptly repaired.*
- *The noise control barrier(s) and associated elements shall be removed and affected portion(s) of the site restored at the conclusion of grading/demolition activities.*

4.5.3 Alternatively, the Applicant may employ construction equipment and construction techniques that would demonstrably ensure that noise levels at potentially affected sensitive receptors would not exceed 65 dBA. A combination of noise-receptor separation, noise barriers and use of noise reducing construction equipment and construction techniques may be employed provided that noise levels at potentially affected receptors does not exceed 65 dBA.

Level of Significance After Mitigation: Less-Than-Significant. Received noise levels at potentially affected locations reflecting a minimum 150-foot source-receptor buffer per Mitigation Measure 4.5.1 are presented at Table 4.5-7. Alternative Mitigation Measures 4.5.2, 4.5.3 would provide similar or superior mitigated conditions.

Table 4.5-7
Received Construction-Source Noise Levels:
On-site Construction Activities (Mitigated)

Receiver Location	Maximum Received Unmitigated Noise Level **(dBA L_{eq})**	**150 Foot Buffer Noise Attenuation (dBA L_{eq})**	Maximum Received Mitigated Noise Level **(dBA L_{eq})**	Threshold **(dBA L_{eq})**	Threshold Exceeded
R3	68.0	-4.0	64.0	65	No
R4	65.3	-1.3	64.0	65	No
R7	65.4	-1.4	64.0	65	No
R8	66.3	-2.3	64.0	65	No

Source: *Merrill Commerce Center Specific Plan, Noise Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) July 28, 2020.

Offsite Infrastructure Construction-Source Noise-Noise Standards Compliance

The Project would construct off-site infrastructure conveyance and distribution improvements for water, sewer, recycled water, storm drainage and fiber optics. The concept plans for the necessary infrastructure improvements are generally limited to the right-of-way of existing roadway segments. The installation of each of these services has

the potential to generate off-site construction noise level impacts to neighboring noise sensitive land uses. Using reference construction equipment noise levels, the noise levels associated with the off-site infrastructure improvements are presented at Table 4.5-8.

Table 4.5-8
Received Construction-Source Noise Levels:
Off-site Infrastructure Construction Activities

Roadway	Classification (# of lanes)	Distance to Adjacent Land Use	Received Noise Level
Archibald Ave.	Eastvale-Major Arterial (Expressway) (6)	110'	68.5
Archibald Ave.	Ontario-Principal Arterial (6)	60'	73.7
Eucalyptus Ave.	Ontario-Collector (4)	44'	76.4
Euclid Ave.	Chino-Major Arterial (Expressway) (8)	84'	70.8
Euclid Ave.	Ontario-Principal Arterial (8)	84'	70.8
Grove Ave.	Ontario-Principal Arterial (4)	50'	75.3
Grove Ave.	Ontario-Principal Arterial (6)	60'	73.7
Merrill Ave.	Ontario-Collector (4)	44'	76.4
Walker Ave.	Ontario-Collector (2)	44'	76.4

Source: *Merrill Commerce Center Specific Plan, Noise Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) July 28, 2020.

Maximum received infrastructure construction noise levels are estimated at 75.3 dBA Leq 50 feet from the source. A review of the off-site study area roadway segments indicates that the centerline distance to adjacent land uses range from 44 to 110 feet. As shown at Table 4.5-8, this translates into unmitigated infrastructure construction noise levels ranging from 68.5 to 76.4 dBA Leq at the adjacent land uses nearest the planned infrastructure routes. These received noise levels exceed the acceptable construction noise standard of 65 dBA Leq. The potential for off-site infrastructure construction activities to generate noise exceeding applicable standards would therefore be potentially significant.

Level of Significance Before Mitigation: Potentially Significant.

Mitigation Measures:

4.5.4 Off-site infrastructure improvement plans and construction documents shall include a note indicating that noise-generating Project construction activities shall only occur between the hours of 7:00 a.m. to 6:00 p.m. any weekday, or on Saturday or Sunday from 9:00 a.m. to 6:00 p.m. (City of Ontario Municipal Code, Section 5-29.09).

4.5.5 Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. Construction contractors shall place all stationary construction equipment so that emitted noise is directed away from the nearest noise sensitive receivers.

4.5.6 Construction contractors shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers.

4.5.7 Construction contractors shall limit haul truck deliveries to the same hours specified for construction equipment (between the hours of 7:00 a.m. to 6:00 p.m. any weekday, or on Saturday or Sunday from 9:00 a.m. to 6:00 p.m.). Contractors shall design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise.

Level of Significance After Mitigation: ***Significant and Unavoidable.*** Implementation of the above measures would reduce off-site construction-source noise levels at potentially affected receptors. However, the degree of reduction cannot be assured, and is subject to varied source-receptor distances, numbers and types of equipment used, variable terrain and weather conditions and other factors beyond control of the Applicant. For the purposes of this analysis, even with the application of mitigation, noise generated by construction of off-site infrastructure is assumed to exceed the applicable 65 dBA Leq noise standard, and would be significant and unavoidable.

Construction-Source Noise – Contributions to Ambient Conditions

To describe the temporary Project construction noise level contributions to the existing ambient noise environment, the Project construction noise levels were combined with the existing ambient noise levels measurements at the off-site receiver locations. The difference between the combined Project-construction and ambient noise levels are used to describe the construction noise level contributions. Temporary noise level increases that would be experienced at sensitive receiver locations when Project construction-source noise is added to the ambient daytime conditions are presented at Table 4.5-9.

Table 4.5-9
Construction-Source Noise Contributions to Ambient Conditions (Unmitigated)

Receiver Location	Project Construction Noise Level	Measurement Location	Reference Ambient Noise Levels	Combined Project and Ambient	Temporary Worst-Case Project Contribution	Threshold Exceeded?
R1	62.1	L4	70.6	71.2	0.6	No
R2	63.9	L6	61.5	65.9	4.4	No
R3	68.0	L7	58.2	68.4	10.2	No
R4	65.3	L7	58.2	66.1	7.9	No
R5	64.9	L10	71.4	72.3	0.9	No
R6	64.4	L9	75.3	75.6	0.3	No
R7	65.4	L8	71.5	72.5	1.0	No
R8	66.3	L8	71.5	72.6	1.1	No

Source: *Merrill Commerce Center Specific Plan, Noise Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) July 28, 2020.

As indicated at Table 4.5-9, the Project would contribute unmitigated construction-source noise levels ranging from 0.6 to 10.2 dBA Leq. The maximum contribution to ambient conditions (10.2 dBA Leq) would not exceed the 12 dBA Leq contribution significance threshold. Project construction-source noise contributions to ambient conditions would therefore not be substantial and the impact would be less-than-significant.

Level of Significance: Less-Than-Significant.

Operational-Source Noise

Area-Source Noise – Noise Standards Compliance

To estimate the Project operational noise impacts, reference noise level measurements were collected from similar types of activities to represent the noise levels expected with the development of the proposed Project, including cold storage loading dock activities, distribution/warehouse activities, roof-top air conditioning units, and parking lot vehicle movements. Based upon the reference noise levels (presented at Table 9-1 of the Noise Impact Analysis), it is possible to estimate the Project operational stationary-source noise levels at each of the sensitive receiver locations. Table 4.5-10 presents the Project area-source noise levels at nearby receivers in the context of applicable noise standards.

Table 4.5-10
Noise Threshold and Received Area-Source Noise Levels (Unmitigated)

	City	Noise Standards						
		L_{eq} (Hourly)	L_{50} (30 mins)	L_{25} (15 mins)	L_8 (5 mins)	L_2 (1 min)	L_{max} (<1 min)	
Daytime	**Ontario**	**65**	**-**	**65**	**-**	**-**	**85**	
Nighttime		**45**	**-**	**45**	**-**	**-**	**65**	
Daytime	**Chino**	**-**	**55**	**60**	**65**	**70**	**75**	
Nighttime		**-**	**50**	**55**	**60**	**65**	**70**	
Receiver Location	**City**	**Noise Level at Receiver Locations (dBA)**						**Threshold Exceeded?**
		L_{eq} (Hourly)	L_{50} (30 mins)	L_{25} (15 mins)	L_8 (5 mins)	L_2 (1 min)	L_{max} (<1 min)	
R1	Ontario	48.2	-	48.0	-	-	60.5	Yes
R2	Ontario	49.2	-	48.9	-	-	61.4	Yes
R3	Ontario	53.1	-	53.7	-	-	63.5	Yes
R4	Ontario	47.7	-	47.4	-	-	60.0	Yes
R5	Chino	-	50.7	52.0	53.1	54.9	61.8	Yes
R6	Ontario	51.1	-	51.7	-	-	61.5	Yes
R7	Ontario	50.7	-	51.3	-	-	61.2	Yes
R8	Ontario	49.4	-	49.2	-	-	61.7	Yes

Source: *Merrill Commerce Center Specific Plan, Noise Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) July 28, 2020.

Table 4.5-10 shows that Project area-source noise levels at potentially affected receivers would exceed applicable noise standards. Unmitigated Project operational area-source noise would therefore be potentially significant.

Level of Significance Before Mitigation: Potentially Significant.

Mitigation Measures:

4.5.8 *Cold storage loading dock activities and distribution/warehouse facilities shall be designed so that truck bays and loading docks are a minimum of 300 feet away from the property line of sensitive receivers, measured from the dock building door. This distance may be reduced if the site design includes berms or other similar features to appropriately shield and buffer the sensitive receivers from the active truck operations areas.*

4.5.9 *Cold storage loading dock activities and distribution/warehouse facilities shall be designed to provide adequate on-site parking for commercial trucks and passenger vehicles and on-site queuing for trucks that is away from sensitive receivers. The general queuing and spill-over of trucks onto surrounding public streets shall be prevented. Commercial trucks shall not be parked in the public road right-of-way or nearby residential areas.*

4.5.10 *All Project PA systems shall be oriented to direct sound away from sensitive receivers. PA volumes shall be set such that received noise levels not readily audible past the property line.*

4.5.11 *Individual development proposals within the Project site shall demonstrate to the satisfaction of the Lead Agency that noise impacts generated by such proposals would not exceed or be substantially different than noise impacts considered and addressed in the Project Noise Impact Analysis.*

Level of Significance After Mitigation: Less-Than-Significant. As indicated at Table 4.5-11, with the incorporation of Mitigation Measures 4.5.8 through 4.5.11, Project area-source noise at potentially affected receivers would comply with applicable standards.

As mitigated, Project operational area-source would not exceed applicable standards and would be less-than-significant.

Table 4.5-11
Noise Thresholds and Received Area-Source Noise Levels (Mitigated)

		Noise Standards						
	City	L_{eq} (Hourly)	L_{50} (30 mins)	L_{25} (15 mins)	L_8 (5 mins)	L_2 (1 min)	L_{max} (<1 min)	
Daytime	**Ontario**	**65**	**-**	**65**	**-**	**-**	**85**	
Nighttime		**45**	**-**	**45**	**-**	**-**	**65**	
Daytime	**Chino**	**-**	**55**	**60**	**65**	**70**	**75**	
Nighttime		**-**	**50**	**55**	**60**	**65**	**70**	
Receiver Location	**City**	**Noise Level at Receiver Locations (dBA)**						**Threshold Exceeded?**
		L_{eq} (Hourly)	L_{50} (30 mins)	L_{25} (15 mins)	L_8 (5 mins)	L_2 (1 min)	L_{max} (<1 min)	
R1	Ontario	37.3	-	37.2	-	-	50.5	No
R2	Ontario	37.9	-	37.8	-	-	51.3	No
R3	Ontario	38.5	-	38.2	-	-	52.5	No
R4	Ontario	37.7	-	37.6	-	-	51.0	No
R5	Chino	38.0	35.0	37.8	42.3	46.2	51.7	No
R6	Ontario	37.8	-	37.7	-	-	51.1	No
R7	Ontario	38.0	-	37.8	-	-	51.8	No
R8	Ontario	37.9	-	37.7	-	-	51.4	No

Source: *Merrill Commerce Center Specific Plan, Noise Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) July 28, 2020.

Area-Source Noise – Contributions to Ambient Conditions

To describe the Project operational area-source noise level contributions, the Project operational noise levels were combined with the ambient noise levels measurements at potentially affected receiver locations. Noise levels that would be experienced at receiver locations when Project-source noise is added to the daytime and nighttime ambient conditions are presented at Tables 4.5-12 and 4.5-13, respectively.

Table 4.5-12
Project Daytime Operational Area-Source Noise Contributions

Receiver Location	Total Project Operational Noise Level (dBA L_{eq})	Measurement Location	Reference Ambient Noise Levels (dBA L_{eq})	Combined Project and Ambient (dBA L_{eq})	Project Increase (dBA L_{eq})	Threshold (dBA L_{eq})	Threshold Exceeded?
R1	48.2	L4	70.6	70.6	0.0	1.5	No
R2	49.2	L6	61.5	61.7	0.2	3.0	No
R3	53.1	L7	58.2	59.4	1.2	5.0	No
R4	47.7	L7	58.2	58.6	0.4	5.0	No
R5	51.4	L10	67.1	67.2	0.1	1.5	No
R6	51.1	L9	75.3	75.3	0.0	1.5	No
R7	50.7	L8	71.5	71.5	0.0	1.5	No
R8	49.4	L8	71.5	71.5	0.0	1.5	No

Source: *Merrill Commerce Center Specific Plan, Noise Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) July 28, 2020.

Table 4.5-13
Project Nighttime Operational Area-Source Noise Contributions

Receiver Location	Total Project Operational Noise Level (dBA L_{eq})	Measurement Location	Reference Ambient Noise Levels (dBA L_{eq})	Combined Project and Ambient (dBA L_{eq})	Project Increase (dBA L_{eq})	Threshold (dBA L_{eq})	Threshold Exceeded?
R1	48.2	L4	66.9	67.0	0.1	1.5	No
R2	49.2	L6	58.2	58.7	0.5	5.0	No
R3	53.1	L7	56.1	57.9	1.8	5.0	No
R4	47.7	L7	56.1	56.7	0.6	5.0	No
R5	51.4	L10	62.7	63.0	0.3	3.0	No
R6	51.1	L9	72.3	72.3	0.0	1.5	No
R7	50.7	L8	69.6	69.7	0.1	1.5	No
R8	49.4	L8	69.6	69.6	0.0	1.5	No

Source: *Merrill Commerce Center Specific Plan, Noise Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) July 28, 2020.

As indicated at Tables 4.5-12, 4.5-13, the Project would generate an unmitigated daytime operational noise level increase of up to 1.2 dBA Leq, and an unmitigated nighttime operational noise level increase of up to 1.8 dBA Leq at the nearby receiver locations. These operational noise level contributions would not exceed the operational noise level increase significance criteria, and impacts would therefore be less-than-significant.

Level of Significance: Less-Than-Significant.

Vehicular-Source Noise

To assess vehicular-source noise impacts associated with development of the Project, noise contours were developed based on information presented in the *Merrill Commerce Center Specific Plan Traffic Impact Analysis*. As discussed at Section 3.4.3, *Development Concept*, and illustrated at Figure 3.4-4, *Phasing Concept*, the Project is anticipated to be implemented in 3 Phases – "A," "B," and "C". As such, noise contours were developed for the following traffic conditions:

- Existing (2019)
- Existing plus Project (E+P), with analysis broken down for:
  - Phase A: Planning Areas 4 and 5
  - Phase A + Phase B: where Phase B is Planning Areas 1, 2, 3, and 6
  - Phase A + Phase B + Phase C: where Phase C is Planning Areas 1A, 3A, 4A, 5A, and 6A
- Opening Year Cumulative (2022) Without Project
- Opening Year Cumulative (2022) With Project (Phase A)
- Opening Year Cumulative (2025) Without Project
- Opening Year Cumulative (2025) With Project (Phase A + Phase B)
- Opening Year Cumulative (2026) Without Project
- Opening Year Cumulative (2026) With Project (Project Buildout – All 3 Phases)
- Horizon Year (2040) Without Project
- Horizon Year (2040) With Project (Project Buildout – All 3 Phases)

Noise contours were used to assess the Project's incremental traffic-related noise impacts at land uses adjacent to roadways conveying Project traffic. Project noise contours are presented at Table 7-1 through 7-12 of the Project Noise Impact Analysis. Based on the noise contours, the following paragraphs summarize the vehicular-source noise impacts of the Project. Please also refer to Tables 7-13 through 7-19 of the Noise Impact Analysis.

Existing (2019) Phase A Traffic Noise Level Contributions

An analysis of existing traffic noise levels plus traffic noise generated by the proposed Project Phase A has been included for informational purposes only. The analysis of existing traffic noise levels plus traffic noise generated by the proposed Project scenario will not actually occur since the Project would not be fully constructed and operational until Year 2026. Existing without Project exterior noise levels are expected to range from 66.2 to 83.6 dBA CNEL, without accounting for any noise attenuation features such as noise barriers or topography. Existing with Project Phase A conditions will range from to 83.7 dBA CNEL. Project Phase A conditions will generate a noise level increase of up to 1.0 dBA CNEL on the study area roadway segments.

Existing (2019) Phase A+B Traffic Noise Level Contributions

An analysis of existing traffic noise levels plus traffic noise generated by the proposed Project Phase A+B has been included for informational purposes only. The analysis of existing traffic noise levels plus traffic noise generated by the proposed Project scenario will not actually occur since the Project would not be fully constructed and operational until Year 2026. Existing with Project Phase A+B conditions will range from 66.2 to 84.0 dBA CNEL. Project Phase A+B will generate a noise level increase of up to 2.5 dBA CNEL on the study area roadway segments.

Existing (2019) Phase A+B+C Traffic Noise Level Contributions

An analysis of existing traffic noise levels plus traffic noise generated by the proposed Project Phase A+B+C has been included for informational purposes only. The analysis of existing traffic noise levels plus traffic noise generated by the proposed Project scenario will not actually occur since the Project would not be fully constructed and operational until Year 2026. Existing with Project Phase A+B+C conditions will range from 66.9 to 84.1 dBA CNEL. Project Phase A+B+C will generate a noise level increase of up to 3.0 dBA CNEL on the study area roadway segments.

Opening Year 2022 Phase A Traffic Noise Level Contributions

Opening Year 2022 without Project conditions CNEL noise levels are expected to range from 67.1 to 84.1 dBA CNEL, without accounting for any noise attenuation features such as noise barriers or topography. Opening Year 2022 with Project Phase A conditions will range from 67.1 to 84.2 dBA CNEL. Project Phase A will generate a noise level increase of up to 0.9 dBA CNEL on the study area roadway segments. The maximum received noise levels would affect non-sensitive land uses. This Project-related noise level increase would not exceed applicable Project incremental increase threshold (≥ 3.0 dBA CNEL received at non-sensitive land uses) identified at Table 4.5-3. Project vehicular-source noise impacts would therefore be less-than-significant under Opening Year 2022 with Project Phase A Conditions. Please refer also to Project Noise Impact Analysis Table 7-16.

Opening Year 2025 Phase A+B Traffic Noise Level Contributions

Opening Year 2025 without Project conditions CNEL noise levels are expected to range from 67.8 to 84.5 dBA CNEL, without accounting for any noise attenuation features such as noise barriers or topography. Opening Year 2025 with Project Phase A+B conditions will range from 67.8 to 84.8 dBA CNEL. Project Phase A+B will generate a noise level increase of up to 2.0 dBA CNEL on the study area roadway segments. The maximum received noise levels would affect non-sensitive land uses. This Project-related noise level increase would not exceed applicable Project incremental increase threshold (≥ 3.0 dBA CNEL received at non-sensitive land uses) identified at Table 4.5-3. Project vehicular-source noise impacts would therefore be less-than-significant under Opening Year 2025 with Project Phase A+B Conditions. Please refer also to Project Noise Impact Analysis Table 7-17.

Opening Year 2026 Phase A+B+C Traffic Noise Level Contributions

Opening Year 2026 without Project conditions CNEL noise levels are expected to range from 68.0 to 84.5 dBA CNEL, without accounting for any noise attenuation features such as noise barriers or topography. Opening Year 2026 with Project Phase A+B+C conditions will range from 68.4 to 85.0 dBA CNEL. Project Phase A+B+C will generate a noise level increase of up to 2.3 dBA CNEL on the study area roadway segments. The maximum received noise levels would affect non-sensitive land uses. This Project-related noise level increase would not exceed applicable Project incremental increase threshold (≥ 3.0 dBA

CNEL received at non-sensitive land uses) identified at Table 4.5-3. Project vehicular-source noise impacts would therefore be less-than-significant under Opening Year 2026 with Project Phase A+B+C Conditions. Please refer also to Project Noise Impact Analysis Table 7-18.

Horizon Year 2040 Phase A+B+C Traffic Noise Level Contributions

Horizon Year 2040 without Project conditions CNEL noise levels are expected to range from 68.2 to 85.1 dBA CNEL, without accounting for any noise attenuation features such as noise barriers or topography. Horizon Year 2040 with Project Phase A+B+C conditions will range from 69.4 to 85.4 dBA CNEL. Project Phase A+B+C will generate a noise level increase of up to 2.2 dBA CNEL on the study area roadway segments. The maximum received noise levels would affect non-sensitive land uses. This Project-related noise level would not exceed applicable Project incremental increase threshold (≥ 3.0 dBA CNEL received at non-sensitive land uses) identified at Table 4.5-3. Project vehicular-source noise impacts would therefore be less-than-significant under Horizon Year 2040 with Project Phase A+B+C Conditions. Please refer also to Project Noise Impact Analysis Table 7-19.

Level of Significance: Less-Than-Significant.

Potential Impact: *Generation of excessive groundborne vibration or groundborne noise.*

Impact Analysis:

Construction-Source Vibration

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. It is expected that groundborne vibration from Project construction activities would cause only intermittent, localized intrusion. The vibration analysis shows the highest construction vibration levels in root-mean-square (RMS) velocity are expected to approach 0.009 in/sec RMS at the nearby receiver locations. Since the City of Ontario does not identify specific vibration level thresholds, the vibration level threshold used in this analysis is based on the City of Chino 0.05 in/sec RMS standard. The construction

vibration analysis shows that the Project construction activities will satisfy the vibration standard of 0.05 in/sec RMS at all receiver locations during Project construction.

Further, the Project-related construction vibration levels do not represent levels capable of causing building damage to nearby residential homes. The FTA identifies construction vibration levels capable of building damage ranging from 0.12 to 0.5 in/sec PPV. The peak Project-construction vibration levels, approaching 0.012 in/sec PPV, will not exceed the FTA vibration levels for building damage at the residential uses near the Project site.

Further, the impacts at the site of the closest sensitive receivers are unlikely to be sustained during the entire construction period but will occur rather only during the times that heavy construction equipment is operating adjacent to the Project site perimeter. Construction at the Project site will be restricted to daytime hours consistent with City requirements thereby eliminating potential vibration impact during the sensitive nighttime hours.

Operational-Source Vibration

Project operations would include heavy trucks moving onsite to and from the loading dock areas. Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. Typical vibration levels for the Merrill Commerce Center Specific Plan heavy truck activity at normal traffic speeds will approach 0.012 in/sec root-mean-square (RMS) velocity at 25 feet based on the Federal Transit Administration (FTA) Transit Noise Impact and Vibration Assessment. Trucks transiting on-site will be travelling at very low speeds. Delivery truck vibration impacts at nearby homes would therefore not exceed the City of Chino 0.05 in/sec RMS vibration level standard.

Level of Significance: Less-Than-Significant.

Potential Impact: *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.*

Impact Analysis: The Project site is located roughly 1,000 feet northeast of Chino Airport Runway 3-21. The Los Angeles/Ontario International Airport (LA/ONT) is located approximately 4.3 miles northerly of the Project site.

The City of Ontario is currently developing a Compatibility Plan for Chino Airport (Compatibility Plan) that relies on procedures and requirements outlined in *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*.
See also: https://dot.ca.gov/-/media/dot-media/programs/aeronautics/documents/californiaairportlanduseplanninghandbook-a11y.pdf

For compatibility planning purposes, the noise contours reflecting the County's aircraft activity forecast of 209,400 annual operations for 2025 is considered to be representative of the likely maximum number of aircraft operations that could be realized over the requisite 20-year forecast period (2039) (Compatibility Plan, n.p.).

Only the 55 dB CNEL contour affects lands within the City of Ontario. Since the affected area [including the Project site] is planned for future industrial uses, no significant impacts are anticipated (Compatibility Plan, n.p.). Further, conventional construction methods employed in construction of development proposals within the Project site would eliminate potentially adverse noise intrusion upon indoor spaces. In this regard, standard building construction practices required under the State of California Green Building Standards Code (CALGreen) typically provide up to 25 dBA CNEL of attenuation. With respect to noise generated by Chino Airport facilities and activities, application of standard CALGreen construction practices would yield acceptable Project interior noise levels approximating 35 dBA CNEL.

The Project site is also within the airport influence area of LA/ONT. Based on the LA/Ontario International Airport Land Use Compatibility Plan, industrial land uses located outside of the 60 dBA CNEL noise level contours of LA/ONT (such as the Project) are considered a normally compatible land use and must reduce interior noise levels to 50 dBA CNEL. With respect to noise generated by LA/ONT facilities and activities, application of standard CALGreen construction practices would yield acceptable Project interior noise levels approximating 35 dBA CNEL. The Project does not propose facilities or operations that would exacerbate any adverse airport-source noise conditions.

Based on the preceding, the potential for the Project to result in or cause expose people residing or working in the Project area to excessive airport-source noise levels would be less-than-significant.

Level of Significance: Less-Than-Significant.

4.6 HAZARDS/HAZARDOUS MATERIALS

4.6 HAZARDS/HAZARDOUS MATERIALS

Abstract

This Section identifies and addresses potential hazards and hazardous materials impacts that may result from the implementation and operations of the Project. More specifically, the hazards and hazardous materials analysis presented here examines whether the Project would:

- *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;*

- *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment;*

- *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;*

- *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;*

- *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 the people residing or working in the project area; or*

- *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.*

Additionally, as discussed in the EIR Initial Study (EIR Appendix A), the Project's potential impacts under the following topic were previously determined to be less-than-significant, and are not further substantively discussed here:

- *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.*

As supported by the analysis presented in this Section, with the application of mitigation, and the Project's mandated compliance with existing rules and regulations, potential hazards and hazardous materials impacts of the Project are less-than-significant.

4.6.1 INTRODUCTION

The analysis presented in this Section addresses the potential impacts of hazards and/or hazardous materials associated with the construction and operation of the proposed Merrill Commerce Center Specific Plan Project. The analysis considers potential hazards/hazardous conditions affecting the Project site; and also considers potential hazards resulting from the Project, including potential effects at off-site land uses.

The Specific Plan area is comprised of five properties, referred to herein as the Borba, Liberty, Minaberry, Lanting, and Alewyn properties. Figure 4.6-1 illustrates the location of each of these properties within the Project site.

Information presented in this Section is summarized in part from the following documents:

- *Phase I Environmental Site Assessment, Borba Land Phase II (189 acres), 14545 South Grove Avenue, Ontario, California 91762* (Partner Engineering and Science, Inc.) May 2, 2017;

- *Limited Phase II Subsurface Investigation and Limited Methane Investigation Report, Borba Land Phase II (189 acres) 14545 South Grove Avenue, Ontario, California 91762* (Partner Engineering and Science, Inc.) June 26, 2017;



NOT TO SCALE

Source: Google Earth; Applied Planning, Inc.

Figure 4.6-1
On-site Properties

- *Phase I Environmental Site Assessment, GH Dairy Farm, 8643 Eucalyptus Avenue, Ontario, San Bernardino County, California* (AECOM) April 13, 2017;

- *Limited Phase II Environmental Site Assessment, GH Dairy, 8643 Eucalyptus Avenue, Ontario, San Bernardino County, CA* (AECOM) June 12, 2017;

- *Phase I Environmental Site Assessment Report, Minaberry Land, 8731 Eucalyptus Avenue, Ontario, California 91762* (Partner Engineering and Science, Inc.) February 28, 2017;

- *Limited Methane Investigation Report, 8731 Eucalyptus Avenue, Ontario, California 91762* (Partner Engineering and Science, Inc.) May 31, 2017;

- *Phase I Environmental Site Assessment Report, Lanting Land, 9032 Merrill Avenue and 8911 Eucalyptus Avenue, Ontario, California 91762* (Partner Engineering and Science, Inc.) August 24, 2018;

- *Limited Phase II Subsurface Investigation and Limited Methane Investigation Report, Lanting Land, 9032 Merrill Avenue, Ontario, California 91762* (Partner Engineering and Science, Inc.) August 31, 2018;

- *Phase I Environmental Site Assessment Report, Alewyn Land, 9031 Eucalyptus Avenue, Ontario, California 91762* (Partner Engineering and Science, Inc.) August 2, 2018; and

- *Limited Methane Investigation Report, Alewyn Land, 9031 Eucalyptus Avenue, Ontario, California 91762* (Partner Engineering and Science, Inc.) August 31, 2018;

These documents are presented in their entirety as EIR Appendix G.

4.6.2 SETTING

The physical setting of the Project provided here serves as context for potential hazards associated with, or resulting from, the Project.

4.6.2.1 Project Site Land Use

The Project site currently contains a variety of land uses including a dairy farm, cattle stockades, and trucking operations on the eastern side of the Project site. The site also includes ancillary support equipment for cattle and dairy farming, bio-retention basins located at the southern boundary, and appurtenant residences at various locations throughout the Project site.

4.6.2.2 Project Site History

Based on historical research conducted as part of the Phase I ESAs, the Project site was historically used for agricultural uses beginning in the late 1930s. By the late 1960s, the site had transitioned to dairy uses.

4.6.2.3 Vicinity Land Uses

The Project site is bound by Eucalyptus Avenue and agricultural land uses to the north; Merrill Avenue, agricultural land uses, logistics warehouses, the Chino Airport, and vacant land to the south; Grove Avenue and agricultural land uses to the west; and Carpenter Avenue and a dairy operation to the east.

4.6.3 EXISTING HAZARDS/HAZARDOUS CONDITIONS

Existing hazardous conditions affecting the Project site and surrounding areas have been identified within the previously-referenced environmental documents. Results and findings of those documents are summarized below.

4.6.3.1 Potential Project Site Hazards

Potential on-site hazards discussed below are categorized by property, based on the studies listed previously at Section 4.6.1. All of the properties described below lie within Merrill Commerce Center Specific Plan area.

Borba Property

The Phase I ESA prepared for this portion of the Project site (*Phase I Environmental Site Assessment, Borba Land Phase II (189 acres), 14545 South Grove Avenue, Ontario, California 91762* [Partner Engineering and Science, Inc.] May 2, 2017) identified the following concerns:

- Animal waste from the long-term dairy farm uses have potentially created methane gas, and soil contamination from nitrates and ammonia.

- Numerous automotive fluids, including several large above ground storage tanks (ASTs) on or near the on-site maintenance shop. These materials are used for maintaining and repairing farm equipment.

- Additional ASTs used for truck and equipment refueling are located on-site.

- A scrap metal area containing drums, ASTs, farming equipment, and vehicles is located on the property.

- The property is located within the South Archibald Tricholroethyleme (TCE) Plume. The 2,000-acre TCE Plume contains contaminated groundwater that underlies the Project site.

- Dairy operations use formaldehyde, iodine, and glycerol to wash the cows. The dairies also use muriatic acid and chlorinated alkaline as a cleaning solution. Pesticides are applied to prevent parasite infestations. Wastewater from these processes is discharged to the pastures for irrigation.

- General debris observed throughout the property, including vehicle equipment staging areas, used tires, concrete rubble piles, compressors, and generators may have the potential to impact on-site surficial soil.

- The majority of on-site structures were constructed prior to 1988, when the United States passed the Lead Contamination Control Act. As such, asbestos containing materials (ACMs) and lead-based paint (LBP), both of which were widely used in the past but are now known to pose human health risks, may be present.

- Septic systems are located within the property.

To address the possible soil contamination and presence of methane identified by the Phase I ESA for the Borba property, a subsurface and methane investigation was conducted (*Limited Phase II Subsurface Investigation and Limited Methane Investigation Report, Borba Land Phase II (189 acres) 14545 South Grove Avenue, Ontario, California 91762* [Partner Engineering and Science, Inc.] June 26, 2017). No evidence of contamination was detected at the maintenance or refueling area. One gasoline-related VOC was detected at the scrap metal area at a concentration well below applicable criteria. Methane was detected at a concentration of 16,100 parts per million per volume (ppmV) at one sample taken from the site. Methane is not toxic; however, it is combustible and potentially explosive at concentrations higher than 53,000 ppm in the presence of oxygen. A subsurface methane concentration of approximately 5,000 ppm is generally accepted as an "action level."

The concerns identified above, and their potential to affect the Project, are discussed further at Section 4.6.6.2, *Impact Statements*.

Liberty Property

The Phase I ESA prepared for this portion of the Project site (*Phase I Environmental Site Assessment, GH Dairy Farm, 8643 Eucalyptus Avenue, Ontario, San Bernardino County, California* [AECOM] April 13, 2017) identified the following concerns:

- Animal waste from the long-term dairy farm uses on-site have potentially created methane gas, and soil contamination from nitrates and ammonia.

- Pesticides, herbicides, and arsenic could be present in on-site soils due to the property's previous agricultural use.

- Dairy operations use formaldehyde, iodine, and glycerol to wash the cows. Pesticides are applied to prevent parasite infestations. The dairies also use muriatic acid and chlorinated alkaline as a cleaning solution. Wastewater from these processes is discharged to the pastures for irrigation.

- The property is located within the South Archibald TCE Plume.

- Drains, pits, various buckets, cans, and drums, compressors, and ASTs were observed throughout the property. This general debris may have the potential to impact on-site surficial soil.

- ACMs and LBP may be present within the on-site structures.

- Water supply wells are known to exist at the property.

- Septic systems are located within the property.

To address the possible soil contamination identified by the Phase I ESA for the Liberty property, soil sampling was conducted (*Limited Phase II Environmental Site Assessment, GH Dairy, 8643 Eucalyptus Avenue, Ontario, San Bernardino County, CA* [AECOM] June 12, 2017). Although pesticides and herbicides were detected as part of the soil analysis, the samples tested were below their respective California Human Health Screening Levels Residential Scenario Soil Screening Number. Arsenic was detected at concentrations above the California Human Health Screening Levels Residential Scenario and Commercial/Industrial Scenario. However, the Phase II determined that the concentrations of arsenic observed in the collected soil samples lie within the range of naturally occurring background arsenic concentrations in southern California. These concentrations do not warrant further investigation, and no construction-related special handling is required.

The concerns identified above, and their potential to affect the Project, are discussed further at Section 4.6.6.2, *Impact Statements*.

Minaberry Property

The Phase I ESA prepared for this portion of the Project site (*Phase I Environmental Site Assessment Report, Minaberry Land, 8731 Eucalyptus Avenue, Ontario, California 91762* [Partner Engineering and Science, Inc.] February 28, 2017) identified the following concerns:

- The long-term dairy farm uses on-site have created the potential for methane, nitrates, and ammonia in the soil from animal waste.

- Pesticides, herbicides, and arsenic could be present in on-site soils due to the property's previous agricultural use.

- The property is located within the South Archibald TCE Plume.

- An approximately 500-gallon AST used to store diesel for farm equipment refueling is located on-site.

- Dairy operations use formaldehyde, iodine, and glycerol to wash the cows. Pesticides are applied to prevent parasite infestations. The dairies also use muriatic acid and chlorinated alkaline as a cleaning solution. Wastewater from these processes is discharged to the pastures for irrigation.

- ACMs and LBP may be present within the on-site structures.

- Abandoned vehicles, silos, empty ASTs, tires, and farm equipment no longer in use were observed throughout the property. This general debris may have the potential to impact on-site surficial soil.

- Water supply wells are known to exist at the property.

- Septic systems are located within the property.

Based on the methane concerns identified as part of the Phase I ESA for the Minaberry property, a Methane Investigation was conducted (*Limited Methane Investigation Report, 8731 Eucalyptus Avenue, Ontario, California 91762* [Partner Engineering and Science, Inc.] May 31, 2017). Of the 18 samples collected, four detected methane (at concentrations of 4,000 ppmV, 45,000 ppmV, 15,000 ppmV, and 10,000 ppmV).

The concerns identified above, and their potential to affect the Project, are discussed further at Section 4.6.6.2, *Impact Statements*.

Lanting Property

The Phase I ESA prepared for this portion of the Project site (*Phase I Environmental Site Assessment Report, Lanting Land, 9032 Merrill Avenue and 8911 Eucalyptus Avenue, Ontario, California 91762* [Partner Engineering and Science, Inc.] August 24, 2018) identified the following concerns:

- The long-term dairy farm uses on-site have created the potential for methane, nitrates, and ammonia in the soil from animal waste.

- Pesticides, herbicides, and arsenic could be present in on-site soils due to the property's previous agricultural use.

- The property is located within the South Archibald TCE Plume.

- Various hazardous substances are used on-site in connection with the trucking operation. These substances are typical of service and fueling operations, and include diesel, diesel exhaust fluid, motor oil, antifreeze, transmission fluid, gear oil, a non-VOC-based parts washing solution, paints, and aerosols. Wastes generated on-site include waste oil, waste antifreeze, and used oil filters.

- A portion of the site was previously occupied by a construction company. The exact types of operations and substances associated with the construction company are unclear.

- A total of 0.175 tons of "contaminated soils from site clean-up" were reported as waste generation by the DTSC in 2009. No other regulatory records were found. Due to the limited quantity involved, and the fact that no follow up records exist, it can be assumed that the cleanup was related to a minor spill that was abated without regulatory oversight and the waste was categorized as hazardous and transferred off-site for disposal.

- ACMs and LBP may be present within the on-site structures.

- Water supply wells are known to exist at the property.

- Septic systems are located within the property.

Based on the recommendations of the Phase I ESA, further testing was conducted at this property as part of the Phase II Subsurface and Methane Investigation Report *(Limited Phase II Subsurface Investigation and Limited Methane Investigation Report, Lanting Land, 9032 Merrill Avenue, Ontario, California 91762* [Partner Engineering and Science, Inc.] August 31, 2018).

Methane was not detected above State and local regulatory screening levels on the Lanting property. Additionally, no evidence of a significant release was detected in the truck maintenance area. Although VOCs were detected, the concentrations are well below applicable regulatory criteria.

The concerns identified above, and their potential to affect the Project, are discussed further at Section 4.6.6.2, *Impact Statements*.

Alewyn Property

The Phase I ESA prepared for this portion of the Project site (*Phase I Environmental Site Assessment Report, Alewyn Land, 9031 Eucalyptus Avenue, Ontario, California 91762* [Partner Engineering and Science, Inc.] August 2, 2018) identified the following concerns:

- The long-term dairy farm uses on-site have created the potential for methane, nitrates, and ammonia in the soil from animal waste.
- Pesticides, herbicides, and arsenic could be present in on-site soils due to the property's previous agricultural use.
- The property is located within the South Archibald TCE Plume.
- Formaldehyde, iodine, and glycerol are used to wash the cows associated with the dairy operation. Pesticides are applied to prevent parasite infestations. Additionally, muriatic acid and chlorinated alkaline cleaning solution is used for cleaning. Wastewater from these processes is discharged to the pastures for irrigation.
- ACMs and LBP may be present within the on-site structures.
- Water supply wells are known to exist at the property.
- Septic systems are located within the property.

Based on the methane concerns identified as part of the Phase I ESA for the Alewyn property, a Methane Investigation was conducted (*Limited Methane Investigation Report, Alewyn Land, 9031 Eucalyptus Avenue, Ontario, California 91762* [Partner Engineering and Science, Inc.] August 31, 2018). Of the nine samples collected, only one detected methane. The concentration detected, 1,200 ppmV, is below local regulatory screening levels.

The concerns identified above, and their potential to affect the Project, are discussed further at Section 4.6.6.2, *Impact Statements*.

4.6.3.2 Potential Vicinity Hazards

Database Search

An environmental database search was performed as part of the Phase I ESAs, including federal, state, local, and databases, to evaluate whether properties within the vicinity of the site have been reported as having experienced significant events with potentially adverse environmental effects. Various vicinity properties were identified within the database search. Based on the information provided for these properties and/or the type of database on which the properties were listed, it was unlikely that any of these listed sites would result in, or cause, environmental concerns that would affect the Project site. Please refer also to Section 4.2.1, *Regulatory Database Summary*, of the Phase I ESAs.

Chino Airport

The Project site is located adjacent to Chino Airport, a municipal airport owned by San Bernardino County. Chino Airport encompasses approximately 1,150 acres bounded by Euclid Avenue, Merrill Avenue, Walker Avenue and Kimball Avenue. The airfield is classified as a General Utility (GU) airport and is operated by the San Bernardino County Department of Airports. Operation of Chino Airport creates potential hazard/safety impacts affecting nearby land uses.

4.6.4 HAZARDS/HAZARDOUS MATERIALS POLICIES AND REGULATIONS

A number of federal, state, and local laws have been enacted to regulate and manage hazardous materials. Implementation of these laws and the associated management of hazardous materials are regulated independently of the CEQA process, through programs administered by various agencies at the federal, state, and local levels. An overview of regulatory agencies and certain key hazardous materials laws and regulations applicable to the Project, and to which the Project must conform, is provided below.

4.6.4.1 Federal

Several federal agencies regulate hazardous materials. These include the United States Environmental Protection Agency (USEPA), the United States Occupational Safety and Health Administration (USOSHA), and the United States Department of Transportation (USDOT). Applicable Federal Regulations are contained primarily in Titles 10, 29, 40, and 49 of the Code of Federal Regulations (CFR). In particular, Title 49 of the CFR governs the manufacture of packaging and transport containers; packing and repacking; labeling and the marking of hazardous material transport. Some of the major federal laws and issue areas include the following statutes and implementing regulations:

- Resources Conservation and Recovery Act (RCRA) - hazardous waste management;
- Hazardous and Solid Waste Amendments Act (HSWA) - hazardous waste management;
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) - cleanup of contamination;
- Superfund Amendments and Reauthorization Act (SARA) - cleanup of contamination; and
- Emergency Planning and Community Right-to-Know (SARA Title III) - business inventories and emergency response planning.

The USEPA is the primary federal agency responsible for the implementation and enforcement of hazardous materials regulations. In most cases, enforcement of environmental laws and regulations established at the federal level is delegated to state and local environmental regulatory agencies.

In addition, with respect to emergency planning, the Federal Emergency Management Agency (FEMA) is responsible for ensuring the establishment and development of policies and programs for emergency management at the federal, state, and local levels. This includes the development of a national capability to mitigate against, prepare for, respond to, and recover from a full range of emergencies.

Hazardous Waste Handling

The USEPA has authorized the California Department of Toxic Substance Control (DTSC) to enforce hazardous waste laws and regulations in California. Requirements place "cradle-to-grave" responsibility for hazardous waste disposal on the shoulders of hazardous waste generators. Waste generators must ensure that their wastes are disposed of properly, and legal requirements dictate the disposal requirements for many waste streams (e.g., a ban on many types of hazardous wastes from landfills).

Hazardous Materials Transport

The USDOT Office of Hazardous Materials Safety has developed regulations pertaining to the transport of hazardous materials and hazardous wastes by all modes of transportation, as outlined in Title 49 of the CFR. The U.S. Postal Service has developed additional regulations for the transport of hazardous materials by mail. USDOT regulations specify packaging requirements for different types of materials. USEPA has also promulgated regulations for the transport of hazardous wastes. These more stringent requirements include tracking shipments with manifests to ensure that wastes are delivered to their intended destinations.

4.6.4.2 State

The primary state agencies with jurisdiction over hazardous chemical materials management are the DTSC and the State Water Quality Control Board (SWQCB). Other state agencies involved in hazardous materials management are the Department of Industrial Relations, California OSHA (Cal OSHA) implementation, Office of Emergency Services (OES - California Accidental Release Prevention Implementation), Air Resources Board (ARB), California Department of Transportation (Caltrans), State Office of Environmental Health Hazard Assessment (OEHHA - Proposition 65 implementation) and CalRecycle (formerly the California Integrated Waste Management Board, CIWMB). The enforcement agencies for hazardous materials transportation regulations are the California Highway Patrol (CHP) and Caltrans. Hazardous materials and waste transporters are responsible for complying with all applicable packaging, labeling, and shipping regulations.

Relevant hazardous materials management laws in California include, but are not limited to, the following statutes and implementation regulations:

- Hazardous Materials Management Act - business plan reporting;
- Hazardous Waste Control Act - hazardous waste management;
- Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) - release of and exposure to carcinogenic chemicals;
- Hazardous Substance Act - cleanup of contamination; and
- Hazardous Materials Storage and Emergency Response.

California Environmental Protection Agency

The California Environmental Protection Agency (CalEPA) has broad jurisdiction over hazardous materials management in the state. Within CalEPA, the DTSC has primary regulatory responsibility for hazardous waste management and cleanup. Enforcement of regulations has been delegated to local jurisdictions that enter into agreements with DTSC for the generation, transport, and disposal of hazardous materials under the authority of the Hazardous Waste Control Law.

Along with the DTSC, the SWQCB is responsible for implementing regulations pertaining to management of soil and groundwater investigation and cleanup. SWQCB regulations are contained in Title 27 of the California Code of Regulations (CCR). Additional state regulations applicable to hazardous materials are contained in Title 22 of the CCR. Title 26 of the CCR is a compilation of those sections or titles of the CCR that are applicable to hazardous materials.

Department of Toxic Substances Control

The Resource Conservation and Recovery Act (RCRA) of 1976 is the principal federal law that regulates the generation, management, and transportation of hazardous materials and other wastes. The DTSC regulates hazardous waste in California primarily under the authority of the federal RCRA, and the California Health and Safety Code. Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. In

addition, DTSC reviews and monitors legislation to ensure that the position reflects the DTSC's goals. From these laws, DTSC's major program areas develop regulations and consistent program policies and procedures. The regulations spell out what hazardous waste handlers must do to comply with the laws.

California law provides the general framework for regulation of hazardous wastes by the Hazardous Waste Control Law (HWCL) passed in 1972. DTSC is the State's lead agency in implementing the HWCL. The HWCL provides for state regulation of existing hazardous waste facilities, which include "any structure, other appurtenances, and improvements on the land, used for treatment, transfer, storage, resource recovery, disposal, or recycling of hazardous wastes," and requires permits for, and inspections of, facilities involved in generation and/or treatment, storage and disposal of hazardous wastes.

California Accidental Release Prevention Program (CalARP)

The CalARP program (CCR Title 19, Division 2, Chapter 4.6) covers certain businesses that store or handle more than a certain volume of specific regulated substances at their facilities. The list of regulated substances is found in Article 8, Section 2770.5 of the CalARP program regulations. The businesses that use a regulated substance above the noted threshold quantity must implement an accidental release prevention program, and some may be required to complete a Risk Management Plan (RMP). An RMP is a detailed engineering analysis of the potential accident factors present at a business and the mitigation measures that can be implemented to reduce this accident potential. The purpose of an RMP is to decrease the risk of an off-site release of a regulated substance that might harm the surrounding environment and community. An RMP includes the following components: safety information, hazard review, operating procedures, training, maintenance, compliance audits, and incident investigation. The RMP must consider the proximity to sensitive populations located in schools, residential areas, general acute care hospitals, long-term health care facilities, and child day-care facilities, and must also consider external events such as seismic activity.

Hazardous Materials Transportation

In California, the CHP has the primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies. Specifically, Section 31303 of the California Vehicle Code requires that when hazardous materials are transported on state or interstate highways, the highway(s) that offer the shortest overall transit time possible shall be used. Transportation of hazardous materials along any city or state roadways is subject to all hazardous materials transportation regulations established by the CHP and Caltrans. Transporters of hazardous materials and waste are responsible for complying with all applicable packaging, labeling, and shipping regulations.

Investigation and Cleanup of Contaminated Sites

The oversight of hazardous materials release sites often involves several different agencies that may have overlapping authority and jurisdiction. The DTSC and SWQCB are the two (2) primary state agencies responsible for issues pertaining to hazardous materials release sites. Air quality issues related to remediation and construction at contaminated sites are also subject to federal and state laws and regulations that are administered at the local level.

Investigation and remediation activities that would involve potential disturbance or release of hazardous materials must comply with applicable federal, state, and local hazardous materials laws and regulations. The DTSC has developed standards for the investigation of sites where hazardous materials contamination has been identified or could exist based on current or past uses. The standards identify approaches to determine if a release of hazardous wastes/substances exists at a site and delineate the general extent of contamination; estimate the potential threat to public health and/or the environment from the release and provide an indicator of relative risk; determine if an expedited response action is required to reduce an existing or potential threat; and complete preliminary project scoping activities to determine data gaps and identify possible remedial action strategies to form the basis for development of a site strategy.

Caltrans Division of Aeronautics

The Caltrans Division of Aeronautics (Division) is, in large part, responsible for administration of the California State Aeronautics Act (SAA), Public Utilities Code (PUC), Section 21001 et seq. The purpose of the SAA "is to protect the public interest in aeronautics and aeronautical progress."[1] The SAA is the implementing statute requiring the formation of a county Airport Land Use Commission or comparable designated airport regulatory commission. The SAA at Section 21675. (a) (excerpted in pertinent part below) assigns the ALUC or other designated airport regulatory commission with the responsibility to prepare and adopt an Airport Land Use Compatibility Plan (ALUCP):

> 21675. (a) Each commission shall formulate an airport land use compatibility plan that will provide for the orderly growth of each public airport and the area surrounding the airport within the jurisdiction of the commission, and will safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general. The commission's airport land use compatibility plan shall include and shall be based on a long-range master plan or an airport layout plan, as determined by the Division of Aeronautics of the Department of Transportation, that reflects the anticipated growth of the airport during at least the next 20 years. In formulating an airport land use compatibility plan, the commission may develop height restrictions on buildings, specify use of land, and determine building standards, including soundproofing adjacent to airports, within the airport influence area. The airport land use compatibility plan shall be reviewed as often as necessary in order to accomplish its purposes, but shall not be amended more than once in any calendar year.

[1] *California Airport Land Use Planning Handbook* (Caltrans Division of Aeronautics) October 2011, p. vii.

4.6.4.3 Regional

Southern California Association of Governments (SCAG)

SCAG is the regional agency for coordination between various local agencies within the six-county region covering Los Angeles, Orange, San Bernardino, Riverside, Ventura and Imperial counties. The region covers more than 38,000 square miles and is home to more than 18 million people. SCAG is the designated Regional Transportation Planning Agency, and is responsible for preparing plans and developing goals, policies, and programs to ensure regional cooperation. One such program is the Southern California Compass Blueprint Growth Vision. SCAG works with local governments and other entities in the region to implement the program's four (4) principles: Mobility, Livability, Prosperity, and Sustainability. SCAG is also responsible for preparing the Regional Comprehensive Plan and Guide (RCPG), an advisory plan to achieve a sustainable balance between environmental, economic, and social interests throughout the SCAG region.

South Coast Air Quality Management District (SCAQMD)

The SCAQMD establishes Rules that regulate or control various air pollutant emissions and emissions sources within the South Coast Air Basin (Basin). The SCAQMD coordinates its actions with local, state, and federal government agencies, the business community, and private citizens to achieve and maintain healthy air quality for San Bernardino County, including the City of Ontario.

4.6.4.4 Local

San Bernardino County Fire Department, Hazardous Materials Division

Under the California Unified Hazardous Waste and Hazardous Material Management Regulatory Program, (Chapter 6.11, Division 20, Section 25404 of the Health and Safety Code), hazards/hazardous materials management is addressed locally through the Certified Unified Program Agency (CUPA). The primary CUPA for the City of Ontario is the San Bernardino County Fire Department.

As a CUPA, San Bernardino County Fire Department manages the following six hazardous material and hazardous waste programs:

- Hazardous Materials Release Response Plans and Inventory (Business Plan);
- California Accidental Release Program (CalARP);
- Underground Storage Tanks (UST);
- Aboveground Petroleum Storage Act (APSA)/Spill Prevention, Control, and Countermeasure Plan (SPCC Plan);
- Hazardous Waste Generation and On-site Treatment; and
- Hazardous Materials Management Plans and Inventory Statements under Uniform Fire Code Article 80.

Chino Basin Watermaster

In compliance with the Chino Basin Watermaster's Well Procedure for Developers, a well use/destruction plan and schedule for all existing private/agricultural wells is required to be submitted to the City of Ontario for approval prior to the issuance of permits for any construction activity. The location of the existing private/agricultural wells within the Project site is illustrated at Figure 4.6-2. If a private well is actively used for water supply, the Developer is required to submit a plan to abandon such well and connect users to the City's water system when available. Wells are required to be destroyed/abandoned per the California Water Resource Guidelines and require permitting from the San Bernardino County Health Department. A copy of such permit and Form DWR 188 Well Completion Form is required to be provided to the City of Ontario's 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 is required to make a formal request to the City of Ontario for such use prior to issuance of permits for any construction activity.



NOT TO SCALE

Source: T & B Planning

Figure 4.6-2
Existing Well Locations

City of Ontario

The Ontario Plan includes Goals and Policies which act to reduce potential hazards within the City. Additionally, the City of Ontario has published Methane Design Guidelines for projects located within the New Model Colony. These guidelines are applicable to any building development on farm properties (including dairy farms) and is independent of the planned building use (i.e., residential or commercial/industrial).

In summary, a Methane Site Assessment is required for any parcels used as animal farms or composting/fertilizer farms, and the survey must be completed within "all lots in potential methane areas." The Methane Site Assessment must be completed within 30 days after building footprints have been put in place.

The City further presents Design Guidelines to be implemented within affected properties. Building permits will be issued when the test report is approved by the City Building Department, and any required mitigation measures are shown on building plans.

Chino Airport Overlay

The City of Ontario is currently developing a Compatibility Plan for Chino Airport (Compatibility Plan) that relies on procedures and requirements outlined in 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.
See also: https://dot.ca.gov/-/media/dot-media/programs/aeronautics/documents/californiaairportlanduseplanninghandbook-a11y.pdf).

The City anticipates adoption of a Draft Chino Airport Compatibility Plan in late 2020 – early 2021. Final site plans and development plans within the Project site would be

subject to, and would be required to comply with, applicable standards and requirements of the Compatibility Plan as adopted by the City.

4.6.4.5 Waste Handling Procedures

As presented above, the identification, characterization, handling, transportation and disposal of wastes are primarily regulated under 40 CFR, part 261.24 (Federal) and Title 22 of the California Code of Regulations (State) and other applicable DOT, CA DTSC, and OSHA laws and regulations. The following discussions detail how these regulations are applied to the specific hazardous materials most likely to be encountered as part of the demolition and site preparation phase of the Project.

Manifesting and Transportation

Waste must be hauled under proper shipping manifests as follows:

1) Non-hazardous: A uniform non-hazardous manifest;
2) Cal-haz/Non-RCRA (State system): A uniform hazardous manifest, identifying the waste as non-RCRA, using an appropriate EPA number;
3) RCRA-hazardous (Federal system): A uniform hazardous manifest, identifying the waste as RCRA, using an appropriate EPA number.

The transporter must have the required and appropriate hauling permits and licenses in order to be able to haul the waste.

Disposal

Landfills are classified based on the type of waste accepted; hazardous waste must be disposed of at a Class I landfill, "designated waste"[2] at a Class II, non-hazardous solid waste at a Class III, and inert waste is disposed of at an unclassified disposal site. All

[2] "Designated waste" is defined as hazardous waste that has been granted a variance from hazardous waste management requirements; or non-hazardous waste that could be released in concentrations exceeding applicable water quality objectives or that could reasonably be expected to affect beneficial uses of waters of the State.

designated landfills must have the proper local, State and Federal operating permits. Waste, as classified, is disposed of as follows:

1) Non-hazardous: At a non-hazardous Class III landfill or at a Treatment and Recycling facility.
2) Cal-haz/Non-RCRA: At a hazardous Class I landfill or at an out of State non-hazardous landfill.
3) RCRA-hazardous: At a hazardous Class I landfill.

While non-hazardous waste from the Project site could be transported to a number of Class III landfills, non-hazardous waste generated at the site and vicinity is currently sent to the West Valley Materials Recovery Facility (MRF) in Fontana for processing, recycling, or landfilling. Most refuse is transported from the MRF to the El Sobrante Landfill, located in the City of Corona. Any hazardous waste encountered as part of site preparation activities will be disposed of at a Class I landfill. There are currently three (3) Class I landfills located in California. These sites are located in Imperial, Kings, and Kern Counties. The precise location will be determined by the contractor in charge of demolition and site preparation.

Pesticides

There are State and Federal thresholds dictating the characterization of pesticide contaminated soils. Specifically, the United States Environmental Protection Agency (U.S. EPA) and California EPA monitor a number of pesticides that were once widely used, but are currently banned or heavily regulated in the United States due to concerns regarding their environmental impact and/or human health risks. Risk-based soil screening levels have been calculated and published by the U.S. EPA, as well as the California EPA Office of Environmental Health Hazard Assessment (OEHHA) for guidance purposes. Both agencies have developed screening levels for both residential and industrial/commercial settings, as seen below in Table 4.6-1.

Table 4.6-1
Pesticide Screening Level Thresholds (µg/kg)

Agency	Pesticide			
	DDT	**DDE**	**DDD**	**Dieldrin**
U.S. EPA				
Residential	1700	1400	2000	30
Commercial/Industrial	7000	5100	7200	100
Cal EPA				
Residential	1600	1600	2300	35
Commercial/Industrial	6300	6300	9000	130

Source: GeoKinetics, August 1, 2013.

Based on testing results, contaminated soils can be treated on-site (by blending/diluting with clean soil) or disposed of off-site, as follows:

1) Non-hazardous: The soil must pass the State and Federal regulatory thresholds. In that case, the soil may be disposed of as non-hazardous at a Class III landfill or, as discussed above, a treatment or recycling facility.

2) Cal-haz/Non-RCRA: In this case, the soil fails the State regulatory thresholds but passes the Federal requirements. Therefore, the soil may be disposed of as non-RCRA at a Class I hazardous landfill or at an out-of-state non-hazardous landfill.

3) RCRA-hazardous: In this case, the soil fails both the State and Federal regulatory thresholds. Therefore, the soil will have to be disposed of as Federal, RCRA-hazardous at a Class I landfill.

Asbestos Containing Materials (ACMs)

Prior to demolition of structures, testing for ACMs is performed by a licensed contractor and any ACMs are disposed of based on the testing results. In California, if asbestos is friable and contains more than 1% asbestos, it is considered hazardous. ACMs are disposed of as follows:

1) Non-friable: This ACM waste may be disposed of at a Class III local landfill subject to their acceptance criteria.
2) Friable: This ACM waste may be disposed of at a Class I hazardous landfill or at an out-of-state landfill, depending on the level of contamination.

Depending on whether or not the ACMs are friable or non-friable, they will need to be handled, contained, and wrapped accordingly based on the applicable State regulations and the landfill requirements for transportation and disposal purposes.

Lead-Based Paint

Prior to demolition, testing for LBP is performed by a licensed contractor and any LBP is disposed of based on the testing results. LBP waste is disposed of as follows:

1) Non-hazardous: If the lead content is less than 50 ppm (presumes it passes the State Soluble Threshold Limit Concentrations (STLC) and the Federal Toxicity Characteristic Leaching Procedure (TCLP) levels of 5.0 mg/l), the waste can be disposed of at a Class III non-hazardous landfill.
2) Cal-haz/Non-RCRA: If the waste contains 1,000 ppm lead and it fails the State STLC of 5 mg/l, it is considered cal-hazardous and may be disposed of at an out-of-state landfill as non-RCRA waste.
3) RCRA-hazardous: If the waste fails the Federal TCLP of 5 mg/l, it will then have to be disposed of at a hazardous Class I landfill.

4.6.5 STANDARDS OF SIGNIFICANCE

Pursuant to the *CEQA Guidelines* as adopted and implemented by the City of Ontario, and for purposes of this EIR, implementation of the Project may result in or cause potentially significant hazards/hazardous materials impacts if it would:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;

- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment;

- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;

- 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;

- 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 the people residing or working in the project area;

- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or

- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

4.6.6 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.6.6.1 Introduction

The following discussions focus on areas where it has been determined that the Project may result in potentially significant hazards and hazardous materials impacts, pursuant to comments received through the NOP process, and based on the analysis presented within this Section and included within the Initial Study.

As discussed within the Initial Study (EIR Appendix A), the potential for the Project to expose people or structures, either directly or indirectly, to a significant risk of loss,

injury or death involving wildland fires was determined to be less than significant, and is not discussed further within this Section. Please refer also to Initial Study Checklist Item IX. *Hazards and Hazardous Materials.*

4.6.6.2 Impact Statements

Potential Impact: *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.*

Impact Analysis: The following discussions summarize the findings of the technical studies prepared for the site regarding existing on-site hazards, as well as potential hazards associated with operations of facilities proposed under the Project.

Existing On-site Hazards

Existing hazards are the result of past activities within the Project site. The following Table 4.6-2 addresses each of the concerns presented at previous Section 4.6.3.1.

Construction Hazards

In addition to on-site improvements, the Project would also implement off-site infrastructure (roads, potable water, recycled water, sanitary sewer, storm drains, and fiber optic lines) necessary to support the Project. The majority of off-site areas that would be affected by construction of infrastructure improvements comprise already-disturbed/developed rights-of-way and easements.

To date, no known hazardous materials have been encountered within these dedicated rights-of-way. Notwithstanding, Mitigation Measure 4.6.8 was designed to address the unlikely possibility that hazardous materials are encountered during the construction of the proposed off-site improvements.

Table 4.6-2
Existing Potential Hazards

Environmental Concern	Property				
	Borba	**Liberty**	**Minaberry**	**Lanting**	**Alewyn**
Dairy Uses: Methane	The Phase II Investigation detected an elevated level of methane in the central-eastern area of the property. This is considered a potentially significant impact; please refer to Mitigation Measure 4.6.1.	Although methane was not identified as a concern within the Phase I ESA, the City may require further testing once building pads are created pursuant to the Methane Assessment for Projects in the New Model Colony.	The Phase II Investigation detected elevated levels of methane in the central-eastern area of the property. This is considered a potentially significant impact; please refer to Mitigation Measure 4.6.1.	Methane was not detected at levels exceeding regulatory screening levels at this property. It is noted, however, that the City may require further testing once building pads are created pursuant to the Methane Assessment for Projects in the New Model Colony.	Methane was not detected at levels exceeding regulatory screening levels at this property. It is noted, however, that the City may require further testing once building pads are created pursuant to the Methane Assessment for Projects in the New Model Colony.
Dairy Uses: Other Contaminants	The Phase I ESA documents recommended subsurface sampling be conducted and a Soil Management Plan be developed to address any contaminated soils. This is considered a potentially significant impact; please refer to Mitigation Measures 4.6.2 through 4.6.4.	Soil sampling was done as part of the Phase II Investigation for this property. All contaminants detected were at levels below the applicable screening levels, with the exception of arsenic. However, the investigation concluded that arsenic observed in the collected soil samples lies within the range of naturally occurring background arsenic concentrations	The Phase I ESA documents recommended subsurface sampling be conducted and a Soil Management Plan be developed to address any contaminated soils. This is considered a potentially significant impact; please refer to Mitigation Measures 4.6.2 through 4.6.4.	The Phase I ESA documents recommended subsurface sampling be conducted and a Soil Management Plan be developed to address any contaminated soils. This is considered a potentially significant impact; please refer to Mitigation Measures 4.6.2 through 4.6.4.	The Phase I ESA documents recommended subsurface sampling be conducted and a Soil Management Plan be developed to address any contaminated soils. This is considered a potentially significant impact; please refer to Mitigation Measures 4.6.2 through 4.6.4.

Table 4.6-2
Existing Potential Hazards

Environmental Concern	Property				
	Borba	**Liberty**	**Minaberry**	**Lanting**	**Alewyn**
		in southern California. These concentrations do not warrant further investigation, and no special handling is required.			
Maintenance Area	The Phase II Investigation found no evidence of contamination in these areas. Impacts in this regard are considered less-than-significant.	n/a	The Phase II Investigation found no evidence of contamination in these areas. Impacts in this regard are considered less-than-significant.	The Phase II Investigation found no evidence of contamination in these areas. Impacts in this regard are considered less-than-significant.	The Phase II Investigation found no evidence of contamination in these areas. Impacts in this regard are considered less-than-significant.
Refueling Area		n/a	n/a	n/a	n/a
Scrap Metal Area	Although one gasoline-related VOC was detected at this location, the concentration was well below applicable criteria. Impacts in this regard are considered less-than-significant.	n/a	n/a	n/a	n/a
Trucking Operation	n/a	n/a	n/a	Although VOCs were detected, the concentrations are well below applicable regulatory criteria. The	n/a

Table 4.6-2
Existing Potential Hazards

Environmental Concern	Property				
	Borba	**Liberty**	**Minaberry**	**Lanting**	**Alewyn**
				Phase II Investigation found no evidence of significant contaminants associated with this use. Regardless, the Phase II Investigation recommended that a Soil Management Plan be prepared to provide procedures for the proper handling of any contaminated soil encountered during redevelopment activities. Please refer to Mitigation Measures 4.6.2 through 4.6.4.	
Previous Construction Company Uses	n/a	n/a	n/a	The Phase I ESA found no evidence that the previous occupation of the property by a construction company would pose a current environmental concern. Impacts in this regard are considered less-than-significant.	n/a

Table 4.6-2
Existing Potential Hazards

Environmental Concern	Property				
	Borba	**Liberty**	**Minaberry**	**Lanting**	**Alewyn**
Pesticides	n/a	The Phase II Investigation concluded that, although pesticides and herbicides were detected, the samples tested were below their respective Screening Levels. These concentrations do not warrant further investigation, and no special handling is required.	Subsurface sampling shall be conducted to investigate pesticides that may be present on-site due to past agricultural uses. This is considered a potentially significant impact; please refer to Mitigation Measures 4.6.2 through 4.6.4.		
TCE Plume	Since the proposed uses would be connected to the municipal water system, this area of contaminated groundwater does not pose a threat to on-site uses. On-site wells will be capped and abandoned as part of the site preparation process. Impacts in this regard are considered less-than-significant.				
General Debris	The Phase I ESA determined that areas of general debris on this property were "*de minimis*" in nature. Impacts in this regard are considered less-than-significant.	The Phase I ESA determined that areas of general debris on this property were "*de minimis*" in nature. Impacts in this regard are considered less-than-significant.	The Phase I ESA recommended reassessment of areas containing general debris following their removal from the site. This is considered a potentially significant impact; please refer to Mitigation Measure 4.6.5.	n/a	n/a
Previous Soils Cleanup	n/a	n/a	n/a	The Phase I ESA determined that the past cleanup of on-site	n/a

Table 4.6-2
Existing Potential Hazards

Environmental Concern	Property				
	Borba	**Liberty**	**Minaberry**	**Lanting**	**Alewyn**
				soils does not pose a current environmental concern. Impacts in this regard are considered less-than-significant.	
ACMs	All structures will need to be appropriately surveyed and evaluated prior to demolition, and a site-specific determination made as to the potential ACM content of all structures to be demolished. Any identified ACM will need to be removed and disposed of, consistent with regulatory agency requirements. Please refer to Mitigation Measures 4.6.6 and 4.6.7.				
LBP	All structures will need to be appropriately surveyed and evaluated prior to demolition, and a site-specific determination made as to the potential LBP content of all structures to be demolished. Any identified LBP will need to be removed and disposed of, consistent with regulatory agency requirements. Please refer to Mitigation Measures 4.6.6 and 4.6.7.				
Water Wells	All wells will be abandoned and capped as part of the site preparation process, consistent with applicable regulations of the State of California Department of Water Resources (as reflected in Bulletins 74-81 and 74-90); the San Bernardino County Department of Environmental Health; and the Santa Ana Regional Water Quality Control Board. Impacts in this regard are considered less-than-significant.				
Septic Systems	All septic systems will be properly abandoned prior to Project grading and construction, in compliance with the regulations of the Santa Ana Regional Water Quality Control Board; San Bernardino County Department of Environmental Health; the California Uniform Plumbing Code; and Manual of Septic Tank Practice as published by the U.S. Department of Health, Education and Welfare; and the rules, standards and regulations of the City. Impacts in this regard are considered less-than-significant.				

Operational Hazards

Operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations. On this basis, potential operational hazardous materials impacts are considered less-than-significant.

Level of Significance: Potentially Significant (Existing On-site Hazards and Construction Hazards).

Mitigation Measures:

4.6.1 *Soil Management Plan(s) Required. Prior to commencement of site disturbance activities, the Applicant shall retain a qualified professional to prepare a Soil Management Plan. The Soil Management Plan shall address the Specific Plan Area proper as well as areas potentially affected by construction of off-site infrastructure. The Soil Management Plan shall include a Health and Safety Plan (HASP), soil excavation monitoring protocols, and measures to monitor and control vapors and dust. The Applicant shall submit the Soil Management Plan to the California Department of Toxic Substances (DTSC) for review and approval. The City shall not authorize any activity at the Project site that has the potential to disturb soil until DTSC has approved the Soil Management Plan and all necessary permits have been obtained. Should contaminated soils be encountered as part of Project development, the protocols identified within the Soil Management Plan(s) shall be followed in regard to monitoring, handling, disposal, and reporting of management activities to the California Department of Toxic Substance Control, Regional Water Quality Control Board, and/or South Coast Air Quality Management District (including copies of all daily field logs containing SCAQMD Rule 1166 monitoring results), as required. Copies of all submitted reports and responses from responsible agencies shall be provided to the City of Ontario.*

4.6.2 On-Site Environmental Manager Required. The Applicant shall retain a qualified Environmental Manager who shall be on-site during all site disturbance activities. The Environmental Manager shall ensure implementation of the Soil Management Plan required under Mitigation Measure 4.6.1. The Environmental Manager shall also be responsible for monitoring of site disturbance activities to include identification of potentially contaminated media. The Environmental Manager shall have the responsibility and authority to halt on-site activities should any contaminated media or potentially contaminated media be encountered during site disturbing activities. Any contaminated media or potentially contaminated media identified by the Environmental Manager shall be excavated, handled, inventoried, stockpiled, and disposed of in accordance with the approved Soil Management Plan and consistent with all applicable provisions of local, state, and federal laws and regulations.

4.6.3 Consistent with the City of Ontario requirements, prior to the issuance of building permits, all lots in potential methane areas shall be tested for the presence of methane and its concentration 30 days after building pads are graded and created. Measures set forth by the Ontario Methane Design Guidelines shall be implemented to the satisfaction of the City Building Department.

4.6.4 Prior to the issuance of grading permits, a subsurface investigation shall be completed to assess the presence or absence of soil contaminants due to the sites past agricultural use, and current dairy farming uses.

4.6.5 Prior to the issuance of grading permits, the Project Applicant shall demonstrate to the satisfaction of the City that Soil Management Plan(s) have been developed for the site and areas potentially affected by construction of off-site infrastructure. Grading plans shall include a copy of the Soil Management Plan(s).

4.6.6 Prior to the issuance of grading permits, any existing debris shall be removed. All debris, including soils that evidence surficial staining, shall be disposed of off-site, consistent with the protocols of the Soil Management Plan(s).

4.6.7 Prior to any relocation, demolition, or destructive renovation activities involving the on-site structures, the Applicant shall submit documentation to the City that ACMs and LBP issues are not applicable to Project. Negative ACM/LBP findings shall be documented in Site/Structure Survey Report (Report) prepared by the Environmental Manager or qualified assignee. The Report shall be submitted to and approved by the City prior to the issuance of applicable relocation, demolition, renovation and/or site disturbing permit(s). If results of the Report indicate presence of ACMs and/or LBP, an action plan shall be implemented in accordance with all appropriate regulatory agency guidelines to abate any issues. Please refer to Mitigation Measure 4.6.8.

4.6.8 Any confirmed and suspected ACMs or LBP shall be handled and disposed of by licensed contractors in accordance with all appropriate regulatory agency guidelines. Abatement, containment and disposal of any ACMs encountered shall comply with SCAQMD Rule 1403. The removal and disposal of lead-based paint material shall be implemented in accordance with California Code of Regulations, Title 8 Section 1532.1, the Code of Federal Regulations (Title 40, Part 745, and Title 29, Part 1926), the 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 Toxic Substances Control Act (TSCA).

4.6.9 For the duration of off-site Project ground-disturbing activities:

- *Stained or odorous soil encountered during ground-disturbing activities shall be removed, stockpiled, and transported for disposal in accordance with local, state, and federal regulations. Soil samples shall be collected from the resulting excavation(s) to verify complete removal of any impacted soil.*
- *During soils/debris removal operations, a Project Environmental Professional (Environmental Professional) shall be retained and shall be available to identify and address other issues that may arise in the course Project development. As determined necessary by the Environmental Professional, additional measures shall be employed to minimize effects of any encountered hazards. Documentation of the measures employed*

and resulting conditions after their application shall be documented and submitted to the Lead Agency.

- *Contractors and the Environmental Professional shall maintain ongoing observation and assessment of areas of possible contamination. Such areas would include but not be limited to: the presence of unexpected underground facilities, buried debris, stained soil or odorous soils. Should such materials be encountered, the Environmental Professional in consultation with the Lead Agency shall determine the scope of investigation, analysis, and remediation warranted.*

Level of Significant After Mitigation: Less-Than-Significant. Incorporation of Mitigation Measures 4.6.1 through 4.6.9 requires appropriate remediation of pre-existing hazardous conditions, and ensures that subsequent development within the Specific Plan area would not create or result in potentially significant hazardous conditions. Based on the preceding, the potential for the Project to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment is considered less-than-significant as mitigated.

Potential Impact: *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.*

Impact Analysis: The Project site is not located within one-quarter mile of an existing or proposed school. This concern is therefore not applicable to the Project.

Level of Significance: No Impact.

Potential Impact: *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.*

Impact Analysis: The Project site is listed in several environmental databases. These listings are indicative of the historic and current use of the site for dairy operations, and do not necessarily represent current on-site Recognized Environmental Concerns (RECs). No locations within the site are under investigation for violation by the California Department of Toxic Substance Control (DTSC), U.S. Environmental Protection Agency (U.S. EPA), or any other state or federal agency. Nor is there any information in the hazardous sites search to suggest any current spills, releases, or violations. On this basis, none of the aforementioned agency-listed hazardous materials sites are considered to pose an immediate threat to human or environmental health. Further, the Project site is subject to mandated remediation of current environmental concerns accomplished pursuant to the Mitigation Measures presented herein, and would therefore not cause or result in conditions that would create a significant hazard to the public or the environment. Please refer to Section 4.2, *Mapped Database Records Search*, of the Project Phase I ESAs for greater detail regarding current environmental database listings for the Project site.

On this basis, the potential for the Project to create a significant hazard to the public or the environment predicated on identification of the Project site on a list compiled pursuant to [California Government Code] Section 65962.5 is considered less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *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 the people residing or working in the project area.*

Impact Analysis: For planning and environmental review purposes, the City of Ontario has implemented a Compatibility Plan for Chino Airport (Compatibility Plan) that relies on procedures and requirements outlined in *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

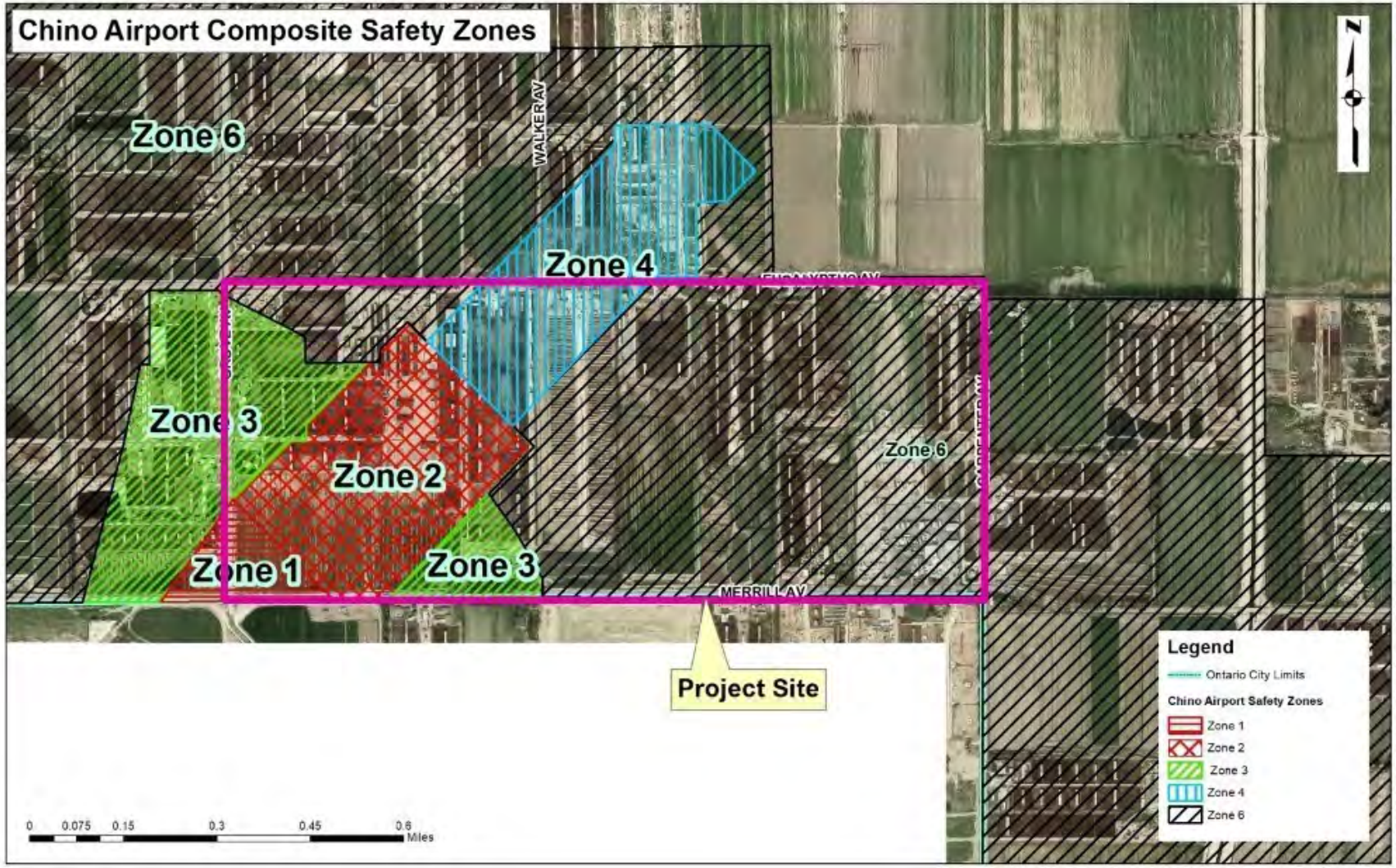
functions as the Designated Agency in formulating airport land use compatibility plans for City properties. The Compatibility Plan is based on the Handbook *Generic Safety Zones for General Aviation Airports*.
See also: https://dot.ca.gov/-/media/dot-media/programs/aeronautics/documents/californiaairportlandu seplanninghandbook-a11y.pdf).

Compatibility Plan Safety Zones

Location of the Project site within the Compatibility Plan Generic Safety Zones is presented at Figure 4.6-3.

As indicated at Figure 4.6-3, the Project site is located within Safety Zones 1, 2, 3, 4, and 6. Standards and requirements for land uses and development proposals within these Zones as outlined in the Compatibility Plan are summarized below:

- Zone 1 - Runway Protection Zone – No Build Zone (Sitewide Average – 0 People, Single Acre – 0 People);
- Zone 2 - Inner approach/departure zone: At least 25% of the zone should remain as open land (Sitewide Average – 60 People, Single Acre – 120 People);
- Zone 3 - Inner Turning Zone: Maintain approximately 15% open land within the overall zone (Sitewide Average – 100 People, Single Acre – 300 People);
- Zone 4 - Outer approach/departure zone: Maintain approximately 15% open land within the overall zone (Sitewide Average – 150 People, Single Acre – 450 People);
- Zone 6 - Traffic pattern zone: Approximately 10% of usable open land or an open area approximately every 1⁄4 to 1⁄2 mile should be provided (Sitewide Average – 300 People, Single Acre – 1200 People).



NOT TO SCALE

Source: Caltrans Division of Aeronautics

Figure 4.6-3
Chino Airport Safety Zones

The Compatibility Plan also:

- Establishes criteria and guidance for establishment of open lands providing for emergency land sites;
- Incorporates Federal Aviation Administration Runway Protection Zone (RPZ) requirements; and
- Establishes Criteria Addressing Hazardous Wildlife Attractants Near Airports.

The City anticipates adoption of a Draft Chino Airport Compatibility Plan in late 2020 – early 2021. All Project Final Plans (e.g., site plans, building plans, landscape plans, utility plans, roadway plans) would be subject to, and would be required to comply with, applicable standards and requirements of the Compatibility Plan as adopted by the City. Mitigation Measure 4.6.10 is included to ensure compliance with, and monitored implementation of, applicable Compatibility Plan provisions.

Level of Significance: Potentially Significant.

4.6.10 *Prior to Final Project Plan approvals (including but not limited to: Site Plans, Building Plans, Landscape Plans, Utility Plans, and Roadway Plans), the Project Applicant shall document compliance with applicable provisions of the City of Ontario Chino Airport Compatibility Plan and correlating provisions of the Merrill Commerce Center Specific Plan. Overflight Deed Notices shall be provided for any properties identified in the Compatibility Plan as subject routine aircraft overflight(s).*

Level of Significance After Mitigation: Less-Than-Significant. With the incorporation of Mitigation Measure 4.6.10, the potential for the Project to result in an airport-related safety hazard for the people residing or working in the Project area is considered less-than-significant.

Potential Impact: *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.*

Impact Analysis: Access to the Specific Plan area would be provided via surrounding roadways, including Merrill Avenue, Grove Avenue, Vineyard Avenue, and Eucalyptus Avenue. The Project would also implement off-site infrastructure (roads, potable water, recycled water, sanitary sewer, storm drains, and fiber optic lines) necessary to support the Project. The majority of off-site areas that would be affected by construction of infrastructure improvements comprise already-disturbed/developed rights-of-way and easements. The Project would not cause permanent alteration to vehicle circulation routes.

To avoid or minimize temporary construction-related traffic impacts, the Project Applicant would be required to prepare and implement a City-approved construction traffic management plan. Additionally, in accordance with existing City policies, coordination with the local fire and police departments during pre-construction review of the Project's plans will ensure that potential interference with emergency response and evacuation efforts are avoided.

Based on the preceding discussion, the potential for the Project to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan is considered less-than-significant.

Level of Significance: Less-Than-Significant.

4.7 HYDROLOGY/WATER QUALITY

4.7 HYDROLOGY/WATER QUALITY

Abstract

This Section addresses potential impacts of the Project related to hydrology and water quality. The analysis presented focuses on the potential for the Project to:

- *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality;*

- *Substantially alter the existing drainage pattern of the site or area in a manner that would substantially increase the rate or amount of runoff that would result in flooding on- or offsite;*

- *Substantially alter the existing drainage pattern of the site or area in a manner which would 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;*

- *Substantially alter the existing drainage pattern of the site or area in a manner which would impede or redirect flood flows;*

- *Under a flood, tsunami, or seiche event, release pollutants due to project inundation; or*

- *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.*

Additionally, as discussed in the EIR Initial Study (EIR Appendix A), the Project's potential impacts under the following topics were previously determined to be less-than-significant, and are not further substantively discussed here:

- *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.*[1]

- *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 result in substantial erosion or siltation on- or off-site.*[2]

As supported by the analysis in this Section, potential hydrology/water quality impacts would be less-than-significant.

4.7.1 INTRODUCTION

This Section evaluates potential impacts of the Project on hydrology and water quality. Information contained and referenced in this Section was obtained from: *Technical Memorandum Borba II Project* [Merrill Commerce Center Specific Plan Project] *Hydrology & Hydraulic Assessment* (JLC Engineering & Consulting, Inc.) September 19, 2019 (Project Hydrology Report); *Preliminary Water Quality Management Plan (PWQMP) for Merrill Commerce Center Specific Plan Project* (JLC Engineering & Consulting, Inc.) September 17, 2019 (Project WQMP). The Project Hydrology Report and WQMP are provided at EIR Appendix H. Additional background information and context are provided by *Merrill Commerce Center Specific Plan* (T & B Planning, Inc.) September 29, 2020; *The Ontario Plan, Draft Environmental Impact Report* (The Planning Center) April 2009; *Initial Study and Mitigated Negative Declaration, City of Ontario Infrastructure Master Plans* (City of Ontario) July 2012; and the City of Ontario Policy Plan.

[1] Please refer also to related discussions addressing existing groundwater wells within the Project site presented at EIR Section 4.6, *Hazards/Hazardous Materials*, and discussions on Project water demands and available water supplies presented at EIR Section 4.12, *Utilities and Services Systems*.

[2] Please refer also to related discussions presented at EIR Section 4.9, *Geology and Soils*.

4.7.2 EXISTING CONDITIONS

Please refer to EIR Section 3.0, *Project Description*, for a general discussion of the Project's regional and vicinity setting. The hydrologic setting described below establishes the baseline against which the Project's potential hydrology/water quality impacts were evaluated. The Ontario Plan Draft Environmental Impact Report (Section 5.9) describes area hydrologic and water quality characteristics, as summarized and paraphrased in the following discussions.

4.7.2.1 Regional

Drainage

The Santa Ana River Watershed encompasses approximately 2,800 square miles, and includes portions of San Bernardino, Orange, and Riverside Counties. The Santa Ana River is the main surface drainage course in the region, and the largest river in the Chino Basin. The river originates in the San Bernardino Mountains, travels southwest, and ends at the Pacific Ocean near the Huntington Beach/Newport Beach city boundary. Water flow in the river is regulated by the Prado Dam, the Seven Oaks Dam, and other flood-control facilities along the river and its tributaries. The City of Ontario is nearest to Reach 3 of the Santa Ana River.

Surface Water

The City of Ontario lies within the Chino Watershed, which consists of most of the Upper Santa Ana River Valley and portions of the San Gabriel Mountains and Puente and Chino Hills. The Santa Ana River forms the southern boundary of the Watershed. The primary direction of drainage flow is from the San Gabriel Mountains southward to the Santa Ana River, then southwest in the river.

Within the City, streams in the watershed include the West Cucamonga, Deer Creek, Day Creek, and Etiwanda Creek Channels, and the Cucamonga Creek Flood Control Channel. West Cucamonga Channel and Deer Creek Channel discharge into the Cucamonga Creek Flood Control Channel, which discharges into the Santa Ana River. Within the City, some

stormwater runoff is diverted for recharge in flood retention and spreading basins, including the Eighth Street, Ely, Turner, Chris, Cucamonga, and Wineville Basins.

The USEPA denotes four surface water bodies within the Chino Watershed on its list of Water Quality Limited Segments under Section 303(d) of the Clean Water Act (USEPA 2007). One of these water bodies passes through the City of Ontario—The Valley Reach of Cucamonga Creek is included on the Section 303(d) list for coliform bacteria from an unknown nonpoint source.

Groundwater

The Chino Basin is one of the largest groundwater basins in southern California, covering approximately 235 square miles of the Upper Santa Ana River Valley. The basin is bounded by the Rialto-Colton Fault on the northeast, the Jurupa Mountains and La Sierra Hills to the southeast, the Central Avenue Fault to the southwest, and the San Jose Fault and Red Hill Fault to the northwest. Groundwater is produced from the basin by cities, other water supply entities, and by agricultural users overlying the basin. Before 1978, the basin was in overdraft. Since 1978, the basin has been managed via ongoing court adjudication in the 1978 judgment Chino Basin Municipal Water District vs. City of Chino et al.

The City of Ontario draws all of its groundwater supply from the Chino Basin. Groundwater flows through the Chino Basin in a north/south alignment, and groundwater quality is better in the northern portion of the basin, where significant recharge occurs. Salinity, measured as total dissolved solids (TDS), and nitrate concentrations increase in the southern portion of Chino Basin. TDS and nitrate generally originate from nonpoint sources such as land application of wastes and fertilizer from previous and current agricultural activities. In addition, there are several point sources of contamination in the basin that affect groundwater quality in localized areas. The primary water quality concerns for the City's groundwater wells are nitrate and perchlorate levels. Other contaminants of concern are volatile organic compounds (VOC) and TDS.

Flood Hazards

While significant hydrologic improvements have been made within the City, including channelization of many of the City's watercourses, flooding associated with peak 100-year and 500-year floods and dam inundation remains a potential hazard.

Types of Floods

Flash floods are short but have high peak volumes and velocities. The local mountains are very steep and consist of rock types fairly impervious to water. Little precipitation infiltrates the ground. Instead, rainwater flows across the surface as runoff, collecting in major drainages that pass through the City. When a major storm event moves in, water collects rapidly and runs off quickly. Because of the steep terrain and scarcity of vegetation in the mountains, flood flows often carry large amounts of mud, sand, and rock. Sheet flow occurs when the capacity of the existing channels, either natural or man-made, are exceeded and water flows over and into the adjacent areas.

Recent Historical Floods

In the winter of 1969, flood flows were greater than the estimated 100-year flood, and exceeded the capacity of levees, storm drains, and flood-control channels. About 1,000 people were reportedly evacuated from the Cucamonga area. In Ontario, most of the floodwaters were contained in improved channels and basins; however, overbank flow from Deer and Etiwanda Creeks flooded portions of the City.

In 1998, the area received more than double its average annual rainfall, and this, combined with a lack of storm drains in south Ontario, resulted in significant flooding of the dairy preserve. The flooding caused significant property damage, the deaths of about 16,000 dairy cows, with losses to farmers in the millions of dollars. The winter storms of 2004/2005 dropped record rainfall on southern California. Ontario experienced localized flooding and sedimentation, mainly due to inadequacies in the local storm drain system, but the damage was considerably less than the 1998 losses.

Designated Flood Zones

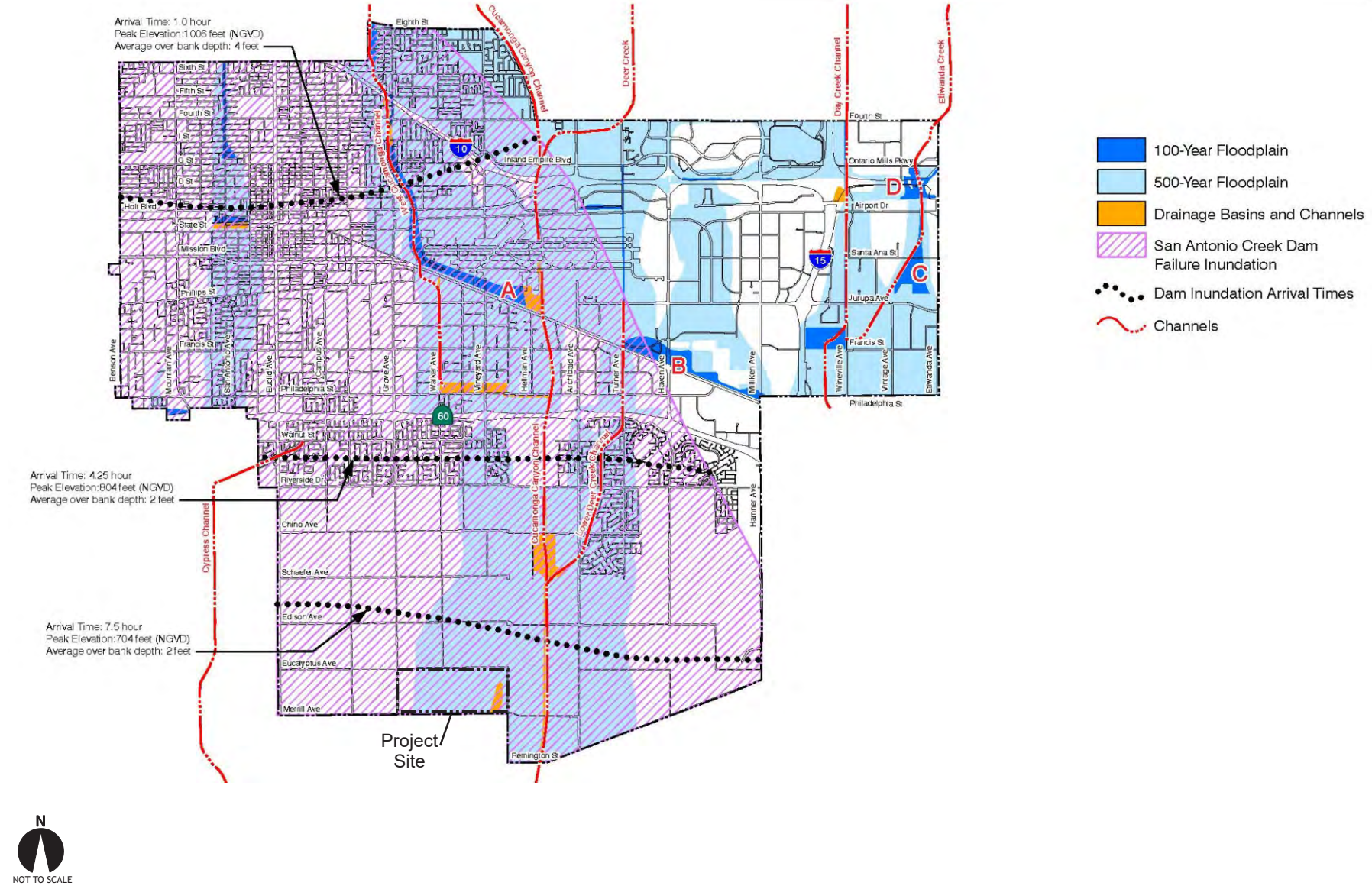
The 100-year flood in Ontario is generally confined to the major watercourses, channels, and basins that traverse the City. Please refer to Figure 4.7-1. The majority of the City watercourses are channelized to prevent flood hazards. However, in the event of a peak 100-year or 500-year storm event, flood waters can flow over their banks and inundate adjacent areas. Large portions of the City would be affected by shallow and/or infrequent flooding, primarily by sheet flow as storm drains and channels become overwhelmed. This flooding is also exacerbated by graded embankments along the rail lines and east/west roadway embankments within the City that cause ponding. The Project site is located outside of the 100-year floodplain, but within the 500-year floodplain.

4.7.2.2 City of Ontario Master Drainage Plan (MDP)

The Project site lies within the "New Model Colony West" (NMC-West) portion of the *Master Plan of Drainage, City of Ontario* (Hunsaker and Associates) March 2012 (MDP). The NMC-West is apportioned into 5 watershed Zones (Zone XI, XII, XIII, XIV, and XV). Location of the Project site within the MDP area is presented at Figure 4.7-2.

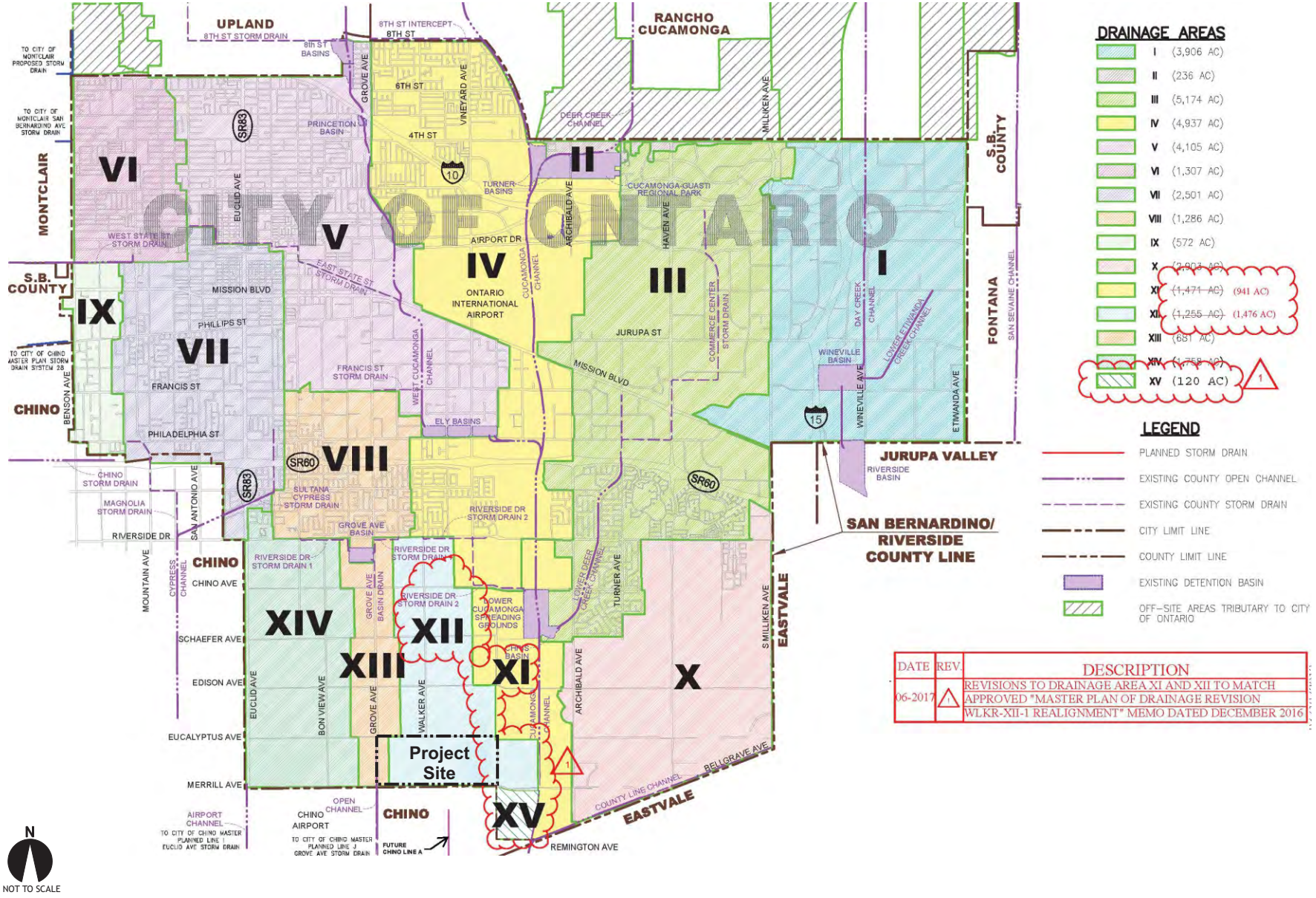
The MDP has been planned and designed to accept and convey stormwater discharges that would result from City Buildout conditions, including buildout of the Project site and surrounding areas of Ontario Ranch. Volume II of the City of Ontario MDP includes the hydrology analyses performed for the overall MDP drainage area.

The MDP hydrological assumption for the Project site is 90% impervious surfaces and 10% pervious surfaces. This assumption establishes a conservative likely maximum stormwater discharge condition. The Project would implement business park/warehouse uses that would result in site development consistent with the MDP hydrological assumptions. Stormwater discharges from the Project site would not exceed the MDP hydrological assumptions and would therefore not exceed planned capacity of the serving MDP storm drain system (Project Hydrology Study, p. 2). Please refer also to detailed hydraulic calculations at Project Hydrology Study Appendices A and B.



Source: The Ontario Plan Draft EIR

Figure 4.7-1
Flood Hazard Areas



Source: City of Ontario Master Drainage Plan

Figure 4.7-2
Project Location within MDP Area

4.7.2.3 Project Site

The Project site currently evidences dairy farm/cattle operations, cattle stockades, cattle and dairy farming support equipment, bio-retention basins associated with dairy farms, and residences appurtenant to dairy farm/cattle operations. The easterly portion of the Project site accommodates trucking operations and is developed with light industrial/commercial buildings and paved truck trailer parking/storage areas. Current uses and operations within the Project site listed below indirectly or directly contribute to potential adverse water quality conditions affecting the Project site and surrounding areas.

- Animal waste from the long-term dairy farm uses have potentially created methane gas, and soil contamination from nitrates and ammonia.

- Numerous automotive fluids, including several large above ground storage tanks (ASTs).

- Additional ASTs used for truck and equipment refueling.

- Scrap metal area containing drums, ASTs, farming equipment, and vehicles.

- The property is located within the South Archibald Tricholroethyleme (TCE) Plume. The 2,000-acre TCE Plume contains contaminated groundwater that underlies the Project site.

- Dairy operations use formaldehyde, iodine, and glycerol to wash the cows. The dairies also use muriatic acid and chlorinated alkaline as a cleaning solution. Pesticides are applied to prevent parasite infestations. Wastewater from these processes is discharged to pastures for irrigation.

- Holding ponds for contaminated runoff from agricultural/dairy farm operations.

- General debris observed throughout the property, including vehicle equipment staging areas, used tires, concrete rubble piles, compressors, and generators may have the potential to impact on-site surficial soil.

- Presence of private septic systems.

- Presence of private groundwater wells.

Implementation of the Project would remove or otherwise eliminate all of the above, and thereby act to avoid or substantially diminish existing adverse water quality conditions affecting the Project site and surrounding areas.

Except for regional drainage channels, the existing storm drain system serving Ontario Ranch and the Project site is largely unimproved and consists primarily of open earthen swales along roadways or curbed roadway surfaces. Historically, periods of heavy rain have resulted in catastrophic flooding events affecting unsewered dairy farms.[3] Existing Project site gradients and drainage patterns trend generally south/southwesterly. Master plan and on-site stormwater management systems implemented by the Project would preclude potentially adverse impacts of Project contributions to the City storm drain system, and would avoid or substantially diminish the potential for flooding that has historically affected surrounding unimproved properties.

4.7.2.4 Project Stormwater Management System Improvements

MDP/Regional Stormwater Management System Improvements

MDP/Regional Stormwater Management System Improvements that would be constructed by the Project are presented at Figure 4.7-3. The Storm Water Management Plan Concept responds to and incorporates City of Ontario Master Plan of Drainage standards. Storm drain improvements listed below would be installed to service the Specific Plan area. Line diameter sizes and other storm drain facility sizes noted herein

[3] *Initial Study and Mitigated Negative Declaration, City of Ontario Infrastructure Master Plans* (City of Ontario) July 2012, p. 2-3.

may be subject to modification by the City of Ontario and/or the San Bernardino Flood Control District as part of the Project final designs and engineering. Where required by the City, storm drains shall be equipped with a hydrodynamic separator(s) 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).

- An 8-foot by 13-foot Reinforced Concrete Box (RCB) would be constructed in the segment of Eucalyptus Avenue located between Walker Avenue and Vineyard Avenue;

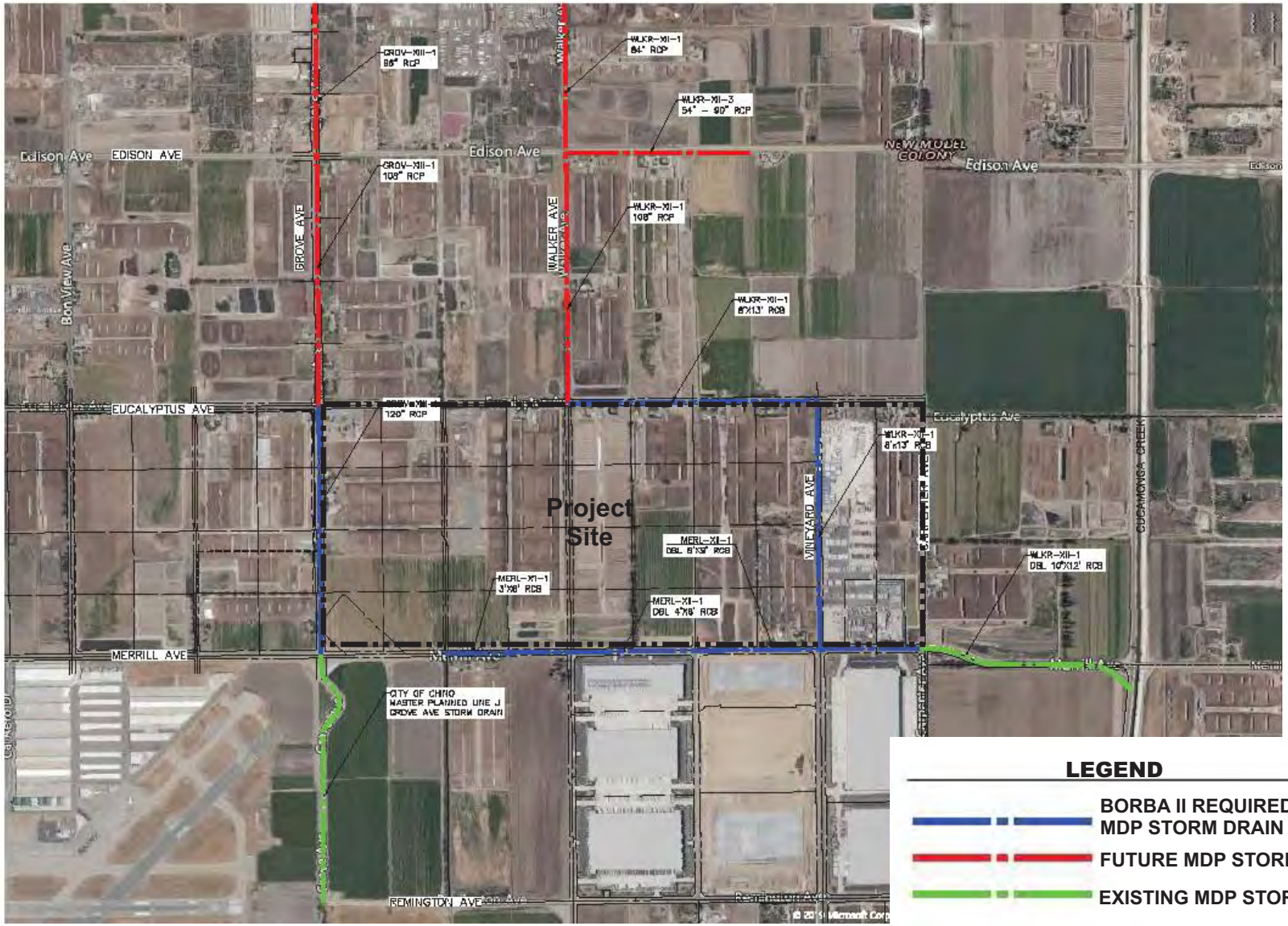
- A 3-foot by 6-foot RCB, a double 4-foot by 8-foot RCB, a double 8-foot by 9-foot RCB, and a double 12-foot by 10-foot RCB would be constructed in various segments of Merrill Avenue between the midpoint of the southerly boundary of Planning Area 2 and Carpenter Avenue;

- A 24-inch storm drain line would be constructed in the segment of Walker Avenue located between the southerly boundary of Planning Area 1A and Merrill Avenue;

- A 120-inch storm drain line would be constructed in the segment of Grove Avenue located between Eucalyptus Avenue and Merrill Avenue (with a point of connection to the existing open flood channel located south of the intersection of Merrill Avenue and Grove Avenue); and

- An 8-foot by 13-foot RCB would be constructed in the segment of Vineyard Avenue located between Merrill Avenue and Eucalyptus Avenue.

- Additionally, the developer(s) of the Project may be conditioned to improve the existing open flood channel located south of the intersection of Merrill Avenue and Grove Avenue. Improvements may consist of either lowering the elevation of the existing earthen channel or installing a double 10-foot by 6-foot RCB within the existing earthen channel to connect to an existing RCB located at the southerly terminus of the existing earthen flood channel. The ultimate solution will be determined during the final Project design and engineering process.



Source: City of Ontario Master Drainage Plan

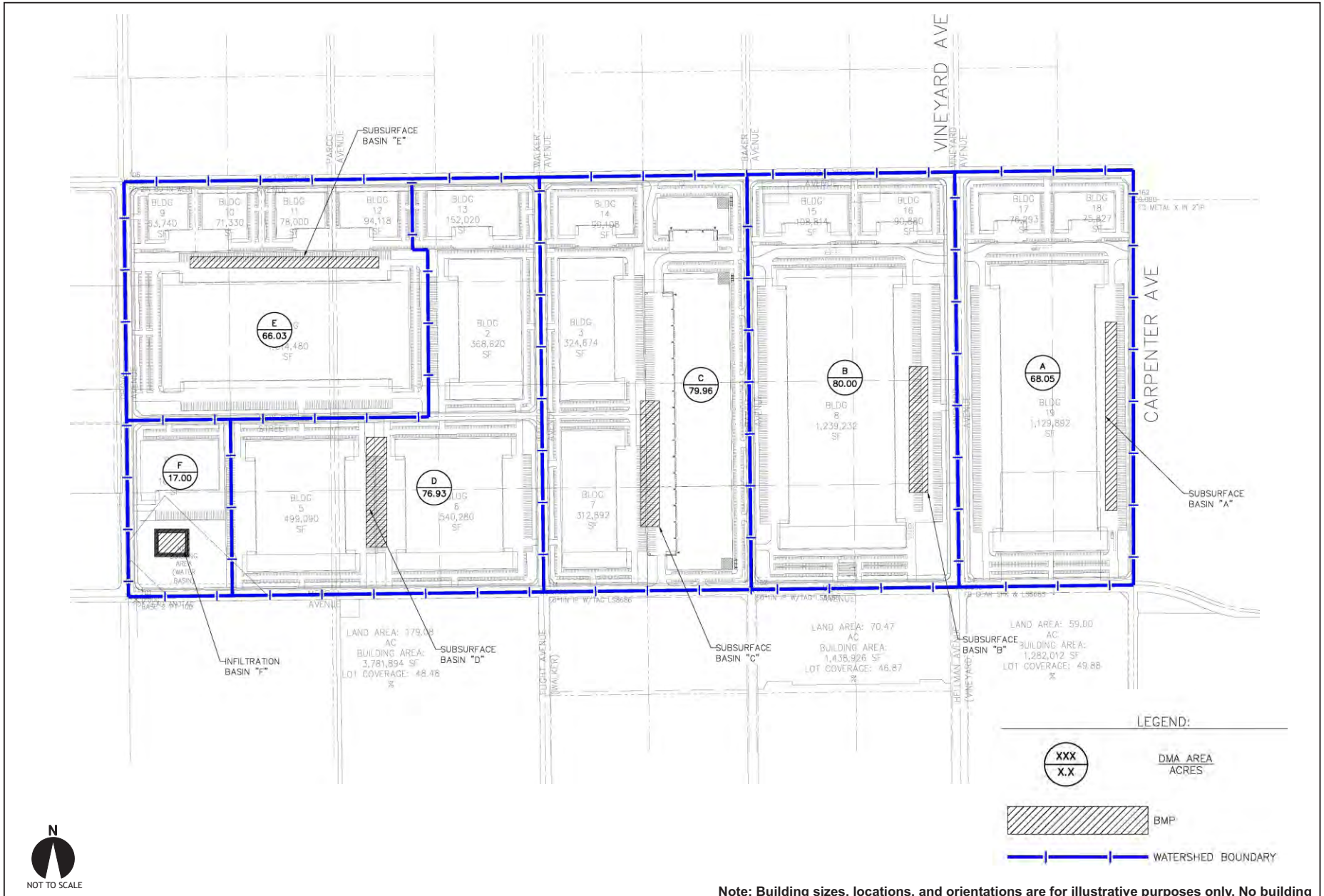
Figure 4.7-3
MDP/Regional Stormwater Management System Improvements

On-Site Stormwater Management System Concept

The Project stormwater management system concept is outlined below. Please refer also to Figure 4.7-4, *On-Site Stormwater Management System Concept*.

The Design Capture Volume (DCV) from the Project site uses would be collected and directed on-site via sheet flow and subsurface storm drains. Stormwaters would then discharge to subsurface basins, or to proposed infiltration basin(s). The DCV would then be treated via infiltration either within the subsurface basins or the infiltration basin(s). The subsurface basins and infiltration basin(s) would be designed to preclude discharges below the depth of the DCV.

The on-site storm drain improvements would be designed so all flows would be conveyed to the subsurface basins or infiltration basin(s). Flows in excess of the DCV would be conveyed via outlet pipes from on-site stormwater management BMPs to MDP facilities in adjacent roadways. The on-site stormwater management BMPs have been sized to accommodate the DCV, while allowing bypass of flows exceeding the DCV. Consistent with City and County requirements and programs outlined below, Low Impact Development (LID) design elements and other stormwater management BMPs would be incorporated in the final designs of individual development proposals within the Project site.



N

NOT TO SCALE

Source: JLC Engineering & Consulting, Inc.

Note: Building sizes, locations, and orientations are for illustrative purposes only. No building footprints would be entitled under the EIR Project or as part of the Specific Plan approval.

Figure 4.7-4
On-Site Stormwater Management System Concept

San Bernardino County

The County 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. LID design elements and other stormwater management BMPs to be incorporated in the Project include:

- 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 Best Management Practices (BMPs);
- Maximum hydrologic source control, infiltration, and biotreatment BMPs;
- Select applicable source control BMPs; and
- Address post-construction BMP maintenance requirements.

The Project preliminary WQMP is provided at EIR Appendix H. Consistent with City and County requirements, Final WQMPs will be prepared subsequent to development proposals within the Project site.

City of Ontario

Additional requirements established by the City of Ontario Standard Conditions of Approval (below) act to avoid or minimize potential water quality impacts. Development proposals within the Project site would be required to comply with the following Conditions:

- Standard Condition (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 Water Quality Management Plan (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 Best Management Practices (BMPs), that will be incorporated into the Project, in order to minimize any potential adverse impacts to receiving waters. [4]

The measures and requirements outlined above would collectively act to avoid or minimize potential water quality impacts. Moreover, these measures and requirements as implemented under the Project would improve stormwater quality discharges when compared to untreated and/or contaminated discharges originating from by the site's various dairy farm and trucking uses, and uncontrolled/untreated discharges originating from the site generally.

4.7.3 HYDROLOGY/WATER QUALITY POLICIES AND REGULATIONS

Applicable federal, state, and local policies and regulations that act to reduce potential hydrologic impacts and/or act to protect and preserve water quality are summarized below.

[4] City of Ontario. "Standard Conditions of Approval for New Development, Applicable to 'Ontario Ranch'" pp. 13, 14. *City of Ontario, California.* www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Documents/20170418-standard_conditions_for_new_development.pdf. Accessed 13 Nov. 2019.

4.7.3.1 Federal Water Pollution Control Act, Federal Clean Water Act (CWA)

The principal law governing pollution of the nation's surface waters is the Federal Water Pollution Control Act, or Clean Water Act (CWA), which was substantially revised by amendments in 1972 that created the bulk of the current statutory scheme. The CWA requires states to adopt water quality standards. To achieve its objectives, the CWA is based on the concept that all discharges into the nation's waters are unlawful, unless specifically authorized by a permit. The CWA states that discharge of pollutants into waters of the United States from any point source is unlawful unless the discharge complies with the National Pollution Discharge Elimination System (NPDES) permit.

The NPDES is a national program under Section 402 of the CWA. The CWA establishes the framework for regulating municipal and industrial (point sources) storm water discharges under the NPDES program. In California, the NPDES program is administered through the nine Regional Water Quality Control Boards, including the Santa Ana Regional Water Quality Control Board (SARWQCB). Locally, the SARWQCB determines the City of Ontario's compliance with the water quality requirements of the CWA. The Board has adopted a Water Quality Control Plan for the Santa Ana Region (Basin Plan), which is discussed in greater detail subsequently within this Section.

Non-point pollution sources are also regulated by the SARWQCB through the General Construction Activity Storm Water NPDES permits, which are issued for storm water discharges. Construction activities subject to this general permit include clearing, grading, and disturbances to the ground such as stockpiling or excavation that result in soil disturbances. Storm water pollution prevention plans (SWPPPs) are required as part of the construction NPDES permitting process. SWPPPs typically include both structural and non-structural Best Management Practices (BMPs) to reduce water quality impacts.

4.7.3.2 State of California and San Bernardino County

At the federal level, the Clean Water Act allows the Environmental Protection Agency (EPA) to delegate its NPDES system permitting authority to states with an approved regulatory program. The Clean Water Act authorizes discharge of pollutants into waters of the State by issuance of NPDES permits. An NPDES permit has been issued by the

California Regional Water Quality Control Board to San Bernardino County and local agencies. The City of Ontario is one of many cities included as a "co-permittee" in the NPDES permit issued to the County. The regulated entities must obtain coverage under an NPDES storm water permit and implement construction storm water pollution prevention plans (SWPPPs), and operational Water Quality Management Plans (WQMPs), both using best management practices (BMPs) that effectively reduce or prevent the discharge of pollutants into receiving waters.

The NPDES permit imposes various requirements of the discharger. Provided the discharger complies with such requirements, the discharger is considered compliant with the CWA and the Permit. Most requirements imposed by the Permit comprise BMPs, which are construction and operational discharge control practices and mechanisms deemed to comply with the CWA requirements.

Storm Water Pollution Prevention Plan (SWPPP) Required

In September 2009, the State Water Resources Control Board (SWRCB) issued an NPDES General Permit for the discharge of storm water associated with Construction Activities. Federal regulations promulgated by USEPA (40 CFR Parts, 9, 122, 123, and 124) expanded the NPDES storm water program to include storm water discharges from municipal separate storm sewer systems (MS4s) and construction sites that were smaller than those previously included in the program. The SWRCB issued a NPDES General Permit for the discharge of storm water associated with construction activities. The existing state NPDES Permit (Order No. 2009-0009-DWQ, General Permit No. CAS000002, Permit) addresses storm water discharges associated with construction activities. The Permit applies to all of California, which is inclusive of the City of Ontario and the Project site.

Requirements of this Permit include a mandate that all construction projects that disturb one acre or more of land area, shall obtain coverage under the statewide General Construction permit, obtain a Waste Discharger Identification Number (WDID#) and develop and implement a SWPPP. Under NPDES General Permit Section XIV, the SWPPP shall address these objectives: all pollutant sources shall be identified; BMPs shall be implemented to reduce or eliminate pollutants in storm water discharges and authorized non-storm water discharges from the construction site during construction; and a

maintenance schedule for BMPs installed during construction shall be implemented. BMPs shall be described for control of discharges from waste handling and disposal areas and methods of on-site storage and disposal of construction materials and construction waste.

An effective combination of erosion and sediment control on all disturbed areas during the rainy season must be implemented. The SWPPP shall describe the erosion control practices. The SWPPP shall describe the BMPs to reduce pollutants in storm water discharges after Project construction. The beneficial uses of the receiving waters are protected through implementation of these BMPs.

Water Quality Management Plan (WQMP) Required

Consistent with provisions of the County's Urban Runoff (NPDES) Permit, the Project is also required to develop and implement a post-construction Water Quality Management Plan (WQMP) addressing potential operational storm water pollutant discharges over the life of the Project.

The WQMP requirements are articulated in the County's Urban Runoff (NPDES) Permit, and include such Low Impact Development (LID) measures as retention/infiltration basins, infiltration trenches/swales, pervious pavement, vegetated swales, drywells, underground storage, biotreatment and biofiltration, roof runoff controls, recessed grading in all landscaped areas, education programs, and maintenance practices. The NPDES permitting program also includes measures to reduce the release of pollutants such as sediment, construction materials, or accidental spillage of polluting materials during construction. Consistent with provisions of the County's NPDES Permit, the City of Ontario requires implementation of development-specific SWPPPs and incorporation of BMPs that reduce storm water and urban runoff pollutant discharges to the waters of Southern California.

SWPPP Components

Typical SWPPP elements include:

- Introduction and Purpose
- Compliance Requirements and Certifications
- Facility Information/Pollution Prevention Team Members
- Site Map
- List of Significant Materials
- Potential Storm Water Pollutants and Sources
- Best Management Practices
- Summary of Pollutants, Sources, and BMPs
- Annual Comprehensive Site Evaluation
- Definitions
- State Notice of Intent Form and Instructions

SWPPP BMPs incorporated in the Project would likely include, but not be limited to:

Construction BMPs

- Silt Fences
- Check Dams
- Gravel Bag Berms and Checkdams in concentrated flow lines
- Street Sweeping and Vacuuming
- Storm Drain Inlet Protection
- Wind Erosion Control
- Stabilized Construction Entrance/Exit
- Entrance/Outlet Tire Wash
- Scheduling construction work around inclement weather
- Preservation of Existing Vegetation (wherever possible)
- Application of Soil Binders and Hydromulches, before forecasted storms
- Construction of Earth Berms and Dikes

Contingent on final designs of proposed uses within the Project site, the range of WQMP incorporated BMPs would likely include, but not be limited to:

Non-Structural BMPs

- Tenant Education
- Activity Restrictions
- Common Area Landscape Management
- Catch Basin Inspection
- Common Area Litter Control
- Private Street/Lot Sweeping
- Housekeeping of Loading Docks
- Employee Training
- BMP Maintenance

Structural BMPs

- Infiltration and Biofiltration Basins, Trenches, Swales
- Pervious Pavement
- Underground retention/infiltration storage facilities
- Control of Impervious Runoff
- Common Area Efficient Irrigation
- Common Area Runoff-Minimizing Landscape
- Wash Water Controls for Food Preparation Areas
- Covered Trash Container Areas
- Self-contained Areas for Washing/Steam Cleaning/Repair/Material Processing
- Outdoor Storage
- Energy Dissipators
- Catch Basin Stenciling
- Inlet Trash Racks

The Project would implement and comply with State of California and San Bernardino County water quality protection policies and mandates.

4.7.3.3 Porter-Cologne Water Quality Act

Section 303 of the federal Clean Water Act and the State Porter-Cologne Water Quality Act establish water quality objectives for ground and surface waters in the State. Protection and maintenance of surface water quality is the combined responsibility of the Regional Water Quality Control Board (RWQCB), water supply and wastewater management agencies, and City and County governments.

The RWQCB has purview over point and non-point sources of pollution. Point source water pollutants consist of controlled wastewater releases commonly generated by activities that use water to collect pollutants and transport them from the processing facility. When such wastewater discharges are proposed, the applicant must obtain a set of Waste Discharge Requirements from the RWQCB that control water pollution to a non-significant level from such point sources.

Non-point sources of water pollution consist of surface runoff from a site or area during or following a storm where the source of pollution cannot be traced to a specific location. Typical non-point water pollution sources consist of agricultural fields with sediment and fertilizers, construction sites with sediment and debris, and roads with oil, tire particles, and debris common to roads.

4.7.3.4 Santa Ana Regional Water Quality Control Board

Water Quality Control Plan (Basin Plan) for the Santa Ana Region

The Basin Plan describes existing water quality of conditions and establishes water quality goals and policies. The Basin Plan is also the basis for the Regional Board's regulatory programs. The Basin Plan establishes water quality standards for all the ground and surface waters of the region. The term "water quality standards," as used in the federal Clean Water Act, includes both the beneficial uses of specific water bodies and the levels of quality which must be met and maintained to protect those uses. The Basin Plan includes an implementation plan describing the actions by the Regional Board and others that are necessary to achieve and maintain target water quality standards.

The primary goal of the Santa Ana Basin Plan is to protect the public health and welfare, while maintaining or enhancing water quality potential beneficial uses of the water. The Basin Plan reflects amendments approved by the State Water Resources Control Board, the California Office of Administrative Law, and/or the U.S. Environmental Protection Agency through 2005. The Basin Plan in its entirety can be reviewed at: http://www.waterboards.ca.gov/rwqcb8/water_issues/programs/basin_plan/index.shtml. The Project would be required to implement and comply with SARWQCB water quality protection policies and mandates.

4.7.3.5 City of Ontario

General Plan Goals and Policies

The Environmental Resources and Safety Elements of the City Policy Plan establish Goals and Policies addressing hydrologic and water quality issues and concerns. Goals and policies implemented by the City support avoidance of flood hazards, protection against potential flooding impacts, establishment and maintenance of safe and efficient storm water management systems, and protection and maintenance of water quality.

City Municipal Code

The City of Ontario Flood Damage Prevention Program (FDPP) is included as Title 8, Chapter 13 of the City's Municipal Code. The FDPP applies to all areas of special flood hazards, areas of flood-related erosion hazards and areas of mudflow hazards within the City. The FDPP includes standards for construction, for utilities, subdivisions, manufactured homes, and floodways. Construction standards include requirements for anchoring, floodproofing, and minimum elevations of floors.

4.7.4 STANDARDS OF SIGNIFICANCE

Consistent with the standards of significance outlined in the *CEQA Guidelines*, hydrology/water quality impacts would be considered potentially significant if the Project would:

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

- 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:

    - result in substantial erosion or siltation on- or off-site;

    - substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

    - create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

    - impede or redirect flood flows.

- Result in release of pollutants due to project inundation.

- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

4.7.5 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.7.5.1 Introduction

The following discussions focus on topical areas and issues where it has been determined, pursuant to the EIR Initial Study/NOP processes, that the Project may result in or cause potentially significant hydrology/water quality impacts. Of the CEQA threshold considerations identified above at Section 4.7.4, and as substantiated in the Initial Study (EIR Appendix A), the Project's potential impacts under the following topics are determined to be less-than-significant, and are not further substantively discussed here:

- Potential to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

- Potential to 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 result in substantial erosion or siltation on- or off-site.

All other CEQA topics concerning the Project's potential impacts to hydrology/water quality are discussed below. Please also refer to Initial Study Checklist Item X., *Hydrology and Water Quality*.

4.7.5.2 Impact Statements

Potential Impact: *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.*

Impact Analysis:

Project SWPPPs and Compliance with Regulatory Requirements Address Construction-Source Water Quality Impacts

During site preparation activities prior to construction, existing groundcover will be removed from the site, exposing the Project area to increased wind and water erosion potentials. Further, construction site runoff may carry increased loads of sediment, heavy metals and petroleum hydrocarbons (from machinery) which could degrade water quality. In accordance with NPDES requirements, the Project Development Contractors (Contractors) would be required to prepare a construction activities erosion control plan to alleviate potential sedimentation and storm water discharge contamination impacts of the Project.

Contractors shall also be responsible for compliance with the General Construction NPDES permit from the SARWQCB by filing a Notice of Intent to Commence Construction Activities. Under the General Construction Permit, discharge of materials other than storm water is prohibited. Contractors shall prepare, retain at the construction site, and implement Storm Water Pollution Prevention Plans (SWPPPs) that identify the sources of sediments and other pollutants that affect the quality of storm water discharge, and implement practices to reduce sediment and other pollutants to storm water discharge. The SWPPPs also identify both construction and post-construction BMPs to reduce sediments and other pollutants. BMPs mandated by the requisite NPDES permit typically include installation of filter fabric fences, sandbars and checkdams. Construction BMPs for developments within the Project site would likely include, but not be limited to:

- Silt Fences;
- Check Dams;
- Gravel Bag Berms;
- Street Sweeping and Vacuuming;
- Sandbag Barriers;
- Storm Drain Inlet Protection;
- Wind Erosion Control;

- Stabilized Construction Entrance/Exit; and
- Entrance/Outlet Tire Wash.

Implementation of the SWPPPs and compliance with applicable NPDES and SARWQCB requirements will reduce potential construction-source water quality impacts to levels that would be less-than-significant.

Project WQMPs and Compliance with Regulatory Requirements Address Operational-Source Water Quality Impacts

Over the life of the Project uses, contaminants such as oil, fuel and grease that are spilled or left behind by vehicular traffic, collect and concentrate on paved surfaces. During storm events, these contaminants are washed into the storm drain system and may potentially degrade receiving water quality. Storm water runoff from paved surfaces within the developed Project site could carry a variety of urban wastes, including greases and oils and small amounts of metals which are common by-products of vehicular travel. In addition, storm runoff will likely contain residual amounts of fertilizers and plant additives washed off from landscaped areas within the Project site.

Recognizing the potential hazards of such urban runoff, the EPA has issued regulations which required municipalities to participate in the NPDES. As part of this program, San Bernardino County has received an NPDES permit for urban runoff. Compliance with the provisions specified in the NPDES permit ensures proper management and disposal of urban runoff from the Project.

Contractors shall be responsible for obtaining a General Permit for storm water discharge from the SARWQCB, in accordance with the Notice of Intent instructions. Under the General Permit, discharge of materials other than storm water is prohibited. In support of the above requirements, Contractors shall also develop and implement a development-specific Water Quality Management Plans (WQMPs) addressing all post-construction pollutant discharges. To the extent feasible, individual development proposals implemented within the Project site would employ permeable materials and landscaped areas to enhance on-site capture and absorption of stormflows. The Project would also provide for elimination/reduction of pollutant discharges, including capture

and treatment of dry weather and first flush runoff in a manner consistent with City and SARWQCB policies and requirements. BMPs to be implemented under the WQMPs would likely include, but not be limited to the following:

Source Control/Non-Structural BMPs

- Education of Property Owners;
- Spill Contingency Plan;
- Employee Training/Education Program;
- Street Sweeping of Private Streets and Parking Lots;
- Common Areas Catch Basin Inspection;
- Landscape Planning;
- Hillside Landscaping;
- Roof Runoff Controls;
- Efficient Irrigation;
- Protection of Slopes and Channels;
- Storm Drain Signage;
- Inlet Trash Racks;
- Energy Dissipaters;
- Trash Storage Areas and Litter Control;
- Maintenance Bays and Docks Drainage Controls; and
- Outdoor Material Storage Area Drainage Controls.

Site Design/Structural BMPs

- Infiltration and Biofiltration Basins;
- Maximize Permeable Areas;
- Minimize Street, Sidewalk, and Parking Lot Aisle Widths;
- Minimize Impervious Hardscape Features;
- Maintain Natural Drainage Patterns;
- Incorporate Drought-Tolerant Landscaping;
- Perforated Pipes and Gravel Filtration Areas;
- On-site Vegetated Swales;

- Convey Runoff to Landscaping/Permeable Areas Prior to Discharge to Storm Drains;
- Drain Sidewalks and Walkways to Adjacent Landscape Areas; and
- Integration of Landscaping and Drainage Designs.

The Project shall comply with all requirements of the MS4 Permit, as well as the Trash Mandate adopted by the SARWQCB. All storm water discharges from the developed Project site shall comply with applicable provisions of the County's National Pollutant Discharge Elimination System (NPDES) permit. Consistent with SARWQCB and City requirements, waste materials will not be discharged to drainage areas, streambeds, or streams. Nor will spoil sites be located in areas that could result in spoil materials being washed into a water body.

Implementation of the WQMPs and compliance with applicable NPDES and SARWQCB requirements will reduce potential operational-source water quality impacts to levels that would be less-than-significant.

Project Improvements Would Eliminate or Reduce Existing Water Pollutant Sources

The Project would connect to the existing sanitary sewer system serving the Project area and does not propose or require septic systems or other alternative treatment of wastewater. Existing private septic systems within the Project site would be properly abandoned prior to Project grading and construction, in compliance with the regulations of the Santa Ana Regional Water Quality Control Board; San Bernardino County Department of Environmental Health; the California Uniform Plumbing Code; and Manual of Septic Tank Practice as published by the U.S. Department of Health, Education and Welfare; and the rules, standards and regulations of the City. Elimination of the existing septic systems would act to generally reduce the potential for groundwater contamination that can arise from such systems. Also, existing private wells within the Project site would be abandoned and capped as part of the site preparation process, consistent with applicable regulations of the State of California Department of Water Resources (as reflected in Bulletins 74-81 and 74-90); the San Bernardino County Department of Environmental Health; and the Santa Ana Regional Water Quality

Control Board. Abandonment and capping of these wells would eliminate direct withdrawals of groundwater; and would protect groundwater quality by reducing locations where polluted surface waters could be directly introduced to the groundwater table.

The Project's plans for construction of and connection to sanitary sewer infrastructure facilities are subject to review and approval by the City. The Project Applicant would also be required to apply for service and pay a mandated Connection Fee and ongoing Service Fees. Fees paid by the Project would be applied toward maintenance and expansion of serving wastewater conveyance and treatment facilities. Wastewater generated by the Project is typical of urban generators and wastewater resulting for the Project uses will not require treatment beyond that provided by existing facilities.

As supported by the preceding discussions, the potential for the Project to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality is determined to be less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impacts: *Substantially alter the existing drainage pattern of the site or area in a manner that would substantially increase the rate or amount of runoff that would result in flooding on- or offsite; Substantially alter the existing drainage pattern of the site or area in a manner that would 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.*

Impact Analysis: The Project overall drainage concept maintains the site's north – south/northeast – southwest trending drainage patterns. The Project Hydrology Study does not indicate any potentially adverse impacts that could result from post-development drainage patterns.

Under the MDP, stormwater discharges from the Project site would be directed to Zones XII and XIII. Stormwaters from approximately 350 acres of the Project site would discharge to MDP Zone XII storm drain systems; stormwaters from the remaining 40 acres of the Project site would discharge to Zone XIII storm drain systems. The MDP hydrological assumption for the Project site is 90% impervious surfaces and 10% pervious surfaces. This assumption establishes a conservative likely maximum stormwater discharge condition. The Project would implement business park/warehouse uses that would result in site development consistent with the MDP hydrological assumptions. Stormwater discharges from the Project site would not exceed the MDP hydrological assumptions and would therefore not exceed planned capacity of the serving MDP storm drain system (Project Hydrology Study, p. 2). Please refer also to detailed hydraulic calculations at Project Hydrology Study Appendices A and B.

The Project would construct MDP facilities consistent with City requirements. The MDP facilities have been designed to accept stormwater runoff from the Project site under full buildout conditions. The MDP has been planned and designed to accept and convey stormwater discharges that would result from City Buildout conditions, including buildout of the Project site and surrounding areas of Ontario Ranch. The Project would implement business park/warehouse uses that would result in site development consistent with the MDP hydrological assumptions. Stormwater discharges from the Project site would not exceed the MDP hydrological assumptions and would therefore not result in stormwater discharges that would exceed the capacity of existing or planned MDP stormwater drainage systems or result in runoff that would result in on-site or off-site flooding.

All Project stormwater management system improvements would be required to be developed and operated in compliance with City/SARWQCB regulations and water quality standards.

Within the Project site, individual development proposals would be required incorporate all necessary drainage and stormwater management systems, and comply with all stormwater system design, construction, and operational requirements mandated through the City's established development review processes. In these regards, the

Project would be required to comply with City Standard Conditions of Approval addressing hydrology and water quality concerns. These Conditions of Approval include:

- Standard Condition (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 Water Quality Management Plan (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 Best Management Practices (BMPs), that will be incorporated into the Project, in order to minimize any potential adverse impacts to receiving waters. [5]

[5] City of Ontario. "Standard Conditions of Approval for New Development, Applicable to 'Ontario Ranch'" pp. 13, 14. *City of Ontario, California.* www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Documents/20170418-standard_conditions_for_new_development.pdf. Accessed 13 Nov. 2019.

In combination, the Project MDP facility improvements, on-site stormwater management components, and mandated compliance with regulatory requirements act to preclude potentially adverse drainage and stormwater runoff impacts.

As discussed previously in this Section, the Project would not result in substantial additional sources of polluted runoff or otherwise adversely affect water quality.

Based on the preceding, the potential for the Project to: substantially alter the existing drainage pattern of the site or area in a manner that would substantially increase the rate or amount of runoff that would result in flooding on- or offsite; or substantially alter the existing drainage pattern of the site or area in a manner that would 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 is determined to be less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *Impede or redirect flood flows.*

Impact Analysis: As shown at Policy Plan Figure S-2, *Flood Hazards*, the Project site is located within a 500-year flood plain and is within the San Antonio Creek Dam Failure Inundation Area. The Project site does not, however, lie within a designated 100-year floodplain or other areas known to be subject to moving or high-velocity floodwaters. The Project does not propose or require facilities or operations that would otherwise impede or redirect flood flows. On this basis, the potential for the Project to impede or redirect flood flows is determined to be less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *Under a flood, tsunami, or seiche event, release pollutants due to project inundation.*

Impact Analysis: The Project site is not located within an area subject to tsunami, or seiche events. There is no potential for the Project to be adversely affected in these regards.

The Project site does, however, lie within a 500-year floodplain and is within the San Antonio Creek Dam Failure Inundation Area. There is therefore the potential for the Project generally to be subject to inundation under 500-year flood conditions or in the event of the San Antonio Creek Dam failure. Either of these are relatively low probability events. Catastrophic failure of the San Antonio Dam when it is at or near capacity could spread water two to four feet deep over the western and central parts of the City. However, the City has never experienced such an event.

The Ontario Plan EIR concluded that the probability of catastrophic failure is very low. Furthermore, the City of Ontario Fire Department maintains a list of emergency procedures to be followed in the event of a dam failure (Ontario Plan EIR, p. 5.9-23). Because the likelihood of catastrophic failure of the San Antonio Dam is very low and the City is prepared in the event of such failure, impacts related to potential release of pollutants under dam failure conditions are considered less-than-significant.

Potential for release of pollutants under 500-year flood conditions or in the event of dam failure is minimized through the location, orientation, and construction of Project facilities consistent with City Building Code requirements and implementation of the Project stormwater management system improvements described in this Section. Additionally, the Project uses would be required to develop and implement Hazardous Materials Release Response Plans and Inventory (Business Plans) that specifically address storage and use of hazardous materials so as to minimize their potential release, containment of hazardous materials and related pollutants that may be released under emergency conditions, and measures to reduce potential effects of hazardous materials and related pollutants if released.

Based on the preceding, the potential for release of pollutants due to project inundation under a flood, tsunami, or seiche event is determined to be less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.*

Impact Analysis: As discussed within this Section, the Project would implement water quality control measures consistent with City and SARWQCB requirements. The Project would there not result in potentially adverse water quality impacts and would not conflict with or obstruct implementation of a water quality control plan, in this instance, the Water Quality Control Plan for the Santa Ana Region.

The City of Ontario draws all of its groundwater supply from the Chino Basin. Since 1978, the basin has been managed via ongoing court adjudication in the 1978 judgment Chino Basin Municipal Water District vs. City of Chino et al. The Project does not propose or require direct withdrawal of groundwater. Neither would the Project adversely affect designated groundwater recharge areas or groundwater recharge facilities. To the extent practical, individual development proposals within the Project site would implement LID measures facilitating infiltration of treated stormwaters to the groundwater table. Further, the Project would eliminate existing private groundwater wells within the Project site. Abandonment and capping of these wells would eliminate direct withdrawals of groundwater; and would protect groundwater quality by reducing locations where polluted surface waters could be directly introduced to the groundwater table.

Based on the preceding, the potential for the Project to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan is determined to be less-than-significant.

Level of Significance: Less-Than-Significant.

4.8 BIOLOGICAL RESOURCES

4.8 BIOLOGICAL RESOURCES

Abstract

This Section identifies and addresses potential impacts to biological resources resulting from the Project. More specifically, the analysis presented here examines whether the Project would:

- *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;*

- *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, polices, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;*

- *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) though direct removal, filling, hydrological interruption, or other means;*

- *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 wildlife nursery sites;*

- *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or*

- *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.*

As supported by the analysis presented in this Section, with application of proposed mitigation measures, the Project's potential impacts to biological resources are determined to be less-than-significant.

4.8.1 INTRODUCTION

Following are discussions of existing biological resources characteristic of the Project area, with focused consideration on species of special interest known to occur, or that could potentially occur on the Project site. Potential impacts to biological resources are identified, and mitigation of potentially significant impacts is proposed.

Information presented in this Section is summarized and excerpted from: *Biological Technical Report for Merrill Commerce Center Specific Plan, Located in the City of Ontario, San Bernardino County, California with Off-Site Improvements Located in the Cities of Ontario and Chino, San Bernardino County, California* (Glenn Lukos Associates, Inc.) September 19, 2019 (Project Biological Resources Report). Primary elements of the Project Biological Resources Report include:

- Delineation of aquatic resources (including wetlands and riparian habitat) subject to the jurisdiction of the U.S. Army Corps of Engineers (Corps), Regional Water Quality Control Board (Regional Board), and CDFW;
- Performance of vegetation mapping; and
- Performance of habitat assessments, and site-specific biological surveys, to evaluate the presence/absence of special-status species in accordance with the requirements of CEQA.

Surveys and assessments conducted as part of the Project Biological Resources Report are summarized at Table 4.8-1.

Table 4.8-1
Summary of Project Biological Surveys/Assessments

Survey/Assessment	Survey/Assessment Dates
General Biological Survey	4/4/18, 4/5/18, 4/11/18
Focused Burrowing Owl Surveys	4/4/18, 4/5/18, 4/11/18, 4/14/18, 5/11/18, 5/18/18, 5/22/18, 4/9/2019, 5/23/19, 6/19/19, 7/11/19
Focused Special-status Plant Surveys	4/4/18, 4/5/18, 4/19/18, 5/18/18, 5/22/18, 7/13/18, 4/9/19, 5/23/19, 6/19/19
Delhi Sands Flower-Loving Fly Focused Habitat Assessment	September 2018, February 2019
Jurisdictional Delineation	9/12/18

Source: *Biological Technical Report for Merrill Commerce Center Specific Plan, Located in the City of Ontario, San Bernardino County, California with Off-Site Improvements Located in the Cities of Ontario and Chino, San Bernardino County, California* (Glenn Lukos Associates, Inc.) September 19, 2019.

Graphic representations of survey areas, and detailed survey mapping results are appended to the Project Biological Resources Report (Appendices 1–3). Analysis of potential impacts of the proposed waterline segment along Chino Avenue between Grove Avenue and the Cucamonga Channel was prepared based on information from the *General Biological Assessment for Ontario Ranch Business Center* (Hernandez Environmental Services) September 2018.

Both of these Biological Reports are presented in their entirety at EIR Appendix I.

4.8.2 SETTING

The entirety of the Study Area is subject to decades-long human disturbance, such as farming, trucking operations, public roadways, and flood control facilities. The Project site currently evidences a dairy farm with interior unpaved roads, cattle stockades, support equipment for cattle and dairy farming, bio-retention basins located at the southern boundary, a trucking operation on the eastern portion, and appurtenant residences at various locations within the Project site.

The Project site is extensively disturbed and evidences environmental degradation due to historic and on-going agricultural and trucking uses. Such degradation includes, but is not limited to:

- Animal waste from the long-term dairy farm uses have potentially created methane gas, and soil contamination from nitrates and ammonia.

- Numerous automotive fluids, including several large above ground storage tanks (ASTs) on or near the on-site maintenance shop. These materials are used for maintaining and repairing farm equipment.

- Additional ASTs used for truck and equipment refueling are located on-site.

- A scrap metal area containing drums, ASTs, farming equipment, and vehicles is located on the property.

- Dairy operations use formaldehyde, iodine, and glycerol to wash the cows. The dairies also use muriatic acid and chlorinated alkaline as a cleaning solution. Pesticides are applied to prevent parasite infestations. Wastewater from these processes is discharged to the pastures for irrigation.

- Holding ponds for contaminated runoff from agricultural/dairy farm operations. Discharge from these ponds to surrounding areas; and potential infiltration of contaminated runoff to underlying groundwater.

- General debris observed throughout the property, including vehicle equipment staging areas, used tires, concrete rubble piles, compressors, and generators may have the potential to impact on-site surficial soil.

- Presence of septic systems.

Please refer also to EIR Section 3.0, *Project Description*, 3.2, *Existing Land Uses*.

The Project site topography evidences little internal difference, with a general northeast to southwest downward trending slope. Elevations within the Project site range from approximately 686 feet above mean sea level (amsl) at the northeast corner of the Project site, to approximately 651 feet amsl at the southwest corner of the Project site.

4.8.2.1 Vegetation Communities/Habitat Types

Two different land cover types have been identified within the Study Area, "agriculture" and "disturbed/developed," as illustrated at Figure 4.8-1 and discussed below.

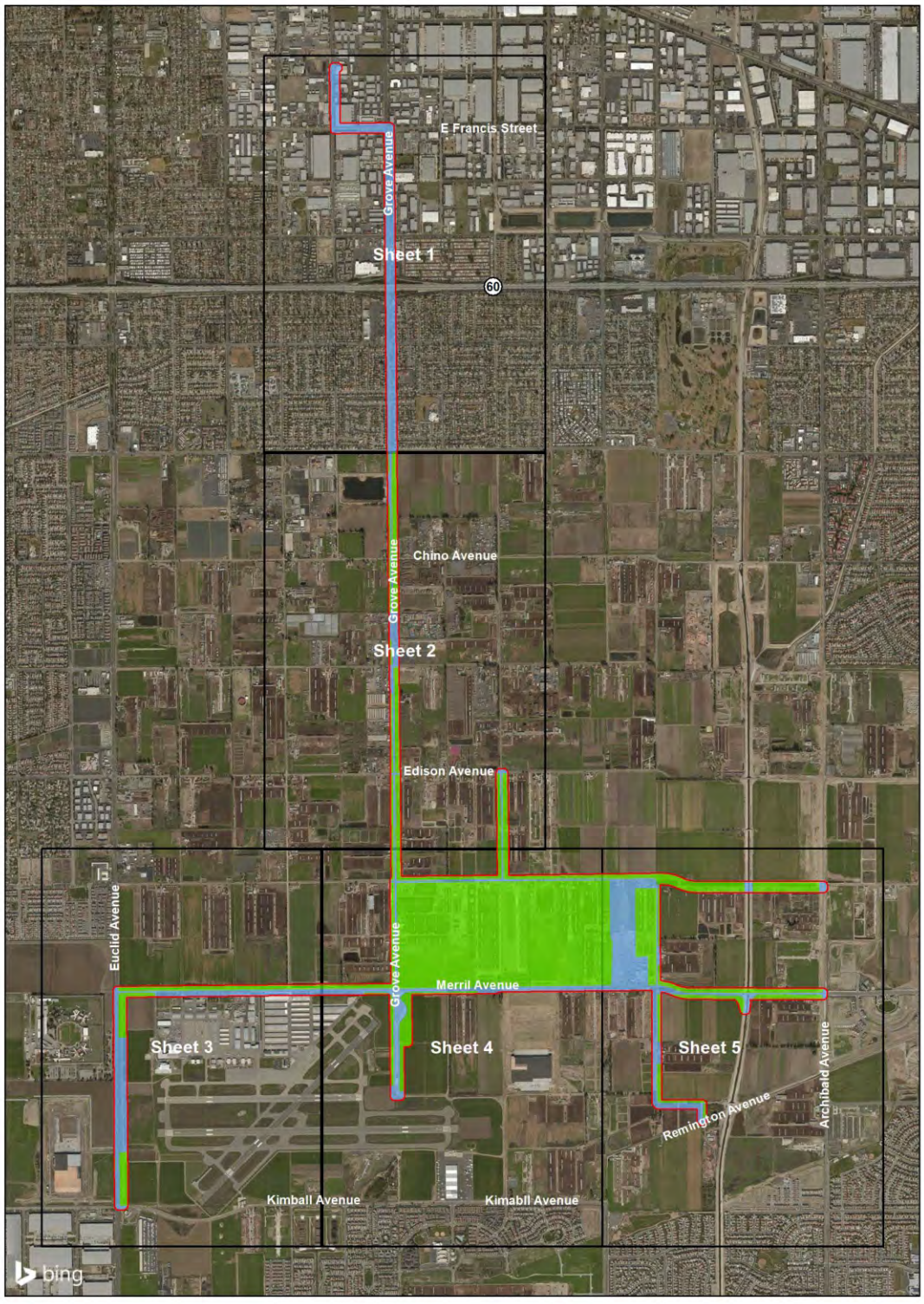
Agriculture

Agricultural areas within the Study Area consist of active dairy operations and row crops. Areas associated with the dairy operations include corrals, pastures, and treatment basins designed to retain all runoff from the associated facilities. Row crops include active production fields, such as corn. Current and historic agricultural/dairy farming uses have contributed to site degradation and adverse environmental conditions affecting the Project site. These conditions include:

- Contamination from animal waste;
- Creation of methane gas, a potentially hazardous material and GHG contributor;
- Storage, use, and spillage/leakage of chemicals associated with dairy operations;
- Above ground and underground storage, use, and spillage/leakage of petroleum products associated with agricultural machinery and farm equipment;
- Presence of general debris, scrap metal, concrete rubble, and used tires;
- Various compressors and generators located throughout the site, and surrounding areas of potentially contaminated soils; and
- Use of private septic systems.

Disturbed/Developed

Disturbed/developed areas within the Study Area consist of residential and commercial development, agricultural processing facilities, public road facilities, and flood control facilities. These areas have been subject to decades-long maintenance, ongoing human disturbance, and environmental concerns such as those noted above.



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NOT TO SCALE

Project Study Area

Agriculture

Disturbed/Developed

Source: Glenn Lukos Associates, Inc.

Figure 4.8-1
Vegetation Communities

4.8.2.2 Special-Status Plant Species

Based on research including mapping and previous biological investigations, the following 11 special-status habitats have been identified as occurring within the vicinity of the Study Area: California walnut woodland, Riversidean alluvial fan sage scrub, Southern California arroyo chub/Santa Ana sucker stream, southern coast live oak riparian forest, southern cottonwood willow riparian forest, southern interior cypress forest, southern riparian forest, southern riparian scrub, southern sycamore alder riparian woodland, southern willow scrub, and walnut forest. Table 4-2 of the Biological Technical Report provides a complete inventory of all special-status plants evaluated through general biological surveys, habitat assessments, and focused surveys. As shown, no special-status plants were detected within the Study Area.

4.8.2.3 Wildlife Overview

Wildlife species detected consist of those typically expected in an urbanized agricultural setting, and include: western fence lizard (*Sceloporus occidentalis*), rock pigeon (*Columba livia*), Eurasian collared-dove (*Streptopelia decaocto*), house finch (*Carpodacus mexicanus*), lesser goldfinch (*Psaltriparus minimus*), white-crowned sparrow (*Zonotrichia leucophrys*), savannah sparrow (*Passerculus sandwichensis*), Anna's hummingbird (*Calypte anna*), Bewick's wren (*Thryomanes bewickii*), red-tailed hawk (*Buteo jamaicensis*), Cooper's hawk (*Accipiter cooperii*), American kestrel (*Falco sparverius*), turkey vulture (*Cathartes aura*), black phoebe (*Sayornis nigricans*), western kingbird (*Tyrannus verticalis*), Cassin's kingbird (*Tyrannus vociferus*), European starling (*Sturnus vulgaris*), Brewer's blackbird (*Euphagus cyanocephalus*), brown-headed cowbird (*Molothrus ater*), yellow-rumped warbler (*Setophaga coronata*), killdeer (*Charadrius vociferus*), northern mockingbird (*Mimus polyglottos*), common raven (*Corvus corax*), American crow (*Corvus brachyrhynchos*), Botta's pocket gopher (*Thomomys bottae*), desert cottontail (*Sylvilagus audubonii*), California ground squirrel (*Otospermophilus beecheyi*), domestic cat (*Felis silvestris*), and domestic dog (*Canis familiaris*).

4.8.2.4 Special-Status Wildlife Species

Table 4-3 of the Biological Technical Report provides a complete list of all special-status species evaluated for the Study Area through general biological surveys, habitat

assessments, and focused surveys. Of the species evaluated, those with the potential to occur within the Study Area are listed at Table 4.8-2.

Table 4.8-2
Special-Status Wildlife Species with Potential to Occur Onsite

Species	Status	Occurrence
American peregrine falcon (nesting) *Falco peregrinus anatum*	Federal: Delisted State: Delisted, FP	Potential for foraging only.
Bald eagle (nesting & wintering) *Haliaeetus leucocephalus*	Federal: Delisted State: SE, FP	Potential for foraging only.
Burrowing owl (burrow sites & some wintering sites) *Athene cunicularia*	Federal: None State: SSC	Present-single owl observed.
Golden eagle (nesting & wintering) *Aquila chrysaetos*	Federal: None State: FP	Potential for foraging only.
Swainson's hawk (nesting) *Buteo swainsoni*	Federal: None State: ST	Potential for foraging only.
White-tailed kite (nesting) *Elanus leucurus*	Federal: None State: FP	Moderate potential to occur.
Yellow-headed Blackbird (nesting) Xanthocephalus xanthocephalus	Federal: None State: SSC	Present-foraging.
Yellow warbler (nesting) *Setophaga petechia*	Federal: None State: SSC	Present-foraging.
Big free-tailed bat *Nyctinomops macrotis*	Federal: None State: SSC	Potential for foraging only.
Pallid bat *Antrozous pallidus*	Federal: None State: SSC	Potential for foraging only.
Western mastiff bat *Eumops perotis californicus*	Federal: None State: SSC	Potential for foraging only.
Western red bat *Lasiurus blossevillii*	Federal: None State: SSC	Potential to occur.
Western yellow bat *Lasiurus xanthinus*	Federal: None State: SSC	Potential to occur.

Source: *Biological Technical Report for Merrill Commerce Center Specific Plan, Located in the City of Ontario, San Bernardino County, California with Off-Site Improvements Located in the Cities of Ontario and Chino, San Bernardino County, California* (Glenn Lukos Associates, Inc.) September 19, 2019.
Notes:
FP – California Fully-Protected Species
SE – State Endangered
SSC – Species of Special Concern
ST – State Threatened

4.8.2.5 Jurisdictional Areas

Jurisdictional areas within the Study Area include Cucamonga Channel, Grove Channel, and two ephemeral drainages. Areas within the Study Area subject to the jurisdiction of the Army Corps of Engineers, Regional Water Quality Control Board, and California Department of Fish and Wildlife are depicted at Figures 4.8-2 and 4.8-3.

These drainages are flood control facilities, and are subject to ongoing maintenance. They do not support jurisdictional wetlands or riparian vegetation communities. No jurisdictional wetlands or riparian habitat exists within the Study Area.

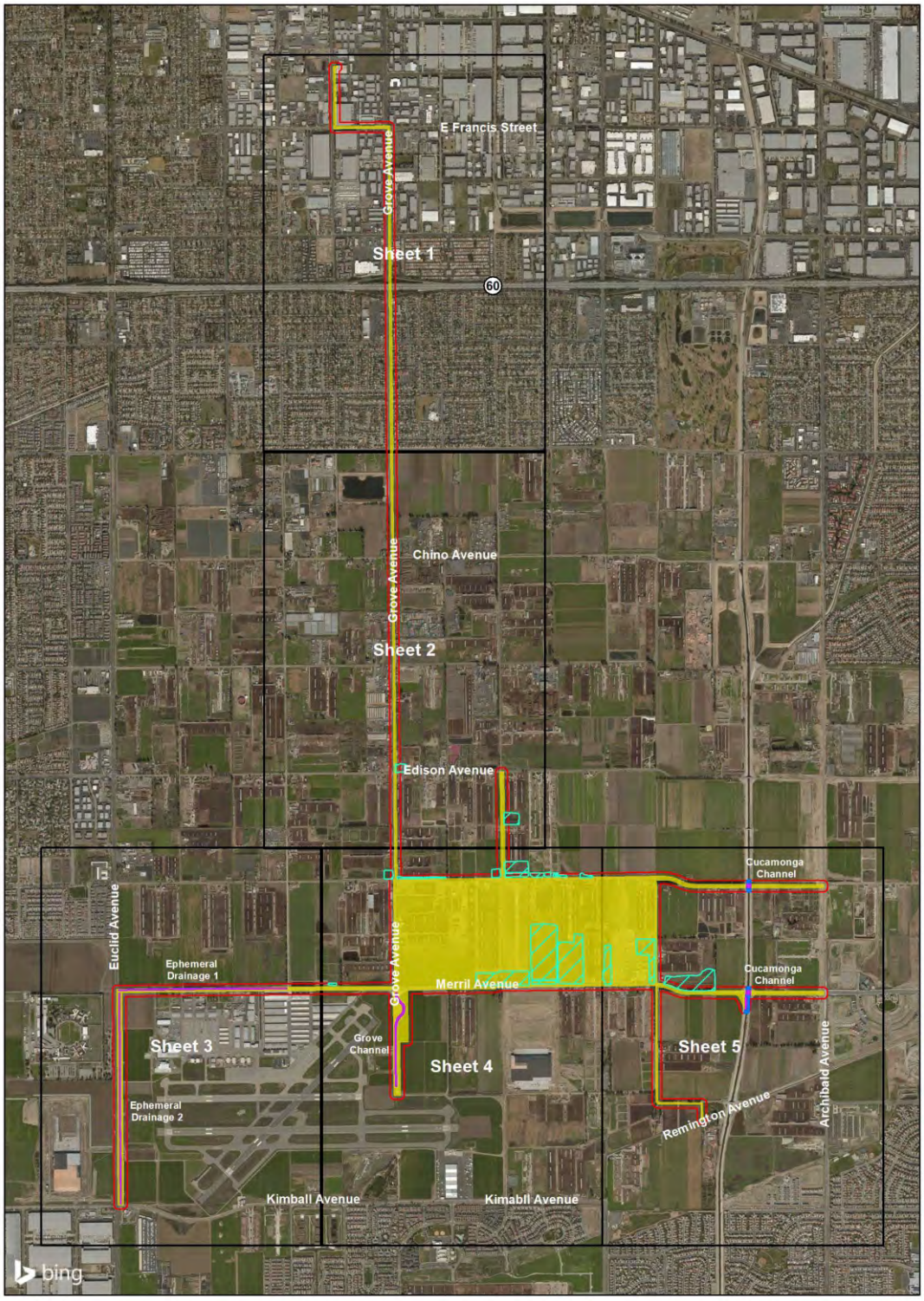
4.8.2.6 Nesting Birds

The Study Area contains trees, shrubs, and ground cover that provide suitable habitat for nesting migratory birds. Impacts to nesting birds are prohibited under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code.

4.8.2.7 Wildlife Movement Corridors and/or Nurseries

The Study Area lacks migratory wildlife corridors, as it does not contain the structural topography and vegetative cover that facilitate regional wildlife movement. Additionally, the Study Area is subject to a high level of ongoing human disturbance, and much of the Study Area is fenced or consists of active public roadways, which act as barriers to wildlife movement. Additionally, environmental concerns noted previously (see Section 4.8.2, *Setting*) discourage use of the Project site as a potential migratory corridor.

The large ornamental trees within the Study Area may potentially represent a nursery site for the western red bat, western yellow bat, or other non-special-status lasiurine bat species (or nesting birds, as discussed above).



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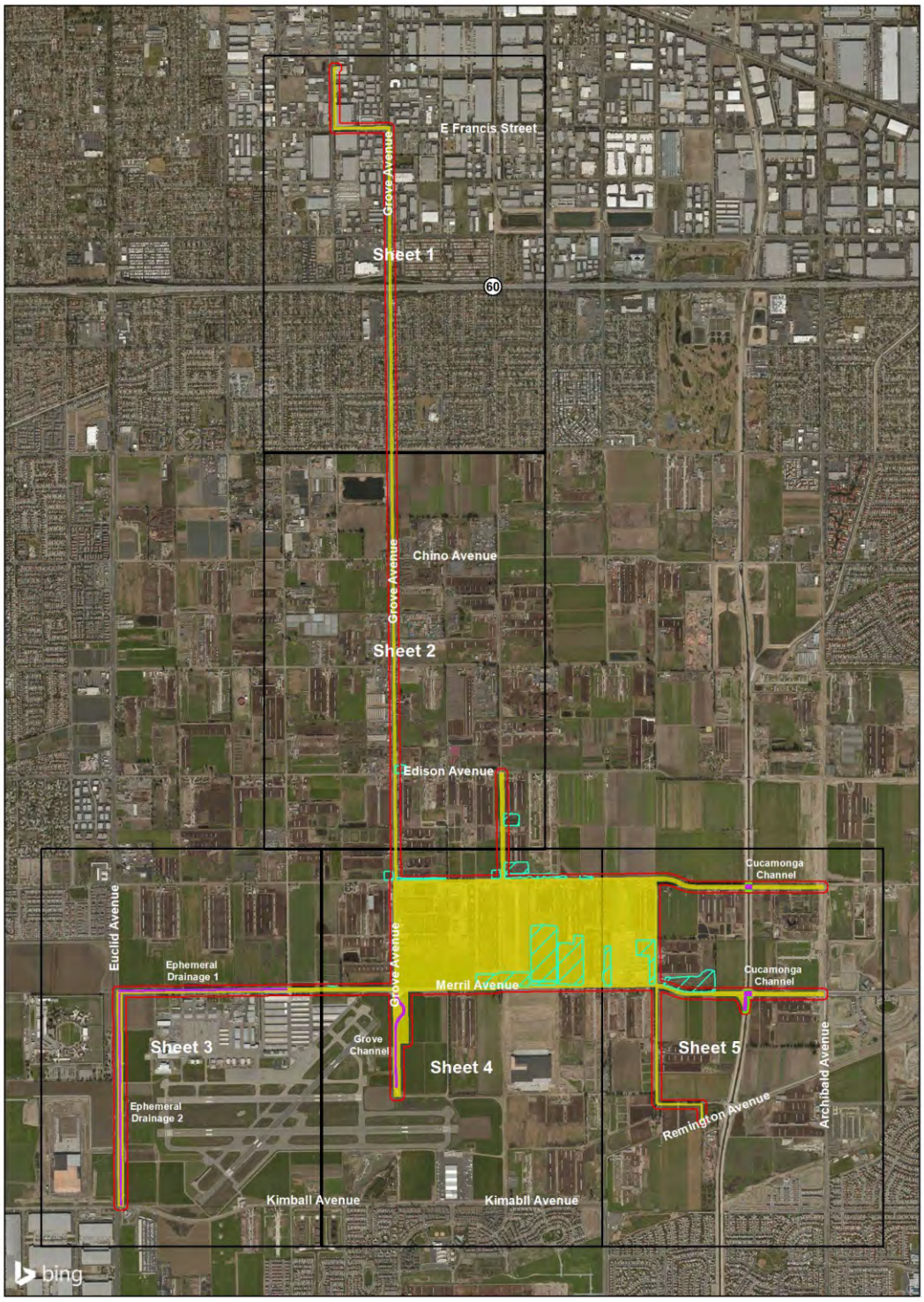
NOT TO SCALE

Project Study Area
Project Footprint
Corps/RWQCB Non-Wetland Waters
Impacted Corps/RWQCB Non-Wetland Waters
Non-jurisdictional Waste Treatment Basin

Source: Glenn Lukos Associates, Inc.

Figure 4.8-2
Corps/RWQCB Jurisdictional Areas



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NOT TO SCALE

Source: Glenn Lukos Associates, Inc.

- Project Study Area
- Project Footprint
- CDFW Non-Riparian Stream
- Impacted CDFW Non-Riparian Stream
- Non-jurisdictional Waste Treatment Basin

Figure 4.8-3
CDFW Jurisdictional Areas

4.8.3 EXISTING POLICIES AND REGULATIONS

4.8.3.1 Federal Endangered Species Act/California Endangered Species Act

The United States Congress passed the federal Endangered Species Act (ESA) in 1973 to protect those species that are endangered or threatened with extinction. The State of California enacted a similar law, the California Endangered Species Act (CESA) in 1984. The state and federal Endangered Species Acts are intended to operate in conjunction with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA) to help protect the ecosystems upon which endangered and threatened species depend. The United States Fish and Wildlife Service (USFWS) is responsible for implementation of ESA, while the CDFW implements CESA. During Project review, each agency is given the opportunity to comment on the potential of the Project to affect listed plants and animals.

4.8.3.2 State of California, Department of Fish and Wildlife

The CDFW has jurisdiction under Section 1600 *et seq.* of the California Fish and Game Code over fish and wildlife resources of the State. Under Section 1602, a private party must notify the CDFW if a project will "substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake designated by the department, or use any material from the streambeds, except when the department has been notified pursuant to Section 1601." If an existing fish or wildlife resource may be substantially adversely affected by the activity, the CDFW may propose reasonable measures that will allow protection of those resources. If these measures are agreeable to the initiating party, they may enter into an agreement with the CDFW identifying the approved activities and associated mitigation measures.

4.8.3.3 Army Corps of Engineers

Pursuant to Section 404 of the Clean Water Act, the Army Corps of Engineers (Corps) regulates the discharge of dredged and/or fill material into waters of the United States.

4.8.3.4 Regional Water Quality Control Board

Section 401 of the Clean Water Act requires any applicant for a Section 404 permit to obtain certification from the State that the discharge (and the operation of the facility being constructed) will comply with the applicable effluent limitation and water quality standards. In California, this 401 certification is obtained from one of the State's nine Regional Water Quality Control Boards. The Corps cannot issue a Section 404 permit until a 401 certification is issued or waived.

4.8.3.5 City of Chino, The Preserve Resource Management Plan

Off-site flood control improvements, which are necessary to accommodate development of the Merrill Commerce Center Specific Plan, extend outside of the corporate boundaries of the City of Ontario and are located within the boundary of the City of Chino's "The Preserve Specific Plan." A Resources Management Plan (RMP) was adopted to comprehensively address biological impacts of implementing the Specific Plan.

Germane to the Merrill Commerce Center Specific Plan, the RMP addresses mitigation requirements for impacts to burrowing owls. The RMP states that the 1995 CDFG Staff Report on Burrowing Owl Mitigation (as supplemented by the RMP) shall be followed when burrowing owls are detected on properties. If avoidance of occupied habitat is infeasible, provisions shall be made to passively relocate owls from sites in accordance with the 2012 CDFG Staff Report.

According to the Preserve EIR and RMP, burrowing owls to be relocated from properties within the City's Subarea 2 are intended to be accommodated within a "300-acre conservation area" and/or additional Candidate Relocation Areas as described on Page 4-16 and 4-21 of the RMP. One such contingency conservation area is identified in the RMP as "Drainage Area B."

Drainage Area B consists of a series of Natural Treatment System (NTS) facilities that were constructed south of Kimball Avenue and west of Mill Creek Road. When the NTS facilities were constructed, approximately 50 artificial owl burrows were installed within the basins to accommodate relocated owls and additional owls dispersing to the site. This

location was given top priority as an owl relocation site by the RMP due to its proximity to areas that have been and will be converted to urban development.

4.8.3.6 Other Statutes, Codes, and Policies

In addition to formal listing under ESA and CESA, plant and wildlife species receive additional consideration during the CEQA process as discussed below.

Species of Special Concern

Species that may be considered for focused review are included on CDFW's list of "Species of Special Concern." Species of Special Concern are generally defined as those California species whose numbers, reproductive success, or habitat may be threatened.

CNPS-Listed Plants

The California Native Plant Society (CNPS) maintains a list of plant species native to California that have low numbers, limited distribution, or are otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Vascular Plants of California. Potential impacts to populations of CNPS-listed plants receive consideration under CEQA review.

Raptors and Migratory Birds

Raptors (birds of prey), migratory birds, and other avian species are protected by state and federal laws. The federal Migratory Bird Treaty Act (MBTA) prohibits the killing, possessing, or trading of migratory birds except in accordance with regulations prescribed by the Secretary of Interior. Section 3503.5 of the California Fish and Game Code states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes 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."

4.8.4 STANDARDS OF SIGNIFICANCE

CEQA has identified the following significance thresholds relative to biological resources. If the Project would result in any one of the following, its impacts to biological resources would be considered significant.

- 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;

- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, polices, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;

- Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) though direct removal, filling, hydrological interruption, or other means;

- 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 wildlife nursery sites;

- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

4.8.4.1 Introduction

The following discussions focus on those areas where it has been determined that the Project may result in potentially significant biological resources impacts, based on the analysis presented within this Section and included within the EIR Initial Study (EIR

Appendix A), and responses received pursuant to the EIR Notice of Preparation. Please refer also to Initial Study Checklist Item IV. *Biological Resources*.

4.8.4.2 Impact Statements

Potential Impact: *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.*

Impact Analysis:

Special-Status Plant Species

The Study Area is not located within a sensitive biological area, or a designated conservation or habitat area. According to The Ontario Plan Draft Environmental Impact Report (p. 5.4-14), no sensitive plant species have been observed in the City of Ontario since 1992. Additionally, as previously presented at Section 4.8.2.2, the Biological Technical Report determined that the Study Area does not support any special-status plants or habitats.

Special-Status Wildlife Species

The following discussions summarize potential impacts to the special-status species identified in previous Table 4.8-2.

Bald Eagle, Golden Eagle, Swainson's Hawk, and American Peregrine Falcon

The bald eagle, golden eagle, Swainson's hawk, and American peregrine falcon have the potential to forage within the Study Area. However, these species are not expected to nest within the Study Area, as it is located outside of the known nesting range and/or does not contain suitable nesting habitat. With regard to potential foraging impacts, based on the level of ongoing human disturbance within the Project study area, and the regional availability of foraging habitat in the vicinity of the Project site, such as the Prado Basin, Chino Hills State Park, and the Santa Ana Mountains, the loss of low-quality

potential foraging habitat resulting from development of the Project is considered less-than-significant (Project Biological Resources Report, p. 38, et al.).

Burrowing Owl

A single burrowing owl was detected within the Study Area. This owl was observed approximately 1,000 feet southerly of the Specific Plan area, along the western bank of the Grove Channel within the Chino Airport property. This single burrowing owl was likely breeding based upon its presence only during the breeding season. This owl could be adversely affected by construction of Project off-site infrastructure improvements. Impacts to this species are considered potentially significant; please refer to Mitigation Measures 4.8.1 and 4.8.2, presented subsequently.

White-Tailed Kite

There is moderate potential for the white-tailed kite to nest within large ornamental trees and forage throughout the Study Area. No take of this species is permissible under the California Fish and Game Code. With regard to potential foraging impacts, based on the level of ongoing human disturbance within the Project study area, and the regional availability of foraging habitat in the vicinity of the Project site, such as the Prado Basin, Chino Hills State Park, and the Santa Ana Mountains, the loss of low-quality potential foraging habitat resulting from development of the Project is considered less-than-significant (Project Biological Resources Report, p. 38, et al.). Direct take or any impact to this species under a nesting role is considered a potentially significant impact. Active nests are protected under Mitigation Measure 4.8.3, presented subsequently.

Yellow Warbler and Yellow-Headed Blackbird

Yellow warbler and yellow-headed blackbird were observed foraging within ornamental plantings within the Study Area. Nesting habitat for these species is not present within the Study Area. As these species' special status is limited to a nesting role, development of the Project would not result in significant impacts to these species. Additionally, as these species are habitat generalists during migration and foraging, the loss of foraging habitat from development of the Project would be less than significant (Project Biological Resources Report, p. 37).

Bat Species

As presented previously in Table 4.8-2 of this section, development of the Merrill Commerce Center Specific Plan area would remove potential foraging habitat (agriculture) for five special-status bat species. However, based on the level of ongoing human disturbance within the Project study area, and the regional availability of foraging habitat in the vicinity of the Project site, such as the Prado Basin, Chino Hills State Park, and the Santa Ana Mountains, the loss of low-quality potential bat foraging habitat is not judged to be significant under CEQA (Project Biological Resources Report, p. 37).

Roosting and breeding by western red bat, western yellow bat, and other non-special-status lasiurine bats may occur within large ornamental tress located within and adjacent to the Study Area, with the highest likelihood occurring within large Eucalyptus trees and unmanicured palm trees. The removal of potential roosting/breeding bat habitats is considered a potentially significant impact; please refer to Mitigation Measure 4.8.4, presented below.

Jurisdictional Areas

Corps/Regional Board Jurisdiction

As previously discussed at Section 4.8.2.5, the drainages that would be affected by implementation of the Merrill Commerce Center Specific Plan are heavily impacted flood control facilities that are subject to ongoing maintenance. Although the drainages proposed for impacts are heavily denuded flood control facilities that are subject to ongoing maintenance and do not support jurisdictional wetlands or riparian vegetation communities, impacts to 2.14 acres of waters is potentially significant under CEQA due to the potential for this quantity of loss of surface waters to affect the hydrology supporting downstream wetland and/or riparian resources (Project Biological Resources Report, p. 39). CWA Section 404 authorization from the Corps and a CWA Section 401 Water Quality Certification and authorization for discharges under Porter-Cologne from the Regional Board would be required; please refer to Mitigation Measure 4.8.5, presented subsequently.

CDFW Jurisdiction

As with impacts to Corps and Regional Board jurisdiction, affected drainages are heavily impacted flood control facilities. Although the drainages proposed for impacts are heavily denuded flood control facilities that are subject to ongoing maintenance and do not support jurisdictional wetlands or riparian vegetation communities, impacts to 4.15 acres of streambed is potentially significant under CEQA due to the potential for this quantity of loss of surface streambeds to affect the hydrology supporting downstream wetland and/or riparian resources (Project Biological Resources Report, p. 39). As such, a CDFW Section 1602 Streambed Alteration Agreement would be required; please refer to Mitigation Measure 4.8.5, presented subsequently.

Nesting Birds

The Study Area contains trees, shrubs, and ground cover that provide suitable habitat for nesting migratory birds. These trees, shrubs, and ground cover would be removed as part of the Project. Impacts to nesting birds are prohibited under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code. This is a potentially significant impact of the Project; please refer to Mitigation Measure 4.8.3, presented subsequently.

Level of Significance Before Mitigation: Potentially Significant.

Mitigation Measures:

4.8.1 *A qualified biologist shall conduct a pre-construction presence/absence survey for burrowing owls within 14 days prior to site disturbance. If the species is absent, no additional mitigation is required. If burrowing owl(s) is (are) detected within the Project's disturbance footprint located within the City of Chino Preserve Resource Management Plan (RMP) boundary, the owl(s) are required to be handled as indicated by the RMP:*

Prior to disturbance of occupied burrows (if any), suitable and unoccupied replacement burrows shall be provided at a ratio of 2:1 within the City of Chino designated relocation area (e.g., the NTS basins). A qualified biologist through coordination with the City shall confirm that the artificial burrows are currently unoccupied and suitable for use by owls.

Until suitable replacement burrows have been provided/confirmed within the designated relocation area (e.g., the NTS basins), no disturbance shall occur within 50 meters (approximately 160 feet) of occupied burrows during the nonbreeding season (September 1 through January 31) or within 75 meters (approximately 250 feet) during the breeding season (February 1 through August 31).

Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

If burrowing owls are present at the time that the occupied burrows are to be disturbed, then the owls shall be excluded from the site following the 2012 CDFG Staff Report and Table 4-6 of the RMP.

Pursuant to mitigation measure B-3(8) of The Preserve EIR, and as noted on Page 4-39 of the RMP, the Project shall pay the required mitigation fee prior to initiation of ground disturbing activities.

4.8.2 If burrowing owl(s) is (are) detected within the Project's proposed disturbance footprint outside of the RMP boundary:

Prior to disturbance of the occupied burrows, suitable and unoccupied replacement burrows shall be provided at a ratio of 2:1 within designated off-site conserved lands to be identified through coordination with CDFW and the City in which the burrowing owl(s) is(are) detected (either the City of Ontario or the City of Chino). A qualified biologist shall confirm that the artificial burrows are currently unoccupied and suitable for use by owls.

Until suitable replacement burrows have been provided/confirmed within the off-site conserved lands to be identified through coordination with CDFW and the City of Ontario or the City of Chino, no disturbance shall occur within 50 meters (approximately 160 feet)

of occupied burrows during the nonbreeding season (September 1 through January 31) or within 75 meters (approximately 250 feet) during the breeding season (February 1 through August 31).

Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

If burrowing owls are present at the time that the occupied burrows are to be disturbed, then the owls shall be relocated from the site following the 2012 [CDFW] Staff Report.

4.8.3 *Vegetation clearing should be conducted outside of the nesting season (February 1 through August 31) to avoid impacts to nesting birds, including raptors. If avoidance of the nesting season is not feasible, then a qualified biologist shall conduct a nesting bird survey within three days prior to any disturbance of the site, including disking, demolition activities, and grading. If active nests are identified, the biologist shall establish suitable buffers around the nests (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), and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.*

4.8.4 *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 shall 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 single roosting individual of a special-status bat species or a total of a 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 (Plan) shall be developed to ensure mortality to bats does not occur. For each location confirmed to be occupied by bats, the Plan shall 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. Preliminary Plan components and performance standards are outlined below:

To avoid the direct loss of bats that could result from removal of trees that may provide maternity roost habitat (e.g., in cavities or under loose bark), the following steps should be taken:

1) If trees and/or structures must be removed or disturbed as part of Project activities, a qualified bat specialist should conduct surveys to identify use of habitat by any bat species. Focused surveys using electronic detection should be used to identify general bat use and any special status bat species using any habitat proposed for removal or disturbance;

2) Maternity season lasts from March 1 to September 30. Trees and/or structures should not be removed until the end of the maternity season;

3) If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of year, it is preferable to push any tree down using heavy machinery rather than felling it with a chainsaw. In order to ensure the optimum warning for any roosting bats that may still be present, the tree should be pushed lightly two to three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree should then be pushed to the ground slowly and should remain in place overnight and until it is inspected by a bat specialist. Trees that are suspected to be bat roosts should not be sawed up or mulched immediately. A period of at least 24 hours, and preferably 48 hours, should elapse prior to such operations to allow bats to escape. Bats should be allowed to escape prior to demolition of buildings. This may be accomplished by placing one way exclusionary devices into areas where bats are entering a building that allow bats to exit but not enter the building;

4) The bat specialist should document all demolition monitoring activities, and prepare a summary report to the Lead Agency upon completion of tree disturbance and/or building demolition activities. CDFW requests copies of any reports prepared related to bat surveys (e.g., monitoring, demolition);

5) If confirmed occupied or formerly occupied bat roosting and foraging habitat is destroyed, habitat of comparable size and quality should be preserved and maintained at a nearby suitable undisturbed area. The bat habitat mitigation shall be determined by the bat specialist in consultation with CDFW;

6) A monitoring plan should be prepared and submitted to the Lead Agency. The monitoring plan should describe proposed mitigation habitat, and include performance standards for the use of replacement roosts by the displaced species, as well as provisions to prevent harassment, predation, and disease of relocated bats; and,

7) Annual reports detailing the success of roost replacement and bat relocation should be prepared and submitted to Lead Agency and CDFW for five years following relocation or until performance standards are met, whichever period is longer.

The Plan shall be reviewed and approved by CDFW prior to disturbance of any roost(s).

4.8.5 Prior to the issuance of any grading permits and prior to any physical disturbance of any possible jurisdictional areas, the Project Applicant shall purchase credits from an approved mitigation bank/in-lieu fee program at a minimum of a 1:1 ratio, for a minimum of 4.15 acres (inclusive of the 2.14 acres of non-wetland Waters of the US) of mitigation credits, or a number of mitigation credits equal to Project impacts based on final Project design during aquatic permitting.

If an approved mitigation bank/in-lieu fee program cannot be identified to mitigate the loss of Corps, Regional Board, and CDFW jurisdiction, the Project Applicant shall enhance, re-establish, or establish Corps, Regional Board, and CDFW jurisdictional areas on off-site conserved lands at a minimum of a 1:1 ratio, for a minimum of 4.15 acres (inclusive of the

2.14 acres of non-wetland Waters of the US) of enhancement, re-establishment, or establishment, or a number acres equal to Project impacts based on final Project design during aquatic permitting. Conservation and compensation shall conform to Conservation and Mitigation Banking Guidelines (CDFW) July 2019, *to include applicable interagency (e.g., Corps, Regional Board, and USFWS) measures. See also: https://wildlife.ca.gov/Conservation/Planning/Banking/Guidelines.*

Compensatory mitigation shall be coordinated with CWA 401 and 404 permitting and CDFW 1602 Streambed Alteration Agreement acquisition to ensure efficiency and efficacy of the mitigation effort.

Level of Significance after Mitigation: Less-Than-Significant. With the incorporation of Mitigation Measures 4.8.1 through 4.8.5, the potential for the Project to have a substantial adverse effect on any species identified as a candidate, sensitive, or special status species is considered less-than-significant.

Potential Impact: *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, polices, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) though direct removal, filling, hydrological interruption, or other means.*

Impact Analysis: The Biological Technical Report found no riparian habitat, wetlands, or other sensitive natural community within the Study Area. As such, the potential for the Project to have a substantial adverse effect on any riparian habitat, federally protected wetlands, or other sensitive natural community is considered less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *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 wildlife nursery sites.*

Impact Analysis: As discussed previously at Section 4.8.2.7, the Biological Technical Report concluded that the Study Area lacks migratory wildlife corridors, as it does not contain the structural topography and vegetative cover that facilitate regional wildlife movement and is subject to a high level of ongoing human disturbance. Much of the Study Area is fenced or consists of active public roadways, which inhibits wildlife movement.

Impacts to nesting birds and bat species that could potentially use the area as a nursery site are addressed above via Mitigation Measures 4.8.3 and 4.8.4. With the incorporation of these measures, the potential for the Project to 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 wildlife nursery sites is considered less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.*

Impact Analysis: As discussed at previous Section 4.8.3.5, certain off-site flood control improvements proposed by the Merrill Commerce Center Specific Plan are located within the boundary of the City of Chino Preserve Resource Management Plan (RMP).

The applicable requirements of the RMP have been carried forward within this document as Mitigation Measure 4.8.1. No other local policies or ordinances, or habitat conservation plans are applicable to the Study Area.

On this basis, the potential for the Project to conflict with any local policies or ordinances protecting biological resources, an adopted Habitat Conservation Plan, Natural

Community Conservation Plan, or other approved local, regional, or state habitat conservation plan is considered less-than-significant.

Level of Significance: Less-Than-Significant.

4.9 GEOLOGY AND SOILS

4.9 GEOLOGY AND SOILS

Abstract

This Section addresses the potential for the Project to result in substantial geology or soils-related impacts. More specifically, this analysis presented here focuses on whether the Project would:

- *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving strong seismic ground shaking;*

- *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction;*

- *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;*

- *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; or*

- *Result in substantial soil erosion or the loss of topsoil.*

Additionally, as discussed in the EIR Initial Study (EIR Appendix A), under certain geology and soils topics, the Project would have no impact, or impacts would be less-than-significant. On this basis, the following topics are not further discussed here:

- *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault;*

- *Directly or indirectly cause potential substantial adverse effects, including the risk of loss,*

injury or death involving landslides;

- *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.*

As supported by the analysis presented in this Section, potential geology and soils impacts of the Project are determined to be less-than-significant with incorporation of proposed mitigation.

4.9.1 INTRODUCTION

This Section examines geologic characteristics and surface and subsurface soil conditions and evaluates potential related geology/soils impacts that would directly or indirectly result from the Project.

Geologic, soils, and geotechnical conditions affecting the subject site and Project are described and evaluated in: *Geotechnical Feasibility Study, Proposed Commercial/Industrial Development, NWC Vineyard Avenue and Merrill Avenue, Ontario, California* (Southern California Geotechnical) November 21, 2017; *Geotechnical Feasibility Study, Proposed Commercial/Industrial Development, NEC Grove Avenue and Merrill Avenue, Ontario, California* (Southern California Geotechnical) November 21, 2017; and *Geotechnical Investigation, Proposed Commercial/Industrial Development, NWC Merrill Avenue and Carpenter Avenue, Ontario, California* (Southern California Geotechnical) August 21, 2018; and *Geotechnical Investigation, Proposed Commercial/Industrial Development, 8643 Eucalyptus Avenue, Ontario, California* (Southern California Geotechnical) May 18, 2017. Within this Section, these reports are referred to collectively as the Project Geotechnical Studies.

The Project Geotechnical Studies conclude that the subject site is suitable for development of the Project, provided that recommendations of the Studies are implemented during Project design and construction. The Project Geotechnical Studies' conclusions and recommendations in total are incorporated by reference.

The discussions in this Section are summarized from The Policy Plan (General Plan) component of The Ontario Plan (TOP) and the Project Geotechnical Studies. The Project

Geotechnical Studies are provided at EIR Appendix J. As noted in the Project Geotechnical Studies, the Studies provide only analyses of geotechnical feasibility, and are not design level investigations. Prior to issuance of development permits, subsequent site - and development - specific studies would be required to refine the preliminary design parameters presented in the Project Geotechnical Studies.

4.9.2 SETTING

Following are summary discussions of the Project's geologic setting, prevalent site soils, geotechnical considerations, and seismic design considerations. Please refer also to the detailed discussions presented in the Project Geotechnical Studies.

4.9.2.1 Geologic and Seismic Setting

The Ontario Plan Draft EIR provides the following description of the City's geologic context:

> "The City of Ontario is in the Upper Santa Ana River Valley, consisting of a series of coalescing alluvial fans formed by streams flowing out of the San Gabriel Mountains to the north. The Upper Valley has a gentle southerly slope of approximately 1 percent grade, such that elevations within the City of Ontario range from approximately 1,150 feet in the north to 640 feet in the south. The junction of the Upper Valley and the San Gabriel Mountains marks the boundary between two geomorphic provinces. The valley, including the City of Ontario, lies within the Peninsular Ranges geomorphic province, characterized by northwest-trending mountains and valleys and extending south into Mexico. The San Gabriel Mountains are part of the Transverse Ranges province, a set of east–west-trending mountain ranges extending from Santa Barbara County on the west to San Bernardino and Riverside Counties on the east. The San Gabriel Mountains north of Ontario rise as high as 10,064 feet at Mount San Antonio."[1]

[1] The Ontario Plan Draft EIR, p. 5.7-1.

The City of Ontario (City) is located within a seismically active portion of Southern California. The Ontario Plan EIR at Figure 5.7-2 (reproduced here as Figure 4.9-1) identifies active and/or potentially active fault zones in the region. No active or potentially active faults are located in the City.

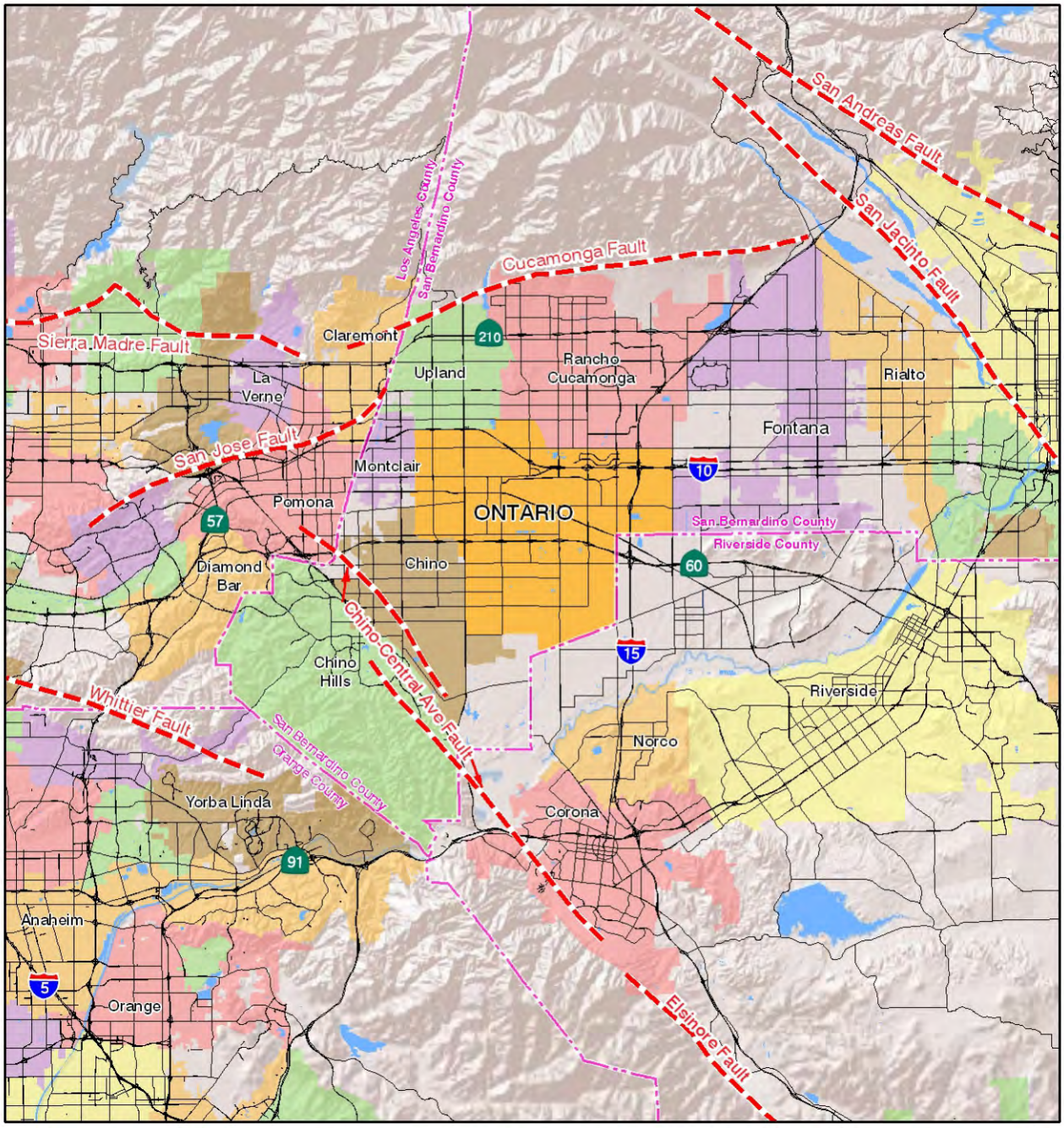
4.9.2.2 Existing Site Conditions

Topography

The Project site topography evidences little internal difference, with a general northeast to southwest downward trending slope. Elevations within the Project site range from approximately 686 feet above mean sea level (amsl) at the northeast corner of the Project site, to approximately 651 feet amsl at the southwest corner of the Project site – an elevation difference of approximately 35 feet over approximately 1.3 miles with average internal slopes ranging between +2.3 % to -2.6% (Google Earth Imagery 2018).

Subsurface Conditions

Subsurface conditions generally affecting the Project site are summarized below. The conditions described here are summarized from information provided in the various Project Geotechnical Studies under the Studies' heading *Subsurface Exploration*. Information provided is representative of conditions encountered throughout the Project site, though site- and parcel-specific subsurface conditions may evidence certain variations from the conditions noted.



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NOT TO SCALE

Source: The Ontario Plan Draft EIR (The Planning Center)

Figure 4.9-1
Regional Faults

Pavement and Surface Improvements

Pavements and surface improvements are evident in the easterly portion of the Project site, adjacent to Carpenter Avenue. This portion of the Project site currently accommodates trucking operations. Observed surface improvements included asphaltic concrete pavements of 3± inches and underling aggregate base ranging from 3 to 7± inches.

Manure

Manure is present in various areas of the Project site at thicknesses ranging from of 3± inches to 3± feet below ground surface (bgs).

Alluvium

Native alluvial soils were encountered during subsurface explorations and extended to depths of up to 30± feet bgs. The near surface alluvium generally comprises loose to very dense silty fine sands, loose to medium dense fine sands, fine sandy silts, fine to coarse sands, and silty fine sands. Encountered alluvium also evidenced stiff to very stiff clayey silts to silty clays and fine sandy clays.

Artificial Fill

Artificial fill soils were also encountered during subsurface explorations, and extended to depths of up to 30± feet bgs. Artificial fill soils composition varied throughout the Project site and comprised loose to medium dense silty fine sands, fine sandy silts, silty clay nodules, medium sand, fine gravel, dense fine sand, silty sands to sandy silts, clayey fine to medium sands, and very stiff silty clay. Artificial fill soils also contained minor debris, such as plastic, glass, and brick fragments.

Groundwater

Free groundwater was not encountered during site subsurface explorations. Based on this, and the nominal moisture content of recovered soil samples, static groundwater (if present) is assumed to exist at depths in excess of 30± feet bgs. As confirmation of this assumption, available regional groundwater depth data was reviewed as part of the Project Geotechnical Studies. Data obtained from proximate monitoring wells, located

within a one-mile radius of the Project site, indicate a high groundwater levels of ranging from 62 to 131 ± feet bgs.

4.9.3 Seismic Design Considerations

The Project site and Southern California generally are subject to strong ground motions due to earthquakes with resulting damage to structures. However, it is not generally considered reasonable or feasible to design a structure that is entirely resistant to earthquake damage. Therefore, significant damage to structures may be unavoidable during large earthquakes. Proposed structures should, however, be designed to resist structural collapse and thereby provide reasonable protection from serious injury, catastrophic property damage and loss of life. The conditions described are summarized from information provided in the various Project Geotechnical Studies under the Studies' heading *Seismic Design Considerations*.

4.9.3.1 Faulting and Seismicity

Research of available maps indicates that the subject site is not located within an Alquist-Priolo Earthquake Fault Zone. Furthermore, no evidence of faulting was identified during the geotechnical investigation. Therefore, the possibility of significant fault rupture on the site is considered to be 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.

4.9.3.2 Seismic Design Parameters

The California Building Code (CBC) provides earthquake design criteria and seismic design coefficients (CBC Seismic Design Parameters) that would be applicable to all development within the Project site. Preliminary Seismic CBC Seismic Design Parameters are presented in the Project Geotechnical Studies.

The CBC Seismic Design Parameters are based on area soils profiles and proximity of known faults. Within the context of the CBC Seismic Design Parameters, seismic design(s) for the Project structures need to consider on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. As part of the

Project building design processes, it will be the purview of the Project geotechnical engineer and design team to identify appropriate CBC Seismic Design Parameters to be employed within the Project site.

4.9.3.3 Liquefaction

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. Factors influencing the potential for liquefaction include groundwater table elevation, soil type and plasticity characteristics, relative soil density, initial confining pressure, and intensity and duration of ground shaking. Generally, liquefaction occurring at depths of up to 50 feet bgs may impact surface improvements. Liquefaction potential is greater in saturated, loose, or poorly graded fine sands. Non-sensitive clayey (cohesive) soils are generally not considered to be susceptible to liquefaction, nor are those soils which are above the historic static groundwater table. The Ontario Plan EIR notes that "[f]ine sand and silty sand, the types of sediments most often associated with liquefaction, occur mainly in the New Model Colony in the southernmost portion of the City (Ontario Plan EIR, p. 5.7-10). The Project site lies in this area.

The California Geological Survey (CGS) has not yet conducted detailed seismic hazards mapping in the area of the Project site. The general liquefaction susceptibility of the Project site was attempted to be determined by research of the San Bernardino County Land Use Plan, General Plan, Geologic Hazard Overlay. No geologic hazard overlay was available for the Corona North Quadrangle (the Project site location) at the time of preparation of the Project Geotechnical Studies. The San Bernardino County Land Use Services states however that "if a particular community is not listed, there are no geologic hazards in the area."[2] On this basis, the subject site is not considered to lie within a geologic hazard zone, including a potential liquefaction zone. Furthermore, available groundwater data within a two-mile radius from the site indicates a high groundwater levels of 62 to 131 ± feet bgs. Based on the subsurface conditions encountered during site

[2] County of San Bernardino > Home. Accessed March 13, 2019. http://cms.sbcounty.gov/lus/Planning/ZoningOverlayMaps.aspx.

exploratory activities, and the lack of groundwater within 50± feet of the ground surface, liquefaction is not considered to be a design concern for the Project.

4.9.4 Geotechnical Design Considerations

The Project site is generally underlain by alluvium and surficial fill soils, extending to depths of up to 30± feet. Fill soils are undocumented and vary widely in strength and composition, and most samples include varying amounts of debris including plastic and metal. Surface and near-surface soils also exhibit manure and organic content at various concentrations and depths. The existing undocumented fill and near-surface soils possess variable strengths and variable consolidation characteristics.

4.9.5 GEOLOGY/SOILS/SEISMIC POLICIES AND REGULATIONS

Following are summary descriptions of geology/soils/seismic policies and regulations applicable to the Project. In many instances, compliance with existing policies and regulations eliminates, or substantially reduces, potential environmental effects.

4.9.5.1 City of Ontario Policy Plan (Policy Plan)

The Policy Plan, Safety Element Section S1, *Seismic and Geologic Hazards* establishes City-wide Goals and Policies that act to minimize potential structural damage and injury or loss of life due to earthquakes, other seismic, or adverse geologic/soils/slopes conditions.

4.9.5.2 City of Ontario Geotechnical/Seismic Design Review Processes

The City Planning, Building and Safety, and Engineering Departments implement General Plan Goals and Policies addressing geology, soils, and seismic conditions through established development permit review processes. To these ends, City staff ensures that site and development-specific geotechnical investigations are completed where appropriate, and that requirements and recommendations of these investigations are incorporated in construction plans, are followed through during construction processes, and are functionally complete before buildings are occupied and/or infrastructure systems or other improvements are accepted. In all instances, the City ensures that, at a minimum, applicable provisions of the California Building Code (CBC) are incorporated throughout development design and implementation.

4.9.6 STANDARDS OF SIGNIFICANCE

Appendix G of the California Environmental Quality Act (CEQA) Guidelines indicates a Project will have a potentially significant geology and soils impact if it would:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving: rupture of a known earthquake fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides;

- Result in substantial soil erosion or the loss of topsoil;

- 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;

- 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; or

- Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

4.9.7 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.9.7.1 Introduction

The following discussions focus on topical areas and issues where it has been determined pursuant to the EIR Initial Study/NOP processes, that the Project may result in or cause potentially significant geology or soils impacts. As substantiated in the Initial Study (EIR Appendix A), under the following topics, the Project was determined to have no impact or impacts would be less-than-significant. On this basis, the following topics are not further discussed here:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault;

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving landslides; or

- Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

All other CEQA topics concerning the Project's potential agricultural resources impacts are discussed below. Please refer also to Initial Study Checklist Item VII. *Geology and Soils*.

4.9.7.2 Impact Statements

Potential Impact: *Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving strong seismic ground shaking; directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction; or 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?*

Impact Analysis: The Project does not propose uses or activities that would indirectly contribute to or cause seismic or geotechnical hazards. Impacts in these regards would be less-than-significant. Based on field explorations, laboratory testing, and geotechnical analysis, the Project Geotechnical Studies conclude that the Project development concept is considered feasible from a geotechnical standpoint. However, certain potentially adverse geotechnical/soils conditions currently affect the Project site. These conditions are summarized below.

Settlement

The Project site contains undocumented fill and alluvium that could be subject to settlement. Remedial grading will 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 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 recommended remedial grading is completed, the post-construction static settlements of the proposed structures are expected to be within tolerable limits.

Soluble Sulfates

The Project Geotechnical Studies substantiate that soluble sulfate concentrations of soils within the Project site are negligible. Specialized sulfate protection concrete mix designs are therefore not considered to be necessary. To verify the soluble sulfate concentrations of the soils which are present at the proposed building pad grades, it is however recommended that additional soluble sulfate testing be conducted during the design-level geotechnical investigations and at the completion of rough grading.

Expansion

Laboratory testing of near-surface soils indicates that these materials have a very low expansion potential. Based on these test results, no design considerations related to expansive soils are considered warranted for this site. It is however recommended that additional expansion index testing be conducted during design-level geotechnical investigation and at the completion of rough grading to verify the expansion potential of the as-graded building pads.

Organic Content

Portions of the Project site evidence surface and near-surface manure. It is recommended that all manure and any organic topsoil be removed during site stripping. Any additional organic materials may be encountered in buried fills. These buried materials should also be removed and segregated during grading. Any necessary excavation and export of organic material would be accomplished as part of general site preparation activities.

It is feasible to use some of the surface and near-surface soils, absent manure and organic topsoil, provided that these soils are cleaned of all apparent vegetation or highly organic material and thoroughly blended with inorganic soils from greater depths at the Project site. Based on similar development proposals in the vicinity of the Project site, a final mixture containing less than 3 percent organic content would be acceptable. It is recommended that additional organic testing be conducted during design-level geotechnical investigations 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.

Shrinkage/Subsidence

Removal and re-compaction of the near-surface native fill soils would result in soil shrinkage. Minor ground subsidence is expected to occur in the soils below the zone of removal, due to settlement and machinery working. Soil shrinkage and soil settlement factors would be variable and be dependent on the soils encountered, types of machinery used, repetitions of use, and dynamic effects, all of which are difficult to assess until such time as precise plans and construction methodologies are identified.

Corrosion Potential

Certain portions of the Project site have historically or are currently used for dairy farming activities. These portions of the Project site evidence soils with potentially corrosive chloride and nitrate concentrations that could affect common building materials. Some of the soils also possess very low electrical resistivity, which also indicates potential for the on-site soils to be corrosive to metallic improvements. The Soil Corrosion Study Report (Appendix F to *Geotechnical Investigation, Proposed Commercial/Industrial Development, 8643 Eucalyptus Avenue, Ontario, California*) contains a more detailed interpretation of the test results along with recommendations for the protection of new improvements that could be exposed to potentially corrosive conditions.

Project implementation within the context of the above conditions could directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or

death involving strong seismic ground shaking; directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction; or 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. These are potentially significant impacts.

Level of Significance: Potentially Significant.

Mitigation Measures: As means of addressing potentially adverse geotechnical and soils conditions affecting the Project site, the Project Geotechnical Studies provide a range of *Site Preparation Recommendations*, *Foundation Design Recommendations*, *Floor Slab Design Recommendations*, and *Pavement Design Recommendations* (collectively, "Design Recommendations" – please refer to the Project Geotechnical Studies' Section 1.0, *Executive Summary*). The Project Geotechnical Studies also provide *Grading Guide Specifications* to be followed during grading operations (please refer to the Project Geotechnical Studies' Appendix D). Grading Guide Specifications applicable to all properties are presented subsequently. Recommendations for each of the subject properties evaluated in the various Project geotechnical studies are presented below.

Minaberry Property Design Recommendations

- Demolition of the existing structures, including the residence, milking barn, sheds, ponds, canopy shelters, and the existing pavements will be required in order to facilitate construction of the new buildings. Demolition of these structures should include all foundations, floor slabs, utilities, septic systems, and any other subsurface improvements that will not remain in place for use with the new development. Debris resultant from demolition should be disposed of offsite. Alternatively, concrete and asphalt debris may be pulverized to a maximum 2 inch particle size, well mixed with the on-site soils, and incorporated into new structural fills or it may be crushed and made into crushed miscellaneous base (CMB).

- Site stripping of any existing vegetated areas should include all vegetation, organic soils, and root masses. These materials should be disposed of offsite. Site stripping should also include removal of all manure and any topsoil. These materials should also be disposed of off-site.
- Remedial grading will be necessary in order to support the proposed structures on conventional shallow foundation systems.
- Remedial grading is recommended within the proposed building areas, to remove the existing manure, organic topsoil, as well as the upper portion of the alluvial soils, and replace them as structural compacted fill.
- Overexcavation is recommended within the building areas to extend to a depth of at least 3 to 4 feet below existing and proposed building pad subgrade elevations. The overexcavation should also extend to a depth of at least 2 to 3 feet below bearing grade within the influence zones of any new foundations.
- Parking area subgrade soils should be scarified to a depth of 12± inches, thoroughly moisture conditioned to within 0 to 4 percent above the optimum moisture content, and recompacted to at least 90 percent of the ASTM D-1557 maximum dry density.

Preliminary Foundation Design Recommendations

- Conventional shallow foundations, supported in newly placed compacted fill.
- 2,500 to 3,000 lbs/ft^2 maximum allowable soil bearing pressure.
- The design of the foundations will depend in large part on the results of the future design-level geotechnical study(ies). Minimum reinforcement consisting of two (2) to four (4) No. 5 rebars in strip footings is recommended. Additional reinforcement may be necessary for structural considerations.

Preliminary Floor Slab Design Recommendations

- Conventional slab-on-grade, minimum 6 to 7 inches thick.
- The design of the floor slabs will depend in large part on the results of the future design-level geotechnical study(ies). The actual thickness and reinforcement of the floor slabs should be determined by the structural engineer.

Preliminary Pavement Design Recommendations

Asphalt Pavements (R = 40)					
Materials	**Thickness (inches)**				
	Auto Parking and Auto Drive Lanes (TI = 4.0 to 5.0)	Truck Traffic			
		TI = 6.0	TI = 7.0	TI = 8.0	TI = 9.0
Asphalt Concrete	3	3½	4	5	5½
Aggregate Base	4	6	7	8	10
Compacted Subgrade	12	12	12	12	12

Portland Cement Concrete Pavements				
Materials	**Thickness (inches)**			
	Autos and Light Truck Traffic (TI = 6.0)	Truck Traffic		
		TI = 7.0	TI = 8.0	TI = 9.0
PCC	5	5½	6½	8
Compacted Subgrade (95% minimum compaction)	12	12	12	12

Lanting-Alewyn Property Design Recommendations

- Demolition of the existing structures, including the residences, milking barn, sheds, canopy shelters, and the existing pavements will be required in order to facilitate construction of the new buildings. Demolition of these structures should include all foundations, floor slabs, utilities, septic systems, and any other subsurface improvements that will not remain in place for use with the new development. Debris resultant from demolition should be disposed of offsite. Alternatively, concrete and asphalt debris may be pulverized to a maximum 2-inch particle size, well mixed with the on-site soils, and incorporated into new structural fills or it may be processed into crushed miscellaneous base (CMB).
- Site stripping should include all vegetation, organic soils, and root masses. These materials should be disposed of offsite. Site stripping should also include removal of all manure and any significant topsoil. These materials should also be disposed of off-site.
- Remedial grading is recommended to remove a portion of the near-surface alluvium from the proposed building pad areas. Any artificial fill soils and any

soils disturbed during the demolition of the dairy farm structures should be removed from the building areas in their entirety.

- Remedial grading should be performed within the proposed building areas to remove a portion of the near-surface alluvium, any artificial fill, and any disturbed soils. The near surface soils should be overexcavated to a depth of at least 3 feet below existing site grades and to a depth of at least 3 feet below the proposed building pad subgrade elevations. Within the influence zones of new foundations, the overexcavation should extend to a depth of at least 3 feet below the proposed foundation bearing grade.
- After the overexcavation has been completed, the resulting subgrade soils should be evaluated by the geotechnical engineer to identify any additional soils that should be removed. Resulting subgrade should then be scarified to a depth of at least 12 inches and moisture conditioned to 0 to 4 percent above optimum. The previously excavated soils may then be replaced as compacted structural fill. All structural fill soils should be compacted to at least 90 percent of the ASTM D-1557 maximum dry density.
- The new pavement subgrade soils are recommended to be scarified to a depth of 12± inches, thoroughly moisture conditioned and recompacted to at least 90 percent of the ASTM D-1557 maximum dry density.

Foundation Design Recommendations

- Conventional shallow foundations, supported in newly placed compacted fill.
- Maximum, net allowable soil bearing pressure: 2,500 lbs/ft^2.
- Reinforcement consisting of four (4) No. 5 rebars in strip footings. Additional reinforcement may be necessary for structural considerations.

Floor Slab Design Recommendations

- Conventional Slabs-on-Grade, minimum 6 inches thick.
- Modulus of Subgrade Reaction: k = 125 psi/in.
- Slab reinforcement is not required based on geotechnical conditions. The actual thickness and reinforcement of the floor slabs should be determined by the structural engineer based on the imposed loading.

Pavement Design Recommendations

Asphalt Pavements (R = 40)					
Materials	**Thickness (inches)**				
	Auto Parking and Auto Drive Lanes (TI = 4.0 to 5.0)	Truck Traffic			
		TI = 6.0	TI = 7.0	TI = 8.0	TI = 9.0
Asphalt Concrete	3	3½	4	5	5½
Aggregate Base	4	6	7	8	10
Compacted Subgrade	12	12	12	12	12

Portland Cement Concrete Pavements				
Materials	**Thickness (inches)**			
	Autos and Light Truck Traffic (TI = 6.0)	Truck Traffic		
		TI = 7.0	TI = 8.0	TI = 9.0
PCC	5	6½	8	9
Compacted Subgrade (95% minimum compaction)	12	12	12	12

Liberty Property Design Recommendations

- Demolition of the existing structures, including the residence, milking barn, sheds, canopy shelters, and the existing pavements will be required in order to facilitate construction of the new buildings. Demolition of these structures should include all foundations, floor slabs, utilities, septic systems, and any other subsurface improvements that will not remain in place for use with the new development. Debris resultant from demolition should be disposed of offsite. Alternatively, concrete and asphalt debris may be pulverized to a maximum 2 inch particle size, well mixed with the on-site soils, and incorporated into new structural fills or it may be crushed and made into crushed miscellaneous base (CMB).
- Site stripping should include all vegetation, organic soils, and root masses. These materials should be disposed of offsite. Site stripping should also include removal of all manure and any significant topsoil. These materials should also be disposed of off-site.

- Remedial grading is recommended to remove a portion of the near surface alluvium from the proposed building pad area. Any artificial fill soils and any soils disturbed during the demolition of the dairy farm structures should be removed from the building areas in their entirety.
- Remedial grading should be performed within the proposed building areas to remove a portion of the near surface alluvium, any artificial fill, and any disturbed soils. The near surface soils should be overexcavated to a depth of at least 3 feet below existing site grades and to a depth of at least 3 feet below the proposed building pad subgrade elevations. Within the influence zones of new foundations, the overexcavation should extend to a depth of at least 2 feet below the proposed foundation bearing grade.
- After the overexcavation has been completed, the resulting subgrade soils should be evaluated by the geotechnical engineer to identify any additional soils that should be removed. Resulting subgrade should then be scarified to a depth of at least 12 inches and moisture conditioned to 2 to 4 percent above optimum. The previously excavated soils may then be replaced as compacted structural fill. All structural fill soils should be compacted to at least 90 percent of the ASTM D-1557 maximum dry density.
- The new pavement subgrade soils should be scarified to a depth of 12± inches, thoroughly moisture conditioned and recompacted to at least 90 percent of the ASTM D-1557 maximum dry density.

Foundation Design Recommendations

- Conventional shallow foundations, supported in newly placed compacted fill.
- Maximum, net allowable soil bearing pressure: 2,500 lbs/ft^2.
- Reinforcement consisting of four (4) No. 5 rebars in strip footings. Additional reinforcement may be necessary for structural considerations.

Floor Slab Design Recommendations

- Conventional Slabs-on-Grade, minimum 6 inches thick.
- Modulus of Subgrade Reaction: k = 125 psi/in.

- Slab reinforcement is not required based on geotechnical conditions. The actual thickness and reinforcement of the floor slabs should be determined by the structural engineer based on the imposed loading.

Pavement Design Recommendations

Asphalt Pavements (R = 40)					
Materials	**Thickness (inches)**				
	Auto Parking and Auto Drive Lanes (TI = 4.0 to 5.0)	Truck Traffic			
		TI = 6.0	TI = 7.0	TI = 8.0	TI = 9.0
Asphalt Concrete	3	3½	4	5	5½
Aggregate Base	4	6	7	8	10
Compacted Subgrade	12	12	12	12	12

Portland Cement Concrete Pavements				
Materials	**Thickness (inches)**			
	Autos and Light Truck Traffic (TI = 6.0)	Truck Traffic		
		TI = 7.0	TI = 8.0	TI = 9.0
PCC	5	6½	8	9
Compacted Subgrade (95% minimum compaction)	12	12	12	12

Borba Property Design Recommendations

- Demolition of the existing structures, including the residence, milking barn, sheds, ponds, canopy shelters, and the existing pavements will be required in order to facilitate construction of the new buildings. Demolition of these structures should include all foundations, floor slabs, utilities, septic systems, and any other subsurface improvements that will not remain in place for use with the new development. Debris resultant from demolition should be disposed of offsite. Alternatively, concrete and asphalt debris may be pulverized to a maximum 2 inch particle size, well mixed with the on-site soils, and incorporated into new structural fills or it may be crushed and made into crushed miscellaneous base (CMB).

- Site stripping of any existing vegetated areas should include all vegetation, organic soils, and root masses. These materials should be disposed of offsite. Site stripping should also include removal of all manure and any topsoil. These materials should also be disposed of off-site.
- Existing undocumented fill soils were encountered at one of our boring locations and three of our trench locations, extending to depths of up to 2½± feet.
- The proposed development is considered to be feasible with respect to the geotechnical conditions encountered at the boring and trench locations at the site. However, remedial grading will be necessary in order to support the proposed structures on conventional shallow foundation systems. Preliminary remedial grading and foundation design recommendations have been provided herein, based on the preliminary site plan, assumed site grading, and assumed foundation loads.
- Based on these preliminary assumptions and the results of our subsurface exploration, laboratory testing, and engineering analysis, remedial grading should be performed within the proposed building areas, to remove the existing manure, organic topsoil, undocumented fill soils, as well as the upper portion of the alluvial soils, and replace them as structural compacted fill.
- Preliminarily, the overexcavation within the building area is also recommended to extend to a depth of at least 4 to 5 feet below existing and proposed building pad subgrade elevations. The overexcavation should also extend to a depth of at least 2 to 3 feet below bearing grade within the influence zones of any new foundations. These recommendations are subject to review and may be revised based on the results of the design-level geotechnical investigation.
- Preliminarily, the new parking area subgrade soils are recommended to be scarified to a depth of 12± inches, thoroughly moisture conditioned to within 0 to 4 percent above the optimum moisture content and recompacted to at least 90 percent of the ASTM D-1557 maximum dry density.

Preliminary Foundation Design Recommendations

- Conventional shallow foundations, supported in newly placed compacted fill.
- 2,500 to 3,000 lbs/ft^2 maximum allowable soil bearing pressure.

- The design of the foundations will depend in large part on the results of the future design- level geotechnical study. Minimum reinforcement consisting of two (2) to four (4) No. 5 rebars in strip footings. Additional reinforcement may be necessary for structural considerations.

Preliminary Floor Slab Design Recommendations

- Conventional slab-on-grade, minimum 6 to 7 inches thick.
- The design of the floor slabs will depend in large part on the results of the future design-level geotechnical study. The actual thickness and reinforcement of the floor slabs should be determined by the structural engineer.

Pavement Design Recommendations

Asphalt Pavements (R = 40)					
Materials	**Thickness (inches)**				
	Auto Parking and Auto Drive Lanes (TI = 4.0 to 5.0)	Truck Traffic			
		TI = 6.0	TI = 7.0	TI = 8.0	TI = 9.0
Asphalt Concrete	3	3½	4	5	5½
Aggregate Base	4	6	7	8	10
Compacted Subgrade	12	12	12	12	12

Portland Cement Concrete Pavements				
Materials	**Thickness (inches)**			
	Autos and Light Truck Traffic (TI = 6.0)	Truck Traffic		
		TI = 7.0	TI = 8.0	TI = 9.0
PCC	5	5½	6½	8
Compacted Subgrade (95% minimum compaction)	12	12	12	12

Grading Guide Specifications (All Properties)

These grading guide specifications are intended to provide typical procedures for grading operations. They are intended to supplement the recommendations contained in the Project Geotechnical Studies. Should the recommendations in the geotechnical

investigation report conflict with the grading guide specifications, the more site-specific recommendations in the geotechnical investigation report will govern.

General

- The Earthwork Contractor is responsible for the satisfactory completion of all earthwork in accordance with the plans and geotechnical reports, and in accordance with city, county, and applicable building codes.

- The Geotechnical Engineer is the representative of the Owner/Builder for the purpose of implementing the report recommendations and guidelines. These duties are not intended to relieve the Earthwork Contractor of any responsibility to perform in a workman-like manner, nor is the Geotechnical Engineer to direct the grading equipment or personnel employed by the Contractor.

- The Earthwork Contractor is required to notify the Geotechnical Engineer of the anticipated work and schedule so that testing and inspections can be provided. If necessary, work may be stopped and redone if personnel have not been scheduled in advance.

- The Earthwork Contractor is required to have suitable and sufficient equipment on the job- site to process, moisture condition, mix and compact the amount of fill being placed to the approved compaction. In addition, suitable support equipment should be available to conform with recommendations and guidelines in this report.

- Canyon cleanouts, overexcavation areas, processed ground to receive fill, key excavations, subdrains and benches should be observed by the Geotechnical Engineer prior to placement of any fill. It is the Earthwork Contractor's responsibility to notify the Geotechnical Engineer of areas that are ready for inspection.

- Excavation, filling, and subgrade preparation should be performed in a manner and sequence that will provide drainage at all times and proper control of erosion. Precipitation, springs, and seepage water encountered shall be pumped or drained to provide a suitable working surface. The Geotechnical Engineer must be informed of springs or water seepage encountered during grading or foundation construction for possible revision to the recommended construction procedures and/or installation of subdrains.

Site Preparation

- The Earthwork Contractor is responsible for all clearing, grubbing, stripping and site preparation for the project in accordance with the recommendations of the Geotechnical Engineer.

- If any materials or areas are encountered by the Earthwork Contractor which are suspected of having toxic or environmentally sensitive contamination, the Geotechnical Engineer and Owner/Builder should be notified immediately.

- Major vegetation should be stripped and disposed of off-site. This includes trees, brush, heavy grasses and any materials considered unsuitable by the Geotechnical Engineer.

- Underground structures such as basements, cesspools or septic disposal systems, mining shafts, tunnels, wells and pipelines should be removed under the inspection of the Geotechnical Engineer and recommendations provided by the Geotechnical Engineer and/or city, county or state agencies. If such structures are known or found, the Geotechnical Engineer should be notified as soon as possible so that recommendations can be formulated.

- Any topsoil, slopewash, colluvium, alluvium and rock materials which are considered unsuitable by the Geotechnical Engineer should be removed prior to fill placement.

- Remaining voids created during site clearing caused by removal of trees, foundations basements, irrigation facilities, etc., should be excavated and filled with compacted fill.

- Subsequent to clearing and removals, areas to receive fill should be scarified to a depth of 10 to 12 inches, moisture conditioned and compacted.

- The moisture condition of the processed ground should be at or slightly above the optimum moisture content as determined by the Geotechnical Engineer. Depending upon field conditions, this may require air drying or watering together with mixing and/or discing.

Compacted Fills

- Soil materials imported to or excavated on the property may be utilized in the fill, provided each material has been determined to be suitable in the opinion of the Geotechnical Engineer. Unless otherwise approved by the Geotechnical Engineer, all fill materials shall be free of deleterious, organic, or frozen matter, shall contain no chemicals that may result in the material being classified as "contaminated," and shall be very low to non-expansive with a maximum expansion index (EI) of 50. The top 12 inches of the compacted fill should have a maximum particle size of 3 inches, and all underlying compacted fill material a maximum 6-inch particle size, except as noted below.

- All soils should be evaluated and tested by the Geotechnical Engineer. Materials with high expansion potential, low strength, poor gradation or containing organic materials may require removal from the site or selective placement and/or mixing to the satisfaction of the Geotechnical Engineer.

- Rock fragments or rocks less than 6 inches in their largest dimensions, or as otherwise determined by the Geotechnical Engineer, may be used in compacted fill, provided the distribution and placement is satisfactory in the opinion of the Geotechnical Engineer.

- Rock fragments or rocks greater than 12 inches should be taken off-site or placed in accordance with recommendations and in areas designated as suitable by the Geotechnical Engineer. These materials should be placed in accordance with Plate D-8 of these Grading Guide Specifications and in accordance with the following recommendations:

- Rocks 12 inches or more in diameter should be placed in rows at least 15 feet apart, 15 feet from the edge of the fill, and 10 feet or more below subgrade. Spaces should be left between each rock fragment to provide for placement and compaction of soil around the fragments.

- Fill materials consisting of soil meeting the minimum moisture content requirements and free of oversize material should be placed between and over the rows of rock or concrete. Ample water and compactive effort should be applied to the fill materials as they are placed in order that all of the voids between each of the fragments are filled and compacted to the specified density.

- Subsequent rows of rocks should be placed such that they are not directly above a row placed in the previous lift of fill. A minimum 5-foot offset between rows is recommended.

- To facilitate future trenching, oversized material should not be placed within the range of foundation excavations, future utilities or other underground construction unless specifically approved by the soil engineer and the developer/owner representative.

- Fill materials approved by the Geotechnical Engineer should be placed in areas previously prepared to receive fill and in evenly placed, near horizontal layers at about 6 to 8 inches in loose thickness, or as otherwise determined by the Geotechnical Engineer for the project.

- Each layer should be moisture conditioned to optimum moisture content, or slightly above, as directed by the Geotechnical Engineer. After proper mixing and/or drying, to evenly distribute the moisture, the layers should be compacted to at least 90 percent of the maximum dry density in compliance with ASTM D-1557-78 unless otherwise indicated.

- Density and moisture content testing should be performed by the Geotechnical Engineer at random intervals and locations as determined by the Geotechnical Engineer. These tests are intended as an aid to the Earthwork Contractor, so he can evaluate his workmanship, equipment effectiveness and site conditions. The Earthwork Contractor is responsible for compaction as required by the Geotechnical Report(s) and governmental agencies.

- Fill areas unused for a period of time may require moisture conditioning, processing and recompaction prior to the start of additional filling. The Earthwork Contractor should notify the Geotechnical Engineer of his intent so that an evaluation can be made.

- Fill placed on ground sloping at a 5-to-1 inclination (horizontal-to-vertical) or steeper should be benched into bedrock or other suitable materials, as directed by the Geotechnical Engineer. Typical details of benching are illustrated on Plates D-2, D-4, and D-5.

- Cut/fill transition lots should have the cut portion overexcavated to a depth of at least 3 feet and rebuilt with fill (see Plate D-1), as determined by the Geotechnical Engineer.

- All cut lots should be inspected by the Geotechnical Engineer for fracturing and other bedrock conditions. If necessary, the pads should be overexcavated to a depth of 3 feet and rebuilt with a uniform, more cohesive soil type to impede moisture penetration.

- Cut portions of pad areas above buttresses or stabilizations should be overexcavated to a depth of 3 feet and rebuilt with uniform, more cohesive compacted fill to impede moisture penetration.

- Non-structural fill adjacent to structural fill should typically be placed in unison to provide lateral support. Backfill along walls must be placed and compacted with care to ensure that excessive unbalanced lateral pressures do not develop. The type of fill material placed adjacent to below grade walls must be properly tested and approved by the Geotechnical Engineer with consideration of the lateral earth pressure used in the design.

Foundations

- The foundation influence zone is defined as extending one foot horizontally from the outside edge of a footing, and proceeding downward at a ½ horizontal to 1 vertical (0.5:1) inclination.

- Where overexcavation beneath a footing subgrade is necessary, it should be conducted so as to encompass the entire foundation influence zone, as described above.

- Compacted fill adjacent to exterior footings should extend at least 12 inches above foundation bearing grade. Compacted fill within the interior of structures should extend to the floor subgrade elevation.

Fill Slopes

- The placement and compaction of fill described above applies to all fill slopes. Slope compaction should be accomplished by overfilling the slope, adequately compacting the fill in even layers, including the overfilled zone and cutting the slope back to expose the compacted core.

- Slope compaction may also be achieved by backrolling the slope adequately every 2 to 4 vertical feet during the filling process as well as requiring the earth moving

and compaction equipment to work close to the top of the slope. Upon completion of slope construction, the slope face should be compacted with a sheepsfoot connected to a sideboom and then grid rolled. This method of slope compaction should only be used if approved by the Geotechnical Engineer.

- Sandy soils lacking in adequate cohesion may be unstable for a finished slope condition and therefore should not be placed within 15 horizontal feet of the slope face.

- All fill slopes should be keyed into bedrock or other suitable material. Fill keys should be at least 15 feet wide and inclined at 2 percent into the slope. For slopes higher than 30 feet, the fill key width should be equal to one-half the height of the slope (see Plate D-5).

- All fill keys should be cleared of loose slough material prior to geotechnical inspection and should be approved by the Geotechnical Engineer and governmental agencies prior to filling.

- The cut portion of fill over cut slopes should be made first and inspected by the Geotechnical Engineer for possible stabilization requirements. The fill portion should be adequately keyed through all surficial soils and into bedrock or suitable material. Soils should be removed from the transition zone between the cut and fill portions (see Plate D- 2).

Cut Slopes

- All cut slopes should be inspected by the Geotechnical Engineer to determine the need for stabilization. The Earthwork Contractor should notify the Geotechnical Engineer when slope cutting is in progress at intervals of 10 vertical feet. Failure to notify may result in a delay in recommendations.

- Cut slopes exposing loose, cohesionless sands should be reported to the Geotechnical Engineer for possible stabilization recommendations.

- All stabilization excavations should be cleared of loose slough material prior to geotechnical inspection. Stakes should be provided by the Civil Engineer to verify the location and dimensions of the key. A typical stabilization fill detail is shown on Plate D-5.

- Stabilization key excavations should be provided with subdrains. Typical subdrain details are shown on Plates D-6.

Subdrains

- Subdrains may be required in canyons and swales where fill placement is proposed. Typical subdrain details for canyons are shown on Plate D-3. Subdrains should be installed after approval of removals and before filling, as determined by the Soils Engineer.

- Plastic pipe may be used for subdrains provided it is Schedule 40 or SDR 35 or equivalent. Pipe should be protected against breakage, typically by placement in a square-cut (backhoe) trench or as recommended by the manufacturer.

- Filter material for subdrains should conform to CALTRANS Specification 68-1.025 or as approved by the Geotechnical Engineer for the specific site conditions. Clean ¾-inch crushed rock may be used provided it is wrapped in an acceptable filter cloth and approved by the Geotechnical Engineer. Pipe diameters should be 6 inches for runs up to 500 feet and 8 inches for the downstream continuations of longer runs. Four-inch diameter pipe may be used in buttress and stabilization fills.

Corrosion Protection/Prevention

Steel Pipe

Implement *all* the following measures:

1. Underground steel pipe with rubber gasketed, mechanical, grooved end, or other nonconductive type joints should be bonded for electrical continuity. Electrical continuity is necessary for corrosion monitoring and cathodic protection.

2. Install corrosion monitoring test stations to facilitate corrosion monitoring and the application of cathodic protection:
   a. At each end of the pipeline.
   b. At each end of all casings.
   c. Other locations as necessary so the interval between test stations does not exceed 1,200 feet.

3. To prevent dissimilar metal corrosion cells and to facilitate the application of cathodic protection, electrically isolate each buried steel pipeline per NACE SP0286 from:
   a. Dissimilar metals.
   b. Dissimilarly coated piping (cement-mortar vs. dielectric).
   c. Above ground steel pipe.
   d. All existing piping.

4. Implement the following:
   a. Apply a suitable dielectric coating intended for underground use such as:
      i. Polyurethane per AWWA C222 or
      ii. Extruded polyethylene per AWWA C215 or
      iii. A tape coating system per AWWA C214 or
      iv. Hot applied coal tar enamel per AWWA C203 or
      v. Fusion bonded epoxy per AWWA C213.
   b. Apply cathodic protection to steel piping as per NACE SP0169.

Iron Pipe

Implement *all* the following measures:

1. To prevent dissimilar metal corrosion cells and to facilitate the application of cathodic protection, electrically insulate underground iron pipe from dissimilar metals and from above ground iron pipe with insulating joints per NACE SP0286.

2. Bond all nonconductive type joints for electrical continuity. Electrical continuity is necessary for corrosion monitoring and cathodic protection.

3. Install corrosion monitoring test stations to facilitate corrosion monitoring and the application of cathodic protection:
   a. At each end of the pipeline.
   b. At each end of any casings.
   c. Other locations as necessary so the interval between test stations does not exceed 1,200 feet.

4. Implement the following:
   a. Apply a suitable coating intended for underground use such as:
      i. Polyethylene encasement per AWWA C105; or
      ii. Epoxy coating; or
      iii. Polyurethane; or
      iv. Wax tape.
   b. Apply cathodic protection to cast and ductile iron piping as per NACE SP0169.

Copper Tubing

Implement *all* the following measures:

1. Electrically insulate underground copper pipe from dissimilar metals and from above ground copper pipe with insulating devices per NACE SP0286.
2. Electrically insulate cold water piping from hot water piping systems.
3. Protect buried copper tubing by one of the following measures:

a. Prevention of soil contact. Soil contact may be prevented by placing the tubing above ground or encasing the tubing using PVC pipe with solvent- welded joints.
b. Installation of a factory-coated copper pipe with a minimum 25-mil thickness such as Kamco's Aqua Shield™, Mueller's Streamline Protec™, or equal. The coating must be continuous with no cuts or defects.
c. Installation of 12-mil polyethylene pipe wrapping tape with butyl rubber mastic over a suitable primer. Protect wrapped copper tubing by applying cathodic protection per NACE SP0169.

Plastic and Vitrified Clay Pipe

1. No special precautions are required for plastic and vitrified clay piping placed underground from a corrosion viewpoint.

2. Protect all metallic fittings and valves with wax tape per AWWA C217 or epoxy.

All Pipe

1. On all pipes, appurtenances, and fittings not protected by cathodic protection, coat bare metal such as valves, bolts, flange joints, joint harnesses, and flexible couplings with wax tape per AWWA C217 after assembly.

2. Where metallic pipelines penetrate concrete structures such as building floors, vault walls, and thrust blocks use plastic sleeves, rubber seals, or other dielectric material to prevent pipe contact with the concrete and reinforcing steel.

Concrete Structures and Pipe

1. From a corrosion standpoint, any type of ASTM C150 cement may be used for concrete structures and pipe because the sulfate concentration is negligible, from 0 to 0.10 percent.

2. Chloride concentrations were measured at levels7 where additional protective measures are required for concrete. Protect steel and iron embedded in concrete

structures and pipe from chloride attack. This applies to such items as reinforcing steel and anchor bolts but not post-tensioning strands and anchors, which have separate requirements. The protection could be one or a combination of the following:

a. Protective Concrete - A concrete mix designed to protect embedded steel and iron should be based on the following parameters: 1) a chloride content of 1,000 ppm in the soil; 2) the desired service life; the design 3) concrete cover; and 4) the applicable building code. A protective concrete mix may include a corrosion inhibitor admixture and/or supplementary cementitious materials.
b. Waterproof Concrete - Waterproofing for concrete could be a gravel capillary break under the concrete, a waterproof membrane such as Grace PrePrufe products, and/or a liquid applied waterproof barrier coating. Visqueen, similar rolled barriers, or bentonite-based membranes are not viable waterproofing systems, from a corrosion standpoint.
c. Coat Embedded Metal - A coating for embedded steel and iron could be an epoxy coating applied to the metal. Purple fusion bonded epoxy (FBE) (ASTM A934) intended for prefabricated reinforcing steel reinforcing steel is suitable. Any damage to the coating must be repaired in accordance with the manufacturer's specifications prior to installation. The green flexible FBE (ASTM A775) is not recommended.
d. Cathodic Protection - Cathodic protection is most practical for pipelines and must be designed for each application. The amount of cathodic protection current needed can be minimized by coating the steel or iron.

Grading and Foundation Plan Review

The Recommendations and Grading Specifications of the Project Geotechnical Studies as summarized above are incorporated here as Mitigation Measure 4.9.1.

4.9.1 Design and development of the Project shall comply with recommendations, specifications and performance standards identified within the Project Geotechnical Studies, to include preparation of and conformance with design-level geotechnical studies for individual

development proposals within the Project site. Where the Project Geotechnical Studies and design-level geotechnical studies are silent, requirements of the California Building Code as adopted and implemented by the City shall prevail.

Level of Significance After Mitigation: Less-Than-Significant. The Project Geotechnical Studies conclude that the Project site is acceptable for the proposed development, contingent on compliance with Recommendations and Grading Specifications as identified in the Studies.

Through established Site Plan, Building Permit, and Certificate of Occupancy requirements, the City would verify that required design and construction measures are incorporated throughout Project development and are implemented in the completed structures and facilities. Accordingly, it is anticipated that any site-specific constraints which may be encountered during the course of Project implementation can be successfully addressed within the context of the findings and recommendations of the Project Geotechnical Studies, subsequent design-level geotechnical studies, and existing City/CBC seismic design regulations, standards, and policies.

As supported by the preceding discussions, with incorporation of mitigation, the potential for the Project to: directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving strong seismic ground shaking; directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction; or 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 is considered less-than-significant.

Potential Impact: *Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), thereby creating substantial direct or indirect risks to life or property?*

Impact Analysis: The CBC provides methodologies and guidelines for identification of expansive soils and establishes design standards which act to avoid potentially adverse effects of expansive soils on facilities. Section 1802.3 of the 2010 California Building Code directs expansive soil tendency be graded by its Expansion Index. A soil's Expansion Index is defined by its potential to swell when wet or saturated. The CBC mandates that "special [foundation] design consideration" be employed if the Expansion Index is 20, or greater.

Unmitigated effects of expansive or otherwise unstable soils may adversely affect roadway subgrades, concrete slabs-on-grade, and building foundations. In the event of a severe earthquake in the vicinity of the Project, structural foundations and floors may be damaged if constructed in, or over, expansive or unstable soils.

As discussed in the Project Geotechnical Studies, excluding undocumented fill and organic materials (all of which would be removed during required remedial grading), and near-surface soils within the Project site possess very low expansion potentials. The Project does not propose uses or activities that would indirectly contribute to or cause soil expansion hazards.

It is also noted that design-level geotechnical studies would be required to verify all findings and conclusions of the Project Geotechnical Studies. The Project would be required to comply with all recommendations, specifications, and performance standards presented within the design-level geotechnical studies.

As supported by the preceding discussion, the potential for the Project to be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), thereby creating substantial direct or indirect risks to life or property is considered less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *Would the Project result in substantial soil erosion or the loss of topsoil?*

Impact Analysis: Under existing conditions, the Project site comprises agricultural uses and various developed or partially improved properties that are susceptible to erosion and soil loss. Project construction activities would temporarily expose underlying soils, thereby increasing their susceptibility to erosion. Potential erosion impacts incurred during construction activities are mitigated below the level of significance through the Project's mandated compliance with a City-approved Storm Water Pollution Prevention Plan (SWPPP), as well as compliance with SCAQMD Rules that prohibit grading activities and site disturbance during high wind events. At Project completion, potential soil erosion impacts in the area will be resolved, as pavement, roads, buildings, and landscaping are established, overcovering previously exposed soils.

Under the developed state, the Project surface improvements, landscaping, and stormwater management systems that would collectively act to minimize or avoid soil erosion. The Project does not propose to significantly alter existing topography in a manner that would result in substantial soil erosion or the loss of topsoil. All Project development plans would be subject to review and approval by the City. As part of this review, the City would ensure that permanent slopes and slope protection would conform to City requirements, thereby minimizing the potential for soil erosion over the life of the Project. City review and approval of development plans would also ensure that stormwater management systems are incorporated that would minimize potential erosion from stormwater runoff, both on-site and off-site.

As means of reducing or avoiding water quality impacts, including but not limited to impacts attributable to soil erosion or the loss of topsoil, the City requires development and implementation a Water Quality Management Plan (WQMP) for new development proposals. A Preliminary WQMP (PWQMP) has been prepared for the Specific Plan Area (please refer to EIR Appendix H). The City has reviewed and approved the PQWMP, and has determined it adequate at the current Specific Plan concept level of detail.

Additional requirements established by the City of Ontario Standard Conditions of Approval (below) act to avoid or minimize potential water quality impacts, including potential soil erosion impacts. In this regard, development proposals within the Specific Plan Area would be required to comply with the following Conditions:

- Standard Condition (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 Water Quality Management Plan (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 Best Management Practices (BMPs), that will be incorporated into the Project, in order to minimize any potential adverse impacts to receiving waters. [3]

[3] City of Ontario. "Standard Conditions of Approval for New Development, Applicable to 'Ontario Ranch'" pp. 13, 14. *City of Ontario, California*. www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Documents/20170418-standard_conditions_for_new_development.pdf. Accessed 13 Nov. 2019.

The measures and requirements outlined above would collectively act to avoid or minimize potential water quality impacts, including soil erosion impacts. Moreover, these measures and requirements as implemented under the Project would improve stormwater quality discharges when compared to untreated and/or contaminated discharges originating from by the site's various dairy farm and trucking uses, and uncontrolled/untreated discharges originating from the site generally.

Level of Significance: Less-Than-Significant.

4.10 CULTURAL/TRIBAL RESOURCES

4.10 CULTURAL/TRIBAL RESOURCES

Abstract

This Section examines the potential for implementation of the Project to impact cultural and tribal resources in the Project area. Of primary concern are the protection of potential historic cultural resources, and conservation of known or currently unknown (buried or undiscovered) archaeological resources that may be present within the Project site. Specifically, this analysis seeks to determine whether the Project would result in any of the following:

- *Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5;*

- *Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5;*

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

  (i) Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code 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 Public Resources Code Section 5024.1. In applying the criteria set forth in

subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

- *Directly or indirectly destroy a unique paleontological resource or site or unique geological feature.*

Additionally, as discussed in the EIR Initial Study (EIR Appendix A), the Project's potential impacts under the following topic were previously determined to be less-than-significant, and are not further substantively discussed here:

- *Disturb any human remains, including those interred outside of formal cemeteries.*

Information contained within this section is summarized from: Cultural Resources Study for the Merrill Commerce Center Specific Plan Project, City of Ontario, San Bernardino County, California *(Brian F. Smith and Associates, Inc.) August 27, 2019 (Project Cultural Resources Study);* Proposed Merrill Commerce Center Specific Plan – Revised Historical Resource Survey *(Urbana Preservation & Planning, LLC) April 28, 2020 (Project HRS). Analysis of the potential impacts of the proposed waterline along Chino Avenue between Grove Avenue and the Cucamonga Channel is based on information from:* Cultural and Paleontological Resources Assessment, Ontario Ranch Commerce Center, City of Ontario, San Bernardino County, California *(Material Culture Consulting) September 2018. Paleontological resources impacts are evaluated in:* Paleontological Resource Assessment for the Proposed Merrill Commerce Center Specific Plan Project, City of Ontario, Southern San Bernardino County, California *(Brian F. Smith and Associates, Inc.) April 1, 2020. All of these studies are included at EIR Appendix K.*

Certain locally significant historical residences and dairy structures would be demolished as part of the Project. Even with application of mitigation, impacts to these resources is considered significant and unavoidable. With application of mitigation, potential impacts to other cultural resources, tribal resources, and paleontological resources would be less-than-significant as mitigated.

4.10.1 INTRODUCTION

Cultural resources can be of scientific, aesthetic, educational, archaeological, architectural, or historical significance to the community. The following section identifies and classifies the significance of cultural resources which may exist on the subject site, and assesses the Project's potential to impact such resources.

4.10.2 SETTING

The Project area is located on the 7.5-minute USGS Ontario, Prado Dam, and Corona North, California topographic quadrangles in the Santa Ana Del Chino Land Grant (Township 1 and 2 South, Range 7 West, projected. The following setting information has been summarized from the Project Cultural Resources Study.

Environmental Setting

The Merrill Commerce Center Specific Plan Project (Specific Plan, Project) is located in the Chino Basin. The Chino Basin and is located south of the San Gabriel Mountains, north of the Jurupa Mountains, and west of the San Bernardino Mountains. The Chino Basin is situated within the upper Santa Ana Valley and is a relatively flat alluvial plain formed from sediments deposited by the Santa Ana River and its tributaries, such as Chino Creek and Cucamonga Creek, within the Peninsular Ranges Geomorphic Province of southern California. The Peninsular Ranges are a series of northwest- to southeast-trending mountain ranges separated by similarly trending valleys, which make up the southernmost segment of a chain of North American Mesozoic batholiths that extend from Alaska to the southern tip of Baja California. Elevations within the Project site range between approximately 590 and 900 feet above mean sea level.

Geologically, the Project site is located on the distal margins of the broad alluvial floodplain of the ancestral Santa Ana River. The entire Project site is underlain by late Quaternary (middle Holocene) young sandy alluvial fan deposits, which overlie at shallow depths middle to late Quaternary (middle to late Pleistocene) very old sandy alluvial fan deposits. Late Pleistocene to early Holocene young sandy axial channel deposits also occur in nearby channels in the southernmost areas of the Project site and

late Pleistocene to early Holocene young alluvial fan deposits occur east of the northern off-site alignments.

During the prehistoric period, vegetation near the Project site provided sufficient food resources to support prehistoric human occupants. Animals that inhabited the area during prehistoric times included mammals such as rabbits, squirrels, gophers, mice, rats, deer, and coyotes, in addition to a variety of reptiles and amphibians. The natural setting of the area during the prehistoric occupation offered a rich nutritional resource base. Fresh water was likely obtainable from the Chino Creek, Cucamonga Creek, and the Santa Ana River. Historically, the property likely contained the same plant and animal species that are present today.

The Project site currently evidences dairy farm uses with interior unpaved roads, cattle stockades, support equipment for cattle and dairy farming, bio-retention basins located at the southern boundary, a trucking operation on the eastern portion, and appurtenant residences at various locations within the Project site. The site is extensively disturbed and evidences environmental degradation due to historic and on-going agricultural and trucking uses. Such degradation includes, but is not limited to:

- Animal waste from the long-term dairy farm uses have potentially created methane gas, and soil contamination from nitrates and ammonia.

- Numerous automotive fluids, including several large above ground storage tanks (ASTs) on or near the on-site maintenance shop. These materials are used for maintaining and repairing farm equipment.

- Additional ASTs used for truck and equipment refueling are located on-site.

- A scrap metal area containing drums, ASTs, farming equipment, and vehicles is located on the property.

- The property is located within the South Archibald Tricholroethyleme (TCE) Plume. The 2,000-acre TCE Plume contains contaminated groundwater that underlies the Project site.

- Dairy operations use formaldehyde, iodine, and glycerol to wash the cows. The dairies also use muriatic acid and chlorinated alkaline as a cleaning solution. Pesticides are applied to prevent parasite infestations. Wastewater from these processes is discharged to the pastures for irrigation.

- Holding ponds for contaminated runoff from agricultural/dairy farm operations. Discharge from these ponds to surrounding areas; and potential infiltration of contaminated runoff to underlying groundwater.

- General debris observed throughout the property, including vehicle equipment staging areas, used tires, concrete rubble piles, compressors, and generators may have the potential to impact on-site surficial soil.

- Presence of septic systems.

Cultural Setting

Paleo Indian, Archaic Period Milling Stone Horizon, and the Late Prehistoric Shoshonean groups are the three general cultural periods represented in San Bernardino County, as summarized below.

Paleo Indian Period (Late Pleistocene: 11,500 to circa 9,000 years before the present [YBP])

The Paleo Indian Period is associated with the terminus of the late Pleistocene (12,000 to 10,000 YBP). 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 end of the late Pleistocene, the climate became warmer. This resulted in glacial melting, sea level rise, coastal erosion, lake to recedence and evaporation, extinction of Pleistocene megafauna, and major vegetation changes.

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.

Archaic Period (Early and Middle Holocene: circa 9,000 to 1,300 YBP)

The Archaic Period of prehistory began with the onset of the Holocene around 9,000 YBP. The transition from the Pleistocene to the Holocene was a period of major environmental change throughout North America. The general warming trend caused sea levels to rise, lakes to evaporate, and drainage patterns to change. In southern California, the general climate at the beginning of the early Holocene was marked by cool/moist periods and an increase in warm/dry periods and sea levels.

Rising sea levels during the early Holocene created rocky shorelines and bays along the coast by flooding valley floors and eroding the coastline. Shorelines were primarily rocky with small littoral cells, as sediments were deposited at bay edges but rarely discharged into the ocean. These bays eventually evolved into lagoons and estuaries, which provided a rich habitat for mollusks and fish. The warming trend and rising sea levels generally continued until the late Holocene.

At the beginning of the late Holocene, sea levels stabilized, rocky shores declined, lagoons filled with sediment, and sandy beaches became established. Many former lagoons became saltwater marshes surrounded by coastal sage scrub by the late Holocene. The sedimentation of the lagoons was significant in that it had profound effects on the types of resources available to prehistoric peoples.

The changing lagoon habitats resulted in the decline of larger shellfish, the loss of drinking water, and the loss of Torrey Pine nuts, causing a major depopulation of the coast as people shifted inland to reliable freshwater sources and intensified their exploitation of terrestrial small game and plants, including acorns.

The Archaic Period in southern California is associated with a number of different cultures, complexes, traditions, horizons, and periods, including San Dieguito, La Jolla, Encinitas, Milling Stone, Pauma, and Intermediate.

Late Prehistoric Period (Late Holocene: 1,300 YBP to 1790)

Approximately 1,350 YBP, a Shoshonean-speaking group from the Great Basin region moved into San Bernardino County, marking the transition to the Late Prehistoric Period. This period has been characterized by higher population densities and elaborations in social, political, and technological systems. Economic systems diversified and intensified during this period, with the continued elaboration of trade networks, the use of shell-bead currency, and the appearance of more labor-intensive, yet effective, technological innovations. Technological developments during this period included the introduction of the bow and arrow between A.D. 400 and 600 and the introduction of ceramics. Atlatl darts were replaced by smaller arrow darts, including the Cottonwood series points. Other hallmarks of the Late Prehistoric Period include extensive trade networks as far reaching as the Colorado River Basin and cremation of the dead.

Protohistoric Period (Late Holocene: 1790 to Present)

Gabrielino

The territory of the Gabrielino at the time of Spanish contact covers much of present-day Los Angeles and Orange counties. The southern extent of this culture area is bounded by Aliso Creek, the eastern extent is located east of present-day San Bernardino 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 Gabrielino 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

Gabrielino extended as far north as the San Joaquin Valley, as far east as the Colorado River, and as far south as Baja California.

The Gabrielino 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.

Resources procured along the coast and on the islands were primarily marine in nature and included tuna, swordfish, ray, shark, California sea lion, Stellar sea lion, harbor seal, northern elephant seal, sea otter, dolphin, porpoise, various waterfowl species, numerous fish species, purple sea urchin, and mollusks such as rock scallop, California mussel, and limpet. Inland resources included oak acorn, pine nut, Mohave yucca, cacti, sage, grass nut, deer, rabbit, hare, rodent, quail, duck, and a variety of reptiles such as western pond turtle and snakes.

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, which was 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 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.

Gabrielino houses were domed, circular structures made of thatched vegetation. Houses varied in size and could house from one to several families. Sweathouses (semicircular, earth-covered buildings) were public structures used in male social ceremonies. Other structures included menstrual huts and a ceremonial structure called a yuvar, an open-air structure built near the chief's house.

Clothing was minimal. Men and children most often went naked, while women wore deerskin or bark aprons. In cold weather, deerskin, rabbit fur, or bird skin (with feathers intact) cloaks were worn. Island and coastal groups used sea otter fur for cloaks. In areas of rough terrain, yucca fiber sandals were worn. Women often used red ochre on their faces and skin for adornment or protection from the sun. Adornment items included feathers, fur, shells, and beads.

Hunting implements included wood clubs, sinew-backed bows, slings, and throwing clubs. Maritime implements included rafts, harpoons, spears, hook and line, and nets. A variety of other tools included deer scapulae saws, bone and shell needles, bone awls, scrapers, bone or shell flakers, wedges, stone knives and drills, metates, mullers, manos, shell spoons, bark platters, and wood paddles and bowls. Baskets were made from rush,

deer grass, and skunkbush. Baskets were fashioned for hoppers, plates, trays, and winnowers for leaching, straining, and gathering. Baskets were also used for storing, preparing, and serving food, and for keeping personal and ceremonial items.

The Gabrielino had exclusive access to soapstone, or steatite, procured from Santa Catalina Island quarries. This highly prized material was used for making pipes, animal carvings, ritual objects, ornaments, and cooking utensils. The Gabrielino profited well from trading steatite since it was valued so much by groups throughout southern California.

Serrano

Aboriginally, the Serrano occupied an area east of present-day Los Angeles. However, researchers place the Serrano in the San Bernardino Mountains east of Cajon Pass and at the base of and north of the mountains near Victorville, east to Twentynine Palms, and south to the Yucaipa Valley. Serrano has been used broadly for languages in the Takic family including Serrano, Kitanemuk, Vanyume, and Tataviam.

The Serrano were part of "exogamous clans, which in turn were affiliated with one of two exogamous moieties, tukwutam (Wildcat) and wahiʔiam (Coyote)". Details such as number, structure, and function of the clans are unknown. Clans were not political, but were rather structured based upon economic, marital, or ceremonial reciprocity, a pattern common throughout Southern California. The Serrano formed alliances amongst their own clans and with Cahuilla, Chemehuevi, Gabrielino, and Cupeño clans. Clans were large, autonomous, political and landholding units formed patrilineally, with all males descending from a common male ancestor, including all wives and descendants of the males. However, even after marriage, women would still keep their original lineage, and would still participate in those ceremonies.

The Serrano had a shaman, a person who acquired their powers through dreams, which were induced through ingestion of the hallucinogen datura. The shaman was mostly a curer/healer, using herbal remedies and "sucking out the disease-causing agents."

Serrano village locations were typically located near water sources. Individual family dwellings were likely circular, domed structures. Daily household activities would either take place outside of the house out in the open, or under a ramada constructed of a thatched willow pole roof held up by four or more poles inserted into the ground. Families could consist of a husband, wife/wives, unmarried female children, married male children, the husband's parents, and/or widowed aunts and uncles. Rarely, an individual would occupy his own house, typically in the mountains. Serrano villages also included a large ceremonial house where the lineage leader would live, which served as the religious center for lineages or lineage-sets, granaries, and sweathouses.

The Serrano were primarily hunters and gatherers. Vegetal staples varied with locality. Acorns and piñon nuts were found in the foothills, and mesquite, yucca roots, cacti fruits, and piñon nuts were found in or near the desert regions. Diets were supplemented with other roots, bulbs, shoots, and seeds. Deer, mountain sheep, antelopes, rabbits, and other small rodents were among the principal food packages. Various game birds, especially quail, were also hunted. The bow and arrow was used for large game, while smaller game and birds were killed with curved throwing sticks, traps, and snares. Occasionally, game was hunted communally, often during mourning ceremonies. Earth ovens were used to cook meat, bones were boiled to extract marrow, and blood was either drunk cold or cooked to a thicker consistency and then eaten. Some meat and vegetables were sun-dried and stored. Food acquisition and processing required the manufacture of additional items such as knives, stone or bone scrapers, pottery trays and bowls, bone or horn spoons, and stirrers. Mortars, made of either stone or wood, and metates were also manufactured.

In general, manufactured goods included baskets, some pottery, rabbit-skin blankets, awls, arrow straighteners, sinew backed bows, arrows, fire drills, stone pipes, musical instruments (rattles, rasps, whistles, bullroarers, and flutes), feathered costumes, mats for floor and wall coverings, bags, storage pouches, cordage (usually comprised of yucca fiber), and nets.

Historic Period

The historic background of the area began with the Spanish colonization of Alta California. The first Spanish colonizing expedition reached southern California in 1769 with the intention of converting and civilizing the indigenous populations, as well as expanding access to new resources in the region. In the late eighteenth century, the San Gabriel (Los Angeles County), San Juan Capistrano (Orange County), and San Luis Rey (San Diego County) missions began colonizing southern California, and gradually expanded their use of the interior valley (presently western Riverside County) for raising grain and cattle to support the missions. The San Gabriel Mission claimed lands in what is presently Jurupa, Riverside, San Jacinto, and the San Gorgonio Pass, while the San Luis Rey Mission claimed land in what is presently Lake Elsinore, Temecula, and Murrieta. The indigenous groups who occupied these lands were recruited by missionaries, converted, and put to work in the missions. Throughout this period, the Native American populations were decimated by introduced diseases, a drastic shift in diet resulting in poor nutrition, and social conflicts due to the introduction of an entirely new social order.

In the mid to late 1770s, Juan Bautista de Anza passed through much of what is now Riverside County while searching for an overland route from Sonora, Mexico to San Gabriel and Los Angeles, describing fertile valleys, lakes, and sub-desert areas. Spanish missionaries formed Mission San Gabriel in the San Bernardino Valley in the early nineteenth century. The mission established Rancho San Bernardino in 1819, which included the present-day areas of San Bernardino, Fontana, Rialto, Redlands, and Colton. Since there was no reliable water source in the area, from 1819 to 1820, the missionaries developed a zanja through the use of Native American labor from the Guachama Rancheria. The creation of the zanja was implemented to divert waters from Mill Creek all the way through the City of Redlands, ending near the mission to assist with agricultural enterprises. The new water source allowed nearby ranching districts to develop during the nineteenth century.

Mexico gained independence in 1822 and desecularized the missions in 1832, signifying the end of the Mission Period. By this time, the missions owned some of the best and most fertile land in southern California. In order for California to develop, the land

would have to be made productive enough to turn a profit. The new government began distributing the vast mission holdings to wealthy and politically connected Mexican citizens. The "grants" were called "ranchos," and many of these ranchos have lent their names to modern-day locales.

The treatment of Native Americans grew worse during the Rancho Period. Most of the Native Americans were forced off of their land or put to work on the now privately-owned ranchos, most often as slave labor.

Native American culture had been disrupted to the point where they could no longer rely upon prehistoric subsistence and social patterns. Not only does this illustrate how dependent the Native Americans had become upon the missionaries, but it also indicates a marked contrast in the way the Spanish treated the Native Americans compared to the Mexican and United States ranchers. Spanish colonialism (missions) is based upon utilizing human resources while integrating them into their society. The Mexican and American ranchers did not accept Native Americans into their social order and used them specifically for the extraction of labor, resources, and profit. Rather than being incorporated, they were either subjugated or exterminated.

In 1846, war erupted between Mexico and the United States. In 1848, with the signing of the Treaty of Guadalupe Hidalgo, the region was annexed as a territory of the United States, and California became a state in 1850. These events generated a steady flow of settlers into the area, including gold miners, entrepreneurs, health-seekers, speculators, politicians, adventurers, seekers of religious freedom, and individuals desiring to create utopian colonies.

By the late 1880s and early 1890s, there was growing discontent between San Bernardino and Riverside, its neighbor 10 miles to the south, due to differences in opinion concerning religion, morality, the Civil War, politics, and fierce competition to attract settlers. After a series of instances in which charges were claimed about unfair use of tax monies to the benefit of only San Bernardino, several people from Riverside decided to investigate the possibility of a new county.

In May 1893, voters living within portions of San Bernardino County (to the north) and San Diego County (to the south) approved the formation of Riverside County. Early business opportunities were linked to the agriculture industry but commerce, construction, manufacturing, transportation, and tourism also provided a healthy local economy.

General History of the Ontario Area

In late 1881, Canadian brothers George and William Chaffey purchased 6,218 acres of land in the Cucamonga Desert known as the "San Antonio lands." The Chaffey brothers soon expanded to the Southern Pacific Railroad tracks on the south and into the San Antonio Canyon to the north. The Chaffey brothers intended to establish a "model colony" for migrants coming to the region and named the area "Ontario" after their hometown. Before the land could be used, however, water had to be found and brought into the town; because of this, George Chaffey laid miles of cement pipe leading from the San Antonio Canyon, which was later tapped into by the San Antonio Water Company. The need for electric power to lift the water from the deep wells in the San Antonio Canyon led to the establishment of the first commercially successful hydroelectric plant in the country, the Ontario Power Company.

During the late nineteenth century, anyone purchasing land within the Ontario Colony automatically received shares in the water company, which ensured that water would be pumped to their property. This development aided in establishing agricultural properties, primarily citrus groves, within Ontario. The Ontario Colony was officially incorporated as a City in 1891 and continued to grow throughout the twentieth century. The City became known for air flight with the establishment of Latimer Field in 1923. Urban growth pushed the airfield further and further east until it reached its present location, which currently functions as the Ontario International Airport. During World War II, the airport served as a busy training center for fighter jet pilots.

The dairy industry flourished in the area from the 1950s through the 1980s. Concerned with what many viewed as a decline in suitable agricultural land, the County of San Bernardino Board of Supervisors designated 14,000 acres of agricultural land south and west of the City of Ontario as an "agricultural preserve." With the dairy-friendly zoning

in the southwest corner of San Bernardino County, many Dutch, Basque, and Portuguese families relocated to the region and became the cornerstone of the dairy industry. By the 1980s, the area was recognized as having more cows per acre and higher milk yields than anywhere else in the world. Starting in the late twentieth century, much of the preserve began to be annexed by neighboring cities due to a housing boom and increased operating costs for dairies. In 1999, 8,200 acres were annexed by the City of Ontario with the remaining land annexed by the either the City of Chino or Chino Hills. The portion annexed by the City of Ontario was labeled the "New Model Colony," creating a connection with the Chaffey brothers' original "Model Colony of Ontario."

Paleontological Resources, Unique Geological Features

The possibility of finding paleontological resources within City boundaries is considered moderate to high. Geologic maps indicate that the City is situated on surface exposures of recent alluvium. These sediments have low potential to yield fossil resources or to contain significant nonrenewable paleontological resources. However, these recent sediments overlie sediments of older Pleistocene sediments with high potential to contain paleontological resources. Older Pleistocene alluvial sediments have yielded significant fossils of extinct plants and animals elsewhere in the Inland Empire. These older sediments, often found at depths of 10 feet or more below the ground surface, have yielded the fossil remains of plants and extinct terrestrial Pleistocene vertebrates. Significant vertebrate fossils from this age include Ice Age mammals such as camels, mammoths, mastodons, and ground sloths (Ontario Plan EIR, p. 5.5-14).

There are no known paleontological resources or unique geological features within the Project site. No paleontological resources or unique geological features were encountered in the course of subsurface explorations conducted as part of the Project paleontological study.

4.10.3 EXISTING POLICIES AND REGULATIONS

4.10.3.1 Federal

National Historic Preservation Act

The National Historic Preservation Act (NHPA) requires federal agencies to consider the effects of their undertakings on historic properties. Historic properties are cultural resources (e.g., archeological sites, historic built environment features, or Native American sites) that are listed, or determined to be eligible for listing, on the National Register of Historic Places. The implementing regulations of this mandate, found in the Code of Federal Regulations (36 CFR 800), outline an involved consultative process known as the Section 106 process. The Section 106 process requires a project lead federal agency to consult with the State Historic Preservation Officer.

American Indian Religious Freedom Act

The American Indian Religious Freedom Act, passed in 1978, serves to protect and preserve the traditional religious rights of American Indians, Eskimos, Aleuts, and Native Hawaiians. Before the Act was passed, certain federal laws interfered with the traditional religious practices of many American Indians.

Native American Graves Protection and Repatriation Act of 1990

The Native American Graves Protection and Repatriation Act establishes a federal policy of respect for, and protection of, Native American religious practices. It also has provisions for allowing limited access to Native American religious sites. The Act provides for the repatriation of certain items from the federal government and certain museums to the native groups to which they once belonged. The Act defines "cultural items," "sacred objects," and "objects of cultural patrimony" and establishes a means for determining ownership of these items. However, the provisions for repatriation only apply to items found on federal lands.

Executive Order 13007 and Executive Order 13084

Executive Order 13007 requires federal agencies with land management responsibilities to allow access to and use of Indian sacred sites on public lands, and to avoid adversely affecting these sites. Executive Order 13084 reaffirms the government-to-government relationship between the federal government and recognized Indian tribes, and requires federal agencies to establish procedures for consultation with tribes. These executive orders only apply to projects that include federal undertakings.

4.10.3.2 State

CEQA and the California Register of Historical Resources

Historical resources are recognized as part of the environment under the California Environmental Quality Act (CEQA). The California Register of Historical Resources (California Register) is the authoritative guide for the State's historical resources, and properties included in the California Register are considered significant for the purposes of CEQA. The California Register includes resources listed, or formally determined eligible for listing, on the National Register of Historic Places, and some California State Landmarks and Points of Historical Interest. Properties of local significance designated under a local preservation ordinance (local landmarks or landmark districts), or that have been identified in a local historical resources inventory, may be eligible for listing in the California Register and are presumed to be significant resources for the purposes of CEQA unless a preponderance of evidence indicates otherwise (PRC § 5024.1, 14 CCR § 4850).

An archaeological site may be considered a historical resource if it is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California (PRC § 5020.1(j)), or if it meets the criteria for listing on the California Register (14 CCR § 4850).

The *CEQA Guidelines* direct lead agencies to evaluate an archaeological site to determine if it meets the criteria for listing in the California Register. If it does, potential adverse impacts must be considered. If an archaeological site is not a historical resource, but

meets the definition of a "unique archaeological resource" as defined in PRC §21583.2, then it should be treated in accordance with the provisions of that section.

Substantial adverse change includes demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired (PRC § 5020.1(q)). While demolition and destruction would constitute significant impacts, it is sometimes more difficult to assess when change, alteration, or relocation results in a substantial adverse change. The *CEQA Guidelines* provide that a project that alters those physical characteristics of a historical resources that convey its significance (i.e., its character-defining features), can be considered to materially impair the resource's significance.

California Native American Graves Protection and Repatriation Act (2001)

The California Health and Safety Code, Division 7, Part 2, Chapter 5 (Sections 8010-8030) contains broad provisions for the protection of Native American cultural resources. The California Native American Graves Protection and Repatriation Act establishes policy to ensure that California Native American human remains and cultural items are treated with respect and dignity. The Act also provides the mechanism for disclosure and return of these items held by publicly funded agencies and museums in California. Additionally, the Act outlines the mechanism by which California Native American tribes not recognized by the federal government may file claims for human remains and cultural items held in agencies or museums.

California Public Resources Code

The California Public Resources Code contains several sections applicable to the preservation of cultural resources and human remains. These sections detail procedures to be followed whenever Native American remains are found, and delineate the unauthorized disturbance or removal of archaeological, historical, paleontological resources, or human remains as an act punishable by law (Sections 5020, 5097.5, 5097.9-5097.996, 7050.5, 7051). As matter of law, the Project would comply with applicable provisions of the California Public Resources Code addressing preservation and protection of cultural resources and human remains.

California Code of Regulations

Under Title 14, Division 3, Section 4308, no person shall remove, injure, disfigure, deface, or destroy any object of archeological or historical interest or value.

Senate Bill 18 and Tribal Consultation Guidelines

Senate Bill 18 (SB 18) requires local agencies to consult with California Native American tribes regarding the preservation of, or mitigation of impacts to, Native American places, features, or objects.

SB 18 applies to all federally recognized and non-federally recognized tribes in California and extends to projects on both private and public lands. Lead agencies must follow a ten-step process to ensure consultation with affected tribes. Lead agencies must follow this process when making certain planning decisions, such as adopting or amending General Plans or Specific Plan-level projects. SB 18 does not apply to other discretionary level projects, such as tentative maps, use permits, or other local discretionary projects.

Assembly Bill 52 (AB 52) Tribal Cultural Resources

As of July 1, 2015, AB 52 established a new category of resources under CEQA called "tribal cultural resources" that considers the tribal cultural values in addition to the scientific and archaeological values when determining impacts and mitigations. AB 52 was built on the concept that California Native American tribes have the expertise "with regard to tribal history and practices" to identify significant cultural resources. To this end, AB 52 requires early consultation in the CEQA process to ensure that local and Tribal governments, public agencies, and Project proponents have information available, early in the CEQA environmental review process, for the purpose of identifying and addressing potential adverse impacts to tribal cultural resources.

AB 52 requires that the lead agency contact (in writing) all culturally affiliated tribes that could be affected by a Project, within 14 days of deeming a development application complete. The notice commences a 30-day period for the tribe to request consultation. Upon receipt of a request consultation, the lead agency has an additional

30 days to begin the consultation process. AB 52 states that the consultation concludes when either "1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal resource, or 2) a party, acting on good faith and after a reasonable effort, concludes that mutual agreement cannot be reached." AB 52 notes that the consultation can be ongoing throughout the CEQA process.

4.10.4 STANDARDS OF SIGNIFICANCE

Consistent with the standards of significance outlined in the *CEQA Guidelines*, Project-related impacts to cultural resources would be considered potentially significant if they cause or result in any of the following:

- Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5;

- Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5;

- Disturb any human remains, including those interred outside of formal cemeteries.

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

  (i) Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code 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 Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1,

the lead agency shall consider the significance of the resource to a California Native American tribe.

- Directly or indirectly destroy a unique paleontological resource or site or unique geological feature.

4.10.5 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.10.5.1 Introduction

The following analysis is focused on areas where it has been determined that the Project may result in potentially significant impacts, based on the analysis included within the Initial Study. As substantiated in the Initial Study, the Project's potential to disturb any human remains, including those interred outside of formal cemeteries was previously determined to be less-than-significant. Please refer to Initial Study Checklist Items V., *Cultural Resources,* VII., *Geology And Soils* (item f.)**,** and XVIII., *Tribal Cultural Resources*. All other potential cultural resources impacts of the Project are discussed below.

4.10.5.2 Impact Statements

Potential Impact: *Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

Impact Analysis: A preliminary assessment of potential historical resources within the Project site is presented in the Project Cultural Resources Study (August 27, 2019). The subsequent Project HRS (April 28, 2020) presents detailed evaluation and documentation of potential historical resources of at least 45 years old. Results of the Project HRS are summarized at Table 4.10-1.

Table 4.10-1
Project HRS Summary

Property Owner	Address	Year Built	APN	CHR Status Code
Joseph & Doleen Borba	14525 S Grove Avenue	1958	105412101 105412102	6Z
	8551 Eucalyptus Avenue / 8521 Eucalyptus Avenue	1960 / 1965	105416101 105415101 105420101 105435101	6Z
	14651 Grove Avenue / 14545 Grove Avenue	1965 / 1965	105411101 105411102 105422101 105422102 105433101 105433102	6Z
	8321 Eucalyptus Avenue	1970	105413101 105414101 105421101 105434101	6Z
	8477 Eucalyptus Avenue	1980	105413102 105414102 105421102 105434102	6Z
GH Dairy	8643 Eucalyptus Avenue	1965	105416103 105415102 105420102 105435102	6Z
Henri Laurent Minaberry	8810 Merrill Avenue / 8816 Merrill Avenue / 8920 Merrill Avenue	c. 1967	105436102 105419102	6Z
	8731 Eucalyptus Avenue	1968	105417101 105417102 105418101 105419101 105436101 105416102	6Z
	8831 Eucalyptus Avenue	1969	105417103	6Z

Table 4.10-1
Project HRS Summary

Property Owner	Address	Year Built	APN	CHR Status Code
	8888 Eucalyptus Avenue	1969	105417104 105418102	6Z
9052 Merrill Ave LLC	8911 Eucalyptus Avenue	1969	21826135	6Z
	9032 Merrill Avenue / 8966 Merrill Avenue	1956 / 1954	021826137 021826129	6Z
Prologis LP	9031 Eucalyptus Ave	- - -	021826134 021826127 021826128	6Z

Source: Historical Resource Survey (Urbana Preservation & Planning, LLC) April 28, 2020.
Notes: APN = Assessor Parcel Number; CHR = California Historical Resources.

Based on the Project HRS findings, all buildings and structures within the Project site were found to be ineligible for listing on the National Register, California Register, or Local designation (California Historical Resources Status Code 6Z). However, the HRS concluded that five of the buildings or structures listed at Table 4.10-1 appear to qualify as contributing elements to the New Model Colony / Chino Valley Dairy Historic District (California Historical Resources Status Code 5D3) identified within the City of Ontario New Model Colony Area Historic Context Statement (HRS, p. 2). The five potential contributors (Contributors) to the New Model Colony / Chino Valley Dairy Historic District (District) are:

- 8731 Eucalyptus Avenue - Related buildings and structures on the Minaberry Property (significant under the Post-1950 Scientific, Large Capacity Dairy and 1960s-1980s Ranch Style Houses themes);
- 8831 Eucalyptus Avenue - Single Family Residence only on the Minaberry Property (significant under the1960s-1980s Ranch Style Residence theme);
- 8888 Eucalyptus Avenue - Single Family Residence only on the Minaberry Property (significant under the1960s-1980s Ranch Style Residence theme);

- 14651 S. Grove Avenue - Related buildings and structures on the Borba Family Property (significant under the Post-1950 Scientific, Large Capacity Dairy / 1960s-1980s Ranch Style Residence themes); and
- 8643 Eucalyptus Avenue - Related buildings and structures on the GH Dairy Property (significant under the Post-1950 Scientific, Large Capacity Dairy / 1960s-1980s Ranch Style Residence themes).

Consistent with direction provided by the City, and for the purposes of this analysis, the above Contributors are recognized as likely eligible for listing on the local inventory. As proposed, these Contributors would be demolished to allow for implementation of the Project. This is a potentially significant impact.

Level of Significance: Potentially Significant (impacts to residences and/or dairy properties at: 8731 Eucalyptus Avenue; 8831 Eucalyptus Avenue; 8888 Eucalyptus Avenue; 14651 S. Grove Avenue; and 8643 Eucalyptus Avenue).

Mitigation Measures:

4.10.1 Mitigation shall be provided consistent with City requirements, to include:

- *Payment of mitigation fees,*[1]
- *Provisions of as-built drawings and HABS photo documentation;*[2] *and*

[1] Mitigation fees will be established by using the City's mitigation fee structure which has been in place since 2003. Fee structure is based on the ICC Building Valuation Data. Fees are 10-30% of the sf cost to construct the building that is being demolished. Depending on the type of structure (wood framed one family home, utility, and industrial, cost per sf is determined. The percentage (or fee amount) applied to the cost per sf is determined by the level of integrity assigned in the HSR. 10% of building costs will be assessed for moderate level integrity and 20% will be for high level integrity. Once the HSR is updated with integrity levels and sf, fee amounts for each property and building will be provided. Fees shall be paid prior to issuance of demolition permits.
2020 ICC BVD:
R-3 Residential, one- and two-family, $122 per sf
F-2 Factory and industrial, low hazard (milk barn), $70 per sf
U Utility, miscellaneous (garages and storage barn), $48 per sf

- *Development of Historic Context Reports for significant persons in the dairy farm industry, such as the Borba family.*[3]

Application of mitigation, per City requirements, would diminish impacts to the noted potential Contributors (8731 Eucalyptus Avenue; 8831 Eucalyptus Avenue; 8888 Eucalyptus Avenue; 14651 S. Grove Avenue; and 8643 Eucalyptus Avenue). However, because these potential Contributors would be demolished as part of the Project, this impact could not be reduced to levels that would be less-than-significant. On this basis, impacts to residences and/or dairy properties at: 8731 Eucalyptus Avenue; 8831 Eucalyptus Avenue; 8888 Eucalyptus Avenue; 14651 S. Grove Avenue; and 8643 Eucalyptus Avenue would be significant and unavoidable.

Further, there remains the potential for current and future demolition of Contributors or potential Contributors to occur within the District, which combined with demolition of the potential Contributors within the Project site would result in cumulatively significant impacts to the District. This is particularly relevant when considered in the context of historic districts generally, which rely on the collective significance of Contributors to be able to convey a given district's historic significance. On this basis, demolition of potential Contributors within the Project site is considered cumulatively significant and unavoidable within the context of the District.

Level of Significance With Mitigation: ***Significant and Unavoidable.***

In addition to the requirements identified at Mitigation Measure 4.10.1, various alternatives to demolition that were considered but were ultimately determined to be infeasible are summarized below:

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[2] As built drawings shall be limited to a site plan for each property (may have multiple parcels) and floor plans for all houses and garages, milk barns and attached pole structures, and barns that contribute to the significance of the property, photo documentation shall be prepared in accord with the National Park Service Guidelines for recording Historic American Building Survey (HABS). MM to be completed prior to issuance of any City approval or building permit such as grading or demolition that would result in a change to the historic setting and resource.

[3] This shall be completed prior to issuance of first building occupancy.

- **In Situ Retention:** In situ of these contributors would be incompatible with, and would conflict with the proposed Specific Plan Land Use Plan, Development Standards, and Design Guidelines and would not allow for implementation of the Project. In situ retention of these contributors is therefore not considered feasible.

- **Retention and Adaptive Reuse:** Similarly, retention and adaptive reuse of these contributors would be incompatible with, and would conflict with the proposed Specific Plan Land Use Plan, Development Standards, and Design Guidelines and would not allow for implementation of the Project. Retention of and adaptive use of these contributors is therefore not considered feasible.

- **Relocation:** Relocation of the contributors may be possible, pending identification of a recipient site that is within the New Model Colony [Ontario Plan] boundaries and that maintains similar setting and location, and historic associations. Additionally, each relocated building should retain original materials and design features that give evidence of original workmanship and feeling / aesthetic such that the resource, upon relocation, maintains the ability to convey its identified significance. There are no designated recipient sites that meet the relocation criteria noted. Moreover, buildout of the City as envisioned under The Ontario Plan would ultimately result in urbanization of the area and would not allow for relocation at a recipient site that maintains similar setting, and location, and historic associations for the affected contributors. Relocation of the contributors is therefore considered infeasible.

Please refer also to related discussions presented at EIR Section 5.2, *Alternatives*.

Potential Impact: *Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

Impact Analysis: Under existing law, environmental documents must not include information about the location of an archeological site or sacred lands or any other

information that is exempt from public disclosure pursuant to the Public Records Act. (Cal. Code Regs. § 15120(d)). Consistent with these requirements, detailed documentation of archaeological resources occurring or potentially occurring within the Project site is excluded here. This information is presented in the confidential Cultural Resources Appendix provided to the City. Mitigation measures below address potential impacts to known or potential archaeological resources that may be encountered in the course of Project development.

4.10.2 *Archaeological, Historical, and Tribal Cultural Resources: Prior to the issuance of the first grading permit, the applicant shall provide a letter to the City of Ontario Building Department, or designee, from a qualified professional archeologist meeting the Secretary of Interior's Professional Qualifications for Archaeology as defined at 36 CFR Part 61, Appendix A stating that the archeologist has been retained to provide on-call services in the event archeological resources are discovered. The archeologist shall be present at the pre-grading conference to establish procedures for archeological resource surveillance. In the event a previously unrecorded archaeological deposit is encountered during construction, all activity within 50 feet of the area of discovery shall cease and the City shall be immediately notified. The archeologist shall be contacted to flag the area in the field and determine if the archaeological deposits meet the CEQA definition of historical (State CEQA Guidelines 15064.5(a)), unique archaeological resource (Public Resources Code 21083.2(g)), or Tribal Cultural Resource (Public Resources Code 21074 (a)). If the find is considered a "resource" the archaeologist shall pursue either protection in place or recovery, salvage and treatment of the deposits. A qualified archaeologist and a Native American Monitor of Gabrieleño Ancestry shall evaluate all archaeological resources unearthed by Project construction activities. If the resources are Native American in origin, they shall have the opportunity to consult with the City and/or Project developer on appropriate treatment and curation of these resources. If unique archaeological resources, or Tribal Cultural Resources cannot be preserved in place or left in an undisturbed state, recovery, salvage and treatment shall be required at the applicant's expense. Recovery, salvage and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines 15064.5 and 15126.4. All recovered and salvaged resources shall be prepared*

to the point of identification and permanent preservation by the archaeologist. Resources shall be identified and curated into an established accredited professional repository. The archaeologist shall have a repository agreement in hand prior to initiating recovery of the resource. Excavation as a treatment option will be restricted to those parts of the unique archaeological resource, or Tribal Cultural Resource that would be damaged or destroyed by the Project.

4.10.3 Native American Monitoring. Prior to commencement of any excavation activities, the Project developer shall retain a Native American Monitor of Gabrieleño Ancestry to:

- *Conduct a Native American Indian Sensitivity Training for construction personnel. The training session shall include a handout and focus on how to identify Tribal Cultural Resources/Native American resources encountered during earthmoving activities and the procedures followed if resources are discovered, the duties of the Native American Monitor of Gabrieleño Ancestry, and the general steps the Monitor would follow in conducting a salvage investigation.*

- *Monitor all project-related, ground-disturbing construction activities (e.g., pavement removal, auguring, boring, grading, excavation, potholing, trenching, and grubbing) of previously undisturbed native soils to a maximum depth of 30 feet below ground surface. At their discretion and expense, a Native American Monitor of Gabrieleño Ancestry can be present during the removal of dairy manure to native soil.*

4.10.4 Native American Human Remains. Prior to the start of ground disturbing activities, the project developer shall designate a location within the footprint of the Project site for the respectful reburial of Native American human remains and/or ceremonial objects. All human skeletal material discoveries shall be reported immediately to the County Coroner. The Native American Monitor shall immediately divert work a minimum of 50 feet from the discovery site and place an exclusion zone around the burial. The Native American Monitor shall notify the construction manager who shall contact the San Bernardino County Coroner. Pursuant to California Health and Safety Code, Section 7050.5, all construction activity shall be diverted while the San Bernardino County Coroner

determines if the remains are Native American. If the San Bernardino County Coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the San Bernardino County Coroner. Reburial will be in an appropriate setting. If the San Bernardino County Coroner determines the remains to be modern, the San Bernardino County Coroner shall take custody of the remains.

If Native American, the San Bernardino County Coroner shall notify the Native American Heritage Commission (NAHC) as mandated by state law who will then appoint a Most Likely Descendent. The discovery shall be confidential and secure to prevent further disturbance. In the case where discovered human remains cannot be documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside working hours. The Native American Tribe of Gabrieleño Ancestry shall make every effort to recommend diverting the Project and keep the remains in situ and protected. If the Project cannot be diverted, it may be determined that burials will be removed. If data recovery is approved by the Tribe, documentation shall be taken, which includes at a minimum, detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. No scientific study or the utilization of any invasive diagnostics shall be allowed to any Native American human remains. Cremations will either be removed in bulk or means necessary to ensure complete recovery of all material. If the discovery of human remains includes four (4) or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The Project developer shall consult with the Tribe regarding avoidance of all cemetery sites. Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container onsite if possible. These items shall be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the Project site, but at a location agreed upon between the Tribe and the developer and protected in perpetuity. There shall

be no publicity regarding any cultural materials recovered. Once complete, a final report of all activities shall be submitted to the NAHC.

Level of Significance After Mitigation: Less-Than-Significant. Implementation of mitigation measures ensures that archaeological resources of potential significance would be avoided, or would be appropriately collected, documented, and curated. On this basis, as mitigated, the potential for the Project to cause a substantial adverse change in the significance of archaeological resources pursuant to §15064.5 would be less-than-significant.

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

(iii) Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1(k), or

(iv) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Impact Analysis: As part of the Project Cultural Resources Study, a sacred lands search request was sent to the Native American Heritage Commission (NAHC). The Sacred Lands File search conducted by the NAHC had negative results.

The City has contacted tribes on its most current AB 52 Consultation list. A request to initiate formal consultation regarding the Project site was subsequently received from the Gabrieleño Band of Mission Indians – Kizh Nation. Mitigation presented previously in this Section reflects Gabrieleño Band of Mission Indians – Kizh Nation requirements

identified through the consultation process. These measures establish monitoring protocols, and provisions for avoidance, protection, or curation of Tribal Cultural Resources (TCRs).

Level of Significance: Potentially Significant.

Mitigation Measures: Please refer to previous Mitigation Measures 4.10.2, 4.10.3, and 4.10.4.

Level of Significance After Mitigation: Implementation of Mitigation Measures 4.10.2, 4.10.3, and 4.10.4 ensures that TCRs would be avoided, or would be appropriately collected, documented, and curated. On this basis, with application of mitigation, the potential for the Project to cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code section 21074 would be less-than-significant.

Potential Impact: *Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?*

Paleontological Resources

The Project site is relatively flat and does not contain any unique geological features. No evidence of paleontological resources was identified during the survey and none is expected in the younger alluvial deposits. It is nonetheless possible that as yet unknown paleontological resources of potential significance could be encountered during grading and excavation activities. These resources would occur (if at all) at depths >10 feet bgs. That is, the Ontario Plan EIR indicates that there is a moderate to high potential to encounter paleontological resources at depths of 10 feet or greater bgs. On this basis, there is the potential for the Project excavations at depths of greater than 10 feet bgs to destroy paleontological resources. This is a potentially significant impact. The Project does not propose uses or activities that would indirectly contribute to or result in potentially adverse impacts to paleontological resources.

Level of Significance [impacts to paleontological resources]: Potentially Significant.

Mitigation Measures:

4.10.5 Paleontological monitoring shall be conducted during all grading and trenching operations. Monitoring shall be conducted intermittently during initial cuts until the Quaternary deposits are encountered. Once Quaternary deposits are identified, paleontological monitoring shall be conducted on a full-time basis.

4.10.6 Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediment that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor shall be empowered to temporarily halt or divert equipment to allow for the removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if they are present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.

4.10.7 Recovered specimens shall be prepared of to a point of identification and permanent preservation, including screen-washing sediments to recover small invertebrates and vertebrates if indicated by the results of test sampling.

4.10.8 All recovered fossils shall be deposited in an accredited institution (university or museum) that maintains collections of paleontological materials. All costs of the paleontological monitoring and mitigation program, including any one-time charges by the receiving institution, shall be the responsibility of the developer(s).

4.10.9 At the conclusion of monitoring activities at a given location, the paleontological monitor shall prepare a Final Mitigation and Monitoring Report (Final Report). The Report shall identify findings and significance of findings, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). A letter documenting receipt and acceptance of all fossil collections by the receiving institution

shall be included in the Final Report. The Final Report, when submitted to and accepted by the Lead Agency (City of Ontario), shall signify satisfactory completion of mitigation of potential impacts to paleontological resources.

With the incorporation of Mitigation Measures 4.10.5 – 4.10.9, the potential for the Project to directly or indirectly destroy a unique paleontological resource is considered less-than-significant.

Level of Significance After Mitigation: Less-Than-Significant.

Geological Features

With regard to unique geological features, the City has not established criteria for determining what comprises a unique geological feature. Other relevant agency criteria however indicates that a geological feature could be generally considered unique if it:

- Is the best example of its kind locally or regionally;
- Embodies the distinctive characteristics of a geologic principle that is exclusive locally or regionally;
- Provides a key piece of geologic information important in geology or geologic history;
- Is a "type locality" of a geological feature;
- Is a geologic formation that is exclusive locally or regionally;
- Contains a mineral that is not known to occur elsewhere in the County; or
- Is used repeatedly as a teaching tool.[4]

As summarized herein, the Project site is generally underlain by alluvium and surficial fill soils, extending to depths of up to 30± feet. Fill soils are undocumented and vary widely in strength and composition. Most samples include varying amounts of debris including plastic and metal. Surface and near-surface soils also exhibit manure and organic content at various concentrations and depths. These soil types are common

[4] *County of San Diego Guidelines for Determining Significance Unique Geology* (County of San Diego, Department of Planning and Land Use Department of Public Works) June 30, 2007, p. 1.

within the City and Southern California, and do not comprise unique geological features as described above. The Project does not propose uses or activities that would indirectly contribute to or result in potentially adverse impacts to a unique geological feature.

Based on the preceding, the potential for the Project to directly or indirectly destroy a unique geological feature is considered less-than-significant.

Level of Significance [impacts to geological features]: Less-Than-Significant.

4.11 AGRICULTURAL RESOURCES

4.11 AGRICULTURAL RESOURCES

Abstract

This Section addresses potential impacts to agricultural resources that may result from the Project. Specifically, the analysis presented here evaluates whether the Project would:

- *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; or*

- *Conflict with existing zoning for agricultural use, or a Williamson Act contract.*

As substantiated in this Section, the Project would result in conversion of on-site Farmland to urban uses. Additional conversion of off-site agricultural lands to non-agricultural purposes could also occur as a result of construction of master plan infrastructure improvements supporting the Project. ***These are considered to be significant and unavoidable impacts.*** *However, the Project would not cause or result in significant and unavoidable agricultural resources impacts and loss of Farmland impacts beyond those already considered and addressed in the Ontario Sphere of Influence (New Model Colony [Ontario Ranch]) General Plan Amendment EIR. The Ontario Plan EIR, and the [City of Ontario] Infrastructure Master Plans MND. The Project would not result in new significant and unavoidable agricultural resources impacts and loss of Farmland not otherwise occurring pursuant to the Policy Plan Land Use Plan.*

As also discussed in this Section, the Project's potential to conflict with existing zoning for agricultural use, or a Williamson Act contract would be less-than-significant.

Additionally, as discussed in the EIR Initial Study (EIR Appendix A), the Project's potential impacts under certain agricultural resources topics were previously determined to have no impact. On this basis, the following topics are not further discussed here:

- *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));*

- *Result in the loss of forest land or conversion of forest land to non-forest use; or*

- *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.*

4.11.1 INTRODUCTION

This Section describes existing agricultural resources and the potential effects of Project implementation on area agricultural resources. Descriptions and analysis within this Section are based on information provided by the Project Applicant, information presented in The Ontario Plan EIR, and relevant agricultural resources information obtained from the California Department of Conservation (CDC), San Bernardino County and the Southern California Association of Governments (SCAG).

4.11.2 SETTING

4.11.2.1 Background

Historically, agriculture, dairy farming, and cattle raising have been important components of the Inland Empire regional economy. However, due to area population growth and economic pressures, these uses are in decline throughout the Inland Empire, including within the City of Ontario.

Locally and regionally, dairy, cattle raising, and other agricultural uses are also experiencing increased competition from dairies and farms in the California's Central Valley. As a result, dairy/agricultural uses within the City have either been converted to nonagricultural uses or have migrated from the City to the Central Valley (The Ontario Plan EIR, p. 5.2-5).

The Ontario Plan envisions that under buildout conditions, agricultural uses within the City would be largely displaced by urban uses. Within the Ontario Ranch area encompassing the Project site, current agricultural uses are planned to transition to residential, commercial, industrial, open space, or public lands.

The Ontario Plan EIR evaluated the impacts related to the City-wide conversion of agricultural uses to urban uses, and found that buildout of the City as envisioned under The Ontario Plan would result in the following significant and unavoidable impacts:

- Buildout of The Ontario Plan would convert the existing 3,269.3 acres of California Resource Agency–designated Prime Farmland, Unique Farmland, and Farmland of Statewide Importance (Farmland) to residential, commercial, mixed-use, and industrial land uses;

- Buildout of The Ontario Plan would conflict with existing Williamson Act contract lands; and

- Buildout of The Ontario Plan would impact adjacent agricultural land uses in neighboring communities and cities.

[The Ontario Plan EIR, pp. 5.2-9 – 5.2-11]

As discussed in this Section, the Project would not result in any significant impacts to agricultural resources not already identified within The Ontario Plan EIR.

4.11.2.2 Existing Conditions

State

Statewide, agricultural lands have experienced a general, though fluctuating decline as a component of the state's land use composition. Urbanization is an important component of agricultural land conversion. However, land use conversions are also affected by and respond to economic and resource-related factors. For example, for the period 2010 - 2012, land use conversions were affected by the recession and persistent drought conditions. An overview of statewide agricultural land use conversions and contributing factors is described in the California Department of Conservation *California Farmland Conversion Report 2015 (*the latest Report of record):

> California's agricultural landscape continues to evolve in conjunction with economic and resource-related factors. Between 2010 and 2012, urban development impacted 29,342 acres, 34 percent fewer than the 44,504 acres urbanized between 2008 and 2010. This was the lowest urbanization amount in a biennial mapping cycle since the [California Department of Conservation Farmland Mapping and Monitoring Program] FMMP began in 1984. Approximately 21 percent of urban conversions were derived from irrigated farmland, and 29 percent from dryland farming and grazing land.
>
> A total of 58,587 acres were removed from irrigated land uses during the 2012 update; a 65 percent decrease compared with the 168,039 acre irrigated land loss posted in 2010. These totals include the impact of all factors—urbanization, land idling, habitat conversion, and low density rural development. As was the case during the past two update cycles, conversions from irrigated land to Grazing Land and Farmland of Local Importance exceeded urban land conversions by a wide margin. Land

> idling in some locations was partially offset by development of new irrigated lands . . . [1]

Effects of urbanization on agricultural land within the Southern California region are noted within the 2015 Farmland Conversion Report, as excerpted below:

> Southern California, San Joaquin Valley, and Sacramento area counties comprised much of the top ten urbanizing list during the 2012 Important Farmland update. The top ten counties hosted 70 percent of statewide urban growth during the period, similar to the proportion they claimed during the 2010 update. . . . San Bernardino County was also among the top ten this update.[2]

San Bernardino County

The CDC regularly reviews and reports on the status of Farmland by county jurisdiction. Table 4.11-1 presents information from the 2015 California Farmland Conversion Report summarizing farmland conversion within San Bernardino County.

Table 4.11-1
San Bernardino County
2010 – 2012 Land Use Conversion

Land Use Category	Total Acreage Inventoried		2010 – 2012 Acreage Changes			
	2010	2012	Acres Lost	Acres Gained	Total Acreage Changed	Net Acreage Changed
Prime Farmland	12,848	12,482	730	364	1,094	-366
Farmland of Statewide Importance	6,242	5,860	492	110	602	-382
Unique Farmland	2,511	2,623	13	125	138	112
Farmland of Local Importance	1,160	956	205	1	206	-204
Important Farmland Subtotal	**22,761**	**21,921**	**1,440**	**600**	**2,040**	**-840**

[1] California Department of Conservation. (2015). *California Farmland Conversion Report 2015*. p. 13. Retrieved from https://www.conservation.ca.gov/dlrp/fmmp/Documents/fmmp/pubs/2010-2012/FCR/FCR%202015_complete.pdf
[2] Ibid., p. 14.

Table 4.11-1
San Bernardino County
2010 – 2012 Land Use Conversion

Land Use Category	Total Acreage Inventoried		2010 – 2012 Acreage Changes			
	2010	2012	Acres Lost	Acres Gained	Total Acreage Changed	Net Acreage Changed
Grazing Land	902,588	902,869	920	1,201	2,121	281
Agricultural Land Subtotal	**925,349**	**924,790**	**2,360**	**1,801**	**4,161**	**-559**
Urban and Built-up Land	277,874	278,910	212	1,248	1,460	1,036
Other Land	245,813	245,336	876	399	1,275	-477
Water Area	510	510	0	0	0	0
Total Area Inventoried	**1,449,546**	**1,449,546**	**3,448**	**3,448**	**6,896**	**0**

Source: California Farmland Conversion Report 2015 (California Department of Conservation Division of Land Resources Protection). Table A-28.

Additionally, the San Bernardino County Department of Agriculture (SBCDA) provides an overview of agricultural production in the County. Table 4.11-2 presents information from the SBCDA 2017 Crop Report summarizing primary sources of County agricultural production, by dollar value.

Table 4.11-2
San Bernardino County
Top Ten Agricultural Products (by dollar value)

2017 Rank	Product	Value	% of Total	2016 Rank
1	Milk	$ 161,462,000	34.7%	1
2	Cattle & Calves (Meat)	$ 102,871,000	22.1%	2
3	Eggs	$ 35,942,000	7.7%	4
4	Replacement Heifers	$ 35,318,000	7.6%	3
5	Trees & Shrubs	$ 20,516,000	4.4%	7
6	Indoor Decoratives	$ 16,568,000	3.6%	6
7	Alfalfa (All types)	$ 13,389,000	2.9%	5
8	Oriental Vegetables	$ 12,807,000	2.8%	9
9	Citrus Fruit	$ 8,332,000	1.8%	8
10	Groundcover/Bedding Plants	$ 7,774,000	1.7%	10
TOTAL TOP TEN		***$ 414,979, 000***	***89.3%***	---

Source: *Annual Crop Report 2017* (San Bernardino County, Agriculture/Weights & Measures) 2017, p.1.
Notes: Valuations are estimated gross average returns received by growers and producers.

Countywide, the gross valuation of agricultural production increased by approximately 1.8 percent for the period 2016 – 2017, due primarily to a higher value received for milk, an increase in the sales of Nursery Stock and an increase in both the price and the number of eggs produced in the County. Acreage for vegetable and fruit tree crops continues to decline as producers sell the land for other uses. Citrus acreage in specific has been shrinking as producers have been removing minimally producing or non-productive groves in an effort to combat citrus tree diseases. The ongoing drought continues to reduce the overall production and total value of many of the field crops in the High Desert areas.[3]

The City of Ontario lies in the SBCDA "Central" and "West End North" portions of the County. These areas of the County are responsible for approximately 4.15 percent (by dollar value) of the County's total agricultural production.[4]

Project Site

Agricultural Land Uses

The Project site has historically been utilized for various agricultural and dairy farming purposes since the late 1930s. The Project site currently evidences a dairy farm with interior unpaved roads, cattle stockades, support equipment for cattle and dairy farming, bio-retention basins located at the southern boundary, a trucking operation on the eastern portion, and appurtenant residences at various locations within the Project site. Current uses within the Project site are indicated at Figure 4.11-1.

The Project site is extensively disturbed and evidences environmental degradation due to historic and on-going agricultural and trucking uses. Such degradation includes, but is not limited to:

[3] San Bernardino County. (2017). *Annual Crop Report 2017*. p. 9. Retrieved from http://cms.sbcounty.gov/Portals/13/CropReports/2017CropReport.pdf?ver=2018-12-11-094949-193
[4] Ibid., n.p.

- Animal waste from the long-term dairy farm uses have potentially created methane gas, and soil contamination from nitrates and ammonia.

- Numerous automotive fluids, including several large above ground storage tanks (ASTs) on or near the on-site maintenance shop. These materials are used for maintaining and repairing farm equipment.

- Additional ASTs used for truck and equipment refueling are located on-site.

- A scrap metal area containing drums, ASTs, farming equipment, and vehicles is located on the property.

- Dairy operations use formaldehyde, iodine, and glycerol to wash the cows. The dairies also use muriatic acid and chlorinated alkaline as a cleaning solution. Pesticides are applied to prevent parasite infestations. Wastewater from these processes is discharged to the pastures for irrigation.

- Holding ponds for contaminated runoff from agricultural/dairy farm operations. Discharge from these ponds to surrounding areas; and potential infiltration of contaminated runoff to underlying groundwater.

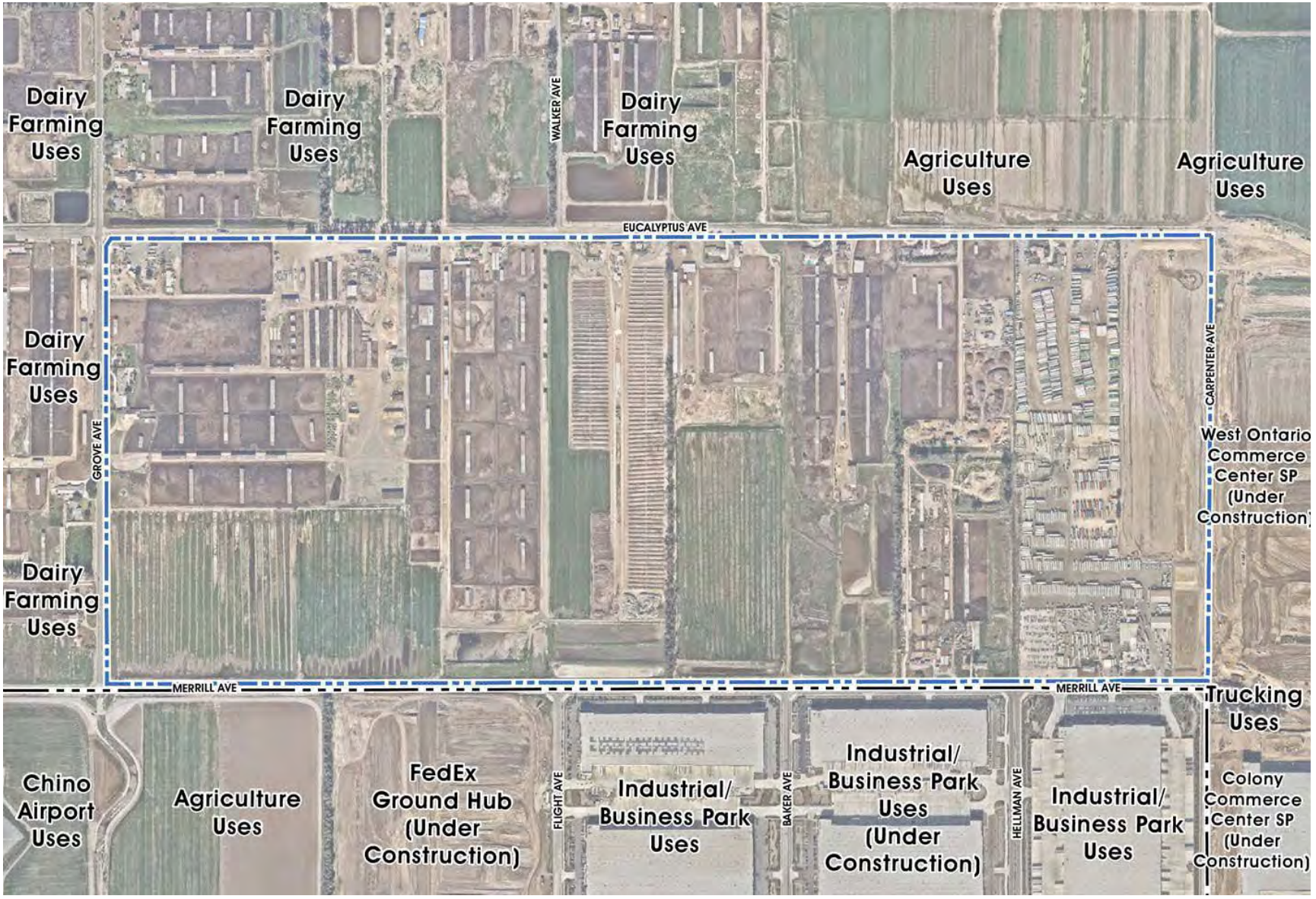
- General debris observed throughout the property, including vehicle equipment staging areas, used tires, concrete rubble piles, compressors, and generators may have the potential to impact on-site surficial soil.

- Presence of septic systems.

Agricultural Zoning

The existing Zoning designation of the Project site is "Specific Plan" (SP) with an "AG" (Agricultural) Overlay. City of Ontario Development Code (Development Code) descriptions of the Specific Plan Zoning District and AG Overlay are presented below:

> SP (Specific Plan) Zoning District. The SP zoning district is hereby established to accommodate the adoption of Specific Plans pursuant to this Development Code. The SP zoning district is consistent with, and implements, all land use designation of the Policy Plan component of The Ontario Plan (Development Code, p. 5.01-6).
>
> AG (Agriculture) Overlay District. The AG Overlay District is hereby established to accommodate the continuation of agricultural uses within the City, on an interim basis, until such time that development is slated to occur consistent with the Policy Plan component of The Ontario Plan and the underlying zoning district. Furthermore, it is the intent of this Overlay District to permit continued agricultural use of properties or to establish general agricultural uses, including dairies, which are appropriate for areas of concentrated agricultural uses. The AG Overlay District is consistent with, and implements, all land use designation of the Policy Plan component of The Ontario Plan (Development Code, p. 5.01-6).



NOT TO SCALE

Source: T&B Planning, Inc.

applied planning inc

Figure 4.11-1
Existing Land Uses

Farmland

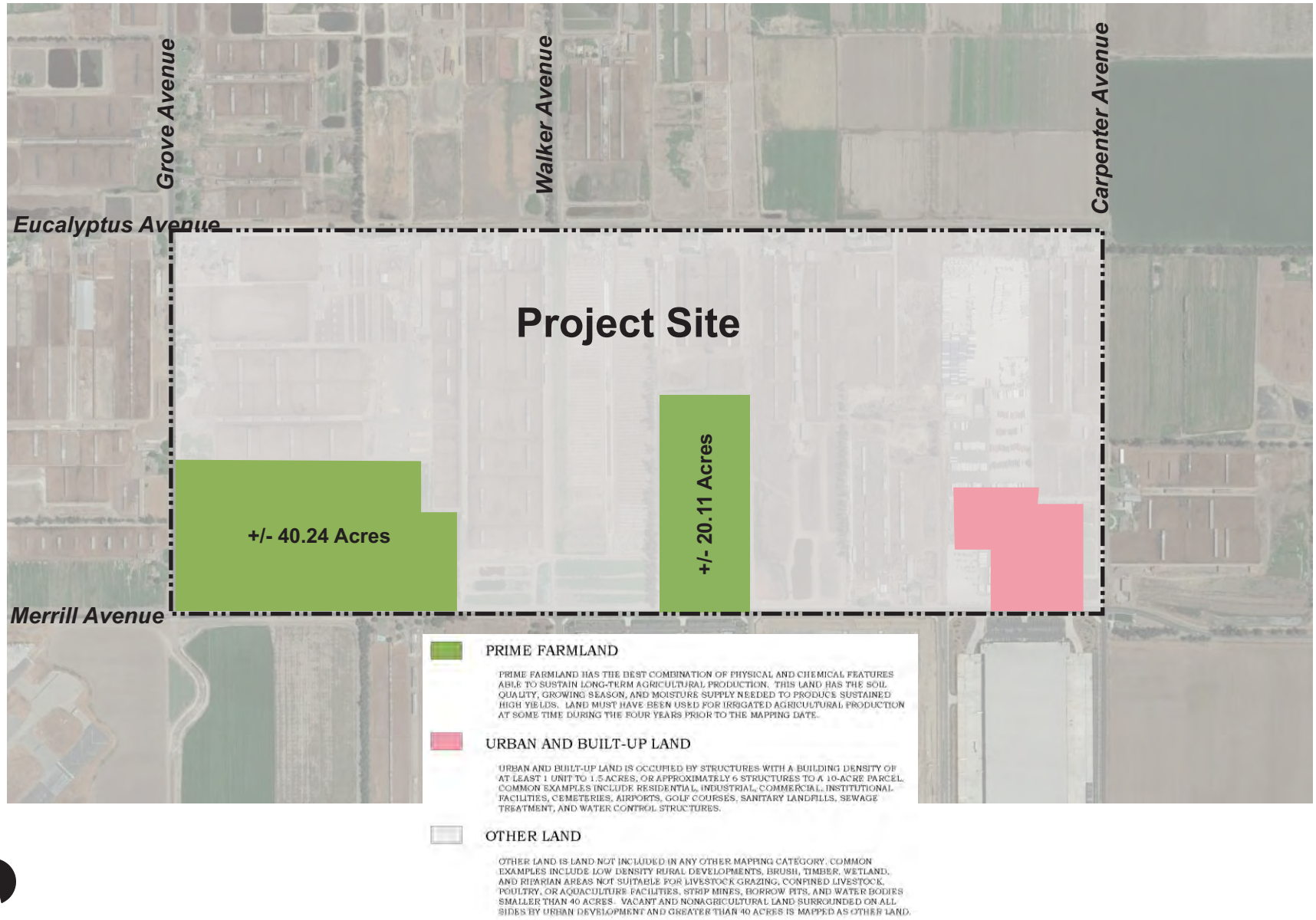
Approximately 60.35 acres within the Project site is categorized as "Prime Farmland" under the CDC Farmland Mapping and Monitoring Program (FMMP). The remainder of the Project site is categorized as "Other Land" and "Urban Built-Up Land." Please refer also to Figure 4.11-2, *Project Site Farmland Mapping Designations*. FMMP Farmland Categories are described further at subsequent Section 4.11.3.1.

Williamson Act Contract Properties

The California Land Conservation Act of 1965 (the Williamson Act, Government Code Sections 51200 through 51297.4) encourages the preservation of agricultural lands through tax incentives due to the increasing trend toward the conversion of agricultural lands to urban uses. The act enables counties and cities to designate agricultural preserves (Williamson Act lands) and within these preserves offer preferential taxation to agricultural landowners based on the agricultural income-producing value of the property.

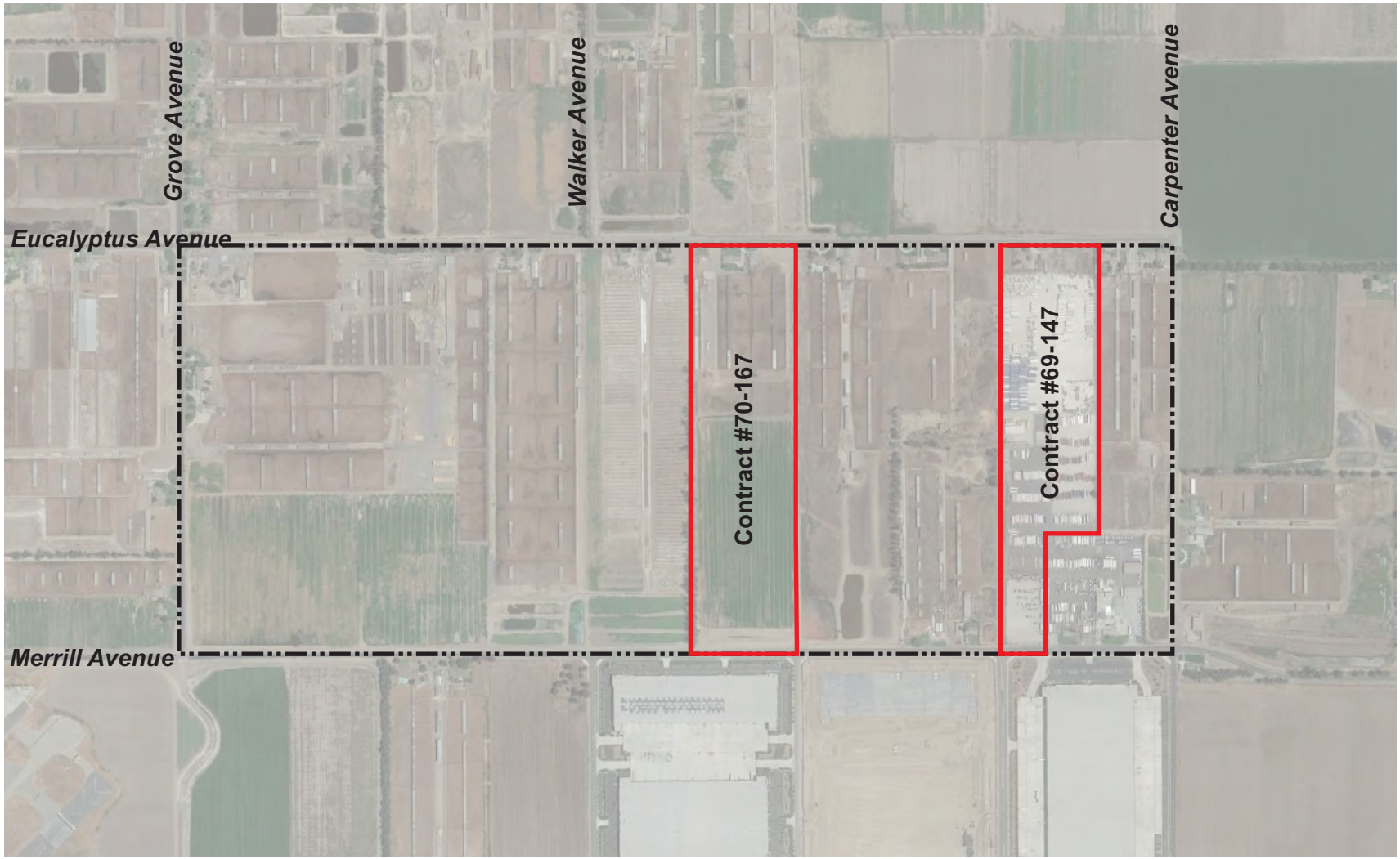
The City indicates that there is an active Williamson Act Contract (Contract #69-147, initiated in 1973) on APN 0218-261-35, a 29.05-acre property. Location of this property is identified at Figure 4.11-3. This property is currently developed as a commercial trucking operation, and is not used for agricultural purposes.

Another Williamson Act Contract (Contract #70-167, initiated in 1970) appears on title for APNs 1054-151-02, 1054-161-02, 1054-161-03, 1054-201-02 and 1054-351-02. However, a notice of non-renewal was recorded in 2017, starting the process to terminate this Contract. The subject properties are partially developed with farmland, as discussed herein. Locations of these properties are identified at Figure 4.11-3.



Source: CA Department of Conservation; Applied Planning, Inc.

Figure 4.11-2
Project Site Farmland Mapping Designations



NOT TO SCALE

Source: Google Earth; Applied Planning, Inc.

Figure 4.11-3
Williamson Act Properties

4.11.3 REGULATORY SETTING

4.11.3.1 California Department of Conservation Farmland Mapping and Monitoring Program

The California Department of Conservation established the Farmland Mapping and Monitoring Program (FMMP) in 1982. The FMMP is a non-regulatory program that is intended to provide an impartial analysis of agriculture land use and land use changes throughout California. The FMMP produces maps and statistical data used for analyzing impacts on California's agricultural resources. The maps are updated every two years with the use of aerial photographs, a computer mapping system, public review, and field reconnaissance. The program rates agricultural lands according to physical characteristics and other factors such as irrigation status. FMMP Farmland Categories are described at Table 4.11-3.

Table 4.11-3
Farmland Categories

Classification	Description
Prime Farmland	Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
Farmland of Statewide Importance	Farmland 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	Farmland of 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 as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.
Farmland of Local Importance	Farmland of Local Importance is land of importance to the local economy, as defined by each county's local advisory committee and adopted by its Board of Supervisors. Farmland of Local Importance is either currently producing, or has the capability of production; but does not meet the criteria of Prime, Statewide or Unique Farmland. Authority to adopt or to recommend changes to the category of Farmland of Local Importance rests with the Board of Supervisors in each county. Within San Bernardino County, Farmlands of Local Importance include areas of soils that meet all the characteristics of Prime, Statewide, or Unique and which are not irrigated. Farmlands of Local Importance also include

Table 4.11-3
Farmland Categories

Classification	Description
	farmlands not covered by above categories but are of high economic importance to the community. These farmlands include dryland grains of wheat, barley, oats, and dryland pasture.
Grazing Land	Land on which the existing vegetation 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.
Urban and Built-up Land	Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 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	Other Land is defined as land not included in any other mapping category. Common examples include low density rural developments, brush, timber, wetland and riparian areas not suitable for livestock grazing, confined livestock, poultry or aquaculture facilities, strip mines, borrow pits, and water bodies smaller than forty acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than forty acres is mapped as Other Land.

Source: California Department of Conservation, Farmland Mapping and Monitoring Program, https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx

As summarized by the CDC, "[f]or environmental review purposes under CEQA, the categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land constitute 'agricultural land' (Public Resources Code Section 21060.1). The remaining categories are used for reporting changes in land use as required for FMMP's biennial farmland conversion report."[5]

4.11.3.2 California Land Conversion Act of 1965 (Williamson Act)

The California Land Conservation Act of 1965 (the Williamson Act, Government Code Sections 51200 through 51297.4) encourages the preservation of agricultural lands through tax incentives due to the increasing trend toward the conversion of agricultural lands to urban uses. The act enables counties and cities to designate agricultural preserves

[5] California Department of Conservation. "Important Farmland Categories." Accessed September 4, 2019. https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx.

(Williamson Act lands) and within these preserves offer preferential taxation to agricultural landowners based on the agricultural income producing value of the property.

This approach ties real estate tax rates to the agricultural value of the land rather than the market rate, which can escalate rapidly as areas around a farm or dairy convert to urban uses. In return for the preferential tax rate, the landowner is required to sign a contract with the county or city agreeing not to develop the land with non-agricultural uses for a minimum of ten years. On the anniversary date of the contract, the contract is renewed automatically unless a notice of non-renewal or petition for cancellation is filed.

Under limited circumstances and conditions, Williamson Act contracts may be cancelled, as set forth at Government Code (GC) §51280 et seq. In such cases, landowners may petition the City for Williamson Act contract cancellation. The City may grant tentative cancellation only if it makes required statutory findings (GC §51282(a)). If the required findings are met, the landowner is required to pay a cancellation fee, normally equal to 12.5 percent of the cancellation valuation (unrestricted fair market value) of the property (GC §51283(b)). The City's Williamson Act contract non-renewal/cancellation application and summary description of the City's non-renewal/cancellation process can be accessed at: www.ontarioca.gov/government-departments-development-planning/applications-and-documents.

4.11.3.3 Policy Plan, Environmental Resources Element

The Policy Plan, Environmental Resources Element establishes the following Policies that act to support existing agricultural operations as transitional land uses within the City.

> **ER5-3** *Right to Farm.* We support the right of existing farms to continue their operations within the New Model Colony.

> **ER5-4** *Transition of Farms.* We protect both existing farms and sensitive uses around them as agricultural areas transition to urban uses.[6]

The cited Policies also promote land use compatibility as the City continues to urbanize pursuant to The Ontario Plan Land Use Plan (Land Use Plan).

4.11.3.4 City of Ontario Development Code: Agricultural Overlay Zone in the Ontario Ranch [New Model Colony] Area

The City has adopted an Agricultural (AG) Overlay Zone or Right to Farm ordinance for the Ontario Ranch area. As described in the City of Ontario Development Code:

> The AG Overlay District is hereby established to accommodate the continuation of agricultural uses within the City, on an interim basis, until such time that development is slated to occur consistent with the Policy Plan component of The Ontario Plan and the underlying zoning district. Furthermore, it is the intent of this Overlay District to permit continued agricultural use of properties or to establish general agricultural uses, including dairies, which are appropriate for areas of concentrated agricultural uses. The AG Overlay District is consistent with, and implements, all land use designation of the Policy Plan component of The Ontario Plan (Development Code, Division 5.01 – Zoning Districts and Boundaries, F. Overlay Districts, 1. *AG [Agricultural] Overall District*).

Under the provisions of the AG Overlay District, existing agricultural uses and agricultural support uses are allowed to continue. It is the intent of the City not to prohibit or discourage continued agricultural uses until a Specific Plan for urban development is approved and development occurs. Each Specific Plan is required to address the appropriate transition of the area from agricultural uses to urban uses and include

[6] City of Ontario. (n.d.). Ontario Plan » ER5 Biological, Mineral & Agricultural Resources. Retrieved March 26, 2019, from http://www.ontarioplan.org/policy-plan/environmental-resources-element/er5-biological-mineral-agricultural-resources/

provisions for buffering between such use as needed to protect agricultural uses as well as the new urban uses.[7]

4.11.4 STANDARDS OF SIGNIFICANCE

Appendix G of the *CEQA Guidelines* indicates a project will have a potentially significant impact on agricultural resources if it would:

- 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; [8]

- Conflict with existing zoning for agricultural use, or a Williamson Act contract;

- 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));

- Result in the loss of forest land or conversion of forest land to non-forest use; or

- 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.

[7] City of Ontario. (2019). *FAQs*. Retrieved from https://www.ontarioca.gov/planning/ontario-ranch/faqs

[8] The *CEQA Guidelines* do not specifically consider impacts to Farmlands of Local Importance. This farmland classification is however recognized here. There are no designated Farmlands of Local Importance within the Project site. The Project would not otherwise adversely affect any designated Farmlands of Local Importance.

4.11.5 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.11.5.1 Introduction

The following discussions focus on topical areas and issues where it has been determined pursuant to the EIR Initial Study/NOP processes, that the Project may result in or cause potentially significant agricultural resources impacts. As substantiated in the Initial Study (EIR Appendix A), under the following topics, the Project was determined to have no impact. On this basis, the following topics are not further discussed here:

- 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));

- Result in the loss of forest land or conversion of forest land to non-forest use; or

- 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.

All other CEQA topics concerning the Project's potential agricultural resources impacts are discussed below. Please also refer to Initial Study Checklist Item II., *Agriculture and Forest Resources*.

4.11.5.2 Impact Statements

Potential Impact: *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.*[9]

[9] Ibid.

Impact Analysis: The California Department of Conservation's farmland mapping system indicates that approximately 60.35 acres within the Project site are designated by the CDC as "Prime Farmland." The majority of the Project site is CDC-designated "Other Lands." At the southeasterly corner of the Project site, properties are CDC-designated "Urban and Built-Up Land." Please refer to Figure 4.11-2, *Project Site Farmland Mapping Designations*. See also: https://www.conservation.ca.gov/dlrp/fmmp.

The City of Ontario does not prohibit transition of agricultural land to urban uses. While existing agricultural uses are allowed to persist and are accommodated as transitional uses under the City's Agricultural Overlay District, the Land Use Plan does not formally designate or allocate any areas of the City as "Agricultural" land uses.[10]

The City of Ontario has previously acknowledged the planned transition of existing agricultural uses to urbanized uses pursuant to the Land Use Plan. In this regard, The Ontario Plan EIR notes that the City determined via the *Ontario Sphere of Influence (New Model Colony* [Ontario Ranch]*) General Plan Amendment EIR* (SCH No. 1997061035) that implementation of the Ontario Ranch land uses would result in conversion of agricultural lands to non-agricultural purposes; and that this conversion was a significant and unavoidable agricultural resources impact (The Ontario Plan EIR, p. 5.2-9).

The Ontario Plan EIR notes further that implementation of the Land Use Plan would potentially convert all 3,269.3 acres of the City's Important Farmlands to non-farmland uses (The Ontario Plan EIR, p. 5.2-9). The Ontario Plan EIR concluded that agricultural resources impacts and conversion of the City's Important Farmlands to non-farmland uses resulting from implementation of The Ontario Plan would be a significant and unavoidable impact (The Ontario Plan EIR, p. 5.2-14). In certifying the *Ontario Sphere of Influence (New Model Colony* [Ontario Ranch]*) General Plan Amendment* EIR, and The Ontario Plan EIR, the Ontario City Council adopted Statements of Overriding Considerations acknowledging significant and unavoidable impacts to agricultural

[10] The Ontario Plan Land Use Plan does however accommodate agricultural lands comprising the 200-acre Southern California Land Foundation (SoCALF) Preserve, owned by the County of San Bernardino.

resources including loss of Farmland that would result from implementation of The Ontario Plan and Ontario Ranch land uses.

The Project considered herein would result in loss of Farmland and conversion of agricultural lands to non-agricultural uses. However, loss of on-site Farmland and conversion of on-site agricultural lands resulting from the Project have already been considered and addressed in the *Ontario Sphere of Influence (New Model Colony* [Ontario Ranch]*) General Plan Amendment* EIR, and The Ontario Plan EIR. The Project would not result in impacts to on-site agricultural uses and Farmland not already considered and addressed in the *Ontario Sphere of Influence (New Model Colony* [Ontario Ranch]*) General Plan Amendment* EIR, and The Ontario Plan EIR.

Additionally, potential agricultural resources impacts resulting from construction of off-site master plan infrastructure improvements supporting the Project have been previously considered and addressed in *Initial Study and Mitigated Negative Declaration City of Ontario Infrastructure Master Plans* (City of Ontario) July 2012 (Infrastructure Master Plans MND). As discussed in the Infrastructure Master Plans MND, potential agricultural resources impacts resulting from the construction of master plan infrastructure improvements would be limited, as the improvements would be constructed within existing improved streets or otherwise disturbed properties. Further, the Infrastructure Master Plans MND concluded that construction of master plan infrastructure improvements would not result in impacts to agricultural resources not already considered and addressed in The Ontario Plan EIR (Infrastructure Master Plans MND, p. 3-3). Master plan infrastructure improvements constructed in support of the Project would not result in impacts to agricultural uses not already considered and addressed in the Infrastructure Master Plans MND.

Moreover, the Project would implement provisions of the Merrill Commerce Center Specific Plan document and City Development Code that require buffering of, and separation between, agricultural and urban uses. These requirements support the City's planned orderly transition of existing agricultural uses to urban uses. Requirements include, but are not limited to:

- Appropriate buffering and separation of potentially incompatible uses through setbacks and screening, as discussed at Specific Plan Chapter 6 *Design Guidelines* and Specific Plan Appendix A *Policy Plan Consistency*.

- City of Ontario Development Code requirements including a minimum 100 foot separation between "a new residential, commercial or industrial development or structure used for public assembly and an existing animal feed trough, corral/pen or an existing dairy/feed lot including manure stockpiles and related wastewater detention basins" (Development Code Chapter 6 *Development and Subdivision Regulations*, p. 6.01-63).

Level of Significance: ***Potentially Significant.*** Implementation of the Project would result in the conversion of approximately 60.35 acres of on-site Prime Farmland to urban uses. Conversion of the Project site to urban uses would also generally diminish agricultural production within the region.

Consistent with the findings of the *Ontario Sphere of Influence (New Model Colony* [Ontario Ranch]*) General Plan Amendment* EIR, The Ontario Plan EIR, this is considered a significant and unavoidable impact. Additional conversion of off-site agricultural lands to non-agricultural purposes could also occur as a result of construction of master plan infrastructure improvements supporting the Project. As discussed in the Infrastructure Master Plans MND, construction of master plan infrastructure improvements would not result in impacts to agricultural resources not already considered and addressed in The Ontario Plan EIR.

Mitigation Measures: ***No Feasible Mitigation Measures.*** The Ontario Plan envisions the City buildout condition comprising urban mixed-use, commercial, industrial, and residential land uses. The Ontario Plan vision does not support the continuation of existing agricultural uses. In this latter regard, 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 Ontario Plan. The Ontario Plan EIR considered various mitigation measures that could reduce impacts to agricultural resources and Farmland resulting from implementation of The Ontario Plan, but concluded that there are no feasible measures that would reduce these impacts to levels that would be less-than-significant.

As discussed below, the Ontario Plan EIR measures as they would apply to the Project would not reduce the Project's impacts to agricultural uses and Farmland to levels that would be less-than-significant. Project impacts to agricultural uses and Farmland would, as with impacts resulting from The Ontario Plan in total, be significant and unavoidable.

Ontario Plan 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, The Ontario Plan does not envision long-term use of City properties for agricultural purposes.[11] 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.

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

[11] County of San Bernardino SoCALF Preserve properties would however be maintained.

parts of the state, and the growing urbanization of the area. Based on the preceding, retention of on-site agricultural uses is considered infeasible.[12]

Ontario Plan 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.

Further, creation of new Farmland-status properties outside the City is beyond the Lead Agency and Applicant 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. Specifically considering potential relocation/replacement of the site's existing dairy farm uses, adverse effects accompanying these uses typically includes animal waste and associated creation methane gas, as well as soil contamination from nitrates and ammonia. Additionally, dairy operations use formaldehyde, iodine, and glycerol to wash the cows. Dairies also use muriatic acid and chlorinated alkaline as a cleaning solution. Pesticides are applied to prevent parasite infestations. Wastewater from these processes is discharged to pastures for irrigation. Potential soil contamination and infiltration of contaminated water to underlying groundwaters may result. As indicated, the mitigation strategy

[12] City of Ontario General Plan EIR, Section 5.2, *Agricultural Resources*, p. 5.2-12.

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.

Ontario Plan 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.

Further, creation of new Farmland-status by means of imported Farmland topsoil is beyond the Lead Agency and Applicant 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.

Ontario Plan EIR Mitigation Measure: *Establishment of Conservation Easement or Preserves*
Establishment of new conservation easements or preserves within the City conflicts with the City General Plan Land Use Element. This measure would promote creation of new or additional Farmland status properties in the City, rather than provide for their transition to urban uses. Such new or additional easements or preserves within the City would locate agricultural uses amid the urbanizing City and could result in a new potentially significant land use conflicts and adverse impacts at the easement or

preserve/urban interfaces. Such adverse impacts would include noise and odor generated by agricultural uses that are typically incompatible with urban uses. In this regard, the General Plan EIR specifically notes that "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" (General Plan EIR, p.5.2-10); and "[t]he current agricultural uses in Ontario include dairy and noncommercial poultry establishments and alfalfa, barley, strawberry, and other row crop farming. Dairy and poultry would have high impacts on surrounding land uses because of the high noise and odor levels associated with these types of agriculture" (General Plan EIR, p.5.2-13). It can be reasonably concluded that mitigation comprising new or additional conservation easement or preserves within the City would itself likely result in new and additional adverse environmental effects.

Further, the General Plan EIR notes that previous conservation easements have not been viable in Ontario, as shown by the SoCALF preserves, and it is unlikely that they would be successful in the future (General Plan EIR, p. 5.2-13). Lastly, the 1999 Certified EIR for the NMC [Ontario Ranch] established the policy of the City of Ontario to convert agricultural lands into nonagricultural uses.

The *Conservation Easement or Preserves* 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.

Ontario Plan EIR Mitigation Measure: *Transfer of Development Rights*

The Southern California Association of Governments (SCAG) provides the following summary of description and application of Transfer of Development Rights (TDR) programs:

> Transfer of development rights (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."[13]

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 [undefined] 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.

[13] Details - Transfer of Development Rights (TDR). (n.d.). Retrieved from http://sustain.scag.ca.gov/Lists/Details/DispForm.aspx?ID=50

As summarized above, there are no feasible mitigation measures that would reduce the Project's significant impacts to agricultural uses and Farmland 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 *Ontario Sphere of Influence (New Model Colony* [Ontario Ranch]*) General Plan Amendment* EIR, The Ontario Plan EIR, and the Infrastructure Master Plans MND. The Project would not result in significant impacts to agricultural resources or loss of Farmland not already considered and addressed in those documents.

Level of Significance After Mitigation: ***Significant and Unavoidable.*** As presented above, the Project would result in conversion of on-site Farmland to urban uses. Additional conversion of off-site agricultural lands to non-agricultural purposes could also occur as a result of construction of master plan infrastructure improvements supporting the Project. These are considered to be significant and unavoidable impacts. However, the Project would not cause or result in significant and unavoidable agricultural resources impacts and loss of Farmland impacts beyond those already considered and addressed in the *Ontario Sphere of Influence (New Model Colony* [Ontario Ranch]*) General Plan Amendment* EIR, The Ontario Plan EIR, and the Infrastructure Master Plans MND. Nor would the Project otherwise result in new significant and unavoidable agricultural resources impacts and loss of Farmland that would not otherwise occur pursuant to the Land Use Plan.

Potential Impact: ***Conflict with existing zoning for agricultural use, or a Williamson Act contract.***

Zoning for Agricultural Uses

The Project site is Zoned Specific Plan, with an Agricultural Overlay Zoning District. The site's current Agricultural Overlay District designation is intended to accommodate the interim continuation of agricultural uses within the City until such time that development is proposed consistent with the Policy Plan and the underlying Specific Plan zoning district. As discussed in The Ontario Plan EIR, development pursuant to the Land Use

Plan would have no impact on agricultural zoning designations (The Ontario Plan EIR, p. 5.2-10).

Because the Project would implement a Specific Plan development that would be consistent with the Policy Plan as amended under the Project, the Project similarly would have no impact on agricultural zoning designations. If the proposed Specific Plan is approved by the City, the site's current Agricultural Overlay designation would no longer be appropriate and would be removed.

Off-site master plan infrastructure improvements supporting the Project would not require any amendment to the Land Use Plan or area Zoning designations. These master plan improvements would therefore have no impact on agricultural zoning designations. This is consistent with analysis presented in the Infrastructure Master Plans MND (Infrastructure Master Plans MND, p. 3-3).

Based on the preceding, Project impacts related to a conflict with agricultural zoning would be less-than-significant.

Williamson Act Contracts

There is an active Williamson Act Contract (Contract #69-147, initiated in 1973) on APN 0218-261-35, a 29.05-acre property, and on APNs 1054-151-02, 1054-161-02, 1054-161-03, 1054-201-02 and 1054-351-02, which collectively make up a 37.35-acre property. Location of these properties is identified at previous Figure 4.11-3. As one of the Project requested discretionary actions, these existing Williamson Act Contracts will be cancelled.

APN 0218-261-35 is currently developed as a commercial trucking operation, and is not used for agricultural purposes, nor is the subject property designated as Farmlands. Cancellation of this Contract would have no effect on farmlands and would not result in conversion of agricultural uses to urban uses.

While a portion of APNs 1054-151-02, 1054-161-02, 1054-161-03, 1054-201-02 and 1054-351-02 comprise farmlands, the impact of conversion of these properties is fully disclosed,

discussed, and analyzed above. The cancellation of the Contract itself is not a significant impact, particularity in light of the previously-filed notice of nonrenewal. Rather, the proposed cancellation is consistent with the Policy Plan vision for the subject site and uses that would result from the Project, and any impact has been previously analyzed in The Ontario Plan EIR.

For all the above properties, cancellation(s) would comply with provisions and requirements identified at Government Code (GC) §51280 et seq. The City would be required to make the required statutory findings (GC §51282(a)). The landowner(s) would be required to pay the requisite cancellation fee(s). Cancellation of these active Contracts would preclude the potential for the Project to conflict with a Williamson Act Contract, and Project impacts in this regard would be less-than-significant.

Based on the preceding, the potential for the Project to conflict with existing zoning for agricultural use, or a Williamson Act contract would be less-than-significant.

Level of Significance: Less-Than-Significant.

4.12 UTILITIES AND SERVICE SYSTEMS

4.12 UTILITIES & SERVICE SYSTEMS

Abstract

This Section of the EIR addresses the Project's potential impacts to utilities and service systems. Specifically, the utilities and service systems analysis examines whether the Project would:

- *Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects;*

- *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years;*

- *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;*

- *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; or*

- *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.*

This EIR evaluates likely maximum impacts associated with all Project actions and operations, including but not limited to construction and operation of utilities and service systems distribution and conveyance lines. Construction and operation of the Project utilities and service

systems distribution and conveyance lines described in this Section would not result in conditions or environmental impacts not already considered and addressed elsewhere in this EIR. At properties adjacent to master plan infrastructure improvements implemented by the Project, construction-source noise impacts are recognized as significant and unavoidable (see: EIR Section 4.5, Noise*). Additionally, conversion of off-site agricultural lands to non-agricultural purposes could result from construction of master plan infrastructure improvements supporting the Project. These impacts are recognized as significant and unavoidable (see: EIR Section 4.11,* Agricultural Resources*). Mitigation proposed in this EIR under other environmental topics would also address potential impacts associated with construction and operation of utilities and service systems. Other impacts associated with or resulting from construction of Project infrastructure improvements would be less-than-significant or less-than-significant as mitigated.*

4.12.1 INTRODUCTION

For each of the utilities and service systems discussed, existing conditions are described, any improvements required to accommodate the Project are identified, and any resulting or associated impacts and required mitigation are discussed. The analysis is based on physical and operational attributes presented at EIR Section 3.0 *Project Description*; information presented in the City of Ontario Policy Plan (Policy Plan) and related environmental analyses; information provided by or available through the City of Ontario and County of San Bernardino; information presented in *Water Supply Assessment Merrill Commerce Center Specific Plan* (Placeworks) July 2019 (Project WSA); and provisions of the *Merrill Commerce Center Specific Plan* (T&B Planning, Inc.) September 29, 2020 (Specific Plan).

City of Ontario Policy Plan Policy LU4-3 *Infrastructure Timing* requires that necessary infrastructure and services be in place prior to or concurrent with new development. Similarly, the Merrill Commerce Center Specific Plan includes a development phasing plan and infrastructure phasing plan that require infrastructure supporting buildout of the Specific Plan be adequately phased concurrent with development (see: Specific Plan, p. A-6).

4.12.2 EXISTING CONDITIONS

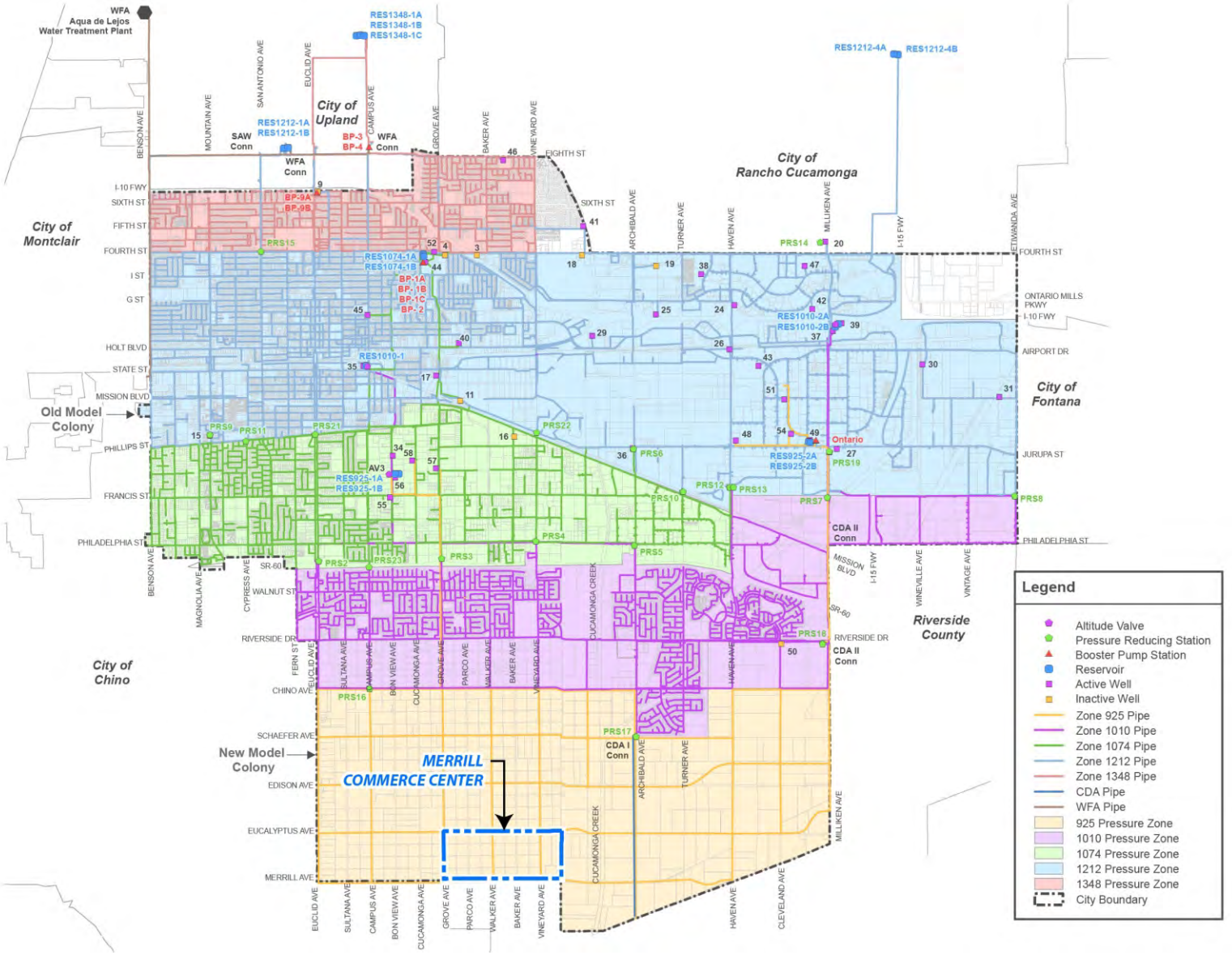
4.12.2.1 Water Supply and Water Service

Water demands in the Project area are currently satisfied by private wells. Water distribution systems adequate to serve the Project are not currently available.

On a City-wide basis, the Ontario Municipal Utilities Company (OMUC) provides water service to residents, businesses, and other users in the City of Ontario. OMUC would provide domestic water service to the Project area as part of its masterplan for service to the 925 Pressure Zone.[1] Water distribution system improvements for the City and context of the Project within the City system are reflected in the City of Ontario Ultimate Water System (Figure 4.12-1). The City water master plan improvements have been designed to meet water service demands of the City under City General Plan Buildout Conditions (Buildout Conditions), including water service demands of the Project. Please refer also to related discussions presented in this Section under the discussion of potential water supply impacts. Water supply to the City of Ontario is derived from a combination of local and imported water, obtained primarily from four sources:

- Ontario wells and treatment in the Chino Groundwater Basin (Basin). The Basin is the primary source of water for the City, which currently receives approximately 70 to 80 percent of its water supply from this source;
- Chino Desalter Authority (CDA) wells and treatment in the Chino Groundwater Basin;
- Treated State Water Project from the Water Facilities Authority (WFA); and
- Recycled water from the Inland Empire Utilities Agency (IEUA), a member agency of the Metropolitan Water District of Southern California (MWD).

[1] The 925 Pressure Zone encompasses the majority of Ontario Ranch, including the Project site.



Source: T & B Planning

Figure 4.12-1
City of Ontario Water Master Plan

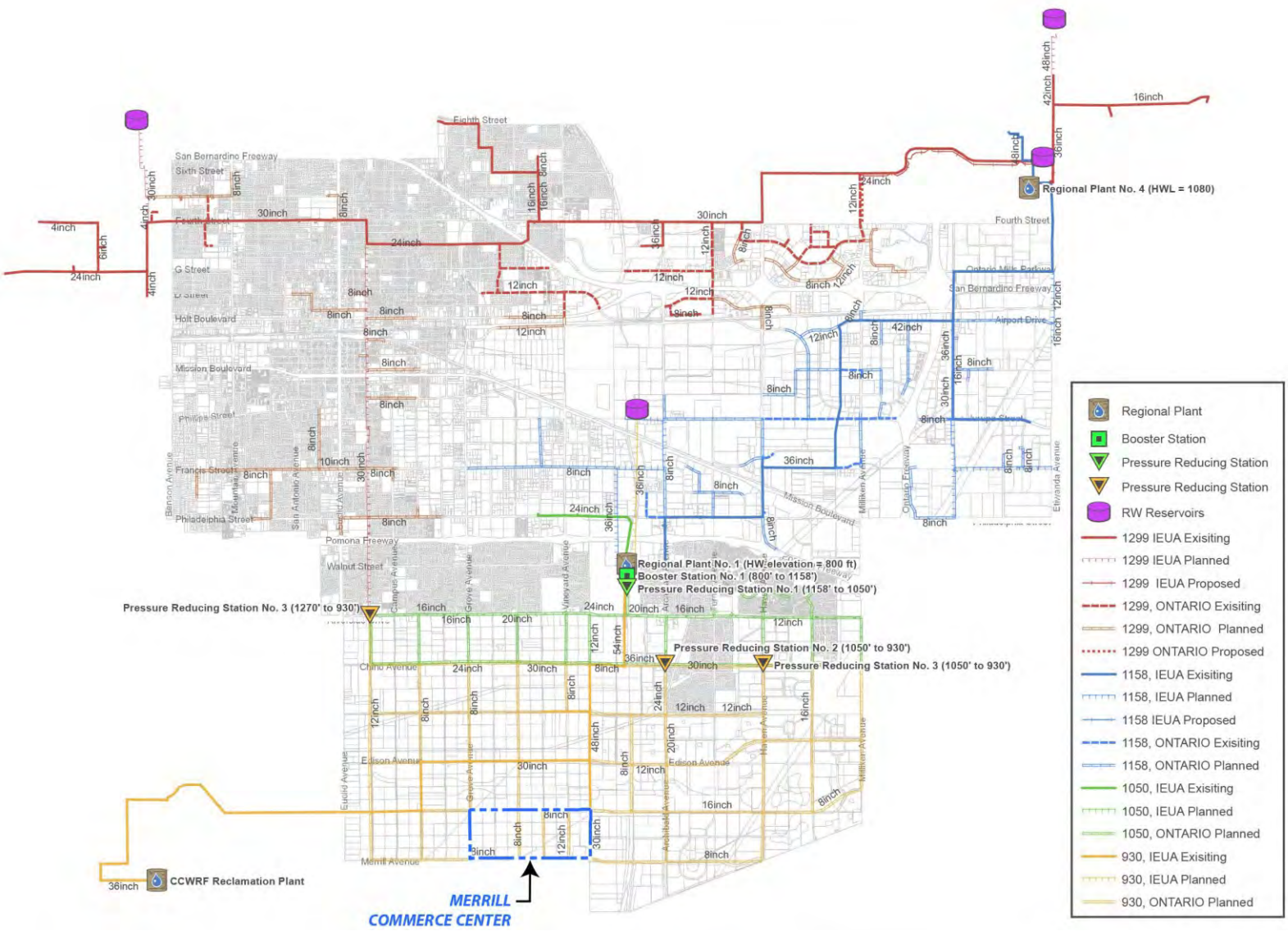
The City of Ontario 2015 Urban Water Management Plan (2015 UWMP) substantiates water supply adequacy to support the City under Buildout Conditions, including development proposed by the Project. The 2016 UWMP can be accessed at: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/2015_urban_water_management_plan_0.pdf.

In the vicinity of the Project, recycled water infrastructure is located in Carpenter Avenue, Eucalyptus Avenue, and Merrill Avenue. Recycled water supplied to the Project would be provided by OMUC. OMUC recycled water supplies are produced by IEUA from IEUA's four wastewater reclamation plants. The Project site and surrounding properties lie within the City's Master Plan 930 Pressure Zone. Context of the Project within the City of Ontario Future Recycled Water System is presented at Figure 4.12-1A.

4.12.2.2 Wastewater Collection and Wastewater Treatment

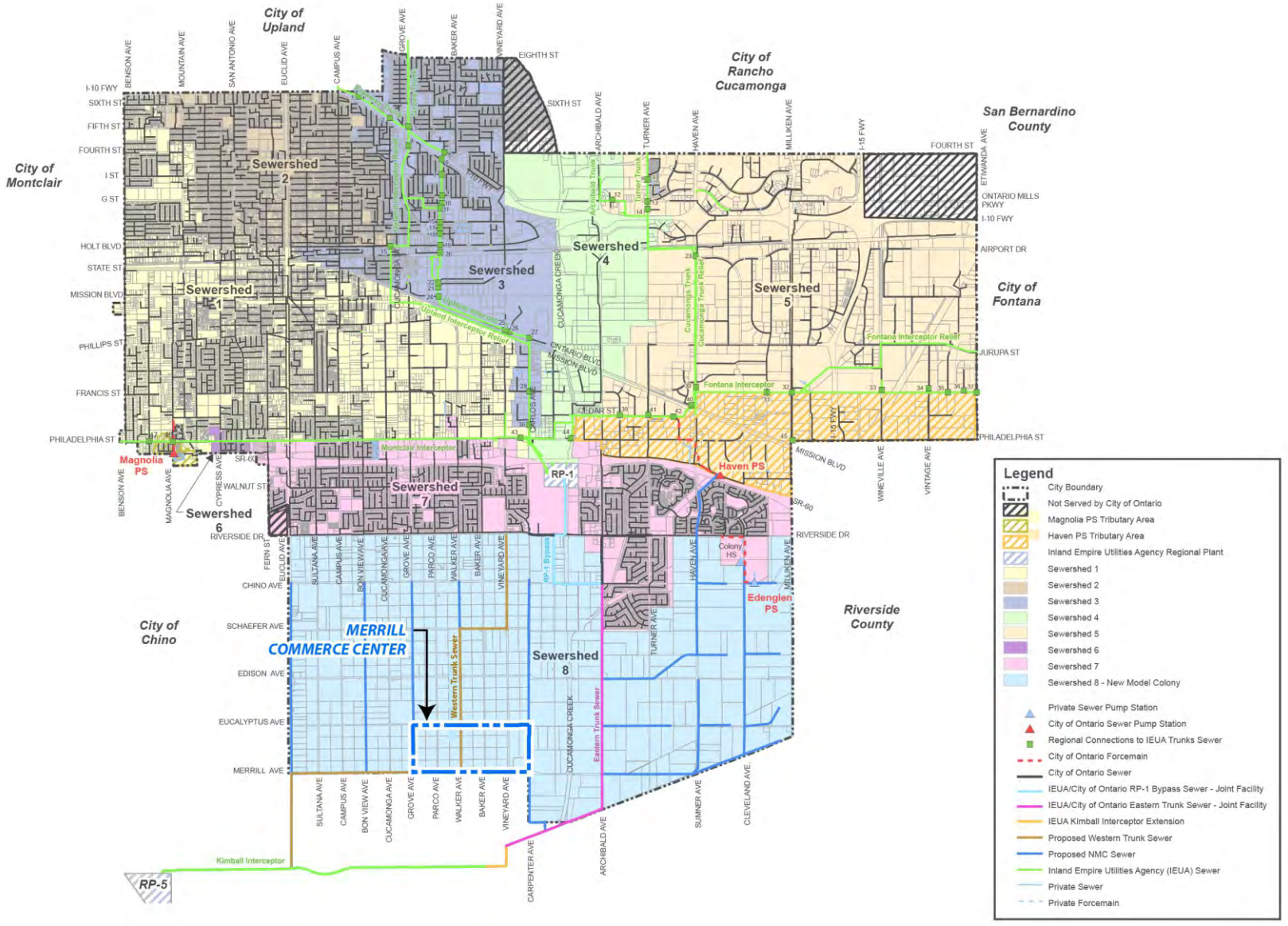
The Project area is not currently served municipal sewers or municipal wastewater treatment systems. Wastewater disposal and treatment is currently accomplished via private sewage disposal fields (septic tanks and subsurface disposal fields).

Developed areas of the City served by the municipal sewer system convey wastewater via regional trunk sewers to regional treatment plants operated by IEUA. Wastewater collection system improvements for the City and context of the Project within the system are reflected in the City of Ontario Ultimate Sewer System (Figure 4.12-2). The City sewer master plan improvements have been designed to meet wastewater conveyance demands of the City under City Buildout Conditions, including wastewater conveyance demands of the Project.



Source: T & B Planning

Figure 4.12-1A
City of Ontario Future Recycled Water System



Source: T & B Planning

Figure 4.12-2
City of Ontario Sewer Master Plan

Wastewater generated within the City is treated at IEUA's Regional Water Recycling Plants No. 1 and 5. Regional Water Recycling Plant No. 1 has a capacity of 44 million gallons per day (mgd). Current average influent wastewater flows at Regional Water Reclamation Plant No. 1 are approximately 28 mgd.[2] Regional Water Reclamation Plant No. 5 has a capacity of 16.3 mgd, with daily average influent flows of 9 mgd.[3] IEUA treats wastewater at both plants to meet discharge requirements and Title 22 water quality standards for reuse as recycled water.

IEUA also operates the Non-Reclaimable Wastewater (NRW) System. Description of the NRW System is presented below.

> The NRW System conveys high strength wastewater and exports it to treatment facilities in Los Angeles and Orange counties for eventual discharge to the Pacific Ocean. Wastewater discharged to the NRW System consists mainly of industrial and groundwater treatment brines. Discharging to the NRW System instead of the Agency's treatment plants keeps salt out of the recycled water, ensuring that the Agency meets the Total Dissolved Solids (TDS) and total nitrogen limits listed in the National Pollutant Discharge Elimination System (NPDES) permits. This enables us to fully utilize recycled water, ensuring a reliable water supply for the region.
>
> The NRW System consists of three trunk lines: NRWS and Etiwanda Wastewater Line (EWL) on the Agency's north service area convey the wastewater to the County Sanitation Districts of Los Angeles County's sewer system; and the Inland Empire Brine Line (also known as the Santa Ana Regional Interceptor – SARI) in the Agency's south service area conveys the wastewater from the Santa Ana Watershed to the Orange County Sanitation District's sewer system.

[2] Inland Empire Utilities Agency. "Regional Water Recycling Plant No. 1." *Inland Empire Utilities Agency | Water Smart - Thinking in Terms of Tomorrow*. www.ieua.org/facilities/rp-1/. Accessed 28 Aug. 2019.
[3] ---. "Regional Water Recycling Plant No. 5." *Inland Empire Utilities Agency | Water Smart - Thinking in Terms of Tomorrow*. www.ieua.org/facilities/rp-5/. Accessed 28 Aug. 2019.

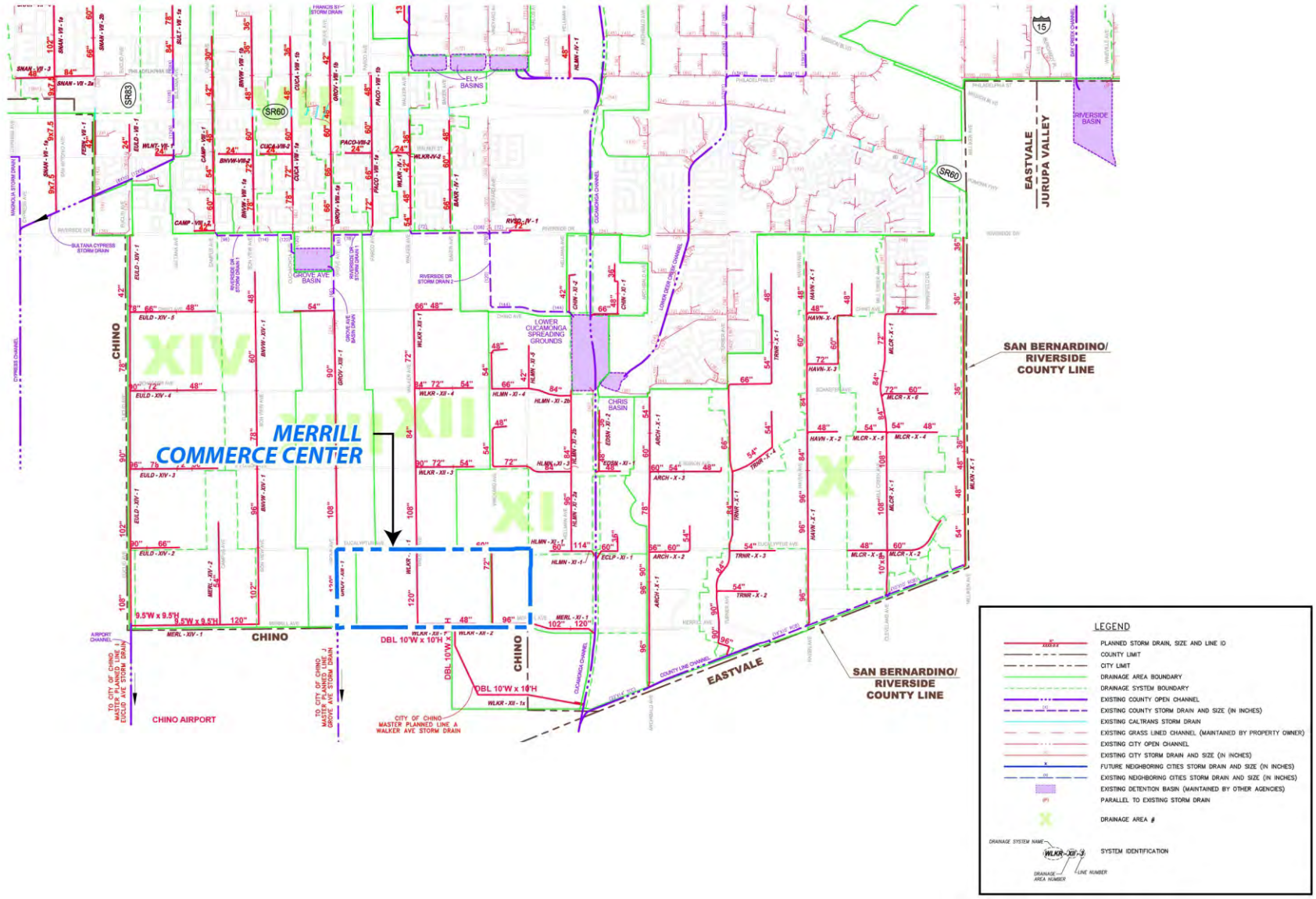
> The highest and best use of the Brine Line is the removal of salts from the Watershed to keep them from degrading water quality within the Watershed, thereby allowing better use of groundwater resources and expanding the ability to reclaim water. The long-term goal of achieving salt balance within the region depends on the ability to remove salts from the watershed via the Brine Line. Further use of desalters depends on an economical means of salt disposal and ultimately will depend on an economically viable regional IE Brine Line.[4]

4.12.2.3 Storm Water Management

With the exception of regional drainage channels, the existing stormwater management system within Ontario Ranch, including the Project site, is generally unimproved, comprising primarily open earthen swales along roadways or curbed roadway surfaces. The Project site currently evidences dairy farm/cattle operations, cattle stockades, cattle and dairy farming support equipment, bio-retention basins associated with dairy farms, and residences appurtenant to dairy farm/cattle operations. The easterly portion of the Project site accommodates trucking operations and is developed with light industrial/commercial buildings and paved truck trailer parking/storage areas.

Stormwater management system improvements for the City are reflected in the City of Ontario Planned Drainage Facilities (EIR Figure 4.12-3). The City stormwater management system master plan improvements have been designed to serve stormwater management demands of the City under Buildout Conditions, including stormwater management demands of the Project. Please refer also to EIR Section 4.7, *Hydrology/Water Quality*.

[4] ---. "Non-Reclaimable Wastewater System." Inland Empire Utilities Agency | Water Smart - Thinking in Terms of Tomorrow. www.ieua.org/water-sources/pretreatment-source-control/non-reclaimable-waste-system/. Accessed 28 Aug. 2019.



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NOT TO SCALE

Source: T & B Planning

Figure 4.12-3
City of Ontario Planned Drainage Facilities

4.12.2.4 Solid Waste Management

As described in the Policy Plan EIR, "[h]ousehold and business refuse, green waste, and recycling from Ontario are sent to the West Valley Materials Recovery Facility (MRF) in Fontana for processing, recycling, or landfilling. The MRF is operated by West Valley Recycling and Transfer, and is under the administration of the San Bernardino County Department of Public Health (Policy Plan EIR, p. 5.17-29). Permitted throughput of the MRF is 7,500 tons/day.[5]

Most refuse is transported from the MRF to El Sobrante Landfill in the City of Corona (Policy Plan EIR, p. 5.17-29). City solid waste is also transported to The Badlands Sanitary Landfill. Receiving landfill information is presented at Table 4.12-1.

Table 4.12-1
Receiving Landfill Information

Landfill	Remaining Capacity (million cubic yards)	Permitted Capacity (million cubic yards)	Permitted Throughput (tons per day)	Average Daily Throughput (2017)	Estimated Residual Daily Throughput Capacity	Estimated Closure Date
Badlands Sanitary Landfill	15.7	34.4	4,800	2,139	2,661	1/1/2022
El Sobrante Landfill	144.0	209.9	16,054	10,855	5,199	1/1/2051
Totals	**159.7**	**244.3**	**20,854**	**12,994**	**7,860**	**---**

Notes: Landfill Capacity, Permitted Throughput, and Closing Date Statistics from CalRecyle: https://www2.calrecycle.ca.gov/SWFacilities/Directory; Average daily throughput based on CalRecycle Landfill Summary Tonnage Reports for Badlands Sanitary Landfill and El Sobrante Landfill (2017, the latest full year of data reporting). Assumes 300 day per year landfill operations (landfills are open 6 days/week, holidays excluded) Total year 2017 disposal for El Sobrante = 3,256,447 tons/300 days= 10,855 tons per day. Total year 2017 disposal for Badlands = 641,708 tons/300 days = 2,139 tons per day.

4.12.2.5 Dry Utilities (electric power, natural gas, telecommunications, fiber optic)

Electric power, natural gas, telecommunications, and fiber optic services are generally available to the Project site and surrounding areas of Ontario Ranch. Utility purveyor currently service the Project area include:

[5] CalRecycle. "SWIS Facility Detail." *Home*, 2019, www2.calrecycle.ca.gov/SWFacilities/Directory/36-AA-0341/Detail/. Accessed 3 Sept. 2019.

- Southern California Edison (SCE) – Electric power;
- SoCalGas – Natural gas;
- Telecommunications – various private providers; and
- Fiber optic system – City of Ontario.

4.12.3 STANDARDS OF SIGNIFICANCE

Consistent with the standards of significance outlined in the *CEQA Guidelines*, public services impacts resulting from implementation of the Project could be considered potentially significant if they caused or resulted in any of the following:

- Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects;

- Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years;

- 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;

- 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; and

- Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

4.12.4 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.12.4.1 Introduction

The following discussions focus on areas where it has been determined that the Project may result in potentially significant utilities and service systems impacts, pursuant to comments received through the NOP process, and based on the analysis presented within this Section and included within the EIR Initial Study. All CEQA checklist considerations addressing utilities and service systems were determined to have potentially significant impacts warranting further analysis, and are discussed below. Please also refer to Initial Study Checklist Item XIX. *Utilities and Service Systems*.

4.12.4.2 Impact Statements

Potential Impact: *Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.*

Impact Analysis:

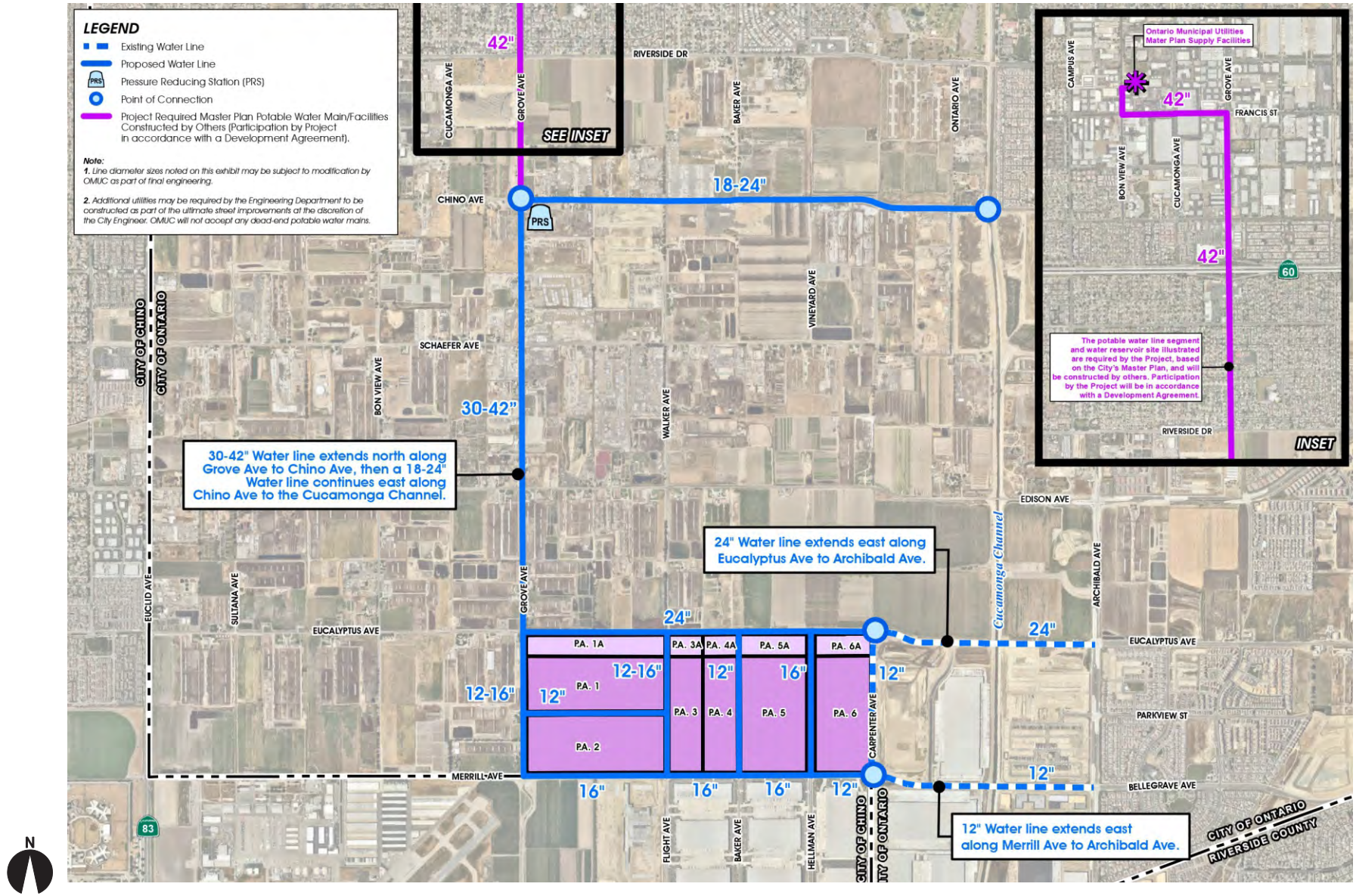
WATER SERVICE PLAN, SEWER SERVICE PLAN, DRY UTILITIES PLAN

The Project would construct utilities distribution/conveyance systems necessary to serve the Project. Concept water service plans, sewer service plans, and dry utilities plans (electric power, natural gas, telecommunications, fiber optic) are summarized below and are described in detail in the Specific Plan.

Water Service

Potable Water Plan

The Project Potable Water Plan Concept is presented at Figure 4.12-4. Potable water services to the Specific Plan area would be provided by the City of Ontario (Ontario Municipal Utilities Company, OMUC).



NOT TO SCALE

Source: T&B Planning, Inc.

Figure 4.12-4
Conceptual Water Plan

The analysis presented here evaluates the likely maximum impacts attributable to implementation and operation of the Project Potable Water Plan.

Currently there are no City potable water mains or City potable water infrastructure in the vicinity of the Project. Potable Water System Improvements for the Specific Plan area require the planning, design, and construction of the 925 Pressure Zone (PZ) Phase 2 West Backbone, which includes:

- Extending the 24-inch potable water main in Eucalyptus Avenue from Carpenter Avenue to Grove Avenue;

- A 30-inch to 42-inch potable water main in Grove Avenue connecting from the 24-inch potable water main in Eucalyptus Avenue and extending to Chino Avenue;

- An 18-inch to 24-inch potable water main in Chino Avenue and connecting to the existing 18-inch potable water main located on the west side of the Cucamonga Creek Channel;

- A Pressure Reducing Station between the 1010 PZ and 925 PZ near the intersection of Grove Avenue and Chino Avenue.

Master Plan Phase 2 facilities that are required to serve the Project but that will be constructed by others include:

- A 42-inch potable water main in Grove Avenue connecting from the 30-inch potable water main in Grove Avenue at Chino Ave and extending to Francis Avenue;

- A 42-inch potable main in Francis Avenue connecting from the 42-inch potable water main in Grove Avenue and extending to Bon View Avenue;

- A 42-inch potable water main in Bon View Avenue connecting from the 42-inch potable water main in Francis Avenue and extending to the Bon View Avenue Reservoir site and to the Reservoir;

- A 9 million gallon reservoir on the Bon View Reservoir site, two 2,500 gpm wells with any treatment necessary to meet water quality standards and the 16-inch to 42-inch well collection mains from the wells to the reservoirs.

At the time the Specific Plan was prepared, the alignment of the 42-inch water line between Chino Avenue and the water reservoir site had not been finalized and is subject to change. The Project will be required to participate in the future Phase 2 Water System Improvements north of Chino Avenue, as detailed in the Development Agreement with the City.

In addition to the 925 Pressure Zone (PZ) Phase 2 West Backbone system described above, the Project would implement a Secondary Loop between the 925 Pressure Zone (PZ) Phase 2 West Backbone system and the Project site. These improvements would include:

- A 24-inch potable water main in Eucalyptus Avenue connecting to the 30-inch to 42-inch 925 Pressure Zone (PZ) Phase 2 West Backbone main in Grove Avenue;

- A 16-inch potable water main in Merrill Avenue connecting from the 12-inch to 16-inch potable water main in Grove Avenue and extending to Vineyard Avenue;

- A 16-inch potable water main in Vineyard Avenue connecting from the 16-inch potable water main in Merrill Avenue and extending to connect to the 24-inch potable water main in Eucalyptus Avenue; and

- A 12-inch potable water main in Merrill Avenue connecting from the 16-inch potable water main in Vineyard Avenue and extending east to connect to the 12-inch potable water main in Carpenter Avenue.

The Project would also construct the Local Adjacent Potable Water System. Improvements would include:

- A 12-inch to 16-inch potable water main in Grove Avenue connecting to the 24-inch potable water main in Eucalyptus Avenue and extending to connect to the 16-inch potable water main in Merrill Avenue;

- A 12-inch to 16-inch potable water main in Walker Avenue connecting to the 24-inch potable water main in Eucalyptus Avenue and extending to connect to the 16-inch potable water main in Merrill Avenue;

- A 12-inch potable water main in Baker Avenue connecting to the 24-inch potable water main in Eucalyptus Avenue and extending to connect to the 16-inch potable water main in Merrill Avenue; and

- A 12-inch potable water main in "Street A" connecting to the 12-inch potable water main in Grove Avenue and extending to connect to the 12-inch to 16-inch potable water main in Walker Avenue.

Water infrastructure improvements required of the Project are subject to change based upon findings of City-approved hydraulic studies, master plan updates, and Project final designs. Orientation and configuration of water mains are also subject to change based upon the developer-conducted and City-approved Conceptual Design Report. Any existing utilities, including Inland Empire Utility Agency (IEUA) water mains, that do not meet minimum depths, standard alignment locations, and/or minimum horizontal and vertical separation requirements shall be subject to relocation/replacement by the Project developer(s). Within the Project site, on individual private property, all onsite potable water systems, non-potable water systems, and fire protection/suppression water systems shall be private and be privately-maintained.

Recycled Water Plan

The Project Recycled Water Plan Concept is presented at Figure 4.12-5. The analysis presented here evaluates the likely maximum impacts attributable to implementation and operation of the Project Recycled Water Plan. In the vicinity of the Project, existing City recycled water infrastructure is located in Carpenter Avenue, Eucalyptus Avenue, and Merrill Avenue. Recycled water supplied to the Project would be provided by OMUC. OMUC recycled water supplies are produced by IEUA from IEUA's four wastewater reclamation plants. The Project site and surrounding properties lie within the City's Master Plan 930 Pressure Zone.

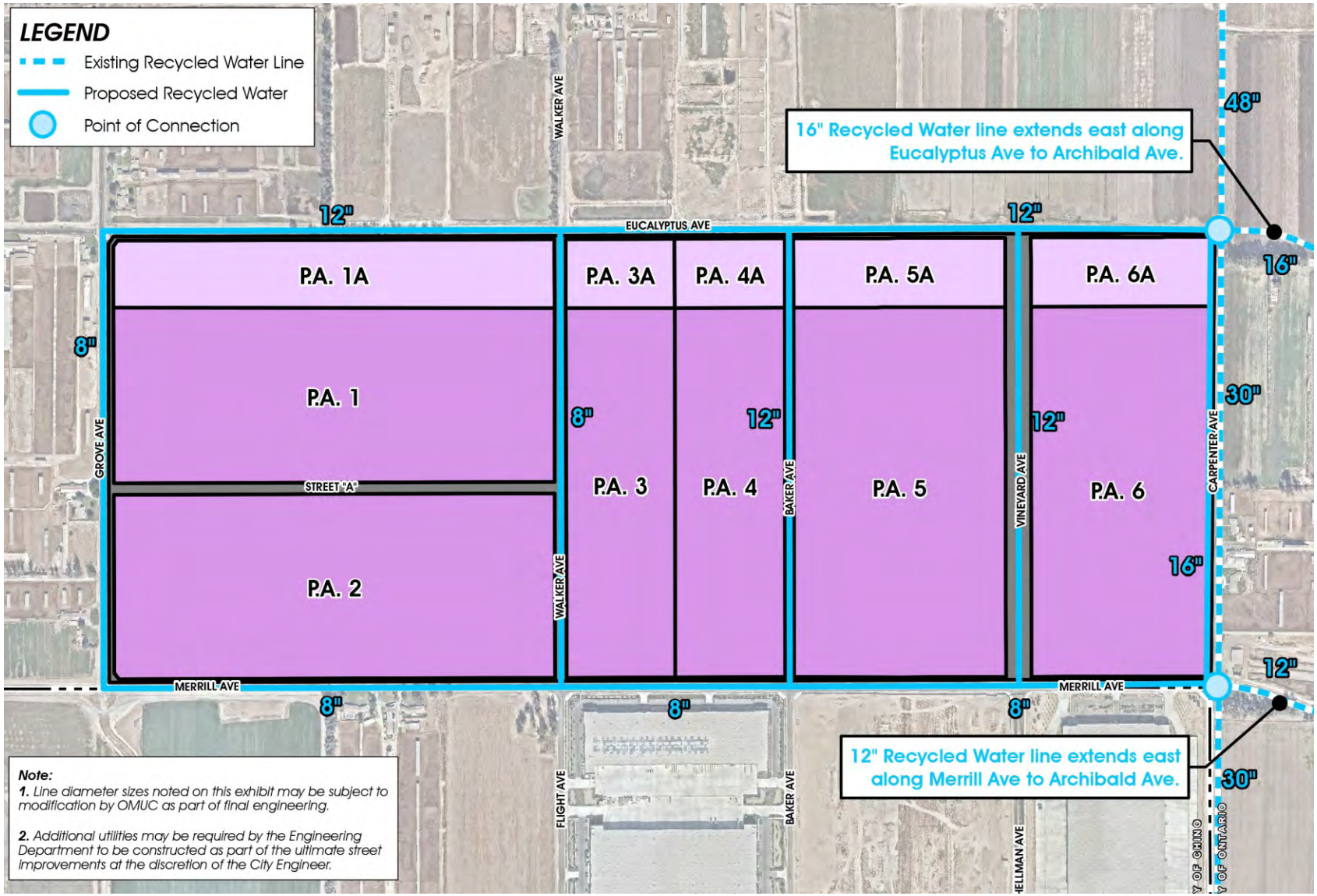
The following Master Plan 930 Pressure Zone recycled water system improvements would be constructed as part of the Project:

- A 16-inch recycled water main in Carpenter Avenue connecting to the 16-inch 930 Pressure Zone Recycled Water main in Eucalyptus Avenue and extending it to connect to the 8-inch 930 Pressure Zone Recycled Water main in Merrill Avenue;

- A 12-inch recycled water main in Eucalyptus Avenue connecting to the existing 16-inch 930 Pressure Zone recycled water main at the intersection of Carpenter Avenue and Eucalyptus Avenue and extending to Grove Avenue;

- An 8-inch recycled water main in Merrill Avenue connecting to the existing City 12-inch 930 Pressure Zone Recycled Water main in Merrill Avenue at the intersection of Merrill Avenue and Carpenter Avenue and extending westerly to Baker Avenue;

- An 8-inch recycled water main in Merrill Avenue connecting to the 12-inch recycled water main in Merrill Avenue at Baker Avenue and extending westerly to Grove Avenue.



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Source: T&B Planning, Inc.

Figure 4.12-5
Conceptual Recycled Water Plan

In addition to the Master Plan 930 Pressure Zone improvements listed above, the Project would construct the following Secondary Loop improvements:

- An 8-inch recycled water main in Merrill Avenue connecting to the 8-inch recycled water main in Merrill Avenue at Grove Avenue and extending west to Euclid Avenue.

The Project would also construct the Local Adjacent Recycled Water System. These improvements include:

- A 12-inch recycled water main in Vineyard Avenue connecting to the 8-inch recycled water main in Merrill Avenue and extending it to connect to the 12-inch main in Eucalyptus Avenue;

- A 12-inch recycled water main in Baker Avenue connecting to the 8-inch recycled water main in Merrill Avenue and extending it to connect to the 12-inch main in Eucalyptus Avenue;

- An 8-inch recycled water main in Walker Avenue connecting to the 8-inch recycled water main in Merrill Avenue and extending it to connect to the 12-inch main in Eucalyptus Avenue.

Recycled water infrastructure improvements required of the Project are subject to change based upon findings of City-approved hydraulic studies, master plan updates, and Project final designs. Recycled water main orientations and configurations are also subject to change based upon the developer-conducted and City-approved Conceptual Design Report. Any existing utilities, including IEUA Recycled Water mains, that do not meet minimum depth, standard alignment locations, and/or minimum horizontal and vertical separation requirements shall be subject to relocation/replacement by the Project developer(s). Within the Project site, on individual private property, the onsite recycled water systems shall be private and be privately maintained.

Sanitary Sewer Plan

The Project Sanitary Sewer Plan Concept is presented at Figure 4.12-6. The analysis presented here evaluates the likely maximum impacts attributable to implementation and operation of the Project Sanitary Sewer Plan. Sanitary sewer service to the Project site and surrounding area is provided by OMUC. OMUC conveys wastewater to IEUA for transmission to area-serving treatment facilities.

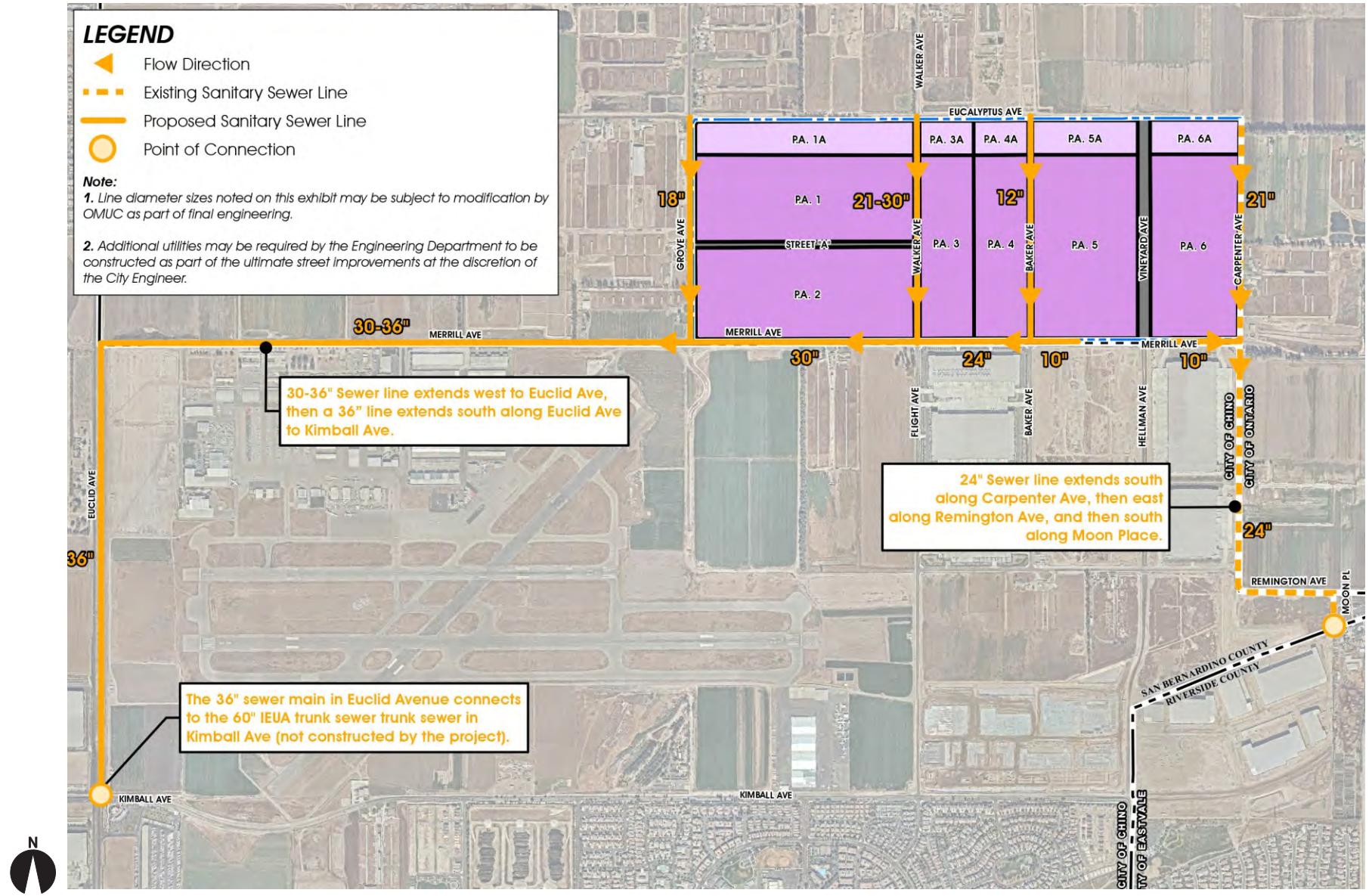
Existing 21-inch and existing 24-inch City sanitary sewer mains are located in Carpenter Avenue to the east and south of the Project site. The Project site and surrounding properties are included within the City's Sewer Master Plan. The areas west of Vineyard Avenue are Tributary to the Western Trunk Sewer (WTS), which connect to IEUA's system at Kimball Avenue and Euclid Avenue. The areas east of Vineyard Avenue are Tributary to the Eastern Trunk Sewer (ETS), through the City's Carpenter Trunk Sewer which connect to IEUA's system at Vineyard/Hellman Avenue and the San Bernardino/Riverside County line. Specific Plan Planning Areas 1 to 5 and 1A to 5A are within the WTS tributary area. Specific Plan Planning Areas 6 and 6A are within the ETS tributary area.

Sewer hydraulic analyses are not required as part of the EIR. The Project would nonetheless contribute flows to the adjacent master plan sewer system. A sewer study of the Project area would be submitted as part of the City's Development Review process in conjunction with development proposals within the Specific Plan Area.

The Project would construct the following Primary Sewer Master Plan Backbone mains of the WTS:

- A 36-inch sewer main in Euclid Avenue connecting to the IEUA's 60-inch Kimball Interceptor at the intersection of Kimball Avenue and Euclid Avenue and extending north to Merrill Avenue;

- A 30-inch to 36-inch sewer main in Merrill Avenue from Euclid Avenue to Grove Avenue;



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Source: T&B Planning, Inc.

Figure 4.12-6
Conceptual Sewer Plan

- A 30-inch sewer main in Merrill Avenue from Grove Avenue to Walker Avenue; and

- A 21-inch to 30-inch sewer main in Walker Avenue from Merrill Avenue to Eucalyptus Avenue.

In addition to the Primary Sewer Master Plan Backbone mains, the Specific Plan area requires the planning, design, and construction of a Secondary Master Plan Trunk Sewer, which includes: installing an 18-inch Grove Trunk Sewer main in Grove Avenue from the WTS in Merrill Avenue and extending north in Grove Avenue to Eucalyptus Avenue.

The Project would also construct the Local Adjacent Sewer System. These improvements include:

- A 10-inch sewer main in Merrill Avenue from Carpenter Avenue extending westerly towards Vineyard Avenue;
- A 24-inch sewer main in Merrill Avenue from the WTS in Walker Avenue and extending easterly to Baker Avenue;
- A 10-inch sewer main in Merrill Avenue from Baker Avenue extending easterly towards Vineyard Avenue; and
- A 12-inch sewer main in Baker Avenue from Merrill Avenue extending northerly toward Eucalyptus Avenue.

Sanitary sewer infrastructure improvements required of the Project are subject to change based upon findings of City-approved hydraulic studies, master plan updates, and Project final designs. Sewer main orientations and configurations are also subject to change based upon the developer-conducted and City-approved Conceptual Design Report. Any existing utilities, including IEUA Recycled Water mains, that do not meet minimum depth, standard alignment locations, and/or minimum horizontal and vertical separation requirements shall be subject to relocation/replacement by the Project developer(s). Within the Project site, on individual private property, the onsite sanitary sewer systems shall be private and be privately maintained.

Dry Utilities/Fiber Optics Plan

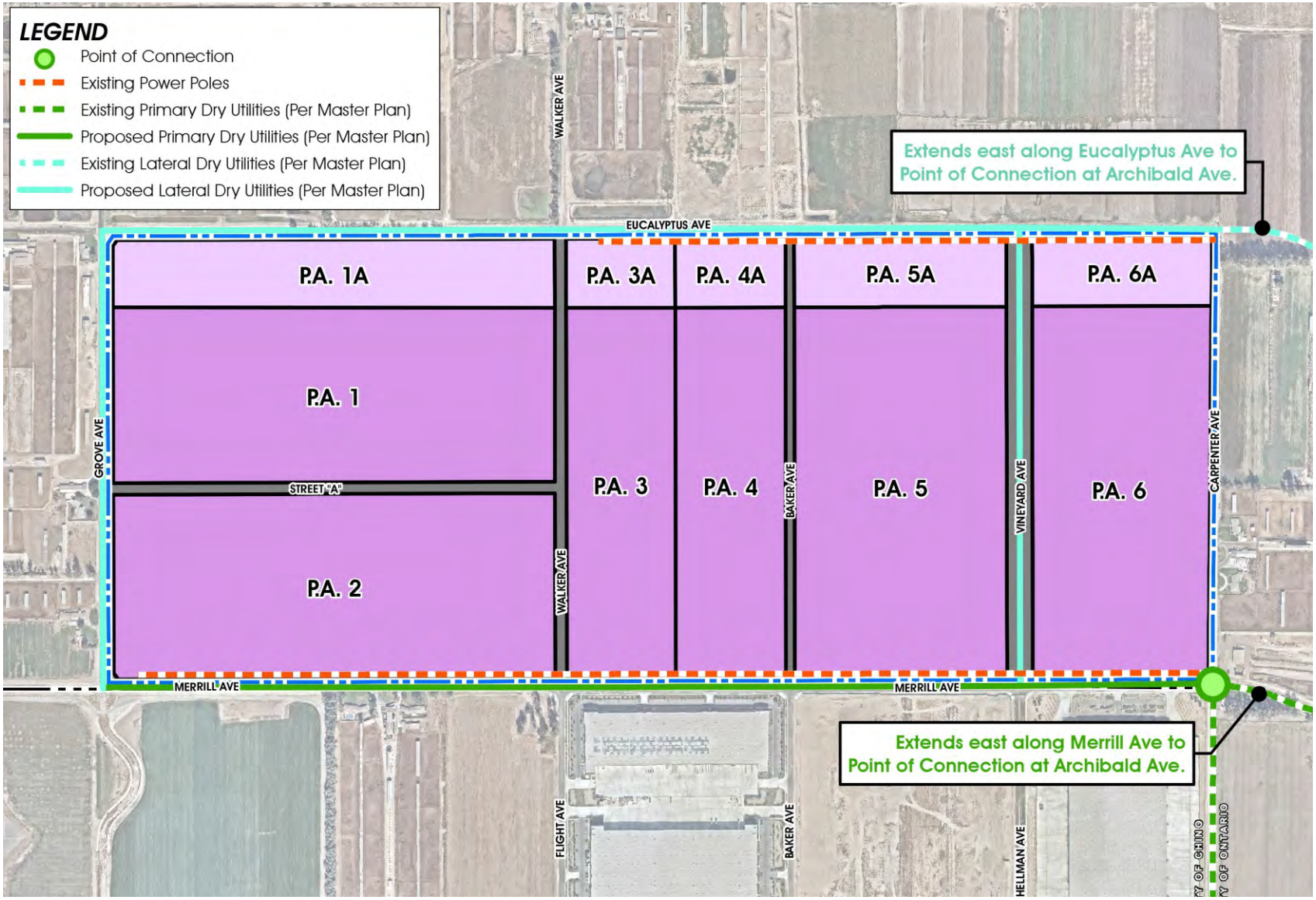
Electric power, natural gas, telecommunications, and fiber optic services are generally available to the Project site and surrounding areas of Ontario Ranch. The analysis presented here evaluates the likely maximum impacts attributable to implementation and operation of the Project Dry Utilities/Fiber Optics Plan. Utility purveyor currently available to service the Project area include:

- Southern California Edison (SCE) – Electric power;
- SoCalGas – Natural gas;
- Telecommunications – various private providers; and
- Fiber optic system – City of Ontario.

The Project does not propose dry utilities generation, storage, or supply facilities, the construction or relocation of which could cause potentially significant environmental effects.

Figure 4.12-7 presents the Project Dry Utilities Infrastructure Plan concept. Dry utility lines (e.g., natural gas lines, electric lines) would be installed within joint trenches in Merrill Avenue and would connect to existing lines in Merrill Avenue to the west of Grove Avenue, and to existing lines in Merrill Avenue to the east of Carpenter Avenue. Lateral dry utility lines within joint trenches would be installed in Grove Avenue, Vineyard Avenue, and Eucalyptus Avenue. The lateral dry utility line within Eucalyptus Avenue would connect to existing dry utility lines in Merrill and Archibald Avenue to the east. The lateral dry utility lines within Grove Avenue and Vineyard Avenue would connect to the primary dry utility lines within Merrill Avenue.

Dry utilities internal to the Specific Plan Area would be installed underground in accordance with applicable purveyor standards and specifications and to the satisfaction of the City Engineer. The locations and configurations of utilities connections, transformers, switches, pull boxes, and manholes would be determined in conjunction with final Project designs and engineering. Existing power poles located along Eucalyptus Avenue and Merrill Avenue will be undergrounded as part of the Specific Plan's buildout.



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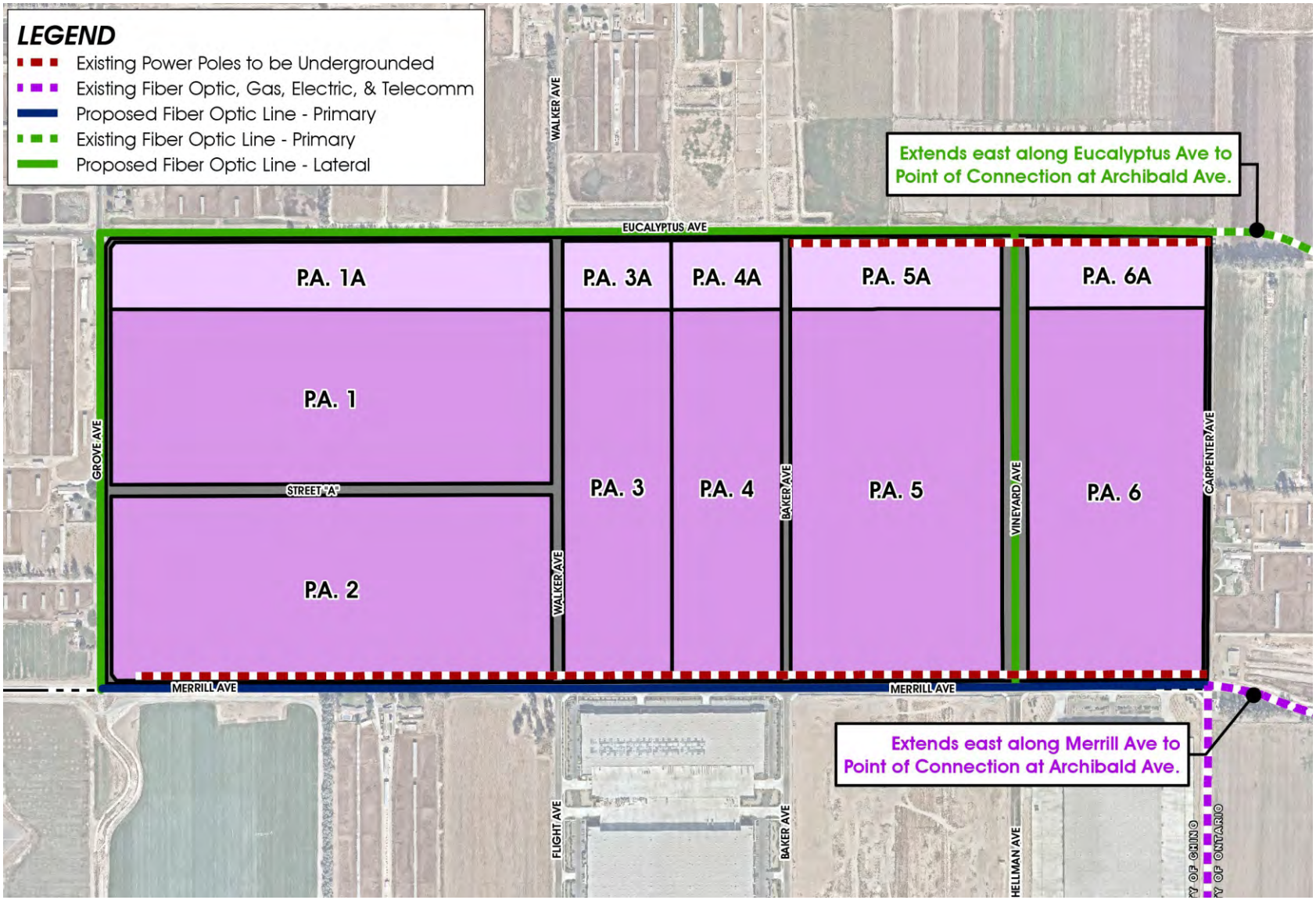
Source: T&B Planning, Inc.

Figure 4.12-7
Dry Utilities Plan

The Specific Plan Fiber Optics Plan is illustrated at Figure 4.12-8. Fiber optic lines would be installed on- and off-site in accordance with the City of Ontario's Master Plan standards. Per the City of Ontario's Master Fiber Optic Plan, lines will be installed in Merrill Avenue between Grove Avenue and Carpenter Avenue, Grove Avenue abutting Planning Areas 1 and 2; in Eucalyptus Avenue from Grove Avenue to Carpenter Avenue; and in Vineyard Avenue abutting Planning Areas 5 and 6.

Backbone fiber optics components (conduits, hand holes, tracer wire, and fiber) will be placed underground within a duct and structure system to be installed in a joint trench within adjacent streets. Within the Specific Plan Area, in-tract fiber and conduit will be installed per the City's in-tract fiber optic design guidelines (see: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Information-Technology/2014-12-16_in-tract_designguidelines.pdf).

Maintenance of the installed fiber optic system will be the responsibility of the City/Special District. Development of the Project requires installation of all fiber optic infrastructure and peripheral equipment necessary to service the Specific Plan as a stand-alone development.



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Source: T&B Planning, Inc.

Figure 4.12-8
Fiber Optics Plan

Wastewater Treatment

The Project area is not currently served municipal sewers or municipal wastewater treatment systems. Wastewater disposal and treatment is currently accomplished via private sewage disposal fields (septic tank and subsurface disposal field). If the Project is approved by the City, wastewater treatment services for the Project would be provided by IEUA. The analysis presented here evaluates the likely maximum wastewater treatment impacts attributable to implementation and operation of the Project.

It is anticipated that wastewater generated by the Project would be conveyed to IEUA Regional Water Reclamation Plant No. 5 (IEUA Plant No. 5). Water Reclamation Plant No. 5 has a capacity of 16.3 mgd, with daily average influent flows of 9 mgd.[6] IEUA treats wastewater meet discharge requirements and Title 22 water quality standards for reuse as recycled water.

Total water demand of the Project (domestic water demand + recycled water demand) is estimated at 882,377 gpd.[7] Conservatively assuming that all water consumed by the Project would be discharged as wastewater, total wastewater treatment demand of the Project is estimated at 882,377 gpd (0.882377 mgd, use 0.9 mgd). As indicated above, available treatment capacity at IEUA Plant No. 5 is approximately 7+ mgd (16.7 mgd capacity – 9 mgd average demand). The Project maximum 0.9 mgd wastewater treatment demand could be accommodated within IEUA Plant No. 5 available wastewater treatment capacity. Further, the Project proposes conventional warehouse and business park uses, and would not generate wastewater that would require treatment processes or protocols not currently provided by IEUA.

[6] ---. "Regional Water Recycling Plant No. 5." *Inland Empire Utilities Agency | Water Smart - Thinking in Terms of Tomorrow*. www.ieua.org/facilities/rp-5/. Accessed 28 Aug. 2019.

[7] *Water Supply Assessment Merrill Commerce Center Specific Plan for City of Ontario* (Placeworks) July 2019, p.10, Table 4 *Water Demand Estimate for the Proposed Development*.

Each individual development project within the Specific Plan area would be required to pay applicable sewer connection and service fees, which act to fund City improvement plans, operations, and maintenance.

Storm Water Management

With the exception of regional drainage channels, the existing stormwater management system within Ontario Ranch, including the Project site, is generally unimproved, comprising primarily open earthen swales along roadways or curbed roadway surfaces. Potential storm water management system impacts are addressed at EIR Section 4.7, *Hydrology/Water Quality*. The analysis presented at EIR Section 4.7, *Hydrology/Water Quality* evaluates the likely maximum hydrology/water quality impacts attributable to implementation and operation of the Project.

The Project would implement area-serving stormwater management improvements consistent with the City MDP. On-site stormwater management systems would be developed concurrent with planning of individual development proposals within the Project site. All proposed on-site stormwater management systems would be subject to review and approval by the City. Please refer also to EIR Section 3.0, *Project Description, Stormwater Management Plan*.

IMPACTS SUMMARY

Utilities and service systems distribution and conveyance lines serving the Project would be constructed pursuant to approved City Infrastructure Master Plans, and would be located within existing improved streets or otherwise disturbed properties, thereby limiting or avoiding potential impacts. Construction and operation of all Project utilities and service systems distribution and conveyance lines would conform with all City and purveyor standards and requirements, further limiting potential environmental effects.

This EIR evaluates likely maximum impacts associated with all Project actions and operations, including but not limited to construction and operation of utilities and service systems distribution and conveyance lines. Construction and operation of the Project utilities and service systems distribution and conveyance lines described in this

Section would not result in conditions or environmental impacts not already considered and addressed elsewhere in this EIR. At properties adjacent to master plan infrastructure improvements implemented by the Project, construction-source noise impacts are recognized as significant and unavoidable (see: EIR Section 4.5, *Noise*). Additionally, conversion of off-site agricultural lands to non-agricultural purposes could result from construction of master plan infrastructure improvements supporting the Project. These impacts are recognized as significant and unavoidable (see: EIR Section 4.11, *Agricultural Resources*). Mitigation proposed in this EIR under other environmental topics would also address potential impacts associated with construction and operation of utilities and service systems distribution and conveyance lines.

Utilities distribution/conveyance systems lines proposed by the Project would conform to alignments presented in the City Master Plan Utilities/Service Systems Concepts. The Project utilities distribution/conveyance systems lines would provide capacities consistent with OMUC/City requirements. It is noted here that potential impacts resulting from construction and operation of City Master Plan infrastructure systems have been previously considered and addressed in Initial Study and Mitigated Negative Declaration City of Ontario Infrastructure Master Plans (City of Ontario) July 2012 (Infrastructure Master Plans MND). The Infrastructure Master Plans MND concluded that construction and operation of Master Plan infrastructure improvements would not result in significant impacts not already considered and addressed in correlating analyses in The Ontario Plan EIR. Similarly, Master Plan infrastructure improvements constructed in support of the Project would not result in significant impacts not already considered and addressed in correlating analyses presented within the Infrastructure Master Plans MND; and by extension would not result in significant infrastructure systems impacts not already considered and addressed in correlating analyses presented within The Ontario Plan EIR.

Each individual development project within the Specific Plan area would be required to pay applicable utilities/service system connection and service fees, which act to offset the Project incremental demands on utilities and service systems. That is, connection and service fees paid by the Project developers would fund on-going utilities and service systems improvement plans, operations, and maintenance. Utilities and service

systems improvements would be implemented so as to provide adequate service/capacity for each increment of development. The City would verify service/capacity adequacies prior to issuance of Certificate(s) of Occupancy for the affected increment of development. Ultimately, the City in consultation with affected utilities purveyors and service providers would determine when and in what manner utilities and service systems facilities would be constructed and/or upgraded to meet increasing demands of areawide development, including the incremental demands of the Project.

Based on the preceding, construction-source noise impacts resulting from Project implementation of off-site master plan infrastructure improvements would be significant and unavoidable. These impacts would be cumulatively significant for the duration of construction of off-site master plan infrastructure systems. Construction-source noise impacts are evaluated in detail at EIR Section 4.5, *Noise*. The potential for the Project to otherwise require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects is considered less-than-significant.

Level of Significance: ***Individually and cumulatively significant and unavoidable construction-source noise impacts along off-site infrastructure improvements corridors*** *(*see: EIR Section 4.5, *Noise).* Otherwise impacts would be less-than-significant.

Potential Impact: *Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years.*

Impact Analysis: Water service to the Project would be provided by OMUC. OMUC's 2015 Urban Water Management Plan (2015 UWMP) was prepared in response to Water Code Sections 10610 through 10656 of the Urban Water Management Planning Act, and includes detailed information about City water demand, supply and reliability for the next 25 years. The 2015 UWMP substantiates that sufficient water supplies are available meet City water demands under normal, single dry, and multiple dry years for the period 2015 – 2040 (2015 UWMP, Section 7.3 *Supply and Demand Assessment*).

Pursuant to requirements of SB 610 (Costa, 2001), a Water Supply Assessment has been prepared for the Project (see: *Water Supply Assessment Merrill Commerce Center Specific Plan for City of Ontario* [Placeworks] July 2019, EIR Appendix M, Project WSA). SB 610 requirements provide that a WSA must "include a discussion with regard to whether the public water system's total projected water supplies available during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand associated with the proposed project, in addition to the water system's existing and planned future uses, including agricultural and manufacturing uses." Per Section 10910 (c) (2) of the California Water Code: "If the projected water demand associated with the proposed project was accounted for in the most recently adopted urban water management plan, the public water system may incorporate the requested information from the urban water management plan in preparing the elements of the assessment required to comply with subdivisions (d), (e), (f), and (g)." (Project WSA, pp. 8, 9). As substantiated in detail in the Project WSA and summarized here, the Project water demands are accounted for in the 2015 UWMP. Moreover, Project water demands would be less than water demands assumed and accounted for in the 2015 UWMP. Summarizing the findings of the Project WSA, Table 4.12-2 compares Project water demands to correlating demand estimates reflected in the 2015 UWMP.

Table 4.12-2
Water Demand Comparison
Project and 2015 UWMP Estimates

	Domestic Water Demand (gpd)	Recycled Water Demand (gpd)	Total Water Demand (gpd)
Project	509,100	373,277	882,377
2015 UWMP Estimates	709,120	503,867	1,212,987

Source: *Water Supply Assessment Merrill Commerce Center Specific Plan for City of Ontario* (Placeworks) July 2019, Tables 4, 5.

As indicated at Table 4.12-2, the Project's water demand of 882,377 gpd is well below the 1,212,987 gpd demand assumed for the subject site within the 2015 UWMP. Further, within the 2015 UWMP, OMUC has determined that sufficient water supplies would be available to meet all customer demand under normal, single dry year and multiple dry year scenarios.

Based on the preceding analysis, sufficient supplies to meet the anticipated demand for the Project exist. No new or expanded entitlements would be needed to serve the Project. Impacts in this regard are considered less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *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.*

Impact Analysis: As discussed previously in this Section, wastewater treatment services for the Project would be provided by IEUA. Sufficient residual treatment capacity exists at IEUA Regional Water Reclamation Plant No. 5 (IEUA Plant No. 5) to serve the Project's projected wastewater treatment demand in addition to IEUA current wastewater treatment demands. The Project proposes conventional warehouse and business park uses, and would not generate wastewater that would require treatment processes or protocols not currently provided by IEUA.

Each individual development proposal within the IEUA service area (including development proposals within the Project site) is required to pay applicable sewer connection and service fees, which act to fund wastewater treatment system improvement plans, operations, and maintenance – thereby offsetting incremental wastewater treatment demands of new development.

Based on the preceding, the potential for the Project to 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 is less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *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.*

Impact Analysis: The City of Ontario Integrated Waste Department provides refuse collection services to the residents and businesses in the City of Ontario. The predominance of collected City refuse is transported for disposal at the Badlands Sanitary Landfill and/or El Sobrante Landfill. Receiving landfill statistical information is provided at previous Table 4.12-1. Solid waste would be generated by Project construction/demolition activities as well as Project operations. Construction/demolition waste and operational waste generation estimates are summarized below.

Construction/Demolition Waste

Project construction/demolition waste estimates are summarized at Table 4.12-3.

Table 4.12-3
Estimated Construction/Demolition Waste

Description	Construction Waste				Demolition Waste		
	Days	TSF	Total	Tons/Day	Days	Total	Tons/Day
Project Phase A	450	2,180.0	4,730.6	10.5	60	212.0	3.5
Project Phase B	485	4,834.0	10,489.8	21.6	80	765.0	9.6
Project Phase C	150	1,441.0	3,127.0	20.9	30	2,329.0	77.6
TOTALS/AVERAGE (Unadjusted)	**1,085**	**8,455.0**	**18,347.4**	**16.9 (Average)**	**170**	**3,306.0**	**19.5 (Average)**
TOTALS/AVERAGE (Reduced per CALGreen)	**---**	**---**	**6,421.6**	**5.9 (Average)**	**---**	**1,157.1**	**6.8 (Average)**
TOTALS/AVERAGE (Reduced per Project Demolition Plan)	**---**	**---**	**1,834.7**	**1.7 (Average)**	**---**	**330.6**	**1.95 (Average)**

Sources: Demolition estimates, Project construction/demolition schedule:
Construction waste estimates: *Estimating 2003 Building-Related Construction and Demolition Material Amounts* (EPA); https://www.epa.gov/smm/estimating-2003-building-related-construction-and-demolition-materials-amounts,
Nonresidential Construction Waste: 4.34 lbs./sf.

As indicated at previous Table 4.12-1, the El Sobrante Landfill has a residual daily throughput capacity of approximately 5,199 tons per day; and the Badlands Sanitary Landfill has a residual daily throughput capacity of approximately 2,661 tons per day. The Project construction waste generation (maximum 21.6 tons/day) and demolition

waste generation (maximum 77.6 tons/day) summarized at Table 4.12-3 can be accommodated within either of the landfills' daily throughput capacities. Project construction/demolition waste impacts to area landfill daily throughput capacities would therefore be less-than-significant.

Additionally, per CALGreen Section 5.408.1 *Construction waste management*, the Project would be required to "[r]ecycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1. 5.405.1.2, or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent." Surpassing CALGreen requirements, the Project Construction and Demolition Waste Management Plan will be designed and implemented to yield a minimum of 90 percent recycled/salvaged materials (see: EIR Section 3.0, *Project Description*, 3.4.3.6 *Project Design Features*. Estimated reduced construction and demolition waste estimates that would be realized under CALGreen Section 5.408.1 *Construction waste management*, and the Project Construction and Demolition Waste Management Plan are indicated at Table 4.12-3. These measures would further reduce already less-than-significant construction/demolition waste impacts to area landfill daily throughput capacities.

Operational Waste Estimates

Project operational solid waste estimates are summarized at Table 4.12-4.

Table 4.12-4
Estimated Operational Solid Waste Generation

Land Use	Waste Generation Factor	Project	Total Waste Generation (Tons Per Day)
Manufacturing/Warehouse	1.42 pounds/100 sf	8,455,000 sf	60.03

Source: Waste Generation Factor: CalRecycle -https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates

As indicated at previous Table 4.12-1, the El Sobrante Landfill has a residual daily throughput capacity of approximately 5,199 tons per day; and the Badlands Sanitary Landfill has a residual daily throughput capacity of approximately 2,661 tons per day. The Project solid waste generation (approximately 60.03 tons per day) can be

accommodated within either of the landfills' daily throughput capacities. Project operational solid waste impacts to area landfill daily throughput capacities would therefore be less-than-significant. Moreover, the Project solid waste generation estimates presented at Table 4.12-13 do not reflect minimum 50 percent solid waste recycling/diversion required under the California Integrated Waste Management Act of 1989 (AB 939). Assuming a minimum 50 percent reduction per AB 939, Project solid waste conveyed to area landfills would total approximately 30 tons per day. Project mandated compliance with AB 939 would further decrease already less-than-significant Project operational waste impacts to area landfill daily throughput capacities.

As summarized at previous Table 4.12-1, the El Sobrante Landfill has a remaining capacity of approximately 144.0 million cubic yards (roughly 84.7 – 144.0 million tons).[8] The Badlands Sanitary Landfill has a remaining capacity of approximately 15.7 million cubic yards (roughly 9.2 – 15.7 million tons). The Project contributions of 18,347.4 tons (0.183 million tons) maximum total construction waste; 3,306.0 tons (0.003 million tons) maximum total demolition waste; and 21,911 tons (0.022 million tons) of operational solid waste annually represent a nominal fractional percentage of the collective remaining permitted capacity (93.9 – 159.7 million tons) of the serving landfills. The Project would therefore not substantially alter existing or future solid waste disposal capacities. Moreover, the Riverside County Department of Waste Resources, Countywide Integrated Waste Management Plan 2017 (CIWMP), *Countywide Siting Element,* demonstrates that there are at least 15 years of remaining landfill disposal capacity to serve all the jurisdictions within the County.[9] Project solid waste impacts to area landfill remaining total capacities are therefore considered less-than-significant.

[8] EPA. "Volume-to-Weight Conversion Factors U.S. Environmental Protection Agency Office of Resource Conservation and Recovery April 2016." *United States Environmental Protection Agency | US EPA*, www.epa.gov/sites/production/files/201604/documents/volume_to_weight_conversion_factors_memorandum_04192016_508fnl.pdf. Accessed 18 Nov. 2019. One cubic yard Municipal Solid Waste (MSW) Compacted Large Landfill With Best Management Practices = 1,700 – 2,000 lbs.

[9] Riverside County Department of Waste Resources. "Annual Report Summary: Riverside-Unincorporated (2017)." *RCDWR | Home,* 30 July 2018, www.rcwaste.org/Portals/0/Files/Planning/CIWMP/2017%20Annual%20Report.pdf. Accessed 18 Nov. 2019.

Solid waste management is guided by the California Integrated Waste Management Act of 1989 (AB 939), which emphasizes resource conservation through reduction, recycling, and reuse of solid waste. The Act requires that localities conduct a Solid Waste Generation Study (SWGS) and develop a Source Reduction Recycling Element (SRRE), providing for a minimum 50 percent reduction in waste sent to landfills. Diversion rates are calculated and tracked by the California Integrated Waste Management Board (Board). Alternatively, the Board can determine that a jurisdiction's "good faith efforts" to implement comprehensive diversion programs have satisfied the requirement even if diversion levels are below 50 percent.

To reduce waste disposal, AB 939 requires every California city and county to divert 50 percent of its waste from landfills by the year 2000. Residential, commercial and governmental waste recycling programs in support of the SRRE have been implemented by the City of Ontario. The City has met this waste diversion requirement through local recycling programs and participation in regional recycling programs. The City's waste diversion program is run by the Recycling Division. For the fiscal year 2006, Ontario's Board-approved diversion rate was 64 percent. Preliminary rates for 2007 indicate a waste diversion rate of about 57 percent.[10] On-going City compliance with AB 939 diversion targets is substantiated by CalRecyle. For 2017 (the latest data available) CalRecycle per capita target disposal rate for the City of Ontario was 9.9 pounds per day (ppd); the per employee target disposal rate was 16.4 ppd. The actual City rates for 2017 were 6.9 ppd/capita and 10.4 ppd/employee.[11]

Based on the preceding, the Project potential to 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 is considered less-than-significant.

Level of Significance: Less-Than-Significant.

[10] The Ontario Plan Draft EIR, Section 5 *Utilities and Service Systems*, Page 5.17-30.

[11] CalRecycle. "Jurisdiction Review Reports." *Home*, 17 Nov. 2019, www2.calrecycle.ca.gov/LGCentral/AnnualReporting/ReviewReports/PerCapitaDisposalTrends. Accessed 17 Nov. 2019.

Potential Impact: *Comply with federal, state, and local statutes and regulations related to solid waste.*

Impact Analysis: Solid waste management statutes and regulations applicable to the Project are summarized below.

City of Ontario Construction & Demolition Recycling Plan (CDRP)

Pursuant to Ontario Municipal Ordinance (OMC) Sec. 6-3.602 *Construction & Demolition Recycling Plan* and the 2016 California Green Building Standards Code (CALGreen), all building and demolition permit applicants are required to prepare and submit a Construction & Demolition Recycling Plan (CDRP) and a Construction & Demolition Recycling Plan (CDRP) Summary Report. OMC Sec. 6-3.602 and CALGreen require all construction and qualifying renovation and demolition projects to divert at least 65% of all generated waste materials. The Project would be subject to (OMC) Sec. 6-3.602 and CALGreen construction waste diversion mandates. The City oversees compliance with OMC Sec. 6-3.602 and CALGreen construction waste diversion mandates.

AB 939 - California Integrated Waste Management Act of 1989

Solid waste management is guided by the California Integrated Waste Management Act of 1989 (AB 939), which emphasizes resource conservation through reduction, recycling, and reuse of solid waste. AB 939 requires that localities conduct a Solid Waste Generation Study (SWGS) and develop a Source Reduction Recycling Element (SRRE), providing for a minimum 50 percent reduction in waste sent to landfills. Diversion rates are calculated and tracked by the California Integrated Waste Management Board (Board). Alternatively, the Board can determine that a jurisdiction's "good faith efforts" to implement comprehensive diversion programs have satisfied the requirement even if diversion levels are below 50 percent.

To reduce waste disposal, AB 939 requires every California city and county to divert 50 percent of its waste from landfills. Residential, commercial and governmental waste recycling programs in support of the SRRE have been implemented by the City.

As noted above, the City is currently meeting or exceeding all AB 939 solid waste diversion targets. The Project would be required to comply with AB 939 as implemented by the City.

AB 341 - Commercial Recycling

Assembly Bill 341 mandates recycling for businesses producing four or more cubic yards of solid waste per week, and multifamily dwellings of five units or more. Under the law, business must separate recyclables from trash and then either subscribe to City of Ontario recycling services, self-haul their recyclables, or contract with a permitted private recycler. The Project would be subject to Assembly Bill 341 mandates.

AB 1826 - Commercial Organics Recycling

Under Assembly Bill 1826, businesses are required to arrange for organic recycling services. The Project would be subject to Assembly Bill 1826 mandates.

The California Department of Resources Recycling and Recovery (CalRecycle) oversees both the mandatory commercial recycling program and the mandatory commercial organics recycling program. The City of Ontario supports both bills through public outreach, monitoring of recycling efforts, providing notification to non-compliant businesses, and periodic State reporting.

The Project would be required to comply with the above solid waste management statutes and regulations. The City and CalRecycle would oversee and monitor compliance with applicable solid waste management statutes and regulations.

Based on the preceding, the potential for the Project to conflict with federal, state, and local statutes and regulations related to solid waste is less-than-significant.

Level of Significance: Less-Than-Significant.

4.13 ENERGY

4.13 ENERGY

Abstract

This Section identifies and addresses potential energy impacts that may result from construction and implementation of the Project. More specifically, the energy impacts analysis evaluates the potential for the Project to cause or result in the following impacts:

- *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or*

- *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.*

As supported by the analysis presented in this Section, potential energy impacts of the Project would be less-than-significant.

4.13.1 BACKGROUND AND INTRODUCTION

In 1975, largely in response to the oil crisis of the 1970s, the State Legislature adopted AB 1575, which created the California Energy Commission (CEC). The statutory mission of the CEC is to forecast future energy needs; license thermal power plants of 50 megawatts or larger; develop energy technologies and renewable energy resources; plan for and direct responses to energy emergencies; and, perhaps most importantly, to promote energy efficiency through the adoption and enforcement of appliance and building energy efficiency standards.

Of relevance to the Project and this EIR, AB 1575 also amended Public Resources Code Section 21100(b)(3) to require EIRs to consider the potential for wasteful, inefficient, and/or

unnecessary consumption of energy caused by or resulting from a project. Appendix F to the *CEQA Guidelines* (Guidelines) assists EIR preparers in this regard. More specifically, *Guidelines* Appendix F *Energy Conservation* establishes parameters and context for determining whether a project would result in the inefficient, wasteful, and unnecessary consumption of energy.

Guidelines Section 15126.2 *Consideration and Discussion of Significant Environmental Impacts*, as amended December 28, 2018, recognizes the need to consider *Guidelines* Appendix F *Energy Conservation* when analyzing project impacts (for EIRs). In this regard, Guidelines Section 15126.2 (b), excerpted below, provides the following guidance:

> **Energy Impacts.** If analysis of the project's energy use reveals that the project may result in significant environmental effects due to wasteful, inefficient, or unnecessary consumption use of energy, or wasteful use of energy resources, the EIR shall mitigate that energy use. This analysis should include the project's energy use for all project phases and components, including transportation-related energy, during construction and operation. In addition to building code compliance, other relevant considerations may include, among others, the project's size, location, orientation, equipment use and any renewable energy features that could be incorporated into the project. (Guidance on information that may be included in such an analysis is presented in Appendix F.) This analysis is subject to the rule of reason and shall focus on energy use that is caused by the project. This analysis may be included in related analyses of air quality, greenhouse gas emissions, transportation or utilities in the discretion of the lead agency. The analysis presented here conforms to *Guidelines* Section 15126.2 (b) guidance.

In summary, the Project would provide for, and promote, energy efficiencies consistent with applicable state or federal standards and regulations. The Project would also conform to City of Ontario (City) energy efficiency and energy conservation measures.

Moreover, energy consumed by the Project would be comparable to, or less than, energy consumed by other development proposals of similar scale and intensity. On this basis, the Project would not result in the inefficient, wasteful or unnecessary consumption of energy. Further, the Project would not cause or result in the need for additional energy-producing facilities or energy delivery systems. The Project would therefore not result in significant environmental effects due to wasteful, inefficient, or unnecessary consumption use of energy, or wasteful use of energy resources. Nor would the Project result in significant environmental effects due to conflict with or obstruction of a state or local plan for renewable energy or energy efficiency.

4.13.2 EXISTING CONDITIONS

4.13.2.1 Overview

A summary of, and context for, energy consumption and energy demands within the State is presented in *U.S. Energy Information Administration, California State Profile and Energy Estimates, Quick Facts* excerpted below:

- California was the fourth-largest producer of crude oil among the 50 states in 2017, after Texas, North Dakota, and Alaska, and, as of January 2018, third in oil refining capacity after Texas and Louisiana.
- California is the largest consumer of jet fuel among the 50 states and accounted for one-fifth of the nation's jet fuel consumption in 2016.
- California's total energy consumption is second-highest in the nation, but, in 2016, the state's per capita energy consumption ranked 48th, due in part to its mild climate and its energy efficiency programs.
- In 2017, California ranked second in the nation in conventional hydroelectric generation and first as a producer of electricity from solar, geothermal, and biomass resources.
- In 2017, solar PV and solar thermal installations provided about 16% of California's net electricity generation. [1]

[1] U.S. Energy Information Administration. (2018, November 15). California Profile. Retrieved August 13, 2019, from https://www.eia.gov/state/print.php?sid=CA

As indicated above, California is one of the nation's leading energy-producing states, and California per capita energy use is among the nation's most efficient.

4.13.2.2 Electricity and Natural Gas Resources

Electricity

Electricity would be provided to the Project by Southern California Edison (SCE). The Project site is vacant and undeveloped and does not contain uses or facilities that consume or produce electricity.

SCE is an investor-owned utility providing electric power to an estimated 15 million persons in 15 counties and in 180 incorporated cities, within a service area encompassing approximately 50,000 square miles.[2] SCE derives electricity from varied energy resources including: fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. SCE also purchases from independent power producers and utilities, including out-of-state suppliers. The California Public Utilities Commission (CPUC) regulates investor-owned electric utilities operating in California, including SCE.

Natural Gas

Natural gas would be provided to the Project by Southern California Gas (SoCal Gas). The Project site is vacant and undeveloped and does not contain uses or facilities that consume or produce natural gas.

SoCal Gas is the nation's largest natural gas distribution utility, serving approximately 21.8 million consumers through 5.9 million meters in more than 500 communities. The SoCal Gas service territory encompasses approximately 24,000 square miles throughout Central and Southern California, from Visalia to the Mexican border. Natural gas is available from a variety of in-state and out-of-state sources and is provided throughout the

[2] Southern California Edison. (n.d.). Who We Are. Retrieved August 13, 2019, from https://www.sce.com/about-us/who-we-are

state in response to market supply and demand. Complementing available natural gas resources, biogas may soon be available via existing delivery systems, thereby increasing the availability and reliability of resources in total. The CPUC regulates investor-owned natural gas utilities operating in California, including SoCal Gas.

4.13.2.3 Transportation Energy Resources

The Project would generate additional vehicle trips with resulting consumption of energy resources, predominantly gasoline. Gasoline (and other vehicle fuels) are commercially-provided commodities and would be available to the Project patrons and employees via commercial outlets. The Project site is vacant and undeveloped and does not contain uses or facilities that consume or produce transportation energy resources.

California's historical demand for transportation fuels reflects a significant dependence on gasoline, diesel, and jet fuel. The transportation sector in California consumed more than 23.2 billion gasoline gallon equivalents (GGEs) of energy in 2015 [the latest date of record], of which 21.8 billion (or 94 percent) were fossil fuels. In 2005, California consumed roughly 23.5 billion GGE of fossil fuels. Since then, a notable decline in energy consumption occurred from 2007 to 2010, reflecting the effect of the 2008 financial crisis. However, since 2012 economic growth and declining crude oil prices have led to an increase in gasoline consumption. [3]

4.13.3 STATE AND LOCAL ENERGY EFFICIENCY/ENERGY CONSERVATION PLANS, POLICIES, REGULATIONS

Project consistency with State and City Energy Efficiency/Energy Conservation Plans and related policies and/or regulations relevant to the Project are summarized at Table 4.13-1. In addition to the plans, policies, and regulations listed below, the State and City have also implemented measures that reduce air pollutant emissions and greenhouse gases. As a corollary effect, these measures in part act to promote energy efficiency and reduce energy consumption. Discussions of these plans, policies, and regulations are presented at EIR Sections 4.3, *Air Quality* and 4.4, *Greenhouse Gas Emissions*.

[3] *Transportation Energy Demand Forecast 2018 – 2030* (CEC) November 2017, p. 8.

Table 4.13-1
State and Local Energy Efficiency/Energy Conservation Plan Consistency

PLANS, POLICES, REGULATIONS	Remarks
STATE of CALIFORNIA	
California Code of Regulations (CCR) Title 24, Part 6: Energy Efficiency Standards California Code Title 24, Part 6 (also referred to as the California Energy Code), was promulgated by the CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption. To these ends, the California Energy Code provides energy efficiency standards for residential and nonresidential buildings. The Project would be required to comply with energy efficiency standards in effect at the time of building permit application(s).	**Consistent:** *The Project would be designed, constructed and operated to meet or exceed incumbent CCR Title 24 Energy Efficiency Standards.* *Based on the preceding, the Project is considered consistent with, and would not interfere with or obstruct implementation of CCR Title 24, Part 6: Energy Efficiency Standards.*
CCR, Title 24, Part 11: California Green Building Standards Code (CALGreen). CALGreen is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on January 1, 2011. CALGreen is updated on a regular basis, with the most recent update consisting of the 2016 California Green Building Code Standards that became effective January 1, 2017. Under state law, local jurisdictions are permitted to adopt more stringent requirements.	**Consistent:** *The Project would be designed, constructed and operated to meet or exceed incumbent CCR Title 24 CALGreen Standards.* *Based on the preceding, the Project is considered consistent with, and would not interfere with or obstruct implementation of CCCR, Title 24, Part 11: CALGreen.*
CITY of ONTARIO	
Policy Plan (General Plan)	
ER3-1 **Conservation Strategy.** We require conservation as the first strategy to be employed to meet applicable energy-saving standards.	**Consistent:** *The Project would implement conservation strategies acting to reduce energy consumption. Such strategies include, but would not be limited to: water conservation; waste reduction and recycling; and fuel conservation achieved through transportation demand measures. Please refer also to energy efficiency, resource conservation, and sustainability measures incorporated in the Project (see: EIR Section 3.0* Project Description*, 3.4.3.6* Project Design Features*).* *Based on the preceding, the Project is considered consistent with General Plan Policy ER3-1.*
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.	**Consistent:** *Design features incorporated in the Project would promote efficient use of energy and other resources, further City conservation and sustainability goals and strategies, and act to generally diminish the Project's potential environmental effects. Please refer to EIR Section 3.0,* Project Description*, 3.4.3.6* Project Design Features. *Building roofs in the Industrial Planning Areas will be designed to accommodate installation of solar panels. Final Project designs would also consider and evaluate potential incorporation of other energy efficient building and site design strategies. Such strategies may also include solar orientation, maximum use of natural daylight, passive solar and natural ventilation. The Project would at a minimum achieve energy efficiency standards articulated in CCR Title 24, Part 6: Energy Efficiency Standards,*

Table 4.13-1
State and Local Energy Efficiency/Energy Conservation Plan Consistency

PLANS, POLICES, REGULATIONS	Remarks
	and CCR, Title 24, Part 11: California Green Building Standards Code. Please refer also to related discussions presented at EIR Section 4.4, Greenhouse Gas Emissions *and within the* Merrill Commerce Center Specific Plan. *Based on the preceding, the Project is considered consistent with General Plan Policy ER3-3.*
ER3-6 ***Generation- Renewable Sources.*** We promote the use of renewable energy sources to serve public and private sector development.	**Consistent:** *Design features incorporated in the Project would promote efficient use of energy and other resources, further City conservation and sustainability goals and strategies, and act to generally diminish the Project's potential environmental effects. Please refer to EIR Section 3.0,* Project Description*, 3.4.3.6* Project Design Features*.* *Based on the preceding, the Project is considered consistent with General Plan Policy ER3-6.*
Community Climate Action Plan (CAP)	
Performance Standard for New Development Under the CAP performance standards, new projects are required to quantify project-generated GHG emissions and adopt feasible reduction measures to reduce project emissions to 25% below 2020 BAU project emissions.	**Consistent:** *Project GHG emissions are quantified at EIR Section 4.4,* Greenhouse Gas Emissions*. The Project would demonstrate conformance with the CAP and a reduction in project emissions to 25% below 2020 BAU project emissions by achieving a minimum of 100 points per the CAP Screening Tables. Please refer also to related discussions presented at EIR Section 4.4,* Greenhouse Gas Emissions *and within the* Merrill Commerce Center Specific Plan. *Based on the preceding, the Project is considered consistent with the City CAP.*

Sources: CCR Title 24, Part 6: Energy Efficiency Standards; CCR, Title 24, Part 11: California Green Building Standards Code; City of Ontario Policy Plan; City of Ontario Community Climate Action Plan; *Merrill Commerce Center Specific Plan* (T&B Planning, Inc.) September 29, 2020; Remarks by Applied Planning, Inc.

Additionally, regulatory measures, standards, and policies directed at reducing air pollutant emissions and GHG emissions would also act to promote energy conservation and reduce Project energy consumption. Please refer to related discussions presented at EIR Section 4.3, *Air Quality* and EIR Section 4.4, *Greenhouse Gas Emissions*.

4.13.4 STANDARDS OF SIGNIFICANCE

Appendix G of the California Environmental Quality Act (*CEQA*) Guidelines indicates a Project will normally have a potentially significant effect related to energy if it would:

- Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or

- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

4.13.5 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.13.5.1 Impact Statements

Potential Impact: *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.*

Impact Analysis:

PROJECT ENERGY DEMANDS AND ENERGY EFFICIENCY/CONSERVATION MEASURES

Estimated energy demands of Project construction and Project operations are summarized in the following discussions. Project design features and operational programs, as well as regulations that promote energy conservation end energy conservation are also identified. The Project in total would be required to comply with incumbent performance standards established under the Building Energy Efficiency Standards contained in the California Code of Regulations (CCR), Title 24, Part 6 (Title 24, Energy Efficiency Standards). Also, developers and owners/tenants have vested financial incentives to avoid imprudent energy consumption practices. In this regard, there is growing recognition among developers and owners/tenants that efficient and sustainable construction and operational practices yield both environmental and economic benefits. On this basis, and as further supported by the

following discussions, the Project would not result in or cause wasteful, inefficient, and unnecessary consumption of energy.

Construction Energy Consumption Estimates and Energy Efficiency/Conservation Measures

Construction Fuel/Power Consumption Estimates

Project construction energy consumption estimates are summarized at Table 4.13-2. Detailed Project construction energy consumption estimates are presented in the *Merrill Commerce Center Specific Plan Energy Tables* (Urban Crossroads, Inc.) January 22, 2020, EIR Appendix N. Project construction would represent a "single-event" energy demand and would not require ongoing or permanent commitment of energy resources for this purpose. Electricity for construction activities would be provided by SCE. Gasoline and diesel fuel would be provided by existing area vendors.

Table 4.13-2
Construction Energy Consumption Estimates

Activity	Electricity (kWh)	Diesel Fuel (Gallons)	Gasoline (Gallons)
Construction	9,734,766	---	---
Construction Equipment Operations	---	639,042	---
Vendor Trips (MHDT)	---	227,822	---
Vendor Trips (HHDT)	---	323,044	---
Haul Trips (HHDT)	---	39,544	---
Worker Commutes	---	---	833,743
TOTALS	**9,734,766 kWh**	**1,229,452 Gallons**	**833,743 Gallons**

Source: *Merrill Commerce Center Specific Plan Energy Tables* (Urban Crossroads, Inc.) January 22, 2020.
Notes: All construction equipment are assumed to be diesel-powered. All vendor and haul trips are assumed to be diesel-powered Medium-Heavy-Duty-Trucks (MHDT) and Heavy-Heavy-Duty Trucks (HHDT). All construction worker commutes assumed to be gasoline-powered light duty autos (LDA).

Construction Energy Efficiency/Conservation Measures

Equipment and vehicles used during Project construction would conform to CARB regulations and California emissions standards, and would demonstrate related fuel efficiencies. There are no unusual Project characteristics or construction processes that would require the use of vehicles or equipment that would be more energy intensive than

is used for comparable activities; or equipment that would not conform to incumbent power/fuel efficiency standards. The Project would also implement applicable efficiency/conservation measures provisions of the City of Ontario Community Climate Action Plan (CAP). Project construction activities would therefore not result in inefficient, wasteful, or unnecessary consumption of power or fuel.

Additionally, certain incidental construction-source energy efficiencies would likely accrue through implementation of California regulations. More specifically, California Code of Regulations Title 13, Motor Vehicles, section 2449(d)(3) *Idling*, limits idling times of construction vehicles to no more than five minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials, and/or in response to citizen complaints.

Indirect construction energy efficiencies and energy conservation would be achieved through the use of recycled/recyclable materials and related procedures, and energy efficiencies realized from bulk purchase, transport and use of construction materials. Use of recycled and recyclable materials and use of materials in bulk also reduces energy demands associated with preparation and transport of construction materials as transport and disposal of construction waste and solid waste in general, with corollary reduced demands on area landfill capacities and energy consumed by waste transport and landfill operations.

Construction Waste Management Plan

A Project Construction Waste Management Plan would be required consistent with Section 5.408.1.1 of the CALGreen Code. Consistent with Section 5.408, *Construction Waste Reduction, Disposal, and Recycling* of the California Green Building Standards Code (CALGreen Code), as adopted by the City, the Project would be required to recycle or salvage for reuse a minimum of 50 percent of the nonhazardous construction and demolition waste. Beyond these mandates, the Project demolition plan would yield a minimum of 90% recycled materials (please refer to EIR Section 3.0, *Project Description*, 3.4.3.6, *Project Design Features*).

Operational Energy Consumption and Energy Efficiency/Conservation Measures

Energy consumption in support of or related to Project operations would include transportation energy demands (energy consumed by vehicles accessing the Project site) and facilities energy demands (energy consumed by building operations and site maintenance activities).

Transportation Energy Consumption

Project transportation energy consumption estimates are summarized at Table 4.13-3. Detailed Project transportation energy consumption estimates are presented in the *Merrill Commerce Center Specific Plan Energy Tables* (Urban Crossroads, Inc.) January 22, 2020, EIR Appendix M. Gasoline and diesel fuel would be provided by existing area vendors.

Table 4.13-3
Transportation Energy Consumption Estimates

Vehicle Class	Diesel Fuel (Gallons)	Gasoline (Gallons)
Passenger Cars	---	3,134,666
Trucks	6,179,183	

Source: *Merrill Commerce Center Specific Plan Energy Tables* (Urban Crossroads, Inc.) January 22, 2020.
Notes: All trucks assumed to be diesel-powered. All passenger cars assumed to be gasoline-powered.

Facilities Energy Demands

Project building operations and Project site maintenance activities would result in the consumption of natural gas and electricity. Natural gas would be supplied to the Project by SoCal Gas; electricity would be supplied to the Project by SCE. Annual natural gas and electricity demands of the Project are summarized at Table 4.13-4.

Table 4.13-4
Project Annual Operational Energy Demand Summary

Natural Gas Demand	48,145,750 kBTU/year
Electricity Demand	50,099,940 kWh/year

Source: *Merrill Commerce Center Specific Plan Energy Tables* (Urban Crossroads, Inc.) January 22, 2020.

Operational Energy Efficiency/Conservation Measures

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 also implement applicable efficiency/conservation measures provisions of the City of Ontario Community Climate Action Plan (CAP).

Enhanced Vehicle Fuel Efficiencies

Estimated annual fuel consumption estimates presented previously at Table 4.13-3 represent likely potential maximums that would occur under Project Opening Year (2021) 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.

Project Design and Access

The Project proposes industrial and business park uses within an urbanizing context, proximate to, and readily accessible from regional and local roadways. In these regards, the Project setting proximate to transportation corridors facilitates access to the Project generally.

Alternative Transportation – Pedestrian, Bicycle/Multi-Use Trails, Transit Facilities

Alternative transportation modes and services available to the Project site and vicinity are described below. In combination, availability of alternative transportation modes would act to reduce fuel/energy consumption otherwise resulting from use of privately-owned vehicles.

Bus Services

Bus service to the Study Area is provided by Omnitrans and the Riverside Transit Authority (RTA). Omnitrans Route 81 (E –W) exists along Riverside Drive, approximately 1.75 miles northerly of the Project site; Omnitrans Route 83 (N – S) exists along Euclid

Avenue, approximately 1 mile westerly of the Project site. Omnitrans bus routes and schedules can be accessed at: https://omnitrans.org/getting-around/maps-schedules/.

Bus service within the Study Area is also available via the Riverside Transit Authority (RTA). RTA Routes 3 and 29 (N – S) exist along Hamner Avenue, approximately 2.5 miles easterly of the Project site. RTA bus routes and schedules can be accessed at: https://www.riversidetransit.com/index.php/riding-the-bus/maps-schedules.

Transit service providers periodically review and update schedules and routes to address ridership, budget, and community demands. The Applicant and City would coordinate Project final designs with Omnitrans and RTA to evaluate the potential for provision of bus services and bus amenities serving the Project site.

Bicycle Facilities and Pedestrian Access

There are existing sidewalks off-site along portions of Merrill Avenue, Flight Avenue, and Van Vliet Avenue. Additionally, in the vicinity of the Project site, a multipurpose trail is planned along Grove Avenue (N – S); a multipurpose trail is planned alone Vineyard Avenue (N – S); a multipurpose trail and Class II Bike Route (striped separate bike lanes) are planned along Walker Avenue (N – S); a multipurpose trail and Class II Bike Route are planned along Eucalyptus Avenue; and a multipurpose trail and Class II Bike Route are planned along Merrill Avenue. These improvements would globally improve pedestrian and bicycle access within and through the Study Area. Additionally, consistent with City requirements and provisions of the Merrill Commerce Center Specific Plan, the Project would implement on-site pedestrian/bicycle/multi-purpose paths and supporting amenities that would encourage use of alternative transportation modes.

Landscaping

Landscaping within the Project site would be required to conform to Merrill Commerce Center Specific Plan Landscape Design Guidelines. Per the Design Guidelines, development projects would . . . "incorporate a drought-tolerant plant palette and water-efficient irrigation system design to minimize the water demands of planned development. In addition, implementing development projects will be required to comply with the water-

efficiency mandates of the California Green Building Standards Code (Title 24), including the provision of water-efficient fixtures" (Specific Plan, p. A-8). The Design Guidelines and CALGreen standards promote water conservation, resulting in related reduction in energy consumption attributable to water production, water treatment, and water conveyance.

Solid Waste Diversion/Recycling

The Project would be required to comply with applicable State of California and City solid waste diversion/recycling rules and regulations. These laws and regulations include but are not limited to: State AB 939, State AB 341; CALGreen Code Section 5.408, *Construction Waste Reduction, Disposal, and Recycling*; and requirements presented at Ontario Municipal Code Sec. 6-3.602 *Construction & Demolition Recycling Plan*.

See also: https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/2017_cd_plan_overview_0.pdf.

In combination, these laws and regulations act to reduce the amount of solid waste transported to, and disposed at area landfills. Corollary reduced demands on area landfill capacities and energy consumed by waste transport and landfill operations would likely result.

CONCLUSION

As supported by the preceding analyses, Project construction and operations would not result in the inefficient, wasteful or unnecessary consumption of energy, and potential Project impacts in these regards would be less-than-significant. Further, energy demands of the Project can be accommodated within the context of available resources and energy delivery systems. The Project would therefore not cause or result in the need for additional energy-producing or energy transmission facilities and would not create or otherwise result in a potentially significant impact affecting energy resources or energy delivery systems.

As supported by the preceding discussions, the potential for the Project to result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation is considered less-than-significant.

Level of Significance: Less-Than-Significant.

Potential Impact: *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.*

Impact Analysis: As substantiated at Table 4.13-1, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The potential for the Project to conflict with or obstruct a state or local plan for renewable energy or energy efficiency is therefore considered less-than-significant.

Level of Significance: Less-Than-Significant.

4.14 POPULATION AND HOUSING

4.14 POPULATION AND HOUSING

Abstract

This Section identifies and addresses potential population and housing impacts that may result from approval and implementation of the proposed development. More specifically, the analysis presented here examines whether the Project would:

- *Induce substantial unplanned population growth in the area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension or roads or other infrastructure).*

Additionally, as discussed in the EIR Initial Study (EIR Appendix A), the Project's potential impacts under the following topic were previously determined to be less-than-significant, and are not further substantively discussed here:

- *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.*

As supported by the analysis presented in this Section, potential population and housing impacts of the Project are less-than-significant.

4.14.1 INTRODUCTION

The Population and Housing Section of the EIR focuses on the Project's potential to induce substantial population growth beyond that anticipated under the City of Ontario Policy Plan (Policy Plan). Additionally, the analysis presented here more broadly evaluates whether the Project would result in substantive changes in the Policy Plan population and housing projections; and evaluates the Project's potential employment/housing balance

implications. Information presented within this analysis was obtained from the sources listed below, and cited source documents are incorporated by reference.

- The Ontario Plan (TOP), Policy Plan (Policy Plan), TOP Final Environmental Impact Report (TOP Final EIR), and October 2013 Policy Plan Housing Element Technical Report (Housing Element Technical Report). These documents are available through the City of Ontario, or are accessible at: http://www.ontarioplan.org/.

- *Profile of the City of Ontario* (Southern California Association of Governments) May 2019. Accessible at: http://www.scag.ca.gov/Documents/Ontario.pdf.

- The proposed *Merrill Commerce Center Specific Plan* (Specific Plan) September 29, 2020, included at EIR Appendix B.

4.14.2 SETTING

4.14.2.1 Location

The Project site[1] is located within the Ontario Ranch (formerly known as New Model Colony, NMC) area of the City. More specifically, the Project site is located along Merrill Avenue, between Grove Avenue and Carpenter Avenue. Eucalyptus Avenue forms the northerly boundary of the Specific Plan area. Please refer also to EIR Section 3.0, *Project Description*, Figure 3.1-1, *Project Location*.

4.14.2.2 Background

With an estimated current (01/01/2018) population of 174,244 persons, the California Department of Finance, Demographic Research Unit (DOF) identifies the City of Ontario as the fourth largest city (by population) in San Bernardino County (behind the Cities of San

[1] The Project site is defined as the area encompassed by the Merrill Commerce Center Specific Plan (the Specific Plan area). The analysis presented in this Environmental Impact Report (EIR) considers and addresses environmental impacts resulting from development of the Project site proper, and also evaluates impacts that would result from off-site activities or improvements necessary to implement and support the Project.

Bernardino, Fontana, and Rancho Cucamonga).[2] DOF also indicates that the City's 2018 – 2019 resident population increased by approximately 4,024 persons or an approximate 2.3 percent increase.

The Southern California Association of Governments (SCAG) projects the City population will increase to 203,800 by 2020. Population growth is expected to be driven by the development of housing in the New Model Colony, the Ontario Airport Metro Center, and Downtown Ontario; immigration to the City; and increasing household sizes. Projected population growth of the City will not only bring demographic change but also a different type of housing demand. Population estimates presented in the Ontario Policy Plan indicate that Ontario's population could exceed 360,000 under City Buildout conditions (Housing Element Technical Report, p. H-5).

4.14.2.3 Population, Housing, Employment, and Economic Information

Population, housing, employment, and economic information are presented here to determine the effects, if any, of the Project on adopted policies and plans either based on, or forming the basis of, growth forecasts employed in local, regional and/or State plans. These forecasts also provide an indication of the employment/housing balance within the City and surrounding areas.

Projected City and Regional Population, Employment, and Housing Trends

Population, employment, and household estimates for the City of Ontario and San Bernardino County are presented at Table 4.14-1.

[2] California Department of Finance (DOF). *E-1 Cities, Counties, and the State Population Estimates with Annual Percent Change* — January 1, 2018 and 2019. Web. http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-1/

Table 4.14-1
Growth Projections

	2012	2020	2035	2040
San Bernardino County				
Population	2,068,000	2,197,400	2,637,400	2,731,300
Employment	659,500	789,500	998,000	1,028,100
Households	615,300	687,100	824,600	854,300
City of Ontario				
Population	166,300	197,600	248,800	258,600
Employment	103,300	129,300	170,600	175,400
Households	45,100	58,300	72,200	75,300

Source: http://www.scag.ca.gov/Documents/2016_2040RTPSCS_FinalGrowthForecastbyJurisdiction.pdf

As indicated at Table 4.14-1, between the years 2012 and 2040, the following City of Ontario demographic/housing trends are projected:

- An approximate 56 percent increase in the number of City population;
- Employment within the City is anticipated to increase by approximately 70 percent; and
- An approximate 66 percent increase in households.

Year 2012 to year 2040 projections for San Bernardino County as a whole anticipate an approximately 32 percent increase in population; employment growth of approximately 56 percent; and an approximate 39 percent increase in the number of households.

Recent City of Ontario Population, Housing and Employment Trends

Population

Year 2000–2018 population trends within the City are presented at Table 4.14-2. As indicated, the City's population has increased by 19,582 or approximately 12.4 percent since 2000.

Table 4.14-2
City of Ontario Population Trends 2000-2018

Year	Population
2000	158,007
2002	161,051
2004	163,956
2006	163,757
2008	163,951
2010	163,934
2012	166,134
2014	167,382
2016	169,869
2018	177,589

Source: http://www.scag.ca.gov/Documents/Ontario.pdf

Households

Year 2000–2018 housing trends within the City are presented at Table 4.14-3.

Table 4.14-3
City of Ontario Housing Trends 2000-2018

Year	Households
2000	43,525
2002	43,654
2004	43,748
2006	44,007
2008	44,673
2010	44,931
2012	45,123
2014	45,270
2016	45,601
2018	47,879

Source: http://www.scag.ca.gov/Documents/Ontario.pdf

As indicated above, the total number of households within the City increased by 4,354, or 10 percent.

Consistent with California Housing Element requirements, the Policy Plan Housing Element identifies the number and types of local housing required to satisfy the City's "fair share" of regional housing needs, as determined by the SCAG Regional Housing Needs Assessment (RHNA). The "fair share" allocation ensures that each jurisdiction accepts equitable housing responsibilities for all current and future residents. A jurisdiction's "fair share" of the regional housing need is the projected total number of additional dwelling units that will be required to accommodate the anticipated growth in households, replace expected demolitions or conversions to other uses, and allow a reasonable vacancy rate providing for healthy functioning of the housing market.

Ontario's RHNA responsibility assigned by/through SCAG is 10,861 units for the 2013–2021 Housing Element planning period.[3] Within this total allocation, the City is required to plan for and otherwise accommodate housing products at three income levels: lower income (includes extremely low, very low and low income), moderate income, and above moderate income. Ontario is required to set aside sufficient land, adopt programs, and provide funding to facilitate and encourage housing production to meet the RHNA income level-based housing unit requirements. The City's current RHNA Responsibility, expressed in terms of housing units by income level, is presented at Table 4.14-4.

Table 4.14-4
RHNA Responsibility-Housing Units by Income Level
City of Ontario 2013–2021

Lower Income	Moderate Income	Above Moderate Income	Total
4,337	1,977	4,547	10,861

Source: Housing Element Technical Report, Table H-38.

[3] SCAG is in the process of developing the 6th cycle RHNA allocation plan which will cover the planning period October 2021 through October 2029. It is planned for adoption by SCAG in October 2020. See also: http://www.scag.ca.gov/programs/Pages/Housing.aspx.

Employment

Occupations by type within the City as of 2017 are presented at Table 4.14-5.

Table 4.14-5
Jobs by Sector - 2017

Sector	Percentage
Professional	17.6
Transportation	14.1
Manufacturing	13.9
Retail	13.2
Education	10.3
Wholesale	9.6
Leisure	8.5
Construction	3.8
Finance	3.1
Other	2.4
Public	2.1
Information	0.7
Agriculture	0.6

Source: http://www.scag.ca.gov/Documents/Ontario.pdf

As summarized above, the Professional sector was the largest job sector, accounting for 17.6 percent of jobs within the City. Other major sectors include Transportation (14.1 percent), Manufacturing (13.9 percent), and Retail (13.2 percent).

Total job trends (2007-2017) within the City are presented at Table 4.14-6.

Table 4.14-6
City of Ontario Job Trends 2007-2017

Year	Number of Jobs
2007	119,188
2008	114,529
2009	108,305

Table 4.14-6
City of Ontario Job Trends 2007-2017

Year	Number of Jobs
2010	107,625
2011	107,402
2012	103,313
2013	106,882
2014	110,084
2015	113,287
2016	110,080
2017	112,688

Source: http://www.scag.ca.gov/Documents/Ontario.pdf

As shown above, in 2017, there were a total of 112,688 jobs in the City, representing a 5.5 percent decrease since 2007.

Employment/Housing Balance

The concept of employment/housing balance has been widely discussed by SCAG and the South Coast Air Quality Management District (SCAQMD) over the past decade as a means of achieving regional air quality improvement goals. The basic concept is directed at minimizing commute distances, reducing infrastructure needs and costs, mitigating traffic congestion, conserving energy, and improving air quality. SCAG has incorporated employment/housing balance into its growth forecasts, and transportation and air quality policies. Underlying the term employment/housing balance is the premise that, if an area is balanced, it includes the correct number (or balance) of housing and employment opportunities, so that the majority of the people living within a given subregion can also work in that same subregion. Job-rich subregions evidence employment/housing ratios greater than the regional average, and housing-rich subregions evidence employment/housing ratios lower than the regional average.

Determining an appropriate employment/housing balance for any given geographic area is to some degree problematic, in that each locale presents differing demographic characteristics. Employment/housing ratios are also dynamic, and fluctuate over time. For

example, in 1997, the mean or "balanced" employment/housing ratio for the SCAG region was 1.25 jobs/household. Based on regional housing and employment trends, SCAG at that time projected the year 2025 regional employment/housing balance at 1.31 jobs/household.[4] Varying from both of these measures, The Ontario Plan Draft EIR states:

> " . . . SCAG considers an area balanced when the employment/housing ratio is 1.36; communities with more than 1.36 jobs per dwelling unit are considered jobs-rich and those with fewer than 1.36 are housing-rich (SCAG 2004). Additionally, the DOF estimates that a healthy employment/housing balance is one new home built for every 1.5 jobs created (Job-Center Housing Coalition, The California Alliance for Jobs)."[5]

Tables 4.14-3 and 4.14-6, presented earlier in this Section, identify recent housing (2018) and employment (2017) trends within the City. Based on the data presented within these tables, the employment/housing ratio of the City of Ontario would be 2.35 jobs/housing, which would be considered jobs-rich.

4.14.3 EXISTING POLICIES AND REGULATIONS

4.14.3.1 California Government Code-Housing Element Requirements

California Government Code (Section 65580-65589.8) requires the preparation of a Housing Element as part of each General Plan. As one component of the Ontario Policy Plan, the City adopted a 2013-2021 Housing Element update (Housing Element Technical Report).

4.14.3.2 Ontario Policy Plan Housing Element

As identified above, consistent with State Housing Element law, the City of Ontario has prepared and adopted a 2013–2021 Housing Element update, and to this end has formally

[4] *The New Economy and Employment/housing Balance in Southern California* (Southern California Association of Governments) April 2001.

[5] Policy Plan Draft EIR, pp. 5.13-7, 5.13-8

adopted *The Ontario Plan, Policy Plan Housing Element Technical Report* (PMC), adopted October 15, 2013 (*Housing Element Technical Report*).

Certain key provisions and requirements of the 2013–2021 Policy Plan Housing Element (2013–2021 Housing Element) applicable to this analysis are summarized below. The *Housing Element Technical Report* in its entirety is available through the City of Ontario Planning Department, or can be accessed at: http://www.ontarioplan.org.

General Requirements

Consistent with State requirements, and for all potentially affected economic levels, the Policy Plan Housing Element identifies available and projected housing assets, provides an assessment of current and anticipated housing needs, and establishes programs to meet those needs.

California Government Code Section 65588 requires that housing elements be updated not less frequently than every eight years, and further that each subsequent housing element identify progress achieved since adoption of the preceding housing element. The 2013–2021 Housing Element update reflects these requirements, and identifies progress in terms of achieving numerical targets for the total number of housing units required, and continuing development and implementation of programs and plans providing for successful realization of housing needs.

Regional Housing Needs Assessment

Pursuant to Government Code (GC) 65584 applicable to the Regional Housing Need Allocation (RHNA) process, the California Department of Housing and Community Development (HCD) is required to determine the RHNA, by income category, for Council of Governments (COGs). The RHNA is based on Department of Finance population projections and regional population forecasts used in preparing regional transportation plans. COGs are required to allocate to each locality a share of housing need totaling the

RHNA for each income category. Pursuant to GC 65584, localities are required to update their housing element to plan to accommodate its entire RHNA share by income category.[6]

Consistent with the requirements outlined above, the City of Ontario 2013-2021 Housing Element identifies quantities and types of local housing required to satisfy the City's "fair share" of regional housing needs, as determined by the SCAG RHNA. The intent of the SCAG RHNA "fair share" allocation is that each jurisdiction accept its equitable housing responsibilities for all current and future residents. A jurisdiction's "fair share" of the regional housing need is the projected total number of additional dwelling units that will be required to accommodate the anticipated growth in households, replace expected demolitions or conversions to other uses, and allow a reasonable vacancy rate providing for healthy functioning of the housing market. The City's 2013-2021 Housing Element RHNA Requirements, by income level, are presented at previous Table 4.14-4.

RHNA Residential Density Reduction Restrictions

Government Code Section 65863 (excerpted in pertinent part below) furthers establishment of affordable housing by ensuring that residential development satisfying a jurisdiction's identified housing element RHNA are not unduly "down-zoned" or redirected for other purposes.

> 65863. (a) Each city, county, or city and county shall ensure that its housing element inventory described in paragraph (3) of subdivision (a) of Section 65583 or its housing element program to make sites available pursuant to paragraph (1) of subdivision (c) of Section 65583 can accommodate its share of the regional housing need pursuant to Section 65584, throughout the planning period.
> (b) No city, county, or city and county shall, by administrative, quasi-judicial, legislative, or other action, reduce, or require or permit the reduction of, the

[6] *Housing Elements and Regional Housing Need Allocation*. California Department of Housing and Community Development. Web. October 7, 2014. https://www.hcd.ca.gov/community-development/housing-element/index.shtml

residential density for any parcel to, or allow development of any parcel at, a lower residential density, as defined in paragraphs (1) and (2) of subdivision (g), unless the city, county, or city and county makes written findings supported by substantial evidence of both of the following:

(1) The reduction is consistent with the adopted general plan, including the housing element.

(2) The remaining sites identified in the housing element are adequate to accommodate the jurisdiction's share of the regional housing need pursuant to Section 65584.

(c) If a reduction in residential density for any parcel would result in the remaining sites in the housing element not being adequate to accommodate the jurisdiction's share of the regional housing need pursuant to Section 65584, the jurisdiction may reduce the density on that parcel if it identifies sufficient additional, adequate, and available sites with an equal or greater residential density in the jurisdiction so that there is no net loss of residential unit capacity.

(d) The requirements of this section shall be in addition to any other law that may restrict or limit the reduction of residential density.

4.14.3.3 Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP) Goals

The Southern California Association of Governments (SCAG) is a council of governments representing Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. As the Metropolitan Planning Organization (MPO) for San Bernardino County, SCAG prepares a Regional Transportation Plan (RTP) pursuant to federal and state requirements. On April 7, 2016, SCAG adopted the 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The 2016–2040 RTP/SCS vision encompasses a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The 2016 RTP/SCS includes a strong commitment to reduce emissions from transportation sources to comply with Senate Bill 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 Project's consistency with the applicable 2016–2040 RTP/SCS goals is summarized at EIR Section 4.1, *Land Use and Planning*, Table 4.1-6.

4.14.4 STANDARDS OF SIGNIFICANCE

Appendix G of the California Environmental Quality Act Guidelines (*CEQA Guidelines*), as utilized by the City of Ontario, indicates a Project will normally have a significant effect related to population and housing if it would:

- Induce substantial unplanned population growth in the area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension or roads or other infrastructure); or

- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

4.14.5 POTENTIAL IMPACTS AND MITIGATION MEASURES

4.14.5.1 Introduction

The following discussions focus on those areas where it has been determined that the Project may result in potentially significant population and housing impacts, based on the previous discussions included within this Section and analysis presented within the EIR Initial Study (EIR Appendix A). As discussed within the Initial Study, the Project would not result in potentially significant impacts under the following consideration:

- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

This potential impact is therefore not substantively discussed further within this Section. Please refer also to Initial Study Checklist Item XIV. *Population and Housing*.

4.14.5.2 Impact Statements

Potential Impact: *Induce substantial unplanned population growth in the area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension or roads or other infrastructure).*

Impact Analysis:

Direct Population Growth Inducement

The Project does not propose residential development, and therefore would not directly result in increased City resident population. The Project represents a component of development and growth generally anticipated by the City, as reflected by the site's current Policy Plan Land Use designations (Business Park, Office Commercial, and General Commercial). Development proposed by the Project responds globally to existing and anticipated market demands of the City and region, and employment generated by the Project would be a byproduct of this anticipated growth.

Indirect Growth Inducement

Indirect population growth inducement would result from creation of additional jobs and the extension of infrastructure and services to areas not currently served, or substantial capacity/capability upgrades to existing systems and services.

Job Creation

In general terms, job creation furthers growth via wages, salaries and general fiscal benefits; increased demands for housing; and increased demands for housing, and consumer goods and services.

Table 4.14-7
Employment Comparison
Existing Policy Plan Land Uses vs. Project Land Uses

Land Use/Area	FAR/Maximum Bldg. Area (TSF)	Job Mixture	Employment Factor (Jobs/1000 SF)	Employment
Existing Policy Plan Land Uses				
Business Park/ 303.5 Acres	0.60 FAR/ 7,932 TSF	Non-Office (50%)	0.650	2,578
		Office (50%)	2.860	11,343
Office Commercial 43.3 acres	0.75 FAR/ 1,415 TSF	Non-Office (30%)	0.718	305
		Office (70%)	2.860	2,833
General Commercial/ 18.3 acres	0.40 FAR/ 319 TSF	Non-Office (90%)	0.718	206
		Office (10%)	2.860	91
Right-of-way-Other/ 11.2* Acres	---	---	---	---
Total Employment				**17,356**
Project Land Uses				
Business Park:/ 55.1 acres	0.60 FAR/ 1,441 TSF	Non-Office (50%)	0.650	468
		Office (50%)	2.860	2,061
Industrial/ 292.8 acres	0.55 FAR/ 7,014 TSF	Non-Office (90%)	0.650	4,103
		Office (10%)	2.860	2,006
Right-of-way-Other/ 28.4 Acres	---	---	---	---
Total Employment				**8,638**

Sources: Land Use Floor Area Ratio (FAR) development intensities from: The Ontario Plan Table LU-02 *Land Use Designations Summary* (City of Ontario) Amended March 2017. Job Mixture and Employment Factors from The Ontario Plan, *Buildout Methodology* (City of Ontario) Revised April 2015.

As summarized at Table 4.14-7, the Project would create an estimated 8,638 new jobs. As indicated, Project job creation would not exceed the Policy Plan employment forecasts for the subject site. Project employment and any associated growth are therefore reflected in the Policy Plan and impacts of such growth are considered and addressed in the Policy Plan EIR. Project job creation and associated growth would not result in impacts not already considered and addressed in the Policy Plan EIR.

Infrastructure Improvements

The Project would implement infrastructure improvements that are consistent with the City and purveyor master plans. Please refer to the discussion of Project improvements presented at EIR Section 3.0 *Project Description*, 3.4.3.2 *Access and Circulation*, 3.4.3.3 *Utilities Infrastructure*; and EIR Section 4.12 *Utilities and Services*. Infrastructure improvements

implemented by the Project would not only support the Project uses, but would also extend to and expand infrastructure available to off-site undeveloped portions of the City. The Project infrastructure improvements would be considered growth-inducing in that these improvements would facilitate development of currently undeveloped areas of the City. More specifically, Project infrastructure improvements would likely allow for and encourage development of the Ontario Ranch area of the City.

Ultimate development of off-site areas served by the Project infrastructure improvements would be governed by the Ontario Policy Plan [General Plan]. Environmental impacts of growth that would result from buildout of the City pursuant to the Policy Plan have been previously evaluated and addressed in the General Plan EIR. Growth that may result from or be facilitated by the Project infrastructure improvements would not result in impacts not previously considered and addressed in the General Plan EIR.

SCAG Regional Population Growth Projections

SCAG population growth projections reflect assumptions and development scenarios incorporated in local plans including City general plans. As demonstrated in the preceding discussions, the Project would not induce or generate growth beyond that reflected in the City's Policy Plan and associated Policy Plan EIR. Accordingly, the Project would not result in growth not already anticipated within SCAG population growth projections for the region.

Summary

The Project would induce growth through job creation, and the construction of infrastructure improvements.

Project job creation would not exceed employment projections developed under the Policy Plan. Growth resulting from Project job creation is anticipated under the Policy Plan, and such growth would not result in environmental impacts not already considered and addressed in the Policy Plan EIR.

Growth resulting from or facilitated by Project infrastructure improvements is anticipated under the Policy Plan, and environmental impacts attributable to such growth is considered and addressed in the Policy Plan EIR.

Additionally, the Policy Plan EIR notes that while the City of Ontario is jobs-rich, the subregion as a whole is housing-rich. The Policy Plan EIR concludes that buildout of the Ontario Plan would act to improve the job/housing balance within the subregion.

Based on the preceding discussions, the potential for the Project to induce substantial population growth in the area, either directly or indirectly is considered less-than-significant.

Level of Significance: Less-Than-Significant.

5.0 OTHER CEQA CONSIDERATIONS

5.0 OTHER CEQA CONSIDERATIONS

This Section of the EIR addresses other environmental considerations and topics mandated under the California Environmental Quality Act (CEQA). These topics include Cumulative Impacts, Alternatives to the Project, Growth Inducement, Significant Environmental Effects of the Project, and Significant and Irreversible Environmental Changes.

5.1 CUMULATIVE IMPACT ANALYSIS

The *CEQA Guidelines* (*Guidelines*) require that an EIR identify any significant cumulative impacts associated with a project [*Guidelines*, Section 15130 (a)]. When potential cumulative impacts are not deemed significant, the document should explain the basis for that conclusion. Cumulative impacts are "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." [*CEQA Guidelines*, Section 15355]. A legally adequate cumulative impact analysis comprises an analysis of a project viewed over time and in the context of other related past, present, and foreseeable probable future projects, whose impacts might compound or interrelate with those of the Project considered here.

CEQA notes that the discussion of cumulative impacts should be guided by standards of practicality and reasonableness [*Guidelines*, Section 15130 (b)]. Only those projects whose impacts might compound or interrelate with those of the Project under consideration require evaluation. CEQA does not require as much detail in the analysis of cumulative environmental impacts as must be provided for the Project alone.

The *Guidelines* identify two basic methods for satisfying the cumulative impacts analysis requirement: the list-of-projects methodology, and the summary-of-projections methodology. Because each environmental resource is affected by its surroundings in different manners, either of the two methodologies, or a combination of both, may be applied to the analysis of cumulative impacts to each resource. For example, because the approval process and construction phase of development typically takes at least one to two years, the list-of-projects method is likely to provide a more accurate projection of growth in the near term. This method may overstate potential cumulative impacts because the considered list-of-projects may include proposals that will never be developed. Similarly, because development proposals are rarely publicly known until within five (5) years of the expected development, the summary-of-projections method provides a more accurate projection of growth over the long term. This method may not accurately predict growth in any given year but aggregates various growth trends over the long term.

Where appropriate to the analysis in question, cumulative impacts are assessed with reference to a list of off-site "related projects," as described at *CEQA Guidelines* §15130(b). In this manner, the EIR appropriately characterizes and evaluates potential cumulative impacts. Consistent with direction provided in the *CEQA Guidelines,* related projects considered in these cumulative analyses are "only those projects whose impacts might compound or interrelate with those of the Project under consideration require evaluation." In this regard, it is recognized that within the context of the cumulative impacts analysis, varied criteria are employed in determining the scope and type of "cumulative projects" considered. For example, the analysis of cumulative transportation/traffic impacts evaluates the Project's transportation/traffic impacts in the context of other known or probable "related" development proposals that would discernibly affect traffic conditions within the Transportation Analysis Study Area. As another example, cumulative air quality impacts are considered in terms of the Project's contribution to other air emissions impacts affecting the encompassing Air Basin.

For each topical discussion, the cumulative geographic context is identified. This in turn relates to the amount and type of growth that is anticipated to occur within the geographic area under consideration. The way each resource may be affected also dictates the geographic scope of the cumulative impact analysis.

5.1.1 Discussion of Cumulative Impacts

Section 15139(a) of the *Guidelines* notes that "an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable, as defined at *Guidelines* Section 15065(c). Where a lead agency is examining a project with an incremental effect that is not 'cumulatively considerable,' a lead agency need not consider that effect significant, but shall briefly describe its basis for concluding that the incremental effect is not cumulatively considerable." Potential cumulative impacts for each of the EIR Sections are presented here.

For certain other areas of consideration, Project impacts are substantiated to be less-than-significant or less-than-significant as mitigated (please refer to the Initial Study, EIR Appendix A). Further, under these topics, there are no known or anticipated projects or conditions whose impacts might compound or interrelate with those of the Project, and thereby result in potentially significant cumulative impacts. No further substantive analysis is provided under these topics. These topics include:

AESTHETICS. Potential to:

- Have a substantial adverse effect on a scenic vista.

- Substantially damage scenic resources, including, but not limited to trees, rocks, outcroppings, and historic buildings within a state scenic highway.

- In a non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings.

- Create a new source of substantial light or glare, which would adversely affect the day or nighttime views in the area.

AGRICULTURE AND FOREST RESOURCES. Potential to:

- Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned "Timberland Production."

- Result in the loss of forest land or conversion of forest land to non-forest use.

- 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. Potential to:

- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

CULTURAL RESOURCES. Potential to:

- Disturb any human remains, including those interred outside of formal cemeteries.

GEOLOGY AND SOILS. Potential to:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault.

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving landslides.

- 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.

HAZARDS AND HAZARDOUS MATERIALS. Potential to:

- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

HYDROLOGY AND WATER QUALITY. Potential to:

- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

- 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 result in substantial erosion or siltation on- or off-site.

LAND USE AND PLANNING. Potential to:

- Physically divide an established community.

MINERAL RESOURCES. Potential to:

- Result in the loss of availability of a known mineral resource that would be of value to the region and to the residents of the state.

- Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

POPULATION AND HOUSING. Potential to:

- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

PUBLIC SERVICES. Potential to:

Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities the construction of which could cause significant environmental impacts for any of the public services:

- Fire Protection
- Police Protection
- Schools
- Parks
- Other public facilities

RECREATION. Potential to:

- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial deterioration of the facility would occur or be accelerated.

- Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.

WILDFIRE. Potential to:

- Substantially impair an adopted emergency response plan or emergency evacuation plan.

- Exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

- 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.

- 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.

5.1.1.1 Land Use and Planning - Cumulative Impacts

The cumulative impact area when considering potential cumulative land use and planning issues includes areas that are currently under City jurisdiction, and subject to provisions of The City of Ontario Policy Plan (General Plan), City of Ontario Zoning Ordinance, and/or other City Special Planning Documents (e.g., Specific Plans). The analysis presented here also considers the Project in the context of the land use/planning guidance included in the *2012-2035 Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy (2012-2035 SCAG RTP/SCS).*

Policy Plan Considerations

In order to accommodate land uses and development concepts proposed by the Project, the Policy Plan Land Use Element would be amended as summarized at Table 5.1-1. Approval of Policy Plan Land Use Element Amendments are requested as components of the Project Discretionary Actions (please refer to EIR Section 3.6.1, *Discretionary Actions*).

Table 5.1-1
Proposed Policy Plan (Land Use Element) Amendments

Existing	Proposed
Business Park – 314.7 acres	Business Park - 55.1 acres
Office Commercial - 43.3 acres	Industrial - 292.8 acres
General Commercial - 18.3 acres	Circulation - 28.4 acres
Total: 376. 3 Acres	**Total: 376. 3 Acres**

The proposed Policy Plan Land Use Amendments would alter the types of land uses allowed within the subject site. Notwithstanding, as substantiated at EIR Section 4.1, *Land Use and Planning*, land uses and development concepts proposed by the Project would not 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.

Zoning Considerations

The existing Zoning designation of the Project site is "Specific Plan" (SP) with an "AG" (Agriculture) Overlay. The Specific Plan Zoning district accommodates the adoption of Specific Plans pursuant to the City Development Code. Consistent with the provisions of the Project site's current Specific Plan Zoning, the Project would be implemented under the provisions and requirements of a Specific Plan (the proposed Merrill Commerce Center Specific Plan). The *Merrill Commerce Center Specific Plan* (Specific Plan) is presented in its entirety at EIR Appendix B. If adopted by the City, the Specific Plan comprise the zoning for the subject site, and would regulate all development within the site. Where the Specific Plan is silent, regulations and requirements of the City Development Code would prevail.

The proposed Specific Plan would establish land use plans, development standards, and design guidelines directing the ultimate buildout of the Project site. Land uses and development concepts reflected within the proposed Specific Plan can be feasibly implemented consistent with applicable provisions of the Policy Plan Land Use Element (as amended) and City Development Code. Prior to issuance of building permits, the City would review the final development plans for individual projects within the Specific Plan Area to ensure consistency with the Specific Plan land use plans, development standards, design guidelines; and where applicable, City Development Code requirements.

The site's current Agricultural Overlay is intended only to accommodate interim continuation of agricultural uses within the City, until such time that development is slated to occur consistent with the Policy Plan and the underlying Specific Plan zoning district. Because the Project would implement a Specific Plan development that would be

consistent with the Policy Plan as amended under the Project, the Project would have no impact on agricultural zoning designations. If the proposed Specific Plan is approved by the City, the site's current Agricultural Overlay designation would no longer be appropriate and would be removed.

Other related projects within the cumulative impact area would be required to comply with requirements of necessary land use and planning discretionary actions and permits. Mitigation would be incorporated if necessary. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts.

Based on the preceding discussion, the Project's potential contribution to cumulative land use and planning impacts is not considerable, and the cumulative effects of the Project are less-than-significant.

5.1.1.2 Transportation - Cumulative Impacts

The Project Vehicle Miles Traveled (VMT) Assessment cumulative impact area coincides with relevant Transportation Analysis Model Traffic Analysis Zones (TAZs).

Cumulative VMT Impacts

As summarized in *WRCOG SB 743 Implementation Pathway Document Package . . .* "VMT thresholds based on an efficiency form of the metric such as VMT per capita, can address project and cumulative impacts in a similar manner that some air districts do for criteria pollutants and GHGs (*WRCOG SB 743 Implementation Pathway Document Package, p. 67).* In this respect, significant and unavoidable VMT impacts at the Project level would also be considered cumulatively significant and unavoidable.

As discussed at EIR Section 4.2, *Transportation*, Project VMT impacts based on a VMT/SP metric would be significant and unavoidable at the Project level, and therefore would also be cumulatively significant and unavoidable. This conclusion is consistent with the determination that would be reached employing the City's cumulative analysis threshold wherein a "[cumulatively] significant impact would occur if the project caused total daily

VMT within the City to be higher than the no project [no build] alternative under cumulative conditions."

Other Transportation Topics

Potential to conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.
Project impacts in the context of circulation system programs/plans/ordinances/policies related VMT are addressed in the preceding discussions. Cumulatively significant and unavoidable VMT impacts are identified. The Project does not otherwise propose facilities or activities that would potentially conflict with applicable circulation system programs, plans, ordinances, and policies.

Other related projects within the cumulative impact area would similarly be required to demonstrate compliance with applicable circulation system programs, plans, ordinances, and policies, thereby minimizing potential cumulative impacts. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts.

Other than cumulative VMT impacts identified herein, the Project's contribution to cumulative impacts related to a potential conflict with a program, plan, ordinance, or policy addressing the circulation system would be less-than-significant and not cumulatively considerable. Please refer also to the discussions of potential transportation plans/policies conflicts presented at EIR Section 4.2, *Transportation*.

Potential to Create or Result in Transportation/Traffic Hazards or Result in Inadequate Emergency Access
The Project does not propose or require uses, designs, or features that would create or result in transportation/traffic hazards, or that would result in or cause inadequate emergency access. The Project would be required to comply with City traffic design and engineering standards acting to minimize the potential for the Project to result in transportation/traffic hazards or inadequate emergency access. Other related projects

within the cumulative impact area would similarly be required to conform with City traffic design and engineering standards, thereby minimizing potential cumulative impacts. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts.

Based on the preceding, the Project's potential contribution to cumulative impacts regarding increased transportation/traffic hazards and/or emergency access provisions are not considerable, and the cumulative effects of the Project are less-than-significant. Please refer also to the discussions of potential hazardous designs/emergency access impacts presented at EIR Section 4.2, *Transportation*.

5.1.1.3 Air Quality - Cumulative Impacts

The cumulative impact area for air quality considerations is generally defined by the encompassing Air Basin and boundaries of the jurisdictional air quality management agency. In this case, the South Coast Air Basin (SCAB, Air Basin) and the South Coast Air Quality Management District (SCAQMD), respectively. Project emissions within the context of SCAQMD's regional emissions thresholds provide an indicator of potential cumulative impacts within the jurisdictional Air Basin. Due to the defining geographic and meteorological characteristics of the Air Basin, criteria pollutant emissions that could cumulatively impact air quality would be, for practical purposes, restricted to the Air Basin. Accordingly, the geographic area encompassed by the Air Basin is the appropriate limit for this cumulative air quality analysis.

Construction-Source Air Quality Impacts

As discussed at EIR Section 4.3, *Air Quality*, with application of mitigation, Project maximum daily construction-source emissions would not exceed applicable SCAQMD

regional thresholds and would therefore be less-than-significant. Per SCAQMD criteria, Project-level impacts that are less-than-significant are not cumulatively considerable.[1]

Other related projects within the cumulative impact area would be required to minimize construction-source air pollutant emissions consistent with SCAQMD programs and strategies, thereby minimizing potential cumulative impacts. Mitigation would be implemented, if applicable.

Operational-Source Air Quality Impacts

Even with application of mitigation, Project operational-source VOC, NO_x, CO, PM_{10}, and $PM_{2.5}$ emissions would exceed applicable SCAQMD regional thresholds. The Basin encompassing the Project site is designated as non-attainment for ozone, PM_{10}, and $PM_{2.5}$ (VOC and NO_x are both ozone precursors; NO_x is a precursor to PM_{10}/$PM_{2.5}$). Project operational-source VOC, NO_x, PM_{10}, and $PM_{2.5}$ emissions threshold exceedances would result in a cumulatively considerable net increase in criteria pollutants (ozone and PM_{10}/$PM_{2.5}$) for which the Project region is non-attainment. These are cumulatively significant and unavoidable air quality impacts.

Other related projects within the cumulative impact area would be required to minimize operational-source air pollutant emissions consistent with SCAQMD programs and strategies, thereby minimizing potential cumulative impacts. Mitigation would be implemented, if applicable.

Overlapping Construction-Source and Operational-Source Emissions

This EIR also evaluates air quality impacts that could occur under conditions where Project construction-source emissions could potentially overlap with Project operational-source emissions. The resulting overlapping emissions would not exceed maximum

[1] The SCAQMD recognizes that there is typically insufficient information to quantitatively evaluate the cumulative contributions of multiple independent projects because each project applicant has no control over other projects. Per SCAQMD criteria, development proposals that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant.

operational-source emissions generated under Project buildout conditions, and cumulative effects would not be greater than or substantially different than those noted under the heading *Operational-Source Air Quality Impacts* above.

AQMP Consistency Impacts

A change in Policy Plan Land Use designations is proposed by the Project. It is assumed that the emissions generated by the Project's proposed land uses are not reflected in the 2016 AQMP air quality standards, interim emissions reductions targets, and emissions inventories. Consequently, development of the subject site as proposed by the Project is assumed to conflict with the 2016 AQMP. This is a significant and unavoidable impact. Per SCAQMD criteria, Project-level impacts that are significant are also cumulatively considerable.

Other related projects within the cumulative impact area would be required to minimize potential AQMP inconsistencies consistent with SCAQMD programs and strategies, thereby minimizing potential cumulative impacts. Mitigation would be implemented, if applicable.

CO Hotspot Impacts

The potential for the Project to cause or result in potential CO hotspot impacts would be less-than-significant. Per SCAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable. The potential for Project CO emissions to result in or cause cumulatively significant CO hotspot impacts is therefore considered less-than-significant.

Other related projects within the cumulative impact area would be required to minimize potential CO hotspot impacts consistent with SCAQMD programs and strategies, thereby minimizing potential cumulative impacts. Mitigation would be implemented, if applicable.

Health Risk Impacts

Potential carcinogenic and non-carcinogenic health risk impacts resulting from Project construction and operations would be less-than-significant. Per SCAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable. The potential for Project air pollutant emissions to result in or cause cumulatively significant health risk impacts is therefore considered less-than-significant.

Other related projects within the cumulative impact area would be required to minimize potential health risk impacts consistent with SCAQMD programs and strategies, thereby minimizing potential cumulative impacts. Mitigation would be implemented, if applicable.

5.1.1.4 GHG Emissions/Global Climate Change - Cumulative Impacts

CEQA emphasizes that the effects of greenhouse gas emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis (*CEQA Guidelines* Section 15130(f)). The EIR Greenhouse Gas (GHG) Analysis is by nature a cumulative analysis. Because GHG emissions and climate change are global issues, any approved project regardless of its location has the potential to contribute to a cumulative global accumulation of GHG emissions. The geographic context of the cumulative contributions to GHGs and climate change is worldwide. Practically however, lead agencies and responsible agencies are only able to regulate GHG emissions within their respective jurisdictions. Accordingly, for the purposes of this analysis, the cumulative impact area for GHG/Global Climate Change considerations is the City of Ontario and the encompassing SCAQMD jurisdictional area.

As discussed at EIR Section 4.4, *Greenhouse Gas Emissions*, even after application of mitigation, the Project could directly or indirectly generate GHG emissions that may have a significant impact on the environment. Further, the Project could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. These are significant and unavoidable impacts. The Project's potential to contribute considerably (either individually or cumulatively) to global

climate change impacts through GHG emissions is therefore considered significant and unavoidable.

Other related projects within the cumulative impact area would be required to minimize potential GHG emissions impacts consistent applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions, thereby minimizing potential cumulative GHG emissions impacts. Mitigation would be implemented, if applicable.

5.1.1.5 Noise/Vibration - Cumulative Impacts

The cumulative impact area for noise/vibration considerations is generally defined as surrounding properties that could receive Project-generated noise/vibration (either construction or operational), and would also include roadway corridors affected by Project-related traffic and associated vehicular noise/vibration. Potential noise/vibration impacts of the Project are discussed at EIR Section 4.5, *Noise*.

Construction-Source Noise/Vibration

Noise levels associated with the construction of off-site master plan infrastructure improvements would remain significant and unavoidable even with the application of mitigation. For the duration of off-site infrastructure construction activities, these impacts would also be cumulatively significant and unavoidable.

Other related projects within the cumulative impact area would be required to mitigate construction-source noise impacts that could affect sensitive receptors, thereby minimizing potential cumulative construction-source noise impacts.

Project construction-source vibration levels received at area land uses would be less-than-significant. There are no known or probable related projects that would interact with the Project's less-than-significant construction-source vibration impacts and thereby result in cumulatively significant impacts.

Operational Noise/Vibration - Area Sources

The Project's area-source operational noise levels would be less-than-significant as mitigated. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts.

Further, Project operational-source noise in combination with ambient noise would not result in cumulatively significant noise impacts. In this latter regard, the peak mitigated Project operational-source noise levels when added to ambient conditions would not exceed the maximum acceptable day/night ambient condition.

Other related projects within the cumulative impact area would be required to mitigate operational area-source noise impacts that could affect sensitive receptors, thereby minimizing potential cumulative operational-source noise impacts.

Project operational-source vibration levels received at area land uses would be less-than-significant. There are no known or probable related projects that would interact with the Project's less-than-significant operational-source vibration impacts and thereby result in cumulatively significant impacts.

Operational Noise - Mobile Sources

Cumulative effects of mobile-source noise are demonstrated by comparing noise levels under Existing Conditions (2019) without the Project, to noise levels with the completed Project under Horizon Year Conditions (2040). Cumulative mobile-source noise increases within the Study Area are summarized at Table 5.1-2. Applicable noise thresholds for each roadway segment, reflecting ambient conditions and presence/absence of sensitive receptors is also identified.

Table 5.1-2
Cumulative Mobile-Source Noise Increases

ID	Road	Segment	CNEL at Affected Property Line					Is receptor noise-sensitive?	Threshold
			Existing	2040 w/o Project	2040 w/ Project	Max. Cumulative Increase	Max. Project Increment		
1	Euclid Av.	n/o SR-60	80.7	81.7	81.7	1.0	0.0	Yes	1.5
2	Euclid Av.	n/o SR-60 EB Ramps	81.5	83.0	83.5	2.0	0.5	No	3.0
3	Euclid Av.	n/o Walnut Av.	81.6	83.1	83.6	2.0	0.5	No	3.0
4	Euclid Av.	n/o Riverside Dr.	81.3	82.8	83.4	***2.1***	0.6	Yes	1.5
5	Euclid Av.	n/o Chino Av.	80.8	82.7	83.3	***2.5***	0.6	Yes	1.5
6	Euclid Av.	n/o Schaefer Av.	81.1	82.7	83.3	***2.2***	0.6	Yes	1.5
7	Euclid Av.	n/o Edison Av.	81.4	83.0	83.5	2.1	0.5	No	3.0
8	Euclid Av.	n/o Eucalyptus Av.	81.0	82.7	83.3	2.3	0.6	No	3.0
9	Euclid Av.	n/o Merrill Av.	82.8	84.6	85.1	2.3	0.5	No	3.0
10	Euclid Av.	n/o Kimball Av.	83.0	84.5	84.9	***1.9***	0.4	Yes	1.5
11	Euclid Av.	n/o Bickmore Av.	81.1	83.4	83.8	2.7	0.4	No	3.0
12	Euclid Av.	n/o Pine Av.	81.0	82.9	83.5	2.5	0.6	No	3.0
13	Euclid Av.	s/o Pine Av.	83.6	85.1	85.4	***1.8***	0.3	Yes	1.5
14	Grove Av.	n/o SR-60	79.6	80.6	80.7	1.1	0.1	No	3.0
15	Grove Av.	n/o SR-60 EB Ramps	78.7	80.6	80.7	2	0.1	No	3.0
16	Grove Av.	n/o Walnut Av.	77.8	79.4	79.4	***1.6***	0	Yes	1.5
17	Grove Av.	n/o Riverside Dr.	76.2	77.8	77.9	***1.7***	0.1	Yes	1.5
18	Grove Av.	n/o Chino Av.	76.3	77.5	77.6	1.3	0.1	Yes	1.5
19	Grove Av.	n/o Schaefer Av.	75.8	77.1	77.2	1.4	0.1	Yes	1.5
20	Grove Av.	n/o Edison Av.	75.3	76.6	76.7	1.4	0.1	Yes	1.5
21	***Grove Av.***	***n/o Eucalyptus Av.***	***75.2***	***77.7***	***78.0***	***2.8***	***0.3***	***Yes***	***1.5***
22	Grove Av.	n/o Street A	73.7	76.7	76.7	***3***	0	Yes	1.5
23	Grove Av.	n/o Merrill Av.	73.7	76.7	76.7	***3***	0	No	3.0
24	Archibald Av.	n/o SR-60	79.5	81.0	81.0	1.5	0	No	3.0
25	Archibald Av.	n/o SR-60 EB Ramps	79.6	81.0	81.0	1.4	0	No	3.0
26	Archibald Av.	n/o Riverside Dr.	79.6	80.2	80.7	1.1	0.5	Yes	1.5
27	***Archibald Av.***	***n/o Chino Av.***	***79.2***	***80.5***	***81.0***	***1.8***	***0.5***	***Yes***	***1.5***
28	***Archibald Av.***	***n/o Schaefer Av.***	***79.1***	***81.4***	***81.9***	***2.8***	***0.5***	***Yes***	***1.5***
29	***Archibald Av.***	***n/o Edison Av.***	***79.1***	***80.7***	***81.3***	***2.2***	***0.6***	***Yes***	***1.5***
30	***Archibald Av.***	***n/o Eucalyptus Av.***	***80.0***	***81.6***	***82.4***	***2.4***	***0.8***	***Yes***	***1.5***

Table 5.1-2
Cumulative Mobile-Source Noise Increases

ID	Road	Segment	CNEL at Affected Property Line					Is receptor noise-sensitive?	Threshold
			Existing	2040 w/o Project	2040 w/ Project	Max. Cumulative Increase	Max. Project Increment		
31	***Archibald Av.***	***n/o Merrill Av.***	***80.0***	***81.6***	***82.4***	***2.4***	***0.8***	***Yes***	***1.5***
32	***Archibald Av.***	***n/o Limonite Av.***	***80.1***	***82.4***	***82.6***	***2.5***	***0.2***	***Yes***	***1.5***
33	Archibald Av.	n/o Schleisman Rd.	74.5	75.5	75.6	1.1	0.1	Yes	1.5
34	Archibald Av.	s/o Schleisman Rd.	73.9	74.8	74.8	0.9	0	Yes	1.5
35	Edison Av.	w/o Pipeline Av.	79.3	80.7	80.8	1.5	0.1	No	3.0
36	Edison Av.	w/o Ramona Av.	78.6	79.6	79.6	1	0	No	3.0
37	Edison Av.	w/o Central Av.	77.7	78.8	78.9	1.2	0.1	No	3.0
38	***Edison Av.***	***w/o Mountain Av.***	***78.3***	***80.5***	***80.5***	***2.2***	***0***	***Yes***	***1.5***
39	***Edison Av.***	***w/o San Antonio Av.***	***77.6***	***79.9***	***79.9***	***2.3***	***0***	***Yes***	***1.5***
40	***Edison Av.***	***w/o Euclid Av.***	***76.6***	***80.0***	***80.0***	***3.4***	***0***	***No***	***3.0***
41	***Edison Av.***	***e/o Euclid Av.***	***77.7***	***83.9***	***84.0***	***6.3***	***0.1***	***Yes***	***1.5***
42	***Edison Av.***	***w/o Grove Av.***	***76.9***	***84.3***	***84.4***	***7.5***	***0.1***	***Yes***	***1.5***
43	***Edison Av.***	***w/o Walker Av.***	***78.1***	***83.5***	***83.5***	***5.4***	***0***	***Yes***	***1.5***
44	***Edison Av.***	***w/o Archibald Av.***	***78.2***	***84.0***	***84.1***	***5.9***	***0.1***	***Yes***	***1.5***
45	***Edison Av.***	***w/o Haven Av.***	***80.0***	***82.4***	***82.9***	***2.9***	***0.5***	***Yes***	***1.5***
46	***Edison Av.***	***e/o Haven Av.***	***80.2***	***82.6***	***83.2***	***3***	***0.6***	***Yes***	***1.5***
47	Ontario Ranch Rd.	e/o Hamner Av.	77.7	78.9	79.4	1.7	0.5	No	3.0
48	***Eucalyptus Av.***	***w/o Bon View Av.***	***69.6***	***71.5***	***71.6***	***2***	***0.1***	***Yes***	***1.5***
49	***Eucalyptus Av.***	***w/o Flight Av.***	***66.2***	***73.6***	***74.0***	***7.8***	***0.4***	***Yes***	***1.5***
50	***Eucalyptus Av.***	***e/o Flight Av.***	***66.5***	***68.2***	***69.4***	***2.9***	***1.2***	***Yes***	***1.5***
51	***Eucalyptus Av.***	***w/o Vineyard Av.***	***66.5***	***73.4***	***73.7***	***7.2***	***0.3***	***Yes***	***1.5***
52	***Eucalyptus Av.***	***e/o Vineyard Av.***	***66.5***	***73.0***	***73.0***	***6.5***	***0***	***Yes***	***1.5***
53	***Merrill Av.***	***e/o Euclid Av.***	***75.9***	***77.8***	***80.0***	***4.1***	***2.2***	***No***	***3.0***
54	***Merrill Av.***	***w/o Grove Av.***	***76.7***	***78.4***	***80.3***	***3.6***	***1.9***	***No***	***3.0***
55	***Merrill Av.***	***e/o Grove Av.***	***76.6***	***78.5***	***80.1***	***3.5***	***1.6***	***No***	***3.0***
56	***Merrill Av.***	***e/o Flight Av.***	***77.0***	***78.8***	***80.3***	***3.3***	***1.5***	***No***	***3.0***
57	***Merrill Av.***	***w/o Vineyard Av.***	***77.1***	***78.7***	***80.2***	***3.1***	***1.5***	***No***	***3.0***
58	***Merrill Av.***	***e/o Vineyard Av.***	***77.2***	***79.1***	***80.8***	***3.6***	***1.7***	***No***	***3.0***
59	***Limonite***	***e/o Archibald Av.***	***74.4***	***77.9***	***78.2***	***3.8***	***0.3***	***No***	***3.0***
60	***Limonite***	***w/o Sumner Av.***	***74.8***	***78.2***	***78.4***	***3.6***	***0.2***	***Yes***	***1.5***

Table 5.1-2
Cumulative Mobile-Source Noise Increases

ID	Road	Segment	CNEL at Affected Property Line					Is receptor noise-sensitive?	Threshold
			Existing	2040 w/o Project	2040 w/ Project	Max. Cumulative Increase	Max. Project Increment		
61	*Limonite*	*w/o Scholar Wy.*	*74.7*	*77.6*	*77.8*	*3.1*	*0.2*	*Yes*	*1.5*
62	*Limonite*	*w/o Hamner Av.*	*74.8*	*76.9*	*77.2*	*2.4*	*0.3*	*Yes*	*1.5*
63	*Limonite*	*e/o Hamner Av.*	*75.1*	*78.1*	*78.4*	*3.3*	*0.3*	*No*	*3.0*

Source: *Merrill Commerce Center Specific Plan, Noise Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) July 28, 2020.

As indicated at Table 5.1-2, ambient noise levels along all Study Area roadway segments already exceed 65 dBA CNEL. Along these roadway segments, cumulative noise increases of 1.5 dBA CNEL or more, if received at sensitive land uses, would be considered cumulatively significant. Along roadway segments where ambient conditions exceed 70 dBA CNEL, cumulative noise increases of 3.0 dBA CNEL or more, if received at non-sensitive land uses, would be considered cumulatively significant.

Study Area roadway segments affected by cumulatively significant vehicular-source noise impacts are indicated by ***bold italicized text***. As indicated at Table 5.1-2, along all Study Area roadway segments projected to experience cumulatively significant vehicular-source noise impacts, the Project contributions would be less than the 1.5 dBA threshold at sensitive land uses, and less than the 3.0 dBA CNEL threshold at non-sensitive land uses. On this basis, Project contributions to cumulative vehicular-source noise would not be cumulatively considerable and Project impacts would not be cumulatively significant.

5.1.1.6 Hazards/Hazardous Materials - Cumulative Impacts

The cumulative impact area when considering potential hazards and hazardous materials issues includes the area to be developed within the Project site, as well as off-site locations that might be affected by or contribute to hazards or hazardous conditions resulting from the Project and its operations. The cumulative hazards and hazardous materials impact analysis evaluates the effects of Project construction and operations, and reflects long-term buildout conditions within the cumulative impact area.

As discussed at EIR Section 4.6, *Hazards/Hazardous Materials*, the Project does not propose uses or activities that would require substantial handling or use of hazardous materials, hazardous substances, or hazardous waste that could result in potential adverse effects. To the extent that such materials or substances may be present during Project construction or operations they will be transported, stored, used and disposed of consistent with multiple and broad regulatory requirements. The EIR mitigation measures require remediation of any pre-existing hazardous conditions to levels that would be less-than-significant. The mitigation measures also ensure that subsequent development and operation of Project land uses would not create or result in potentially significant hazardous conditions. As mitigated, Project impacts related to hazards and hazardous materials would be less-than-significant.

Other related projects within the cumulative impact area would be required to comply with hazards/hazardous material regulatory requirements. Mitigation would be incorporated if necessary. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts.

Based on compliance with established policies and regulations, and implementation of the EIR mitigation measures, the Project's potential contribution to hazards/hazardous materials cumulative impacts is not considerable, and the cumulative effects of the Project are less-than-significant.

5.1.1.7 Hydrology/Water Quality - Cumulative Impacts

The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area encompassed by the jurisdictional Regional Water Quality Control Board (RWQCB), in this case the Santa Ana Regional Water Quality Control Board (SARWQCB). Local oversight is also provided by the City of Ontario and San Bernardino County.

Development of the Project site would incrementally increase impervious surfaces within the cumulative impact area, with related potential increases in the rate and quantity of

local storm water discharges. As discussed at EIR Section 4.7, *Hydrology and Water Quality*, the Project's potential hydrology/water quality impacts would be less-than-significant. In this regard, the Project would implement storm water management components, and structural and non-structural Best Management Practices, which collectively act to ensure that post-development storm water discharge rates are adequately conveyed within available system capacities.

The Project drainage concept would maintain the site's primary drainage patterns, and would implement drainage systems and detention areas to accept developed storm water discharges. The Project would implement all necessary drainage and storm water management systems, and would be required to comply with all storm water system design, construction, and operational requirements mandated under the City Municipal Code. The Project drainage and storm water management systems would also be required to comply within regulations established by other jurisdictional agencies including SARWQCB, San Bernardino County, and California Department of Water Resources. Additionally, consistent with established building code regulations, approved site-specific drainage studies reflecting precise pad locations, proposed drainage structures, detention facilities, etc., would be required prior to the issuance of building permits within the Project site.

Storm water management systems implemented by the Project, mandated compliance with City, SARWQCB, County, and State storm water management requirements and policies, collectively ensure that adequate storm water conveyance and treatment facilities would be provided to support development and operations of the Project.

Other related projects within the cumulative impact area would be required to comply stormwater management and water quality regulatory requirements. Mitigation would be incorporated if necessary. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts.

Based on the preceding, contribution to cumulative hydrology/water quality impacts is not considerable, and the cumulative effects of the Project are determined to be less-than-significant.

5.1.1.8 Biological Resources - Cumulative Impacts

The cumulative impact areas for biological resources are generally defined by available habitat, species' range(s), physical constraints, and other limiting factors as discussed within the Project Biological Resource Assessment, EIR Appendix I. Biological resources occurring, or potentially occurring within the Project site, and associated impacts and mitigation are summarized below.

Special-Status Plant Species

The Project site is extensively disturbed by human activities, and evidences a ruderal non-native plant community dominated by annual grasses. The Project site does not support special-status plant species or habitats. Project impacts to special-status plant species would be less-than-significant.

Special-Status Wildlife Species

The Project could result in potentially significant impacts to the burrowing owl and white-tailed kite. The EIR incorporates mitigation measures that would reduce potential impacts to the burrowing owl and white-tailed kite to levels that would be less-than-significant.

Nesting Birds

Project implementation could affect nesting birds that may be present at the time of Project construction activities. This is a potentially significant impact. The EIR incorporates mitigation measures that would reduce potential impacts to nesting birds to levels that would be less-than-significant.

Jurisdictional Areas

Corps/Regional Board Jurisdiction

Corps/Regional Board Jurisdictional areas that would be potentially affected by implementation of the Project. The resulting loss of surface waters is a potentially significant impact. The EIR incorporates mitigation that would reduce potential impacts to Corps/Regional Board Jurisdictional areas to levels that would be less-than-significant.

CDFW Jurisdiction

Potentially affected CDFW Jurisdictional areas are heavily impacted flood control facilities. Nonetheless, the resulting loss of surface streambeds is considered a potentially significant impact. A CDFW Section 1602 Streambed Alteration Agreement would be required. The EIR incorporates mitigation that would reduce potential impacts to Corps/Regional Board Jurisdictional areas to levels that would be less-than-significant.

Riparian Habitat, Wetlands, or Other Sensitive Natural Community

No riparian habitat, wetlands, or other sensitive natural community exist within the Study Area or would otherwise be adversely affected by the Project. The potential for the Project to have a substantial adverse effect on any riparian habitat, federally protected wetlands, or other sensitive natural community is considered less-than-significant.

Wildlife Movement Corridors

The Project site is bounded by traveled roadways and developed or developing properties. The Project site does not represent a connecting link between significant habitat for wildlife areas. Based on its location within an urban context, the potential for the site to function as a significant wildlife movement corridor is considered low. Project impacts to wildlife movement corridors would be less-than-significant.

Local Policies or Ordinances Protecting Biological Resources; Habitat Conservation Plans

Certain off-site flood control improvements implemented by the Project are located within the boundary of the City of Chino Preserve Resource Management Plan (RMP). Applicable requirements of the RMP have been carried forward as part of the EIR

mitigation measures. As mitigated, potential impacts to the RMP would be less-than-significant. No other local policies or ordinances, or habitat conservation plans are applicable to, or would be potentially adversely affected by the Project.

Other related projects within the cumulative impact area would be required to comply with applicable City, CDFW, and USFWS regulatory requirements addressing biological resources. Mitigation would be incorporated if necessary. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts.

Based on the preceding discussion, the Project's potential contribution to cumulative impacts regarding biological resources is not considerable, and the cumulative effects of the Project are determined to be less-than-significant.

5.1.1.9 Geology and Soils - Cumulative Impacts

The Project site and all Southern California lie within a seismically active area, generally subject to earthquake hazards, and in this sense, Southern California is considered the cumulative impact area for geology and soils considerations. As discussed at EIR Section 4.9, *Geology and Soils*, Project impacts related to geology and soils would be less-than-significant as mitigated. The Project would not exacerbate any existing adverse geologic/soils conditions.

Other related projects within the cumulative impact area would be required to minimize geology/soils impacts consistent with City and CBC regulatory requirements, thereby minimizing potential cumulative geology/soils impacts. Mitigation would be implemented, if applicable. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts.

Based on the preceding, the Project's potential contribution to cumulative impacts regarding geology and soils is not considerable, and the cumulative effects of the Project are determined to be less-than-significant.

5.1.1.10 Cultural Resources/Tribal Cultural Resources - Cumulative Impacts

The cumulative impact area for prehistoric, archaeological, and historic resources includes the City of Ontario and surrounding areas of San Bernardino County. As discussed at EIR Section 4.10, 5 (five) buildings or structures within the Project site appear to qualify as contributing elements (Contributors) to the New Model Colony / Chino Valley Dairy Historic District (District) identified within the City of Ontario New Model Colony Area Historic Context Statement. These 5 potential Contributors to the District would be demolished to allow for implementation of the Project. Per CCR Title 14, Section 15126.4(b), the demolition or destruction of a historical resource cannot typically be fully mitigated. Demolition of potential Contributors resulting from the Project is therefore considered a significant and unavoidable impact.

The proposed demolition of potential Contributors within the Project site would contribute considerably to cumulative impacts to historic resources. In this regard, it is reasonable to expect that there will be contemporary or future instances of demolition of similar potential Contributors either through neglect; under circumstances precluding feasible rehabilitation; due to the presence of health and safety hazards requiring removal of a Contributor; or if it is determined that impacts of removing a Contributor is outweighed by the benefits afforded by a new development. There remains potential for current and future demolition of Contributors to occur within the District, which combined with demolition of the potential Contributors within the Project site would result in cumulatively significant impacts to the District. This is particularly relevant when considered in the context of historic districts, which rely on the collective significance of Contributors to be able to convey a given district's historic significance. On this basis, demolition of potential Contributors within the Project site is considered cumulatively significant and unavoidable within the context of the District.

The Project's other potential impacts to cultural resources/tribal cultural resources would be less-than-significant as mitigated.

Other related projects within the cumulative impact area would be required to minimize cultural resources/tribal cultural resources impacts consistent with City and State

regulatory requirements, thereby minimizing potential cumulative cultural resources/tribal cultural resources impacts. Mitigation would be implemented, if applicable.

Based on the preceding, the demolition of potential District Contributors within the Project site is considered to be a cumulatively significant and unavoidable impact. The Project's potential contributions to other cumulative impacts regarding cultural resources/tribal cultural resources would not be considerable, and these cumulative effects would be less-than-significant.

5.1.1.11 Agricultural Resources - Cumulative Impacts

The cumulative impact area when considering potential cumulative agricultural resources impacts includes areas that are currently under City jurisdiction and subject to provisions of The Ontario Policy Plan; surrounding San Bernardino County, and the State of California.

The Ontario Plan EIR concluded that buildout of the City pursuant to the Policy Plan would result in cumulatively significant and unavoidable agricultural resources impacts. As discussed at EIR Section 4.11, *Agricultural Resources*, Project impacts related to agricultural resources would be significant and unavoidable. These Project impacts would contribute considerably to cumulatively significant and unavoidable agricultural resources impacts. Cumulative effects of the Project's significant and unavoidable agricultural resources impacts are consistent with those already considered and addressed in The Ontario Plan EIR.

5.1.1.12 Utilities and Service Systems - Cumulative Impacts

The cumulative impact area when considering potential cumulative utilities and service systems impacts comprises affected purveyor service areas including service sources/supplies, and service conveyance/distribution/treatment facilities.

As discussed at EIR Section 4.12, *Utilities & Service Systems,* the Project would implement all necessary on-site infrastructure improvements and would also construct area-serving

off-site master plan infrastructure improvements. Utilities and service systems distribution and conveyance lines implemented by the Project would be constructed, operated, and maintained pursuant to purveyor requirements and consistent with applicable infrastructure master plans. Infrastructure improvements would be located within existing improved streets or otherwise disturbed properties, thereby limiting or avoiding potential environmental impacts.

This EIR evaluates likely maximum impacts associated with all Project actions and operations, including but not limited to construction and operation of utilities and service systems distribution and conveyance lines. Construction and operation of the Project utilities and service systems distribution and conveyance lines would not result in conditions or environmental impacts not already considered and addressed elsewhere in this EIR.

At properties adjacent to off-site master plan infrastructure improvements implemented by the Project, construction-source noise impacts are recognized as significant and unavoidable (see: EIR Section 4.5, *Noise*). Additionally, conversion of off-site agricultural lands to non-agricultural purposes could result from construction of area-serving master plan infrastructure improvements. These impacts are recognized as significant and unavoidable (see: EIR Section 4.11, *Agricultural Resources*). Mitigation proposed in this EIR under other environmental topics would also address potential impacts associated with construction and operation of utilities and service systems distribution and conveyance lines.

The EIR discussion of potential utilities and services impacts also substantiates the following:

- Water supplies would be available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years. Details in these regards are presented in the Project Water Supply Assessment (WSA), EIR Appendix M.

- There exists sufficient wastewater treatment capacity to serve the Project's projected demand in addition to the provider's existing commitments;

- Landfills serving the Project have sufficient permitted capacity to accommodate the Project's solid waste disposal needs; and

- The Project would comply with federal, state, and local statutes and regulations related to solid waste.

Other related projects within the cumulative impact area would be required to minimize utilities and services impacts consistent with City, State, and service purveyor requirements, thereby minimizing potential cumulative utilities and services impacts. Mitigation would be implemented, if applicable. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts.

Based on the preceding, cumulatively significant and unavoidable construction-source noise impacts and cumulatively significant agricultural resources impacts could result from Project construction of master plan area-serving utilities and service systems. These impacts are considered and addressed in detail at EIR Sections 4.5, *Noise* and 4.11, *Agricultural Resources,* respectively.

All other Project contributions to cumulative impacts regarding utilities and service systems would not be considerable, and the cumulative effects of the Project would be less-than-significant.

5.1.1.13 Energy - Cumulative Impacts

The geographic scope of cumulative energy impacts is limited to the energy provider service area(s). The analysis at EIR Section 4.13, *Energy*, substantiates that the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. These plans and policies address development-level and cumulative impacts to energy resources. Project consistency with state and local plans for renewable energy

and energy efficiency demonstrates that the Project energy impacts would not be cumulatively considerable, and the Project cumulative energy impacts would be less-than-significant.

As with the Project, other developments within the energy provider service areas would be required to demonstrate compliance with state and local plans for renewable energy and energy efficiency. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts.

Based on the preceding, the Project's potential contribution to cumulative impacts regarding energy is not considerable, and the cumulative effects of the Project are determined to be less-than-significant.

5.1.1.14 Population and Housing - Cumulative Impacts

The cumulative impact area for population and housing considerations is the City of Ontario and the encompassing SCAG Region. As discussed at EIR Section 4.14, *Population and Housing*, the Project would not result in potentially significant population and housing impacts. The EIR discussions further substantiate that the Project would be consistent with applicable goals, policies, and strategies addressing cumulative population, housing, and employment growth; and balance of these demographic elements within the City and the SCAG Region.

Other related projects within the cumulative impact area would be required to minimize population and housing impacts consistent with City and State regulatory requirements, thereby minimizing potential cumulative population and housing impacts. Mitigation would be implemented, if applicable. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts.

Based on the preceding discussion, the Project's potential contribution to cumulative impacts regarding population and housing impacts is not considerable, and the cumulative effects of the Project are determined to be less-than-significant.

5.2 ALTERNATIVES ANALYSIS

CEQA Guidelines Section 15126.6 provides that an EIR must describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain the basic Project objectives, but would avoid or substantially lessen any of the significant environmental effects of the proposal. As further presented in the *CEQA Guidelines*, an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation. To this end, the *CEQA Guidelines* indicate that the range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision.

Consistent with provisions of the *CEQA Guidelines*, the following analysis presents a reasonable range of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of the basic Project Objectives. Supporting reasoning behind the selection of alternatives is presented together with a summary description of each alternative. The merits of the selected alternatives compared to the Project are described and evaluated.

The alternatives analysis concludes with identification of the environmentally superior alternative. If the environmentally superior alternative is the No Project Alternative, the *CEQA Guidelines* require that one of the remaining considered Alternatives be identified as the environmentally superior selection.

5.2.1 Alternatives Overview

Descriptions of, and the rationale underlying, the alternatives considered in this EIR are presented below. As provided for under CEQA, the ultimate rationale underlying the development and selection of alternatives to the Project is the reduction or avoidance of

otherwise resulting significant environmental impacts, while allowing for attainment of the basic Project Objectives. Alternatives considered in detail include:

- No Project Alternative: No Build;
- No Project Alternative: Development per Existing Policy Plan Land Uses; and
- Reduced Intensity Alternative.

As provided for at *CEQA Guidelines* 15126.6(c), alternatives that were considered by the lead agency but were rejected as infeasible are also identified. These included:

- Alternative Sites;
- "No Threshold Exceedance" Alternative for Significant Transportation Impacts;
- "No Threshold Exceedance" Alternative for Significant Air Quality Impacts;
- "No Threshold Exceedance" Alternative for Significant GHG Impacts;
- "No Threshold Exceedance" Alternative for Significant Noise Impacts;
- Preservation Alternatives for Significant Historical Resources Impacts;
- "No Threshold Exceedance" Alternative for Significant Agricultural Resources Impacts.

The above-listed Alternatives are described in greater detail at Section 5.2.2, *Description of Alternatives* and 5.2.3, *Alternatives Considered and Rejected*. To provide context for the subsequent consideration of Alternatives, significant Project impacts are summarized below, and the Project Objectives are restated.

5.2.1.1 Summary of Significant and Unavoidable Impacts

Significant Transportation Impacts

EIR Section 4.2, *Transportation*, details the Project's potential transportation impacts. As discussed in that Section, even after compliance with applicable regulations and requirements, and application of mitigation measures, the Project would result in certain significant and unavoidable VMT impacts, summarized below.

Vehicle Miles Traveled (VMT) Impacts

The Project VMT Assessment estimates the Project VMT/Service Population (Project VMT/SP) and compares the Project VMT/SP to a calculated City Average Existing VMT/SP. Project VMT/SP that would exceed 85 percent of the City Average Existing VMT/SP would be considered a potentially significant VMT impact. Potentially significant VMT impacts are mitigated through implementation of Transportation Demand Management (TDM) measures. Even with implementation of proposed TDM measures, Project VMT impacts would be individually and cumulatively significant and unavoidable.

Significant Air Quality Impacts

EIR Section 4.3, *Air Quality*, details the Project's potential air quality impacts. As discussed in that Section, even after compliance with applicable regulations and requirements, and application of mitigation measures, the Project would result in the following significant and unavoidable air quality impacts:

- Project operational-source VOC, NO_x, CO, PM_{10}, and $PM_{2.5}$ emissions would exceed applicable SCAQMD regional thresholds and per AQMD criteria would be significant. Per SCAQMD criteria, Project-level impacts that are significant are also cumulatively considerable. Project operational-source VOC, NO_x, PM_{10}, and $PM_{2.5}$ emissions threshold exceedances would result in a cumulatively considerable net increase in criteria pollutants (ozone and $PM_{10}/PM_{2.5}$) for which the Project region is non-attainment. These are cumulatively significant and unavoidable air quality impacts.

- Because a change in land use is proposed by the Project, it is assumed that air pollutant emissions generated by the Project are not reflected in the 2016 AQMP air quality standards, interim emissions reductions targets, and emissions inventories. Consequently, development of the subject site as proposed by the Project is assumed to conflict with the 2016 AQMP. This is a significant and unavoidable impact. Per SCAQMD criteria, this significant impact at the Project-level would also be cumulatively considerable.

Significant GHG Emissions Impacts

EIR Section 4.4, *Greenhouse Gas Emissions*, details the Project's potential GHG emissions impacts. As discussed in that Section, even after compliance with applicable regulations and requirements, and application of mitigation measures, the Project could directly or indirectly generate GHG emissions that may have a significant impact on the environment. Further, the Project could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the GHG emissions. The Project's potential to contribute considerably (either individually or cumulatively) to global climate change impacts through GHG emissions is therefore considered significant and unavoidable.

Significant Noise Impacts

EIR Section 4.5, *Noise*, details the Project's potential noise impacts. As discussed within that Section, even after compliance with applicable regulations and requirements, and application of mitigation measures, noise impacts associated with Project construction of off-site master plan infrastructure improvements would be individually and cumulatively significant and unavoidable for the duration of off-site master plan infrastructure construction activities.

Significant Cultural (Historic) Resources Impacts

As discussed at EIR Section 4.10, *Cultural/Tribal Cultural Resources*, 5 (five) buildings or structures within the Project site appear to qualify as contributing elements (Contributors) to the New Model Colony / Chino Valley Dairy Historic District (District) identified within the City of Ontario New Model Colony Area Historic Context Statement. These 5 (five) potential Contributors to the District would be demolished to allow for implementation of the Project. Per CCR Title 14, Section 15126.4(b), the demolition or destruction of a historical resource cannot typically be fully mitigated. Demolition of potential Contributors resulting from the Project is therefore considered a significant and unavoidable impact.

The proposed demolition of potential Contributors within the Project site would contribute considerably to cumulative impacts to historic resources. In this regard, it is

reasonable to expect that there will be contemporary or future instances of demolition of similar potential Contributors either through neglect; under circumstances precluding feasible rehabilitation; due to the presence of health and safety hazards requiring removal of a Contributor; or if it is determined that impacts of removing a Contributor is outweighed by the benefits afforded by a new development. There remains potential for current and future demolition of Contributors to occur within the District, which combined with demolition of the potential Contributors within the Project site would result in cumulatively significant impacts to the District. This is particularly relevant when considered in the context of historic districts, which rely on the collective significance of Contributors to be able to convey a given district's historic significance. On this basis, demolition of potential Contributors within the Project site is considered cumulatively significant and unavoidable within the context of the District.

Significant Agricultural Resources Impacts

As substantiated at EIR Section 4.11, *Agricultural Resources*, the Project would result in conversion of on-site Farmland to urban uses. Additional conversion of off-site agricultural lands to non-agricultural purposes could also occur as a result of Project construction of master plan infrastructure improvements. These are considered to be individually and cumulatively significant and unavoidable impacts. However, the Project would not cause or result in significant and unavoidable agricultural resources impacts and loss of Farmland impacts beyond those already considered and addressed in the Ontario Sphere of Influence (New Model Colony [Ontario Ranch]) General Plan [Policy Plan] Amendment EIR, The Ontario Plan EIR, and the [City of Ontario] Infrastructure Master Plans MND. The Project would not result in new significant and unavoidable agricultural resources impacts and loss of Farmland not otherwise occurring pursuant to the Policy Plan Land Use Plan.

5.2.1.2 Project Objectives

The primary goal of the Project is the development of the subject site with a productive mix of business park and light industrial uses. Complementary Project Objectives include the following:

- Implement a Specific Plan development supporting business park and industrial uses providing a broad range of long-term employment opportunities.

- Implement business park and industrial uses providing a broad range of additional construction employment opportunities.

- Provide safe and convenient access for trucks in a manner that minimizes any potential disruption to residential areas.

- Provide business park and industrial uses near existing roadways and freeways to reduce traffic congestion and air emissions.

- Facilitate goods movement locally, regionally, nationally, and internationally.

- Provide land uses that are compatible with surrounding land uses and that would not conflict with the policies and environmental constraints identified in the Policy Plan.

- Support the Policy Plan vision for urbanization of the Ontario Ranch area of the City.

- Establish new development that would further the City's near-term and long-range fiscal goals.

- Improve the regional jobs/housing balance.

Please refer also to EIR Section 3.5, *Project Objectives*.

5.2.2 Description of Alternatives

Alternatives to the Project considered in this analysis include:

- No Project Alternative: No Build;

- No Project Alternative: Development per Existing Policy Plan Land Uses;
- Alternative Sites;
- "No Threshold Exceedance" Alternative for Significant Transportation Impacts;
- "No Threshold Exceedance" Alternative for Significant Air Quality Impacts;
- "No Threshold Exceedance" Alternative for Significant GHG Impacts;
- "No Threshold Exceedance" Alternative for Significant Noise Impacts;
- Preservation Alternatives for Significant Historical Resources Impacts;
- "No Threshold Exceedance" Alternative for Significant Agricultural Resources Impacts; and
- Reduced Intensity Alternative.

Descriptions of the selected Alternatives are provided below.

5.2.2.1 No Project Alternatives

Overview

The *CEQA Guidelines* require that the EIR include in its evaluation of Alternatives a "No Project" Alternative. Within this analysis, two No Project scenarios are considered – "No Build" and "Development per Existing Policy Plan Land Uses."

No Project Alternative: No Build

If a No Build scenario were maintained, its comparative environmental impacts would replicate the existing conditions discussions for each of the environmental topics evaluated in this EIR; and comparative impacts of the Project would be as presented under each of the EIR environmental topics. A No Build condition would achieve none of the basic Project Objectives.

No Project Alternative: Development per Existing Policy Plan Land Uses

The No Project Alternative: Development per Existing Policy Plan Land Uses (Existing Policy Plan Land Uses) scenario represents foreseeable development of the subject site pursuant to the site's current Policy Plan Land Use designations. Table 5.2-1 compares the composition and scope of uses under the Project with development that could result under the Existing Policy Plan Land Uses scenario.

Table 5.2-1
Site Development Comparison
Project and No Project Alternative: Existing Policy Plan Land Uses

Project	No Project Alternative: Existing Policy Plan Land Uses
Policy Plan Land Use Designation	**Policy Plan Land Use Designation**
Business Park: 55.1 acres; 1,441,000 building sf	Business Park: 314.7 acres; 8,225,000 building sf
N/A	Office Commercial: 43.3 acres; 1,414,600 building sf
N/A	General Commercial: 18.3 acres; 318,900 building sf
Industrial: 292.8 acres; 7,014,000 building sf	N/A
Circulation: 28.4 Acres	N/A
Total: 376. 3 Acres; 8,455,000 building sf	**Total: 376. 3 Acres; 9,958,500 building sf**

Sources: Policy Plan Land Use Element; Merrill Commerce Center Specific Plan.
Notes:
1. Maximum building square footage calculated by multiplying the total acreage of each land use by the anticipated floor area ratio (FAR) for the respective land use designation. Per Policy Plan Table LU-02 Land Use Designations Summary Table: Industrial FAR = 0.55; Business Park FAR = 0.60; General Commercial FAR = 0.040; Office Commercial FAR = 0.75.

5.2.2.2 Reduced Intensity Alternative

The Reduced Intensity Alternative focuses on a development scenario that would reduce the significant operational-source air quality impacts otherwise occurring under the Project.

Of the total operational-source emissions generated by the Project, approximately 90 percent (by weight) would be generated by Project traffic. An effective way to reduce the Project operational-source emissions would therefore be an Alternative that would reduce the total amount of traffic generated by the Project. Based on the reduction in total traffic, the Reduced Intensity Alternative would also reduce the scope and/or intensity of significant transportation impacts, air quality impacts, and GHG emissions impacts that would result from implementation of the Project.

For purposes of the EIR Alternatives Analysis, the Reduced Intensity Alternative would implement the proposed Merrill Commerce Center Specific Plan uses at an approximately 25 percent reduction in overall development intensity. The mix of land uses proposed by the Project would be proportionally maintained under the Reduced Intensity Alternative. When compared to the approximately 8,455,000 square feet of light industrial/business park uses proposed by the Project, the Reduced Intensity Alternative

would realize approximately 6,341,000 square feet of light industrial/business park development. Development under the Project and the Reduced Intensity Alternative is compared at Table 5.2-2.

Table 5.2-2
Site Development Comparison
Project and Reduced Intensity Alternative

Project	Reduced Intensity Alternative
Business Park: 55.1 acres; 1,441,000 building sf	Business Park: 55.1 acres; 1,081,000 building sf
Industrial: 292.8 acres; 7,014,000 building sf	Industrial: 292.8 acres; 5,260,000 building sf
Circulation: 28.4 Acres	Circulation: 28.4 Acres
Total: 376. 3 Acres; 9,958,500 building sf	**Total: 376. 3 Acres; 6,341,000 building sf**

Sources: Project Development - Merrill Commerce Center Specific Plan; Reduced Intensity Alternative Development - Applied Planning, Inc.

5.2.3 Alternatives Considered and Rejected

5.2.3.1 Alternative Sites Considered and Rejected

As stated at *CEQA Guidelines* §15126.6 (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] 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." *CEQA Guidelines* §15126.6 (f) (1) also provides that when considering the feasibility of potential alternative sites, the factors that may be taken into account include: "site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), 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). None of these factors establishes a fixed limit on the scope of reasonable alternatives."

As discussed below, relocation of the Project would not avoid or substantially lessen the Project's significant environmental impacts. Further, there are no feasible alternative sites

under control or likely control of the Applicant that would allow for relocation of the Project in a manner that could substantially reduce the Project's significant environmental impacts.

Significant Transportation Impacts Not Substantially Reduced at Alternative Site

- Relocation to an Alternative Site is not likely to achieve any measurable reduction in the Project's VMT impacts. VMT impacts are influenced by the Project location, but are also a product of the Project land uses. Relocation of the Project within the City could shorten certain worker commutes trip lengths; however, others could be lengthened. There is no demonstrable evidence indicating that worker trip lengths would be substantially altered by relocation of the Project. Further, Project truck trip lengths are determined by SCAQMD trip length modeling protocols, and would not be affected by relocation of the Project site. Additionally, there are no feasible alternative sites under control or likely control of the Applicant that would allow for relocation of the Project and associated reassignment of traffic in a manner that could substantially reduce VMT impacts.

Significant Air Quality Impacts Not Substantially Reduced at Alternative Site

- Relocation to an Alternative Site would not likely achieve any measurable reduction in the Project's regional operational-source air quality impacts and contributions to nonattainment conditions. Relocation of the Project anywhere within the South Coast Air Basin would not alter or diminish the significance of this impact.

- The AQMP land use inconsistency resulting from the Project could not be feasibly avoided by relocation of the Project to an alternative site. That is, there are no alternative sites under control or likely control of the Applicant that would allow for relocation of the Project and that would preclude changes in land use designations.

Significant Noise Impacts Not Substantially Reduced at Alternative Site

- Significant noise impacts are assumed to occur at land uses adjacent to alignments of off-site master plan infrastructure to be constructed by the Project. These infrastructure alignments are determined by, and are consistent with, City infrastructure master plans. These master plan infrastructure alignments are beyond the control of the Applicant. Relocation of the Project would not substantially alter master plan infrastructure alignments, or substantially diminish construction-source noise impacts that are assumed to occur at adjacent land uses. Moreover, there are no alternative sites under control or likely control of the Applicant that would allow for relocation of the Project and that would substantially reduce construction-source noise impacts affecting land uses adjacent to infrastructure alignments.

Significant GHG Emissions Impacts Not Substantially Reduced at Alternative Site

- GHG emissions impacts are, by definition, cumulative and global in their effects. Relocation of the Project would not alter or diminish the significance of its GHG emissions impacts.

Significant Impacts to Historical Resources Not Substantially Reduced at Alternative Site

- Consistent with City requirements, the EIR incorporates mitigation that would reduce impacts to the 5 potential contributors to historical resources to the extent feasible. However, buildout of the City as envisioned under The Ontario Plan would ultimately result in urbanization of the area and would not allow for relocation of the Project in manner that would preclude or substantially reduce historical resources impacts otherwise resulting from the Project. In this regard, the Ontario Plan EIR recognizes that implementation of the Proposed General Plan Land Use Plan could threaten historic resources, and recognizes these impacts as significant and unavoidable (General Plan EIR, pp. 5.5-23, 5.5-24). Moreover, there are no alternative sites of under control or likely control of the Applicant that would allow for relocation of the Project and that would substantially reduce potential impacts to historic resources.

Significant Agricultural Resources Impacts Not Substantially Reduced at Alternative Site

- The Project's significant agricultural resources impacts are consistent with the significant agricultural resources impacts anticipated under buildout of the City. In this regard, The Ontario Plan envisions the City buildout condition comprising urban mixed-use, commercial, industrial, and residential land uses. The Ontario Plan vision does not support the continuation of existing agricultural uses. In this latter regard, existing agricultural uses within the City are becoming economically unsustainable and represent land uses that are increasingly incongruous with continuing urbanization of the City. Moreover, there are no alternative sites under control or likely control of the Applicant that would allow for relocation of the Project and that would substantially reduce agricultural resources impacts.

Based on the preceding considerations, analysis of an Alternative Site as means of reducing the Project's significant environmental impacts was not further considered.

5.2.3.2 "No Threshold Exceedance" Alternative for Significant VMT Impacts Considered and Rejected

VMT impacts are defined in terms of miles traveled per service population (VMT/SP). Reduction in VMT impacts could therefore be potentially reduced by diminishing aggregate VMT relative to the service population, or increasing the service population relative to VMT. VMT for the Project are fixed by its location and land use context. As noted previously in these discussions, relocation of the Project would likely not substantially reduce VMT. The Project Service Population is a function of the land uses proposed. Alteration of the Project land uses would be required in order to significantly increase the Service Population while maintaining or decreasing VMT, and thereby improve the VMT/SP ratio and diminish potential VMT impacts. Such land use alterations would result in some undefined development concept other than the Project evaluated in this EIR. Analysis of this other, undefined development would be speculative and would not support the Project Objectives; and is therefore not considered here.

Based on the preceding, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant.

5.2.3.3 "No Threshold Exceedance" Alternative for Significant Air Quality Impacts Considered and Rejected

In order to reduce Project operational-source air quality emissions to levels that would preclude exceedance of all SCAQMD thresholds, the Project scope would need to be reduced by approximately 90 percent (this would achieve the most restrictive threshold [NO_x] and all subordinate thresholds). At such a reduction in scope the Project Objectives would not be realized in any meaningful sense. As such, potential alternatives with the specific goal of avoiding all significant operational-source air quality impacts resulting from the Project were rejected from consideration, and are not further evaluated in this discussion.

Project operational-source emissions threshold exceedances would result in a cumulatively considerable net increase in criteria pollutants for which the Project region is non-attainment. For the same reasons noted above, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant. However, this impact and all operational-source air quality impacts would be diminished under the EIR Reduced Intensity Alternative.

The Project proposes Policy Plan Land Use amendments that would allow for implementation of the Project uses. Because the Project's proposed Policy Plan Land Uses designations are not reflected in the AQMP, the Project is considered to be inconsistent with AQMP emissions assumptions and projected AQMP emissions inventory. To maintain AQMP consistency, avoidance of the proposed amendments to the site's current Policy Plan Land Use designations would be required. This would effectively negate the Project in total. Additionally, there are no alternative locations under control or likely control of the Applicant that would preclude any potential change in land use designations, thereby avoiding potential inconsistencies with the AQMP.

Based on the preceding, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant.

5.2.3.4 "No Threshold Exceedance" Alternative for GHG Emissions Impacts Considered and Rejected

The Project cannot feasibly achieve no net increase in GHG emissions, nor can the applicable City of Ontario Climate Action Plan (CAP) screening-level threshold (3,000 MTCO2e/year) be achieved. In this regard, the majority (approximately 70 percent) of the Project GHG emissions would be generated by Project vehicular sources. Responsibility and authority for regulation of vehicular-source emissions resides with the State of California (CARB, et al.). Neither the Applicant nor the Lead Agency can effect or mandate substantial reductions in vehicular-source GHG emissions, much less reductions that would achieve no net increase condition or achieve the CAP screening-level 3,000 MTCO2e/year threshold. In effect, all Project traffic would need to be eliminated or be "zero GHG emissions sources" in order to achieve the CAP threshold. There are no feasible means to or alternatives to eliminate all Project traffic, or to ensure that Project traffic would zero GHG emissions sources. In terms of its practical application, this would constitute a "no build" condition.

The Project would implement all feasible measures to provide consistency with the current CAP and pending CAP update. The CAP as updated by the City may implement performance standards and GHG emissions reduction targets differing from the current CAP. There is therefore the potential for Project development proposals to conflict with as-yet-unknown performance standards and GHG emissions reduction targets implemented under the pending CAP updates, and thereby result in GHG emissions that would be considered to represent a significant impact on the environment. Moreover, it cannot be assured that the CAP as updated by the City would be determined to be consistent with applicable State and regional plans adopted for the for the purpose of reducing the emissions of greenhouse gases. There are no feasible alternatives that would ensure consistency with the pending CAP update, or to ensure that the CAP update would be consistent with applicable State and regional plans adopted for the purpose of reducing the emissions of greenhouse gases.

Based on the preceding, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant.

5.2.3.5 "No Threshold Exceedance" Alternative for Significant Construction-Source Noise Impacts Considered and Rejected.

Construction-source noise impacts resulting from construction of off-site master plan infrastructure improvements would be significant and unavoidable. Construction-source noise impacts reflect maximum noise levels generated by likely operations of typical construction equipment. The types and quantities of equipment employed, and associated maximum noise levels generated, would not differ substantially under any reasonable scenario for construction of off-site master plan infrastructure.

Based on the preceding, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant.

5.2.3.6 Preservation Alternatives for Significant Historical Resources Impacts Considered and Rejected

Consistent with City requirements, this EIR incorporates mitigation that would reduce impacts to historical resources to the extent feasible. However, even with application of mitigation, impacts would be significant and unavoidable. In this regard, the Ontario Plan EIR recognizes that implementation of the Proposed Land Use Plan could threaten historic resources and recognizes these impacts as significant and unavoidable (General Plan EIR, pp. 5.5-23, 5.5-24). Preservation Alternatives that could lessen or avoid impacts to historical resources were also considered, but were ultimately determined to be infeasible and were therefore rejected. These Alternatives and the basis for their rejection are summarized below:

- **In Situ Retention:** In situ of these contributors would be incompatible with, and would conflict with the proposed Specific Plan Land Use Plan, Development Standards, and Design Guidelines and would not allow for implementation of the Project. In situ retention of these contributors is therefore not considered feasible.

- **Retention and Adaptive Reuse:** Similarly, retention and adaptive reuse of these contributors would be incompatible with, and would conflict with the proposed Specific Plan Land Use Plan, Development Standards, and Design Guidelines and would not allow for implementation of the Project. Retention of and adaptive use of these contributors is therefore not considered feasible.

- **Relocation:** Relocation of the contributors may be possible, pending identification of a recipient site that is within the New Model Colony [Ontario Plan] boundaries and that maintains similar setting and location, and historic associations. Additionally, each relocated building should retain original materials and design features that give evidence of original workmanship and feeling/aesthetic such that the resource, upon relocation, maintains the ability to convey its identified significance. There are no designated recipient sites that meet the relocation criteria noted. Moreover, buildout of the City as envisioned under The Ontario Plan would ultimately result in urbanization of the area and would not allow for relocation at a recipient site that maintains similar setting, and location, and historic associations for the affected contributors. Relocation of the contributors is therefore considered infeasible.

Based on the preceding, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant.

5.2.3.7 "No Threshold Exceedance" Alternative for Significant Agricultural Resources Impacts Considered and Rejected

The Ontario Plan vision does not support the continuation of existing agricultural uses within the City. In this regard, existing agricultural uses within the City are becoming economically unsustainable and represent land uses that are increasingly incongruous with continuing urbanization of the City.

Long-term maintenance of agricultural/farmland uses within the Project site would therefore be contrary to Policy Plan Land Use Plan and the goals of the Ontario Plan. Persisting agricultural/farmland uses within the Project site would likely result in on-

going and increasing land use incompatibilities as surrounding areas continue to urbanize as envisioned under the Policy Plan. Long-term maintenance of agricultural/farmland uses within the Project would therefore potentially exacerbate rather than reduce environmental impacts. Further, transition of the Project site from agricultural/farmland uses and associated significant impacts to agricultural uses are consistent with and have been previously addressed in certified/adopted City environmental documents. The Project would not result in significant agricultural resources impacts not already considered and addressed in these documents.

Moreover, there are no alternative sites under control or likely control of the Applicant that would allow for relocation of the Project and that would substantially reduce agricultural resources impacts. 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 Policy Plan 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.

Additionally, creation of new Farmland-status properties within the City could result in new and additional adverse impacts to the environment associated with typical farm/dairy operations, including but not limited to:

- Animal waste and creation of methane gas, and soil contamination from nitrates and ammonia.
- Use of petroleum products and above ground storage tanks (ASTs) used for fueling, maintaining, and repairing farm equipment.
- Use of formaldehyde, iodine, glycerol, muriatic acid and chlorinated alkaline as cleaning solutions. Application of pesticides to prevent parasite infestations.
- Holding ponds for contaminated runoff from agricultural/dairy farm operations and discharge of wastewater from these processes to pastures or to the area drainage system.

- Accumulating general debris that may have the potential to impact on-site surficial soil.
- Potential presence of septic systems.

These adverse impacts would be amplified at the interface of any agricultural uses imposed within the City's urbanizing context.

Further, creation of new Farmland-status properties outside the City is beyond the Lead Agency and Applicant 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. Additionally, creation of new Farmland-status properties at extra-jurisdictional locations could result in adverse impacts noted above. These impacts would be similar to those the City has experienced, and seeks to avoid through implementation of the Policy Plan Land Use Plan.

Based on the preceding, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant.

5.2.4 Comparative Impacts of Alternatives

For each environmental topic addressed in the EIR, the following analyses present an assessment of comparative impacts of Alternatives to the Project. At the conclusion of these discussions, Table 5.2-6 summarizes and compares relative impacts of the Project and the considered Alternatives.

5.2.4.1 Land Use and Planning - Comparative Impacts

In order to implement the Project approval of certain discretionary actions, consultation, and permitting would be required. The Project would comply with associated requirements incorporated therein. Potential land use and planning impacts of the Project would be less-than-significant. See also: EIR Section 4.1, *Land Use and Planning*.

No Project Alternative: No Build

Under this Alternative, existing land use/planning conditions would be maintained (see: EIR Section 4.1, *Land Use and Planning*, 4.1.2, *Setting*). This Alternative would realize no new development and would require no land use or planning discretionary actions or permits. In this respect, land uses and planning impacts would be decreased when compared to the Project. However, this Alternative would not support the City's long-range vision for the subject site, under which the site would be developed with Specific Plan Business Park, Office Commercial, and General Commercial Land Uses. Further, maintenance of the site's current dairy farm and trucking operations uses would become increasingly incompatible with surrounding land uses as the encompassing Ontario Ranch area develops with urban uses pursuant to the Policy Plan. In this latter regard, land use and planning impacts under this Alternative may be increased when compared to the Project.

No Project Alternative: Existing Policy Plan Land Uses

The No Project Alternative: Existing Policy Plan Land Uses scenario assumes development of the subject site consistent with the site's existing Policy Plan Land Use designations. This Alternative would not require amendment of the site's Policy Plan Land Uses as proposed by the Project. Because this Alternative would not require Policy Plan Land Use amendments, the scope of requested/necessary discretionary actions would be incrementally decreased when compared to the Project. Potential land use and planning impacts attributable to Land Use amendments may be reduced when compared to the Project.

Reduced Intensity Alternative

The Reduced Intensity Alternative would require amendment of Policy Plan Land Use designations similar to the Project. Other discretionary actions, consultations, and permitting required under the Reduced Intensity Alternative and the Project would be the same. Under either the Project or the Reduced Intensity Alternative, land use and planning impacts would be less-than-significant.

5.2.4.2 Transportation - Comparative Impacts

Implementation of the Project would result in certain individually and cumulatively significant VMT impacts. All other Project transportation impacts would be less-than-than-significant or less-than-significant as mitigated. See also: EIR Section 4.2, *Transportation*.

No Project Alternative: No Build

This Alternative would maintain existing VMT conditions (see: EIR Section 4.2, Transportation, 4.2.2 *VMT Assessment*, *VMT/SP Calculations*). This Alternative would result in decreased total VMT when compared to the Project. Because the intensity and scope of uses is diminished under this Alternative, the Service Population would also be decreased. On this basis, this Alternative may not substantially alter the VMT/SP ratio otherwise resulting from the Project. No VMT impact mitigation would be implemented under this Alternative.

No Project Alternative: Existing Policy Plan Land Uses

When compared to the Project, this Alternative would result in increased trip generation. Table 5.2-3 compares potential trip generation under the No Project Alternative: Existing Policy Plan Land Uses and the Project.

Table 5.2-3
Trip Generation Comparison-
No Project Alternative: Existing Policy Plan Land Uses vs. Project

No Project Alternative: Existing Policy Plan Land Uses			**Project**	
Policy Plan Land Use Designation	**ITE Metric**	**ADT (PCE)**	**Policy Plan Land Use Designation**	**ADT (PCE)**
Business Park: 314.7 acres; 8,225,000 sf	ITE Land Use 130 3.37 Trips/TSF	27,718	Business Park: 55.1 acres; 1,441,000 sf	5,842
Office Commercial: 43.3 acres; 1,414,600 sf	ITE Land Use 710 9.74 Trips/TSF	13,778	N/A	---
General Commercial: 18.3 acres; 318,900 sf	ITE Land Use 820 33.37 Trips/TSF	10,642	N/A	---
N/A	---	---	Industrial: 292.8 acres; 7,014,000 sf	19,356
N/A	---	---	Circulation: 28.4 Acres	---
Total ADT	**---**	**52,138**	**Total ADT**	**25,198**

Sources: Policy Plan Land Use Element; ITE Trip Generation Manual, 10th Edition (2017); Merrill Commerce Center Specific Plan; *Merrill Commerce Center Specific Plan, Traffic Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) June 30, 2020.
Notes:

Table 5.2-3
Trip Generation Comparison-
No Project Alternative: Existing Policy Plan Land Uses vs. Project

No Project Alternative: Existing Policy Plan Land Uses			Project	
Policy Plan Land Use Designation	ITE Metric	ADT (PCE)	Policy Plan Land Use Designation	ADT (PCE)

1. Maximum building square footage calculated by multiplying the total acreage of each land use by the anticipated floor area ratio (FAR) for the respective land use designation per Policy Plan Table LU-02 Land Use Designations Summary Table – Industrial FAR = 0.55; Business Park FAR = 0.60; General Commercial FAR = 0.040; Office Commercial FAR = 0.75.
2. No Project Alternative Land Use Trip Generation Metrics from ITE Trip Generation Manual, 10th Edition (2017). ITE Land Use Codes: 130-Industrial Park; 710 General Office, 820 Shopping Center.
3. Project Trip Generation from *Merrill Commerce Center Specific Plan, Traffic Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) June 30, 2020.
4. ADT = Average Daily Trips, TSF = Thousand Square Feet; PCE = Passenger Car Equivalent

This Alternative would result in increased total VMT when compared to the Project. Because the intensity and scope of uses would be increased under this Alternative, the Service Population would also likely be increased. This Alternative would therefore likely not substantially alter the VMT/SP ratio otherwise resulting from the Project. TDM measures implemented under this Alternative would reduce VMT impacts to the extent feasible.

Reduced Intensity Alternative

The Reduced Intensity Alternative would reduce Project trip generation by 25 percent. Project trip generation = 25,198 ADT; the Reduced Intensity Alternative trip generation = 0.75 x 25,198 ADT = 18,899 ADT.

Based on the 25 percent reduction in ADT, the extent of Study Area traffic improvements required under this Alternative would likely be reduced when compared to the Project. Because the Reduced Intensity Alternative would generate less traffic than the Project, fair share fee responsibilities, (which are based on proportional traffic contributions), would be reduced when compared to the Project. Required DIF payments (which are based on development building areas) would also be reduced. It is assumed that like the Project, development of the subject site under the Reduced Intensity Alternative would incorporate those site adjacent and on-site circulation system improvements necessary to avoid or mitigate development-specific traffic impacts.

The Reduced Intensity Alternative would result in reduced total VMT when compared to the Project. Because the intensity and scope of uses would be decreased under the

Reduced Intensity Alternative, the Service Population would also likely be decreased. The Reduced Intensity Alternative would therefore not substantially alter the VMT/SP ratio otherwise resulting from the Project. TDM measures implemented under the Reduced Intensity Alternative would reduce VMT impacts to the extent feasible.

5.2.4.3 Air Quality - Comparative Impacts

Even with application of mitigation, Project operational-source VOC, NO_x, CO, PM_{10}, and $PM_{2.5}$ emissions would exceed applicable SCAQMD regional thresholds and per AQMD criteria would be significant. Per SCAQMD criteria, Project-level impacts that are significant are also cumulatively considerable. Project operational-source VOC, NO_x, PM_{10}, and $PM_{2.5}$ emissions threshold exceedances would result in a cumulatively considerable net increase in criteria pollutants (ozone and $PM_{10}/PM_{2.5}$) for which the Project region is non-attainment. These are cumulatively significant and unavoidable air quality impacts.

Because a change in land use is proposed under the Project, it is assumed that the emissions generated by the Project's proposed land uses are not reflected in the 2016 AQMP air quality standards, interim emissions reductions targets, and emissions inventories. Consequently, development of the subject site as proposed by the Project is assumed to conflict with the 2016 AQMP. This is a significant and unavoidable impact. Per SCAQMD criteria, Project-level impacts that are significant are also cumulatively considerable.

All other Project air quality impacts would be less-than-significant, or less-than-significant as mitigated. See also: EIR Section 4.3, *Air Quality*.

No Project Alternative: No Build

Under this Alternative existing air quality conditions would be maintained (see: EIR Section 4.3, *Air Quality*, 4.3.3, *Setting*). This Alternative would realize no new development and would generate no additional air pollutant emissions. This Alternative would result in reduced air quality impacts when compared to the Project. No air quality impact mitigation would be implemented under this Alternative.

No Project Alternative: Existing Policy Plan Land Uses

Under this Alternative, similar construction activities and use of construction equipment would be similar to that occurring under the Project. The maximum daily area of disturbance would be the same under both scenarios.

The increase in vehicular trips under this Alternative would increase operational-source air pollutant emissions. The approximately 100 percent increase in ADT generation under this Alternative would translate to roughly proportional increases in air pollutant emissions. Table 5.2-4 provides a comparison of operational-source air pollutant emissions under the Project and No Project Alternative: Existing Policy Plan Land Uses.

Table 5.2-4
Project and No Project Alternative: Existing Policy Plan Land Uses
Operational-Source Emissions Comparison
(Pounds per Day, Maximum Total Summer/Winter Emissions)

Pollutant	SCAQMD Threshold	Project		No Project Alternative: Existing Policy Plan Land Uses	
		Emissions	Threshold Exceeded?	Emissions	Threshold Exceeded?
VOC	55	251.34	**YES**	502.68	**YES**
NOx	55	870.76	**YES**	1741.52	**YES**
CO	550	802.48	**YES**	1604.96	**YES**
SOx	150	5.29	No	10.58	No
PM_{10}	150	340.42	**YES**	680.84	**YES**
$PM_{2.5}$	55	99.15	**YES**	198.30	**YES**

Sources: Project operational-source emissions estimates from: *Merrill Commerce Center Specific Plan Air Quality Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020. No Project Alternative: Existing Policy Plan Land Uses operational-source emissions estimates–Applied Planning, Inc.

As indicated in Table 5.2-4, this Alternative would result in increases in all operational-source criteria air pollutant emissions when compared to the Project. Emissions thresholds exceedances occurring under the Project would be amplified under this Alternative. The severity and magnitude of non-attainment impacts otherwise resulting from the Project would also be increased.

Because this Alternative's land uses would conform to land uses reflected in the AQMP, this Alternative would be considered consistent with the AQMP. AQMP inconsistencies otherwise occurring under the Project would be avoided.

The Project DPM-source carcinogenic risk is estimated at 9.34 per million, would not exceed the SCAQMD carcinogenic health risk threshold of 10 per million, and would therefore be less-than-significant. Increased truck traffic generated by this Alternative use could increase DPM-source carcinogenic and noncarcinogenic health risks when compared to the Project. For comparative analysis purposes, it is assumed that the maximum DPM-source carcinogenic and noncarcinogenic health risks under this Alternative would be increased proportional to the approximately 100 percent increase in traffic under this Alternative.

The resulting DPM-source carcinogenic health risk under this Alternative would be: 9.34 per million Project risk x 2 = 18.68 per million. The 18.68 per million carcinogenic health risk under this Alternative would exceed the SCAQMD carcinogenic health risk threshold of 10 per million and would therefore be potentially significant. The resulting noncarcinogenic health risk under this Alternative would be: 0.002 Project Hazard Index (HI) x 2 = 0.004 HI. The 0.004 HI resulting from this Alternative would not exceed the SCAQMD HI threshold of 1.0 and would be less-than-significant.

Other operational-source air quality impacts under this Alternative would be increased when compared to the Project but are assumed to be less-than-significant or less-than-significant as mitigated.

Reduced Intensity Alternative

Construction activities and use of construction equipment would be similar to the Project.

The 25 percent reduction in development intensity under the Reduced Intensity Alternative would translate roughly to a 25 percent reduction in operational-source air pollutant emissions when compared to the Project. Table 5.2-5 compares operational-source air pollutant emissions under the Project and Reduced Intensity Alternative.

Table 5.2-5
Project and Reduced Intensity Alternative
Operational-Source Emissions Comparison
(Pounds per Day, Maximum Total Summer/Winter Emissions)

Pollutant	SCAQMD Threshold	Project		Reduced Intensity Alternative	
		Emissions	Threshold Exceeded?	Emissions	Threshold Exceeded?
VOC	55	251.34	**YES**	188.51	**YES**
NO_x	55	870.76	**YES**	653.07	**YES**
CO	550	802.48	**YES**	601.86	**YES**
SOx	150	5.29	No	3.97	No
PM_{10}	150	340.42	**YES**	255.32	**YES**
$PM_{2.5}$	55	99.15	**YES**	74.36	**YES**

Sources: Project operational-source emissions estimates from: *Merrill Commerce Center Specific Plan Air Quality Impact Analysis, City of Ontario* (Urban Crossroads, Inc.) January 12, 2020. No Project Alternative operational-source emissions estimates–Applied Planning, Inc.

As indicated at Table 5.2-5, when compared to the Project, operational-source emissions would be incrementally reduced for all pollutants under the Reduced Intensity Alternative. As with the Project, operational-source VOC, NO_x, CO, PM_{10} and $PM_{2.5}$ emissions under the Reduced Intensity Alternative would exceed applicable SCAQMD regional thresholds. As with the Project, the Reduced Intensity Alternative's VOC, NO_x, PM_{10} and $PM_{2.5}$ regional threshold exceedances would contribute to existing Basin ozone and PM_{10}/$PM_{2.5}$ nonattainment conditions.

The Reduced Intensity Alternative land uses are not reflected in land use plans and regional development assumed in the AQMP. The Reduced Intensity Alternative would therefore be considered inconsistent with the AQMP. AQMP inconsistencies occurring under the Project would persist however the extent of the inconsistency would be diminished.

Decreased truck traffic generated by the Reduced Intensity Alternative uses could decrease DPM-source carcinogenic and noncarcinogenic health risks when compared to the Project. For comparative analysis purposes, it is assumed that the maximum DPM-source carcinogenic and noncarcinogenic health risks under the Reduced Intensity Alternative would be decreased proportional to the approximately 25 percent decrease in traffic under this Alternative. The resulting carcinogenic health risk would be: 9.34 per

million Project risk x 0.75 = 7.01 per million. The 7.01 per million carcinogenic health risk under the Reduced Intensity Alternative would not exceed the SCAQMD carcinogenic health risk threshold of 10 per million and would be less-than-significant. The resulting noncarcinogenic health risk would be: 0.002 Project Hazard Index (HI) x 0.75 = 0.0015 HI. The 0.0015 HI resulting from this Alternative would not exceed the SCAQMD HI threshold of 1.0 and would be less-than-significant.

Other operational-source air quality impacts under the Reduced Intensity Alternative would be reduced when compared to the Project and would be less-than-significant.

5.2.4.4 Greenhouse Gas/Global Climate Change - Comparative Impacts

There is the potential for the Project GHG emissions to conflict with as-yet-unknown performance standards and GHG emissions reduction targets implemented under the anticipated City CAP updates. Moreover, it cannot be assured that the City CAP as updated would be determined to be consistent with applicable State and regional plans adopted for the for the purpose of reducing the emissions of greenhouse gases. On this basis, even after application of mitigation, the Project could directly or indirectly generate GHG emissions that may have a significant impact on the environment. Further, the Project could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. These are significant and unavoidable impacts. See also: EIR Section 4.4, *Greenhouse Gas Emissions*.

No Project Alternative: No Build

Under this Alternative, existing GHG emissions conditions would be maintained (see: EIR Section 4.4, *Greenhouse Gas Emissions*, 4.4.2.3, *Existing Greenhouse Gases Emissions Inventories*). This Alternative would realize no new development and would generate no additional GHG emissions. This Alternative would result in reduced GHG emissions impacts when compared to the Project. No GHG impact mitigation would be implemented under this Alternative.

No Project Alternative: Existing Policy Plan Land Uses

GHG emissions would be increased under this Alternative – due primarily to the approximately 100 percent increase in vehicle trips and associated increase in mobile-source emissions under this Alternative. As with the Project, there would be the potential for GHG emissions to conflict with performance standards and GHG emissions reduction targets implemented under the anticipated City CAP update. As under the Project scenario, it could not be assured that the City CAP as updated would be determined to be consistent with applicable State and regional plans adopted for the for the purpose of reducing the emissions of greenhouse gases.

On this basis, even after application of mitigation, this Alternative could directly or indirectly generate GHG emissions that may have a significant impact on the environment. Further, this Alternative could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Reduced Intensity Alternative

When compared to the Project, the Reduced Intensity Alternative would result in reduced GHG emissions due to the reduced scope of facilities, reductions in building/facility energy demands, and reduced trip generation. As with the Project, there would be the potential for the Reduced Intensity Alternative GHG emissions to conflict with performance standards and GHG emissions reduction targets implemented under the anticipated City CAP update. As under the Project scenario, it could not be assured that the City CAP as updated would be determined to be consistent with applicable State and regional plans adopted for the for the purpose of reducing the emissions of greenhouse gases.

On this basis, even after application of mitigation, the Reduced Intensity Alternative could directly or indirectly generate GHG emissions that may have a significant impact on the environment. Further, the Reduced Intensity Alternative could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

5.2.4.5 Noise/Vibration - Comparative Impacts

Construction-source noise levels received at land uses adjacent to off-site master plan infrastructure improvements alignments would temporarily exceed applicable noise threshold criteria, and would be considered significant for the duration of infrastructure construction activities. All other noise/vibration impacts generated by or resulting from the Project would be less-than-significant or could be mitigated to levels that are less-than-significant. See also: EIR Section 4.5, *Noise*.

No Project Alternative: No Build

Under this Alternative, existing noise/vibration conditions would be maintained (see EIR Section 4.5, *Noise*, 4.5.2, *Setting*). This Alternative would realize no new development and would generate no additional noise. This Alternative would result in reduced noise impacts when compared to the Project. No noise impact mitigation would be implemented under this Alternative.

No Project Alternative: Existing Policy Plan Land Uses

Under this Alternative, areas affected by construction activities and the types and operations of construction equipment employed would be substantially the same as would occur under the Project. Maximum received construction-source noise/vibration levels would be unchanged.

As with the Project, construction-source noise levels received at land uses adjacent to off-site master plan infrastructure improvement alignments would temporarily exceed applicable noise threshold criteria, and would be considered significant and unavoidable for the duration of infrastructure construction activities. It is anticipated that all other construction-source noise impacts generated by or resulting from this Alternative would be less-than-significant or could be mitigated to levels that are less-than-significant. Under this Alternative and the Project, construction-source noise impacts at land uses adjacent to off-site master plan infrastructure improvement alignments would be comparable.

This Alternative would not generate or result in operational area-source noise/vibration substantially different than would result from uses proposed by the Project. Mitigation would be implemented to reduce noise received from on-site noise sources to levels that would be less-than-significant. This Alternative would not require or implement uses that would be substantial vibration sources. Under this Alternative and the Project, operational area-source noise/vibration impacts would be comparable.

The approximately 100 percent increase in vehicle trips under this Alternative may perceptibly increase vehicular (mobile-source) noise levels along area roadways. Unlike the Project, this Alternative may result in significant vehicular-source noise impacts along area roadways. Vehicular-source noise impacts would be increased under this Alternative.

This Alternative would not be adversely affected by airport/airfield noise. This Alternative would not require uses or programs that would substantially contribute to any existing adverse airport/airfield noise conditions.

Reduced Intensity Alternative

Under the Reduced Intensity Alternative, the types of construction activities and equipment employed would likely be similar to those associated with construction of the Project. Maximum received construction-source noise/vibration levels would be unchanged. As with the Project, construction-source noise levels received at land uses adjacent to off-site master plan infrastructure improvements alignments would temporarily exceed applicable noise threshold criteria, and would be considered significant for the duration of infrastructure construction activities. All other construction-source noise impacts generated by or resulting from the Reduced Intensity Alternative would be less-than-significant or could be mitigated to levels that are less-than-significant. Construction-source vibration impacts generated by or resulting from the Reduced Intensity Alternative would be less-than-significant.

The Reduced Intensity Alternative would not generate or result in operational area-source noise/vibration substantially different than would result from the Project.

Mitigation would be implemented to reduce noise received from on-site noise sources to levels that would be less-than-significant. The Reduced Intensity Alternative would not require or implement uses that would be substantial vibration sources. Under the Reduced Intensity Alternative and the Project, operational area-source noise impacts would be less-than-significant as mitigated. Under the Reduced Intensity Alternative and the Project, operational area-source vibration impacts would be less-than-significant.

The reduction in vehicle trips under the Reduced Intensity Project Alternative may reduce perceived vehicular (mobile-source) noise levels along area roadways. Under the Reduced Intensity Alternative and the Project vehicular-source noise impacts would be less-than-significant.

The Reduced Intensity Alternative would not be adversely affected by airport/airfield noise. The Reduced Intensity Alternative would not require uses or programs that would substantially contribute to any existing adverse airport/airfield noise conditions. Under the Reduced Intensity Alternative and the Project airfield/airport noise impacts would be less-than-significant.

5.2.4.6 Hazards/Hazardous Materials - Comparative Impacts

The Project would not implement uses or programs that would exacerbate any existing adverse hazards/hazardous materials. Under the Project, existing hazards or potentially hazardous conditions affecting the subject site would be remediated and related impacts reduced to levels that would be less-than-significant. The Project would comply with ALUC Conditions of Approval, reducing potential airport/airfield hazards impacts to levels that would be less-than-significant.

No Project Alternative: No Build

Under this Alternative, existing hazards/hazardous materials conditions would be maintained (see: EIR Section 4.6, *Hazards/Hazardous Materials*, 4.6.2, *Setting*). This Alternative would realize no new development and would generate no additional hazards/hazardous materials impacts. Existing adverse hazards/hazardous conditions affecting the subject site and surrounding areas (e.g., contaminated soils, animal waste,

debris, pesticides, contaminated runoff) would persist. This Alternative may therefore result in increased hazards/hazardous conditions impacts when compared to the Project. That is, under the Project, adverse hazards/hazardous conditions affecting the site would be comprehensively remediated as part of the Project development—such remediation would not occur under this Alternative. No hazards/hazardous materials impact mitigation would be implemented under this Alternative.

No Project Alternative: Existing Policy Plan Land Uses

As with the Project, existing hazards or potentially hazardous conditions affecting the subject site would be remediated and related impacts reduced to levels that would be less-than-significant. This Alternative use would not result in hazards and hazardous materials impacts different than those resulting from the Project. This Alternative would not implement uses or programs that would exacerbate any existing adverse hazards/hazardous materials conditions. This Alternative would comply with ALUC Conditions of Approval, reducing potential airport/airfield hazards impacts to levels that would be less-than-significant. Hazards/hazardous materials impacts under this alternative would be similar to the Project.

Reduced Intensity Alternative

As with the Project, existing hazards or potentially hazardous conditions affecting the subject site would be remediated and related impacts reduced to levels that would be less-than-significant. The Reduced Intensity Alternative land uses would be similar to the Project and would not result in hazards and hazardous materials impacts different than those resulting from the Project. The Reduced Intensity Alternative would not implement uses or programs that would exacerbate any existing adverse hazards/hazardous materials conditions. The Reduced Intensity Alternative would comply with ALUC Conditions of Approval, reducing potential airport/airfield hazards impacts to levels that would be less-than-significant. Potential hazards/hazardous materials impacts of the Reduced Intensity Alternative and the Project would be comparable.

5.2.4.7 Hydrology and Water Quality - Comparative Impacts

The Project would implement all necessary storm drain infrastructure improvements. The Project would implement on-site storm water management systems that would connect to storm drains with sufficient capacities. The Project would implement a construction Storm Water Pollution Prevention Plan (SWPPP) and operational Water Quality Management Plan (WQMP) reducing potential water quality impacts to levels that would be less-than-significant.

Further, stormwater management systems implemented under the Project would act to improve area drainage conditions and would remove existing sources of water pollution, thereby improving existing area hydrology and water quality conditions. On this basis, Project impacts to hydrology and water quality would be less-than-significant. See also: EIR Section 4.7, *Hydrology and Water Quality*.

No Project Alternative: No Build

Under this Alternative, existing hydrology/water quality conditions would be maintained (see: EIR Section 4.7, *Hydrology/Water Quality*, 4.7.2, *Existing Conditions*). This Alternative would realize no new development and would generate no additional hydrology and water quality impacts. Existing adverse hydrology/water quality conditions affecting the subject site (e.g., lack of storm sewers, lack of storm water quality treatment systems, degraded water quality due to dairy farming operations) would persist. This Alternative may therefore result in increased hydrology and water quality impacts when compared to the Project. That is, under the Project, adverse hydrology and water quality conditions affecting the site and surrounding areas would be comprehensively addressed through implementation of the Project stormwater management systems. These stormwater management system improvements would not be implemented under this Alternative. No hydrology/water quality impact mitigation would be implemented under this Alternative.

No Project Alternative: Existing Policy Plan Land Uses

This Alternative would implement all necessary storm drain infrastructure improvements. The area subject to development with impervious surfaces under this

Alternative and the Project would be comparable. This Alternative and Project would therefore result in comparable rates and quantities of post-development storm water runoff. This Alternative would be required to implement on-site storm water management systems, reducing impacts to storm drain capacities to levels that would be less-than-significant. This Alternative would be required to comply with applicable SWPPP and WQMP provisions, thereby reducing potential water quality impacts to levels that would be less-than-significant. Stormwater management systems implemented under this Alternative would act to improve existing hydrology and water quality conditions. Potential hydrology and water quality impacts of this Alternative and the Project would be comparable.

Reduced Intensity Alternative

The Reduced Intensity Alternative would implement all necessary storm drain infrastructure improvements. When compared to the Project, the area subject to development with impervious surfaces under the Reduced Intensity Alternative may be reduced. The Reduced Intensity Alternative may therefore result in reduced rates and quantities of post-development storm water runoff. The Reduced Intensity Alternative would be required to implement on-site storm water management systems, reducing impacts to storm drain capacities to levels that would be less-than-significant. The Reduced Intensity Alternative would be required to comply with applicable SWPPP and WQMP provisions, thereby reducing potential water quality impacts to levels that would be less-than-significant. Stormwater management systems implemented under the Reduced Intensity Alternative would act to improve existing hydrology and water quality conditions. Hydrology and water quality impacts of the Reduced Intensity Alternative and the Project would be comparable.

5.2.4.8 Biological Resources - Comparative Impacts

As discussed at EIR Section 4.8, *Biological Resources*, the subject site in total is considered to be of limited biologic value in that it exhibits extensive disturbance due to current and former dairy farming, agricultural, and commercial trucking operations. These uses have substantially degraded the site. The Project site does not contain protected habitat, and does not function as valuable or unique habitat for any vegetation wildlife. It is further

noted that development of the Project site is anticipated under the City Policy Plan, and the Project site would not be preserved for biologic purposes in any case. Mitigation is included in the Project that reduces potential impacts to biological resources to levels that would be less-than-significant.

No Project Alternative: No Build

Under this Alternative, existing biological resources conditions would be maintained (see: EIR Section 4.8, *Biological Resources*, 4.8.2, *Setting*). This Alternative would realize no new development and would have no incremental effects on biological resources. This Alternative would result in reduced biological resources impacts when compared to the Project. No biological resources impact mitigation would be implemented under this Alternative.

No Project Alternative: Existing Policy Plan Land Uses

Development realized under this Alternative would result in disturbance of the subject site similar to that occurring under the Project. Potential impacts to biological resources would also likely be similar to those of the Project.

Reduced Intensity Alternative

The reduction in overall site development realized under the Reduced Intensity Alternative could result in a portion of the site remaining, for the time being, in an undeveloped condition. Realistically, however, potential impacts to biological resources would likely be similar to those of the Project, given the extent of construction activities and subsequent commercial operations that would result from the site's development. Biological resources impacts under this Alternative would be similar to the Project.

5.2.4.9 Geology and Soils - Comparative Impacts

The Project does not propose or require facilities or operations that would result in adverse geology/soils conditions, or exacerbate any existing adverse geology/soils conditions. Compliance with the California Building Code (CBC), the City of Ontario Building Code, measures and recommendations identified in the Project Geotechnical Studies, and the EIR Mitigation Measures would reduce potential geology and soils

impacts of the Project to levels that would be less-than-significant. See also: EIR Section 4.9, *Geology and Soils*.

No Project Alternative: No Build

Under this Alternative, existing geology and soils conditions would be maintained (see: EIR Section 4.9, *Geology and Soils*, 4.9.2, *Setting*). This Alternative would realize no new development and would result in no new or additional geology and soils impacts. This Alternative would result in reduced geology and soils impacts when compared to the Project. No geology and soils impact mitigation would be implemented under this Alternative.

No Project Alternative: Existing Policy Plan Land Uses

This Alternative would implement commercial and light industrial development within the same site developed under the Project. It is assumed that this Alternative would not propose or require facilities or operations that would result in adverse geology/soils conditions, or exacerbate any existing adverse geology/soils conditions. As with the Project, this Alternative would be subject to requirements of the CBC, City of Ontario Building Code, site- and development- specific geotechnical studies, and any necessary mitigation measures. Geology and soils impacts under this Alternative would be similar to the Project.

Reduce Intensity Alternative

The Reduced Intensity Alternative would implement the Project uses at a reduced scale within the same site developed under the Project. It is assumed that the Reduced Intensity Alternative would not propose or require facilities or operations that would result in adverse geology/soils conditions, or exacerbate any existing adverse geology/soils conditions. As with the Project, the Reduced Intensity Alternative would be subject to requirements of the CBC, City of Ontario Building Code, site- and development- specific geotechnical studies, and any necessary mitigation measures. Geology and soils impacts under this Alternative would be similar to the Project.

5.2.4.10 Cultural Resources/Tribal Cultural Resources - Comparative Impacts

As discussed herein, 5 (five) buildings or structures within the Project site appear to qualify as Contributors to the New Model Colony / Chino Valley Dairy Historic District (District). These 5 (five) potential Contributors would be demolished to allow for implementation of the Project. Per CCR Title 14, Section 15126.4(b), the demolition or destruction of a historical resource cannot typically be fully mitigated. Demolition of potential District Contributors resulting from the Project is therefore considered a significant and unavoidable impact.

The proposed demolition of potential District Contributors within the Project site would considerably and cumulatively contribute to impacts to District historic resources. This is a cumulatively significant impact.

The Project otherwise incorporates mitigation that reduces potential impacts to cultural resources/tribal cultural resources to levels that would be less-than-significant. Tribal consultation is in process as required under *AB 52, Gatto. Native Americans: California Environmental Quality Act*. See also Section 4.10, *Cultural Resources/Tribal Cultural Resources*.

No Project Alternative: No Build

Under this Alternative, existing cultural resources/tribal cultural resources conditions would be maintained (see: EIR Section 4.10, *Cultural Resources/Tribal Cultural Resources*, 4.10.2, *Setting*). This Alternative would not result in demolition of potential Contributors to the New Model Colony / Chino Valley Dairy Historic District. This Alternative would realize no new development and would result in no new or additional cultural resources/tribal cultural resources impacts. This Alternative would result in reduced cultural resources/tribal cultural resources impacts when compared to the Project. No cultural resources/tribal cultural resources impact mitigation would be implemented under this Alternative.

No Project Alternative: Existing Policy Plan Land Uses

Site disturbance and potential impacts to cultural resources would similar to those of the Project. Under this Alternative, as with the Project, demolition of potential Contributors to the New Model Colony / Chino Valley Dairy Historic District would occur. This is an individually and cumulatively significant and unavoidable impact. It is assumed that this Alternative would otherwise incorporate mitigation that would reduce potential impacts to cultural resources/tribal cultural resources to levels that would be less-than-significant. Cultural resources/tribal cultural resources impacts of this Alternative and the Project would be comparable.

Reduced Intensity Alternative

Site disturbance and potential impacts to cultural resources would be similar to those of the Project. Under this Alternative, as with the Project, demolition of potential Contributors to the New Model Colony / Chino Valley Dairy Historic District would occur. This is an individually and cumulatively significant and unavoidable impact. It is assumed that the Reduced Intensity Alternative would otherwise incorporate mitigation that would reduce potential impacts to cultural resources/tribal cultural resources to levels that would be less-than-significant. Cultural resources/tribal cultural resources impacts of the Reduced Intensity Alternative and the Project would be comparable.

5.2.4.11 Agricultural Resources - Comparative Impacts

The Project would result in conversion of on-site Farmland to urban uses. Additional conversion of off-site agricultural lands to non-agricultural purposes could also occur as a result of Project construction of master plan infrastructure improvements. These are considered to be individually and cumulatively significant and unavoidable impacts.

Discretionary actions undertaken as part of the Project would remove the site's current agricultural (AG) overlay and would cancel the existing Williamson Act Contracts on APN 0218-261-35 (Contract #69-147, initiated in 1973); and APNs 1054-151-02, 1054-161-02, 1054-161-03, 1054-201-02 and 1054-351-02 (Contract #70-167, initiated in 1970). With approval of these discretionary actions, the potential for the Project to conflict with agricultural zoning or with a Williamson Act Contract would be less-than-significant.

No Project Alternative: No Build

Under this Alternative, existing agricultural resources conditions would be maintained (see: EIR Section 4.11, *Agricultural Resources*, 4.11.2, *Setting*). This Alternative would realize no new development and would result in no new or additional agricultural resources impacts. This Alternative would result in reduced agricultural resources impacts when compared to the Project. No agricultural resources impact mitigation would be implemented under this Alternative.

No Project Alternative: Existing Policy Plan Land Uses

This Alternative would result in conversion of on-site Farmland to urban uses. Impacts to farmlands and agricultural uses would be consistent with those resulting from the Project.

Reduced Intensity Alternative

The Reduced Intensity Alternative would implement the Project uses at a reduced scale within the Project site. Impacts to farmlands and agricultural uses would be consistent with those resulting from the Project.

5.2.4.12 Utilities & Service Systems - Comparative Impacts

The Project would implement all necessary on-site and off-site utilities and service infrastructure system improvements. At properties adjacent to master plan infrastructure improvements implemented by the Project, construction-source noise impacts are recognized as significant and unavoidable (see: EIR Section 4.5, *Noise*). Additionally, conversion of off-site agricultural lands to non-agricultural purposes could occur as a result of Project construction of area-serving master plan infrastructure improvements. This is recognized as a significant and unavoidable impact (see: EIR Section 4.11, *Agricultural Resources*). Project utilities and service systems impacts would otherwise be less-than-significant. See also: EIR Section 4.12, *Utilities & Service Systems.*

No Project Alternative: No Build

Under this Alternative, existing utilities and service systems conditions would be maintained (see: EIR Section 4.12, *Utilities & Service Systems*, 4.12.2 *Existing Conditions*).

This Alternative would realize no new development and would result in no new or additional utilities and service systems impacts. This Alternative would result in reduced utilities and service systems impacts when compared to the Project. No utilities and service systems impact mitigation would be implemented under this Alternative.

No Project Alternative: Existing Policy Plan Land Uses

This Alternative would result in aggregate development intensities comparable to the Project. It is assumed that this Alternative would implement all necessary on-site and off-site utilities and service infrastructure system improvements. Utilities and service system impacts of this Alternative and the Project would be comparable.

Reduced Intensity Alternative

The Reduced Intensity Alternative would result in development of similar land uses but at a lower intensity than the Project. It is assumed that the Reduced Intensity Alternative would implement all necessary on-site and off-site utilities and service infrastructure system improvements. Utilities and service systems impacts of this Alternative and the Project would be comparable.

5.2.4.13 Energy - Comparative Impacts

Project construction and operations would consume energy. Energy would be provided to the Project by existing sources. The Project would not require new sources of energy or construction of new energy producing facilities. The Project would comply with applicable energy conservation and energy efficiency regulations and policies and would achieve energy conservation and energy efficiencies surpassing regulatory requirements. Project energy consumption would be typical for the uses and scope of development proposed. The Project does not propose or require facilities or operations that would result in wasteful, inefficient or unnecessary consumption. On this basis, the Project would not result in or cause potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources. Neither would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Potential energy impacts of the Project would be therefore be less-than-significant. See also: EIR Section 4.13, *Energy*.

No Project Alternative: No Build

Under this Alternative, existing energy conditions would be maintained (see: EIR Section 4.13, *Energy*, 4.13.2, *Existing Conditions*). This Alternative would realize no new development and would not result in increased energy demands. This Alternative would result in reduced energy impacts when compared to the Project. No energy impact mitigation would be implemented under this Alternative.

No Project Alternative: Existing Policy Plan Land Uses

As with the Project, this Alternative would be provided energy from existing sources. It is assumed that this Alternative would comply with applicable energy conservation and energy efficiency regulations and policies; and that this Alternative would not implement facilities or operations that would result in wasteful, inefficient or unnecessary consumption. When compared to the Project, operational energy consumption would likely be increased due to the increase in trip generation under this Alternative.

Reduced Intensity Alternative

The reduction in development scope under the Reduced Intensity Project Alternative would tend to reduce total energy demands and total energy consumption. As with the Project, the Reduced Intensity Alternative uses would be required to implement energy-efficient facilities, and to otherwise demonstrate effective energy use. Under the Reduced Intensity Alternative, proposed development would also be required to substantiate compliance with state or local plan for renewable energy or energy efficiency. Impacts would be similar to the Project.

5.2.4.14 Population and Housing - Comparative Impacts

As substantiated at EIR Section 4.14, *Population and Housing*, the Project would support and would not conflict with City of Ontario Policy Plan Goals and Policies addressing employment/housing balance. Further, the Project is consistent with, and would support, City of Ontario Policy Plan Housing Element Goals/Policies. The Project would not induce substantial population growth in the area, either directly or indirectly. The Project's potential population and housing would be less-than-significant. See also: EIR Section 4.14, *Population and Housing*.

No Project Alternative: No Build

Under this Alternative, existing population and housing conditions would be maintained. This Alternative would realize no new development and would not result in increased population and housing impacts. This Alternative would result in reduced population and housing impacts when compared to the Project. No population and housing impact mitigation would be implemented under this Alternative.

No Project Alternative: Existing Policy Plan Land Uses

This Alternative would implement development consistent with the site's existing Policy Plan Land Use designations. When compared to the Project, this Alternative would likely result in increased commercial development. As one result, the mix of land uses under this Alternative would generate comparatively greater employment opportunities, tending to increase the jobs attribute of the City's jobs/housing balance. Population and housing impacts of this Alternative and the Project would be comparable. However, because of the potential increased employment opportunities resulting from this Alternative, impacts may tend to skew more to demands for additional housing.

Reduced Intensity Alternative

The reduction in development intensity under the Reduced Intensity Alternative would likely decrease employment opportunities otherwise resulting from the Project, tending to decrease the jobs attribute of the City's jobs/housing balance. Residential uses are not proposed under either the Project or the Reduced Intensity Alternative. Population and housing impacts of this Alternative and the Project would be comparable.

5.2.5 Comparative Attainment of Project Objectives

Comparative Attainment of Project Objectives is summarized for each of the Alternatives considered here. For ease of reference, the Project Objectives are reiterated below.

5.2.5.1 Project Objectives

The primary goal of the Project is the development of the subject site with a productive mix of business park and industrial uses. Complementary Project Objectives include the following:

- Implement a Specific Plan development supporting business park and industrial uses providing a broad range of long-term employment opportunities.
- Implement business park and industrial uses providing a broad range of additional construction employment opportunities.
- Provide safe and convenient access for trucks in a manner that minimizes any potential disruption to residential areas.
- Provide business park and industrial uses near existing roadways and freeways to reduce traffic congestion and air emissions.
- Facilitate goods movement locally, regionally, nationally, and internationally.
- Provide land uses that are compatible with surrounding land uses and that would not conflict with the policies and environmental constraints identified in the Policy Plan.
- Support the Policy Plan vision for urbanization of the Ontario Ranch area of the City.
- Establish new development that would further the City's near-term and long-range fiscal goals.
- Improve the regional jobs/housing balance.

No Project Alternative: No Build

This Alternative would realize none of the stated Project Objectives.

No Project Alternative: Existing Policy Plan Land Uses

This Alternative would likely realize certain of the stated Project Objectives by providing a mix of business park, office commercial, and general commercial uses. However, this Alternative would not implement industrial uses, and in this regard would fail to achieve or would impede attainment the following Project Objectives:

- **Implement a Specific Plan development supporting business park and industrial uses providing a broad range of employment opportunities.** *Elimination of the Project industrial uses as would result from this Alternative would not provide industrial/warehouse employment opportunities that would otherwise result from the Project.*

- **Implement business park and industrial uses providing a broad range of additional construction employment opportunities.**
  Elimination of the Project industrial uses as would result from this Alternative tend to restrict the range and types of construction employment opportunities that would otherwise result from the Project.

- **Provide business park and industrial uses near existing roadways and freeways to reduce traffic congestion and air emissions; Provide land uses that are compatible with surrounding land uses and that would not conflict with the policies and environmental constraints identified in the Policy Plan.** *No industrial uses would be implemented under this Alternative. Potential reductions in VMT, traffic congestion and vehicular-source emissions achieved by clustering of industrial/warehouse uses with proximate access to existing and proposed roadway and freeways as would occur under the Project would not be realized. Further, this Alternative would result in approximately twice the trip generation resulting from the Project, acting to generally increase traffic congestion, air pollutant emissions, GHG emissions, and vehicular-source noise when compared to the Project. Environmental impacts resulting*

from this Alternative would, more so than the Project, have the potential to conflict with the policies and environmental constraints identified in the Policy Plan.

- **Facilitate goods movement locally, regionally, nationally, and internationally.** *This Alternative would not implement fulfillment warehouse uses, and in this regard would not support or facilitate goods movement as would otherwise occur under the Project.*

Reduced Intensity Alternative

The Reduced Intensity Alternative would implement the proposed Merrill Commerce Center Specific Plan use and development concepts at an approximately 25 percent reduction in overall development intensity. Due to its comparative reduction in scope, the Reduced Intensity Alternative would likely impede or substantially restrict attainment of the following Project Objectives.

- **Implement a Specific Plan development supporting business park and industrial uses providing a broad range of employment opportunities.** *The comparative 25 percent reduction in development intensity under the Reduced Intensity Alternative would diminish the number and diversity of potential employment opportunities otherwise provided by the Project. The noted reduction in scope and would also restrict potential synergy between uses at this location and other vicinity uses.*

- **Implement business park and industrial uses providing a broad range of additional construction employment opportunities.** *The comparative 25 percent reduction in development intensity under the Reduced Intensity Alternative would diminish the number and diversity of potential construction employment opportunities otherwise provided by the Project. The noted reduction in scope and would also restrict potential synergy between uses at this location and other vicinity uses.*

  Facilitate goods movement locally, regionally, nationally, and internationally. *The comparative 25 percent reduction in development intensity under*

the Reduced Intensity Alternative would diminish warehousing and fulfillment center capabilities and related goods movement capabilities otherwise occurring under the Project.

Support the Policy Plan vision for urbanization of the Ontario Ranch area of the City. *The comparative 25 percent reduction in development intensity under the Reduced Intensity Alternative would tend to conflict with or impede the Policy Plan vision for urbanization of the Ontario Ranch area of the City. Potential contrary effects would include:*

- *A reduction in business park/industrial development opportunities otherwise available under the Project;*
- *A reduction in the range and variety of business park and industrial developers and tenants that would be attracted to the City;*
- *Diminished potential for development of the site with uses and at an intensity the City considers to be the highest and best use for the subject property;*
- *Diminished fiscal benefits available to the City of Ontario;*
- *Diminished job creation. Related diminished potential for improvement of the regional jobs/housing balance condition.*

5.2.6 Comparison of Alternatives

Table 5.2-6 summarizes, by topic, comparative impacts of the Project and the considered Alternatives.

Table 5.2-6
Summary of Potential Impacts, Alternatives Compared to Project, By Topic

EIR Topic: Project Impacts	No Project Alternative: No Build	No Project Alternative: Existing Policy Plan Land Uses	Reduced Intensity Alternative
Land Use and Planning			
Impacts would be less-than-significant.	Under this Alternative, existing land use/planning conditions would be maintained. No discretionary actions, permits, or consultations would be required Impacts in these regards would be reduced when compared to the Project. Maintenance of the site's existing dairy farm/truck operations land uses is incompatible with the Policy Plan vision, and would tend to increase the potential for land use incompatibilities as the surrounding areas continue to urbanize. Potential impacts in these regards would be increased when compared to the Project.	The scope of requested discretionary actions would be reduced. Impacts would be similar to the Project.	Impacts would be similar to the Project.
Transportation			
VMT Impacts Project VMT impacts would be individually and cumulatively significant and unavoidable. Other transportation impacts would be less-than-significant.	***VMT Impacts*** This Alternative would maintain existing VMT conditions. This Alternative would result in decreased total VMT when compared to the Project. Because the intensity and scope of uses is diminished under this Alternative, the Service Population would also be decreased. On this basis, this Alternative may not substantially alter the VMT/SP ratio otherwise resulting from the Project. No VMT impact mitigation would be implemented under this Alternative.	***VMT Impacts*** Total VMT would be increased. VMT/SP impacts would likely be comparable to those of the Project. Other transportation impacts would be similar to those resulting from the Project.	***VMT Impacts*** Total VMT would be diminished. VMT/SP impacts would likely be comparable to those of the Project. Other transportation impacts would be similar to those resulting from the Project.
Air Quality			
• Project operational-source VOC, NO_x, CO, PM_{10}, and $PM_{2.5}$ emissions would exceed applicable SCAQMD regional thresholds and per AQMD criteria would be significant. Per SCAQMD criteria, Project-level impacts that are significant are also cumulatively considerable. Project operational-source VOC, NO_x, PM_{10}, and $PM_{2.5}$ emissions	Under this Alternative existing air quality conditions would be maintained. This Alternative would realize no new development and would generate no additional air pollutant emissions. This Alternative would result in reduced air quality impacts when compared to the Project. No air quality impact mitigation would be implemented under this Alternative.	Operational-source emissions would be increased. Operational-source exceedances of applicable SCAQMD regional thresholds would increase in severity and magnitude. Operational-source VOC, NO_x, PM_{10}, and $PM_{2.5}$ emissions contributions to Basin non-attainment conditions would increase in severity and magnitude.	Operational-source emissions would be decreased. Operational-source exceedances of applicable SCAQMD regional thresholds would decrease in severity and magnitude. Operational-source VOC, NO_x, PM_{10}, and $PM_{2.5}$ emissions contributions to Basin non-attainment conditions would decrease in severity and magnitude.

Table 5.2-6
Summary of Potential Impacts, Alternatives Compared to Project, By Topic

EIR Topic: Project Impacts	No Project Alternative: No Build	No Project Alternative: Existing Policy Plan Land Uses	Reduced Intensity Alternative
threshold exceedances would result in a cumulatively considerable net increase in criteria pollutants (ozone and $PM_{10}/PM_{2.5}$) for which the Project region is non-attainment. These are cumulatively significant and unavoidable air quality impacts. • Because a change in land use designations is proposed under the Project, it is assumed that air pollutant emissions generated by the Project are not reflected in the 2016 AQMP air quality standards, interim emissions reductions targets, and emissions inventories. Consequently, development of the subject site as proposed by the Project is assumed to conflict with the 2016 AQMP. This is a significant and unavoidable impact. Per SCAQMD criteria, this significant impact at the Project-level would also be cumulatively considerable. Other air quality impacts would be less-than-significant.		Potential AQMP consistency impacts occurring under the Project would be avoided under this Alternative. Other air quality impacts would be similar to those resulting from the Project.	Development of the subject site under the Reduced Intensity Alternative is assumed to conflict with the 2016 AQMP. Other air quality impacts would be similar to those resulting from the Project.
Greenhouse Gas Emissions			
The Project's potential to contribute considerably (either individually or cumulatively) to global climate change impacts through GHG emissions is considered significant and unavoidable.	Under this Alternative, existing GHG emissions conditions would be maintained. This Alternative would realize no new development and would generate no additional GHG emissions. This Alternative would result in reduced GHG emissions impacts when compared to the Project. No GHG impact mitigation would be implemented under this Alternative.	GHG emissions would be increased roughly proportional to increased trip generation under this Alternative. GHG emissions impacts would be comparable to those of the Project.	GHG emissions would be diminished roughly proportional to the diminished scope of development under the Reduced Intensity Alternative. GHG emissions impacts would be comparable to those of the Project.

Table 5.2-6
Summary of Potential Impacts, Alternatives Compared to Project, By Topic

EIR Topic: Project Impacts	No Project Alternative: No Build	No Project Alternative: Existing Policy Plan Land Uses	Reduced Intensity Alternative
Noise/Vibration			
Construction-source noise impacts resulting from on-site construction activities would be less-than-significant as mitigated. Construction-source vibration impacts would be less-than-significant. Construction-source noise impacts resulting from construction off-site master plan infrastructure improvements would be significant and unavoidable. Operational area-source noise impacts would be less-than-significant as mitigated. Operational area-source vibration impacts would be less-than-significant. Vehicular-source noise impacts would be less-than-significant.	Under this Alternative, existing noise/vibration conditions would be maintained. This Alternative would realize no new development and would generate no additional noise. This Alternative would result in reduced noise impacts when compared to the Project. No noise impact mitigation would be implemented under this Alternative.	Construction-source noise impacts resulting from on-site construction activities would be similar to those of the Project. Construction-source vibration impacts would be similar to the Project impacts. Construction-source noise impacts resulting from construction of off-site master plan infrastructure improvements would be similar to the Project impacts. Operational area-source noise impacts would be similar to the Project impacts. Operational area-source vibration impacts would be similar to the Project impacts. Vehicular-source noise impacts may be increased when compared to the Project impacts.	Construction-source noise impacts resulting from on-site construction activities would be similar to the Project impacts. Construction-source vibration impacts would be similar to the Project impacts. Construction-source noise impacts resulting from construction of off-site master plan infrastructure improvements would be similar to the Project impacts. Operational area-source noise impacts would be similar to the Project impacts. Operational area-source vibration impacts would be similar to the Project impacts. Vehicular-source noise impacts would be similar to the Project impacts.
Hazards/Hazardous Materials			
Hazards/hazardous materials impacts would be less-than-significant as mitigated.	Under this Alternative, existing hazards/hazardous materials conditions would be maintained. This Alternative would realize no new development and would generate no additional hazards/hazardous materials impacts. Existing adverse hazards/hazardous conditions affecting the subject site and surrounding areas (e.g., contaminated soils, animal waste, debris, pesticides, contaminated runoff) would persist.	Hazards/hazardous materials impacts would be similar to the Project impacts.	Hazards/hazardous materials impacts would be similar to the Project and would be less-than-significant as mitigated.
Hydrology/Water Quality			
Hydrology/water quality impacts would be less-than-significant.	Under this Alternative, existing hydrology/water quality conditions would be maintained This Alternative would realize no	Hydrology/water quality impacts would be similar to the Project impacts.	Hydrology/water quality impacts would be similar to the Project impacts.

Table 5.2-6
Summary of Potential Impacts, Alternatives Compared to Project, By Topic

EIR Topic: Project Impacts	No Project Alternative: No Build	No Project Alternative: Existing Policy Plan Land Uses	Reduced Intensity Alternative
	new development and would generate no additional hydrology and water quality impacts. Existing adverse hydrology/water quality conditions affecting the subject site (e.g., lack of storm sewers, lack of storm water quality treatment systems, degraded water quality due to dairy farming operations) would persist. This Alternative may therefore result in increased hydrology and water quality impacts when compared to the Project. That is, under the Project, adverse hydrology and water quality conditions affecting the site and surrounding areas would be comprehensively addressed through implementation of the Project stormwater management systems. These stormwater management system improvements would not be implemented under this Alternative. No hydrology/water quality impact mitigation would be implemented under this Alternative.		
Biological Resources			
Project biological resources impacts would be less-than-significant as mitigated.	Under this Alternative, existing biological resources conditions would be maintained. This Alternative would realize no new development and would have no incremental effects on biological resources. This Alternative would result in reduced biological resources impacts when compared to the Project. No biological resources impact mitigation would be implemented under this Alternative.	Biological resources impacts would be similar to the Project impacts.	Biological resources impacts would be similar to the Project impacts.
Geology and Soils			
Geology and soils impacts would be less-than-significant as mitigated.	Under this Alternative, existing geology and soils conditions would be maintained. This Alternative would realize no new development and would result in no new or additional geology and soils impacts. This Alternative would result in reduced geology and soils impacts when compared to the Project. No	Geology and soils impacts would be similar to the Project impacts.	Geology and soils impacts would be similar to the Project impacts.

Table 5.2-6
Summary of Potential Impacts, Alternatives Compared to Project, By Topic

EIR Topic: Project Impacts	No Project Alternative: No Build	No Project Alternative: Existing Policy Plan Land Uses	Reduced Intensity Alternative
	geology and soils impact mitigation would be implemented under this Alternative.		
Cultural Resources/Tribal Cultural Resources			
Demolition of 5 potential Contributors to New Model Colony / Chino Valley Dairy Historic District is a significant and unavoidable impact. Cultural resources/tribal cultural resources impacts would otherwise be less-than-significant or less-than-significant as mitigated.	Under this Alternative, existing cultural resources/tribal cultural resources conditions would be maintained. This Alternative would realize no new development and would result in no new or additional cultural resources/tribal cultural resources impacts. This Alternative would result in reduced cultural resources/tribal cultural resources impacts when compared to the Project. No cultural resources/tribal cultural resources impact mitigation would be implemented under this Alternative.	Cultural resources/tribal cultural resources impacts would be similar to the Project impacts.	Cultural resources/tribal cultural resources impacts would be similar to the Project impacts.
Agricultural Resources			
Agricultural resources impacts would be significant and unavoidable. These impacts have been previously addressed in the Policy Plan EIR.	Under this Alternative, existing agricultural resources conditions would be maintained. This Alternative would realize no new development and would result in no new or additional agricultural resources impacts. This Alternative would result in reduced agricultural resources impacts when compared to the Project. No agricultural resources impact mitigation would be implemented under this Alternative.	Agricultural resources impacts would be similar to the Project impacts.	Agricultural resources impacts would be similar to the Project impacts.
Utilities & Service Systems			
At properties adjacent to master plan infrastructure improvements implemented by the Project, construction-source noise impacts are recognized as significant and unavoidable (see: EIR Section 4.5, *Noise*). Additionally, conversion of off-site agricultural lands to non-agricultural purposes could result from Project construction of master plan infrastructure improvements. These impacts are recognized as significant and unavoidable	Under this Alternative, existing utilities and service systems conditions would be maintained. This Alternative would realize no new development and would result in no new or additional utilities and service systems impacts. This Alternative would result in reduced utilities and service systems impacts when compared to the Project. No utilities and service systems impact mitigation would be implemented under this Alternative.	Off-site construction-source noise and agricultural resources impacts would be similar to the Project impacts.	Off-site construction-source noise and agricultural resources impacts would be similar to the Project impacts.

Table 5.2-6
Summary of Potential Impacts, Alternatives Compared to Project, By Topic

EIR Topic: Project Impacts	No Project Alternative: No Build	No Project Alternative: Existing Policy Plan Land Uses	Reduced Intensity Alternative
(see: EIR Section 4.11, *Agricultural Resources*). Mitigation proposed in this EIR under other environmental topics would also address potential impacts associated with construction and operation of utilities and service systems. Other impacts associated with or resulting from construction of Project infrastructure improvements would be less-than-significant or less-than-significant as mitigated.			
Energy			
Energy impacts would be less-than-significant.	Under this Alternative, existing energy conditions would be maintained. This Alternative would realize no new development and would not result in increased energy demands. This Alternative would result in reduced energy impacts when compared to the Project. No energy impact mitigation would be implemented under this Alternative.	Facility energy impacts would be similar to the Project impacts. Increased trip generation may translate to increased vehicular-source energy demands.	Total energy demands and energy consumption impacts would likely be reduced when compared to the Project.
Population/Housing			
Population/housing impacts would be less-than-significant.		Population/housing impacts would be similar to the Project impacts.	Population/housing impacts would be similar to the Project impacts.
Relative Attainment of Project Objectives: All Project Objectives would be attained.	Existing site conditions would be maintained. None of the Project land uses or development concepts would be implemented. None of the Project Objectives would be realized.	This Alternative would not implement industrial uses, and in this regard would fail to achieve or would impede attainment the following Project Objectives: • Implement a Specific Plan development supporting business park and industrial uses providing a broad range of long-term employment opportunities. • Implement business park and industrial uses providing a broad range additional construction employment opportunities.	The Reduced Intensity Alternative would implement the proposed Merrill Commerce Center Specific Plan uses and development concepts at an approximately 25 percent reduction in overall development intensity. Due to its comparative reduction in scope, the Reduced Intensity Alternative would impede or substantially restrict attainment of the following Project Objectives. • Implement a Specific Plan development supporting business park and industrial uses providing a broad range of employment opportunities.

Table 5.2-6
Summary of Potential Impacts, Alternatives Compared to Project, By Topic

EIR Topic: Project Impacts	No Project Alternative: No Build	No Project Alternative: Existing Policy Plan Land Uses	Reduced Intensity Alternative
		• Provide business park and industrial uses near existing roadways and freeways to reduce traffic congestion and air emissions. • Provide land uses that are compatible with surrounding land uses and that would not conflict with the policies and environmental constraints identified in the Policy Plan. • Facilitate goods movement locally, regionally, nationally, and internationally.	• Implement business park and industrial uses providing a broad range additional construction employment opportunities. • Facilitate goods movement locally, regionally, nationally, and internationally. • Support the Policy Plan vision for urbanization of the Ontario Ranch area of the City.

5.2.7 Environmentally Superior Alternative

No Project Alternative: No Build Eliminated from Consideration

As indicated at Table 5.2-6, the No Project Alternative**:** No Build would achieve none of the Project Objectives, and under certain topics, may increase the severity of, or create additional impacts not otherwise occurring under the Project. This Alternative is therefore eliminated from consideration as the "Environmentally Superior Alternative."

No Project Alternative: Existing Policy Plan Land Uses Eliminated from Consideration

As indicated at Table 5.2-6, the No Project Alternative: Existing Policy Plan Land Uses would provide no reduction in significant environmental impacts when compared to the Project, and may increase the severity of, or create additional impacts not otherwise occurring under the Project. This Alternative is therefore eliminated from consideration as the "Environmentally Superior Alternative."

Reduced Intensity Alternative Considerations

As also indicated at Table 5.2-6, the Reduced Intensity Alternative would incrementally reduce the Project's environmental impacts. While providing relief from certain environmental impacts otherwise occurring under the Project. The Reduced Intensity Alternative would however substantially restrict attainment of the Project Objectives, as summarized below:

Reduced Intensity Alternative Would Reduce but Would not Eliminate Significant Impacts

The Reduced Intensity Alternative would reduce, but not eliminate the Project's significant impacts regarding transportation, air quality, GHG emissions, noise, and agricultural resources. More specifically:

- Total VMT would be reduced. However, VMT/SP ratios would be similar to the Project and related VMT impacts would be significant and unavoidable.

- The magnitude of operational-source air quality impacts (VOC, NO_x, CO, PM_{10} and $PM_{2.5}$ emissions impacts) would be diminished but would remain significant and unavoidable.

- Construction-source noise impacts affecting off-site properties along master plan infrastructure improvements corridors would be similar to the Project and would remain significant and unavoidable.

- GHG emissions impacts would be similar to the Project and would remain significant and unavoidable.

- Demolition of historic District Contributors would be required. Impacts to historic resources would be similar to the Project and would remain significant and unavoidable.

- On-site and potential off-site agricultural resources impacts would be similar to the Project and would remain significant and unavoidable.

Reduced Intensity Alternative Would Marginalize Attainment of Project Objectives

Based on the reduction in overall development scope, the Reduced Intensity Alternative would broadly restrict attainment of all Project Objectives. Where quantifiable (e.g., additional sales tax revenues, job creation, incremental property tax revenues), this reduction in attainment of Objectives would be approximately 25 percent less than would be otherwise realized under the Project. Qualitatively, development of the subject site under the Reduced Intensity Alternative fails to optimize use of a significant vacant property, and is not considered by the Lead Agency to represent the highest and best use of the subject site.

Summary and Conclusions

Reduced Intensity Alternative Identified as the Environmentally Superior Alternative

In conclusion, the Reduced Intensity Alternative would result in potential incremental reduction in certain significant environmental impacts otherwise occurring under the Project, but would not eliminate these impacts. The Reduced Intensity Alternative would allow for limited attainment of the Project Objectives. On this basis, the Reduced Intensity Alternative is identified as the environmentally superior alternative.

Other Considerations

Countering its potential environmental benefits, the Reduced Intensity Alternative would broadly and substantially diminish attainment of the Project Objectives, with related diminishment of socio-economic benefits to the City and region. CEQA indicates that socioeconomic effects (while not lone determinants) are important considerations for decision-makers in evaluating and considering EIR Alternatives. With respect to socioeconomics, the Project and the Reduced Intensity Alternative would each have beneficial effects for the area. Either of these scenarios would contribute to area employment and the City's overall tax base. However, as noted previously, because the scope and variety of land uses would be reduced by approximately 25 percent under the Reduced Intensity Alternative, the resulting effective realization of the Project Objectives, to include economic benefits to the City and region, would likely be similarly diminished.

Additionally, at an approximate 25 percent reduction in the Project's development scope, the Reduced Intensity Alternative would not recognize the site's value as one of the remaining undeveloped properties within the City; or take advantage of the site's available acreage and consequently would not result in development of the subject site in a manner considered to be its highest and best use.

5.3 GROWTH-INDUCING IMPACTS OF THE PROPOSED ACTION

5.3.1 Overview

CEQA Guidelines Section 15126.2 (e) *Growth-Inducing Impact of the Proposed Project* requires that an EIR:

> "Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a recycled water plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment."

Potential growth-inducing aspects and elements of the Project are discussed below and would include:

- Master plan infrastructure improvements;
- Job creation; and
- Economic stimulus/other.

5.3.2 Master Plan Infrastructure Improvements

The Project would implement infrastructure improvements that are consistent with the City and purveyor master plans. Please refer to the discussion of Project improvements presented at EIR Section 3.0, *Project Description*, 3.4.3.4 *Access and Circulation*, and 3.4.3.5 *Utilities Infrastructure*; and EIR Section 4.12, *Utilities and Services.* Infrastructure

improvements implemented by the Project would not only support the Project uses, but would also extend to and expand infrastructure available to off-site undeveloped portions of the City. The Project infrastructure improvements would be considered growth-inducing in that these improvements would facilitate development of currently undeveloped areas of the City. More specifically, Project infrastructure improvements would likely allow for and encourage development of the Ontario Ranch area of the City.

Ultimate development of off-site areas served by the Project infrastructure improvements would be governed by the Ontario Policy Plan. Environmental impacts of growth that would result from buildout of the City pursuant to the Policy Plan have been previously evaluated and addressed in the Policy Plan EIR. Growth that may result from or be facilitated by the Project infrastructure improvements would not result in impacts not previously considered and addressed in the Policy Plan EIR. Further, future projects that are the result of, or facilitated by, the Project infrastructure would still be subject to project level CEQA review and mitigation.

This EIR evaluates likely maximum impacts associated with all Project actions and operations, including but not limited to construction and operation of utilities and service systems distribution and conveyance lines. Construction and operation of the Project utilities and service systems distribution and conveyance lines described in this EIR would not result in conditions or environmental impacts not already considered and addressed elsewhere in this EIR. Mitigation proposed in this EIR under other environmental topics would also address potential impacts associated with construction and operation of utilities and service systems distribution and conveyance lines. There are no unique or atypical conditions or aspects of the Project utilities and service systems distribution and conveyance lines that would result in significant environmental impacts not otherwise addressed in this EIR.

Policy Plan Policy LU4-3 *Infrastructure Timing r*equires that necessary infrastructure and services be in place prior to or concurrent with new development. Similarly, the Merrill Commerce Center Specific Plan includes a development phasing plan and infrastructure phasing plan that require infrastructure supporting buildout of the Specific Plan be

adequately phased concurrent with development (see: Specific Plan, p. A-6). New development that may be facilitated by availability of infrastructure constructed by the Project would therefore not result in adverse impacts to infrastructure systems themselves, or to customers served by those infrastructure systems.

5.3.3 Job Creation

In general terms, job creation furthers growth via wages, salaries, and general fiscal benefits; increased demands for housing; and increased demands for consumer goods and services. As summarized at Table 5.3-1, below, the Project would create an estimated 8,638 new jobs, and does not include the development of any housing. As indicated at Table 5.3-1, Project job creation would not exceed the Policy Plan employment forecasts for the subject site. Project employment and any associated growth are therefore reflected in the Policy Plan and impacts of such growth are considered and addressed in the Policy Plan EIR. Project job creation and associated growth would not result in impacts not already considered and addressed in the Policy Plan EIR.

Table 5.3-1
Employment Comparison
Existing Policy Plan Land Uses vs. Project Land Uses

Land Use/Area	FAR/Maximum Bldg. Area (TSF)	Job Mixture	Employment Factor (Jobs/1000 SF)	Employment
Existing Policy Plan Land Uses				
Business Park/ 314.7 Acres	0.60 FAR/ 8,225,000 sf	Non-Office (50%)	0.650	2,673
		Office (50%)	2.860	11,762
Office Commercial 43.3 acres	0.75 FAR/ 1,415 TSF	Non-Office (30%)	0.718	305
		Office (70%)	2.860	2,833
General Commercial/ 18.3 acres	0.40 FAR/ 319 TSF	Non-Office (90%)	0.718	206
		Office (10%)	2.860	91
Total Employment				**17,870**
Project Land Uses				
Business Park:/ 55.1 acres	0.60 FAR/ 1,441 TSF	Non-Office (50%)	0.650	468
		Office (50%)	2.860	2,061
Industrial/ 292.8 acres	0.55 FAR/ 7,014 TSF	Non-Office (90%)	0.650	4,103
		Office (10%)	2.860	2,006
Right-of-way-Other/	---	---	---	---

Table 5.3-1
Employment Comparison
Existing Policy Plan Land Uses vs. Project Land Uses

Land Use/Area	FAR/Maximum Bldg. Area (TSF)	Job Mixture	Employment Factor (Jobs/1000 SF)	Employment
28.4 Acres				
Total Employment				**8,638**

Sources: Land Use Floor Area Ratio (FAR) development intensities from: The Ontario Plan Table LU-02 *Land Use Designations Summary* (City of Ontario) Amended March 2017. Job Mixture and Employment Factors from The Ontario Plan, *Buildout Methodology* (City of Ontario) Revised April 2015.

Economic Stimulus/Other

Construction and operation of the Project would act generally as economic stimulus for the City and region. As noted above, Project job creation would provide local and regional fiscal benefits and would contribute generally to increased demands for housing, goods, and services. Salaries and wages paid to employees, taxes, and other revenue streams generated by the Project would provide incentive for creation of second tier businesses with accompanying economic stimulus, which in turn would create third tier businesses, with accompanying economic stimulus, etc.

Economic stimulus and related growth resulting from the Project would create additional demands for City services. As noted previously, growth resulting from the Project is comprehensively reflected in the Policy Plan, and environmental impacts of this growth, including demands on City services are considered and addressed in the Policy Plan EIR. Growth due to Project economic stimulus factors would not result in impacts not already considered and addressed in the Policy Plan EIR.

Moreover, the Project Economic/Fiscal Impact Analysis substantiates that the Project would be self-supporting in terms of its fiscal impacts on City services, and would not result in undue or unaddressed demands for services. Further, as noted above, the Project would comply with Policy Plan Policy LU4-3 *Infrastructure Timing*. Policy LU4-3 requires that necessary infrastructure and services be in place prior to or concurrent with new development. Similarly, the Merrill Commerce Center Specific Plan includes a development phasing plan and infrastructure phasing plan that require infrastructure supporting buildout of the Specific Plan be adequately phased concurrently with

development (see: Specific Plan, p. A-6). New development that may be facilitated by availability of infrastructure constructed by the Project would therefore not result in adverse impacts to infrastructure systems themselves or to customers served by those infrastructure systems.

The Project would not otherwise encourage or facilitate known or probable activities that could significantly and adversely affect the environment, either individually or cumulatively. To the satisfaction of the City, as-yet unknown activities or developments that may derive from the Project would be independently required to evaluate and address their potential environmental impacts.

Summary

The Project would induce growth through the construction of master plan infrastructure improvements, job creation, and economic stimulus. Project master plan improvements would not of themselves result in impacts not considered and addressed within the EIR body text. Growth resulting from or facilitated by Project master plan infrastructure improvements is anticipated under the Policy Plan, and environmental impacts attributable to such growth is considered and addressed in the Policy Plan EIR.

Project job creation would not exceed employment projections developed under the Policy Plan. Accordingly, the growth resulting from Project job creation is anticipated under the Policy Plan, and as a result, such growth would not result in environmental impacts not already considered and addressed in the Policy Plan EIR.

The Project would provide economic stimulus that would directly and indirectly contribute to growth. However, growth due to Project economic stimulus factors would not result in impacts not already considered and addressed in the Policy Plan EIR.

The Project would not otherwise encourage and facilitate known or probable activities that could significantly affect the environment, either individually or cumulatively. To the satisfaction of the City, as-yet unknown activities or developments that may derive

from the Project would be independently required to evaluate and address their potential environmental impacts.

5.4 SIGNIFICANT ENVIRONMENTAL EFFECTS

An EIR must identify any significant environmental effects that would result from the Project. (Pub. Resources Code, §21100, subd. (b)(2)(B).) Significant environmental effects of the Project are summarized below.

5.4.1 Significant Transportation Impacts

EIR Section 4.2, *Transportation*, details the Project's potential transportation impacts. As discussed in that Section, even after compliance with applicable regulations and requirements, and application of mitigation measures, the Project would result in certain significant and unavoidable transportation impacts, summarized below.

Vehicle Miles Traveled (VMT) Impacts

The Project VMT Assessment estimates the Project VMT/Service Population (Project VMT/SP) and compares the Project VMT/SP to a calculated City Average Existing VMT/SP. Project VMT/SP that would exceed 85 percent of the City Average Existing VMT/SP would be considered a potentially significant VMT impact. Potentially significant VMT impacts are mitigated through implementation of Transportation Demand Management (TDM) measures. Even with implementation of proposed TDM measures, Project VMT impacts would be individually and cumulatively significant and unavoidable.

5.4.2 Significant Air Quality Impacts

EIR Section 4.3, *Air Quality*, details the Project's potential air quality impacts. As discussed in that Section, even after compliance with applicable regulations and requirements, and application of mitigation measures, the Project would result in the following significant and unavoidable air quality impacts:

- Project operational-source VOC, NO_x, CO, PM_{10}, and $PM_{2.5}$ emissions would exceed applicable SCAQMD regional thresholds and per AQMD criteria would be

significant. Per SCAQMD criteria, Project-level impacts that are significant are also cumulatively considerable. Project operational-source VOC, NO_x, PM_{10}, and $PM_{2.5}$ emissions threshold exceedances would result in a cumulatively considerable net increase in criteria pollutants (ozone and PM_{10}/$PM_{2.5}$) for which the Project region is non-attainment. These are cumulatively significant and unavoidable air quality impacts.

- Because a change in land use is proposed by the Project, it is assumed that air pollutant emissions generated by the Project are not reflected in the 2016 AQMP air quality standards, interim emissions reductions targets, and emissions inventories. Consequently, development of the subject site as proposed by the Project is assumed to conflict with the 2016 AQMP. This is a significant and unavoidable impact. Per SCAQMD criteria, this significant impact at the Project-level would also be cumulatively considerable.

5.4.3 Significant GHG Emissions Impacts

EIR Section 4.4, *Greenhouse Gas Emissions*, details the Project's potential GHG emissions impacts. As discussed in that Section, even after compliance with applicable regulations and requirements, and application of mitigation measures, the Project could directly or indirectly generate GHG emissions that may have a significant impact on the environment. Further, the Project could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the GHG emissions. The Project's potential to contribute considerably (either individually or cumulatively) to global climate change impacts through GHG emissions is therefore considered significant and unavoidable.

5.4.4 Significant Noise Impacts

EIR Section 4.5, *Noise*, details the Project's potential noise impacts. As discussed within that Section, even after compliance with applicable regulations and requirements, and application of mitigation measures, noise impacts associated with Project construction of off-site master plan infrastructure improvements would be individually and cumulatively significant and unavoidable for the duration of off-site master plan infrastructure construction activities.

5.4.5 Significant Cultural (Historic) Resources Impacts

EIR Section 4.10, *Cultural Resources/tribal Cultural Resources*, details the Project's potential cultural resources impacts. As discussed within that Section, demolition of historic District Contributors within the Project site is required to allow for implementation of the Project. Even after compliance with applicable regulations and requirements, and application of mitigation measures, these impacts would be significant and unavoidable.

5.4.6 Significant Agricultural Resources Impacts

As substantiated at EIR Section 4.11, *Agricultural Resources*, the Project would result in conversion of on-site Farmland to urban uses. Additional conversion of off-site agricultural lands to non-agricultural purposes could also occur as a result of Project construction of master plan infrastructure improvements. These are considered to be individually and cumulatively significant and unavoidable impacts. However, the Project would not cause or result in significant and unavoidable agricultural resources impacts and loss of Farmland impacts beyond those already considered and addressed in the Ontario Sphere of Influence (New Model Colony [Ontario Ranch]) General Plan [Policy Plan] Amendment EIR, The Ontario Plan EIR, and the [City of Ontario] Infrastructure Master Plans MND. The Project would not result in new significant and unavoidable agricultural resources impacts and loss of Farmland not otherwise occurring pursuant to the Policy Plan Land Use Plan.

5.5 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

The *CEQA Guidelines* § § 15126, subd. (c), 15126.2, subd. (c), 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the Project be implemented. As presented at *CEQA Guidelines* §15127, the topic of Significant Irreversible Environmental Changes need be addressed in EIRs prepared in connection with any of the following activities:

> (a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

(b) The adoption by a local agency formation commission of a resolution making determinations; or

(c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. 4321-4347.

The Project qualifies under *Guidelines* §15127 (a) in that City of Ontario Policy Plan (Land Use Element) amendment(s) are required in order to implement the Project. As such, this EIR analysis addresses significant irreversible environmental changes which could be involved in the proposed action should it be implemented [*Guidelines*, Sections 15126(e) and 15127]. An impact would fall into this category if:

- A project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses;
- A project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

With regard to the above considerations, various natural resources, in the form of construction materials and energy resources, would be used in the construction of the Project, but their use is not expected to result in shortfalls in the availability of these resources. Development of the site with the Project uses will commit the property to such uses for the foreseeable future, and thereby limit the site's prospective alternative uses. Notwithstanding, given the current Specific Plan Zoning Designation for the site; the even greater development intensities envisioned for the subject site under the current Policy Plan Land Use designations; and the urbanization of surrounding properties, commitment of the site to uses proposed by the Project is considered appropriate.

The Project presents no significant possibility of irreversible environmental damage "from any potential environmental incidents associated with the project." That is, the Project does not propose facilities or uses that would result in potentially significant environmental incidents. Moreover, all feasible mitigation is incorporated in the Project to reduce its potential environmental effects. As discussed herein, the Project would not result in or cause unwarranted or wasteful use of resources, including energy.

6.0 ACRONYMS AND ABBREVIATIONS

6.0 ACRONYMS AND ABBREVIATIONS

ACMs	Asbestos Containing Materials
ADT	Average Daily Traffic
APN	Assessor's Parcel Number
AQMD	Air Quality Management District
AQMP	Air Quality Management Plan
ARB	California Air Resources Board
AVO	Average Vehicle Occupancy
BAT	best available technology
BCT	best conventional pollutant control technology
BMP	Best Management Practice
BOE	Board of Equalization
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CalARP	California Accidental Release Prevention Program
CalEPA	California Environmental Protection Agency
CALINE4	California Line Source Dispersion Model
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health Administration
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CAT	Climate Action Team
CBC	California Building Code
CCAA	California Clean Air Act
CCAR	California Climate Action Registry
CCR	California Code of Regulations
CC&Rs	Covenants, Conditions and Restrictions

CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
cfs	cubic feet per second
CH_4	Methane
CIWMB	California Integrated Waste Management Board
CMP	Congestion Management Plan
CNEL	Community Noise Equivalent Level
CO	Carbon monoxide
CO_2	Carbon dioxide
CPUC	California Public Utilities Commission
CRA	Community Redevelopment Agency
CRWQCB	California Regional Water Quality Control Board
CTP	Comprehensive Transportation Plan
CUP	Conditional Use Permit
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
dB	decibel
dBA	A-weighted decibel
DEIR	Draft Environmental Impact Report
DHS	California Department of Health Services
DIF	Development Impact Fees
DOT	U. S. Department of Transportation
DPM	Diesel Particulate Matter
DPW	Department of Public Works
DTSC	California Department of Toxic Substances Control
EIR	Environmental Impact Report
EMS	Energy Management System
EPA	Environmental Protection Agency

FCAA	Federal Clean Air Act
Fed/OSHA	Federal Occupational Safety and Health Administration
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rating Map
fpm	feet per minute
GHG	Greenhouse Gas
GLA	Gross Leasable Area
GMP	Growth Management Plan
GPA	General Plan Amendment
gpd	gallons per day
HCM	Highway Capacity Manual
HOV	High Occupancy Vehicle
HPLV	High Pressure Low Volume
HSC	Health and Safety Code
HSWA	Hazardous and Solid Waste Amendments Act
HUD	U. S. Department of Housing and Urban Development
HVAC	Heating, Ventilation, & Air Conditioning
ICU	Intersection Capacity Utilization
IS	Initial Study
ISTEA	Intermodal Surface Transportation Efficiency Act
ITE	Institute of Transportation Engineers
IWA	Integrated Waste Management Act
kV	kilovolt
kVA	kilovolt-ampere
Ldn	day/night average sound level
LEA	Local Enforcement Agency
LED	light-emitting diodes
Leq	equivalent sound level
LEED	Leadership in Energy and Environmental Design
LOS	Level of Service
LST	Localized Significance Threshold

M	Richter Magnitude
MBTA	Migratory Bird Treaty Act
mgd	million gallons per day
MOE	Measure of Effectiveness
MPE	maximum probable earthquake
mph	miles per hour
MPO	Metropolitan Planning Organization
MRF	Materials Recycling Facility
MSDS	Material Safety Data Sheets
msl	mean sea level
MSW	Municipal Solid Waste
MTA	Metropolitan Transit Authority
$\mu g/m^3$	micrograms per cubic meter
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NDFE	Non-Disposal Facility Element
NIH	National Institutes of Health
NO_2	Nitrogen dioxide
NOI	Notice of Intent
NOP	Notice of Preparation
NO_x	Oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
NRC	Nuclear Regulatory Commission
O_3	Ozone
OAP	Ozone Attainment Plan
OEHHA	California Office of Environmental Health Hazard Assessment
OES	Office of Emergency Services
OIMP	Odor Impact Minimization Plan
OSHA	Occupational Safety and Health Administration
PA	Preliminary Assessment
Pb	Lead
PCE	passenger car equivalency

PD	Planned Development
$PM_{2.5}$	Particulate Matter Less Than 2.5 Microns in Diameter
PM_{10}	Particulate Matter Less Than 10 Microns in Diameter
PPE	Personal Protection Equipment
ppm	parts per million
PV	Photovoltaic
RCRA	Resource Conservation and Recovery Act
RECs	Recognized Environmental Conditions
REMEL	Reference Energy Mean Emission Level
RFPA	Regional Fire Protection Authority
RMP	Risk Management Plan
ROG	Reactive Organic Gases
RTA	Retail Trade Area
RUWMP	Regional Urban Water Management Plan
RWQCB	Regional Water Quality Control Board
SARA	Superfund Amendments & Reauthorization Act
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCH	State Clearinghouse
SIP	State Implementation Plan
SLM	Sound Level Meter
SO_x	Oxides of sulfur
SRRE	Source Reduction and Recycling Element
SSC	Species of Special Concern
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
TEA-21	Transportation Equity Act for the 21st Century
TIA	Traffic Impact Analysis
TIS	Traffic Impact Study
TPD	tons per day

UBC	Uniform Building Code
UFC	Uniform Fire Code
USEPA	United States Environmental Protection Agency
USFS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UWMP	Urban Water Management Plan
V/C	Volume to Capacity
VdB	vibration decibel
VMT	vehicle miles traveled
VOC	Volatile Organic Compound
WQMP	Water Quality Management Plan

7.0 REFERENCES

7.0 REFERENCES

PERSONS AND ORGANIZATIONS CONSULTED

City of Ontario
Chuck Mercier, Principal Planner

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EIR PREPARERS

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Ross S. Geller, Principal
Charly Ray, Senior Project Manager
Amy Flores, Assistant Project Manager
Jennifer Gilbert, Staff Editor

DOCUMENTS CONSULTED

Biological Technical Report for Merrill Commerce Center Specific Plan, Located in the City of Ontario, San Bernardino County, California with Off-Site Improvements Located in the Cities of Ontario and Chino, San Bernardino County, California (Glenn Lukos Associates, Inc.) September 19, 2019.

Cultural Resources Study for the Merrill Commerce Center Specific Plan Project, City of Ontario, San Bernardino County, California (Brian F. Smith and Associates, Inc.) August 27, 2019.

Geotechnical Feasibility Study, Proposed Commercial/Industrial Development, NEC Grove Avenue and Merrill Avenue, Ontario, California (Southern California Geotechnical) November 21, 2017.

Geotechnical Feasibility Study, Proposed Commercial/Industrial Development, NWC Vineyard Avenue and Merrill Avenue, Ontario, California (Southern California Geotechnical) November 21, 2017.

Geotechnical Investigation, Proposed Commercial/Industrial Development, 8643 Eucalyptus Avenue, Ontario, California (Southern California Geotechnical) May 18, 2017.

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Guidelines for Implementation of the California Environmental Quality Act, Sections 15000-15387 of the California Code of Regulations, Governor's Office of Planning and Research.

Limited Methane Investigation Report, 8731 Eucalyptus Avenue, Ontario, California 91762 (Partner Engineering and Science, Inc.) May 31, 2017.

Limited Methane Investigation Report, Alewyn Land, 9031 Eucalyptus Avenue, Ontario, California 91762 (Partner Engineering and Science, Inc.) August 31, 2018.

Limited Phase II Environmental Site Assessment, GH Dairy, 8643 Eucalyptus Avenue, Ontario, San Bernardino County, CA (AECOM) June 12, 2017.

Limited Phase II Subsurface Investigation and Limited Methane Investigation Report, Borba Land Phase II (189 acres) 14545 South Grove Avenue, Ontario, California 91762 (Partner Engineering and Science, Inc.) June 26, 2017.

Limited Phase II Subsurface Investigation and Limited Methane Investigation Report, Lanting Land, 9032 Merrill Avenue, Ontario, California 91762 (Partner Engineering and Science, Inc.) August 31, 2018.

Merrill Commerce Center Specific Plan (T&B Planning, Inc.) September 29, 2020.

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Merrill Commerce Center Specific Plan, Construction Health Risk Assessment Memorandum (Urban Crossroads, Inc.) January 12, 2020.

Merrill Commerce Center Specific Plan, Greenhouse Gas Analysis, City of Ontario (Urban Crossroads, Inc.) January 12, 2020.

Merrill Commerce Center Specific Plan, Mobile Source Health Risk Assessment, City of Ontario (Urban Crossroads, Inc.) January 12, 2020.

Merrill Commerce Center Specific Plan, Noise Impact Analysis, City of Ontario (Urban Crossroads, Inc.) July 28, 2020.

Merrill Commerce Center Specific Plan, Traffic Impact Analysis, City of Ontario (Urban Crossroads, Inc.) June 30, 2020.

Merrill Commerce Center Specific Plan, Vehicle Miles Traveled (VMT) Assessment (Urban Crossroads, Inc.) January 14, 2020.

Paleontological Resource Assessment for the Proposed Merrill Commerce Center Specific Plan Project, City of Ontario, Southern San Bernardino County, California (Brian F. Smith and Associates, Inc.) April 1, 2020.

Phase I Environmental Site Assessment, Borba Land Phase II (189 acres), 14545 South Grove Avenue, Ontario, California 91762 (Partner Engineering and Science, Inc.) May 2, 2017.

Phase I Environmental Site Assessment, GH Dairy Farm, 8643 Eucalyptus Avenue, Ontario, San Bernardino County, California (AECOM) April 13, 2017.

Phase I Environmental Site Assessment Report, Alewyn Land, 9031 Eucalyptus Avenue, Ontario, California 91762 (Partner Engineering and Science, Inc.) August 2, 2018.

Phase I Environmental Site Assessment Report, Lanting Land, 9032 Merrill Avenue and 8911 Eucalyptus Avenue, Ontario, California 91762 (Partner Engineering and Science, Inc.) August 24, 2018.

Phase I Environmental Site Assessment Report, Minaberry Land, 8731 Eucalyptus Avenue, Ontario, California 91762 (Partner Engineering and Science, Inc.) February 28, 2017.

Preliminary Water Quality Management Plan (PWQMP) for Merrill Commerce Center Specific Plan Project (JLC Engineering & Consulting, Inc.) September 17, 2019.

Proposed Merrill Commerce Center Specific Plan – Revised Historical Resource Survey (Urbana Preservation & Planning) April 28, 2020.

Technical Memorandum Borba II Project [Merrill Commerce Center Specific Plan Project] Hydrology & Hydraulic Assessment (JLC Engineering & Consulting, Inc.) September 19, 2019.

The Ontario Plan, Draft Environmental Impact Report (The Planning Center) April 2009.

Water Supply Assessment Merrill Commerce Center Specific Plan for City of Ontario (Placeworks) July 2019.

RESOLUTION NO. PC20-095

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PGPA18-003, AN AMENDMENT TO THE LAND USE ELEMENT OF THE POLICY PLAN (GENERAL PLAN), REVISING EXHIBIT LU-01 (OFFICIAL LAND USE PLAN) AND EXHIBIT LU-03 (FUTURE BUILDOUT), AFFECTING PROPERTIES LOCATED WITHIN THE ONTARIO RANCH AND BOUNDED BY EUCALYPTUS AVENUE TO THE NORTH, MERRILL AVENUE TO THE SOUTH, CARPENTER AVENUE TO THE EAST, AND GROVE AVENUE TO THE WEST, AND MAKING FINDINGS IN SUPPORT THEREOF – APNS: 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05; 1073-111-06. (SEE ATTACHMENTS 1 AND 2) (PART OF CYCLE 1 FOR THE 2021 CALENDAR YEAR).

WHEREAS, MERRILL COMMERCE CENTER EAST LLC and MERRILL COMMERCE CENTER WEST LLC (“Applicant”) have filed an Application for the approval of a General Plan Amendment, File No. PGPA18-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City of Ontario adopted the Policy Plan (General Plan) as part of The Ontario Plan in January 2010. Since the adoption of The Ontario Plan, the City has evaluated Exhibits LU-01: Official Land Use Plan and LU-03: Future Buildout further and is proposing modifications; and

WHEREAS, the proposed changes to Exhibit LU-01 (Official Land Use Plan) include changes to land use designations of certain properties shown on Attachment 1 to make the land use designations of these properties consistent with the proposed Merrill Commerce Center Specific Plan (PSP18-001); and

WHEREAS, Policy Plan Exhibit LU-03 (Future Buildout) specifies the expected buildout for the City of Ontario, incorporating the adopted land use designations. The proposed changes to Exhibit LU-01 (Official Land Use Plan) will require that Exhibit LU-03 (Future Buildout) is modified to be consistent with Exhibit LU-01 (Official Land Use Plan), as depicted on Attachment 2, attached; 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, the project site is also located with the Airport Influence Area 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, which addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, as the first action on the Project, on December 22, 2020, the Planning Commission recommended approval of a Resolution recommending City Council certify the Merrill Commerce Center Specific Plan Environmental Impact Report ("EIR") (State Clearinghouse No. 2019049079) including the adoption of a Mitigation Monitoring and Reporting Plan (MMRP) and a Statement of Overriding Considerations; and

WHEREAS, on December 22, 2020, 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 body for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The Merrill Commerce Center Specific Plan EIR, MMRP, Statement of Overriding Considerations, and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Merrill Commerce Center Specific Plan EIR, MMRP, and Statement of Overriding Considerations contain a complete and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment of the Planning Commission.

SECTION 2: ***Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance and Chino Airport Influence Area.*** The project site is located within the Airport Influence Area ("AIA") of the Ontario International Airport ("ONT"), and has been found to be consistent with the policies and criteria set forth within the ALCUP for ONT. The project site is located in the Chino Airport's AIA and the Chino Airport zoning overlay. Land use compatibility assessments are part of the Chino Airport Master Plan. The project site is within Safety Zones 1, 2, 3, 4, and 6, Traffic Pattern Zone of the Chino Airport Overlay (Generic Safety Zones for General Aviation Airports from the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook. The Project has been found to be consistent with the policies and criteria set forth in the California Airport Land Use Planning Handbook.

SECTION 3: ***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 Sections 1 through 2, above, the Planning Commission hereby concludes as follows:

(1) The proposed General Plan Amendment is consistent with the goals and policies of The Ontario Plan as follows:

(a) **LU2-1 Land Use Decisions.** We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

Compliance: The proposed General Plan Amendment closely coordinates with land use designations in the surrounding area which will not increase adverse impacts on adjacent properties. The project site is also impacted by aircraft traffic patterns from Runway 3-21, where aircraft fly directly over the project site when performing Touch-and-Go Landings (a maneuver where aircraft are landing on a runway and taking off again without coming to a full stop and the pilot then circles the airport in a defined pattern to allow many landings to be practiced in a short time). The State Division of Aeronautics prohibits or limits the development of new incompatible land uses (e.g., schools, daycares, etc.) surrounding existing airports, and the proposed project would create land use consistency with Chino Airport and satisfy the criteria set forth in the Handbook.

(b) **LU4-1 Commitment to Vision.** We are committed to achieving our Vision but realize that it may take time and several interim steps to get there.

Compliance: The proposed land use designation change from General Commercial (0.4 FAR), Office Commercial (0.75 FAR), and Business Park (0.6 FAR) to Business Park and Industrial and will provide consistency between the TOP Policy Plan Land Use Plan and the proposed Merrill Commerce Center Specific Plan and will result in a logical land use pattern in and around the affected areas.

(c) **LU5-7 ALUCP Consistency with Land Use Regulations.** We comply with state law that required 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.

Compliance: The proposed project is located within the Safety, Noise, Airspace Protection and Overflight Zones of the ALUCP for ONT. A consistency determination was completed, and the proposed project is consistent with the policies and criteria of the ALUCP for ONT, subject to conditions. In addition, the project site is located within Chino Airport's airport influence area and the Chino Airport zoning overlay. Land use compatibility assessments are part of the Chino Airport Overlay (Generic Safety Zones for General Aviation Airports from the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook). Pursuant to the California Airport Land Use Planning Handbook, the Specific Plan site is within Safety Zones 1, 2, 3, 4, and 6, Traffic Pattern/Overflight Zone. Light industrial and manufacturing uses are acceptable within Zones 2, 3, 4, and 6, subject to Open Land criteria.

(d) **S4-6 Airport Noise Compatibility.** We utilize information from Airport Land Use Compatibility Plans to prevent the construction of new noise sensitive land uses within airport noise impact zones.

Compliance: The project site is located partially within the 55-60 dB CNEL noise contour for Chino Airport. Sensitive land uses (e.g., schools, residences) would be prohibited within the 55-60 dB CNEL noise contour. The proposed uses include warehouse, light manufacturing, ancillary office/commercial, and professional office uses and, therefore, no significant impacts are anticipated.

(2) The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

(3) The Land Use Element is a mandatory element allowed four general plan amendments per calendar year and this general plan amendment is the first amendment to the Land Use Element of the 2021 calendar year consistent with Government Code Section 65358;

(4) 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. Changing the land use designation of the subject property from General Commercial (0.4 FAR), Office Commercial (0.75 FAR), and Business Park (0.6 FAR), to Business Park (0.6 FAR) and Industrial (0.55 FAR) will not impact the City's Regional Housing Needs Allocation obligations or the City's ability to satisfy its share of the region's future housing need;

(5) During the amendment of the general plan, opportunities for the involvement of citizens, California Native American Indian tribes (Government Code Section 65352.3.), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means were implemented consistent with Government Code Section 65351.

SECTION 4: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 3, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the proposed General Plan Amendment, as depicted in Attachment 1 (Policy Plan Land Use Plan (Exhibit LU-01) Revision) and Attachment 2 (Future Buildout (Exhibit LU-03) Revision) of this Resolution.

SECTION 5: ***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 6: ***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 7: ***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 22nd day of December 2020, 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. PC20-095, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on December 22, 2020, by the following roll call vote, to wit:

AYES: DeDiemar, Gage, Gregorek, Ricci, Willoughby

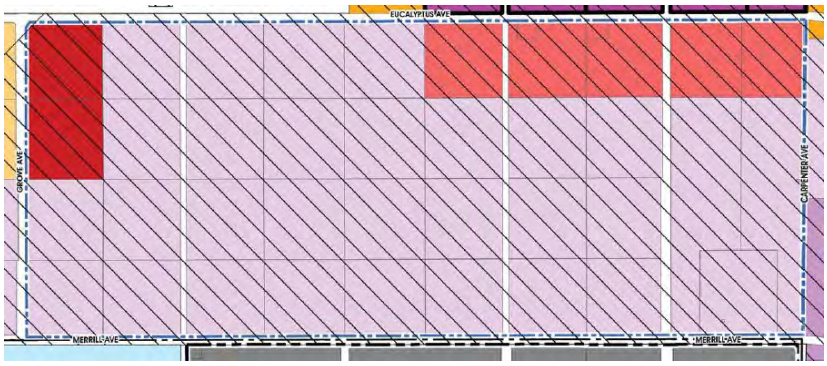
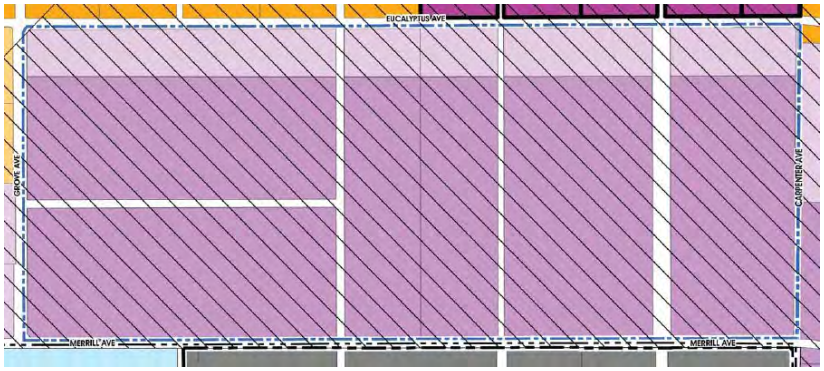
NOES: None

ABSENT: None

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT 1: Policy Plan Land Use Plan (Exhibit LU-01) Revision

Existing Policy Plan Land Use	 Business Park (0.6 FAR) Office Commercial (0.75 FAR) General Commercial (0.4 FAR)
Assessor Parcel Number(s) Involved	1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05; 1073-111-06 Properties are bound by Eucalyptus Avenue to the north, Merrill Avenue to the south, Carpenter Avenue to the east, and Grove Avenue to the west.
Proposed Policy Plan Land Use	 Business Park (0.6 FAR) Industrial (0.55 FAR)

ATTACHMENT 2: Future Buildout (Exhibit LU-03) Revision

THE ONTARIO PLAN

LU-03 Future Buildout[1]

Land Use	Acres[2]	Assumed Density/Intensity[3]	Units	Population[4]	Non-Residential Square Feet	Jobs[5]
Retail/Service						
Neighborhood Commercial[6]	285	0.30 FAR			3,725,556	9,015
General Commercial	~~464~~ 446	0.30 FAR			~~6,067,342~~ 5,827,805	~~5,636~~ 5,414
Office/ Commercial	~~498~~ 447	0.75 FAR			~~16,013,428~~ 14,612,311	~~35,523~~ 32,405
Hospitality	142	1.00 FAR			6,177,679	7,082
Subtotal	~~1,392~~ *1,320*				~~31,989,006~~ *30,343,352*	~~57,256~~ *53,916*
Employment						
Business Park	~~1,506~~ 1,259	0.40 FAR			~~36,273,284~~ 21,940,980	~~46,896~~ 38,495
Industrial	~~6,518~~ 6,806	0.55 FAR			~~156,162,964~~ 163,101,440	~~137,208~~ 143,304
Subtotal	~~8,026~~ *8,067*				~~182,436,247~~ *185,042,420*	~~183,304~~ *181,799*
Other						
Open Space–Non-Recreation	1,232	Not applicable				
Open Space–Parkland[6]	950	Not applicable				
Open Space-Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	621	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	~~4,871~~ 4,891	Not applicable				
Subtotal	~~9,895~~ *9,915*					
Total	***31,786***		***100,976***	***348,467***	~~248,083,563~~ *249,044,083*	~~310,358~~ *305,512*

Notes
1 Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
2 Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
3 Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
4 Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
5 To view the factors used to generate the number of employees by land use category, access the Methodology report.
6 Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

RESOLUTION NO. PC20-096

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, RECOMMENDING THE CITY COUNCIL APPROVE THE MERRILL COMMERCE CENTER SPECIFIC PLAN (FILE NO. PSP18-001), TO ESTABLISH LAND USE DISTRICTS, DEVELOPMENT STANDARDS, DESIGN GUIDELINES, AND INFRASTRUCTURE IMPROVEMENTS FOR THE POTENTIAL DEVELOPMENT OF UP TO 8,455,000 SQUARE FEET OF GENERAL INDUSTRIAL AND BUSINESS PARK LAND USES ON 376.3 ACRES OF LAND GENERALLY BORDERED BY EUCALYPTUS AVENUE TO THE NORTH, MERRILL AVENUE TO THE SOUTH, CARPENTER AVENUE TO THE EAST, AND GROVE AVENUE TO THE WEST, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05; AND 1073-111-06.

WHEREAS, MERRILL COMMERCE CENTER EAST, LLC, and MERRILL COMMERCE CENTER WEST, LLC, ("Applicant") have filed an Application for the approval of a Specific Plan, File No. PSP18-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 376.3 acres of land, bordered by Eucalyptus Avenue to the north, Merrill Avenue to the south, Carpenter Avenue to the east, and Grove Avenue on the west, within the SP(AG) (Specific Plan (Agricultural Overlay)) zoning district, and is presently improved with agricultural, dairy, and truck terminal uses; and

WHEREAS, the properties to the north of the Project site are within the SP(AG) zoning district and developed with agriculture/dairy and truck terminal uses. The properties to the east are within the SP zoning district, known as the West Ontario Commerce Center Specific Plan, and are developed with industrial uses. The properties to the south are located within the City of Chino and are developed with the Chino Airport, agricultural uses, and industrial buildings. The properties to the west are within the SP(AG) zoning district and are developed with agriculture/dairy uses; and

WHEREAS, the Merrill Commerce Center Specific Plan establishes a comprehensive set of design guidelines and development regulations to guide and regulate site planning, landscape, and architectural character, and ensuring that

excellence in community design is achieved during project development. In addition, the Specific Plan will establish the procedures and requirements to approve new development within the project site to ensure TOP goals and policies are achieved; and

WHEREAS, the Merrill Commerce Center Specific Plan consists of approximately 376.3 acres of land, which includes the potential development of up to 8,455,000 square feet of business park and industrial development; and

WHEREAS, a request for approval of a General Plan Amendment (File No. PGPA18-003) to change the land use designations shown on Policy Plan Exhibit LU-01, Land Use Plan, on approximately 376.3 acres of land from General Commercial (0.4 Floor Area Ratio (FAR)), Office Commercial (0.75 FAR), and Business Park (0.6 FAR), to Business Park (0.6 FAR) and Industrial (0.55 FAR), and modify Policy Plan Exhibit LU03, Future Buildout, to be consistent with the proposed land use designation changes, which was submitted in conjunction with the proposed Merrill Commerce Center Specific Plan and the related Environmental Impact Report ("EIR"); and

WHEREAS, the land use intensity of the Merrill Commerce Center Specific Plan anticipated in the eleven planning areas is consistent with The Ontario Plan ("TOP"). The Specific Plan is proposing a maximum 0.6 floor area ratio ("FAR") within the Business Park land use designation (Planning Areas 1A, 3A, 4A, 5A, and 6A) located along the northern portion of the Specific Plan area. Planning Areas 1A, 3A, 4A, 5A, and 6A is 55.1 acres in size and can be potentially developed with 1,441,000 square feet of business park development. The Specific Plan is proposing a maximum 0.55 FAR within the Industrial land use designation (Planning Areas 1, 2, 3, 4, 5, and 6) located along the southern portion of the Specific Plan. Planning Areas 1 through 6 is 292.8 acres in size and can potentially be developed with 7,014,000 square feet of industrial development. The proposed FARs for each of the land use areas is consistent with the Policy Plan Land Use designations for Business Park and Industrial; and

WHEREAS, the Merrill Commerce Center Specific Plan has been prepared in conformance with the goals and policies of the City of Ontario Policy Plan (General Plan). The policy (General Plan) analysis in the Appendix "Policy Plan (General Plan) Consistency," of the Specific Plan describes the manner in which the Merrill Commerce Center Specific Plan complies with the Policy Plan goals and policies applicable to the Merrill Commerce Center Specific Plan; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 et seq. (hereinafter referred to as "CEQA"); and

WHEREAS, an EIR (State Clearinghouse No. 2019049079), including the adoption of a Mitigation Monitoring and Reporting Program ("MMRP") and a Statement of

Overriding Considerations, have been prepared in accord with CEQA, the State CEQA Guidelines, and the City of Ontario Guidelines to address the environmental effects of the Specific Plan (Merrill Commerce Center Specific Plan); and

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

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of TOP, 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, the project site is also located with the Airport Influence Area 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, which 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 December 22, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the EIR, MMRP, Statement of Overriding Considerations, and 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 EIR, MMRP, and a Statement of Overriding Considerations prepared for the project and supporting documentation. Based upon the facts and information contained in the EIR (State Clearinghouse No. 2019049079) and supporting documentation, the Planning Commission finds as follows:

(1) The Merrill Commerce Center Specific Plan EIR, MMRP, Statement of Overriding Considerations contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(2) The Merrill Commerce Center Specific Plan EIR, MMRP, and Statement of Overriding Considerations was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(3) The Merrill Commerce Center Specific Plan EIR, MMRP, and a Statement of Overriding Considerations reflects the independent judgment of the Planning Commission.

SECTION 2: ***Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance and Chino Airport Influence Area.*** The proposed project is located within the Safety, Noise, Airspace Protection and Overflight Zones of the ALUCP. A consistency determination was completed, and the proposed project is consistent with the policies and criteria of the ALUCP, subject to conditions. In addition, the project site is located within the Chino Airport's airport influence area (AIA) and the Chino Airport zoning overlay. Land use compatibility assessments are part of the Chino Airport Overlay (Generic Safety Zones for General Aviation Airports from the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook). Pursuant to the California Airport Land Use Planning Handbook, the Specific Plan site is within Safety Zones 1, 2, 3, 4, and 6, Traffic Pattern/Overflight Zone. Light industrial and manufacturing uses are acceptable within Zones 2, 3, 4, and 6, subject to Open Land criteria.

SECTION 3: ***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 Sections 1 and 2, above, the Planning Commission hereby concludes as follows:

(1) The approximately 376.3-acre Merrill Commerce Center Specific Plan is suitable for business park and industrial development and is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of TOP. The proposed land uses in the proposed districts will also be in harmony in terms of access, size, and compatibility with existing land use in the surrounding area; and

(2) The proposed Merrill Commerce Center Specific Plan is in conformance with the Land Use Policies and Goals of the Policy Plan and will provide standards and guidelines for the harmonious development within the districts, in a manner consistent with the Policy Plan. The Specific Plan is proposing business park and industrial type development for the approximately 376.3-acre site, which is what is mandated by the land use plan of the Policy Plan; therefore, the proposed industrial uses will be in conformance with the policies and goals of the Policy Plan; and

(3) During the Merrill Commerce Center Specific Plan review, opportunities for the involvement of citizens, California Native American Indian tribes (Government Code Section 65352.3.), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means, were implemented consistent with California Government Code Section 65351; and

(4) 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: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 3, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 5: ***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 6: ***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 7: ***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 22nd day of December 2020, 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. PC20-096, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on December 22, 2020, by the following roll call vote, to wit:

AYES: DeDiemar, Gage, Gregorek, Ricci, Willoughby

NOES: None

ABSENT: None

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PSP18-001
Merrill Commerce Center Specific Plan

(Document to follow this page)

MERRILL COMMERCE CENTER

SPECIFIC PLAN

CITY OF ONTARIO

Applicants:
Merrill Commerce Center East, LLC
Merrill Commerce Center West, LLC
3546 Concours Street, Suite 100
Ontario, CA 91764

Prepared By:
T&B Planning, Inc.
3200 El Camino Real, Suite 100
Irvine, CA 92602

Date: December 07, 2020

TABLE OF CONTENTS

ES.0 Executive Summary ES-1
ES.1 Specific Plan Overview ES-1
ES.2 Other Governing Documents ES-2
ES.3 Specific Plan Components ES-3

Chapter 1 Introduction 1-1
1.1 Specific Plan Purpose 1-1
1.2 Specific Plan Objectives 1-2
1.3 Authority 1-3
1.4 Severability 1-3
1.5 Approval Process and Companion Actions 1-4
1.6 Relationship to The Ontario Plan 1-5

Chapter 2 Existing Conditions 2-1
2.1 Existing Assessor Parcel Numbers 2-1
2.2 Existing Land Use 2-1
2.3 Surrounding Land Uses 2-1
2.4 Williamson Act 2-2
2.5 Existing Circulation and Access 2-2
2.5.1 Regional Circulation 2-2
2.5.2 Local Circulation 2-2
2.6 Existing Physical Site Conditions 2-2
2.6.1 Topography 2-2
2.6.2 Hydrology 2-2
2.6.3 Geology and Soils 2-2
2.6.4 Vegetation and Biological Resources 2-4

2.6.5 Existing Ground Water Wells 2-4

Chapter 3 Land Use Plan 3-1
3.1 Vision 3-1
3.2 Land Use Plan 3-1
3.2.2 Industrial Planning Areas 3-3
3.2.3 Business Park Planning Areas 3-3

Chapter 4 Infrastructure Plan 4-1
4.1 Circulation and Access Plan 4-1
4.1.1 Vehicular Circulation 4-1
4.1.2 Non-Vehicular Circulation 4-13
4.2 Utility Infrastructure Plan 4-16
4.2.1 Potable Water Plan 4-16
4.2.2 Recycled Water Plan 4-20
4.2.3 Sanitary Sewer Plan 4-24
4.2.4 Storm Water Management Plan 4-27
4.2.5 Dry Utilities Plan 4-31
4.3 Conceptual Grading Plan 4-31

Chapter 5 Development Regulations 5-1
5.1 Purpose and Intent 5-1
5.2 Definition of Terms 5-1
5.3 Applicability 5-1
5.4 Permitted, Conditional, and Ancillary Uses 5-1
5.5 Development Standards 5-5
5.5.1 Other Development Standards 5-7

Chapter 6 Design Guidelines 6-1
6.1 Purpose and Intent 6-1
6.2 Design Theme 6-2
6.3 Specific Plan-Wide Design Guidelines 6-3
6.3.1 Architecture Design Guidelines 6-3
6.4 Truck Courts and Loading Docks 6-8
6.5 Ground or Wall-Mounted Equipment 6-9
6.6 Rooftop Equipment 6-9
6.7 Trash Enclosures 6-10
6.8 Outdoor Employee Amenities 6-10
6.9 Outdoor Lighting 6-11
6.10 Signage Guidelines 6-13
6.11 Landscape Design Guidelines 6-15
6.11.1 Plant Palette 6-16
6.11.2 Irrigation 6-16
6.11.3 Streetscapes 6-18
6.11.4 Entries and Monuments 6-29
6.11.5 Walls and Fences 6-34
6.11.6 Open Space Areas 6-34
6.11.7 Water Quality Basins 6-34
6.11.8 Outdoor Patio Break Areas 6-38
6.11.9 Parking Lots 6-38

Chapter 7 Implementation Plan 7-1
7.1 Severability 7-1
7.2 Applicability 7-1
7.3 Interpretation 7-1

7.4 Development Review Process 7-1
7.4.1 Subdivision Maps 7-1
7.4.2 Development Plan Review 7-1
7.4.3 Development Agreements 7-2
7.4.4 Conditional Use Permits 7-2
7.4.5 Variances 7-2
7.5 Substantial Conformance 7-2
7.6 Formal Amendments to the Specific Plan 7-3
7.7 Appeals 7-4
7.8 Compliance with Mitigation Monitoring and Reporting Program 7-4
7.9 Project Financing 7-4
7.9.1 Facilities and Services 7-4
7.9.2 Operation and Maintenance 7-4
7.10 Phasing Plan 7-5
7.11 Additional Entitlement Requirements 7-5
7.11.1 Integrated Waste Management Report and Solid Waste Handling Plan 7-5
7.12 Maintenance Plan 7-9

Appendix

Appendix A Policy Plan Consistency Analysis

FIGURES

Figure ES-1 Regional Map ES-4
Figure ES-2 Vicinity Map ES-5
Figure 1-1 Existing General Plan Land Use Designations 1-6
Figure 1-2 Proposed General Plan Land Use Designations 1-7
Figure 1-3 Existing Zoning Designations 1-8
Figure 1-4 Proposed Zoning Designations 1-9
Figure 2-1 Existing APNs 2-5
Figure 2-2 Aerial Photograph 2-6
Figure 2-3 Surrounding Land Uses 2-7
Figure 2-4 USGS Topographic Map 2-8
Figure 2-5 Existing Water Well Locations 2-9
Figure 3-1 Conceptual Land Use Plan 3-2
Figure 3-2 Chino Airport Safety Zone Map 3-4
Figure 4-1 Conceptual Vehicular Circulation and Access Plan 4-2
Figure 4-2 Conceptual Non-Vehicular Circulation and Mobility Plan 4-15
Figure 4-3 Potable Water Infrastructure Plan 4-18
Figure 4-3A City of Ontario Ultimate Water System 4-19
Figure 4-4 Recycled Water Infrastructure Plan 4-22
Figure 4-4A City of Ontario Future Recycled Water System 4-23
Figure 4-5 Sanitary Sewer Infrastructure Plan 4-25
Figure 4-5A City of Ontario Ultimate Sewer System 4-26
Figure 4-6 Storm Drain Infrastructure Plan 4-29
Figure 4-6A City of Ontario Planned Drainage Facilities 4-30
Figure 4-7 Dry Utilities Infrastructure Plan 4-32
Figure 4-8 Fiber Optics Plan 4-33
Figure 6-1 Conceptual Landscape and Greenspace Plan 6-19
Figure 6-2 Grove Avenue Streetscape 6-22
Figure 6-3 Eucalyptus Avenue Streetscape 6-23
Figure 6-4 Merrill Avenue Streetscape 6-24

Figure 6-5 Carpenter Avenue Streetscape 6-25
Figure 6-6 Vineyard Avenue Streetscape 6-26
Figure 6-7 Walker Avenue Streetscape 6-27
Figure 6-8 Baker Avenue and Street "A" Streetscape 6-28
Figure 6-9 Conceptual Primary Corner Treatment 6-31
Figure 6-10 Conceptual Secondary Corner Treatment 6-32
Figure 6-11 Conceptual Building User Monument Treatment 6-33
Figure 6-12 Conceptual Screening Wall Illustration 6-35
Figure 6-13 Conceptual Open Space Area Illustration 6-36
Figure 6-14 Conceptual Water Quality Basin Illustration 6-37
Figure 7-1 Conceptual Phasing Plan 7-8

TABLES

Table ES-1 Land Use Summary ES-1

Table 3-1 Land Use Plan Statistical Summary 3-1

Table 5-1 Permitted Uses 5-2
Table 5-2 Development Standards 5-5
Table 5-3 Minimum Setback Requirements at Public Streets 5-5
Table 5-4 Minimum Setback Requirements at Interior Side Yards 5-6
Table 5-5 Minimum Drive Aisle and Parking Space Separation Requirements 5-6
Table 5-6 Minimum Building Height Requirements 5-6

Table 6-1 Plant Palette 6-17

Table 7-1 Maintenance Responsibilities 7-10

EXECUTIVE SUMMARY

ES.0

ES.1 Specific Plan Overview

ES.2 Other Governing Documents

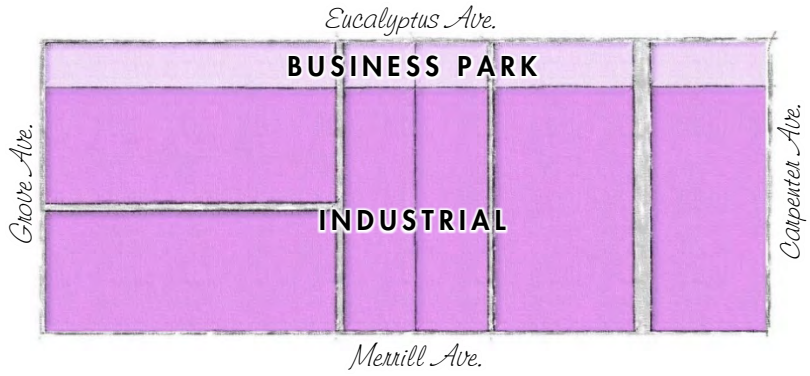
ES.3 Specific Plan Components

ES.0 EXECUTIVE SUMMARY

ES.1 SPECIFIC PLAN OVERVIEW

The MERRILL COMMERCE CENTER Specific Plan area covers approximately 376.3 acres in the southern portion of the City of Ontario. The Specific Plan property is located north of Merrill Avenue, south of Eucalyptus Avenue, east of Grove Avenue and west of Carpenter Avenue. Along the Specific Plan's southern property line, Merrill Avenue forms the boundary between the City of Ontario and the City of Chino.

The location of the MERRILL COMMERCE CENTER in regional and local contexts is depicted in Figure ES-1, *Regional Map*, and Figure ES-2, *Vicinity Map*, which shows the relationship of the Specific Plan property with nearby cities, counties, and unincorporated communities.



The information contained in this Specific Plan provides guidance for the development of a contemporary, master-planned commerce center. The commerce center is envisioned to contain business park and industrial buildings supported by public roads and utility infrastructure systems, private driveways, parking lots, truck courts, lighting, landscaping, signage, and other functional and decorative features. Multi-purpose trails are provided at the perimeters of MERRILL COMMERCE CENTER to encourage connectivity and circulation by employees, visitors, and the passerby by means not completely dependent on a motorized vehicle.

The business park uses in smaller buildings are positioned along Eucalyptus Avenue while industrial uses in larger warehouse-style buildings comprise the balance of the site. As designed, building users are expected to be a mixture of local, national, and international businesses that bring job opportunities and economic growth to Ontario. A summary of the land uses is as follows:

Table ES-1 Land Use Summary

Land Use Designation	Acres[1]	Maximum Building Square Footage
Industrial Planning Areas	292.8 AC	7,014,000 SF
Business Park Planning Areas	55.1 AC	1,441,000 SF
Circulation	28.4 AC	--
Total	**376.3 AC**	**8,455,000 SF**

1. *Acreages are approximate and subject to survey verification.*

ES.2 Other Governing Documents

In addition to this Specific Plan, which includes a Land Use Plan, Infrastructure Plan, Development Regulations, Design Guidelines, and an Implementation Plan tailored to the MERRILL COMMERCE CENTER, the following documents also contain applicable information:

- The Ontario Policy Plan (which serves as the City's State-mandated General Plan) that includes City-wide policies pertaining to land use, housing, mobility, safety, environmental resources, parks & recreation, community economics, community design, and social resources.
- The City of Ontario Development Code, which governs over topics on which this Specific Plan's development regulations are silent. (Where the requirements of this Specific Plan differ from the requirements of the Ontario Development Code, this Specific Plan takes precedence.)
- The MERRILL COMMERCE CENTER Development Agreement, which specifies methods for the financing, acquisition, and construction of infrastructure systems and provides assurance that development of the property may proceed subject to Ontario's rules and regulations in effect at the time of this Specific Plan's approval.
- The Airport Land Use Compatibility Plans for Ontario International Airport (ONT) and Chino Airport. 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, that is expected to be adopted in 2021. The Chino Airport Land Use Compatibility Plan 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 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 Mitigation Monitoring and Reporting Program (MMRP) that is part of the MERRILL COMMERCE CENTER's Environmental Impact Report (EIR) prepared in compliance with the California Environmental Quality Act. The MMRP stipulates measures that are required to be implemented to mitigate the environmental effects of the commerce center's construction and operation.

ES.3 Specific Plan Components

This MERRILL COMMERCE CENTER Specific Plan is organized into the following chapters.

Chapter 1 - Introduction:

Describes the purpose and objectives of this Specific Plan, the related entitlement approvals for implementing development, and the general relationship of this Specific Plan to the Ontario Policy Plan (General Plan).

Chapter 2 - Existing Conditions:

Describes the physical setting of the MERRILL COMMERCE CENTER and the physical conditions on and surrounding the property at the time this Specific Plan was prepared.

Chapter 3 - Land Use Plan:

Describes the MERRILL COMMERCE CENTER's development plan, which includes six Industrial planning areas and five Business Park planning areas, with the Business Park areas concentrated along Eucalyptus Avenue in the northern portion of the Specific Plan area. Chapter 3 also specifies the acreages of each planning area and the maximum development intensities (amount of building square footage) permitted in each land use category.

Chapter 4 - Infrastructure Plan:

Provides information on vehicular and non-vehicular circulation improvements; the planned backbone water, sewer, recycled water, and storm drain systems; the planned dry utility network; and the preliminary grading concept for the development of the MERRILL COMMERCE CENTER.

Chapter 5 - Development Regulations:

Establishes the list of permitted and conditionally-permitted uses in the Specific Plan area, and presents the development regulations (zoning) that govern the uses. A discussion of the relationship of the MERRILL COMMERCE CENTER Specific Plan's development regulations to the City of Ontario Development Code also is provided.

Chapter 6 - Design Guidelines:

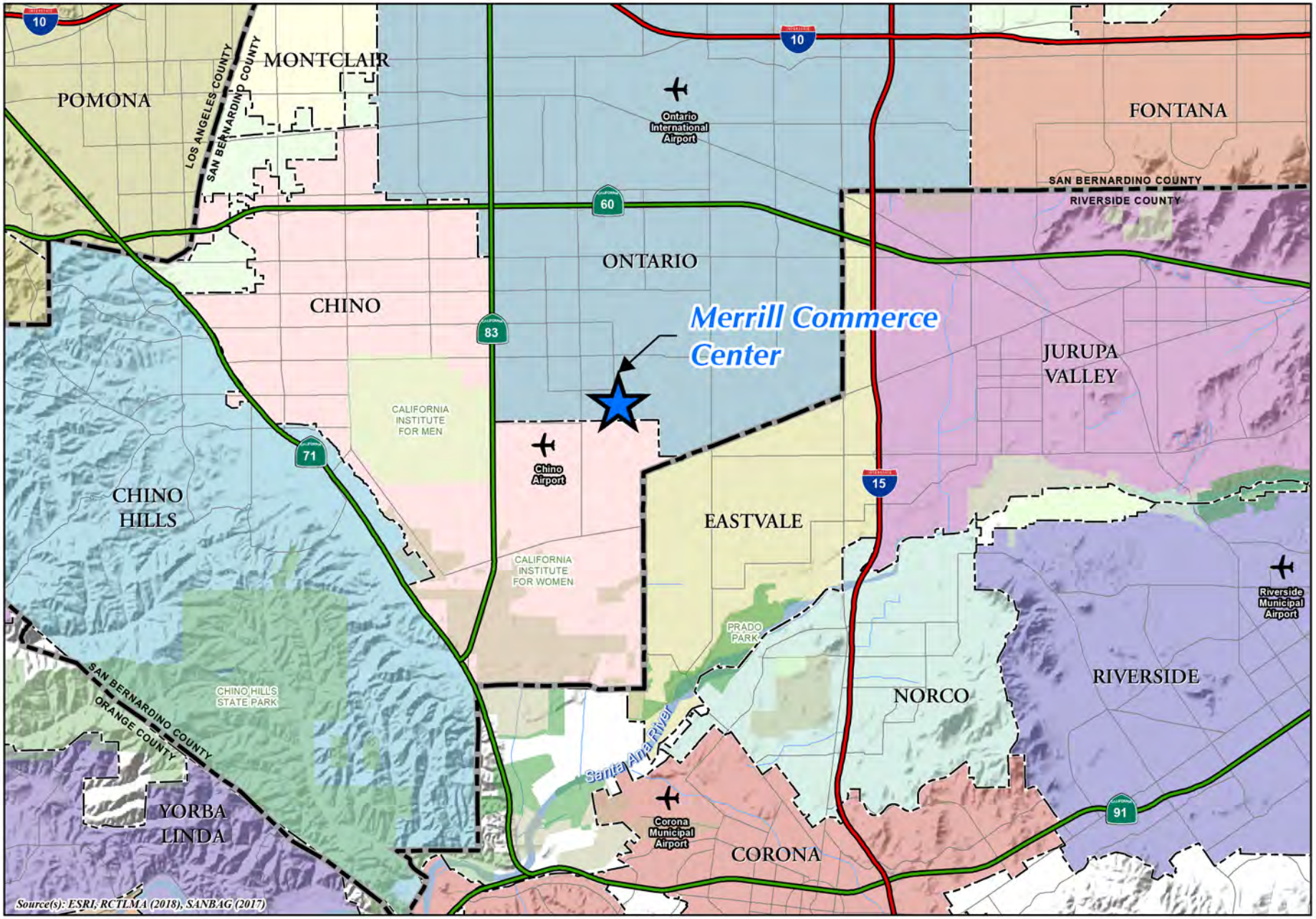
The MERRILL COMMERCE CENTER's design guidelines presented in Chapter 6 guide the site planning, landscaping, and architectural quality of implementing development within the Specific Plan area. Guidelines are included that address architectural design, landscape design, streetscapes, entry treatments and monuments, corner treatments, walls and fencing, lighting, and signage.

Chapter 7 - Implementation Plan:

Chapter 7 presents the policies and procedures for the City's review and approval of implementing projects within the MERRILL COMMERCE CENTER. This chapter also describes the methods and procedures for interpreting and amending the Specific Plan as necessary. A summary of maintenance responsibilities for development within the Specific Plan also is provided.

Appendix A - General Plan Consistency:

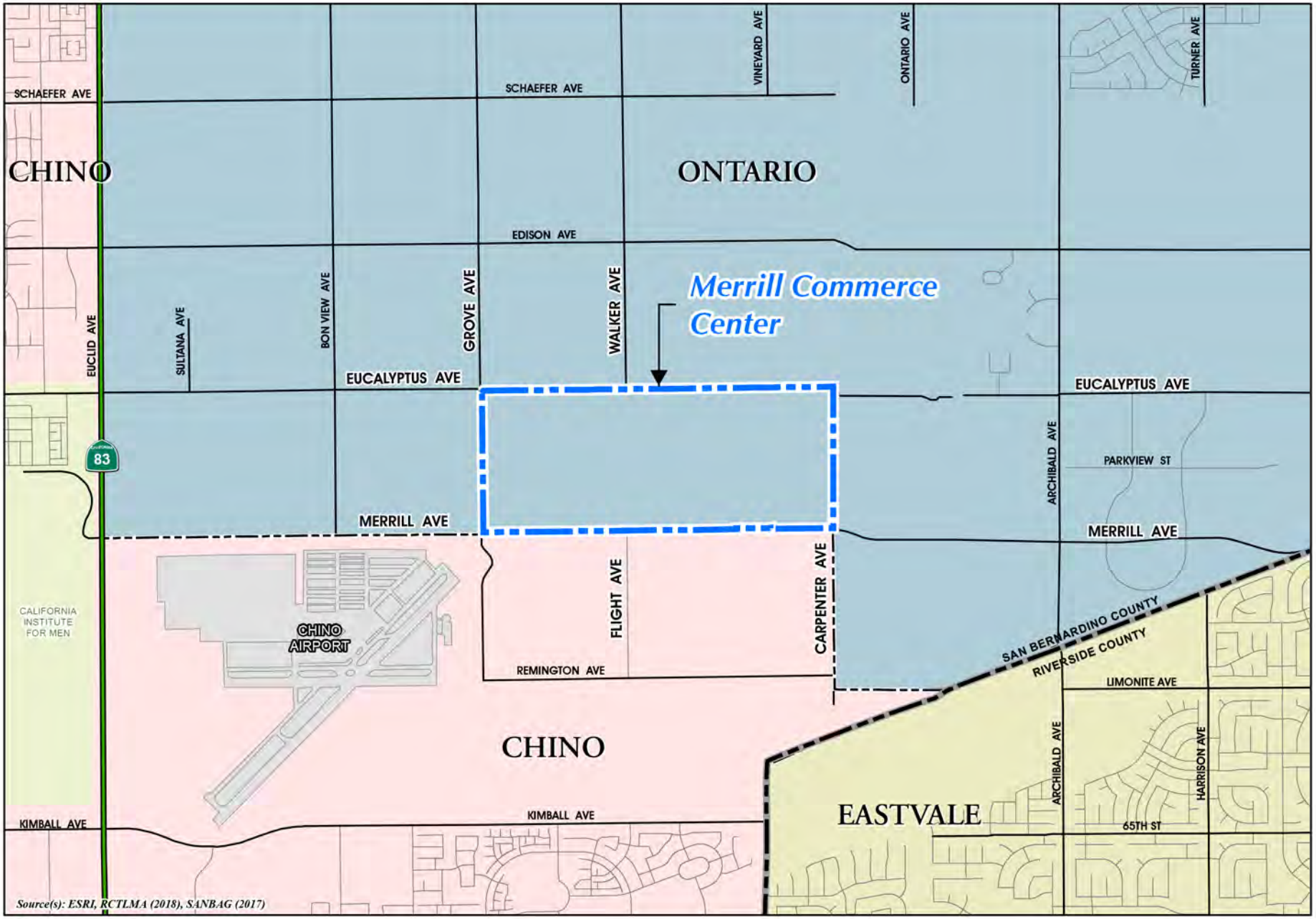
Includes a matrix evaluating the consistency of the MERRILL COMMERCE CENTER Specific Plan to each of the applicable policies of the Ontario Policy Plan (the City's General Plan).



Regional Map

Figure ES-1

0 0.5 1 2 Miles



Vicinity Map

Figure ES-2

0 625 1,250 2,500 Feet

INTRODUCTION

CHAPTER 1

1.1 Specific Plan Purpose

1.2 Specific Plan Objectives

1.3 Authority

1.4 Severability

1.5 Approved Process and Companion Actions

1.6 Relationship to The Ontario Plan

CHAPTER 1 - INTRODUCTION

1.1 SPECIFIC PLAN PURPOSE

The underlying purpose of this Specific Plan is to guide the development of a 376.3-acre property into a master-planned commerce center, known as the MERRILL COMMERCE CENTER. The site is located within the southwestern portion of the City of Ontario (City) in an area known as Ontario Ranch. The Ontario Policy Plan requires the Ontario City Council to approve Specific Plans as part of the entitlement process for new development projects in this area.

Implementing development projects within the boundaries of the MERRILL COMMERCE CENTER are required to demonstrate substantial conformity with the information contained in this Specific Plan document.

Situated in proximity to three major freeways, the Ontario International Airport (ONT), and the Chino Airport, the MERRILL COMMERCE CENTER is poised to successfully accommodate uses that rely on access to the local and regional transportation network. The Specific Plan area is located approximately 1.8 miles east of State Route 83, 2.75 miles south of State Route 60, 3.25 miles west of Interstate 15, 4.0 miles southeast of the Chino Transit Center, and 7.0 miles north of State Route 91. Additionally, the Port of Long Beach and the Port of Los Angeles, which serve as major gateways to international trade, are located only ±53 miles to the southwest of the Specific Plan area. The property's location at the junction of these major transportation facilities establishes a clear advantage for land uses that rely on proximity to the transportation network to remain competitive.

Why Ontario?

Ontario is a thriving community with a strong business and employment hub located approximately 53 miles east of downtown Los Angeles in the western part of the Inland Empire metropolitan area. The City is conveniently located near regional transportation facilities and is home to the Ontario International Airport, making it an ideal location for a variety of business park and industrial land uses, including but not limited to corporate headquarters, e-commerce fulfillment centers and other goods movement/ supply chain uses.



1.2 SPECIFIC PLAN OBJECTIVES

This Specific Plan achieves the following objectives:

- To provide a land use plan for the development of a state-of-the-art commerce center that accommodates modern business and industrial activities.
- To attract and sustain industrial and business park uses within the Specific Plan area that are compatible with surrounding land uses.
- To locate businesses that rely on transportation efficiency in an area of south Ontario that offers convenient access to the state highway system.
- To provide opportunities for positive economic benefit to the City, including new net revenues to the General Fund which can be used for vital City services.
- To diversify the City's available range of employment-generating land uses.
- To improve connectivity in the area by providing multi-purpose trails and bike racks that encourage circulation by means not completely dependent on a motorized vehicle.
- To identify capital improvements for water, recycled water, sewer, storm drain, and circulation facilities that serve planned land uses within and adjacent to the Specific Plan area.
- To define guidelines and standards for architecture, landscaping, entry monuments/signage, and walls and fencing within the Specific Plan area.
- To set forth a development phasing sequence that is aligned with a logical sequence for the installation of supporting on-site and off-site infrastructure.



The MERRILL COMMERCE CENTER Specific Plan brings jobs, sustainable economic growth, and business opportunities to the southern portion of Ontario. Its contemporary design is an attractive asset for the City and complements other surrounding employment and supply chain developments in Ontario and the surrounding metropolitan area.

1.3 AUTHORITY

This Specific Plan is a regulatory document prepared pursuant to the provisions of California Government Code §§ 65450 through 65457, which grants local government agencies the authority to prepare Specific Plans for the systematic implementation of their General Plan for all or part of the area covered by the General Plan. While the Ontario Plan covers the entire City, the Specific Plan concentrates on the specific development of the approximately 376.3-acre MERRILL COMMERCE CENTER property.

California Government Code §§ 65450 through 65457 establish the authority to adopt a Specific Plan, identify the required contents of a Specific Plan, and mandate consistency with the General Plan. According to California Government Code § 65451:

(a) A Specific Plan shall include text and a diagram which specify all the following in detail:

(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 items (1), (2), and (3).

(b) The Specific Plan shall include a statement of the relationship of the Specific Plan to the General Plan.

This Specific Plan includes each of the required elements listed above and establishes the essential link between the policies of The Ontario Plan's Policy Plan and the MERRILL COMMERCE CENTER property. All future development plans and implementing construction activities within the MERRILL COMMERCE CENTER are required to be consistent with the requirements set forth in this Specific Plan and with all other applicable City regulations.

1.4 SEVERABILITY

This Specific Plan document enables the City of Ontario to facilitate the processing and approval of development plans and implementing permits to build out the MERRILL COMMERCE CENTER. If any regulation, condition, program, or portion of this Specific Plan is held invalid or unenforceable, such portions shall be deemed separate, distinct, and independent provisions, and the invalidity of such portions or provisions shall not affect the validity and enforceability of the remaining provisions contained herein.

1.5 Approval Process and Companion Actions

This Specific Plan and any future amendments are required to be considered by the City of Ontario Planning Commission and City Council, and adopted by ordinance or resolution of the City Council, pursuant to Development Code Section 1.01.035: Specific Plans and Amendments. More information on implementation procedures is contained in Chapter 7, *Implementation Plan*.

A Policy Plan (General Plan) Amendment (GPA) was processed concurrently with this Specific Plan. The GPA was a companion action to the approval of this Specific Plan that achieved consistency between the General Plan land use designations, this Specific Plan's land use designations, and zoning.

Additionally, a subdivision map will be approved by the City of Ontario for the Specific Plan area indicating the approximate boundaries and dimensions of parcels and streets and the proposed grading for the MERRILL COMMERCE CENTER. Following map recordation, the final map will become the legal document that identifies developable parcels within the Specific Plan.

Approval of the MERRILL COMMERCE CENTER Specific Plan also is accompanied by an application for the approval of a development agreement. California Government Code §§ 65864-65869.5 authorize the use of development agreements between any city, county, or city and county, with any person having a legal or equitable interest in real property for the development of the property.

In addition to this Specific Plan and the accompanying GPA, subdivision map, and development agreement, an Environmental Impact Report (EIR) was certified in compliance with the California Environmental Quality Act (CEQA) to serve as the project-wide environmental assessment document. Together, this Specific Plan and the environmental mitigation measures contained in the accompanying EIR's Mitigation Monitoring and Reporting Program (MMRP) provide a path to develop the property taking into account all applicable goals, objectives, government requirements, and environmental regulations.

1.6 RELATIONSHIP TO THE ONTARIO PLAN

On January 26, 2010, the City adopted The Ontario Plan, which serves as the City's business plan and includes a long-term vision and a principle-based Policy Plan (General Plan). The Ontario Plan establishes the direction and vision for the City's future and provides a guidance system to shape the Ontario community of tomorrow. The Ontario Plan provides policies to accommodate change over a 30-year period commencing in 2010, the beginning of the planning period. 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.

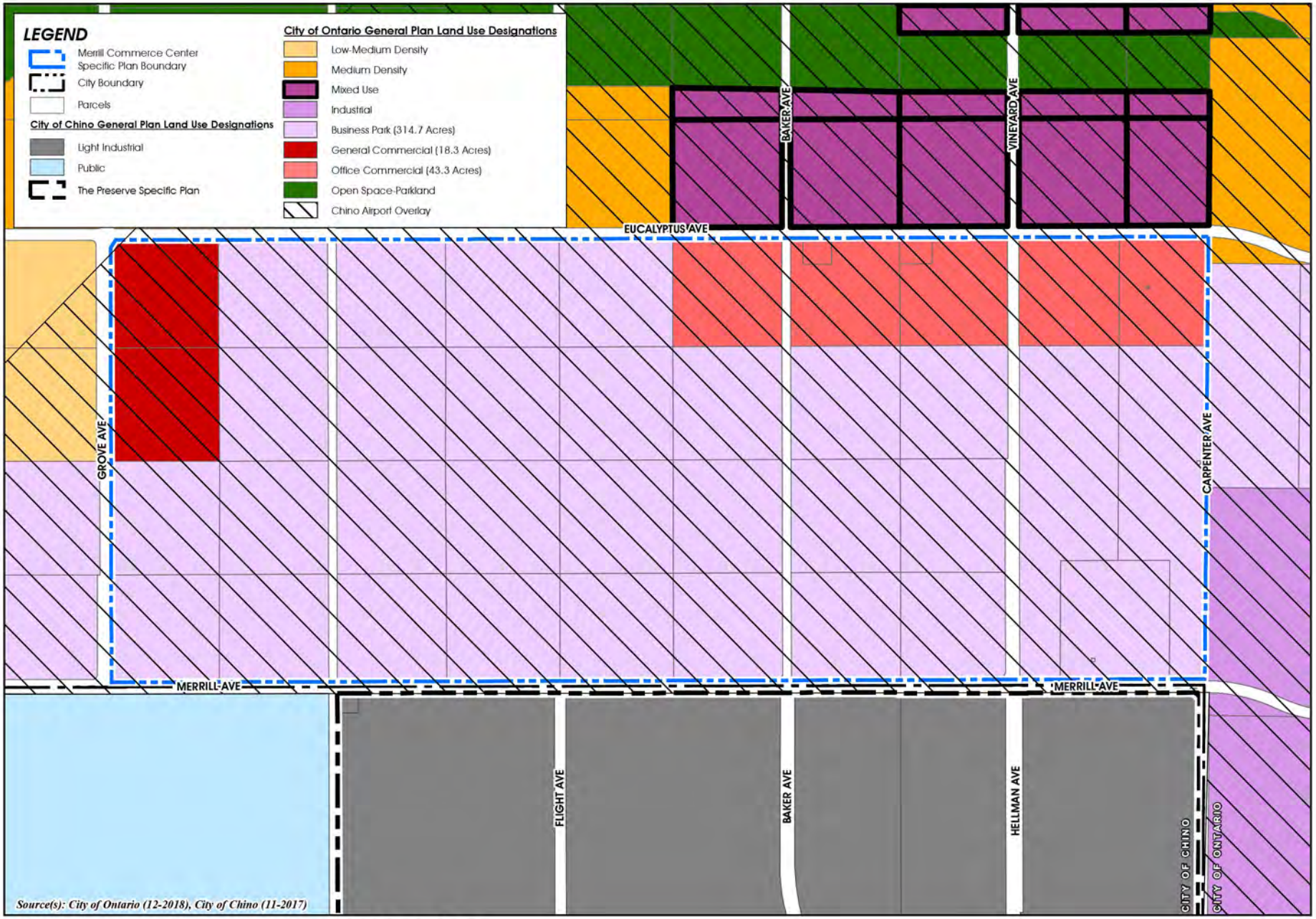
This Specific Plan defines the methods and requirements for the development of the MERRILL COMMERCE CENTER property to ensure that applicable policies from The Ontario Plan and its Policy Plan are implemented and, also, to ensure that development envisioned by this Specific Plan is consistent with applicable provisions of The Ontario Plan. The Ontario Plan sets forth long-term goals for the City's growth and development as mandated by State law. The Policy Plan is a long-term policy document that covers the topics of land use, housing, parks and recreation, environmental resources, community economics, safety, mobility, community design, and social resources.

As shown on Figure 1-1, *Existing General Plan Land Use Designations*, the Policy Plan component of The Ontario Plan designates approximately 314.7 acres of the 376.3-acre MERRILL COMMERCE CENTER property for "Business Park" land uses, 43.3 acres for "Office Commercial" land uses, and 18.3 acres for "General Commercial" land uses. The site also is located in the Chino Airport Overlay.

As shown on Figure 1-2, Proposed General Plan Land Use Designations, this Specific Plan provides for a mix of business park and industrial uses that are generally consistent with The Ontario Plan's vision for the property but requires a GPA to change the site's land uses to the new land use designations of "Business Park" (55.1 acres) and "Industrial" (292.8 acres) in order to reflect the uses, development standards, design guidelines and implementation procedures described herein. The MERRILL COMMERCE CENTER Specific Plan would further the General Plan vision to transition areas formerly used for agricultural activities in Ontario Ranch to new development that would expand and diversify the City's economic base. Please refer also to Specific Plan Appendix A, *Policy Plan Consistency*, for more information.

As shown on Figure 1-3, *Existing Zoning Designations*, the City zoned the entire Specific Plan property "SP, Specific Plan" with an "AG, Agricultural" overlay. The zoning designation of AG-Specific Plan requires that a Specific Plan be approved by the Ontario City Council to guide the development of the property and to implement the goals and policies of The Policy Plan component of The Ontario Plan. As shown on Figure 1-3, *Proposed Zoning Designations,* a Zone Change is required to amend the City of Ontario's Zoning Map to change the site's zoning designation to "MERRILL COMMERCE CENTER Specific Plan" to allow for the development of a variety of industrial and business park uses.

Pursuant to the City of Ontario's adoption of the MERRILL COMMERCE CENTER Specific Plan by ordinance, the Specific Plan will take precedence over the City's Development Code. In instances where the Specific Plan is silent on development standards, the City's Development Code shall prevail.



Existing General Plan Land Use Designations

Figure 1-1

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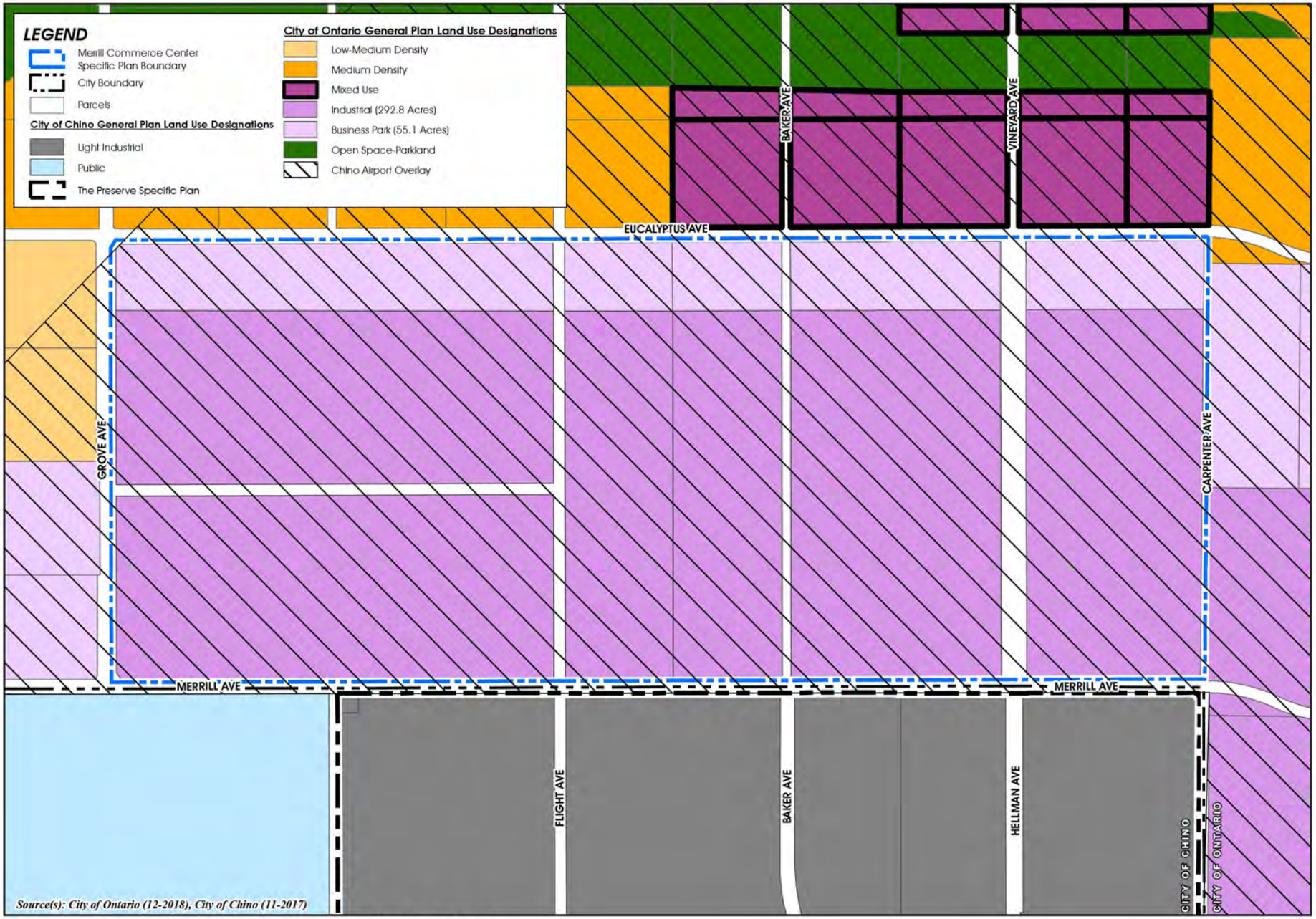

Proposed General Plan Land Use Designations

Figure 1-2

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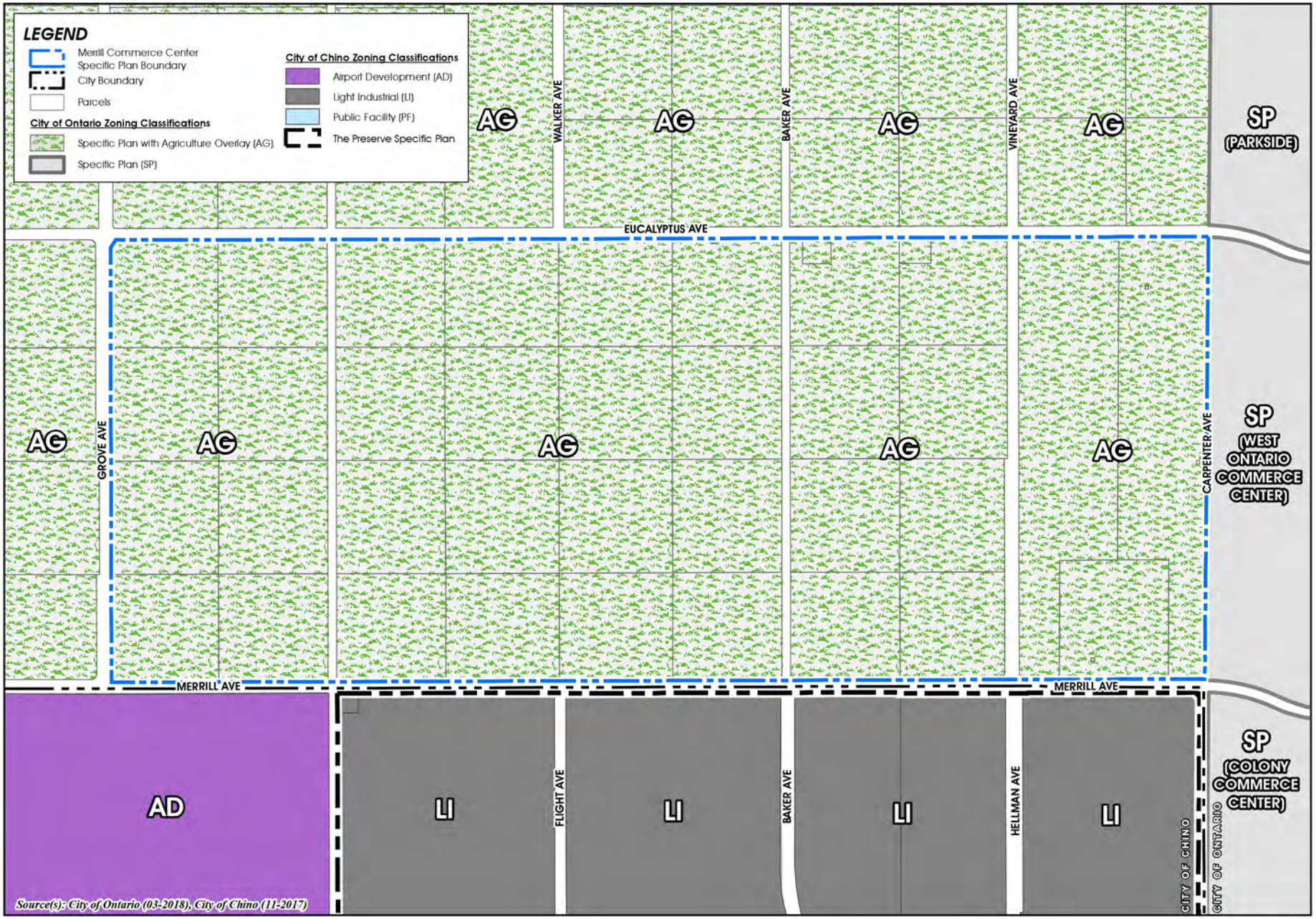
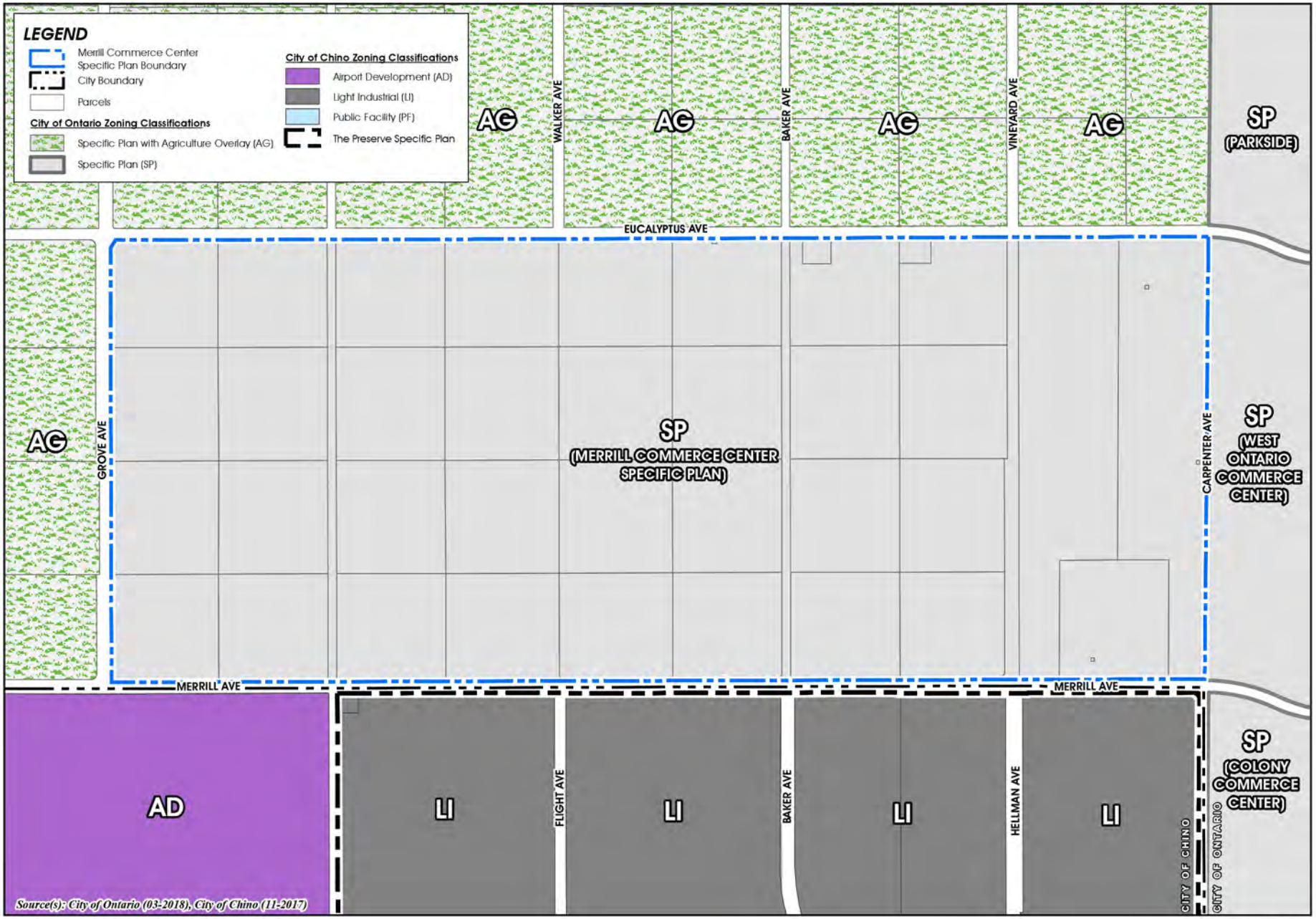


Existing Zoning Classifications

Figure 1-3



Proposed Zoning Classifications

Figure 1-4

EXISTING CONDITIONS

CHAPTER 2

2.1 Existing Assessor Parcel Numbers

2.2 Existing Land Use

2.3 Surrounding Land Uses

2.4 Willamson Act

2.5 Existing Circulation and Access

2.6 Existing Physical Site Conditions

CHAPTER 2 - EXISTING CONDITIONS

2.1 EXISTING ASSESSOR PARCEL NUMBERS

At the time this Specific Plan was prepared (2020), the MERRILL COMMERCE CENTER Specific Plan area consists of the following Assessor Parcel Numbers (APNs), as listed on Table 2-1, *Existing APN List*, and shown on Figure 2-1, *Existing APNs*.

Table 2-1 Existing APN List

Planning Areas 1, 1A, and 2	
1054-111-01	1054-211-01
1054-111-02	1054-211-02
1054-121-01	1054-221-01
1054-121-02	1054-221-02
1054-131-01	1054-331-01
1054-131-02	1054-331-02
1054-141-01	1054-341-01
1054-141-02	1054-341-02
Planning Areas 3 and 3A	
1054-151-01	1054-201-01
1054-161-01	1054-351-01
Planning Areas 4 and 4A	
1054-151-02	1054-201-02
1054-161-02	1054-351-02
1054-161-03	
Planning Areas 5 and 5A	
1054-171-01	1054-181-02
1054-171-02	1054-361-01
1054-171-03	1054-361-02
1054-171-04	1054-191-01
1054-181-01	1054-191-02
Planning Areas 6 and 6A	
1073-111-01	1073-111-04
1073-111-02	1073-111-05
1073-111-03	1073-111-06

2.2 EXISTING LAND USE

The Specific Plan property was formerly used for agricultural purposes, primarily for dairy farming. At the time this Specific Plan was prepared (2020), the property contained agricultural dairy operations, several rural residential homes, dairy farm buildings, bio-retention basins for the dairy farms, and other ancillary facilities that occupy areas not in active dairy farm use. The easternmost part of the Specific Plan property west of Carpenter Avenue contained commercial/ industrial structures and a truck trailer storage lot.

2.3 SURROUNDING LAND USES

As shown on Figure 2-3, *Surrounding Land Uses*, the Specific Plan property is bound by Eucalyptus Avenue and dairy farming activities and agricultural land uses to the north; Merrill Avenue, agricultural land uses, logistics warehouses, the Chino Airport, and a parcel delivery facility (under construction) to the south; Grove Avenue and dairy farming activities to the west; and Carpenter Avenue and properties under development for warehouse uses to the east. Merrill Avenue, which forms the Specific Plan's southern boundary, is the dividing line between the City of Ontario (north of Merrill Avenue) and the City of Chino (south of Merrill Avenue).

2.4 WILLIAMSON ACT

At the time this Specific Plan was prepared (2020), there is an active Williamson Act Contract (Contract #69-147, initiated in 1973) on APN 1073-111-02, a 29.05-acre property. Another Williamson Act Contract (#70-167 initiated in 1970) appears on title for APNs 1054-151-02, 1054-161-02, 1054-161-03, 1054-201-02 and 1054-351-02. However, a notice of non-renewal dated September 14, 2017, and recorded, starting the process to terminate this Contract is effective January 1, 2018. As one of the discretionary actions associated with the MERRILL COMMERCE CENTER Specific Plan, these existing Williamson Act Contracts will be cancelled. Cancellation would comply with provisions and requirements identified at Government Code (GC) §51280 et seq. The City would be required to make the required statutory findings (GC §51282(a)). The landowner would be required to pay the requisite cancellation fee.

2.5 EXISTING CIRCULATION AND ACCESS

2.5.1 Regional Circulation

Interstate 15 (I-15) is located approximately 7.0 miles east of the MERRILL COMMERCE CENTER Specific Plan. The Specific Plan area is accessible to and from I-15 via the Cantu-Galleano Ranch Road and Limonite Avenue on- and off-ramps. State Route 60 (SR-60) is located approximately 2.7 miles north of the Specific Plan area, with access to and from SR-60 provided by the Grove Avenue (abuts the Specific Plan to the west) and Archibald Avenue on- and off-ramps. State Route 83 (SR-83/Euclid Avenue) is located approximately 1.8 miles to the west of the Specific Plan area, with access available from Merrill Avenue which abuts the Specific Plan property on the south.

2.5.2 Local Circulation

Access to the MERRILL COMMERCE CENTER Specific Plan area is provided from Grove Avenue, Eucalyptus Avenue, Vineyard Avenue, Baker Avenue, Carpenter Avenue, Walker Avenue, and Flight Avenue. Merrill Avenue, Edison Avenue, and Euclid Avenue are City of Ontario designated truck routes that provide truck access to the MERRILL COMMERCE CENTER. Additionally, the City of Chino designates Carpenter Avenue, Walker Avenue, and Flight Avenue as truck routes, which provide access to MERRILL COMMERCE CENTER from the south.

Merrill Avenue abuts the Specific Plan on the south and consisted of two paved travel lanes at the time this Specific Plan was prepared. The Ontario Policy Plan designates Merrill Avenue as a 4-lane Collector Street.

Eucalyptus Avenue abuts the Specific Plan to the north, is designated as a 4-lane Collector Street by the Policy Plan, and consisted of two paved travel lanes at the time this Specific Plan was prepared.

Grove Avenue abuts the Specific Plan to the west and consisted of two paved travel lanes at the time this Specific Plan was prepared. The Policy Plan designates Grove Avenue as a 4-lane Principal Arterial.

Walker Avenue is a north-south oriented roadway that traverses the west-central portion of the Specific Plan and consisted of two paved travel lanes north of its intersection with Eucalyptus at the time this Specific Plan was prepared. The Policy Plan designates Walker Avenue as a 2-lane Collector Street.

Baker Avenue consisted of two paved travel lanes south of its intersection with Merrill Avenue at the time this Specific Plan was

prepared. Figure M-2, *Functional Roadway Classification Plan*, of the Policy Plan does not show a roadway classification for Baker Avenue. The Specific Plan will construct the on-site segment of Baker Avenue to be consistent with the segment of Baker Avenue located south of Merrill Avenue within the City of Chino.

Vineyard Avenue is a north-south oriented street that traverses the easterly portion of the Specific Plan that is designated as a 6-lane Principal Arterial by the Policy Plan. At the time this Specific Plan was prepared, no segments of Vineyard Avenue on-site or immediately abutting the Specific Plan had been constructed.

Carpenter Avenue abuts the Specific Plan to the east, with the segment of Carpenter Avenue that abuts the Specific Plan consisting of an unstriped semi-paved single travel lane. Figure M-2, *Functional Roadway Classification Plan*, of the Policy Plan does not depict a roadway classification for Carpenter Avenue. The Specific Plan will construct frontage improvements along Carpenter Avenue to be consistent with the segment of Carpenter Avenue located south of Merrill Avenue, at its ultimate right-of-way build-out.

2.6 EXISTING PHYSICAL SITE CONDITIONS

2.6.1 Topography

The MERRILL COMMERCE CENTER Specific Plan property is relatively flat and gently falls to the south, with elevations ranging from approximately 670 feet above mean sea level (AMSL) in the north to approximately 645 feet AMSL in the south. The existing topographic conditions for the Specific Plan property are illustrated on Figure 2-4, *USGS Topographic Map*.

2.6.2 Hydrology

Due to use of the majority of the Specific Plan property for agricultural and dairy farm operations, only a limited portion of the property was covered with impervious surfaces at the time this Specific Plan was prepared. Stormwater mostly percolated through on-site soils and did not result in high volumes of surface runoff that are associated with urban environments having predominantly impervious surfaces. The storm drain system throughout the Specific Plan property was generally unimproved and consisted primarily of open earthen swales along area roadways or curbed roadway surfaces. The MERRILL COMMERCE CENTER Specific Plan EIR includes additional detailed hydrology information for the property.

The MERRILL COMMERCE CENTER Specific Plan is located within the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Numbers 06071C9375H and 06071C9335H. As shown on FIRM No. 06071C9375H, a large portion of the eastern area of the Specific Plan property is located within Flood Zone X, indicating it is protected by the Cucamonga Creek flood channel levees from hazards associated with a 1% annual chance flood event.

2.6.3 Geology and Soils

The Specific Plan property is located in the Upper Santa Ana Valley, a broad alluvial and fluvial plain located within the Los Angeles, Orange, Riverside, and San Bernardino Counties. The Upper Santa Ana Valley is a southwesterly draining basin bounded by the San Gabriel Mountains and San Bernardino Mountains on the north and east, the Puente and San Jose Hills on the west and the Jurupa Hills and the Santa Ana Mountains to the south.

Subsurface lithology in the general vicinity is mapped as recent-age alluvium and colluvium. Soil types at the Specific Plan property consist of cattle manure, artificial fill soils, and native alluvial soils.

According to the United States Department of Agriculture (USDA) Web Soil Survey database, the majority of the Specific Plan property is mapped as containing Delhi fine sand, with the remainder of the soils mapped as Hilmar loamy fine sand, Tujunga loamy sand, and Chino silt loam.

The property is not underlain by any seismic fault lines, with the nearest fault (Chino Fault) occurring 4.3 miles to the southwest.

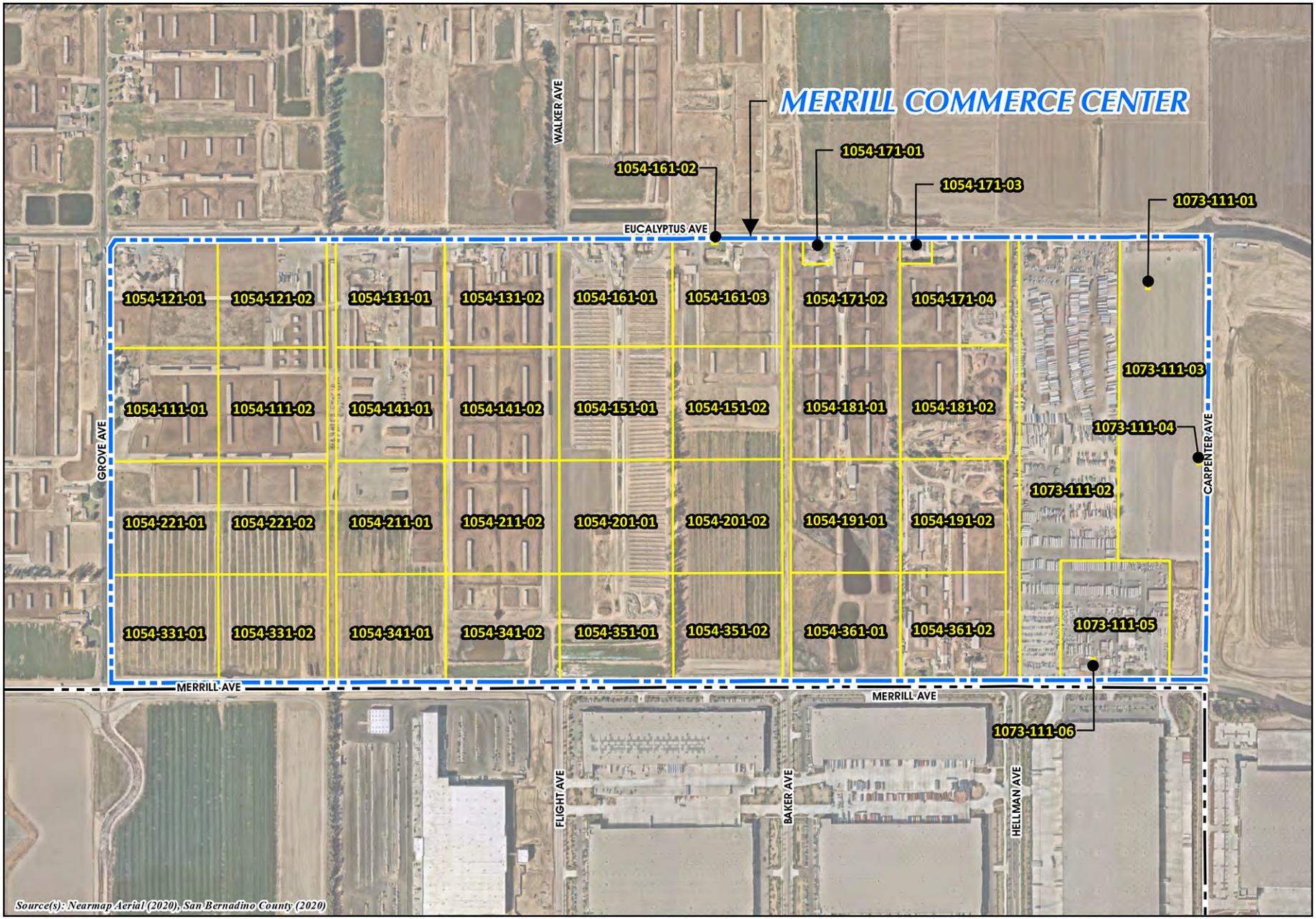
2.6.4 Vegetation and Biological Resources

The Specific Plan property has been extensively used for agricultural operations (including dairy and row crop uses), residential uses, and a trucking operation, and therefore consisted of entirely disturbed/developed and agricultural vegetation/land cover types with little to no native vegetation at the time this specific plan was prepared. The MERRILL COMMERCE CENTER Specific Plan EIR includes a detailed evaluation of vegetation and biological resources.

2.6.5 Existing Ground Water Wells

In compliance with the Chino Basin Watermaster's Well Procedure for Developers, documentation that a well use/destruction plan and schedule for all existing private/ agricultural wells is in-process shall be submitted to the City of Ontario prior to any construction activities. 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. The locations of existing water wells are shown in Figure 2-5, *Existing Water Well Locations*.

Documentation that the well abandonment process is underway shall be provided to the Community Development Agency Engineering Department and the Ontario Municipal Utilities Company at the time of a grading permit and/or building permit being issued. 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 the 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.



Existing APNs

Figure 2-1

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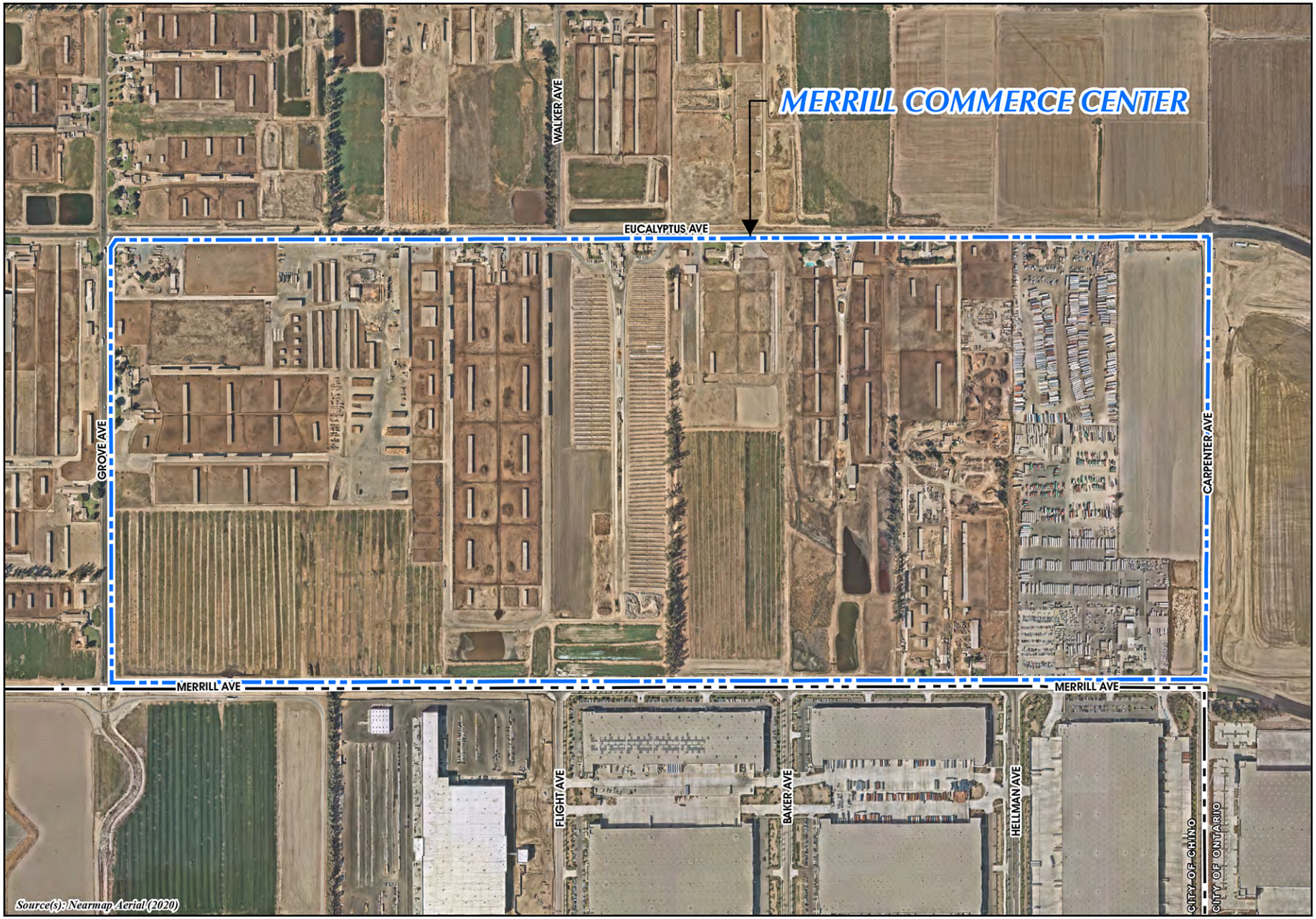

Aerial Photograph

Figure 2-2

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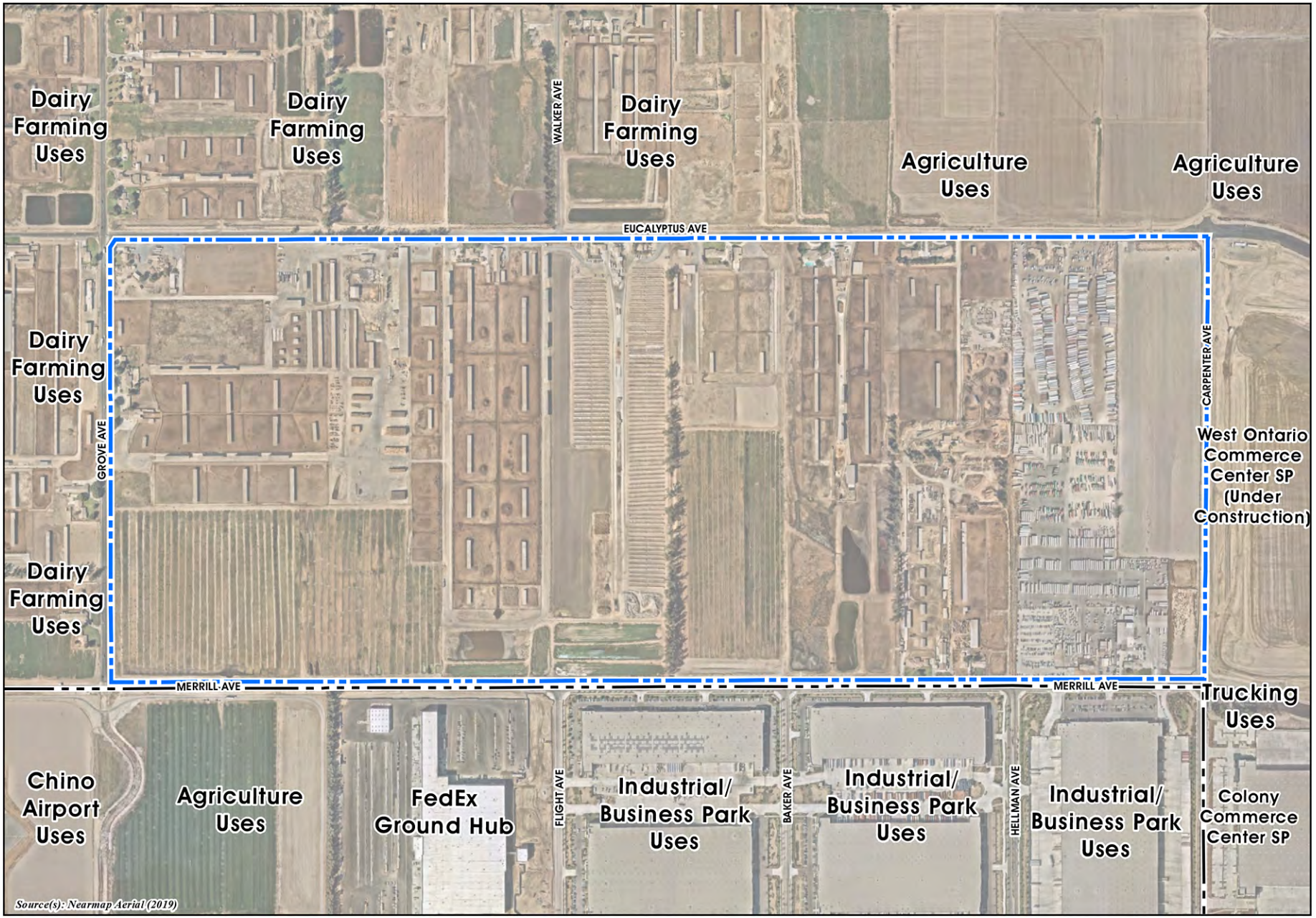

Surrounding Land Uses

Figure 2-3

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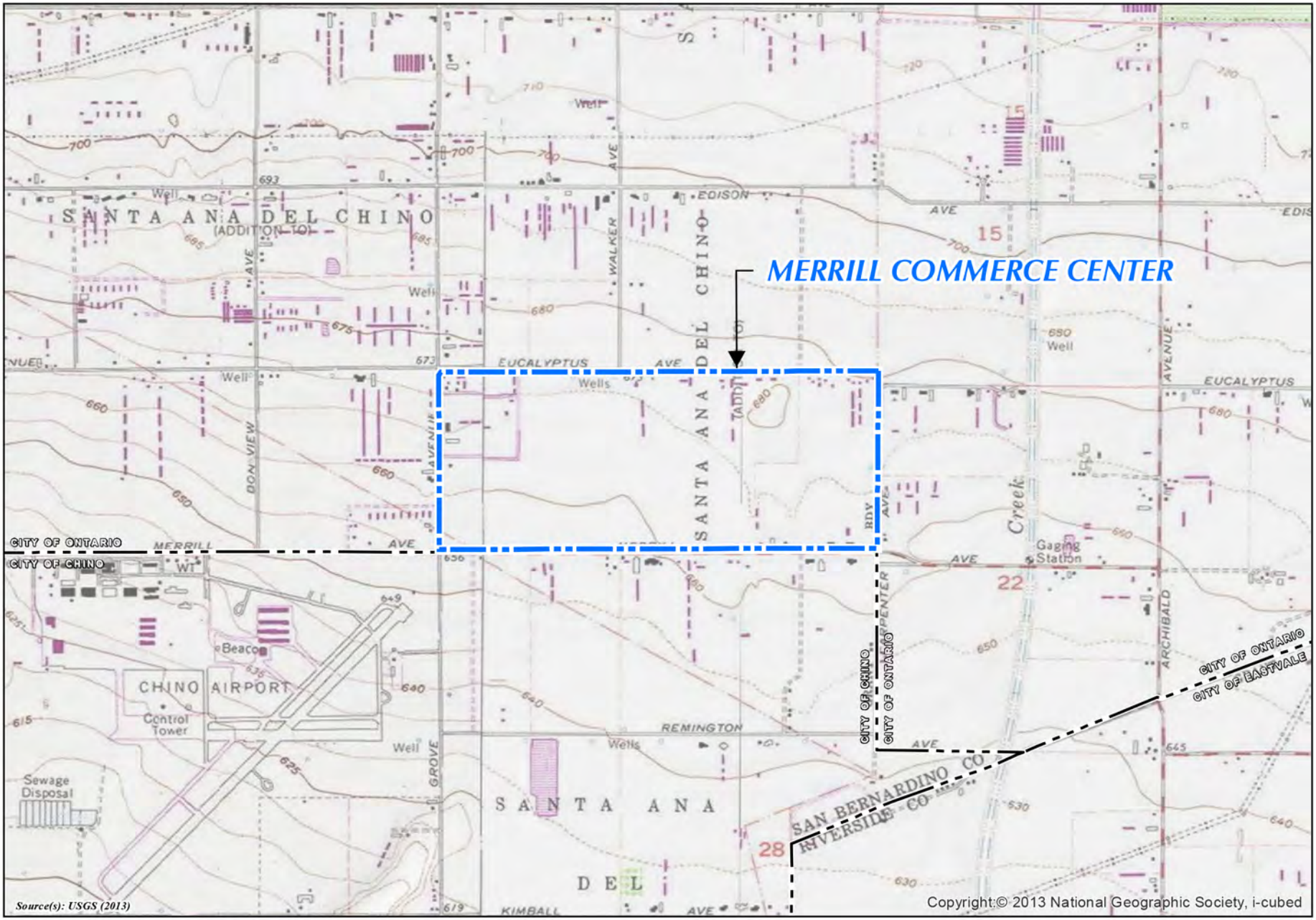
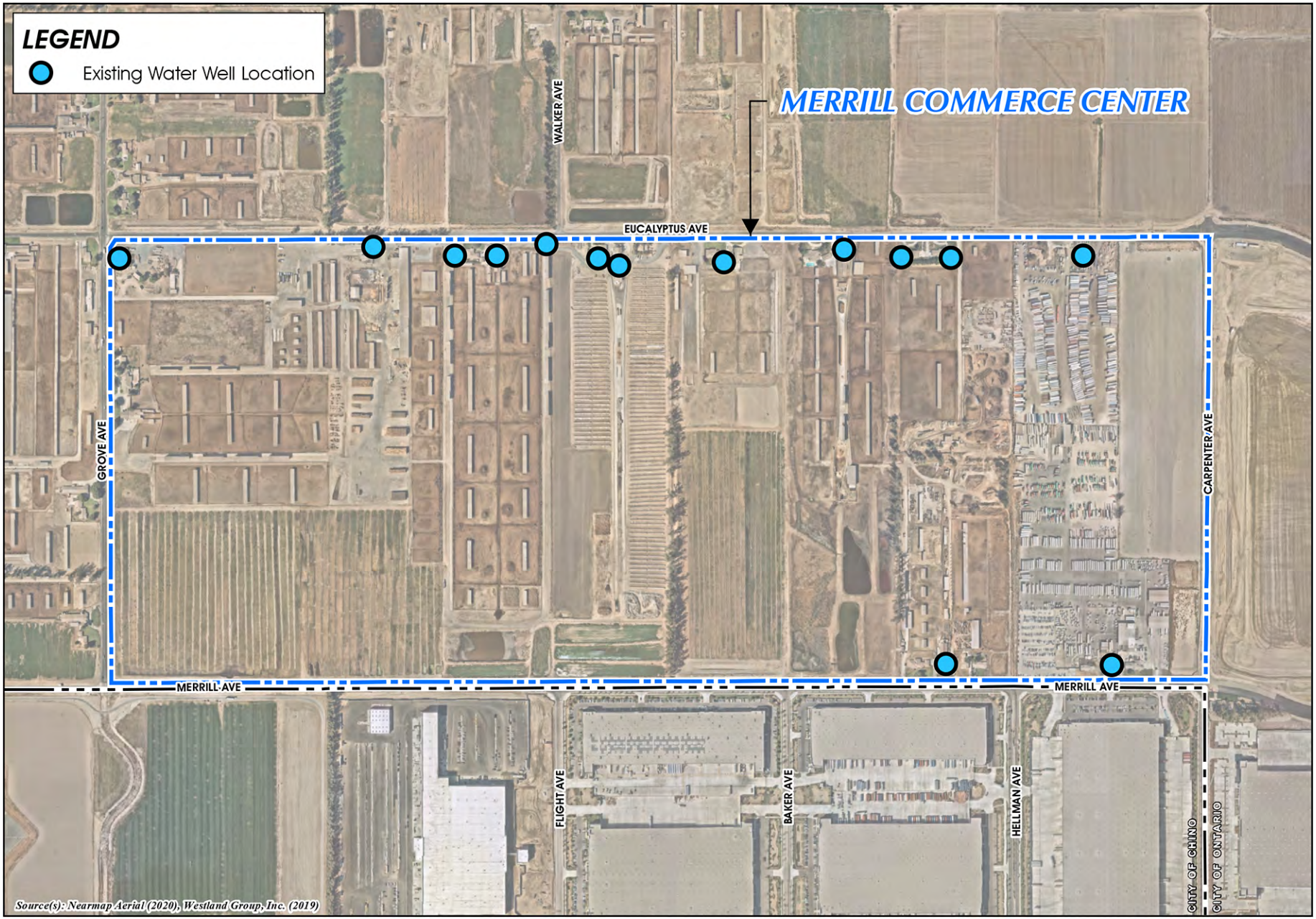


USGS Topographic Map

Figure 2-4

0 500 1,000 2,000 Feet



Existing Water Well Locations

Figure 2-5

LAND USE PLAN

CHAPTER 3

3.1 Vision

3.2 Land Use Plan

3.3 Chino ALUCP Compliance

CHAPTER 3 - LAND USE PLAN

3.1 VISION

The MERRILL COMMERCE CENTER is designed as a contemporary employment center laid out in a master-planned, campus-like setting. Located in the southern section of the City of Ontario in the heart of the Inland Empire, the MERRILL COMMERCE CENTER is positioned to attract a variety of business types and sizes, ranging from local enterprises to international corporations. With distant views of the San Gabriel Mountains to the north, the Chino Hills to the southwest, and the Santa Ana Mountains to the south, the MERRILL COMMERCE CENTER is envisioned as an attractive place where businesses can prosper, attract economic investment, and provide goods, services, and job opportunities to the surrounding community and region.

3.2 LAND USE PLAN

This Specific Plan establishes two land use designations: Industrial and Business Park. For planning purposes, the 376.3-acre Specific Plan area is divided into 11 planning areas. A "planning area" is a specific geographic area to which development standards are uniformly applied. Figure 3-1, *Conceptual Land Use Plan*, depicts the physical arrangement of the planning areas and the major roads within and abutting the Specific Plan area.

Table 3-1, *Land Use Plan Statistical Summary*, lists each planning area and their respective land use designation, acreage, and development intensity (amount of building square footage targeted for each planning area). The maximum building square footage in the Specific Plan area is 8,455,000 sq. feet.

Table 3-1 Land Use Plan Statistical Summary

PLANNING AREA	LAND USE DESIGNATION	ACRES[1]	FAR	BUILDING SQ. FOOTAGE [2, 3]
Industrial				
1	Industrial	58.9	0.55	1,411,000 SF
2	Industrial	62.1		1,488,000 SF
3	Industrial	30.7		735,000 SF
4	Industrial	31.1		745,000 SF
5	Industrial	59.9		1,435,000 SF
6	Industrial	50.1		1,200,000 SF
Total Industrial Acreage and Maximum Building SF		*292.8*	*0.55*	*7,014,000 SF*
Business Park				
1A	Business Park	22.9	0.60	598,000 SF
3A	Business Park	5.7		150,000 SF
4A	Business Park	5.8		152,000 SF
5A	Business Park	11.2		293,000 SF
6A	Business Park	9.5		248,000 SF
Total Business Park Acreage and Maximum Building SF		*55.1*	*0.60*	*1,441,000 SF*
--	Circulation	28.4	--	--
TOTALS		***376.3 AC***		***8,455,000 SF***

Notes:

1. Acreages are approximate and subject to survey verification.

2. Building square footage calculated by multiplying the total acreage of each planning area by the anticipated floor area ratio (FAR) for the respective land use designation (FAR of 0.55 is applicable to the Industrial land use designation and FAR of 0.60 is applicable to the Business Park land use designation).

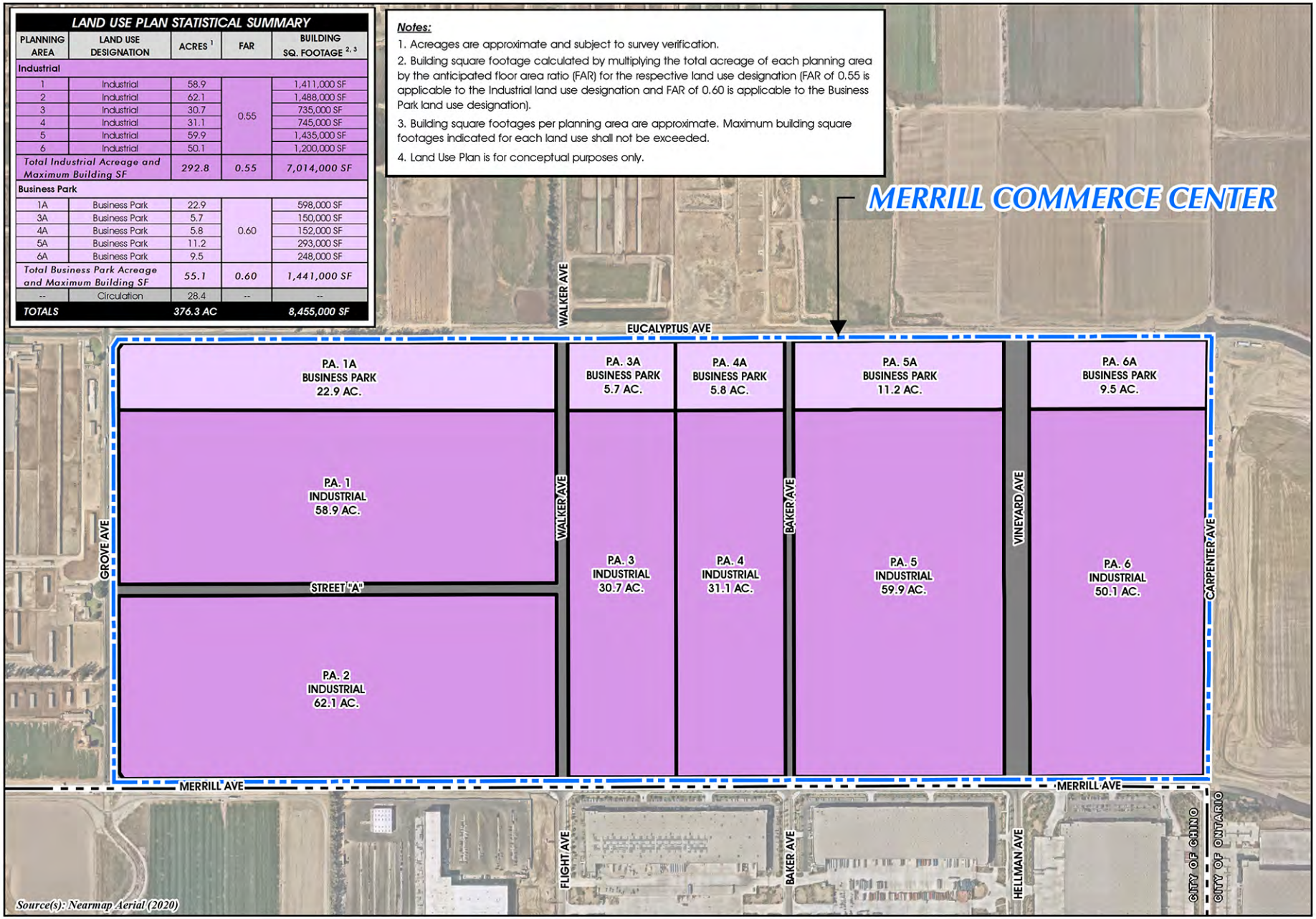
3. Building square footages per planning area are approximate. Maximum building square footages indicated for each land use category (maximum of 7,104,000 s.f. for Industrial and maximum of 1,441,000 s.f. for Business Park) shall not be exceeded.

LAND USE PLAN STATISTICAL SUMMARY

PLANNING AREA	LAND USE DESIGNATION	ACRES [1]	FAR	BUILDING SQ. FOOTAGE [2, 3]
Industrial				
1	Industrial	58.9	0.55	1,411,000 SF
2	Industrial	62.1		1,488,000 SF
3	Industrial	30.7		735,000 SF
4	Industrial	31.1		745,000 SF
5	Industrial	59.9		1,435,000 SF
6	Industrial	50.1		1,200,000 SF
Total Industrial Acreage and Maximum Building SF		*292.8*	*0.55*	*7,014,000 SF*
Business Park				
1A	Business Park	22.9	0.60	598,000 SF
3A	Business Park	5.7		150,000 SF
4A	Business Park	5.8		152,000 SF
5A	Business Park	11.2		293,000 SF
6A	Business Park	9.5		248,000 SF
Total Business Park Acreage and Maximum Building SF		*55.1*	*0.60*	*1,441,000 SF*
--	Circulation	28.4	--	--
TOTALS		*376.3 AC*		*8,455,000 SF*

Notes:

1. Acreages are approximate and subject to survey verification.
2. Building square footage calculated by multiplying the total acreage of each planning area by the anticipated floor area ratio (FAR) for the respective land use designation (FAR of 0.55 is applicable to the Industrial land use designation and FAR of 0.60 is applicable to the Business Park land use designation).
3. Building square footages per planning area are approximate. Maximum building square footages indicated for each land use shall not be exceeded.
4. Land Use Plan is for conceptual purposes only.



Conceptual Land Use Plan

Figure 3-1

0 200 400 800 Feet

3.2.1 Industrial Planning Areas (292.8 Acres)

Six planning areas (Planning Areas 1, 2, 3, 4, 5 and 6) covering a total of 292.8 acres are designated "Industrial" and located in the southerly portion of the Specific Plan area. Up to 7,014,000 square(sq.) feet of building space is permitted across Planning Areas 1, 2, 3, 4, 5 and 6.

Industrial buildings are envisioned to range from approximately 100,000 sq. feet in size up to 1,500,000 sq. feet in size and house users such as general light industrial, manufacturing, warehouse/storage, fulfillment center, and e-commerce operations.

To facilitate vehicular access to and from the uses in these planning areas, Street "A" provides an interior connection between Grove Avenue and Walker Avenue, with its ultimate alignment to be determined and designed in conjunction with implementing projects. The other perimeter and interior public streets form a grid pattern, as called for by the Ontario Policy Plan.

3.2.2 Business Park Planning Areas (55.1 Acres)

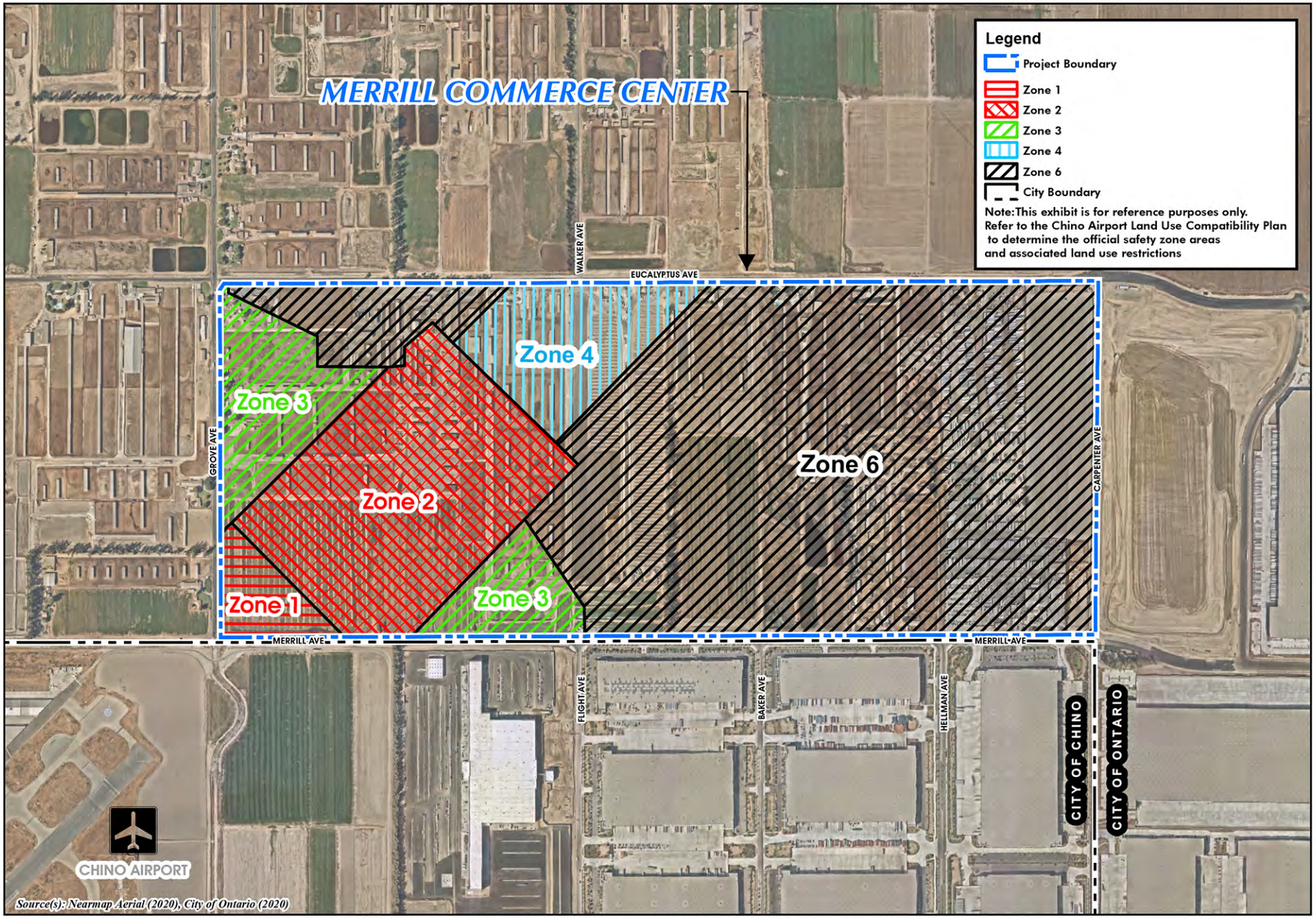
Encompassing 55.1 acres in the northerly portion of the Specific Plan area along its frontage with Eucalyptus Avenue, Planning Areas 1A, 3A, 4A, 5A and 6A are designated "Business Park." Up to 1,441,000 sq. feet of building space is permitted across Planning Areas 1A, 3A, 4A, 5A and 6A.

The buildings constructed in Business Park planning areas are envisioned to be smaller than 150,000 sq. feet, oriented toward Eucalyptus Avenue, and primarily provide for merchant wholesalers, professional services, professional office, small-scale warehousing/ storage, and research and development uses. Primary vehicular access is from Eucalyptus Avenue and private driveways interior to the planning areas.

3.3 CHINO ALUCP COMPLIANCE

The entire Specific Plan boundary is located within the Chino Airport Safety Zones (Safety Zones 1, 2, 3, 4 and 6), that may limit building height, land uses, and floor area ratio (FAR) based on the proposed land use and requirements for open land. Refer to Section 5, *Development Regulations*, for additional regulations and also refer to the Chino Airport Land Use Compatibility Plan. See Figure 3-, 2, *Chino Airport Safety Zone Map*, for additional land use restrictions.

Refer to Section 5, Development Regulations, for the specific land use and development standards applicable to each planning area, and Section 6, Design Guidelines, for information about architecture, landscaping, lighting, and signage.



Chino Airport Safety Zones

Figure 3-2

0 250 500 1,000 Feet

INFRASTRUCTURE PLAN

CHAPTER 4

4.1 Circulation and Access

4.2 Utility Infrastructure Plan

4.3 Conceptual Grading

CHAPTER 4 - INFRASTRUCTURE PLAN

4.1 CIRCULATION AND ACCESS PLAN

The MERRILL COMMERCE CENTER Circulation and Access Plan provides direct, safe, and convenient access for visitors, employees, and goods movement to and from the Specific Plan's 11 planning areas. Components of the Specific Plan's Circulation and Access Plan are discussed and illustrated on the following pages.

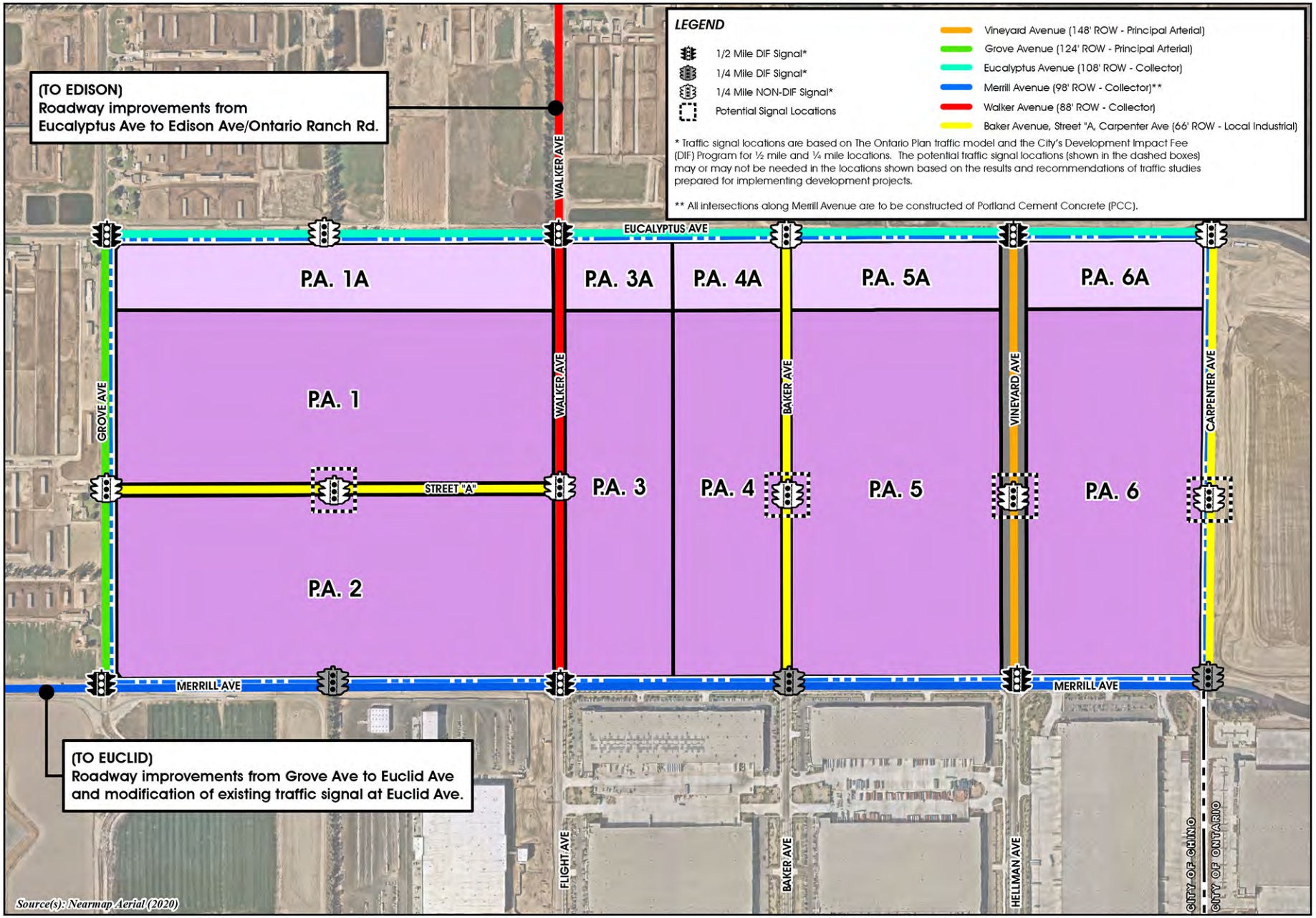
4.1.1 Vehicular Circulation

Direct access to the MERRILL COMMERCE CENTER property is provided by several roadways. Merrill Avenue forms the Specific Plan's southern boundary and Eucalyptus Avenue forms the northern boundary. Grove Avenue forms the Specific Plan's western boundary and Carpenter Avenue forms the eastern boundary. Baker Avenue, Walker Avenue, and Vineyard Avenue traverse through the middle of the Specific Plan area in north-south orientations.

Additionally, Street "A," is an internal east-west oriented roadway positioned between Planning Areas 1 and 2 connecting Grove Avenue and Walker Avenue. The ultimate alignment of Street "A" is to be determined and designed in conjunction with implementing development plans. In addition, the installation of traffic controls (traffic signals and stop signs) and the location and orientation of private driveways serving individual buildings will be determined as part of implementing development plans.

Figure 4-1, *Conceptual Vehicular Circulation and Access Plan,* illustrates the vehicular circulation plan. Final intersection designs, intersection spacing, intersection right-of-way, and traffic controls must conform to the findings of the MERRILL COMMERCE CENTER Specific Plan Traffic Impact Analysis prepared by Urban Crossroads, City standards, and to the satisfaction of the City Engineer.

The following pages describe and illustrate the primary components of the MERRILL COMMERCE CENTER Specific Plan's vehicular circulation network. Refer to Chapter 7, *Implementation Plan*, for additional circulation improvement standards pertaining to phasing.



Conceptual Vehicular Circulation and Access Plan

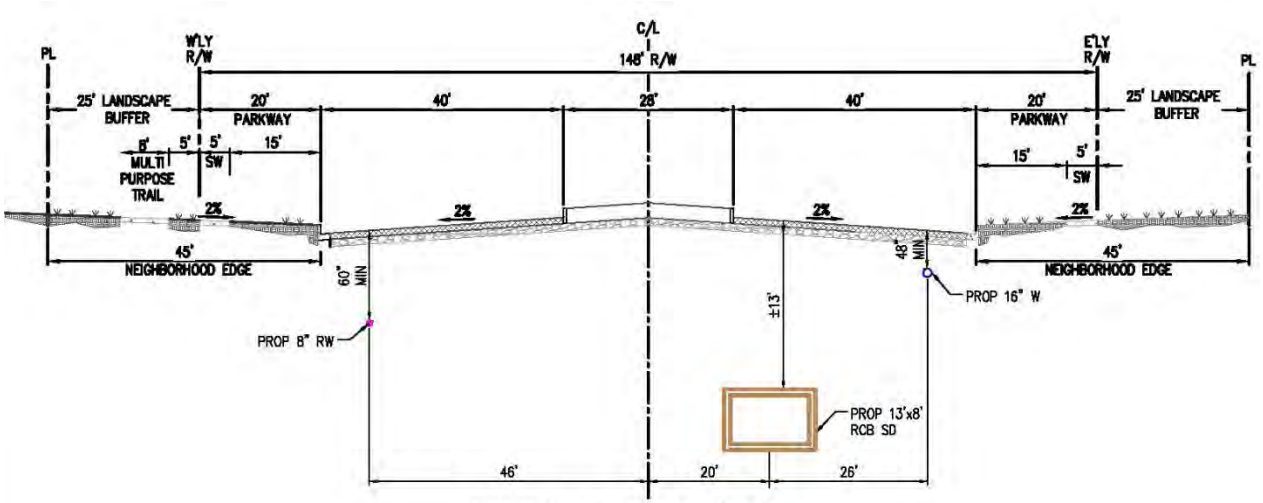
Figure 4-1

A. Vineyard Avenue (148-foot ROW Principal Arterial)

Vineyard Avenue forms the eastern boundary of Planning Areas 5 and 5A and forms the western boundary of Planning Areas 6 and 6A. This public roadway provides access to the Specific Plan area from off-site areas to the north and south. Along the segment of Vineyard Avenue located between Eucalyptus Avenue and Merrill Avenue (includes the segment that abuts the eastern boundary of Planning Areas 5 and 5A and the western boundary of Planning Areas 6 and 6A), the developer(s) of the MERRILL COMMERCE CENTER will construct the entirety of the 148-foot Principal Arterial, which includes 80 feet of paved roadway, a 28-foot wide raised landscaped median, and a 20-foot wide parkway on the east and west sides of the roadway. The 20-foot wide parkways on both sides of Vineyard Avenue contain 15 feet of curb-adjacent landscaping and a 5-foot wide sidewalk.

A 25-foot wide landscape buffer abuts the east and west sides of the Vineyard Avenue right-of-way, with the westerly landscape buffer including an 8-foot wide multi-purpose trail.

Traffic signals will be located at the intersection of Vineyard Avenue with Eucalyptus Avenue (1/2-mile DIF) and the intersection of Vineyard Avenue with Merrill Avenue (1/2-mile DIF). Also, a 1/4-mile non-DIF signal may be needed on Vineyard Avenue mid-way between Eucalyptus Avenue and Merrill Avenue depending on need. Traffic signal locations are subject to change based on the results and recommendations of a traffic study. All improvements to Vineyard Avenue shall comply with applicable City of Ontario requirements, including sight distance requirements. Buildings located in Planning Areas 5, 5A, 6, and 6A connect to Vineyard Avenue via direct driveway connections. Final driveway locations connecting with Vineyard Avenue will be determined in conjunction with the design of implementing development plans.



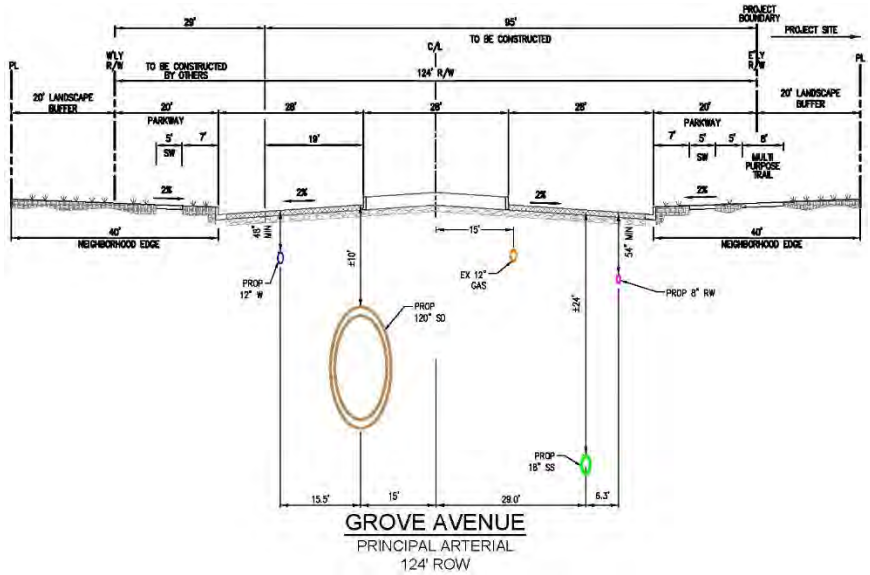
B. Grove Avenue (124-foot ROW Principal Arterial)

Grove Avenue forms the western boundary of Planning Areas 1, 1A, and 2. Along the segment of Grove Avenue located between Eucalyptus Avenue and Merrill Avenue, the developer(s) of the MERRILL COMMERCE CENTER will construct 95 feet of the ROW of this 124-foot wide Principal Arterial. The portions of Grove Avenue to be constructed by the MERRILL COMMERCE CENTER's developer(s) include 47 feet of paved roadway, a 28-foot-wide raised landscaped median, and a 20-foot wide parkway on the eastern side of the street that contains 7 feet of landscaping, a 5-foot sidewalk, a 5-foot landscape buffer and 3 feet of the 8-foot wide multi-purpose trail (the other 5 feet of the multi-purpose trail are located outside of the Grove Avenue ROW and will be constructed as part of the MERRILL COMMERCE CENTER). The remaining portions of the western side of the Grove Avenue ROW will be constructed by others and are anticipated to include 9 feet of roadway and curb-and-gutter improvements, and a 20-foot wide parkway containing a 7-foot landscaped parkway, 5-foot sidewalk, and 8 feet of landscaping.

A landscape buffer abuts the east and west sides of the Grove Avenue ROW, with the easterly 20-foot-wide landscape buffer to be located in the MERRILL COMMERCE CENTER and including 5 feet of an 8-foot wide multi-purpose trail (the other 3 feet of which are located within the Grove Avenue public ROW).

Traffic signals will be located at the intersections of Grove Avenue with Eucalyptus Avenue (1/2-mile DIF), Street "A" (1/4-mile non-DIF) and Merrill Avenue (1/2-mile DIF). Traffic signal locations are subject to change based on the results and recommendations of a traffic study. All improvements to Grove Avenue are required to comply with applicable City of Ontario requirements, including sight distance requirements.

Buildings in Planning Areas 1, 1A, and 2 connect to Grove Avenue via direct driveway connections along Grove Avenue. Final driveway locations will be determined in conjunction with the design of implementing development projects, in accordance with Chapter 2.0 Access Guidelines of the City of Ontario's Traffic and Transportation Design Guidelines.



GROVE AVENUE
PRINCIPAL ARTERIAL
124' ROW

C. *Eucalyptus Avenue (108-foot ROW Collector)*

Eucalyptus Avenue forms the northern boundary of Planning Areas 1A, 3A, 4A, 5A and 6A. This public roadway provides access to the Specific Plan area from the west and east. Along the segment of Eucalyptus Avenue that abuts the northern boundary of Planning Areas 1A, 3A, 4A, 5A, and 6A, the developer(s) of the MERRILL COMMERCE CENTER will construct 79 feet of the Eucalyptus Avenue ROW including 67 feet of paved roadway, and a 12-foot-wide parkway on the south side of the street that contains 7 feet of curb-adjacent landscaping and a 5-foot-wide sidewalk. The remaining portions of the northern side of the Eucalyptus Avenue ROW will be constructed by others and will include 17 feet of roadway and a 12-foot parkway containing 7 feet of curb-adjacent landscaping and a 5-foot sidewalk.

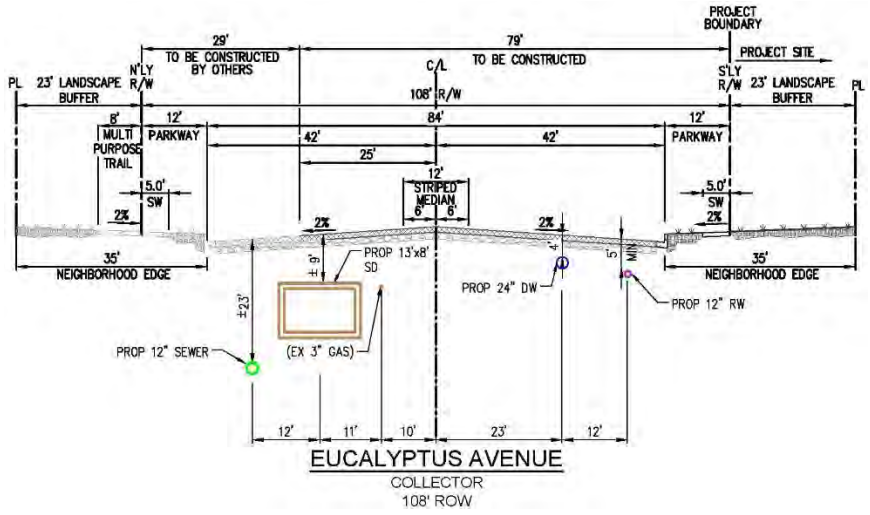
Eucalyptus Avenue is designated by the Chino Airport Compatibility Plan to satisfy open land requirements. For this reason, the median is painted and not raised and light poles and street trees are designed to maintain a clear width of about 75 feet. The light poles will be spaced at approximately 250 feet and staggered on the opposite side of the street.

Traffic signals will be located along Eucalyptus Avenue at its intersections with Grove Avenue, Walker Avenue, and Vineyard Avenue (1/2-mile DIF), and at Baker Avenue and Carpenter Avenue (1/4-mile non-DIF) and potentially mid-way between Grove Avenue and Walker Avenue (1/4-mile non-DIF) depending on need.

Traffic signal locations are subject to change based on the results and recommendations of a traffic study. All improvements to Eucalyptus Avenue are required to comply with applicable City of Ontario requirements, including sight distance requirements.

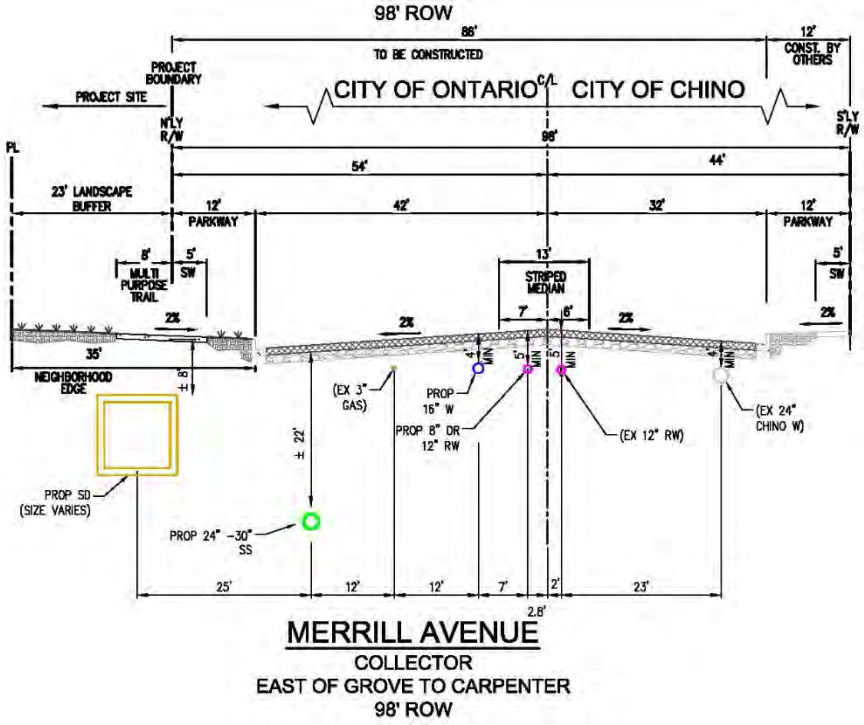
A landscape buffer abuts the north and south sides of the Eucalyptus Avenue right-of-way, with the southernly 23-foot wide landscape buffer located in the MERRILL COMMERCE CENTER outside of the public right-of-way.

Buildings in Planning Areas 1A, 3A, 4A, 5A, and 6A connect to Eucalyptus Avenue via direct driveway connections along Eucalyptus Avenue and via Grove Avenue, Walker Avenue, Baker Avenue, Vineyard Avenue, and Carpenter Avenue. Final driveway locations along Eucalyptus Avenue will be determined in conjunction with the design of implementing development projects, in accordance with Chapter 2.0 Access Guidelines of the City of Ontario's Traffic and Transportation Design Guidelines.



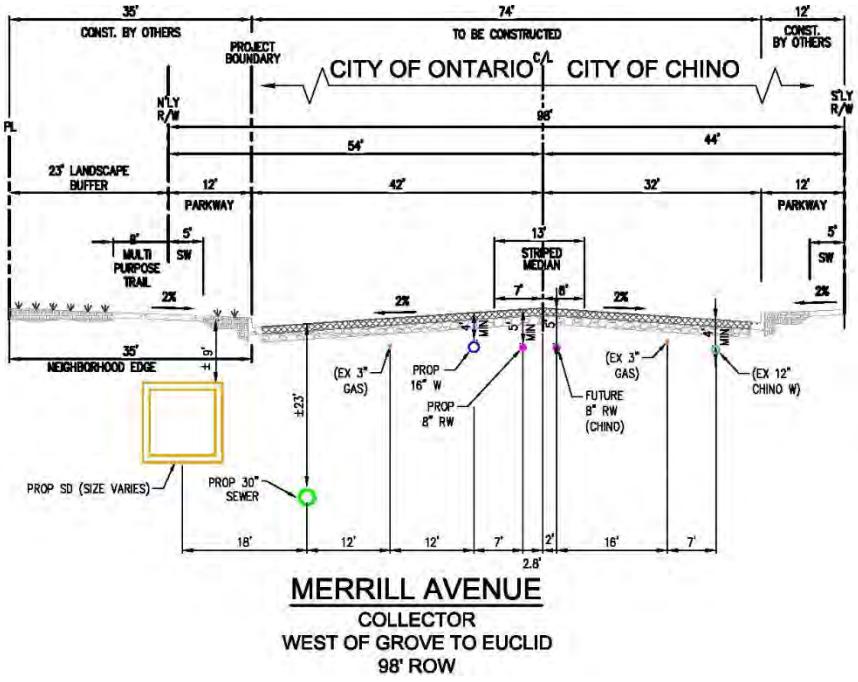
D. Merrill Avenue (98-foot ROW Collector)

Merrill Avenue forms the southern boundary of Planning Areas 2, 3, 4, 5, and 6 and is the dividing line between the City of Ontario to the north and the City of Chino to the south. This public roadway provides access to the Specific Plan area from off-site areas to the east, south, and west. Along the segment of Merrill Avenue located between Grove Avenue and Carpenter Avenue, the developer(s) of the MERRILL COMMERCE CENTER will construct 86 feet of the ROW of this 98-foot wide Collector. The portions of Merrill Avenue between Grove Avenue and Carpenter that will be constructed as part of the MERRILL COMMERCE CENTER include 74 feet of paved roadway, a 13-foot wide striped (painted) median, and a 12-foot-wide parkway on the north side of the street that contains 7 feet of curb-adjacent landscaping and a 5-foot-wide sidewalk.



The remaining portions of the Merrill Avenue ROW (southerly side of the roadway in the City of Chino) will be constructed by others and is anticipated to include a 12-foot parkway containing 7 feet of curb-adjacent landscaping and a 5-foot wide sidewalk. An approximate 23-foot landscape buffer abuts the northern side of the Merrill Avenue ROW in the MERRILL COMMERCE CENTER, with the landscape buffer including an 8-foot wide multi-purpose trail.

Along the segment of Merrill Avenue located between Euclid Avenue and Grove Avenue, the developer(s) of the MERRILL COMMERCE CENTER will construct 74 feet of the ROW of this 98-foot wide Collector. The portions of Merrill Avenue between Euclid Avenue and Grove Avenue that will be constructed as part of the MERRILL COMMERCE CENTER include 74 feet of paved roadway and a 13-foot wide striped (painted) median.



Merrill Avenue is designated by the Chino Airport Compatibility Plan to partially satisfy open land requirements. For this reason, the median is painted and not raised and light poles and street trees are designed to maintain a clear width of about 75 feet. The light poles will be spaced at approximately 260 feet ± 15 feet on the same side of the street and 130 feet ± 1f feet staggered on the opposite side of the street. The portion of Merrill Avenue traversing Airport Safety Zone 1 (the southwest portion of Planning Area 1) must remain clear of permanent aboveground objects, and as such may contain frangible/break-away light poles. The developer shall coordinate with Chino Airport and FAA to determine allowable heights and structures permitted within the southwest portion of Planning Area 1 near the Grove Avenue/Merrill Avenue intersection.

Traffic signals will be located at the intersections of Merrill Avenue with Grove Avenue, Walker Avenue, and Vineyard Avenue (1/2-mile DIF), and at Baker Avenue, Carpenter Avenue, and the mid-way point between Grove and Walker Avenues (1/4-mile DIF) depending on need. Traffic signal locations are subject to change based on the results and recommendations of a traffic study.

As noted on Figure 4-1, the development of the MERRILL COMMERCE CENTER also triggers the need to modify the existing traffic signal at the intersection of Euclid Avenue and Merrill Avenue west of the Specific Plan area. Improvements to Merrill Avenue east of the Specific Plan area were recently constructed and bridge improvements at the intersection of Merrill Avenue and the Cucamonga Channel were pending construction at the time this Specific Plan was prepared (2000). All improvements to Merrill Avenue are required to comply with applicable City of Ontario requirements, including sight distance requirements, in addition to requirements of the City of Chino pertaining to roadway improvements in the City of Chino's jurisdiction.

Buildings constructed in Planning Areas 2, 3, 4, 5 and 6 connect to Merrill Avenue via direct driveway connections along Merrill Avenue and via Walker Avenue, Baker Avenue, Grove Avenue, Vineyard Avenue, and Carpenter Avenue. Final driveway locations along Merrill Avenue will be determined in conjunction with the design of implementing development projects, in accordance with Chapter 2.0 Access Guidelines of the City of Ontario's Traffic and Transportation Design Guidelines.

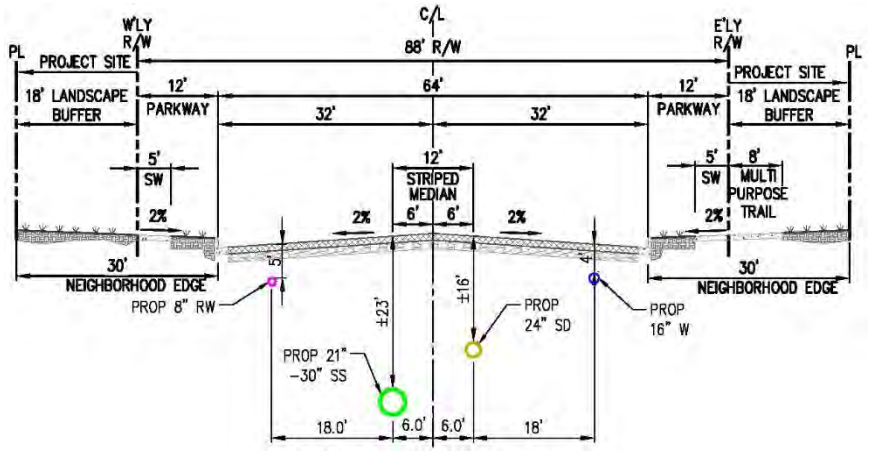
E. Walker Avenue (88-foot ROW Collector)

Walker Avenue forms the eastern boundary of Planning Areas 1, 1A and 2, and forms the western boundary of Planning Areas 3 and 3A. This public roadway provides access to the Specific Plan area from off-site areas to the north and south. Along the segment of Walker Avenue located between Edison Avenue and Merrill Avenue, the developer(s) of the MERRILL COMMERCE CENTER will construct the entirety of the 88-foot Collector, which consists of 64 feet of paved roadway and a 12-foot wide striped (painted) median. Additionally, the Walker Avenue ROW includes a 12-foot wide parkway on both sides of the roadway containing 7 feet of curb-adjacent landscaping and a 5-foot wide parkway-adjacent sidewalk.

An approximate 18-foot wide landscape buffer abuts the west and east sides of the Walker Avenue ROW inside the MERRILL COMMERCE CENTER Specific Plan, with the easterly landscape buffer including an 8-foot wide multi-purpose trail.

Traffic signals will be located at the intersections of Walker Avenue with Eucalyptus Avenue and Merrill Avenue (1/2-mile DIF), and with Street "A" (1/4-mile non-DIF) depending on need. Traffic signal locations are subject to change based on the results and recommendations of a traffic study. All improvements to Walker Avenue are required to comply with applicable City of Ontario requirements, including sight distance requirements.

Buildings in Planning Areas 1, 1A, 2, 3, and 3A connect to Walker Avenue via direct driveway connections along Walker Avenue. Final driveway locations will be determined in conjunction with the design of implementing development projects, in accordance with Chapter 2.0 Access Guidelines of the City of Ontario's Traffic and Transportation Design Guidelines.



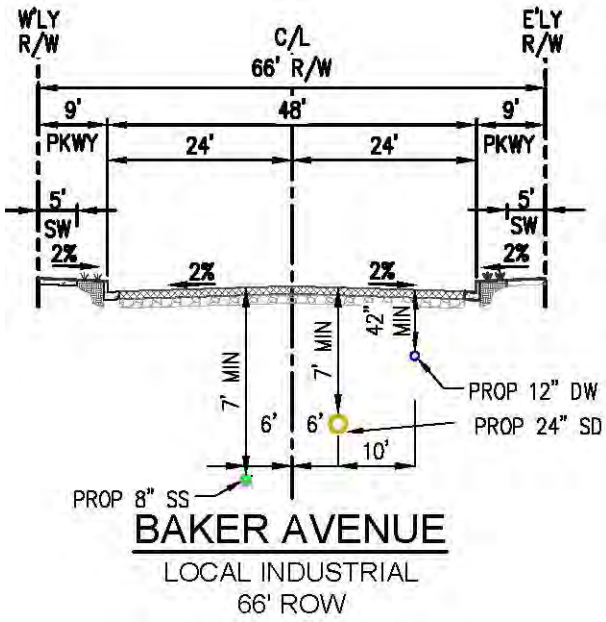
WALKER AVENUE
COLLECTOR
88' ROW

F. Baker Avenue (66-foot ROW Local Industrial)

Baker Avenue forms the eastern boundary of Planning Areas 4 and 4A, and forms the western boundary of Planning Areas 5 and 5A. This public roadway provides access to the Specific Plan area from off-site areas to the north and south. Along the segment of Baker Avenue located between Eucalyptus Avenue and Merrill Avenue, the developer(s) of the MERRILL COMMERCE CENTER will construct the entirety of the 66-foot wide Local Industrial Street, which consists of 48 feet of pavement and a 9-foot wide parkway on either side of the roadway containing 4 feet of curb-adjacent landscaping and a 5-foot wide sidewalk.

A traffic signal will be located at the intersection of Baker Avenue with Merrill Avenue (1/4-mile DIF) and at the intersection of Baker Avenue with Eucalyptus Avenue (1/4-mile non-DIF) and potentially at the mid-way point between Eucalyptus and Merrill Avenues (1/4-mile non-DIF) depending on need. Traffic signal locations are subject to change based on the results and recommendations of a traffic study. All improvements to Baker Avenue are required to comply with applicable City of Ontario requirements, including sight distance requirements.

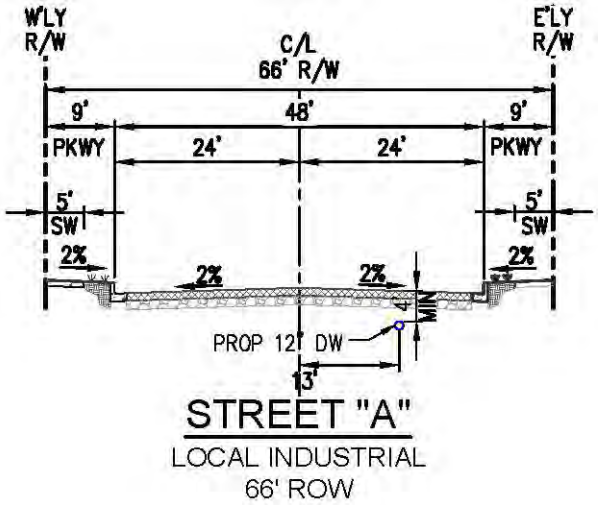
Planning Areas 4, 4A, 5, and 5A connect to Baker Avenue via direct driveway connections along Baker Avenue. Final driveway locations will be determined in conjunction with the design of implementing development projects, in accordance with Chapter 2.0 Access Guidelines of the City of Ontario's Traffic and Transportation Design Guidelines.



G. Street "A" (66-foot ROW Local Industrial)

Street "A" forms the southern boundary of Planning Area 1 and the northern boundary of Planning Area 2 and its exact alignment will be determined in conjunction with implementing development plans. This public roadway provides access to the Specific Plan area from off-site areas to the west and facilitates internal east-west circulation within the westerly portions of the Specific Plan area. Along the segment of Street "A" located between Grove Avenue and Walker Avenue, the developer(s) of the MERRILL COMMERCE CENTER will construct the entirety of the 66-foot wide Local Industrial Street, which consists of 48 feet of pavement and a 9-foot wide parkway on either side of the roadway containing 4 feet of curb-adjacent landscaping and a 5-foot wide sidewalk. A traffic signal will be located at the intersection of Street "A" with Grove Avenue and Walker Avenue (1/4-mile non-DIF), and potentially and at the mid-way point between Gove and Walker Avenues (1/4-mile non-DIF). Traffic signal locations are subject to change based on the results and recommendations of a traffic study. All improvements to Street "A" are required to comply with applicable City of Ontario requirements, including sight distance requirements.

Planning Areas 1 and 2 connect to Street "A" via direct driveway connections along Street "A." Final driveway locations will be determined in conjunction with the design of implementing development projects, in accordance with Chapter 2.0 Access Guidelines of the City of Ontario's Traffic and Transportation Design Guidelines.

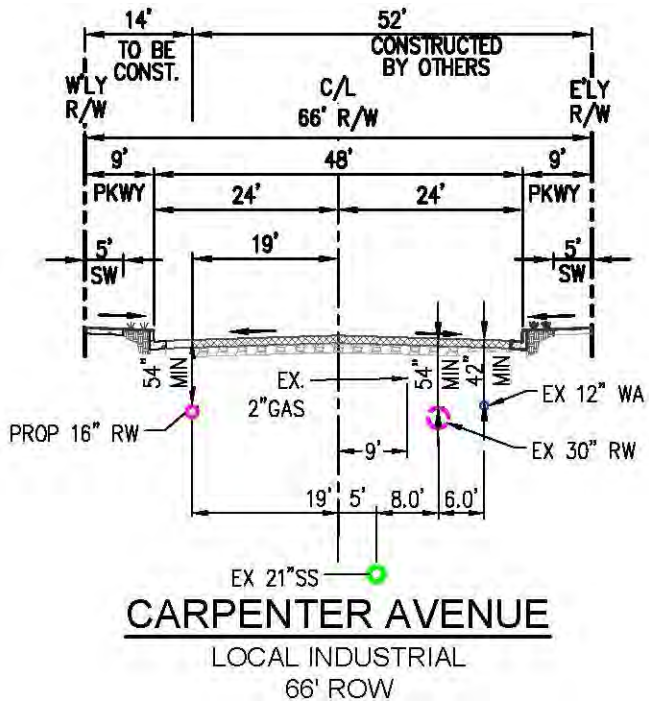


H. Carpenter Avenue (66-foot ROW Local Industrial)

Carpenter Avenue forms the eastern boundary of Planning Areas 6 and 6A. This public roadway provides access to the Specific Plan area from off-site areas to the north, south, and east. Along the segment of Carpenter Avenue located between Eucalyptus Avenue and Merrill Avenue (including the segment that abuts the eastern boundary of Planning Areas 6 and 6A, the developer(s) of the MERRILL COMMERCE CENTER will construct 14 feet of the ROW of this 66-foot-wide Local Industrial Street. The portions of Carpenter Avenue to be constructed as part of the Specific Plan include 5 feet of paved roadway (including curb and gutter) and a 9-foot-wide parkway on the western side of the street that contains 4 feet of curb-adjacent landscaping and a 5-foot sidewalk. The remaining portions of the eastern side of the Carpenter Avenue ROW will be constructed by others (the development project located on the east side of the roadway) which will include 43 feet of roadway and curb and gutter improvements, and a 9-foot-wide parkway containing 4 feet of landscaping and a 5-foot parkway-adjacent sidewalk.

Traffic signals will be located at the intersection of Carpenter Avenue with Merrill Avenue (1/4-mile DIF) and with Eucalyptus Avenue (1/4-mile non-DIF) and potentially at the mid-way point between Eucalyptus and Merrill Avenues (1/4-mile non-DIF) depending on need. Traffic signal locations are subject to change based on the results and recommendations of a traffic study. All improvements to Carpenter Avenue are required to comply with applicable City of Ontario requirements, including sight distance requirements.

Planning Areas 6 and 6A connect to Carpenter Avenue via direct driveway connections along Carpenter Avenue. Final driveway locations will be determined in conjunction with the design of implementing development projects, in accordance with Chapter 2.0 Access Guidelines of the City of Ontario's Traffic and Transportation Design Guidelines.



I. Private Drive Aisles

Private Drive Aisles connect individual planning areas to the roadways described above. Within each planning area, Private Drive Aisles provide vehicular access for automobiles and trucks to parking lots, truck courts, loading dock areas, etc. Private Drive Aisles will have pavement widths that range between 24 and 50 feet. Private Drive Aisles are not depicted on Figure 4-1 because their locations, alignments, and widths will be determined in conjunction with the design of implementing development projects.

J. Truck Routes

Access to the MERRILL COMMERCE CENTER Specific Plan area is provided from Grove Avenue, Eucalyptus Avenue, Vineyard Avenue, Baker Avenue, Carpenter Avenue, Walker Avenue, and Flight Avenue.

Truck traffic to and from the MERRILL COMMERCE CENTER will use the City of Ontario designated truck routes, which include Merrill Avenue, Edison Avenue, and Euclid Avenue. Additionally, truck traffic to and from the MERRILL COMMERCE CENTER will use the City of Chino's designated truck routes, which include Carpenter Avenue, Walker Avenue, and Flight Avenue.

Signalized intersections along truck routes in the City of Ontario will be constructed with PCC pavement per City standards, along with signalized intersections along the truck routes on Merrill Avenue, as shown on Figure 4-1, *Conceptual Vehicular Circulation and Access Plan*.

4.1.2 Non-Vehicular Circulation

The MERRILL COMMERCE CENTER Specific Plan encourages circulation by employees and visitors via non-motorized means. Pedestrian circulation is encouraged interior to the Specific Plan area through an integrated network of sidewalks, bikeways, and trails. Additional pedestrian and bike facilities will be designed on individual building sites at the time buildings are designed and positioned in each planning area as part of implementing development projects.

As illustrated on Figure 4-2, *Non-Vehicular Circulation and Mobility Plan*, the MERRILL COMMERCE CENTER Specific Plan provides for sidewalks in the public rights-of-way along the sides of the following streets that front the Specific Plan: Eucalyptus Avenue, Merrill Avenue, Grove Avenue, and Carpenter Avenue. Additionally, the MERRILL COMMERCE CENTER Specific Plan provides for sidewalks in the public rights-of-way along both sides of Baker Avenue (segment located between Eucalyptus Avenue and Merrill Avenue), Walker Avenue (segment located between Edison Avenue/Ontario Ranch Road and Merrill Avenue), Vineyard Avenue (segment located between Eucalyptus Avenue and Merrill Avenue), and Street "A." Pedestrian crosswalks are designed at signalized intersections (as depicted on Figure 4-2) to ensure pedestrian safety.

As illustrated on Figure 4-2, *Non-Vehicular Circulation and Mobility Plan*, the Specific Plan provides for 8-foot-wide multi-purpose trails along the north side of the segment of Merrill Avenue located between Euclid Avenue and Archibald Avenue; along the east side of the segment of Grove Avenue located between Eucalyptus Avenue and Merrill Avenue; along the east side of the segment of Walker Avenue located between Edison Avenue/Ontario Ranch Road and Merrill Avenue; and along the west side of the segment of Vineyard Avenue located between Eucalyptus Avenue and Merrill Avenue.

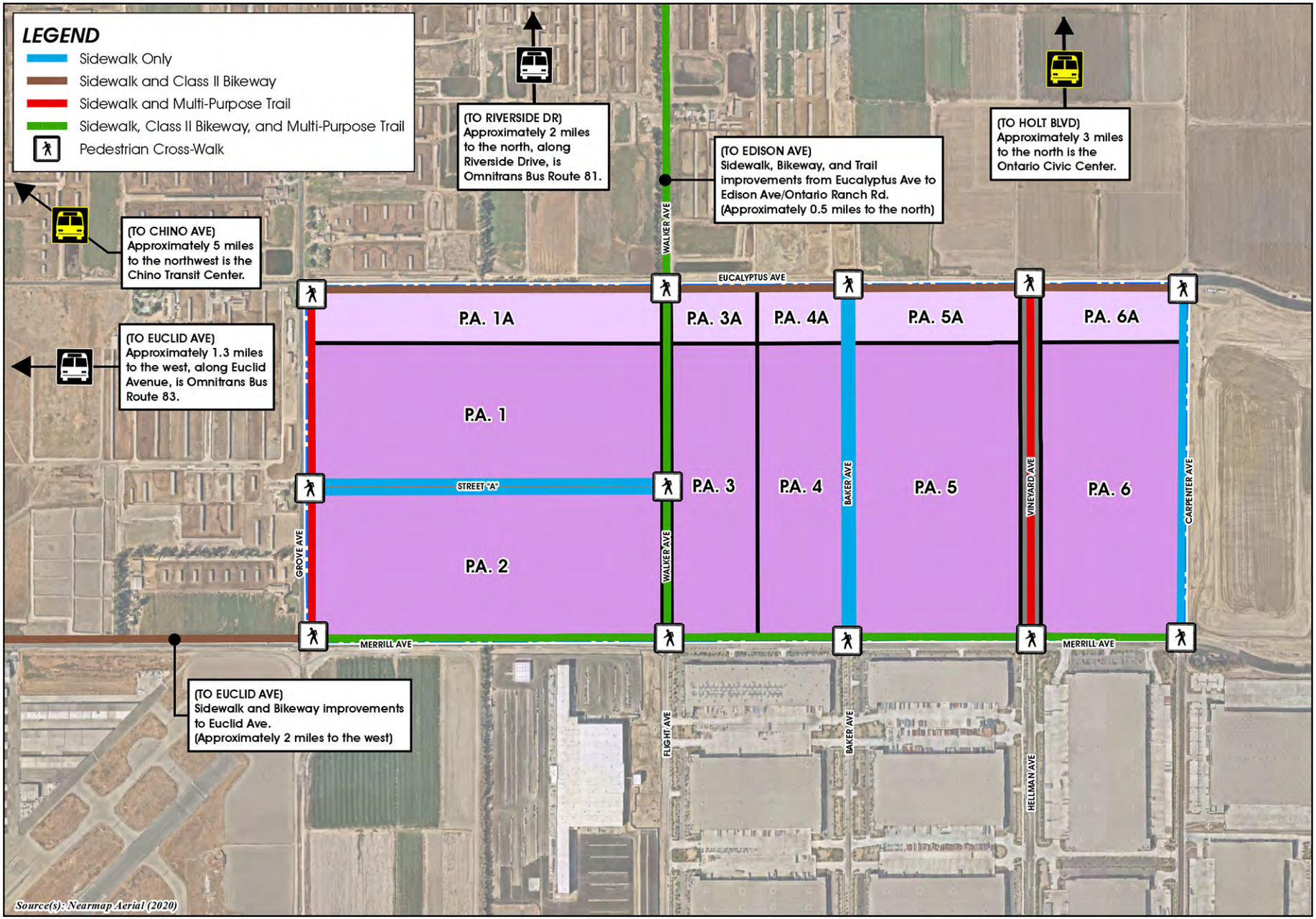
As illustrated on Figure 4-2, *Non-Vehicular Circulation and Mobility Plan*, the Specific Plan provides Class II bike lanes in the public right-of-way along both sides of the segment of Merrill Avenue located between Carpenter Avenue and Euclid Avenue; along both sides of the segment of Walker Avenue between Merrill Avenue and Edison Avenue/Ontario Ranch Road; along the south side of the segment of Eucalyptus Avenue that abuts the northern boundaries of Planning Areas 3A, 4A, 5A, and 6A; and along the north side of Eucalyptus Avenue between Grove Avenue and Walker Avenue.

Given the volume of passenger car and truck traffic circulating on the site, pedestrian and bicycle safety was given due consideration when preparing the design standards for the MERRILL COMMERCE CENTER. Provisions for sidewalks and pedestrian walkways, bicycle storage facilities, and employee and visitor gathering areas interior to the planning areas are set forth in Chapter 6, *Design Guidelines*.

As shown on Figure 4-2, the following bus and transit facilities are located to the west and north of MERRILL COMMERCE CENTER:

A. Omnitrans Bus Route 83, located approximately 1.3 miles to the west along Euclid Avenue.
B. Chino Transit Center, located approximately 5 miles to the northwest at Chino Avenue.
C. Omnitrans Bus Route 81, located approximately 2 miles to the north along Riverside Drive.
D. Ontario Civic Center/Transfer Station, located approximately 3 miles to the north at Holt Boulevard.

Future bus stops and shelters will be required to be installed to the satisfaction of the City of Ontario and Omnitrans.



Non-Vehicular Circulation and Mobility Plan

Figure 4-2

4.2 UTILITY INFRASTRUCTURE PLAN

Buildout of the MERRILL COMMERCE CENTER requires the installation of water, sewer, drainage, and other utility infrastructure, as described in this chapter. All utility infrastructure improvements shall be constructed in accordance with applicable City of Ontario design standards and specifications.

4.2.1 Potable Water Plan

Potable Water System Improvements for the Specific Plan area (as shown on Figure 4-3) require the planning, design, and construction of the 925 Pressure Zone (PZ) Phase 2 West Backbone, which includes: extending the 24-inch potable water main in Eucalyptus Avenue from Carpenter Avenue to Grove Avenue; and, installing a 30-inch to 42-inch potable water main in Grove Avenue connecting from the 24-inch potable water main in Eucalyptus Avenue and extending to Chino Avenue; installing an 18-inch potable water main in Chino Avenue and connecting 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.

Master Plan Phase 2 facilities that are required to serve the Project but that will be constructed by others include installing a 42-inch potable water main in Grove Avenue connecting from the 30-inch to 42-inch potable water main in Grove Avenue at Chino Ave and extending to Francis Avenue; and, installing a 42-inch potable main in Francis Avenue connecting from the 42-inch potable water main in Grove Avenue and extending to Bon View Avenue; and, installing a 42-inch potable water main in Bon View Avenue connecting from the 42-inch potable water main in Francis Avenue and extending to the Bon View Avenue Reservoir site and to the Reservoir; and, installing a 9 million gallon reservoir on the Bon View Reservoir site; and, installing two 2,500 gpm wells with any treatment necessary to meet water quality standards and the 16-inch to 42-inch well collection mains from the wells to the reservoirs. At the time this Specific Plan was prepared, the alignment of the 42-inch water line between Chino Avenue and the water reservoir site had not been finalized and is subject to change. The MERRILL COMMERCE CENTER Project will be required to participate in the future Phase 2 Water System Improvements north of Chino Avenue, as detailed in the development agreement with the City.

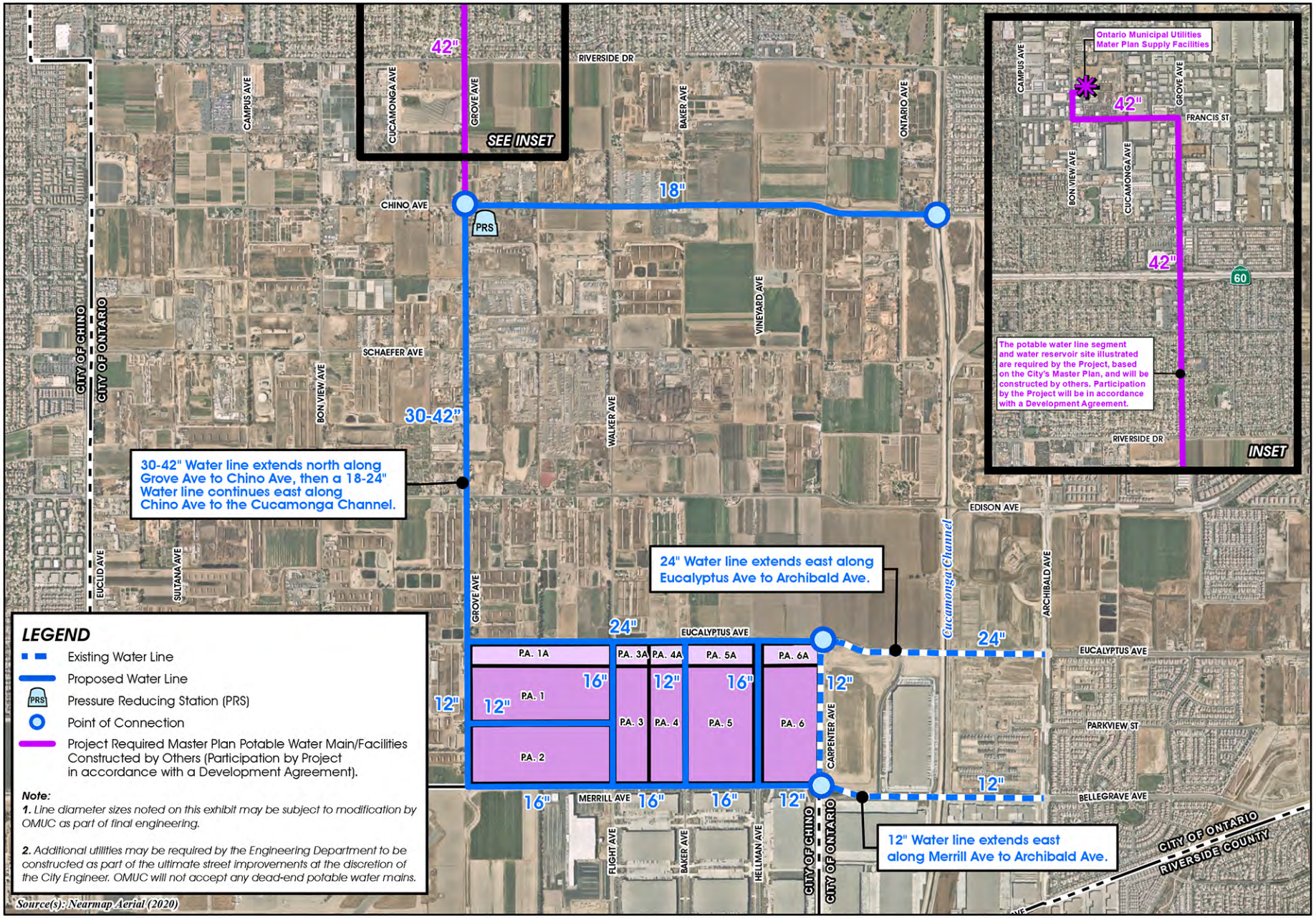
In addition to the 925 Pressure Zone (PZ) Phase 2 West Backbone, the Specific Plan area requires the planning, design, and construction of a Secondary Loop between the 925 Pressure Zone (PZ) Phase 2 West Backbone and the Specific Plan area which includes: installing a 24-inch potable water main in Eucalyptus Avenue connecting to the 30-inch to 42-inch 925 Pressure Zone (PZ) Phase 2 West Backbone main in Grove Avenue; installing a 16-inch potable water main in Merrill Avenue connecting from the 12-inch potable water main in Grove Avenue and extending to Vineyard Avenue; and, installing a 16-inch potable water main in Vineyard Avenue connecting from the 16-inch potable water main in Merrill Avenue and extending to connect to the 24-inch potable water main in Eucalyptus Avenue; and, installing a 12-inch potable water main in Merrill Avenue connecting from the 16-inch potable water main in Vineyard Avenue and extending east to connect to the 12-inch potable water main in Carpenter Avenue.

The Specific Plan area also requires the planning, design, and construction of the Local Adjacent Potable Water System, which includes: installing a 12-inch potable water main in Grove Avenue connecting to the 24-inch potable water main in Eucalyptus Avenue

and extending to connect to the 16-inch potable water main in Merrill Avenue; and, installing a 16-inch potable water main in Walker Avenue connecting to the 24-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 Baker Avenue connecting to the 24-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 "Street A" connecting to the 12-inch potable water main in Grove Avenue and extending to connect to the 16-inch potable water main in Walker Avenue.

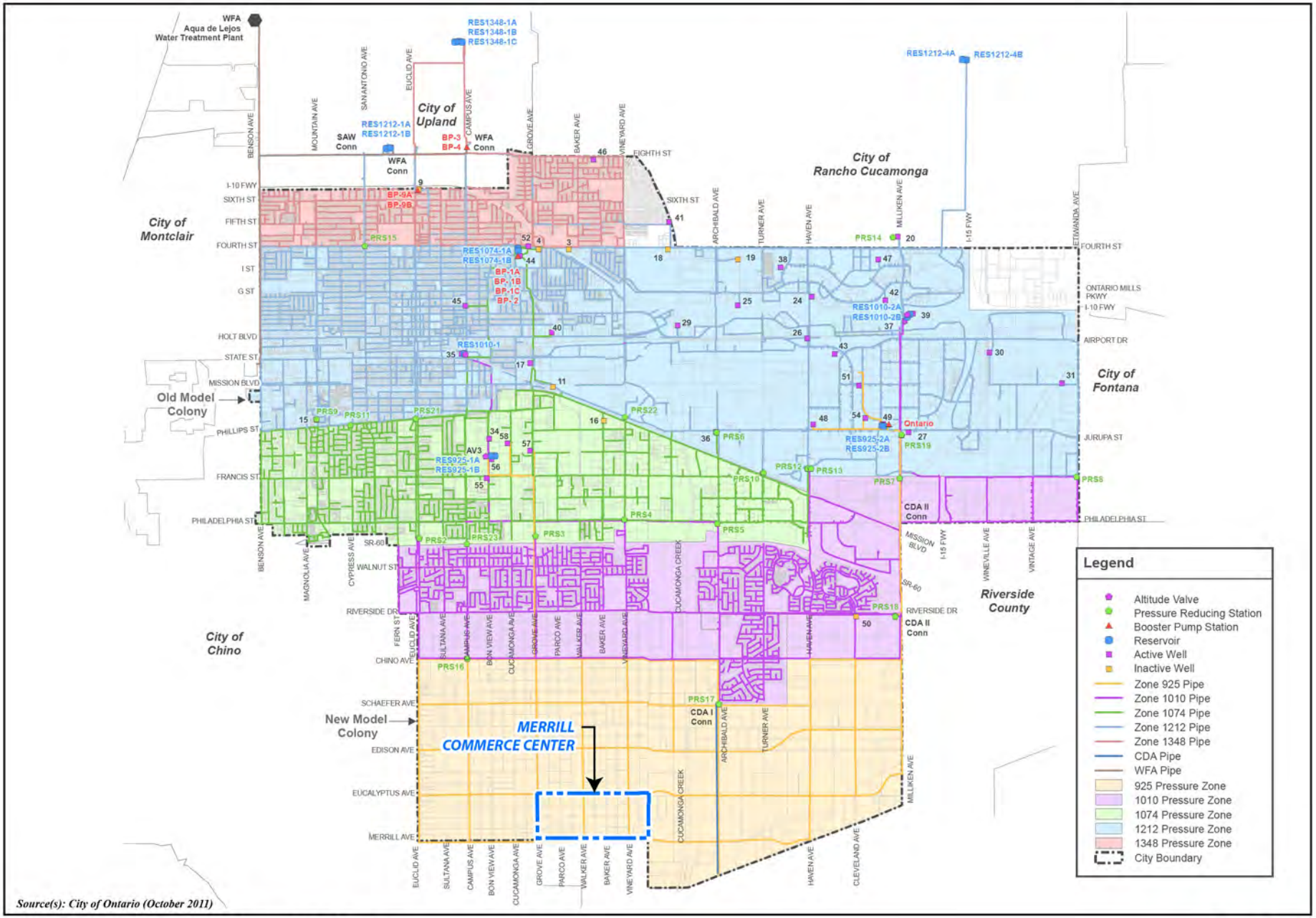
Required Potable Water Infrastructure is subject to change based upon findings of City approved hydraulic studies, master plan updates, and project final designs; and, potable water main locations are also subject to change based upon the developer-conducted and City-approved Conceptual Design Report. Any existing utilities, including IEUA water mains, that do not meet minimum depths, standard alignment locations, and/or minimum horizontal and vertical separation requirements shall be subject to relocation/ replacement by the developer(s) of the Specific Plan.

Within the project site, on individual private property, the onsite potable, domestic, and fire systems shall be private and be privately maintained.



Potable Water Infrastructure Plan

Figure 4-3



City of Ontario Ultimate Water System

Figure 4-3A

Not to Scale

4.2.2 Recycled Water Plan

The City of Ontario/ Ontario Municipal Utilities Company (OMUC) supplies recycled water to the Specific Plan area. Existing City recycled water infrastructure is located to the east of the Specific Plan Area in Carpenter Avenue, Eucalyptus Avenue, and Merrill Avenue. Recycled Water supplied by OMUC is produced by the Inland Empire Utility Agency (IEUA) from its four wastewater reclamation plants.

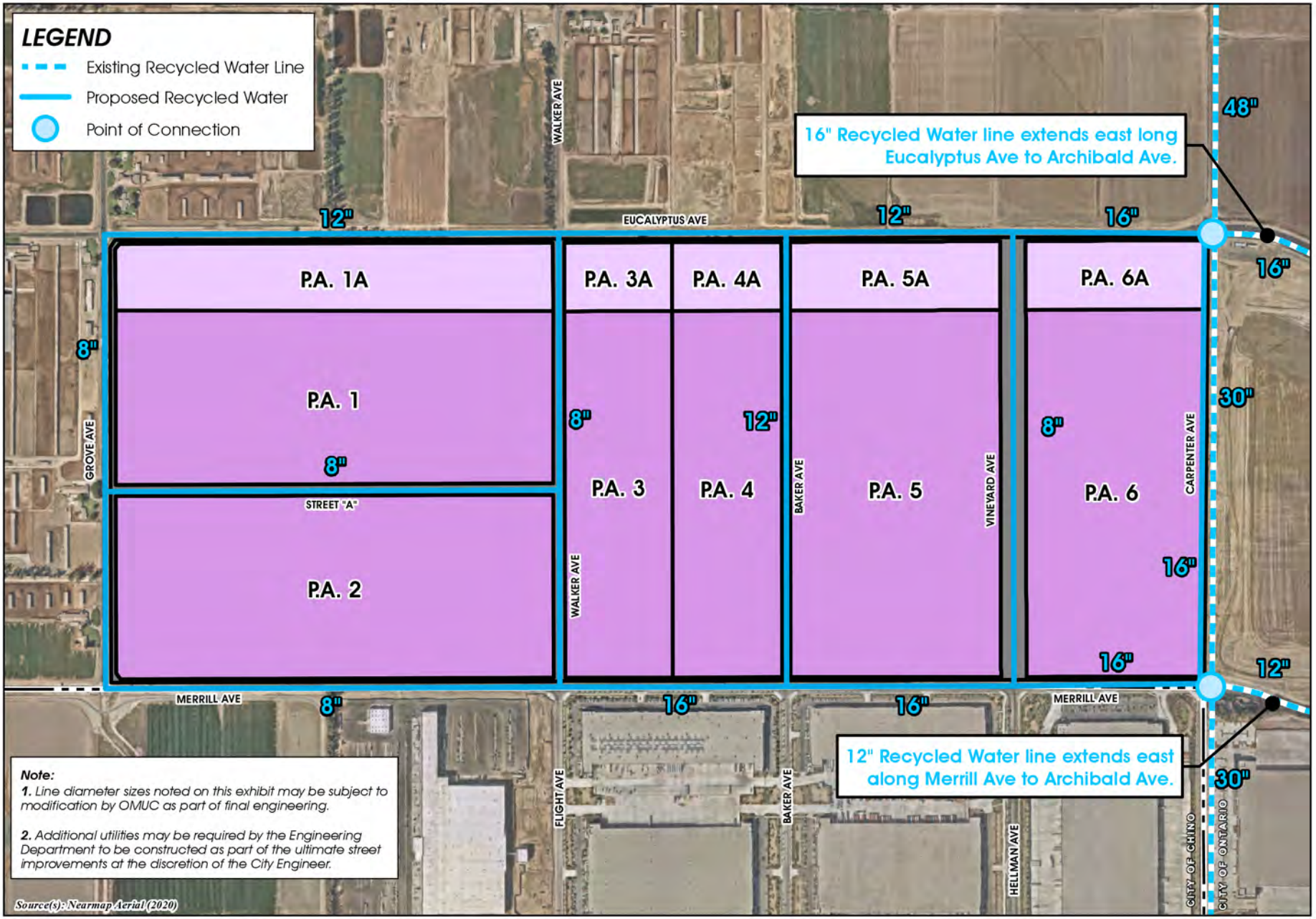
The entire Specific Plan area is within the City's master planned 930 Pressure Zone (PZ). Recycled Water Infrastructure Improvements for the Specific Plan area (as shown on Figure 4-4) require the planning, design, and construction of the Primary 930 Pressure Zone Recycled Water Master Plan Backbone mains, which includes: installing a 16-inch recycled water main in Carpenter Avenue connecting to the 16-inch 930 Pressure Zone Recycled Water main in Eucalyptus Avenue and connecting to the existing 16-inch 930 Pressure Zone recycled water main at the intersection of Carpenter Avenue and Eucalyptus Avenue; extending it west and transitioning to a 12-inch line at Vineyard Avenue; installing a 12-inch recycled water main in Eucalyptus Avenue and extending to Grove Avenue to connect to the 8-inch 930 Pressure Zone Recycled Water main in Grove Avenue; and, installing an 8-inch recycled water main in Grove Avenue connecting to the 12-inch recycled water main in Eucalyptus Avenue and extending in Grove Avenue to 8-inch recycled water main in Merrill Avenue; and, installing an 8-inch recycled water main in Merrill Avenue connecting to the 16-inch recycled water main in Merrill Avenue at Walker Avenue and extending east to Carpenter Avenue.

In addition to the Primary 930 Pressure Zone (PZ) Recycled Water Master Plan Backbone mains, the Specific Plan area requires the planning, design, and construction of a Secondary Loop Improvements which includes: installing an 8-inch recycled water main in Merrill Avenue connecting to the 8-inch recycled water main in Merrill Avenue at Grove Avenue and extending west to Euclid Avenue.

The Specific Plan area also requires the planning, design, and construction of the Adjacent Recycled Water System, which includes: installing an 8-inch recycled water main in Vineyard Avenue connecting to the 16-inch recycled water main in Merrill Avenue and extending it to connect to the 12-inch main in Eucalyptus Avenue; and, installing an 8-inch recycled water main in Walker Avenue connecting to the 8-inch recycled water main in Merrill Avenue and extending it to connect to the 12-inch main in Eucalyptus Avenue.

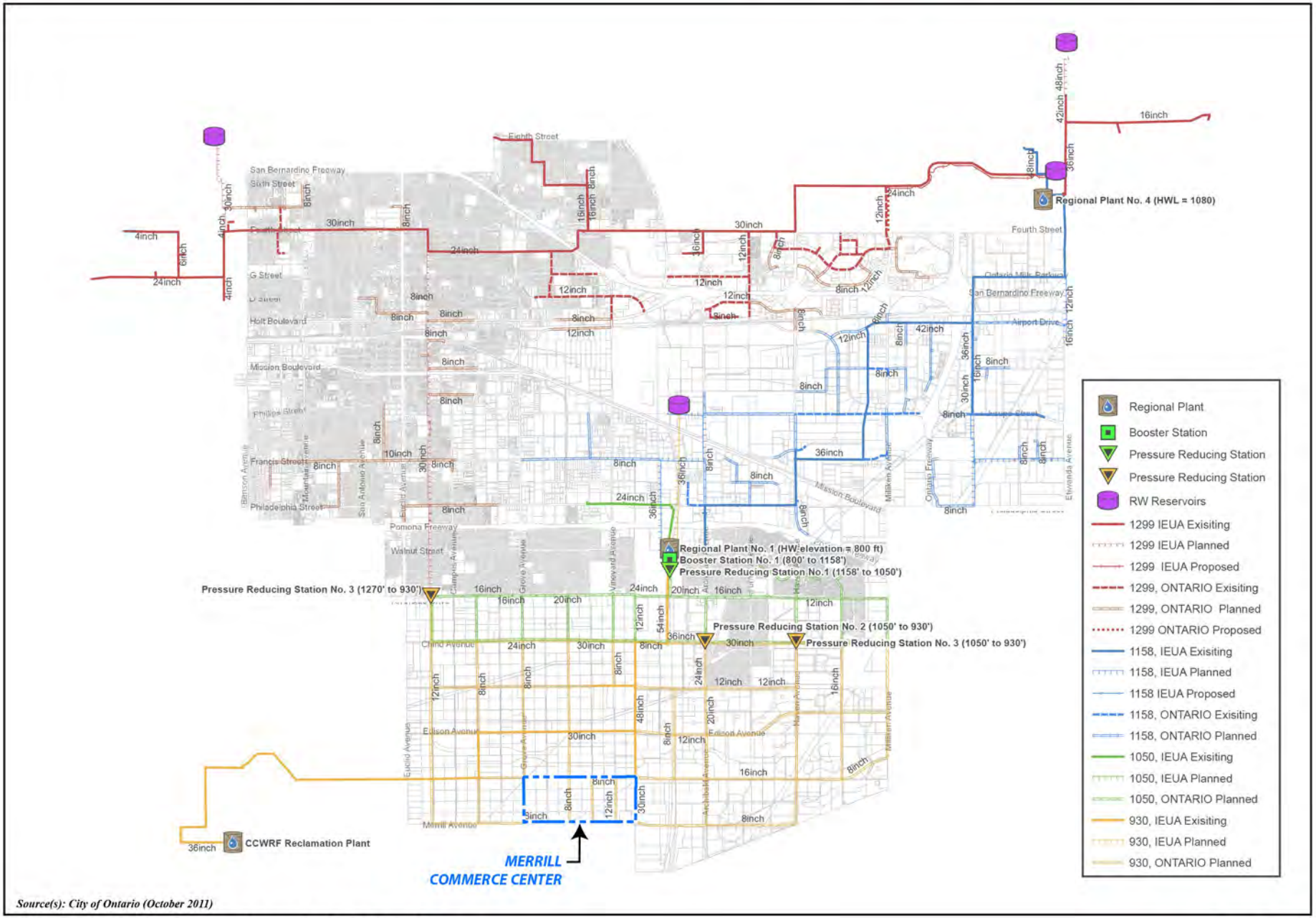
Required Recycled Water Infrastructure is subject to change based upon findings of City-approved hydraulic studies, master plan updates, and project final designs; and, Recycled Water main locations are also subject to change based upon the developer-conducted and City-approved Conceptual Design Report. Any existing utilities, including IEUA Recycled Water mains, that do not meet minimum depths, standard alignment locations, and/or minimum horizontal and vertical separation requirements shall be subject to relocation/replacement by the developer(s) of the Specific Plan.

Within the project site, on individual private property, the onsite recycled water and irrigation systems shall be private and be privately maintained.



Recycled Water Infrastructure Plan

Figure 4-4



Source(s): City of Ontario (October 2011)

City of Ontario Future Recycled Water System

Figure 4-4A

Not to Scale

1045

4.2.3 Sanitary Sewer Plan

Sanitary Sewer/Wastewater Collections for the Specific Plan area is served by the City of Ontario/ Ontario Municipal Utilities Company (OMUC), which conveys wastewater to the Inland Empire Utility Agency (IEUA) for transmission and treatment.

Currently, existing 21-inch and existing 24-inch City sanitary sewer mains are located in Carpenter Avenue to the east and south of the Specific Plan area. The entire Specific Plan area is included within the City's Sewer Master Plan. The areas west of Vineyard Avenue are Tributary to the Western Trunk Sewer, which connect to IEUA's system at Kimball Avenue and Euclid Avenue; and the areas east of Vineyard Avenue are Tributary to the Eastern Trunk Sewer (ETS), through the City's Carpenter Trunk Sewer which connect to IEUA's system at Vineyard/Hellman Avenue and the San Bernardino/ Riverside County line. Planning Areas 1 to 5 and 1A to 5A are within the Western Trunk Sewer tributary area and Planning Area 6 and 6A are within the Eastern Trunk Sewer tributary area.

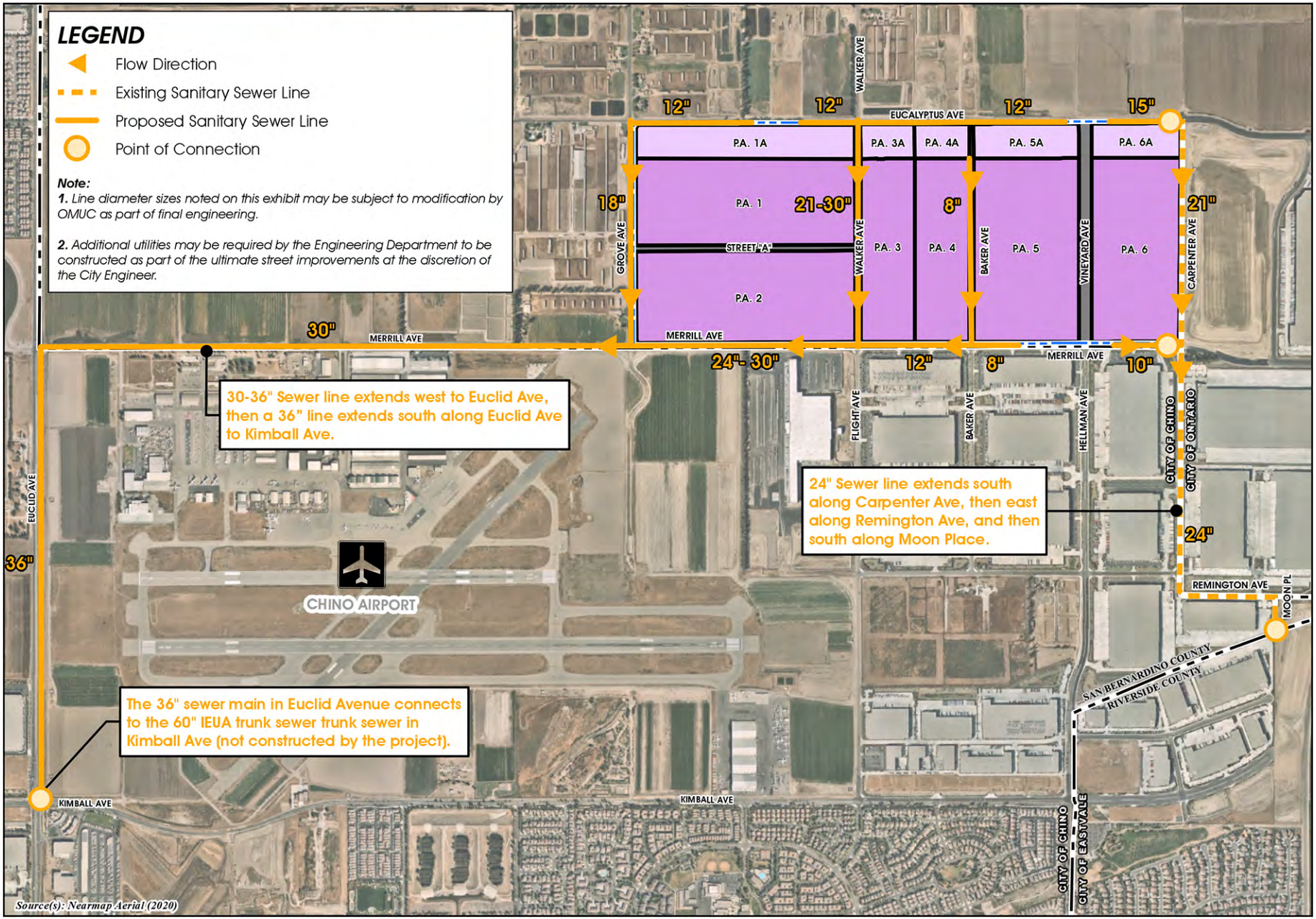
Sanitary Sewer Improvements for the Specific Plan area (as shown on Figure 4-5) require the planning, design, and construction of the following Primary Sewer Master Plan Backbone mains of the Western Trunk Sewer (WTS), which includes: installing a 36-inch sewer main in Euclid Avenue connecting to the IEUA's 60-inch Kimball Interceptor at the intersection of Kimball Avenue and Euclid Avenue and extending north to Merrill Avenue; and, installing a 30-inch sewer main in Merrill Ave from Euclid Avenue to Grove Avenue; and, installing a 24-inch to 30-inch sewer main in Merrill Avenue from Grove Avenue to Walker Avenue; and, installing a 21-inch to 30-inch sewer main in Walker Avenue from Merrill Avenue to Eucalyptus Avenue.

In addition to the Primary Sewer Master Plan Backbone mains, the Specific Plan area requires the planning, design, and construction of a Secondary Master Plan Trunk Sewer, which includes: installing an 18-inch Grove Trunk Sewer main in Grove Avenue from the WTS in Merrill Avenue and extending north in Grove Avenue to Eucalyptus Avenue.

The Specific Plan area also requires the planning, design, and construction of the Adjacent Local Sewer Systems, which includes: installing a 12-inch sewer line in Eucalyptus Avenue from east of Grove Avenue to connect with the 18-inch line in Grove Avenue; installing a 12-inch line in Eucalyptus Avenue from west of Walker Avenue to just west of Vineyard Avenue, and installing a 15-inch sewer line in Eucalyptus Avenue from west of Carpenter Avenue to connect with the existing 21-inch line in Carpenter Avenue. Also, the installation of a 10-inch sewer main in Merrill Avenue from west of Carpenter Avenue to Carpenter Avenue; and, installing an 8-inch line in Merrill Avenue from east of Baker Avenue to Baker Avenue and transitioning to a 12-inch sewer main in Merrill Avenue from Baker Avenue to connect with the WTS in Walker Avenue.; and, installing an 8-inch sewer main in Baker Avenue from Merrill Avenue northerly toward Eucalyptus Avenue.

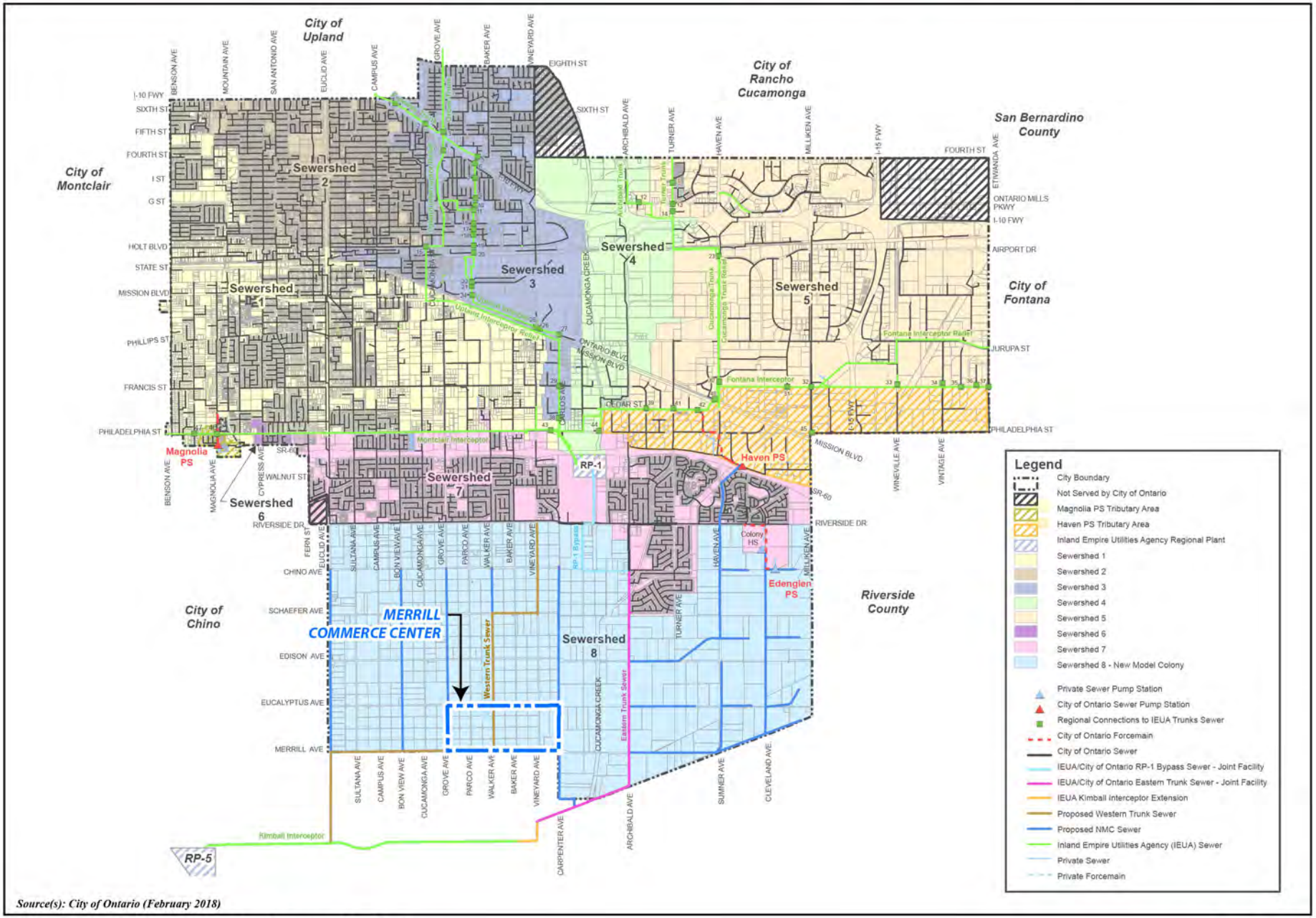
Required Sanitary Sewer Infrastructure is subject to change based upon findings of City-approved hydraulic studies, master plan updates, and project final designs; and, sewer main locations are also subject to change based upon the developer-conducted and City-approved Conceptual Design Report. Any existing utilities, including IEUA Recycled Water mains, that do not meet minimum depth, standard alignment locations, and/or minimum horizontal and vertical separation requirements shall be subject to relocation/ replacement by the developer(s) of the Specific Plan.

Within the project site, on individual private property, the onsite sewer systems shall be private and be privately maintained.



Sanitary Sewer Infrastructure Plan

Figure 4-5



Source(s): City of Ontario (February 2018)

City of Ontario Ultimate Sewer System

Figure 4-5A

Not to Scale

4.2.4 Storm Water Management Plan

The master storm drain plan for the MERRILL COMMERCE CENTER is shown on Figure 4-6, *Storm Drain Infrastructure Plan*. Improvements include the construction of the following storm drain improvements: an 13-foot by 8-foot Reinforced Concrete Box (RCB) in the segment of Eucalyptus Avenue located between Walker Avenue and Vineyard Avenue; 24-inch storm drain line in Eucalyptus Avenue between Walker Avenue and Grove Avenue, a 13-foot by 8-foot Reinforced Concrete Box (RCB) in the segment of Eucalyptus Avenue located between Walker Avenue and Vineyard Avenue a 6-foot by 3-foot RCB, a double 8-foot by 4-foot RCB, , and a double 12-foot by 10-foot RCB in various segments of Merrill Avenue between the midpoint of the southerly boundary of Planning Area 2 and Carpenter Avenue; a 24-inch storm drain line in the segment of Walker Avenue located between the southerly boundary of Planning Area 1 and Merrill Avenue; a 120-inch storm drain line in the segment of Grove Avenue located between Eucalyptus Avenue and Merrill Avenue (with a point of connection to the existing open flood channel located south of the intersection of Merrill Avenue and Grove Avenue); and a 13-foot by 8-foot RCB in the segment of Vineyard Avenue located between Merrill Avenue and Eucalyptus Avenue.

Additionally, as indicated on Figure 4-6, the developer(s) of the MERRILL COMMERCE CENTER may be conditioned to improve the existing open flood channel located south of the intersection of Merrill Avenue and Grove Avenue, which may consist of either lowering the elevation of the existing earthen channel or installing a double 10-foot by 6-foot RCB within the existing earthen channel to connect to an existing RCB located at the southerly terminus of the existing earthen flood channel. The ultimate solution will be determined during the final engineering process.

Planning Areas 1, 1A, and 2 drain in a southerly direction and the drainage ultimately flows into either a water quality basin located in the southwest portion of Planning Area 2, the existing flood channel located south of the intersection of Merrill Avenue and Grove Avenue, or to the RCB drainage system in Merrill Avenue which will convey flows easterly to the Cucamonga Channel.

Stormwater flows from Planning Areas 3 and 3A drain in a southerly direction and the drainage ultimately flows into either the 24-inch line within Walker Avenue or to the RCB system in Merrill Avenue. Planning Areas 4 and 4A also drain in a southerly direction with the drainage ultimately flowing to either a storm drain line installed in Baker Avenue or to the RCB system in Merrill Avenue. Planning Areas 5, 5A, 6, and 6A drain in a southerly direction as well, and the drainage ultimately flows to the 13-foot by 18-foot RCB in Vineyard Avenue or the double 4-foot by 8-foot RCB or 12-foot by 10-foot RCB in Merrill Avenue. Flows from Planning Areas 3, 3A, 4, 4A, 5, 5A, 6, and 6A ultimately drain easterly to an existing inlet connection to the Cucamonga Creek Channel via the existing double 12-foot by 10-foot RCB in Merrill Avenue (east of Carpenter Avenue).

Each storm drain in Grove Avenue and Merrill Avenue will be equipped with a hydrodynamic separator or City approved equal device 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).

Line diameter sizes and other storm drain facility sizes noted herein may be subject to modification by the City of Ontario and/or the San Bernardino Flood Control District as part of final engineering.

A. National Pollutant Discharge Elimination System (NPDES) and Water Quality Management Plan (WQMP)

Design for the on-site improvements within the MERRILL COMMERCE CENTER Specific Plan will utilize a variety of Low Impact Development (LID) design concepts to detain, filter, and treat surface runoff in a practical manner to comply with the requirements of the San Bernardino County NPDES Storm Water Program's current Water Quality Management Plan (WQMP) for new development projects.

The objective of the project-specific WQMP 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 shall be minimized through the implementation of on-site and off-site Low Impact Development (LID) Site Design Best Management Practices (BMP's) that retain/infilter or biotreat 85th percentile storm event runoff from the Specific Plan area.

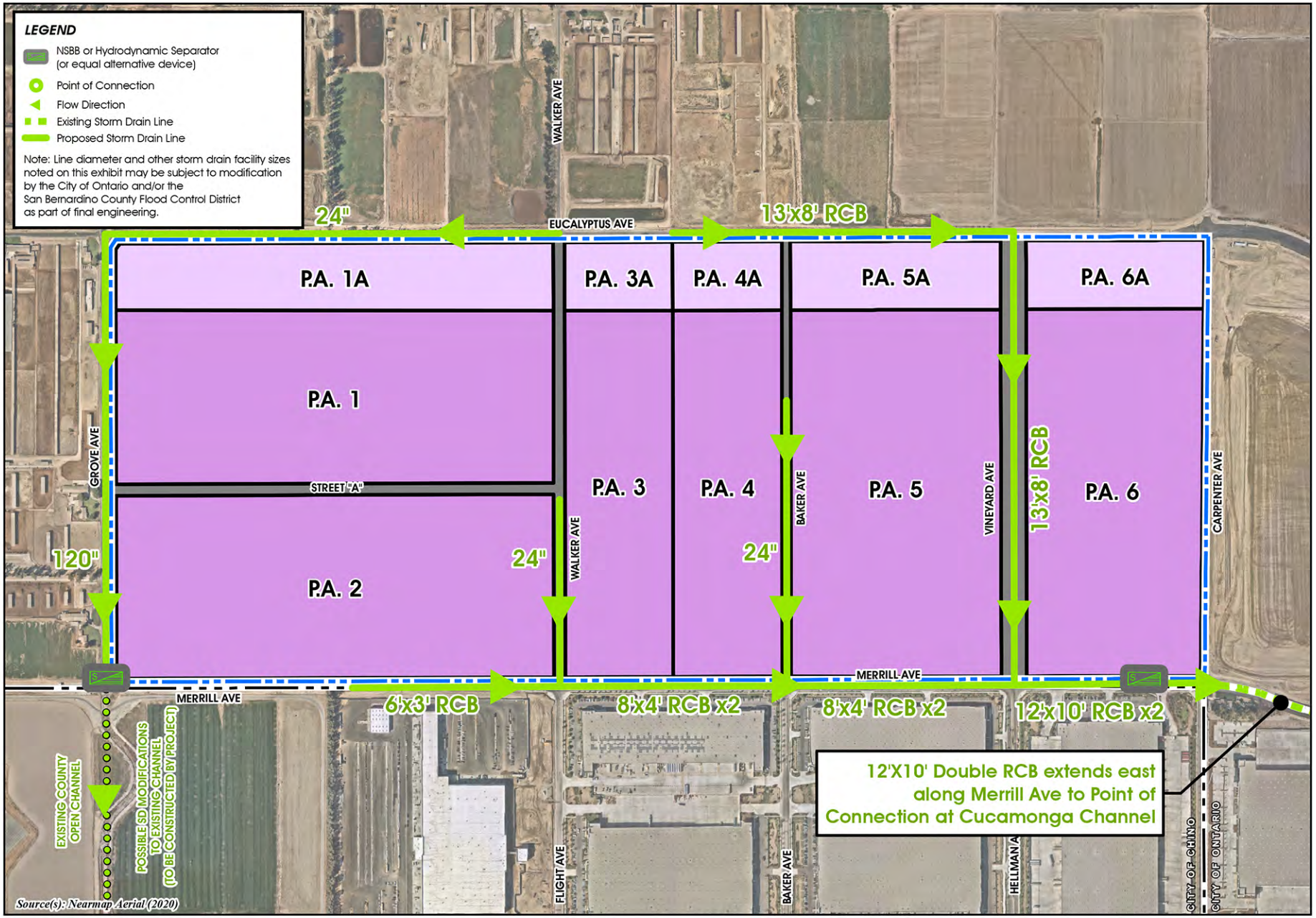
In addition, non-structural and structural Source Control BMP's will be implemented and documented in the approved Water Quality Management Plan(s) to reduce pollutant generation and transport from the Specific Plan area.

All Priority Land Use (PLU) areas, defined by the State Water Resources Board (SWRCB) as high trash generating areas such as industrial uses, within the Specific Plan area shall comply with the statewide Trash Provisions adopted by the SWRCB and trash requirements in the most current San Bernardino County Area-Wide MS4 permit.

Prior to the issuance of any grading or construction permits for any parcel map or area that disturbs one (1) acre or more of land within the MERRILL COMMERCE CENTER Specific Plan, an Erosion Control & Sedimentation Plan and Storm Water Pollution Prevention Plans (SWPPP) will be prepared to comply with California State Water Resources Control Board's (State Water Board) current "General Permit to Discharge Storm Water Associated with Construction Activity" and current "Area Wide Urban Storm Water Runoff (Regional NPDES) Permit." SWPPPs are required to identify and detail all appropriate Best Management Practices (BMP's) to be implemented or installed during construction.

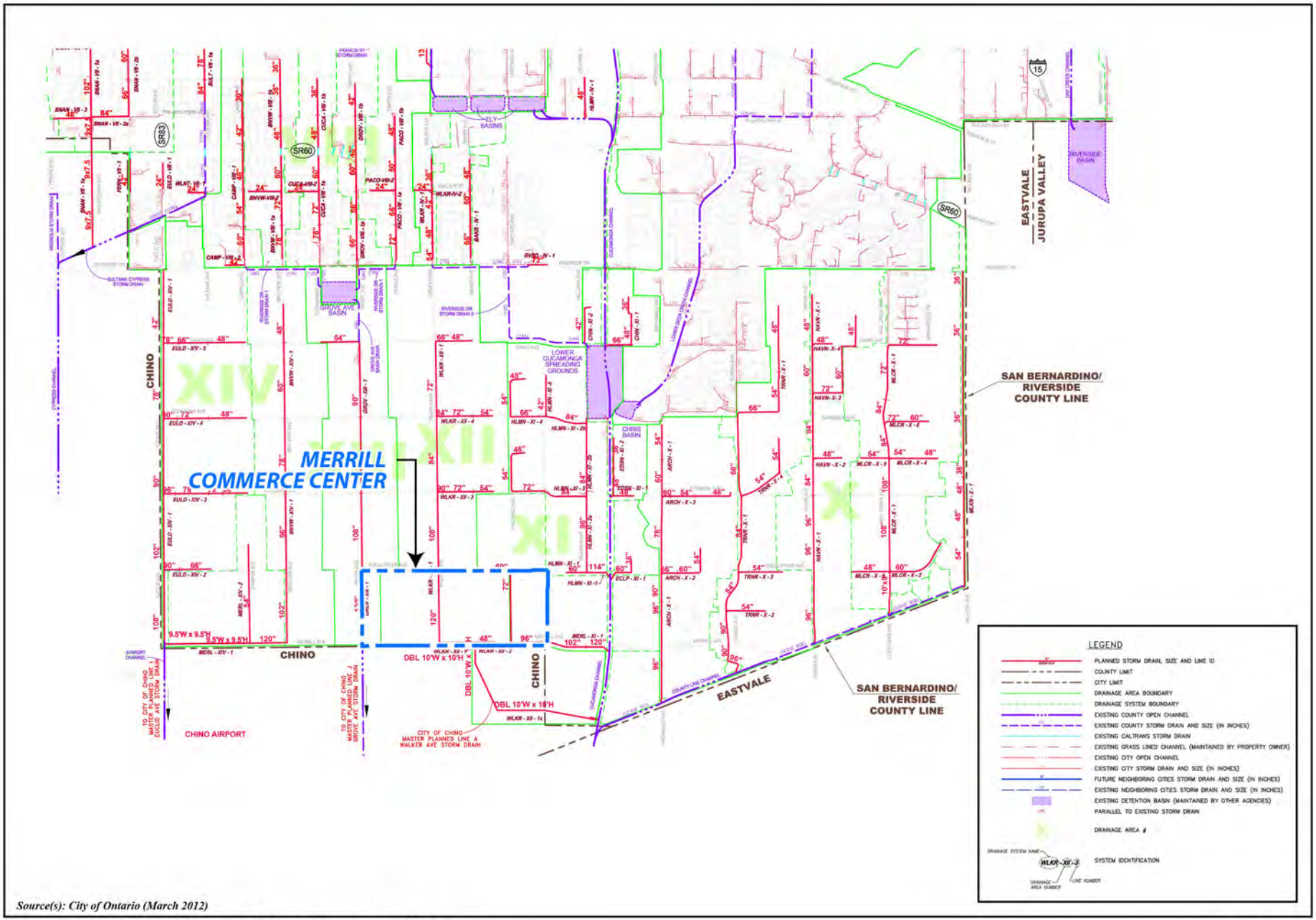
B. Airport Compatibility

The Specific Plan Area is located in the Airport Influence Areas (AIAs) of the Ontario International Airport and the Chino Airport. The Federal Aviation Administration (FAA) identifies stormwater management facilities as one of the greatest attractants to wildlife hazardous to airport operations. For this reason, all new stormwater management facilities located within the MERRILL COMMERCE CENTER will be designed to avoid the creation of open water and habitat by being designed to drain completely within a maximum 48-hour period following design storm event (i.e., 24-hour storm) and remain totally dry between storm events.



Storm Drain Infrastructure Plan

Figure 4-6



Source(s): City of Ontario (March 2012)

City of Ontario Planned Drainage Facilities

Figure 4-6A

Not to Scale

4.2.5 Dry Utilities Plan

As shown on Figure 4-7, *Dry Utilities Infrastructure Plan,* primary dry utility lines within joint trenches in Merrill Avenue will be installed to connect to existing dry utility lines at Merrill Avenue to the west of Grove Avenue and at Merrill Avenue to the east of Carpenter Avenue to fully service the Specific Plan area. Lateral dry utility lines within joint trenches will be installed in Grove Avenue, Vineyard Avenue, and Eucalyptus Avenue. The lateral dry utility line within Eucalyptus Avenue will connect to existing dry utility lines at Merrill Avenue and Archibald Avenue to the east. The lateral dry utility lines within Grove Avenue and Vineyard Avenue connect to the primary dry utility lines within Merrill Avenue.

All other dry utilities internal to the MERRILL COMMERCE CENTER will be installed underground in conjunction with the development of the MERRILL COMMERCE CENTER in accordance with applicable public utility standards and specifications and to the satisfaction of the Ontario City Engineer. The locations of other lateral connections, transformers, switches, pull boxes, and dry utility manholes will be determined at the time buildings are positioned in each planning area in conjunction with implementing development.

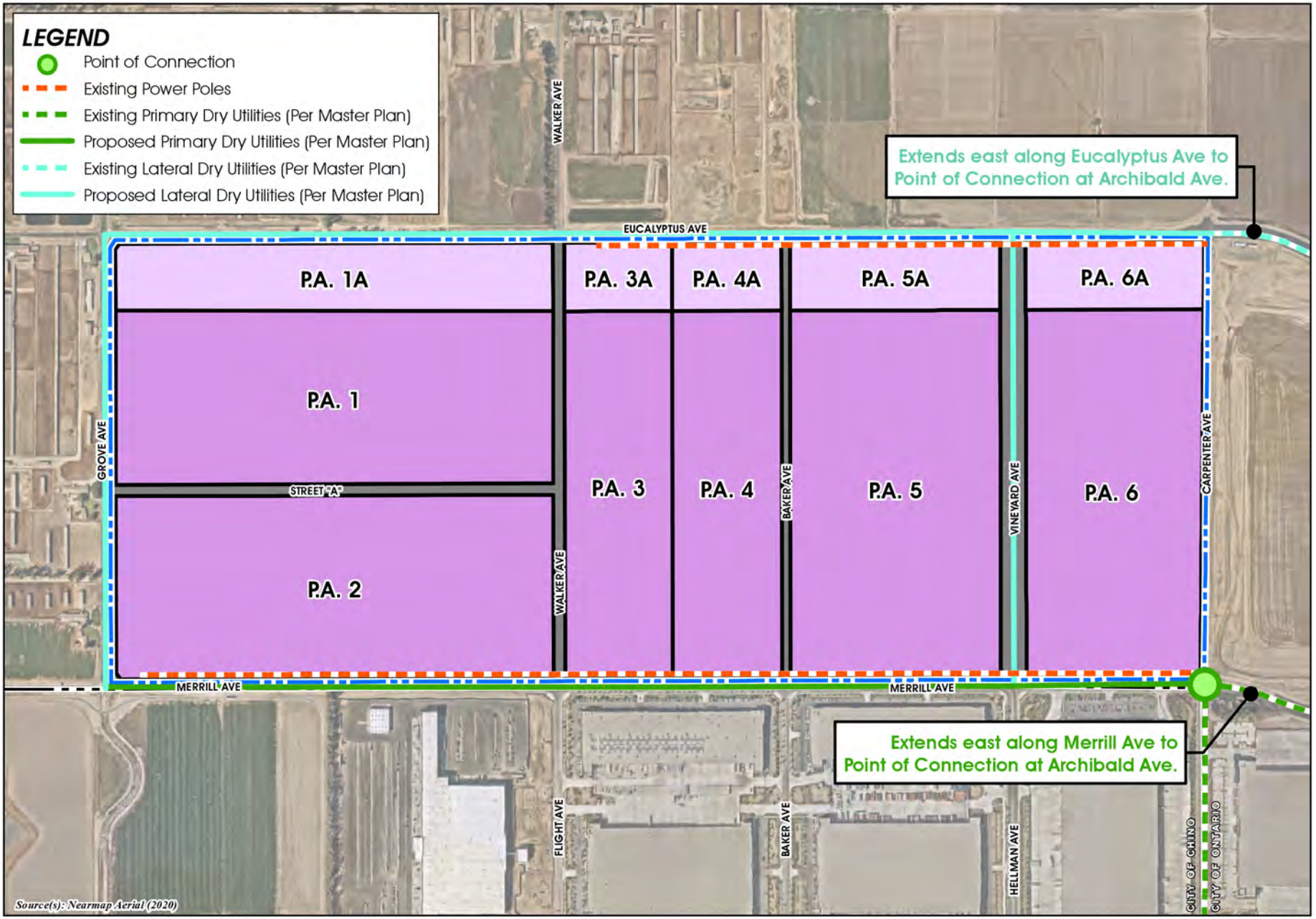
A. Fiber Optics Plan

As shown on Figure 4-8, *Fiber Optics Plan*, fiber optic lines within joint trenches, per the City of Ontario's Master Fiber Optic Plan, will be installed in Grove Avenue abutting Planning Areas 1, 1A, and 2, in Street A between Grove Avenue and Walker Avenue, in Eucalyptus Avenue from Grove Avenue to Carpenter Avenue, and in Vineyard between Eucalyptus Avenue and Merrill Avenue.. The backbone street fiber optics (conduits, hand holes, tracer wire, and fiber) will be placed underground within a duct and structure system to be installed by the Master Developer in a joint trench. In-tract fiber and conduit will be installed by the Developer per the in-tract fiber optic design guidelines. Maintenance of the installed system will be the responsibility of the City/Special District. Development of the MERRILL COMMERCE CENTER requires Developer installation of all fiber optic infrastructure and peripheral equipment necessary to service the Specific Plan as a stand-alone development.

Existing power poles located along Eucalyptus Avenue between Walker Avenue and Carpenter Avenue and along Merrill Avenue between Grove Avenue and Carpenter Avenue will be undergrounded as part of the Specific Plan's buildout.

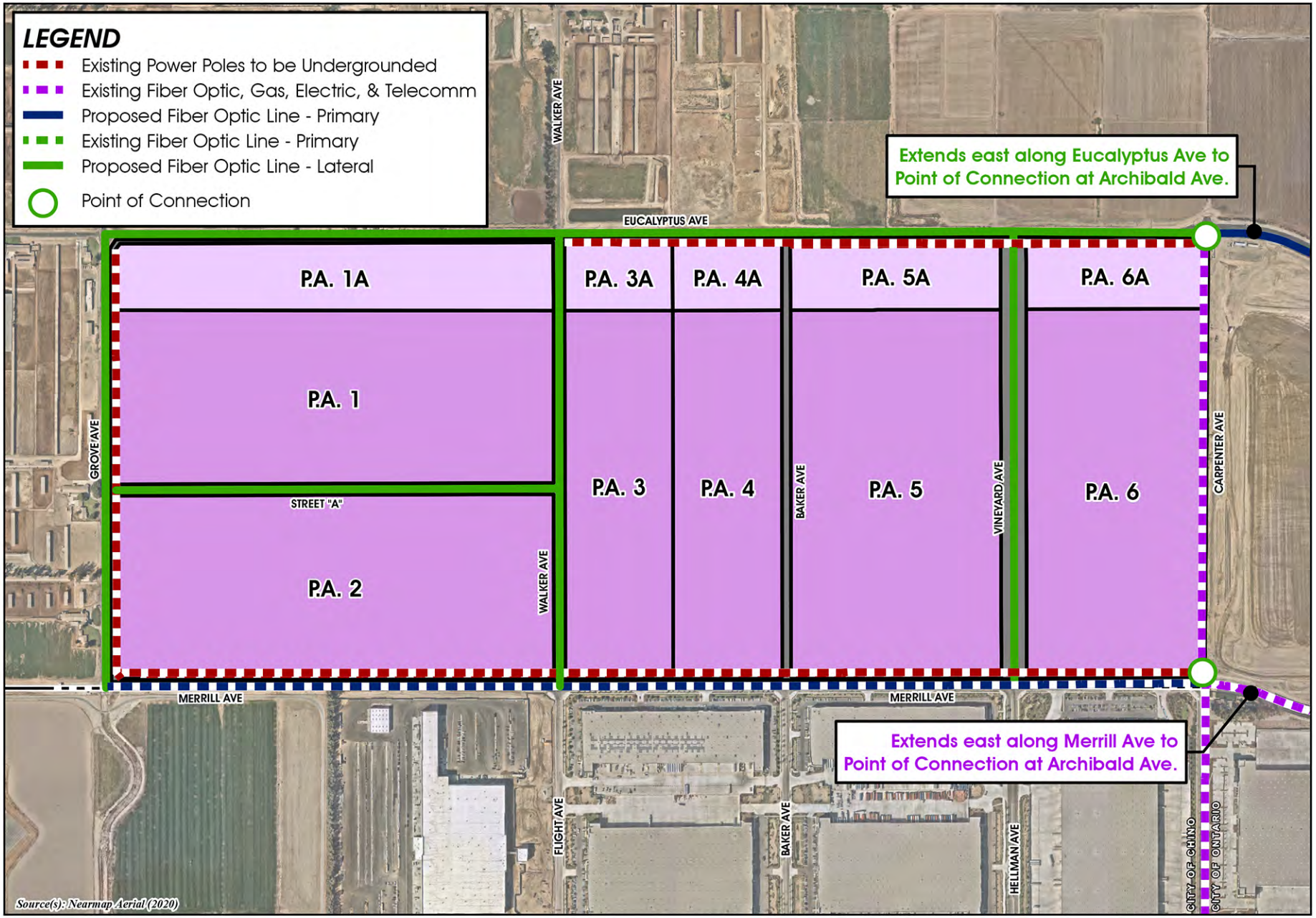
4.3 CONCEPTUAL GRADING PLAN

The natural topography of the MERRILL COMMERCE CENTER property is relatively flat. No unusual grading conditions are present and substantial import or export of earth materials is not expected. The primary objectives of the grading plan are to: provide stable development pads for construction; balance the cut and fill grading quantities on-site, and meet City of Ontario building standards and acceptable infrastructure gradient requirements.



Dry Utilities Infrastructure Plan

Figure 4-7



Fiber Optics Plan

Figure 4-8

DEVELOPMENT REGULATIONS

CHAPTER 5

5.1 Purpose and Intent

5.2 Definition of Terms

5.3 Applicability

5.4 Permitted, Conditional, and Ancillary Uses

5.5 Development Standards

CHAPTER 5 - DEVELOPMENT REGULATIONS

5.1 PURPOSE AND INTENT

This chapter formally establishes the use permissions and development standards (zoning) for the MERRILL COMMERCE CENTER property. The regulations provided herein work in concert with the architectural and landscape guidelines set forth in Chapter 6, *Design Guidelines*, to achieve the vision of the MERRILL COMMERCE CENTER.

5.2 DEFINITION OF TERMS

The meaning of words, phrases, titles, and terms shall be the same as provided in the City of Ontario Development Code (hereafter referred to as "Development Code"), unless otherwise specifically defined in this Specific Plan.

5.3 APPLICABILITY

The regulations set forth in the chapter shall apply to all development plans or agreements, tract or parcel maps, site plans, or any other action requiring administrative or discretionary approval within the 376.3-acre MERRILL COMMERCE CENTER Specific Plan area. Whenever the development standards contained herein differ from those contained in the Development Code, the provisions of this Specific Plan shall take precedence. Any development standard, condition, or situation not specifically addressed herein shall be subject to the applicable requirements of the Development Code.

5.4 PERMITTED, CONDITIONAL, AND ANCILLARY USES

Land within the MERRILL COMMERCE CENTER Specific Plan area and structures/facilities thereon may be developed, divided, and/or used for those activities listed in Table 5-1, *Permitted Uses*. Table 5-1 lists the permitted, conditionally-permitted, and administratively permitted land uses for each land use district established by this Specific Plan (Business Park and Industrial). A use that is not listed in Table 5-1 is a prohibited use unless otherwise allowed pursuant to the procedures described in Chapter 7, *Implementation Plan*, or applicable interpretations and determinations established by the Development Code. The entire Specific Plan boundary is located within the Chino Airport Safety Zones (Safety Zones 1, 2, 3, 4 & 6), that may limit land uses refer to the Chino Airport Land Use Compatibility Plan for additional land use restrictions.

The symbols shown in Table 5-1 have the following meanings:

***"P"** means the land use is permitted by right of being in the proper land use district, subject to the development standards applicable to that land use district.*

***"C"** means the land use is conditionally permitted, subject to the filing of a Conditional Use Permit in accordance with the requirements of the Development Code and must be approved by the City of Ontario Zoning Administrator or Planning Commission before the use can be established within a particular land use district.*

***"A"** means an administratively permitted use is permitted in the proper land use district, subject to the granting of an Administrative Use Permit.*

Table 5-1 Permitted Uses

Use Legend: Permitted Use = "P" Conditional Use = "C" Administratively Permitted Use = "A" Prohibited Use = "---"

Use	Land Use District: Industrial (PAs 1, 2, 3, 4, 5 & 6)	Land Use District: Business Park (PAs 1A, 3A, 4A, 5A & 6A)	Notes
Agricultural, Forestry, Fishing, Hunting			
Temporary and Interim Agricultural Uses	P	P	Restricted to existing agriculture and dairy uses.
Manufacturing			
Apparel	P	P	
Beverage	C	---	
Chemical	C	---	
Computer and Electronic Products	P	P	
Electrical Equipment, Appliance, and Component	P	P	
Fabricated Metal Products	P	---	
Food	C	---	
Footwear	P	P	
Furniture and Related Products	P	P	
Leather and Allied Products	P	P	Excludes leather and hide finishing/tanning.
Machinery	P	---	
Miscellaneous Manufacturing	P	P	Includes medical equipment and supplies; jewelry and silverware; sporting and athletic goods; dolls, toys and games; office supplies; signs; and other miscellaneous manufacturing.
Plastic Products (Manufacturing)	C	---	
Rubber Products (Manufacturing)	C	---	
Plastics and Rubber Products (Assembly)	P	P	
Printing and Related Support Activities	C	C	

Table 5-1 Permitted Uses (Cont'd)

Use Legend: Permitted Use = "P" Conditional Use = "C" Administratively Permitted Use = "A" Prohibited Use = "---"

Use	Land Use District: Industrial (PAs 1, 2, 3, 4, 5 & 6)	Land Use District: Business Park (PAs 1A, 3A, 4A, 5A & 6A)	Notes
Textile Mills	C	---	Transforms basic fiber into fabric.
Textile Products	C	C	Transforms fabric into product, except apparel.
Wood Products	C	---	
Wholesale Trade			
Motor Vehicles and Motor Vehicle Parts and Supplies	P	---	
Furniture and Home Furnishings	P	P	
Professional and Commercial Equipment and Supplies	P	P	
Household Appliances and Electrical/Electronic Goods	P	P	
Hardware, Plumbing/Heating Equipment and Supplies	P	P	
Machinery Equipment and Supplies	P	---	
Miscellaneous Durable Goods	P	---	
Transportation and Warehousing			
Within a Wholly Enclosed Building	P	P	Includes indoor motor vehicle storage.
Outside Materials and Equipment Storage	A	---	Outdoor motor vehicle storage permitted in the Industrial land use district. Refer to Section 5.5.1(2) of this Specific Plan for outdoor storage provisions.
Fulfillment Center	P	---	
Refrigerated Warehousing and Storage	C	---	A maximum of 10% of building square footage of entire Specific Plan.
Industrial Retail Sales			
Maximum 15% of Building Gross Floor Area or 8,000 s.f., whichever is less	A	A	
More than 15% of Building Gross Floor Area or 8,000 s.f., whichever is greater	C	C	

Table 5-1 Permitted Uses (Cont'd)

Use Legend: Permitted Use = "P" Conditional Use = "C" Administratively Permitted Use = "A" Prohibited Use = "---"

Use	Land Use District: Industrial (PAs 1, 2, 3, 4, 5 & 6)	Land Use District: Business Park (PAs 1A, 3A, 4A, 5A & 6A)	Notes
Package and Parcel Sorting and Delivery	P	---	
Information			
Telecommunication Facilities	A	A	
Professional, Scientific, Tech. Services			
Including but not limited to professional offices of legal, accounting, tax preparation, bookkeeping, payroll, architecture, engineering, and specialized design services; systems design; management, scientific, and technical consulting services; administrative and business support services; and advertising and public relations services.	A	P	
Management of Companies and Enterprises	A	P	Including corporate, subsidiary, and regional managing offices.
Scientific Research and Development Services	---	C	
Sound (Audio) Recording Facilities	---	P	
Accommodation and Food Services			
Food Service Contractors	---	C	
Caterers	---	C	
Mobile Food Services	---	C	
Other Services (except Pubic Administration)			
Motor Vehicle Cleaning, Repair and Maintenance	C	C	
Linen and Uniform Supply	C	C	Includes linen supply and industrial launders.
Motion Picture and Video Industries	---	P	Excludes movie theaters.
Auction Houses	C	C	
Couriers and Messengers	P	P	
Data Processing, Hosting and Related Services	P	P	
Electronic (Internet) Shopping and Auctions, and Mail Order Houses	P	P	Includes direct business to consumer internet retail sales, auction houses, and/or mail order retail sales.

5.5 DEVELOPMENT STANDARDS

The following standards establish the development criteria that shall apply within the Business Park and Industrial land use districts of this Specific Plan. The entire Specific Plan boundary is located within the Chino Airport Safety Zones that may limit building height, land uses, limit FAR based on the proposed land use, and requires open land. Refer to the Chino Airport Land Use Compatibility Plan for additional land use restrictions.

Table 5-2 Development Standards

Development Standards		
Site Requirements		
	BP	**I**
Minimum Lot Size	1.0 acre	1.0 acre
Maximum Floor Area Ratio	0.60[1]	0.55[1]
Overall Minimum Landscape Coverage (Landscaping shall include plantings (trees, shrubs, groundcovers, vines) and may include walkways, benches, trellises, thematic fencing, walls, and related amenities.)	10%[2,3]	10%[2,3]
Minimum Landscape Coverage on Parcels at Principal Arterial Corners	10%[4]	10%[4]

1. Maximum Floor Area Ratio shall be determined based on the gross total acreage of all parcels developed in all Planning Areas of the same land use category (Business Park (BP) or Industrial (I)), and the total gross floor area of all buildings developed in the same land use category. The FAR maximum shall not apply on a planning area by planning area or parcel by parcel basis.

2. The Overall Minimum Landscape Coverage shall be determined based on the net total acreage of all parcels in the same land use category. The minimum landscape coverage requirement shall not apply on a planning area by planning area or parcel by parcel basis.

3. The landscaped portions of Water Quality Basins shall be counted towards the total landscape coverage. Non-landscaped portions of Water Quality Basins shall not be counted towards the total landscape coverage.

4. Minimum Landscape Coverage at Principal Arterial Corners shall be determined based on the net total acreage of parcels adjoining the corner. Refer to Specific Plan Figure 6-1 "Primary Entry Treatment" for locations.

Table 5-3 Minimum Setback Requirements at Public Streets

- As measured from the public right-of-way.
- Architecture features such as cornices, eaves, canopies, decorative wall elements may encroach up to 4 feet into the setback.

	BP	**I**
Eucalyptus Avenue		
Building	23 feet	N/A
Drive Aisle and Passenger Car Parking	23 feet	N/A
Screened Loading and Storage Yards	23 feet	N/A
Vineyard Avenue		
Building	25 feet	25 feet
Drive Aisle and Passenger Car Parking	25 feet	25 feet
Screened Loading and Storage Yards	25 feet	25 feet
Grove Avenue		
Building	20 feet	20 feet
Drive Aisle and Passenger Car Parking	20 feet	20 feet
Screened Loading and Storage Yards	20 feet	20 feet
Walker Avenue		
Building	18 feet	18 feet
Drive Aisle and Passenger Car Parking	18 feet	18 feet
Screened Loading and Storage Yards	18 feet	18 feet
Baker Avenue		
Building	10 feet	10 feet
Drive Aisle and Passenger Car Parking	10 feet	10 feet
Screened Loading and Storage Yards	10 feet	10 feet

Table 5-3 Minimum Setback Requirements at Public Streets (Cont'd)

	BP	I
Carpenter Avenue		
Building	10 feet	10 feet
Drive Aisle and Passenger Car Parking	10 feet	10 feet
Screened Loading and Storage Yards	10 feet	10 feet
Merrill Avenue		
Building	N/A	23 feet
Drive Aisle and Passenger Car Parking	N/A	23 feet
Screened Loading and Storage Yards	N/A	23 feet
Street "A"		
Building	N/A	10 feet
Drive Aisle and Passenger Car Parking	N/A	10 feet
Screened Loading and Storage Yards	N/A	10 feet

Table 5-4 Minimum Setback Requirements at Interior Side Yards

- As measured from the property line.

	BP	I
Interior Side Yard		
Building	5 feet	0 feet
Drive Aisle, Passenger Car and Truck Parking	5 feet	5 feet
Screened Loading and Storage Yards	0 feet	0 feet

Table 5-5 Minimum Drive Aisle and Parking Space Separation Requirements

- As measured from the edge of pavement.

	BP	I
Adjacent to building office element	10 feet	10 feet
Adjacent to solid building wall or screen wall/fence, and not within a screened/ enclosed yard.	5 feet	5 feet
Adjacent to solid building wall or screen wall/fence, and within a screened/enclosed yard.	0 feet	0 feet

Table 5-6 Maximum Building Height Requirements

- As measured from the building's finished floor.
- Maximum building height in the southwest portion of Planning Area 1 is required to be lower than 95 feet subject to consistency with the Chino Airport Compatibility Plan, or in absence of an adopted Compatibility Plan, the California Airport Land Use Planning Handbook.

	BP	I
Building Height	45 feet	85 feet
Vertical Architectural Projections (towers, focal elements, cupolas, etc.)	55 feet	95 feet
Building Height and Vertical Architectural Projections (Planning Areas 5 and 6)	N/A	110 feet

5.5.1 Other Development Standards

(1) Loading docks and truck parking areas shall be visually screened from Eucalyptus Avenue, Grove Avenue, Walker Avenue, Baker Avenue, Vineyard Avenue, Merrill Avenue, Street "A", and Carpenter Avenue by walls and landscaping features.

(2) The outdoor storage of materials and equipment shall be permitted ancillary to the land uses allowed pursuant to Table 5-1. Outdoor loading and storage areas and loading doors shall be screened from view from public streets by concrete or masonry walls and landscaping. Any gates shall be lockable. Such walls and landscaping used as screening shall be a minimum eight feet (8') in height and shall be of sufficient height to screen all outdoor materials and equipment, tractors and trailers, and loading doors from view of public streets and shall not exceed 14 feet in height. The storage of outdoor materials shall not exceed the height of the screen wall as measured from the interior side of the wall.

(3) Ground- and roof-mounted exterior mechanical equipment, heating and ventilating, air conditioning, tanks, and other mechanical devices shall be of an architecturally compatible design with the primary structure and screened when visible to the public.

(4) Exterior lighting fixtures shall be downward directed. Pole-mounted lights shall be shielded with the light source oriented away from public streets and/or adjacent properties.

(5) All manufacturing and processing activities shall be conducted within a wholly-enclosed building.

(6) The following open land and occupancy limit requirements shall apply in Chino Airport Safety Zones, as established by the Chino Airport Compatibility Plan.

a. Zone 1: The southwestern corner of Planning Area 2 is located in Chino Airport Safety Zone 1. No buildings shall be located in Safety Zone 1.

b. Zone 2: Portions of Planning Areas 1 and 2 are located in Chino Airport Safety Zone 2. At least 25% of the zone shall remain as open land* and occupancy shall be limited to 60 people per acre on average and a maximum of 120 people in any one acre.

c. Zone 3: Portions of Planning Areas 1, 1A, and 2 are located in Chino Airport Safety Zone 3. At least 15% of the zone shall remain as open land* and occupancy shall be limited to 100 people per acre on average and a maximum of 300 people in any one acre.

d. Zone 4: Portions of Planning Areas 1 and 1A are located in Chino Airport Safety Zone 4. At least 15% of the zone shall remain as open land* and occupancy shall be limited to 150 people per acre on average and a maximum of 450 people in any one acre.

e. Zone 6: Portions of all Planning Areas are located in Chino Airport Safety 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. Parking lots can be considered as acceptable open lands.

(7) The Specific Plan area is located in the Airport Influence Area (AIA) established by the Ontario International Airport Land Use Compatibility Plan (ONT ALUCP) and the AIA established by the Chino Airport Compatibility Plan (CNO ALUCP). All development in MERRILL COMMERCE CENTER shall be subject to the mandatory requirements and standards of those applicable ALUCPs, or the absence of an adopted ALUCP, the California Airport Land Use Planning Handbook. Given the close proximity of the Specific Plan area to the Chino Airport, developers within the Specific Plan area shall consult and coordinate with Chino Airport agencies during the planning and design stage so as to ensure development plans accommodate applicable safety restrictions. The entire Specific Plan area is impacted by the Chino Airport; developers within the Specific Plan area shall consult and coordinate with Chino Airport and FAA during the planning and design stage to ensure that development plans and right-of-way street improvements do not create any hazards and compy with the California Airport Land Use Planning Handbook published by the Caltrans Division of Aeronautics and the Chino Airport Land Use Compatibility Plan.

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. Parking lots can be considered as acceptable open lands.

(7) The Specific Plan area is located in the Airport Influence Area (AIA) established by the Ontario International Airport Land Use Compatibility Plan (ONT ALUCP) and the AIA established by the Chino Airport Compatibility Plan (CNO ALUCP). All development in MERRILL COMMERCE CENTER shall be subject to the mandatory requirements and standards of those applicable ALUCPs, or the absence of an adopted ALUCP, the California Airport Land Use Planning Handbook. Given the close proximity of the Specific Plan area to the Chino Airport, developers within the Specific Plan area shall consult and coordinate with Chino Airport agencies during the planning and design stage so as to ensure development plans accommodate applicable safety restrictions. The entire Specific Plan area is impacted by the Chino Airport; developers within the Specific Plan area shall consult and coordinate with Chino Airport and FAA during the planning and design stage to ensure that development plans and right-of-way street improvements do not create any hazards and compy with the California Airport Land Use Planning Handbook published by the Caltrans Division of Aeronautics and the Chino Airport Land Use Compatibility Plan.

DESIGN GUIDELINES

CHAPTER 6

6.1 Purpose and Intent

6.2 Design Theme

6.3 Specific Plan-Wide Design Guidelines

6.4 Truck Courts and Loading Docks

6.5 Ground or Wall-Mounted Equipment

6.6 Rooftop Equipment

6.7 Trash Enclosures

6.8 Outdoor Employee Amenities

6.9 Outdoor Lighting

6.10 Signage Guidelines

6.11 Landscape Design Guidel

CHAPTER 6 - DESIGN GUIDELINES

6.1 PURPOSE AND INTENT

The design guidelines presented in this chapter describe the quality and character of the built environment expected for the MERRILL COMMERCE CENTER. While the design guidelines provide direction, they are meant to provide a certain level of flexibility to allow creative expression during the design of implementing development projects.

The guidelines provide criteria for architecture, lighting, energy efficiency, signage, and landscape design.

The MERRILL COMMERCE CENTER's visual identity will be expressed primarily through landscape, hardscape, and signage elements. The architectural design guidelines contained herein are presented in a manner that ensures consistent architectural expression across the Specific Plan area, while allowing for flexibility in modern-day building design.

All photographs, illustrations, and diagrams contained in these Design Guidelines serve as visual aids to convey the overall theme. Exact replication of the examples is neither required nor anticipated.



Conceptual design theme of the MERRILL COMMERCE CENTER.

The objectives of these Design Guidelines are as follows:

- To provide the City of Ontario with the assurance that the MERRILL COMMERCE CENTER will develop in accordance with the quality and character described within this Specific Plan.
- To provide guidance to developers, builders, engineers, architects, landscape architects, and other professionals to achieve and maintain the desired design quality.
- To provide an aesthetic benchmark for City staff, the Planning Commission, and the City Council in their review of the design of future implementing development projects in the Specific Plan area.
- To provide guidelines that steer the MERRILL COMMERCE CENTER to convey a contemporary aesthetic theme and character while allowing flexibility for practical application and creative expression.
- To provide guidelines for energy efficiency that can be implemented in the site planning, design, and construction phases of the Specific Plan's implementation to minimize waste deposited at landfills, decrease fossil fuel consumption, and reduce domestic water consumption.
- To ensure that the Specific Plan implements the intent of the Ontario Plan and the City's Development Code.

Guidelines that promote energy efficiency are indicated with an ("E") throughout this chapter.

The Design Guidelines presented in this chapter apply to all development within MERRILL COMMERCE CENTER, regardless of the land use category. These guidelines may be subject to modification and contemporary interpretation to allow for responses to unanticipated conditions, including but not limited to changes in the real estate market, needs and desires of building users, technology advancements, and fluctuations in economic conditions.

6.2 DESIGN THEME

The MERRILL COMMERCE CENTER is a contemporary employment center containing Industrial and Business Park land uses. It will provide businesses easy access to the regional transportation network, proximity to workers, and proximity to the Ports of LA and Long Beach (approximately 53 miles to the southwest).

The theme features a contemporary design aesthetic, which provides architectural styling with attractive detailing, steel accents, a light-toned color palette, and timeless features. Signs are modern, lighting is focused and directed, landscaping is colorful and drought-tolerant, and design features are applied that lower energy use demands of building operations.



6.3 SPECIFIC PLAN-WIDE DESIGN GUIDELINES

This section sets forth design guidelines that apply to all planning areas within MERRILL COMMERCE CENTER. Developers, builders, engineers, architects, landscape architects, and other design professionals should utilize these guidelines in order to maintain design continuity throughout the Specific Plan area.

6.3.1 Architecture Design Guidelines

A. Design Theme

The architectural style of the MERRILL COMMERCE CENTER emphasizes building massing over structural articulation. Buildings are characterized by simple and distinct cubic masses with interlocking volumes of wall planes, colors, and materials to create visual appeal. Exterior building colors are light and gray tones with stone, glass, or steel materials at focal points, such as around building entrances and near outdoor gathering spaces. Additionally, architectural designs may mix colors, materials, and textures to articulate façades and create visual appeal.

Design elements are selected to be compatible in character, massing, and materials in order to promote a clean and contemporary feel. Individual creativity and identity is encouraged, but design integrity and compatibility must be maintained among all buildings and planning areas to reinforce a unified image and campus-like setting within the MERRILL COMMERCE CENTER.

B. Building Form

Building form is one of the primary elements of architecture. Numerous design aspects, including shape, mass (size), scale, proportion, and articulation, are elements of a building's "form."



Although provided for illustrative purposes only, the image above shows how building façades visible from public roadways are to incorporate angular changes in massing, building materials, color, texture, and accents.

Building forms are especially important for building façades that are visible along the following public view corridors:

- Building façades in Planning Areas 1, 1A, and 2 that are visible from Grove Avenue, a principal arterial;
- Building façades in Planning Areas 1A, 3A, 4A, 5A and 6A that are visible from Eucalyptus Avenue, a collector road;
- Building façades in Planning Areas 5, 5A, 6, and 6A that are visible from Vineyard Avenue, a principal arterial; and
- Building façades in Planning Areas 2, 3, 4, 5, and 6 that are visible from Merrill Avenue, a collector road.

The following guidelines apply to buildings within the MERRILL COMMERCE CENTER to ensure that development is visually consistent, appealing, and inviting: Note that building faces that orient inward to truck courts or service areas and that are not visible from public roads, or publicly accessible viewing areas, are not required to adhere to the below building form guidelines.

(1) Use simple geometric shapes as the overall building form. Rectangular forms are encouraged to promote balance and visual interest. Avoid arbitrary, complicated building forms.

(2) Long horizontal wall planes visible from a public street should include periodic changes in exterior building materials, color, decorative accents, and/or articulated features.

(3) Modulation and variation of building masses between adjacent buildings visible from public streets is encouraged.

(4) Make pedestrian entrances to buildings (with the exception of service doors and emergency exit doors) obvious through changes in massing, color, and/or building materials.

(5) Pedestrian and ground-level building entries intended for visitor use should be recessed or covered by architectural projections, roofs, or arcades in order to provide shade and visual relief.

(6) Architectural and trim detailing on building façades shall be clean, simplistic, and not overly complicated.

(7) Materials applied to any elevations shall turn the corner of the building to a logical termination point in relation to architectural features or massing.



Although provided for illustrative purposes only, the image above shows an example of how the architecture of buildings is to be articulated at pedestrian entrances.

C. *Building Materials, Colors, and Textures*

Building materials and colors play a key role in developing a clean, contemporary visual environment; therefore, the selected exterior materials, colors, and textures should complement one another throughout the MERRILL COMMERCE CENTER. Slight variations are encouraged to provide visual interest.

(1) Appropriate primary exterior building materials include concrete and similar materials, as well as tilt-up panels. The primary materials should be accented by secondary materials including but not limited to natural or fabricated stone, Fire resistant wood siding (horizontal or vertical), and metal.

(2) Trim details may include metal finished in a consistent color, plaster, or concrete elements finished consistently with the building treatment. Use of overly extraneous "themed" detailing, like oversized or excessive foam cornice caps, foam moulding and window detailing is discouraged.

(3) Material changes should occur at intersecting planes, preferably at the inside corners of change of wall planes, or where architectural elements intersect.

(4) Primary exterior building colors should be light and gray tones. Darker and/or more vibrant accent colors may be provided in focal point areas, such as around building entrances and near outdoor gathering spaces.

(5) Bright primary colors, garish use of color, and arbitrary patterns or stripes that will clash with this color palette are discouraged, except in signage logos.

(6) Exposed downspouts (only permitted if not in public view), service doors and mechanical screen colors shall be the same color as the adjacent wall.

(7) If downspouts are needed in areas of public view, they shall be designed as internal downspouts.



Although provided for illustrative purposes only, the image above shows an example of the conceptual accent building materials, colors, and textures desired for the Industrial and Business Park buildings within the MERRILL COMMERCE CENTER.

D. Windows and Doors

The patterns of window and door openings shall correspond with the overall rhythm of the building and should be consistent in form, pattern, and color within each planning area. Guidelines for windows and doors within the MERRILL COMMERCE CENTER are as follows:

(1) When possible, the positioning of doors and windows on individual building façades should occur in a symmetrical and repetitive pattern to create continuity.

(2) Window styles and trims shall be consistent in form and color in each planning area. Window trims shall be finished in a consistent color on each building.

(3) Gold or unfinished/untreated metal window or door frames are prohibited. Clear silver anodized frames are allowed.

(4) Glass shall be clear or colored with subtle reflectiveness. Silver/reflective glass is prohibited. Green tinted windows with subtle reflectiveness are allowed.

(5) Pedestrian entry doors to buildings shall be clearly defined by features such as overhangs, awnings, and canopies or embellished with decorative framing treatments – including but not limited to accent trim. Dark and confined entries, flush doorways (except emergency exit and service doors), and tacked-on entry alcoves are discouraged.



Although provided for illustrative purposes only, the image above shows the pattern and style of windows and doors desired for Industrial and Business Park buildings in the MERRILL COMMERCE CENTER.

F. Walls and Fences

The following guidelines for walls and fencing will ensure that these features complement the overall the MERRILL COMMERCE CENTER design theme, and are attractive from public viewing areas, scaled appropriately, durable, and integrated consistently within the Specific Plan area.

(1) Freestanding walls and fences should not exceed a height of 14 feet, measured from the base of the wall/fence to the top of the wall/fence.

(2) Landscaping may be used for visual screening instead of walls and fences in locations where a solid physical barrier is not needed.

(3) Walls and fences in public view should be built with attractive, durable materials.

(4) Chain-link fencing is not permitted as perimeter fencing and/or within public view.

(5) Along public street frontages, long expanses of wall surfaces should be offset and/or architecturally treated to prevent monotony. Techniques to accomplish this may include, but are not limited to: openings, material changes, pilasters and posts, and staggered sections.

(6) Wall and fencing materials shall be compatible with other design elements of the MERRILL COMMERCE CENTER.







Although wall and fence design may vary, the concepts shown above provide examples of an ornamental iron fence (top), architecturally-enhanced screen wall (bottom-left), and freestanding wall (bottom-right).

6.4 TRUCK COURTS AND LOADING DOCKS

(1) Loading doors, service docks, and equipment areas should be oriented or screened to reduce visibility from public roads and publicly accessible locations within the MERRILL COMMERCE CENTER. Screening may be accomplished with solid walls or fences that are compatible with the architectural expression of the building. Screening may also be accomplished by landscaping.

(2) Business park buildings located along Eucalyptus Avenue shall not have loading docks on the building façade(s) facing Eucalyptus Avenue.

(3) No loading or unloading activity is permitted to take place from public streets/view.

(4) Adequate queuing distance should be provided on-site in front of security gates to avoid the circumstance of trucks stacking on public streets waiting to enter at gates.

(5) Truck and service vehicle entries should be designed to provide clear and convenient access to truck courts and loading areas such that passenger vehicle, pedestrian, and bicycle circulation is not adversely affected by truck movements.

(6) Loading bays that are utilized by refrigerated trailers shall have dock seals and be equipped with plug-in electrical outlets. (E)

(7) Conduit should be installed in truck courts in logical locations that would allow for the future installation of charging stations for electric trucks, in anticipation of this technology becoming available in the lifetime of the MERRILL COMMERCE CENTER. (E)



Although provided for illustrative purposes only, the image above shows screening concepts for truck courts/loading areas.

6.5 GROUND OR WALL-MOUNTED EQUIPMENT

(1) Ground-mounted equipment, including but not limited to mechanical or electrical equipment, emergency generators, boilers, storage tanks, risers, and electrical conduits, should be screened from public viewing areas including adjacent public roads. Screening may be accomplished with solid walls, or landscaping.

(2) Electrical equipment rooms should be located within the building envelope. Pop-outs or shed-like additions are discouraged.

(3) Wall-mounted items, such as electrical panels, should not be located on the building façade facing adjacent public roads/views. Wall-mounted items should be screened or incorporated into the architectural elements of the building so as not to be visually apparent from the street or other public areas.

6.6 ROOFTOP EQUIPMENT

(1) Rooftop equipment, including but not limited to mechanical equipment, electrical equipment, storage tanks, wireless telecommunication facilities, satellite dishes, vents, exhaust fans, smoke hatches, and mechanical ducts, shall be screened by rooftop screens or parapet walls so as not to be visible by the public.

(2) Integrate rooftop screens (i.e. parapet walls) into the architecture of the main building. Wood finished rooftop screens are prohibited.

(3) Design the roofs of Industrial buildings to support the future installation of solar panels. (E)

(4) Roof access (via roof ladders or other means) must be located interior to the building.



Although provided for illustrative purposes only, the image above shows how rooftop equipment would be screened from public viewing areas by a metal parapet.

6.7 TRASH ENCLOSURES

(1) All outdoor refuse containers shall be screened within a permanent, lockable and durable enclosure and should be oriented so they are not visible from public roads/views. The enclosure's design shall reflect the architectural style of adjacent buildings and use similar, high-quality materials.

(2) All outdoor trash enclosures shall be constructed with solid roofs to prevent exposure of dumpster contents to rainfall and prevent polluted stormwater runoff from these structures. (E)

(3) Refuse collection areas shall be located behind or to the side of buildings, away from the building's main entrance and public view.

(4) Buildings shall be designed to meet all Integrated Waste Department requirements, including the requirements for Sizing of Storage, Location of Collection Area, Accessibility for Collection Vehicles, and Collection of Sorted/Diverted Waste Types.

6.8 OUTDOOR EMPLOYEE AMENITIES

(1) Bicycle racks should be provided at each building or in a common area that serves multiple buildings to encourage non-vehicular circulation.

(2) Industrial buildings should include an outdoor employee amenity area, including tables and chairs so that workers do not have to travel off-site for outdoor enjoyment.





The MERRILL COMMERCE CENTER will include outdoor amenities such as bike racks and break areas for the enjoyment of employees and visitors.

6.9 OUTDOOR LIGHTING

Outdoor lighting of the MERRILL COMMERCE CENTER is an essential architectural component that provides aesthetic appeal, enhances safe pedestrian and vehicular circulation, and adds to security. Lighting within the public rights-of-way shall adhere to applicable City of Ontario requirements.

All other lighting on private property in the Specific Plan should adhere to the following guidelines.

(1) Minimize glare and "spill over" light onto public streets and adjacent properties by using downward-directed lights and/or cutoff devises on outdoor lighting fixtures, including spotlights, floodlights, electrical reflectors, and other means of illumination for signs, structures, parking, loading, unloading, and similar areas. Where desired, illuminate trees and other landscape features by concealed uplight fixtures. Limit light spillover or trespass to one-quarter foot-candle or less, measured from within five feet of any adjacent property line.

(2) Select all lighting fixtures used in the Specific Plan area from the same – or complementary – family of fixtures with respect to design, materials, fixture color, and light color. Use of LED lighting is encouraged. (E)

(3) Lights should be unbreakable plastic, recessed, or otherwise designed to reduce the problems associated with damage and replacement of fixtures.

(4) Neon and similar types of lighting are prohibited in all areas within the MERRILL COMMERCE CENTER.

(5) Locate all electrical meter pedestals and light switch/control equipment in areas with minimum public visibility or screen them with appropriate plant materials.



Although provided for illustrative purposes only, the image above conceptually show lighting fixtures that are consistent with the overall theme of the Specific Plan and minimize glare and spill over light onto public streets and adjacent properties.

(6) Illuminate parking lots, loading dock areas, pedestrian walkways, building entrances, and public sidewalks to the level necessary for building operation and security reasons. Dimmers and motion detectors are permitted.

(7) Along sidewalks and walkways, the use of low mounted fixtures (ground or bollard height), which reinforce the pedestrian-scaled, are encouraged.

(8) Use exterior lights to accent entrances, plazas, activity areas, and special features.

(9) To illuminate parking lots or parking structures and their pedestrian links that provide more than five parking spaces for use by the general public, provide minimum coverage of one foot-candle of light with a maximum of eight foot-candles on the parking or walkway surface, unless otherwise approved by the City of Ontario for visibility and security.

(10) To illuminate aisles and passageways within a building complex, provide a maximum of one-half to one foot-candle of maintained lighting.

(11) High-Pressure Sodium (HPS) light fixtures are prohibited for site lighting.

(12) Lighting is prohibited that could be mistaken for airport lighting or that would create glare in the eyes of pilots of aircraft using the nearby Chino Airport or Ontario International Airport.



Although provided for illustrative purposes only, the image above demonstrates appropriate use of exterior lights to accent entrances and special features.

6.10 SIGNAGE GUIDELINES

Signage within the Specific Plan area serves a variety of purposes. Signs will identify the MERRILL COMMERCE CENTER and its building occupants and ensure the efficient circulation of vehicle traffic within the site by identifying vehicular entry points and directing vehicles to their on-site destinations. Also, signage will enhance the pedestrian experience through the design of wayfinding components: directories, directional signage, and destination identifiers.

As such, clear, concise, and easy-to-understand signage that is also visually appealing is vitally important for positive worker and visitor experiences at the MERRILL COMMERCE CENTER. General design requirements for signage are as follows:

(1) Signage should be compatible with and complementary to the building's exterior materials, colors, and finishes.

(2) The dimensions and shape of free-standing signs and sign panels or elements mounted on building façades or marquees shall be scaled proportionately to the architecture.

(3) All signs shall be contained within the parcel to which it is applicable and shall be so oriented as to preclude hazardous obstructions to person and/or vision of pedestrians and/or vehicle operators.

(4) Building occupant identification signage shall be in keeping with the character established for the MERRILL COMMERCE CENTER with variations allowed to accommodate individual user identities/corporate branding standards.



Although provided for illustrative purposes only, the image above demonstrates integration of building occupant signage with the architectural style and color palette of the building.

(5) All signs are expected to be of the highest quality to pass eye-level examination and scrutiny, and shall comply with the following fabrication specifications:

(a) Signs should be constructed to eliminate burrs, dents, cutting edges and sharp corners;

(b) Welds on exposed surfaces should be imperceptible in the finished work;

(c) Surfaces which are intended to be flat should be without dents, bulges, oil canning, gaps, or other physical deformities;

(d) All fasteners shall be concealed;

(e) Access panels shall be tight-fitting, light-proof and flush with adjacent surfaces;

(f) Manufacturers' recommended fabrication procedures regarding expansion/contraction, fastening and restraining of acrylic plastic shall be followed; and

(g) Painted, polished and plated surfaces shall be unblemished in the finished work.

(6) Prohibited sign components include the following:

(a) Letters with exposed fastening and unfinished edges (unless architecturally consistent);

(b) Paper, cardboard, Styrofoam or untreated cloth;

(c) Visible moving parts or simulated moving parts by means of fluttering, rotation, or reflecting devices; and

(d) Flashing and strobing.

(7) All conductors, transformers, cabinets, housing, and other equipment for the illumination of signs shall be concealed and/or incorporated into the building architecture.

(8) Signs shall be constructed so as to not have exposed wiring, raceways, ballasts, conduit, transformers, or the like.

(9) Direction signs may be located at any vehicular or pedestrian decision point.

(10) Vehicular direction signs shall clearly direct to destination anchors within the MERRILL COMMERCE CENTER, on-site parking areas, and truck routes.

(11) Vehicular direction signs shall be consistent in size, shape, and design throughout the MERRILL COMMERCE CENTER.

(12) Typography on vehicular direction signs should be legible and have enough contrast to be read from an appropriate windshield viewing distance.

(13) Vehicular direction signs shall incorporate reflective vinyl copy for night-time illumination.

(14) All direction signs and general information signs (e.g., restrooms, telephones, fire extinguishers, elevators, escalators, stairs) throughout the MERRILL COMMERCE CENTER shall incorporate the appropriate identity symbol as established by the Society of Environmental Graphic Design (SEGD) and comply with all State, local and federal regulations.

(15) All traffic control signs, whether on public or private property, shall conform to the California Manual on Uniform Traffic Control Devices (MUTCD).

(16) All signage shall comply with the City of Ontario Development Code's Sign Regulations.

6.11 LANDSCAPE DESIGN GUIDELINES

These *Landscape Design Guidelines* establish landscape principles and standards that apply to all planning areas within the MERRILL COMMERCE CENTER. The intent is to ensure that plant materials, entries and monuments, streetscapes, and other amenities are compatible with the overall design theme and that all implementing development projects are united under a common design vocabulary. These *Landscape Design Guidelines*, when taken with the companion *Architectural Design Guidelines* provided herein, establish an identity for the MERRILL COMMERCE CENTER that is contemporary, visually appealing, and contextually sensitive to the surrounding area.

Although a great deal of specific design information is presented herein, these Guidelines are not intended to establish a set of rigid landscaping requirements for the MERRILL COMMERCE CENTER. It is recognized that, at times, there will be a need to adapt these Guidelines to meet certain parcel-specific or user-identity requirements. As such, these *Landscape Guidelines* are intended to be flexible, and are subject to modification over time. However, it is critical to the MERRILL COMMERCE CENTER's long-term design integrity that any deviations from these Landscape Guidelines are in keeping with the spirit of the core elements of the overall theme described herein to ensure a cohesive and unified landscape concept across the MERRILL COMMERCE CENTER.

The landscaping plan serves the dual purpose of adding visual appeal while being sensitive to the environment and the Southern California climate by using drought-tolerant materials. Landscaping occurs throughout the MERRILL COMMERCE CENTER, but most prominently at street corners, along roadways, and at building entrances and in passenger car parking lots.

Primary Entry Treatments and Secondary Entry Treatments provided at entry corners welcome employees and visitors to the MERRILL COMMERCE CENTER. Primary entry treatments featuring signs and landscaping occur at the corners of Eucalyptus Avenue with Grove Avenue and with Vineyard Avenue, and Merrill Avenue with Grove Avenue and with Vineyard Avenue. Secondary Entry Treatments featuring colorful accent trees, shrubs, and groundcover occur at the corners of entrances into the MERRILL COMMERCE CENTER.

Streetscape landscaping presents a combination of evergreen and deciduous trees, low shrubs, and masses of groundcovers to create a visually pleasing experience for pedestrians and passing motorists.

As identified on Figure 6-1, *Conceptual Landscape and Greenspace Plan,* the MERRILL COMMERCE CENTER's thematic identity is reinforced by the landscape design of interfaces, monumentation, streetscapes, and pedestrian paths. Furthermore, the recommended plant palette, community elements, and hardscape materials work in concert to reinforce and emphasize the MERRILL COMMERCE CENTER's landscape theme.



Landscape theme for drought-tolerant planting areas in the MERRILL COMMERCE CENTER, provided for illustrative purposes only.

6.11.1 Plant Palette

The plant palette for the MERRILL COMMERCE CENTER includes colorful shrubs and groundcovers, ornamental grasses and succulents, and evergreen and deciduous trees – including flowering varieties – that are commonly used throughout Southern California and complement the MERRILL COMMERCE CENTER's design theme and setting. Many of the plant materials are water-efficient species native to Southern California or naturalized to the arid Southern California climate.

Table 6-1, Plant Palette, provides a list of plant materials approved for use in the MERRILL COMMERCE CENTER. The plants listed in Table 6-1 establish a base palette for the MERRILL COMMERCE CENTER landscape design. Other similar plant materials may be substituted for species listed in Table 6-1, provided the alternative plants are drought-tolerant and complement the MERRILL COMMERCE CENTER design theme.

6.11.2 Irrigation

The following general irrigation concepts shall be considered in the design and installation of irrigation systems within the MERRILL COMMERCE CENTER:

(1) All landscaped areas should be equipped with a permanent, automatic, underground irrigation system. Drip systems are encouraged in all areas needing irrigation. Irrigation systems must conform to all City of Ontario requirements. (E)

(2) Irrigation systems should be designed to apply water slowly, allowing plants to be deep soaked and to reduce run-off. (E)

(3) Connect the irrigation system to the recycled water conveyance system (E)

(4) "Pop-up" type sprinkler heads may be used adjacent to all walks, drives, curbs (car overhangs), parking areas and public right-of-way but must be designed to prevent all run-off and overspray

(5) The design of irrigation systems, particularly the location of controller boxes, valves, and other above-ground equipment (e.g., backflow prevention devices), shall be incorporated into the overall landscaping design. Where aboveground equipment is provided, it shall be screened or otherwise removed from public view, to the extent possible.

(6) The irrigation system shall be programmed to operate between 6:00pm and 6:00am. (E)

Table 6-1 Plant Palette

BOTANICAL NAME	COMMON NAME	APPLICATION	WATER USE
TREES			
ARBUTUS 'MARINA'	MARINA STRAWBERRY TREE	ACCENT TREE / CANOPY TREE	L
CERCIDIUM X 'DESERT MUSEUM'	DESERT MUSEUM PALO VERDE	ACCENT TREE	L
CERCIS C. 'FOREST PANSY'	EASTERN REDBUD	STREET TREE / WATER QUALITY	M
CHITALPA T. 'MORNING CLOUD'	CHITALPA	STREET TREE	L
GEIJERA PARVIFLORA	AUSTRALIAN WILLOW	CANOPY TREE / BACKGROUND	L
KOELRUETERIA BIPINNATA	CHINESE FLAME TREE	STREET TREE	L
LAGERSTROEMIA F. 'NATCHEZ'	CRAPE MYRTLE	STREET TREE / CANOPY TREE	M
MAGNOLIA SPP.	ST. MARY'S MAGNOLIA	STREET TREE / CANOPY TREE	M
OLEA EUROPAEA – SWAN HILL	SWAN HILL FRUITLESS OLIVE	ACCENT TREE	L
PINUS ELDARICA	AFGHAN PINE	STREET TREE / BACKGROUND	M
PISTACHIA CHINENSIS	CHINESE PISTACHE	STREET TREE	M
PLATANUS A. 'BLOODGOOD'	LONDON PLANE TREE	STREET TREE / BACKGROUND	M
PLATANUS RACEMOSA	CALIFORNIA SYCAMORE	WATER QUALITY / CANOPY TREE	M
PODOCARPUS GRACILIOR	FERN PINE	STREET TREE / CANOPY TREE	M
TRISTANIA CONFERTA	BRISBANE BOX	CANOPY TREE / BACKGROUND	M
QUERCUS AGRIFOLIA	COAST LIVE OAK	STREET TREE / ACCENT TREE	L
QUERCUS SUBER	CORK OAK	STREET TREE	L
QUERCUS ILEX	HOLLY OAK	STREET TREE / CANOPY TREE	L
SHRUBS AND GROUNDCOVERS			
ACACIA REDOLENS	ACACIA	GROUNDCOVER	L
ALOE ARBORESCENS	TORCH ALOE	ACCENT / BACKGROUND	L
ALOE PETRICOLA	STONE ALOE	ACCENT / BACKGROUND	L
ALOE STRIATA	CORAL ALOE	ACCENT	L
ARBUTUS U. 'COMPACTA'	DWARF STRAWBERRY TREE	BACKGROUND	L
BACCHARIS X 'CENTENNIAL'	CENTENNIAL COYOTE BRUSH	WATER QUALITY	L

BOTANICAL NAME	COMMON NAME	APPLICATION	WATER USE
SHRUBS AND GROUNDCOVERS			
CALLISTEMON 'LITTLE JOHN'	DWARF CALLISTEMON	MIDGROUND / FOREGROUND	L
CARISSA M. 'GREEN CARPET'	DWARF NATAL PLUM	GROUNDCOVER	M
CAREX DIVULSA	BERKELEY SEDGE	GROUNDCOVER / FOREGROUND	L
CISTUS PURPUREUS	PURPLE ROCK ROSE	MID-GROUND / WATER QUALITY	L
COTYLEDON ORBICULATA	PIG'S EAR	FOREGROUND / ACCENT	L
DIANELLA 'LITTLE REV'	LITTLE REV FLAX LILY	FOREGROUND	L
DIANELLA T. 'VARIEGATA'	VARIEGATED FLAX LILY	FOREGROUND / MID-GROUND	M
ECHEVERIA A. 'LIPSTICK'	ECHEVERIA	ACCENT	L
FESTUCA MAIREI	ATLAS FESCUE	FOREGROUND / MID-GROUND	L
HESPERALOE 'BRAKELIGHTS'	BRAKELIGHTS YUCCA	MID-GROUND / ACCENT	L
JUNCUS PATENS	CALIFORNIA GRAY RUSH	WATER QUALITY	L
KURAPIA	KURAPIA	GROUNDCOVER	L
LANTANA MONTEVIDENSIS	PURPLE LANTANA	GROUNDCOVER	L
LANTANA 'NEW GOLD'	NEW GOLD LANTANA	GROUNDCOVER / FOREGROUND	L
LAVANDULA X I. 'PROVENCE'	PROVENCE FRENCH LAVENDER	FOREGROUND	L
LEYMUS C. 'CANYON PRINCE'	CANYON PRINCE WILD RYE	MID-GROUND / WATER QUALITY	L
MUHLENBERGIA C. 'REGAL MIST'	PINK MUHLY	MID-GROUND / WATER QUALITY	L
OLEA 'MONTRA'	LITTLE OLLIE	MID-GROUND	L
RHAPHIOLEPIS INDICA 'CLARA'	INDIAN HAWTHORN	MID-GROUND / BACKGROUND	M
ROSMARINUS O. 'PROSTRATUS'	PROSTRATE ROSEMARY	GROUNDCOVER	L
SALVIA GREGGII	AUTUMN SAGE	MID-GROUND	L
SALVIA L. 'SANTA BARBARA'	SANTA BARBARA MEXICAN SAGE	MID-GROUND / WATER QUALITY	L
TURF 'MARATHON IIE'	SODDED TURF	GROUNDCOVER	H
WESTRINGIA 'WYNYABBIE GEM'	COAST ROSEMARY	BACKGROUND	L

6.11.3 Streetscapes

Streetscape landscaping plays an important role in creating a sense of place. In addition, streetscapes serve functional purposes, including screening undesirable views from public view. Within the MERRILL COMMERCE CENTER, streetscapes are planted with a combination of evergreen and deciduous trees, low shrubs, and masses of groundcovers to create a visually pleasing experience for pedestrians and passing motorists. The landscaping plant palette for streetscapes should link the roadways to the rest of the MERRILL COMMERCE CENTER and should reflect the CENTER's landscape design theme.

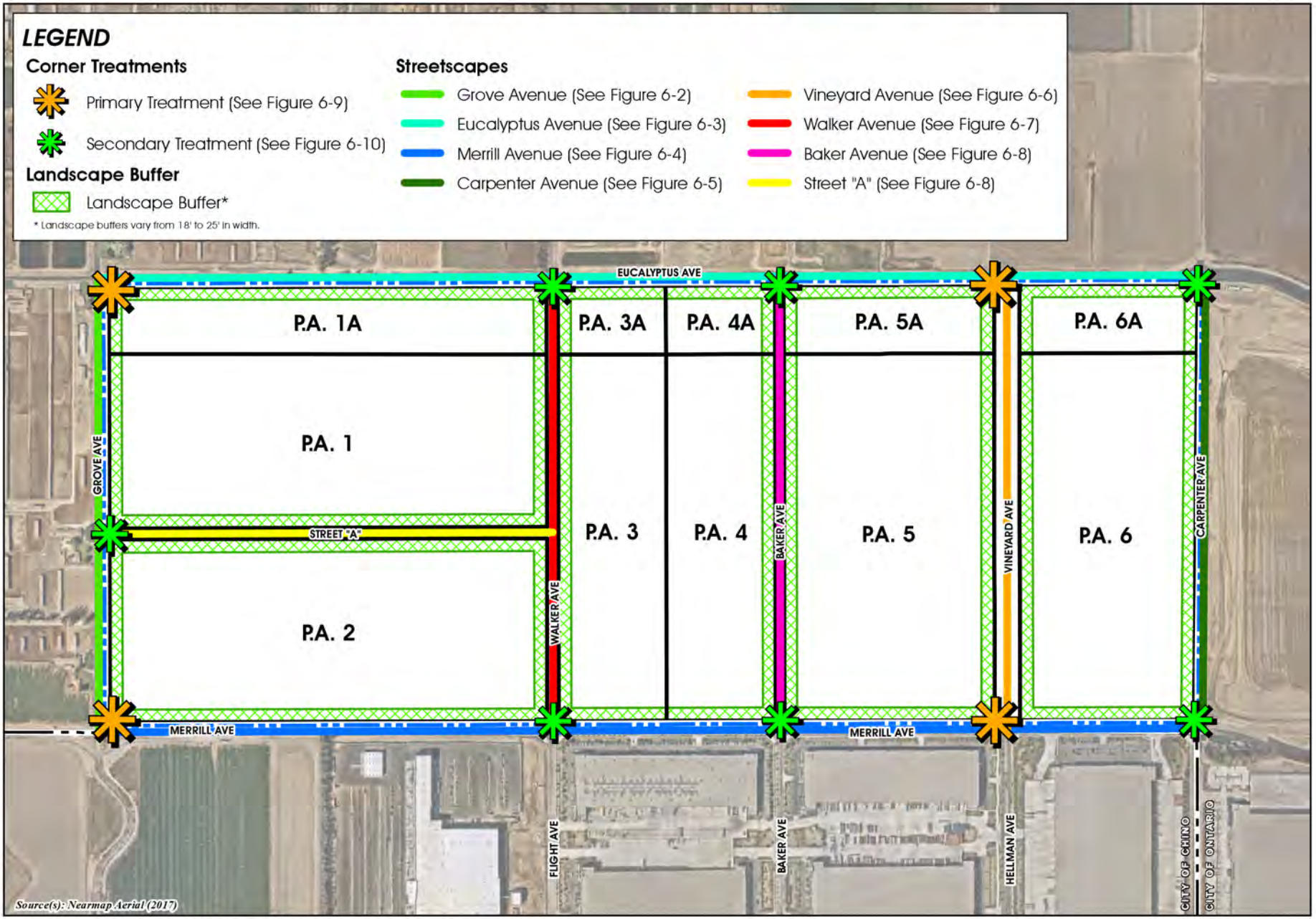
The conceptual streetscape landscape treatments within the MERRILL COMMERCE CENTER are presented on the following pages.

A. Grove Avenue Streetscape

The segment of Grove Avenue abutting the MERRILL COMMERCE CENTER features two landscaped components: 1) a 28-foot wide landscaped raised median and 2) parkways on both sides of the street. The landscaped raised median is planted with thematic accent trees at regular intervals – to reinforce the theme established at entries and monuments – and colorful groundcovers and succulents. Parkways include a curb-adjacent park strip planted with deciduous and/or evergreen trees, and low flowering groundcovers and succulents, as well as a 5-foot wide sidewalk. Evergreen trees are planted outside of the right-of-way on both sides of the street to provide pedestrians using the sidewalk with additional opportunities for shade and to screen undesirable views. An 8-foot wide multi-purpose trail is also provided along the eastern side of Grove Avenue to provide passive recreational opportunities. The typical Grove Avenue Streetscape is illustrated on Figure 6-2, *Grove Avenue Streetscape*.

B. Eucalyptus Avenue Streetscape

The segment of Eucalyptus Avenue abutting the MERRILL COMMERCE CENTER features landscaping within parkways on both sides of the street. Parkways include a curb-adjacent park strip planted with deciduous and/or evergreen trees, and low flowering groundcovers and succulents, as well as a 5-foot wide sidewalk. Evergreen trees are planted outside of the right-of-way on both sides of the street to provide pedestrians using the sidewalk with additional opportunities for shade and to screen undesirable views. Because Eucalyptus Avenue is designated by the Chino Airport Compatibility Plan to satisfy open land requirements, street trees are spaced to maintain a clear width of about 75 feet. An 8-foot wide multi-purpose trail is also provided along the northern side of Eucalyptus Avenue to offer passive recreational opportunities. The typical Eucalyptus Avenue Streetscape is illustrated on Figure 6-3, *Eucalyptus Avenue Streetscape*.



Conceptual Landscape and Greenspace Plan

Figure 6-1

C. *Merrill Avenue Streetscape*

The segment of Merrill Avenue abutting the MERRILL COMMERCE CENTER features landscaping within parkways on both sides of the street. Parkways include a curb-adjacent park strip planted with deciduous and/or evergreen trees, and low flowering groundcovers and succulents, as well as a 5-foot wide sidewalk. Because Merrill Avenue is designated by the Chino Airport Compatibility Plan to satisfy open land requirements, street trees are spaced to maintain a clear width of about 75 feet, except within Airport Safety Zone 1 (southwest portion of Planning Area 1), where no trees are permitted. Along other segments of Merrill Avenue abutting the Specific Plan boundary, additional evergreen and/or deciduous trees are planted outside of the right-of-way on both sides of the street to provide pedestrians using the sidewalk with additional opportunities for shade and to screen undesirable views. An 8-foot wide multi-purpose trail is also provided along the northern side of Merrill Avenue outside of the right-of-way to offer pedestrians passive recreational opportunities. The typical Merrill Avenue Streetscape is illustrated on Figure 6-4, *Merrill Avenue Streetscape*.

D. *Carpenter Avenue Streetscape*

The segment of Carpenter Avenue abutting the MERRILL COMMERCE CENTER features landscaping within parkways on the western side of the street. Parkways include a curb-adjacent park strip planted with deciduous and/or evergreen trees, and low flowering groundcovers and succulents, as well as a 5-foot wide sidewalk. Evergreen and/or deciduous trees are planted outside of the right-of-way on both sides of the street to provide pedestrians using the sidewalk with additional opportunities for shade and to screen undesirable views. The typical Carpenter Avenue Streetscape is illustrated on Figure 6-5, *Carpenter Avenue Streetscape*.

E. *Vineyard Avenue Streetscape*

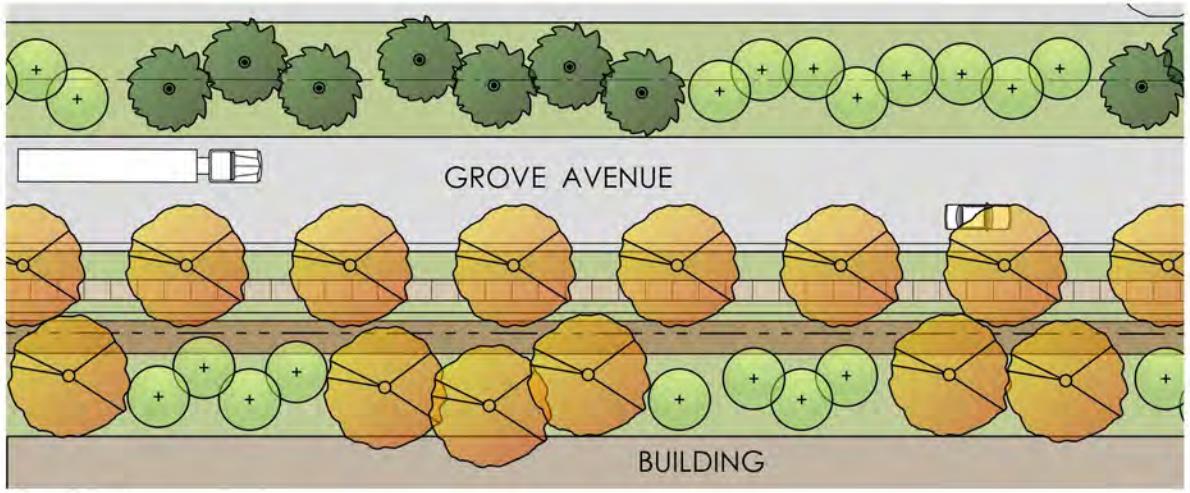
The segment of Vineyard Avenue abutting the MERRILL COMMERCE CENTER features two landscaped components: 1) a 28-foot wide landscaped raised median and 2) parkways on both sides of the street. The landscaped raised median is planted with thematic accent trees at regular intervals – to reinforce the theme established at entries and monuments – and colorful groundcovers and succulents. Parkways include a curb-adjacent park strip planted with deciduous and/or evergreen trees, and low flowering groundcovers and succulents, as well as a 5-foot wide sidewalk. An 8-foot wide Multi-Purpose Trail is also provided along the western side of Vineyard Avenue to provide passive recreational opportunities for pedestrians. Evergreen and/or deciduous trees are planted outside of the right-of-way on both sides of the street to provide pedestrians using the sidewalk and Multi-Purpose Trail with additional opportunities for shade and to screen undesirable views. The typical Vineyard Avenue Streetscape is illustrated on Figure 6-6, *Vineyard Avenue Streetscape*.

F. *Walker Avenue Streetscape*

The typical section of Walker Avenue features landscaping within parkways on both sides of the street. Parkways include a curb-adjacent park strip planted with deciduous and/or evergreen trees, and low flowering groundcovers and succulents, as well as a 5-foot wide sidewalk. Evergreen and/or deciduous trees are planted outside of the right-of-way on both sides of the street to provide pedestrians using the sidewalk with additional opportunities for shade and to screen undesirable views. An 8-foot wide Multi-Purpose Trail is also provided along the eastern side of Walker Avenue outside of the right-of-way to offer pedestrians passive recreational opportunities. The typical Walker Avenue Streetscape is illustrated on Figure 6-7, *Walker Avenue Streetscape*.

G. Street 'A' and Baker Avenue Streetscapes

The typical sections of Street 'A' and Baker Avenue features landscaping within parkways on both sides of the street. Parkways include a curb-adjacent park strip planted with deciduous and/or evergreen trees, and low flowering groundcovers and succulents, as well as a 5-foot wide sidewalk. Evergreen and/or deciduous trees are planted outside of the right-of-way on both sides of the street to provide pedestrians using the sidewalk with additional opportunities for shade and to screen undesirable views. The typical Street 'A' and Baker Avenue Streetscape is illustrated on Figure 6-8, *Baker Avenue and Street "A" Streetscape*.



Plan View

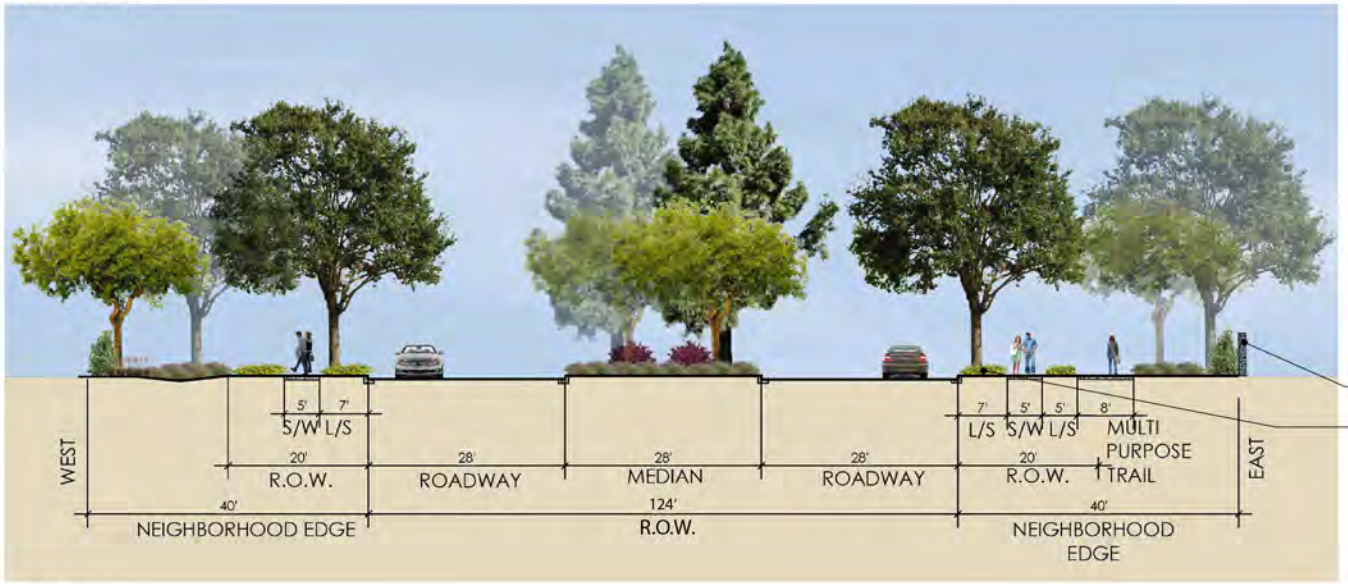
GROVE AVENUE STREETSCAPE

PLATANUS A. 'BLOODGOOD' (LONDON PLANE TREE)
HEIGHT X SPREAD: 40' X 30'
SPACING: 40' O.C.
DESCRIPTION: DECIDUOUS

CERCIS C. 'FOREST PANSY' (EASTERN REDBUD)
HEIGHT X SPREAD: 20' X 15'
SPACING: 15' O.C.
DESCRIPTION: DECIDUOUS

PINUS ELDARICA (AFGHAN PINE)
HEIGHT X SPREAD: 40' X 30'
SPACING: 30' O.C.
DESCRIPTION: EVERGREEN

7' WIDE PARKWAY
5' WIDE SIDEWALK
5' WIDE LANDSCAPE SETBACK
8' WIDE MULTI-PURPOSE TRAIL
(EAST SIDE ONLY)
LANDSCAPE SETBACK

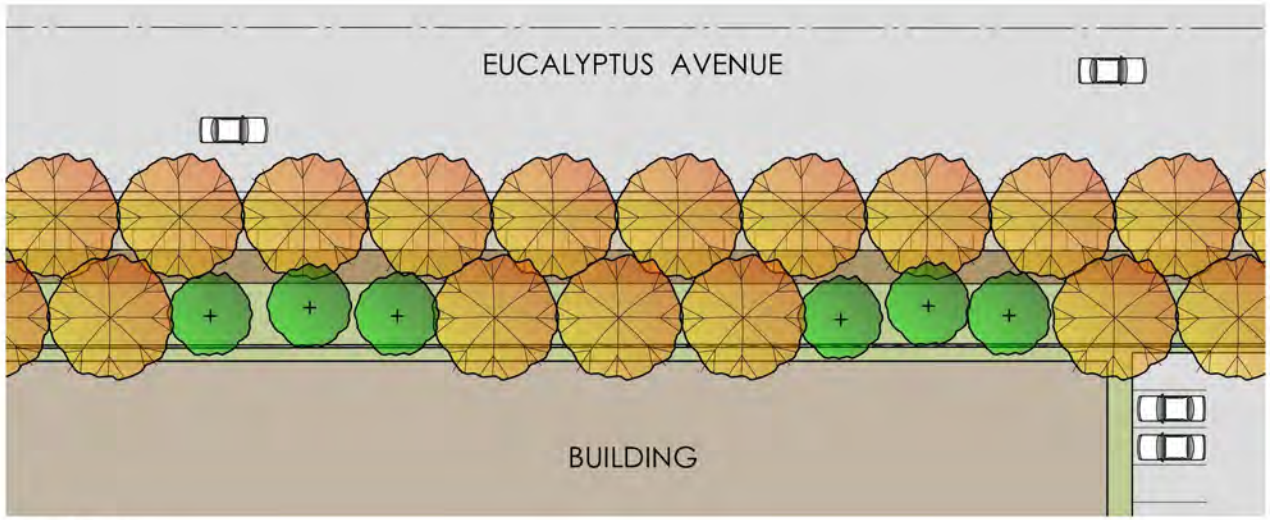


Section

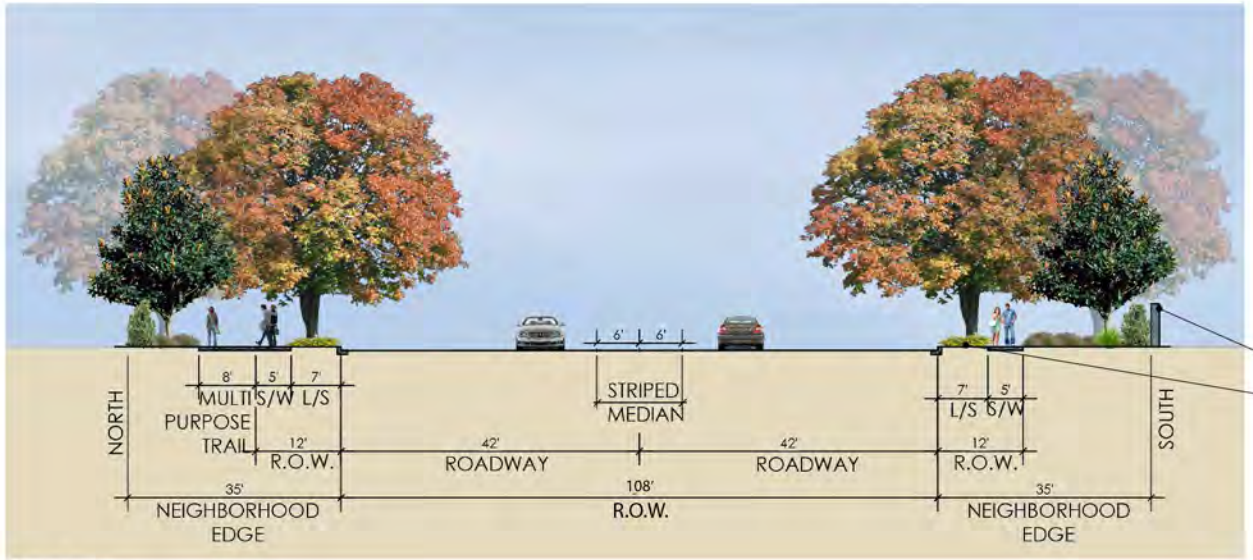
Source(s): RLA (06-12-2019)

Grove Avenue Streetscape Figure 6-2

Not to Scale



Plan View



EUCALYPTUS AVENUE STREETSCAPE

PODOCARPUS GRACILIOR (FERN PINE)
HEIGHT X SPREAD: 40' X 30'
SPACING: 30' O.C.
DESCRIPTION: EVERGREEN

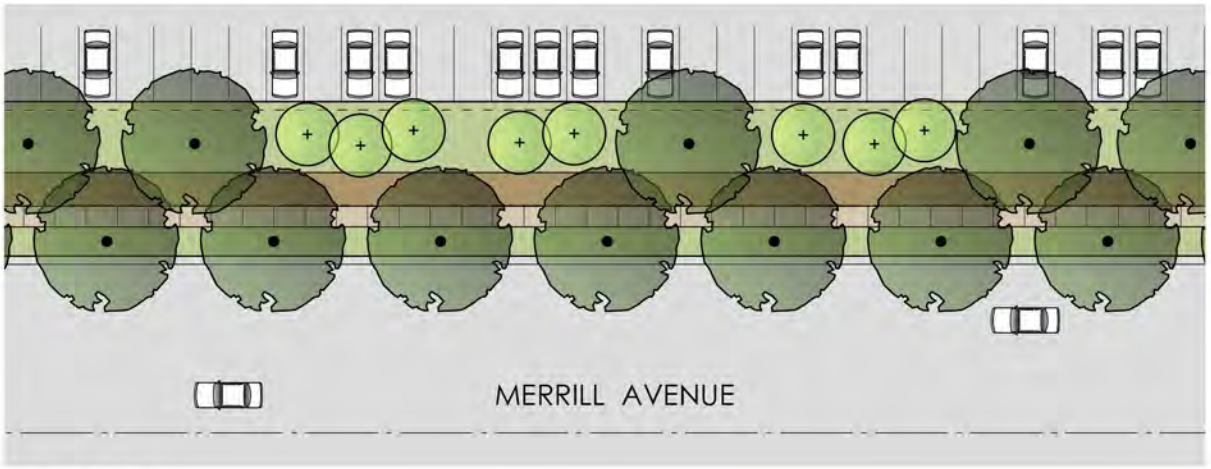
PISTACIA CHINENSIS (CHINESE PISTACHE)
HEIGHT X SPREAD: 40' X 40'
SPACING: 30' O.C.
DESCRIPTION: DECIDUOUS

Section

Source(s): RLA (06-12-2019)

Eucalyptus Avenue Streetscape Figure 6-3

Not to Scale



Plan View

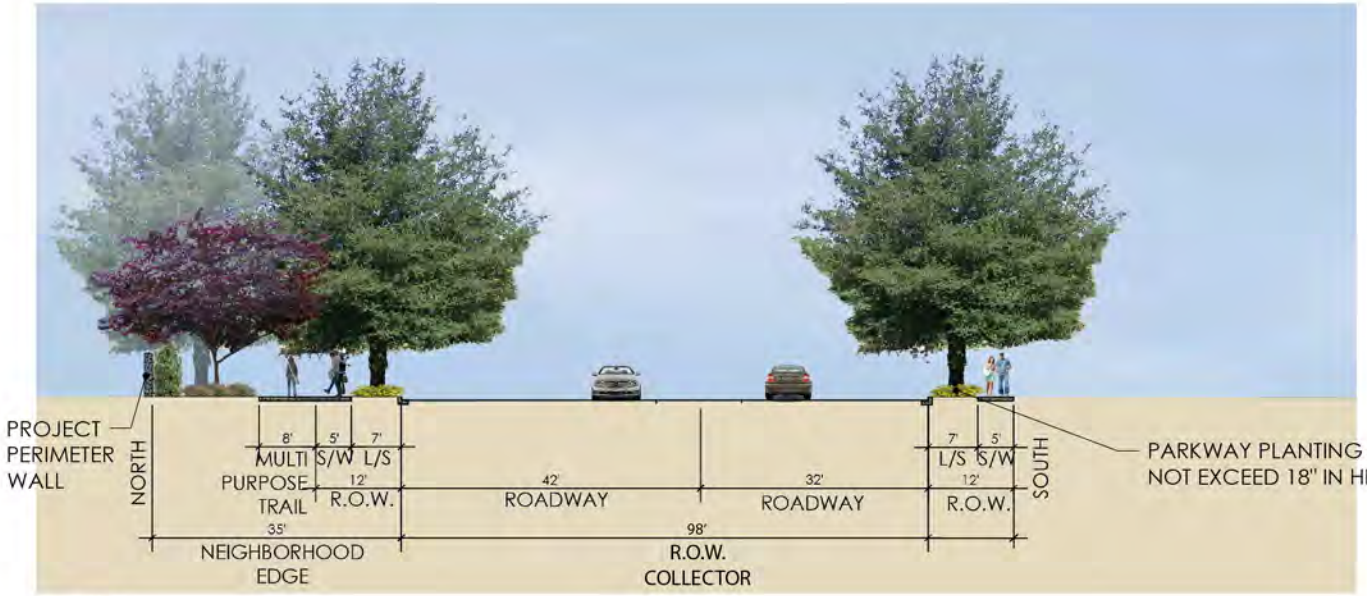
LANDSCAPE SETBACK

8' WIDE MULTI-PURPOSE TRAIL
5' WIDE SIDEWALK
7' WIDE PARKWAY

MERRILL AVENUE STREETSCAPE

CERCIS C. 'FOREST PANSY' (EASTERN REDBUD)
HEIGHT X SPREAD: 20' X 15'
SPACING: 15' O.C.
DESCRIPTION: DECIDUOUS

QUERCUS AGRIFOLIA (COAST LIVE OAK)
HEIGHT X SPREAD: 35' X 35'
SPACING: 40' O.C.
DESCRIPTION: EVERGREEN



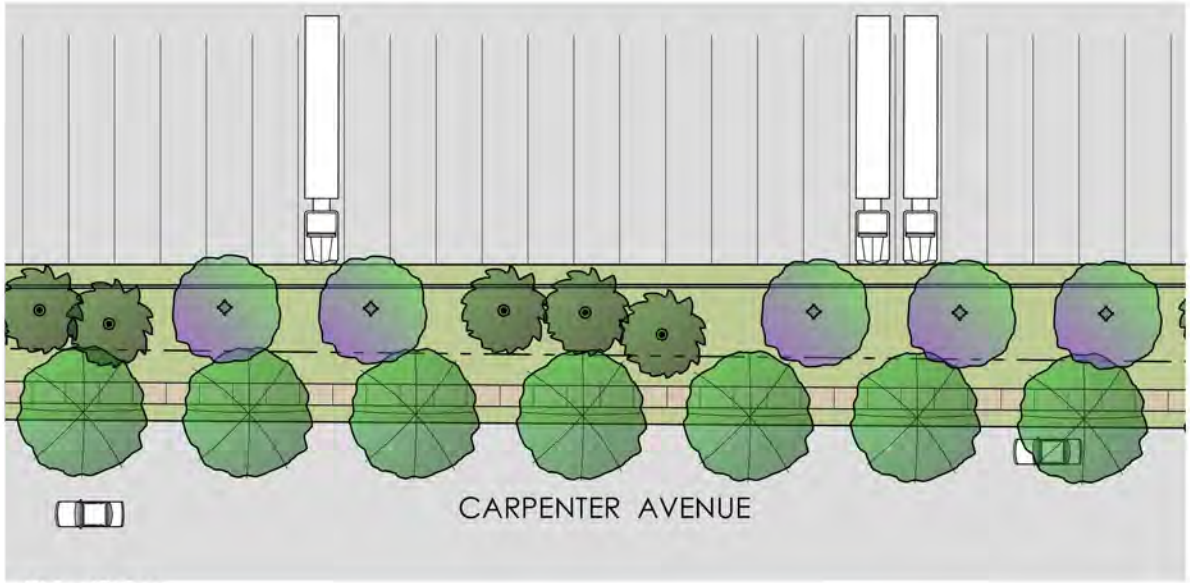
Section

Source(s): RLA (06-12-2019)

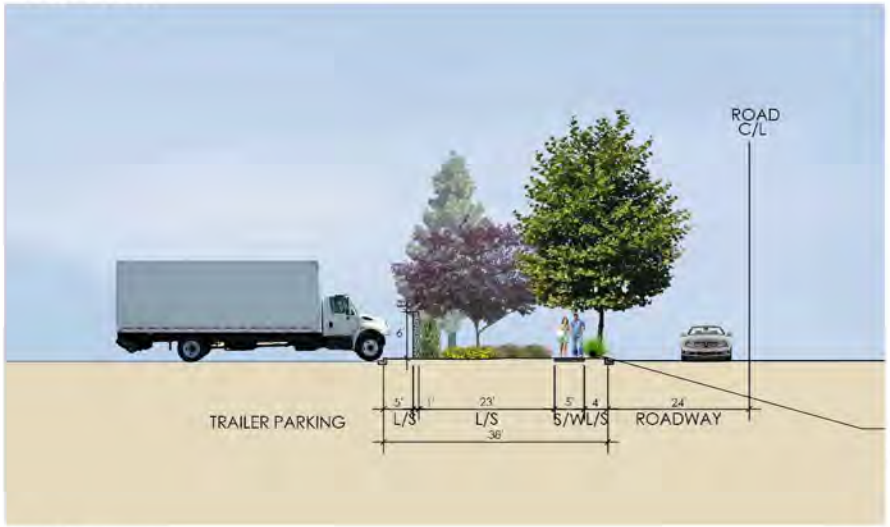
Merrill Avenue Streetscape

Figure 6-4

Not to Scale



Plan View



Section

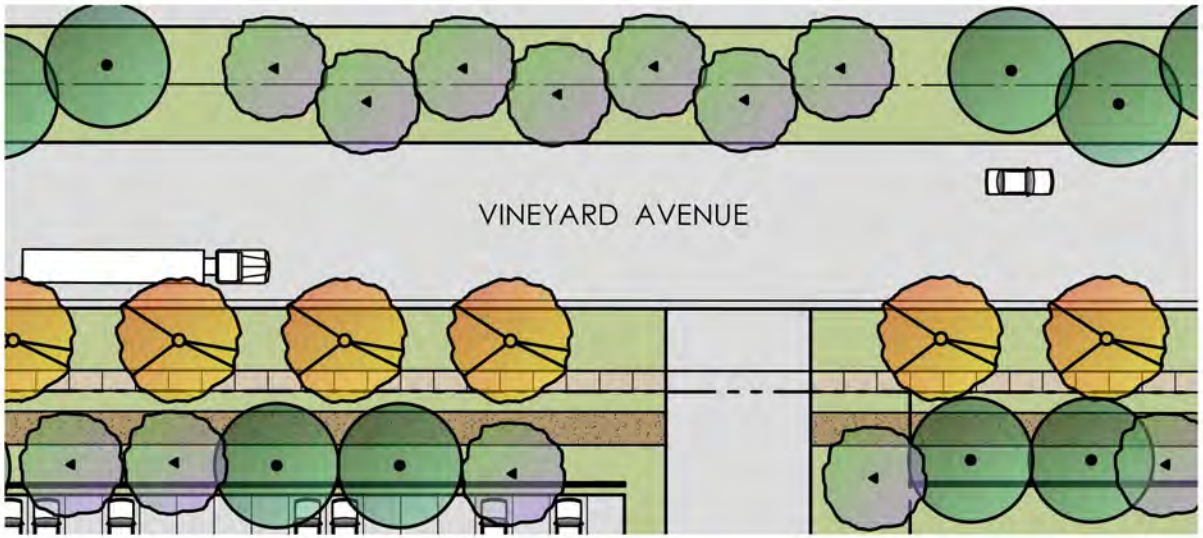
CARPENTER AVENUE STREETSCAPE

LIRIODENDRON TULIPIFERA (TULIP TREE)	HEIGHT X SPREAD: 60' X 30' SPACING: 40' O.C. DESCRIPTION: DECIDUOUS
PINUS ELDARICA (AFGHAN PINE) - OR - PODOCARPUS GRACILIOR (FERN PINE)	HEIGHT X SPREAD: 40' X 30' SPACING: 30' O.C. DESCRIPTION: EVERGREEN
PRUNUS CERASIFERA (FLOWERING PLUM)	HEIGHT X SPREAD: 25' X 25' SPACING: 35' O.C. DESCRIPTION: DECIDUOUS

Source(s): RLA (06-12-2019)

Carpenter Avenue Streetscape Figure 6-5

Not to Scale



Plan View

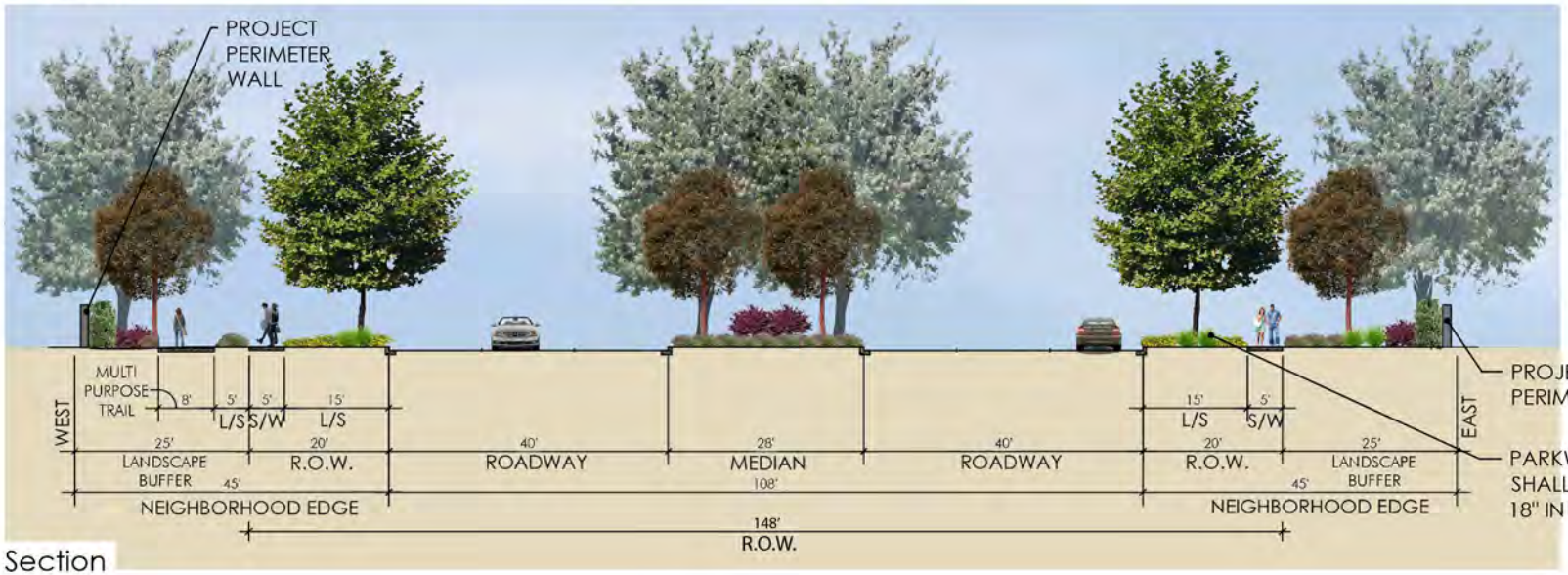
VINEYARD AVENUE STREETSCAPE

PLATANUS A. 'BLOODGOOD' (LONDON PLANT TREE) — HEIGHT X SPREAD: 40' X 30' SPACING: 30' O.C. DESCRIPTION: DECIDUOUS

CHITALPA T. 'MORNING CLOUD' (CHITALPA) — HEIGHT X SPREAD: 35' X 20' SPACING: 20' O.C. DESCRIPTION: DECIDUOUS

QUERCUS SUBER (CORK OAK) — HEIGHT X SPREAD: 70' X 20' SPACING: 20' O.C. DESCRIPTION: EVERGREEN

15' WIDE PARKWAY
5' WIDE SIDEWALK
5' WIDE LANDSCAPE AREA
8' WIDE MULTI-PURPOSE TRAIL
LANDSCAPE SETBACK



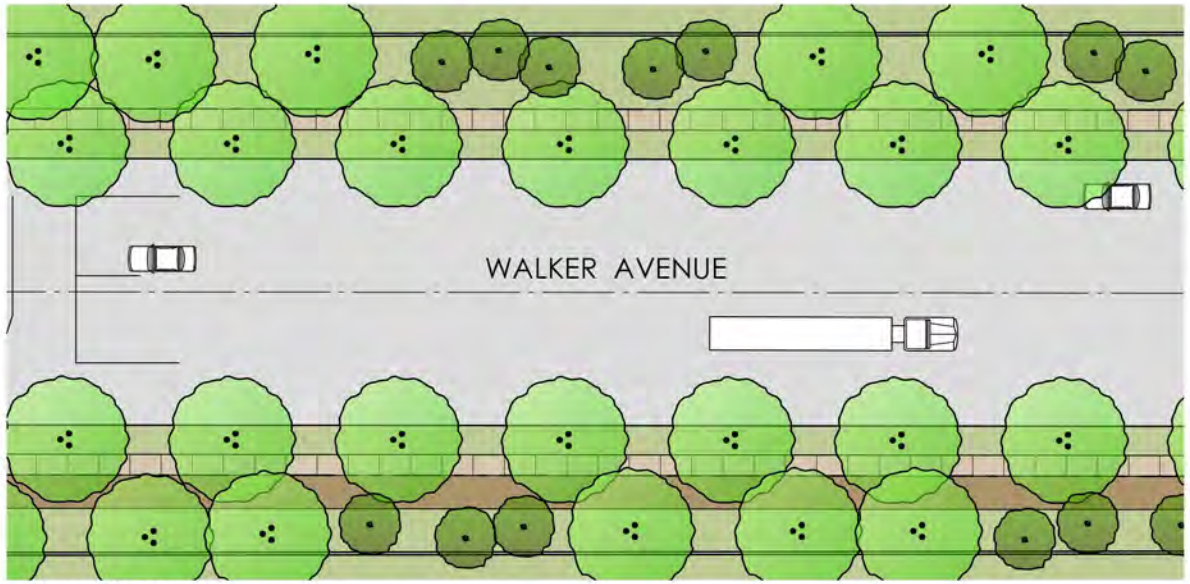
Section

Source(s): RLA (12-18-2019)

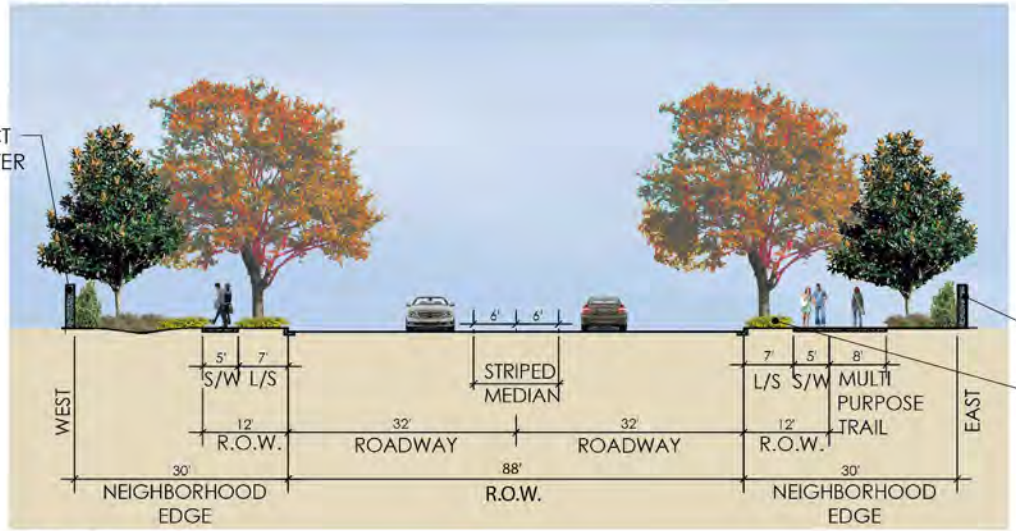
Vineyard Avenue Streetscape

Figure 6-6

Not to Scale



Plan View



Section

WALKER AVENUE STREETSCAPE

KOELREUTERIA BIPINNATA (CHINESE FLAME TREE)
HEIGHT X SPREAD: 30' X 30'
SPACING: 40' O.C.
DESCRIPTION: DECIDUOUS

TRISTANIA LAURINA (WATER GUM)
HEIGHT X SPREAD: 15' X 15'
SPACING: 20' O.C.
DESCRIPTION: EVERGREEN

PROJECT PERIMETER WALL

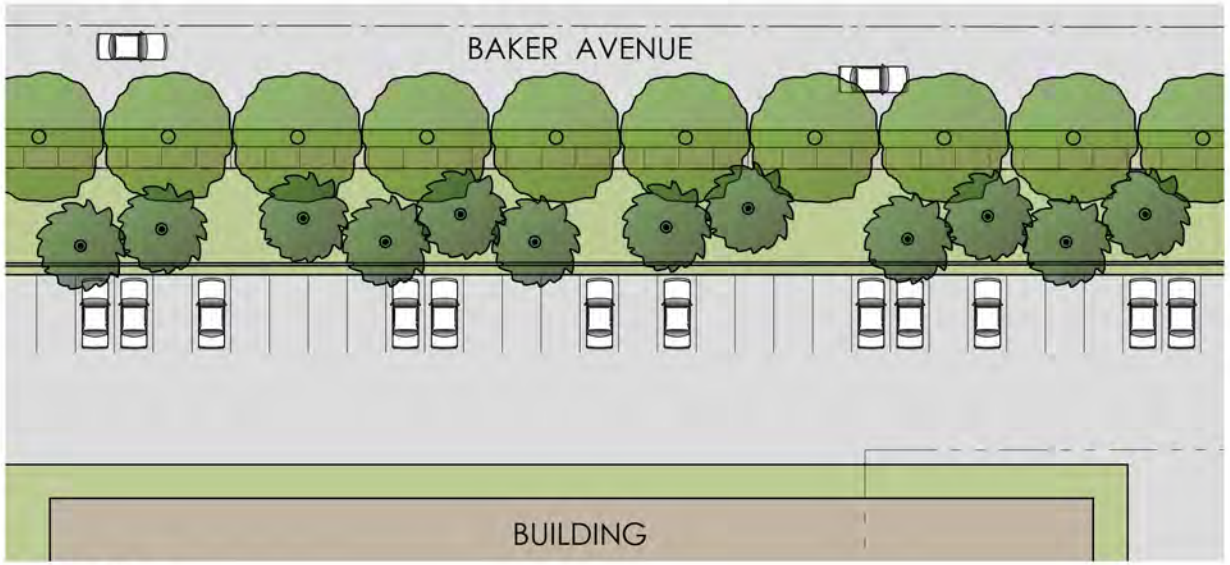
PARKWAY PLANTING SHALL NOT EXCEED 18" IN HEIGHT, TYP.

Source(s): RLA (06-12-2019)

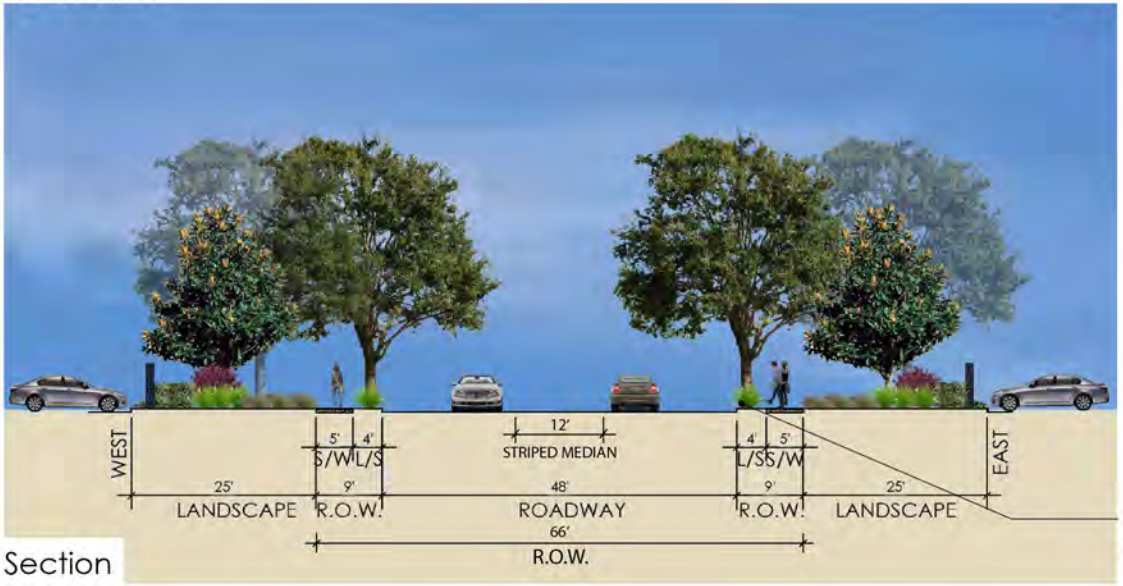
Walker Avenue Streetscape

Figure 6-7

Not to Scale



Plan View



Section



PARKWAY PLANTING SHALL NOT EXCEED 18" IN HEIGHT, TYP.

Source(s): RLA (12-18-2019)

Baker Avenue and Street "A" Streetscape

Figure 6-8

Not to Scale

6.11.4 Entries and Monuments

The MERRILL COMMERCE CENTER provides a three-tiered hierarchy of entry and corner treatments to identify the CENTER and distinguish individual planning areas. The entry and corner treatments are designed to provide distinctive visual statements and emphasize the Specific Plan's contemporary aesthetic. All hardscape and landscape features at entry and monument locations shall provide adequate "line-of-sight" for motorists and shall comply with applicable City design standards and specifications. Monumentation shall not be located within the public street right-of-way.

The entry and corner concepts described and illustrated on the following pages have been designed to provide a prominent reminder of the quality and distinctiveness of the MERRILL COMMERCE CENTER and to complement and reinforce the CENTER's general architectural and landscape theme. Implemented entry and corner treatments should be flexible to respond to physical contexts and the needs and desires of specific tenants and may differ slightly from the concepts presented herein; however, all entry and corner treatments within the MERRILL COMMERCE CENTER shall be consistent in theme and character.

A. Primary Corner Treatments

Primary Corner Monuments may be located at the intersections of Eucalyptus Avenue and Grove Avenue (southeast corner), Eucalyptus Avenue and Vineyard Avenue (southwest corner), and Merrill Avenue and Grove Avenue (northeast corner), and Merrill Avenue and Vineyard Avenue (northwest corner) to announce arrival to the MERRILL COMMERCE CENTER. These Primary Corner Monuments are the largest of the entry/monument family. The conceptual design for these monuments includes a gabion style frame monument with filled native rock, freestanding steel letters, monument lighting, and a laser-cut steel panel with a masonry wall. Landscaping at the Primary Corner Treatments include low foreground plants with accent trees in orchard rows behind the monument. Figure 6-9, *Conceptual Primary Corner Treatment,* conceptually illustrates these monuments. Note that a modified version of the Primary Corner Treatment is required at the northeast corner of the Merrill Avenue and Grove Avenue intersection, which is located in Chino Airport Safety Zone 1, in which tall vertical objects including trees greater than 4 inches in diameter and taller than 4 feet above the ground are not permitted.

B. Secondary Corner Treatments

Secondary Corner Treatments may be located at the entrances into the MERRILL COMMERCE CENTER from Grove Avenue, Eucalyptus Avenue, Carpenter Avenue, and Merrill Avenue to subtly promote the CENTER's design theme at key focal points. These Secondary Corner Treatments feature accent trees in orchard rows, shrub planting to echo rows, and background shrubs on both corners of the street. Figure 6-10, *Conceptual Secondary Corner Treatment,* conceptually illustrates these monuments.

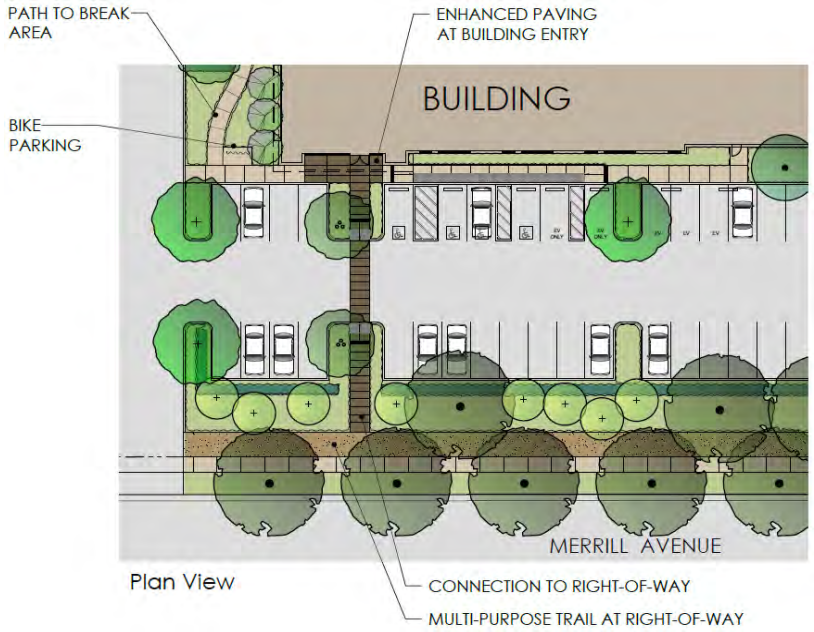
C. Building User Monument Treatments

Tenant Monument Treatments may be provided at the corners of driveways connecting to public roads. The locations of such driveways will be determined at the time buildings are designed and oriented in the Specific Plan area as part of implementing development projects. Tenant Monument Treatments are meant to identify building occupants and welcome employees and visitors to the site. The designs of typical Tenant Monument Treatments are conceptually shown below, and may include a tenant monument,

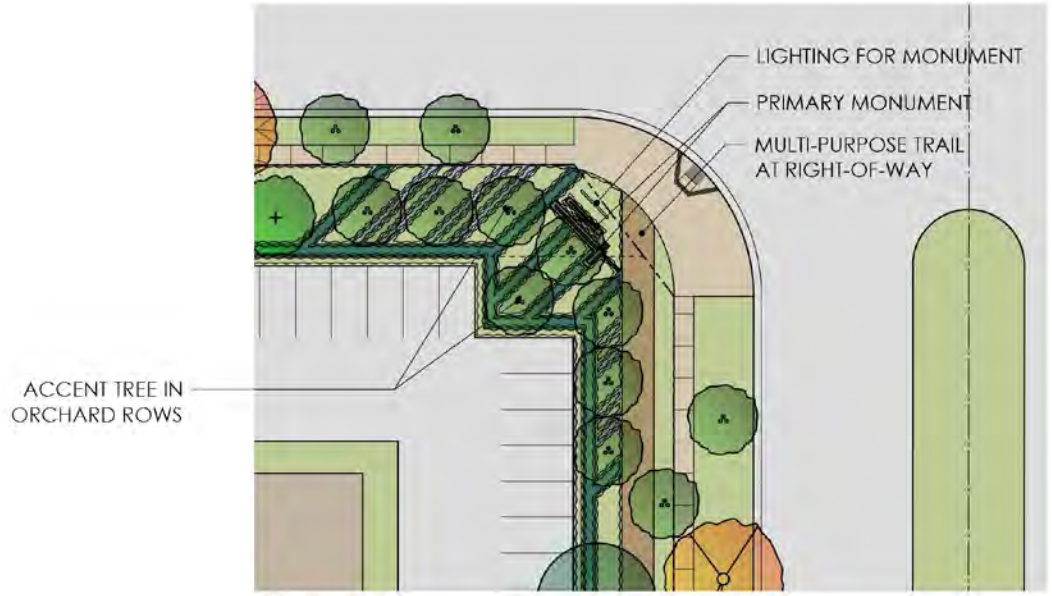
monument lighting, a masonry wall with pin mounted letters, and a gabion style frame filled with native rock. Landscaping at these Treatments may include accent trees, decorative row planting, and background shrubs. Figure 6-11, *Conceptual Building User Monument Treatment,* conceptually illustrates these monuments.

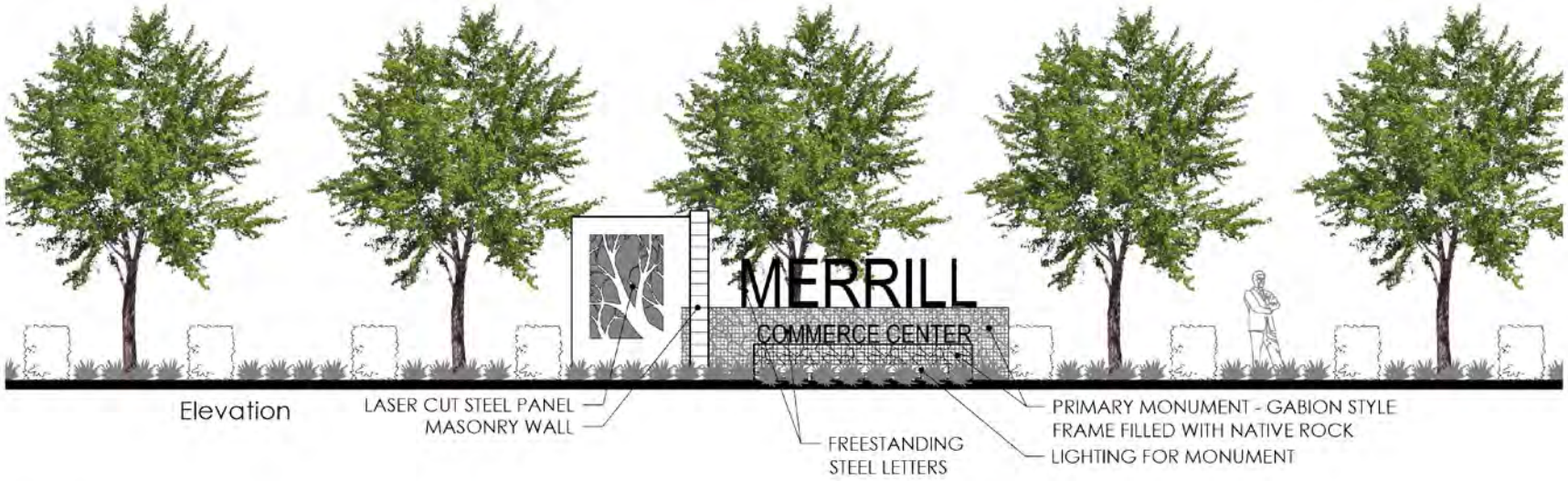
D. Building Entry Treatments

Building Entry Treatments may be provided at the entrances of Industrial or Business Park buildings. Building Entry Treatments are meant to welcome employees and visitors to Industrial or Business Park buildings. The designs of typical Building Entry Treatments are conceptually shown below, and may include tenant signage on the building façade, an enhanced paving at building entry, connection to the public road, and Multi-Purpose Trail, bike parking, and pathways to break areas.



The illustration above the conceptual design of building entry treatments that may be provided at the entrances of Industrial and Business Park buildings.





Source(s): RLA (03-11-2019)

Conceptual Primary Corner Treatment

Figure 6-9

Not to Scale

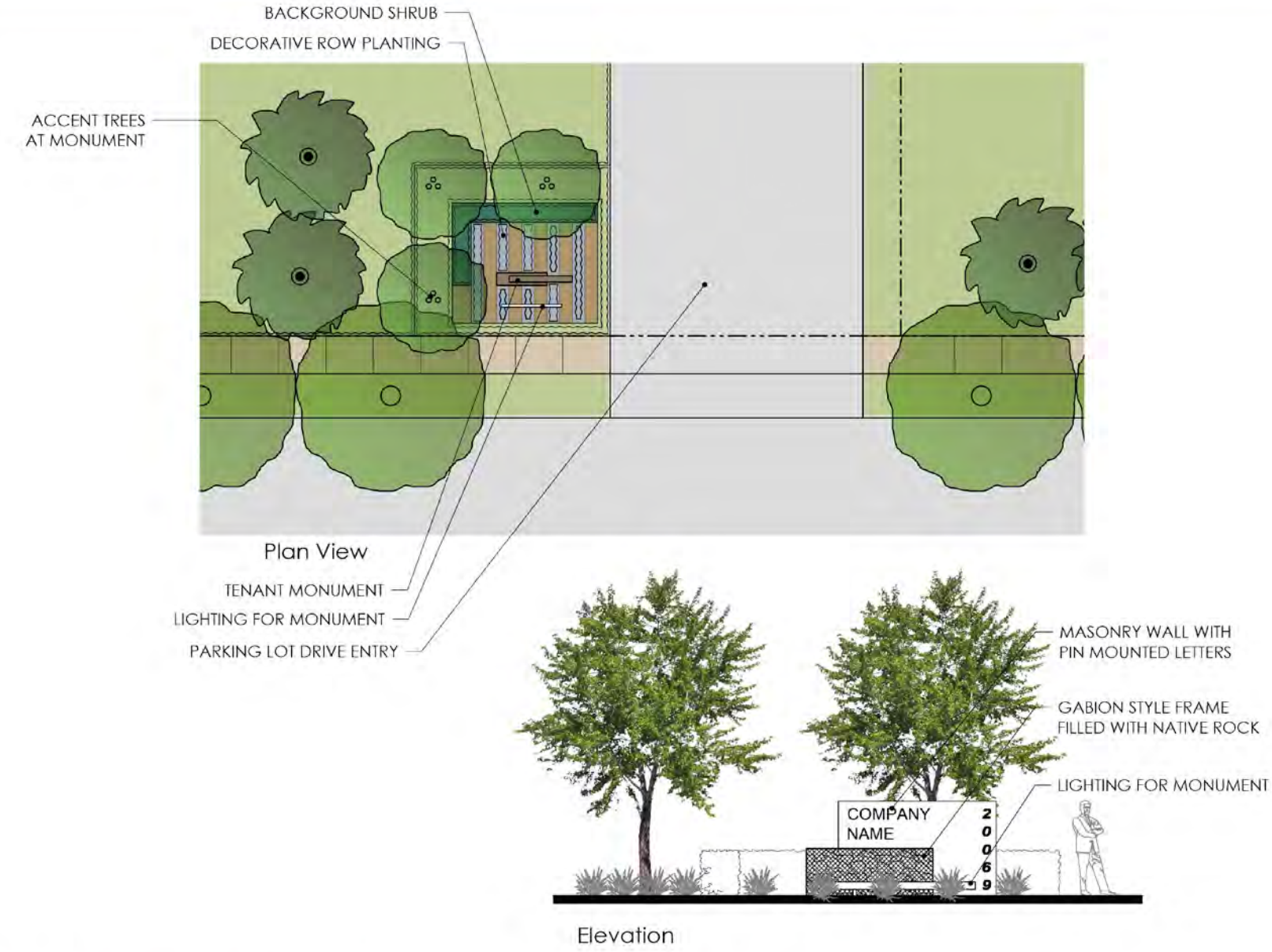


Source(s): RLA (03-11-2019)

Conceptual Secondary Corner Treatment

Figure 6-10

Not to Scale



Source(s): RLA (03-11-2019)

Conceptual Building User Monument Treatment

Figure 6-11

Not to Scale

6.11.5 Walls and Fences

Along building site perimeters and interior to building sites, the installation of fences and walls will be necessary. The final locations and details of these fences and walls will be determined when buildings are designed and oriented during the implementation of the MERRILL COMMERCE CENTER.

As shown on Figure 6-12, *Conceptual Screening Wall Illustration,* an 8- to 14-foot high screen wall may be provided around the perimeters of individual buildings sites and around loading and dock areas, trailer parking areas, and parking lots to screen on-site industrial uses from public views and public roads. In addition, landscaping within rights-of-way and outside of rights-of-way serve as additional screening between on-site industrial uses and public roads.

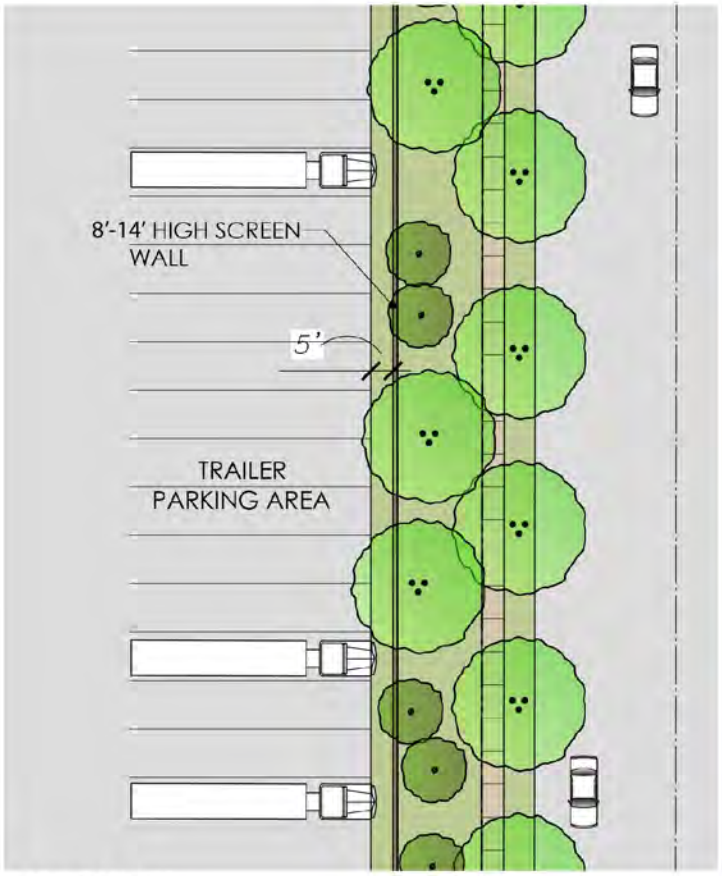
6.11.6 Open Space Areas

As shown on Figure 6-13, *Conceptual Open Space Area Illustration*, shared open space areas may be provided within the MERRILL COMMERCE CENTER to offer employees and visitors a recreational amenity in proximity to the Industrial/Business Park uses. The shared amenities that may be provided within open space areas include seating areas, meandering decomposed granite walkways, overhead structures above decomposed granite dining areas, open turf areas, and a natural planting scheme with boulders. The final locations and details of these open space areas will be determined when buildings are designed and oriented during the implementation of the MERRILL COMMERCE CENTER.

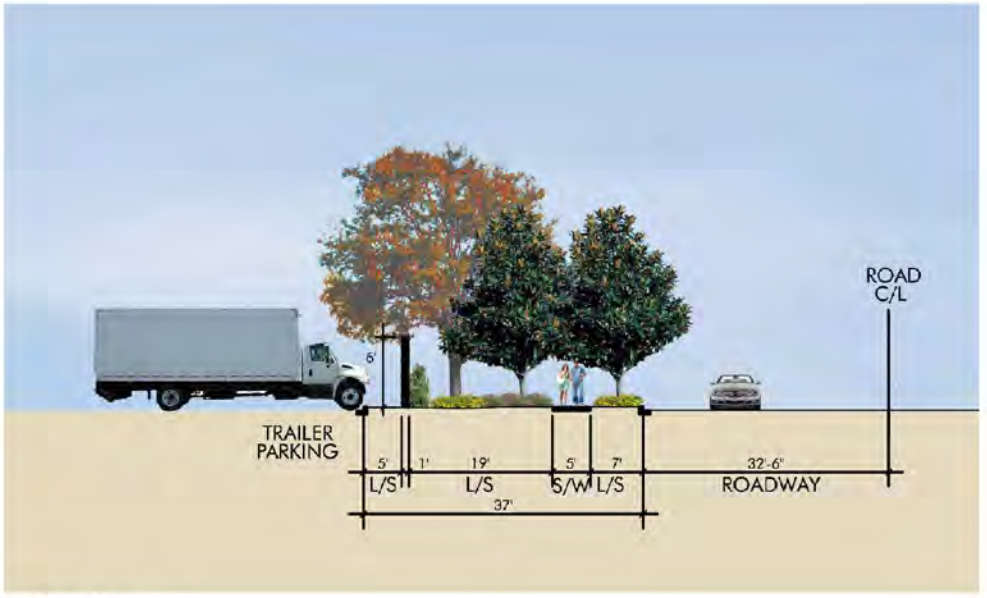
6.11.7 Water Quality Basins

As shown on Figure 6-14, *Conceptual Water Quality Basin Illustration,* water quality basins may be provided within the MERRILL COMMERCE CENTER to treat stormwater before the flows ultimately drain into the storm drain facilities, as described in Section 4.2.4, *Storm Water Management Plan*. The water quality basins may include contoured basin edges for a natural look, and landscaping around the perimeter of the basin to screen public views of the basin. Swales may be no greater than 40% of the landscape area width to allow for ornamental landscaping, although landscaping may have limitations where necessary to deter the attraction of birds to the basins, which can be a hazard to aircraft using the nearby Chino Airport and Ontario International Airport. Other wildlife deterrents that may be considered include floating covers, bird balls, netting, and basins designed to be linear and narrow with steep sides and rip-rap lining.

The final locations and design details of the water quality basins will be determined when buildings are designed and oriented during the implementation of the MERRILL COMMERCE CENTER.



Plan View



Section

WALKER AVENUE STREETSCAPE

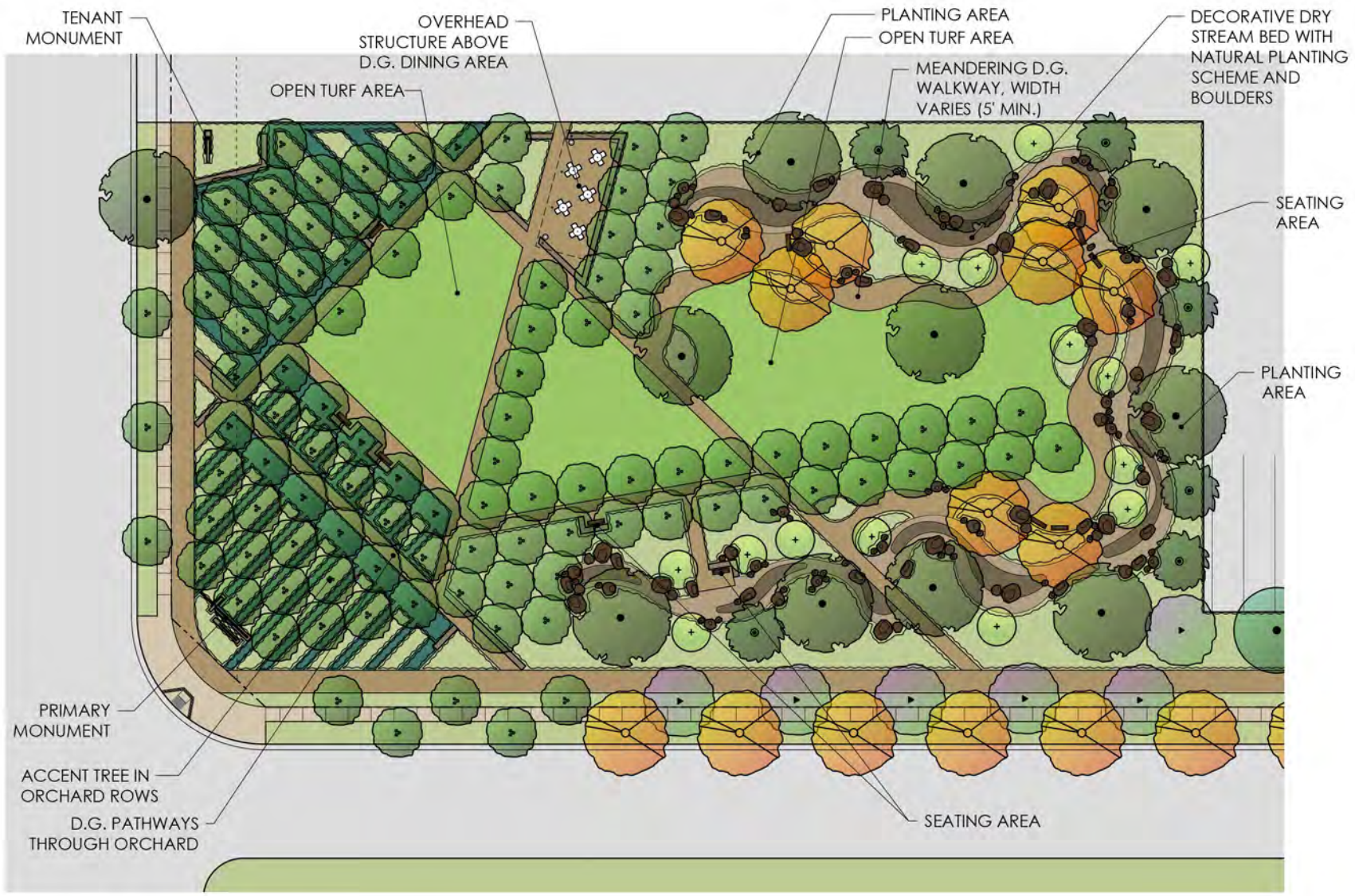
KOELREUTERIA BIPINNATA (CHINESE FLAME TREE)	HEIGHT X SPREAD: 30' X 30' SPACING: 40' O.C. DESCRIPTION: DECIDUOUS
MAGNOLIA G. 'ST MARY' (ST. MARY'S MAGNOLIA)	HEIGHT X SPREAD: 15' X 15' SPACING: 20' O.C. DESCRIPTION: EVERGREEN

Source(s): RLA (03-11-2019)

Conceptual Screening Wall Illustration

Figure 6-12

Not to Scale



Source(s): RLA (03-11-2019)

Conceptual Open Space Area Illustration

Figure 6-13

Not to Scale



Source(s): RLA (03-11-2019)

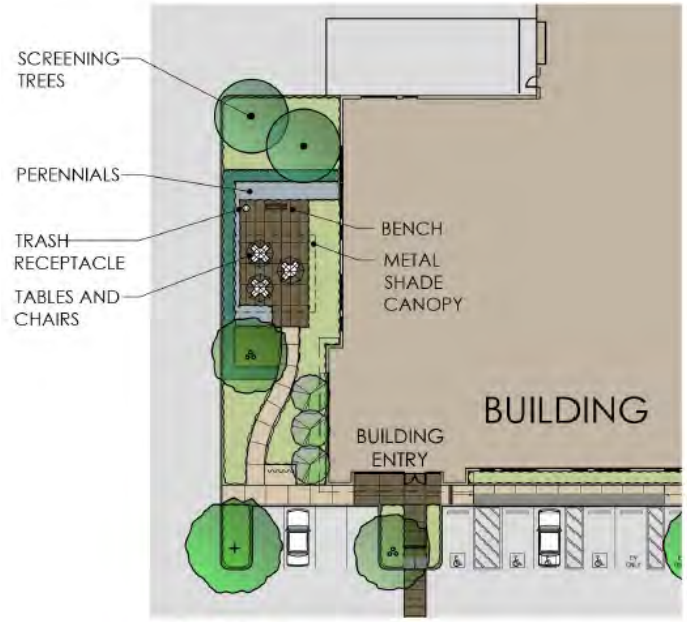
Conceptual Water Quality Basin Illustration

Figure 6-14

Not to Scale

6.11.8 Shared Outdoor Patio Break Areas

As shown in the illustration below, shared outdoor patio break areas should be provided within Industrial and Business Park planning areas to offer employees with outdoor areas adjacent to their work buildings. Shared outdoor patio break areas may include amenities such as benches, metal shade canopies, tables, chairs, perennials/shrubs, and trash receptables. Trees may also be provided to shade the outdoor patio break areas.



Plan View

The illustration above shows the conceptual design of outdoor patio break areas adjacent to Industrial and Business Park buildings.

6.11.9 Parking Lots

As shown in the illustration below, passenger car parking lots within Industrial and Business Park sites provide landscaping that consist of shade trees and parking finger islands for every ten (10) stalls, and landscaping outside/inside of the abutting public road's right-of-way. Bicycle parking is also provided near the entrances of buildings. Trees and parking fingers are not required in truck courts, to minimize truck turning movement conflicts.



Plan View

The illustration above shows the conceptual design and landscaping to be provided within parking lots in MERRILL COMMERCE CENTER.

IMPLEMENTATION PLAN

CHAPTER 7

7.1 Severability

7.2 Applicability

7.3 Interpretation

7.4 Development Review Process

7.5 Substantial Conformance

7.6 Formal Amendments to the Specific Plan

7.7 Appeals

7.8 Compliance with Mitigation Monitoring and Reporting Program

7.9 Project Financing

7.10 Phasing Plan

7.11 Additional Entitlement Requirements

7.12 Maintenance Plan

CHAPTER 7 - IMPLEMENTATION PLAN

7.1 SEVERABILITY

This Specific Plan document enables the City of Ontario to facilitate the processing and approval of development plans and implementing permits to build out the MERRILL COMMERCE CENTER. If any regulation, condition, program, or portion of this Specific Plan is held invalid or unenforceable, such portions shall be deemed separate, distinct, and independent provisions, and the invalidity of such portions or provisions shall not affect the validity and enforceability of the remaining provisions contained herein.

7.2 APPLICABILITY

Approval of the MERRILL COMMERCE CENTER Specific Plan indicates acceptance by the City of Ontario City Council of a general framework for the development of the MERRILL COMMERCE CENTER property. Part of that framework establishes specific development standards that constitute the zoning regulations for the Specific Pan (refer to Chapter 5, *Development Standards*). The provisions contained herein are intended to regulate development within the Specific Plan area.

Development within the MERRILL COMMERCE CENTER Specific Plan boundary shall be implemented through the City's approval of tentative and final parcel maps and the Development Plan Review process as established in the City's Development Code. The implementation process described herein provides the mechanisms for review and approval of development projects within MERRILL COMMERCE CENTER.

7.3 INTERPRETATION

Unless otherwise provided, any ambiguity concerning the content or application of the Specific Plan shall be resolved by the City's Planning Director, or his/her designee, in a manner consistent with the goals, policies, purpose, and intent established in this Specific Plan.

7.4 DEVELOPMENT REVIEW PROCESS

7.4.1 Subdivision Maps

Approval of future tentative subdivision maps within the MERRILL COMMERCE CENTER Specific Plan may occur concurrently with or subsequently to the adoption of the Specific Plan. All tentative and final subdivision maps shall be reviewed and approved pursuant to the applicable provisions of the City's Subdivision Ordinance and consistent with the applicable provisions established within the Land Use, Infrastructure, Design Guidelines, and Development Regulations chapters of this Specific Plan.

7.4.2 Development Plan Review

All development within the MERRILL COMMERCE CENTER property shall be subject to the Development Plan Review Process established in the City of Ontario Development Code. Adoption of this Specific Plan by the City includes the design guidelines contained in Chapter 6, which shall be the design criteria by which development projects with the Specific Plan shall be reviewed during Development Plan Review. Topics on which these design guidelines are silent, the applicable design guidelines contained within the City's Development Code shall apply. The design guidelines are intended to be flexible in nature while establishing rudimentary evaluation

criteria for the review by the City of development projects during design review.

7.4.3 Development Agreements

Approval of statutory Development Agreements, per individual property owner, authorized pursuant to California Government Code Sections 65864 et seq., is required as part of the approval of the Specific Plan and prior to approval of the first Final Map. The Development Agreements shall include, but not be limited to, methods for financing, acquisition, and construction of infrastructure. The MERRILL COMMERCE CENTER Development Agreement shall be fully executed prior to the issuance of the first building permits for development within the Specific Plan.

7.4.4 Conditional Use Permits

Uses specified as conditionally permitted uses within Chapter 5, *Development Regulations*, of this Specific Plan shall be reviewed and approved by the City pursuant to the requirements of the City's Development Code, Article 9, "Conditional Use Permits."

7.4.5 Variances

Variances and Administrative Exceptions to the development regulations contained in Chapter 5, *Development Regulations*, of this Specific Plan with respect to the site area, setback dimensions, building heights, distances between buildings, landscape percentage and off-street parking and loading shall be reviewed pursuant to "Variances and Administrative Exceptions" of the City's Development Code.

7.5 SUBSTANTIAL CONFORMANCE

All development under the Specific Plan is subject to a Substantial Conformance Determination, considered and approved ministerially by the Planning Director or designee. The Substantial Conformance Determination is also a mechanism that allows for the approval of ministerial minor modifications for development under the Specific Plan. The City recognizes that modifications to the text and exhibits of this document may be needed over time. Upon direction by the City of Ontario Planning Department, certain modifications to text, exhibits, and/or development standards and design guidelines may not require a formal Specific Plan Amendment (i.e., through public hearing) and occur ministerially. The following minor modifications to this document do not require a formal Specific Plan Amendment and are subject to review and approval by the Planning Director. The Planning Director shall have the discretion to defer any request for modification to the Planning Commission or City Council, either for ministerial direction and guidance, or determination that the required change requires a formal amendment as discussed below in Section 7.6. Ministerial substantial conformance decisions are not subject to CEQA compliance.

- Expansions or reductions of the net acreage covered by a given Planning Area.
- A decrease in development intensity/density (building square footage).
- Modification of design criteria such as architectural details, landscape treatments, fencing, lighting, and entry treatments.
- Changes to the Phasing Plan, provided infrastructure is available to serve the phase as determined by the City Engineer.

- Implementation of alternative landscape materials, wall materials, entry monument design, primary/secondary corner treatments, and streetscape design that are generally consistent with the conceptual design guidelines contained within this Specific Plan.
- Modifications to Architectural Design Guidelines, such as variation of architectural style and variations in materials and colors.
- Final infrastructure facility sizing and precise location of dry utilities, water, sewer, and storm drainage improvements as approved by the City Engineer, OMUC, or San Bernardino Flood Control District.
- Roadway ROW design, when the changes are warranted and approved by the City Engineer.
- Revisions to exhibits which do not substantially change the intent of the Specific Plan.
- Modification, deletions, and additions to the list of permitted and conditional uses.
- Specific modifications of a similar nature to those listed above which are deemed minor by the Planning Director, which are in keeping with the intent of this Specific Plan and which are in conformance with the Policy Plan component of The Ontario Plan.

7.6 FORMAL AMENDMENTS TO THE SPECIFIC PLAN

All modifications to this document which do not meet the criteria of a Substantial Conformance (as defined in the previous subsection) shall be deemed to require a formal Specific Plan Amendment. This document was prepared pursuant to California Government Code §65450, et. seq. Amendments shall be processed in accordance with the applicable requirements of the law, which include §65450, et. seq. of the California Government Code.

Formal Specific Plan Amendments shall be subject to the review and approval of the City Council. The Planning Commission should first hear and consider all applications for formal Specific Plan Amendments and provide a recommendation to the City Council. As required by the California Government Code, all government agencies significantly affected by the proposed Amendment shall be notified of the proposed action prior to the approval. In addition, and as required by CEQA, formal Specific Plan Amendments shall be appropriately reviewed in accordance with the State CEQA Guidelines, with the City of Ontario serving as the CEQA Lead Agency.

Any formal Specific Plan Amendment initiated by an applicant requires preliminary review by the Planning Director, filing of an official application and required materials supporting the Amendment, submittal of a fee deposit, Planning Commission review and recommendations, and City Council review and final decision.

Amendments also may be initiated by the City Council or Planning Commission by majority vote. All Planning Commission-requested amendments shall be submitted and considered by the City Council and accepted for processing by a majority vote. City staff may initiate an amendment by submitting the requested amendment to the Planning Commission for a vote. Only amendments accepted by a majority vote of the Planning Commission shall be submitted to the City Council for consideration; however, the Applicant shall have the right of appeal to City Council if the Planning Commission fails to approve.

In considering approval or disapproval of formal Specific Plan Amendments, the City Council shall find that the request is:

- Consistent with the Policy Plan component of The Ontario Plan (General Plan) in effect at the time of consideration.
- Compatible with surrounding land uses with respect to use, development standards, density, or issues of health, public safety, and general welfare.
- Consistent with the overall design character and general structure of the MERRILL COMMERCE CENTER as set forth in Chapter 6, *Design Guidelines*, of this Specific Plan.

7.7 APPEALS

Appeals of any determination of the Planning Director, Zoning Administrator or the Planning Commission, may be made by the applicant or any other aggrieved party by filing an application on forms provided by the City of Ontario and accompanied by the appropriate filing fee, where applicable, within ten (10) days following the final date of action for which an appeal is made. Appeals shall be processed consistent with the provisions of Article 5, "Appeals" of the City of Ontario Development Code.

7.8 COMPLIANCE WITH MITIGATION MONITORING AND REPORTING PROGRAM

Certification of an EIR shall be required prior to the approval of the Specific Plan. Development within the MERRILL COMMERCE CENTER Specific Plan shall comply with all approved mitigation measures as described in the MMRP included as part of the EIR.

7.9 PROJECT FINANCING

The financing of construction, operation, and maintenance of public improvements, facilities, and public services shall include funding through a combination of financing mechanisms. Prior to the recordation of final maps, a final determination shall be made by City staff and confirmed by the Planning Director and City Engineer regarding the responsibility for construction and maintenance of public facilities, whether publicly or privately maintained.

Implementation of the MERRILL COMMERCE CENTER Specific Plan may involve financing options including, but not limited to, the following:

7.9.1 Facilities and Services

Construction of public improvements and facilities and the provision of public services may be financed through private capital investment, a Community Facilities District (CFD), or other special district, pursuant to the Mello-Roos Community Facilities District Act of 1982.

7.9.2 Operation and Maintenance

Options for operation and maintenance of public improvements and facilities include, but are not limited to, the following:

- Individual private property owners
- Private Property Owners Association
- CFD or other special district (will be at the City's sole discretion)

7.10 PHASING PLAN

As shown on Figure 7-1, *Conceptual Phasing Plan,* the development of the MERRILL COMMERCE CENTER is expected to occur in three (3) phases in response to market demands and according to a logical and orderly extension of roadways, public utilities, and

infrastructure. Phase A includes Planning Areas 4, 4A, 5 and 5A; Phase B includes Planning Areas 1, 1A, 2, 3 and 3A; and Phase C includes Planning Areas 6 and 6A. These phases may be developed as subphases and may occur either sequentially or concurrently with one another. Phasing of the Specific Plan shall be permitted; however, improvements will be dictated by the City of Ontario's Land Development Section and the approved MERRILL COMMERCE CENTER Development Agreement.

7.11 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 City has imposed the following requirements all Subdivision Maps and implementing developments within the Specific Plan area.

A. Utilities System Map (USM)

Prior to approval of any entitlement application (subdivision maps, Development Plan Reviews, etc.) in the Specific Plan area, as part of the entitlement application a Conceptual Utilities Systems Map (USM) shall be prepared and submitted to the Development Agency Engineering Department and the Utilities Engineering Department for review and approval. The USM is a summary plan sheet exhibit that shows all the public offsite infrastructure requirements and demands for the development project (and/or subdivision), the onsite private infrastructure improvements, and the interaction between the public and private utilities systems. As a Condition of Approval for the development project (and/or subdivision), the Conceptual Utilities Systems Map shall be updated into a Final Utilities Systems Map to reflect the changes that occur between entitlement and Final Plan and Permit Approval. Reference the Ontario Municipal Utilities Company Utilities Engineering Department's Utilities Systems Map (USM) Requirements for details.

7.11.1 Integrated Waste Management Report (IWMR) and Solid Waste Handling Plan (SWHP)

Prior to approval of any entitlement application (subdivision maps, Development Plan Reviews, etc.) in the Specific Plan area, as part of the entitlement application a Conceptual Integrated Waste Management Report (IWMR) and a Conceptual Solid Waste Handling Plan (SWHP) shall be prepared and submitted to the Community Development Agency Engineering Department and the Ontario Municipal Utilities Company for review and approval. The SWHP summary plan sheet exhibit that demonstrates the project site's design conformance with the Integrated Waste Department's requirements, including the requirements for Sizing of Storage, Location of Collection Areas, Accessibility for Collection Vehicles, and Collection of Sorted/Diverted Waste Types. The IWMR is a report that presents project specific information that is not able to be demonstrated within the Solid Waste Handling Plan, including discussions on: project solid waste operations; project compliance with all applicable laws, statutes, policies, and requirements; and, conformance with all the Integrated Waste Department's requirements, including the requirements for Sizing of Storage, Location of Collection Areas, Accessibility for Collection Vehicles, and Collection of Sorted/Diverted Waste Types. As a Condition of Approval for the development project (and/or subdivision), the Conceptual SWHP and the Conceptual IWMR shall be updated into a Final SWHP and Final IWMR to reflect the changes that occur between entitlement and Final Plan and Permit Approval. The SWHP and IWMR may be required to be updated from whenever there are new occupants, new uses or changes to existing uses, Tenant

Improvements, Business Licenses, and Certificates of Occupancy. Reference the Ontario Municipal Utilities Company Utilities Engineering Department's IWMR and SWHP requirements for details.

7.11.2 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 Community Development Agency Engineering Department and the Ontario Municipal Utilities Company 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.).

A. 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.

7.11.3 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 Community Development Agency Engineering Department and the Ontario Municipal Utilities Company. The PDR shall include the following:

A. Conceptual Design Compliance

A discussion modifying or confirming the conceptual design established with the Project's Conceptual Design Report. The study shall confirm all ROW, infrastructure improvements, and vertical and horizontal alignments for each utility.

B. 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 point 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 the centerline, the depth from the finished surface to the top of the pipe, and the distance between utilities (outside wall to outside wall).

C. 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.

D. Supporting Details

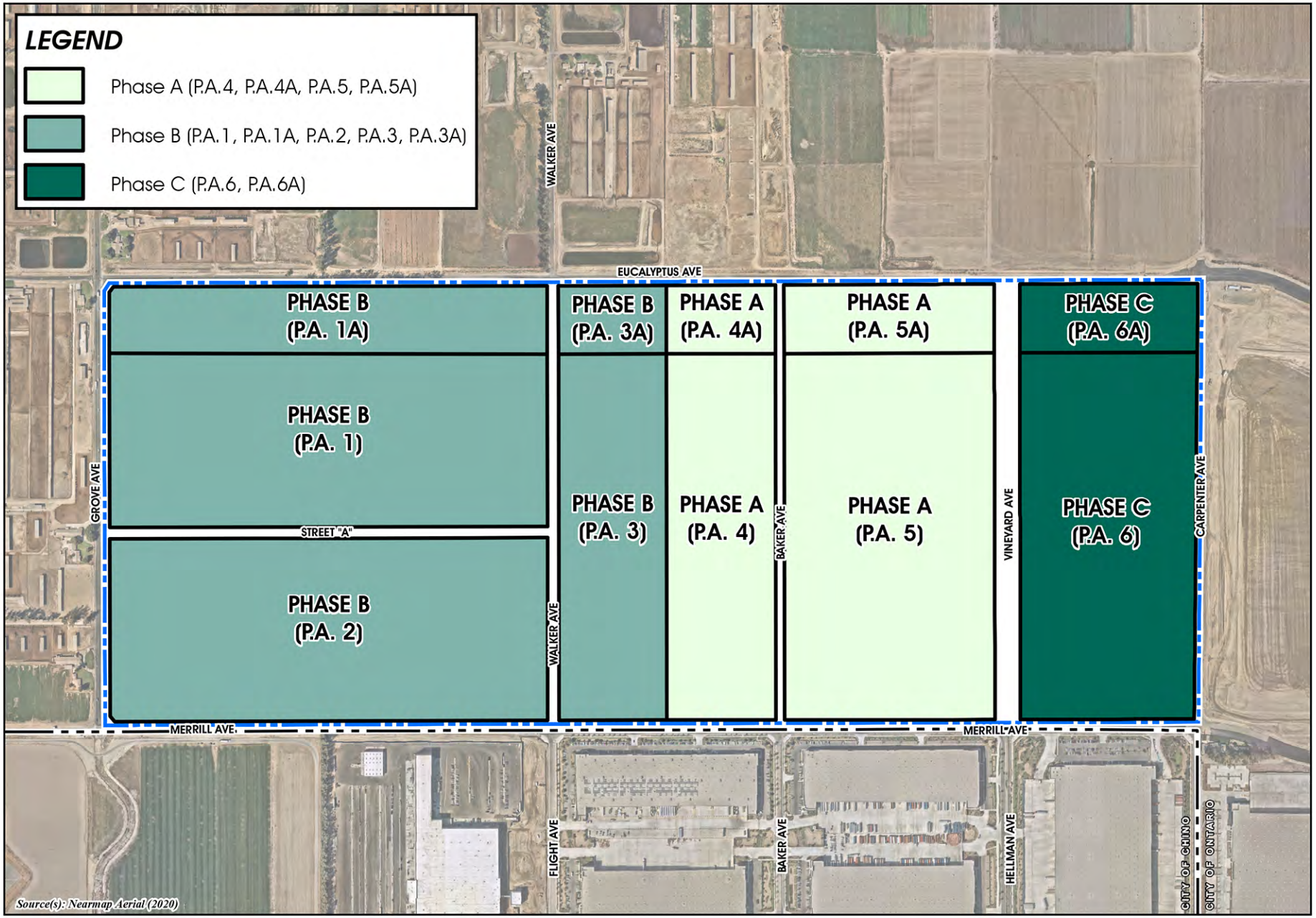
The PDR shall include any supporting details needed to demonstrate that utilities can be adequately accommodated in the public ROW, including the placement of large appurtenances, clearance from existing obstructions, etc.

E. 30% Design Drawings

The PDR findings shall be incorporated into a 30% design plan set and included in the PDR.

F. 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.



Conceptual Phasing Plan

Figure 7-1

0 200 400 800 Feet

7.12 MAINTENANCE PLAN

The public and private improvements constructed within the MERRILL COMMERCE CENTER shall be maintained through a combination of public and private entities as described in Table 7-1, *Maintenance Responsibilities*. Table 7-1 provides a list of maintenance entity options that may fund and/or maintain facilities within the Specific Plan, however, the ultimate maintenance entity for each facility will be determined by the MERRILL COMMERCE CENTER's Development Agreement. A Property Owners Association (POA) shall be established for the maintenance of common area landscape improvements and private roadways within areas of the MERRILL COMMERCE CENTER. For areas in public ownership (such as public roadway ROWs), municipal maintenance districts may fund the maintenance of these areas.

Table 7-1 Maintenance Responsibilities

Facility	City and/or CFD	Property Owners Association	Property Owner or Occupant	Public Utility
Master Plan Roadways (Eucalyptus Avenue, Merrill Avenue, Grove Avenue, Walker Avenue, Baker Avenue, Vineyard Avenue, and Carpenter Avenue)				
Curb-to-curb improvements	✓			
Parkways within public right-of-way (ROW)	✓			
Neighborhood Edges, Master Plan Trails and Medians	✓			
Landscape buffer located outside public ROW		✓		
Interior public streets (Street A)				
Curb-to-curb improvements	✓			
Parkways within public right-of-way (ROW)	✓			
Sidewalks/Trails	✓			
Landscape buffer located outside public ROW		✓		
Interior private streets located outside of the public ROW (including parkways, landscaping, non-Master Plan Trails, and sidewalks)		✓		
Off-street parking areas			✓	
Traffic signals	✓			
Traffic control signs – in the public ROW	✓			

Table 7-1 Maintenance Responsibilities (Cont'd)

Facility	City and/or CFD	Property Owners Association	Property Owner or Occupant	Public Utility
Traffic control signs – not in the public ROW		✓		
Street lights – in the public ROW	✓			
Street lights – not in the public ROW		✓		
Public water, sewer, and storm drain improvements within public ROW (excluding laterals)	✓			
On-site landscaping and irrigation		✓	✓	
Common open space		✓		
Walls and fences		✓	✓	
Corner and Entry Monuments		✓		
Tenant Signage		✓	✓	
Off-street lighting		✓	✓	
Storm Water Drainage/Water Quality Facilities – within the curb-to-curb area of a public street	✓			
Permanent Storm Water Drainage/Water Quality Facilities (swales, basins, biotreatment filters, etc.) – behind the curb line of the public street		✓		
Dry Utilities (electricity, natural gas, communications systems)				✓
Fiber Optic communication system in the public ROW	✓			✓

GENERAL PLAN CONSISTENCY ANALYIS

APPENDIX A

APPENDIX A POLICY PLAN CONSISTENCY

California Government Code (Title 7, Division 1, Chapter 3, Article 8, §§ 65450 through 65457) allows local governments to adopt and administer specific plans as tools to implement their general plan; however, specific plans must demonstrate consistency with the goals and policies set forth in the local general plan. This appendix provides a summary discussion to demonstrate that this MERRILL COMMERCE CENTER Specific Plan is consistent with, and results in the implementation of, applicable primary goals and policies of the Policy Plan (General Plan) component of The Ontario Plan.

Ontario Plan Policy	Specific Plan 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.*	
Policy 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.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan area is located in the Ontario Ranch area of the City, which is an area planned for future growth. Although existing infrastructure improvements are limited on and adjacent to the Specific Plan property, the City's Master Plans for water, sewer, and storm drainage identify planned infrastructure facilities to support growth in this area. The developer(s) of the MERRILL COMMERCE CENTER will be required to participate in the installation of the Master Plan infrastructure. Immediately south of the MERRILL COMMERCE CENTER are existing and planned industrial warehouse developments and the Chino Airport, in the City of Chino. Development of the MERRILL COMMERCE CENTER will help to establish an identity for the City of Ontario along its southern border in this location, as envisioned by the Policy Plan's Land Use Element. The Policy Plan designates the MERRILL COMMERCE CENTER property as "Business Park," "Office Commercial," and "General Commercial" land uses. This Specific Plan calls for "Business Park" and "Industrial" uses that are generally compatible with the Policy Plan's intent for employment growth and development.
Policy LU1-2: Sustainable Community Strategy. We integrate state, regional and local Sustainable Community/Smart Growth principles into the development and entitlement process.	**Consistent.** The MERRILL COMMERCE CENTER features numerous sustainable features. The Specific Plan encourages non-motorized circulation by employees and visitors via its provision of an integrated network of sidewalks, bikeways, and trails. In accordance with the Exhibit M-3, *Multipurpose Trails & Bikeway Corridor Plan*, of the Policy Plan, Class II bike lanes are provided along both sides of the segment of Merrill Avenue located between Carpenter Avenue and Euclid Avenue; along both sides of the segment of Walker Avenue between Merrill Avenue and Edison Avenue; and along the south side of the segment of Eucalyptus Avenue that abuts the northern boundaries of Planning Areas 3A, 4A, 5A and 6A. Additionally, the MERRILL COMMERCE CENTER includes an 8-foot multi-purpose trail along segments of Merrill Avenue, Eucalyptus Avenue, Grove Avenue, Walker Avenue, and Vineyard Avenue which promotes pedestrian and bicycle connectivity.

Ontario Plan Policy	Specific Plan Consistency
	All development in the Specific Plan area is required to conform to the California Green Building Standards Code (CalGreen). In addition, the roofs of industrial buildings will be structurally designed to support solar panels. The plant palette for the MERRILL COMMERCE CENTER is comprised of water-efficient species native to southern California or naturalized to the arid southern California climate, and the use of turf will be minimized. As such, the MERRILL COMMERCE CENTER is consistent with, and results in the implementation of, this policy.
Policy LU1-3: Adequate Capacity. We require adequate infrastructure and services for all development.	**Consistent.** The developer(s) of the MERRILL COMMERCE CENTER are required to install adequate roadway and utility infrastructure improvements to meet the demands of the Specific Plan while maintaining adequate service levels for existing, surrounding development. Refer to the Environmental Impact Report (EIR) prepared for the MERRILL COMMERCE CENTER Specific Plan for a detailed analysis of the adequacy of the Specific Plan's infrastructure improvements.
Policy LU1-4: Mobility. We require development and urban design, where appropriate, that reduces reliance on the automobile and capitalizes on multi-modal transportation opportunities.	**Consistent.** The MERRILL COMMERCE CENTER offers numerous opportunities for non-vehicular circulation, including multi-purpose trails, bikeways, and sidewalks. Class II Bikeways are designed along both sides of the segment of Merrill Avenue located between Carpenter Avenue and Euclid Avenue; along both sides of the segment of Walker Avenue between Merrill Avenue and Edison Avenue; and along the south side of the segment of Eucalyptus Avenue that abuts the northern boundaries of Planning Areas 3A, 4A, 5A, and 6A, as well as sidewalks, multi-purpose trails, and pathways to promote non-vehicular transportation. Multi-purpose trails are provided at the perimeters of MERRILL COMMERCE CENTER to encourage connectivity and circulation by employees, visitors, and the passerby by means not completely dependent on a motorized vehicle.
Policy LU1-5: Jobs-Housing Balance. We coordinate land use, infrastructure, and transportation planning and analysis with regional, county and other local agencies to	**Consistent.** The developer(s) of the MERRILL COMMERCE CENTER will construct roadway and utility improvements in accordance with the City's infrastructure master plans. Furthermore, the MERRILL COMMERCE CENTER will generate employment opportunities for residents of the City and surrounding jurisdictions, and reduce the need for residents in the region to commute to other regions for employment opportunities. Accordingly,

Ontario Plan Policy	Specific Plan Consistency
further regional and subregional goals for jobs-housing balance.	implementation of the MERRILL COMMERCE CENTER Specific Plan will serve to improve the jobs-housing balance within the City and the Inland Empire region.
Policy 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.	**Consistent.** The MERRILL COMMERCE CENTER land use plan provides for Industrial and Business Park land uses that will accommodate a variety of employment uses arranged in a sensible and efficient manner that allow ease of access and complement the surrounding community. With a mixture of Business Park and Industrial uses, the MERRILL COMMERCE CENTER is envisioned to attract local, national, and international businesses, and will assist in diversifying the mix of employment opportunities available in the City.
Policy LU1-7: Revenues and Cost. We require future amendments to our Land Use Plan to be accompanied by analyses of fiscal impacts.	**Consistent.** A fiscal impact analysis was prepared in support of the MERRILL COMMERCE CENTER. Refer to the MERRILL COMMERCE CENTER Specific Plan EIR for a detailed analysis of potential fiscal effects associated with the implementation of the Specific Plan.
Goal LU2: *Compatibility between a wide range of uses.*	
Policy LU2-1: Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan EIR evaluated the potential physical environmental impacts of the implementation of the Specific Plan on the surrounding community in accordance with the California Environmental Quality Act (CEQA). Refer to the MERRILL COMMERCE CENTER Specific Plan EIR for a detailed analysis of impacts to adjacent properties associated with the implementation of the Specific Plan.
Policy LU2-2: Buffers. We require new uses to provide mitigation or buffers between existing uses where potential adverse impacts could occur.	**Consistent.** The MERRILL COMMERCE CENTER provides streetscapes for Eucalyptus Avenue, Merrill Avenue, Carpenter Avenue, and Grove Avenue; primary and secondary corner treatments at Specific Plan entry points; and landscaped screening walls between truck courts and parking areas and adjacent public rights-of-way. Implementation of these features provides a visual buffer between planned on-site Industrial and Business Park

Ontario Plan Policy	Specific Plan Consistency
	land uses, and existing and planned off-site land uses. As such, the MERRILL COMMERCE CENTER is consistent with, and results in the implementation of, this policy.
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.	**Consistent.** Building occupants within the MERRILL COMMERCE CENTER Specific Plan are obligated to comply with all local and State requirements for using, storing, producing, or transporting toxic substances, air emissions, other pollutants, or hazardous materials. As such, the MERRILL COMMERCE CENTER results in the implementation of this policy.
Policy LU2-5: Regulation of Uses. We regulate the location, concentration and operations of uses that have impacts on surrounding land uses.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan EIR evaluated the potential physical environmental impacts of the implementation of the Specific Plan on the surrounding community in accordance with CEQA. Refer to the MERRILL COMMERCE CENTER Specific Plan EIR for a detailed analysis of impacts to adjacent properties associated with the implementation of the Specific Plan.
Policy LU2-6: Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community character.	**Consistent.** Water, sewer, storm drain, and dry utility improvements will be located underground and out of view, with the exception of detention basins and storm water inlets and channels that are required to be exposed at the surface. Several above-ground utility lines will be undergrounded with the implementation of development in the Specific Plan area. Roadway infrastructure improvements are designed to be landscaped with a combination of evergreen and deciduous trees – including flowering varieties – shrubs and groundcovers in an aesthetically-pleasing manner to establish the MERRILL COMMERCE CENTER design theme. Entry corners are designed with an "orchard row" landscape treatment as a nod to south Ontario's agricultural history.
Policy LU2-8: Transitional Areas. We require development in transitional areas to protect the quality of life of current residents.	**Consistent.** The MERRILL COMMERCE CENTER property is surrounded by agricultural uses, dairy operations, the Chino Airport, and existing and planned industrial warehouse uses. Nonetheless, the Specific Plan stipulates landscaping and building setbacks along all of the Specific Plan's perimeter streets that separate the Specific Plan area from adjacent properties. Trucks traveling to and from the MERRILL COMMERCE CENTER are required to utilize the City's approved truck routes, thereby minimizing exposure of nearby residents to truck-related impacts. Development within the MERRILL COMMERCE CENTER

Ontario Plan Policy	Specific Plan Consistency
	must adhere to the Design Guidelines set forth in Chapter 6 of this Specific Plan, which will provide for a high-quality, attractive, and contemporary environment.
Policy 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.** If determined to be necessary, the MERRILL COMMERCE CENTER will be required to implement the mitigation measures identified in the MERRILL COMMERCE CENTER Specific Plan EIR addressing soil remediation and building venting requirements related to methane gas hazards. As such, the MERRILL COMMERCE CENTER Specific Plan is consistent with this policy.
***Goal LU4**: Development that provides short-term value only when the opportunity to achieve our Vision can be preserved.*	
Policy LU4-2: Interim Development. We allow development in growth areas that is not immediately reflective of our ultimate Vision provided it can be modified or replaced when circumstances are right. We will not allow development that impedes, precludes or compromises our ability to achieve our Vision.	**Consistent.** The central theme of the Ontario Vision is "A sustained, community-wide prosperity which continuously adds value and yields benefits." The phased development of the MERRILL COMMERCE CENTER Specific Plan will attract new businesses, provide employment opportunities for residents, contribute the City's tax base, and construct circulation and utility infrastructure improvements that are critical to allow for the growth of the region to continue. As such, the MERRILL COMMERCE CENTER will help the City achieve its Vision by continuously adding value, yielding benefits, and contributing to the prosperity of the City and the Inland Empire region.
Policy LU4-3: Infrastructure Timing. We require that the necessary infrastructure and services be in place prior to or concurrently with development.	**Consistent.** Chapter 7, *Implementation Plan*, of the MERRILL COMMERCE CENTER Specific Plan includes a development phasing plan which requires that infrastructure to support the buildout of the Specific Plan be adequately phased concurrently with development.
***Goal LU5**: Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.*	
Policy LU5-5: Airport Compatibility Planning for ONT. We create and maintain the Airport Land Use Compatibility Plan for ONT.	**Consistent.** The land uses provided by the MERRILL COMMERCE CENTER Specific Plan are consistent with the Airport Land Use Compatibility Plan (ALUCP) requirements for the Ontario International Airport and the Chino Airport. Furthermore, future development on

Ontario Plan Policy	Specific Plan Consistency
Policy 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.	the Specific Plan property would be required to comply with the development standards and design guidelines established in this Specific Plan, as well as the applicable requirements of the City of Ontario Development Code, which would preclude any potential inconsistencies with the Ontario International Airport ALUCP.
Housing Element	
Goal H1: *Stable neighborhoods of quality housing, ample community services and public facilities, well-maintained infrastructure, and public safety that foster a positive sense of identity.*	
Policy H1-4: Historical Preservation. We support the preservation and enhancement of residential structures, properties, street designs, lot configurations, and other reminders of Ontario's past that are considered to be local historical or cultural resources.	**Consistent.** Refer to the MERRILL COMMERCE CENTER Specific Plan EIR for a detailed analysis of impacts to historical and cultural resources that would occur as a result of the implementation of the Specific Plan. If determined to be necessary, development projects within the MERRILL COMMERCE CENTER Specific Plan will be required to implement mitigation measures to reduce impacts to historical and cultural resources to the maximum extent feasible.
Parks & Recreation Element	
Goal PR1: *A system of safe and accessible parks that meets the needs of the community.*	
Policy PR1-15: Trail Connectivity. We strengthen and improve equestrian, bike and multipurpose trail connections within the City and work to improve trail connections into adjacent jurisdictions.	**Consistent.** The MERRILL COMMERCE CENTER includes an 8-foot-wide multi-purpose trail along segments of Merrill Avenue, Eucalyptus Avenue, Grove Avenue, Walker Avenue, and Vineyard Avenue which promotes pedestrian and bicycle connectivity between the Planning Areas and with the surrounding land uses. The multi-purpose trail system provided by the MERRILL COMMERCE CENTER implements the multipurpose trail system shown in Exhibit M-3, *Multipurpose Trails & Bikeway Corridor Plan*, of The Policy Plan.

Ontario Plan Policy	Specific Plan Consistency
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.	**Consistent.** The MERRILL COMMERCE CENTER incorporates a drought-tolerant plant palette and water-efficient irrigation system design to minimize the water demands of planned development. In addition, implementing development projects will be required to comply with the water-efficiency mandates of the California Green Building Standards Code (Title 24), including the provision of water-efficient fixtures. Accordingly, the MERRILL COMMERCE CENTER Specific Plan incorporates water conservation strategies and is consistent with this policy.
Policy ER1-4: Supply-Demand Balance. We require that available water supply and demands be balanced.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan EIR evaluates the impacts of the Specific Plan's implementation related to water supply based on the results of a project-specific water supply assessment. If deemed necessary by the EIR, development within the Specific Plan is required to implement mitigation measures to reduce significant impacts to the water supply to the maximum extent feasible. Therefore, the MERRILL COMMERCE CENTER is consistent with this policy.
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.	**Consistent.** As discussed in detail in the MERRILL COMMERCE CENTER Specific Plan EIR, implementation of the Specific Plan will not result in new, substantial sources of urban runoff, and also will not violate applicable stormwater quality requirements. Also, the MERRILL COMMERCE CENTER includes permeable surfaces (e.g., landscaped areas, water quality/infiltration basins) that would allow surface water to percolate and contribute to recharge of 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.	

Ontario Plan Policy	Specific Plan Consistency
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.	**Consistent.** All sewer conveyance infrastructure needed to serve the MERRILL COMMERCE CENTER will be installed in accordance with City design standards. Accordingly, implementation of the Specific Plan will not violate any applicable waste discharge requirements as detailed in the MERRILL COMMERCE CENTER Specific Plan EIR.
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 ER3-3: 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.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan's design guidelines encourage all new construction to utilize design features, fixtures, appliances, and heating and cooling controls to conserve energy and water. In addition, all development is required to comply with the California Green Building Standards Code (CalGreen).
Policy ER3-6: Generation- Renewable Sources. We promote the use of renewable energy sources to serve public and private sector development.	**Consistent.** Buildings roofs in the Industrial planning areas will be designed to structurally support the installation of solar panels.
Goal ER4: *Improved indoor and outdoor air quality and reduced locally generated pollutant emissions.*	
Policy ER4-1: Land Use. We reduce GHG and other local pollutant emissions through compact, mixed use, and transit-oriented	**Consistent.** The MERRILL COMMERCE CENTER provides employment land uses in close proximity to major transportation corridors (Interstate 10, Interstate 15, State Route 60, State Route 83, State Route 71 and State Route 91) and near BRT Corridors along Edison Avenue and Euclid Avenue. Therefore, the MERRILL COMMERCE CENTER provides local

Ontario Plan Policy	Specific Plan Consistency
development and development that improves the regional jobs-housing balance.	employment opportunities for residents and serves to improve the regional jobs-housing balance. Additionally, the MERRILL COMMERCE CENTER provides an integrated system of sidewalks, bikeways, and multi-purpose trails on internal and perimeter roadways to encourage non-vehicular modes of transportation. Based on the foregoing, the MERRILL COMMERCE CENTER has the potential to reduce vehicle miles traveled, which would reduce tailpipe emissions – a major source of greenhouse gases (GHGs). As such, the MERRILL COMMERCE CENTER would not prevent the City from achieving this Policy Plan goal.
Policy ER4-3: Greenhouse Gases (GHG) Emissions Reductions. We will reduce GHG emissions in accordance with regional, state and federal regulations.	**Consistent.** As described in the MERRILL COMMERCE CENTER Specific Plan EIR, the Specific Plan would be consistent with applicable regional, State, and federal regulations related to the reduction of GHG emissions and would not obstruct implementation of any GHG reduction plans/programs. The MERRILL COMMERCE CENTER is consistent with Policy ER4-3.
Policy ER4-8: Tree Planting. We protect healthy trees within the City and plant new trees to increase carbon sequestration and help the regional/local air quality.	**Consistent.** As part of the development of the MERRILL COMMERCE CENTER, a substantial number of trees will be planted within the Specific Plan area, and in particular along roadway street frontages, near building entrances, and in passenger car parking lots. At primary entry corners, trees will be planted in "orchard rows."
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.	**Consistent.** The MERRILL COMMERCE CENTER property was historically used for agricultural uses, dairy farming, and a commercial trucking operation. Natural habitat is nil. The Specific Plan EIR evaluates impacts to biological resources (including sensitive/protected habitats and species) as a result of the implementation of the Specific Plan and establishes mitigation measures required to reduce significant impacts to the maximum extent feasible.
Policy ER5-2: Entitlement and Permitting Process. We comply with state and federal regulations regarding protected species.	

Ontario Plan Policy	Specific Plan Consistency
Policy ER5-3: Right to Farm. We support the right of existing farms to continue their operations within the New Model Colony.	**Consistent.** Implementation of the MERRILL COMMERCE CENTER Specific Plan would not preclude the continued operation of existing farms within the New Model Colony/Ontario Ranch. Furthermore, the MERRILL COMMERCE CENTER Specific Plan EIR evaluates impacts to surrounding land uses that could potentially occur as a result of the implementation of the MERRILL COMMERCE CENTER Specific Plan and establishes mitigation measures required to reduce significant impacts to the maximum extent feasible.
Policy ER5-4: Transition of Farms. We protect both existing farms and sensitive uses around them as agricultural areas transition to urban uses.	

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.	**Consistent.** The MERRILL COMMERCE CENTER would provide over 376.3 acres of new employment-generating land uses (up to 8,455,000 square feet of building area) in close driving distance to existing and planned residential land uses. The new job opportunities provided within the MERRILL COMMERCE CENTER Specific Plan area will assist the City's efforts to promote job growth and improve the balance between jobs and housing within the City limits.
Policy CE1-12: Circulation. We continuously plan and improve public transit and non-vehicular circulation for the mobility of all, including those with limited or no access to private automobiles.	**Consistent.** BRT Corridors are located along Edison Avenue and Euclid Avenue in close proximity to the Specific Plan. Additionally, the MERRILL COMMERCE CENTER provides Class II Bikeways along both sides of the segment of Merrill Avenue located between Carpenter Avenue and Euclid Avenue; along both sides of the segment of Walker Avenue between Merrill Avenue and Edison Avenue; and along the south side of the segment of Eucalyptus Avenue that abuts the northern boundaries of Planning Areas 3A, 4A, 5A, and 6A, as well as sidewalks, multi-purpose trails, and pathways to promote non-vehicular transportation.

Ontario Plan Policy	Specific Plan Consistency
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.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan provides for the development of the Specific Plan property as a high-quality and contemporary industrial/business park. This Specific Plan's Design Guidelines (refer to Chapter 6) establish criteria for architecture, lighting, signage, and landscape design to promote the development of an attractive industrial/business park with timeless design features that are perceived as an inviting place to work and conduct business.
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.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan requires implementing development projects within the Specific Plan area to be reviewed and approved pursuant to the provisions of the City's Subdivision Ordinance and Development Plan Review process which provides for review by the City's Planning Department which may require the development to demonstrate how each project will create appropriately unique, functional and sustainable places. Furthermore, implementing development projects within the MERRILL COMMERCE CENTER Specific Plan are required to be designed in accordance with the architectural and landscape design guidelines established in Chapter 6, *Design Guidelines*, of this Specific Plan, which will result in a unique, aesthetically attractive, and contemporary industrial/business park that will be highly competitive with similar developments in the region.
Policy 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.	**Consistent.** Implementing development projects within the MERRILL COMMERCE CENTER Specific Plan are required to be designed in accordance with the architectural and landscape design guidelines established in Chapter 6, *Design Guidelines*, of this Specific Plan, which will result in a unique, aesthetically-attractive, and contemporary industrial/business park that reflects high-quality architectural design. As such, the MERRILL COMMERCE CENTER will implement this policy.
Policy CE2-5: Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper	**Consistent.** This Specific Plan defines the entities responsible for the maintenance of publicly and privately-owned improvements within the MERRILL COMMERCE CENTER, including roadways and utility infrastructure. Compliance with the maintenance

Ontario Plan Policy	Specific Plan Consistency
maintenance on private property protects property values.	responsibility matrix established in Chapter 7, *Implementation Plan*, will ensure that all improvements within the Specific Plan area are properly and consistently maintained.
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.	
Goal CE3: *Decision-making deliberations that incorporate the full short-term and long-term economic and fiscal implications of proposed City Council actions.*	
Policy CE3-2: General Plan Amendments. We require those proposing General Plan amendments to disclose reasonably foreseeable impacts through a fiscal analysis.	**Consistent.** A fiscal impact analysis was prepared in support of the MERRILL COMMERCE CENTER. Refer to the MERRILL COMMERCE CENTER Specific Plan EIR for a detailed analysis of potential reasonably foreseeable fiscal effects associated with implementation of this Specific Plan.
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.	**Consistent.** Implementing development within the MERRILL COMMERCE CENTER Specific Plan will be required by law to comply with the California Green Building Standards Code as adopted and implemented by the City. Geotechnical studies were required for the Specific Plan, and are contained as appendices to the Specific Plan EIR.
Policy S1-2: Entitlement and Permitting Process. We follow state guidelines and the California	

Ontario Plan Policy	Specific Plan Consistency
Building Code to determine when development proposals must conduct geotechnical and geological investigations.	
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.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan EIR evaluates flooding impacts that could result from implementation of the MERRILL COMMERCE CENTER Specific Plan, primarily based on the results of a project-specific hydrology study. Where necessary, the MERRILL COMMERCE CENTER Specific Plan EIR incorporates mitigation measures to reduce significant flood hazard-related impacts to the maximum extent feasible. Furthermore, the MERRILL COMMERCE CENTER is required to improve the public storm drain system in accordance with the City's master plan of drainage and as described in Specific Plan Chapter 4, *Infrastructure Plan*.
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.	
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	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan requires implementing development within the Specific Plan area to be reviewed and approved pursuant to the provisions of the City's Subdivision Ordinance and Development Plan Review process which provides for review by the City's Fire Department which may require the

Ontario Plan Policy	Specific Plan Consistency
consideration in the design of streetscapes, sites, open spaces and buildings.	incorporation of fire prevention design elements in 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.	**Consistent.** Development within the MERRILL COMMERCE CENTER Specific Plan is required to comply with the City's Noise Ordinance, building codes, and roadway design standards. Trucks traveling to and from the Specific Plan are required to utilize City-approved truck routes. Furthermore, the MERRILL COMMERCE CENTER Specific Plan EIR evaluates noise impacts that could result from construction and operation of the MERRILL COMMERCE CENTER Specific Plan, primarily based on the results of a project-specific noise study. Where necessary, the MERRILL COMMERCE CENTER Specific Plan EIR incorporates mitigation measures to reduce significant noise impacts to the maximum extent feasible.
Policy S4-4: Truck Traffic. We manage truck traffic to minimize noise impacts on sensitive land uses.	
Policy S4-5: Roadway Design. We design streets and highways to minimize noise impacts.	
Policy S4-6: Airport Noise Compatibility. We utilize information from Airport Land Use Compatibility Plans to prevent the construction of new noise sensitive land uses within airport noise impact zones.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan includes Industrial and Business Park land uses, which are generally not considered noise-sensitive land uses. These land uses are consistent with the ALUCP requirements for the Ontario International Airport and the Chino Airport.
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.	**Consistent.** Construction activities within the Specific Plan will comply with a City-approved construction management plan and building code requirements related to dust control, and will implement all best management practices and mitigation measures identified in the MERRILL COMMERCE CENTER Specific Plan EIR with regard to dust control.
Policy S5-3: Grading in High Winds. We prohibit excavation and grading during strong	

Ontario Plan Policy	Specific Plan Consistency
wind conditions, as defined by the Building Code.	
Goal S6: *Reduced potential for hazardous materials exposure and contamination.*	
Policy S6-6: Location of Sensitive Land Uses. We prohibit new sensitive land uses from locating within airport Safety Zones and near existing sites that use, store, or generate large quantities of hazardous materials.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan includes Industrial and Business Park land uses, which are generally not considered sensitive land uses. These land uses are consistent with the ALUCP requirements for the Ontario International Airport and the Chino Airport. Therefore, the MERRILL COMMERCE CENTER is consistent with this policy.
Policy S6-9: Remediation of Methane. We require development to assess and mitigate the presence of methane, per regulatory standards and guidelines.	**Consistent.** If determined to be necessary, the MERRILL COMMERCE CENTER will be required to implement the mitigation measures identified in the MERRILL COMMERCE CENTER Specific Plan EIR addressing soil remediation and building venting requirements related to methane gas hazards.
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.	**Consistent.** Development within the MERRILL COMMERCE CENTER Specific Plan is required to be reviewed pursuant to the provisions of the City's Subdivision Ordinance and Development Plan Review process which provides for review by the City's Police Department which may require the development to incorporate CPTED in the design of streetscapes, sites, open spaces and buildings.
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:	**Consistent.** The developer(s) of MERRILL COMMERCE CENTER will improve all perimeter streets and new internal streets in accordance with the City's Master Plan of Streets and Highways and City design standards, and would comply with the San Bernardino County

Ontario Plan Policy	Specific Plan Consistency
• 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.	Municipal Separate Storm Sewer System (MS4) Permit and Water Quality Management Plan. As described in Chapter 4, *Infrastructure Plan*, of this Specific Plan, the MERRILL COMMERCE CENTER includes roadway, bikeway, sidewalk, and multi-purpose trail improvements to facilitate efficient vehicular and non-vehicular transportation through and around the Specific Plan area. The MERRILL COMMERCE CENTER Specific Plan EIR is supported by a traffic study that identifies roadway facility improvements and fair share payments that will be the responsibility of the Specific Plan developer(s). Roadway network is designed to operate at acceptable levels of service. All public roadways will be maintained in accordance with City requirements.
Policy M1-2: Mitigation of Impacts. We require development to mitigate its traffic impacts.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan EIR is supported by a traffic study that stipulates the mitigation measures that the Specific Plan's developer(s) will need to implement to address the traffic impacts of implementing development projects.
Policy M1-5: Complete Streets. We work to provide a balanced context sensitive, multimodal transportation network that meets the needs of all users of streets, roads, and highways, including motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods and users of public transportation.	**Consistent.** The MERRILL COMMERCE CENTER's circulation plan encourages mobility via a variety of means. BRT Corridors are located along Edison Avenue and Euclid Avenue in close proximity to the Specific Plan. Additionally, the MERRILL COMMERCE CENTER provides Class II Bikeways along both sides of the segment of Merrill Avenue located between Archibald Avenue and Euclid Avenue; along both sides of the segment of Walker Avenue between Merrill Avenue and Edison Avenue; and along the south side of the segment of Eucalyptus Avenue that abuts the northern boundaries of Planning Areas 3A, 4A, 5A, and 6A, as well as sidewalks, multi-purpose trails, and pathways to promote non-vehicular transportation. Additionally, development within the MERRILL COMMERCE CENTER is required to comply with applicable building codes and standards to accommodate persons with disabilities.

Ontario Plan Policy	Specific Plan Consistency
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.	**Consistent.** The MERRILL COMMERCE CENTER includes the construction of Class II Bikeways along both sides of the segment of Merrill Avenue located between Carpenter Avenue and Euclid Avenue; along both sides of the segment of Walker Avenue between Merrill Avenue and Edison Avenue; and along the south side of the segment of Eucalyptus Avenue that abuts the northern boundaries of Planning Areas 3A, 4A, 5A, and 6A. The bikeways would be provided in conformance with the City's Multipurpose Trails & Bikeway Corridor Plan.
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.	**Consistent.** The MERRILL COMMERCE CENTER provides sidewalks along all perimeter and internal public streets to facilitate safe and convenient pedestrian travel to the Specific Plan area and between the planned Business Park and Industrial land uses. Additionally, the MERRILL COMMERCE CENTER includes an 8-foot multi-purpose trail along segments of Merrill Avenue, Eucalyptus Avenue, Grove Avenue, Walker Avenue, and Vineyard Avenue. All sidewalks and trails will be constructed in accordance with City standards, and landscaping will be spaced to provide motorists and pedestrians with adequate sight lines to promote safe travel.
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 in the Truck Routes Plan.	**Consistent.** Trucks traveling to and from the MERRILL COMMERCE CENTER will be required to utilize City-designated truck routes. Merrill Avenue is a City-designated truck route. The MERRILL COMMERCE CENTER Specific Plan EIR evaluates the traffic- and noise-related impacts resulting from operation of the Specific Plan and identifies mitigation measures to reduce significant impacts to the maximum extent feasible.

Ontario Plan Policy	Specific Plan Consistency
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.	**Consistent.** This Specific Plan includes detailed architectural and landscape design guidelines (refer to Chapter 6) that address all aspects of land development, including site design, architectural design, landscape materials, monuments/entries, signage and lighting to ensure future development within the Specific Plan is aesthetically pleasing, cohesive, and distinctive, yet also complements the existing surrounding development.
Policy 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.	**Consistent.** The MERRILL COMMERCE CENTER is designed to protect the integrity of existing residential land uses within the vicinity of the Specific Plan. Streetscapes along the perimeter roadways include landscape buffers which physically and visually separate off-site areas from planned on-site Business Park and Industrial uses. Additionally, buildings would be sited to minimize adverse effects to nearby residential uses. For example, loading docks would be screened by a combination of building orientation, walls, and landscaping. Furthermore, exterior lighting fixtures would be focused on the Specific Plan property and focused/shielded to prevent light trespass on adjacent properties. The design features provided by the MERRILL COMMERCE CENTER to prevent "edge effects" with surrounding land uses are listed in Chapter 5, *Development Standards*, and Chapter 6, *Design Guidelines*, of this Specific Plan. Accordingly, the MERRILL COMMERCE CENTER will preserve and protect existing sensitive land uses near the Specific Plan property.
Policy CD1-4: Transportation Corridors. We will enhance our major transportation corridors within the City through landscape, hardscape, signage and lighting.	**Consistent.** The MERRILL COMMERCE CENTER includes streetscapes that include landscaping – including evergreen and deciduous trees, low shrubs, and groundcovers – along perimeter and interior streets concurrent with development. The MERRILL COMMERCE CENTER also includes an 8-foot multi-purpose trail along segments of Merrill Avenue, Eucalyptus Avenue, Grove Avenue, Walker Avenue, and Vineyard Avenue. Additionally, Class II bike lanes are provided along both sides of the segment of Merrill Avenue located between Carpenter Avenue and Euclid Avenue; along both sides of the

Ontario Plan Policy	Specific Plan Consistency
	segment of Walker Avenue between Merrill Avenue and Edison Avenue; and along the south side of the segment of Eucalyptus Avenue that abuts the northern boundaries of Planning Areas 3A, 4A, 5A, and 6A. The MERRILL COMMERCE CENTER also provides a series of entry monuments, tenant signage, and corner treatments, which incorporate architectural features (e.g., monument signs) and landscaping to welcome employees and and visitors and establish the Specific Plan's design theme.
Policy CD1-5: View Corridors. We require 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.	**Consistent.** The MERRILL COMMERCE CENTER does not include any design components that would detract from views of the San Gabriel Mountains from major north-south street corridors. As part of build-out of this Specific Plan, landscaping – including trees – would be planted along the major north-south interior and perimeter streets in conjunction with improvements to these roadways.
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 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	**Consistent.** Future development of the MERRILL COMMERCE CENTER will be guided by the Specific Plan's Design Guidelines, which include comprehensive architectural criteria that provide for the development of an attractive, contemporary industrial/business park. The Design Guidelines specifically address architectural style, building form (shape, mass, scale, proportion, articulation), and building materials, colors, and textures to ensure that development is visually appealing and inviting to pedestrians and motorists. The MERRILL COMMERCE CENTER's design theme complements the City of Ontario's character and would not conflict with this policy.

Ontario Plan Policy	Specific Plan Consistency
• Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.	
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 identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.	**Consistent.** As part of implementation of the MERRILL COMMERCE CENTER, existing public streets (Grove Avenue, Walker Avenue, Baker Avenue, Vineyard Avenue, Carpenter Avenue, Merrill Avenue, and Eucalyptus Avenue) will be improved with new travel lanes, medians, bicycle lanes, sidewalks, and multi-purpose trails (to the extent shown in Chapter 4, *Infrastructure Plan*) to ensure safe vehicular and non-vehicular transportation. In addition, the MERRILL COMMERCE CENTER will provide landscaping (trees, shrubs, groundcovers, etc.) along all exterior street frontages and along interior streets to establish the Specific Plan's design theme and create a welcoming visual environment for employees and visitors.
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.	**Consistent.** By nature of its location near regional transportation corridors, close driving distance to residential communities, and its planned mix of employment land uses to serve the surrounding community and region, the MERRILL COMMERCE CENTER is consistent with sustainable, "smart growth" principles. Building roofs of Industrial buildings will be constructed to support the installation of solar panels. Also, the plant palette for the MERRILL COMMERCE CENTER is comprised of drought-tolerant plant species native to Southern California or naturalized to the arid Southern California climate, and the use of turf will be minimized throughout the Specific Plan area, to minimize water use.
Policy 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	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan serves as the framework for implementing development projects in the Specific Plan area, and includes design specifications for sidewalks, building entrances, and lighting.

Ontario Plan Policy	Specific Plan Consistency
visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.	
Policy 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.	**Consistent.** The landscape concept for the MERRILL COMMERCE CENTER incorporates the use of attractive, durable landscaping materials, and an irrigation system designed to keep plant materials in good health while conserving water. Landscaping will be provided throughout the MERRILL COMMERCE CENTER, including along roadways, within passenger car parking lots, at monuments/entries, within common open space areas, and adjacent to buildings.
Policy 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.	**Consistent.** Parking lots, truck courts, and loading areas within the MERRILL COMMERCE CENTER will be designed and constructed in accordance with the requirements of the City's Development Code, and will include landscaping, screening walls, lighting, and well-defined drive aisles and parking spaces.
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.	**Consistent.** The MERRILL COMMERCE CENTER includes building entry treatments, primary and secondary corner treatments, and tenant monument treatments to identify the development and distinguish individual planning areas, in conformance with the intent of Policy CD2-11. The entry treatments, corner treatments, and tenant monuments which are illustrated in Chapter 6, *Design Guidelines*, incorporate landscaping and enhanced signage to provide attractive and distinctive visual statements.
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	**Consistent.** The Design Guidelines for the MERRILL COMMERCE CENTER (refer to Chapter 6 of this Specific Plan) include signage guidelines to ensure that future development will construct clear, concise, easy-to-read signs that reflect and complement the Specific Plan's design theme, provide for safe and efficient circulation of vehicle traffic, and facilitate

Ontario Plan Policy	Specific Plan Consistency
various aspects of the development and complement the character of the structures.	pedestrian travel. Signs will be of high-quality and the use of distracting sign elements, such as flashing lights or moving parts, is prohibited.
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.	**Consistent.** The MERRILL COMMERCE CENTER provides a coordinated, interconnected circulation network for vehicles, bicycles, and pedestrians. All public roadways constructed by the MERRILL COMMERCE CENTER, including sidewalks, trails, and parkways, will be improved as illustrated in Chapter 4, *Infrastructure Plan*, and Chapter 6, *Design Guidelines*, of this Specific Plan and in accordance with City standards. Future development also will be required to comply with City standards related to the location of landscape plantings to ensure that adequate sight lines are provided for motorists and pedestrians.
Policy 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.	**Consistent.** The MERRILL COMMERCE CENTER Design Guidelines establish site planning and landscaping measures to provide efficient, well-defined pedestrian connections that follow a cohesive design theme.
Policy CD3-3: Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan includes an integrated network of sidewalks, multipurpose trails and bikeways that facilitates access to buildings located throughout the Specific Plan using non-vehicular means of transportation. Where appropriate and implemented, the building entry treatment (as depicted in Chapter 6, *Design Guidelines*, of this Specific Plan) provides an enhanced paved path that serves as a direct connection to the adjacent right-of-way.
Policy CD3-5: Paving. We require sidewalks and road surfaces to be of a type and quality	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan requires implementing development within the Specific Plan area to be reviewed and approved pursuant to the provisions of the City's Subdivision Ordinance and Development Plan Review process, which provides for review by the City's Engineering Department which will ensure

Ontario Plan Policy	Specific Plan Consistency
that contributes to the appearance and utility of streets and public spaces.	roadways and sidewalks are designed and constructed to comply with the City's roadway design standards.
Policy CD3-6: Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.	**Consistent.** The MERRILL COMMERCE CENTER utilizes landscaping to establish an attractive, cohesive design theme, as a focal point at building entry treatments, entrance monuments and corner treatments, to buffer on-site land from off-site land uses and adjacent roadway facilities, and to screen objectionable views from public views. Specific landscape design concepts for the MERRILL COMMERCE CENTER are described and illustrated in Chapter 6, *Design Guidelines*, of this Specific Plan.
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.*	
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. **Policy CD5-2: Maintenance of Infrastructure.** We require the continual maintenance of infrastructure.	**Consistent.** This Specific Plan defines the entities responsible for maintenance of publicly and privately-owned improvements within the MERRILL COMMERCE CENTER, including roadways and utility infrastructure. Compliance with the maintenance responsibility matrix established in Chapter 7, *Implementation Plan*, will ensure that all improvements within the Specific Plan area are properly and consistently maintained.

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Planning Department
Land Development Division
Conditions of Approval

Meeting Date: December 22, 2020

File No: PSP18-001

Related Files: PGPA18-003

Project Description: A public hearing to consider certification of the Environmental Impact Report (SCH#. 2019049079), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations, in conjunction with the following: [1] A General Plan Amendment (File No. PGPA18-003) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01), changing the land use designation on 376.3 acres of land from Business Park (0.6 FAR), Office Commercial (0.75 FAR) and General Commercial (0.4 FAR), to Business Park (0.6 FAR) and Industrial (0.55 FAR), and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and [2] A Specific Plan (File No. PSP18-001 – Merrill Commerce Center) to establish the land use districts, development standards, guidelines, and infrastructure improvements for the potential development of up to 8,455,000 square feet of Industrial and Business Park land uses on the project site, generally bordered by Eucalyptus Avenue to the north, Merrill Avenue to the south, Carpenter Avenue to the east, and Grove Avenue to the west. (APN(s): 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05; 1073-111-06); **submitted by Merrill Commerce Center East LLC & Merrill Commerce Center West LLC**

Prepared By: Edmelynne V. Hutter, Senior Planner
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Email: ehutter@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Specific Plan/Specific Plan Amendment. The following shall be submitted to the Planning Department within 30 days following City Council approval of the Specific Plan:

(a) Ten copies of the final Specific Plan document;

(b) One complete, unbound copy of the final Specific Plan document;

(c) One CD containing a complete Microsoft Word copy of the final Specific Plan document, including all required revisions;

(d) Five CDs, each containing a complete PDF copy of the final Specific Plan document, including all required revisions; and

(e) One CD containing a complete electronic website version of the final Specific Plan document, including all required revisions.

2.2 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 any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. 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.

2.3 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH #2019049079) PREPARED FOR THE MERRILL COMMERCE CENTER SPECIFIC PLAN PROJECT AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, WITH A STATEMENT OF OVERRIDING CONSIDERATIONS, AND A MITIGATION MONITORING PROGRAM.

WHEREAS, Merrill Commerce Center East LLC/Merrill Commerce Center West LLC; Liberty Property Limited Partnership (the "Applicant") proposes the Merrill Commerce Center Specific Plan Project ("Project") on a 376.3-acre site in the southern portion of the City of Ontario ("City"); and

WHEREAS, the Project under review considered the following: (1) certification of the Merrill Commerce Center Specific Plan Final Environmental Impact Report ("Final EIR"); (2) approval and adoption of the Merrill Commerce Center Specific Plan; (3) approval of Policy Plan (General Plan) Amendment (Land Use); (4) approval of Parcel Maps; (5) adoption of a Development Agreement; (6) cancellation of the existing Williamson Act Contracts; and (7) any related discretionary approvals; and

WHEREAS, the purpose of the Project is the development and operation of Specific Plan Industrial and Business Park Land Uses on approximately 376.3 acres. The Specific Plan area is apportioned into approximately 292.8 acres of Industrial Land Use; approximately 55.1 acres of Business Park Land Use; and approximately 28.4 acres allocated for Circulation (vehicular and non-vehicular) rights-of-ways, easements, and similar non-building uses; and

WHEREAS, the Project site is located along Merrill Avenue, between Grove Avenue and Carpenter Avenue. Eucalyptus Avenue forms the northerly boundary of the Specific Plan area; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA") (Public Res. Code, §§ 21000 *et seq*.), the State *CEQA Guidelines* (14 CCR §§ 15000 *et seq*.) and the City's Local *CEQA Guidelines*, the City of Ontario is the lead agency for the Project, as the public agency with the principal responsibility for approving the Project; and

WHEREAS, the City prepared The Ontario Plan Final Environmental Impact Report ("TOP EIR") (SCH #2008101140) in association with the 2009 General Plan Update ("GPA") and certified the TOP EIR on January 26, 2010; 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 Merrill Commerce Center Specific Plan for which the public review period ended May 13, 2019. The City received comments from multiple agencies on the NOP; and

WHEREAS, a public scoping meeting was held April 22, 2019, where comments were received; and

WHEREAS, after completing the Draft EIR (SCH#2019049079), the City released the document for public review for a 45-day public comment period, beginning October 8, 2020 and ending on November 23, 2020, by filing a Notice of Availability with the County of San Bernardino Clerk's Office; and

WHEREAS, pursuant to Public Resources Code section 21092, the City also provided a Notice of Availability to all organizations and individuals who had previously requested such notice, and published the Notice of Availability on or about October 8, 2020, in the Inland Valley Daily Bulletin, a newspaper of general circulation in the Project area; and

WHEREAS, pursuant to City of Ontario Local *CEQA Guidelines*, the Notice of Completion was mailed to all residents and property owners within 600 feet of the Project. Copies of the Draft EIR were provided to public agencies, organizations, and individuals. In addition, the City placed copies of the Draft EIR at the City of Ontario Planning Department, San Bernardino County Clerk's Office, and Public Library Main Branch; and

WHEREAS, during the 45-day comment period on the Draft EIR, the City consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies, and others pursuant to State *CEQA Guidelines* section 15086; and

WHEREAS, during the official public review period for the Draft EIR, the City received four (4) written comment letters, all of which the City responded to in the Final EIR; and

WHEREAS, the City prepared the Final EIR and, pursuant to Public Resources Code section 21092.5, the City provided copies of the Final EIR to all commenting agencies; and

WHEREAS, the City provided a Notice of Public Hearing and/or Intent to Certify an Environmental Impact Report to all organizations and individuals who had previously requested such notice, and published the Notice of Public Hearing on or about January 12, 2021, in the Inland Valley Daily Bulletin, a newspaper of general circulation in the Project area; and

WHEREAS, all potentially significant adverse environmental impacts were sufficiently analyzed in the Final EIR; and

WHEREAS, the City of Ontario Planning Commission conducted a public hearing on December 22, 2020, and concluded said hearing on that date. After considering all public testimony, the Planning Commission issued Resolution No. PC20-094, recommending City Council certification of the Project EIR; and

WHEREAS, on February 2, 2021, 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 Final EIR which the City finds are less-than-significant and do not require mitigation are described in Sections IIII(B) and III(C) hereof; and

WHEREAS, environmental impacts identified in the Final 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 Final EIR and set forth herein and in the Mitigation Monitoring Program, attached hereto as Exhibit A, are described in Section III(D) hereof; and

WHEREAS, environmental impacts identified in the Final 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 EIR and set forth herein, are described in Section III(E) hereof; and

WHEREAS, alternatives to the Project that might eliminate or reduce significant environmental impacts are described in Section IV hereof; and

WHEREAS, because some environmental impacts identified in the Final 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 Final 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 VII 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 Final EIR, and all oral and written evidence presented to it during all meetings and hearings on the Project; and

WHEREAS, the Final 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 — INTRODUCTION

The California Environmental Quality Act (CEQA) requires that a number of written findings be made by the lead agency in connection with certification of an environmental impact report (EIR) prior to approval of a project pursuant to Public Resources Code Section 21081 and Sections 15091 and 15093 of the *CEQA Guidelines* (14 Cal Code Regs 15091 et seq). This document provides the findings required by CEQA. The potential environmental effects of the proposed Merrill Commerce Center Specific Plan Project (Project) have been analyzed in a Draft Environmental Impact Report (DEIR) (State Clearinghouse [SCH] 2019049079) dated October 2020. A Final EIR has also been prepared that incorporates the Draft EIR and contains comments received on the DEIR, responses to the individual comments, revisions to the DEIR including any clarifications based on the comments and the responses to the comments, and the Mitigation Monitoring Program for the proposed Project (MMP). This document provides the findings required by CEQA for approval of the proposed Project.

A. STATUTORY REQUIREMENTS FOR FINDINGS

1. The CEQA (Pub. Res. Code §§ 21000, *et seq.*) and the State *CEQA Guidelines* (Guidelines) (14 Ca. Code Regs §§ 15000, *et seq.*) promulgated thereunder, require the environmental impacts of a project be examined before a project is approved. Specifically, regarding findings, Guidelines Section 15091 provides:

a. No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the 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. The possible findings are:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

b. The findings required by subsection (a) shall be supported by substantial evidence in the record.

c. The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

d. When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

e. The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.

f. A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

2. The “changes or alterations” referred to in Section 15091(a)(1) above, that are required in, or incorporated into, a project which mitigate or avoid the significant environmental effects of a project, may include a wide variety of measures or actions as set forth in Guidelines Section 15370, including:

a. Avoiding the impact altogether by not taking a certain action or parts of an action.

b. Minimizing impacts by limiting the degree or magnitude of the action and its implementation.

c. Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.

d. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

e. Compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements.

3. Regarding a Statement of Overriding Considerations, Guidelines Section 15093 provides:

a. CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

b. When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

c. If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

B. FINDINGS

Public Resources Code section 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."

Agencies demonstrate compliance with section 21002's mandate by adopting findings before approving projects for which EIRs are required. (See Pub. Resources Code, § 21081, subd. (a); State *CEQA Guidelines* § 15091, subd. (a).) The approving agency must make written findings for each significant environmental effect identified in an EIR for a proposed project and must reach at least one of three permissible conclusions. The

first possible finding is that "[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (State *CEQA Guidelines* § 15091, subd. (a)(1).) The second permissible finding is that "[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding" and that "[s]uch changes have been adopted by such other agency or can and should be adopted by such other agency." (State *CEQA Guidelines* § 15091, subd. (a)(2).) The third potential conclusion is that "[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR." (State *CEQA Guidelines* § 15091, subd. (a)(3).)

Agencies must not adopt a project with significant environmental impacts if feasible alternatives or mitigation measures would substantially lessen the significant impacts. Public Resources Code section 21061.1 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." State *CEQA Guidelines* section 15364 adds "legal" considerations as another indicium of feasibility. (See also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565.) Project objectives also inform the determination of "feasibility." (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417.) Further, "'feasibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*Id.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) An agency need not, however, adopt infeasible mitigation measures or alternatives. (State *CEQA Guidelines* § 15091, subds. (a), (b).) Further, 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.)

Notably, section 21002 requires an agency to "substantially lessen or avoid" significant adverse environmental impacts. Thus, mitigation measures that "substantially lessen" significant environmental impacts, even if not completely avoided, satisfy section 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 Federation, 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").)

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (State *CEQA Guidelines* § 15091, subds. (a), (b).) 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*, *supra*, 52 Cal.3d at p. 576.)

Having received, reviewed, and independently considered the EIR for the Merrill Commerce Center Specific Plan Project, State Clearinghouse No. 2019049079, as well as other information in the record of proceedings on this matter, the City of Ontario City Council (City Council) adopts the following Findings (Findings) and Statement of Overriding Considerations, in its capacity as the legislative body for the City of Ontario (City), which is the CEQA Lead Agency. The Findings and Statements of Overriding Considerations set forth the environmental and other bases for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the proposed Project.

C. PROJECT ENVIRONMENTAL REPORT AND DISCRETIONARY ACTIONS

The Final EIR (FEIR) addresses the direct, indirect, and cumulative environmental effects of construction and operation activities associated with the proposed Project. The FEIR provides the environmental information necessary for the City to make a final decision on the requested discretionary actions for all phases of this Project. The FEIR was also intended to support discretionary reviews and decisions by other responsible agencies. Discretionary actions to be considered by the City may include, but are not limited to, the following:

- Certify that the FEIR for the proposed Project has been completed in compliance with CEQA, and reflects the independent judgement and analysis of the City; find that the City Council has reviewed and considered the information contained in the FEIR prior to approving the Project; adopt the Mitigation Monitoring Program, finding that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during Project implementation; and determine that the significant adverse effects of the Project either have been reduced to an acceptable level, or are outweighed by the specific overriding considerations of the Project as outlined in the CEQA Findings of Fact and Statement of Overriding Considerations, as set forth herein.

- Approve the proposed Project and related discretionary actions needed for Project construction and operation.

SECTION II — PROCEDURAL COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City published a DEIR on October 8, 2020. A FEIR was prepared in January 2021 in compliance with CEQA requirements. The FEIR has been prepared in accordance with CEQA and the *CEQA Guidelines*, as amended. As authorized in State *CEQA Guidelines* Section 15084(d)(2), the City retained a consultant to assist with the preparation of the environmental documents. City staff from multiple departments, representing the Lead

Agency, have directed, reviewed, and modified where appropriate all material prepared by the consultant. The FEIR reflects the City's independent analysis and judgement. The key milestones associated with the preparation of the EIR are summarized below. As presented below, an extensive public involvement and agency notification effort was conducted to solicit input on the scope and content of the EIR and to solicit comments on the results of the environmental analysis presented in the DEIR.

A. PUBLIC NOTIFICATION AND OUTREACH

In conformance with CEQA, the State *CEQA Guidelines*, and the City of Ontario *CEQA Guidelines*, the City of Ontario conducted an extensive environmental review of the proposed Project.

- Completion of a Notice of Preparation (NOP) on April 12, 2019. The public review period extended from April 12, 2019, to May 13, 2019. The NOP was published in the Inland Valley Daily Bulletin on April 12, 2019. The NOP was posted at the San Bernardino County Clerk's office on April 12, 2019. Copies of the NOP were made available for public review at the City of Ontario, the City's website, and at the Ovitt Family Community Library, 215 East "C" Street, Ontario, CA.

- Completion of the scoping process where the public was invited by the City to participate in a scoping meeting held on April 22, 2019 at 6:00 PM at the Ontario Police Department Community Room, 2500 South Archibald Avenue, Ontario, CA 91761.

- Preparation of a DEIR, which was made available for a 45-day public review period beginning October 8, 2020, and ending November 23, 2020. The scope of the DEIR was determined based on the *CEQA Guidelines* Appendix G Checklist, comments received in response to the NOP, and comments received at the scoping meeting conducted by the City of Ontario. Section 2.3 of the DEIR describes the issues identified for analysis in the DEIR. The Notice of Availability (NOA) for the DEIR was posted at the San Bernardino County Clerk's office on October 8, 2020 and published in the Inland Valley Daily Bulletin on October 8, 2020. The NOA and DEIR were sent to interested persons and organizations, sent to the State Clearinghouse in Sacramento for distribution to public agencies, posted at the City of Ontario, made available on the City's website, and Ovitt Family Community Library, 215 East "C" Street, Ontario, CA.

- Preparation of a FEIR, including the responses to comments to the DEIR and revisions to the DEIR were prepared in January 2021. The FEIR was released for a 10-day agency review period prior to certification of the FEIR.

- Public hearings on the Project, including a Planning Commission hearing on December 22, 2020 and a City Council hearing on February 2, 2021.

In summary, the City conducted all required noticing and scoping for the proposed Project in accordance with Section 15083 of the *CEQA Guidelines*, and conducted the public review for the EIR, which exceeded the requirements of Section 15087 of the *CEQA Guidelines*.

B. FINAL ENVIRONMENTAL IMPACT REPORT AND CITY COUNCIL PROCEEDINGS

The City prepared a FEIR, including Responses to Comments to the DEIR. The FEIR/Response to Comments contains comments on the DEIR, responses to those comments, revisions to the DEIR, and appended documents. A total of four comment letters were received. All letters were from public agencies.

The FEIR found that prior to mitigation, implementation of the proposed Project will result in potentially significant impacts to Agricultural Resources, Air Quality, Biological Resources, Cultural/Tribal Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Noise, and Transportation. However, mitigation measures (MMs) have been developed to avoid or reduce all of these impacts to levels considered less-than-significant, with the exception of Agricultural Resources, Air Quality, Cultural (Historic) Resources, Greenhouse Gas Emissions, Noise, and Transportation.

Members of the public can view searchable agendas for scheduled City Council meetings and access agenda-related City information and services directly on the following website: https://www.ontarioca.gov/Agendas/CityCouncil.

The FEIR document will be posted for viewing and download with the previously posted DEIR prior to the City's consideration of the FEIR and Project recommendations on the City's website.

A date for consideration of the FEIR and Project recommendations at the City Council was set for the proposed Project and notice of the meeting was provided consistent with the Brown Act (Government Code Sections 54950 et seq.). The City Council will take testimony on the proposed Project and may continue on its calendar to a subsequent meeting date in its discretion.

C. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the 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 DEIR and FEIR for the proposed Project.
- All written comments submitted by agencies or members of the public during the public review comment period on the DEIR.
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the DEIR.

- All written and verbal public testimony presented during noticed public hearings for the proposed Project.

- The Mitigation Monitoring Program.

- The reports and technical memoranda included or referenced in the FEIR.

- All documents, studies, EIRs, or other materials incorporated by reference in the DEIR and FEIR.

- 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 Public Resources Code Section 21167.6(e).

D. CUSTODIAN AND LOCATION OF RECORDS

The documents and other materials that constitute the administrative record for the City's actions related to the Project are at the City of Ontario – Planning Department, 303 East "B" Street, City of Ontario. 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 Public Resources Code Section 21081.6(a)(2) and Guidelines Section 15091(e).

E. PROJECT LOCATION

The Merrill Commerce Center Specific Plan Project (Project, Specific Plan) proposes development and operation of Specific Plan Industrial and Business Park Land Uses on approximately 376.3 acres located in the City of Ontario. The City of Ontario is located approximately 40 miles east of downtown Los Angeles, 20 miles west of downtown San Bernardino, and 30 miles east 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 (I-10) to the north, I-15 approximately 3 miles to the east, and State Route 71 (SR-71) approximately 3.5 miles to the southwest. SR-71 connects the Project site to Interstate 91 (I-91) in unincorporated Riverside County.

The Project site is in the southwestern portion of Ontario, immediately north of the City of Chino in San Bernardino County. The Project site is located along Merrill Avenue, between Grove Avenue and Carpenter Avenue. Eucalyptus Avenue forms the northerly boundary.

F. PROJECT OBJECTIVES

The following objectives have been established for the proposed Merrill Commerce Center Specific Plan and will aid decision makers in their review of the Project and associated environmental impacts:

- Implement a Specific Plan development supporting business park and industrial uses providing a broad range of long-term employment opportunities.
- Implement business park and industrial uses providing a broad range of additional construction employment opportunities.
- Provide safe and convenient access for trucks in a manner that minimizes any potential disruption to residential areas.
- Provide business park and industrial uses near existing roadways and freeways to reduce traffic congestion and air emissions.
- Facilitate goods movement locally, regionally, nationally, and internationally.
- Provide land uses that are compatible with surrounding land uses and that would not conflict with the policies and environmental constraints identified in the Policy Plan.
- Support the Policy Plan vision for urbanization of the Ontario Ranch area of the City.
- Establish new development that would further the City's near-term and long-range fiscal goals.
- Improve the regional jobs/housing balance.

G. PROJECT DESCRIPTION

The Project proposes development and operation of Specific Plan Industrial and Business Park Land Uses on approximately 376.3 acres located in the City of Ontario, within San Bernardino County. The Specific Plan area is apportioned into approximately 292.8 acres of Industrial Land Use; approximately 55.1 acres of Business Park Land Use; and approximately 28.4 acres allocated for Circulation (vehicular and non-vehicular) rights-of-ways, easements, and similar non-building uses.

The Specific Plan area would be developed with the following uses:

- **Industrial:** Approximately 6,312,600 square feet of high-cube fulfillment center warehouse use, and approximately 701,400 square feet of high-cube cold storage warehouse use.

- **Business Park:** Approximately 1,441,000 square feet of mixed uses including merchant wholesale, professional services, professional office, warehouse/storage, and research and development.

SECTION III — CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

A. FORMAT

Section 15091 of the *CEQA Guidelines* requires that a Lead Agency make a finding for each significant effect for the Project. This section summarizes the significant environmental impacts of the Project, describes how these impacts are to be mitigated, and discusses various alternatives to the proposed Project, which were developed in an effort to reduce the remaining significant environmental impacts. All impacts are considered potentially significant prior to mitigation unless otherwise stated in the findings.

This remainder of this section is divided into the following subsections:

- **Section B, Issues Deemed "No Impact" or "Less-Than-Significant Impact,"** presents topical areas that would result in no impact or less-than-significant impacts, as identified in the Initial Study and in Section 1 of the DEIR.

- **Section C, Findings on "No Impact" and "Less-Than-Significant Impacts,"** presents environmental issues, as detailed in Section 4 of the DEIR, which would result in no impact or less-than-significant impacts.

- **Section D, Findings on Impacts Mitigated to Less-Than-Significant,** presents significant impacts of the proposed Project that were identified in Section 4 of the DEIR, the mitigation measures identified in the Mitigation Monitoring Program, and the rationales for the findings.

- **Section E, Significant and Unavoidable Impacts that Cannot be Mitigated to Below the Level of Significance,** presents significant impacts of the proposed Project that were identified in the DEIR, the mitigation measures identified in the Mitigation Monitoring Program, the findings for significant impacts, and the rationales for the findings.

- **Section IV, Alternatives to the Proposed Project,** presents alternatives to the Project and evaluates them in relation to the findings set forth in Section 15091(a)(3) of the State *CEQA Guidelines*, which allows a public agency to approve a project that would result in one or more significant environmental effects if the alternatives are found to be infeasible because of specific economic, social, or other considerations.

- **Section V, Cumulative Impacts,** presents a discussion of cumulative impacts of the proposed Project.

- **Section VI, Growth-inducing Impacts and Significant Irreversible Environmental Changes,** presents a description of the proposed Project's growth-inducing impacts and commitment of resources.

- **Section VII, Statement of Overriding Considerations,** presents a description of the proposed Project's significant and unavoidable adverse impacts and the justification for adopting a statement of overriding considerations.

- **Section VIII, Findings on Responses to Comments on the DEIR and Revisions to the FEIR,** presents the City's findings on the response to comments and revisions to FEIR, and decision on whether a recirculated DEIR is necessary or not.

- **Section IX, Certification of the EIR,** certifies that the City Council finds that it has reviewed and considered the Final EIR in evaluating the proposed Specific Plan, that the Final EIR is an accurate and objective statement that fully complies with CEQA, State *CEQA Guidelines* and the City's local *CEQA Guidelines* and that the Final EIR reflects the independent judgment of the City Council.

- **Section X, Custodian of Record,** sets forth the location of the record of proceedings and custodian of record.

- **Section XI, Mitigation Monitoring Program,** presents the Mitigation Monitoring Program attached to this Resolution as Exhibit A.

- **Section XII, Staff Direction,** provides staff direction to post the Notice of Determination.

B. ISSUES DEEMED NO IMPACT OR LESS-THAN-SIGNIFICANT IMPACT

In accordance with Section 15128 of the *CEQA Guidelines*, as described in Section 1 and Appendix A of the DEIR, the City concluded that Project impacts related to the following topical environmental issues would result in no impact or would be less-than-significant: Aesthetics, Agriculture and Forest Resources, Air Quality, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire. Since the following environmental issue areas were determined to have no impact or a less-than-significant impact, no findings for these issues are required. These findings will nevertheless fully account for all such effects identified in the Draft EIR in this Section III(B). Thus, the City Council hereby finds that the following potential environmental impacts of the Project are less than significant and do not require the imposition of mitigation measures:

1. Aesthetics

a. Thresholds. Would the Project have a substantial adverse effect on a scenic vista; substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; in a non-urbanized area, substantially degrade the existing visual character or quality of the site and its surroundings; and create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

b. Explanation. As substantiated in the Initial Study, there are no scenic vistas within the Project site, nor would the Project otherwise adversely affect a designated scenic vista. There are no highways designated as scenic within the Project site vicinity. Nor does the Project propose or require facilities or operations that would otherwise substantially damage scenic resources. The Project is located in an urbanized area and is subject to the provisions of the City of Ontario Policy Plan; conformance with the Specific Plan 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. Additionally, although the proposed Project would introduce new sources of light and glare, the Specific Plan includes design guidelines and standards for lighting of onsite areas and the proposed Project would be subject to the City's Development Code. All development proposals would also be reviewed by the City for conformance with applicable light/glare provisions of the Compatibility Plan for Chino Airport. Therefore, aesthetic impacts would be less-than-significant.

c. Finding. The proposed Project would have a less-than-significant direct, indirect, and cumulative impacts relating to aesthetics. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Initial Study, pp. 3-5 – 3-7; Draft EIR, pp. 1-34 – 1-35.)

2. Agriculture and Forest Resources

a. Thresholds. Would the Project conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned "Timberland Production;" result in the loss of forest land or conversion of forest land to non-forest use; or 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?

b. Explanation. There is currently no land in the City of Ontario that qualifies as forest land or timberland. Neither the Policy Plan nor the City's Development Code provide such designations. The Project does not involve other changes to the environment which could result in the conversion of farmland or forest land to other uses.

c. Finding. The proposed Project would have less-than-significant direct, indirect, and cumulative impacts relating to forestry resources. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Initial Study, pp. 3-8 – 3-10; Draft EIR, p. 1-36.)

3. Air Quality

a. Threshold. Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

b. Explanation. Temporary, short-term odor releases are potentially associated with Project construction activities. Potential sources of odors associated with construction activities would include, but not be limited to: asphalt/paving materials, glues, paint, and other architectural coatings. Construction-source odor impacts are minimized through compliance with established regulations addressing construction materials storage, use, and disposal. Uses typically considered to be sources of odors or other emissions that could adversely affect a substantial number of people include agricultural operations, cement plants, wastewater treatment plants, and the like. The Project proposes none of these. Rather, the Project would implement contemporary high-cube fulfillment center warehouse and business park uses and would be in compliance with SCAQMD Rule 402. Therefore, impacts would be less-than-significant.

c. Finding. The proposed Project would have a less-than-significant direct, indirect, and cumulative impacts relating to odors. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Initial Study, pp. 3-10 – 3-12; Draft EIR, pp. 1-36 – 1-37.)

4. Cultural Resources

a. Threshold. Would the Project disturb any human remains, including those interred outside of formal cemeteries?

b. Explanation. There are no known formal cemeteries or informal burial sites within the Project site or in off-site areas that would likely be affected by Project construction activities. The likelihood of encountering human remains in the course of Project development is therefore considered minimal. Further, the proposed Project would comply with California Health and Safety Code Section 7050.5, and Public Resources Code Section 5097.98 which 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. Therefore, impacts to human remains would be less-than-significant.

c. Finding. The proposed Project would have a less-than-significant direct, indirect, and cumulative impacts relating to cultural resources. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Initial Study, p. 3-16; Draft EIR, pp. 1-37 – 1-38.)

5. Geology and Soils

a. Thresholds. Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault; directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving landslides; or 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?

b. Explanation. There are no active faults known on the site and the Project site is located outside the Fault Rupture Hazard Zone (formerly Alquist-Priolo Zone). The Project does not propose actions or facilities that would otherwise exacerbate known or probable adverse earthquake fault conditions. The Project site topography evidences little internal difference, with a general northeast to southwest downward trending slope. Elevations within the Project site range from approximately 672 feet above mean sea level (amsl) at the northeast corner of the Project site, to approximately 632 feet amsl at the southwest corner of the Project site. The Project site is not considered internally susceptible to land sliding. Any slopes manufactured in the course of Project development would be subject to review and approval by the City Building Department to ensure their stability. Therefore, impacts would be less-than-significant.

Project construction activities would temporarily expose underlying soils, thereby increasing their susceptibility to erosion. Potential erosion impacts incurred during construction activities are mitigated below the level of significance through the Project's mandated compliance with a City-approved Storm Water Pollution Prevention Plan (SWPPP), as well as compliance with SCAQMD Rules that prohibit grading activities and site disturbance during high wind events.

The Project would be served by municipal sewer services. No septic tanks or other alternative wastewater disposal systems are proposed by the Project. On this basis, there is considered to be no potential for the Project to affect or be affected by soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems.

c. Finding. The proposed Project would have a less-than-significant direct, indirect, and cumulative impacts relating to geology and soils (rupture of known earthquake fault, landslides, or septic tanks). Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Initial Study, pp. 3-19 – 3 -21; Draft EIR, pp. 1-38 – 1-39.)

6. Hazards and Hazardous Materials

a. Threshold. Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

b. Explanation. The Project site is located in an urbanizing area, and no wildlands are located in the vicinity of the Project site. Fire protection services are provided to the City and the Project site by the Ontario Fire Department. Preconstruction coordination with Fire Department staff and adherence to local fire regulations during construction and operation of the Project would be required. The City and Fire Department would require that fire prevention/fire suppression measures are incorporated in the Project designs and that water delivery systems serving the Project site provide adequate fire flow.

c. Finding. The proposed Project would have a less-than-significant direct, indirect, and cumulative impacts relating to wildland fires. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Initial Study, p. 3-26; Draft EIR, pp. 1-39 – 1-40.)

7. Hydrology and Water Quality

a. Thresholds. 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; or 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 result in substantial erosion or siltation on- or off-site?

b. Explanation. Direct additions or withdrawals of groundwater are not proposed by the Project. Further, construction proposed by the Project would not involve substructures or other intrusions at depths that would significantly impair or alter the direction or rate of flow of groundwater. 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.

Project construction activities would temporarily expose underlying soils, thereby increasing their susceptibility to erosion. Potential erosion impacts incurred during construction activities are mitigated below the level of significance through the Project's mandated compliance with a City-approved Storm Water Pollution Prevention Plan (SWPPP), as well as compliance with SCAQMD Rules that prohibit grading activities and site disturbance during high wind events.

c. Finding. The proposed Project would have less-than-significant direct, indirect, and cumulative impacts relating to groundwater supplies and drainage. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Initial Study, pp. 3-28 – 3.29; Draft EIR, pp. 1-40 – 1-41.)

8. Land Use and Planning

a. Threshold. Would the Project physically divide an established community?

b. Explanation. Physical arrangement of surrounding areas would not be modified or otherwise affected by the Project. Pursuant to the Specific Plan as approved by the City, the Project would establish a pattern of cohesive and complementary land uses. The Specific Plan configuration and orientation of land uses, combined with integral development standards and design guidelines, act to preclude division or disruption of an established community, whether that community be internal or external to the Project site.

c. Finding. The proposed Project would have no significant direct, indirect, and cumulative impacts relating to the division of an established community. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Initial Study, p. 3-30; Draft EIR, p. 1-41.)

9. Mineral Resources

a. Thresholds. Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and to the residents of the state; and result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

b. Explanation. There are no known mineral resources either on the site or in the immediate vicinity of the site that would be impacted by the proposed Project. The Project site is located in MRZ-3. Mineral resources in the City are limited to construction aggregates such as sand and gravel.

c. Finding. The proposed Project would have no significant direct, indirect, and cumulative impacts relating to mineral resources. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Initial Study, pp. 3-31 – 3-32; Draft EIR, pp. 1-41 – 1-42.)

10. Population and Housing

a. Threshold. Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

b. Explanation. Limited single-family residential uses (fewer than 20 single-family residences) exist within the Project site. These residences are ancillary to the site's current dairy/agricultural/trucking operations and would be demolished along with all other surface improvements as part of the Project site preparation activities. The loss of these residential units in the context of the City's existing 50,000 +/- housing units is not considered substantial.

c. Finding. The proposed Project would have no significant direct, indirect, and cumulative impacts relating to population and housing. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Initial Study, p. 3-35; Draft EIR, p. 1-42.)

11. Public Services

a. Threshold. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts for fire protection; police protection; schools; parks; or other public facilities?

b. Explanation. Fire suppression and emergency response services for the Project would be provided by the Ontario Fire Department. Police protection services for the Project would be provided by the Ontario Police Department.

The Ontario Plan Draft EIR recognizes the potential for development pursuant to the Ontario Plan, including development of the Ontario Ranch (formerly known as New Model Colony, NMC) area encompassing the Project site, to result in increased demands for fire protection and police protection services.

The Project site is not designated or proposed as the location for new or modified fire protection or police protection facilities. Incremental fire and police protection service demands generated by the Project are offset through Project payment of City of Ontario General City (GC) Development Impact Fees. The Project Applicant would pay incumbent City GC Development Impact Fees at issuance of building permit(s).

Additionally, the Project site plan concept and proposed building designs would be reviewed by both the Ontario Fire and Ontario Police Departments to ensure incorporation of appropriate fire prevention and suppression requirements, safety and security elements, thereby reducing potential increased demands for fire and police protection services.

The Project does not propose residential development and would not directly contribute to resident populations that would generate additional students. Further, Project incremental impacts to school services would be offset through payment of school impact fees.

Uses proposed by the Project would not increase demands for parks or parks services. Development of the Project would require established public agency oversight including, but not limited to, various plan check and permitting actions by the City. Impacts of the Project would fall within routine tasks of these agencies/departments and are paid for via plan check and inspection fees. Impacts of the Project would not be of such magnitude that new or physically altered facilities would be required. There are no known or probable other public facilities that would be substantially affected by the Project.

c. Finding. The proposed Project would have no significant direct, indirect, and cumulative impacts relating to fire protection, police protection, schools, parks, or other public facilities. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Initial Study, pp. 3-36 – 3.40; Draft EIR, pp. 1-42 – 1-45.)

12. Recreation

a. Thresholds. Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial deterioration of the facility would occur or be accelerated; and include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

b. Explanation. The Project does not propose residential development and would not directly contribute to resident populations that would increase the use of existing neighborhood and regional parks or other recreational facilities. The proposed Project does not include any recreational facilities nor result in the expansion of any existing recreational facilities.

c. Finding. The proposed Project would have no significant direct, indirect, and cumulative impacts relating to recreational facilities. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Initial Study, p. 3-41; Draft EIR, pp. 1-45 – 1-46.)

13. Wildfire

a. Thresholds. Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan; due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; 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; or 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?

b. Explanation. CAL FIRE maintains California Fire Hazard Severity Zone Maps, including maps for State responsibility areas, as well as local responsibility areas. As shown on the State responsibility map for southwestern San Bernardino County, the Project is not located within or near a state responsibility area, or within an area classified as a very high fire hazard severity zone. All development within the Specific Plan area would be required to comply with City building and Fire Codes. All building plans within the City are reviewed by the Ontario Fire Department to ensure their compliance with the City's fire code.

c. Finding. The proposed Project would have no significant direct, indirect, and cumulative impacts relating to wildfire. Accordingly, no changes or alterations to the proposed Project were required to avoid or substantially lessen any significant environmental impacts under those thresholds. (Initial Study, p. 3-48; Draft EIR, pp. 1-46 – 1-47.)

C. FINDINGS ON "NO IMPACT" AND "LESS-THAN-SIGNIFICANT IMPACTS"

Based on the environmental issue area assessment in the DEIR, the City determined that the proposed Project would have no impact or less-than-significant impacts, including direct, indirect, and cumulative impacts, for the environmental issues summarized below. The rationale for the conclusion that no significant impact would occur in each of the issue areas is based on the environmental evaluation in the listed topical EIR sections in Section 4 of the DEIR.

Those issues include the following topical areas in their entirety or portions thereof: Agricultural Resources, Air Quality, Biological Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Transportation, and Utilities and Service Systems. *CEQA Guidelines* Section 15901 requires that an EIR may not be certified for a project which has one or more significant environmental effects unless one of three possible findings is made for each significance effect. Since the following environmental issue areas were determined to have no impact or a less-than-significant impact in the DEIR, no findings for these issues are required. These findings will nevertheless fully account for all such effects identified in the Draft EIR in this Section III(C). Thus, the City Council hereby finds that the following potential environmental impacts of the Project are less than significant and do not require the imposition of mitigation measures:

1. Agricultural Resources

a. Impact: Conflict with existing zoning for agricultural use, or a Williamson Act contract.

(1) Explanation. The Project site is Zoned Specific Plan, with an Agricultural Overlay Zoning District. If the proposed Specific Plan is approved by the City, the site's current Agricultural Overlay designation would no longer be appropriate and would be removed. Because the Project would implement a Specific Plan development that would be consistent with the Policy Plan as amended under the Project, the Project similarly would have no impact on agricultural zoning designations.

There are two active Williamson Act Contracts located within the site, which collectively make up a 37.35 acre property. One contract involves a property that is currently developed as a commercial trucking operation and is not used for agricultural purposes. Cancellation of this Contract would have no effect on farmlands and would not result in conversion of agricultural uses to urban uses.

A notice of non-renewal for the remaining Contract was recorded in 2017, starting the process to terminate this Contract. The cancellation of the Contract itself is not a significant impact, particularity in light of the previously-filed notice of nonrenewal.

(2) Finding. The Project's potential to conflict with existing zoning for agricultural use, or a Williamson Act contract is considered less-than-significant (DEIR at pp. 4.11-28 – 4.11-30).

2. Air Quality

a. Impact: Expose sensitive receptors to substantial pollutant concentrations.

(1) Explanation. Sensitive receptors nearest the Project site would not be subject to emissions exceeding SCAQMD LSTs. Based on the area of disturbance, distance to receptors, and applicable thresholds, maximum daily localized construction-source emissions impacts were identified. As indicated at Draft EIR Table 4.3-12, localized Project construction-source emissions would not exceed applicable LSTs and would therefore be less-than-significant. Maximum daily localized operational-source emissions impacts are summarized at Table 4.3-12. The operational-source LST analysis includes on-site sources only; however, CalEEMod outputs do not separate on-site and off-site emissions from mobile sources. In an effort to establish a likely maximum potential impact scenario, the emissions estimates presented at Draft EIR Table 4.3-13 represent all on-site Project-related stationary (area) sources and Project-related mobile sources. Modeling based on these assumptions demonstrates that even within broad encompassing parameters, Project operational-source emissions would not exceed applicable LSTs.

Nor would the Project create or result in localized CO hot spots as the Project would not produce the volume of traffic required to generate a CO hot spot either in the context of the 2003 Hot Spot Analysis or based on representative Bay Area Air Quality Management District CO Hot Spot screening criteria. The Project would also not generate or result in localized concentrations of TACs that would create or result in potentially significant health risks.

For the Residential Exposure Scenario, the Project HRA substantiates that DPM emissions generated by Project operations would in less-than-significant health risks at the maximally impacted residential land use (MEIR). More specifically, at the MEIR, the maximum carcinogenic risk is estimated at 9.34 in one million, which does not exceed the SCAQMD cancer risk threshold of 10 in one million. At this same location, the noncarcinogenic Hazard Index is estimated at 0.002, which would not exceed the applicable Hazard Index threshold of 1.0. As such, Project operations would not cause or result in potentially significant cancer risks or noncarcinogenic risks at the MEIR. All other potentially affected residential receptors are located at greater distances from the Project site than the MEIR and would be exposed to fewer emissions and therefore less risk than would occur at the evaluated MEIR. The cancer and noncarcinogenic risks at these more distant residential receptors would also be less-than-significant.

For the Worker Exposure Scenario, the Project HRA substantiates that DPM emissions generated by Project operations would have a less-than-significant health risk at the maximally impacted worker location. More specifically, for the maximally exposed individual worker (MEIW), the maximum cancer risk is estimated at 1.15 in one million, which would not exceed the SCAQMD cancer risk threshold of 10 in one million. At this same location, the noncarcinogenic Hazard Index is estimated at 0.004, which would not exceed the applicable Hazard Index threshold of 1.0. As such, Project operations would not cause or result in potentially significant cancer risks or noncarcinogenic risks at the MEIW. All other potentially affected worker receptors are located at greater distances from the Project site than the MEIW and would be exposed to fewer emissions and therefore less risk than would occur at the evaluated MEIW. The cancer and noncarcinogenic risks at these more distant worker receptors would also be less-than-significant.

For the School Child Exposure Scenario, the Project HRA substantiates that DPM emissions generated by Project operations would have a less-than-significant health risk at the maximally impacted worker location. More specifically, for the maximally exposed individual school child (MEISC), the maximum cancer risk is estimated at 0.08 in one million, which would not exceed the SCAQMD cancer risk threshold of 10 in one million. At this same location, the noncarcinogenic Hazard Index is estimated at 0.0002, which would not exceed the applicable Hazard Index threshold of 1.0. As such, Project operations would not cause or result in potentially significant cancer risks or noncarcinogenic risks at the MEISC. All other potentially affected school receptors are located at greater distances from the Project site than the MEISC and would be exposed to fewer emissions and therefore less risk than would occur at the evaluated MEISC. The cancer and noncarcinogenic risks at these more distant school child receptors would also be less-than-significant.

In terms of construction, for the Residential Exposure Scenario, the residential land use with the greatest potential exposure to construction-source DPM emissions (the MEIR) is located approximately 106 feet easterly of the Project site. At the MEIR, the maximum incremental cancer risk attributable to construction-source DPM emissions is estimated at 2.92 in one million, which is less than the SCAQMD cancer threshold of 10 in one million. At this same location, noncarcinogenic Hazard Index is estimated at 0.001, which would not exceed the applicable Hazard Index threshold of 1.0. For the Worker Exposure Scenario, the worker receptor land use with the greatest potential exposure to construction-source DPM emissions (the MEIW) is located approximately 257 feet southerly of the Project site. At the MEIW, the maximum incremental cancer risk attributable to construction-source DPM emissions is estimated at 0.28 in one million, which is less than the SCAQMD cancer threshold of 10 in one million. At this same location, the noncarcinogenic Hazard Index is estimated at 0.001, which would not exceed the applicable Hazard Index threshold of 1.0.

(2) Finding. The potential for the Project to expose sensitive receptors to substantial pollutant concentrations is considered less-than-significant. (DEIR, pp. 4.3-53 – 4.11-77)

3. Biological Resources

a. Impact: 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 U.S. Fish and Wildlife Service.

(1) Explanation. No riparian habitat or other sensitive natural community exists within the Study Area.

(2) Finding. The potential for the Project to have a substantial adverse effect on any riparian habitat or other sensitive natural community is considered less-than-significant. (DEIR, p. 4.8-24)

b. Impact: Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) though direct removal, filling, hydrological interruption, or other means.

(1) Explanation. No federally protected wetlands exist within the Study Area.

(2) Finding. The potential for the Project to have a substantial adverse effect on any federally protected wetlands is considered less-than-significant. (DEIR, p. 4.8-24)

c. Impact: 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 wildlife nursery sites.

(1) Explanation. The Biological Technical Report concluded that the Study Area lacks migratory wildlife corridors, as it does not contain the structural topography and vegetative cover that facilitate regional wildlife movement and is subject to a high level of ongoing human disturbance. Much of the Study Area is fenced or consists of active public roadways, which inhibits wildlife movement. Impacts to nesting birds and bat species that could potentially use the area as a nursery site are addressed via Mitigation Measures 4.8.3 and 4.8.4, presented subsequently within Section III(D).

(2) Finding. The potential for the Project to 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 wildlife nursery sites is considered less-than-significant. (DEIR, p. 4.8-25)

d. Impact: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

(1) Explanation. Of potential relevance to the Project is the City of Chino Resources Management Plan (RMP). The City of Ontario does not have plenary control over burrowing owl mitigation measures implemented under the RMP, or measures otherwise effected by the City of Chino. Mitigation Measures 4.8.1 and 4.8.2 as presented in the Final EIR implement applicable provisions of the 1995 CDFG Staff Report on Burrowing Owl Mitigation. The City has determined that Mitigation Measures 4.8.1 and 4.8.2 as presented in the Final EIR adequately and appropriately address potential Project impacts to the burrowing owl and would reduce these impacts to levels that would be less-than-significant. Please refer also to burrowing owl mitigation measures presented at FEIR Section 4.0, *Mitigation Monitoring Program*.

(2) Finding. The potential for the Project to conflict with any local policies or ordinances protecting biological resources, an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan is considered less-than-significant. (FEIR, pp. 3-43 – 3-50)

4. Energy

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a. Impact: Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

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(1) Explanation. The Project in total would be required to comply with incumbent performance standards established under the Building Energy Efficiency Standards contained in the California Code of Regulations (CCR), Title 24, Part 6 (Title 24, Energy Efficiency Standards). Also, developers and owners/tenants have vested financial incentives to avoid imprudent energy consumption practices. In this regard, there is growing recognition among developers and owners/tenants that efficient and sustainable construction and operational practices yield both environmental and economic benefits.

Project construction would represent a "single-event" energy demand and would not require ongoing or permanent commitment of energy resources for this purpose. Equipment and vehicles used during Project construction would conform to CARB regulations and California emissions standards, and would demonstrate related fuel efficiencies. There are no unusual Project characteristics or construction processes that would require the use of vehicles or equipment that would be more energy intensive than is used for comparable activities; or equipment that would not conform to incumbent power/fuel efficiency standards. The Project would also implement applicable efficiency/conservation measures provisions of the City of Ontario Community Climate Action Plan (CAP). Project construction activities would therefore not result in inefficient, wasteful, or unnecessary consumption of power or fuel. Additionally, California Code of Regulations Title 13, Motor Vehicles, section 2449(d)(3) *Idling*, limits idling times of construction vehicles to no more than five minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Indirect construction energy efficiencies and energy conservation would be achieved through the use of recycled/recyclable materials and related procedures, and energy efficiencies realized from bulk purchase, transport and use of construction materials.

Energy consumption in support of or related to Project operations would include transportation energy demands (energy consumed by vehicles accessing the Project site) and facilities energy demands (energy consumed by building operations and site maintenance activities). 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 also implement applicable efficiency/conservation measures provisions of the City of Ontario Community Climate Action Plan (CAP).

Project construction and operations would not result in the inefficient, wasteful or unnecessary consumption of energy, and potential Project impacts in these regards would be less-than-significant. Further, energy demands of the Project can be accommodated within the context of available resources and energy delivery systems. The Project would therefore not cause or result in the need for additional energy-producing or energy transmission facilities and would not create or otherwise result in a potentially significant impact affecting energy resources or energy delivery systems.

(2) Finding. As supported by the preceding discussions, the potential for the Project to result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation is considered less-than-significant. (DEIR, pp. 4.13-8 - 4.13-15)

b. Impact: Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

(1) Explanation. Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency as set forth in Draft EIR Table 4.13-1.

(2) Finding. The potential for the Project to conflict with or obstruct a state or local plan for renewable energy or energy efficiency is therefore considered less-than-significant. (DEIR, p. 4.13-15)

5. Geology and Soils

a. Impact: Result in substantial soil erosion or the loss of topsoil.

(1) Explanation. Potential erosion impacts incurred during construction activities are mitigated below the level of significance through the Project's mandated compliance with a City-approved Storm Water Pollution Prevention Plan (SWPPP), as well as compliance with SCAQMD Rules that prohibit grading activities and site disturbance during high wind events. At Project completion, potential soil erosion impacts in the area will be resolved, as pavement, roads, buildings, and landscaping are established, overcovering previously exposed soils.

Under the developed state, the Project surface improvements, landscaping, and stormwater management systems that would collectively act to minimize or avoid soil erosion. The Project does not propose to significantly alter existing topography in a manner that would result in substantial soil erosion or the loss of topsoil. All Project development plans would be subject to review and approval by the City. City review and approval of development plans would also ensure that stormwater management systems are incorporated that would minimize potential erosion from stormwater runoff, both on-site and off-site.

As means of reducing or avoiding water quality impacts, including but not limited to impacts attributable to soil erosion or the loss of topsoil, the City requires development and implementation a Water Quality Management Plan (WQMP) for new development proposals. A Preliminary WQMP (PWQMP) has been reviewed and approved by the City. Additional requirements established by the City of Ontario Standard Conditions of Approval act to avoid or minimize potential water quality impacts, including potential soil erosion impacts. In this regard, development proposals within the Specific Plan Area would be required to comply with these Conditions.

(2) Finding. The measures and requirements discussed above would collectively act to avoid or minimize potential soil erosion impacts. Impacts would be less-than-significant. (DEIR, pp. 4.9-37 – 7.9-39)

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b. Impact: 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.

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(1) Explanation. Excluding undocumented fill and organic materials (all of which would be removed during required remedial grading), and near-surface soils within the Project site possess very low expansion potentials. The Project does not propose uses or activities that would indirectly contribute to or cause soil expansion hazards.

Design-level geotechnical studies would be required to verify all findings and conclusions of the Project Geotechnical Studies. The Project would be required to comply with all recommendations, specifications, and performance standards presented within the design-level geotechnical studies.

(2) Finding. The potential for the Project to be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), thereby creating substantial direct or indirect risks to life or property is considered less-than-significant. (DEIR, pp. 4.9-35 – 4.9-36)

6. Hazards and Hazardous Materials

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a. Impact: Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

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(1) Explanation. The Project site is not located within one-quarter mile of an existing or proposed school.

(2) Finding. The Project would have no impact in this regard. (DEIR, p. 4.6-38)

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b. Impact: 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.

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(1) Explanation. The Project site is listed in several environmental databases. These listings are indicative of the historic and current use of the site for dairy operations, and do not necessarily represent current on-site Recognized Environmental Concerns (RECs). No locations within the site are under investigation for violation by the California Department of Toxic Substance Control (DTSC), U.S. Environmental Protection Agency (U.S. EPA), or any other state or federal agency. Nor is there any information in the hazardous sites search to suggest any current spills, releases, or violations. On this basis, none of the aforementioned agency-listed hazardous materials sites are considered to pose an immediate threat to human or environmental health.

(2) Finding. The potential for the Project to create a significant hazard to the public or the environment predicated on identification of the Project site on a list compiled pursuant to [California Government Code] Section 65962.5 is considered less-than-significant. (DEIR, pp. 4.6-38 – 4.6-39)

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c. Impact: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

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(1) Explanation. Access to the Specific Plan area would be provided via surrounding roadways, including Merrill Avenue, Grove Avenue, Vineyard Avenue, and Eucalyptus Avenue. The Project would also implement off-site infrastructure (roads, potable water, recycled water, sanitary sewer, storm drains, and fiber optic lines) necessary to support the Project. The majority of off-site areas that would be affected by construction of infrastructure improvements comprise already-disturbed/developed rights-of-way and easements. The Project would not cause permanent alteration to vehicle circulation routes.

To avoid or minimize temporary construction-related traffic impacts, the Project Applicant would be required to prepare and implement a City-approved construction traffic management plan. Additionally, in accordance with existing City policies, coordination with the local fire and police departments during pre-construction review of the Project's plans will ensure that potential interference with emergency response and evacuation efforts are avoided.

(2) Finding. The potential for the Project to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan is considered less-than-significant. (DEIR, p. 4.6-43)

7. Hydrology and Water Quality

a. Impact: Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

(1) Explanation.

(a) *Project SWPPPs and Compliance with Regulatory Requirements Address Construction-Source Water Quality Impacts.*

In accordance with NPDES requirements, the Project Development Contractors (Contractors) would be required to prepare a construction activities erosion control plan to alleviate potential sedimentation and storm water discharge contamination impacts of the Project.

Contractors shall also be responsible for compliance with the General Construction NPDES permit from the SARWQCB by filing a Notice of Intent to Commence Construction Activities. Under the General Construction Permit, discharge of materials other than storm water is prohibited. Contractors shall prepare, retain at the construction site, and implement Storm Water Pollution Prevention Plans (SWPPPs) that identify the sources of sediments and other pollutants that affect the quality of storm water discharge, and implement practices to reduce sediment and other pollutants to storm water discharge. The SWPPPs also identify both construction and post-construction BMPs to reduce sediments and other pollutants. BMPs mandated by the requisite NPDES permit typically include installation of filter fabric fences, sandbars and checkdams.

Implementation of the SWPPPs and compliance with applicable NPDES and SARWQCB requirements will reduce potential construction-source water quality impacts to levels that would be less-than-significant.

(b) *Project WQMPs and Compliance with Regulatory Requirements Address Operational-Source Water Quality Impacts.*

Storm water runoff from paved surfaces within the developed Project site could carry a variety of urban wastes, including greases and oils and small amounts of metals which are common by-products of vehicular travel. In addition, storm runoff will likely contain residual amounts of fertilizers and plant additives washed off from landscaped areas within the Project site.

Recognizing the potential hazards of such urban runoff, the EPA has issued regulations which required municipalities to participate in the NPDES. As part of this program, San Bernardino County has received an NPDES permit for urban runoff. Compliance with the provisions specified in the NPDES permit ensures proper management and disposal of urban runoff from the Project.

Contractors shall be responsible for obtaining a General Permit for storm water discharge from the SARWQCB, in accordance with the Notice of Intent instructions. Under the General Permit, discharge of materials other than storm water is prohibited. In support of the above requirements, Contractors shall also develop and implement a development-specific Water Quality Management Plans (WQMPs) addressing all post-construction pollutant discharges. To the extent feasible, individual development proposals implemented within the Project site would employ permeable materials and landscaped areas to enhance on-site capture and absorption of stormflows. The Project would also provide for elimination/reduction of pollutant discharges, including capture and treatment of dry weather and first flush runoff in a manner consistent with City and SARWQCB policies and requirements.

The Project shall comply with all requirements of the MS4 Permit, as well as the Trash Mandate adopted by the SARWQCB. All storm water discharges from the developed Project site shall comply with applicable provisions of the County's NPDES permit. Consistent with SARWQCB and City requirements, waste materials will not be discharged to drainage areas, streambeds, or streams. Nor will spoil sites be located in areas that could result in spoil materials being washed into a water body.

Implementation of the WQMPs and compliance with applicable NPDES and SARWQCB requirements will reduce potential operational-source water quality impacts to levels that would be less-than-significant.

(c) *Project Improvements Would Eliminate or Reduce Existing Water Pollutant Sources.*

The Project would connect to the existing sanitary sewer system serving the Project area and does not propose or require septic systems or other alternative treatment of wastewater. Existing private septic systems within the Project site would be properly abandoned prior to Project grading and construction, in compliance with the appropriate regulations. Elimination of the existing septic systems would act to generally reduce the potential for groundwater contamination that can arise from such systems. Also, existing private wells within the Project site would be abandoned and capped as part of the site preparation process. Abandonment and capping of these wells would eliminate direct withdrawals of groundwater; and would protect groundwater quality by reducing locations where polluted surface waters could be directly introduced to the groundwater table.

The Project's plans for construction of and connection to sanitary sewer infrastructure facilities are subject to review and approval by the City. The Project Applicant would also be required to apply for service and pay a mandated Connection Fee and ongoing Service Fees. Fees paid by the Project would be applied toward maintenance and expansion of serving wastewater conveyance and treatment facilities. Wastewater generated by the Project is typical of urban generators and wastewater resulting for the Project uses will not require treatment beyond that provided by existing facilities.

(2) Finding. The potential for the Project to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality is determined to be less-than-significant. (DEIR, pp. 4.7-25 – 4.7-30)

b. Impact: 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 substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; 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.

(1) Explanation. The Project will not involve the alteration of any natural drainages or watercourses. The storm drain facilities would include an on-site internal storm drain system that discharges via catch basins to 11 underground detention chambers and 11 modular wetlands biofiltration units scattered throughout the site. 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.

Until the future storm drain infrastructure is constructed, the Project will retain onsite any stormwater runoff in excess of the stormwater volume produced by a 25-year storm under existing conditions. 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 an additional detention system at the site. The Project would not result in the impedance or redirection of flood flows. Offsite stormwater runoff will be intercepted by the proposed future storm drain along Eucalyptus Avenue.

With the implementation of 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. The site design LID features and onsite detention facilities will 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. In addition, the modular wetlands system will provide biofiltration and treatment prior to discharge into the storm drain system so there will not be additional sources of polluted runoff.

(2) Finding. The potential for the Project to substantially alter the existing drainage pattern of the site or area in a manner that would substantially increase the rate or amount of runoff that would result in flooding on- or offsite; or substantially alter the existing drainage pattern of the site or area in a manner that would 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 is determined to be less-than-significant. (DEIR, pp. 4.7-30 - 4.7-33)

c. Impact: Impede or redirect flood flows.

(1) Explanation. The Project site is located within a 500-year flood plain and is within the San Antonio Creek Dam Failure Inundation Area. The Project site does not, however, lie within a designated 100-year floodplain or other areas known to be subject to moving or high-velocity floodwaters. The Project does not propose or require facilities or operations that would otherwise impede or redirect flood flows.

(2) Finding. The potential for the Project to impede or redirect flood flows is determined to be less-than-significant. (DEIR, p. 4.7-33)

d. Impact: The proposed site is not located in tsunami or seiche zones and would not release pollutants due to inundation from flood hazard.

(1) Explanation. The Project site is not located within an area subject to tsunami, or seiche events. There is no potential for the Project to be adversely affected in these regards.

The Project site does, however, lie within a 500-year floodplain and is within the San Antonio Creek Dam Failure Inundation Area. There is therefore the potential for the Project generally to be subject to inundation under 500-year flood conditions or in the event of the San Antonio Creek Dam failure. Either of these are relatively low probability events. Catastrophic failure of the San Antonio Dam when it is at or near capacity could spread water two to four feet deep over the western and central parts of the City. However, the City has never experienced such an event.

The Ontario Plan EIR concluded that the probability of catastrophic failure is very low. Furthermore, the City of Ontario Fire Department maintains a list of emergency procedures to be followed in the event of a dam failure (Ontario Plan EIR, p. 5.9-23). Because the likelihood of catastrophic failure of the San Antonio Dam is very low and the City is prepared in the event of such failure, impacts related to potential release of pollutants under dam failure conditions are considered less-than-significant.

Potential for release of pollutants under 500-year flood conditions or in the event of dam failure is minimized through the location, orientation, and construction of Project facilities consistent with City Building Code requirements and implementation of the Project stormwater management system improvements described in this Section. Additionally, the Project uses would be required to develop and implement Hazardous Materials Release Response Plans and Inventory (Business Plans) that specifically address storage and use of hazardous materials so as to minimize their potential release, containment of hazardous materials and related pollutants that may be released under emergency conditions, and measures to reduce potential effects of hazardous materials and related pollutants if released.

(2) Finding. The potential for release of pollutants due to Project inundation under a flood, tsunami, or seiche event is determined to be less-than-significant. (DEIR, pp. 4.7-33 – 4.7-35)

e. Impact: The proposed project would not obstruct or conflict with the implementation of a water quality control plan or sustainable groundwater management plan.

(1) Explanation. The Project would implement water quality control measures consistent with City and SARWQCB requirements. The Project would there not result in potentially adverse water quality impacts and would not conflict with or obstruct implementation of a water quality control plan, in this instance, the Water Quality Control Plan for the Santa Ana Region.

The Project does not propose or require direct withdrawal of groundwater. Neither would the Project adversely affect designated groundwater recharge areas or groundwater recharge facilities. To the extent practical, individual development proposals within the Project site would implement LID measures facilitating infiltration of treated stormwaters to the groundwater table. Further, the Project would eliminate existing private groundwater wells within the Project site. Abandonment and capping of these wells would eliminate direct withdrawals of groundwater; and would protect groundwater quality by reducing locations where polluted surface waters could be directly introduced to the groundwater table.

(2) Finding. The potential for the Project to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan is determined to be less-than-significant. (DEIR, p. 4.7-35)

8. Land Use and Planning

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a. Impact: 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.

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(1) Explanation. The proposed Merrill Commerce Center Specific Plan would establish Land Uses, Development Standards, and Design Guidelines directing the ultimate buildout of the Project site. Land uses and development reflected within the proposed Specific Plan can be feasibly implemented consistent with applicable provisions of the City General Plan (as amended) and the City Development Code. Prior to issuance of development permits, the City would review the final development plans for individual projects within the Specific Plan area to ensure consistency with the Specific Plan document as approved by the City, and where applicable, City Development Code requirements. Further, the Project would be consistent with applicable land use and planning provisions of the Policy Plan, as amended as shown in Draft EIR Table 4.1-4. The Project is also considered to be consistent with and would support land use and planning goals articulated in the 2016-2040 RTP/SCS as shown in Draft EIR Table 4.1-5.

(2) Finding. The potential for the Project to 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 is less-than-significant. (DEIR, pp. 4.1-25 – 4.1-39)

9. Noise

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a. Impact: Generation of excessive groundborne vibration or groundborne noise.

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(1) Explanation. The construction vibration analysis shows that the Project construction activities will satisfy the applicable vibration standard at all receiver locations during Project construction. Additionally, the Project-related construction vibration levels do not represent levels capable of causing building damage to nearby residential homes. Further, the impacts at the site of the closest sensitive receivers are unlikely to be sustained during the entire construction period but will occur rather only during the times that heavy construction equipment is operating adjacent to the Project site perimeter.

Project operations would include heavy trucks moving onsite to and from the loading dock areas. Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. Trucks transiting on-site will be travelling at very low speeds. Delivery truck vibration impacts at nearby homes would therefore not exceed the applicable vibration level standard.

(2) Finding. The potential for the Project to generate excessive groundborne vibration or groundborne noise is considered less-than-significant. (DEIR, pp. 4.5-37 – 4.5-38)

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b. Impact: 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.

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(1) Explanation. The Project site is located roughly 1,000 feet northeast of Chino Airport Runway 3-21. The Ontario International Airport (ONT) is located approximately 4.3 miles northerly of the Project site.

City of Ontario properties affected by the Chino Airport (including the Project site) are planned for future industrial uses. As such, no significant impacts are anticipated. Further, conventional construction methods employed in construction of development proposals within the Project site would eliminate potentially adverse noise intrusion upon indoor spaces. In this regard, standard building construction practices required under the State of California Green Building Standards Code (CALGreen) would yield acceptable Project interior noise levels.

The Project site is also within the airport influence area of ONT. Based on the Ontario International Airport Land Use Compatibility Plan, industrial land uses located outside of the 60 dBA CNEL noise level contours of ONT (such as the Project) are considered a normally compatible land use and must reduce interior noise levels to 50 dBA CNEL. With respect to noise generated by ONT facilities and activities, application of standard CALGreen construction practices would yield acceptable Project interior noise levels approximating 35 dBA CNEL. The Project does not propose facilities or operations that would exacerbate any adverse airport-source noise conditions.

(2) Finding. The potential for the Project to result in or cause expose people residing or working in the Project area to excessive airport-source noise levels would be less-than-significant. (DEIR, pp. 4.5-38 – 4.5-40)

10. Population and Housing

a. Impact: Induce substantial unplanned population growth in the area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension or roads or other infrastructure).

(1) Explanation. The Project does not propose residential development, and therefore would not directly result in increased City resident population. The Project represents a component of development and growth generally anticipated by the City, as reflected by the site's current Policy Plan Land Use designations (Business Park, Office Commercial, and General Commercial). Development proposed by the Project responds globally to existing and anticipated market demands of the City and region, and employment generated by the Project would be a byproduct of this anticipated growth.

Project job creation would not exceed employment projections developed under the Policy Plan. Growth resulting from Project job creation is anticipated under the Policy Plan, and such growth would not result in environmental impacts not already considered and addressed in the Policy Plan EIR.

Growth resulting from or facilitated by Project infrastructure improvements is anticipated under the Policy Plan, and environmental impacts attributable to such growth is considered and addressed in the Policy Plan EIR.

Additionally, the Policy Plan EIR notes that while the City of Ontario is jobs-rich, the subregion as a whole is housing-rich. The Policy Plan EIR concludes that buildout of the Ontario Plan would act to improve the job/housing balance within the subregion.

(2) Finding. Based on the preceding discussions, the potential for the Project to induce substantial population growth in the area, either directly or indirectly is considered less-than-significant. (DEIR, pp. 4.14-14 – 4.14-17)

11. Transportation

a. Impact: Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

(1) Explanation. City of Ontario programs, plans, and policies addressing the circulation system are established under the City of Ontario Policy Plan. The Project would be consistent with applicable provisions of the Policy Plan as summarized in Draft EIR Table 4.2-8. Additionally, the Project is consistent with the goals of the 2016 – 2040 SCAG Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) as summarized in Draft EIR Table 4.2-9.

Prior to the issuance of Building Permits, the City would review the final Project designs to ensure consistency with City Policy Plan circulation system programs, plans and policies. Consistency with applicable City ordinance requirements is required as a matter of law.

The Project does not propose facilities or activities that would otherwise potentially conflict with City circulation system programs, plans, policies and ordinances.

(2) Finding. The potential for the Project to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities is considered less-than-significant. (DEIR, pp. 4.2-26 – 4.2-31)

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b. Impact: Substantially increase hazards to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); Result in inadequate emergency access.

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(1) Explanation. All Project circulation improvements, the final design of the Project site plan, to include locations and design of proposed driveways, shall be reviewed and approved by the City Traffic Engineer. In addition, representatives of the City's Police and Fire Departments will review the Project's plans in regard to emergency access. Traffic signing and striping would be implemented in conjunction with detailed Project construction plans. Sight distance at each Project access point would be reviewed with respect to Caltrans and City of Ontario sight distance standards at the time of preparation of final grading, landscape, and street improvement plans.

It is also recognized that temporary and short-term traffic detours and traffic disruption could result during Project construction activities. Management and control of construction traffic would be addressed through the preparation and submittal of a construction area traffic management plan, to be reviewed and approved by City prior to or concurrent with Project building plan review(s).

The Project would generate passenger car trips and truck trips typical of business park and light industrial uses. As part of established site and Building Permit review processes, the City would require implementation of on-site truck and passenger car travel paths, signing, and traffic controls to ensure that conflicts between trucks and passenger cars are minimized or avoided. Trucks accessing the Project site would use designated truck routes, thereby avoiding or minimizing off-site passenger car/truck traffic conflicts. Land uses proximate to the Project site are planned for, or are being developed with urban uses similar to those proposed by the Project. These uses would generate urban traffic types similar to traffic generated by the Project and would generate traffic that would be incompatible with the Project traffic types.

(2) Finding. The potential for the Project to substantially increase hazards to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), or result in inadequate emergency access is less-than-significant. (DEIR, pp. 4.2-31 – 4.2-32)

12. Utilities and Service Systems

a. Impact: Require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects.

(1) Explanation. Utilities and service systems distribution and conveyance lines serving the Project would be constructed pursuant to approved City Infrastructure Master Plans and would be located within existing improved streets or otherwise disturbed properties, thereby limiting or avoiding potential impacts. Construction and operation of all Project utilities and service systems distribution and conveyance lines would conform with all City and purveyor standards and requirements, further limiting potential environmental effects.

Construction and operation of the Project utilities and service systems distribution and conveyance lines would not result in conditions or environmental impacts not already considered and addressed under other environmental topics within the EIR. At properties adjacent to master plan infrastructure improvements implemented by the Project, construction-source noise impacts are recognized as significant and unavoidable (see: EIR Section 4.5, Noise). Additionally, conversion of off-site agricultural lands to non-agricultural purposes could result from construction of master plan infrastructure improvements supporting the Project. These impacts are recognized as significant and unavoidable (see: EIR Section 4.11, Agricultural Resources). Mitigation proposed under other environmental topics would also address potential impacts associated with construction and operation of utilities and service systems distribution and conveyance lines.

Each individual development project within the Specific Plan area would be required to pay applicable utilities/service system connection and service fees, which act to offset the Project incremental demands on utilities and service systems. Utilities and service systems improvements would be implemented so as to provide adequate service/capacity for each increment of development. The City would verify service/capacity adequacies prior to issuance of Certificate(s) of Occupancy for the affected increment of development.

(2) Finding. The potential for the Project to require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects (other than noise and agricultural resources impacts noted above) is considered less-than-significant. (DEIR, pp. 4.12-13 – 4.12-31)

b. Impact: Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

(1) Explanation. Water service to the Project would be provided by OMUC. OMUC's 2015 Urban Water Management Plan (2015 UWMP) includes detailed information about City water demand, supply and reliability for the next 25 years. The 2015 UWMP substantiates that sufficient water supplies are available meet City water demands under normal, single dry, and multiple dry years for the period 2015 – 2040.

The Water Supply Assessment prepared for the Project indicates that Project water demands are accounted for in the 2015 UWMP. Moreover, Project water demands would be less than water demands assumed and accounted for in the 2015 UWMP. Further, within the 2015 UWMP, OMUC has determined that sufficient water supplies would be available to meet all customer demand under normal, single dry year and multiple dry year scenarios.

(2) Finding. Sufficient supplies to meet the anticipated demand for the Project exist. No new or expanded entitlements would be needed to serve the Project. Impacts in this regard are considered less-than-significant. (DEIR, pp. 4.12-31 – 4.12-33)

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c. Impact: 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.

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(1) Explanation. Wastewater treatment services for the Project would be provided by IEUA. Sufficient residual treatment capacity exists at IEUA Regional Water Reclamation Plant No. 5 (IEUA Plant No. 5) to serve the Project's projected wastewater treatment demand in addition to IEUA current wastewater treatment demands. The Project proposes conventional warehouse and business park uses and would not generate wastewater that would require treatment processes or protocols not currently provided by IEUA.

Each individual development proposal within the IEUA service area (including development proposals within the Project site) is required to pay applicable sewer connection and service fees, which act to fund wastewater treatment system improvement plans, operations, and maintenance — thereby offsetting incremental wastewater treatment demands of new development.

(2) Finding. The potential for the Project to 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 is less-than-significant. (DEIR, pg. 4.12-33)

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d. Impact: 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.

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(1) Explanation. Receiving landfills, El Sobrante Landfill and Badlands Sanitary Landfill have remaining capacities of approximately 144.0 million cubic yards (roughly 84.7 – 144.0 million tons) and approximately 15.7 million cubic yards (roughly 9.2 – 15.7 million tons), respectively.

The Project contributions of 18,347.4 tons (0.183 million tons) maximum total construction waste; 3,306.0 tons (0.003 million tons) maximum total demolition waste; and 21,911 tons (0.022 million tons) of operational solid waste annually represent a nominal fractional percentage of the collective remaining permitted capacity (93.9 – 159.7 million tons) of the serving landfills. The Project would therefore not substantially alter existing or future solid waste disposal capacities. Moreover, the Riverside County Department of Waste Resources, Countywide Integrated Waste Management Plan 2017 (CIWMP), Countywide Siting Element, demonstrates that there are at least 15 years of remaining landfill disposal capacity to serve all the jurisdictions within the County. Project solid waste impacts to area landfill remaining total capacities are therefore considered less-than-significant.

Solid waste management is guided by the California Integrated Waste Management Act of 1989 (AB 939), which emphasizes resource conservation through reduction, recycling, and reuse of solid waste. To reduce waste disposal, AB 939 requires every California city and county to divert 50 percent of its waste from landfills by the year 2000. Residential, commercial, and governmental waste recycling programs in support of the SRRE have been implemented by the City of Ontario. The City has met this waste diversion requirement through local recycling programs and participation in regional recycling programs. The City's waste diversion program is run by the Recycling Division.

(2) Finding. The Project's potential to 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 is considered less-than-significant. (DEIR, pp. 4.12-34 – 4.12-37)

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e. Impact: Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

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(1) Explanation. Solid waste management statutes and regulations applicable to the Project include the City of Ontario Construction & Demolition Recycling Plan, AB 939 (California Integrated Waste Management Act of 1989), AB 341 (Commercial Recycling), and AB 1826 (Commercial Organics Recycling). The Project would be required to comply with all solid waste management statutes and regulations. The City and CalRecycle would oversee and monitor compliance with applicable solid waste management statutes and regulations.

(2) Finding. The potential for the Project to conflict with federal, state, and local statutes and regulations related to solid waste is less-than-significant. (DEIR, pp. 4.12-38 – 4.12-39)

D. FINDINGS ON 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 that will avoid or substantially lessen the following potentially significant environmental impacts to a less than significant level. The following summary describes impacts of the proposed Project that, without mitigation, would result in significant adverse impacts. Upon implementation of the mitigation measures provided in the EIR, these impacts would be considered less-than-significant.

1. Air Quality

a. Impact: 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.

Unmitigated Project construction-source air pollutant emissions would exceed applicable SCAQMD regional thresholds for VOC and NOx. Project construction-source emissions exceedances of the ozone precursors VOC and NOx could result in a cumulatively considerable net increase of the criteria pollutants ozone, PM_{10} and $PM_{2.5}$ (NOx is a precursor to PM_{10}/$PM_{2.5}$) within the encompassing ozone and PM_{10}/$PM_{2.5}$ non-attainment areas. These are potentially significant impacts.

(1) Mitigation Measures.

4.3.1 The Project shall utilize "Super-Compliant" low VOC paints which have been reformulated to exceed the regulatory VOC limits put forth by SCAQMD's Rule 1113. Super-Compliant low VOC paints shall be no more than 10g/L of VOC. Alternatively, the applicant may utilize tilt-up concrete buildings that do not require the use of architectural coatings.

4.3.2 Construction contractors shall ensure that large off-road diesel fueled construction equipment, including but not limited to excavators, graders, rubber-tired dozers, and similar large pieces of equipment be equipped with CARB Tier 4 Compliant engines. To ensure that Tier 4 Final construction equipment or better will be used during the Proposed Project's construction, and this requirement shall be included in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and CARB or South Coast AQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, the Applicant shall report to the City, including written construction documents by construction contractor(s), documenting compliance with these requirements, which shall be subject to regular City inspections to ensure compliance.

(2) Finding. Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect identified in the Final EIR. With the implementation of Mitigation Measures 4.3.1 and 4.3.2, impacts would be individually and cumulatively less-than-significant.

(3) Rationale for Finding. As set forth in Draft EIR Table 4.3-8, with the application of Mitigation Measures 4.3.1 and 4.3.2, maximum daily Project construction-source emissions (including VOC and NOx emissions) would not exceed applicable SCAQMD regional thresholds and would therefore be less-than-significant. Per SCAQMD criteria, Project-level impacts that are less-than-significant are not cumulatively considerable. As mitigated, the potential for Project construction-source emissions to result in a cumulatively considerable net increase in criteria pollutants within the encompassing non-attainment areas would be less-than-significant. (DEIR, pp. 4.3-38 – 4.3-44 and FEIR pp. 2-1 – 2-2)

2. Biological Resources

a. Impact: 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.

Special-Status Plant Species. The Study Area is not located within a sensitive biological area, or a designated conservation or habitat area. The Study Area does not support any special-status plants or habitats.

Special-Status Wildlife Species. As detailed in Draft EIR Table 4.8-2, the Project has the potential to impact Burrowing Owl, nesting birds, and special-status bat species. Additionally, the loss of jurisdictional areas within the site may affect downstream wetland and/or riparian resources. These are potentially significant impacts.

Jurisdictional Areas. Corps/Regional Board Jurisdiction. Drainages that would be affected by implementation of the Project are heavily impacted flood control facilities that are subject to ongoing maintenance. Although the drainages proposed for impacts are heavily denuded flood control facilities that are subject to ongoing maintenance and do not support jurisdictional wetlands or riparian vegetation communities, impacts to 2.14 acres of waters is potentially significant under CEQA due to the potential for this quantity of loss of surface waters to affect the hydrology supporting downstream wetland and/or riparian resources. CWA Section 404 authorization from the Corps and a CWA Section 401 Water Quality Certification and authorization for discharges under Porter-Cologne from the Regional Board would be required.

CDFW Jurisdiction. As with impacts to Corps and Regional Board jurisdiction, affected drainages are heavily impacted flood control facilities. Although the drainages proposed for impacts are heavily denuded flood control facilities that are subject to ongoing maintenance and do not support jurisdictional wetlands or riparian vegetation communities, impacts to 4.15 acres of streambed is potentially significant under CEQA

due to the potential for this quantity of loss of surface streambeds to affect the hydrology supporting downstream wetland and/or riparian resources. As such, a CDFW Section 1602 Streambed Alteration Agreement would be required.

(1) Mitigation Measures. The following mitigation measures shall apply as the appropriate mechanism to reduce potential Project impacts to levels that would be less-than-significant:

4.8.1 A qualified biologist (Project Biologist) shall conduct a pre-construction presence/absence survey for burrowing owls within 14 days prior to site disturbance. If the species is absent, no additional mitigation shall be required.

4.8.2 If burrowing owl(s) is(are) detected within any location within the Project's proposed disturbance footprint:

- Prior to disturbance of the occupied burrows, suitable and unoccupied replacement burrows shall be provided at a ratio of 2:1 within designated off-site conserved lands to be identified through coordination with CDFW and the City in which the burrowing owl(s) is(are) detected (either the City of Ontario or the City of Chino). A qualified biologist shall confirm that the replacement burrows are currently unoccupied and suitable for use by owls. Suitable replacement burrows are defined as naturally occurring small mammal burrows (such as those of California ground squirrel [*Otospermophilus beecheyii*]) with a burrow entrance of three inches in diameter or greater; or artificially constructed burrows meeting the specifications as described in the California Department of Fish and Game (CDFG) 1995 Staff Report on Burrowing Owl Mitigation (CDFG 1995) and/or Users Guide to Installation of Artificial Burrows for Burrowing Owls (Johnson et Al. 2010).

- Until suitable replacement burrows as defined above have been provided/confirmed within the off-site conserved lands to be identified through coordination with CDFW and the City of Ontario or the City of Chino, no disturbance shall occur within 50 meters (approximately 160 feet) of occupied burrows during the nonbreeding season (September 1 through January 31) or within 75 meters (approximately 250 feet) during the breeding season (February 1 through August 31).

- Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

- If burrowing owls are present at the time that the occupied burrows are to be disturbed, then the owls shall be excluded from the site following the 2012 CDFG Staff Report.

4.8.3 Vegetation clearing should be conducted outside of the nesting season (February 1 through August 31) to avoid impacts to nesting birds, including raptors. If avoidance of the nesting season is not feasible, then a qualified biologist shall conduct a nesting bird survey within three days prior to any disturbance of the site, including disking, demolition activities, and grading. If active nests are identified, the biologist shall establish suitable buffers around the nests (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), and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.

4.8.4 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 shall 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 single roosting individual of a special-status bat species or a total of a 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 (Plan) shall be developed to ensure mortality to bats does not occur. For each location confirmed to be occupied by bats, the Plan shall 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. Preliminary Plan components and performance standards are outlined below:

To avoid the direct loss of bats that could result from removal of trees that may provide maternity roost habitat (e.g., in cavities or under loose bark), the following steps should be taken:

1) If trees and/or structures must be removed or disturbed as part of Project activities, a qualified bat specialist should conduct surveys to identify use of habitat by any bat species. Focused surveys using electronic detection should be used to identify general bat use and any special status bat species using any habitat proposed for removal or disturbance;

2) Maternity season lasts from March 1 to September 30. Trees and/or structures should not be removed until the end of the maternity season;

3) If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of year, it is preferable to push any tree down using heavy machinery rather than felling it with a chainsaw. In order to ensure the optimum warning for any roosting bats that may still be present, the tree should be pushed lightly two to three times, with a pause of approximately 30 seconds between each nudge to allow bats to become

active. The tree should then be pushed to the ground slowly and should remain in place overnight and until it is inspected by a bat specialist. Trees that are suspected to be bat roosts should not be sawed up or mulched immediately. A period of at least 24 hours, and preferably 48 hours, should elapse prior to such operations to allow bats to escape. Bats should be allowed to escape prior to demolition of buildings. This may be accomplished by placing one way exclusionary devices into areas where bats are entering a building that allow bats to exit but not enter the building;

4) The bat specialist should document all demolition monitoring activities and prepare a summary report to the Lead Agency upon completion of tree disturbance and/or building demolition activities. CDFW requests copies of any reports prepared related to bat surveys (e.g., monitoring, demolition);

5) If confirmed occupied or formerly occupied bat roosting and foraging habitat is destroyed, habitat of comparable size and quality should be preserved and maintained at a nearby suitable undisturbed area. The bat habitat mitigation shall be determined by the bat specialist in consultation with CDFW;

6) A monitoring plan should be prepared and submitted to the Lead Agency. The monitoring plan should describe proposed mitigation habitat, and include performance standards for the use of replacement roosts by the displaced species, as well as provisions to prevent harassment, predation, and disease of relocated bats; and,

7) Annual reports detailing the success of roost replacement and bat relocation should be prepared and submitted to Lead Agency and CDFW for five years following relocation or until performance standards are met, whichever period is longer.

8) The Plan shall be reviewed and approved by CDFW prior to disturbance of any roost(s).

4.8.5 Prior to the issuance of any grading permits and prior to any physical disturbance of any possible jurisdictional areas, the Project Applicant shall purchase credits from an approved mitigation bank/in-lieu fee program at a minimum of a 1:1 ratio, for a minimum of 4.15 acres (inclusive of the 2.14 acres of non-wetland Waters of the US) of mitigation credits, or a number of mitigation credits equal to Project impacts based on final Project design during aquatic permitting.

If an approved mitigation bank/in-lieu fee program cannot be identified to mitigate the loss of Corps, Regional Board, and CDFW jurisdiction, the Project Applicant shall enhance, re-establish, or establish Corps, Regional Board, and CDFW jurisdictional areas on off-site conserved lands at a minimum of a 1:1 ratio, for a minimum of 4.15 acres (inclusive of the 2.14 acres of non-wetland Waters of the US) of enhancement, re-establishment, or establishment, or a number acres equal to Project impacts based on final Project design during aquatic permitting. Conservation and compensation shall conform to Conservation and Mitigation

Banking Guidelines (CDFW) July 2019, to include applicable interagency (e.g., Corps, Regional Board, and USFWS) measures. See also: https://wildlife.ca.gov/Conservation/Planning/Banking/Guidelines.

Compensatory mitigation shall be coordinated with CWA 401 and 404 permitting and CDFW 1602 Streambed Alteration Agreement acquisition to ensure efficiency and efficacy of the mitigation effort.

4.8.6 Within the breeding season (May-July) prior to the onset of construction activities, a qualified biologist shall conduct preconstruction visual surveys, following U.S. Geological Survey visual survey protocol, for western pond turtles within all areas of any suitable aquatic habitat for this species (retention ponds). If Western pond turtles are observed during the pre-construction survey, the Applicant shall prepare for CDFW review and approval, a translocation plan identifying proposed protocol for trapping and relocating turtles, including identifying potential, appropriate receiver sites to relocate western pond turtles. If no western pond turtles are observed during the pre-construction survey, then construction activities may begin. If construction is delayed or halted for more than 30 days, another pre-construction survey for western pond turtle shall be conducted. Within seven days of the pre-construction survey, a report of findings from the survey shall be submitted to the CDFW.

During construction, a qualified biological monitor who has been approved by the CDFW to relocate western pond turtles shall be onsite to ensure that no western pond turtles are harmed. If western pond turtles are observed in the construction area at any time during construction, the onsite biological monitor shall be notified and construction in the vicinity of the sighting shall be halted until such a time as a turtle has been removed from the construction zone, and relocated by an approved biologist. If a sighting occurs during construction, the biologist shall prepare a report of the event and submit it to CDFW.

4.8.7 Prior to initiation of ground-disturbing activities, including demolition, a pre-disturbance survey for tricolored blackbirds shall be conducted by a qualified biologist. The survey area shall encompass all habitat within the Project site and a 500-foot buffer supporting suitable foraging opportunities for blackbird species on the date that these activities will initiate.

- If tricolored blackbirds are observed foraging, all Project-related construction activities shall avoid that portion of the Project site containing foraging tricolored blackbirds, along with a 500-foot avoidance buffer, until the tricolored blackbirds have concluded their foraging activities and vacated the Project site on their own accord. The qualified biologist shall monitor the movement of the tricolored blackbirds to ensure that all Project activities occur outside of the active foraging area and associated buffer.

- If tricolored blackbirds are not detected within the Project site during the pre-construction survey, construction activities may commence, and no additional actions are needed for areas under continuous disturbance by Project activities.

- The pre-construction survey shall be repeated within portions of the Project site supporting potential blackbird foraging habitat where construction has not commenced and/or where construction activities have paused and elapsed for more than thirty (30) consecutive days, and have not been rendered into a developed condition prior to that time.

(2) Finding. Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect identified in the Final EIR. With the implementation of Mitigation Measures 4.8.1 through 4.8.6, impacts would be individually and cumulatively less-than-significant.

(3) Rationale for Finding. Mitigation Measures 4.8.1 through 4.8.6 would avoid significant impacts to previously-identified species. As such, the potential for the Project to have a substantial adverse effect on any species identified as a candidate, sensitive, or special status species is considered less-than-significant. (DEIR, pp. 4.3-38 – 4.3-44 and FEIR, pp. 2-3 – 2.7)

3. Cultural Resources

a. Impact: Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.

(1) Mitigation Measures. Mitigation measures below address potential impacts to known or potential archaeological resources that may be encountered in the course of Project development.

4.10.2 Archaeological, Historical, and Tribal Cultural Resources: Prior to the issuance of the first grading permit, the applicant shall provide a letter to the City of Ontario Building Department, or designee, from a qualified professional archeologist meeting the Secretary of Interior's Professional Qualifications for Archaeology as defined at 36 CFR Part 61, Appendix A stating that the archeologist has been retained to provide on-call services in the event archeological resources are discovered. The archeologist shall be present at the pre-grading conference to establish procedures for archeological resource surveillance. In the event a previously unrecorded archaeological deposit is encountered during construction, all activity within 50 feet of the area of discovery shall cease and the City shall be immediately notified. The archeologist shall be contacted to flag the area in the field and determine if the archaeological deposits meet the CEQA definition of historical (State CEQA Guidelines 15064.5(a)), unique archaeological resource (Public Resources Code 21083.2(g)), or Tribal Cultural Resource (Public Resources Code 21074 (a)). If the find is considered a "resource" the archaeologist shall pursue either protection in place or recovery, salvage and treatment of the deposits. A qualified archaeologist and a Native American Monitor of Gabrieleño Ancestry shall evaluate all archaeological resources unearthed by Project construction activities. If the resources are Native American in origin, they shall have the opportunity to consult with the City and/or Project developer on

appropriate treatment and curation of these resources. If unique archaeological resources, or Tribal Cultural Resources cannot be preserved in place or left in an undisturbed state, recovery, salvage and treatment shall be required at the applicant's expense. Recovery, salvage and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines 15064.5 and 15126.4. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the archaeologist. Resources shall be identified and curated into an established accredited professional repository. The archaeologist shall have a repository agreement in hand prior to initiating recovery of the resource. Excavation as a treatment option will be restricted to those parts of the unique archaeological resource, or Tribal Cultural Resource that would be damaged or destroyed by the Project.

4.10.3 Native American Monitoring. Prior to commencement of any excavation activities, the Project developer shall retain a Native American Monitor of Gabrieleño Ancestry to:

- Conduct a Native American Indian Sensitivity Training for construction personnel. The training session shall include a handout and focus on how to identify Tribal Cultural Resources/Native American resources encountered during earthmoving activities and the procedures followed if resources are discovered, the duties of the Native American Monitor of Gabrieleño Ancestry, and the general steps the Monitor would follow in conducting a salvage investigation.

- Monitor all Project-related, ground-disturbing construction activities (e.g., pavement removal, auguring, boring, grading, excavation, potholing, trenching, and grubbing) of previously undisturbed native soils to a maximum depth of 30 feet below ground surface. At their discretion and expense, a Native American Monitor of Gabrieleño Ancestry can be present during the removal of dairy manure to native soil.

4.10.4 Native American Human Remains. Prior to the start of ground disturbing activities, the Project developer shall designate a location within the footprint of the Project site for the respectful reburial of Native American human remains and/or ceremonial objects. All human skeletal material discoveries shall be reported immediately to the County Coroner. The Native American Monitor shall immediately divert work a minimum of 50 feet from the discovery site and place an exclusion zone around the burial. The Native American Monitor shall notify the construction manager who shall contact the San Bernardino County Coroner. Pursuant to California Health and Safety Code, Section 7050.5, all construction activity shall be diverted while the San Bernardino County Coroner determines if the remains are Native American. If the San Bernardino County Coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the San Bernardino County Coroner. Reburial will be in an appropriate setting. If the San Bernardino County Coroner determines the remains to be modern, the San Bernardino County Coroner shall take custody of the remains.

If Native American, the San Bernardino County Coroner shall notify the Native American Heritage Commission (NAHC) as mandated by state law who will then appoint a Most Likely Descendent. The discovery shall be confidential and secure to prevent further disturbance. In the case where discovered human remains cannot be documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside working hours. The Native American Tribe of Gabrieleño Ancestry shall make every effort to recommend diverting the Project and keep the remains in situ and protected. If the Project cannot be diverted, it may be determined that burials will be removed. If data recovery is approved by the Tribe, documentation shall be taken, which includes at a minimum, detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. No scientific study or the utilization of any invasive diagnostics shall be allowed to any Native American human remains. Cremations will either be removed in bulk or means necessary to ensure complete recovery of all material. If the discovery of human remains includes four (4) or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The Project developer shall consult with the Tribe regarding avoidance of all cemetery sites. Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container onsite if possible. These items shall be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the Project site, but at a location agreed upon between the Tribe and the developer and protected in perpetuity. There shall be no publicity regarding any cultural materials recovered. Once complete, a final report of all activities shall be submitted to the NAHC.

(2) Finding. Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect identified in the Final EIR. With the implementation of Mitigation Measures 4.10.2 through 4.10.4, impacts would be individually and cumulatively less-than-significant.

(3) Rationale for Finding. Implementation of mitigation measures ensures that archaeological resources of potential significance would be avoided, or would be appropriately collected, documented, and curated. On this basis, as mitigated, the potential for the Project to cause a substantial adverse change in the significance of archaeological resources pursuant to §15064.5 would be less-than-significant. (DEIR, pp. 4.10-26 – 4.10-30)

4. Geology and Soils

a. Impact: Cause potential substantial adverse effects, including the risk of loss, injury or death involving strong seismic ground shaking; directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction; or 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.

The Project does not propose uses or activities that would indirectly contribute to or cause seismic or geotechnical hazards. Impacts in these regards would be less-than-significant. Based on field explorations, laboratory testing, and geotechnical analysis, the Project Geotechnical Studies conclude that the Project development concept is considered feasible from a geotechnical standpoint. However, certain potentially adverse geotechnical/soils conditions affect the Project site. Project implementation within the context of the current conditions could directly or indirectly cause potential substantial adverse effects.

As means of addressing potentially adverse geotechnical and soils conditions affecting the Project site, the Project Geotechnical Studies provide a range of *Site Preparation Recommendations*, *Foundation Design Recommendations*, *Floor Slab Design Recommendations*, and *Pavement Design Recommendations* (collectively, "Design Recommendations" – please refer to the Project Geotechnical Studies' Section 1.0, *Executive Summary*). The Project Geotechnical Studies also provide *Grading Guide Specifications* to be followed during grading operations (please refer to the Project Geotechnical Studies' Appendix D). The Recommendations and Grading Specifications of the Project Geotechnical Studies are incorporated here as Mitigation Measure 4.9.1.

(1) Mitigation Measure.

4.9.1 Design and development of the Project shall comply with recommendations, specifications and performance standards identified within the Project Geotechnical Studies, to include preparation of and conformance with design-level geotechnical studies for individual development proposals within the Project site. Where the Project Geotechnical Studies and design-level geotechnical studies are silent, requirements of the California Building Code as adopted and implemented by the City shall prevail.

(2) Finding. Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect identified in the Final EIR. With the implementation of Mitigation Measure 4.9.1, impacts would be individually and cumulatively less-than-significant.

(3) Rationale for Finding. The Project Geotechnical Studies conclude that the Project site is acceptable for the proposed development, contingent on compliance with Recommendations and Grading Specifications as identified in the Studies. Through established Site Plan, Building Permit, and Certificate of Occupancy

requirements, the City would verify that required design and construction measures are incorporated throughout Project development and are implemented in the completed structures and facilities. With incorporation of mitigation, the potential for the Project to cause potential substantial adverse effects, including the risk of loss, injury or death involving strong seismic ground shaking; directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction; or 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 is considered less than significant. (DEIR, pp. 4.9-11 – 4.9-35)

b. Impact: Directly or indirectly destroy a unique paleontological resource or site or unique geological feature.

The Project site is relatively flat and does not contain any unique geological features. No evidence of paleontological resources was identified during the survey and none is expected in the younger alluvial deposits. The Project does not propose uses or activities that would indirectly contribute to or result in potentially adverse impacts to paleontological resources. It is nonetheless possible that as yet unknown paleontological resources of potential significance could be encountered during grading and excavation activities.

(1) Mitigation Measures.

4.10.5 Paleontological monitoring shall be conducted during all grading and trenching operations. Monitoring shall be conducted intermittently during initial cuts until the Quaternary deposits are encountered. Once Quaternary deposits are identified, paleontological monitoring shall be conducted on a full-time basis.

4.10.6 Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediment that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor shall be empowered to temporarily halt or divert equipment to allow for the removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if they are present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.

4.10.7 Recovered specimens shall be prepared of to a point of identification and permanent preservation, including screen-washing sediments to recover small invertebrates and vertebrates if indicated by the results of test sampling.

4.10.8 All recovered fossils shall be deposited in an accredited institution (university or museum) that maintains collections of paleontological materials. All costs of the paleontological monitoring and mitigation program, including any one-time charges by the receiving institution, shall be the responsibility of the developer(s).

4.10.9 At the conclusion of monitoring activities at a given location, the paleontological monitor shall prepare a Final Mitigation and Monitoring Report (Final Report). The Report shall identify findings and significance of findings, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). A letter documenting receipt and acceptance of all fossil collections by the receiving institution shall be included in the Final Report. The Final Report, when submitted to and accepted by the Lead Agency (City of Ontario), shall signify satisfactory completion of mitigation of potential impacts to paleontological resources.

(2) Finding. Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect identified in the Final EIR. With the incorporation of Mitigation Measures 4.10.5 through 4.10.9, individual and cumulative impacts would be less-than-significant.

(3) Rationale for Finding. Monitoring and procedures required by Mitigation Measures 4.10.5 through 4.10.9 ensure that the potential for the Project to directly or indirectly destroy a unique paleontological resource is less-than-significant. (DEIR, pp. 4.3-31 – 4.3-34)

5. Hazards and Hazardous Materials

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a. Impact: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.

Existing On-site Hazards. Existing hazards are the result of past activities within the Project site, and include methane, contaminated soils, pesticides, asbestos, and lead-based paint. These conditions could result in potentially significant impacts.

Construction Hazards. In addition to on-site improvements, the Project would also implement off-site infrastructure (roads, potable water, recycled water, sanitary sewer, storm drains, and fiber optic lines) necessary to support the Project. The majority of off-site areas that would be affected by construction of infrastructure improvements comprise already-disturbed/developed rights-of-way and easements. To date, no known hazardous materials have been encountered within these dedicated rights-of-way. Notwithstanding, mitigation was designed to address the unlikely possibility that hazardous materials are encountered during the construction of the proposed off-site improvements.

Operational Hazards. Operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State, and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations. On this basis, potential operational hazardous materials impacts are considered less-than-significant.

(1) Mitigation Measures.

4.6.1 Soil Management Plan(s) Required. Prior to commencement of site disturbance activities, the Applicant shall retain a qualified professional to prepare a Soil Management Plan. The Soil Management Plan shall address the Specific Plan Area proper as well as areas potentially affected by construction of off-site infrastructure. The Soil Management Plan shall include a Health and Safety Plan (HASP), soil excavation monitoring protocols, and measures to monitor and control vapors and dust. The Applicant shall submit the Soil Management Plan to the California Department of Toxic Substances (DTSC) for review and approval. The City shall not authorize any activity at the Project site that has the potential to disturb soil until DTSC has approved the Soil Management Plan and all necessary permits have been obtained. Should contaminated soils be encountered as part of Project development, the protocols identified within the Soil Management Plan(s) shall be followed in regard to monitoring, handling, disposal, and reporting of management activities to the California Department of Toxic Substance Control, Regional Water Quality Control Board, and/or South Coast Air Quality Management District (including copies of all daily field logs containing SCAQMD Rule 1166 monitoring results), as required. Copies of all submitted reports and responses from responsible agencies shall be provided to the City of Ontario.

4.6.2 On-Site Environmental Manager Required. The Applicant shall retain a qualified Environmental Manager who shall be on-site during all site disturbance activities. The Environmental Manager shall ensure implementation of the Soil Management Plan required under Mitigation Measure 4.6.1. The Environmental Manager shall also be responsible for monitoring of site disturbance activities to include identification of potentially contaminated media. The Environmental Manager shall have the responsibility and authority to halt on-site activities should any contaminated media or potentially contaminated media be encountered during site disturbing activities. Any contaminated media or potentially contaminated media identified by the Environmental Manager shall be excavated, handled, inventoried, stockpiled, and disposed of in accordance with the approved Soil Management Plan and consistent with all applicable provisions of local, state, and federal laws and regulations.

4.6.3 Consistent with the City of Ontario requirements, prior to the issuance of building permits, all lots in potential methane areas shall be tested for the presence of methane and its concentration 30 days after building pads are graded and created. Measures set forth by the Ontario Methane Design Guidelines shall be implemented to the satisfaction of the City Building Department.

4.6.4 Prior to the issuance of grading permits, a subsurface investigation shall be completed to assess the presence or absence of soil contaminants due to the sites past agricultural use, and current dairy farming uses.

4.6.5 Prior to the issuance of grading permits, the Project Applicant shall demonstrate to the satisfaction of the City that Soil Management Plan(s) have been developed for the site and areas potentially affected by construction of off-site infrastructure. Grading plans shall include a copy of the Soil Management Plan(s).

4.6.6 Prior to the issuance of grading permits, any existing debris shall be removed. All debris, including soils that evidence surficial staining, shall be disposed of off-site, consistent with the protocols of the Soil Management Plan(s).

4.6.7 Prior to any relocation, demolition, or destructive renovation activities involving the on-site structures, the Applicant shall submit documentation to the City that ACMs and LBP issues are not applicable to Project. Negative ACM/LBP findings shall be documented in Site/Structure Survey Report (Report) prepared by the Environmental Manager or qualified assignee. The Report shall be submitted to and approved by the City prior to the issuance of applicable relocation, demolition, renovation and/or site disturbing permit(s). If results of the Report indicate presence of ACMs and/or LBP, an action plan shall be implemented in accordance with all appropriate regulatory agency guidelines to abate any issues. Please refer to Mitigation Measure 4.6.8.

4.6.8 Any confirmed and suspected ACMs or LBP shall be handled and disposed of by licensed contractors in accordance with all appropriate regulatory agency guidelines. Abatement, containment, and disposal of any ACMs encountered shall comply with SCAQMD Rule 1403. The removal and disposal of lead-based paint material shall be implemented in accordance with California Code of Regulations, Title 8 Section 1532.1, the Code of Federal Regulations (Title 40, Part 745, and Title 29, Part 1926), the 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 Toxic Substances Control Act (TSCA).

4.6.9 For the duration of off-site Project ground-disturbing activities:

Stained or odorous soil encountered during ground-disturbing activities shall be removed, stockpiled, and transported for disposal in accordance with local, state, and federal regulations. Soil samples shall be collected from the resulting excavation(s) to verify complete removal of any impacted soil.

During soils/debris removal operations, a Project Environmental Professional (Environmental Professional) shall be retained and shall be available to identify and address other issues that may arise in the course Project development. As determined necessary by the Environmental Professional, additional measures shall be employed to minimize effects of any encountered hazards. Documentation of the measures employed and resulting conditions after their application shall be documented and submitted to the Lead Agency.

Contractors and the Environmental Professional shall maintain ongoing observation and assessment of areas of possible contamination. Such areas would include but not be limited to: the presence of unexpected underground facilities, buried debris, stained soil or odorous soils. Should such materials be encountered, the Environmental Professional in consultation with the Lead Agency shall determine the scope of investigation, analysis, and remediation warranted.

(2) Finding. Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect identified in the Final EIR. With the incorporation of Mitigation Measures 4.6.1 through 4.6.9, individual and cumulative impacts would be less-than-significant.

(3) Rationale for Finding. Mitigation Measures 4.6.1 through 4.6.9 require appropriate remediation of pre-existing hazardous conditions and ensure that subsequent development within the Specific Plan area would not create or result in potentially significant hazardous conditions. The potential for the Project to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment is considered less-than-significant as mitigated. (DEIR, pp. 4.6-29 – 4.6-38)

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b. Impact: 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 the people residing or working in the project area.

The City of Ontario has implemented a Compatibility Plan for Chino Airport. The Compatibility Plan delineates Safety Zones and provides standards and requirements for land uses and development proposals within these Zones. The Project site is located within Safety Zones 1, 2, 3, 4, and 6. The Compatibility Plan also establishes criteria and guidance for establishment of open lands providing for emergency land sites; incorporates Federal Aviation Administration Runway Protection Zone (RPZ) requirements; and establishes Criteria Addressing Hazardous Wildlife Attractants Near Airports.

All Project Final Plans would be subject to, and would be required to comply with, applicable standards and requirements of the Compatibility Plan as adopted by the City. Mitigation Measure 4.6.10 is included to ensure compliance with, and monitored implementation of, applicable Compatibility Plan provisions.

(1) Mitigation Measure.

4.6.10 Prior to Final Project Plan approvals (including but not limited to: Site Plans, Building Plans, Landscape Plans, Utility Plans, and Roadway Plans), the Project Applicant shall document compliance with applicable provisions of the City of Ontario Chino Airport Compatibility Plan and correlating provisions of the Merrill Commerce Center Specific Plan. Overflight Deed Notices shall be provided for any properties identified in the Compatibility Plan as subject routine aircraft overflight(s).

(2) Finding. Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect identified in the Final EIR. With the incorporation of Mitigation Measure 4.6.10, impacts would be individually and cumulatively less-than-significant.

(3) Rationale for Finding. Compliance with applicable Compatibility Plan provisions ensures the potential for the Project to result in an airport-related safety hazard for the people residing or working in the Project area is less-than-significant. (DEIR, pp. 4.6-39 – 4.6-42)

6. Noise

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a. Impact: 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.

Construction Noise

- *On-Site Improvements.* Noise generated by on-site Project construction activities would exceed the applicable 65 dba Leq construction noise standard at some receiver locations. As such, construction-source noise impacts at these receiver locations would be potentially significant.

- *Contributions to Ambient Conditions.* The maximum contribution to ambient conditions (10.2 dBA Leq) would not exceed the 12 dBA Leq contribution significance threshold. Project construction-source noise contributions to ambient conditions would therefore not be substantial and the impact would be less-than-significant.

Operational Noise. Reference noise level measurements were collected from similar types of activities to represent the noise levels expected with the development of the proposed Project, including cold storage loading dock activities, distribution/warehouse activities, roof-top air conditioning units, and parking lot vehicle movements. Noise levels at potentially affected receivers would exceed applicable noise standards. Unmitigated Project operational area-source noise would therefore be potentially significant.

(1) Mitigation Measures.

4.5.1 Provide a minimum 150-foot buffer distance between large construction equipment (e.g. dozers, graders, scrapers, etc.) and receiver locations R3, R4, R7 and R8, if residences at these locations are occupied and actively used at the time Project demolition and/or grading activities occur.

4.5.2 If a 150-foot buffer is not achievable, install temporary noise control barriers that provide a minimum noise level attenuation of 10.0 dBA when Project demolition or grading activities occur within 150 feet of existing residential structures, or other off-site sensitive land uses that are occupied and actively utilized. General noise control barrier design parameters are presented below, though any solution(s) providing the required 5.0 dBA noise attenuation is/are acceptable.

- The noise control barrier should present a generally solid face from top to bottom. Unnecessary openings should not be made.

- The noise control barrier shall be maintained and any damage in the barrier or openings between the barrier and the ground shall be promptly repaired.

- The noise control barrier(s) and associated elements shall be removed, and affected portion(s) of the site restored at the conclusion of grading/demolition activities.

4.5.3 Alternatively, the Applicant may employ construction equipment and construction techniques that would demonstrably ensure that noise levels at potentially affected sensitive receptors would not exceed 65 dBA. A combination of noise-receptor separation, noise barriers and use of noise reducing construction equipment and construction techniques may be employed provided that noise levels at potentially affected receptors does not exceed 65 dBA.

4.5.8 Cold storage loading dock activities and distribution/warehouse facilities shall be designed so that truck bays and loading docks are a minimum of 300 feet away from the property line of sensitive receivers, measured from the dock building door. This distance may be reduced if the site design includes berms or other similar features to appropriately shield and buffer the sensitive receivers from the active truck operations areas.

4.5.9 Cold storage loading dock activities and distribution/warehouse facilities shall be designed to provide adequate on-site parking for commercial trucks and passenger vehicles and on-site queuing for trucks that is away from sensitive receivers. The general queuing and spill-over of trucks onto surrounding public streets shall be prevented. Commercial trucks shall not be parked in the public road right-of-way or nearby residential areas.

4.5.10 All Project PA systems shall be oriented to direct sound away from sensitive receivers. PA volumes shall be set such that received noise levels not readily audible past the property line.

4.5.11 Individual development proposals within the Project site shall demonstrate to the satisfaction of the Lead Agency that noise impacts generated by such proposals would not exceed or be substantially different than noise impacts considered and addressed in the Project Noise Impact Analysis.

(2) Finding. Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect identified in the Final EIR. With the implementation of Mitigation Measures 4.5-1 through 4.5-3, and 4.5-8 through 4.5-11 impacts would be individually and cumulatively less-than-significant.

(3) Rationale for Finding. Received noise levels at potentially affected locations reflecting a minimum 150-foot source-receptor buffer per Mitigation Measure 4.5.1 would not exceed applicable noise standards. Alternative Mitigation Measures 4.5.2, 4.5.3 would provide similar or superior mitigated conditions.

With the incorporation of Mitigation Measures 4.5.8 through 4.5.11, Project area-source noise at potentially affected receivers would comply with applicable standards. As mitigated, Project operational area-source would not exceed applicable standards and would be less-than-significant. (DEIR, pp. 4.5-23 – 4.5-32)

7. Tribal Cultural Resources

a. Impact: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: (i) Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code 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 Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

As part of the Project Cultural Resources Study, a sacred lands search request was sent to the Native American Heritage Commission (NAHC). The Sacred Lands File search conducted by the NAHC had negative results.

The City has contacted tribes on its most current AB 52 Consultation list. A request to initiate formal consultation regarding the Project site was subsequently received from the Gabrieleño Band of Mission Indians – Kizh Nation. Mitigation measures establish monitoring protocols, and provisions for avoidance, protection, or curation of Tribal Cultural Resources (TCRs).

(1) Mitigation Measures.

4.10.2 Archaeological, Historical, and Tribal Cultural Resources: Prior to the issuance of the first grading permit, the applicant shall provide a letter to the City of Ontario Building Department, or designee, from a qualified professional archeologist meeting the Secretary of Interior's Professional Qualifications for Archaeology as defined at 36 CFR Part 61, Appendix A stating that the archeologist has been retained to provide on-call services in the event archeological resources are discovered. The archeologist shall be present at the pre-grading conference to establish procedures for archeological resource surveillance. In the event a previously unrecorded archaeological deposit is encountered during construction, all activity within 50 feet of the area of discovery shall cease and the City shall be immediately notified. The archeologist shall be contacted to flag the area in the field and determine if the archaeological deposits meet the CEQA definition of historical (State CEQA Guidelines 15064.5(a)), unique archaeological resource (Public Resources Code 21083.2(g)), or Tribal Cultural Resource (Public

Resources Code 21074 (a)). If the find is considered a "resource" the archaeologist shall pursue either protection in place or recovery, salvage and treatment of the deposits. A qualified archaeologist and a Native American Monitor of Gabrieleño Ancestry shall evaluate all archaeological resources unearthed by Project construction activities. If the resources are Native American in origin, they shall have the opportunity to consult with the City and/or Project developer on appropriate treatment and curation of these resources. If unique archaeological resources, or Tribal Cultural Resources cannot be preserved in place or left in an undisturbed state, recovery, salvage and treatment shall be required at the applicant's expense. Recovery, salvage and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines 15064.5 and 15126.4. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the archaeologist. Resources shall be identified and curated into an established accredited professional repository. The archaeologist shall have a repository agreement in hand prior to initiating recovery of the resource. Excavation as a treatment option will be restricted to those parts of the unique archaeological resource, or Tribal Cultural Resource that would be damaged or destroyed by the Project.

4.10.3 Native American Monitoring. Prior to commencement of any excavation activities, the Project developer shall retain a Native American Monitor of Gabrieleño Ancestry to:

- Conduct a Native American Indian Sensitivity Training for construction personnel. The training session shall include a handout and focus on how to identify Tribal Cultural Resources/Native American resources encountered during earthmoving activities and the procedures followed if resources are discovered, the duties of the Native American Monitor of Gabrieleño Ancestry, and the general steps the Monitor would follow in conducting a salvage investigation.

- Monitor all Project-related, ground-disturbing construction activities (e.g., pavement removal, auguring, boring, grading, excavation, potholing, trenching, and grubbing) of previously undisturbed native soils to a maximum depth of 30 feet below ground surface. At their discretion and expense, a Native American Monitor of Gabrieleño Ancestry can be present during the removal of dairy manure to native soil.

4.10.4 Native American Human Remains. Prior to the start of ground disturbing activities, the Project developer shall designate a location within the footprint of the Project site for the respectful reburial of Native American human remains and/or ceremonial objects. All human skeletal material discoveries shall be reported immediately to the County Coroner. The Native American Monitor shall immediately divert work a minimum of 50 feet from the discovery site and place an exclusion zone around the burial. The Native American Monitor shall notify the construction manager who shall contact the San Bernardino County Coroner. Pursuant to California Health and Safety Code, Section 7050.5, all construction activity shall be diverted while the San Bernardino County Coroner determines if

the remains are Native American. If the San Bernardino County Coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the San Bernardino County Coroner. Reburial will be in an appropriate setting. If the San Bernardino County Coroner determines the remains to be modern, the San Bernardino County Coroner shall take custody of the remains.

If Native American, the San Bernardino County Coroner shall notify the Native American Heritage Commission (NAHC) as mandated by state law who will then appoint a Most Likely Descendent. The discovery shall be confidential and secure to prevent further disturbance. In the case where discovered human remains cannot be documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside working hours. The Native American Tribe of Gabrieleño Ancestry shall make every effort to recommend diverting the Project and keep the remains in situ and protected. If the Project cannot be diverted, it may be determined that burials will be removed. If data recovery is approved by the Tribe, documentation shall be taken, which includes at a minimum, detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. No scientific study or the utilization of any invasive diagnostics shall be allowed to any Native American human remains. Cremations will either be removed in bulk or means necessary to ensure complete recovery of all material. If the discovery of human remains includes four (4) or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The Project developer shall consult with the Tribe regarding avoidance of all cemetery sites. Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container onsite if possible. These items shall be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the Project site, but at a location agreed upon between the Tribe and the developer and protected in perpetuity. There shall be no publicity regarding any cultural materials recovered. Once complete, a final report of all activities shall be submitted to the NAHC.

(2) Finding. Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect identified in the Final EIR. With the implementation of Mitigation Measures 4.10.2, 4.10.3, and 4.10.4, impacts would be individually and cumulatively less-than-significant.

(3) Rationale for Finding. Implementation of Mitigation Measures 4.10.2, 4.10.3, and 4.10.4 ensures that TCRs would be avoided, or would be appropriately collected, documented, and curated. On this basis, with application of mitigation, the potential for the Project to cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code section 21074 would be less-than-significant. (DEIR, pp. 4.10-30 – 4.10-31)

E. SIGNIFICANT AND UNAVOIDABLE IMPACTS THAT CANNOT BE MITIGATED TO BELOW THE LEVEL OF SIGNIFICANCE

The following summary describes the unavoidable adverse impact of the proposed Project where either mitigation measures were found to be infeasible, or the mitigation measures are under the control of another lead agency.

Public Resources Code section 21002 states that "it is the policy of the state 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. The Legislature further finds and declares that in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

Section 15364 of the State *CEQA Guidelines* defines "feasible" as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors."

Section 15093(a) of the State *CEQA Guidelines* states:

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

The City Council hereby finds that, despite the incorporation of feasible measures outlined in the Final EIR, pursuant to Section 15093 of the Guidelines, the following impacts cannot be fully mitigated to a less-than-significant level. Despite these significant and unavoidable impacts, the City nevertheless approves the Project because of the benefits described in the Statement of Overriding Considerations included herein.

Pursuant to Public Resources Code Section 21081(b) and *CEQA Guidelines* Sections 15093 and 15043, the City has balanced the economic, legal, social, technological, and other benefits of the proposed Project, including the provision of employment opportunities for highly trained workers, against the following unavoidable adverse impacts associated with the proposed Project identified in Section II, G, above, and has adopted all feasible mitigation measures with respect to the specific impacts described in Section IV in the environmental impact areas of Agricultural Resources, Air Quality, Cultural Resources, Greenhouse Gas Emissions, Noise, and Transportation. The City also has examined alternatives to the proposed Project, none of which meet the Project objectives nor environmentally superior to the proposed Project.

The following impacts would remain significant and unavoidable:

1. Agriculture and Forestry Resources

a. Impact: 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.

Implementation of the Project would result in the conversion of approximately 60.35 acres of on-site Prime Farmland to urban uses. Conversion of the Project site to urban uses would also generally diminish agricultural production within the region.

The City of Ontario has previously acknowledged the planned transition of existing agricultural uses to urbanized uses pursuant to the Land Use Plan. Consistent with the findings of the *Ontario Sphere of Influence* (New Model Colony [Ontario Ranch]) *General Plan Amendment EIR*, The Ontario Plan EIR, this is considered a significant and unavoidable impact. Additional conversion of off-site agricultural lands to non-agricultural purposes could also occur as a result of construction of master plan infrastructure improvements supporting the Project. As discussed in the Infrastructure Master Plans MND, construction of master plan infrastructure improvements would not result in impacts to agricultural resources not already considered and addressed in The Ontario Plan EIR. Master plan infrastructure improvements constructed in support of the Project would not result in impacts to agricultural uses not already considered and addressed in the Infrastructure Master Plans MND.

The Project would implement provisions of the Merrill Commerce Center Specific Plan document and City Development Code that require buffering of, and separation between, agricultural and urban uses. These requirements support the City's planned orderly transition of existing agricultural uses to urban uses.

(1) Mitigation Measures. No Feasible Mitigation Measures. The Ontario Plan envisions the City buildout condition comprising urban mixed-use, commercial, industrial, and residential land uses. The Ontario Plan vision does not support the continuation of existing agricultural uses. In this latter regard, 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 Ontario Plan. The Ontario Plan EIR considered various mitigation measures that could reduce impacts to agricultural resources and Farmland resulting from implementation of The Ontario Plan, but concluded that there are no feasible measures that would reduce these impacts to levels that would be less-than-significant.

(2) Finding. The Project would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. However, the Project would not cause or result in significant and unavoidable agricultural resources impacts and loss of Farmland impacts beyond those already considered and addressed in the *Ontario Sphere of Influence (New Model Colony* [Ontario Ranch]*) General Plan*

Amendment EIR, The Ontario Plan EIR, and the Infrastructure Master Plans MND. Nor would the Project otherwise result in new significant and unavoidable agricultural resources impacts and loss of Farmland that would not otherwise occur pursuant to the Land Use Plan. No feasible mitigation exists to reduce this impact. This is an individually and cumulatively significant and unavoidable impact of the Project.

As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed Project outweigh its significant effects on the environment. (DEIR, pp. 4.11-19 – 4.11-28)

2. Air Quality

a. Impact: Conflict with or obstruct implementation of the applicable air quality plan.

Project construction-source and operational-source emissions would not exceed applicable LSTs. Further, the Project would implement applicable best available control measures (BACMs), and would comply with applicable SCAQMD rules, acting to further reduce potential LST impacts. On this basis, the Project would not result in an increase in the frequency or severity of existing CAAQS/NAAQS air quality violations, or cause or contribute to new violations. The Project would implement development-specific air quality mitigation measures, acting to generally reduce the Project's construction-source and operational-source air pollutant emissions. Additionally, the Project Design Features identified at Draft EIR Section 3.4.3.6, which reflect contemporary energy-efficient technologies and operational programs, CALGreen design and performance standards implemented under the Project, and Project compliance with SCAQMD emissions reductions and control requirements act to reduce Project air pollutant emissions generally.

In combination, the Project air quality mitigation measures and Project Design Features are consistent with and support overarching AQMP air pollution reduction strategies. Project support of these strategies would globally promote timely attainment of AQMP air quality standards and would bring the Project into conformance with the AQMP to the extent feasible. Further, trip generation under the Project Land Uses would likely be reduced when compared to trip generation resulting from development of the site allowed under the site's current Policy Plan Land Uses. On this basis, it is likely that air quality impacts resulting from the Project would not exceed assumptions reflected in the 2016 AQMP.

However, the current General Plan Land use designations for the Project site would be amended to allow for the various Project uses. Accordingly, the 2016 AQMP does not reflect the proposed land use designation for the Project site. For this reason, there is the potential for the Project to exceed air quality impact assumptions in the AQMP or increments based on the years of Project build-out phase. Consequently, development of the subject site as proposed by the Project is conservatively assumed to generate emissions not reflected within the current 2016 AQMP regional emissions inventory for the SCAB. Additionally, the Project could delay the timely attainment of air quality standards and/or interim emissions reductions specified in the 2016 AQMP.

(1) Mitigation Measures. No feasible mitigation.

(2) Finding. Because a change in land use is proposed under the Project, it is assumed that the emissions generated by the Project's proposed land uses are not reflected in the 2016 AQMP air quality standards, interim emissions reductions targets, and emissions inventories. Consequently, development of the subject site as proposed by the Project is conservatively assumed to conflict with the 2016 AQMP. This is an individually and cumulatively significant and unavoidable impact of the Project.

As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed Project outweigh its significant effects on the environment. (DEIR, pp. 4.3-33 – 4.3-37)

Impact: 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.

Project operational activities associated with the Project would result in emissions of VOC, NOx, CO, SOX, PM_{10}, and $PM_{2.5}$. Operational-source emissions generated by Project Phase A would exceed SCAQMD regional thresholds for VOC and NOx. Project Phase A + Phase B operational-source emissions would exceed SCAQMD regional thresholds for VOC, NOx, CO, PM_{10}, and $PM_{2.5}$. Project Phase A + Phase B + Phase C operational-source emissions would exceed SCAQMD regional thresholds for VOC, NOx, CO, PM_{10}, and $PM_{2.5}$. Project operational-source emissions thresholds exceedances of the ozone precursors VOC and NOx, and emissions thresholds exceedances of PM_{10}, and $PM_{2.5}$ could result in cumulatively considerable net increases of the criteria pollutants ozone, PM_{10}, and $PM_{2.5}$ within the encompassing ozone, PM_{10}, and $PM_{2.5}$ non-attainment areas. These are potentially significant impacts.

(1) Mitigation Measures.

4.3.3 Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations. At a minimum, each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for drivers of diesel trucks to restrict idling to no more than five (5) minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; and 3) telephone numbers of the building facilities manager and the CARB to report violations. Prior to the issuance of an occupancy permit, the City shall conduct a site inspection to ensure that the signs are in place.

4.3.4 Prior to tenant occupancy, the Project Applicant or successor in interest shall provide documentation to the City demonstrating that occupants/tenants of the Project site have been provided documentation on funding opportunities, such as the Carl Moyer Program, that provide incentives for using cleaner-than-required engines and equipment.

4.3.5 The minimum number of automobile electric vehicle (EV) charging stations required by the California Code of Regulations (CCR) Title 24 shall be provided. As agreed to by the Applicant and Lead Agency, final designs of Project buildings shall include electrical infrastructure sufficiently sized to accommodate the potential installation of additional auto and truck EV charging stations.

4.3.6 As agreed to by the Applicant and Lead Agency, final Project designs shall provide for installation of conduit in tractor trailer parking areas for the purpose of accommodating potential installation of EV truck charging stations.

4.3.7 Where transport refrigeration units (TRUs) are in use, electrical hookups shall be installed in order to allow TRUs to use electric standby capabilities.

4.3.8 All diesel trucks accessing the Project shall be compliant with the CARB Truck and Bus Regulation 2010 engine emissions standards. The City encourages Project tenant use of zero-emissions or near-zero emissions on-road heavy-duty trucks, i.e., trucks with engines that meet the CARB enhanced nitrogen oxides (NOx) emissions standard of 0.02 gram per brake horsepower-hour (g/bhp-hr). Project tenants and/or building owners shall maintain annual records of all heavy-duty truck access to their respective facilities. Records shall note truck engine emissions standards. These records shall be made available to the City of Ontario upon request.

4.3.9 All on-site yard trucks/hostlers shall be zero-emissions equipment. This requirement or equivalent language shall be incorporated in all Project facility lease documents. Prior to issuance of a Business License, facility owners or tenants shall provide documentation to the City of Ontario Planning Department and Business License Department verifying signed lease documents incorporating the requirement that all on-site yard trucks/hostlers shall be zero-emissions equipment.

(2) Finding. The Project would implement design features acting to reduce operational-source emissions. Mitigation Measures 4.3.3 through 4.3.9 and compliance with all applicable SCAQMD Rules would further reduce Project operational-source emissions. However, even after these implementation of these measures, Project operational-source emissions would still exceed applicable SCAQMD regional thresholds for VOCs, NOX, CO, PM_{10}, and $PM_{2.5}$. These are significant and unavoidable impacts. Per SCAQMD criteria, Project-level impacts that are significant and unavoidable are also cumulatively significant and unavoidable.

As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed Project outweigh its significant effects on the environment. (DEIR, pp. 4.3-38 – 4.3-53 and FEIR pp. 2-2 – 2-3)

3. Cultural Resources

a. Impact: Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5.

All buildings and structures within the Project site were found to be ineligible for listing on the National Register, California Register, or Local designation. However, five onsite buildings/structures appear to qualify as contributing elements to the New Model Colony/Chino Valley Dairy Historic District identified within the City of Ontario New Model Colony Area Historic Context Statement. These Contributors are recognized as likely eligible for listing on the local inventory. As proposed, these Contributors would be demolished to allow for implementation of the Project. This is a potentially significant impact.

(1) Mitigation Measures.

4.10.1 Mitigation shall be provided consistent with City requirements, to include:

- Payment of mitigation fees;
- Provisions of as-built drawings and HABS photo documentation; and
- Development of Historic Context Reports for significant persons in the dairy farm industry, such as the Borba family.

(2) Finding. Application of mitigation, per City requirements, would diminish impacts to potential Contributors. However, because these potential Contributors would be demolished as part of the Project, this impact could not be reduced to levels that would be less-than-significant. On this basis, impacts to residences and/or dairy properties at: 8731 Eucalyptus Avenue; 8831 Eucalyptus Avenue; 8888 Eucalyptus Avenue; 14651 S. Grove Avenue; and 8643 Eucalyptus Avenue would be significant and unavoidable.

Further, there remains the potential for current and future demolition of Contributors or potential Contributors to occur within the District, which combined with demolition of the potential Contributors within the Project site would result in cumulatively significant impacts to the District. This is particularly relevant when considered in the context of historic districts generally, which rely on the collective significance of Contributors to be able to convey a given district's historic significance. On this basis, demolition of potential Contributors within the Project site is considered cumulatively significant and unavoidable within the context of the District.

As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed Project outweigh its significant effects on the environment. (DEIR, pp. 4.10-21 – 4.10-26)

4. Greenhouse Gas Emissions

a. Impact: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

The City of Ontario Community Climate Action Plan (CAP) provides guidance addressing CEQA analysis of GHG emissions and determination of GHG impact significance. The current CAP states that projects that generate less than 3,000 MTCO2e/yr. would have a less-than-significant GHG emissions impact. Conversely, projects that generate more than 3,000 MTCO2e/yr. are presumed to have a potentially significant GHG emissions impact. Project GHG emissions would total approximately 121,345.81 MTCO2e/yr., exceeding the CAP 3,000 MTCO2e/yr. significance threshold. Per the existing CAP, this is a potentially significant impact.

Additionally, the CAP includes an update commitment beginning in 2018 and the City is currently updating the CAP. The CAP as updated may implement performance standards and GHG emissions reduction targets differing from the current CAP. It is anticipated that demonstrated compliance with the CAP as updated would result in a determination of less-than-significant GHG emissions impacts. However, because the ultimate criteria for determination of GHG impact significance under the updated CAP are unknown at this time, this conclusion cannot be assured. On this basis, Project development proposals with building permit applications submitted subsequent to updates to the December 16, 2014 CAP could generate greenhouse gas emissions that would be considered to represent a significant impact on the environment. Thus, there is the potential for Project development proposals to conflict with as-yet-unknown performance standards and GHG emissions reduction targets implemented under the CAP update(s).

(1) Mitigation Measures.

4.4.1 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.

4.4.2 Project development proposals with building permit applications on file with the City subsequent to approval and adoption of updates to the December 16, 2014 CAP shall comply with performance standards and GHG emissions reduction targets of the incumbent CAP. The City shall verify incorporation of measures that would achieve performance standards and GHG emissions reduction targets of the incumbent CAP prior to the issuance of building permit(s) and/or site plans (as

applicable). The City shall verify implementation of applicable CAP provisions prior to the issuance of Certificate(s) of Occupancy. Multiple development proposals may, at the discretion of the City, be allowed to collectively demonstrate consistency with applicable provisions of the incumbent CAP.

(2) Finding. 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 Project development proposals are consistent with the CAP as updated, the potential for Project GHG emissions to result in a significant impact on the environment is considered to be an individual and cumulative significant and unavoidable impact.

As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed Project outweigh its significant effects on the environment. (DEIR, pp. 4.4-34 – 4.4-38)

b. Impact: Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

GHG emissions reduction plans, policies, and regulations applicable to the Project include: AB 32, SB 32, (including related 2008/2017 ARB Scoping Plan Elements), and the City of Ontario CAP. No inconsistencies or conflicts with these plans/regulations have been identified, as set forth in Draft EIR Table 4.4-4, 2008 Scoping Plan Consistency and Table 4.4-5, SB 32/2017 Scoping Plan Consistency.

Per the City CAP, development projects that yield at least 100 Screening Table points (equivalent to an approximate 15% reduction in GHG emissions) are determined to be consistent with the reduction targets established in the City's GHG Technical Report, and consequently would be consistent with the CAP. Pursuant to Mitigation Measure 4.4.1, development proposals within the Project site would be required to achieve a minimum of 100 Screening Table points. On this basis, the Project would be consistent with the CAP in effect at the time this EIR was prepared.

It is however recognized that the City is currently updating the CAP. The CAP as updated may implement performance standards and GHG emissions reduction targets differing from the current CAP. There is the potential for Project development proposals to conflict with as-yet-unknown performance standards and GHG emissions reduction targets implemented under the CAP update(s). Moreover, it cannot be assured that the CAP as updated by the City would be determined to be consistent with applicable State and regional plans adopted for the for the purpose of reducing the emissions of greenhouse gases. These are potentially significant impacts.

(1) Mitigation Measures. Please refer to Mitigation Measures 4.4.1, 4.4.2 set forth above.

(2) Finding. Mitigation measures would act to ensure that to the extent feasible, the Project would be consistent with known and anticipated plans, policies, and regulation adopted for the purpose of reducing the emissions of greenhouse gases. Regardless, 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 Project development proposals are consistent with the CAP as updated, the potential for the Project to conflict plans, policies, and regulations adopted for the purpose of reducing GHGs is considered an individual and cumulative significant and unavoidable impact.

As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed Project outweigh its significant effects on the environment. (DEIR, pp. 4.4-38 – 4.4-47)

5. Noise

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a. Impact: 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.

Off-site Infrastructure Construction. The Project would construct off-site infrastructure conveyance and distribution improvements for water, sewer, recycled water, storm drainage and fiber optics. The concept plans for the necessary infrastructure improvements are generally limited to the right-of-way of existing roadway segments. The installation of each of these services has the potential to generate off-site construction noise level impacts to neighboring noise sensitive land uses. Using reference construction equipment noise levels, this translates into unmitigated infrastructure construction noise levels ranging from 68.5 to 76.4 dBA Leq at the adjacent land uses nearest the planned infrastructure routes. These received noise levels exceed the acceptable construction noise standard of 65 dBA Leq. The potential for off-site infrastructure construction activities to generate noise exceeding applicable standards would therefore be potentially significant.

(1) Mitigation Measures:

4.5.4 Off-site infrastructure improvement plans and construction documents shall include a note indicating that noise-generating Project construction activities shall only occur between the hours of 7:00 a.m. to 6:00 p.m. any weekday, or on Saturday or Sunday from 9:00 a.m. to 6:00 p.m. (City of Ontario Municipal Code, Section 5-29.09).

4.5.5 Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. Construction contractors shall place all stationary construction equipment so that emitted noise is directed away from the nearest noise sensitive receivers.

4.5.6 Construction contractors shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers.

4.5.7 Construction contractors shall limit haul truck deliveries to the same hours specified for construction equipment (between the hours of 7:00 a.m. to 6:00 p.m. any weekday, or on Saturday or Sunday from 9:00 a.m. to 6:00 p.m.). Contractors shall design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise.

(2) Finding: Implementation of the above measures would reduce off-site construction-source noise levels at potentially affected receptors. However, the degree of reduction cannot be assured, and is subject to varied source-receptor distances, numbers and types of equipment used, variable terrain and weather conditions and other factors beyond control of the Applicant. As such, even with the application of mitigation, noise generated by construction of off-site infrastructure is assumed to exceed the applicable 65 dBA Leq noise standard and would be individually and cumulatively significant and unavoidable.

As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed Project outweigh its significant effects on the environment. (DEIR, pp. 4.5-26 – 4.5-27)

6. Transportation

a. Impact: Conflict or be inconsistent with *CEQA Guidelines* Section 15064.3, subdivision (b).

Project VMT/SP that exceeds 85 percent of the existing City Average VMT/SP condition is considered a potentially significant VMT/transportation impact. The Average Existing Automobile VMT/SP of 37.6 VMT/SP x 0.85 = 31.96 VMT/SP. The Automobile VMT/SP threshold for the Project is therefore 31.96 VMT/SP. The existing City Average Total VMT/SP of 42.3 VMT/SP x 0.85 = 35.96 VMT/SP. The Total VMT/SP threshold for the Project is therefore 35.96 VMT/SP. The above VMT thresholds, employed in the EIR analysis, predate the City's formal adoption of VMT thresholds in conformance with SB 743 (see: City of Ontario City Council Resolution No. 2020-071, adopted June 16, 2020).4 In this respect, the EIR VMT threshold (85 percent of the City Average Existing VMT/SP) is more restrictive than the City's June 16, 2020 adopted VMT threshold. More specifically and quantitatively, the EIR VMT/SP thresholds are: 31.96 VMT/SP when considering only Project automobile VMT; and 35.96 VMT/SP when considering Total Project VMT/SP (Project automobile VMT + Project truck VMT/SP). In comparison, City Average VMT/SP under City General Plan Buildout Conditions (year 2040) is estimated at 37.90 VMT/SP when considering only automobile VMT/SP; and 42.80 VMT/SP when considering automobile VMT + truck VMT. The EIR analysis thus conservatively overestimates rather than underestimates the significance of the Project's potential VMT impacts.

Consistent with CEQA Guidelines Section 15064.3 requirements, the analysis of the Project's potential Vehicle Miles Traveled (VMT) indicates that the Project would generate an estimated 31.11 Automobile VMT/SP. The Project's estimated 31.11 Automobile VMT/SP is 0.85 Automobile VMT/SP less than the 31.96 Automobile VMT/SP significance threshold. Automobile VMT/SP impacts would therefore be less-than-significant.

The Project would generate an estimated 47.41 Total VMT/SP. This is 11.45 Total VMT/SP greater than the 35.96 Total VMT/SP significance threshold. Thus, the Project total VMT/SP impacts would be potentially significant.

(1) Mitigation Measures.

4.2.1 The following language or similar shall be incorporated in all Project contract, construction, and property sale/lease documents: "Owners/tenants shall, to the extent practical, allow for and encourage Telecommuting and Alternative Work Schedules."

4.2.2 The following language or similar shall be incorporated in all Project contract, construction, and property sale/lease documents: "Owners/tenants shall, to the extent practical, allow for and encourage ride-sharing programs."

4.2.3 The Applicant shall record a covenant for the Project requiring implementation and administration of a Transportation Demand Management (TDM) program for each Project building/occupancy with 250 or more employees. The form of the covenant shall be approved by the City Attorney's Office. The covenant shall be recorded prior to issuance of a Certificate of Occupancy for the subject building(s).

4.2.4 Prior to issuance of a Certificate of Occupancy for each building/occupancy providing for 250 or more employees, each owner/tenant shall develop a use/occupant-specific TDM program. The TDM program shall submitted to the City Planning Department and City Building Department as part of tenant improvements plan(s) documentation. At a minimum, the TDM program shall:

- Identify physical improvements (if any) to be implemented as part of the TDM program. The City Planning/Building Department shall verify completion of physical TDM improvements as part of the Certificate of Occupancy process.

- Identify TDM program operational strategies to be implemented. These TDM strategies may include but would not be limited to the following:

  - On-site services such as food, retail, and other services to be provided.

  - Ridesharing. Develop a commuter listing of all employee members for the purpose of providing a "matching" of employees with other employees who live in the same geographic areas and who could rideshare.

- Vanpooling. Develop a commuter listing of all employees for the purpose of matching numbers of employees who live in geographic proximity to one another and could comprise a vanpool or participate in the existing vanpool programs.

- Guaranteed Ride Home Program. Develop and implement a program to provide employees who rideshare or use transit or other means of commuting to work, with a prearranged ride home in a taxi, rental car, shuttle, or other vehicle, in the event of emergencies during the work shift.

- Target Reduction of Longest Commute Trip. Provide incentives for ridesharing and other alternative transportation modes to put highest priority on reduction of longest employee commute trips.

- Implement staggered work shifts to the extent practical.

- Implement telecommute programs to the extent practical.

- Establish a TDM coordinator position. The position of TDM coordinator may be fulfilled by the building owner/lessee, an employee, or third-party provider. The TDM coordinator shall:

  - Identify proposed TDM measures to be implemented and provide a list of implemented measures to the City Planning Department;

  - Inform employees of commute options and shall, as applicable, arrange rideshare or vanpool programs;

  - Develop and implement a TDM monitoring program. The TDM monitoring program shall identify trip generation, trip origin(s), average vehicle ridership, and provide an estimate of VMT/employee. The results of the survey shall be submitted annually to the City Planning Department;

  - Based on the results of the TDM monitoring program, provide TDM modification recommendations to the City and affected owners/tenants. Additional/alternative VMT reduction measures that would act to reduce Project VMT levels and that are mutually agreed to by the City and owners/tenants shall be implemented.

(2) Finding. Unmitigated Project Automobile VMT/SP would not exceed applicable thresholds. However, unmitigated Project Total VMT/SP would exceed applicable thresholds. The Project would implement TDM measures that could potentially further reduce already less-than-significant Automobile VMT/SP impacts. However, even with implementation of TDM measures, Total VMT/SP impacts could not be reduced to levels that would be less-than-significant. In any case, the efficacy of TDM measures and reduction of VMT impacts below thresholds cannot be assured at this concept stage of Project development. The Project VMT impact is therefore considered individually and cumulatively significant and unavoidable.

As described in the Statement of Overriding Considerations, the City has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of the proposed Project outweigh its significant effects on the environment. (DEIR, pp. 4.2-9 – 4.2-26)

SECTION IV — 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.

A. 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* Section 15126.6(f) 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* Section 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.

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.

B. PROJECT OBJECTIVES

The following objectives have been established for the Project. (Draft EIR, p. 1-31.)

- Implement a Specific Plan development supporting business park and industrial uses providing a broad range of long-term employment opportunities.
- Implement business park and industrial uses providing a broad range of additional construction employment opportunities.
- Provide safe and convenient access for trucks in a manner that minimizes any potential disruption to residential areas.
- Provide business park and industrial uses near existing roadways and freeways to reduce traffic congestion and air emissions.
- Facilitate goods movement locally, regionally, nationally, and internationally.
- Provide land uses that are compatible with surrounding land uses and that would not conflict with the policies and environmental constraints identified in the Policy Plan.
- Support the Policy Plan vision for urbanization of the Ontario Ranch area of the City.
- Establish new development that would further the City's near-term and long-range fiscal goals.
- Improve the regional jobs/housing balance.

C. ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING/PROJECT PLANNING PROCESS

The CEQA Guidelines state that an EIR should identify any alternatives that were considered by the lead agency but were rejected and briefly explain the reasons underlying the lead agency's determination. Among factors used to eliminate alternatives from detailed consideration in the EIR is the failure to meet most of the basic project objectives, infeasibility, or inability to avoid significant environmental effects (CEQA Guidelines, Section 15126.6(c)). As provided for at *CEQA Guidelines* 15126.6(c), the following alternatives that were considered by the lead agency but were rejected as infeasible:

- Alternative Sites;
- "No Threshold Exceedance" Alternative for Significant Transportation Impacts;

- "No Threshold Exceedance" Alternative for Significant Air Quality Impacts;
- "No Threshold Exceedance" Alternative for Significant GHG Impacts;
- "No Threshold Exceedance" Alternative for Significant Noise Impacts;
- Preservation Alternatives for Significant Historical Resources Impacts;
- "No Threshold Exceedance" Alternative for Significant Agricultural Resources Impacts.

1. Alternative Sites Considered and Rejected. As stated at CEQA Guidelines §15126.6 (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] 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." CEQA Guidelines §15126.6 (f)(1) also provides that when considering the feasibility of potential alternative sites, the factors that may be taken into account include: "site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), 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). None of these factors establishes a fixed limit on the scope of reasonable alternatives."

As discussed below, relocation of the Project would not avoid or substantially lessen the Project's significant environmental impacts. Further, there are no feasible alternative sites under control or likely control of the Applicant that would allow for relocation of the Project in a manner that could substantially reduce the Project's significant environmental impacts.

a. Significant Transportation Impacts Not Substantially Reduced at Alternative Site. Relocation to an Alternative Site is not likely to achieve any measurable reduction in the Project's VMT impacts. VMT impacts are influenced by the Project location, but are also a product of the Project land uses. Relocation of the Project within the City could shorten certain worker commutes trip lengths; however, others could be lengthened. There is no demonstrable evidence indicating that worker trip lengths would be substantially altered by relocation of the Project. Further, Project truck trip lengths are determined by SCAQMD trip length modeling protocols and would not be affected by relocation of the Project site. Additionally, there are no feasible alternative sites under control or likely control of the Applicant that would allow for relocation of the Project and associated reassignment of traffic in a manner that could substantially reduce VMT impacts.

b. Significant Air Quality Impacts Not Substantially Reduced at Alternative Site. Relocation to an Alternative Site would not likely achieve any measurable reduction in the Project's regional operational-source air quality impacts and contributions to nonattainment conditions. Relocation of the Project anywhere within the South Coast Air Basin would not alter or diminish the significance of this impact.

The AQMP land use inconsistency resulting from the Project could not be feasibly avoided by relocation of the Project to an alternative site. That is, there are no alternative sites under control or likely control of the Applicant that would allow for relocation of the Project and that would preclude changes in land use designations.

c. Significant Noise Impacts Not Substantially Reduced at Alternative Site. Significant noise impacts are assumed to occur at land uses adjacent to alignments of off-site master plan infrastructure to be constructed by the Project. These infrastructure alignments are determined by, and are consistent with, City infrastructure master plans. These master plan infrastructure alignments are beyond the control of the Applicant. Relocation of the Project would not substantially alter master plan infrastructure alignments, or substantially diminish construction-source noise impacts that are assumed to occur at adjacent land uses. Moreover, there are no alternative sites under control or likely control of the Applicant that would allow for relocation of the Project and that would substantially reduce construction-source noise impacts affecting land uses adjacent to infrastructure alignments.

d. Significant GHG Emissions Impacts Not Substantially Reduced at Alternative Site. GHG emissions impacts are, by definition, cumulative and global in their effects. Relocation of the Project would not alter or diminish the significance of its GHG emissions impacts.

e. Significant Impacts to Historical Resources Not Substantially Reduced at Alternative Site. Consistent with City requirements, the EIR incorporates mitigation that would reduce impacts to the 5 potential contributors to historical resources to the extent feasible. However, buildout of the City as envisioned under The Ontario Plan would ultimately result in urbanization of the area and would not allow for relocation of the Project in manner that would preclude or substantially reduce historical resources impacts otherwise resulting from the Project. In this regard, the Ontario Plan EIR recognizes that implementation of the Proposed General Plan Land Use Plan could threaten historic resources and recognizes these impacts as significant and unavoidable (General Plan EIR, pp. 5.5-23, 5.5-24). Moreover, there are no alternative sites of under control or likely control of the Applicant that would allow for relocation of the Project and that would substantially reduce potential impacts to historic resources.

f. Significant Agricultural Resources Impacts Not Substantially Reduced at Alternative Site. The Project's significant agricultural resources impacts are consistent with the significant agricultural resources impacts anticipated under buildout of the City. In this regard, The Ontario Plan envisions the City buildout condition comprising urban mixed-use, commercial, industrial, and residential land uses. The Ontario Plan vision does not support the continuation of existing agricultural uses. In this latter regard, existing agricultural uses within the City are becoming economically unsustainable and represent land uses that are increasingly incongruous with continuing urbanization of the City. Moreover, there are no alternative sites under control or likely control of the Applicant that would allow for relocation of the Project and that would substantially reduce agricultural resources impacts.

Based on the preceding considerations, analysis of an Alternative Site as means of reducing the Project's significant environmental impacts was not further considered. (DEIR, pp. 5-38 – 5-41)

2. "No Threshold Exceedance" Alternative for Significant VMT Impacts Considered and Rejected. VMT impacts are defined in terms of miles traveled per service population (VMT/SP). Reduction in VMT impacts could therefore be potentially reduced by diminishing aggregate VMT relative to the service population or increasing the service population relative to VMT. VMT for the Project are fixed by its location and land use context. Relocation of the Project would likely not substantially reduce VMT. The Project Service Population is a function of the land uses proposed. Alteration of the Project land uses would be required in order to significantly increase the Service Population while maintaining or decreasing VMT, and thereby improve the VMT/SP ratio and diminish potential VMT impacts. Such land use alterations would result in some undefined development concept other than the Project evaluated in the EIR. Analysis of this other, undefined development would be speculative and would not support the Project Objectives; and is therefore not further considered.

Based on the preceding, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant. (DEIR, pp. 5-41 – 5-42)

3. "No Threshold Exceedance" Alternative for Significant Air Quality Impacts Considered and Rejected. In order to reduce Project operational-source air quality emissions to levels that would preclude exceedance of all SCAQMD thresholds, the Project scope would need to be reduced by approximately 90 percent (this would achieve the most restrictive threshold [NOx] and all subordinate thresholds). At such a reduction in scope the Project Objectives would not be realized in any meaningful sense. As such, potential alternatives with the specific goal of avoiding all significant operational-source air quality impacts resulting from the Project were rejected from consideration and are not further evaluated.

Project operational-source emissions threshold exceedances would result in a cumulatively considerable net increase in criteria pollutants for which the Project region is non-attainment. For the same reasons noted above, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant. However, this impact and all operational-source air quality impacts would be diminished under the EIR Reduced Intensity Alternative.

The Project proposes Policy Plan Land Use amendments that would allow for implementation of the Project uses. Because the Project's proposed Policy Plan Land Uses designations are not reflected in the AQMP, the Project is considered to be inconsistent with AQMP emissions assumptions and projected AQMP emissions inventory. To maintain AQMP consistency, avoidance of the proposed amendments to the site's current Policy Plan Land Use designations would be required. This would effectively negate the Project in total. Additionally, there are no alternative locations under control or likely control of the Applicant that would preclude any potential change in land use designations, thereby avoiding potential inconsistencies with the AQMP.

Based on the preceding, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant. (DEIR, pp. 5-42 – 5-43)

4. "No Threshold Exceedance" Alternative for GHG Emissions Impacts Considered and Rejected. The Project cannot feasibly achieve no net increase in GHG emissions, nor can the applicable City of Ontario Climate Action Plan (CAP) screening-level threshold (3,000 MTCO2e/year) be achieved. In this regard, the majority (approximately 70 percent) of the Project GHG emissions would be generated by Project vehicular sources. Responsibility and authority for regulation of vehicular-source emissions resides with the State of California (CARB, et al.). Neither the Applicant nor the Lead Agency can effect or mandate substantial reductions in vehicular-source GHG emissions, much less reductions that would achieve no net increase condition or achieve the CAP screening-level 3,000 MTCO2e/year threshold. In effect, all Project traffic would need to be eliminated or be "zero GHG emissions sources" in order to achieve the CAP threshold. There are no feasible means to or alternatives to eliminate all Project traffic, or to ensure that Project traffic would zero GHG emissions sources. In terms of its practical application, this would constitute a "no build" condition.

The Project would implement all feasible measures to provide consistency with the current CAP and pending CAP update. The CAP as updated by the City may implement performance standards and GHG emissions reduction targets differing from the current CAP. There is therefore the potential for Project development proposals to conflict with as-yet-unknown performance standards and GHG emissions reduction targets implemented under the pending CAP updates, and thereby result in GHG emissions that would be considered to represent a significant impact on the environment. Moreover, it cannot be assured that the CAP as updated by the City would be determined to be consistent with applicable State and regional plans adopted for the for the purpose of reducing the emissions of greenhouse gases. There are no feasible alternatives that would ensure consistency with the pending CAP update, or to ensure that the CAP update would be consistent with applicable State and regional plans adopted for the purpose of reducing the emissions of greenhouse gases.

Based on the preceding, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant. (DEIR, pp. 5-43 – 5-44)

5. "No Threshold Exceedance" Alternative for Significant Construction-Source Noise Impacts Considered and Rejected. Construction-source noise impacts resulting from construction of off-site master plan infrastructure improvements would be significant and unavoidable. Construction-source noise impacts reflect maximum noise levels generated by likely operations of typical construction equipment. The types and quantities of equipment employed, and associated maximum noise levels generated, would not differ substantially under any reasonable scenario for construction of off-site master plan infrastructure.

Based on the preceding, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant. (DEIR, p. 5-44)

6. Preservation Alternatives for Significant Historical Resources Impacts Considered and Rejected. Consistent with City requirements, the EIR incorporates mitigation that would reduce impacts to historical resources to the extent feasible. However, even with application of mitigation, impacts would be significant and unavoidable. In this regard, the Ontario Plan EIR recognizes that implementation of the Proposed Land Use Plan could threaten historic resources and recognizes these impacts as significant and unavoidable (General Plan EIR, pp. 5.5-23, 5.5-24). Preservation Alternatives that could lessen or avoid impacts to historical resources were also considered, but were ultimately determined to be infeasible and were therefore rejected. These Alternatives and the basis for their rejection are summarized below:

- In Situ Retention: In situ of these contributors would be incompatible with, and would conflict with, the proposed Specific Plan Land Use Plan, Development Standards, and Design Guidelines and would not allow for implementation of the Project. In situ retention of these contributors is therefore not considered feasible.

- Retention and Adaptive Reuse: Similarly, retention and adaptive reuse of these contributors would be incompatible with, and would conflict with the proposed Specific Plan Land Use Plan, Development Standards, and Design Guidelines and would not allow for implementation of the Project. Retention of and adaptive use of these contributors is therefore not considered feasible.

- Relocation: Relocation of the contributors may be possible, pending identification of a recipient site that is within the New Model Colony [Ontario Plan] boundaries and that maintains similar setting and location, and historic associations. Additionally, each relocated building should retain original materials and design features that give evidence of original workmanship and feeling/aesthetic such that the resource, upon relocation, maintains the ability to convey its identified significance. There are no designated recipient sites that meet the relocation criteria noted. Moreover, buildout of the City as envisioned under The Ontario Plan would ultimately result in urbanization of the area and would not allow for relocation at a recipient site that maintains similar setting, and location, and historic associations for the affected contributors. Relocation of the contributors is therefore considered infeasible.

Based on the preceding, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant. (DEIR, pp. 5-44 – 5-45)

7. "No Threshold Exceedance" Alternative for Significant Agricultural Resources Impacts Considered and Rejected. The Ontario Plan vision does not support the continuation of existing agricultural uses within the City. In this regard, existing agricultural uses within the City are becoming economically unsustainable and represent land uses that are increasingly incongruous with continuing urbanization of the City.

Long-term maintenance of agricultural/farmland uses within the Project site would therefore be contrary to Policy Plan Land Use Plan and the goals of the Ontario Plan. Persisting agricultural/farmland uses within the Project site would likely result in on-going

and increasing land use incompatibilities as surrounding areas continue to urbanize as envisioned under the Policy Plan. Long-term maintenance of agricultural/farmland uses within the Project would therefore potentially exacerbate rather than reduce environmental impacts. Further, transition of the Project site from agricultural/farmland uses and associated significant impacts to agricultural uses are consistent with and have been previously addressed in certified/adopted City environmental documents. The Project would not result in significant agricultural resources impacts not already considered and addressed in these documents.

Moreover, there are no alternative sites under control or likely control of the Applicant that would allow for relocation of the Project and that would substantially reduce agricultural resources impacts. 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 Policy Plan 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.

Additionally, creation of new Farmland-status properties within the City could result in new and additional adverse impacts to the environment associated with typical farm/dairy operations, including but not limited to:

- Animal waste and creation of methane gas, and soil contamination from nitrates and ammonia.
- Use of petroleum products and above ground storage tanks (ASTs) used for fueling, maintaining, and repairing farm equipment.
- Use of formaldehyde, iodine, glycerol, muriatic acid and chlorinated alkaline as cleaning solutions. Application of pesticides to prevent parasite infestations.
- Holding ponds for contaminated runoff from agricultural/dairy farm operations and discharge of wastewater from these processes to pastures or to the area drainage system.
- Accumulating general debris that may have the potential to impact on-site surficial soil.
- Potential presence of septic systems.

These adverse impacts would be amplified at the interface of any agricultural uses imposed within the City's urbanizing context.

Further, creation of new Farmland-status properties outside the City is beyond the Lead Agency and Applicant 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. Additionally, creation of new Farmland-

status properties at extra-jurisdictional locations could result in adverse impacts noted above. These impacts would be similar to those the City has experienced and seeks to avoid through implementation of the Policy Plan Land Use Plan.

Based on the preceding, there are no feasible means or alternatives to avoid this impact or reduce the impact to levels that would be less-than-significant. (DEIR, pp. 5-45 – 5-47)

Finding: The City Council rejects the Alternative Sites; "No Threshold Exceedance" Alternative for Significant Transportation Impacts; "No Threshold Exceedance" Alternative for Significant Air Quality Impacts; "No Threshold Exceedance" Alternative for Significant GHG Impacts; "No Threshold Exceedance" Alternative for Significant Noise Impacts; Preservation Alternatives for Significant Historical Resources Impacts; and "No Threshold Exceedance" Alternative for Significant Agricultural Resources Impacts on the following grounds, each of which individually provides sufficient justification for rejection of these alternatives: (1) the alternative(s) fail to meet the majority of the Project objectives. (2) the alternative(s) would likely not eliminate or substantially reduce the proposed Project's significant impacts (3) feasible alternative means to substantially reduce the proposed Project's significant environmental impacts do not exist and (4) alternative sites are technically, financially, and legally infeasible given that the Project Applicant does not own other land that would accommodate the proposed Project and reduce the significant impacts of the proposed Project. Therefore, the Alternatives discussed above are eliminated from further consideration. See also: DEIR, pp. 5-38 – 5-47; and Findings at item C above, *Alternatives Considered and Rejected During the Scoping/Project Planning Process*.

D. ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

The following alternatives were determined to represent a reasonable range of alternatives with the potential to feasibly attain most of the basic objectives of the Project but avoid or substantially lessen any of the significant effects of the project:

- No Project Alternative: No Build;
- No Project Alternative: Development per Existing Policy Plan Land Uses; and
- Reduced Intensity Alternative.

1. No Project Alternative: No Build. If a No Build scenario were maintained, its comparative environmental impacts would replicate the existing conditions discussions for each of the environmental topics evaluated in the EIR; and comparative impacts of the Project would be as presented under each of the EIR environmental topics.

a. Impacts. This Alternative would result in reduced air quality, GHG, noise, cultural resources, and agricultural resources impacts when compared to the Project. No air quality, GHG, noise, cultural resources, or agricultural resources impact mitigation would be implemented under this Alternative.

This Alternative would maintain existing VMT conditions. This Alternative would result in decreased total VMT when compared to the Project. Because the intensity and scope of uses is diminished under this Alternative, the Service Population would also be decreased. On this basis, this Alternative may not substantially alter the VMT/SP ratio otherwise resulting from the Project. No VMT impact mitigation would be implemented under this Alternative.

Under this Alternative, maintenance of the site's existing dairy farm/truck operations land uses is incompatible with the Policy Plan vision, and would tend to increase the potential for land use incompatibilities as the surrounding areas continue to urbanize. Potential impacts in these regards would be increased when compared to the Project. Under this Alternative, existing hazards/hazardous materials conditions would be maintained. Existing adverse hazards/hazardous conditions affecting the subject site and surrounding areas (e.g., contaminated soils, animal waste, debris, pesticides, contaminated runoff) would persist.

Under this Alternative, existing hydrology/water quality conditions would also be maintained. Existing adverse hydrology/water quality conditions affecting the subject site (e.g., lack of storm sewers, lack of storm water quality treatment systems, degraded water quality due to dairy farming operations) would persist. This Alternative may therefore result in increased hydrology and water quality impacts when compared to the Project. That is, under the Project, adverse hydrology and water quality conditions affecting the site and surrounding areas would be comprehensively addressed through implementation of the Project stormwater management systems. These stormwater management system improvements would not be implemented under this Alternative. No hydrology/water quality impact mitigation would be implemented under this Alternative.

b. Project Objectives. This Alternative would realize none of the stated Project Objectives as no development would occur.

c. Finding. The City Council rejects Alternative 1: No Project Alternative: No Build, on the following grounds, each of which individually provides sufficient justification for rejection of this Alternative: (1) This Alternative would achieve none of the Project Objectives and is infeasible; (2) the Alternative may increase the severity of, or create additional impacts related to land use, hazards and hazardous materials, and hydrology and water quality not otherwise occurring under the Project; (3) the Alternative fails to reduce significant and unavoidable VMT impacts. (DEIR p. 5-82). The No Project Alternative: No Build also fails in terms of its desirability based on a reasonable balancing of the relevant economic, environmental, social, and technological factors. In this respect, the No Project No Build provides no additional employment or business opportunities and does not provide a "reasonable balancing of the relevant economic, environmental, social, and technological factors." Further, the No Project Alternative No Build is not consistent with the Purpose and Policies of the General Plan Land Use Element and would not implement urban uses envisioned under the City General Plan Land Use Plan (see: https://www.ontarioplan.org/policy-plan/lu-land-use-element/); would not provide for or support the Purpose and Polices articulated in the City General Plan Economics Element (see: https://www.ontarioplan.org/policy-plan/community-economics-element/). This Alternative is therefore eliminated from consideration. (DEIR, p. 5-82)

2. No Project Alternative: Development per Existing Policy Plan Land Uses. The No Project Alternative: Development per Existing Policy Plan Land Uses (Existing Policy Plan Land Uses) scenario represents foreseeable development of the subject site pursuant to the site's current Policy Plan Land Use designations.

a. Impacts. Alternative 2 would have similar impacts to the proposed Project related to land use and planning, hazards and hazardous materials, hydrology and water quality, biological resources, geology and soils, cultural resources, tribal cultural resources, agricultural resources, utilities and service systems, and population and housing.

Under Alternative 2, total VMT would be increased. VMT/SP impacts would likely be comparable to those of the Project. Other transportation impacts would be similar to those resulting from the Project. GHG emissions would be increased roughly proportional to increased trip generation under this Alternative. Under Air Quality, while potential AQMP consistency impacts may be avoided under this Alternative, operational-source emissions would be increased. Operational-source exceedances of applicable SCAQMD regional thresholds would increase in severity and magnitude when compared to the proposed Project. Operational-source VOC, NOx, PM10, and PM2.5 emissions contributions to Basin non-attainment conditions would increase in severity and magnitude when compared to the proposed Project. Vehicular-source noise and energy impacts may also be increased when compared to impacts of the proposed Project.

b. Project Objectives. This Alternative would likely realize certain of the stated Project Objectives by providing a mix of business park, office commercial, and general commercial uses. However, this Alternative would not implement industrial uses, and in this regard would fail to achieve or would impede attainment the following Project Objectives:

- Implement a Specific Plan development supporting business park and industrial uses providing a broad range of employment opportunities. *Elimination of the Project industrial uses as would result from this Alternative would not provide industrial/warehouse employment opportunities that would otherwise result from the Project.*

- Implement business park and industrial uses providing a broad range of additional construction employment opportunities. *Elimination of the Project industrial uses as would result from this Alternative tend to restrict the range and types of construction employment opportunities that would otherwise result from the Project.*

- Provide business park and industrial uses near existing roadways and freeways to reduce traffic congestion and air emissions; Provide land uses that are compatible with surrounding land uses and that would not conflict with the policies and environmental constraints identified in the Policy Plan. *No industrial uses would be implemented under this Alternative. Potential reductions in VMT, traffic congestion and vehicular-source emissions achieved by clustering of industrial/warehouse uses with proximate access to existing*

and proposed roadway and freeways as would occur under the Project would not be realized. Further, this Alternative would result in approximately twice the trip generation resulting from the Project, acting to generally increase traffic congestion, air pollutant emissions, GHG emissions, and vehicular-source noise when compared to the Project. Environmental impacts resulting from this Alternative would, more so than the Project, have the potential to conflict with the policies and environmental constraints identified in the Policy Plan.

- Facilitate goods movement locally, regionally, nationally, and internationally. *This Alternative would not implement fulfillment warehouse uses, and in this regard would not support or facilitate goods movement as would otherwise occur under the Project.*

c. Finding. The City Council rejects Alternative 2: No Project Alternative: Existing Policy Plan Land Uses, on the following grounds, each of which individually provides sufficient justification for rejection of this Alternative: (1) This Alternative would provide no reduction in significant environmental impacts when compared to the Project; (2) this Alternative may increase the severity of, or create additional impacts not otherwise occurring under the Project due to an increase in trip generation; and (3) due to its comparative reduction in scope, the Reduced Intensity Alternative would likely impede or substantially restrict attainment of the following Project Objectives.

- Implement a Specific Plan development supporting business park and industrial uses providing a broad range of employment opportunities. *The comparative 25 percent reduction in development intensity under the Reduced Intensity Alternative would diminish the number and diversity of potential employment opportunities otherwise provided by the Project. The noted reduction in scope and would also restrict potential synergy between uses at this location and other vicinity uses.*

- Implement business park and industrial uses providing a broad range of additional construction employment opportunities. *The comparative 25 percent reduction in development intensity under the Reduced Intensity Alternative would diminish the number and diversity of potential construction employment opportunities otherwise provided by the Project. The noted reduction in scope and would also restrict potential synergy between uses at this location and other vicinity uses. Facilitate goods movement locally, regionally, nationally, and internationally. The comparative 25 percent reduction in development intensity under the Reduced Intensity Alternative would diminish warehousing and fulfillment center capabilities and related goods movement capabilities otherwise occurring under the Project.*

- Support the Policy Plan vision for urbanization of the Ontario Ranch area of the City. *The comparative 25 percent reduction in development intensity under the Reduced Intensity Alternative would tend to conflict with or impede the Policy Plan vision for urbanization of the Ontario Ranch area of the City. Potential contrary effects would include:*

- A reduction in business park/industrial development opportunities otherwise available under the Project;

- A reduction in the range and variety of business park and industrial developers and tenants that would be attracted to the City;

- Diminished potential for development of the site with uses and at an intensity the City considers to be the highest and best use for the subject property;

- Diminished fiscal benefits available to the City of Ontario;

- Diminished job creation. Related diminished potential for improvement of the regional jobs/housing balance condition.

(DEIR, pp. 5-73, 5-74.) Further, based on the failure of this Alternative to substantially reduce significant environmental impacts and failure to satisfy several of the Project Objectives, this Alternative fails in terms of its desirability based on a reasonable balancing of the relevant economic, environmental, social, and technological factors. This Alternative is therefore eliminated from consideration.

3. Reduced Intensity Alternative. The Reduced Intensity Alternative focuses on a development scenario that would reduce the significant operational-source air quality impacts otherwise occurring under the Project.

Of the total operational-source emissions generated by the Project, approximately 90 percent (by weight) would be generated by Project traffic. An effective way to reduce the Project operational-source emissions would therefore be an Alternative that would reduce the total amount of traffic generated by the Project. Based on the reduction in total traffic, the Reduced Intensity Alternative would also reduce the scope and/or intensity of significant transportation impacts, air quality impacts, and GHG emissions impacts that would result from implementation of the Project.
The Reduced Intensity Alternative would implement the proposed Merrill Commerce Center Specific Plan uses at an approximately 25 percent reduction in overall development intensity. The mix of land uses proposed by the Project would be proportionally maintained under the Reduced Intensity Alternative. When compared to the approximately 8,455,000 square feet of light industrial/business park uses proposed by the Project, the Reduced Intensity Alternative would realize approximately 6,341,000 square feet of light industrial/business park development.

a. Impacts. The Reduced Intensity Alternative would have similar impacts to the proposed Project related to land use and planning, hazards and hazardous materials, hydrology and water quality, biological resources, geology and soils, cultural resources, tribal cultural resources, noise, agricultural resources, utilities and service systems, and population and housing.

Total VMT would be diminished. VMT/SP impacts would likely be comparable to those of the Project. Other transportation impacts would be similar to those resulting from the Project. Like the Project, development of the subject site under the Reduced Intensity Alternative is assumed to conflict with the 2016 AQMP. However, operational-source emissions would be decreased. Operational-source exceedances of applicable SCAQMD regional thresholds would decrease in severity and magnitude. Operational-source VOC, NOx, PM10, and PM2.5 emissions contributions to Basin non-attainment conditions would decrease in severity and magnitude. GHG emissions would be diminished roughly proportional to the diminished scope of development under the Reduced Intensity Alternative. GHG emissions impacts would be comparable to those of the Project. Total energy demands and energy consumption impacts would likely be reduced when compared to the Project.

b. Project Objectives. The Reduced Intensity Alternative would implement the proposed Merrill Commerce Center Specific Plan use and development concepts at an approximately 25 percent reduction in overall development intensity. Due to its comparative reduction in scope, the Reduced Intensity Alternative would likely impede or substantially restrict attainment of the following Project Objectives.

- Implement a Specific Plan development supporting business park and industrial uses providing a broad range of employment opportunities. *The comparative 25 percent reduction in development intensity under the Reduced Intensity Alternative would diminish the number and diversity of potential employment opportunities otherwise provided by the Project. The noted reduction in scope and would also restrict potential synergy between uses at this location and other vicinity uses.*

- Implement business park and industrial uses providing a broad range of additional construction employment opportunities. *The comparative 25 percent reduction in development intensity under the Reduced Intensity Alternative would diminish the number and diversity of potential construction employment opportunities otherwise provided by the Project. The noted reduction in scope and would also restrict potential synergy between uses at this location and other vicinity uses.*

- Facilitate goods movement locally, regionally, nationally, and internationally. *The comparative 25 percent reduction in development intensity under the Reduced Intensity Alternative would diminish warehousing and fulfillment center capabilities and related goods movement capabilities otherwise occurring under the Project.*

- Support the Policy Plan vision for urbanization of the Ontario Ranch area of the City. *The comparative 25 percent reduction in development intensity under the Reduced Intensity Alternative would tend to conflict with or impede the Policy Plan vision for urbanization of the Ontario Ranch area of the City. Potential contrary effects would include:*

- A reduction in business park/industrial development opportunities otherwise available under the Project;

- A reduction in the range and variety of business park and industrial developers and tenants that would be attracted to the City;

- Diminished potential for development of the site with uses and at an intensity the City considers to be the highest and best use for the subject property;

- Diminished fiscal benefits available to the City of Ontario;

- Diminished job creation. Related diminished potential for improvement of the regional jobs/housing balance condition.

c. 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 Reduced Intensity Alternative would reduce, but not eliminate the Project's significant impacts regarding transportation, air quality, GHG emissions, noise, and agricultural resources. More specifically:

- Total VMT would be reduced. However, VMT/SP ratios would be similar to the Project and related VMT impacts would be significant and unavoidable.

- The magnitude of operational-source air quality impacts (VOC, NOx, CO, PM_{10} and $PM_{2.5}$ emissions impacts) would be diminished but would remain significant and unavoidable.

- Construction-source noise impacts affecting off-site properties along master plan infrastructure improvements corridors would be similar to the Project and would remain significant and unavoidable.

- GHG emissions impacts would be similar to the Project and would remain significant and unavoidable.

- Demolition of historic District Contributors would be required. Impacts to historic resources would be similar to the Project and would remain significant and unavoidable.

- On-site and potential off-site agricultural resources impacts would be similar to the Project and would remain significant and unavoidable.

(2) Based on the reduction in overall development scope, the Reduced Intensity Alternative would broadly restrict attainment of all Project Objectives. Where quantifiable (e.g., additional sales tax revenues, job creation, incremental property tax revenues), this reduction in attainment of Objectives would be approximately 25 percent less than would be otherwise realized under the Project.

Countering its potential environmental benefits, the Reduced Intensity Alternative would broadly and substantially diminish attainment of the Project Objectives, with related diminishment of socio-economic benefits to the City and region. CEQA indicates that socioeconomic effects (while not lone determinants) are important considerations for decision-makers in evaluating and considering EIR Alternatives. With respect to socioeconomics, the Project and the Reduced Intensity Alternative would each have beneficial effects for the area. Either of these scenarios would contribute to area employment and the City's overall tax base. However, as noted previously, because the scope and variety of land uses would be reduced by approximately 25 percent under the Reduced Intensity Alternative, the resulting effective realization of the Project Objectives, to include economic benefits to the City and region, would likely be similarly diminished.

(3) The Alternative is infeasible, as qualitatively, development of the subject site under the Reduced Intensity Alternative fails to optimize use of a significant vacant property, fails to recognize the site's value as one of the remaining undeveloped properties within the City, and is not considered by the Lead Agency to represent the highest and best use of the subject site. (DEIR pp. 5-82 – 5-84)

E. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

According to Section 15126.6(e)(2) of the CEQA Guidelines, an EIR is required to identify the environmentally superior alternative, which is the alternative having the potential for the fewest significant environmental impacts, from among the range of reasonable alternatives that are evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project Alternative is the environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining alternatives.

The Reduced Intensity Alternative would result in potential incremental reduction in certain significant environmental impacts otherwise occurring under the Project, but would not eliminate these impacts. The Reduced Intensity Alternative would allow for limited attainment of the Project Objectives. On this basis, the Reduced Intensity Alternative is identified as the environmentally superior alternative. (DEIR, pp. 5-82 – 5-84)

SECTION V — CUMULATIVE IMPACTS

Regarding the Project's potential to result in cumulative impacts, the City hereby finds as follows:

A. Agricultural Resources

The cumulative impact area when considering potential cumulative agricultural resources impacts includes areas that are currently under City jurisdiction and subject to provisions of The Ontario Policy Plan; surrounding San Bernardino County, and the State of California. The Ontario Plan EIR concluded that buildout of the City pursuant to the Policy Plan would result in cumulatively significant and unavoidable agricultural resources

impacts. Project impacts related to agricultural resources would be significant and unavoidable. These Project impacts would contribute considerably to cumulatively significant and unavoidable agricultural resources impacts. Cumulative effects of the Project's significant and unavoidable agricultural resources impacts are consistent with those already considered and addressed in The Ontario Plan EIR. (DEIR, p. 5-26)

B. Air Quality

The cumulative impact area for air quality considerations is generally defined by the encompassing Air Basin and boundaries of the jurisdictional air quality management agency. In this case, the South Coast Air Basin (SCAB, Air Basin) and the South Coast Air Quality Management District (SCAQMD), respectively. Project emissions within the context of SCAQMD's regional emissions thresholds provide an indicator of potential cumulative impacts within the jurisdictional Air Basin. Due to the defining geographic and meteorological characteristics of the Air Basin, criteria pollutant emissions that could cumulatively impact air quality would be, for practical purposes, restricted to the Air Basin. Accordingly, the geographic area encompassed by the Air Basin is the appropriate limit for this cumulative air quality analysis.

1. Construction-Source Air Quality Impacts. With application of mitigation, Project maximum daily construction-source emissions would not exceed applicable SCAQMD regional thresholds and would therefore be less-than-significant. Per SCAQMD criteria, Project-level impacts that are less-than-significant are not cumulatively considerable. Other related projects within the cumulative impact area would be required to minimize construction-source air pollutant emissions consistent with SCAQMD programs and strategies, thereby minimizing potential cumulative impacts. Mitigation would be implemented, if applicable.

2. Operational-Source Air Quality Impacts. Even with application of mitigation, Project operational-source VOC, NOx, CO, PM10, and PM2.5 emissions would exceed applicable SCAQMD regional thresholds. The Basin encompassing the Project site is designated as non-attainment for ozone, PM10, and PM2.5 (VOC and NOx are both ozone precursors; NOx is a precursor to PM10/PM2.5). Project operational-source VOC, NOx, PM10, and PM2.5 emissions threshold exceedances would result in a cumulatively considerable net increase in criteria pollutants (ozone and PM10/PM2.5) for which the Project region is non-attainment. These are cumulatively significant and unavoidable air quality impacts. Other related projects within the cumulative impact area would be required to minimize operational-source air pollutant emissions consistent with SCAQMD programs and strategies, thereby minimizing potential cumulative impacts. Mitigation would be implemented, if applicable.

3. Overlapping Construction-Source and Operational-Source Emissions. Where Project construction-source emissions could potentially overlap with Project operational-source emission, the resulting overlapping emissions would not exceed maximum operational-source emissions generated under Project buildout conditions, and cumulative effects would not be greater than or substantially different than those noted under *Operational-Source Air Quality Impacts* above.

4. AQMP Consistency Impacts. A change in Policy Plan Land Use designations is proposed by the Project. It is assumed that the emissions generated by the Project's proposed land uses are not reflected in the 2016 AQMP air quality standards, interim emissions reductions targets, and emissions inventories. Consequently, development of the subject site as proposed by the Project is assumed to conflict with the 2016 AQMP. This is a significant and unavoidable impact. Per SCAQMD criteria, Project-level impacts that are significant are also cumulatively considerable. Other related projects within the cumulative impact area would be required to minimize potential AQMP inconsistencies consistent with SCAQMD programs and strategies, thereby minimizing potential cumulative impacts. Mitigation would be implemented, if applicable.

5. CO Hotspot Impacts. The potential for the Project to cause or result in potential CO hotspot impacts would be less-than-significant. Per SCAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable. The potential for Project CO emissions to result in or cause cumulatively significant CO hotspot impacts is therefore considered less-than-significant. Other related projects within the cumulative impact area would be required to minimize potential CO hotspot impacts consistent with SCAQMD programs and strategies, thereby minimizing potential cumulative impacts. Mitigation would be implemented, if applicable.

6. Health Risk Impacts. Potential carcinogenic and non-carcinogenic health risk impacts resulting from Project construction and operations would be less-than-significant. Per SCAQMD criteria, less-than-significant impacts at the Project level are not cumulatively considerable. The potential for Project air pollutant emissions to result in or cause cumulatively significant health risk impacts is therefore considered less-than-significant. Other related projects within the cumulative impact area would be required to minimize potential health risk impacts consistent with SCAQMD programs and strategies, thereby minimizing potential cumulative impacts. Mitigation would be implemented, if applicable. (DEIR, pp. 5-11 – 5-14)

C. Biological Resources

The cumulative impact areas for biological resources are generally defined by available habitat, species' range(s), physical constraints, and other limiting factors as discussed within the Project Biological Resource Assessment.

1. Special-Status Plant Species. The Project site is extensively disturbed by human activities, and evidences a ruderal non-native plant community dominated by annual grasses. The Project site does not support special-status plant species or habitats. Project impacts to special-status plant species would be less-than-significant.

2. Special-Status Wildlife Species. The Project could result in potentially significant impacts to the burrowing owl and white-tailed kite. The EIR incorporates mitigation measures that would reduce potential impacts to the burrowing owl and white-tailed kite to levels that would be less-than-significant.

3. Nesting Birds. Project implementation could affect nesting birds that may be present at the time of Project construction activities. This is a potentially significant impact. The EIR incorporates mitigation measures that would reduce potential impacts to nesting birds to levels that would be less-than-significant.

4. Jurisdictional Areas.

a. Corps/Regional Board Jurisdiction. Corps/Regional Board Jurisdictional areas that would be potentially affected by implementation of the Project. The resulting loss of surface waters is a potentially significant impact. The EIR incorporates mitigation that would reduce potential impacts to Corps/Regional Board Jurisdictional areas to levels that would be less-than-significant.

b. CDFW Jurisdiction. Potentially affected CDFW Jurisdictional areas are heavily impacted flood control facilities. Nonetheless, the resulting loss of surface streambeds is considered a potentially significant impact. A CDFW Section 1602 Streambed Alteration Agreement would be required. The EIR incorporates mitigation that would reduce potential impacts to Corps/Regional Board Jurisdictional areas to levels that would be less-than-significant.

c. Riparian Habitat, Wetlands, or Other Sensitive Natural Community. No riparian habitat, wetlands, or other sensitive natural community exist within the Study Area or would otherwise be adversely affected by the Project. The potential for the Project to have a substantial adverse effect on any riparian habitat, federally protected wetlands, or other sensitive natural community is considered less-than-significant.

d. Wildlife Movement Corridors. The Project site is bounded by traveled roadways and developed or developing properties. The Project site does not represent a connecting link between significant habitat for wildlife areas. Based on its location within an urban context, the potential for the site to function as a significant wildlife movement corridor is considered low. Project impacts to wildlife movement corridors would be less-than-significant.

e. Local Policies or Ordinances Protecting Biological Resources; Habitat Conservation Plans. Certain off-site flood control improvements implemented by the Project are located within the boundary of the City of Chino Preserve Resource Management Plan (RMP). Applicable requirements of the RMP have been carried forward as part of the EIR mitigation measures. As mitigated, potential impacts to the RMP would be less-than-significant. No other local policies or ordinances, or habitat conservation plans are applicable to, or would be potentially adversely affected by the Project.

Other related projects within the cumulative impact area would be required to comply with applicable City, CDFW, and USFWS regulatory requirements addressing biological resources. Mitigation would be incorporated if necessary. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts.

Therefore, the Project's potential contribution to cumulative impacts regarding biological resources is not considerable, and the cumulative effects of the Project are determined to be less-than-significant. (DEIR, pp. 5-22 – 5-24)

D. Cultural Resources/Tribal Cultural Resources

The cumulative impact area for prehistoric, archaeological, and historic resources includes the City of Ontario and surrounding areas of San Bernardino County. Five buildings or structures within the Project site appear to qualify as contributing elements (Contributors) to the New Model Colony / Chino Valley Dairy Historic District (District) identified within the City of Ontario New Model Colony Area Historic Context Statement. These 5 potential Contributors to the District would be demolished to allow for implementation of the Project. Per CCR Title 14, Section 15126.4(b), the demolition or destruction of a historical resource cannot typically be fully mitigated. Demolition of potential Contributors resulting from the Project is therefore considered a significant and unavoidable impact.

The proposed demolition of potential Contributors within the Project site would contribute considerably to cumulative impacts to historic resources. In this regard, it is reasonable to expect that there will be contemporary or future instances of demolition of similar potential Contributors either through neglect; under circumstances precluding feasible rehabilitation; due to the presence of health and safety hazards requiring removal of a Contributor; or if it is determined that impacts of removing a Contributor is outweighed by the benefits afforded by a new development. There remains potential for current and future demolition of Contributors to occur within the District, which combined with demolition of the potential Contributors within the Project site would result in cumulatively significant impacts to the District. This is particularly relevant when considered in the context of historic districts, which rely on the collective significance of Contributors to be able to convey a given district's historic significance. On this basis, demolition of potential Contributors within the Project site is considered cumulatively significant and unavoidable within the context of the District.

The Project's other potential impacts to cultural resources/tribal cultural resources would be less-than-significant as mitigated. Other related projects within the cumulative impact area would be required to minimize cultural resources/tribal cultural resources impacts consistent with City and State regulatory requirements, thereby minimizing potential cumulative cultural resources/tribal cultural resources impacts. Mitigation would be implemented, if applicable.

Thus, the demolition of potential District Contributors within the Project site is considered to be a cumulatively significant and unavoidable impact. The Project's potential contributions to other cumulative impacts regarding cultural resources/tribal cultural resources would not be considerable, and these cumulative effects would be less-than-significant. (DEIR, pp. 5-25 – 5-26)

E. Energy

The geographic scope of cumulative energy impacts is limited to the energy provider service area(s). The Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. These plans and policies address development-level and cumulative impacts to energy resources. Project consistency with state and local plans for renewable energy and energy efficiency demonstrates that the Project energy impacts would not be cumulatively considerable, and the Project cumulative energy impacts would be less-than-significant.

As with the Project, other developments within the energy provider service areas would be required to demonstrate compliance with state and local plans for renewable energy and energy efficiency. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts. Therefore, the Project's potential contribution to cumulative impacts regarding energy is not considerable, and the cumulative effects of the Project are determined to be less-than-significant. (DEIR, pp. 5-28 – 5-29)

F. Geology and Soils

The Project site and all Southern California lie within a seismically active area, generally subject to earthquake hazards, and in this sense, Southern California is considered the cumulative impact area for geology and soils considerations. Project impacts related to geology and soils would be less-than-significant as mitigated. The Project would not exacerbate any existing adverse geologic/soils conditions.

Other related projects within the cumulative impact area would be required to minimize geology/soils impacts consistent with City and CBC regulatory requirements, thereby minimizing potential cumulative geology/soils impacts. Mitigation would be implemented, if applicable. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts. Thus, the Project's potential contribution to cumulative impacts regarding geology and soils is not considerable, and the cumulative effects of the Project are determined to be less-than-significant. (DEIR, p. 5-24)

G. Greenhouse Gases

CEQA emphasizes that the effects of greenhouse gas emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis (*CEQA Guidelines* Section 15130(f)). The EIR Greenhouse Gas (GHG) Analysis is by nature a cumulative analysis. Because GHG emissions and climate change are global issues, any approved project regardless of its location has the potential to contribute to a cumulative global accumulation of GHG emissions. The geographic context of the cumulative contributions to GHGs and climate change is worldwide. Practically however, lead agencies and responsible agencies are only able to regulate GHG emissions within their respective jurisdictions. Accordingly, the cumulative impact area for GHG/Global Climate Change considerations is the City of Ontario and the encompassing SCAQMD jurisdictional area.

Even after application of mitigation, the Project could directly or indirectly generate GHG emissions that may have a significant impact on the environment. Further, the Project could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. These are significant and unavoidable impacts. The Project's potential to contribute considerably (either individually or cumulatively) to global climate change impacts through GHG emissions is therefore considered significant and unavoidable. Other related projects within the cumulative impact area would be required to minimize potential GHG emissions impacts consistent applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions, thereby minimizing potential cumulative GHG emissions impacts. Mitigation would be implemented, if applicable. (DEIR, pp. 5-14 – 5-15)

H. Hazards and Hazardous Materials

The cumulative impact area when considering potential hazards and hazardous materials issues includes the area to be developed within the Project site, as well as off-site locations that might be affected by or contribute to hazards or hazardous conditions resulting from the Project and its operations. The cumulative hazards and hazardous materials impact analysis evaluates the effects of Project construction and operations, and reflects long-term buildout conditions within the cumulative impact area.

The Project does not propose uses or activities that would require substantial handling or use of hazardous materials, hazardous substances, or hazardous waste that could result in potential adverse effects. To the extent that such materials or substances may be present during Project construction or operations they will be transported, stored, used and disposed of consistent with multiple and broad regulatory requirements. The EIR mitigation measures require remediation of any pre-existing hazardous conditions to levels that would be less-than-significant. The mitigation measures also ensure that subsequent development and operation of Project land uses would not create or result in potentially significant hazardous conditions. As mitigated, Project impacts related to hazards and hazardous materials would be less-than-significant.

Other related projects within the cumulative impact area would be required to comply with hazards/hazardous material regulatory requirements. Mitigation would be incorporated if necessary. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts. Based on compliance with established policies and regulations, and implementation of the EIR mitigation measures, the Project's potential contribution to hazards/hazardous materials cumulative impacts is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pp. 5-19 – 5-20)

I. Hydrology and Water Quality

The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area encompassed by the jurisdictional Regional Water Quality Control Board (RWQCB), in this case the Santa Ana Regional Water Quality Control Board (SARWQCB). Local oversight is also provided by the City of Ontario and San Bernardino County.

Development of the Project site would incrementally increase impervious surfaces within the cumulative impact area, with related potential increases in the rate and quantity of local storm water discharges. The Project's potential hydrology/water quality impacts would be less-than-significant. In this regard, the Project would implement storm water management components, and structural and non-structural Best Management Practices, which collectively act to ensure that post-development storm water discharge rates are adequately conveyed within available system capacities.

The Project drainage concept would maintain the site's primary drainage patterns, and would implement drainage systems and detention areas to accept developed storm water discharges. The Project would implement all necessary drainage and storm water management systems, and would be required to comply with all storm water system design, construction, and operational requirements mandated under the City Municipal Code. The Project drainage and storm water management systems would also be required to comply within regulations established by other jurisdictional agencies including SARWQCB, San Bernardino County, and California Department of Water Resources. Additionally, consistent with established building code regulations, approved site-specific drainage studies reflecting precise pad locations, proposed drainage structures, detention facilities, etc., would be required prior to the issuance of building permits within the Project site.

Storm water management systems implemented by the Project, mandated compliance with City, SARWQCB, County, and State storm water management requirements and policies, collectively ensure that adequate storm water conveyance and treatment facilities would be provided to support development and operations of the Project.

Other related projects within the cumulative impact area would be required to comply stormwater management and water quality regulatory requirements. Mitigation would be incorporated if necessary. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts. Thus, contribution to cumulative hydrology/water quality impacts is not considerable, and the cumulative effects of the Project are determined to be less-than-significant. (DEIR, pp. 5-20 – 5-22)

J. Land Use and Planning

The cumulative impact area when considering potential cumulative land use and planning issues includes areas that are currently under City jurisdiction, and subject to provisions of The City of Ontario Policy Plan (General Plan), City of Ontario Zoning Ordinance, and/or other City Special Planning Documents (e.g., Specific Plans). The EIR also considers the Project in the context of the land use/planning guidance included in the *2012-2035 Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy (2012-2035 SCAG RTP/SCS).*

The proposed Policy Plan Land Use Amendments would alter the types of land uses allowed within the subject site. Notwithstanding, land uses and development concepts proposed by the Project would not 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.

The existing Zoning designation of the Project site is "Specific Plan" (SP) with an "AG" (Agriculture) Overlay. The Specific Plan Zoning district accommodates the adoption of Specific Plans pursuant to the City Development Code. Consistent with the provisions of the Project site's current Specific Plan Zoning, the Project would be implemented under the provisions and requirements of a Specific Plan (the proposed Merrill Commerce Center Specific Plan). If adopted by the City, the Specific Plan comprise the zoning for the subject site, and would regulate all development within the site. Where the Specific Plan is silent, regulations and requirements of the City Development Code would prevail.

The proposed Specific Plan would establish land use plans, development standards, and design guidelines directing the ultimate buildout of the Project site. Land uses and development concepts reflected within the proposed Specific Plan can be feasibly implemented consistent with applicable provisions of the Policy Plan Land Use Element (as amended) and City Development Code. Prior to issuance of building permits, the City would review the final development plans for individual projects within the Specific Plan Area to ensure consistency with the Specific Plan land use plans, development standards, design guidelines; and where applicable, City Development Code requirements.

The site's current Agricultural Overlay is intended only to accommodate interim continuation of agricultural uses within the City, until such time that development is slated to occur consistent with the Policy Plan and the underlying Specific Plan zoning district. Because the Project would implement a Specific Plan development that would be consistent with the Policy Plan as amended under the Project, the Project would have no impact on agricultural zoning designations. If the proposed Specific Plan is approved by the City, the site's current Agricultural Overlay designation would no longer be appropriate and would be removed.

Other related projects within the cumulative impact area would be required to comply with requirements of necessary land use and planning discretionary actions and permits. Mitigation would be incorporated if necessary. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts. Thus, the Project's potential contribution to cumulative land use and planning impacts is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pp. 5-7 – 5-9)

K. Noise

The cumulative impact area for noise/vibration considerations is generally defined as surrounding properties that could receive Project-generated noise/vibration (either construction or operational), and would also include roadway corridors affected by Project-related traffic and associated vehicular noise/vibration.

1. Construction-Source Noise/Vibration. Noise levels associated with the construction of off-site master plan infrastructure improvements would remain significant and unavoidable even with the application of mitigation. For the duration of off-site infrastructure construction activities, these impacts would also be cumulatively significant and unavoidable. Other related projects within the cumulative impact area would be required to mitigate construction-source noise impacts that could affect sensitive receptors, thereby minimizing potential cumulative construction-source noise impacts.

Project construction-source vibration levels received at area land uses would be less-than-significant. There are no known or probable related projects that would interact with the Project's less-than-significant construction-source vibration impacts and thereby result in cumulatively significant impacts.

2. Operational Noise/Vibration - Area Sources. The Project's area-source operational noise levels would be less-than-significant as mitigated. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts.

Further, Project operational-source noise in combination with ambient noise would not result in cumulatively significant noise impacts. In this latter regard, the peak mitigated Project operational-source noise levels when added to ambient conditions would not exceed the maximum acceptable day/night ambient condition.

Other related projects within the cumulative impact area would be required to mitigate operational area-source noise impacts that could affect sensitive receptors, thereby minimizing potential cumulative operational-source noise impacts.

Project operational-source vibration levels received at area land uses would be less-than-significant. There are no known or probable related projects that would interact with the Project's less-than-significant operational-source vibration impacts and thereby result in cumulatively significant impacts.

3. Operational Noise - Mobile Sources. Cumulative effects of mobile-source noise are demonstrated by comparing noise levels under Existing Conditions (2019) without the Project, to noise levels with the completed Project under Horizon Year Conditions (2040). Cumulative mobile-source noise increases within the Study Area are summarized in Draft EIR Table 5.1-2.

As indicated at Table 5.1-2, along all Study Area roadway segments projected to experience cumulatively significant vehicular-source noise impacts, the Project contributions would be less than the 1.5 dBA threshold at sensitive land uses, and less than the 3.0 dBA CNEL threshold at non-sensitive land uses. On this basis, Project contributions to cumulative vehicular-source noise would not be cumulatively considerable and Project impacts would not be cumulatively significant. (DEIR, pp. 5-15 – 5-19)

L. Population and Housing

The cumulative impact area for population and housing considerations is the City of Ontario and the encompassing SCAG Region. The Project would not result in potentially significant population and housing impacts. The Project would also be consistent with applicable goals, policies, and strategies addressing cumulative population, housing, and employment growth; and balance of these demographic elements within the City and the SCAG Region. Other related projects within the cumulative impact area would be required to minimize population and housing impacts consistent with City and State regulatory requirements, thereby minimizing potential cumulative population and housing impacts. Mitigation would

be implemented, if applicable. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts. Therefore, the Project's potential contribution to cumulative impacts regarding population and housing impacts is not considerable, and the cumulative effects of the Project are determined to be less-than-significant. (DEIR, pp. 5-29 – 5-30)

M. Transportation

The Project Vehicle Miles Traveled (VMT) Assessment cumulative impact area coincides with relevant Transportation Analysis Model Traffic Analysis Zones (TAZs). As summarized in *WRCOG SB 743 Implementation Pathway Document Package . . .* "VMT thresholds based on an efficiency form of the metric such as VMT per capita, can address project and cumulative impacts in a similar manner that some air districts do for criteria pollutants and GHGs (*WRCOG SB 743 Implementation Pathway Document Package, p. 67).* In this respect, significant and unavoidable VMT impacts at the Project level would also be considered cumulatively significant and unavoidable.

Project VMT impacts based on a VMT/SP metric would be significant and unavoidable at the Project level, and therefore would also be cumulatively significant and unavoidable. This conclusion is consistent with the determination that would be reached employing the City's cumulative analysis threshold wherein a "[cumulatively] significant impact would occur if the project caused total daily VMT within the City to be higher than the no project [no build] alternative under cumulative conditions."

Other than cumulatively significant and unavoidable VMT impacts, the Project does not otherwise propose facilities or activities that would potentially conflict with applicable circulation system programs, plans, ordinances, and policies. Other related projects within the cumulative impact area would similarly be required to demonstrate compliance with applicable circulation system programs, plans, ordinances, and policies, thereby minimizing potential cumulative impacts. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts.

The Project does not propose or require uses, designs, or features that would create or result in transportation/traffic hazards, or that would result in or cause inadequate emergency access. The Project would be required to comply with City traffic design and engineering standards acting to minimize the potential for the Project to result in transportation/traffic hazards or inadequate emergency access**.** Other related projects within the cumulative impact area would similarly be required to conform with City traffic design and engineering standards, thereby minimizing potential cumulative impacts. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts. (DEIR, pp. 5-9 – 5-11)

N. Utilities and Service Systems

The cumulative impact area when considering potential cumulative utilities and service systems impacts comprises affected purveyor service areas including service sources/supplies, and service conveyance/distribution/treatment facilities.

The Project would implement all necessary on-site infrastructure improvements and would also construct area-serving off-site master plan infrastructure improvements. Utilities and service systems distribution and conveyance lines implemented by the Project would be constructed, operated, and maintained pursuant to purveyor requirements and consistent with applicable infrastructure master plans. Infrastructure improvements would be located within existing improved streets or otherwise disturbed properties, thereby limiting or avoiding potential environmental impacts. Construction and operation of the Project utilities and service systems distribution and conveyance lines would not result in conditions or environmental impacts not already considered and addressed elsewhere in the EIR.

At properties adjacent to off-site master plan infrastructure improvements implemented by the Project, construction-source noise impacts are recognized as significant and unavoidable. Additionally, conversion of off-site agricultural lands to non-agricultural purposes could result from construction of area-serving master plan infrastructure improvements. These impacts are recognized as significant and unavoidable. Mitigation proposed in this EIR under other environmental topics would also address potential impacts associated with construction and operation of utilities and service systems distribution and conveyance lines.

The EIR discussion of potential utilities and services impacts also substantiates the following:

- Water supplies would be available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years.

- There exists sufficient wastewater treatment capacity to serve the Project's projected demand in addition to the provider's existing commitments;

- Landfills serving the Project have sufficient permitted capacity to accommodate the Project's solid waste disposal needs; and

- The Project would comply with federal, state, and local statutes and regulations related to solid waste.

Other related projects within the cumulative impact area would be required to minimize utilities and services impacts consistent with City, State, and service purveyor requirements, thereby minimizing potential cumulative utilities and services impacts. Mitigation would be implemented, if applicable. There are no known or probable related projects that would interact with the less-than-significant effects of the Project and thereby result in cumulatively significant impacts.

Thus, cumulatively significant and unavoidable construction-source noise impacts and cumulatively significant agricultural resources impacts could result from Project construction of master plan area-serving utilities and service systems. All other Project contributions to cumulative impacts regarding utilities and service systems would not be considerable, and the cumulative effects of the Project would be less-than-significant.

SECTION VI — GROWTH-INDUCING IMPACTS AND SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

A. Growth-Inducing Impacts

Section 15126.2(e) of the State *CEQA Guidelines* requires the EIR to address the growth-inducing impact of the Project. DEIR Section 5.0 evaluates the potential for the proposed Project to affect economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. In accordance with State CEQA Guidelines Section 15126.2(e), a Project would be considered to have a growth-inducing effect if it would:

- Directly or indirectly foster economic or population growth, or the construction of additional housing in the surrounding environment;
- Remove obstacles to population growth (e.g., construction of an infrastructure expansion to allow for more construction in service areas);
- Tax existing community service facilities, requiring the construction of new facilities that could cause significant environmental effects; or
- Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

In addition, CEQA Guidelines state that growth inducement must not be assumed.

The Project would induce growth through the construction of master plan infrastructure improvements, job creation, and economic stimulus. Project master plan improvements would not of themselves result in impacts not considered and addressed within the EIR body text. Infrastructure improvements implemented by the Project would not only support the Project uses, but would also extend to and expand infrastructure available to off-site undeveloped portions of the City. The Project infrastructure improvements would be considered growth-inducing in that these improvements would facilitate development of currently undeveloped areas of the City. More specifically, Project infrastructure improvements would likely allow for and encourage development of the Ontario Ranch area of the City.

Ultimate development of off-site areas served by the Project infrastructure improvements would be governed by the Ontario Policy Plan. Environmental impacts of growth that would result from buildout of the City pursuant to the Policy Plan have been previously evaluated and addressed in the Policy Plan EIR. Growth that may result from or be facilitated by the Project infrastructure improvements would not result in impacts not previously considered and addressed in the Policy Plan EIR. Further, future projects that are the result of, or facilitated by, the Project infrastructure would still be subject to project level CEQA review and mitigation.

Project job creation would not exceed employment projections developed under the Policy Plan. Accordingly, the growth resulting from Project job creation is anticipated under the Policy Plan, and as a result, such growth would not result in environmental impacts not already considered and addressed in the Policy Plan EIR.

The Project would provide economic stimulus that would directly and indirectly contribute to growth. Project job creation would provide local and regional fiscal benefits and would contribute generally to increased demands for housing, goods, and services. Salaries and wages paid to employees, taxes, and other revenue streams generated by the Project would provide incentive for creation of second tier businesses with accompanying economic stimulus, which in turn would create third tier businesses, with accompanying economic stimulus, etc. Economic stimulus and related growth resulting from the Project would create additional demands for City services. However, growth due to Project economic stimulus factors would not result in impacts not already considered and addressed in the Policy Plan EIR.

The Project would not otherwise encourage and facilitate known or probable activities that could significantly affect the environment, either individually or cumulatively. To the satisfaction of the City, as-yet unknown activities or developments that may derive from the Project would be independently required to evaluate and address their potential environmental impacts. (DEIR, pp. 5-85 to 5-90)

B. Significant Irreversible Environmental Changes

Section 15126.2(d) of the *CEQA Guidelines* requires that an EIR describe any significant irreversible environmental changes that would be caused by the proposed Project should it be implemented.

Generally, a project would result in significant irreversible environmental changes if: 1) The primary and secondary impacts would generally commit future generations to similar uses; 2) the project would involve a large commitment of nonrenewable resources; 3) the project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; or 4) the proposed irretrievable commitments of nonrenewable resources is not justified (e.g., the project involves the wasteful use of energy).

With regard to the above considerations, various natural resources, in the form of construction materials and energy resources, would be used in the construction of the Project, but their use is not expected to result in shortfalls in the availability of these resources. Development of the site with the Project uses will commit the property to such uses for the foreseeable future, and thereby limit the site's prospective alternative uses. Notwithstanding, given the current Specific Plan Zoning Designation for the site; the even greater development intensities envisioned for the subject site under the current Policy Plan Land Use designations; and the urbanization of surrounding properties, commitment of the site to uses proposed by the Project is considered appropriate.

The Project presents no significant possibility of irreversible environmental damage "from any potential environmental incidents associated with the project." That is, the Project

does not propose facilities or uses that would result in potentially significant environmental incidents. Moreover, all feasible mitigation is incorporated in the Project to reduce its potential environmental effects. The Project would not result in or cause unwarranted or wasteful use of resources, including energy. (DEIR, pp. 5-92 – 5-94)

SECTION VII — STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires decision makers to balance the benefits of a 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

Although most potential impacts have been substantially avoided or mitigated, as described above, there remains six impacts for which complete mitigation is not feasible. The DEIR identified the following significant unavoidable adverse impacts of the Project, which would continue to be applicable upon implementation of the proposed Project:

1. Significant Transportation Impacts. EIR Section 4.2, Transportation, details the Project's potential transportation impacts. As discussed in that Section, even after compliance with applicable regulations and requirements, and application of mitigation measures, the Project would result in certain significant and unavoidable transportation impacts, summarized below.

Vehicle Miles Traveled (VMT) Impacts. The Project VMT Assessment estimates the Project VMT/Service Population (Project VMT/SP) and compares the Project VMT/SP to a calculated City Average Existing VMT/SP. Project VMT/SP that would exceed 85 percent of the City Average Existing VMT/SP would be considered a potentially significant VMT impact. Potentially significant VMT impacts are mitigated through implementation of Transportation Demand Management (TDM) measures. Even with implementation of proposed TDM measures, Project VMT impacts would be individually and cumulatively significant and unavoidable.

2. Significant Air Quality Impacts. EIR Section 4.3, Air Quality, details the Project's potential air quality impacts. As discussed in that Section, even after compliance with applicable regulations and requirements, and application of mitigation measures, the Project would result in the following significant and unavoidable air quality impacts:

- Project operational-source VOC, NOx, CO, PM_{10}, and $PM_{2.5}$ emissions would exceed applicable SCAQMD regional thresholds and per AQMD criteria would be significant. Per SCAQMD criteria, Project-level impacts that are significant are also cumulatively considerable. Project operational-source VOC, NOx, PM_{10}, and $PM_{2.5}$ emissions threshold exceedances would result in a cumulatively considerable net increase in criteria pollutants (ozone and $PM_{10}/PM_{2.5}$) for which the Project region is non-attainment. These are cumulatively significant and unavoidable air quality impacts.

- Because a change in land use is proposed by the Project, it is assumed that air pollutant emissions generated by the Project are not reflected in the 2016 AQMP air quality standards, interim emissions reductions targets, and emissions inventories. Consequently, development of the subject site as proposed by the Project is assumed to conflict with the 2016 AQMP. This is a significant and unavoidable impact. Per SCAQMD criteria, this significant impact at the Project-level would also be cumulatively considerable.

3. Significant GHG Emissions Impacts. EIR Section 4.4, Greenhouse Gas Emissions, details the Project's potential GHG emissions impacts. As discussed in that Section, even after compliance with applicable regulations and requirements, and application of mitigation measures, the Project could directly or indirectly generate GHG emissions that may have a significant impact on the environment. Further, the Project could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the GHG emissions. The Project's potential to contribute considerably (either individually or cumulatively) to global climate change impacts through GHG emissions is therefore considered significant and unavoidable.

4. Significant Noise Impacts. EIR Section 4.5, Noise, details the Project's potential noise impacts. As discussed within that Section, even after compliance with applicable regulations and requirements, and application of mitigation measures, noise impacts associated with Project construction of off-site master plan infrastructure improvements would be individually and cumulatively significant and unavoidable for the duration of off-site master plan infrastructure construction activities.

5. Significant Cultural (Historic) Resources Impacts. EIR Section 4.10, Cultural Resources/Tribal Cultural Resources, details the Project's potential cultural resources impacts. As discussed within that Section, demolition of Historic District Contributors within the Project site is required to allow for implementation of the Project. Even after compliance with applicable regulations and requirements, and application of mitigation measures, these impacts would be significant and unavoidable.

6. Significant Agricultural Resources Impacts. As substantiated at EIR Section 4.11, Agricultural Resources, the Project would result in conversion of on-site Farmland to urban uses. Additional conversion of off-site agricultural lands to non-agricultural purposes could also occur as a result of Project construction of master plan infrastructure improvements. These are considered to be individually and cumulatively significant and unavoidable impacts. However, the Project would not cause or result in significant and unavoidable agricultural resources impacts and loss of Farmland impacts

beyond those already considered and addressed in the Ontario Sphere of Influence (New Model Colony [Ontario Ranch]) General Plan [Policy Plan] Amendment EIR, The Ontario Plan EIR, and the [City of Ontario] Infrastructure Master Plans MND. The Project would not result in new significant and unavoidable agricultural resources impacts and loss of Farmland not otherwise occurring pursuant to the Policy Plan Land Use Plan.

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 six significant and unavoidable Project impacts even if all proposed mitigation measures 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 specific economic, legal, social, technological, and other 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. Attainment of the Project Objectives collectively outweigh the Project's significant and unavoidable impacts by directly and indirectly contributing to benefits of the Project as outlined subsequently at items B. 2, B.3, B.4. Instances or examples of how attainment of the Project Objectives are considerations that outweigh Project's significant environmental impacts are presented below.

Project Objective. Implement a Specific Plan development supporting business park and industrial uses providing a broad range of long-term employment opportunities.

2. Factors that Act to Outweigh the Project's Significant Environmental Impacts. The scope and variety of long-term employment opportunities created by the Project provide fiscal benefits and contribute generally to the City's quality of life. Creation of long-term employment opportunities under the Project support purposes and principles of the City General Plan Economics Element (see: https://www.ontarioplan.org/policy-plan/community-economics-element/). Fiscal benefits, quality of life contributions, and furtherance of the purposes and principles of the City General Plan Economics Element resulting from the scope and range of long-term employment opportunities created by the Project, in combination with attainment of other Project Objectives and benefits deriving therefrom, outweigh the Project's significant environmental impacts.

Project Objective. Implement business park and industrial uses providing a broad range of additional construction employment opportunities.

3. Factors that Act to Outweigh the Project's Significant Environmental Impacts. The scope and variety of construction employment opportunities created by the Project provide fiscal benefits and contribute generally to the City's quality of life. Creation of construction employment opportunities under the Project support purposes and principles of the City General Plan Economics Element (see: https://www.ontarioplan.org/policy-plan/community-economics-element/). Fiscal benefits, quality of life contributions, and furtherance of the purposes and principles of the City General Plan Economics Element resulting from the scope and range of construction employment opportunities created by the Project, in combination with attainment of other Project Objectives and benefits deriving therefrom, outweigh the Project's significant environmental impacts.

Project Objective. Provide safe and convenient access for trucks in a manner that minimizes any potential disruption to residential areas.

4. Factors that Act to Outweigh the Project's Significant Environmental Impacts: Access improvements provided by the Project implement and are consistent with and support purposes and principles of the City's General Plan Mobility (see: https://www.ontarioplan.org/policy-plan/mobility-element/) Access improvements implemented under the Project and resulting furtherance of the City General Plan Mobility Element in combination with attainment of other Project Objectives and benefits deriving therefrom, outweigh the Project's significant environmental impacts.

Project Objective. Provide business park and industrial uses near existing roadways and freeways to reduce traffic congestion and air emissions.

5. Factors that Act to Outweigh the Project's Significant Environmental Impacts: The Project at its current location acts generally to reduce traffic congestion and air emissions. In this manner the Project conforms to and supports purposes and principles of the City General Plan Environmental Resources Element (see: https://www.ontarioplan.org/policy-plan/environmental-resources-element/). Reduced traffic congestion and reduced air emissions and resulting furtherance of the City General Plan Environmental Resources Element in combination with attainment of other Project Objectives and benefits deriving therefrom, outweigh the Project's significant environmental impacts.

Project Objective. Facilitate goods movement locally, regionally, nationally, and internationally.

6. Factors that Act to Outweigh the Project's Significant Environmental Impacts: Goods movement facilitated by the Project contribute directly or indirectly to economic and environmental benefits of the Project outlined above. Goods movement facilitated by the Project support purposes and principles of the City General Plan Economics Element, Mobility Element, and Environmental Resources Element as

outlined above. Direct and indirect contributions to economic and environmental benefits of the Project outlined above and resulting furtherance of the City General Plan Economics Element, Mobility Element, Environmental Resources Element in combination with attainment of other Project Objectives and benefits deriving therefrom, outweigh the Project's significant environmental impacts.

Project Objective. Provide land uses that are compatible with surrounding land uses and that would not conflict with the policies and environmental constraints identified in the Policy Plan.

7. Factors that Act to Outweigh the Project's Significant Environmental Impacts: Land uses and development concepts implemented under the Project support and are consistent with purposes and principles of the General Plan Land Use Element (see: https://www.ontarioplan.org/policy-plan/lu-land-use-element/). Furtherance of the City General Plan land Use Element in combination with attainment of other Project Objectives and benefits deriving therefrom, outweigh the Project's significant environmental impacts.

Project Objective. Support the Policy Plan vision for urbanization of the Ontario Ranch area of the City.

8. Factors that Act to Outweigh the Project's Significant Environmental Impacts: The Project implements urban development that is consistent with and supports purposes and principles of the General Plan Land use Element (see: https://www.ontarioplan.org/policy-plan/lu-land-use-element/). Furtherance of the City General Plan land Use Element in combination with attainment of other Project Objectives and benefits deriving therefrom, outweigh the Project's significant environmental impacts.

Project Objective. Establish new development that would further the City's near-term and long-range fiscal goals.

9. Factors that Act to Outweigh the Project's Significant Environmental Impacts: Fiscal benefits deriving from the Project and associated support of the City's near-term and long-range fiscal goals support purposes and principles of the City General Plan Economics Element (see: https://www.ontarioplan.org/policy-plan/community-economics-element/). Fiscal benefits deriving from the Project and associated support of the City's near-term and long-range fiscal goals and furtherance of the purposes and principles of the City General Plan Economics Element resulting from the Project, in combination with attainment of other Project Objectives and benefits deriving therefrom, outweigh the Project's significant environmental impacts.

Project Objective. Improve the regional jobs/housing balance.

10. Factors that Act to Outweigh the Project's Significant Environmental Impacts: Improvement in the regional jobs/housing balance resulting from the Project acts generally to diminish regional VMT, regional traffic congestion, and regional vehicular-source air pollutant emissions. Diminished regional VMT, regional traffic congestion, and regional vehicular-source air pollutant emissions resulting from Project-

related improvement the regional jobs/housing balance in combination with attainment of other Project Objectives and benefits deriving therefrom, outweigh the Project's significant environmental impacts.

a. Provides Employment Opportunities. The Project would provide for industrial and business park uses within the City and would increase employment opportunities for City and area residents. The Project is estimated to generate 8,638 employment opportunities.

b. Provides Master Plan Infrastructure Improvements. The Project would implement infrastructure improvements that are consistent with the City and purveyor master plans. Infrastructure improvements implemented by the Project would not only support the Project uses, but would also extend to and expand infrastructure available to off-site undeveloped portions of the City. The total estimated costs for these improvements are as follows:

- The total estimated cost of the proposed water infrastructure is $48 million.
- The total estimated cost of the proposed recycled water infrastructure is approximately $7.5 million.
- The total estimated cost of the proposed sewer infrastructure is $27 million.
- The total estimated cost of the proposed stormwater infrastructure is $60 million.

The grand total including other requirements, such as streets, streetlights, landscaping, construction management, and dry utilities is $226,748,682.00

c. Consistency with the Regional Goals in the RTP/SCS. SCAG's 2016-2040 RTP/SCS was adopted April 7, 2016. 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 2016-2040 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 Project would create 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 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 Project would improve and maintain local and area-serving transportation systems to maximize efficiency and productivity. Moreover, the Project would incorporate energy efficiency and sustainability strategies.

C. Conclusion

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these effects can be mitigated to a level of less than significant, except for unavoidable significant impacts as discussed in Section VII(A) of these Findings. The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project. The City Council further finds that except for the Project, all other alternatives set forth in the Final EIR are infeasible because they would prohibit the realization of Project objectives and/or of specific economic, social, and other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council 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), outweigh 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. The substantial evidence demonstrating the benefits of the Project are set forth in these findings, and in the documents in the record of proceedings. Therefore, the City adopts this Statement of Overriding Considerations.

SECTION VIII — FINDINGS ON RESPONSES TO COMMENTS ON THE DEIR AND REVISIONS TO THE FEIR

The FEIR contains response to comments, revisions, clarifications, and corrections to the DEIR. The focus of the response to comments is on the disposition of significant environmental issues as raised in the comments, as specified by State *CEQA Guidelines* Section 15088(b). The City provided written responses to each comment made by a public agency, as set forth in Section 2 of the FEIR, pursuant to State *CEQA Guidelines* Section 15088(b).

City staff has reviewed this material and determined that none of this material constitutes the type of significant new information that requires recirculation of the DEIR for further public comment under *CEQA Guidelines* Section 15088.5. None of this new material indicates that the Project will result in a significant new environmental impact not previously disclosed in the DEIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation described in Section 15088.5 of the *CEQA Guidelines*.

SECTION IX — CERTIFICATION OF THE EIR

The City Council finds that it has reviewed and considered the FEIR in evaluating the Specific Plan, that the FEIR is an accurate and objective statement that fully complies with CEQA, State *CEQA Guidelines* and the City's local *CEQA Guidelines* and that the Final EIR reflects the independent judgment of the City Council.

The City Council declares that no new significant information as defined by State *CEQA Guidelines* Section 15088.5 has been received by the City after circulation of the Draft EIR that would require recirculation.

The City Council certifies the Environmental Impact Report based on the entirety of the record of proceedings, including but not limited to the following findings and conclusions:

A. Findings

The following significant environmental impacts have been identified in the EIR and will require mitigation as set forth in Section III, E of this Resolution but cannot be mitigated to a level of insignificance: Agricultural Resources, Air Quality, Cultural (historic) Resources, Greenhouse Gas Emissions, Noise, and Transportation.

B. Conclusions

1. Except as to those impacts stated above relating to Agricultural Resources, Air Quality, Cultural (historic) Resources, Greenhouse Gas Emissions, Noise, and Transportation, all significant environmental impacts from the implementation of the proposed Project have been identified in the EIR and, with implementation of the mitigation measures identified, will be mitigated to a level of insignificance.

2. Other alternatives to the proposed Specific Plan, which could potentially achieve the basic objectives of the proposed Specific Plan, have been considered and rejected in favor of the proposed Specific Plan.

3. Environmental, economic, social, and other considerations and benefits derived from the development of the proposed Specific Plan override and make infeasible any alternatives to the proposed Specific Plan or further mitigation measures beyond those incorporated into the proposed Project.

SECTION X — MITIGATION MONITORING PROGRAM

Pursuant to Public Resources Code section 21081.6, the City Council hereby adopts the Mitigation Monitoring Program, contained within Attachment A (Merrill Commerce Center Specific Plan Final Environmental Impact Report). In the event of any inconsistencies between the mitigation measures as set forth herein and the Mitigation Monitoring Program, the Mitigation Monitoring Program shall control.

SECTION XI — 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 XII — CUSTODIAN OF RECORD

The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario, 303 East "B" Street, Ontario, California. The custodian for these records is the Planning Director. This information is provided in compliance with Public Resources Code section 21081.6.

SECTION XII — 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 2nd day of February 2021.

_____
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. 2021- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held February 2, 2021, 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. 2021- duly passed and adopted by the Ontario City Council at their regular meeting held February 2, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:

Merrill Commerce Center Specific Plan
Final Environmental Impact Report
(State Clearinghouse No. 2019049079)

(FEIR follows this page)

Merrill Commerce Center Specific Plan
Final EIR
(SCH No. 2019049079)



Prepared for:

City of Ontario
303 East "B" Street
Ontario, CA 91764

Prepared by:

appliedplanning inc

January 2021

FINAL ENVIRONMENTAL IMPACT REPORT

for the

Merrill Commerce Center Specific Plan

State Clearinghouse Number:
2019049079

January 19, 2021

Prepared for:

City of Ontario
303 East "B" Street
Ontario, CA 91764

Prepared by:

Applied Planning, Inc.
11762 De Palma Road
Suite 1-C 310
Corona, CA 92883

Table of Contents

Section **Page**

1.0 Introduction 1-1
1.1 Overview 1-1
1.2 Content and Format 1-1
1.3 Draft EIR Commentors 1-1
1.4 Lead Agency and Point of Contact 1-2
1.5 Project Summary 1-2

2.0 Revisions and Errata Corrections 2-1
2.1 Introduction 2-1
2.2 Revisions 2-1

3.0 Comments and Responses 3-1
3.1 Introduction 3-1

4.0 Mitigation Monitoring Program 4-1
4.1 Introduction 4-1
4.2 Mitigation Monitoring and Reporting 4-2

Attachments

A: DEIR Site Photographs

B: CDFW Response Letter – Exhibits

C: Soil Export Modeling Outputs

List of Tables

Table		Page
3-1	Draft EIR Commentors	3-2
4.2-1	Mitigation Monitoring Program	4-3

1.0 INTRODUCTION

1.0 INTRODUCTION

1.1 OVERVIEW

This document, combined with the Draft Environmental Impact Report (DEIR), constitutes the Final EIR for the Merrill Commerce Center Specific Plan Project (Project). The DEIR describes existing environmental conditions relevant to the proposal, evaluates the Project's potential environmental effects, and identifies mitigation measures to reduce or avoid the potentially significant impacts. The DEIR was circulated for a 45-day review period: October 8 through November 23, 2020.

1.2 CONTENT AND FORMAT

Subsequent to this introductory Section 1.0, Section 2.0 of this Final EIR presents revisions and errata corrections to the DEIR text. Responses to comments received on the DEIR are presented in Final EIR Section 3.0. The EIR Mitigation Monitoring Program is presented in Final EIR Section 4.0.

1.3 DRAFT EIR COMMENTORS

1.3.1 Overview

The complete list of Draft EIR commentors, along with copies of comment letters and responses to comments, is presented in Section 3.0 of this Final EIR. The following list identifies the comment letters received in regard to the Draft EIR:

- Governor's Office of Planning and Research, State Clearinghouse
- California Department of Fish and Wildlife
- California Air Resources Board
- South Coast Air Quality Management District

1.3.2 Presentation of Comments and Responses

All comment letters received in regard to the Draft EIR are included, along with corresponding responses, in their entirety in Final EIR Section 3.0, *Comments and Responses*.

1.4 LEAD AGENCY AND POINT OF CONTACT

The Lead Agency for the Project and EIR is the City of Ontario. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

City of Ontario
303 East "B" Street
Ontario, CA 91764
Contact Person: Chuck Mercier, Principal Planner

1.5 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.5.1 Project Location

The Project is located in the City of Ontario, within San Bernardino County. The Project site[1] is located within the Ontario Ranch (formerly known as New Model Colony, NMC) area of the City. More specifically, the Project site is located along Merrill Avenue, between Grove Avenue and Carpenter Avenue. Eucalyptus Avenue forms the northerly boundary of the Specific Plan area.

[1] The Project site is defined as the area encompassed by the Merrill Commerce Center Specific Plan (the Specific Plan area). The analysis presented in this Environmental Impact Report (EIR) considers and addresses environmental impacts resulting from development of the Project site proper, and also evaluates impacts that would result from off-site activities or improvements necessary to implement and support the Project.

1.5.2 Project Overview

The Project proposes development and operation of Specific Plan Industrial and Business Park Land Uses on approximately 376.3 acres located in the City of Ontario, within San Bernardino County. The Specific Plan area is apportioned into approximately 292.8 acres of Industrial Land Use; approximately 55.1 acres of Business Park Land Use; and approximately 28.4 acres allocated for Circulation (vehicular and non-vehicular) rights-of-ways, easements, and similar non-building uses.

1.5.3 Project Objectives

The primary goal of the Project is the development of the subject site with a productive mix of business park and industrial uses. Complementary Project Objectives include the following:

- Implement a Specific Plan development supporting business park and industrial uses providing a broad range of long-term employment opportunities.

- Implement business park and industrial uses providing a broad range of additional construction employment opportunities.

- Provide safe and convenient access for trucks in a manner that minimizes any potential disruption to residential areas.

- Provide business park and industrial uses near existing roadways and freeways to reduce traffic congestion and air emissions.

- Facilitate goods movement locally, regionally, nationally, and internationally.

- Provide land uses that are compatible with surrounding land uses and that would not conflict with the policies and environmental constraints identified in the Policy Plan.

- Support the Policy Plan vision for urbanization of the Ontario Ranch area of the City.

- Establish new development that would further the City's near-term and long-range fiscal goals.

- Improve the regional jobs/housing balance.

1.5.4 Discretionary Actions

1.5.4.1 Lead Agency Discretionary Actions and Permits

CEQA Guidelines Section 15124 states in pertinent part that if "a public agency must make more than one decision on a project, all its decisions subject to CEQA should be listed…" Requested decisions, or City discretionary actions, necessary to realize the Merrill Commerce Center Specific Plan would include:

- Certification of the Merrill Commerce Center Specific Plan EIR;

- Approval of Policy Plan (General Plan) Amendment (Land Use);

- Adoption of the Merrill Commerce Center Specific Plan;

- Approval of Parcel Maps;

- Adoption of a Development Agreement; and

- Cancellation of the existing Williamson Act Contracts on APN 0218-261-35 (Contract #69-147, initiated in 1973); and APNs 1054-151-02, 1054-161-02, 1054-161-03, 1054-201-02 and 1054-351-02 (Contract #70-167, initiated in 1970).[2]

1.5.4.2 Other Agency Consultation and Permits

CEQA Guidelines Section 15124 also states that environmental documentation should, to the extent known, list other permits or approvals required to implement the Project.

[2] A notice of non-renewal dated September 14, 2017, and recorded, has initiated the termination process for Contract #70-167.

Anticipated permits and consultation necessary to realize the Project would likely include, but would not be limited to, the following:

- Permitting by/through the Regional Water Quality Control Board (RWQCB) pursuant to requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit;

- Permitting by/through the South Coast Air Quality Management District (SCAQMD) for certain equipment or land uses that may be implemented within the Project area;

- Consultation with requesting Tribes as provided for under *AB 52, Gatto. Native Americans: California Environmental Quality Act*; and *SB 18, Burton. Traditional tribal cultural places*;

- Review and approval by the City for conformance with the Compatibility Plan for Chino Airport;

- Review and approval by the Federal Aviation Administration (FAA) for potential airspace obstruction(s) if any;

- CWA Section 404 authorization from the Army Corps of Engineers (Corps);

- Clean Water Act (CWA) Section 401 Water Quality Certification;

- California Department of Fish and Wildlife (CDFW) Section 1602 Streambed Alteration Agreement(s);

- CDFW consultation/coordination addressing protected species impact mitigation; and

- Various construction, grading, and encroachment permits from affected agencies allowing implementation of Project facilities including construction/modification of utilities systems and roadways.

2.0 REVISIONS AND ERRATA CORRECTIONS

2.0 REVISIONS AND ERRATA CORRECTIONS

2.1 INTRODUCTION

Based on the comments received on the Draft EIR (which are provided in full in Section 3.0 of this Final EIR), this Section presents revisions to the text of the Draft EIR. For text corrections, additional text is identified by **bold underlined text**, while deletions are indicated by ~~strikeout~~ font. All text revisions affecting mitigation measures have been incorporated into the Mitigation Monitoring Plan presented in Section 4.0 of this Final EIR. Text changes are presented under the chapter or topical section of the Draft EIR where they are located. The revisions and corrections provided here expand and clarify analyses previously provided, and do not constitute substantive new information. Conclusions of the Draft EIR are not affected by these revisions.

2.2 REVISIONS

2.2.1 Revisions to Air Quality Mitigation

In response to comments received from California Air Resources Board (CARB) and South Coast Air Quality Management District (SCAQMD), the following mitigation measures have been revised. Findings and conclusions of the EIR are not affected.

> *4.3.2 Construction contractors shall ensure that large off-road diesel fueled construction equipment, including but not limited to excavators, graders, rubber-tired dozers, and similar large pieces of equipment be equipped with CARB Tier 4 Compliant engines. ~~If the operator lacks Tier 4 equipment, and Tier 4 equipment is not available for lease or short-term rental within 50 miles of the project site, Tier 3 Compliant or cleaner off-road construction equipment may be utilized.~~* ***To ensure that Tier 4 Final construction equipment or better will be used during the Proposed Project's construction, this requirement shall be included in***

applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and CARB or South Coast AQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, the Applicant shall report to the City, including written construction documents by construction contractor(s), documenting compliance with these requirements, which shall be subject to regular City inspections to ensure compliance.

4.3.8 All diesel trucks accessing the Project shall be compliant with the CARB Truck and Bus Regulation 2010 engine emissions standards. ***The City encourages Project tenant use of zero-emissions or near-zero emissions on-road heavy-duty trucks, i.e., trucks with engines that meet the CARB enhanced nitrogen oxides (NOx) emissions standard of 0.02 gram per brake horsepower-hour (g/bhp-hr).***

Additionally, in response to comments received from CARB, the following mitigation measure is incorporated as new DEIR Mitigation Measure 4.3.9. Findings and conclusions of the EIR are not affected.

4.3.9 ***All on-site yard trucks/hostlers shall be zero-emissions equipment. This requirement or equivalent language shall be incorporated in all Project facility lease documents. Prior to issuance of a Business License, facility owners or tenants shall provide documentation to the City of Ontario Planning Department and Business License Department verifying signed lease documents incorporating the requirement that all on-site yard trucks/hostlers shall be zero-emissions equipment.***

2.2.2 Revisions to Biological Resources Mitigation

In response to comments received from the California Department of Fish and Wildlife (CDFW) mitigation addressing potential impacts to the burrowing owl and burrowing owl habitat is revised as follows:

~~*4.8.1 A qualified biologist shall conduct a pre-construction presence/absence survey for burrowing owls within 14 days prior to site disturbance. If the species is absent, no additional mitigation is required. If burrowing owl(s) is (are) detected within the Project's disturbance footprint located within the City of Chino Preserve Resource Management Plan (RMP) boundary, the owl(s) are required to be handled as indicated by the RMP:*~~

~~*Prior to disturbance of occupied burrows (if any), suitable and unoccupied replacement burrows shall be provided at a ratio of 2:1 within the City of Chino designated relocation area (e.g., the NTS basins). A qualified biologist through coordination with the City shall confirm that the artificial burrows are currently unoccupied and suitable for use by owls.*~~

~~*Until suitable replacement burrows have been provided/confirmed within the designated relocation area (e.g., the NTS basins), no disturbance shall occur within 50 meters (approximately 160 feet) of occupied burrows during the nonbreeding season (September 1 through January 31) or within 75 meters (approximately 250 feet) during the breeding season (February 1 through August 31).*~~

~~*Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFW verifies through non invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.*~~

~~*If burrowing owls are present at the time that the occupied burrows are to be disturbed, then the owls shall be excluded from the site following the 2012 CDFG Staff Report and Table 4-6 of the RMP.*~~

~~*Pursuant to mitigation measure B-3(8) of The Preserve EIR, and as noted on Page 4-39 of the RMP, the Project shall pay the required mitigation fee prior to initiation of ground disturbing activities.*~~

~~*4.8.2 If burrowing owl(s) is (are) detected within the Project's proposed disturbance footprint outside of the RMP boundary:*~~

~~*Prior to disturbance of the occupied burrows, suitable and unoccupied replacement burrows shall be provided at a ratio of 2:1 within designated off-site conserved lands to be identified through coordination with CDFW and the City in which the burrowing owl(s) is(are) detected (either the City of Ontario or the City of Chino). A qualified biologist shall confirm that the artificial burrows are currently unoccupied and suitable for use by owls.*~~

~~*Until suitable replacement burrows have been provided/confirmed within the off-site conserved lands to be identified through coordination with CDFW and the City of Ontario or the City of Chino, no disturbance shall occur within 50 meters (approximately 160 feet) of occupied burrows during the nonbreeding season (September 1 through January 31) or within 75 meters (approximately 250 feet) during the breeding season (February 1 through August 31).*~~

~~*Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.*~~

~~*If burrowing owls are present at the time that the occupied burrows are to be disturbed, then the owls shall be relocated from the site following the 2012 [CDFW] Staff Report.*~~

The following mitigation measures shall apply as the appropriate mechanism to reduce potential Project impacts to burrowing owls to levels that would be less-than-significant:

4.8.1 A qualified biologist shall conduct a pre-construction presence/absence survey for burrowing owls within 14 days prior to site disturbance. If the species is absent, no additional mitigation shall be required.

4.8.2 If burrowing owl(s) is(are) detected within any location within the Project's proposed disturbance footprint:

- ***Prior to disturbance of the occupied burrows, suitable and unoccupied replacement burrows shall be provided at a ratio of 2:1 within designated off-site conserved lands to be identified through coordination with CDFW and the City in which the burrowing owl(s) is(are) detected (either the City of Ontario or the City of Chino). A qualified biologist shall confirm that the replacement burrows are currently unoccupied and suitable for use by owls. Suitable replacement burrows are defined as naturally occurring small mammal burrows (such as those of California ground squirrel [Otospermophilus beecheyii]) with a burrow entrance of three inches in diameter or greater; or artificially constructed burrows meeting the specifications as described in the California Department of Fish and Game (CDFG) 1995 Staff Report on Burrowing Owl Mitigation (CDFG 1995) and/or Users Guide to Installation of Artificial Burrows for Burrowing Owls (Johnson et Al. 2010).***

- ***Until suitable replacement burrows as defined above have been provided/confirmed within the off-site conserved lands to be identified***

through coordination with CDFW and the City of Ontario or the City of Chino, no disturbance shall occur within 50 meters (approximately 160 feet) of occupied burrows during the nonbreeding season (September 1 through January 31) or within 75 meters (approximately 250 feet) during the breeding season (February 1 through August 31).

• Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

• If burrowing owls are present at the time that the occupied burrows are to be disturbed, then the owls shall be excluded from the site following the 2012 CDFG Staff Report.

In response to comments received from CDFW, and out of an abundance of caution, additional mitigation addressing potential impacts to the western pond turtle is incorporated as follows:

4.8.6 Within the breeding season (May-July) prior to the onset of construction activities, a qualified biologist shall conduct pre-construction visual surveys, following U.S. Geological Survey visual survey protocol, for western pond turtles within all areas of any suitable aquatic habitat for this species (retention ponds). If Western pond turtles are observed during the pre-construction survey, the Applicant shall prepare for CDFW review and approval, a translocation plan identifying proposed protocol for trapping and relocating turtles, including identifying potential, appropriate receiver sites to relocate western pond turtles. If no western pond turtles are observed during the pre-construction survey, then construction activities may begin. If construction is delayed or halted for

more than 30 days, another pre-construction survey for western pond turtle shall be conducted. Within seven days of the pre-construction survey, a report of findings from the survey shall be submitted to the CDFW.

During construction, a qualified biological monitor who has been approved by the CDFW to relocate western pond turtles shall be onsite to ensure that no western pond turtles are harmed. If western pond turtles are observed in the construction area at any time during construction, the onsite biological monitor shall be notified and construction in the vicinity of the sighting shall be halted until such a time as a turtle has been removed from the construction zone, and relocated by an approved biologist. If a sighting occurs during construction, the biologist shall prepare a report of the event and submit it to CDFW.

In response to comments received from CDFW, and out of an abundance of caution, additional mitigation addressing potential impacts to tricolored blackbirds is incorporated as follows:

4.8.7 Prior to initiation of ground-disturbing activities, including demolition, a pre-disturbance survey for tricolored blackbirds shall be conducted by a qualified biologist. The survey area shall encompass all habitat within the Project site and a 500-foot buffer supporting suitable foraging opportunities for blackbird species on the date that these activities will initiate.

• If tricolored blackbirds are observed foraging, all Project-related construction activities shall avoid that portion of the Project site containing foraging tricolored blackbirds, along with a 500-foot avoidance buffer, until the tricolored blackbirds have concluded their foraging activities and vacated the Project site on their own accord. The qualified biologist shall monitor the movement of the tricolored blackbirds to ensure

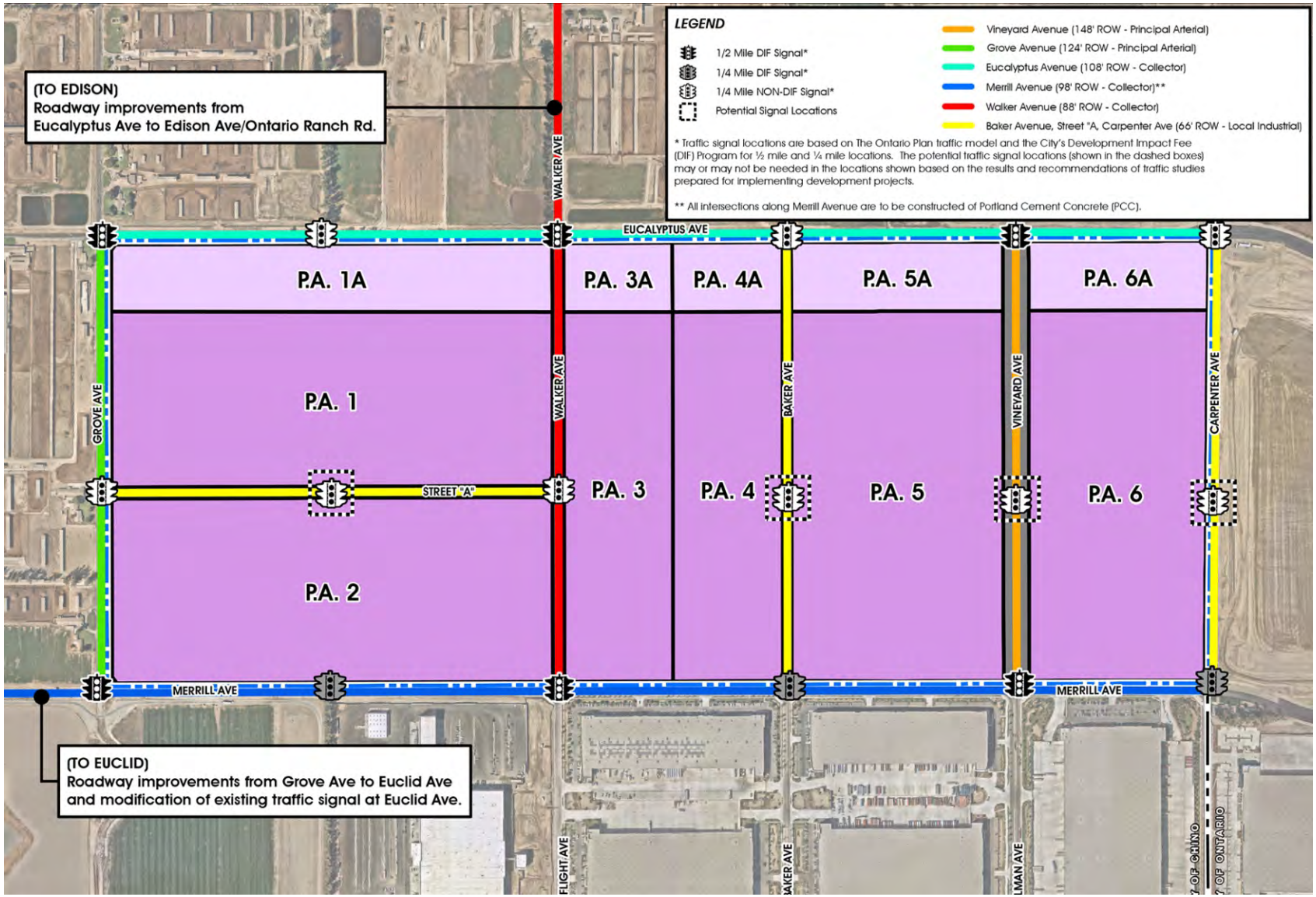
that all Project activities occur outside of the active foraging area and associated buffer.

- ***If tricolored blackbirds are not detected within the Project site during the pre-construction survey, construction activities may commence and no additional actions are needed for areas under continuous disturbance by Project activities.***

- ***The pre-construction survey shall be repeated within portions of the Project site supporting potential blackbird foraging habitat where construction has not commenced and/or where construction activities have paused and elapsed for more than thirty (30) consecutive days, and have not been rendered into a developed condition prior to that time.***

2.2.3 Revisions to Project Description

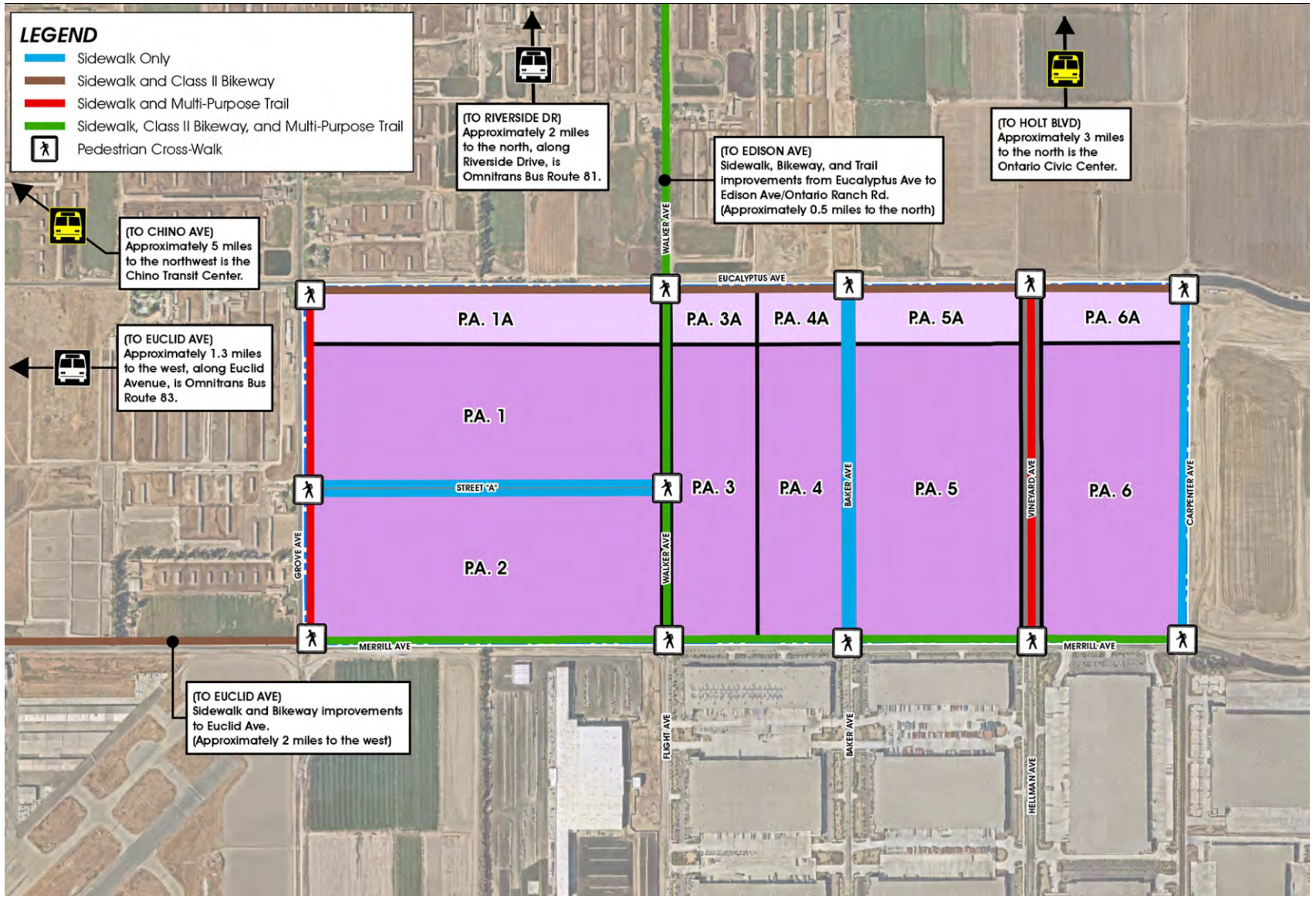
In consultation with the City and in conjunction with formalization of the Project Development Agreement (DA), certain revisions to the Specific Plan Phasing Plan Concept and Infrastructure Plan Concepts have been made. The current (December 2020) operative Infrastructure Concepts and Phasing Plan Concept are presented at the following Figures 2-1 through 2-13. These revisions have no effect on the EIR analyses and are presented here for informational purposes only. As noted in the DEIR, the EIR analyses address the range and types of uses permitted or conditionally permitted under the Specific Plan Industrial and Business Park Land Use designations. Should future development proposals proposed within the Specific Plan area, or supporting infrastructure proposed as part of the Project differ substantially from the development concepts analyzed herein, the Lead Agency would comply with CEQA in consideration of those proposals (DEIR, p. 3-19, et. al). Findings and conclusions of the EIR are not affected.



NOT TO SCALE

Source: T&B Planning, Inc.

Figure 2-1
Circulation Plan



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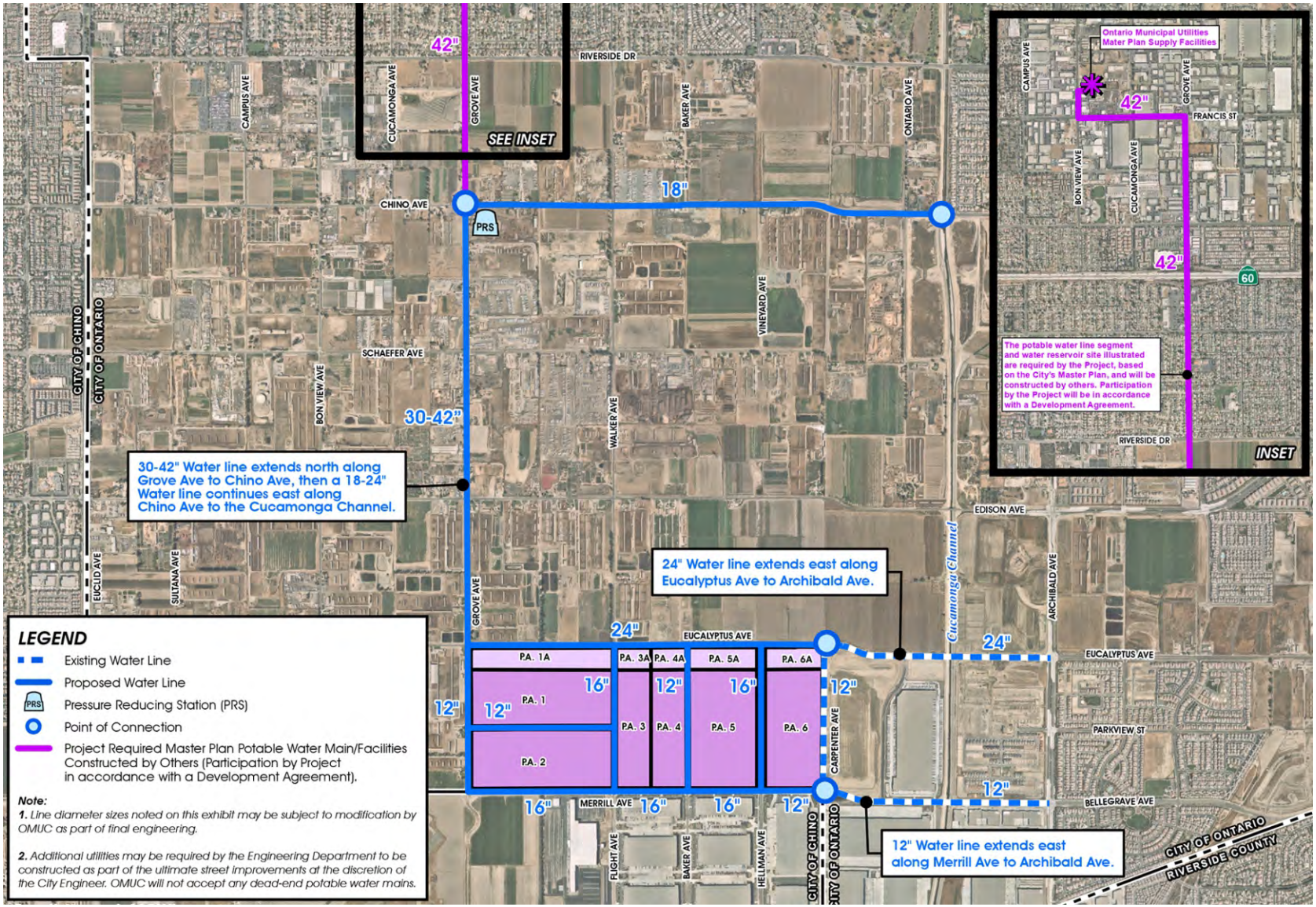
Source: T&B Planning, Inc.

Figure 2-2
Circulation Plan



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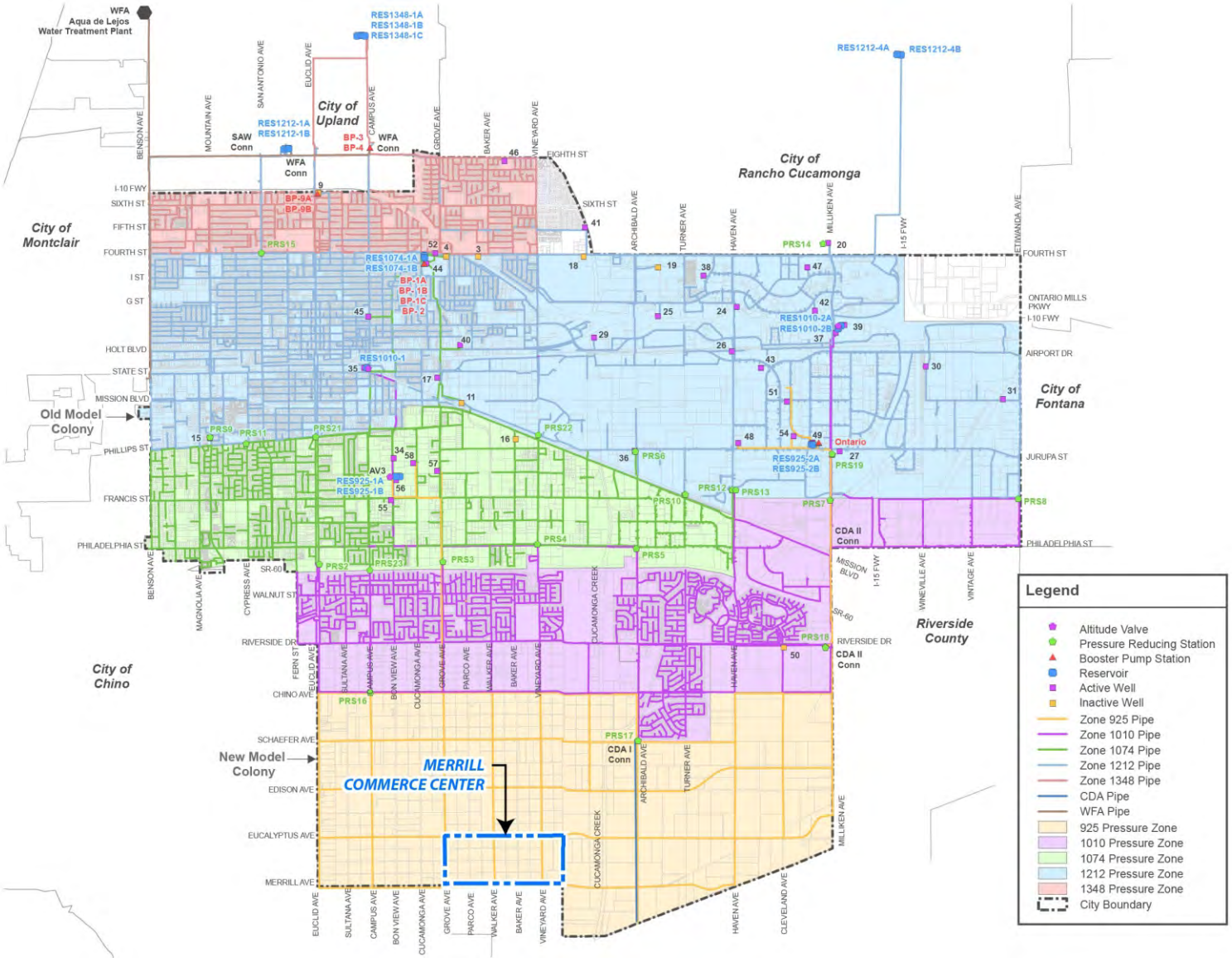
Source: T&B Planning, Inc.

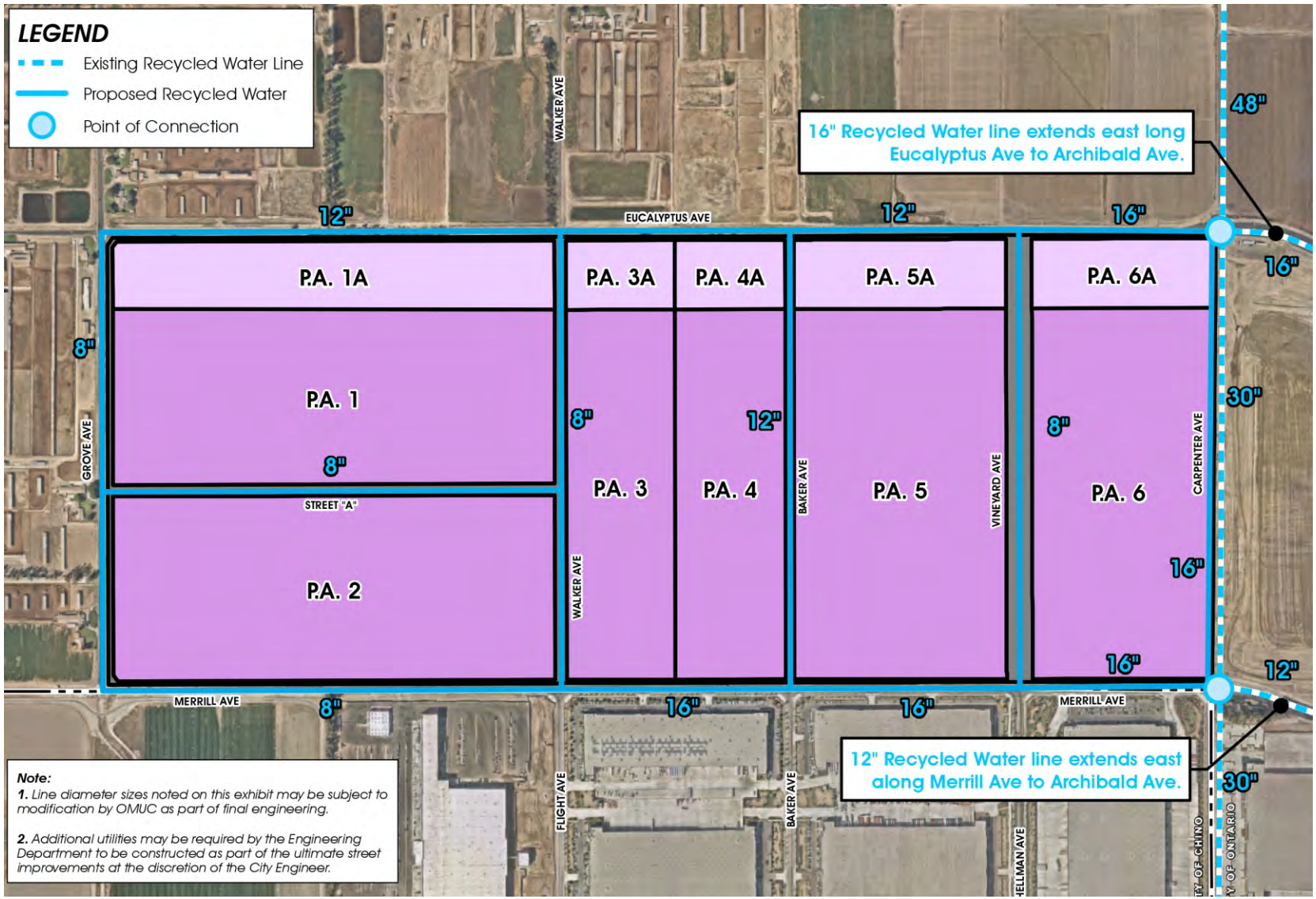
applied planning inc

Figure 2-3
Conceptual Water Plan



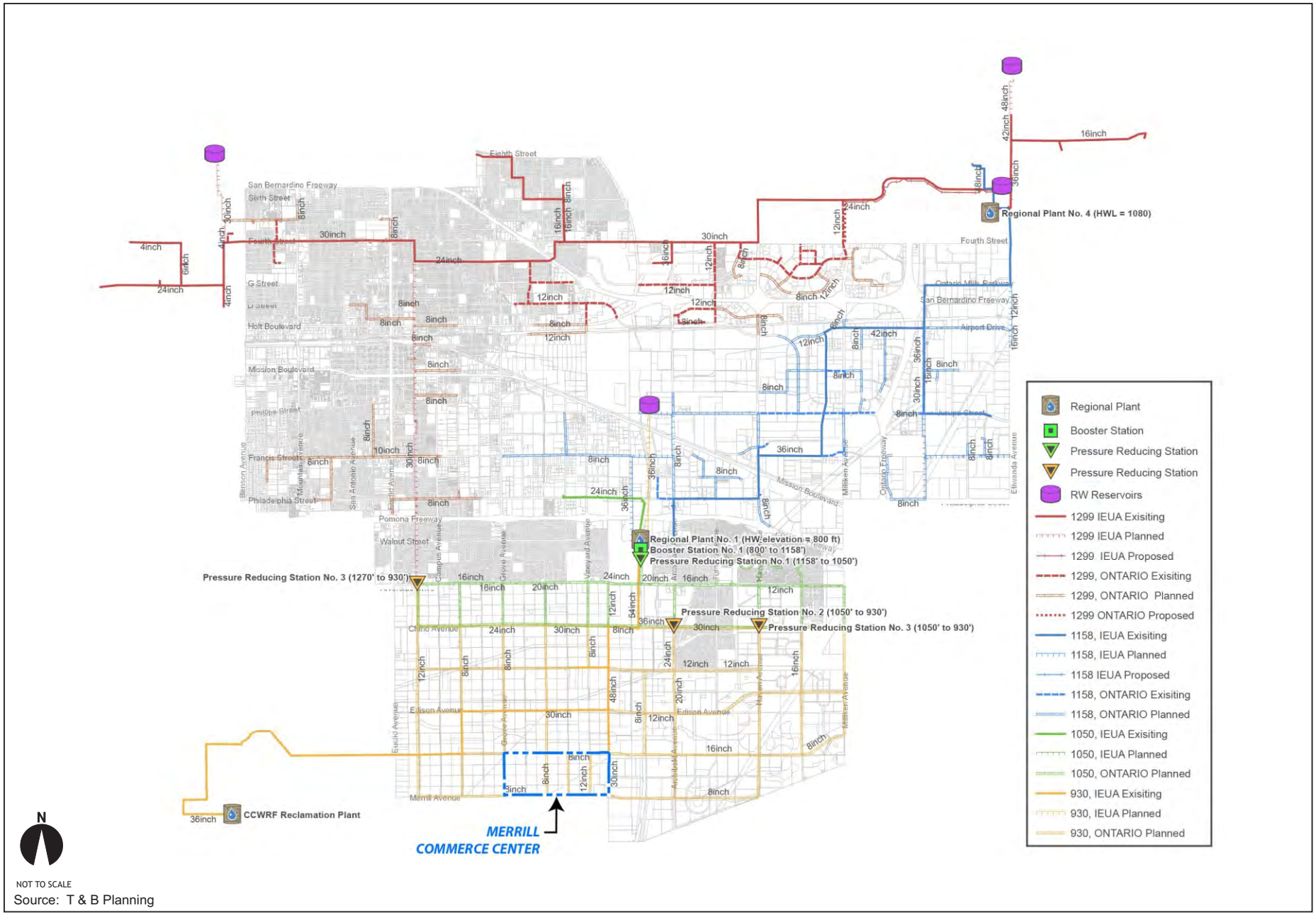
Source: T & B Planning

Figure 2-4
City of Ontario Water Master Plan



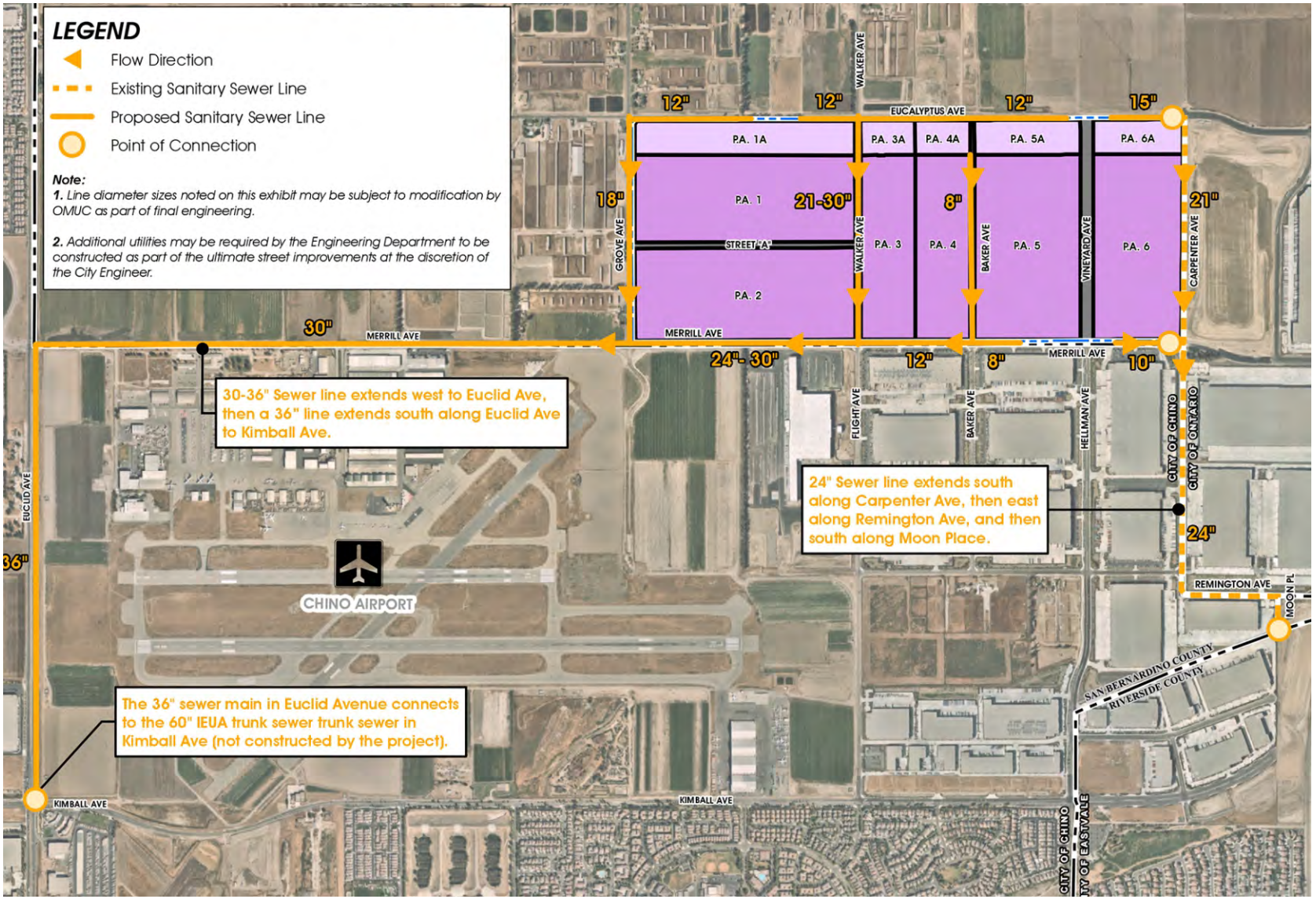
Source: T&B Planning, Inc.

Figure 2-5
Conceptual Recycled Water Plan



Source: T & B Planning

Figure 2-6
City of Ontario Future Recycled Water System



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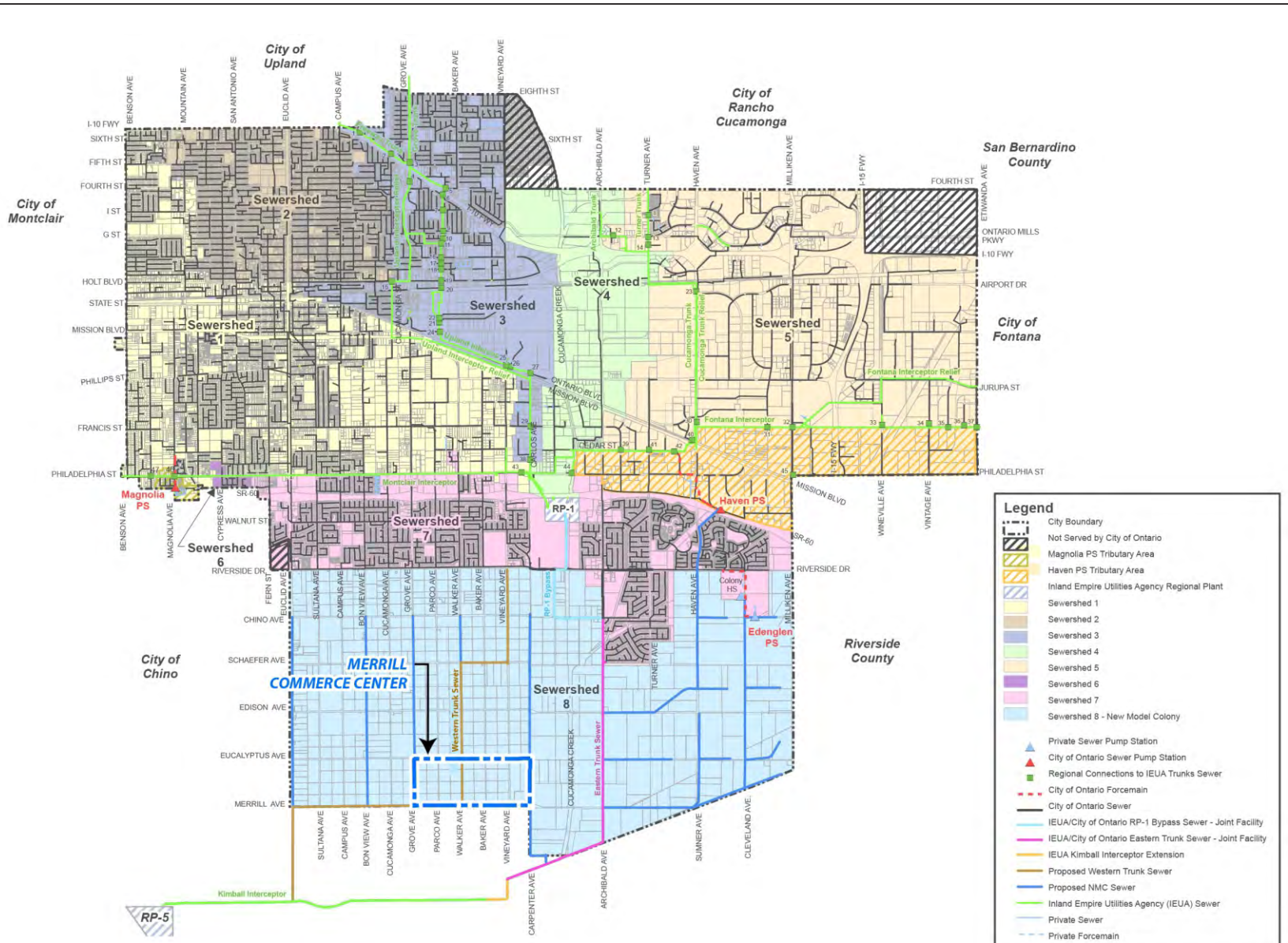
Source: T&B Planning, Inc.

Figure 2-7
Conceptual Sewer Plan



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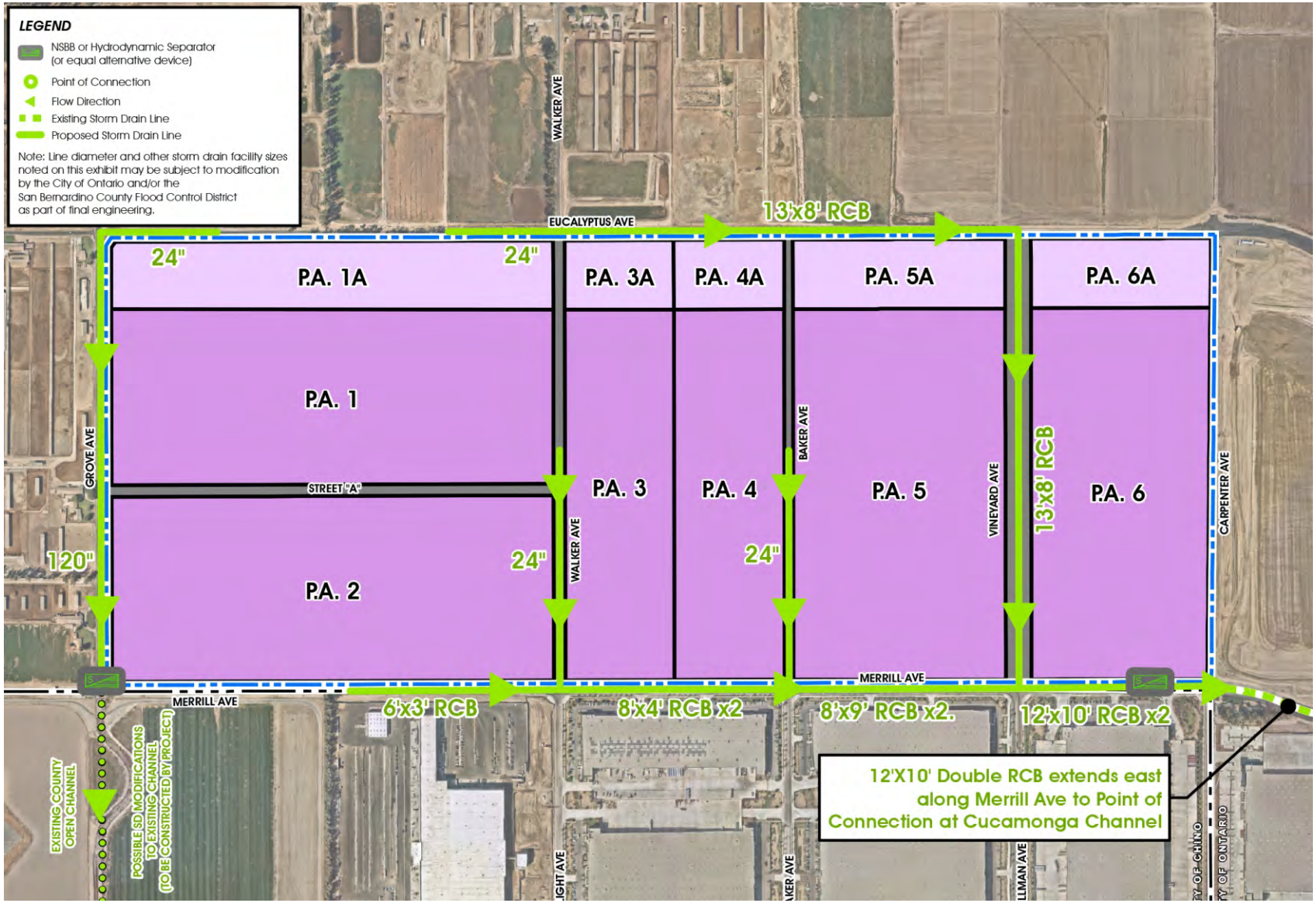
Source: T & B Planning

Figure 2-8
City of Ontario Sewer Master Plan



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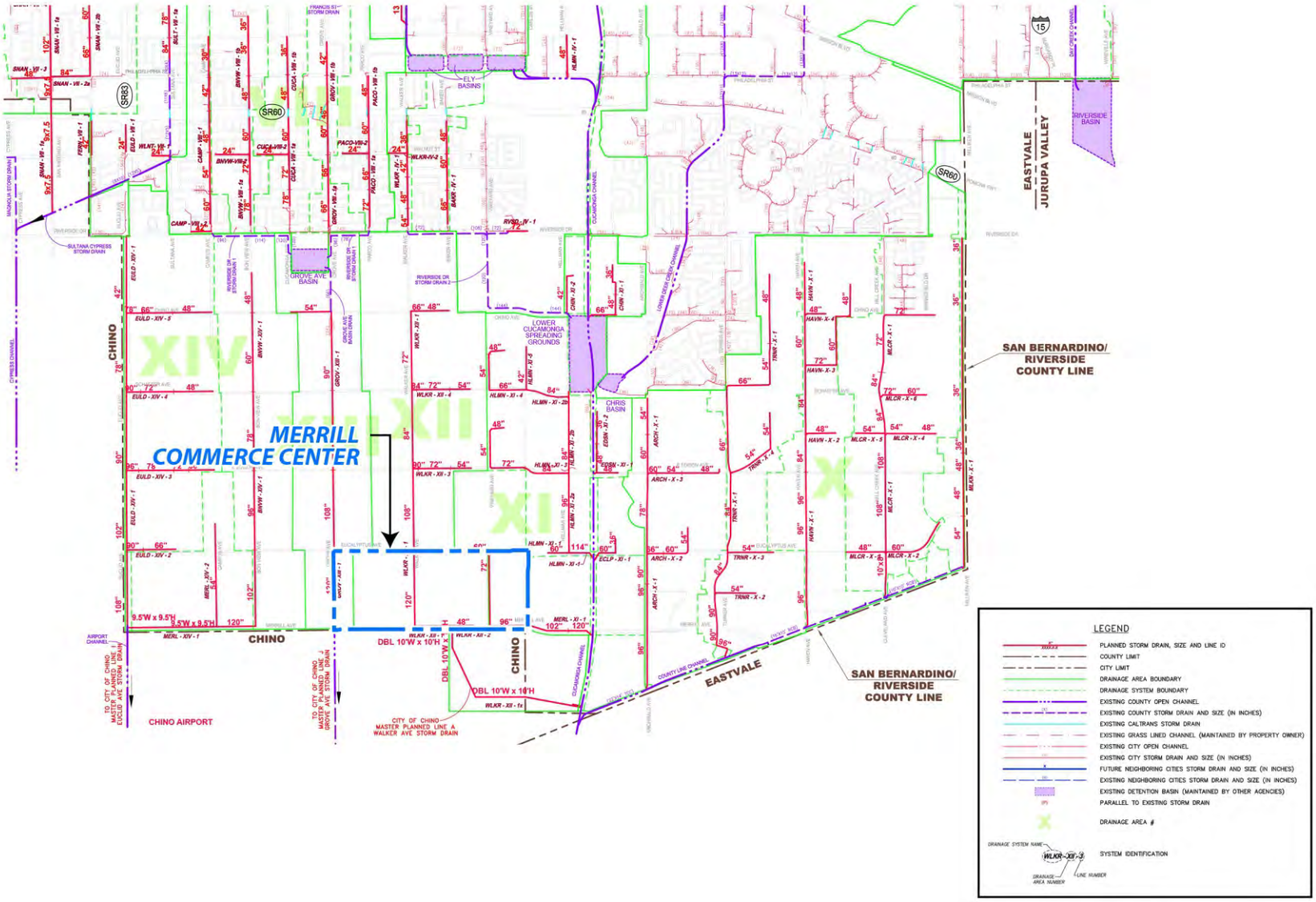
Source: T&B Planning, Inc.

applied planning inc

Figure 2-9
Conceptual Storm Drain Plan



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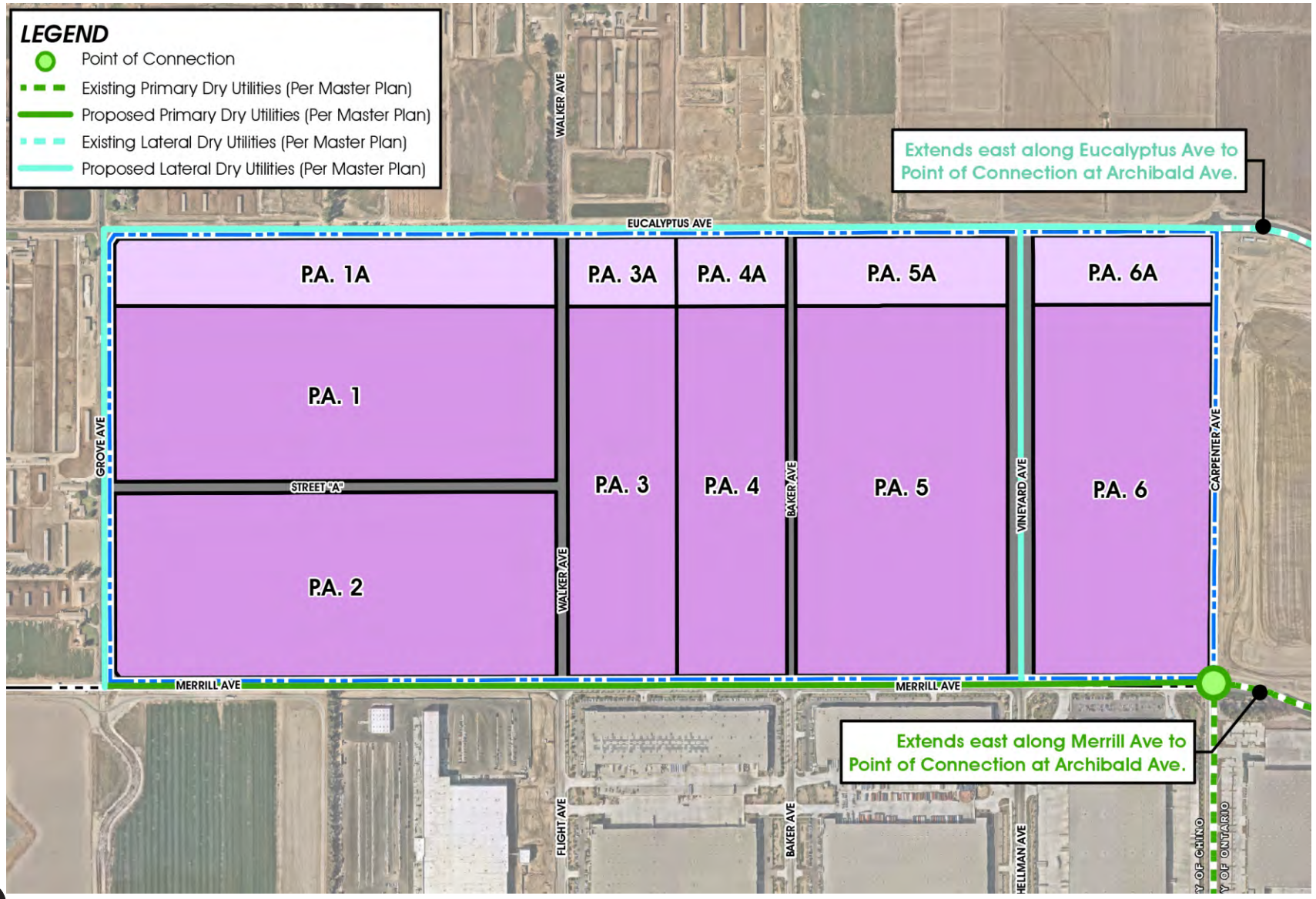
Source: T & B Planning

Figure 2-10
City of Ontario Planned Drainage Facilities



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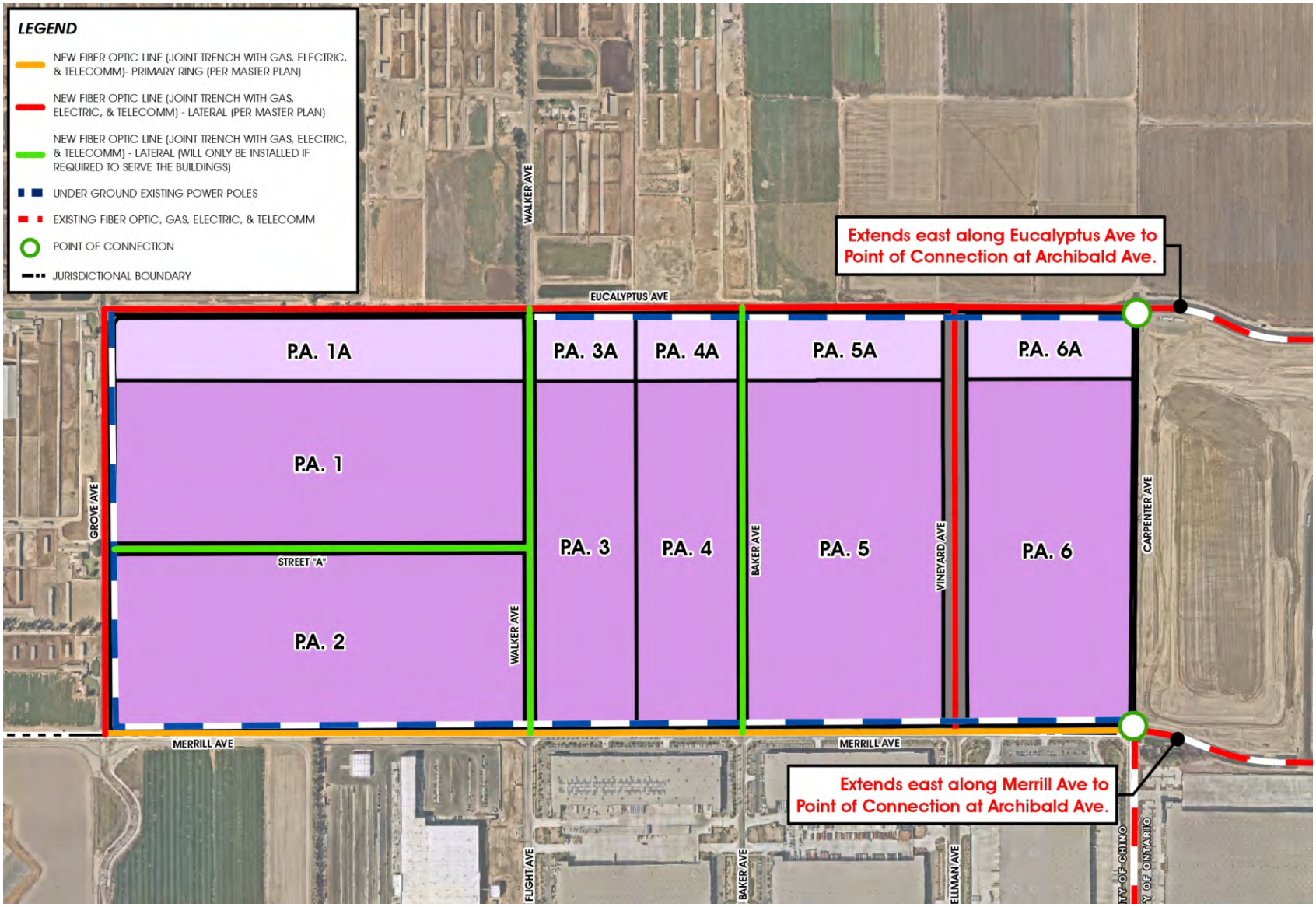
Source: T&B Planning, Inc.

applied planning inc

Figure 2-11
Dry Utilities Plan



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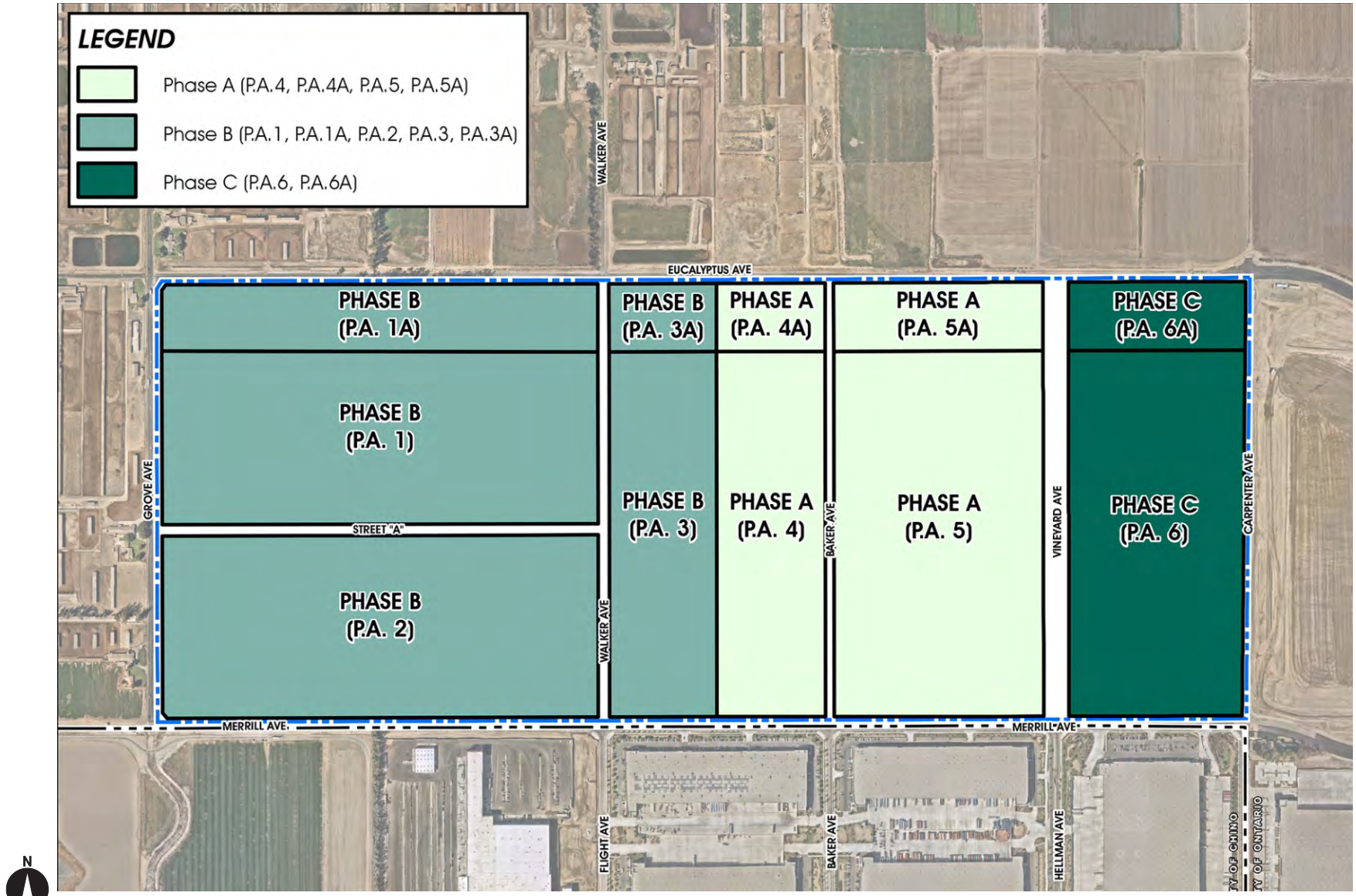
Source: T&B Planning, Inc.

Figure 2-12
Conceptual Fiber Optics Plan



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Source: T&B Planning, Inc.

Figure 2-13
Phasing Concept

3.0 COMMENTS AND RESPONSES

3.0 COMMENTS AND RESPONSES

3.1 INTRODUCTION

The following Section presents written comments received pursuant to public review of the DEIR and provides responses to those comments as required by California Code of Regulations, title 14 (hereinafter, "*CEQA Guidelines*") Sections 15089, 15132, and 15088. Specifically, *CEQA Guidelines* Section 15088, subd. (a) requires that: "[t]he lead agency… evaluate comments on environmental issues received from persons who reviewed the draft EIR and . . . prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments." The DEIR was circulated for a 45-day review period: October 8 through November 23, 2020.

In summary, the City's written responses describe the disposition of significant environmental issues raised and any revisions to the Draft EIR made as a result of the comments. Additionally, the City's written responses provide a good faith, reasoned analysis of all environmental issues raised and cite to specific factual and legal support for the Draft EIR's conclusions.

3.1.1 Comments Received

The following Section presents a list of the comment letters received during the Draft EIR public review period. Comment letters have been generally organized by state agencies; county, city, and local agencies; utilities; and local organizations and individuals. Each letter has been assigned an identifying designation (generally an acronym or name abbreviation), and topical items within each letter have been numbered. Table 3-1 lists all DEIR commentors and the designation assigned to each. Commentor correspondence

and correlating responses are presented subsequently. Comments have been reproduced verbatim and without grammatical or typographical correction.

Table 3-1
DEIR Commentors

Commentor	Acronym Assigned	Correspondence Date
State Agencies		
State Clearinghouse	SCH	--
California Department of Fish and Wildlife	CDFW	11/20/20
California Air Resources Board	CARB	11/24/20
Regional & County Agencies		
South Coast Air Quality Management District	AQMD	11/20/20

Merrill Commerce Center Specific Plan Project

Summary

SCH Number	2019049079
Lead Agency	Ontario, City of *(City of Ontario)*
Document Title	Merrill Commerce Center Specific Plan Project
Document Type	EIR - Draft EIR
Received	10/8/2020
Project Applicant	Merrill Commerce Center East/West LLC
Present Land Use	Zoning: Specific Plan with an Agricultural Overlay// General Plan: Business Park, Office Commercial, & General Commercial
Document Description	Merrill Commerce Center Specific Plan proposes development and operation of up to 7,014,000 square feet of high-cube fulfillment center warehouse uses and up to 1,441,000 square feet of mixed uses (total of 8,455,000 square feet of development) on approximately 376.3 acres. The Project site is located along Merrill Avenue, between Grove Avenue and Carpenter Avenue. Eucalyptus Avenue forms the northerly boundary.
Contact Information	Chuck Mercier City of Ontario 303 East B Street Ontario, CA 91764 Phone : (909) 395-2036 cmercier@ontarioca.gov

SCH-1

Location

Cities	Ontario
Counties	San Bernardino
Cross Streets	Merrill Avenue, Grove Avenue
Zip	91764
Total Acres	376.3
Airports	1
Schools	9

Notice of Completion

Review Period Start	10/8/2020
Review Period End	11/23/2020
Development Type	Industrial (376.3 Sq. Ft.)
Local Action	Specific Plan, Site Plan
Project Issues	Agricultural Land, Air Quality, Archaeologic-Historic, Biological Resources, Drainage/Absorption, Flood Plain/Flooding, Geologic/Seismic, Noise, Population/Housing Balance, Public Services, Toxic/Hazardous, Traffic/Circulation, Water Quality, Land Use, Cumulative Effects

Reviewing Agencies

California Air Resources Board | California Department of Conservation | California Department of Fish and Wildlife, Inland Deserts Region 6 | California Department of Forestry and Fire Protection | California Department of Parks and Recreation | California Department of Transportation, District 8 | California Department of Transportation, Division of Aeronautics | California Department of Water Resources | California Governor's Office of Emergency Services | California Highway Patrol | California Native American Heritage Commission | California Natural Resources Agency | California Regional Water Quality Control Board, Santa Ana Region 8 | California State Lands Commission | Department of Toxic Substances Control | Office of Historic Preservation | State Water Resources Control Board, Division of Drinking Water | State Water Resources Control Board, Division of Water Quality | State Water Resources Control Board, Division of Water Rights

Attachments

Environmental Document

Alewyn Phase I PDF 24824 K | Alewyn Phase II (Methane) PDF 6647 K | AQIA PDF 23686 K | Biological Report PDF 347 K | Borba Geotech Study PDF 7207 K | Borba Phase I PDF 34349 K | Borba Phase II (Soils and Methane) PDF 5066 K | Caltrans PDF 1069 K | CARB PDF 222 K | Chino PDF 26 K | Construction HRA PDF 1228 K | Cultural Resources Study PDF 23898 K | DOC PDF 198 K | Energy Consumption Estimates PDF 447 K | Exhibits_Appendices 1 PDF 16483 K | Exhibits_Appendices 2 PDF 10830 K | Exhibits_Appendices 3 PDF 15462 K | FINAL WSA PDF 18912 K | GHGA PDF 6857 K | Historical Resource Survey PDF 17313 K | Land Conservation (Williamson Act) Contract 70-167 Non-Renewal PDF 7977 K | Lanting Phase I PDF 50303 K | Lanting Phase II (Soils and Methane) PDF 10787 K | Liberty (GH Dairy) Phase I PDF 30620 K | Liberty (GH Dairy) Phase II PDF 2954 K | Liberty Geotech Study PDF 9009 K | Merrill CCSP IS_April2019 PDF 17660 K | Merrill Commerce Center Specific Plan 09-29-2020 PDF 35447 K | Merrill Lanting-Alewyn Geotech Studies PDF 7853 K | MerrillCommerceCtr_DEIR PDF 97799 K | Minaberry Geotech Study PDF 6169 K | Minaberry Phase I PDF 16128 K | Minaberry Phase II (Methane) PDF 3602 K | NAHC PDF 909 K | NOA PDF 742 K | Noise Impact Analysis PDF 26087 K | Operational HRA PDF 3585 K | ORB Bio Report PDF 6935 K | Paleontological Resource Assessment PDF 5687 K | Preliminary WQMP PDF 834 K | Resolution 2020-071 Adopting Vehicle Miles Traveled Thresholds under CEQA PDF 2751 K | Resolution 2020-071 Agenda Report PDF 15109 K | RWQCB PDF 80 K | SBPW PDF 698 K | SCAQMD PDF 353 K | SCH PDF 74 K | Summary Form PDF 80 K | TECH MEMO DRAINAGE PDF 3432 K | TIA PDF 37607 K | TIA Appendices PDF 38899 K | VMT Memo PDF 1314 K

NOC

NOC PDF 819 K

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STATE OF CALIFORNIA
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
STATE CLEARINGHOUSE
SCH No. 2019049079

Response SCH-1

State Clearinghouse receipt of the Merrill Commerce Center Specific Plan Project Draft EIR is acknowledged, as is the distribution of the Draft EIR to the listed State Agencies. The State-assigned Clearinghouse reference number (SCH No. 2019049079) and dates of the public review period for the Draft EIR (October 8 through November 23, 2020) are also acknowledged.

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

November 20, 2020
Sent via email

Mr. Chuck Mercier
City of Ontario
303 E B St
Ontario, CA 91764
cmercier@ontarioca.gov

Subject: Draft Environmental Impact Report for the Merrill Commerce Center Specific Plan Project (SCH 2019049079)

Dear Mr. Mercier:

The California Department of Fish and Wildlife (CDFW) received the Draft Environmental Impact Report (DEIR) from the City of Ontario (City) for the Merrill Commerce Center Specific Plan Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code. CDFW-1

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources. CDFW-2

[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code. CDFW-2 cont'd.

PROJECT DESCRIPTION SUMMARY

The Project proposes the development and operation of up to 7,014,000 square feet of fulfillment center warehouse uses and up to 1,441,000 square feet of business park uses along Merrill Avenue, between Grove Avenue and Carpenter Avenue, in the City of Ontario. Improvements to approximately 113.2 acres of off-site roadway and utility infrastructure will also occur in the Cities of Ontario and Chino, San Bernardino County. CDFW-3

PROJECT BACKGROUND

The Project is located within the former 'Dairy Preserve' that was formed in 1968 under the auspices of the California's Williamson Act. In 1988, voters passed Proposition 70, the California, Wildlife, Coastal, and Park Land Conservation Act (Act) to fund bonds for "the acquistion, development, rehabitation, protection, or restoration of park, wildlife, coastal, and natural lands in California, including lands supporting unique or endangered plants and animals". San Benardino County was awarded a $20 million grant under Proposition 70 and has since acquired nine dairy properties, or 366.6 acres, in the early 1990s with approximately 165.3 acres located in the City of Chino and the remaining 201.3 acres within the City of Ontario. The Project is immediately adjacent to, or within, many of these San Bernardino County Proposition 70 dairy parcels (refer to Figure 1).

The annexation of the Dairy Preserve between the Cities of Ontario and Chino have represented a dramatic increase in development and population growth. The City of Ontario prepared a master plan for the Dairy Preserve that spans over a 20-year period and includes the development of 8,200 acres of previous agricultural and dairy lands with 47,000 homes, 16 million square feet of retail, office, medical and residential space, and eight new schools. This master plan was formerly known as the New Model Colony (NMC) and is currently referred to as 'Ontario Ranch'. CDFW-4

Likewise, the City of Chino annexed the remaining portion of the Dairy Preserve, approximately 7,245 acres, into the City of Chino's Sphere of Influence where it was partitioned into a western and eastern section. The eastern portion, or what is now known as 'the Preserve', includes approximately 5,435 acres (8.15 square miles). For Subarea 2, the City adopted the Preserve – Chino Sphere of Influence – Sub-Area 2 Specific Plan (hereafter, "PSP") and certified the associated EIR (SCH #2000121036, hereafter, "PSP

EIR") on March 25, 2003. The PSP established the overall vision and development plan for the specific plan area and acted as a bridge between the City's General Plan and individual development proposals. An 'umbrella' General Plan Amendment, which linked the Specific Plan to the City's existing General Plan and satisfied the requirement for consistency with the General Plan (Government Code Sections 65301 (b) and 65303), was also prepared. CDFW-4 cont'd.

Portions of the Project are within both the Preserve and the Ontario Ranch (refer to Figure 1).

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, impacts on fish and wildlife (biological) resources. CDFW-5

Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. Within the Project DEIR, eleven species were identified as having potential to occur or use the study area based on the literature review and field surveys, including: burrowing owl(s) (*Athene cunicularia*), yellow-headed blackbird(s) (*Xanthocephalus xanthocephalus*), yellow warbler(s) (*Setophaga petechia*), golden eagle(s) (*Aquila chrysaetos*), Swainson's hawk(s) (*Buteo swainsoni*), white-tailed kite(s) (*Elanus leucurus*), big free-tailed bat(s) (*Nyctinomops macrotis*), pallid bat(s) (*Antrozous pallidus*), western mastiff bat(s) (*Eumops perotis californicus*), western red bat(s) (*Lasiurus blossevillii*), and western yellow bat(s) (*Lasiurus xanthinus*) (DEIR Section 4.8.4.2 Impact Statements Special-Status Wildlife Species). CDFW-6

CDFW agrees that these special-status wildlife species have the potential to occur within the Project, and suggests that the Project footprint, or the immediate surrounding area, may also support the western pond turtle (*Actinemys marmorata*), a California Species of Special Concern and the tricolored blackbird (*Agelaius tricolor*), a California Threatened Species.

<u>Western Pond Turtles</u>

Agricultural areas within the Project consist of active dairy operations and row crops. Areas associated with the dairy operations include corrals, pastures, and treatment basins designed to retain all runoff from the associated facilities (DEIR, section 4.8.2.1, Vegetation Communities/Habitat Types). Pond turtles are habitat generalists and can occupy a wide range of aquatic habitats, with a wide variety of aquatic niches in rivers, streams, ponds, vernal pools, and estuaries, as well as, human-impacted environments, such as agricultural ditches and sewage treatment ponds (Holland 1992; Stebbins 2003; CDFW-7

Germano, 2010) and livestock ponds (Tu, 2019). Thus, the most limiting factor of habitat suitability is the presence of water. CDFW recommends that the following measures be added to the DEIR prior to certification to require focused surveys and mitigation, should western pond turtles be identified onsite.

4.8.6: Within the breeding season (May-July) prior to the onset of construction activities, a CDFW-approved qualified biologist shall conduct pre-construction trapping surveys, following U.S. Geological Survey trapping protocol, for western pond turtle within all areas of any suitable aquatic habitat for this species (e.g., retention and treatment ponds). If western pond turtles are observed or trapped during the pre-construction survey, the Applicant shall prepare for CDFW review and approval, a translocation plan identifying proposed protocol for trapping and relocating turtles, including identifying potential, appropriate receiver sites to relocate western pond turtles to. If no western pond turtles are observed during the pre-construction survey, then construction activities may begin. If construction is delayed or halted for more than 30 days, another pre-construction survey for western pond turtle shall be conducted. Within seven days of the pre-construction survey, a report of findings from the survey shall be submitted to the CDFW. During construction, a qualified biological monitor who has been approved by the CDFW to relocate western pond turtles shall be onsite to ensure that no western pond turtles are harmed. If western pond turtles are observed in the construction area at any time during construction, the onsite biological monitor shall be notified and construction in the vicinity of the sighting shall be halted until such a time as a turtle has been removed from the construction zone, and relocated by an approved biologist. If a sighting occurs during construction, the biologist shall prepare a report of the event and submit it to CDFW.

CDFW-7 cont'd.

4.8.7: If western pond turtle are identified, the Applicant shall mitigate impacts to western pond turtle by creating suitable, breeding, and foraging habitat at a minimum 2:1 replacement to impact ratio at a CDFW-approved location within southwest San Bernardino County. 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 Applicant 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 (as described below), 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.

CDFW-7 cont'd.

Tricolored Blackbirds

The Project DEIR documented yellow-headed blackbirds foraging within the Project (Section 4.8.4.2, Impact Statements Special-Status Wildlife Species), but made no observation of tricolored blackbirds. Based on database searches, CDFW identified three separate observations of individual tricolored blackbirds or colonies near the Project, with 2 individuals observed at dairy ponds near Merrill Avenue and Grove Avenue (Ebird; April 26, 2015), 30 individuals at ponds located at Carpenter Avenue (Ebird March 2015); and fluctuating numbers of nesting and foraging tricolored birds at the managed wetlands at Kimball/Bickmore Avenue and surrounding fields, including approximately 500 individuals in 2011, approximately 100 individuals in 2012, and approximately 500 individuals in 2014 and 2016 (California Natural Diversity Data Base [CNDDB]). These known tricolored blackbird occurrences are either within (e.g. Carpenter Avenue), immediately adjacent (e.g. Merrill Avenue and Grove Avenue), or a short distance (< 2 kilometer) from the Project (e.g. Kimball Avenue).

According to the Biological Technical Report for Merrill Commerce Center Specific Plan, (Glenn Lukos Associates, Inc., September 2019), it states "*The Project will remove 375.3 acres of potential raptor foraging habitat through development of the active agriculture. Although the 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)*" (5.10 Cumulative Impacts to Biological Resources).

CDFW-8

Like raptors, tricolored blackbirds forage within agricultural fields. Tricolored blackbirds do not prey on small mammals, but rather, are known to forage for insects primarily in artificial habitats, including crops such as rice, alfalfa, irrigated pastures, and ripening or cut grain fields (e.g., oats, wheat, silage), as well as annual grasslands, cattle feedlots, and dairies (Beedy and Hamilton 1999). In addition, approximately 55 percent of all observed breeding colonies were associated with dairies (Hamilton et al. 1995, pp. 5, 64) and in some colonies, water source, nesting substrate, and foraging area were all available under the management of a single dairy operation. Most tricolored blackbirds forage within 5 kilometers (km) of their colony sites (rarely up to 13 km; Orians 1961, Beedy and Hamilton 1997). Similarly, a study using radio-telemetry documented tricolored blackbirds movements over relatively short distances of 3 to 11 km. These movements may be due to an inability to acquire sufficient resources at one colony site for the entire breeding season, prospecting among colonies to assess availability of nesting and foraging resources or access to mates, and/or the availability of multiple proximate nesting locations allows the species to compensate for early-season nesting failures and variation in habitat and forage conditions over time (Beedy and Hamilton 1997).

Given the Project and the adjacent lands contains suitable foraging and breeding habitat for blackbirds, has been occupied by yellow-headed blackbirds, and is within known

movement distances from documented tricolored blackbird occurrences, CDFW recommends the Project DEIR include the following measure to require focused surveys and mitigation, should tricolored blackbirds be identified using the Project area for nesting or foraging.

> *4.8.8: The Applicant shall conduct surveys for tricolored blackbird across all suitable breeding and foraging habitat with the Project area. If tricolored blackbirds are identified, the Applicant shall avoid and conserve all occupied habitat onsite. If onsite avoidance is infeasible, the Applicant shall apply for an incidental take permit (ITP) with California Department of Fish and Wildlife 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 Applicant 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 (as described below), 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.*

CDFW-8 cont'd.

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The Project DEIR should provide a thorough discussion of the direct, indirect, and cumulative impacts expected to adversely affect biological resources as a result of the Project. CDFW suggests the following:

<u>Bats</u>

CDFW-9

Despite the high diversity and sensitivity of bats in the south coast ecoregion, bats have been largely ignored during environmental review of proposed projects and in large planning efforts, including the Ontario Ranch and PSP DEIRs. This is primarily due to the lack of information on the distribution, seasonal habitat associations, and population status of bat fauna. The Project DEIR does include sensitive bat species that may occur (Section 6.4 *Special-Status Bats*) and minimization measures that includes the following:

> *"4.8.4 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 April 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* (DEIR 4.8.4.2 Impact Statements *Wildlife Sensitive Species*)".

While CDFW appreciates the measures to avoid direct take of roosting bats, there are other aspects of bat ecology that should be addressed. Recent research has shown that many tree roosting species will switch roosts every few days (Barclay and Brigham 1996), meaning that multiple roosts of varying temperature regimes may need to be available within appropriate habitat and flight distance of the species for a population to remain viable. Bats also need adequate foraging habitat within the nightly commute distance from a given roost. These distances vary among species (Pierson 1998) and seasonally (Brown and others 1995). Thus, CDFW strongly encourages the City to incorporate the following into measure 4.8.4 prior to certification of the DEIR to require mitigation for the loss of roosting and foraging opportunities for each bat species, and ensure the mitigation is roughly proportional to the level of impacts in accordance with the provisions of CEQA (CEQA Guidelines, §§ 15126.4(a)(4)(B), 15064, 15065, and 16355). CDFW-9 cont'd.

> *If surveys determine that roosts supporting special-status bats will be lost as a result of the Project, the Applicant shall mitigate the loss through the perpetual conservation and management of occupied habitat, approved by CDFW, at a minimum 1:1 ratio.*

Burrowing Owls

For the Project, minimization and avoidance measures for burrowing owls (DEIR, section 4.8.4.2, Impact Statements, Mitigation Measure 4.8.1*)* include the following:

- If burrowing owl(s) is (are) absent, no additional mitigation is required;
- If burrowing owl(s) is (are) detected within the Project's disturbance footprint located within the City of Chino Preserve RMP [Resources Management Plan] boundary, the owl(s) are required to be handled as indicated by the RMP; and
- If burrowing owl(s) is (are) detected within the Project's proposed disturbance footprint outside of the RMP boundary: Prior to disturbance of the occupied burrows, suitable and unoccupied replacement burrows shall be provided at a ratio of 2:1 within designated offsite conserved lands to be identified through

CDFW-10

coordination with CDFW and the City in which the burrowing owl(s) is (are) detected (either the City of Ontario or the City of Chino).

Although a portion of the Project occurs within the Ontario Ranch, the Project DEIR does not reference any burrowing owl mitigation measures or the cumulative impact review and conclusion from the Ontario Ranch DEIR.

The Ontario City Council approved a General Plan Amendment and associated Final Environmental Impact Report (EIR) for the Sphere of Influence for the Ontario Ranch (NMC) in January 1998. The NMC Final EIR assessed the impacts on biological resources of the conversion of the NMC from agricultural uses to develop urban and suburban uses. Before mitigation, it was determined that significant impacts would occur to waterfowl and waterfowl habitat; raptors and raptor habitat; and the Delhi Sands Flower-Loving Fly Ontario Recovery Unit. The mitigation measures to reduce impacts to less than significance included:

EIR Mitigation Measure BR-1 – 2:1 Mitigation Waterfowl Habitat Mitigation

- Modify the General Plan to require the creation of new waterfowl habitat and specified a mitigation ratio of 2:1 for each acre of such habitat lost. This is off-site mitigation in the Prado Basin.

EIR Mitigation Measure BR-2 – Waterfowl and Raptor Conservation Area

- The City of Ontario shall create a Waterfowl and Raptor Conservation Area (WRCA) off-site in the Prado Basin.

CDFW-10 cont'd.

Subsequent to the adoption of the EIR, a lawsuit was filed against the City of Ontario by the Endangered Habitats League, Inc. and Sierra Club challenging the City's CEQA compliance and approval of the General Plan Amendment. A settlement agreement was reached and agreed to by all parties that set forth revised mitigation measures for potential impacts in the NMC (referred to as Annexation Area 163). Because state law requires that local jurisdictions update their General Plans every 10 years, an Ontario Plan Draft EIR (DEIR SCH # 2008101140) was prepared by the Planning Center (April 2009) and finalized in July 2009. Measures from the settlement agreement were detailed within the Ontario Plan DEIR Section 5 *Environmental Analysis* and included the following:

DEIR Mitigation Measure 1- Mitigation Fees

- Prior to issuance of grading permits, Ontario shall impose a $4,320 per acre Mitigation Fee on proposed developments in Annexation Area 163 that require discretionary approval or permitting from the City.

DEIR Mitigation Measure 2 – On Site Land Conservation or Owl Relocation

- Ontario, in consultation with the Department, will identify through CEQA review, lands occupied by burrowing owl and suitable as long-term habitat. The City will require avoidance of those lands to maintain a viable territory and require long-term maintenance through dedication in fee or grant of easement to the Land Trust. If the site is not viable long-term habitat, the developer shall pay the mitigation fee and make provisions for relocation of the owls.

DEIR Mitigation Measure 3 – Land Conservation

- All mitigation fees collected shall be used for the above-described purposes and may be used to purchase property, conservation easements, or other land with long-term conservation value for the environmental impacts; enhance/restore lands with such values; maintain and operates these lands; and pay for related administrative costs (not to exceed 10 percent of the total fees).

DEIR Mitigation Measure 4 - Land Easements

- Land/easements dedicated, conveyed, or purchased to benefit wildlife, waterfowl, raptors/and or burrowing owl must have long-term conservation value for those species and must be managed by the Land Trust. The parcels must be located within the Habitat Area designated as part of the settlement agreement. Unacceptable properties are those that would otherwise by purchased by another entity or group as open space mitigation for environmental impacts.

CDFW-10 cont'd.

Table 1 and Figure 2 lists past and upcoming projects and the potential fees that were, or will be, collected within the Ontario Ranch.

Although the DEIR does reference PSP-related measures, CDFW has significant concerns regarding the efficacy of these measures at mitigating burrowing owl impacts. Within the City of Chino, mitigation measures identified in the Preserve (PSP DEIR Section 5.4.6 *Mitigation Measures*) to eliminate or reduce potentially significant impacts to burrowing owls included the following:

1) All areas below the 566-foot Prado Dam inundation line, except such areas located north of Pine Avenue, will be retained within an open space or agricultural land use designation in order to provide protection for existing wildlife habitat values, as well as to avoid any new impacts.
2) A biological assessment of each specific project site will be conducted to characterize the habitat types and the potential for the site to support any sensitive species or habitat.

3) Where a sensitive species has the potential to occur, the level of potential for occurrence as low, moderate, or high will be determined and scientific justification provided for this determination.
4) If the potential for occurrence is moderate or high (e.g., the required habitat elements for this species are present and/or there has been a sighting of this species in the vicinity of the project site), focused surveys will be conducted within suitable habitat to determine the presence or absence of the species on the project site.
5) Any surveys deemed necessary must be conducted by a biologist qualified to perform the needed survey(s). The City of Chino, or its consultant, will review and approve the personnel and methodology for any such proposed surveys.
6) If a sensitive species or habitat is found to occur on a proposed project site or occupies habitat that may be impacted directly or indirectly by the proposed project, this must be called to the City's immediate attention and documented in the biological assessment for the project.
7) Mitigation measures to offset any potential impact to sensitive species and habitats must comply with the Resources Management Plan (RMP) and shall be included in the biological assessment.
8) All lands set aside for conservation and/or other mitigation measures must be clearly documented in the final biological assessment.

The RMP (Michael Brandman Associates, 2003) was prepared to address the impacts of development of the Preserve through the implementation of land conservation, burrowing owl relocation, and mitigation fees, including:

CDFW-10 cont'd.

1) Providing the creation, enhancement, expansion and perpetuation of high quality wildlife habitat in a 300-acre Conservation Area to be located generally below the 566-foot inundation line and within the PSP boundaries. The more specific location of the Conservation Area depends on availability of lands for mitigation purposes, and the suitability of land for the enhancements envisioned. If the City is unable, or it is infeasible, to obtain the onsite mitigation agreements from property owners for all, or a portion of the 300-acre Conservation Area, the City of Chino can potentially acquire and enhance, or make other arrangements to secure the right to permanently protect/preserve and enhance, land off-site within the Prado Basin (including Chino Hills), so long as it has similar biological value to land on-site within the areas planned for urban development (generally above the 566-foot elevation line). The Natural Treatment System (NTS) facilities (referred to as Drainage Area "B" in the PSP EIR and RMP) may potentially represent partial regional mitigation for the loss of burrowing owl habitat.

2) If burrowing owls are found on an individual development site, development, including the expansion of existing land uses or other land use activities that could disrupt the owls, will be required to follow the CDFW burrowing owl relocation protocol. In addition, unavoidable occupied burrows must be mitigated at a minimum 2:1 ratio, either through the enhancement of existing natural burrows, or through the creation of new artificial burrows. In order to provide supplemental

mitigation beyond the standard CDFW protocol requirements for relocation of owls, the 300-acre Conservation Area will be made available for the relocation of burrowing owls that would be displaced by development, including the creation of 20 artificial burrows. The feasibility of relocating owls from development sites to the Conservation Area will be reviewed on a case-by-case basis for individual development projects, subject to the evaluation and recommendations of the biological study prepared for a given site.

3) A RMP Mitigation Fee (3801000-56640) of $5,596 per adjusted gross acre for new residential, commercial, office, industrial development, or public facilities will be paid prior to the issuance of grading permits. Refer to Table 2 and Figure 3 that identifies past and future projects, along with the associated mitigation fees from development within the Preserve. The funds collected are to provide for the following:

   - Costs associated with obtaining agreements for the 300-acre Conservation Area with landowners in the form of conservation easements or other legally enforceable instruments.
   - Costs associated with the design, installation, and maintenance of the various enhancements and improvements, including such appropriate refinements/ adjustments as may be identified by the RMP.
   - Administration, management and monitoring of the 300-acre Conservation Area and other mitigation measures as appropriate, including adaptive management.

CDFW-10 cont'd.

CDFW is extremely concerned that the mitigation measures provided by the Cities are insufficient to offset the loss of burrowing owl habitat because: 1) burrowing owl mitigation below the Prado Dam inundation line may only be available when habitat is not under several feet of water; 2) potential conservation properties may not support burrowing owls (e.g. Chino Hills), be large enough to support the number of owls being displaced (e.g. NTS), or have since been developed (e.g. Miramonte Development), indicating either a lack of interest, or an inability to acquire properties; and 3) mitigation fees that have been collected have yet to be spent to acquire and conserve mitigation properties, resulting in years of lost mitigation and rapidly declining availability of suitable properties to conserve within the City's sphere.

CDFW-11

Further, the City of Chino's continued use of the RMP, and conclusion that the NTS may be used to represent partial regional mitigation for the loss of burrowing owl habitat within the Preserve is troubling and inappropriate as this existing, failed mitigation site has not been viable burrowing owl habitat for years. A Lake and Streambed Alteration Agreement (LSA 1600-2004-0056-R6) was issued in September 2004 for the City of Chino Subarea 2-NTS Project. To mitigate for burrowing owls impacted by the construction of the NTS, Lewis Operating Corporation was to develop a Burrowing Owl Conservation Area, as well as, include a non-wasting endowment account for the long-term management of the preservation site for burrowing owls (LSA, Burrowing Owl Mitigation Measures, Condition

6. D). Shortly after the construction of the NTS, the burrowing owl population began to decline, with breeding owls not being observed over several years. Because it was speculated that the burrowing owls may have declined from the lack of maintenance of the slopes and artificial burrows, remediation measures occurred in October 2016. A conservation deed was executed for 17.11 acres by Chino Development Corporation and Rivers Lands Conservancy (May 15, 2018) and included 6.5 acres on the slopes (pursuant to the NTS LSA) and 10.61 acres of wetland habitat. Therefore, the NTS is inappropriate given the land has already been committed for conservation; portions of the facility requires maintenance that is incompatible with burrowing owl usage (e.g. water treatment, forebay); and/or no owls have been observed using it in over a decade. CDFW-11 cont'd.

CDFW has significant concerns with the DEIR's approach to mitigating impacts to burrowing owls and urges the City to coordinate with CDFW on the establishment of appropriate measures prior to the certification of the DEIR. At a minimum, CDFW recommends the Project DEIR not include: 1) measures that defer identification of mitigation, including appropriate conservation properties, to future actions; 2) mitigation lands that depend on the payment to, and expenditure by, funds by the Cities; and 3) measures that, to-date, has been ineffective at conserving and maintaining burrowing owl habitat.

Current scientific literature supports the conclusion that mitigation for permanent burrowing owl habitat loss necessitates replacement with an equivalent or greater habitat area for breeding, foraging, wintering, dispersal, presence of burrows, burrow surrogates, presence of fossorial mammal dens, well drained soils, and abundant and available prey within close proximity to the burrow (CDFW, 2012). Projects impacting owls and owl habitat should mitigate all project-specific and cumulative impacts to nesting, foraging, wintering, dispersal, and migration habitat (i.e., breeding and non-breeding season) under CEQA, to below a level of significance. Case-by-case impact analyses for CEQA and any other purpose should consider the full extent of owl habitat use (home range) on and off the project site, as well as demographic connectivity among local and regional populations. As development continues to displace owls, available suitable habitat is needed to support these individuals. This should include permanent conservation of similar vegetation communities (grassland, urban, and agriculture) and be comparable to, or better than, that of the impact area. Suitable mitigation lands should also be based on a comparison of the habitat attributes of the impacted and conserved lands, including but not limited to: type and structure of habitat being impacted or conserved; density of burrowing owls in impacted and conserved habitat; and significance of impacted or conserved habitat to the species range-wide. CDFW strongly suggests that the Cities of Ontario and Chino maintain an interactive mapping and current inventory of burrowing owl occurrences (Refer to Figure 3), ensure adequate land is available and conserved **before** owls are passively relocated, and provide compensation for loss of all aspects of habitat types used (e.g., foraging, wintering, migratory stopovers, and breeding). CDFW-12

Under Section 15355 of the CEQA Guidelines, cumulative effects refers to "two or more individual effects which, when considered together, are considerable or which compound CDFW-13

or increase other environmental impacts". Physical changes caused by a project can contribute incrementally to cumulative effects that are significant, even if individual changes resulting from a project are limited. The Lead Agency must determine whether the cumulative impact is significant, as well as whether an individual effect is "cumulatively considerable." This means "the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects" (Guidelines Section 15064(h)(1)).

Within the Preserve, CDFW estimates that 1,174 acres of suitable burrowing owl habitat has been removed and another 729 acres are proposed for future development. The City of Chino concluded that implementing mitigation measures would reduce, avoid, lessen, or compensate for some, but not all, of the adverse impacts to burrowing owl habitat. Nevertheless, the City Council determined that the remaining unavoidable effects were acceptable and issued a Statement of Overriding Considerations. For the Ontario Ranch, approximately 1,425 acres of 3,562 acres potential owl habitat has already been removed. With the collection of the mitigation fees for the acquisition and management of habitat, the City determined that implementation of the proposed Ontario Plan would not have substantial adverse impacts on sensitive animal species, including the burrowing owl (Ontario Ranch DEIR Chapter 6 Significant Unavoidable Adverse Impacts). In addition to these existing planned developments, and passed developments not mentioned within this letter, the DEIR adds new impacts to an already significant loss of habitat.

CDFW-13 cont'd.

Again, CDFW has significant concerns with the DEIR's approach to mitigating direct, indirect, and cumulative impacts to burrowing owls and urges the City to coordinate with CDFW on the establishment of appropriate measures prior to the certification of the DEIR.

Foraging Raptors

The Project has the potential to support foraging habitat for the bald eagle, golden eagle, Swainson's hawk, and American peregrine falcon. However, the Project DEIR concluded that, "*these species are not expected to nest within the Study Area, as it is located outside of the known nesting range and/or does not contain suitable nesting habitat. With regard to potential foraging impacts, based on the level of ongoing human disturbance within the Project study area, and the regional availability of foraging habitat in the vicinity of the Project site, such as the Prado Basin, Chino Hills State Park, and the Santa Ana Mountains, the loss of low-quality potential foraging habitat resulting from development of the Project is considered less than-significant*" (Section 4.8.4.2, Impact Statements *Special-Status Wildlife Species*).

CDFW-14

Contrary to this determination, the Ontario Ranch DEIR concluded that the loss of farmland would only become less than significant with the collection of mitigation fees to fund replacement habitat and must have long-term conservation value for raptors. Similarly, the City of Chino concluded that impacts within the Preserve could not be mitigated for the

cumulative loss of agricultural and open space below a level of significance for the direct loss of raptor foraging and migratory habitat (PSP Statement of Overriding Conditions).

CDFW is concerned that similar projects that have undergone prior environmental review (i.e., Ontario Ranch and PSP) could come to substantially different conclusions regarding the significance of impacts related to the loss of raptor foraging habitat. CDFW believes the loss of these areas for foraging, individually and cumulatively, is significant and should be mitigated. Thus, the Project DEIR should reassess its findings for the continued loss of raptor habitat within the Dairy Preserve, and provide appropriate mitigation in the form of habitat acquisition and preservation. Therefore, CDFW advises the City to integrate into the DEIR the following measure: CDFW-14 cont'd.

> *4.8.9 If surveys determine that the Project supports special-status raptors, the Applicant shall mitigate the loss through the perpetual conservation and management of foraging habitat, approved by CDFW, at a minimum 1:1 ratio.*

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to the California Endangered Species Act (CESA). CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in "take" (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of State-listed CESA species, either through construction or over the life of the project. CESA ITPs are issued to conserve, protect, enhance, and restore State-listed CESA species and their habitats. CDFW-15

CDFW encourages early consultation, as significant modification to the proposed Project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. The California Fish and Game Code requires that CDFW comply with CEQA for issuance of a CESA ITP. CDFW therefore recommends that the DEIR addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of CESA.

Lake and Streambed Alteration Program

Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: Substantially divert or obstruct the natural flow of any river, stream or lake; Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or Deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water. CDFW-16

Upon receipt of a complete notification, CDFW determines if the proposed Project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify your Project that would eliminate or reduce harmful impacts to fish and wildlife resources.

CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to https://www.wildlife.ca.gov/Conservation/LSA/Forms.

CDFW-16 cont'd.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). Information can be submitted online or via completion of the CNDDB field survey form at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: https://wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

CDFW-17

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.).

CDFW-18

CONCLUSION

CDFW appreciates the opportunity to comment on the DEIR for the Merrill Commerce Center Project Specific Plan Project (SCH No. 2019049079) and recommends that the City address the CDFW's comments prior to certifying the DEIR. If you should have

CDFW-19

any questions pertaining to the comments provided in this letter, please contact Kim Romich, Senior Environmental Scientist, at Kimberly.Romich@wildlife.ca.gov.

CDFW-19 cont'd

Sincerely,

DocuSigned by:
Scott Wilson
8091B1A9242F49C...

Scott Wilson
Environmental Program Manager

Attachments

Tables
- Table 1. Development that has, or will, occur(red) within the Ontario Ranch and the estimated mitigation fees that has/will be collected
- Table 2. Development that has, or will, occur(red) within the Preserve and the estimated mitigation fees that has/will be collected
- Table 3. Development within the Ontario Ranch and burrowing owls impacted.
- Table 4. Development within the Preserve and burrowing owls impacted.

Figures
- Figure 1. Portions of the Project adjacent to proposition 70 agricultural land and within the Ontario Ranch and Preserve
- Figure 2. Development that has, or will, occur(red) within the Ontario Ranch and Preserve.
- Figure 3. Burrowing owl occurrences surrounding the Project

CDFW-20

ec: Kim Freeburn, Senior Environmental Scientist, Supervisor
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Habitat Conservation Planning Branch

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REFERENCES

Biological Technical Report for Merrill Commerce Center Specific Plan, Located in the City of Ontario, San Bernardino County, California with Off-Site Improvements Located in the Cities of Ontario and Chino, San Bernardino County, California (Glenn Lukos Associates, Inc.) September 19, 2019

California Department of Fish and Wildlife. 2012. Staff Report on Burrowing Owl Mitigation. Sacramento, CA, USA.

Tu, Billy. May 2019. Pond Occupancy by Western Pond Turtle in the Diablo Range of Santa Clara County, California.

California Department of Fish and Wildlife
Inland Deserts Region
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Letter Dated November 20, 2020

Comment CDFW-1

The California Department of Fish and Wildlife (CDFW) received the Draft Environmental Impact Report (DEIR) from the City of Ontario (City) for the Merrill Commerce Center Specific Plan Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

Response CDFW-1

CDFW receipt and review of the Merrill Commerce Center Specific Plan Project (Project) Draft EIR (DEIR, EIR) is recognized. The City appreciates CDFW participation in the Project and DEIR review processes. Findings and conclusions of the EIR are not affected.

Comment CDFW-2

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Id., § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological

expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

Response CDFW-2

CDFW's roles as a Trustee Agency and Responsible Agency are recognized. Findings and conclusions of the EIR are not affected.

Comment CDFW-3

PROJECT DESCRIPTION SUMMARY

The Project proposes the development and operation of up to 7,014,000 square feet of fulfillment center warehouse uses and up to 1,441,000 square feet of business park uses along Merrill Avenue, between Grove Avenue and Carpenter Avenue, in the City of Ontario. Improvements to approximately 113.2 acres of off-site roadway and utility infrastructure will also occur in the Cities of Ontario and Chino, San Bernardino County.

Response CDFW-3

CDFW summary of the Project development components is materially correct. CDFW, however, does not recognize the extensive site disturbance and habitat degradation that has occurred due to historic and on-going and dairy activities, as well as current industrial/trucking activities occurring within the site. Relevant DEIR text is excerpted below:

The Project site is extensively disturbed and evidences environmental degradation due to historic and on-going agricultural and trucking uses. Such degradation includes, but is not limited to:

- Animal waste from the long-term dairy farm uses have potentially created methane gas, and soil contamination from nitrates and ammonia.
- Numerous automotive fluids, including several large above ground storage tanks (ASTs) on or near the on-site maintenance shop. These materials are used for maintaining and repairing farm equipment.
- Additional ASTs used for truck and equipment refueling are located on-site.
- A scrap metal area containing drums, ASTs, farming equipment, and vehicles is located on the property.
- Dairy operations use formaldehyde, iodine, and glycerol to wash the cows. The dairies also use muriatic acid and chlorinated alkaline as a cleaning solution. Pesticides are applied to prevent parasite infestations. Wastewater from these processes is discharged to the pastures for irrigation.
- Holding ponds for contaminated runoff from agricultural/dairy farm operations. Discharge from these ponds to surrounding areas; and potential infiltration of contaminated runoff to underlying groundwater.
- General debris observed throughout the property, including vehicle equipment staging areas, used tires, concrete rubble piles, compressors, and generators may have the potential to impact on-site surficial soil.
- Presence of septic systems.

[DEIR, pp. 3-10, 3-11).

Commentor is also referred to DEIR Figures 3.2-2 – 3.2-6, *Site Photographs* (included at FEIR Attachment A for ease of reference). As described and illustrated in the DEIR, the site in its current state does not represent special or valuable habitat. Results and conclusions of the DEIR are not affected.

Comment CDFW-4

PROJECT BACKGROUND

The Project is located within the former 'Dairy Preserve' that was formed in 1968 under the auspices of the California's Williamson Act. In 1988, voters passed Proposition 70, the California, Wildlife, Coastal, and Park Land Conservation Act (Act) to fund bonds for "the acquisition, development, habitation, protection, or restoration of park, wildlife, coastal, and natural lands in California, including lands supporting unique or endangered plants and animals". San Bernardino County was awarded a $20 million grant under Proposition 70 and has since acquired nine dairy properties, or 366.6 acres, in the early 1990s with approximately 165.3 acres located in the City of Chino and the remaining 201.3 acres within the City of Ontario. The Project is immediately adjacent to, or within, many of these San Bernardino County Proposition 70 dairy parcels (refer to Figure 1).

The annexation of the Dairy Preserve between the Cities of Ontario and Chino have represented a dramatic increase in development and population growth. The City of Ontario prepared a master plan for the Dairy Preserve that spans over a 20-year period and includes the development of 8,200 acres of previous agricultural and dairy lands with 47,000 homes, 16 million square feet of retail, office, medical and residential space, and eight new schools. This master plan was formerly known as the New Model Colony (NMC) and is currently referred to as 'Ontario Ranch'.

Likewise, the City of Chino annexed the remaining portion of the Dairy Preserve, approximately 7,245 acres, into the City of Chino's Sphere of Influence where it was partitioned into a western and eastern section. The eastern portion, or what is now known as 'the Preserve', includes approximately 5,435 acres (8.15 square miles). For Subarea 2, the City adopted the Preserve – Chino Sphere of Influence – Sub-Area 2 Specific Plan (hereafter, "PSP") and certified the associated EIR (SCH #2000121036, hereafter, "PSP EIR") on March 25, 2003. The PSP established the overall vision and development plan for the specific plan area and acted as a bridge between the City's General Plan and individual development proposals. An 'umbrella' General Plan Amendment, which linked the Specific Plan to the City's existing General Plan and satisfied the requirement for consistency with the General Plan (Government Code Sections 65301 (b) and 65303), was also prepared. Portions of the Project are within both the Preserve and the Ontario Ranch.

Response CDFW-4

Location of the Project within the former "Dairy Preserve," annexation actions affecting the Dairy Preserve, and adoption of the PSP as described by CDFW are recognized. Findings and conclusions of the EIR are not affected.

Comment CDFW-5

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, impacts on fish and wildlife (biological) resources.

Response CDFW-5

Responses to comments provided by CDFW, and consideration of CDFW recommendations are presented in the following Responses.

Comment CDFW-6

Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. Within the Project DEIR, eleven species were identified as having potential to occur or use the study area based on the literature review and field surveys, including: burrowing owl(s) (Athene cunicularia), yellow-headed blackbird(s) (Xanthocephalus xanthocephalus), yellow warbler(s) (Setophaga petechia), golden eagle(s) (Aquila chrysaetos), Swainson's hawk(s) (Buteo swainsoni), white-tailed kite(s) (Elanus leucurus), big free-tailed bat(s) (Nyctinomops macrotis), pallid bat(s) (Antrozous pallidus), western mastiff bat(s) (Eumops perotis californicus), western red bat(s) (Lasiurus blossevillii), and western yellow bat(s) (Lasiurus xanthinus) (DEIR Section 4.8.4.2 Impact Statements Special-Status Wildlife Species).

CDFW agrees that these special-status wildlife species have the potential to occur within the Project, and suggests that the Project footprint, or the immediate surrounding area, may also support the western pond turtle (Actinemys marmorata), a California Species of Special Concern and the tricolored blackbird (Agelaius tricolor), a California Threatened Species.

Response CDFW-6

Please refer to Responses CDFW-7, CDFW-8. Findings and conclusions of the EIR are not affected.

Comment CDFW-7

Western Pond Turtles

Agricultural areas within the Project consist of active dairy operations and row crops. Areas associated with the dairy operations include corrals, pastures, and treatment basins designed to retain all runoff from the associated facilities (DEIR, section 4.8.2.1, Vegetation Communities/Habitat Types). Pond turtles are habitat generalists and can occupy a wide range of aquatic habitats, with a wide variety of aquatic niches in rivers, streams, ponds, vernal pools, and estuaries, as well as, human-impacted environments, such as agricultural ditches and sewage treatment ponds (Holland 1992; Stebbins 2003; Germano, 2010) and livestock ponds (Tu, 2019). Thus, the most limiting factor of habitat suitability is the presence of water. CDFW recommends that the following measures be added to the DEIR prior to certification to require focused surveys and mitigation, should western pond turtles be identified onsite.

4.8.6: Within the breeding season (May-July) prior to the onset of construction activities, a CDFW-approved qualified biologist shall conduct pre-construction trapping surveys, following U.S. Geological Survey trapping protocol, for western pond turtle within all areas of any suitable aquatic habitat for this species (e.g., retention and treatment ponds). If western pond turtles are observed or trapped during the pre-construction survey, the Applicant shall prepare for CDFW review and approval, a translocation plan identifying proposed protocol for trapping and relocating turtles, including identifying potential, appropriate receiver sites to relocate western pond turtles to. If no western pond turtles are observed during the pre-construction survey, then construction activities may begin. If construction is delayed or halted for more than 30 days,

another pre-construction survey for western pond turtle shall be conducted. Within seven days of the pre-construction survey, a report of findings from the survey shall be submitted to the CDFW. During construction, a qualified biological monitor who has been approved by the CDFW to relocate western pond turtles shall be onsite to ensure that no western pond turtles are harmed. If western pond turtles are observed in the construction area at any time during construction, the onsite biological monitor shall be notified and construction in the vicinity of the sighting shall be halted until such a time as a turtle has been removed from the construction zone, and relocated by an approved biologist. If a sighting occurs during construction, the biologist shall prepare a report of the event and submit it to CDFW.

4.8.7: If western pond turtle are identified, the Applicant shall mitigate impacts to western pond turtle by creating suitable, breeding, and foraging habitat at a minimum 2:1 replacement to impact ratio at a CDFW-approved location within southwest San Bernardino County. 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 Applicant 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 (as described below), 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.

Response CDFW-7

All impoundments located within the Project site consist of dairy runoff retention facilities. These facilities function solely to collect livestock waste generated by the existing dairy activities and collect runoff from natural precipitation and operation-

related flushing events. These facilities are highly engineered and are routinely dredged to remove solid waste and sediment, in order to maintain capacity and allow for percolation, as designed. These facilities are designed to contain water for less than 72 hours after each flushing event and lack underwater cover, emergent basking sites, such as downed trees, logs, and large rocks and boulders that the western pond turtle requires as components of suitable live-in and breeding habitats.

The treatment facilities and stock ponds identified (referenced) in literature cited by the CDFW routinely contain water for long durations of time (weeks, months) for much of the year. The waste treatment facilities located within the Project site, as noted, do not support long-term (duration) aquatic habitat.

Therefore, these facilities are not expected to support the western pond turtle. Notwithstanding, in response to CDFW concerns and to avoid potential impacts to the western pond turtle and out of an abundance of caution, the following improvement measure is incorporated. Please refer also to FEIR Section 4.0, *Mitigation Monitoring Program*. Findings and conclusions of the EIR are not affected.

> ***4.8.6 Within the breeding season (May-July) prior to the onset of construction activities, a qualified biologist shall conduct pre-construction visual surveys, following U.S. Geological Survey visual survey protocol, for western pond turtles within all areas of any suitable aquatic habitat for this species (retention ponds). If Western pond turtles are observed during the pre-construction survey, the Applicant shall prepare for CDFW review and approval, a translocation plan identifying proposed protocol for trapping and relocating turtles, including identifying potential, appropriate receiver sites to relocate western pond turtles. If no western pond turtles are observed during the pre-construction survey, then construction activities may begin. If construction is delayed or halted for more than 30 days, another pre-construction survey for western pond turtle shall be conducted. Within seven days of the pre-construction survey, a report of findings from the survey shall be submitted to the CDFW.***

During construction, a qualified biological monitor who has been approved by the CDFW to relocate western pond turtles shall be onsite to ensure that no western pond turtles are harmed. If western pond turtles are observed in the construction area at any time during construction, the onsite biological monitor shall be notified and construction in the vicinity of the sighting shall be halted until such a time as a turtle has been removed from the construction zone, and relocated by an approved biologist. If a sighting occurs during construction, the biologist shall prepare a report of the event and submit it to CDFW.

Comment CDFW-8

Tricolored Blackbirds

The Project DEIR documented yellow-headed blackbirds foraging within the Project (Section 4.8.4.2, Impact Statements Special-Status Wildlife Species), but made no observation of tricolored blackbirds. Based on database searches, CDFW identified three separate observations of individual tricolored blackbirds or colonies near the Project, with 2 individuals observed at dairy ponds near Merrill Avenue and Grove Avenue (Ebird; April 26, 2015), 30 individuals at ponds located at Carpenter Avenue (Ebird March 2015); and fluctuating numbers of nesting and foraging tricolored birds at the managed wetlands at Kimball/Bickmore Avenue and surrounding fields, including approximately 500 individuals in 2011, approximately 100 individuals in 2012, and approximately 500 individuals in 2014 and 2016 (California Natural Diversity Data Base [CNDDB]). These known tricolored blackbird occurrences are either within (e.g. Carpenter Avenue), immediately adjacent (e.g. Merrill Avenue and Grove Avenue), or a short distance (< 2 kilometer) from the Project (e.g. Kimball Avenue).

According to the Biological Technical Report for Merrill Commerce Center Specific Plan, (Glenn Lukos Associates, Inc., September 2019), it states "The Project will remove 375.3 acres of potential raptor foraging habitat through development of the active agriculture. Although the 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)" (5.10 Cumulative Impacts to Biological Resources).

Like raptors, tricolored blackbirds forage within agricultural fields. Tricolored blackbirds do not prey on small mammals, but rather, are known to forage for insects primarily in artificial habitats, including crops such as rice, alfalfa, irrigated pastures, and ripening or cut grain fields (e.g., oats, wheat, silage), as well as annual grasslands, cattle feedlots, and dairies (Beedy and Hamilton 1999). In addition, approximately 55 percent of all observed breeding colonies were associated with dairies (Hamilton et al. 1995, pp. 5, 64) and in some colonies, water source, nesting substrate, and foraging area were all available under the management of a single dairy operation. Most tricolored blackbirds forage within 5 kilometers (km) of their colony sites (rarely up to 13 km; Orians 1961, Beedy and Hamilton 1997). Similarly, a study using radio-telemetry documented tricolored blackbirds movements over relatively short distances of 3 to 11 km. These movements may be due to an inability to acquire sufficient resources at one colony site for the entire breeding season, prospecting among colonies to assess availability of nesting and foraging resources or access to mates, and/or the availability of multiple proximate nesting locations allows the species to compensate for early-season nesting failures and variation in habitat and forage conditions over time (Beedy and Hamilton 1997).

Given the Project and the adjacent lands contains suitable foraging and breeding habitat for blackbirds, has been occupied by yellow-headed blackbirds, and is within known movement distances from documented tricolored blackbird occurrences, CDFW recommends the Project DEIR include the following measure to require focused surveys and mitigation, should tricolored blackbirds be identified using the Project area for nesting or foraging.

4.8.8: The Applicant shall conduct surveys for tricolored blackbird across all suitable breeding and foraging habitat with the Project area. If tricolored blackbirds are identified, the Applicant shall avoid and conserve all occupied habitat onsite. If onsite avoidance is infeasible, the Applicant shall apply for an incidental take permit (ITP) with California Department of Fish and Wildlife 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 Applicant 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 (as described below), 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.

Response CDFW-8

As noted at Response CDFW-7, all impoundments located within the Project site consist of dairy runoff retention facilities and are frequently maintained, which prevents the development of marsh habitats consisting of mature stands of cattail (*Typha* spp.), rush (*Schoenoplectus* spp.), or sedge (*Carex* spp.) species, suitable to support nesting habitat for tricolored blackbird.

Tricolored blackbirds were not observed within the Project site over several seasons of field survey efforts and breeding colonies have not been observed or documented within or immediately adjacent to the Project site. However, as the Project site supports foraging habitat for other blackbird species, it is recognized that the Project site may periodically support foraging opportunities for tricolored blackbirds, including those associated with nesting colonies within the region.

Code, § 2080; Cal. Code Regs., tit. 14, § 783.1) defines the term "take" of species listed as Threatened or Endangered under the *California Endangered Species Act* (CESA) by Fish and Game Code section 86 ***as hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill***. The loss of foraging habitat for tricolored blackbirds does not constitute "take" pursuant to CESA; therefore, would not result in the need for an ITP or requirement for mitigation for the loss of potential foraging habitat under CESA.

Although not expected to avoid any potential for "incidental take" of tricolored blackbirds, out of an abundance of caution, the following improvement measure has been incorporated in the EIR. Please refer also to FEIR Section 4.0, *Mitigation Monitoring Program*. Findings and conclusions of the EIR are not affected.

4.8.7 Prior to initiation of ground-disturbing activities, including demolition, a pre-disturbance survey for tricolored blackbirds shall be conducted by a qualified biologist. The survey area shall encompass all habitat within the Project site and a 500-foot buffer supporting suitable foraging opportunities for blackbird species on the date that these activities will initiate.

- ***If tricolored blackbirds are observed foraging, all Project-related construction activities shall avoid that portion of the Project site containing foraging tricolored blackbirds, along with a 500-foot avoidance buffer, until the tricolored blackbirds have concluded their foraging activities and vacated the Project site on their own accord. The qualified biologist shall monitor the movement of the tricolored blackbirds to ensure that all Project activities occur outside of the active foraging area and associated buffer.***

- ***If tricolored blackbirds are not detected within the Project site during the pre-construction survey, construction activities may commence and no additional actions are needed for areas under continuous disturbance by Project activities.***

- ***The pre-construction survey shall be repeated within portions of the Project site supporting potential blackbird foraging habitat where construction has not commenced and/or where construction activities have paused and elapsed for more than thirty (30) consecutive days, and have not been rendered into a developed condition prior to that time.***

Comment CDFW-9

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The Project DEIR should provide a thorough discussion of the direct, indirect, and cumulative impacts expected to adversely affect biological resources as a result of the Project. CDFW suggests the following:

Bats

Despite the high diversity and sensitivity of bats in the south coast ecoregion, bats have been largely ignored during environmental review of proposed projects and in large planning efforts, including the Ontario Ranch and PSP DEIRs. This is primarily due to the lack of information on the distribution, seasonal habitat associations, and population status of bat fauna. The Project DEIR does include sensitive bat species that may occur (Section 6.4 Special-Status Bats) and minimization measures that includes the following:

"4.8.4 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 April 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 (DEIR 4.8.4.2 Impact Statements Wildlife Sensitive Species)".

While CDFW appreciates the measures to avoid direct take of roosting bats, there are other aspects of bat ecology that should be addressed. Recent research has shown that many tree roosting species will switch roosts every few days (Barclay and Brigham 1996), meaning that multiple roosts of varying temperature regimes may need to be available within appropriate habitat and flight distance of the species for a population to remain viable. Bats also need adequate foraging habitat within the nightly commute distance from a given roost. These distances vary among species (Pierson 1998) and seasonally (Brown and others 1995). Thus, CDFW strongly encourages the City to incorporate the following into measure 4.8.4 prior to certification of the DEIR to require

mitigation for the loss of roosting and foraging opportunities for each bat species, and ensure the mitigation is roughly proportional to the level of impacts in accordance with the provisions of CEQA (CEQA Guidelines, §§ 15126.4(a)(4)(B), 15064, 15065, and 16355).

If surveys determine that roosts supporting special-status bats will be lost as a result of the Project, the Applicant shall mitigate the loss through the perpetual conservation and management of occupied habitat, approved by CDFW, at a minimum 1:1 ratio.

Response CDFW-9

The measure included in the *Biological Technical Report for Merrill Commerce Center Specific Plan* (Glenn Lukos Associates, Inc., September 2019) (Project Biological Resources Assessment) is excerpted below:

> 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).

This measure, as presented in the Project Biological Resources Assessment, is consistent with measures included in CDFW streambed alteration agreements and final CEQA documentation for projects with comparable impacts to non-listed special-status bat species. The measure acts to ensure that mortality to bats does not occur at a level that may be considered significant under CEQA. CDFW citation to DEIR Mitigation Measure 4.8.4 is unclear and appears to be incorrect. For reference, DEIR Mitigation Measure 4.8.4 is excerpted below:

> *4.8.4 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 shall 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 single roosting individual of a special-status bat species or a total of a 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 (Plan) shall be developed to ensure mortality to bats does not occur. For each location confirmed to be occupied by bats, the Plan shall 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. Preliminary Plan components and performance standards are outlined below:*
>
> *To avoid the direct loss of bats that could result from removal of trees that may provide maternity roost habitat (e.g., in cavities or under loose bark), the following steps should be taken:*
> *1) If trees and/or structures must be removed or disturbed as part of Project activities, a qualified bat specialist should conduct surveys to identify use of habitat by any bat species. Focused surveys using electronic detection should be used to*

identify general bat use and any special status bat species using any habitat proposed for removal or disturbance;

2) Maternity season lasts from March 1 to September 30. Trees and/or structures should not be removed until the end of the maternity season;

3) If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of year, it is preferable to push any tree down using heavy machinery rather than felling it with a chainsaw. In order to ensure the optimum warning for any roosting bats that may still be present, the tree should be pushed lightly two to three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree should then be pushed to the ground slowly and should remain in place overnight and until it is inspected by a bat specialist. Trees that are suspected to be bat roosts should not be sawed up or mulched immediately. A period of at least 24 hours, and preferably 48 hours, should elapse prior to such operations to allow bats to escape. Bats should be allowed to escape prior to demolition of buildings. This may be accomplished by placing one way exclusionary devices into areas where bats are entering a building that allow bats to exit but not enter the building;

4) The bat specialist should document all demolition monitoring activities, and prepare a summary report to the Lead Agency upon completion of tree disturbance and/or building demolition activities. CDFW requests copies of any reports prepared related to bat surveys (e.g., monitoring, demolition);

5) If confirmed occupied or formerly occupied bat roosting and foraging habitat is destroyed, habitat of comparable size and quality should be preserved and maintained at a nearby suitable undisturbed area. The bat habitat mitigation shall be determined by the bat specialist in consultation with CDFW;

6) A monitoring plan shall be prepared and submitted to the Lead Agency. The monitoring plan shall describe proposed mitigation habitat, and include performance standards for the use of replacement roosts by the displaced species, as well as provisions to prevent harassment, predation, and disease of relocated bats; and,

7) Annual reports detailing the success of roost replacement and bat relocation should be prepared and submitted to Lead Agency and CDFW for five years

following relocation or until performance standards are met, whichever period is longer.

The Plan shall be reviewed and approved by CDFW prior to disturbance of any roost(s).

As indicated above, DEIR Mitigation Measure 4.8.4 includes all operative components of bat impact mitigation presented in the Project Biological Resources Assessment; and then expands and enhances the measure to ensure its effective implementation providing for minimization of impacts to, and protection of special-status bat species. Additionally, CDFW recommendations regarding habitat conservation are reflected at DEIR Mitigation Measure 4.8.4. No additional mitigation is proposed. Findings and conclusions of the EIR are not affected.

Comment CDFW-10

Burrowing Owls

For the Project, minimization and avoidance measures for burrowing owls (DEIR, section 4.8.4.2, Impact Statements, Mitigation Measure 4.8.1) include the following:

- *If burrowing owl(s) is (are) absent, no additional mitigation is required;*
- *If burrowing owl(s) is (are) detected within the Project's disturbance footprint located within the City of Chino Preserve RMP [Resources Management Plan] boundary, the owl(s) are required to be handled as indicated by the RMP; and*
- *If burrowing owl(s) is (are) detected within the Project's proposed disturbance footprint outside of the RMP boundary: Prior to disturbance of the occupied burrows, suitable and unoccupied replacement burrows shall be provided at a ratio of 2:1 within designated offsite conserved lands to be identified through coordination with CDFW and the City in which the burrowing owl(s) is (are) detected (either the City of Ontario or the City of Chino).*

Although a portion of the Project occurs within the Ontario Ranch, the Project DEIR does not reference any burrowing owl mitigation measures or the cumulative impact review and conclusion from the Ontario Ranch DEIR.

The Ontario City Council approved a General Plan Amendment and associated Final Environmental Impact Report (EIR) for the Sphere of Influence for the Ontario Ranch (NMC) in January 1998. The NMC Final EIR assessed the impacts on biological resources of the conversion of the NMC from agricultural uses to develop urban and suburban uses. Before mitigation, it was determined that significant impacts would occur to waterfowl and waterfowl habitat; raptors and raptor habitat; and the Delhi Sands Flower-Loving Fly Ontario Recovery Unit. The mitigation measures to reduce impacts to less than significance included:

EIR Mitigation Measure BR-1 - 2:1 Mitigation Waterfowl Habitat Mitigation

- *Modify the General Plan to require the creation of new waterfowl habitat and specified a mitigation ratio of 2:1 for each acre of such habitat lost. This is off- site mitigation in the Prado Basin.*

EIR Mitigation Measure BR-2 - Waterfowl and Raptor Conservation Area

- *The City of Ontario shall create a Waterfowl and Raptor Conservation Area (WRCA) off-site in the Prado Basin.*

Subsequent to the adoption of the EIR, a lawsuit was filed against the City of Ontario by the Endangered Habitats League, Inc. and Sierra Club challenging the City's CEQA compliance and approval of the General Plan Amendment. A settlement agreement was reached and agreed to by all parties that set forth revised mitigation measures for potential impacts in the NMC (referred to as Annexation Area 163). Because state law requires that local jurisdictions update their General Plans every 10 years, an Ontario Plan Draft EIR (DEIR SCH # 2008101140) was prepared by the Planning Center (April 2009) and finalized in July 2009. Measures from the settlement agreement were detailed within the Ontario Plan DEIR Section 5 Environmental Analysis and included the following:

DEIR Mitigation Measure 1 - Mitigation Fees

- *Prior to issuance of grading permits, Ontario shall impose a $4,320 per acre Mitigation Fee on proposed developments in Annexation Area 163 that require discretionary approval or permitting from the City.*

DEIR Mitigation Measure 2 - On Site Land Conservation or Owl Relocation

- *Ontario, in consultation with the Department, will identify through CEQA review, lands occupied by burrowing owl and suitable as long-term habitat. The City will require avoidance of those lands to maintain a viable territory and require long-term maintenance through dedication in fee or grant of easement to the Land Trust. If the site is not viable long-term habitat, the developer shall pay the mitigation fee and make provisions for relocation of the owls.*

DEIR Mitigation Measure 3 - Land Conservation

- *All mitigation fees collected shall be used for the above-described purposes and may be used to purchase property, conservation easements, or other land with long-term conservation value for the environmental impacts; enhance/restore lands with such values; maintain and operates these lands; and pay for related administrative costs (not to exceed 10 percent of the total fees).*

DEIR Mitigation Measure 4 - Land Easements

- *Land/easements dedicated, conveyed, or purchased to benefit wildlife, waterfowl, raptors/and or burrowing owl must have long-term conservation value for those species and must be managed by the Land Trust. The parcels must be located within the Habitat Area designated as part of the settlement agreement. Unacceptable properties are those that would otherwise by purchased by another entity or group as open space mitigation for environmental impacts.*

[CDFW Attachment] *Table 1 and Figure 2 lists past and upcoming projects and the potential fees that were, or will be, collected within the Ontario Ranch.*

Although the DEIR does reference PSP-related measures, CDFW has significant concerns regarding the efficacy of these measures at mitigating burrowing owl impacts. Within the City of Chino, mitigation measures identified in the Preserve (PSP DEIR Section 5.4.6 Mitigation Measures) to eliminate or reduce potentially significant impacts to burrowing owls included the following:

1) *All areas below the 566-foot Prado Dam inundation line, except such areas located north of Pine Avenue, will be retained within an open space or agricultural land use designation in order to provide protection for existing wildlife habitat values, as well as to avoid any new impacts.*
2) *A biological assessment of each specific project site will be conducted to characterize the habitat types and the potential for the site to support any sensitive species or habitat.*
3) *Where a sensitive species has the potential to occur, the level of potential for occurrence as low, moderate, or high will be determined and scientific justification provided for this determination.*
4) *If the potential for occurrence is moderate or high (e.g., the required habitat elements for this species are present and/or there has been a sighting of this species in the vicinity of the project site), focused surveys will be conducted within suitable habitat to determine the presence or absence of the species on the project site.*
5) *Any surveys deemed necessary must be conducted by a biologist qualified to perform the needed survey(s). The City of Chino, or its consultant, will review and approve the personnel and methodology for any such proposed surveys.*
6) *If a sensitive species or habitat is found to occur on a proposed project site or occupies habitat that may be impacted directly or indirectly by the proposed project, this must be called to the City's immediate attention and documented in the biological assessment for the project.*
7) *Mitigation measures to offset any potential impact to sensitive species and habitats must comply with the Resources Management Plan (RMP) and shall be included in the biological assessment.*
8) *All lands set aside for conservation and/or other mitigation measures must be clearly documented in the final biological assessment.*

The RMP (Michael Brandman Associates, 2003) was prepared to address the impacts of development of the Preserve through the implementation of land conservation, burrowing owl relocation, and mitigation fees, including:

1) *Providing the creation, enhancement, expansion and perpetuation of high quality wildlife habitat in a 300-acre Conservation Area to be located generally below the 566-foot inundation line and within the PSP boundaries. The more specific location of the*

Conservation Area depends on availability of lands for mitigation purposes, and the suitability of land for the enhancements envisioned. If the City is unable, or it is infeasible, to obtain the onsite mitigation agreements from property owners for all, or a portion of the 300-acre Conservation Area, the City of Chino can potentially acquire and enhance, or make other arrangements to secure the right to permanently protect/preserve and enhance, land off-site within the Prado Basin (including Chino Hills), so long as it has similar biological value to land on-site within the areas planned for urban development (generally above the 566-foot elevation line). The Natural Treatment System (NTS) facilities (referred to as Drainage Area "B" in the PSP EIR and RMP) may potentially represent partial regional mitigation for the loss of burrowing owl habitat.

2) *If burrowing owls are found on an individual development site, development, including the expansion of existing land uses or other land use activities that could disrupt the owls, will be required to follow the CDFW burrowing owl relocation protocol. In addition, unavoidable occupied burrows must be mitigated at a minimum 2:1 ratio, either through the enhancement of existing natural burrows, or through the creation of new artificial burrows. In order to provide supplemental mitigation beyond the standard CDFW protocol requirements for relocation of owls, the 300-acre Conservation Area will be made available for the relocation of burrowing owls that would be displaced by development, including the creation of 20 artificial burrows. The feasibility of relocating owls from development sites to the Conservation Area will be reviewed on a case-by-case basis for individual development projects, subject to the evaluation and recommendations of the biological study prepared for a given site.*
3) *A RMP Mitigation Fee (3801000-56640) of $5,596 per adjusted gross acre for new residential, commercial, office, industrial development, or public facilities will be paid prior to the issuance of grading permits. Refer to Table 2 and Figure 3 that identifies past and future projects, along with the associated mitigation fees from development within the Preserve. The funds collected are to provide for the following:*

- *Costs associated with obtaining agreements for the 300-acre Conservation Area with landowners in the form of conservation easements or other legally enforceable instruments.*
- *Costs associated with the design, installation, and maintenance of the various enhancements and improvements, including such appropriate refinements/ adjustments as may be identified by the RMP.*

- *Administration, management and monitoring of the 300-acre Conservation Area and other mitigation measures as appropriate, including adaptive management.*

Response CDFW-10

CDFW concerns regarding potential impacts to the burrowing owl and burrowing owl habitat are recognized. With regard to implementation of, and efficacy of, mitigation measures implemented under the RMP, the City of Ontario does not have plenary control over burrowing owl mitigation measures implemented under the RMP or measures otherwise effected by the City of Chino. The City of Ontario considers the revised DEIR mitigation measures presented below to adequately and appropriately address potential Project impacts to the burrowing owl and would reduce these impacts to levels that would be less-than-significant. The discussion of burrowing owl mitigation presented at DEIR Section 4.8, *Biological Resources* is amended as follows. Other affected DEIR discussions are amended accordingly by reference. Please refer also to burrowing owl mitigation measures presented at FEIR Section 4.0, *Mitigation Monitoring Program*.

~~*4.8.1 A qualified biologist shall conduct a pre-construction presence/absence survey for burrowing owls within 14 days prior to site disturbance. If the species is absent, no additional mitigation is required. If burrowing owl(s) is (are) detected within the Project's disturbance footprint located within the City of Chino Preserve Resource Management Plan (RMP) boundary, the owl(s) are required to be handled as indicated by the RMP:*~~

~~*Prior to disturbance of occupied burrows (if any), suitable and unoccupied replacement burrows shall be provided at a ratio of 2:1 within the City of Chino designated relocation area (e.g., the NTS basins). A qualified biologist through coordination with the City shall confirm that the artificial burrows are currently unoccupied and suitable for use by owls.*~~

~~*Until suitable replacement burrows have been provided/confirmed within the designated relocation area (e.g., the NTS basins), no disturbance shall occur within 50 meters (approximately 160 feet) of occupied burrows during the nonbreeding*~~

~~*season (September 1 through January 31) or within 75 meters (approximately 250 feet) during the breeding season (February 1 through August 31).*~~

~~*Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.*~~

~~*If burrowing owls are present at the time that the occupied burrows are to be disturbed, then the owls shall be excluded from the site following the 2012 CDFG Staff Report and Table 4-6 of the RMP.*~~

~~*Pursuant to mitigation measure B-3(8) of The Preserve EIR, and as noted on Page 4-39 of the RMP, the Project shall pay the required mitigation fee prior to initiation of ground disturbing activities.*~~

~~*4.8.2 If burrowing owl(s) is (are) detected within the Project's proposed disturbance footprint outside of the RMP boundary:*~~

~~*Prior to disturbance of the occupied burrows, suitable and unoccupied replacement burrows shall be provided at a ratio of 2:1 within designated off site conserved lands to be identified through coordination with CDFW and the City in which the burrowing owl(s) is(are) detected (either the City of Ontario or the City of Chino). A qualified biologist shall confirm that the artificial burrows are currently unoccupied and suitable for use by owls.*~~

~~*Until suitable replacement burrows have been provided/confirmed within the off-site conserved lands to be identified through coordination with CDFW and the City of Ontario or the City of Chino, no disturbance shall occur within 50 meters (approximately 160 feet) of occupied burrows during the nonbreeding season*~~

~~*(September 1 through January 31) or within 75 meters (approximately 250 feet) during the breeding season (February 1 through August 31).*~~

~~*Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.*~~

~~*If burrowing owls are present at the time that the occupied burrows are to be disturbed, then the owls shall be relocated from the site following the 2012 [CDFW] Staff Report.*~~

The following mitigation measures shall apply as the appropriate mechanism to reduce potential Project impacts to burrowing owls to levels that would be less-than-significant:

4.8.1 A qualified biologist shall conduct a pre-construction presence/absence survey for burrowing owls within 14 days prior to site disturbance. If the species is absent, no additional mitigation shall be required.

4.8.2 If burrowing owl(s) is(are) detected within any location within the Project's proposed disturbance footprint:

- ***Prior to disturbance of the occupied burrows, suitable and unoccupied replacement burrows shall be provided at a ratio of 2:1 within designated off-site conserved lands to be identified through coordination with CDFW and the City in which the burrowing owl(s) is(are) detected (either the City of Ontario or the City of Chino). A qualified biologist shall confirm that the replacement burrows are currently unoccupied and suitable for use by owls. Suitable replacement burrows are defined as naturally occurring small mammal burrows (such as those of California ground squirrel***

[Otospermophilus beecheyii]) with a burrow entrance of three inches in diameter or greater; or artificially constructed burrows meeting the specifications as described in the California Department of Fish and Game (CDFG) 1995 Staff Report on Burrowing Owl Mitigation (CDFG 1995) and/or Users Guide to Installation of Artificial Burrows for Burrowing Owls (Johnson et Al. 2010).

• Until suitable replacement burrows as defined above have been provided/confirmed within the off-site conserved lands to be identified through coordination with CDFW and the City of Ontario or the City of Chino, no disturbance shall occur within 50 meters (approximately 160 feet) of occupied burrows during the nonbreeding season (September 1 through January 31) or within 75 meters (approximately 250 feet) during the breeding season (February 1 through August 31).

• Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

• If burrowing owls are present at the time that the occupied burrows are to be disturbed, then the owls shall be excluded from the site following the 2012 CDFG Staff Report.

The Lead Agency considers the above discussions and revised mitigation measures to adequately and appropriately address CDFW concerns regarding potential impacts to the burrowing owl and burrowing owl habitat. The above measures would reduce potential impacts to the burrowing owl and burrowing owl habitat to levels that would be less-than-significant. Findings and conclusions of the EIR are not affected.

Comment CDFW-11

CDFW is extremely concerned that the mitigation measures provided by the Cities are insufficient to offset the loss of burrowing owl habitat because: 1) burrowing owl mitigation below the Prado Dam inundation line may only be available when habitat is not under several feet of water; 2) potential conservation properties may not support burrowing owls (e.g. Chino Hills), be large enough to support the number of owls being displaced (e.g. NTS), or have since been developed (e.g. Miramonte Development), indicating either a lack of interest, or an inability to acquire properties; and 3) mitigation fees that have been collected have yet to be spent to acquire and conserve mitigation properties, resulting in years of lost mitigation and rapidly declining availability of suitable properties to conserve within the City's sphere.

Further, the City of Chino's continued use of the RMP, and conclusion that the NTS may be used to represent partial regional mitigation for the loss of burrowing owl habitat within the Preserve is troubling and inappropriate as this existing, failed mitigation site has not been viable burrowing owl habitat for years. A Lake and Streambed Alteration Agreement (LSA 1600-2004-0056-R6) was issued in September 2004 for the City of Chino Subarea 2-NTS Project. To mitigate for burrowing owls impacted by the construction of the NTS, Lewis Operating Corporation was to develop a Burrowing Owl Conservation Area, as well as, include a non-wasting endowment account for the long-term management of the preservation site for burrowing owls (LSA, Burrowing Owl Mitigation Measures, Condition 6. D). Shortly after the construction of the NTS, the burrowing owl population began to decline, with breeding owls not being observed over several years. Because it was speculated that the burrowing owls may have declined from the lack of maintenance of the slopes and artificial burrows, remediation measures occurred in October 2016. A conservation deed was executed for 17.11 acres by Chino Development Corporation and Rivers Lands Conservancy (May 15, 2018) and included 6.5 acres on the slopes (pursuant to the NTS LSA) and 10.61 acres of wetland habitat. Therefore, the NTS is inappropriate given the land has already been committed for conservation; portions of the facility requires maintenance that is incompatible with burrowing owl usage (e.g. water treatment, forebay); and/or no owls have been observed using it in over a decade.

Response CDFW-11

CDFW concerns regarding potential impacts to the burrowing owl and burrowing owl habitat are recognized. With regard to implementation of and efficacy of mitigation measures implemented under the RMP, the City of Ontario does not have plenary control over burrowing owl mitigation measures implemented under the RMP or measures otherwise effected by the City of Chino. The City of Ontario considers the revised DEIR discussions and revised mitigation measures presented at Response CDFW-10 to adequately and appropriately address potential Project impacts to the burrowing owl and would reduce these impacts to levels that would be less-than-significant. Please refer also to Response CDFW-10. Findings and conclusions of the EIR are not affected.

Comment CDFW-12

CDFW has significant concerns with the DEIR's approach to mitigating impacts to burrowing owls and urges the City to coordinate with CDFW on the establishment of appropriate measures prior to the certification of the DEIR. At a minimum, CDFW recommends the Project DEIR not include: 1) measures that defer identification of mitigation, including appropriate conservation properties, to future actions; 2) mitigation lands that depend on the payment to, and expenditure by, funds by the Cities; and 3) measures that, to-date, has been ineffective at conserving and maintaining burrowing owl habitat.

Current scientific literature supports the conclusion that mitigation for permanent burrowing owl habitat loss necessitates replacement with an equivalent or greater habitat area for breeding, foraging, wintering, dispersal, presence of burrows, burrow surrogates, presence of fossorial mammal dens, well drained soils, and abundant and available prey within close proximity to the burrow (CDFW, 2012). Projects impacting owls and owl habitat should mitigate all project-specific and cumulative impacts to nesting, foraging, wintering, dispersal, and migration habitat (i.e., breeding and non-breeding season) under CEQA, to below a level of significance. Case-by-case impact analyses for CEQA and any other purpose should consider the full extent of owl habitat use (home range) on and off the project site, as well as demographic connectivity among local and regional populations. As development continues to displace owls, available suitable habitat is needed to support these individuals. This should include permanent conservation of similar vegetation communities (grassland, urban, and agriculture) and be comparable to, or better than,

that of the impact area. Suitable mitigation lands should also be based on a comparison of the habitat attributes of the impacted and conserved lands, including but not limited to: type and structure of habitat being impacted or conserved; density of burrowing owls in impacted and conserved habitat; and significance of impacted or conserved habitat to the species range-wide. CDFW strongly suggests that the Cities of Ontario and Chino maintain an interactive mapping and current inventory of burrowing owl occurrences (Refer to Figure 3), ensure adequate land is available and conserved ***before*** *owls are passively relocated, and provide compensation for loss of all aspects of habitat types used (e.g., foraging, wintering, migratory stopovers, and breeding).*

Response CDFW-12

CDFW concerns regarding potential impacts to the burrowing owl and burrowing owl habitat are recognized. With regard to implementation of and efficacy of mitigation measures implemented under the RMP, the City of Ontario does not have plenary control over burrowing owl mitigation measures implemented under the RMP or measures otherwise effected by the City of Chino. The City of Ontario considers the revised DEIR discussions and revised mitigation measures presented at Response CDFW-10 to adequately and appropriately address potential Project impacts to the burrowing owl and would reduce these impacts to levels that would be less-than-significant. The City will coordinate with CDFW as the Project designs are finalized and permitting by/through CDFW is initiated. Please refer also to Response CDFW-10. Findings and conclusions of the EIR are not affected.

Comment CDFW-13

Under Section 15355 of the CEQA Guidelines, cumulative effects refers to "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts". Physical changes caused by a project can contribute incrementally to cumulative effects that are significant, even if individual changes resulting from a project are limited. The Lead Agency must determine whether the cumulative impact is significant, as well as whether an individual effect is "cumulatively considerable." This means "the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects" (Guidelines Section 15064(h)(1)).

Within the Preserve, CDFW estimates that 1,174 acres of suitable burrowing owl habitat has been removed and another 729 acres are proposed for future development. The City of Chino concluded that implementing mitigation measures would reduce, avoid, lessen, or compensate for some, but not all, of the adverse impacts to burrowing owl habitat. Nevertheless, the City Council determined that the remaining unavoidable effects were acceptable and issued a Statement of Overriding Considerations. For the Ontario Ranch, approximately 1,425 acres of 3,562 acres potential owl habitat has already been removed. With the collection of the mitigation fees for the acquisition and management of habitat, the City determined that implementation of the proposed Ontario Plan would not have substantial adverse impacts on sensitive animal species, including the burrowing owl (Ontario Ranch DEIR Chapter 6 Significant Unavoidable Adverse Impacts). In addition to these existing planned developments, and passed developments not mentioned within this letter, the DEIR adds new impacts to an already significant loss of habitat.

Again, CDFW has significant concerns with the DEIR's approach to mitigating direct, indirect, and cumulative impacts to burrowing owls and urges the City to coordinate with CDFW on the establishment of appropriate measures prior to the certification of the DEIR.

Response CDFW-13

CDFW concerns regarding potential impacts to the burrowing owl and burrowing owl habitat are recognized. With regard to implementation of and efficacy of mitigation measures implemented under the RMP, the City of Ontario does not have plenary control over burrowing owl mitigation measures implemented under the RMP or measures otherwise effected by the City of Chino. The City of Ontario considers the revised DEIR discussions and revised mitigation measures presented at Response CDFW-10 to adequately and appropriately address potential Project impacts to the burrowing owl and would reduce these impacts to levels that would be less-than-significant. Please refer also to Response CDFW-10. Findings and conclusions of the EIR are not affected.

Comment CDFW-14

Foraging Raptors

The Project has the potential to support foraging habitat for the bald eagle, golden eagle, Swainson's hawk, and American peregrine falcon. However, the Project DEIR concluded that, "these species are not expected to nest within the Study Area, as it is located outside of the known nesting range and/or does not contain suitable nesting habitat. With regard to potential foraging impacts, based on the level of ongoing human disturbance within the Project study area, and the regional availability of foraging habitat in the vicinity of the Project site, such as the Prado Basin, Chino Hills State Park, and the Santa Ana Mountains, the loss of low-quality potential foraging habitat resulting from development of the Project is considered less than-significant" (Section 4.8.4.2, Impact Statements Special-Status Wildlife Species).

Contrary to this determination, the Ontario Ranch DEIR concluded that the loss of farmland would only become less than significant with the collection of mitigation fees to fund replacement habitat and must have long-term conservation value for raptors. Similarly, the City of Chino concluded that impacts within the Preserve could not be mitigated for the cumulative loss of agricultural and open space below a level of significance for the direct loss of raptor foraging and migratory habitat (PSP Statement of Overriding Conditions).

CDFW is concerned that similar projects that have undergone prior environmental review (i.e., Ontario Ranch and PSP) could come to substantially different conclusions regarding the significance of impacts related to the loss of raptor foraging habitat. CDFW believes the loss of these areas for foraging, individually and cumulatively, is significant and should be mitigated. Thus, the Project DEIR should reassess its findings for the continued loss of raptor habitat within the Dairy Preserve, and provide appropriate mitigation in the form of habitat acquisition and preservation. Therefore, CDFW advises the City to integrate into the DEIR the following measure:

4.8.9 If surveys determine that the Project supports special-status raptors, the Applicant shall mitigate the loss through the perpetual conservation and management of foraging habitat, approved by CDFW, at a minimum 1:1 ratio.

Response CDFW-14

Common disturbance-tolerant raptor species, such as red-tailed hawk and American kestrel, forage within the active dairy facilities and associated support facilities at a lower level than would be true of natural open space which is not subject to ongoing dairy and maintenance operations. Prey, such as California ground squirrels and other small rodents, occur within the Project site in limited numbers, as active rodent control programs are implemented as part of ongoing dairy maintenance operations. These rodent control programs include the physical removal of burrow locations and the utilization of rodenticides.

Based on the ongoing dairy operations, the physical removal of burrows, the utilization of rodenticides, and ongoing maintenance within facilities, the habitat would be considered low quality foraging habitat for raptors.

Based on the decades-long high level of disturbance, including rodent control programs within the Project site and surrounding properties, the loss of very low quality of raptor foraging habitat is considered less-than-significant at the Project level. Considering the low quality of raptor foraging habitat within the Project site, as stated above, and because, cumulative impacts for the Project are addressed through payment of the $4,320 per acre Mitigation Fee for all portions of the Project site located within the NMC, as required by the NMC, no further mitigation would be required. Findings and conclusions of the EIR are not affected.

Comment CDFW-15

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to the California Endangered Species Act (CESA). CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in "take" (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of State-listed CESA species, either through construction or over

the life of the project. CESA ITPs are issued to conserve, protect, enhance, and restore State-listed CESA species and their habitats.

CDFW encourages early consultation, as significant modification to the proposed Project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. The California Fish and Game Code requires that CDFW comply with CEQA for issuance of a CESA ITP. CDFW therefore recommends that the DEIR addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of CESA.

Response CDFW-15

CDFW conservation responsibilities and authority are acknowledged. California Endangered Species Act (CESA) Incidental Take Permit (ITP) requirements are acknowledged. The DEIR addresses all potential impacts to CESA species and their habitats. Mitigation measures incorporated in the EIR including additional/revised mitigation measures discussed herein reduce potential impacts to CESA species and their habitats to levels that would be less-than-significant. Findings and conclusions of the EIR are not affected.

Comment CDFW-16

Lake and Streambed Alteration Program

Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: Substantially divert or obstruct the natural flow of any river, stream or lake; Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or Deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

Upon receipt of a complete notification, CDFW determines if the proposed Project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and

Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify your Project that would eliminate or reduce harmful impacts to fish and wildlife resources.

CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to https://www.wildlife.ca.gov/Conservation/LSA/Forms.

Response CDFW-16

Fish and Game Code Section 1602 requirements and responsibilities are acknowledged at DEIR Section 4.8, *Biological Resources*, as excerpted below:

> ***CDFW Jurisdiction***
>
> As with impacts to Corps and Regional Board jurisdiction, affected drainages are heavily impacted flood control facilities. Although the drainages proposed for impacts are heavily denuded flood control facilities that are subject to ongoing maintenance and do not support jurisdictional wetlands or riparian vegetation communities, impacts to 4.15 acres of streambed is potentially significant under CEQA due to the potential for this quantity of loss of surface streambeds to affect the hydrology supporting downstream wetland and/or riparian resources (Project Biological Resources Report, p. 39). As such, a CDFW Section 1602 Streambed Alteration Agreement would be required; please refer to Mitigation Measure 4.8.5 . . . (DEIR, p. 4.8-19).

The Lead Agency and Applicant will consult with CDFW as early as practical regarding potential Section 1602/LSA requirements. Findings and conclusions of the EIR are not affected.

Comment CDFW-17

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). Information can be submitted online or via completion of the CNDDB field survey form at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: https://wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

Response CDFW-17

Biological resources database reporting requirements are acknowledged. Consistent with Pub. Resources Code, § 21003, subd. (e) requirements, any special status species and natural communities detected during Project surveys will be reported to the CNDDB.

Comment CDFW-18

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.).

Response CDFW-18

CDFW NOD filing fees requirements are acknowledged. The Applicant will pay fees as required under Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.

Comment CDFW-19

CONCLUSION

CDFW appreciates the opportunity to comment on the DEIR for the Merrill Commerce Center Project Specific Plan Project (SCH No. 2019049079) and recommends that the City address the CDFW's comments prior to certifying the DEIR. If you should have any questions pertaining to the comments provided in this letter, please contact Kim Romich, Senior Environmental Scientist, at Kimberly.Romich@wildlife.ca.gov.

Response CDFW-19

The City appreciates CDFW participation in the Project and DEIR review processes. CDFW comments and concerns are addressed in the Reponses provided herein. CDFW contact information is acknowledged. Findings and conclusions of the EIR are not affected.

Comment CDFW-20

Attachments

Tables

Table 1. Development that has, or will, occur(red) within the Ontario Ranch and the estimated mitigation fees that has/will be collected

Table 2. Development that has, or will, occur(red) within the Preserve and the estimated mitigation fees that has/will be collected

Table 3. Development within the Ontario Ranch and burrowing owls impacted. Table 4. Development within the Preserve and burrowing owls impacted.

Figures

Figure 1. Portions of the Project adjacent to proposition 70 agricultural land and within the Ontario Ranch and Preserve

Figure 2. Development that has, or will, occur(red) within the Ontario Ranch and Preserve.

Figure 3. Burrowing owl occurrences surrounding the Project

Response CDFW-20

Attachments provided by CDFW are included at FEIR Attachment B. Responses related to CDFW attachments and CDFW attachment citations are provided herein. Findings and conclusions of the EIR are not affected.

CALIFORNIA
AIR RESOURCES BOARD

Gavin Newsom, Governor
Jared Blumenfeld, CalEPA Secretary
Mary D. Nichols, Chair

November 24, 2020

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Senior Planner
City of Ontario - Planning Division
303 East "B" Street
Ontario, California 91764
Submitted via email: cmercier@ontarioca.gov

Dear Chuck Mercier:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Merrill Commerce Center Specific Plan Project (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2019049079. The Project would allow for the construction and operation of up to 7,014,000 square feet of high-cube fulfillment center warehouse space, and up to 1,441,000 square feet of business park space (for a total of 8,455,000 square feet of development) on approximately 376 acres of land. Once in operation, the Project would introduce 19,806 daily vehicle trips, including 3,520 daily heavy-duty truck trips, along local roadways. The Project is located within the City of Ontario (City), California, which is the lead agency for California Environmental Quality Act (CEQA) purposes. CARB-1

CARB submitted a comment letter, which is attached to this letter, on the Notice of Preparation (NOP) for the DEIR released in April 2019. CARB's comments, dated November 4, 2020, highlighted the need for preparing a health risk assessment (HRA) for the Project and encouraged the City and applicant to implement all existing and emerging zero-emission technologies to minimize exposure to diesel particulate matter (diesel PM) and nitrogen oxides (NO_x) emissions for all neighboring communities, and to minimize the greenhouse gases that contribute to climate change. Due to the Project's proximity to residences already disproportionately burdened by multiple sources of pollution, CARB's comments expressed concerns with the potential cumulative health risks associated with the construction and operation of the Project. CARB-2

I. The Health Risk Assessment Used Inappropriate Assumptions When Modeling the Project's Health Risk Impacts

Chapter 3 (Project Description) of the DEIR states that approximately 701,400 square feet of the proposed warehouse building space would be used for cold storage. Warehouses containing cold storage are serviced by trucks with transport refrigeration CARB-3

units (TRU) to transport frozen goods to and from the facility.[1] Based on CARB's research, TRUs on trucks and trailers can emit large quantities of diesel exhaust while operating within a facility. Residences and other sensitive receptors (e.g., daycare facilities, senior care facilities, and schools) located near the Project would be exposed to diesel exhaust emissions that would result in significant cancer risk. CARB has reviewed the Project's HRA and has concerns regarding the assumptions used to estimate the Project's health impacts.

The HRA assumed all heavy-duty trucks with TRUs visiting the Project site would not idle longer than 15 minutes. Data obtained by CARB indicates that trucks with TRUs can operate for as long as two hours per visit, which is well above the 15-minute duration assumed in the HRA. Unless the applicant and City restrict on-site TRU idling to less than 15 minutes, the Project's HRA should be revised.

The HRA assumed 242 of the Project's 3,520 total daily heavy-duty truck traffic (approximately 15 percent) would consist of trucks equipped with TRUs. It is unclear in the HRA how this estimate was derived. Due to the large size of the proposed warehouse development, CARB is concerned that the number of TRUs visiting the Project site may be underestimated in the HRA. CARB urges the City and applicant to provide substantial evidence to support this assumption. CARB-3 cont'd.

The HRA states that diesel PM emissions from on and off-site TRU activities were accounted for in the Project's air dispersion modeling. To estimate the emissions from Project-related TRUs, the HRA assumed 60 percent of the TRUs accessing the Project site would have a power rating of 34 horsepower (hp) and the other 40 percent would have a power rating of 23 hp. Based on this mix, the City calculated the average idling emission factor of Project-related TRUs to be 0.62 grams per brake horsepower-hour (g/bhp-hr). Table 2-2 through Table 2-4 of the HRA summarizes the combined diesel PM emission rates from on and off-site heavy-duty trucks and TRUs for 2022, 2025, and 2026, respectively. However, the footnote of each table states the assumed time each TRU will be within the Project site, but does not provide the assumed time each TRU will operate off-site. Therefore, it is unclear how the 0.62 g/bhp-hr TRU-emission factor was used to calculate the diesel PM emission rates presented in the tables. Due to the lack of clarity, CARB urges the City and applicant to revise the HRA to include specific details of the assumptions used to calculate the cancer risk impacts, supported by substantial evidence.

II. Recommend Mitigation Measures

The DEIR includes a list of eight mitigation measures (4.3.1 through 4.3.8) to reduce the Project's significant impact on air quality. These mitigation measures include: requiring CARB-4

[1] TRUs are refrigeration systems powered by integral diesel engines that protect perishable goods during transport in an insulated truck and trailer vans, rail cars, and domestic shipping containers.

the use of low-VOC paints and large off-road equipment that are equipped with Tier 4 engines, or Tier 3 or cleaner engines where Tier 4 equipment is not available during Project construction; restricting truck idling durations to five minutes; requiring the truck driver to shut down their engines when not in use; installing automotive and truck electric vehicle charging stations; and installing electric hookups for on-site TRUs. Although these mitigation measures would reduce the Project's air pollutant emissions, the DEIR concludes that the Project's impact on air quality would remain significant after mitigation. Even where impacts will remain significant and unavoidable after mitigation, CEQA requires that all feasible mitigation measures be incorporated (see California Public Resources Code§ 21081; 14 CCR§ 15126.2(b)). To meet this requirement, CARB urges the City and applicant to add the emission reduction measures listed below in the Final Environmental Impact Report (FEIR).

- In construction contracts, include language that requires all off-road diesel powered equipment used during Project construction to be equipped with Tier 4 or cleaner engines, except for specialized construction equipment in which Tier 4 engines are not available. In place of Tier 4 engines, off-road equipment can incorporate retrofits that achieve emission reductions that equal or exceed that of a Tier 4 engine.

- Include contractual language in tenant lease agreements that requires all TRUs entering the Project site be plug-in capable.

- Include contractual language in tenant lease agreements that requires all service equipment (e.g., yard hostlers, yard equipment, forklifts, and pallet jacks) used within the Project site to be zero-emission. This equipment is widely available.

- Include contractual language in tenant lease agreements that requires all heavy-duty trucks entering or on the Project site to be model year 2014 or later, expedite a transition to zero-emission vehicles, and be fully zero-emission beginning in 2030.

CARB-4 cont'd.

III. Conclusion

CARB is concerned about the potential public health impacts should the City approve the Project. As discussed above, it is unclear in the DEIR if diesel PM emissions from heavy-duty trucks with TRUs were evaluated in Project's cancer risk impacts. The cancer risk impacts presented in the HRA should be based on realistic on-site idling time for TRUs. The HRA should also assume a conservative percentage of the trucks visiting the Project site are equipped with TRUs and report the findings in the FEIR. Lastly, the revised HRA analysis presented in the FEIR should include all feasible mitigation measures listed under Section II to reduce the Project's significant and unavoidable impact on air quality.

CARB-5

Given the breadth and scope of projects subject to CEQA review throughout California that have air quality and greenhouse gas impacts coupled with CARB's limited staff resources to substantively respond to all issues associated with a project, CARB must prioritize its substantive comments here based on staff time, resources, and its assessment of impacts. CARB's deliberate decision to substantively comment on some issues does not constitute an admission or concession that it substantively agrees with the lead agency's findings and conclusions on any issues on which CARB does not substantively submit comments.

CARB-5 cont'd.

CARB appreciates the opportunity to comment on the DEIR for the Project and can provide assistance on zero-emission technologies and emission reduction strategies, as needed. If you have questions, please contact Stanley Armstrong, Air Pollution Specialist, at stanley.armstrong@arb.ca.gov.

Sincerely,

Richard Boyd

Richard Boyd
Assistant Division Chief
Transportation and Toxics Division

Attachment

cc: See next page.

cc: State Clearinghouse
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ATTACHMENT A

CALIFORNIA
AIR RESOURCES BOARD

Mary D. Nichols, Chair
Jared Blumenfeld, CalEPA Secretary
Gavin Newsom, Governor

May 13, 2019

Mr. Richard Ayala
Senior Planner
City of Ontario
Planning Department
303 East "B" Street
Ontario, California 91764

Dear Mr. Ayala:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Notice of Preparation (NOP) for the Merrill Commerce Center Specific Plan (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2019049079. The Project consists of the construction and operation of up to 7,014,000 square feet of high-cube fulfillment center warehouse space, and up to 1,441,000 square feet of business park space (for a total of 8,455,000 square feet of development) on approximately 376 acres of land in the City of Ontario (City). The City is the lead agency for California Environmental Quality Act (CEQA) purposes. Implementation of the Project would require a change to the existing land use designation from "Business Park/Office Commercial/General Commercial" to "Business Park/Industrial." CARB-6

CARB staff is concerned about the air pollution impacts that would result should the City approve the Project, and the land use change from "Business Park/Office Commercial/General Commercial" to "Business Park/Industrial," to build two large warehouses. Freight facilities, such as warehouse and distribution facilities, can result in high daily volumes of heavy-duty diesel truck traffic and operation of onsite equipment (e.g., forklifts, yard tractors) that emit toxic diesel emissions, and contribute to regional air pollution and global climate change.

Residences are located north, west, and east of the Project site, with the closest residences situated approximately 160 feet east of the Project's eastern boundary. The community is surrounded by existing toxic diesel emission sources, which include warehouses and the Chino Airport. Due to the Project's proximity to residences already disproportionately burdened by multiple sources of pollution, CARB staff is concerned with the potential cumulative health risks associated with the construction and operation of the Project.

The State of California has placed additional emphasis on protecting local communities from the harmful effects of air pollution through the passage of Assembly Bill 617 (AB 617) (Garcia, Chapter 136, Statutes of 2017). AB 617 is a significant piece of air quality legislation that highlights the need for further emission reductions in communities with high exposure burdens, like those in which the Project is located. Diesel emissions generated during the construction and operation of the Project would negatively impact the community, which is already disproportionally impacted by air pollution from existing freight facilities.

The California Environmental Protection Agency (CalEPA) defines a disadvantaged community as a community that scores within the top 25 percent of the census tracts, as analyzed by the California Communities Environmental Health Screening Tool Version 3.0 (CalEnviroScreen). CalEnviroScreen uses a screening methodology to help identify California communities currently disproportionately burdened by multiple sources of pollution. The census tract containing the Project is within the top 1 percent for Pollution Burden.[1] Therefore, CARB urges the City to ensure that the Project and land use change do not adversely impact neighboring disadvantaged communities.

The NOP does not state whether the proposed warehouses would include cold storage. The operation of cold storage warehouses would include trucks with transport refrigeration units (TRU) that emit significantly higher levels of toxic diesel emissions, oxides of nitrogen (NO_x), and greenhouse gases than trucks without TRUs. Since it is unclear whether the Project would include cold storage warehouse space, any modeling done in support of the air quality analysis of the DEIR and associated health risk assessment (HRA) should assume that a conservative percentage of the truck and trailer fleet that would be serving the Project are equipped with TRUs.

In addition to the health risk associated with operations, construction health risks should be included in the air quality section of the DEIR and the Project's HRA. Construction of the Project would result in short-term diesel emissions from the use of both on-road and off-road diesel equipment. The Office of Environmental Health Hazard Assessment's (OEHHA) guidance (2015 Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments),[2] recommends assessing cancer risks for construction projects lasting longer than two months. Since construction would very likely occur over a period lasting longer than two months, the HRA prepared for the Project should include health risks for existing residences near the Project site during construction.

CARB-6 cont'd.

[1] Pollution Burden represents the potential exposures to pollutants and the adverse environmental conditions caused by pollution.

[2] Office of Environmental Health Hazard Assessment (OEHHA). Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments. February 2015. Accessed at: https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf

The HRA prepared in support of the Project should be based on the latest OEHHA guidance and the South Coast Air Quality Management District's CEQA Air Quality Handbook.[3] To reduce the exposure of toxic diesel emissions in disadvantaged communities already disproportionally impacted by air pollution, the final design of the Project should include all existing and emerging zero-emission technologies to minimize NO_x and diesel emission exposure to all neighboring communities, as well as the greenhouse gases that contribute to climate change. CARB encourages the City and applicant to implement the measures listed in Attachment A of this comment letter to reduce the Project's construction and operational air pollution emissions.

The HRA should evaluate and present the existing baseline (current conditions), future baseline (full build-out year, without the Project), and future year with the Project. The health risks modeled under both the existing and the future baselines should reflect all applicable federal, state, and local rules and regulations. By evaluating health risks using both baselines, the public and City planners will have a complete understanding of the potential health impacts that would result from the Project.

CARB-6 cont'd.

CARB appreciates the opportunity to comment on the NOP for the Project and can provide assistance on zero-emission technologies and emission reduction strategies, as needed. Please include CARB on your State Clearinghouse list of selected State agencies that will receive the DEIR as part of the comment period. If you have questions, please contact Stanley Armstrong, Air Pollution Specialist, at (916) 440-8242 or via email at stanley.armstrong@arb.ca.gov.

Sincerely,

Richard Boyd

Richard Boyd, Chief
Risk Reduction Branch
Transportation and Toxics Division

Attachment

cc: See next page.

[3] SCAQMD's 1993 Handbook can be found at http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook

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ATTACHMENT A

Recommended Air Pollution Emission Reduction Measures for Warehouses and Distribution Centers

California Air Resources Board (CARB) staff recommends developers and government planners use all existing and emerging zero to near-zero emission technologies during project construction and operation to minimize public exposure to air pollution. Below are some measures, currently recommend by CARB staff, specific to warehouse and distribution center projects. These recommendations are subject to change as new zero-emission technologies become available.

Recommended Construction Measures

1. Ensure the cleanest possible construction practices and equipment are used. This includes eliminating the idling of diesel-powered equipment and providing the necessary infrastructure (e.g., electrical hookups) to support zero and near-zero equipment and tools.

2. Implement, and plan accordingly for, the necessary infrastructure to support the zero and near-zero emission technology vehicles and equipment that will be operating onsite. Necessary infrastructure may include the physical (e.g., needed footprint), energy, and fueling infrastructure for construction equipment, onsite vehicles and equipment, and medium-heavy and heavy-heavy duty trucks.

3. In construction contracts, include language that requires all off-road diesel-powered equipment used during construction to be equipped with Tier 4 or cleaner engines, except for specialized construction equipment in which Tier 4 engines are not available. In place of Tier 4 engines, off-road equipment can incorporate retrofits such that emission reductions achieved equal or exceed that of a Tier 4 engine.

4. In construction contracts, include language that requires all off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers,) used during project construction be battery powered.

5. In construction contracts, include language that requires all heavy-duty trucks entering the construction site, during the grading and building construction phases be model year 2014 or later. All heavy-duty haul trucks should also meet CARB's lowest optional low-NO_x standard starting in the year 2022.[1]

[1] In 2013, CARB adopted optional low-NO_x emission standards for on-road heavy-duty engines. CARB staff encourages engine manufacturers to introduce new technologies to reduce NO_x emissions below the current mandatory on-road heavy-duty diesel engine emission standards for model years 2010 and later. CARB's optional low-NO_x emission standard is available at https://www.arb.ca.gov/msprog/onroad/optionnox/optionnox.htm.

6. In construction contracts, include language that requires all construction equipment and fleets to be in compliance with all current air quality regulations. CARB staff is available to assist in implementing this recommendation.

Recommended Operation Measures

1. Include contractual language in tenant lease agreements that requires tenants to use the cleanest technologies available, and to provide the necessary infrastructure to support zero-emission vehicles and equipment that will be operating onsite.

2. Include contractual language in tenant lease agreements that requires all loading/unloading docks and trailer spaces be equipped with electrical hookups for trucks with transport refrigeration units (TRU) or auxiliary power units. This requirement will eliminate the amount of time that a TRU powered by a fossil-fueled internal combustion engine can operate at the project site. Use of zero-emission all-electric plug-in TRUs, hydrogen fuel cell transport refrigeration and cryogenic transport refrigeration are encouraged and can also be included lease agreements.[2]

3. Include contractual language in tenant lease agreements that requires all service equipment (e.g., yard hostlers, yard equipment, forklifts, and pallet jacks) used within the project site to be electric or powered by compressed natural gas.

4. Include contractual language in tenant lease agreements that requires all heavy-duty trucks entering the project site to be model year 2014 or later.

5. Starting in the year 2022, include contractual language in tenant lease agreements that requires all trucks entering the project site to meet CARB's lowest optional low-NO_x standard.

[2] CARB's Technology Assessment for Transport Refrigerators provides information on the current and projected development of TRUs, including current and anticipated costs. The assessment is available at https://www.arb.ca.gov/msprog/tech/techreport/tru_07292015.pdf.

6. Include contractual language in tenant lease agreements that require the tenant be in, and monitor compliance with, all current air quality regulations for on-road trucks including CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation,[3] Periodic Smoke Inspection Program (PSIP),[4] and the Statewide Truck and Bus Regulation.[5]

7. Include contractual language in tenant lease agreements restricting trucks and support equipment from idling longer than five minutes while onsite.

8. Include contractual language in tenant lease agreements that limits onsite TRU diesel engine runtime to no longer than 15 minutes. If no cold storage operations are planned, include contractual language and permit conditions that prohibit cold storage operations unless a health risk assessment is conducted and the health impacts mitigated.

9. Include rooftop solar panels for each proposed warehouse to the extent feasible, with a capacity that matches the maximum allowed for distributed solar connections to the grid.

[3] In December 2008, CARB adopted a regulation to reduce greenhouse gas emissions by improving the fuel efficiency of heavy-duty tractors that pull 53-foot or longer box-type trailers. The regulation applies primarily to owners of 53-foot or longer box-type trailers, including both dry-van and refrigerated-van trailers, and owners of the heavy-duty tractors that pull them on California highways. CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation is available at https://www.arb.ca.gov/cc/hdghg/hdghg.htm.

[4] The PSIP program requires that diesel and bus fleet owners conduct annual smoke opacity inspections of their vehicles and repair those with excessive smoke emissions to ensure compliance. CARB's PSIP program is available at https://www.arb.ca.gov/enf/hdvip/hdvip.htm.

[5] The regulation requires newer heavier trucks and buses must meet PM filter requirements beginning January 1, 2012. Lighter and older heavier trucks replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. CARB's Statewide Truck and Bus Regulation is available at https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.

California Air Resources Board
1001 I Street
Sacramento, CA 95812

Letter Dated November 24, 2020

Comment CARB-1

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Merrill Commerce Center Specific Plan Project (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2019049079. The Project would allow for the construction and operation of up to 7,014,000 square feet of high-cube fulfillment center warehouse space, and up to 1,441,000 square feet of business park space (for a total of 8,455,000 square feet of development) on approximately 376 acres of land. Once in operation, the Project would introduce 19,806 daily vehicle trips, including 3,520 daily heavy-duty truck trips, along local roadways. The Project is located within the City of Ontario (City), California, which is the lead agency for California Environmental Quality Act (CEQA) purposes.

Response CARB-1

The City of Ontario (City) appreciates the California Air Resources Board participation in the CEQA review process for the Merrill Commerce Center Specific Plan Project (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2019049079. The Project description as summarized by the commentor is materially correct. Findings and conclusions of the EIR are not affected.

Comment CARB-2

CARB submitted a comment letter, which is attached to this letter, on the Notice of Preparation (NOP) for the DEIR released in April 2019. CARB's comments, dated November 4, 2020, highlighted the need for preparing a health risk assessment (HRA) for the Project and encouraged the City and applicant to implement all existing and emerging zero-emission technologies to minimize exposure to diesel particulate matter (diesel PM) and nitrogen oxides (NOx) emissions for all neighboring communities, and to minimize the greenhouse gases that contribute to climate change. Due to the Project's proximity to residences already disproportionately burdened by

multiple sources of pollution, CARB's comments expressed concerns with the potential cumulative health risks associated with the construction and operation of the Project.

Response CARB-2

CARB's NOP comment letter is provided at DEIR Appendix A, *Initial Study, NOP, and NOP Responses*. CARB's NOP comments and response to CARB's NOP comments are summarized at DEIR Table 1.7-1, *List of NOP Respondents and Summary of NOP Comments*. Consistent with CARB NOP comments, Health Risk Assessments (construction and operational) have been prepared for the Project. The HRAs are presented at DEIR Appendix C, Air Quality Analysis. HRA analyses and conclusions are summarized at DEIR Section 4.3, *Air Quality*. As substantiated in the HRAs and the DEIR, the Project would not cause or result in potentially significant health impacts (DEIR, pp. 4.3-67 – 4.3-82, et al.).

Project operational-source Diesel Particulate Matter (DPM) and NOx emissions are minimized through application of the DEIR Mitigation Measures (DEIR Mitigation Measures 4.3.3 through 4.3.8). Additional/enhanced measures addressing NOx emissions (see amended Mitigation Measure 4.3.8 below) have been incorporated.

> *4.3.8 All diesel trucks accessing the Project shall be compliant with the CARB Truck and Bus Regulation 2010 engine emissions standards.* ***The City encourages Project tenant use of zero-emissions or near-zero emissions on-road heavy-duty trucks, i.e., trucks with engines that meet the CARB enhanced nitrogen oxides (NOx) emissions standard of 0.02 gram per brake horsepower-hour (g/bhp-hr).***

In addition to emissions reduction achieved via Mitigation Measures 4.3.3 through 4.3.8, Transportation Demand Management (TDM) measures implemented as mitigation for transportation VMT impacts (DEIR Mitigation Measures 4.2.1 through 4.2.4) would act to generally reduce vehicle-source emissions. The efficacy of TDMs and any resulting emissions reductions would be dependent on as yet unknown building tenants and final

site plan designs. Accordingly, potential emissions reductions resulting from implementation of TDMs are not quantified within the DEIR analyses.

The efficacy of mitigation enhancements proposed by CARB and any resulting emissions reductions cannot be quantified employing CalEEMod. Accordingly, NOx impacts and related impact determinations are conservatively assumed to substantively replicate the DEIR analysis. Even with application of the above-noted measures, Project operational-source NOx emissions would exceed applicable SCAQMD thresholds, and Project operational-source NOx emissions would result in cumulatively considerable net increases of criteria pollutants (PM_{10}, $PM_{2.5}$, Ozone)[1] for which the Project region is non-attainment. This would remain a significant and unavoidable impact. Findings and conclusions of the DEIR are not affected.

The mitigation measures noted above would also act to generally reduce vehicular-source GHG emissions. However, even with application of mitigation, including enhanced measures noted herein, GHG emissions impacts are conservatively assumed to substantively replicate the DEIR analysis. GHG emissions impacts would remain significant and unavoidable. Findings and conclusions of the DEIR are not affected.

With regard to commentor concerns regarding air pollutant health impacts, as substantiated in the DEIR, the Project construction-source and operational-source air pollutant emissions would not result in potentially significant health impacts, at the Project level or cumulatively (see: DEIR at pp. 4.3-53 – 4.3-82, p. 5-14; Project HRA, DEIR Appendix D). Please refer also to AQMD Responses provided herein. Findings and conclusions of the DEIR are not affected.

[1] NOX is a precursor to PM_{10}/$PM_{2.5}$ and Ozone.

Comment CARB-3

I. The Health Risk Assessment Used Inappropriate Assumptions When Modeling the Project's Health Risk Impacts

Chapter 3 (Project Description) of the DEIR states that approximately 701,400 square feet of the proposed warehouse building space would be used for cold storage. Warehouses containing cold storage are serviced by trucks with transport refrigeration units (TRU) to transport frozen goods to and from the facility. Based on CARB's research, TRUs on trucks and trailers can emit large quantities of diesel exhaust while operating within a facility. Residences and other sensitive receptors (e.g., daycare facilities, senior care facilities, and schools) located near the Project would be exposed to diesel exhaust emissions that would result in significant cancer risk. CARB has reviewed the Project's HRA and has concerns regarding the assumptions used to estimate the Project's health impacts.

The HRA assumed all heavy-duty trucks with TRUs visiting the Project site would not idle longer than 15 minutes. Data obtained by CARB indicates that trucks with TRUs can operate for as long as two hours per visit, which is well above the 15-minute duration assumed in the HRA.

Unless the applicant and City restrict on-site TRU idling to less than 15 minutes, the Project's HRA should be revised. The HRA assumed 242 of the Project's 3,520 total daily heavy-duty truck traffic (approximately 15 percent) would consist of trucks equipped with TRUs. It is unclear in the HRA how this estimate was derived. Due to the large size of the proposed warehouse development, CARB is concerned that the number of TRUs visiting the Project site may be underestimated in the HRA. CARB urges the City and applicant to provide substantial evidence to support this assumption.

The HRA states that diesel PM emissions from on and off-site TRU activities were accounted for in the Project's air dispersion modeling. To estimate the emissions from Project-related TRUs, the HRA assumed 60 percent of the TRUs accessing the Project site would have a power rating of 34 horsepower (hp) and the other 40 percent would have a power rating of 23 hp. Based on this mix, the City calculated the average idling emission factor of Project-related TRUs to be 0.62 grams per brake horsepower-hour (g/bhp-hr). Table 2-2 through Table 2-4 of the HRA summarizes the combined diesel PM emission rates from on and off-site heavy-duty trucks and TRUs for 2022,

2025, and 2026, respectively. However, the footnote of each table states the assumed time each TRU will be within the Project site, but does not provide the assumed time each TRU will operate off-site. Therefore, it is unclear how the 0.62 g/bhp-hr TRU-emission factor was used to calculate the diesel PM emission rates presented in the tables. Due to the lack of clarity, CARB urges the City and applicant to revise the HRA to include specific details of the assumptions used to calculate the cancer risk impacts, supported by substantial evidence.

Response CARB-3

Commentor correctly recognizes that the DEIR analyses reflect 15-minutes of on-site idling for heavy-duty trucks with TRUs. The 15-minute idling period utilized in the Project's analysis is appropriate – and conservative – as CARB's anti-idling rules prohibit idling for more than 5 minutes. Further, DEIR Mitigation Measure 4.3.3 requires adherence to CARB's anti-idling rule of 5 minutes. Additionally, DEIR Mitigation Measure 4.3.7 requires loading docks for trailers with TRUs to be outfitted with electrical hook-ups that can be used to power TRUs during loading/unloading activities. This minimizes pollutant emissions from on-site TRU operations.

As noted in the DEIR, and discussed in detail at DEIR Appendix D, *Merrill Commerce Center Specific Plan Mobile Source Health Risk Assessment* (Urban Crossroads, Inc.) January 12, 2020 (Project HRA) the potential of refrigerated Project facilities uses is assumed for Planning Area (PA) 1, PA2, PA3, PA4, PA5, and PA6. Trucks accessing these PAs are assumed to also have transport refrigeration units (DEIR, pp. 4.3-68; Project HRA, p. 14, et.al).

The 242 total daily one-way or 484 total daily two-way truck trips with TRUs is consistent with the total truck trips assigned to the High-Cube Cold Storage Warehouse portion of the Project (Phase A - PA4/PA5 and Phase B – PA1-3/PA6) based on the *Merrill Commerce Center Specific Plan Traffic Impact Analysis* (Urban Crossroads, Inc.) June 30, 2020 (Project TIA, DEIR Appendix C). As summarized at Project TIA Table 4-2, the High-Cube Cold Storage Warehouse uses would generate a total of 484 total daily two-way or 242 total daily one-way truck trips. As such, the modeling in the HRA is correct and consistent with the assumptions for the High-Cube Cold Storage Warehouse use.

The assumptions employed in the DEIR and the Project HRA are consistent with the industry standard for warehouse distribution facilities. The average horsepower rating of 34 horsepower (HP) reflected in the HRA is a reasonable estimate and consistent with CARB's regulatory requirements for TRUs. In fact, based on CARB-published data, the majority of TRUs are already greater than 25 HP and, as such, the assumption used in the DEIR analysis was appropriate. Lastly, it is appropriate to consider emissions from the TRUs as it relates to on-site usage – since any associated potential health impacts are predominantly a function of concentrated on-site idling and travel activity. Note further that transient emissions of off-site heavy-duty truck travel and potential health effects are reflected in the Project HRA and are determined to be less-than-significant (Project HRA, pp. 20 – 22). Based on the foregoing, no revisions to the DEIR or its supporting Air Quality Impact Analyses, including the Project HRA, are warranted. Findings and conclusions of the DEIR are not affected.

Comment CARB-4

II. Recommend Mitigation Measures

The DEIR includes a list of eight mitigation measures (4.3.1 through 4.3.8) to reduce the Project's significant impact on air quality. These mitigation measures include: requiring the use of low-VOC paints and large off-road equipment that are equipped with Tier 4 engines, or Tier 3 or cleaner engines where Tier 4 equipment is not available during Project construction; restricting truck idling durations to five minutes; requiring the truck driver to shut down their engines when not in use; installing automotive and truck electric vehicle charging stations; and installing electric hookups for on-site TRUs.

Although these mitigation measures would reduce the Project's air pollutant emissions, the DEIR concludes that the Project's impact on air quality would remain significant after mitigation. Even where impacts will remain significant and unavoidable after mitigation, CEQA requires that all feasible mitigation measures be incorporated (see California Public Resources Code§ 21081; 14 CCR§ 15126.2(b)). To meet this requirement, CARB urges the City and applicant to add the emission reduction measures listed below in the Final Environmental Impact Report (FEIR).

- *In construction contracts, include language that requires all off-road diesel powered equipment used during Project construction to be equipped with Tier 4 or cleaner engines, except for specialized construction equipment in which Tier 4 engines are not available. In place of Tier 4 engines, off-road equipment can incorporate retrofits that achieve emission reductions that equal or exceed that of a Tier 4 engine.*

- *Include contractual language in tenant lease agreements that requires all TRUs entering the Project site be plug-in capable.*

- *Include contractual language in tenant lease agreements that requires all service equipment (e.g., yard hostlers, yard equipment, forklifts, and pallet jacks) used within the Project site to be zero-emission. This equipment is widely available.*

- *Include contractual language in tenant lease agreements that requires all heavy-duty trucks entering or on the Project site to be model year 2014 or later, expedite a transition to zero-emission vehicles, and be fully zero-emission beginning in 2030.*

Response CARB-4

CARB's summary of the Project air quality mitigation measures is materially correct. Consideration of CARB's recommended additional air quality impact mitigation measures is presented below.

- **CARB Recommend Measure:** *In construction contracts, include language that requires all off-road diesel powered equipment used during Project construction to be equipped with Tier 4 or cleaner engines, except for specialized construction equipment in which Tier 4 engines are not available. In place of Tier 4 engines, off-road equipment can incorporate retrofits that achieve emission reductions that equal or exceed that of a Tier 4 engine.*

Remarks: All Project construction-source air quality impacts would be less-than-significant as mitigated pursuant to DEIR Mitigation Measures 4.3.1, 4.3.2 (DEIR, pp. 4.3-31 - 4.3-34). No additional mitigation is required for construction-source impacts. Notwithstanding, pursuant to comments received and aligned with the commentor's recommendations, Mitigation Measure 4.3.2 has been revised as follows:

4.3.2 Construction contractors shall ensure that large off-road diesel fueled construction equipment, including but not limited to excavators, graders, rubber-tired dozers, and similar large pieces of equipment be equipped with CARB Tier 4 Compliant engines. ~~If the operator lacks Tier 4 equipment, and Tier 4 equipment is not available for lease or short-term rental within 50 miles of the project site, Tier 3 Compliant or cleaner off-road construction equipment may be utilized.~~ ***To ensure that Tier 4 Final construction equipment or better will be used during the Proposed Project's construction, this requirement shall be included in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and CARB or South Coast AQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, the Applicant shall report to the City, including written construction documents by construction contractor(s), documenting compliance with these requirements, which shall be subject to regular City inspections to ensure compliance.***

Findings and conclusions of the DEIR are not affected.

- **CARB Recommend Measure:** *Include contractual language in tenant lease agreements that requires all TRUs entering the Project site be plug-in capable.*

Remarks: DEIR Mitigation Measures 4.3.6, 4.3.7 provide for installation of on-site infrastructure that would support use of plug-in electric Trailer Refrigeration Units (e-TRUs). These measures facilitate and encourage use of e-TRUs generally. However, the Project tenants are unknown at this time, as is their potential access to, or use of e-TRUs. Further, it is unknown whether TRUs accessing the Project would be owned and operated by the prospective tenants, or would be owned and operated by third parties. Requiring

as yet-unknown tenants or third parties to commit to exclusive use of plug-in e-TRUs is not enforceable.

Findings and conclusion of the DEIR are not affected.

- **CARB Recommended Measure:** *Include contractual language in tenant lease agreements that requires all service equipment (e.g., yard hostlers, yard equipment, forklifts, and pallet jacks) used within the Project site to be zero-emission. This equipment is widely available.*

Remarks: CARB's recommended measure is incorporated as new DEIR Mitigation Measure 4.3.9, below:

> **4.3.9** ***All on-site yard trucks/hostlers shall be zero-emissions equipment. This requirement or equivalent language shall be incorporated in all Project facility lease documents. Prior to issuance of a Business License, facility owners or tenants shall provide documentation to the City of Ontario Planning Department and Business License Department verifying signed lease documents incorporating the requirement that all on-site yard trucks/hostlers shall be zero-emissions equipment.***

Findings and conclusions of the DEIR are not affected.

- **CARB Recommended Measure:** *Include contractual language in tenant lease agreements that requires all heavy-duty trucks entering or on the Project site to be model year 2014 or later, expedite a transition to zero-emission vehicles, and be fully zero-emission beginning in 2030.*

Remarks: Requiring use of zero-emissions (ZEV) heavy-duty trucks and/or near zero-emissions (NZEV) heavy-duty trucks for the Project uses is not feasible in the near-term. In this regard, ZEV and NZEV are emerging technologies, with limited or no practical applications yet available to the Project or its prospective tenants. On a commercial scale, these types of vehicles do not currently exist. Moreover, areawide infrastructure (electric power charging stations, alternative fuel sources and fueling facilities) necessary to

support practical use of ZEV and NZEV heavy-duty trucks is limited or non-existent. Further, if imposed in the near-term, requirements that only ZEV/NZEV heavy-duty trucks be allowed at the site, and the fact that these types of heavy-duty trucks are for all practical purposes not available.

With regard to requiring use of model year 2014 or later heavy-duty trucks, it is unknown whether heavy-duty trucks accessing the Project site would be owned and operated by the prospective tenants, or would be owned and operated by third parties. Requiring as yet-unknown tenants or third parties to commit to exclusive use of model year 2014 or newer heavy-duty trucks is not enforceable. Similarly, it is considered infeasible to preclude access to the Project site by other than model year 2014 or newer heavy-duty trucks

As suggested, enhanced mitigation has been incorporated acting to reduce heavy-duty truck emissions. Please refer to Response CARB-2 and amended Mitigation Measure 4.3.8. Findings and conclusions of the DEIR are not affected.

Comment CARB-5

III. Conclusion

CARB is concerned about the potential public health impacts should the City approve the Project. As discussed above, it is unclear in the DEIR if diesel PM emissions from heavy-duty trucks with TRUs were evaluated in Project's cancer risk impacts. The cancer risk impacts presented in the HRA should be based on realistic on-site idling time for TRUs. The HRA should also assume a conservative percentage of the trucks visiting the Project site are equipped with TRUs and report the findings in the FEIR. Lastly, the revised HRA analysis presented in the FEIR should include all feasible mitigation measures listed under Section II to reduce the Project's significant and unavoidable impact on air quality.

Given the breadth and scope of projects subject to CEQA review throughout California that have air quality and greenhouse gas impacts coupled with CARB's limited staff resources to substantively respond to all issues associated with a project, CARB must prioritize its substantive comments here based on staff time, resources, and its assessment of impacts. CARB's deliberate

decision to substantively comment on some issues does not constitute an admission or concession that it substantively agrees with the lead agency's findings and conclusions on any issues on which CARB does not substantively submit comments.

CARB appreciates the opportunity to comment on the DEIR for the Project and can provide assistance on zero-emission technologies and emission reduction strategies, as needed. If you have questions, please contact Stanley Armstrong, Air Pollution Specialist, at stanley.armstrong@arb.ca.gov.

Response CARB-5

As summarized herein and substantiated in detail in the DEIR and supporting technical air quality analyses, Project air pollutant emissions would not result in or cause potentially significant health impacts. As discussed herein, and substantiated in detail in the DEIR and supporting technical air quality analyses, effects of DPM emissions were evaluated as part of the Project HRA. As discussed herein, and substantiated in detail in the DEIR and supporting technical air quality analyses, cancer risks have been based on realistic idling times. As discussed herein, and substantiated in detail in the DEIR and supporting technical air quality analyses, the percentage of the trucks visiting the Project site are equipped with TRUs establishes a conservative likely maximum impact scenario. As discussed herein, feasible measures suggested by CARB have been incorporated. Please refer also to Responses CARB-1 through CARB-4.

CARB's comment protocols are acknowledged. Commentor contact information is noted. Findings and conclusions of the DEIR are not affected.

Comment CARB-6

See Comment Letter "Attachment A" (California Air Resources Board May 13, 2019 NOP Response Letter)

Response CARB-6

Responses to CARB's exhibit documents are reflected in the discussions presented herein. Findings and conclusions of the DEIR are not affected.

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November 20, 2020

Draft Environmental Impact Report (Draft EIR) for Proposed Merrill Commerce Center Specific Plan (Proposed Project) (SCH No.: 2019049079)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments include recommended revisions to the air quality impact analysis, air dispersion modeling, health risk assessment, mitigation measures, and South Coast AQMD Rule 403(e) that the Lead Agency should include in the Final EIR. AQMD-1

South Coast AQMD Staff's Summary of Project Description
The Lead Agency proposes to demolish 54,887 square feet of existing residential structures and construct 6,312,600 square feet of high-cube fulfillment warehouses, 701,400 square feet of high-cube cold storage warehouses, and 1,441,000 square feet of business park uses on 376 acres (Proposed Project). The Proposed Project is located on the southwest corner of Eucalyptus Avenue and Carpenter Avenue in the City of Ontario. Construction is anticipated to start in 2020 and will occur in three phases[1]. Phase A will become operational in 2022 while Phases B and C will be under construction[2]. At full buildout in 2026, the Proposed Project will generate 19,806 average daily vehicular trips, 3,520 of which would be heavy-duty diesel trucks[3]. The nearest sensitive receptors (i.e. residential uses) are located 94 feet east of the Proposed Project[4]. AQMD-2

South Coast AQMD Staff's Comments
Based on a review of the Draft EIR and supporting technical appendices, South Coast AQMD staff has six main comments. A summary of these comments is provided as follows with additional details provided in the attachment. AQMD-3

1. CEQA Air Quality Analysis for Regional Construction Air Quality Impacts: In the Draft EIR, the Lead Agency discussed a need to excavate and dispose contaminated soil at the Proposed Project but did not quantify emissions from soil removal and hauling activities. The Lead Agency should quantify those emissions in the Final EIR. AQMD-4

2. Air Dispersion Modeling Parameter: The air dispersion modeling performed in the Draft EIR did not use a uniform Cartesian grid and instead placed 21 discrete receptors within AQMD-5

[1] Draft EIR. Chapter 3. Project Description. Page 3-19.
[2] *Ibid.*
[3] Draft EIR. Section 4.2 Transportation. Page 4.2-10.
[4] Draft EIR. Section 4.3 Air Quality. Page 4.3-56

the modeling domain. The Lead Agency should provide additional information to justify this modeling parameter in the Draft EIR. AQMD-5 (cont'd)

3. Mobile Source Health Risk Assessment (HRA): In the Draft EIR, the Lead Agency used the 80th percentile daily breathing rates for age bins 2 to 16 years and 16 to 30 years to calculate cancer risk for these two age bins. Since operation of the Proposed Project involves 3,520 daily truck trips, and the nearest sensitive receptors are located within 100 feet of the Proposed Project, South Coast AQMD staff recommends the use of the 95th percentile daily breathing rate to calculate the Proposed Project's cancer risk in the Final EIR. AQMD-6

4. Recommended Revisions to Existing Mitigation Measure (MM) 4.3.2: In the Draft EIR, the Lead Agency assumed the use of Tier 4 construction equipment to quantify the Proposed Project's mitigated regional construction emissions; however, MM 4.3.2 allows for the use of Tier 3 construction equipment. The Proposed Project's construction emissions that can be mitigated by MM 4.3.2 may have been overestimated. The Lead Agency should strengthen MM 4.3.2 to require the use of Tier 4 construction equipment without a step-down to allow the use of Tier 3 construction equipment or re-calculate the Proposed Project's mitigated construction emissions based on the use of Tier 3 construction equipment in the Final EIR. AQMD-7

5. Additional Recommended Mitigation Measures: In the Draft EIR, the Lead Agency requires the use of trucks that comply with the state's Truck and Bus Regulation. Since the Proposed Project involves the use of 3,520 daily truck trips during operation, and to further reduce the Proposed Project's significant operational NOx emissions, the Lead Agency should require or, at a minimum, incentivize the use of zero-emissions or near-zero emissions heavy-duty trucks in the Final EIR. AQMD-8

6. South Coast AQMD Rule 403(e): The Proposed Project is a large operation of approximately 376 acres and is subject to the requirements of South Coast AQMD Rule 403(e) – Additional Requirements for Large Operations. The Lead Agency should discuss Rule 403(e) in the Final EIR. AQMD-9

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), South Coast AQMD staff requests that the Lead Agency provide South Coast AQMD staff with written responses to all comments contained herein prior to the certification of the Final EIR. In addition, issues raised in the comments should be addressed in detail giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and to the public who are interested in the Proposed Project. Further, if the Lead Agency makes the findings that the recommended revisions to the existing mitigation measure 4.3.2 and additional recommended air quality mitigation measures are not feasible, the Lead Agency should describe the specific reasons supported by substantial evidence for rejecting them in the Final EIR (CEQA Guidelines Section 15091). AQMD-10

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Alina Mullins, Air Quality Specialist, at amullins@aqmd.gov, should you have any questions or wish to discuss the comments. AQMD-10 (cont'd)

Sincerely,

Lijin Sun

Lijin Sun, J.D.
Program Supervisor, CEQA IGR
Planning, Rule Development & Area Sources

Attachment
LS:AM
SBC201008-05
Control Number

ATTACHMENT

South Coast AQMD Staff's Summary of the Air Quality Analysis and Health Risk Assessment

In the Air Quality Analysis Section of the Draft EIR, the Lead Agency quantified the Proposed Project's regional construction emissions and found that the Proposed Project's regional construction air quality impacts from VOC and NOx emissions would be significant at 108 pounds per day (lbs/day) and 148 lbs/day[5], respectively. The Lead Agency is committed to implementing Mitigation Measure (MM) 4.3.1 and MM 4.3.2. MM 4.3.1 requires the use of super compliant low VOC paints with no more than 10 grams per liter of VOC[6]. MM 4.3.2 requires that large, off-road construction equipment meet Tier 4 engine standards, unless Tier 4 equipment is not available within 50 miles of the Proposed Project, in which case Tier 3 equipment can be used instead[7]. With implementation of MM 4.3.1 and MM 4.3.2, the Proposed Project's regional construction air quality impacts from VOC and NOx emissions would be reduced to less than significant at 29 lbs/day and 81 lbs/day, respectively[8].

The Lead Agency quantified the Proposed Project's regional operational emissions and found that the Proposed Project's regional operational air quality impacts from VOC, NOx, CO, PM10, and PM2.5 emissions would be significant[9]. The Lead Agency is committed to implementing MMs 4.3.3 through 4.3.8. MMs 4.3.3 through 4.3.8 require posting of anti-idling signage, provision of information on funding opportunities for clean trucks, installation of electric vehicle (EV) charging stations, future EV truck charging infrastructure, and electrical hookups for transportation refrigeration units (TRUs), and use of clean trucks that comply with the state's Truck and Bus Regulation[10]. The Lead Agency found that the Proposed Project's operational air quality impacts would remain significant and unavoidable after mitigation[11]. The Lead Agency also analyzed the Proposed Project's air quality impacts from overlapping construction and operational activities, combined the emissions to be compared to South Coast AQMD's CEQA significance thresholds for operation[12], and found that the Proposed Project would result in significant and unavoidable air quality impacts from VOC, NOx, CO, PM10, and PM2.5 emissions even after implementing MMs 4.3.3 through MM 4.3.8[13]. AQMD-11

The Lead Agency analyzed the Proposed Project's localized air quality impacts and found them to be less than significant[14]. The Lead Agency also calculated the Proposed Project's cancer risks from construction and operational activities in the Draft EIR. At the maximum exposed individual receptor, the Proposed Project's construction activities would result in a cancer risk of 2.92 in one million[15], and the Proposed Project's operational activities would result in a cancer

[5] *Ibid.* Page 4.3-42
[6] *Ibid.* Page 4.3-43
[7] *Ibid.*
[8] *Ibid.* Page 4.3-44.
[9] *Ibid.* Pages 4.3-45 to 4.3-47.
[10] *Ibid.* Pages 4.3-49 to 4.3-50.
[11] *Ibid.*
[12] *Ibid.* Pages 4.3-51 to 4.3-52.
[13] *Ibid.*
[14] *Ibid.* Pages 4.3-54 to 4.3-64.
[15] *Ibid.* Appendix D: Air Quality. "Merrill Commerce Center Specific Plan Construction Health Risk Assessment Memorandum". Page 13.

risk of 9.34 in one million[16]. Therefore, the Lead Agency found that the Proposed Project's cancer risks would not exceed South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk[17]. AQMD-11 (cont'd)

South Coast AQMD staff's detailed comments on the CEQA air quality impacts analysis, air dispersion modeling, health risk assessment, mitigation measures, and South Coast AQMD Rule 403(e) are provided as follows. AQMD-12

1. **CEQA Air Quality Analysis for Regional Construction Air Quality Impacts**

Based on a review of the Air Quality Section of the Draft EIR, South Coast AQMD staff found that the Lead Agency quantified the Proposed Project's regional construction emissions from demolition and building activities but did not quantify emissions from soil removal and hauling activities. Since "[n]o unusual grading conditions are present and substantial import or export of earth materials is not expected", the regional construction air quality impact analysis did not quantify emissions from any type of soil export or import at this time[18].

In the Hazards and Hazardous Materials Section of the Draft EIR, the Lead Agency explained that based on historical site usage (i.e. agriculture and dairy farming), the Proposed Project site may have soil contamination[19]. According to Mitigation Measure (MM) 4.6.1, the Proposed Project will be required to develop a Soil Management Plan (SMP), which will include soil excavation, handling, monitoring, and disposal protocols[20].

Soil removal and hauling activities will likely involve the use of heavy-duty, diesel-fueled trucks and generate mobile source emissions. The Lead Agency should use good faith, best efforts to provide information on the scope, types, and duration of any reasonably foreseeable soil removal and hauling activities. Therefore, South Coast AQMD staff recommends that the Lead Agency quantify emissions from removing and hauling contaminated soil and include those emissions in the Proposed Project's regional construction emissions profile to be compared to South Coast AQMD's regional air quality CEQA significance thresholds for construction to determine the level of significance in the Final EIR. If those emissions are not included in the Final EIR, the Lead Agency should provide reasons for not including them supported by substantial evidence in the record. If the reason for not including them in the Final EIR is because soil removal and disposal measures in the SMP have not been fully developed or approved prior to the certification of the Final EIR, the Lead Agency should commit to evaluating the air quality impacts from soil removal and hauling activities through a CEQA process when the measures become known and prior to allowing the commencement of any soil removal and hauling activities at the Proposed Project. AQMD-13

[16] Draft EIR. Appendix D: Air Quality. "Merrill Commerce Center Specific Plan Mobile Source Health Risk Assessment". Page 2.
[17] South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk is based on the most current methodology recommended by the California Office of Environmental Health Hazard assessment.
[18] Draft EIR. Executive Summary. Page 1-6.
[19] *Ibid.* Section 4.6 Hazards and Hazardous Materials. Pages 4.6-5 to 4.6-12.
[20] *Ibid.* Page 4.6-55.

2. **Air Dispersion Modeling Parameter**

To analyze the Proposed Project's localized air quality impacts during operation, the Lead Agency performed project-specific air dispersion modeling in the Draft EIR. South Coast AQMD staff recommends that the Lead Agency revise the modeling parameters based on the following comment.

Receptor Grid

a) Upon review of the air dispersion modeling files, South Coast AQMD staff found that the Lead Agency did not use a uniform Cartesian grid and instead placed 21 discrete receptors within the modeling domain. This placement may not have identified the maximum impacted receptors. Therefore, South Coast AQMD staff recommends that the Lead Agency use a uniform Cartesian grid with a spacing of 100 meters or less for all distances less than 1,000 feet or provide additional information to demonstrate that the maximum off-site concentrations are identified with placement of discrete receptors in the Final EIR. AQMD-14

3. **Mobile Source Health Risk Assessment (HRA)**

The Proposed Project includes operation of 7,014,000 square feet of warehouses, which are expected to generate 3,520 daily truck trips. Surrounding sensitive receptors to the Proposed Project would be exposed to diesel particulate matter (DPM) from the transportation and idling of trucks visiting the Proposed Project. DPM is a toxic air contaminant and a carcinogen. The Lead Agency performed a mobile source HRA to determine if operation of the Proposed Project would result in a significant incremental increase in potential cancer risk to surrounding sensitive receptors (i.e., residential units within 94 feet of the Proposed Project). As stated above, operation of the Proposed Project would result in a cancer risk of 9.34 in one million.

The Proposed Project's operational health risk impacts may have been underestimated in the Draft EIR. The Lead Agency used the 80th percentile daily breathing rates for age bins 2 to 16 years and 16 to 30 years[21]. When there are different daily breathing rates for the same age bin, the most conservative daily breathing rates such as the 95th percentile daily breathing rate may be used to calculate cancer risk to nearby sensitive receptors. Therefore, South Coast AQMD staff recommends that the Lead Agency revise the mobile source HRA to re-calculate the Proposed Project's cancer risk based on the 95th percentile daily breathing rates or provide additional information that the use of 80th percentile daily breathing rate is more appropriate for the age bins 2 to 16 years and 16 to 30 years in the Final EIR. AQMD-15

4. **Recommended Revisions to Existing Mitigation Measure (MM) 4.3.2**

In the Draft EIR, the Lead Agency is committed to using Tier 4 construction equipment unless Tier 4 construction equipment is not available within 50 miles of the Proposed Project in which case the use of Tier 4 construction equipment can be exempt and Tier 3 construction equipment can be used instead[22]. According to the CalEEMod output files for the Proposed Project, the Lead Agency calculated the Proposed Project's mitigated construction emissions based on the AQMD-16

[21] Draft EIR. Appendix D: Air Quality. "Merrill Commerce Center Specific Plan Mobile Source Health Risk Assessment: Appendix 2.2 Risk Calculations". PDF Pages 3956 to 3960.

[22] Draft EIR. Section 4.3 Air Quality. Page 4.3-43.

use of Tier 4 Final construction equipment with no exemption provision. This is not appropriate. The Lead Agency likely over-estimated the Proposed Project's construction NOx emissions that can be mitigated by relying on emission reductions from Tier 4 Final construction equipment when the Proposed Project can be exempt from being required to use such equipment. Therefore, South Coast AQMD staff recommends that the Lead Agency remove the exemption provision from MM 4.3.2 to strengthen the mitigation requirement for off-road construction equipment as follows. Alternatively, the Lead Agency may re-calculate the Proposed Project's mitigated construction emissions based on the use of Tier 3 construction equipment in the Final EIR to be consistent with the exemption provision in MM 4.3.2.

Mitigation Measure 4.3.2

> Construction contractors shall ensure that large off-road diesel fueled construction equipment, including but not limited to excavators, graders, rubber-tired dozers, and similar large pieces of equipment be equipped with CARB Tier 4 Final Compliant engines. ~~If the operator lacks Tier 4 equipment, and Tier 4 equipment is not available for lease or short term rental within 50 miles of the project site, Tier 3 Compliant or cleaner off road construction equipment may be utilized.~~ To ensure that Tier 4 Final construction equipment or better will be used during the Proposed Project's construction, South Coast AQMD staff recommends that the Lead Agency include this requirement in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and CARB or South Coast AQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, the Lead Agency should require periodic reporting and provision of written construction documents by construction contractor(s) to ensure compliance and conduct regular inspections to the maximum extent feasible to ensure compliance.

AQMD-16 (cont'd)

5. Additional Recommended Mitigation Measures

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. Since the Proposed Project will result in significant and unavoidable emissions, particularly from NOx emissions at 870 lbs/day after mitigation, and to further reduce the Proposed Project's operational air quality impacts, South Coast AQMD staff recommends that the Lead Agency require the use of cleaner trucks and incorporate the following additional operational mitigation measures in the Final EIR.

a) Require the use of zero-emissions (ZE) or near-zero emissions (NZE) trucks during operation, such as trucks with natural gas engines that meet the CARB's adopted optional NOx emission standard of 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the Final EIR, where appropriate. Include the use of cleaner trucks as a requirement in applicable bid documents, purchase orders, contracts, and sale or leasing agreements. To monitor and ensure that cleaner trucks are used at the Proposed Project, the Lead Agency should require that operators maintain records of all trucks and equipment associated with

AQMD-17

the Proposed Project's operation and make these records available to the Lead Agency upon request. Alternatively, the Lead Agency should require periodic reporting and provision of written records by warehouse owners or operators and conduct regular inspections of the records to the maximum extent feasible and practicable.

Technology is transforming the transportation sector at a rapid pace. Cleaner trucks such as ZE or NZE trucks are increasingly more feasible and commercially available as technology advances. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks such as the Advanced Clean Trucks Rule[23] and the Heavy-Duty Low NOx Omnibus Regulation[24], ZE and NZE trucks will become increasingly more available to use.

If using ZE or NZE trucks as a mitigation measure to reduce the Proposed Project's operational air quality impacts is not feasible at the time that the Final EIR is certified or the Proposed Project is approved, cleaner trucks could become feasible in a reasonable period of time within the operational lifetime of the Proposed Project, which starts in 2026 (CEQA Guidelines Section 15364). Therefore, the Lead Agency should require a phase-in schedule to incentive the use of these cleaner operating trucks to reduce any significant adverse air quality impacts and develop a process with performance standards to deploy the lowest emission technologies and incentivize the use of ZE or NZE heavy-duty trucks during operation (CEQA Guidelines Section 15126.4(a)). The Lead Agency can and should develop the performance standards as follows or any other comparable standards in the Final EIR. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency. AQMD-17 (cont'd)

- Develop a minimum amount of ZE or NZE heavy-duty trucks that the Proposed Project must use during each year of the operation to ensure adequate progress. Include this requirement in the Proposed Project's tenant selection and operation management bid documents and business agreement.
- Establish a tenant/truck operator(s) selection policy that prefers tenant/truck operator(s) who can supply the use of ZE or NZE heavy-duty trucks at the Proposed Project. Include this policy in the bid documents and business agreement.
- Develop a target-focused and performance-based process and timeline to review the feasibility of implementing the use of ZE or NZE heavy-duty trucks during operation. Include this process and timeline in the Proposed Project's tenant selection and operation management bid documents and business agreement.

[23] CARB. June 25, 2020. *Advanced Clean Trucks Rule*. Accessed at: https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks.

[24] CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox.

- Develop a project-specific process and criteria for periodically assessing progress in implementing the use of ZE or NZE heavy-duty trucks during operation. Include this process and criteria in the Proposed Project's tenant selection and operation management bid documents and business agreement.

b) Limit the daily number of truck trips allowed at the Proposed Project to the level that was used to analyze the Proposed Project's air quality and health risk impacts in the Final EIR (e.g., 3,520 daily truck trips during operation). If it is reasonably foreseeable before the Final EIR is certified that the Proposed Project would generate more than 3,520 daily truck trips, the Lead Agency should take into account additional daily truck trips and re-evaluate the Proposed Project's air quality and health risk impacts (CEQA Guidelines Section 15088.5). If information becomes available, after the Proposed Project is approved, suggesting that the Proposed Project will generate more than 3,520 daily truck trips during operation, the Lead Agency should evaluate if a Subsequent EIR is required under CEQA Guidelines Section 15162.

AQMD-17 (cont'd)

Design considerations for the Proposed Project that the Lead Agency should consider to further reduce air quality and health risk impacts include the following:

c) Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not traversing through sensitive land uses to enter or leave the Proposed Project site.

d) Design the Proposed Project to ensure that truck traffic within the Proposed Project site is located as far away as feasible from sensitive receptors.

e) Restrict overnight parking in sensitive land uses by providing overnight parking within the Proposed Project site.

AQMD-18

6. South Coast AQMD Rule 403(e)

Since the Proposed Project is a large operation of approximately 376 acres[25] (50-acre sites or more of disturbed surface area; or daily earth-moving operations of 3,850 cubic yards or more on three days in any year) in the South Coast Air Basin, the Lead Agency is required to comply with Rule 403(e) – Additional Requirements for Large Operations[26]. Additional requirements may include, but are not limited to, Large Operation Notification (Form 403 N), appropriate signage, additional dust control measures, and employment of a dust control supervisor that has successfully completed the Dust Control in the South Coast Air Basin training class[27]. Therefore, the Lead Agency should include a discussion to demonstrate specific compliance with South Coast AQMD Rule 403(e) in the Final EIR. Compliance with South Coast Rule 403(e) will further reduce regional and localized emissions from particulate matters during construction.

AQMD-19

[25] Draft EIR. Executive Summary. Page 1-1.
[26] South Coast AQMD. Rule 403. Last amended June 3, 2005. Accessed at: http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf.
[27] South Coast AQMD Compliance and Enforcement Staff's contact information for Rule 403(e) Large Operations is (909) 396-2608 or by e-mail at dustcontrol@aqmd.gov.

South Coast Air Quality Management District
28165 Copley Drive
Diamond Bar, CA 91765

Letter Dated November 20, 2020

Comment AQMD-1

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments include recommended revisions to the air quality impact analysis, air dispersion modeling, health risk assessment, mitigation measures, and South Coast AQMD Rule 403(e) that the Lead Agency should include in the Final EIR.

Response AQMD-1

Comments provided by the AQMD are recognized. Responses to comments provided by AQMD regarding the DEIR air quality impact analysis, air dispersion modeling, health risk assessment, mitigation measures; and AQMD Rule 403(e) are provided herein. Findings and conclusions of the EIR are not affected.

Comment AQMD-2

South Coast AQMD Staff's Summary of Project Description

The Lead Agency proposes to demolish 54,887 square feet of existing residential structures and construct 6,312,600 square feet of high-cube fulfillment warehouses, 701,400 square feet of high-cube cold storage warehouses, and 1,441,000 square feet of business park uses on 376 acres (Proposed Project). The Proposed Project is located on the southwest corner of Eucalyptus Avenue and Carpenter Avenue in the City of Ontario. Construction is anticipated to start in 2020 and will occur in three phases. Phase A will become operational in 2022 while Phases B and C will be under construction. At full buildout in 2026, the Proposed Project will generate 19,806 average daily vehicular trips, 3,520 of which would be heavy-duty diesel trucks. The nearest sensitive receptors (i.e. residential uses) are located 94 feet east of the Proposed Project.

Response AQMD-2

AQMD's summary description of the Project is materially correct. Findings and conclusions of the EIR are not affected.

Comment AQMD-3

South Coast AQMD Staff's Comments

Based on a review of the Draft EIR and supporting technical appendices, South Coast AQMD staff has six main comments. A summary of these comments is provided as follows with additional details provided in the attachment.

Response AQMD-3

Responses to comments provided by AQMD are provided herein. Findings and conclusions of the EIR are not affected.

Comment AQMD-4

1. *CEQA Air Quality Analysis for Regional Construction Air Quality Impacts: In the Draft EIR, the Lead Agency discussed a need to excavate and dispose contaminated soil at the Proposed Project but did not quantify emissions from soil removal and hauling activities. The Lead Agency should quantify those emissions in the Final EIR.*

Response AQMD-4

To clarify, there is the potential for disposal of contaminated soils, not a demonstrated requirement to excavate and dispose substantial amounts of contaminated soils. Contaminated soils are, in large part are anticipated to be treated and used on-site. In this regard, the DEIR notes that contaminated soils can be treated and used on-site *or* disposed of off-site. Please refer to the discussion at DEIR p. 4.6-26, excerpted in pertinent part below:

> Based on testing results, contaminated soils ***can be treated on-site (by blending/diluting with clean soil) or*** [emphasis added] disposed of off-site, as follows:

1) Non-hazardous: The soil must pass the State and Federal regulatory thresholds. In that case, the soil may be disposed of as non-hazardous at a Class III landfill or, as discussed above, a treatment or recycling facility.
2) Cal-haz/Non-RCRA: In this case, the soil fails the State regulatory thresholds but passes the Federal requirements. Therefore, the soil may be disposed of as non- RCRA at a Class I hazardous landfill or at an out-of-state non-hazardous landfill.
3) RCRA-hazardous: In this case, the soil fails both the State and Federal regulatory thresholds. Therefore, the soil will have to be disposed of as Federal, RCRA hazardous at a Class I landfill.

The DEIR Air Quality Impact Analysis (AQIA, DEIR Appendix D) also recognizes that there is potential that organic material and contaminated soil that is not suitable for construction activity would need to be exported off-site. The quantity of potential material not suitable for construction is unknown at this time. Notwithstanding, the construction scenario(s) evaluated in the DEIR establish reasonable maximum development activities that could occur. Any potential emissions resulting from transport of material not suitable for construction activity would be substantially less than or equal to the maximum daily emissions that would occur under the assumed construction scenario(s). Moreover, since any required soil export would occur independent of, and prior to other construction activities, it is unlikely that any emissions generated by soil transport would discernibly contribute to construction-source emissions generally.

Even if hauling activities would occur concurrent with other construction activities, the additional emissions would not result in any new significant impacts. For analytical purposes of this FEIR, it is estimated that up to 500 cubic yards (cy) of contaminated soil could be exported per day. Emissions generated by soil export activities are summarized below at Table AQMD-1.[2] As shown, soil export activities would not result in any significant air quality impacts and would in fact result in far fewer construction-source

[2] Soil export emissions modeling outputs are presented at FEIR Attachment C.

emissions than are identified in the DEIR (see DEIR at Table 4.3-8, *Maximum Daily Construction-source Emissions – Mitigated*).

Lastly, even if soil export and other peak construction activities emissions overlap is assumed (which is unlikely) the applicable thresholds would not be exceeded, as shown at Table AQMD-2.

Table AQMD-1
Maximum Daily Soil Export Emissions

Phase	Emissions (lbs/day)					
	VOC	**NOx**	**CO**	**SOx**	**PM10**	**PM2.5**
Summer						
Soil Export	0.39	15.27	2.25	0.05	1.18	0.35
Winter						
Soil Export	0.40	15.35	2.58	0.05	1.18	0.35
Maximum Daily Emissions	**0.40**	**15.35**	**2.58**	**0.05**	**1.18**	**0.35**
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

Source: Urban Crossroads, Inc., November 2020

Table AQMD-2
Maximum Daily Soil Export Emissions + Maximum Daily Construction-Source Emissions

Phase	Emissions (lbs/day)					
	VOC	**NOx**	**CO**	**SOx**	**PM10**	**PM2.5**
Peak Soil Export Emissions	0.40	15.35	2.58	0.05	1.18	0.35
DEIR Peak Construction Emissions	29.52	81.46	202.02	0.68	40.99	11.96
Maximum Daily Emissions (Soil Export Emissions + Construction-Source Emission)	**29.92**	**96.81**	**204.60**	**0.73**	**42.17**	**12.31**
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

Source: Urban Crossroads, Inc., November 2020

Quantification of potential emissions attributable to soil export activities as presented here substantiates that these emissions would not exceed applicable SCAQMD thresholds and would therefore be less-than-significant. Findings and conclusions of the EIR are not affected.

Comment AQMD-5

2. *Air Dispersion Modeling Parameter: The air dispersion modeling performed in the Draft EIR did not use a uniform Cartesian grid and instead placed 21 discrete receptors within the modeling domain. The Lead Agency should provide additional information to justify this modeling parameter in the Draft EIR.*

Response AQMD-5

The DEIR discussions and underlying technical HRA technical analysis uses individual discrete receptors placed geospatially[3] at existing residences, businesses, and schools. These geospatial locations represent the real-world orientations of residential, business, or school receptors that could be exposed to Project-source emissions, and the likely maximum impacts that would occur at these locations. Since the maximum residential, worker, and school exposures have already been identified and evaluated, it is unnecessary to include a 100-meter grid of receptors since this would not yield any new meaningful information, or different results.

Cartesian receptor grids are typically used to compute the concentration of pollutants over a larger geographical region, usually in the vicinity of a particular facility, for the purpose of creating concentration contours (or "zone of impact") whose purpose is to illustrate the dispersion pattern and downwind extent of a concentration and associated risk value within a given geographical region. Cartesian grids are typically drawn using uniform spacing between receptor locations (e.g., a receptor is placed in a static grid format every X feet or meters whether an impacted use exists at that location or not). For example, if a facility or project resulted in an exceedance of the applicable risk threshold at a nearby modeled receptor, it would be useful to have a Cartesian grid and

[3] Geospatial: Of or relating to the relative position of things on the earth's surface.

corresponding contour to determine the downwind extent of where the risk levels fall below acceptable limits.

In contrast, discrete receptors, as modeled in the DEIR, represent real world locations where an individual would reside or could remain for long-term exposures. Use of the 21 discrete receptors within the modeling area as presented in the DEIR and HRA is appropriate for purposes of CEQA since it more accurately represents emissions concentrations and associated impacts that would occur at each impacted receptor.

Using a uniform Cartesian grid receptor methodology as suggested by the commentor is therefore not necessary and would not correspond to the actual receptor locations identified in the DEIR. In this respect, employing a Cartesian grid receptor methodology would be less accurate and not representative of emissions concentrations that would be received. No revisions to the HRA are required. Findings and conclusions of the EIR are not affected.

Comment AQMD-6

3. *Mobile Source Health Risk Assessment (HRA): In the Draft EIR, the Lead Agency used the 80th percentile daily breathing rates for age bins 2 to 16 years and 16 to 30 years to calculate cancer risk for these two age bins. Since operation of the Proposed Project involves 3,520 daily truck trips, and the nearest sensitive receptors are located within 100 feet of the Proposed Project, South Coast AQMD staff recommends the use of the 95th percentile daily breathing rate to calculate the Proposed Project's cancer risk in the Final EIR.*

Response AQMD-6

The 80th percentile breathing rates are appropriate and applicable for CEQA determinations, as this represents a likely maximum impact scenario. This is because the 80th percentile represents an elevated breathing rate that is 80 percent higher than is experienced by the average population. Further, the HRA calculation assumes that an individual is at the 80th percentile elevated breathing rate for the entire multi-year exposure duration.

The California Air Resources Board (CARB) has also recommended the use of the 80th percentile value as the minimum value for risk management decisions at residential receptors. CARB states that this will continue to give health protective estimates. See also: (https://www.arb.ca.gov/toxics/harp/rmpolicyfaq.htm).

Use of the 95th percentile breathing rate as recommended by the commentor is not required. CEQA does not require such absolute worst-case analyses (*CEQA Guidelines* Sections 15144, 15145). Note further that the U.S. EPA analytic protocols indicate 95th percentile values may be unrealistically high and not representative of the average person (Exposure Factors Handbook: 2011 Edition [EPA], p. 6-3). On this basis, the Lead Agency considers the DEIR and Project HRA to be adequate and complete – comprising a good faith effort at full disclosure of the Project potential health risk impacts. Findings and conclusions of the EIR are not affected.

Comment AQMD-7

4. *Recommended Revisions to Existing Mitigation Measure (MM) 4.3.2: In the Draft EIR, the Lead Agency assumed the use of Tier 4 construction equipment to quantify the Proposed Project's mitigated regional construction emissions; however, MM 4.3.2 allows for the use of Tier 3 construction equipment. The Proposed Project's construction emissions that can be mitigated by MM 4.3.2 may have been overestimated. The Lead Agency should strengthen MM 4.3.2 to require the use of Tier 4 construction equipment without a step-down to allow the use of Tier 3 construction equipment or re-calculate the Proposed Project's mitigated construction emissions based on the use of Tier 3 construction equipment in the Final EIR.*

Response AQMD-7

Mitigation Measure 4.3.2 has been amended as suggested by AQMD (see below). Findings and conclusions of the DEIR are not affected. Please refer also to Response AQMD-16.

4.3.2 Construction contractors shall ensure that large off-road diesel fueled construction equipment, including but not limited to excavators, graders, rubber-

tired dozers, and similar large pieces of equipment be equipped with CARB Tier 4 Compliant engines. ~~If the operator lacks Tier 4 equipment, and Tier 4 equipment is not available for lease or short-term rental within 50 miles of the project site, Tier 3 Compliant or cleaner off road construction equipment may be utilized.~~ ***To ensure that Tier 4 Final construction equipment or better will be used during the Proposed Project's construction, this requirement shall be included in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and CARB or South Coast AQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, the Applicant shall report to the City, including written construction documents by construction contractor(s), documenting compliance with these requirements, which shall be subject to regular City inspections to ensure compliance.***

Findings and conclusions of the EIR are not affected.

Comment AQMD-8

5. *Additional Recommended Mitigation Measures: In the Draft EIR, the Lead Agency requires the use of trucks that comply with the state's Truck and Bus Regulation. Since the Proposed Project involves the use of 3,520 daily truck trips during operation, and to further reduce the Proposed Project's significant operational NOx emissions, the Lead Agency should require or, at a minimum, incentivize the use of zero-emissions or near-zero emissions heavy-duty trucks in the Final EIR.*

Response AQMD-8

Requiring use of zero-emissions (ZEV) heavy-duty trucks and/or near zero-emissions (NZEV) heavy-duty trucks for the Project uses is not feasible in the near-term. In this regard, ZEV and NZEV are emerging technologies, with limited or no practical

applications yet available to the Project or its prospective tenants. On a commercial scale, these types of vehicles do not currently exist. Moreover, areawide infrastructure (electric power charging stations, alternative fuel sources and fueling facilities) necessary to support practical use of ZEV and NZEV heavy-duty trucks is limited or non-existent.

Additionally, it is unknown whether heavy-duty trucks accessing the Project site would be owned and operated by the prospective tenants, or would be owned and operated by third parties. Requiring as yet-unknown tenants or third parties to commit to exclusive use of zero-emissions or near- zero emissions heavy-duty trucks is not considered enforceable. Similarly, it is considered infeasible to preclude access to the Project site by conventionally-powered (diesel) heavy-duty trucks, or require that all heavy-duty trucks accessing the Project site be ZEVs or NZEVs.

Moreover, use of ZEV/NZEV heavy-duty trucks for the Project would not demonstrably reduce Basin-wide NOx emissions. That is, just because this measure would prohibit conventionally-powered heavy-duty trucks access to the Project site, by no means would the measure preclude their operation elsewhere within the Basin. The measure would in effect direct heavy-duty diesel-powered trucks and associated emissions to numerous other available warehouses at other Basin locales, with no net reduction in Basin-wide NOx emissions.

DEIR Mitigation Measure 4.3.8 (below) is amended to facilitate use of ZEV/NZEV heavy-duty trucks by the Project tenants, and monitor truck types and truck volumes accessing the Project site. Findings and conclusions of the DEIR are not affected. Please refer also to Response AQMD-17.

> *4.3.8 All diesel trucks accessing the Project shall be compliant with the CARB Truck and Bus Regulation 2010 engine emissions standards.* ***The City encourages Project tenant use of zero-emissions or near-zero emissions on-road heavy-duty trucks, i.e., trucks with engines that meet the CARB enhanced nitrogen oxides (NOx) emissions standard of 0.02 gram per brake horsepower-hour (g/bhp-hr).***

Comment AQMD-9

6. *South Coast AQMD Rule 403(e): The Proposed Project is a large operation of approximately 376 acres and is subject to the requirements of South Coast AQMD Rule 403(e) – Additional Requirements for Large Operations. The Lead Agency should discuss Rule 403(e) in the Final EIR.*

Response AQMD-9

As requested by SCAQMD, Rule 403(e) is discussed herein. Please refer to Response AQMD-19. Findings and conclusions of the DEIR are not affected.

Comment AQMD-10

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), South Coast AQMD staff requests that the Lead Agency provide South Coast AQMD staff with written responses to all comments contained herein prior to the certification of the Final EIR. In addition, issues raised in the comments should be addressed in detail giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and to the public who are interested in the Proposed Project. Further, if the Lead Agency makes the findings that the recommended revisions to the existing mitigation measure 4.3.2 and additional recommended air quality mitigation measures are not feasible, the Lead Agency should describe the specific reasons supported by substantial evidence for rejecting them in the Final EIR (CEQA Guidelines Section 15091).

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Alina Mullins, Air Quality Specialist, at amullins@aqmd.gov, should you have any questions or wish to discuss the comments.

Response AQMD-10

Good faith reasoned responses to all AQMD comments are provided herein. All responses conform to *CEQA Guidelines* Section 15088 and *CEQA Guidelines* Section 15091 requirements and standards. Contact information provided by the commentor is noted. Findings and conclusions of the EIR are not affected.

Comment AQMD-11

South Coast AQMD Staff's Summary of the Air Quality Analysis and Health Risk Assessment

In the Air Quality Analysis Section of the Draft EIR, the Lead Agency quantified the Proposed Project's regional construction emissions and found that the Proposed Project's regional construction air quality impacts from VOC and NOx emissions would be significant at 108 pounds per day (lbs/day) and 148 lbs/day, respectively. The Lead Agency is committed to implementing Mitigation Measure (MM) 4.3.1 and MM 4.3.2. MM 4.3.1 requires the use of super compliant low VOC paints with no more than 10 grams per liter of VOC. MM 4.3.2 requires that large, off-road construction equipment meet Tier 4 engine standards, unless Tier 4 equipment is not available within 50 miles of the Proposed Project, in which case Tier 3 equipment can be used instead. With implementation of MM 4.3.1 and MM 4.3.2, the Proposed Project's regional construction air quality impacts from VOC and NOx emissions would be reduced to less than significant at 29 lbs/day and 81 lbs/day, respectively.

The Lead Agency quantified the Proposed Project's regional operational emissions and found that the Proposed Project's regional operational air quality impacts from VOC, NOx, CO, PM10, and PM2.5 emissions would be significant. The Lead Agency is committed to implementing MMs 4.3.3 through 4.3.8. MMs 4.3.3 through 4.3.8 require posting of anti-idling signage, provision of information on funding opportunities for clean trucks, installation of electric vehicle (EV) charging stations, future EV truck charging infrastructure, and electrical hookups for transportation refrigeration units (TRUs), and use of clean trucks that comply with the state's Truck and Bus Regulation. The Lead Agency found that the Proposed Project's operational air quality impacts would remain significant and unavoidable after mitigation. The Lead Agency also analyzed the Proposed Project's air quality impacts from overlapping construction and operational activities, combined the emissions to be compared to South Coast AQMD's CEQA significance

thresholds for operation, and found that the Proposed Project would result in significant and unavoidable air quality impacts from VOC, NOx, CO, PM10, and PM2.5 emissions even after implementing MMs 4.3.3 through MM 4.3.8.

The Lead Agency analyzed the Proposed Project's localized air quality impacts and found them to be less than significant. The Lead Agency also calculated the Proposed Project's cancer risks from construction and operational activities in the Draft EIR. At the maximum exposed individual receptor, the Proposed Project's construction activities would result in a cancer risk of 2.92 in one million, and the Proposed Project's operational activities would result in a cancer risk of 9.34 in one million. Therefore, the Lead Agency found that the Proposed Project's cancer risks would not exceed South Coast AQMD's CEQA significance threshold of 10 in one million for cancer risk.

Response AQMD-11

Commentor's summary of Project air quality impacts and proposed mitigation measures is materially correct. Findings and conclusions of the EIR are not affected.

Comment AQMD-12

South Coast AQMD staff's detailed comments on the CEQA air quality impacts analysis, air dispersion modeling, health risk assessment, mitigation measures, and South Coast AQMD Rule 403(e) are provided as follows.

Response AQMD-12

Responses to AQMD staff's detailed comments follows. Findings and conclusions of the EIR are not affected.

Comment AQMD-13

1. CEQA Air Quality Analysis for Regional Construction Air Quality Impacts

Based on a review of the Air Quality Section of the Draft EIR, South Coast AQMD staff found that the Lead Agency quantified the Proposed Project's regional construction emissions from demolition and building activities but did not quantify emissions from soil removal and hauling activities. Since "[n]o unusual grading conditions are present and substantial import or export of

earth materials is not expected", the regional construction air quality impact analysis did not quantify emissions from any type of soil export or import at this time.

In the Hazards and Hazardous Materials Section of the Draft EIR, the Lead Agency explained that based on historical site usage (i.e. agriculture and dairy farming), the Proposed Project site may have soil contamination. According to Mitigation Measure (MM) 4.6.1, the Proposed Project will be required to develop a Soil Management Plan (SMP), which will include soil excavation, handling, monitoring, and disposal protocols[20].

Soil removal and hauling activities will likely involve the use of heavy-duty, diesel-fueled trucks and generate mobile source emissions. The Lead Agency should use good faith, best efforts to provide information on the scope, types, and duration of any reasonably foreseeable soil removal and hauling activities. Therefore, South Coast AQMD staff recommends that the Lead Agency quantify emissions from removing and hauling contaminated soil and include those emissions in the Proposed Project's regional construction emissions profile to be compared to South Coast AQMD's regional air quality CEQA significance thresholds for construction to determine the level of significance in the Final EIR. If those emissions are not included in the Final EIR, the Lead Agency should provide reasons for not including them supported by substantial evidence in the record. If the reason for not including them in the Final EIR is because soil removal and disposal measures in the SMP have not been fully developed or approved prior to the certification of the Final EIR, the Lead Agency should commit to evaluating the air quality impacts from soil removal and hauling activities through a CEQA process when the measures become known and prior to allowing the commencement of any soil removal and hauling activities at the Proposed Project.

Response AQMD-13

To clarify, there is the potential for disposal of contaminated soils, not a demonstrated requirement to excavate and dispose substantial amounts of contaminated soils. Contaminated soils are, in large part, anticipated to be treated and used on-site. In this regard, the DEIR notes that contaminated soils can be treated and used on-site *or* disposed of off-site. Please refer to the discussion at DEIR p. 4.6-26, excerpted in pertinent part below:

> Based on testing results, contaminated soils ***can be treated on-site (by blending/diluting with clean soil) <u>or</u>*** [emphasis added] disposed of off-site, as follows:
>
> 1) Non-hazardous: The soil must pass the State and Federal regulatory thresholds. In that case, the soil may be disposed of as non-hazardous at a Class III landfill or, as discussed above, a treatment or recycling facility.
>
> 2) Cal-haz/Non-RCRA: In this case, the soil fails the State regulatory thresholds but passes the Federal requirements. Therefore, the soil may be disposed of as non-RCRA at a Class I hazardous landfill or at an out-of-state non-hazardous landfill.
>
> 3) RCRA-hazardous: In this case, the soil fails both the State and Federal regulatory thresholds. Therefore, the soil will have to be disposed of as Federal, RCRA hazardous at a Class I landfill.

The DEIR Air Quality Impact Analysis (AQIA, DEIR Appendix D) also recognizes that there is potential that organic material and contaminated soil that is not suitable for construction activity would need to be exported off-site. The quantity of potential material not suitable for construction is unknown at this time. Notwithstanding, the construction scenario(s) evaluated in the DEIR establish reasonable maximum development activities that could occur. Any potential emissions resulting from transport of material not suitable for construction activity would be substantially less than or equal to the maximum daily emissions that would occur under the assumed construction scenario(s). Moreover, since any required soil export would occur independent of, and prior to other construction activities, it is unlikely that any emissions generated by soil transport would discernibly contribute to construction-source emissions generally.

Even if hauling activities would occur concurrent with other construction activities, the additional emissions would not result in any new significant impacts. For analytical purposes of this FEIR, it is estimated that up to 500 cubic yards (cy) of contaminated soil could be exported per day. Emissions generated by soil export activities are summarized

below at Table AQMD-1. [4] As shown, soil export activities would not result in any significant air quality impacts and would in fact result in far fewer construction-source emissions than are identified in the DEIR (see DEIR at Table 4.3-8, *Maximum Daily Construction-source Emissions – Mitigated*).

Lastly, even if soil export and other peak construction activities emissions overlap is assumed (which is unlikely) the applicable thresholds would not be exceeded, as shown at Table AQMD-2.

Table AQMD-1
Maximum Daily Soil Export Emissions

Phase	Emissions (lbs/day)					
	VOC	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Summer						
Soil Export	0.39	15.27	2.25	0.05	1.18	0.35
Winter						
Soil Export	0.40	15.35	2.58	0.05	1.18	0.35
Maximum Daily Emissions	**0.40**	**15.35**	**2.58**	**0.05**	**1.18**	**0.35**
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

Source: Urban Crossroads, Inc., November 2020

Table AQMD-2
Maximum Daily Soil Export Emissions + Maximum Daily Construction-Source Emissions

Phase	Emissions (lbs/day)					
	VOC	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Peak Soil Export Emissions	0.40	15.35	2.58	0.05	1.18	0.35
DEIR Peak Construction Emissions	29.52	81.46	202.02	0.68	40.99	11.96
Maximum Daily Emissions (Soil Export Emissions + Construction-Source Emission)	**29.92**	**96.81**	**204.60**	**0.73**	**42.17**	**12.31**
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

Source: Urban Crossroads, Inc., November 2020

4 Soil export emissions modeling outputs are presented at FEIR Attachment C.

Quantification of potential emissions attributable to soil export activities as presented here substantiates that these emissions would not exceed applicable SCAQMD thresholds and would therefore be less-than-significant. Findings and conclusions of the EIR are not affected. See also Response AQMD-4.

Comment AQMD-14

1. Air Dispersion Modeling Parameter

To analyze the Proposed Project's localized air quality impacts during operation, the Lead Agency performed project-specific air dispersion modeling in the Draft EIR. South Coast AQMD staff recommends that the Lead Agency revise the modeling parameters based on the following comment.

Receptor Grid

a) *Upon review of the air dispersion modeling files, South Coast AQMD staff found that the Lead Agency did not use a uniform Cartesian grid and instead placed 21 discrete receptors within the modeling domain. This placement may not have identified the maximum impacted receptors. Therefore, South Coast AQMD staff recommends that the Lead Agency use a uniform Cartesian grid with a spacing of 100 meters or less for all distances less than 1,000 feet or provide additional information to demonstrate that the maximum off-site concentrations are identified with placement of discrete receptors in the Final EIR.*

Response AQMD-14

The DEIR discussions and underlying technical HRA technical analysis uses individual discrete receptors placed geospatially[5] at existing residences, businesses, and schools. These geospatial locations represent the real-world orientations of residential, business, or school receptors that could be exposed to Project-source emissions, and the likely maximum impacts that would occur at these locations. Since the maximum residential, worker, and school exposures have already been identified and evaluated, it is

[5] Geospatial: Of or relating to the relative position of things on the earth's surface.

unnecessary to include a 100-meter grid of receptors since this would not yield any new meaningful information, or different results.

Cartesian receptor grids are typically used to compute the concentration of pollutants over a larger geographical region, usually in the vicinity of a particular facility, for the purpose of creating concentration contours (or "zone of impact") whose purpose is to illustrate the dispersion pattern and downwind extent of a concentration and associated risk value within a given geographical region. Cartesian grids are typically drawn using uniform spacing between receptor locations (e.g., a receptor is placed in a static grid format every X feet or meters whether an impacted use exists at that location or not). For example, if a facility or project resulted in an exceedance of the applicable risk threshold at a nearby modeled receptor, it would be useful to have a Cartesian grid and corresponding contour to determine the downwind extent of where the risk levels fall below acceptable limits.

In contrast, discrete receptors, as modeled in the DEIR, represent real world locations where an individual would reside or could remain for long-term exposures. Use of the 21 discrete receptors within the modeling area as presented in the DEIR and HRA is appropriate for purposes of CEQA since it more accurately represents emissions concentrations and associated impacts that would occur at each impacted receptor.

Using a uniform Cartesian grid receptor methodology as suggested by the commentor is therefore not necessary and would not correspond to the actual receptor locations identified in the DEIR. In this respect, employing a Cartesian grid receptor methodology would be less accurate and not representative of emissions concentrations that would be received. No revisions to the HRA are required. Findings and conclusions of the EIR are not affected.

See also Response AQMD-5.

Comment AQMD-15

1. Mobile Source Health Risk Assessment (HRA)

The Proposed Project includes operation of 7,014,000 square feet of warehouses, which are expected to generate 3,520 daily truck trips. Surrounding sensitive receptors to the Proposed Project would be exposed to diesel particulate matter (DPM) from the transportation and idling of trucks visiting the Proposed Project. DPM is a toxic air contaminant and a carcinogen. The Lead Agency performed a mobile source HRA to determine if operation of the Proposed Project would result in a significant incremental increase in potential cancer risk to surrounding sensitive receptors (i.e., residential units within 94 feet of the Proposed Project). As stated above, operation of the Proposed Project would result in a cancer risk of 9.34 in one million.

The Proposed Project's operational health risk impacts may have been underestimated in the Draft EIR. The Lead Agency used the 80th percentile daily breathing rates for age bins 2 to 16 years and 16 to 30 years. When there are different daily breathing rates for the same age bin, the most conservative daily breathing rates such as the 95th percentile daily breathing rate may be used to calculate cancer risk to nearby sensitive receptors. Therefore, South Coast AQMD staff recommends that the Lead Agency revise the mobile source HRA to re-calculate the Proposed Project's cancer risk based on the 95th percentile daily breathing rates or provide additional information that the use of 80th percentile daily breathing rate is more appropriate for the age bins 2 to 16 years and 16 to 30 years in the Final EIR.

Response AQMD-15

The 80th percentile breathing rates are appropriate and applicable for CEQA determinations, as this represents a likely maximum impact scenario. This is because the 80th percentile represents an elevated breathing rate that is 80 percent higher than is experienced by the average population. Further, the HRA calculation assumes that an individual is at the 80th percentile elevated breathing rate for the entire multi-year exposure duration.

Additionally, CARB, has also previously recommended the use of the 80th percentile value as the minimum value for risk management decisions at residential receptors.

CARB states that this will continue to give health protective estimates. See also: (https://www.arb.ca.gov/toxics/harp/rmpolicyfaq.htm).

Use of the 95th percentile breathing rate as recommended by the commentor is not required. CEQA does not require such absolute worst-case analyses (*CEQA Guidelines* Sections 15144, 15145). Note further that the U.S. EPA analytic protocols indicate 95th percentile values may be unrealistically high and not representative of the average person (Exposure Factors Handbook: 2011 Edition [EPA], p. 6-3). On this basis, the Lead Agency considers the DEIR and Project HRA to be adequate and complete – comprising a good faith effort at full disclosure of the Project potential health risk impacts. Findings and conclusions of the EIR are not affected. See also Response AQMD-6.

Comment AQMD-16

1. Recommended Revisions to Existing Mitigation Measure (MM) 4.3.2

In the Draft EIR, the Lead Agency is committed to using Tier 4 construction equipment unless Tier 4 construction equipment is not available within 50 miles of the Proposed Project in which case the use of Tier 4 construction equipment can be exempt and Tier 3 construction equipment can be used instead[22]. According to the CalEEMod output files for the Proposed Project, the Lead Agency calculated the Proposed Project's mitigated construction emissions based on the use of Tier 4 Final construction equipment with no exemption provision. This is not appropriate. The Lead Agency likely over-estimated the Proposed Project's construction NOx emissions that can be mitigated by relying on emission reductions from Tier 4 Final construction equipment when the Proposed Project can be exempt from being required to use such equipment. Therefore, South Coast AQMD staff recommends that the Lead Agency remove the exemption provision from MM 4.3.2 to strengthen the mitigation requirement for off-road construction equipment as follows. Alternatively, the Lead Agency may re-calculate the Proposed Project's mitigated construction emissions based on the use of Tier 3 construction equipment in the Final EIR to be consistent with the exemption provision in MM 4.3.2.

Mitigation Measure 4.3.2

Construction contractors shall ensure that large off-road diesel fueled construction equipment, including but not limited to excavators, graders, rubber-tired dozers, and similar large pieces of

equipment be equipped with CARB Tier 4 Final Compliant engines. ~~If the operator lacks Tier 4 equipment, and Tier 4 equipment is not available for lease or short-term rental within 50 miles of the project site, Tier 3 Compliant or cleaner off-road construction equipment may be utilized.~~ To ensure that Tier 4 Final construction equipment or better will be used during the Proposed Project's construction, South Coast AQMD staff recommends that the Lead Agency include this requirement in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and CARB or South Coast AQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, the Lead Agency should require periodic reporting and provision of written construction documents by construction contractor(s) to ensure compliance and conduct regular inspections to the maximum extent feasible to ensure compliance.

Response AQMD-16

Mitigation Measure 4.3.2 has been amended as suggested by AQMD (see below).

> *4.3.2 Construction contractors shall ensure that large off-road diesel fueled construction equipment, including but not limited to excavators, graders, rubber-tired dozers, and similar large pieces of equipment be equipped with CARB Tier 4 Compliant engines. ~~If the operator lacks Tier 4 equipment, and Tier 4 equipment is not available for lease or short-term rental within 50 miles of the project site, Tier 3 Compliant or cleaner off-road construction equipment may be utilized.~~ **To ensure that Tier 4 Final construction equipment or better will be used during the Proposed Project's construction, this requirement shall be included in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and CARB or South Coast AQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, the***

Applicant shall report to the City, including written construction documents by construction contractor(s), documenting compliance with these requirements, which shall be subject to regular City inspections to ensure compliance.

Findings and conclusions of the EIR are not affected. See also Response AQMD-7.

Comment AQMD-17

1. Additional Recommended Mitigation Measures

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. Since the Proposed Project will result in significant and unavoidable emissions, particularly from NOx emissions at 870 lbs/day after mitigation, and to further reduce the Proposed Project's operational air quality impacts, South Coast AQMD staff recommends that the Lead Agency require the use of cleaner trucks and incorporate the following additional operational mitigation measures in the Final EIR.

a) *Require the use of zero-emissions (ZE) or near-zero emissions (NZE) trucks during operation, such as trucks with natural gas engines that meet the CARB's adopted optional NOx emission standard of 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the Final EIR, where appropriate. Include the use of cleaner trucks as a requirement in applicable bid documents, purchase orders, contracts, and sale or leasing agreements. To monitor and ensure that cleaner trucks are used at the Proposed Project, the Lead Agency should require that operators maintain records of all trucks and equipment associated with the Proposed Project's operation and make these records available to the Lead Agency upon request. Alternatively, the Lead Agency should require periodic reporting and provision of written records by warehouse owners or operators and conduct regular inspections of the records to the maximum extent feasible and practicable.*

Technology is transforming the transportation sector at a rapid pace. Cleaner trucks such as ZE or NZE trucks are increasingly more feasible and commercially available as technology advances. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks such as the Advanced Clean Trucks Rule and the Heavy-Duty Low NOx Omnibus Regulation, ZE and NZE trucks will become increasingly more available to use.

If using ZE or NZE trucks as a mitigation measure to reduce the Proposed Project's operational air quality impacts is not feasible at the time that the Final EIR is certified or the Proposed Project is approved, cleaner trucks could become feasible in a reasonable period of time within the operational lifetime of the Proposed Project, which starts in 2026 (CEQA Guidelines Section 15364). Therefore, the Lead Agency should require a phase-in schedule to incentive the use of these cleaner operating trucks to reduce any significant adverse air quality impacts and develop a process with performance standards to deploy the lowest emission technologies and incentivize the use of ZE or NZE heavy- duty trucks during operation (CEQA Guidelines Section 15126.4(a)). The Lead Agency can and should develop the performance standards as follows or any other comparable standards in the Final EIR. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency.

- *Develop a minimum amount of ZE or NZE heavy-duty trucks that the Proposed Project must use during each year of the operation to ensure adequate progress. Include this requirement in the Proposed Project's tenant selection and operation management bid documents and business agreement.*
- *Establish a tenant/truck operator(s) selection policy that prefers tenant/truck operator(s) who can supply the use of ZE or NZE heavy-duty trucks at the Proposed Project. Include this policy in the bid documents and business agreement.*
- *Develop a target-focused and performance-based process and timeline to review the feasibility of implementing the use of ZE or NZE heavy-duty trucks during operation. Include this process and timeline in the Proposed Project's tenant selection and operation management bid documents and business agreement.*
- *Develop a project-specific process and criteria for periodically assessing progress in implementing the use of ZE or NZE heavy-duty trucks during operation. Include this*

process and criteria in the Proposed Project's tenant selection and operation management bid documents and business agreement.

b) *Limit the daily number of truck trips allowed at the Proposed Project to the level that was used to analyze the Proposed Project's air quality and health risk impacts in the Final EIR (e.g., 3,520 daily truck trips during operation). If it is reasonably foreseeable before the Final EIR is certified that the Proposed Project would generate more than 3,520 daily truck trips, the Lead Agency should take into account additional daily truck trips and re-evaluate the Proposed Project's air quality and health risk impacts (CEQA Guidelines Section 15088.5). If information becomes available, after the Proposed Project is approved, suggesting that the Proposed Project will generate more than 3,520 daily truck trips during operation, the Lead Agency should evaluate if a Subsequent EIR is required under CEQA Guidelines Section 15162.*

Response AQMD-17

Requiring use of zero-emissions (ZEV) heavy-duty trucks and/or near zero-emissions (NZEV) heavy-duty trucks for the Project uses is not feasible in the near-term. In this regard, ZEV and NZEV are emerging technologies, with limited or no practical applications yet available to the Project or its prospective tenants. On a commercial scale, these types of vehicles do not currently exist. Moreover, areawide infrastructure (electric power charging stations, alternative fuel sources and fueling facilities) necessary to support practical use of ZEV and NZEV heavy-duty trucks is limited or non-existent. Further, if imposed in the near-term, requirements that only ZEV/NZEV heavy-duty trucks be allowed at the site, and the fact that these types of heavy-duty trucks are for all practical purposes not available, would substantially diminish the pool of potential Project tenants, effectively negating feasibility of the Project.

Additionally, it is unknown whether heavy-duty trucks accessing the Project site would be owned and operated by the prospective tenants, or would be owned and operated by third parties. Requiring as yet-unknown tenants to commit to exclusive use of zero-emissions or near- zero emissions heavy-duty trucks is not enforceable. Similarly, it is considered infeasible to preclude access to the Project site by conventionally-powered

(diesel) heavy-duty trucks, or require that all heavy-duty trucks accessing the Project site be ZEVs or NZEVs.

Moreover, use of ZEV/NZEV heavy-duty trucks for the Project would not demonstrably reduce Basin-wide NOx emissions. That is, just because this measure would prohibit conventionally-powered (diesel) heavy-duty trucks access to the Project site, by no means would the measure preclude their operation elsewhere within the Basin. The measure would in effect direct heavy-duty diesel-powered trucks and associated emissions to numerous other warehouses at other Basin locales, with no net reduction in Basin-wide NOx emissions.

DEIR Mitigation Measure 4.3.8 (below) is amended to facilitate use of ZEV/NZEV heavy-duty trucks by the Project tenants, and monitor truck types and truck volumes accessing the Project site. Findings and conclusions of the DEIR are not affected.

> *4.3.8 All diesel trucks accessing the Project shall be compliant with the CARB Truck and Bus Regulation 2010 engine emissions standards.* ***The City encourages Project tenant use of zero-emissions or near-zero emissions on-road heavy-duty trucks, i.e., trucks with engines that meet the CARB enhanced nitrogen oxides (NOx) emissions standard of 0.02 gram per brake horsepower-hour (g/bhp-hr).***

In addition to emissions reduction achieved via Measures 4.3.3 through 4.3.8, Transportation Demand Management (TDM) measures implemented as mitigation for transportation VMT impacts would act to generally reduce vehicle-source emissions. The efficacy of TDMs and any resulting emissions reductions would be dependent on as yet unknown building tenants and final site plan designs. Accordingly, potential emissions reductions resulting from implementation of TDMs are not quantified within the DEIR analyses.

The efficacy of mitigation enhancements proposed by AQMD and any resulting emissions reductions cannot be quantified employing CalEEMod. Accordingly, NOx

impacts and impact determinations are conservatively assumed to substantively replicate the DEIR analysis. Even with application of the above-noted measures, Project operational-source NOx emissions would exceed applicable SCAQMD thresholds, and Project operational-source NOx emissions would result in cumulatively considerable net increases of criteria pollutants (PM_{10}, $PM_{2.5}$, Ozone)[6] for which the Project region is non-attainment. This would remain a significant and unavoidable impact. Findings and conclusions of the DEIR are not affected. See also Response AQMD-8.

Comment AQMD-18

Design considerations for the Proposed Project that the Lead Agency should consider to further reduce air quality and health risk impacts include the following:

a) Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not traversing through sensitive land uses to enter or leave the Proposed Project site.

b) Design the Proposed Project to ensure that truck traffic within the Proposed Project site is located as far away as feasible from sensitive receptors.

c) Restrict overnight parking in sensitive land uses by providing overnight parking within the Proposed Project site.

Response AQMD-18

As approved by the City, the final Project designs and Project Conditions of Approval will:

- Minimize or avoid truck entrances and exits at locations proximate to sensitive receptors.
- Minimize the potential for internal truck traffic and truck emissions to affect sensitive receptors.
- Restrict any overnight parking to designated areas within the Project site.

[6] NOX is a precursor to PM_{10}/$PM_{2.5}$ and Ozone.

Comment AQMD-19

1. South Coast AQMD Rule 403(e)

Since the Proposed Project is a large operation of approximately 376 acres (50-acre sites or more of disturbed surface area; or daily earth-moving operations of 3,850 cubic yards or more on three days in any year) in the South Coast Air Basin, the Lead Agency is required to comply with Rule 403(e) – Additional Requirements for Large Operations[26]. Additional requirements may include, but are not limited to, Large Operation Notification (Form 403 N), appropriate signage, additional dust control measures, and employment of a dust control supervisor that has successfully completed the Dust Control in the South Coast Air Basin training class[2]. Therefore, the Lead Agency should include a discussion to demonstrate specific compliance with South Coast AQMD Rule 403(e) in the Final EIR. Compliance with South Coast Rule 403(e) will further reduce regional and localized emissions from particulate matters during construction.

Response AQMD-19

The Project is required to comply with all applicable SCAQMD Rules including, but not limited to, Rule 403(e). Rule 403(e) is presented below. Rule 403 in total can be accessed at: https://www.aqmd.gov/home/rules-compliance/compliance/rule-403-dust-control-information.

RULE 403. FUGITIVE DUST

(e) Additional Requirements for Large Operations

(1) Any person who conducts or authorizes the conducting of a large operation subject to this Rule shall implement the applicable actions specified in Table 2 of this Rule at all times and shall implement the applicable actions specified in Table 3 of this Rule when the applicable performance standards cannot be met through use of Table 2 actions; and shall:

(A) submit a fully executed Large Operation Notification (Form 403 N) to the Executive Officer within 7 days of qualifying as a large operation;

(B) include, as part of the notification, the name(s), address(es), and phone number(s) of the person(s) responsible for the submittal, and a

description of the operation(s), including a map depicting the location of the site;

(C) maintain daily records to document the specific dust control actions taken, maintain such records for a period of not less than three years; and make such records available to the Executive Officer upon request;

(D) install and maintain project signage with project contact signage that meets the minimum standards of the Rule 403 Implementation Handbook, prior to initiating any earthmoving activities;

(E) identify a dust control supervisor that:

(i) is employed by or contracted with the property owner or developer;

(ii) is on the site or available on-site within 30 minutes during working hours;

(iii) has the authority to expeditiously employ sufficient dust mitigation measures to ensure compliance with all Rule requirements;

(iv) has completed the AQMD Fugitive Dust Control Class and has been issued a valid Certificate of Completion for the class; and

(F) notify the Executive Officer in writing within 30 days after the site no longer qualifies as a large operation as defined by paragraph (c)(18).

(2) Any Large Operation Notification submitted to the Executive Officer or AQMD-approved dust control plan shall be valid for a period of one year from the date of written acceptance by the Executive Officer. Any Large Operation Notification accepted pursuant to paragraph (e)(1), excluding those submitted by aggregate-related plants and cement manufacturing facilities must be resubmitted annually by the person who conducts or authorizes the conducting of a large operation, at least 30 days prior to the expiration date, or the submittal shall no longer be valid as of the expiration date. If all fugitive dust sources and corresponding control measures or special circumstances remain identical to those identified in the previously accepted submittal or in an AQMD-approved dust control plan, the resubmittal may be a simple statement of no-change (Form 403NC).

Findings and conclusions of the EIR are not affected.

4.0 MITIGATION MONITORING PROGRAM

4.0 MITIGATION MONITORING PROGRAM

4.1 INTRODUCTION

To ensure that the mitigation measures contained in this EIR are properly implemented, a mitigation monitoring program has been developed pursuant to state law. This Mitigation Monitoring Program (MMP) identifies measures incorporated in the Project which reduce its potential environmental effects; the entities responsible for implementation and monitoring of mitigation measures; and timing for implementation of mitigation measures. As described in *CEQA Guidelines* §15097, this MMP employs both reporting on, and monitoring of, Project mitigation measures.

The objectives of the MMP are to:

- Assign responsibility for, and further proper implementation of mitigation measures;
- Assign responsibility for, and provide for monitoring and reporting of compliance with mitigation measures;
- Provide the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs.

Mitigation monitoring and reporting procedures incorporated in the Project are presented in the following Section 4.2. Specific mitigation measures incorporated in the Project, mitigation timing, and implementation and reporting/monitoring responsibilities are presented within this Section in Table 4.2-1.

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4.2 MITIGATION MONITORING AND REPORTING

Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Ontario is responsible for ensuring full compliance with the mitigation measures adopted for the Project. The City shall monitor and report on all mitigation activities. Mitigation measures shall be implemented at different stages of development throughout the Project area. In this regard, the responsibilities for implementation have been assigned to the Lead and Responsible Agencies, Applicant or successor(s) in interest, Contractors, On-Site Monitors, or combinations thereof.

If during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City shall then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, shall then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

Table 4.2-1: Mitigation Monitoring Program

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Section / MM No.	Mitigation Measure	Mitigation Timing/Remarks	Implementation Entity	Monitoring/ Reporting Entity	Date of Completion/ Initials
4.2 Transportation					
4.2.1	*The following language or similar shall be incorporated in all Project contract, construction, and property sale/lease documents: "Owners/tenants shall, to the extent practical, allow for and encourage Telecommuting and Alternative Work Schedules."*	Requisite language shall be verified prior to issuance of development permit(s); prior to sale/lease execution(s) as applicable.	Applicant or successor(s) in interest, Developer(s), Owner(s), Lessor(s) as applicable.	City of Ontario: Planning Depart Department, Building Department, Business License Department as applicable.	
4.2.2	*The following language or similar shall be incorporated in all Project contract, construction, and property sale/lease documents: "Owners/tenants shall, to the extent practical, allow for and encourage ride-sharing programs."*	Requisite language shall be verified prior to issuance of development permit(s); prior to sale/lease execution(s) as applicable.	Applicant or successor(s) in interest, Developer(s), Owner(s), Lessor(s) as applicable.	City of Ontario: Planning Depart Department, Building Department, Business License Department as applicable.	
4.2.3	*The Applicant or successor(s) in interest shall record a covenant of a Transportation Demand Management (TDM) program for each Project building/occupancy with 250 or more employees. The form of the covenant shall be approved by the City Attorney's Office. The covenant shall be recorded prior to issuance of Certificate of Occupancy for the subject building(s).*	Recorded TDM covenant shall be verified prior to issuance of Certificate(s) of Occupancy.	Applicant or successor(s) in interest.	City of Ontario: Planning Department, Building Department.	
4.2.4	*Prior to issuance of a Certificate of Occupancy for each building/occupancy providing for 250 or more employees, each owner/tenant shall develop a use/occupant-specific TDM program. The TDM program shall submitted to the City Planning Department and City Building Department as part of tenant improvements plan(s) documentation. At a minimum, the TDM program shall:* • *Identify physical improvements (if any) to be implemented as part of the TDM program. The City Planning/Building Department shall verify completion of physical TDM improvements as part of the Certificate of Occupancy process.* • *Identify TDM program operational strategies to be implemented. These TDM strategies may include but would not be limited to the following:*	Required TDM program shall be submitted to and reviewed and approved by the City Planning Department and City Building Department as part of tenant improvements plan(s) documentation.	Owner(s)/tenants as applicable.	City of Ontario: Planning Department, Building Department.	

Table 4.2-1: Mitigation Monitoring Program

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Section / MM No.	Mitigation Measure	Mitigation Timing/Remarks	Implementation Entity	Monitoring/ Reporting Entity	Date of Completion/ Initials
	o *On-site services such as food, retail, and other services to be provided.* o *Ridesharing. Develop a commuter listing of all employee members for the purpose of providing a "matching" of employees with other employees who live in the same geographic areas and who could rideshare.* o *Vanpooling. Develop a commuter listing of all employees for the purpose of matching numbers of employees who live in geographic proximity to one another and could comprise a vanpool or participate in the existing vanpool programs.* o *Guaranteed Ride Home Program. Develop and implement a program to provide employees who rideshare, or use transit or other means of commuting to work, with a prearranged ride home in a taxi, rental car, shuttle, or other vehicle, in the event of emergencies during the work shift.* o *Target Reduction of Longest Commute Trip. Provide incentives for ridesharing and other alternative transportation modes to put highest priority on reduction of longest employee commute trips.* o *Implement staggered work shifts to the extent practical.* o *Implement telecommute programs to the extent practical.* • *Establish a TDM coordinator position. The position of TDM coordinator may be fulfilled by the building owner/lessee, an employee, or third party provider. The TDM coordinator shall:* o *Identify proposed TDM measures to be implemented and provide a list of implemented measures to the City Planning Department.*				

Table 4.2-1: Mitigation Monitoring Program

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Section / MM No.	Mitigation Measure	Mitigation Timing/Remarks	Implementation Entity	Monitoring/ Reporting Entity	Date of Completion/ Initials
	o *Inform employees of commute options and shall, as applicable, arrange rideshare or vanpool programs.* o *Develop and implement a TDM monitoring program. The TDM monitoring program shall identify trip generation, trip origin(s), average vehicle ridership, and provide an estimate of VMT/employee. The results of the survey shall be submitted annually to the City Planning Department.* *Based on the results of the TDM monitoring program, provide TDM modification recommendations to the City and affected owners/tenants. Additional/alternative VMT reduction measures that would act to reduce Project VMT levels and that are mutually agreed to by the City and owners/tenants shall be implemented.*				
4.3 Air Quality					
4.3.1	*The Project shall utilize "Super-Compliant" low VOC paints which have been reformulated to exceed the regulatory VOC limits put forth by SCAQMD's Rule 1113. Super-Compliant low VOC paints shall be no more than 10g/L of VOC. Alternatively, the Applicant or successor(s) in interest may utilize tilt-up concrete buildings that do not require the use of architectural coatings.*	Language specifying required use of "Super-Compliant" low VOC paints shall be verified prior to issuance of development permit(s).	Contractor(s)/ developer(s).	City of Ontario: Planning Department, Building Department.	
4.3.2	*4.3.2 Construction contractors shall ensure that large off-road diesel fueled construction equipment, including but not limited to excavators, graders, rubber-tired dozers, and similar large pieces of equipment be equipped with CARB Tier 4 Compliant engines. ~~If the operator lacks Tier 4 equipment, and Tier 4 equipment is not available for lease or short term rental within 50 miles of the project site, Tier 3 Compliant or cleaner off road construction equipment may be utilized.~~* ***To ensure that Tier 4 Final construction equipment or better will be used during the Proposed***	Language specifying required use of Tier 4 Final construction equipment or better shall be verified prior to issuance of development permit(s).	Contractor(s)/ developer(s).	City of Ontario: Planning Department, Building Department.	

Table 4.2-1: Mitigation Monitoring Program

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Section / MM No.	Mitigation Measure	Mitigation Timing/Remarks	Implementation Entity	Monitoring/ Reporting Entity	Date of Completion/ Initials
	Project's construction, this requirement shall be included in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and CARB or South Coast AQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, the Applicant shall report to the City, including written construction documents by construction contractor(s), documenting compliance with these requirements, which shall be subject to regular City inspections to ensure compliance.				
4.3.3	*Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations. At a minimum, each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for drivers of diesel trucks to restrict idling to no more than five (5) minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; and 3) telephone numbers of the building facilities manager and the CARB to report violations. Prior to the issuance of an occupancy permit, the City shall conduct a site inspection to ensure that the signs are in place.*	Site inspection(s) verifying required signage shall be conducted periodically throughout Project development activities.	Contractor(s)/ developers(s)	City of Ontario: Building Department.	
4.3.4	*Prior to tenant occupancy, the Project Applicant or successor(s) in interest shall provide documentation to the City demonstrating that occupants/tenants of the Project site have been provided documentation on funding opportunities, such as the Carl Moyer Program, that provide*	Verification that notice of available funding opportunities/incentives has been provided shall be verified prior to issuance of Certificate(s) of Occupancy.	Applicant or successor(s) in interest.	City of Ontario: Building Department, Planning Department.	

Table 4.2-1: Mitigation Monitoring Program

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Section / MM No.	Mitigation Measure	Mitigation Timing/Remarks	Implementation Entity	Monitoring/ Reporting Entity	Date of Completion/ Initials
	incentives for using cleaner-than-required engines and equipment.				
4.3.5	*The minimum number of automobile electric vehicle (EV) charging stations required by the California Code of Regulations (CCR) Title 24 shall be provided. As agreed to by the Applicant or successor(s) in interest and Lead Agency, final designs of Project buildings shall include electrical infrastructure sufficiently sized to accommodate the potential installation of additional auto and truck EV charging stations.*	Construction plans and as built facilities shall include required EV charging electrical infrastructure. Plan requirements shall be verified prior to issuance of development permit(s). Constructed EV charging electrical infrastructure shall be verified prior to issuance of Certificate(s) of Occupancy.	Contractor(s)/ developer(s).	City of Ontario: Planning Department, Building Department.	
4.3.6	*As agreed to by the Applicant or successor(s) in interest and Lead Agency, final Project designs shall provide for installation of conduit in tractor trailer parking areas for the purpose of accommodating potential installation of EV truck charging stations.*	Construction plans and as built facilities shall include required EV charging electrical infrastructure. Plan requirements shall be verified prior to issuance of development permit(s). Constructed EV charging electrical infrastructure shall be verified prior to issuance of Certificate(s) of Occupancy.	Contractor(s)/ developer(s).	City of Ontario: Planning Department, Building Department.	
4.3.7	*Where transport refrigeration units (TRUs) are in use, electrical hookups shall be installed in order to allow TRUs to use electric standby capabilities.*	Construction plans and as built facilities shall include required TRU electrical hookups. Plan requirements shall be verified prior to issuance of development permit(s). Constructed EV charging electrical infrastructure shall be verified prior to issuance of Certificate(s) of Occupancy.	Contractor(s)/ developer(s).	City of Ontario: Planning Department, Building Department.	
4.3.8	*4.3.8 All diesel trucks accessing the Project shall be compliant with the CARB Truck and Bus Regulation 2010 engine emissions standards.* ***The City encourages Project tenant use of zero-emissions or near-zero emissions on-road heavy-duty trucks, i.e., trucks with engines that meet the CARB enhanced nitrogen oxides (NOx) emissions standard of 0.02 gram per brake horsepower-hour (g/bhp-hr).***	Tenant record keeping of heavy-duty truck access shall be on-going over the life of the Project.	Tenants.	City of Ontario: Planning Department.	

Table 4.2-1: Mitigation Monitoring Program

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Section / MM No.	Mitigation Measure	Mitigation Timing/Remarks	Implementation Entity	Monitoring/ Reporting Entity	Date of Completion/ Initials
4.3.9	***All on-site yard trucks/hostlers shall be zero-emissions equipment. This requirement or equivalent language shall be incorporated in all Project facility lease documents. Prior to issuance of a Business License, facility owners or tenants shall provide documentation to the City of Ontario Planning Department and Business License Department verifying signed lease documents incorporating the requirement that all on-site yard trucks/hostlers shall be zero-emissions equipment.***	Language specifying required use of zero-emissions equipment shall be verified prior to issuance of Business License(s).	Owner(s), lessors.	City of Ontario: Planning Department, Business License Department.	
4.4 Greenhouse Gas Emissions					
4.4.1	*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.*	Verification of CAP Screening Table Measures achieving the CAP 100-point performance standard shall be verified prior to the issuance of building permit(s) and/or site plans (as applicable). Implemented Screening Table Measures shall be verified prior to issuance of Certificate(s) of Occupancy.	Contractor(s)/ developer(s).	City of Ontario: Planning Department, Building Department.	
4.4.2	*Project development proposals with building permit applications on file with the City subsequent to approval and adoption of updates to the December 16, 2014 CAP shall comply with performance standards and GHG emissions reduction targets of the incumbent CAP. The City shall verify incorporation of measures that would achieve performance standards and GHG emissions reduction*	Verification of incumbent CAP performance standards shall be verified prior to the issuance of building permit(s) and/or site plans (as applicable). implemented incumbent CAP provisions shall be verified prior to issuance of Certificate(s) of Occupancy.	Contractor(s)/ developer(s).	City of Ontario: Planning Department, Building Department.	

Table 4.2-1: Mitigation Monitoring Program

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	targets of the incumbent CAP prior to the issuance of building permit(s) and/or site plans (as applicable). The City shall verify implementation of applicable CAP provisions prior to the issuance of Certificate(s) of Occupancy. Multiple development proposals may, at the discretion of the City, be allowed to collectively demonstrate consistency with applicable provisions of the incumbent CAP.				
4.5 Noise					
4.5.1	*Provide a minimum 150-foot buffer distance between large construction equipment (e.g. dozers, graders, scrapers, etc.) and receiver locations R3, R4, R7 and R8, if residences at these locations are occupied and actively used at the time Project demolition and/or grading activities occur.*	Site inspection(s) verifying construction equipment staging locations shall be on-going throughout Project development.	Contractor(s)/ developer(s).	City of Ontario: Building Department.	
4.5.2	*If a 150-foot buffer is not achievable, install temporary noise control barriers that provide a minimum noise level attenuation of 10.0 dBA when Project demolition or grading activities occur within 150 feet of existing residential structures, or other off-site sensitive land uses that are occupied and actively utilized. General noise control barrier design parameters are presented below, though any solution(s) providing the required 5.0 dBA noise attenuation is/are acceptable.* • *The noise control barrier should present a generally solid face from top to bottom. Unnecessary openings should not be made.* • *The noise control barrier shall be maintained and any damage in the barrier or openings between the barrier and the ground shall be promptly repaired.* • *The noise control barrier(s) and associated elements shall be removed and affected portion(s) of the site restored at the conclusion of grading/demolition activities.*	Site inspection(s) verifying installation of temporary noise control barriers shall be on-going throughout Project development.	Contractor(s)/ developer(s).	City of Ontario: Building Department.	
4.5.3	*Alternatively, the Applicant or successor(s) in interest may employ construction equipment and construction techniques*	Site inspection(s) verifying implementation of and effectiveness of	Contractor(s)/ developer(s).	City of Ontario: Building Department.	

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	that would demonstrably ensure that noise levels at potentially affected sensitive receptors would not exceed 65 dBA. A combination of noise-receptor separation, noise barriers and use of noise reducing construction equipment and construction techniques may be employed provided that noise levels at potentially affected receptors does not exceed 65 dBA.	combined construction-source noise reduction measure shall be on-going throughout Project development.			
4.5.4	*Off-site infrastructure improvement plans and construction documents shall include a note indicating that noise-generating Project construction activities shall only occur between the hours of 7:00 a.m. to 6:00 p.m. any weekday, or on Saturday or Sunday from 9:00 a.m. to 6:00 p.m. (City of Ontario Municipal Code, Section 5-29.09).*	Language specifying construction hours restrictions shall be verified prior to issuance of development permit(s).	Contractor(s)/ developers.	City of Ontario: Planning Department, Building Department.	
4.5.5	*Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. Construction contractors shall place all stationary construction equipment so that emitted noise is directed away from the nearest noise sensitive receivers.*	Site inspection(s) verifying proper operation and maintenance of construction equipment and appropriate construction equipment staging locations/orientations shall be on-going throughout Project development.	Contractor(s)/ developer(s).	City of Ontario: Building Department.	
4.5.6	*Construction contractors shall locate equipment staging in areas that shall create the greatest distance between construction-related noise sources and noise-sensitive receivers.*	Site inspection(s) verifying appropriate construction equipment staging locations/orientations shall be on-going throughout Project development.	Contractor(s)/ developer(s).	City of Ontario: Building Department.	
4.5.7	*Construction contractors shall limit haul truck deliveries to the same hours specified for construction equipment (between the hours of 7:00 a.m. to 6:00 p.m. any weekday, or on Saturday or Sunday from 9:00 a.m. to 6:00 p.m.). Contractors shall design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise.*	Site inspections verifying compliance with haul-truck hours and routing restrictions shall be on-going throughout Project development.	Contractor(s)/ developer(s).	City of Ontario: Building Department.	
4.5.8	*Cold storage loading dock activities and distribution/warehouse facilities shall be designed so that truck bays and loading docks are a minimum of 300 feet away from the property line of sensitive receivers, measured from the dock building door. This distance may be reduced if*	Required loading dock distribution/warehouse facilities designs and orientations shall be verified prior to issuance of development permits. Implemented	Contractor(s)/ developer(s).	City of Ontario: Planning Department, Building Department.	

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	the site design includes berms or other similar features to appropriately shield and buffer the sensitive receivers from the active truck operations areas.	designs shall be verified prior to issuance of Certificate(s) of Occupancy.			
4.5.9	*Cold storage loading dock activities and distribution/warehouse facilities shall be designed to provide adequate on-site parking for commercial trucks and passenger vehicles and on-site queuing for trucks that is away from sensitive receivers. The general queuing and spill-over of trucks onto surrounding public streets shall be prevented. Commercial trucks shall not be parked in the public road right-of-way or nearby residential areas.*	Required loading dock distribution/warehouse facilities designs and orientations shall be verified prior to issuance of development permits. Implemented designs shall be verified prior to issuance of Certificate(s) of Occupancy.	Contractor(s)/ developer(s).	City of Ontario: Planning Department, Building Department.	
4.5.10	*All Project PA systems shall be oriented to direct sound away from sensitive receivers. PA volumes shall be set such that received noise levels are not readily audible past the property line.*	Required PA systems designs and orientations shall be verified prior to issuance of development permits. Implemented designs shall be verified prior to issuance of Certificate(s) of Occupancy.	Contractor(s)/ developer(s).	City of Ontario: Planning Department, Building Department.	
4.5.11	*Individual development proposals within the Project site shall demonstrate to the satisfaction of the Lead Agency that noise impacts generated by such proposals would not exceed or be substantially different than noise impacts considered and addressed in the Project Noise Impact Analysis.*	Development-specific noise impact consistency analysis shall be submitted to, and reviewed and approved by the City prior issuance of development permit application(s).	Contractor(s)/ developer(s).	City of Ontario: Planning Department, Building Department.	
4.6 Hazards/Hazardous Materials					
4.6.1	*Soil Management Plan(s) Required. Prior to commencement of site disturbance activities, the Applicant or successor(s) in interest shall retain a qualified professional to prepare a Soil Management Plan. The Soil Management Plan shall address the Specific Plan Area proper as well as areas potentially affected by construction of off-site infrastructure. The Soil Management Plan shall include a Health and Safety Plan (HASP), soil excavation monitoring protocols, and measures to monitor and control vapors and dust. The Applicant or successor(s) in interest shall submit the Soil Management Plan to the California Department of Toxic Substances (DTSC) for review and approval. The City shall*	Soil Management Plan(s) shall be submitted to, and reviewed and approved by the City prior to issuance of grading permits.	Applicant or successor(s) in interest.	City of Ontario: Planning Department, Building Department. California Department of Toxic Substances (DTSC).	

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	not authorize any activity at the Project site that has the potential to disturb soil until DTSC has approved the Soil Management Plan and all necessary permits have been obtained. Should contaminated soils be encountered as part of Project development, the protocols identified within the Soil Management Plan(s) shall be followed in regard to monitoring, handling, disposal, and reporting of management activities to the California Department of Toxic Substance Control, Regional Water Quality Control Board, and/or South Coast Air Quality Management District (including copies of all daily field logs containing SCAQMD Rule 1166 monitoring results), as required. Copies of all submitted reports and responses from responsible agencies shall be provided to the City of Ontario.				
4.6.2	*On-Site Environmental Manager Required. The Applicant or successor(s) in interest shall retain a qualified Environmental Manager who shall be on-site during all site disturbance activities. The Environmental Manager shall ensure implementation of the Soil Management Plan required under Mitigation Measure 4.6.1. The Environmental Manager shall also be responsible for monitoring of site disturbance activities to include identification of potentially contaminated media. The Environmental Manager shall have the responsibility and authority to halt on-site activities should any contaminated media or potentially contaminated media be encountered during site disturbing activities. Any contaminated media or potentially contaminated media identified by the Environmental Manager shall be excavated, handled, inventoried, stockpiled, and disposed of in accordance with the approved Soil Management Plan and consistent with all applicable provisions of local, state, and federal laws and regulations.*	Environmental Manager shall be retained prior to issuance of development permits. Environmental Manager shall be present on-site during all site disturbance activities.	Applicant or successor(s) in interest, Environmental Manager, contractor(s), developer(s).	City of Ontario: Planning Department, Building Department.	
4.6.3	*Consistent with the City of Ontario requirements, prior to the issuance of building permits, all lots in potential methane areas shall be tested for the presence of methane and its*	To the satisfaction of the City, testing for methane presence shall be completed prior to issuance of building permits.	Contractor(s)/ developer(s).	City of Ontario: Planning Department, Building Department.	

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	concentration 30 days after building pads are graded and created. Measures set forth by the Ontario Methane Design Guidelines shall be implemented to the satisfaction of the City Building Department.				
4.6.4	*Prior to the issuance of grading permits, a subsurface investigation shall be completed to assess the presence or absence of soil contaminants due to the sites past agricultural use, and current dairy farming uses.*	To the satisfaction of the City, testing for soils contaminants shall be completed prior to issuance of grading permits.	Contractor(s)/ developer(s).	City of Ontario: Planning Department, Building Department.	
4.6.5	*Prior to the issuance of grading permits, the Project Applicant or successor(s) in interest shall demonstrate to the satisfaction of the City that Soil Management Plan(s) have been developed for the site and areas potentially affected by construction of off-site infrastructure. Grading plans shall include a copy of the Soil Management Plan(s).*	Soil Management Plan(s) shall be submitted to, and reviewed and approved by the City prior to issuance of grading permits.	Applicant or successor(s) in interest.	City of Ontario: Planning Department, Building Department.	
4.6.6	*Prior to the issuance of grading permits, any existing debris shall be removed. All debris, including soils that evidence surficial staining, shall be disposed of off-site, consistent with the protocols of the Soil Management Plan(s).*	Site debris shall be removed consistent with the approved Soil Management Plan(s) protocols prior to issuance of grading permits.	Contractor(s)/ developer(s).	City of Ontario: Planning Department, Building Department.	
4.6.7	*Prior to any relocation, demolition, or destructive renovation activities involving the on-site structures, the Applicant or successor(s) in interest shall submit documentation to the City that ACMs and LBP issues are not applicable to Project. Negative ACM/LBP findings shall be documented in Site/Structure Survey Report (Report) prepared by the Environmental Manager or qualified assignee. The Report shall be submitted to and approved by the City prior to the issuance of applicable relocation, demolition, renovation and/or site disturbing permit(s). If results of the Report indicate presence of ACMs and/or LBP, an action plan shall be implemented in accordance with all appropriate regulatory agency guidelines to abate any issues. Please refer to Mitigation Measure 4.6.8.*	Site/Structure Survey Report (Report) documenting absence of ACMs and LBP issues shall be submitted to, and reviewed and approved by the City prior to issuance of any permits for any relocation, demolition, or destructive renovation activities involving on-site structures. If the Report identifies presence of ACMs and/or LBP, an Action Plan addressing ACM/LBP issues shall be implemented as required under Mitigation Measure 4.6.8.	Applicant or successor(s) in interest	City of Ontario: Planning Department, Building Department.	
4.6.8	*Any confirmed and suspected ACMs or LBP shall be handled and disposed of by licensed contractors in accordance with all appropriate regulatory agency guidelines. Abatement, containment and disposal of any*	See Remarks at Mitigation Measure 4.6.7.	Contractor(s), developer(s).	City of Ontario: Planning Department, Building Department.	

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	ACMs encountered shall comply with SCAQMD Rule 1403. The removal and disposal of lead-based paint material shall be implemented in accordance with California Code of Regulations, Title 8 Section 1532.1, the Code of Federal Regulations (Title 40, Part 745, and Title 29, Part 1926), the 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 Toxic Substances Control Act (TSCA).				
4.6.9	*For the duration of off-site Project ground-disturbing activities:* • *Stained or odorous soil encountered during ground-disturbing activities shall be removed, stockpiled, and transported for disposal in accordance with local, state, and federal regulations. Soil samples shall be collected from the resulting excavation(s) to verify complete removal of any impacted soil.* • *During soils/debris removal operations, a Project Environmental Professional (Environmental Professional) shall be retained and shall be available to identify and address other issues that may arise in the course Project development. As determined necessary by the Environmental Professional, additional measures shall be employed to minimize effects of any encountered hazards. Documentation of the measures employed and resulting conditions after their application shall be documented and submitted to the Lead Agency.* • *Contractors and the Environmental Professional shall maintain ongoing observation and assessment of areas of possible contamination. Such areas would include but not be limited to: the presence of unexpected underground facilities, buried debris, stained soil or odorous soils. Should such materials be encountered, the Environmental Professional in*	Soil Management Plan(s) measures shall be on-going during off-site ground-disturbing activities.	Contractor(s), developer(s), Environmental Professional.	City of Ontario: Planning Department, Building Department.	

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	consultation with the Lead Agency shall determine the scope of investigation, analysis, and remediation warranted.				
4.6.10	*Prior to Final Project Plan approvals (including but not limited to: Site Plans, Building Plans, Landscape Plans, Utility Plans, and Roadway Plans), the Applicant or successor(s) in interest shall document compliance with applicable provisions of the City of Ontario* Chino Airport Compatibility Plan *and correlating provisions of the Merrill Commerce Center Specific Plan. Overflight Deed Notices shall be provided for any properties identified in the Compatibility Plan as subject routine aircraft overflight(s).*	Documented consistency with applicable provisions of the City of Ontario Chino Airport Compatibility Plan and correlating provisions of the Merrill Commerce Center Specific Plan. shall be submitted to, and reviewed and approved by the City, prior to Final Project Plan Approvals (Site Plans, Building Plans, Landscape Plans, Utility Plans, and Roadway Plans). Overflight Deed Notices shall be submitted to, and reviewed and approved by the City, prior to Final Project Plan Approvals (Site Plans, Building Plans, Landscape Plans, Utility Plans, and Roadway Plans)	Applicant or successor(s) in interest	City of Ontario: Planning Department, Building Department.	
4.8 Biological Resources					
~~**4.8.1**~~	~~*A qualified biologist shall conduct a pre-construction presence/absence survey for burrowing owls within 14 days prior to site disturbance. If the species is absent, no additional mitigation is required. If burrowing owl(s) is (are) detected within the Project's disturbance footprint located within the City of Chino Preserve Resource Management Plan (RMP) boundary, the owl(s) are required to be handled as indicated by the RMP:*~~ ~~*Prior to disturbance of occupied burrows (if any), suitable and unoccupied replacement burrows shall be provided at a ratio of 2:1 within the City of Chino designated relocation area (e.g., the NTS basins). A qualified biologist through coordination with the City shall confirm that the artificial burrows are currently unoccupied and suitable for use by owls.*~~ ~~*Until suitable replacement burrows have been provided/confirmed within the designated relocation area*~~				

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	~~*(e.g., the NTS basins), no disturbance shall occur within 50 meters (approximately 160 feet) of occupied burrows during the nonbreeding season (September 1 through January 31) or within 75 meters (approximately 250 feet) during the breeding season (February 1 through August 31).*~~ ~~*Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.*~~ ~~*If burrowing owls are present at the time that the occupied burrows are to be disturbed, then the owls shall be excluded from the site following the 2012 CDFG Staff Report and Table 4-6 of the RMP.*~~ ~~*Pursuant to mitigation measure B-3(8) of The Preserve EIR, and as noted on Page 4-39 of the RMP, the Project shall pay the required mitigation fee prior to initiation of ground disturbing activities.*~~				
~~**4.8.2**~~	~~*If burrowing owl(s) is (are) detected within the Project's proposed disturbance footprint outside of the RMP boundary:*~~ ~~*Prior to disturbance of the occupied burrows, suitable and unoccupied replacement burrows shall be provided at a ratio of 2:1 within designated off-site conserved lands to be identified through coordination with CDFW and the City in which the burrowing owl(s) is(are) detected (either the City of Ontario or the City of Chino). A qualified biologist shall confirm that the artificial burrows are currently unoccupied and suitable for use by owls.*~~ ~~*Until suitable replacement burrows have been provided/confirmed within the off-site conserved lands to be identified through coordination with CDFW and the City of Ontario or the City of Chino, no disturbance shall occur within 50 meters (approximately 160 feet) of occupied*~~				

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	~~*burrows during the nonbreeding season (September 1 through January 31) or within 75 meters (approximately 250 feet) during the breeding season (February 1 through August 31).*~~ ~~*Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.*~~ ~~*If burrowing owls are present at the time that the occupied burrows are to be disturbed, then the owls shall be relocated from the site following the 2012 [CDFW] Staff Report.*~~				
The following mitigation measures shall apply as the appropriate mechanism to reduce potential Project impacts to burrowing owls to levels that would be less-than-significant:					
4.8.1	***A qualified biologist shall conduct a pre-construction presence/absence survey for burrowing owls within 14 days prior to site disturbance. If the species is absent, no additional mitigation shall be required.***	Pre-construction presence/absence surveys for burrowing owls shall be completed within 14 days prior to site disturbing activities. The surveys shall be submitted to, and reviewed and approved by the City prior to site disturbing activities.	Applicant or successor(s) in interest, Project Biologist.	City of Ontario: Planning Department, Building Department.	
4.8.2	***If burrowing owl(s) is(are) detected within any location within the Project's proposed disturbance footprint:*** ***• Prior to disturbance of the occupied burrows, suitable and unoccupied replacement burrows shall be provided at a ratio of 2:1 within designated off-site conserved lands to be identified through coordination with CDFW and the City in which the burrowing owl(s) is(are) detected (either the City of Ontario or the City of Chino). A qualified biologist shall confirm that the replacement burrows are currently unoccupied and suitable for use by owls.***	Burrowing owl mitigation (if any required) shall be on-going throughout site disturbing activities.	Applicant or successor(s) in interest, Project Biologist.	City of Ontario: Planning Department, Building Department. California Department of Fish and Wildlife.	

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	Suitable replacement burrows are defined as naturally occurring small mammal burrows (such as those of California ground squirrel [Otospermophilus beecheyii]) with a burrow entrance of three inches in diameter or greater; or artificially constructed burrows meeting the specifications as described in the California Department of Fish and Game (CDFG) 1995 Staff Report on Burrowing Owl Mitigation (CDFG 1995) and/or Users Guide to Installation of Artificial Burrows for Burrowing Owls (Johnson et Al. 2010). ***• Until suitable replacement burrows as defined above have been provided/confirmed within the off-site conserved lands to be identified through coordination with CDFW and the City of Ontario or the City of Chino, no disturbance shall occur within 50 meters (approximately 160 feet) of occupied burrows during the nonbreeding season (September 1 through January 31) or within 75 meters (approximately 250 feet) during the breeding season (February 1 through August 31).*** ***• Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.***				
	• If burrowing owls are present at the time that the occupied burrows are to be disturbed, then the owls shall be excluded from the site following the 2012 CDFG Staff Report.				
4.8.3	*Vegetation clearing should be conducted outside of the nesting season (February 1 through August 31) to avoid*	If site disturbance is proposed within the timeframe February 1 – August 31, a	Contractor(s), developer(s), Project Biologist.	City of Ontario:	

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	impacts to nesting birds, including raptors. If avoidance of the nesting season is not feasible, then a qualified biologist shall conduct a nesting bird survey within three days prior to any disturbance of the site, including disking, demolition activities, and grading. If active nests are identified, the biologist shall establish suitable buffers around the nests (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), and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.	nesting bird survey shall be completed within three days of the proposed site disturbing activities. The survey shall be submitted to, and reviewed and approved by the City prior to site disturbing activities. If survey results are negative, no further action is required. If active nests are encountered, MM 4.8.3 protection/buffer/monitoring measures shall be implemented for the duration of activities in the vicinity of potentially affected nests.		Planning Department, Building Department.	
4.8.4	*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 shall 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 single roosting individual of a special-status bat species or a total of a 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 (Plan) shall be developed to ensure mortality to bats does not occur.* *For each location confirmed to be occupied by bats, the Plan shall 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*	For large ornamental trees suitable for bat roosting/nursery, MM 4.8.4 Bat Survey requirements shall be completed prior to initiation ground disturbance and vegetation removal within 300-feet of the subject tree(s). The Bat Survey shall be submitted to, and reviewed and approved by the City prior to initiation ground disturbance and vegetation removal within 300-feet of the subject tree(s). If survey results are negative, no further action is required. If survey results are positive, a Bat Management Plan shall be developed and implemented per MM 4.8.4 requirements and protocols.	Applicant or successor(s) in interest, Project Biologist.	City of Ontario: Planning Department, Building Department California Department of Fish and Wildlife.	

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	methodology needed to exclude the bats. Preliminary Plan components and performance standards are outlined below: To avoid the direct loss of bats that could result from removal of trees that may provide maternity roost habitat (e.g., in cavities or under loose bark), the following steps should be taken: *1) If trees and/or structures must be removed or disturbed as part of Project activities, a qualified bat specialist should conduct surveys to identify use of habitat by any bat species. Focused surveys using electronic detection should be used to identify general bat use and any special status bat species using any habitat proposed for removal or disturbance;* *2) Maternity season lasts from March 1 to September 30. Trees and/or structures should not be removed until the end of the maternity season;* *3) If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of year, it is preferable to push any tree down using heavy machinery rather than felling it with a chainsaw. In order to ensure the optimum warning for any roosting bats that may still be present, the tree should be pushed lightly two to three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree should then be pushed to the ground slowly and should remain in place overnight and until it is inspected by a bat specialist. Trees that are suspected to be bat roosts should not be sawed up or mulched immediately. A period of at least 24 hours, and preferably 48 hours, should elapse prior to such operations to allow bats to escape. Bats should be allowed to escape prior to demolition of buildings. This may be accomplished by placing one way exclusionary devices into areas where bats are entering a building that allow bats to exit but not enter the building;*				

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Section / MM No.	Mitigation Measure	Mitigation Timing/Remarks	Implementation Entity	Monitoring/ Reporting Entity	Date of Completion/ Initials
	4) The bat specialist should document all demolition monitoring activities, and prepare a summary report to the Lead Agency upon completion of tree disturbance and/or building demolition activities. CDFW requests copies of any reports prepared related to bat surveys (e.g., monitoring, demolition); *5) If confirmed occupied or formerly occupied bat roosting and foraging habitat is destroyed, habitat of comparable size and quality should be preserved and maintained at a nearby suitable undisturbed area. The bat habitat mitigation shall be determined by the bat specialist in consultation with CDFW;* *6) A monitoring plan should be prepared and submitted to the Lead Agency. The monitoring plan should describe proposed mitigation habitat, and include performance standards for the use of replacement roosts by the displaced species, as well as provisions to prevent harassment, predation, and disease of relocated bats; and,* *7) Annual reports detailing the success of roost replacement and bat relocation should be prepared and submitted to Lead Agency and CDFW for five years following relocation or until performance standards are met, whichever period is longer.* *The Plan shall be reviewed and approved by CDFW prior to disturbance of any roost(s).*				
4.8.5	*Prior to the issuance of any grading permits and prior to any physical disturbance of any possible jurisdictional areas, the Project Applicant or successor(s) in interest shall purchase credits from an approved mitigation bank/in-lieu fee program at a minimum of a 1:1 ratio, for a minimum of 4.15 acres (inclusive of the 2.14 acres of non-wetland Waters of*	Jurisdictional Areas impact mitigation per MM 4.8.5 shall be completed prior to issuance any grading permits and prior to any physical disturbance of any possible jurisdictional areas.	Applicant or successor(s) in interest, Project Biologist.	City of Ontario: Planning Department, Building Department California Department of Fish and Wildlife.	

Table 4.2-1: Mitigation Monitoring Program

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Section / MM No.	Mitigation Measure	Mitigation Timing/Remarks	Implementation Entity	Monitoring/ Reporting Entity	Date of Completion/ Initials
	the US) of mitigation credits, or a number of mitigation credits equal to Project impacts based on final Project design during aquatic permitting. *If an approved mitigation bank/in-lieu fee program cannot be identified to mitigate the loss of Corps, Regional Board, and CDFW jurisdiction, the Project Applicant or successor(s) in interest shall enhance, re-establish, or establish Corps, Regional Board, and CDFW jurisdictional areas on off-site conserved lands at a minimum of a 1:1 ratio, for a minimum of 4.15 acres (inclusive of the 2.14 acres of non-wetland Waters of the US) of enhancement, re-establishment, or establishment, or a number acres equal to Project impacts based on final Project design during aquatic permitting. Conservation and compensation shall conform to Conservation and Mitigation Banking Guidelines (CDFW) July 2019, to include applicable interagency (e.g., Corps, Regional Board, and USFWS) measures. See also: https://wildlife.ca.gov/Conservation/Planning/Banking/Guidelines.* *Compensatory mitigation shall be coordinated with CWA 401 and 404 permitting and CDFW 1602 Streambed Alteration Agreement acquisition to ensure efficiency and efficacy of the mitigation effort.*				
4.8.6	***Within the breeding season (May-July) prior to the onset of construction activities, a qualified biologist shall conduct pre-construction visual surveys, following U.S. Geological Survey visual survey protocol, for western pond turtles within all areas of any suitable aquatic habitat for this species (retention ponds). If Western pond turtles are observed during the pre-construction survey, the Applicant shall prepare for CDFW review and approval, a translocation plan identifying proposed protocol for trapping and***	Pre-construction visual surveys for western pond turtles shall be completed within the breeding season (May-July) prior to the onset of construction activities. If survey results are negative, no further action is required.	Applicant or successor(s) in interest, Project Biologist.	City of Ontario: Planning Department, Building Department. California Department of Fish and Wildlife.	

Table 4.2-1: Mitigation Monitoring Program

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Section / MM No.	Mitigation Measure	Mitigation Timing/Remarks	Implementation Entity	Monitoring/ Reporting Entity	Date of Completion/ Initials
	relocating turtles, including identifying potential, appropriate receiver sites to relocate western pond turtles. If no western pond turtles are observed during the pre-construction survey, then construction activities may begin. If construction is delayed or halted for more than 30 days, another pre-construction survey for western pond turtle shall be conducted. Within seven days of the pre-construction survey, a report of findings from the survey shall be submitted to the CDFW. ***During construction, a qualified biological monitor who has been approved by the CDFW to relocate western pond turtles shall be onsite to ensure that no western pond turtles are harmed. If western pond turtles are observed in the construction area at any time during construction, the onsite biological monitor shall be notified and construction in the vicinity of the sighting shall be halted until such a time as a turtle has been removed from the construction zone, and relocated by an approved biologist. If a sighting occurs during construction, the biologist shall prepare a report of the event and submit it to CDFW.***	If survey results are positive, MM 4.8.6 measures shall be implemented for the duration of activities in the vicinity of potentially affected western pond turtles.			
4.8.7	***Prior to initiation of ground-disturbing activities, including demolition, a pre-disturbance survey for tricolored blackbirds shall be conducted by a qualified biologist. The survey area shall encompass all habitat within the Project site and a 500-foot buffer supporting suitable foraging opportunities for blackbird species on the date that these activities will initiate.*** • ***If tricolored blackbirds are observed foraging, all Project-related construction activities shall avoid that portion of the Project site containing foraging***	Pre-construction presence/absence surveys for tricolored blackbirds shall be completed prior to site disturbing activities. The surveys shall be submitted to, and reviewed and approved by the City prior to site disturbing activities. If survey results are negative, no further action is required.	Applicant or successor(s) in interest, Project Biologist.	City of Ontario: Planning Department, Building Department.	

Table 4.2-1: Mitigation Monitoring Program

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Section / MM No.	Mitigation Measure	Mitigation Timing/Remarks	Implementation Entity	Monitoring/ Reporting Entity	Date of Completion/ Initials
	tricolored blackbirds, along with a 500-foot avoidance buffer, until the tricolored blackbirds have concluded their foraging activities and vacated the Project site on their own accord. The qualified biologist shall monitor the movement of the tricolored blackbirds to ensure that all Project activities occur outside of the active foraging area and associated buffer. • ***If tricolored blackbirds are not detected within the Project site during the pre-construction survey, construction activities may commence and no additional actions are needed for areas under continuous disturbance by Project activities.*** • ***The pre-construction survey shall be repeated within portions of the Project site supporting potential blackbird foraging habitat where construction has not commenced and/or where construction activities have paused and elapsed for more than thirty (30) consecutive days, and have not been rendered into a developed condition prior to that time.***	If survey results are positive, MM 4.8.7 protection/buffer/monitoring measures shall be implemented for the duration of activities in the vicinity of potentially affected tricolored blackbirds.			
4.9 Geology and Soils					
4.9.1	*Design and development of the Project shall comply with Recommendations and Grading Specifications identified within Project Geotechnical Studies, to include preparation of and conformance with design-level geotechnical studies for individual development proposals within the Project site. Where the Project Geotechnical Studies and design-level geotechnical studies are silent, requirements of the California Building Code as adopted and implemented by the City shall prevail.*	Compliance with Geotechnical Study Recommendations and Grading Specifications shall be verified prior to issuance of grading permits/building permits as applicable. Implemented Geotechnical Study Recommendations and Grading Specifications shall be verified prior to Final Grading Certification, issuance of Certificate(s) of Occupancy as applicable.	Contractor(s), developers.	City of Ontario: Planning Department, Building Department.	

Table 4.2-1: Mitigation Monitoring Program

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Section / MM No.	Mitigation Measure	Mitigation Timing/Remarks	Implementation Entity	Monitoring/ Reporting Entity	Date of Completion/ Initials
4.10 Cultural/Tribal Resources					
4.10.1	*Historical Resources mitigation for potential impacts to residences and/or dairy properties at: 8731 Eucalyptus Avenue; 8831 Eucalyptus Avenue; 8888 Eucalyptus Avenue; 14651 S. Grove Avenue; and 8643 Eucalyptus Avenue shall be provided consistent with City requirements, to include:* • *Payment of mitigation fees;* • *Provisions of as-built drawings and Historic American Buildings Survey (HABS) photo documentation; and* • *Development of Historic Context Reports for significant persons in the dairy farm industry, such as the Borba family.* *(See DEIR Section 4.10 for further mitigation details).*	Mitigation per MM 4.10.1 shall be completed prior to demolition of residences and/or dairy property facilities at: 8731 Eucalyptus Avenue; 8831 Eucalyptus Avenue; 8888 Eucalyptus Avenue; 14651 S. Grove Avenue; and 8643 Eucalyptus Avenue.	Applicant or successor(s) in interest.	City of Ontario: Planning Department, Building Department.	
4.10.2	*Archaeological, Historical, and Tribal Cultural Resources: Prior to the issuance of the first grading permit, the Applicant or successor(s) in interest shall provide a letter to the City of Ontario Building Department, or designee, from a qualified professional archeologist meeting the Secretary of Interior's Professional Qualifications for Archaeology as defined at 36 CFR Part 61, Appendix A stating that the archeologist has been retained to provide on-call services in the event archeological resources are discovered. The archeologist shall be present at the pre-grading conference to establish procedures for archeological resource surveillance. In the event a previously unrecorded archaeological deposit is encountered during construction, all activity within 50 feet of the area of discovery shall cease and the City shall be immediately notified. The archeologist shall be contacted to flag the area in the field and determine if the archaeological deposits meet the CEQA definition of historical (State CEQA Guidelines 15064.5(a)), unique archaeological*	Retainment of qualified professional archeologist (Project Archaeologist) shall be verified prior to the issuance of the first grading permit. Mitigation per MM 4.10.2 for potential impacts to archaeological, historical, and tribal cultural resources shall be on-going for the duration of site disturbing activities.	Applicant or successor(s) in interest, contractor(s), developer(s), Project Archaeologist.	City of Ontario: Planning Department, Building Department.	

Table 4.2-1: Mitigation Monitoring Program

General Note: *To facilitate coordination and effective implementation of mitigation measures, the mitigation measures provided herein shall appear on all grading plans, construction specifications, and bid documents. Incorporation of required notations shall be verified by the City prior to issuance of first development permit. Implementation Entities shall comply with listed mitigation requirements.*

Section / MM No.	Mitigation Measure	Mitigation Timing/Remarks	Implementation Entity	Monitoring/ Reporting Entity	Date of Completion/ Initials
	resource (Public Resources Code 21083.2(g)), or Tribal Cultural Resource (Public Resources Code 21074 (a)). If the find is considered a "resource" the archaeologist shall pursue either protection in place or recovery, salvage and treatment of the deposits. A qualified archaeologist and a Native American Monitor of Gabrieleño Ancestry shall evaluate all archaeological resources unearthed by Project construction activities. If the resources are Native American in origin, they shall have the opportunity to consult with the City and/or Project developer on appropriate treatment and curation of these resources. If unique archaeological resources, or Tribal Cultural Resources cannot be preserved in place or left in an undisturbed state, recovery, salvage and treatment shall be required at the Applicant or successor(s) in interest's expense. Recovery, salvage and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines 15064.5 and 15126.4. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the archaeologist. Resources shall be identified and curated into an established accredited professional repository. The archaeologist shall have a repository agreement in hand prior to initiating recovery of the resource. Excavation as a treatment option shall be restricted to those parts of the unique archaeological resource, or Tribal Cultural Resource that would be damaged or destroyed by the Project.				
4.10.3	*Native American Monitoring. Prior to commencement of any excavation activities, the Applicant or successor(s) in interest shall retain a Native American Monitor of Gabrieleño Ancestry to:* • *Conduct a Native American Indian Sensitivity Training for construction personnel. The training session shall include a handout and focus on how to identify Tribal Cultural Resources/Native American resources*	Retainment of Native American Monitor shall be verified prior to the issuance of the first grading permit. Mitigation per MM 4.10.3 for potential impacts to tribal cultural resources shall be on-going for the duration of site disturbing activities.	Applicant or successor(s) in interest, contractor(s), developer(s), Native American Monitor.	City of Ontario: Planning Department, Building Department.	

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Section / MM No.	Mitigation Measure	Mitigation Timing/Remarks	Implementation Entity	Monitoring/ Reporting Entity	Date of Completion/ Initials
	encountered during earthmoving activities and the procedures followed if resources are discovered, the duties of the Native American Monitor of Gabrieleño Ancestry, and the general steps the Monitor would follow in conducting a salvage investigation. • *Monitor all project-related, ground-disturbing construction activities (e.g., pavement removal, auguring, boring, grading, excavation, potholing, trenching, and grubbing) of previously undisturbed native soils to a maximum depth of 30 feet below ground surface. At their discretion and expense, a Native American Monitor of Gabrieleño Ancestry can be present during the removal of dairy manure to native soil.*				
4.10.4	*Native American Human Remains Prior to the start of ground disturbing activities, the project developer shall designate a location within the footprint of the Project site for the respectful reburial of Native American human remains and/or ceremonial objects. All human skeletal material discoveries shall be reported immediately to the County Coroner. The Native American Monitor shall immediately divert work a minimum of 50 feet from the discovery site and place an exclusion zone around the burial. The Native American Monitor shall notify the construction manager who shall contact the San Bernardino County Coroner. Pursuant to California Health and Safety Code, Section 7050.5, all construction activity shall be diverted while the San Bernardino County Coroner determines if the remains are Native American. If the San Bernardino County Coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the San Bernardino County Coroner. Reburial shall be in an appropriate setting. If the San Bernardino County Coroner determines the remains to be modern, the San Bernardino County Coroner shall take custody of the remains.*				

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Section / MM No.	Mitigation Measure	Mitigation Timing/Remarks	Implementation Entity	Monitoring/ Reporting Entity	Date of Completion/ Initials
	If Native American, the San Bernardino County Coroner shall notify the Native American Heritage Commission (NAHC) as mandated by state law who will then appoint a Most Likely Descendent. The discovery shall be confidential and secure to prevent further disturbance. In the case where discovered human remains cannot be documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside working hours. The Native American Tribe of Gabrieleño Ancestry shall make every effort to recommend diverting the Project and keep the remains in situ and protected. If the Project cannot be diverted, it may be determined that burials will be removed. If data recovery is approved by the Tribe, documentation shall be taken, which includes at a minimum, detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. No scientific study or the utilization of any invasive diagnostics shall be allowed to any Native American human remains. Cremations shall either be removed in bulk or means necessary to ensure complete recovery of all material. If the discovery of human remains includes four (4) or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The Project developer shall consult with the Tribe regarding avoidance of all cemetery sites. Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container onsite if possible. These items shall be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the Project site, but at a location agreed upon between the Tribe and the				

Table 4.2-1: Mitigation Monitoring Program

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Section / MM No.	Mitigation Measure	Mitigation Timing/Remarks	Implementation Entity	Monitoring/ Reporting Entity	Date of Completion/ Initials
	developer and protected in perpetuity. There shall be no publicity regarding any cultural materials recovered. Once complete, a final report of all activities shall be submitted to the NAHC.				
4.10.5	*Prior to commencement of any excavation activities, the Applicant or successor(s) in interest shall retain a Paleontological Resources Monitor (if qualified, the Project Archaeologist can also serve as the Project Paleontological Resources Monitor). Paleontological monitoring shall be conducted during all grading and trenching operations. Monitoring shall be conducted intermittently during initial cuts until the Quaternary deposits are encountered. Once Quaternary deposits are identified, paleontological monitoring shall be conducted on a full-time basis.*	Retainment of Paleontological Resources Monitor shall be verified prior to the issuance of the first grading permit. Mitigation per MM 4.10.5 for potential impacts to paleontological resources shall be on-going for the duration of site disturbing activities.	Applicant or successor(s) in interest, contractor(s), developer(s), Paleontological Resources Monitor.	City of Ontario: Planning Department, Building Department.	
4.10.6	*Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediment that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor shall be empowered to temporarily halt or divert equipment to allow for the removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if they are present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.*	Mitigation per MM 4.10.6 for potential impacts to paleontological resources shall be on-going for the duration of site disturbing activities.	Applicant or successor(s) in interest, contractor(s), developer(s), Paleontological Resources Monitor.	City of Ontario: Planning Department, Building Department.	
4.10.7	*Recovered specimens shall be prepared of to a point of identification and permanent preservation, including screen-washing sediments to recover small invertebrates and vertebrates if indicated by the results of test sampling.*	Mitigation per MM 4.10.7 for potential impacts to paleontological resources shall be on-going for the duration of Project development or as otherwise mutually agreed to by the applicant and Lead Agency.	Applicant or successor(s) in interest, Paleontological Resources Monitor.	City of Ontario: Planning Department, Building Department.	
4.10.8	*All recovered fossils shall be deposited in an accredited institution (university or museum) that maintains collections of paleontological materials. All costs of the paleontological monitoring and mitigation program,*	Mitigation per MM 4.10.8 for potential impacts to paleontological resources shall be on-going for the duration of Project development or as otherwise	Applicant or successor(s) in interest, Paleontological Resources Monitor.	City of Ontario: Planning Department, Building Department.	

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Section / MM No.	Mitigation Measure	Mitigation Timing/Remarks	Implementation Entity	Monitoring/ Reporting Entity	Date of Completion/ Initials
	including any one-time charges by the receiving institution, shall be the responsibility of the developer(s).	mutually agreed to by the applicant and Lead Agency.			
4.10.9	*At the conclusion of monitoring activities at a given location, the paleontological monitor shall prepare a Final Mitigation and Monitoring Report (Final Report). The Report shall identify findings and significance of findings, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). A letter documenting receipt and acceptance of all fossil collections by the receiving institution shall be included in the Final Report. The Final Report, when submitted to and accepted by the Lead Agency (City of Ontario), shall signify satisfactory completion of mitigation of potential impacts to paleontological resources.*	Final Mitigation and Monitoring Report per MM 4.10.9 shall be completed and submitted to the City within 60 days of completion of grading, excavation and ground-disturbing activities at affected locations.	Paleontological Resources Monitor.	City of Ontario: Planning Department, Building Department.	

ATTACHMENT A



View of truck service building and office.



View of truck washing area.



View of three-chamber clarifier in truck washing area.



View of paper product storage by shelter.



View of paper product loading area by shelter.



View of unpaved truck parking area.

Source: Partner Engineering and Science, Inc.; AECOM; Applied Planning, Inc.

Figure 3.2-2
Site Photographs



View of former dairy structure.



View of fenced cattle pasture.



View of stormwater drainage swale.



View of wastewater leachfield.



View of wastewater lagoon.



View of 35-gallon drum of iodine and associated leaking.

Source: Partner Engineering and Science, Inc.; AECOM; Applied Planning, Inc.

Figure 3.2-3
Site Photographs



View of scrap storage
(vehicles, scrap wash water treatment drums).



View of scrap storage.



View of scrap storage.



View of beef ranch area.



View of pallet company.



View of manure piles (mixed with clean sand).

Source: Partner Engineering and Science, Inc.; AECOM; Applied Planning, Inc.

Figure 3.2-4
Site Photographs



View of a typical calf corral.



View of the milk bottle and other milking equipment cleaning area located in the calf milk barn.



View of maintenance shop.



View of 10,000-gallon and three 1,000-gallon diesel ASTs for fueling.



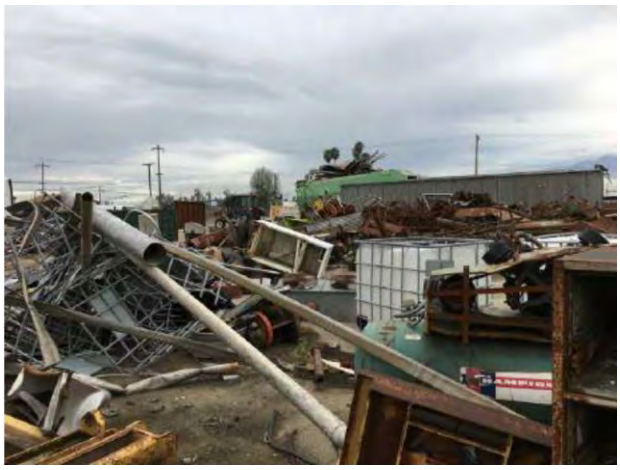
View of fuel pump for the 10,000-gallon diesel AST with staining around the base.



View of typical feed silos.

Source: Partner Engineering and Science, Inc.; AECOM; Applied Planning, Inc.

Figure 3.2-5
Site Photographs



View of scrap metal storage.



View of old equipment located in the scrap metal yard.



View of several empty 55-gallon drums.



View of vehicle/equipment staging for parts.



View of the interior of an abandoned milk barn.



View of the detention ponds.

Source: Partner Engineering and Science, Inc.; AECOM; Applied Planning, Inc.

Figure 3.2-6
Site Photographs

ATTACHMENT B

TABLE 1. DEVELOPMENT THAT HAS, OR WILL, OCCUR(RED) WITHIN THE ONTARIO RANCH AND THE ESTIMATED MITIGATION FEES THAT HAS/WILL BE COLLECTED

DEVELOPMENT	YEAR DEVELOPED	ESTIMATED MITIGATION FEE PAID TO DATE ($)	CEQA ANTICIPATED TOTAL ACREAGE IMPACTED (AC) SQ FT (SF)	ESTIMATED TOTAL MITIGATION FEE ($)
Edenglen	2007 - W portion (~86 ac) 2016/17 - SE Corner (~32 ac) Total 118 ac	2007 371,520 2016/17 138,240 Total: 509,760	160 ac 217,520 s.f. commercial 550,000 s.f. business park	691,200
Countyside	2016 NW portion (~9 acres) 2018 NE portion (~7 acres) Total: 16 ac	2016: 38,880 2018: 30,240 Total: 69,120	178 ac	752,940
Rich Haven	N/A Total: 0 ac	0	510 ac 1,553 single family units 2,703 multi-family units 889,200 s.f. commercial	2,157,300
West Haven	2014 - SW portion (~29 ac)	2014: 125,280	199 ac 753 single family units 87,000 s.f. commercial	841,770
The Avenue	2014 - E portion (149 ac); 2018 - Central E (110 ac); 2019 - Central E (37 ac) Total: 296 ac	2014: 643,680 2018:475,200 2019: 159,840 Total: 1,278,720	569 ac 2,606 residential units 250,000 s f of retail space	2,406,870
Parkside	N/A Total: 0 ac	0	250 ac 115,000 s.f. commercial	1,057,500
Grand Park	2017 - Middle E portion (~44 ac)	2017: 190,080	320 ac	1,353,600
The Lakes	N/A Total: 0 ac	0	N/A	N/A
Esperanza	2018 - S portion (~128 ac)	2018:552,960	233 ac	1,006,560
Subarea 29	2013 - SW portion (~91 ac); 2016 - Middle W Section (~49 ac); 2017 - N portion in (~210 ac); 2020 - SE corner (~61 ac) Total: 411 ac	2013: 393,120 2016: 211,680 2017: 907,200 2020: 263,520 Total: 1,775,520	539 ac 2,392 single family units 87,000 s.f. commercial	1,080,000
Subarea 29 Amendment	N/A Total: 0 ac	0	25 ac	112,320
Armstrong Ranch	N/A Total: 0 ac	0	199 ac	859,680
Colony Commerce Center	2018/19 - Entire parcel # 13 (~114 ac) 2019/20 - Entire parcel #14 (~90 ac)	2018/19: 492,480 2019/20: 388,800 Total: 881,280	123 ac 2,951,146 s.f. industrial	531,360

West Ontario Commerce Center	2018 /19 - Entire parcel (135 ac)	2018 /19: $583,200	135 ac	583,200
N/A	2016 - Entire parcel (44 acres)	2016: 168,480	44 ac	190,080

TABLE 2. DEVELOPMENT THAT HAS, OR WILL, OCCUR(RED) WITHIN THE PRESERVE AND THE ESTIMATED MITIGATION FEES THAT HAS/WILL BE COLLECTED

DEVELOPMENT	YEAR DEVELOPED	ACRES	TOTAL ESTIMATED MITIGATION FEE ($)
Falloncrest	Unknown	125	699,500
Mayhew Right of Way Project	Unknown	17	95,132
Edgewater (Rancho Miramonte)	Unknown	273	1,527,708
Watson Industrial Phase III	Unknown	49	274,204
Bouma Property Tentative Tract Map 20008	Unknown	21	117,516
Euclid Commerce Center	Unknown	5	27,980
Chino Parcel Delivery Facility	Unknown	74	414,104
Altitude Business Centre	Unknown	73	408,508
TT 18858	Unknown	19	106,324
Arrieta at the Preserve (Tract 17612)	2007	11	61,566
Watson Chino East Phase I	2016	80	447,680
Watson Industrial Phase II	2016	83	464,468
Kimball Bickmore Basins	2004	34	190,264
Amelia at the Preserve (Stark Property)	2016	19	106,324
Kimball Business Park	2017	74	414,104
Harvest	2017	73	408,508
Flores Retail Site, Block 4 Development	2017	346	1,936,216
Palisades at the Preserve (Westra Property)	2014	20	106,324
Secret Garden at the Preserve (Wassenaar Property) KB Homes	2004	16	95,132
Sonata at the Preserve (Tracts 17610 and 17611)	2007	17	414,104
Homecoming at the Preserve	2013	52	699,500

Birchwood and Greenbiar	2012	35	1,527,708
Laurel Lane at the Preserve	2017	6	274,204
Enchanted Forest at the Preserve	2006	9	408,508
Shady Lane at the Preserve	2007	13	117,516
Mulberry Cottage at the Preserve	2008	25	1,936,216
Agave at the Preserve	2006	18	27,980
Teetherwinds at the Preserve	2007	80	414,104
Sea Country Cottages at the Preserve	2007	17	408,508
Jasmine Park and Willow Lane at the Preserve	2007	22	106,324
Candlewood at the Preserve	2010	10	61,566
Garden Glen at the Preserve	2004	7	447,680
Ten Bloom Road at the Preserve	2005	11	464,468
Iris at the Preserve	2004	8	190,264
Canterbury Grove	2004	16	67,152
Unknown	2006	14	89,536
Unknown	2007	40	95,132
Unknown	2016	10	290,992
Unknown	2007	8	195,860
Unknown	2008	13	33,576
Unknown	2007	13	50,364

TABLE 3. DEVELOPMENT WITHIN THE ONTARIO RANCH AND BURROWING OWLS IMPACTED.

DEVELOPMENT			ENVIRONMENTAL DOCUMENTS																
			CEQA				Biological Survey					CNDDB/BIOS			EBird			TOTAL ESTIMATE OWL #s	
MAP ID	DEVELOPMENT	ACRES	ENVIRONMENTAL DOCUMENT	DATE	ENVIRONMENTAL DOCUMENT BURROWING OWL FINDINGS	BURROWING OWL AVOIDANCE/ MITIGATION REQUIREMENT	SPECIFIC BUOW SURVEY	SURVEYOR/ SURVEY YEAR	BURROWING OWL SURVEY RESULTS	REPORT RECEIVED	MAP SYMBOL	SURVEY YEAR	BURROWING OWL SURVEY RESULTS	MAP SYMBOL/ SOURCE	SURVEY YEAR	BURROWING OWL SURVEY RESULTS	Ebird MAP SYMBOL/ SOURCE	Adults	Juveniles
1	Edenglen	160	Specific Plan Final EIR (2004051108)	July 2005	Recon survey – Suitable habitat	Mitigation fees; precon surveys; passive relocation	Unknown	Unknown	Unknown	Unknown	Unknown	March 2011	2 owls at burrow	★1	Unknown	Unknown	Unknown	2	0
2	Countryside	178	Specific Plan Final EIR (2004071001	March 2006	Unknown	Mitigation fees; consult with CDFW personnel for offsite mitigation areas, whether land purchased by fee or under conservation easement, passive relocation	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	0	0
3	Rich Haven	510	Draft EIR State 2006-051081	July 2007	Burrowing owl survey included in CEQA	Mitigation fees; Focused surveys; precon surveys;; Develop a mitigation plan to compensate for the loss of burrowing owl occupied habitat.	Focused biological surveys	Bonterra August 2005 and Nov 2005	5 burrows were found on site. 6 adult and 4 juvenile owls were observed.	No	Unknown	2010	Up to 15 detectons of owls, 5 occupied burrows, & 1 pair with 2 young	★2	Unknown	Unknown	Unknown	14	2
4	West Haven	199	Specific Plan Final EIR (2004071095)	2005	Unknown	Mitigation fees	Unknown	Unknown	Unknown	Unknown	Unknown	July 2011	9 detections of owls; 2 nest sites recorded during construction monitoring Dec 2010 - July 2011	★ 3	Sep 2014	Unknown	Unknown	4	0
5	The Avenue	569	SEIR	Oct 2008	Unknown	Precon surveys; mitigation fee	Unknown	Unknown	Unknown	Unknown	Unknown	C-2006 thru 201 D - June 2005	C- Breeding colony with 4 pairs and numerous juveniles	★4 ★5	Sept 2014 April 2011	7 - A burrow with 2 adults and 2 juveniles. Other with 1 adult and 1 juvenile	▲1 ▲2	8	3

													D 4 Owls with nesting burrow and 2 other active owls						
6	Parkside	250	EIR Specific Plan (2004011008)	July 2006	Habitat assessment included - presence of foraging habitat and previous records of presence	Mitigation fees; precon surveys; passive relocation	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	0	0
7	Grand Park	320	EIR (2012061057)	Aug 2013	Habitat assessment included - Suitable habitat occurs and owls have been recorded as occurring adj to the site. Owls have been observed during by AMEC in 2003, 2006, and 2007.	Focused surveys; Mitigation fees	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	April 2011	1 owl	▲3	1	0
8	The Lakes	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	April 2012 2013	2 owls	▲4	2	0
9	Esperanza	233	FEIR (2002061047)	Dec 2006	Habitat Assessment included 0wls were recorded (L&L Environmental 2001), but were not recorded 2002, 2003, or 2005 surveys	Mitigation fees; precon surveys; passive relocation	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	0	0
10	Subarea 29	539	Subarea 29 (Hettinga) Specific Plan (2004011009)	June 2006	Habitat Assessment included - No burrows were observed on site, but this species may forage on site and nest in adjacent areas.	Precon survey; Mitigation fees	Unknown	Unknown	Unknown	Unknown	Unknown	F – June 2006 G – June 2006	2 adults Male observed repeatedly on different days; judging by the season and behavior, a female was assumed in the burrow	★6 ★7	Unknown	Unknown	Unknown	4	0

11	Subarea 29 Amendment	25	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	0	0
12	Armstrong	199	Specific Plan DEIR	Sept 2016	Focused survey results included in CEQA	Precon surveys Focused breeding surveys within PA's 1, 6A, 6B or 7 Passive relocation	Focused surveys	GLA/2014 and 2015	None	Unknown	Unknown	Unknown	Unknown	Unknown	July 2009	2 owls	▲5	2	0
13	Colony Commerce Center	123	DEIR (2015061023)	2016	CEQA included focused survey	No mitigation measures proposed	Focused Survey	PCR/2015	None	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	0	0
14	Colony Commerce Center East	123	DEIR (2015061023)	2016	Focused survey results included in CEQA	No mitigation measures proposed	Focused Survey	ESA/2017	None	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	0	0
15	West Ontario Commerce Center	134.5	Unknown	Unknown	Unknown	Unknown	Focused Survey	Ecological Sciences/ 2015,2016, 2017 Hernadez Consulting/2019	None Multiple Burrows with 1 BUOW	Yes (GLA) Yes	Unknown	● 1	Unknown	Unknown	Unknown	Unknown	Unknown	1	0
																	Subtotal	38	5

Notes: No development has occurred (as of when this table was created). No burrowing owl survey reports have been submitted. Each development should have a biological assessment, along with updated focused burrowing owl breeding surveys, and preconstruction burrowing owl surveys. The focused breeding /preconstruction burrowing owl surveys should be conducted by a qualified biologist with results submitted to the City of Chino (CEQA Lead) and CDFW (CEQA Trustee and Responsible Agency) before the commencement of project related activities.

TABLE 4. DEVELOPMENT WITHIN THE PRESERVE AND BURROWING OWLS IMPACTED.

DEVELOPMENT			ENVIRONMENTAL DOCUMENTS																	
			CEQA				Biological Surveys						CNDDB/BIOS			EBird			TOTAL ESTIMATE BURROWI OWL #S	
MAP ID	DEVELOPMENT	ACRES	ENVIRONMENTAL DOCUMENT	DATE	ENVIRONMENTAL DOCUMENT BURROWING OWL FINDINGS	BURROWING OWL AVOIDANCE/ MITIGATION REQUIREMENT	SPECIFIC BUOW SURVEY	SURVEYOR/ SURVEY YEAR	BURROWING OWL SURVEY RESULTS	REPORT RECEIVED (CITY/GLA June 2018)	BURROWING OWL OCCURENCES	MAP SYMBOL	SURVEY YEAR	BURROWING OWL SURVEY RESULTS	MAP SYMBOL/ SOURCE	SURVEY YEAR	BURROWING OWL OCCURENCES	MAP SYMBOL/ SOURCE	Adults	
1	Falloncrest	125	Falloncrest EIR [Biological Assessment]	Oct 2013	BUOW present	Mitigation Fee; Passive relocation	Focused Surveys, Updated Survey	2011 2013	2013 - 2 pairs	Yes (City Website)	Pair Pair	● 1 ● 2	6/2006	Pair 2 Adults	★ 2 ★ 3	Unknown	Unknown	Unknown	4	
2	Mayhew Right of Way Project	17	Unknown	Unknown	Unknown	Unknown	Pre-Con	Jason Berkley/ 2017	None	Yes	Unknown	Unknown	Unknown	Pair with 7 Juveniles	★ 4	July 2004_	2 Owls	▲ 1	2	
4	Watson Industrial Phase III	49	Watson Industrial Park EIR [Biological Resources]	March 2015	Suitable habitat	Preconstruction Survey; Passive Relocation	Pre-Con	2017	None	Yes (GLA Sent)	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	0	
																191 acres		Subtotal	6	
Notes: No development has occurred (as of when this table was created). Various burrowing owl survey reports have been submitted. Each development should have a biological assessment, along with updated focused burrowing owl breeding surveys, and preconstruction burrowing owl surveys. T focused breeding /preconstruction burrowing owl surveys should be conducted by a qualified biologist with results submitted to the City of Chino (CEQA Lead) and CDFW (CEQA Trustee and Responsible Agency) before the commencement of project related activities.																				
5	Bouma Property Tentative Tract Map 20008	21	Preserve Chino Sphere of Influence – Subarea 2 Final EIR Addendum [Biological Assessment]	Sept 2017	2 occupied burrows and another with sign	Mitigation Fee; Passive relocation	Unknown	Unknown	Unknown	No	I- Single J- Single K-Single	● 9 ● 10 ● 11	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	3	
6	Euclid Commerce Center	5	Euclid Commerce Center EIR [Habitat Assessment]	Feb 2017	Suitable habitat	PreconSurvey; Passive relocation	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	March 2012	1 Owl	▲ 2	1	

7	Chino Parcel Delivery Facility	74	Chino Parcel Facility Initial Study	Sept 2017	Potential to contain species identified as a candidate, sensitive or special status species.	The results of a biological resources assessment(s) shall be disclosed and evaluated in the required EIR.	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	0	
8	Altitude Business Centre	73	Altitude Business Center Initial Study	May 2017	Potential to contain spp identified as candidate, sensitive or special status.	The results of a biological resources assessment(s) shall be disclosed and evaluated in the required EIR.	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	0	
9	TT 18858	19	Preserve Chino Sphere of Influence – Subarea 2 Final EIR Addendum [Helix - General Resource Assessment]	June 2017	Does not meet the minimum habitat requirements BUOW. The adjacent property has low potential to be used by BUOW.	BUOW precon survey only needed	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	0	
																	538 acres	Subtotal	4

Notes: No development has occurred (as of when this table was created). No burrowing owl survey reports have been submitted. Each development should have a biological assessment, along with updated focused burrowing owl breeding surveys, and preconstruction burrowing owl surveys. The focused breeding /preconstruction burrowing owl surveys should be conducted by a qualified biologist with results submitted to the City of Chino (CEQA Lead) and CDFW (CEQA Trustee and Responsible Agency) before the commencement of project related activities.

10	Arrieta at the Preserve (Tract 17612)	11	Preserve Chino Sphere of Influence – Subarea 2 Final EIR	Unknown	Unknown	Passive Relocation	Focused Survey/ Precon/ Exclusion (Helix)	Helix/ 2013	1 pair with chicks	Yes (GLA)	Pair	●12	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	2
11	Watson Chino East Phase I	80	Watson Industrial Park EIR [Biological Resources]	March 2015	Suitable habitat	PreconSurvey; Passive Relocation	Focused Surveys/ Pre-Con	GLA/ 2011 2012 2017	2011 - Family group with 2 juveniles and 2 occupied burrows 2012- None 2017 – Single	Yes (GLA Sent)	Pair with 2 Juvemiles	●13	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	4
12	Watson Industrial Phase II	83	Watson Industrial Park EIR [Biological Resources]	March 2015	Suitable habitat	Precon Survey; Passive Relocation	Pre-Con	GLA/ 2016 2017	2016 – None 2017 - 2 singles	Yes (GLA Sent)	Single Single	●14 ●15	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	2
13	Kimball Bickmore Basins	8	Preserve Chino Sphere of Influence – Subarea 2 Final EIR	UNKNOWN	UNKNOWN	UNKNOWN	Chino NTS Long-Term Burrowing Owl Mgmt Plan (GLA 2016)	GLA/ 2006 2007 2008 2016	2006 – 53 artificial burrows with 4 pairs 2007 – 10 pairs 2010 – 4 Pairs	Yes (LTA)/ No Pre/Post Construction Burrowing Owl Surveys	Pair Pair Pair Pair	●16 ●17 ●18 ●19	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	8
14	Amelia at the Preserve (Stark Property)	19	Unknown	Unknown	Unknown	Unknown	Pre-Con	GLA/ 2015	None	Yes	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	0
15	Kimball Business Park	74	Kimball Business Park EIR (Not found)	July 2016	Unknown	Unknown	Pre-Con	Noreas/ 2016 2017	None	Yes	N /A	N /A	06/2006	Pair with 1 Juvenile	★1	N /A	N /A	N /A	2
16	Harvest	73	Addendum to Preserve Chino Sphere of Influence –	April 2014	Limited potential to support special-status species	Mitigation Fee; Precon Survey; Passive relocation	Pre-Con	GLA/ 2015	None	Yes (GLA sent)	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	0

			Subarea 2 Final EIR [Habitat Assessment]		due to a general lack of suitable habitat because of the disturbed nature of the site.															
17	Flores Retail Site, Block 4 Development	346	Preserve Chino Sphere of Influence – Subarea 2 Final EIR [Habitat Assessment]	April 2016		Precon Survey; Passive relocation	Pre-Con	2017	None	No	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	0	
																		694 acres	Subtotal	18

Notes: Development has occurred. Various burrowing owl survey reports have been submitted. Each development should have a biological assessment, focused burrowing owl breeding surveys, and preconstruction burrowing owl surveys and all should be submitted to CDFW (CEQA Trustee and Responsible Agency).

1	Palisades at the Preserve (Westra Property)	20	Unknown	Unknown	Unknown	Unknown	Pre-Con	Helix 2013	May 2013- Pair	Yes	Pair	●20	May 2006	Pair	★12	Unknown	Unknown	Unknown	2	
2	Secret Garden at the Preserve (Wassenaar Property) KB Homes	16	Unknown	Unknown	Unknown	Passive Relocation	Focused Surveys/ Exclusion	2003	1-2 pairs. Max 12 owls. 7 owls at time of exclusion. 10 occupied burrows. 20 artificial burrows total created at Bettencourt & Vander Sys prop that became the Chino NTS basins	No	Pair Pair	●21 ●22	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	4	
3	Sonata at the Preserve (Tracts 17610 and 17611)	17	Unknown	Unknown	Unknown	Unknown	Site Visit/ Exclusion	2010	2 pairs initially detected. Owl seen at time of exclusion. 3 occupied burrows	No	-Pair Pair	●23 ●24	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	4	
4	Homecoming at the Preserve	52	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	
5	Birchwood and Greenbiar	35	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	No	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	
6	Laurel Lane at the Preserve	6	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	No	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	
7	Enchanted Forest at the Preserve	9	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	No	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	
8	Shady Lane at the Preserve	13	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	
9	Mulberry Cottage at the Preserve	25	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	
10	Agave at the Preserve	18	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	April 2008	2 Pairs	▲	4	

																		3	
11	Teetherwinds at the Preserve	80	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	UNKNOWN
12	Sea Country Cottages at the Preserve	17	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
13	Jasmine Park and Willow Lane at the Preserve	22	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
14	Candlewood at the Preserve	10	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
15	Garden Glen at the Preserve	7	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
16	Ten Bloom Road at the Preserve	11	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
17	Iris at the Preserve	8	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
18	Canterbury Grove	16	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
19	?	14	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
20	?	40	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
21	?	10	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
22	?	8	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
23	?	13	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
24	?	13	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	No	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
																	480 acres	Subtotal	14

Notes: Development has occurred. Burrowing owl reports have yet to be submitted. The biological assessment, focused burrowing owl breeding surveys, and preconstruction burrowing owl surveys should be submitted to CDFW (CEQA Trustee and Responsible Agency).

FIGURE 1. PORTIONS OF THE PROJECT WITHIN THE ONTARIO RANCH AND PRESERVE



FIGURE 2. DEVELOPMENT THAT HAS, OR WILL, OCCUR(RED) WITHIN THE ONTARIO RANCH AND PRESERVE.

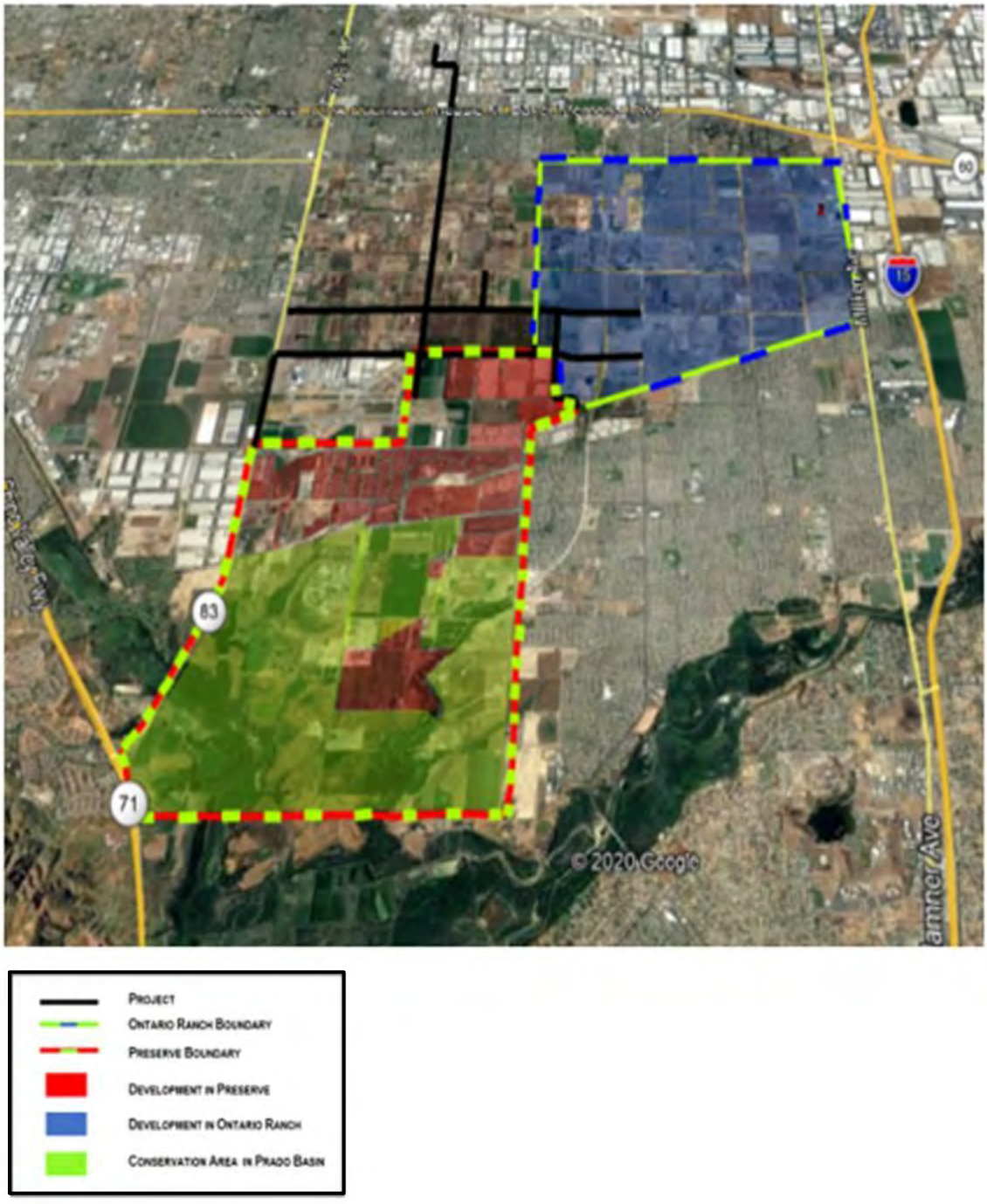
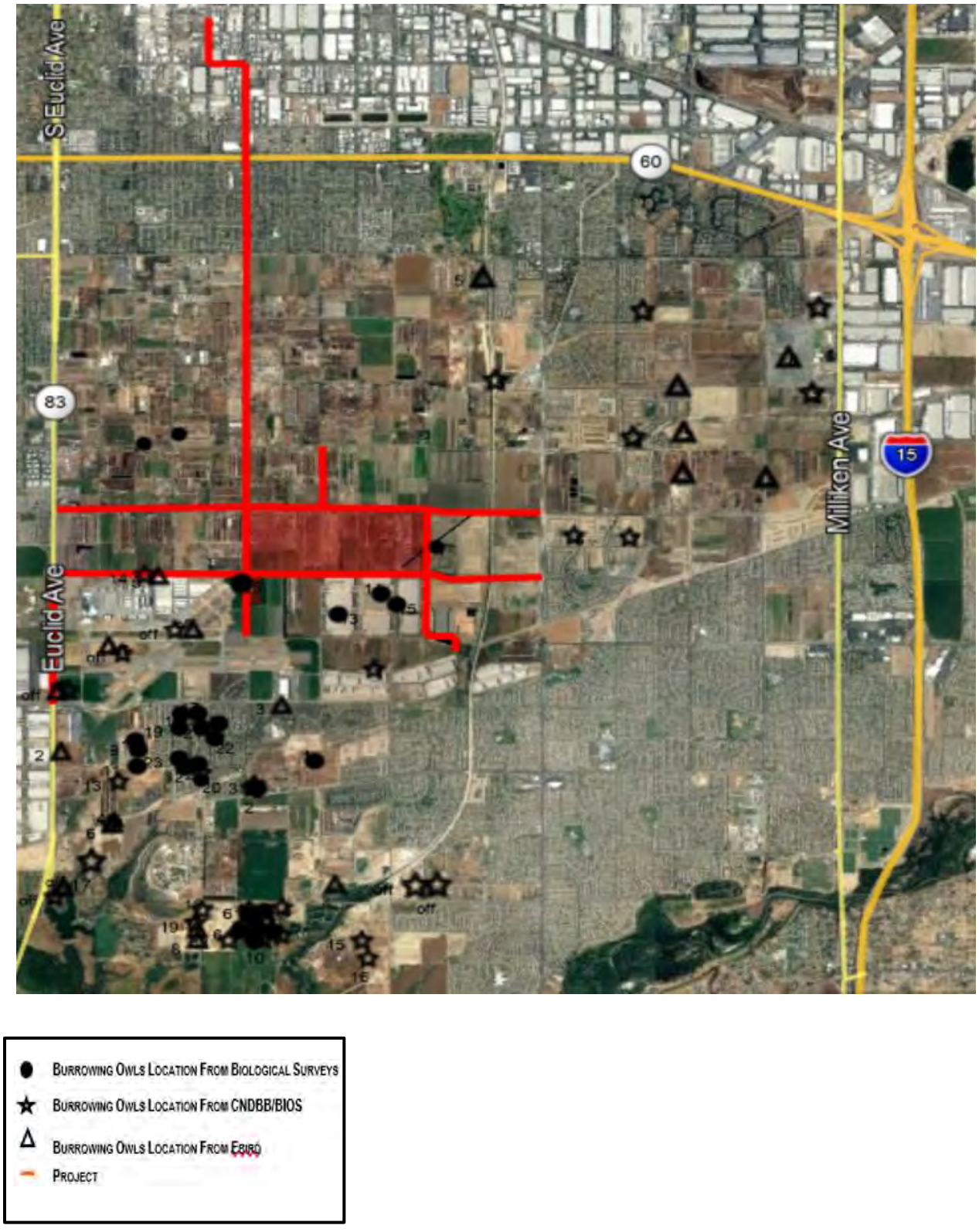


FIGURE 3. BURROWING OWL OCCURRENCES SURROUNDING THE PROJECT



ATTACHMENT C

12004 Soil Export

San Bernardino-South Coast County, Summer

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
User Defined Industrial	1.00	User Defined Unit	0.00	0.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	32
Climate Zone	10			**Operational Year**	2022
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	702.44	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use -

Construction Phase - Hauling

Off-road Equipment - Hauling

Grading -

Trips and VMT -

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	0.00	1.00
tblConstructionPhase	PhaseEndDate	11/30/2020	12/1/2020
tblGrading	MaterialExported	0.00	500.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	2.00	0.00
tblTripsAndVMT	HaulingTripNumber	63.00	62.00

2.0 Emissions Summary

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2020	0.3852	15.2730	2.2538	0.0486	1.1416	0.0455	1.1871	0.3061	0.0435	0.3496	0.0000	5,162.7902	5,162.7902	0.2786	0.0000	5,169.7556
Maximum	**0.3852**	**15.2730**	**2.2538**	**0.0486**	**1.1416**	**0.0455**	**1.1871**	**0.3061**	**0.0435**	**0.3496**	**0.0000**	**5,162.7902**	**5,162.7902**	**0.2786**	**0.0000**	**5,169.7556**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2020	0.3852	15.2730	2.2538	0.0486	1.1416	0.0455	1.1871	0.3061	0.0435	0.3496	0.0000	5,162.7902	5,162.7902	0.2786	0.0000	5,169.7556
Maximum	**0.3852**	**15.2730**	**2.2538**	**0.0486**	**1.1416**	**0.0455**	**1.1871**	**0.3061**	**0.0435**	**0.3496**	**0.0000**	**5,162.7902**	**5,162.7902**	**0.2786**	**0.0000**	**5,169.7556**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	1.0000e-005	0.0000	1.0000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		2.2000e-004	2.2000e-004	0.0000		2.3000e-004
Energy	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Mobile	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Total	**1.0000e-005**	**0.0000**	**1.0000e-004**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**		**2.2000e-004**	**2.2000e-004**	**0.0000**	**0.0000**	**2.3000e-004**

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	1.0000e-005	0.0000	1.0000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		2.2000e-004	2.2000e-004	0.0000		2.3000e-004
Energy	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Mobile	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Total	**1.0000e-005**	**0.0000**	**1.0000e-004**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**		**2.2000e-004**	**2.2000e-004**	**0.0000**	**0.0000**	**2.3000e-004**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Grading	Grading	12/1/2020	12/1/2020	5	1	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 0

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Grading	Concrete/Industrial Saws	0	8.00	81	0.73
Grading	Rubber Tired Dozers	0	1.00	247	0.40
Grading	Tractors/Loaders/Backhoes	0	6.00	97	0.37

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Grading	0	0.00	0.00	62.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Grading - 2020

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.0565	0.0000	0.0565	8.5600e-003	0.0000	8.5600e-003			0.0000			0.0000
Off-Road	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Total	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0565**	**0.0000**	**0.0565**	**8.5600e-003**	**0.0000**	**8.5600e-003**		**0.0000**	**0.0000**	**0.0000**		**0.0000**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.3852	15.2730	2.2538	0.0486	1.0851	0.0455	1.1306	0.2975	0.0435	0.3410		5,162.7902	5,162.7902	0.2786		5,169.7556
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Total	**0.3852**	**15.2730**	**2.2538**	**0.0486**	**1.0851**	**0.0455**	**1.1306**	**0.2975**	**0.0435**	**0.3410**		**5,162.7902**	**5,162.7902**	**0.2786**		**5,169.7556**

3.2 Grading - 2020

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.0565	0.0000	0.0565	8.5600e-003	0.0000	8.5600e-003			0.0000			0.0000
Off-Road	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000
Total	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0565**	**0.0000**	**0.0565**	**8.5600e-003**	**0.0000**	**8.5600e-003**	**0.0000**	**0.0000**	**0.0000**	**0.0000**		**0.0000**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.3852	15.2730	2.2538	0.0486	1.0851	0.0455	1.1306	0.2975	0.0435	0.3410		5,162.7902	5,162.7902	0.2786		5,169.7556
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Total	**0.3852**	**15.2730**	**2.2538**	**0.0486**	**1.0851**	**0.0455**	**1.1306**	**0.2975**	**0.0435**	**0.3410**		**5,162.7902**	**5,162.7902**	**0.2786**		**5,169.7556**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Unmitigated	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
User Defined Industrial	0.00	0.00	0.00		
Total	0.00	0.00	0.00		

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
User Defined Industrial	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
User Defined Industrial	0.553113	0.036408	0.180286	0.116335	0.016165	0.005101	0.018218	0.063797	0.001357	0.001565	0.005903	0.000808	0.000944

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
NaturalGas Unmitigated	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	1.0000e-005	0.0000	1.0000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		2.2000e-004	2.2000e-004	0.0000		2.3000e-004
Unmitigated	1.0000e-005	0.0000	1.0000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		2.2000e-004	2.2000e-004	0.0000		2.3000e-004

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	1.0000e-005	0.0000	1.0000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		2.2000e-004	2.2000e-004	0.0000		2.3000e-004
Total	**1.0000e-005**	**0.0000**	**1.0000e-004**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**		**2.2000e-004**	**2.2000e-004**	**0.0000**		**2.3000e-004**

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	1.0000e-005	0.0000	1.0000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		2.2000e-004	2.2000e-004	0.0000		2.3000e-004
Total	**1.0000e-005**	**0.0000**	**1.0000e-004**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**		**2.2000e-004**	**2.2000e-004**	**0.0000**		**2.3000e-004**

7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

12004 Soil Export

San Bernardino-South Coast County, Winter

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
User Defined Industrial	1.00	User Defined Unit	0.00	0.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	32
Climate Zone	10			**Operational Year**	2022
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	702.44	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use -

Construction Phase - Hauling

Off-road Equipment - Hauling

Grading -

Trips and VMT -

12004 Soil Export - San Bernardino-South Coast County, Winter

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	0.00	1.00
tblConstructionPhase	PhaseEndDate	11/30/2020	12/1/2020
tblGrading	MaterialExported	0.00	500.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	2.00	0.00
tblTripsAndVMT	HaulingTripNumber	63.00	62.00

2.0 Emissions Summary

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2020	0.4026	15.3541	2.5786	0.0474	1.1416	0.0461	1.1877	0.3061	0.0441	0.3502	0.0000	5,028.1736	5,028.1736	0.3023	0.0000	5,035.7321
Maximum	**0.4026**	**15.3541**	**2.5786**	**0.0474**	**1.1416**	**0.0461**	**1.1877**	**0.3061**	**0.0441**	**0.3502**	**0.0000**	**5,028.1736**	**5,028.1736**	**0.3023**	**0.0000**	**5,035.7321**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2020	0.4026	15.3541	2.5786	0.0474	1.1416	0.0461	1.1877	0.3061	0.0441	0.3502	0.0000	5,028.1736	5,028.1736	0.3023	0.0000	5,035.7321
Maximum	**0.4026**	**15.3541**	**2.5786**	**0.0474**	**1.1416**	**0.0461**	**1.1877**	**0.3061**	**0.0441**	**0.3502**	**0.0000**	**5,028.1736**	**5,028.1736**	**0.3023**	**0.0000**	**5,035.7321**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	1.0000e-005	0.0000	1.0000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		2.2000e-004	2.2000e-004	0.0000		2.3000e-004
Energy	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Mobile	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Total	**1.0000e-005**	**0.0000**	**1.0000e-004**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**		**2.2000e-004**	**2.2000e-004**	**0.0000**	**0.0000**	**2.3000e-004**

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	1.0000e-005	0.0000	1.0000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		2.2000e-004	2.2000e-004	0.0000		2.3000e-004
Energy	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Mobile	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Total	**1.0000e-005**	**0.0000**	**1.0000e-004**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**		**2.2000e-004**	**2.2000e-004**	**0.0000**	**0.0000**	**2.3000e-004**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Grading	Grading	12/1/2020	12/1/2020	5	1	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 0

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Grading	Concrete/Industrial Saws	0	8.00	81	0.73
Grading	Rubber Tired Dozers	0	1.00	247	0.40
Grading	Tractors/Loaders/Backhoes	0	6.00	97	0.37

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Grading	0	0.00	0.00	62.00	14.70	6.90	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Grading - 2020

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.0565	0.0000	0.0565	8.5600e-003	0.0000	8.5600e-003			0.0000			0.0000
Off-Road	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Total	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0565**	**0.0000**	**0.0565**	**8.5600e-003**	**0.0000**	**8.5600e-003**		**0.0000**	**0.0000**	**0.0000**		**0.0000**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.4026	15.3541	2.5786	0.0474	1.0851	0.0461	1.1312	0.2975	0.0441	0.3416		5,028.1736	5,028.1736	0.3023		5,035.7321
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Total	**0.4026**	**15.3541**	**2.5786**	**0.0474**	**1.0851**	**0.0461**	**1.1312**	**0.2975**	**0.0441**	**0.3416**		**5,028.1736**	**5,028.1736**	**0.3023**		**5,035.7321**

3.2 Grading - 2020

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.0565	0.0000	0.0565	8.5600e-003	0.0000	8.5600e-003			0.0000			0.0000
Off-Road	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000
Total	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0565**	**0.0000**	**0.0565**	**8.5600e-003**	**0.0000**	**8.5600e-003**	**0.0000**	**0.0000**	**0.0000**	**0.0000**		**0.0000**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.4026	15.3541	2.5786	0.0474	1.0851	0.0461	1.1312	0.2975	0.0441	0.3416		5,028.1736	5,028.1736	0.3023		5,035.7321
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Total	**0.4026**	**15.3541**	**2.5786**	**0.0474**	**1.0851**	**0.0461**	**1.1312**	**0.2975**	**0.0441**	**0.3416**		**5,028.1736**	**5,028.1736**	**0.3023**		**5,035.7321**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Unmitigated	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
User Defined Industrial	0.00	0.00	0.00		
Total	0.00	0.00	0.00		

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
User Defined Industrial	16.60	8.40	6.90	0.00	0.00	0.00	0	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
User Defined Industrial	0.553113	0.036408	0.180286	0.116335	0.016165	0.005101	0.018218	0.063797	0.001357	0.001565	0.005903	0.000808	0.000944

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
NaturalGas Unmitigated	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	1.0000e-005	0.0000	1.0000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		2.2000e-004	2.2000e-004	0.0000		2.3000e-004
Unmitigated	1.0000e-005	0.0000	1.0000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		2.2000e-004	2.2000e-004	0.0000		2.3000e-004

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	1.0000e-005	0.0000	1.0000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		2.2000e-004	2.2000e-004	0.0000		2.3000e-004
Total	**1.0000e-005**	**0.0000**	**1.0000e-004**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**		**2.2000e-004**	**2.2000e-004**	**0.0000**		**2.3000e-004**

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	1.0000e-005	0.0000	1.0000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		2.2000e-004	2.2000e-004	0.0000		2.3000e-004
Total	**1.0000e-005**	**0.0000**	**1.0000e-004**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**		**2.2000e-004**	**2.2000e-004**	**0.0000**		**2.3000e-004**

7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA18-003, AN AMENDMENT TO THE LAND USE ELEMENT OF THE POLICY PLAN (GENERAL PLAN), REVISING EXHIBIT LU-01 (OFFICIAL LAND USE PLAN) AND EXHIBIT LU-03 (FUTURE BUILDOUT), AFFECTING BOUNDED BY EUCALYPTUS AVENUE ON THE NORTH, MERRILL AVENUE ON THE SOUTH, CARPENTER AVENUE FROM THE EAST, AND GROVE AVENUE ON THE WEST, FROM GENERAL COMMERCIAL (0.4 FAR), OFFICE COMMERCIAL (0.75 FAR), AND BUSINESS PARK (0.6 FAR) TO INDUSTRIAL (0.55 FAR) AND BUSINESS PARK (0.6 FAR), AND MAKING FINDINGS IN SUPPORT THEREOF — APNS: 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05; 1073-111-06. (SEE ATTACHMENTS A AND B) (PART OF CYCLE 1 FOR THE 2021 CALENDAR YEAR).

WHEREAS, MERRILL COMMERCE CENTER EAST LLC and MERRILL COMMERCE CENTER WEST LLC ("Applicant") has filed an Application for the approval of a General Plan Amendment, File No. PGPA18-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City of Ontario adopted the Policy Plan (General Plan) as part of The Ontario Plan in January 2010. Since the adoption of The Ontario Plan, the City has evaluated Exhibits LU-01: Official Land Use Plan and LU-03: Future Buildout further and is proposing modifications; and

WHEREAS, the proposed changes to Exhibit LU-01 Official Land Use Plan include changes to land use designations of certain properties shown on Exhibit A to make the land use designations of these properties consistent with the proposed Merrill Commerce Center Specific Plan (File No. 18-001); and

WHEREAS, Policy Plan Exhibit LU-03 (Future Buildout) specifies the expected buildout for the City of Ontario, incorporating the adopted land use designations. The proposed changes to Exhibit LU-01 (Official Land Use Plan) will require that Exhibit LU-03 (Future Buildout) is modified to be consistent with Exhibit LU-01 (Official Land Use Plan), as depicted on Exhibit B, attached; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an Environmental Impact Report 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 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, the project site is located with the Airport Influence Area 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, which 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 December 22, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Project and concluded said hearing on that date, voting to issue Resolution No. PC20-095 recommending the City Council approve the Application; and

WHEREAS, as the first action on the Project, on February 2, 2021, the City Council approved a Resolution adopting the Merrill Commerce Center Specific Plan Environmental Impact Report (State Clearinghouse No. 2019049079), including the adoption of a Mitigation Monitoring and Reporting Plan and a Statement of Overriding Considerations; and

WHEREAS, on February 2, 2021, 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 administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the City Council, the City Council finds as follows:

(1) The Merrill Commerce Center Specific Plan EIR, MMRP, Statement of Overriding Considerations, and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

(2) The Merrill Commerce Center Specific Plan EIR, MMRP, and Statement of Overriding Considerations contain a complete and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment of the City Council.

SECTION 2. ***Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance and Chino Airport Influence Area.*** The project site is located within the Airport Influence Area ("AIA") of the Ontario International Airport ("ONT"), and has been found to be consistent with the policies and criteria set forth within the ALCUP for ONT. The project site is located in the Chino Airport's AIA and the Chino Airport zoning overlay. Land use compatibility assessments are part of the Chino Airport Master Plan. The project site is within Safety Zones 1, 2, 3, 4, and 6, Traffic Pattern Zone of the Chino Airport Overlay (Generic Safety Zones for General Aviation Airports from the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook. The Project has been found to be consistent with the policies and criteria set forth in the California Airport Land Use Planning Handbook.

SECTION 3. ***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 Sections 1 through 2, above, the Planning Commission hereby concludes as follows:

(1) The proposed General Plan Amendment is consistent with the goals and policies of The Ontario Plan as follows:

(a) **LU2-1 Land Use Decisions.** We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

Compliance: The proposed General Plan Amendment closely coordinates with land use designations in the surrounding area which will not increase adverse impacts on adjacent properties. The project site is also impacted by aircraft traffic patterns from Runway 3-21, where aircraft fly directly over the project site when performing Touch-and-Go Landings (a maneuver where aircraft are landing on a runway and taking off again without coming to a full stop and the pilot then circles the airport in a defined pattern to allow many landings to be practiced in a short time). The State Division of Aeronautics prohibits or limits the development of new incompatible land uses (e.g., schools, daycares, etc.) surrounding existing airports, and the proposed project would create land use consistency with Chino Airport and satisfy the criteria set forth in the Handbook.

(b) **LU4-1 Commitment to Vision.** We are committed to achieving our Vision but realize that it may take time and several interim steps to get there.

Compliance: The proposed land use designation change from General Commercial (0.4 FAR), Office Commercial (0.75 FAR), and Business Park (0.6 FAR) to Business Park and Industrial and will provide consistency between the TOP Policy Plan Land Use Plan and the proposed Merrill Commerce Center Specific Plan and will result in a logical land use pattern in and around the affected areas.

(c) **LU5-7 ALUCP Consistency with Land Use Regulations.** We comply with state law that required 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.

Compliance: The proposed project is located within the Safety, Noise, Airspace Protection and Overflight Zones of the ALUCP for ONT. A consistency determination was completed, and the proposed project is consistent with the policies and criteria of the ALUCP for ONT, subject to conditions. In addition, the project site is located within Chino Airport's airport influence area and the Chino Airport zoning overlay. Land use compatibility assessments are part of the Chino Airport Overlay (Generic Safety Zones for General Aviation Airports from the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook). Pursuant to the California Airport Land Use Planning Handbook, the Specific Plan site is within Safety Zones 1, 2, 3, 4, and 6, Traffic Pattern/Overflight Zone. Light industrial and manufacturing uses are acceptable within Zones 2, 3, 4, and 6, subject to Open Land criteria.

(d) **S4-6 Airport Noise Compatibility.** We utilize information from Airport Land Use Compatibility Plans to prevent the construction of new noise sensitive land uses within airport noise impact zones.

Compliance: The project site is located partially within the 55-60 dB CNEL noise contour for Chino Airport. Sensitive land uses (e.g., schools, residences) would be prohibited within the 55-60 dB CNEL noise contour. The proposed uses include warehouse, light manufacturing, ancillary office/commercial, and professional office uses and, therefore, no significant impacts are anticipated.

(2) The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

(3) The Land Use Element is a mandatory element allowed four general plan amendments per calendar year and this general plan amendment is the first amendment to the Land Use Element of the 2021 calendar year consistent with Government Code Section 65358;

(4) 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. Changing the land use designation of the subject property from General Commercial (0.4 FAR), Office Commercial (0.75 FAR), and Business Park (0.6 FAR), to Business Park (0.6 FAR) and Industrial (0.55 FAR) will not impact the City's Regional Housing Needs Allocation obligations or the City's ability to satisfy its share of the region's future housing need.

(5) During the amendment of the general plan, opportunities for the involvement of citizens, California Native American Indian tribes (Government Code Section 65352.3.), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means were implemented consistent with Government Code Section 65351.

SECTION 4. ***City Council Action.*** Based upon the findings and conclusions set forth in Sections 1 through 3, above, the City Council hereby APPROVES the proposed General Plan Amendment, as depicted in Attachment A (Policy Plan Land Use Plan (Exhibit LU-01) Revision) and Attachment B (Future Buildout (Exhibit LU-03) Revision) of this Resolution.

SECTION 5. ***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 6. ***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 7. ***Certification to Adoption.*** The City Clerk shall certify to the adoption of the Resolution.

PASSED, APPROVED, AND ADOPTED this 2nd day of February 2021.

_____
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. 2021-____ was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held February 2, 2021, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

_____
SHEILA MAUTZ, CITY CLERK

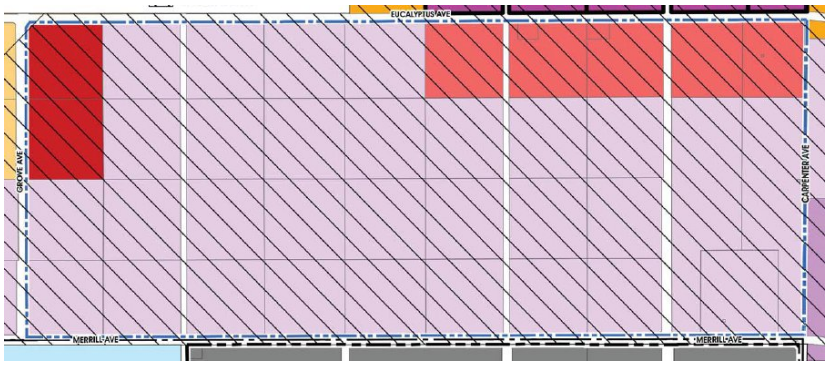
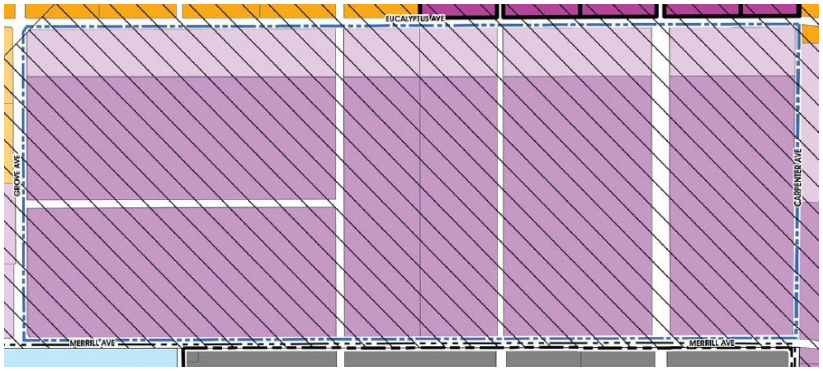
(SEAL)

The foregoing is the original of Resolution No. 2021-____ duly passed and adopted by the Ontario City Council at their regular meeting held February 2, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:
Policy Plan Land Use Plan (Exhibit LU-01) Revision

Existing Policy Plan Land Use	 Business Park (0.6 FAR) Office Commercial (0.75 FAR) General Commercial (0.4 FAR)
Assessor Parcel Number(s) Involved	1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05; 1073-111-06 Properties are bound by Eucalyptus Avenue to the north, Merrill Avenue to the south, Carpenter Avenue to the east, and Grove Avenue to the west.
Proposed Policy Plan Land Use	 Business Park (0.6 FAR) Industrial (0.55 FAR)

ATTACHMENT B:
Future Buildout (Exhibit LU-03) Revision

LU-03 Future Buildout[1]

Land Use	Acres[2]	Assumed Density/Intensity[3]	Units	Population[4]	Non-Residential Square Feet	Jobs[5]
Retail/Service						
Neighborhood Commercial[6]	285	0.30 FAR			3,725,556	9,015
General Commercial	~~464~~ 446	0.30 FAR			~~6,067,342~~ 5,827,805	~~5,636~~ 5,414
Office/ Commercial	~~490~~ 447	0.75 FAR			~~16,018,428~~ 14,612,311	~~35,523~~ 32,405
Hospitality	142	1.00 FAR			6,177,679	7,082
Subtotal	~~*1,382*~~ *1,320*				~~*31,989,005*~~ *30,343,352*	~~*57,256*~~ *53,916*
Employment						
Business Park	~~1,508~~ 1,259	0.40 FAR			~~26,273,284~~ 21,940,980	~~46,096~~ 38,495
Industrial	~~6,518~~ 6,808	0.55 FAR			~~156,162,964~~ 163,101,440	~~137,208~~ 143,304
Subtotal	~~*8,026*~~ *8,067*				~~*182,436,247*~~ *185,042,420*	~~*183,304*~~ *181,799*
Other						
Open Space–Non-Recreation	1,232	Not applicable				
Open Space–Parkland[6]	950	Not applicable				
Open Space-Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	621	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	~~4,871~~ 4,891	Not applicable				
Subtotal	~~*9,895*~~ *9,915*					
Total	***31,786***		***100,976***	***348,467***	~~*248,083,563*~~ *249,044,083*	~~*310,358*~~ *305,512*

Notes
1 Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
2 Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
3 Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
4 Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
5 To view the factors used to generate the number of employees by land use category, access the Methodology report.
6 Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSP18-001, TO ESTABLISH LAND USE DISTRICTS, DEVELOPMENT STANDARDS, DESIGN GUIDELINES, AND INFRASTRUCTURE IMPROVEMENTS FOR THE POTENTIAL DEVELOPMENT OF UP TO 8,455,000 SQUARE FEET OF GENERAL INDUSTRIAL AND BUSINESS PARK LAND USES ON 376.3 ACRES OF LAND GENERALLY BORDERED BY EUCALYPTUS AVENUE TO THE NORTH, MERRILL AVENUE TO THE SOUTH, CARPENTER AVENUE TO THE EAST, AND GROVE AVENUE TO THE WEST, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05 AND 1073-111-06.

WHEREAS, MERRILL COMMERCE CENTER EAST, LLC, and MERRILL COMMERCE CENTER WEST, LLC, ("Applicant") has filed an Application for the approval of a Specific Plan, File No. PSP18-001, as described in the title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 376.3 acres of land, bordered by Eucalyptus Avenue to the north, at Merrill Avenue to the south, Carpenter Avenue to the east, and Grove Avenue on the west, within the SP(AG) (Specific Plan (Agricultural Overlay)) zoning district, and is presently improved with agricultural, dairy, and truck terminal uses; and

WHEREAS, the properties to the north of the Project site are within the SP(AG) zoning district and developed with agriculture/dairy and truck terminal uses. The properties to the east are within the SP zoning district, known as the West Ontario Commerce Center Specific Plan, and are developed with industrial uses. The properties to the south are located within the City of Chino and are developed with the Chino Airport, agricultural uses, and industrial buildings. The properties to the west are within the SP(AG) zoning district and are developed with agriculture/dairy uses; and

WHEREAS, the Merrill Commerce Center Specific Plan establishes a comprehensive set of design guidelines and development regulations to guide and regulate site planning, landscape, and architectural character, and ensuring that excellence in community design is achieved during project development. In addition, the Specific Plan will establish the procedures and requirements to approve new development within the project site to ensure TOP goals and policies are achieved; and

WHEREAS, the Merrill Commerce Center Specific Plan consists of approximately 376.3 acres of land, which includes the potential development of up to 8,455,000 square feet of industrial and business park development; and

WHEREAS, a request for approval of a General Plan Amendment (File No. PGPA18-003) to change the land use designations shown on Policy Plan Exhibit LU-01, Land Use Plan, on approximately 376.3 acres of land from General Commercial (0.4 Floor Area Ratio (FAR)), Office Commercial (0.75 FAR), and Business Park (0.6 FAR), to Business Park (0.6 FAR) and Industrial (0.55 FAR), and modify Policy Plan Exhibit LU03, Future Buildout, to be consistent with the proposed land use designation changes, which was submitted in conjunction with the proposed Merrill Commerce Center Specific Plan and the related Environmental Impact Report ("EIR"); and

WHEREAS, the land use intensity of the Merrill Commerce Center Specific Plan anticipated in the eleven planning areas is consistent with The Ontario Plan ("TOP"). The Specific Plan is proposing a maximum 0.6 floor area ratio ("FAR") within the Business Park land use designation (Planning Areas 1A, 3A, 4A, 5A, and 6A) located along the northern portion of the Specific Plan area. Planning Areas 1A, 3A, 4A, 5A, and 6A is 55.1 acres in size and can be potentially developed with 1,441,000 square feet of business park development. The Specific Plan is proposing a maximum 0.55 FAR within the Industrial land use designation (Planning Areas 1, 2, 3, 4, 5, and 6) located along the southern portion of the Specific Plan. Planning Areas 1 through 6 is 292.8 acres in size and can potentially be developed with 7,014,000 square feet of industrial development. The proposed FARs for each of the land use areas is consistent with the Policy Plan Land Use designations for Business Park and Industrial; and

WHEREAS, the Merrill Commerce Center Specific Plan has been prepared in conformance with the goals and policies of the City of Ontario Policy Plan (General Plan). The policy (General Plan) analysis in the Appendix "Policy Plan (General Plan) Consistency," of the Specific Plan describes the manner in which the Merrill Commerce Center Specific Plan complies with the Policy Plan goals and policies applicable to the Merrill Commerce Center Specific Plan; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 et seq. (hereinafter referred to as "CEQA"); and

WHEREAS, an EIR (State Clearinghouse No. 2019049079), including the adoption of a Mitigation Monitoring and Reporting Program ("MMRP") and a Statement of Overriding Considerations, have been prepared in accord with CEQA, the State CEQA Guidelines, and the City of Ontario Guidelines to address the environmental effects of the Specific Plan (Merrill Commerce Center Specific Plan); 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 TOP, 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.

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, the project site is also located with the Airport Influence Area 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, which 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 December 22, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the EIR, MMRP, Statement of Overriding Considerations, and the Project, and concluded said hearing on that date, voting to issue Resolution No. PC20-096 recommending the City Council approve the Application; and

WHEREAS, as the first action on the Project, on February 2, 2021, the City Council approved a Resolution adopting the Merrill Commerce Center Specific Plan Environmental Impact Report (State Clearinghouse No. 2019049079), including the adoption of a Mitigation Monitoring and Reporting Plan and a Statement of Overriding Considerations; and

WHEREAS, on February 2, 2021, 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 EIR, MMRP, and a Statement of Overriding Considerations prepared for the project and supporting documentation. Based upon the facts and information contained in the EIR (State Clearinghouse No. 2019049079) and supporting documentation, the City Council finds as follows:

(1) The Merrill Commerce Center Specific Plan EIR, MMRP, Statement of Overriding Considerations contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(2) The Merrill Commerce Center Specific Plan EIR, MMRP, and Statement of Overriding Considerations was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(3) The Merrill Commerce Center Specific Plan EIR, MMRP, and a Statement of Overriding Considerations reflects the independent judgment of the City Council.

SECTION 2. ***Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance and Chino Airport Influence Area.*** The proposed project is located within the Safety, Noise, Airspace Protection and Overflight Zones of the ALUCP. A consistency determination was completed, and the proposed project is consistent with the policies and criteria of the ALUCP, subject to conditions. In addition, the project site is located within the Chino Airport's airport influence area (AIA) and the Chino Airport zoning overlay. Land use compatibility assessments are part of the Chino Airport Overlay (Generic Safety Zones for General Aviation Airports from the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook). Pursuant to the California Airport Land Use Planning Handbook, the Specific Plan site is within Safety Zones 1, 2, 3, 4, and 6, Traffic Pattern/Overflight Zone. Light industrial and manufacturing uses are acceptable within Zones 2, 3, 4, and 6, subject to Open Land criteria.

SECTION 3. ***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 Sections 1 through 2 above, the City Council hereby concludes as follows:

(1) The approximately 376.3-acre Merrill Commerce Center Specific Plan is suitable for business park and industrial development and is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of TOP. The proposed land uses in the proposed districts will also be in harmony in terms of access, size, and compatibility with existing land use in the surrounding area; and

(2) The proposed Merrill Commerce Center Specific Plan is in conformance with the Land Use Policies and Goals of the Policy Plan and will provide standards and guidelines for the harmonious development within the districts, in a manner consistent with the Policy Plan. The Specific Plan is proposing business park and industrial type development for the approximately 376.3-acre site, which is what is mandated by the land use plan of the Policy Plan; therefore, the proposed industrial uses will be in conformance with the policies and goals of the Policy Plan; and

(3) During the Merrill Commerce Center Specific Plan review, opportunities for the involvement of citizens, California Native American Indian tribes (Government Code Section 65352.3.), public agencies, public utility companies, and civic, education, and

other community groups, through public hearings or other means, were implemented consistent with California Government Code Section 65351; and

(4) 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. ***City Council Action.*** Based upon the findings and conclusions set forth in Sections 1 through 3, above, the City Council hereby APPROVES the herein described Merrill Commerce Center Specific Plan, attached hereto as "Attachment A" and is incorporated herein by this reference.

SECTION 5. ***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 6. ***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 7. ***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 8. ***Effective Date.*** This Ordinance shall become effective 30 days following its adoption.

SECTION 9. ***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 _____ 2021.

_____
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 February 2, 2021 and adopted at the regular meeting held _____, 2021 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)

<u>ATTACHMENT A</u>:

File No. PSP18-001;
Merrill Commerce Center Specific Plan

(Document follows this page)

MERRILL COMMERCE CENTER

SPECIFIC PLAN

CITY OF ONTARIO

Applicants:
Merrill Commerce Center East, LLC
Merrill Commerce Center West, LLC
3546 Concours Street, Suite 100
Ontario, CA 91764

Prepared By:
T&B Planning, Inc.
3200 El Camino Real, Suite 100
Irvine, CA 92602

Date: January 11, 2021

TABLE OF CONTENTS

ES.0 Executive Summary ES-1
ES.1 Specific Plan Overview ES-1
ES.2 Other Governing Documents ES-2
ES.3 Specific Plan Components ES-3

Chapter 1 Introduction 1-1
1.1 Specific Plan Purpose 1-1
1.2 Specific Plan Objectives 1-2
1.3 Authority 1-3
1.4 Severability 1-3
1.5 Approval Process and Companion Actions 1-4
1.6 Relationship to The Ontario Plan 1-5

Chapter 2 Existing Conditions 2-1
2.1 Existing Assessor Parcel Numbers 2-1
2.2 Existing Land Use 2-1
2.3 Surrounding Land Uses 2-1
2.4 Williamson Act 2-2
2.5 Existing Circulation and Access 2-2
2.5.1 Regional Circulation 2-2
2.5.2 Local Circulation 2-2
2.6 Existing Physical Site Conditions 2-2
2.6.1 Topography 2-2
2.6.2 Hydrology 2-2
2.6.3 Geology and Soils 2-2
2.6.4 Vegetation and Biological Resources 2-4

2.6.5 Existing Ground Water Wells 2-4

Chapter 3 Land Use Plan 3-1
3.1 Vision 3-1
3.2 Land Use Plan 3-1
3.2.2 Industrial Planning Areas 3-3
3.2.3 Business Park Planning Areas 3-3

Chapter 4 Infrastructure Plan 4-1
4.1 Circulation and Access Plan 4-1
4.1.1 Vehicular Circulation 4-1
4.1.2 Non-Vehicular Circulation 4-13
4.2 Utility Infrastructure Plan 4-16
4.2.1 Potable Water Plan 4-16
4.2.2 Recycled Water Plan 4-20
4.2.3 Sanitary Sewer Plan 4-24
4.2.4 Storm Water Management Plan 4-27
4.2.5 Dry Utilities Plan 4-31
4.3 Conceptual Grading Plan 4-31

Chapter 5 Development Regulations 5-1
5.1 Purpose and Intent 5-1
5.2 Definition of Terms 5-1
5.3 Applicability 5-1
5.4 Permitted, Conditional, and Ancillary Uses 5-1
5.5 Development Standards 5-5
5.5.1 Other Development Standards 5-7

Chapter 6 Design Guidelines 6-1
6.1 Purpose and Intent 6-1
6.2 Design Theme 6-2
6.3 Specific Plan-Wide Design Guidelines 6-3
6.3.1 Architecture Design Guidelines 6-3
6.4 Truck Courts and Loading Docks 6-8
6.5 Ground or Wall-Mounted Equipment 6-9
6.6 Rooftop Equipment 6-9
6.7 Trash Enclosures 6-10
6.8 Outdoor Employee Amenities 6-10
6.9 Outdoor Lighting 6-11
6.10 Signage Guidelines 6-13
6.11 Landscape Design Guidelines 6-15
6.11.1 Plant Palette 6-16
6.11.2 Irrigation 6-16
6.11.3 Streetscapes 6-18
6.11.4 Entries and Monuments 6-29
6.11.5 Walls and Fences 6-34
6.11.6 Open Space Areas 6-34
6.11.7 Water Quality Basins 6-34
6.11.8 Outdoor Patio Break Areas 6-38
6.11.9 Parking Lots 6-38

Chapter 7 Implementation Plan 7-1
7.1 Severability 7-1
7.2 Applicability 7-1
7.3 Interpretation 7-1

7.4 Development Review Process 7-1
7.4.1 Subdivision Maps 7-1
7.4.2 Development Plan Review 7-1
7.4.3 Development Agreements 7-2
7.4.4 Conditional Use Permits 7-2
7.4.5 Variances 7-2
7.5 Substantial Conformance 7-2
7.6 Formal Amendments to the Specific Plan 7-3
7.7 Appeals 7-4
7.8 Compliance with Mitigation Monitoring and Reporting Program 7-4
7.9 Project Financing 7-4
7.9.1 Facilities and Services 7-4
7.9.2 Operation and Maintenance 7-4
7.10 Phasing Plan 7-5
7.11 Additional Entitlement Requirements 7-5
7.11.1 Integrated Waste Management Report and Solid Waste Handling Plan 7-5
7.12 Maintenance Plan 7-9

Appendix

Appendix A Policy Plan Consistency Analysis

FIGURES

Figure ES-1 Regional Map ES-4
Figure ES-2 Vicinity Map ES-5
Figure 1-1 Existing General Plan Land Use Designations 1-6
Figure 1-2 Proposed General Plan Land Use Designations 1-7
Figure 1-3 Existing Zoning Designations 1-8
Figure 1-4 Proposed Zoning Designations 1-9
Figure 2-1 Existing APNs 2-5
Figure 2-2 Aerial Photograph 2-6
Figure 2-3 Surrounding Land Uses 2-7
Figure 2-4 USGS Topographic Map 2-8
Figure 2-5 Existing Water Well Locations 2-9
Figure 3-1 Conceptual Land Use Plan 3-2
Figure 3-2 Chino Airport Safety Zone Map 3-4
Figure 4-1 Conceptual Vehicular Circulation and Access Plan 4-2
Figure 4-2 Conceptual Non-Vehicular Circulation and Mobility Plan 4-15
Figure 4-3 Potable Water Infrastructure Plan 4-18
Figure 4-3A City of Ontario Ultimate Water System 4-19
Figure 4-4 Recycled Water Infrastructure Plan 4-22
Figure 4-4A City of Ontario Future Recycled Water System 4-23
Figure 4-5 Sanitary Sewer Infrastructure Plan 4-25
Figure 4-5A City of Ontario Ultimate Sewer System 4-26
Figure 4-6 Storm Drain Infrastructure Plan 4-29
Figure 4-6A City of Ontario Planned Drainage Facilities 4-30
Figure 4-7 Dry Utilities Infrastructure Plan 4-32
Figure 4-8 Fiber Optics Plan 4-33
Figure 6-1 Conceptual Landscape and Greenspace Plan 6-19
Figure 6-2 Grove Avenue Streetscape 6-22
Figure 6-3 Eucalyptus Avenue Streetscape 6-23
Figure 6-4 Merrill Avenue Streetscape 6-24

Figure 6-5 Carpenter Avenue Streetscape 6-25
Figure 6-6 Vineyard Avenue Streetscape 6-26
Figure 6-7 Walker Avenue Streetscape 6-27
Figure 6-8 Baker Avenue and Street "A" Streetscape 6-28
Figure 6-9 Conceptual Primary Corner Treatment 6-31
Figure 6-10 Conceptual Secondary Corner Treatment 6-32
Figure 6-11 Conceptual Building User Monument Treatment 6-33
Figure 6-12 Conceptual Screening Wall Illustration 6-35
Figure 6-13 Conceptual Open Space Area Illustration 6-36
Figure 6-14 Conceptual Water Quality Basin Illustration 6-37
Figure 7-1 Conceptual Phasing Plan 7-8

TABLES

Table ES-1 Land Use Summary ES-1

Table 3-1 Land Use Plan Statistical Summary 3-1

Table 5-1 Permitted Uses 5-2
Table 5-2 Development Standards 5-5
Table 5-3 Minimum Setback Requirements at Public Streets 5-5
Table 5-4 Minimum Setback Requirements at Interior Side Yards 5-6
Table 5-5 Minimum Drive Aisle and Parking Space Separation Requirements 5-6
Table 5-6 Minimum Building Height Requirements 5-6

Table 6-1 Plant Palette 6-17

Table 7-1 Maintenance Responsibilities 7-10

EXECUTIVE SUMMARY

ES.0

ES.1 Specific Plan Overview

ES.2 Other Governing Documents

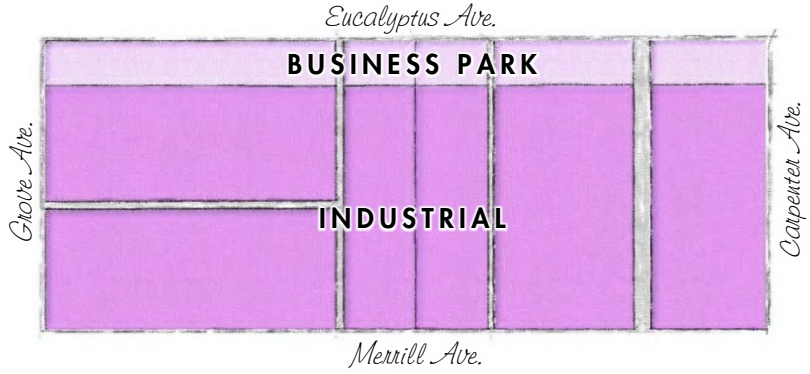
ES.3 Specific Plan Components

ES.0 EXECUTIVE SUMMARY

ES.1 SPECIFIC PLAN OVERVIEW

The MERRILL COMMERCE CENTER Specific Plan area covers approximately 376.3 acres in the southern portion of the City of Ontario. The Specific Plan property is located north of Merrill Avenue, south of Eucalyptus Avenue, east of Grove Avenue and west of Carpenter Avenue. Along the Specific Plan's southern property line, Merrill Avenue forms the boundary between the City of Ontario and the City of Chino.

The location of the MERRILL COMMERCE CENTER in regional and local contexts is depicted in Figure ES-1, *Regional Map*, and Figure ES-2, *Vicinity Map*, which shows the relationship of the Specific Plan property with nearby cities, counties, and unincorporated communities.



The information contained in this Specific Plan provides guidance for the development of a contemporary, master-planned commerce center. The commerce center is envisioned to contain business park and industrial buildings supported by public roads and utility infrastructure systems, private driveways, parking lots, truck courts, lighting, landscaping, signage, and other functional and decorative features. Multi-purpose trails are provided at the perimeters of MERRILL COMMERCE CENTER to encourage connectivity and circulation by employees, visitors, and the passerby by means not completely dependent on a motorized vehicle.

The business park uses in smaller buildings are positioned along Eucalyptus Avenue while industrial uses in larger warehouse-style buildings comprise the balance of the site. As designed, building users are expected to be a mixture of local, national, and international businesses that bring job opportunities and economic growth to Ontario. A summary of the land uses is as follows:

Table ES-1 Land Use Summary

Land Use Designation	Acres[1]	Maximum Building Square Footage
Industrial Planning Areas	292.8 AC	7,014,000 SF
Business Park Planning Areas	55.1 AC	1,441,000 SF
Circulation	28.4 AC	--
Total	**376.3 AC**	**8,455,000 SF**

1. *Acreages are approximate and subject to survey verification.*

ES.2 Other Governing Documents

In addition to this Specific Plan, which includes a Land Use Plan, Infrastructure Plan, Development Regulations, Design Guidelines, and an Implementation Plan tailored to the MERRILL COMMERCE CENTER, the following documents also contain applicable information:

- The Ontario Policy Plan (which serves as the City's State-mandated General Plan) that includes City-wide policies pertaining to land use, housing, mobility, safety, environmental resources, parks & recreation, community economics, community design, and social resources.
- The City of Ontario Development Code, which governs over topics on which this Specific Plan's development regulations are silent. (Where the requirements of this Specific Plan differ from the requirements of the Ontario Development Code, this Specific Plan takes precedence.)
- The MERRILL COMMERCE CENTER Development Agreement, which specifies methods for the financing, acquisition, and construction of infrastructure systems and provides assurance that development of the property may proceed subject to Ontario's rules and regulations in effect at the time of this Specific Plan's approval.
- The Airport Land Use Compatibility Plans for Ontario International Airport (ONT) and Chino Airport. 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, that is expected to be adopted in 2021. The Chino Airport Land Use Compatibility Plan 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 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 Mitigation Monitoring and Reporting Program (MMRP) that is part of the MERRILL COMMERCE CENTER's Environmental Impact Report (EIR) prepared in compliance with the California Environmental Quality Act. The MMRP stipulates measures that are required to be implemented to mitigate the environmental effects of the commerce center's construction and operation.

ES.3 Specific Plan Components

This MERRILL COMMERCE CENTER Specific Plan is organized into the following chapters.

Chapter 1 - Introduction:

Describes the purpose and objectives of this Specific Plan, the related entitlement approvals for implementing development, and the general relationship of this Specific Plan to the Ontario Policy Plan (General Plan).

Chapter 2 - Existing Conditions:

Describes the physical setting of the MERRILL COMMERCE CENTER and the physical conditions on and surrounding the property at the time this Specific Plan was prepared.

Chapter 3 - Land Use Plan:

Describes the MERRILL COMMERCE CENTER's development plan, which includes six Industrial planning areas and five Business Park planning areas, with the Business Park areas concentrated along Eucalyptus Avenue in the northern portion of the Specific Plan area. Chapter 3 also specifies the acreages of each planning area and the maximum development intensities (amount of building square footage) permitted in each land use category.

Chapter 4 - Infrastructure Plan:

Provides information on vehicular and non-vehicular circulation improvements; the planned backbone water, sewer, recycled water, and storm drain systems; the planned dry utility network; and the preliminary grading concept for the development of the MERRILL COMMERCE CENTER.

Chapter 5 - Development Regulations:

Establishes the list of permitted and conditionally-permitted uses in the Specific Plan area, and presents the development regulations (zoning) that govern the uses. A discussion of the relationship of the MERRILL COMMERCE CENTER Specific Plan's development regulations to the City of Ontario Development Code also is provided.

Chapter 6 - Design Guidelines:

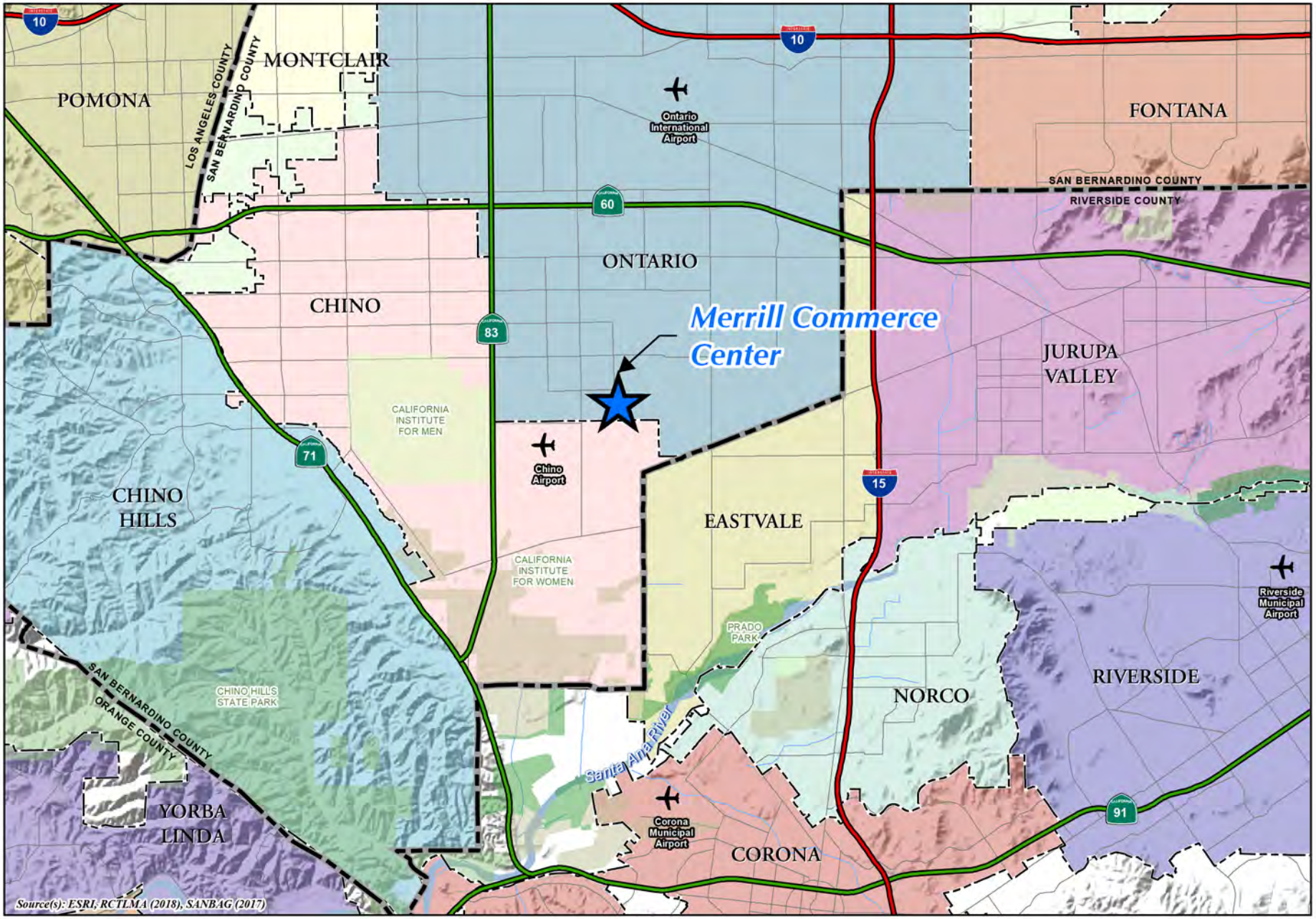
The MERRILL COMMERCE CENTER's design guidelines presented in Chapter 6 guide the site planning, landscaping, and architectural quality of implementing development within the Specific Plan area. Guidelines are included that address architectural design, landscape design, streetscapes, entry treatments and monuments, corner treatments, walls and fencing, lighting, and signage.

Chapter 7 - Implementation Plan:

Chapter 7 presents the policies and procedures for the City's review and approval of implementing projects within the MERRILL COMMERCE CENTER. This chapter also describes the methods and procedures for interpreting and amending the Specific Plan as necessary. A summary of maintenance responsibilities for development within the Specific Plan also is provided.

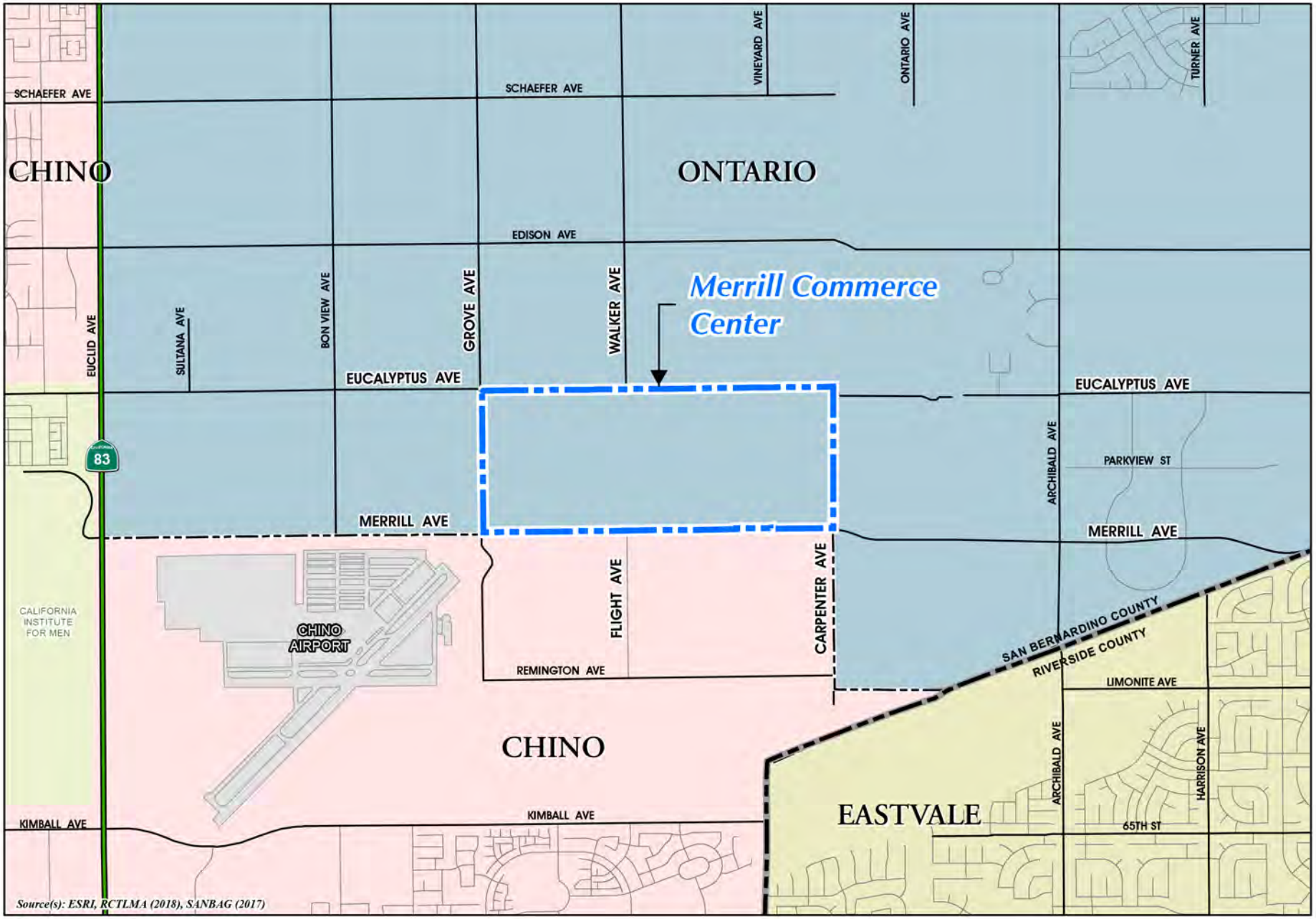
Appendix A - General Plan Consistency:

Includes a matrix evaluating the consistency of the MERRILL COMMERCE CENTER Specific Plan to each of the applicable policies of the Ontario Policy Plan (the City's General Plan).



Regional Map

Figure ES-1



Vicinity Map

Figure ES-2

0 625 1,250 2,500 Feet

INTRODUCTION

CHAPTER 1

1.1 Specific Plan Purpose

1.2 Specific Plan Objectives

1.3 Authority

1.4 Severability

1.5 Approved Process and Companion Actions

1.6 Relationship to The Ontario Plan

CHAPTER 1 - INTRODUCTION

1.1 SPECIFIC PLAN PURPOSE

The underlying purpose of this Specific Plan is to guide the development of a 376.3-acre property into a master-planned commerce center, known as the MERRILL COMMERCE CENTER. The site is located within the southwestern portion of the City of Ontario (City) in an area known as Ontario Ranch. The Ontario Policy Plan requires the Ontario City Council to approve Specific Plans as part of the entitlement process for new development projects in this area.

Implementing development projects within the boundaries of the MERRILL COMMERCE CENTER are required to demonstrate substantial conformity with the information contained in this Specific Plan document.

Situated in proximity to three major freeways, the Ontario International Airport (ONT), and the Chino Airport, the MERRILL COMMERCE CENTER is poised to successfully accommodate uses that rely on access to the local and regional transportation network. The Specific Plan area is located approximately 1.8 miles east of State Route 83, 2.75 miles south of State Route 60, 3.25 miles west of Interstate 15, 4.0 miles southeast of the Chino Transit Center, and 7.0 miles north of State Route 91. Additionally, the Port of Long Beach and the Port of Los Angeles, which serve as major gateways to international trade, are located only ±53 miles to the southwest of the Specific Plan area. The property's location at the junction of these major transportation facilities establishes a clear advantage for land uses that rely on proximity to the transportation network to remain competitive.

Why Ontario?

Ontario is a thriving community with a strong business and employment hub located approximately 53 miles east of downtown Los Angeles in the western part of the Inland Empire metropolitan area. The City is conveniently located near regional transportation facilities and is home to the Ontario International Airport, making it an ideal location for a variety of business park and industrial land uses, including but not limited to corporate headquarters, e-commerce fulfillment centers and other goods movement/ supply chain uses.



1.2 SPECIFIC PLAN OBJECTIVES

This Specific Plan achieves the following objectives:

- To provide a land use plan for the development of a state-of-the-art commerce center that accommodates modern business and industrial activities.
- To attract and sustain industrial and business park uses within the Specific Plan area that are compatible with surrounding land uses.
- To locate businesses that rely on transportation efficiency in an area of south Ontario that offers convenient access to the state highway system.
- To provide opportunities for positive economic benefit to the City, including new net revenues to the General Fund which can be used for vital City services.
- To diversify the City's available range of employment-generating land uses.
- To improve connectivity in the area by providing multi-purpose trails and bike racks that encourage circulation by means not completely dependent on a motorized vehicle.
- To identify capital improvements for water, recycled water, sewer, storm drain, and circulation facilities that serve planned land uses within and adjacent to the Specific Plan area.
- To define guidelines and standards for architecture, landscaping, entry monuments/signage, and walls and fencing within the Specific Plan area.
- To set forth a development phasing sequence that is aligned with a logical sequence for the installation of supporting on-site and off-site infrastructure.



The MERRILL COMMERCE CENTER Specific Plan brings jobs, sustainable economic growth, and business opportunities to the southern portion of Ontario. Its contemporary design is an attractive asset for the City and complements other surrounding employment and supply chain developments in Ontario and the surrounding metropolitan area.

1.3 AUTHORITY

This Specific Plan is a regulatory document prepared pursuant to the provisions of California Government Code §§ 65450 through 65457, which grants local government agencies the authority to prepare Specific Plans for the systematic implementation of their General Plan for all or part of the area covered by the General Plan. While the Ontario Plan covers the entire City, the Specific Plan concentrates on the specific development of the approximately 376.3-acre MERRILL COMMERCE CENTER property.

California Government Code §§ 65450 through 65457 establish the authority to adopt a Specific Plan, identify the required contents of a Specific Plan, and mandate consistency with the General Plan. According to California Government Code § 65451:

(a) A Specific Plan shall include text and a diagram which specify all the following in detail:

(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 items (1), (2), and (3).

(b) The Specific Plan shall include a statement of the relationship of the Specific Plan to the General Plan.

This Specific Plan includes each of the required elements listed above and establishes the essential link between the policies of The Ontario Plan's Policy Plan and the MERRILL COMMERCE CENTER property. All future development plans and implementing construction activities within the MERRILL COMMERCE CENTER are required to be consistent with the requirements set forth in this Specific Plan and with all other applicable City regulations.

1.4 SEVERABILITY

This Specific Plan document enables the City of Ontario to facilitate the processing and approval of development plans and implementing permits to build out the MERRILL COMMERCE CENTER. If any regulation, condition, program, or portion of this Specific Plan is held invalid or unenforceable, such portions shall be deemed separate, distinct, and independent provisions, and the invalidity of such portions or provisions shall not affect the validity and enforceability of the remaining provisions contained herein.

1.5 Approval Process and Companion Actions

This Specific Plan and any future amendments are required to be considered by the City of Ontario Planning Commission and City Council, and adopted by ordinance or resolution of the City Council, pursuant to Development Code Section 1.01.035: Specific Plans and Amendments. More information on implementation procedures is contained in Chapter 7, *Implementation Plan*.

A Policy Plan (General Plan) Amendment (GPA) was processed concurrently with this Specific Plan. The GPA was a companion action to the approval of this Specific Plan that achieved consistency between the General Plan land use designations, this Specific Plan's land use designations, and zoning.

Additionally, a subdivision map will be approved by the City of Ontario for the Specific Plan area indicating the approximate boundaries and dimensions of parcels and streets and the proposed grading for the MERRILL COMMERCE CENTER. Following map recordation, the final map will become the legal document that identifies developable parcels within the Specific Plan.

Approval of the MERRILL COMMERCE CENTER Specific Plan also is accompanied by an application for the approval of a development agreement. California Government Code §§ 65864-65869.5 authorize the use of development agreements between any city, county, or city and county, with any person having a legal or equitable interest in real property for the development of the property.

In addition to this Specific Plan and the accompanying GPA, subdivision map, and development agreement, an Environmental Impact Report (EIR) was certified in compliance with the California Environmental Quality Act (CEQA) to serve as the project-wide environmental assessment document. Together, this Specific Plan and the environmental mitigation measures contained in the accompanying EIR's Mitigation Monitoring and Reporting Program (MMRP) provide a path to develop the property taking into account all applicable goals, objectives, government requirements, and environmental regulations.

1.6 RELATIONSHIP TO THE ONTARIO PLAN

On January 26, 2010, the City adopted The Ontario Plan, which serves as the City's business plan and includes a long-term vision and a principle-based Policy Plan (General Plan). The Ontario Plan establishes the direction and vision for the City's future and provides a guidance system to shape the Ontario community of tomorrow. The Ontario Plan provides policies to accommodate change over a 30-year period commencing in 2010, the beginning of the planning period. 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.

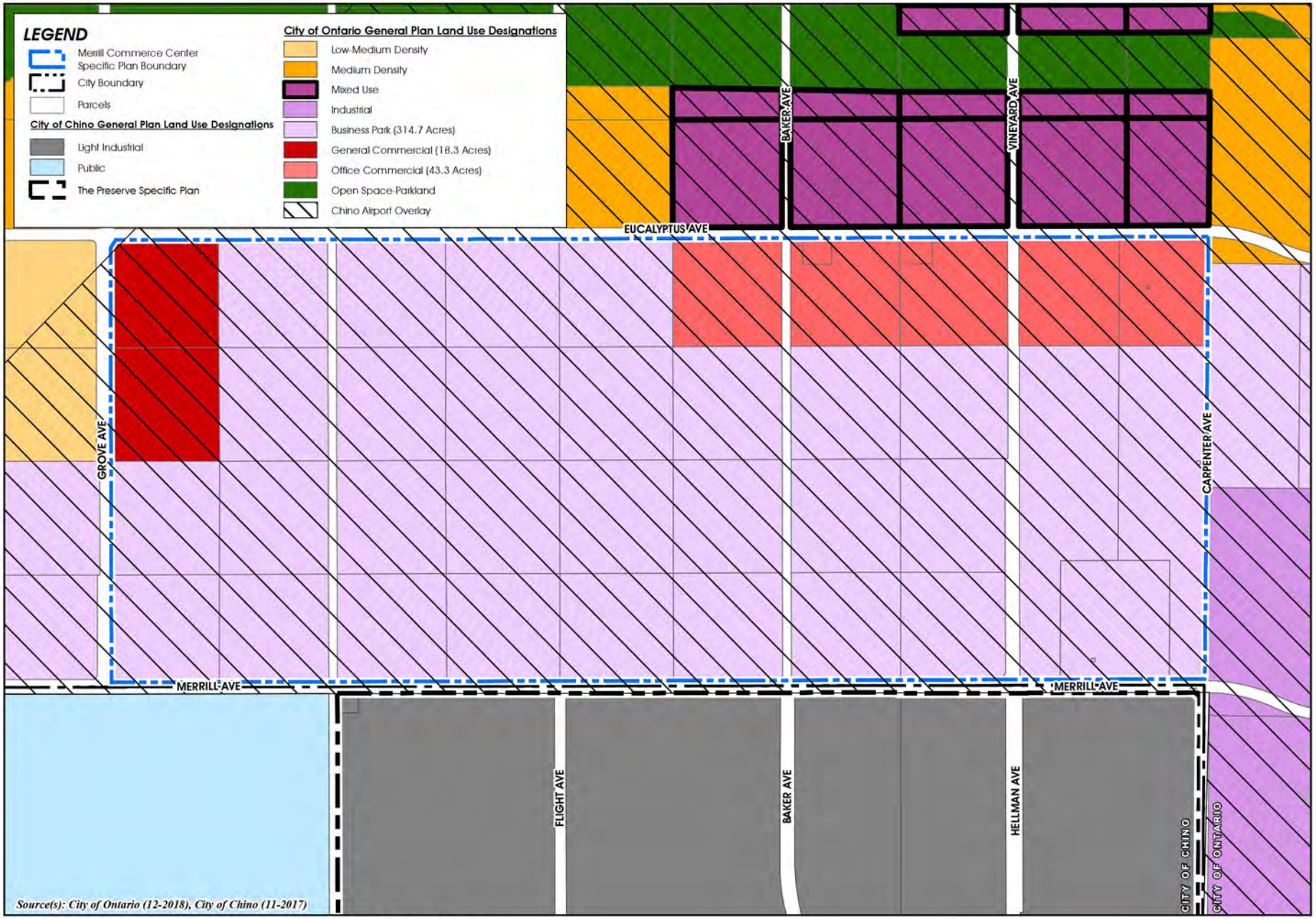
This Specific Plan defines the methods and requirements for the development of the MERRILL COMMERCE CENTER property to ensure that applicable policies from The Ontario Plan and its Policy Plan are implemented and, also, to ensure that development envisioned by this Specific Plan is consistent with applicable provisions of The Ontario Plan. The Ontario Plan sets forth long-term goals for the City's growth and development as mandated by State law. The Policy Plan is a long-term policy document that covers the topics of land use, housing, parks and recreation, environmental resources, community economics, safety, mobility, community design, and social resources.

As shown on Figure 1-1, *Existing General Plan Land Use Designations*, the Policy Plan component of The Ontario Plan designates approximately 314.7 acres of the 376.3-acre MERRILL COMMERCE CENTER property for "Business Park" land uses, 43.3 acres for "Office Commercial" land uses, and 18.3 acres for "General Commercial" land uses. The site also is located in the Chino Airport Overlay.

As shown on Figure 1-2, Proposed General Plan Land Use Designations, this Specific Plan provides for a mix of business park and industrial uses that are generally consistent with The Ontario Plan's vision for the property but requires a GPA to change the site's land uses to the new land use designations of "Business Park" (55.1 acres) and "Industrial" (292.8 acres) in order to reflect the uses, development standards, design guidelines and implementation procedures described herein. The MERRILL COMMERCE CENTER Specific Plan would further the General Plan vision to transition areas formerly used for agricultural activities in Ontario Ranch to new development that would expand and diversify the City's economic base. Please refer also to Specific Plan Appendix A, *Policy Plan Consistency*, for more information.

As shown on Figure 1-3, *Existing Zoning Designations*, the City zoned the entire Specific Plan property "SP, Specific Plan" with an "AG, Agricultural" overlay. The zoning designation of AG-Specific Plan requires that a Specific Plan be approved by the Ontario City Council to guide the development of the property and to implement the goals and policies of The Policy Plan component of The Ontario Plan. As shown on Figure 1-3, *Proposed Zoning Designations,* a Zone Change is required to amend the City of Ontario's Zoning Map to change the site's zoning designation to "MERRILL COMMERCE CENTER Specific Plan" to allow for the development of a variety of industrial and business park uses.

Pursuant to the City of Ontario's adoption of the MERRILL COMMERCE CENTER Specific Plan by ordinance, the Specific Plan will take precedence over the City's Development Code. In instances where the Specific Plan is silent on development standards, the City's Development Code shall prevail.



Existing General Plan Land Use Designations

Figure 1-1

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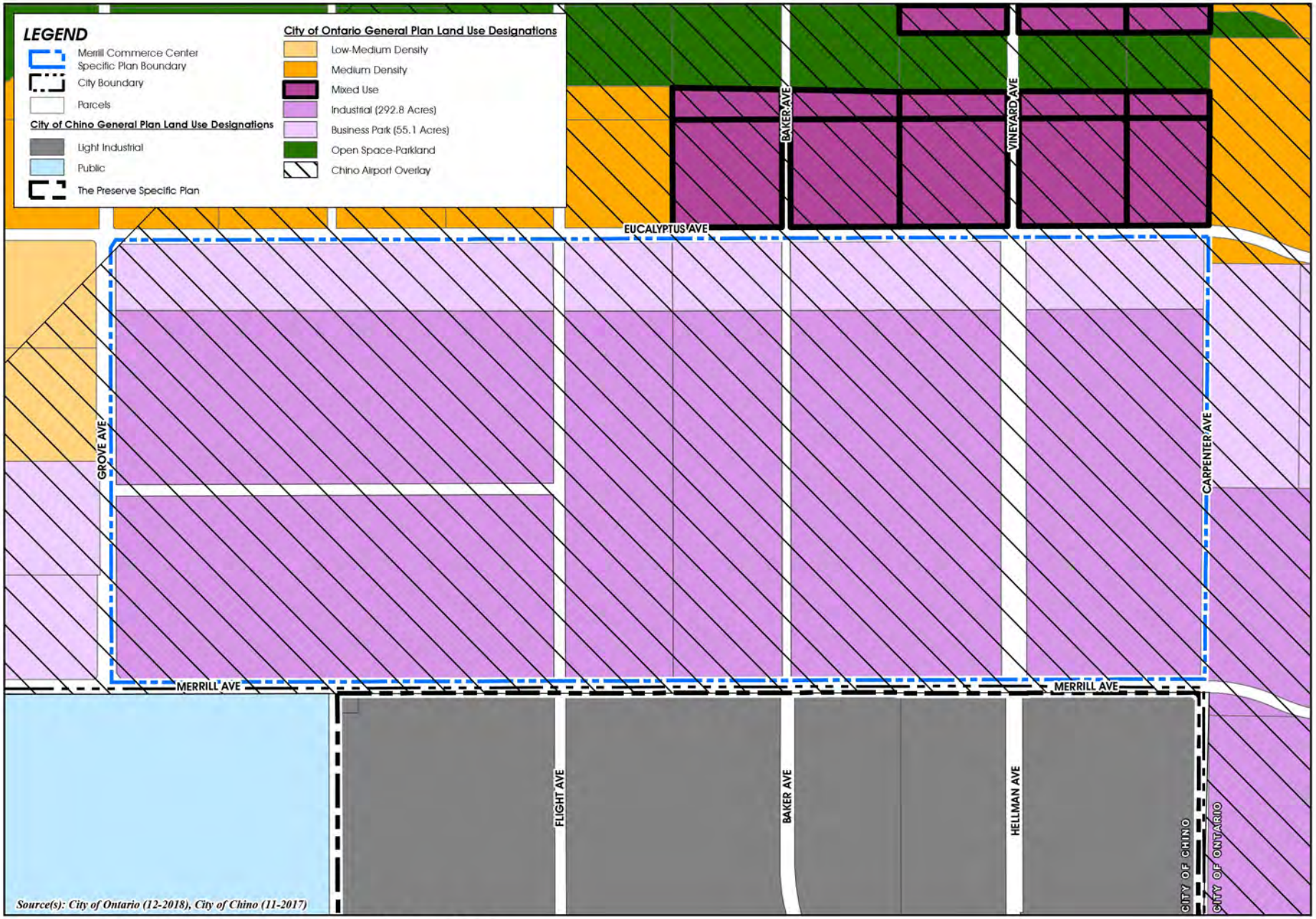
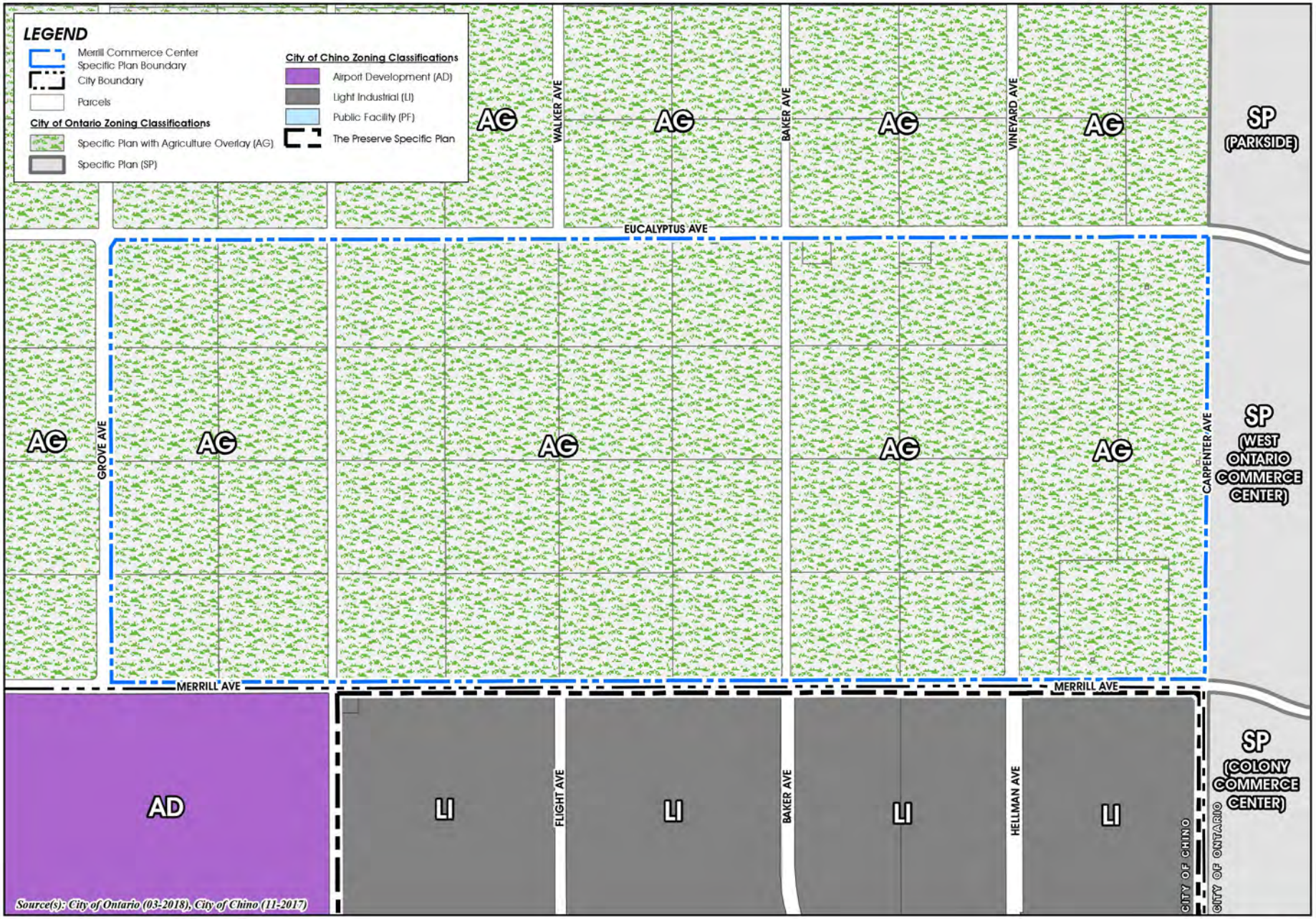


Proposed General Plan Land Use Designations

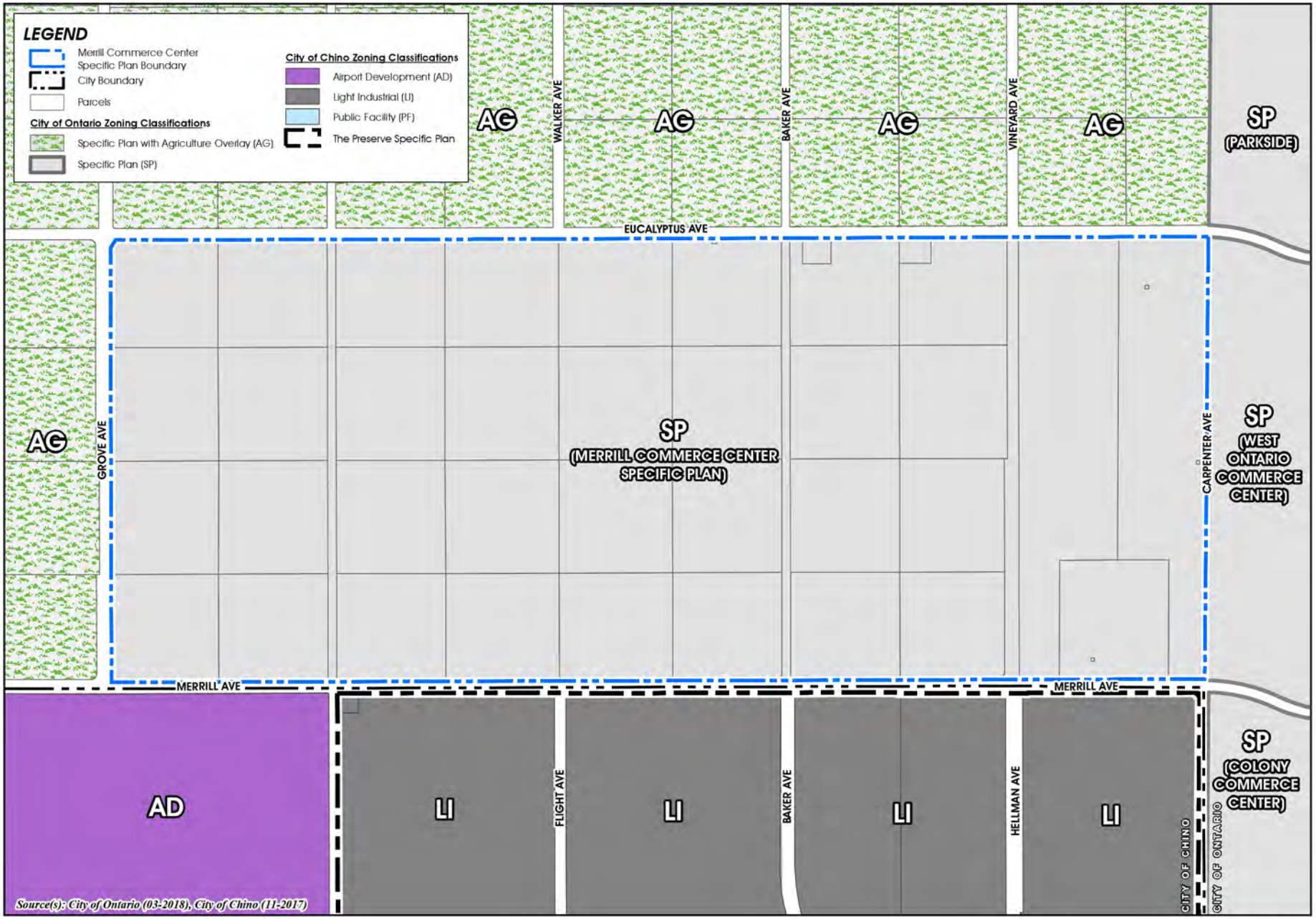
Figure 1-2

0 200 400 800 Feet



Existing Zoning Classifications

Figure 1-3



Proposed Zoning Classifications

Figure 1-4

EXISTING CONDITIONS

CHAPTER 2

2.1 Existing Assessor Parcel Numbers

2.2 Existing Land Use

2.3 Surrounding Land Uses

2.4 Willamson Act

2.5 Existing Circulation and Access

2.6 Existing Physical Site Conditions

CHAPTER 2 - EXISTING CONDITIONS

2.1 EXISTING ASSESSOR PARCEL NUMBERS

At the time this Specific Plan was prepared (2020), the MERRILL COMMERCE CENTER Specific Plan area consists of the following Assessor Parcel Numbers (APNs), as listed on Table 2-1, *Existing APN List*, and shown on Figure 2-1, *Existing APNs*.

Table 2-1 Existing APN List

Planning Areas 1, 1A, and 2	
1054-111-01	1054-211-01
1054-111-02	1054-211-02
1054-121-01	1054-221-01
1054-121-02	1054-221-02
1054-131-01	1054-331-01
1054-131-02	1054-331-02
1054-141-01	1054-341-01
1054-141-02	1054-341-02
Planning Areas 3 and 3A	
1054-151-01	1054-201-01
1054-161-01	1054-351-01
Planning Areas 4 and 4A	
1054-151-02	1054-201-02
1054-161-02	1054-351-02
1054-161-03	
Planning Areas 5 and 5A	
1054-171-01	1054-181-02
1054-171-02	1054-361-01
1054-171-03	1054-361-02
1054-171-04	1054-191-01
1054-181-01	1054-191-02
Planning Areas 6 and 6A	
1073-111-01	1073-111-04
1073-111-02	1073-111-05
1073-111-03	1073-111-06

2.2 EXISTING LAND USE

The Specific Plan property was formerly used for agricultural purposes, primarily for dairy farming. At the time this Specific Plan was prepared (2020), the property contained agricultural dairy operations, several rural residential homes, dairy farm buildings, bio-retention basins for the dairy farms, and other ancillary facilities that occupy areas not in active dairy farm use. The easternmost part of the Specific Plan property west of Carpenter Avenue contained commercial/ industrial structures and a truck trailer storage lot.

2.3 SURROUNDING LAND USES

As shown on Figure 2-3, *Surrounding Land Uses*, the Specific Plan property is bound by Eucalyptus Avenue and dairy farming activities and agricultural land uses to the north; Merrill Avenue, agricultural land uses, logistics warehouses, the Chino Airport, and a parcel delivery facility (under construction) to the south; Grove Avenue and dairy farming activities to the west; and Carpenter Avenue and properties under development for warehouse uses to the east. Merrill Avenue, which forms the Specific Plan's southern boundary, is the dividing line between the City of Ontario (north of Merrill Avenue) and the City of Chino (south of Merrill Avenue).

2.4 WILLIAMSON ACT

At the time this Specific Plan was prepared (2020), there is an active Williamson Act Contract (Contract #69-147, initiated in 1973) on APN 1073-111-02, a 29.05-acre property. Another Williamson Act Contract (#70-167 initiated in 1970) appears on title for APNs 1054-151-02, 1054-161-02, 1054-161-03, 1054-201-02 and 1054-351-02. However, a notice of non-renewal dated September 14, 2017, and recorded, starting the process to terminate this Contract is effective January 1, 2018. As one of the discretionary actions associated with the MERRILL COMMERCE CENTER Specific Plan, these existing Williamson Act Contracts will be cancelled. Cancellation would comply with provisions and requirements identified at Government Code (GC) §51280 et seq. The City would be required to make the required statutory findings (GC §51282(a)). The landowner would be required to pay the requisite cancellation fee.

2.5 EXISTING CIRCULATION AND ACCESS

2.5.1 Regional Circulation

Interstate 15 (I-15) is located approximately 7.0 miles east of the MERRILL COMMERCE CENTER Specific Plan. The Specific Plan area is accessible to and from I-15 via the Cantu-Galleano Ranch Road and Limonite Avenue on- and off-ramps. State Route 60 (SR-60) is located approximately 2.7 miles north of the Specific Plan area, with access to and from SR-60 provided by the Grove Avenue (abuts the Specific Plan to the west) and Archibald Avenue on- and off-ramps. State Route 83 (SR-83/Euclid Avenue) is located approximately 1.8 miles to the west of the Specific Plan area, with access available from Merrill Avenue which abuts the Specific Plan property on the south.

2.5.2 Local Circulation

Access to the MERRILL COMMERCE CENTER Specific Plan area is provided from Grove Avenue, Eucalyptus Avenue, Vineyard Avenue, Baker Avenue, Carpenter Avenue, Walker Avenue, and Flight Avenue. Merrill Avenue, Edison Avenue, and Euclid Avenue are City of Ontario designated truck routes that provide truck access to the MERRILL COMMERCE CENTER. Additionally, the City of Chino designates Carpenter Avenue, Walker Avenue, and Flight Avenue as truck routes, which provide access to MERRILL COMMERCE CENTER from the south.

Merrill Avenue abuts the Specific Plan on the south and consisted of two paved travel lanes at the time this Specific Plan was prepared. The Ontario Policy Plan designates Merrill Avenue as a 4-lane Collector Street.

Eucalyptus Avenue abuts the Specific Plan to the north, is designated as a 4-lane Collector Street by the Policy Plan, and consisted of two paved travel lanes at the time this Specific Plan was prepared.

Grove Avenue abuts the Specific Plan to the west and consisted of two paved travel lanes at the time this Specific Plan was prepared. The Policy Plan designates Grove Avenue as a 4-lane Principal Arterial.

Walker Avenue is a north-south oriented roadway that traverses the west-central portion of the Specific Plan and consisted of two paved travel lanes north of its intersection with Eucalyptus at the time this Specific Plan was prepared. The Policy Plan designates Walker Avenue as a 2-lane Collector Street.

Baker Avenue consisted of two paved travel lanes south of its intersection with Merrill Avenue at the time this Specific Plan was

prepared. Figure M-2, *Functional Roadway Classification Plan*, of the Policy Plan does not show a roadway classification for Baker Avenue. The Specific Plan will construct the on-site segment of Baker Avenue to be consistent with the segment of Baker Avenue located south of Merrill Avenue within the City of Chino.

Vineyard Avenue is a north-south oriented street that traverses the easterly portion of the Specific Plan that is designated as a 6-lane Principal Arterial by the Policy Plan. At the time this Specific Plan was prepared, no segments of Vineyard Avenue on-site or immediately abutting the Specific Plan had been constructed.

Carpenter Avenue abuts the Specific Plan to the east, with the segment of Carpenter Avenue that abuts the Specific Plan consisting of an unstriped semi-paved single travel lane. Figure M-2, *Functional Roadway Classification Plan*, of the Policy Plan does not depict a roadway classification for Carpenter Avenue. The Specific Plan will construct frontage improvements along Carpenter Avenue to be consistent with the segment of Carpenter Avenue located south of Merrill Avenue, at its ultimate right-of-way build-out.

2.6 EXISTING PHYSICAL SITE CONDITIONS

2.6.1 Topography

The MERRILL COMMERCE CENTER Specific Plan property is relatively flat and gently falls to the south, with elevations ranging from approximately 670 feet above mean sea level (AMSL) in the north to approximately 645 feet AMSL in the south. The existing topographic conditions for the Specific Plan property are illustrated on Figure 2-4, *USGS Topographic Map*.

2.6.2 Hydrology

Due to use of the majority of the Specific Plan property for agricultural and dairy farm operations, only a limited portion of the property was covered with impervious surfaces at the time this Specific Plan was prepared. Stormwater mostly percolated through on-site soils and did not result in high volumes of surface runoff that are associated with urban environments having predominantly impervious surfaces. The storm drain system throughout the Specific Plan property was generally unimproved and consisted primarily of open earthen swales along area roadways or curbed roadway surfaces. The MERRILL COMMERCE CENTER Specific Plan EIR includes additional detailed hydrology information for the property.

The MERRILL COMMERCE CENTER Specific Plan is located within the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Numbers 06071C9375H and 06071C9335H. As shown on FIRM No. 06071C9375H, a large portion of the eastern area of the Specific Plan property is located within Flood Zone X, indicating it is protected by the Cucamonga Creek flood channel levees from hazards associated with a 1% annual chance flood event.

2.6.3 Geology and Soils

The Specific Plan property is located in the Upper Santa Ana Valley, a broad alluvial and fluvial plain located within the Los Angeles, Orange, Riverside, and San Bernardino Counties. The Upper Santa Ana Valley is a southwesterly draining basin bounded by the San Gabriel Mountains and San Bernardino Mountains on the north and east, the Puente and San Jose Hills on the west and the Jurupa Hills and the Santa Ana Mountains to the south.

Subsurface lithology in the general vicinity is mapped as recent-age alluvium and colluvium. Soil types at the Specific Plan property consist of cattle manure, artificial fill soils, and native alluvial soils.

According to the United States Department of Agriculture (USDA) Web Soil Survey database, the majority of the Specific Plan property is mapped as containing Delhi fine sand, with the remainder of the soils mapped as Hilmar loamy fine sand, Tujunga loamy sand, and Chino silt loam.

The property is not underlain by any seismic fault lines, with the nearest fault (Chino Fault) occurring 4.3 miles to the southwest.

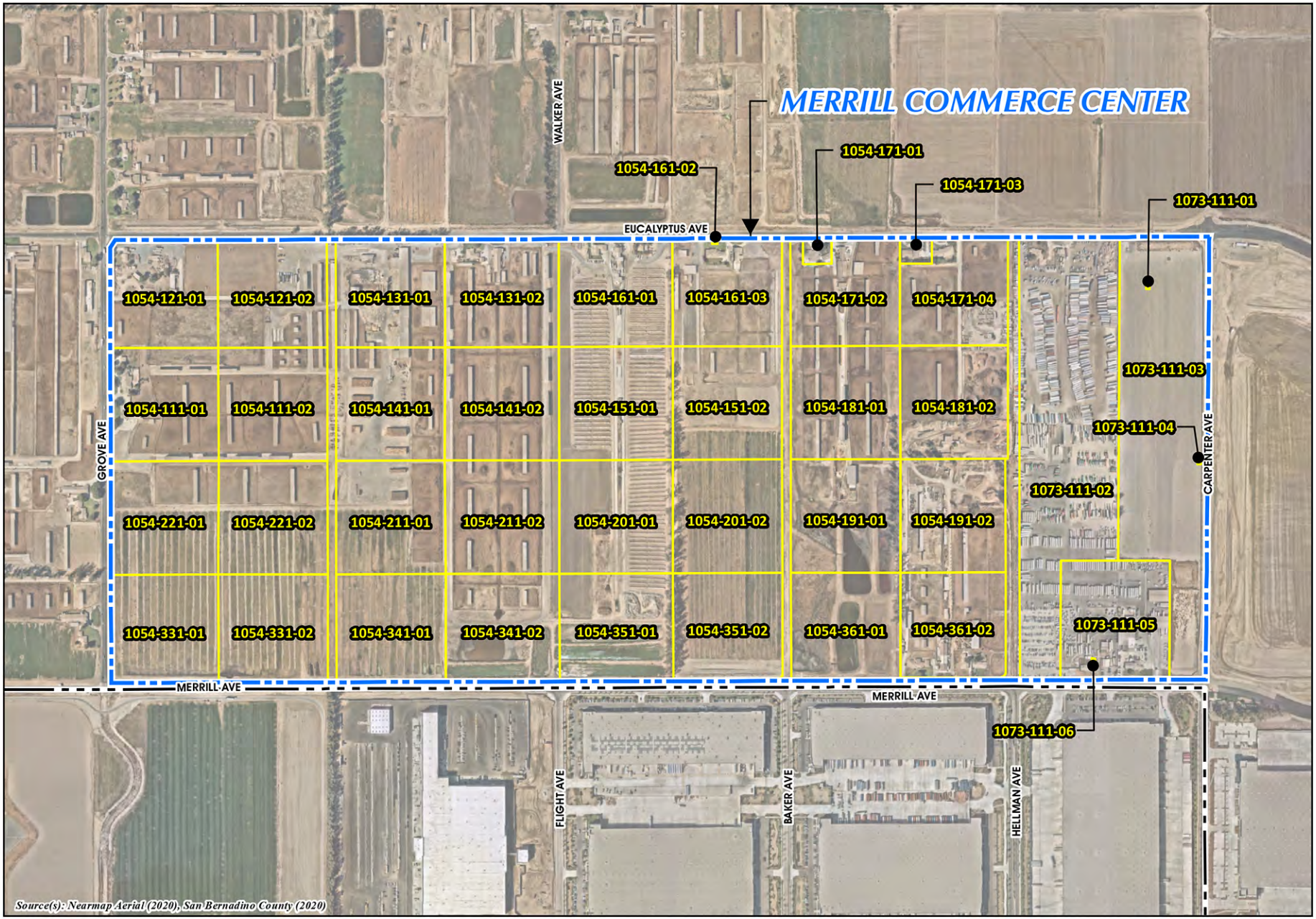
2.6.4 Vegetation and Biological Resources

The Specific Plan property has been extensively used for agricultural operations (including dairy and row crop uses), residential uses, and a trucking operation, and therefore consisted of entirely disturbed/developed and agricultural vegetation/land cover types with little to no native vegetation at the time this specific plan was prepared. The MERRILL COMMERCE CENTER Specific Plan EIR includes a detailed evaluation of vegetation and biological resources.

2.6.5 Existing Ground Water Wells

In compliance with the Chino Basin Watermaster's Well Procedure for Developers, documentation that a well use/destruction plan and schedule for all existing private/ agricultural wells is in-process shall be submitted to the City of Ontario prior to any construction activities. 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. The locations of existing water wells are shown in Figure 2-5, *Existing Water Well Locations*.

Documentation that the well abandonment process is underway shall be provided to the Community Development Agency Engineering Department and the Ontario Municipal Utilities Company at the time of a grading permit and/or building permit being issued. 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 the 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.



Existing APNs

Figure 2-1

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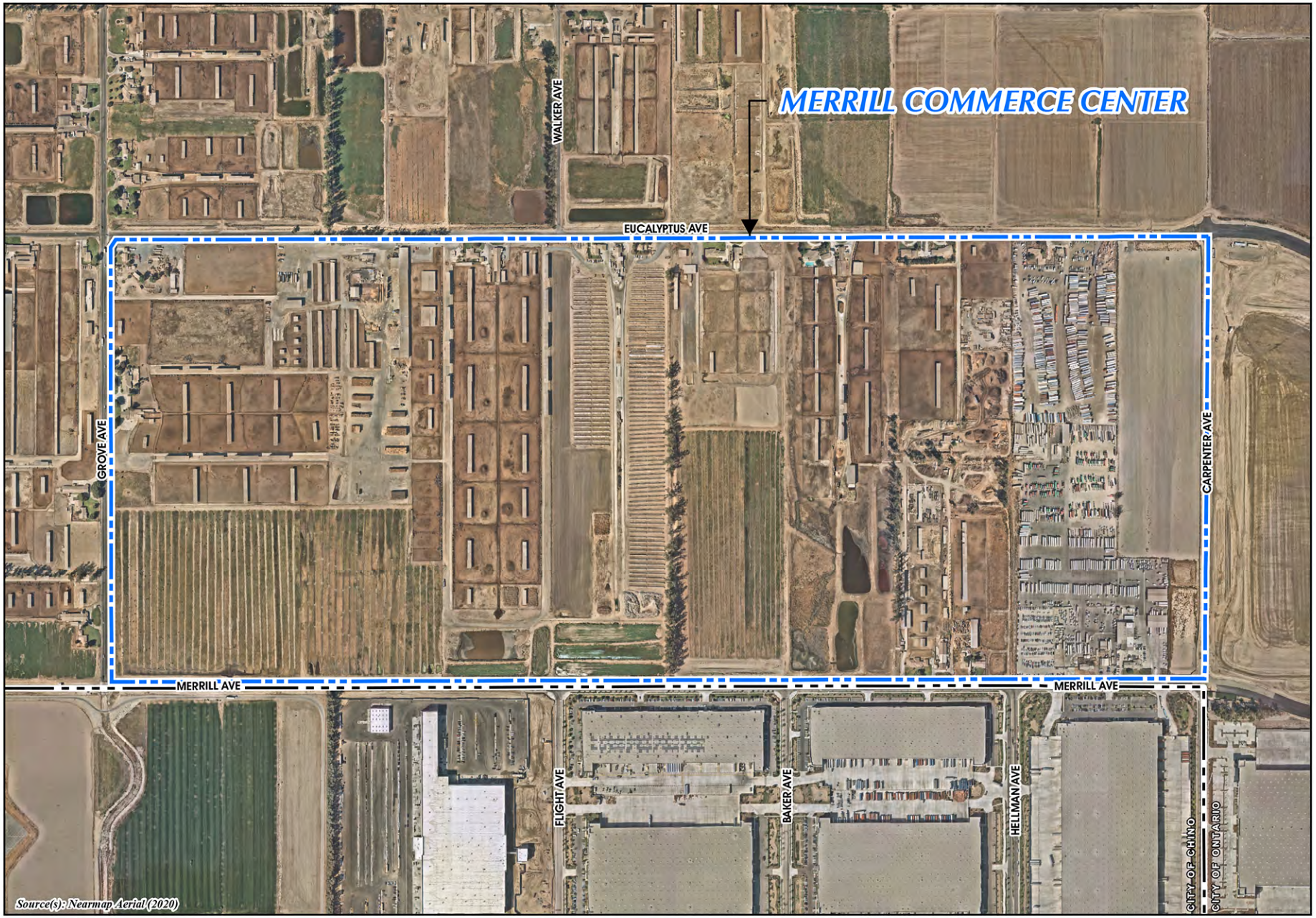

Aerial Photograph

Figure 2-2

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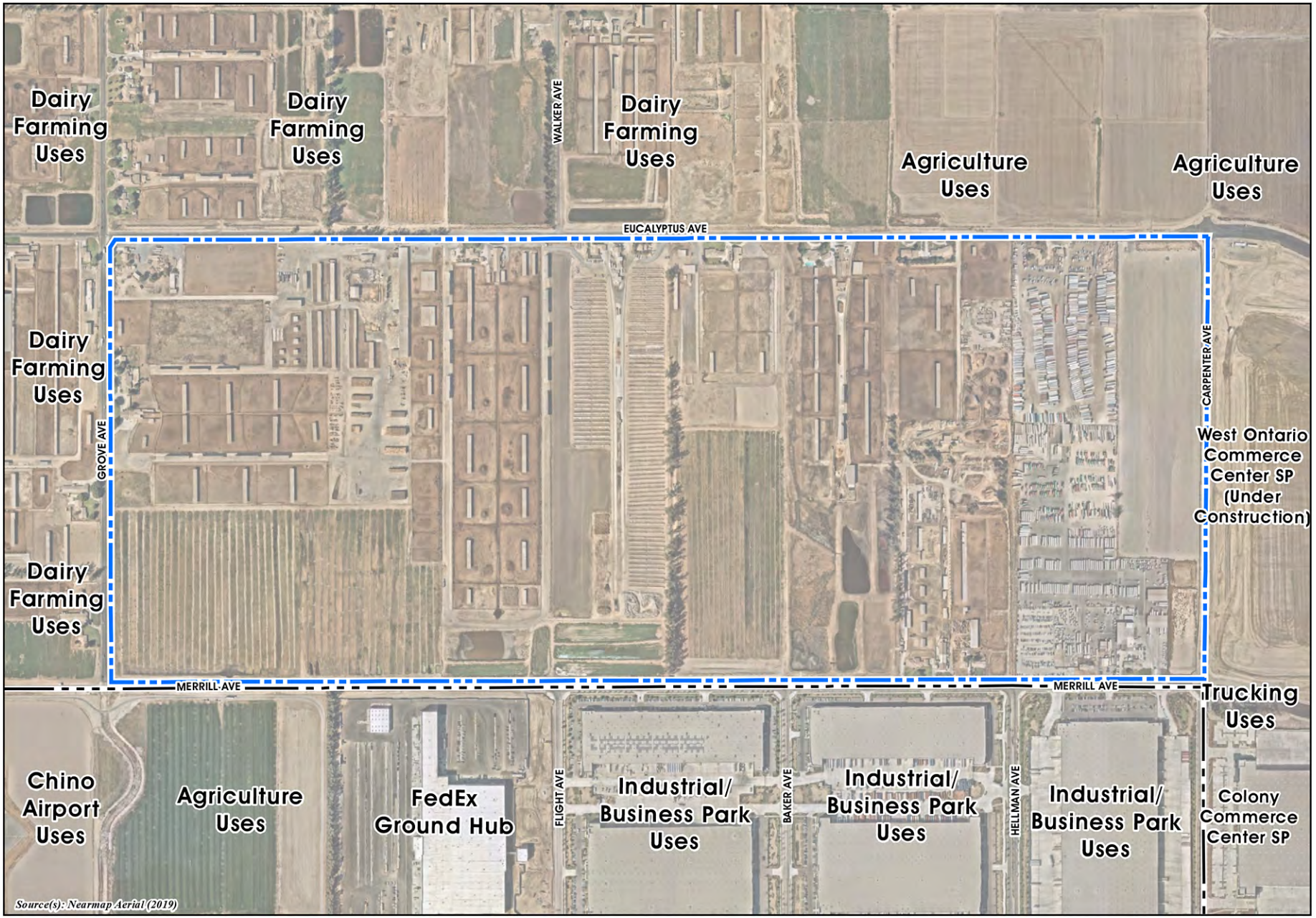

Surrounding Land Uses

Figure 2-3

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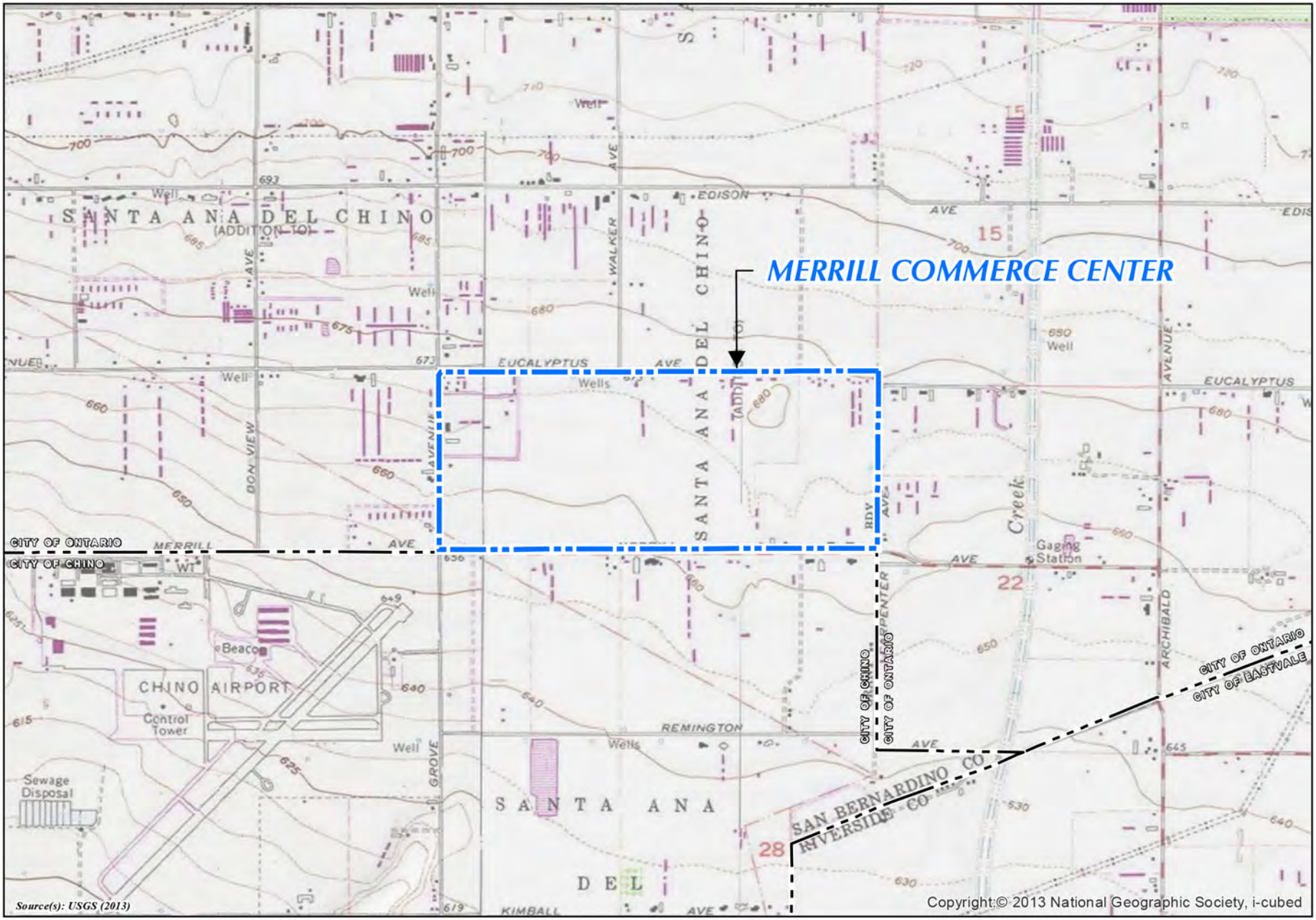
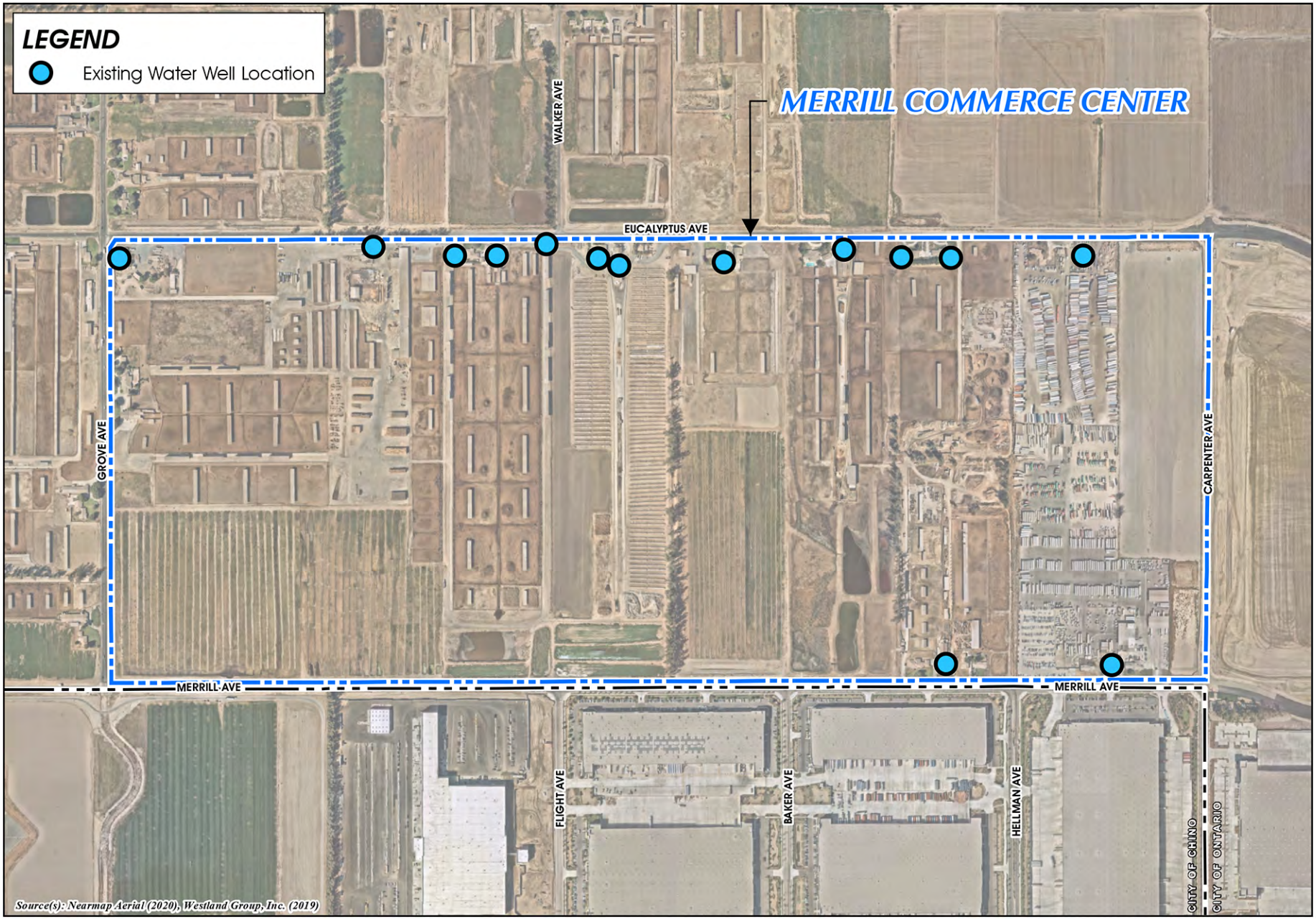


USGS Topographic Map

Figure 2-4

0 500 1,000 2,000 Feet



Existing Water Well Locations

Figure 2-5

LAND USE PLAN

CHAPTER 3

3.1 Vision

3.2 Land Use Plan

3.3 Chino ALUCP Compliance

CHAPTER 3 - LAND USE PLAN

3.1 VISION

The MERRILL COMMERCE CENTER is designed as a contemporary employment center laid out in a master-planned, campus-like setting. Located in the southern section of the City of Ontario in the heart of the Inland Empire, the MERRILL COMMERCE CENTER is positioned to attract a variety of business types and sizes, ranging from local enterprises to international corporations. With distant views of the San Gabriel Mountains to the north, the Chino Hills to the southwest, and the Santa Ana Mountains to the south, the MERRILL COMMERCE CENTER is envisioned as an attractive place where businesses can prosper, attract economic investment, and provide goods, services, and job opportunities to the surrounding community and region.

3.2 LAND USE PLAN

This Specific Plan establishes two land use designations: Industrial and Business Park. For planning purposes, the 376.3-acre Specific Plan area is divided into 11 planning areas. A "planning area" is a specific geographic area to which development standards are uniformly applied. Figure 3-1, *Land Use Plan*, depicts the physical arrangement of the planning areas and the major roads within and abutting the Specific Plan area.

Table 3-1, *Land Use Plan Statistical Summary*, lists each planning area and their respective land use designation, acreage, and development intensity (amount of building square footage targeted for each planning area). The maximum building square footage in the Specific Plan area is 8,455,000 sq. feet.

Table 3-1 Land Use Plan Statistical Summary

PLANNING AREA	LAND USE DESIGNATION	ACRES[1]	FAR	BUILDING SQ. FOOTAGE [2, 3]
Industrial				
1	Industrial	58.9	0.55	1,411,000 SF
2	Industrial	62.1		1,488,000 SF
3	Industrial	30.7		735,000 SF
4	Industrial	31.1		745,000 SF
5	Industrial	59.9		1,435,000 SF
6	Industrial	50.1		1,200,000 SF
Total Industrial Acreage and Maximum Building SF		*292.8*	*0.55*	*7,014,000 SF*
Business Park				
1A	Business Park	22.9	0.60	598,000 SF
3A	Business Park	5.7		150,000 SF
4A	Business Park	5.8		152,000 SF
5A	Business Park	11.2		293,000 SF
6A	Business Park	9.5		248,000 SF
Total Business Park Acreage and Maximum Building SF		*55.1*	*0.60*	*1,441,000 SF*
--	Circulation	28.4	--	--
TOTALS		***376.3 AC***		***8,455,000 SF***

Notes:

1. Acreages are approximate and subject to survey verification.

2. Building square footage calculated by multiplying the total acreage of each planning area by the anticipated floor area ratio (FAR) for the respective land use designation (FAR of 0.55 is applicable to the Industrial land use designation and FAR of 0.60 is applicable to the Business Park land use designation).

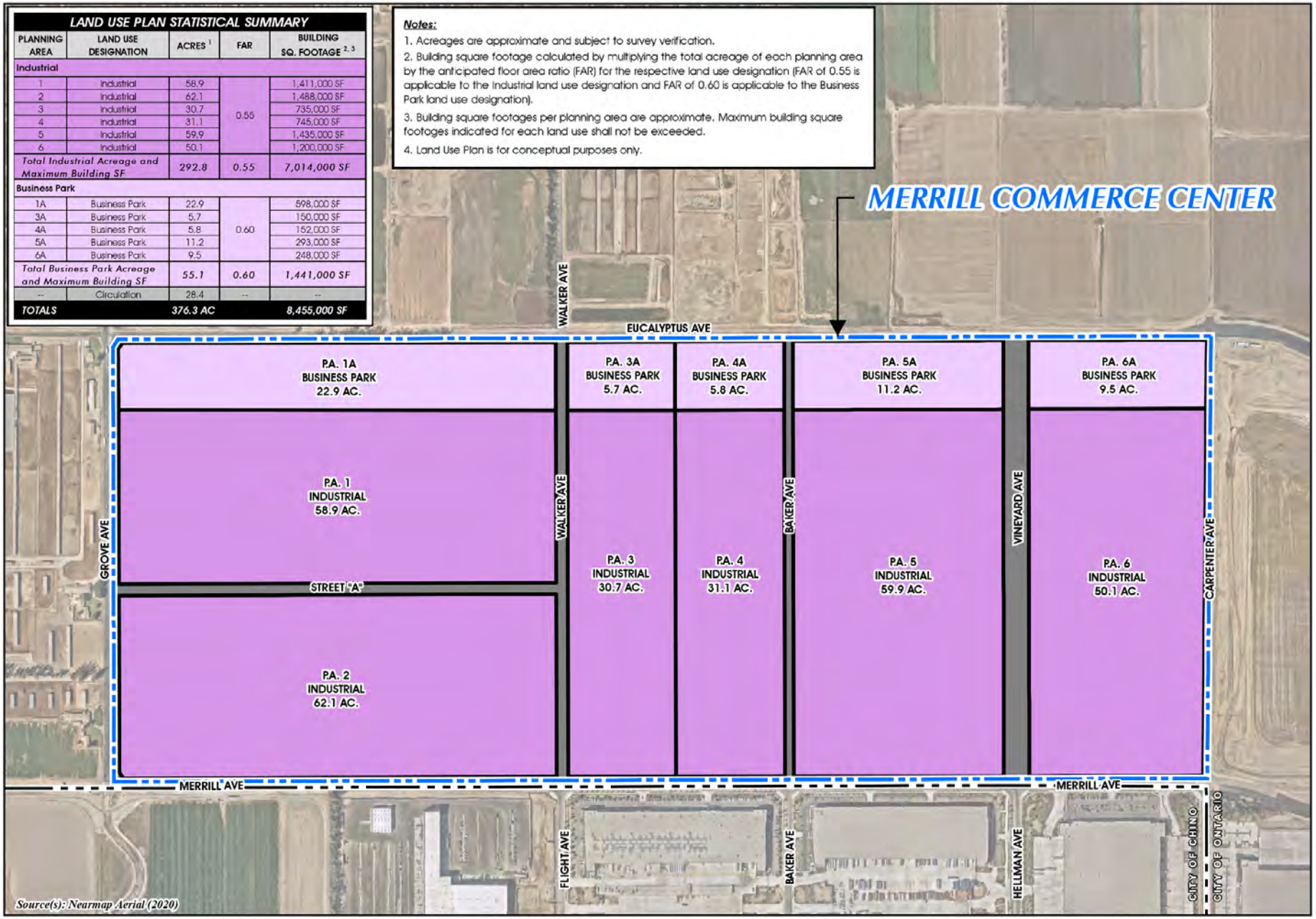
3. Building square footages per planning area are approximate. Maximum building square footages indicated for each land use category (maximum of 7,104,000 s.f. for Industrial and maximum of 1,441,000 s.f. for Business Park) shall not be exceeded.

LAND USE PLAN STATISTICAL SUMMARY

PLANNING AREA	LAND USE DESIGNATION	ACRES [1]	FAR	BUILDING SQ. FOOTAGE [2, 3]
Industrial				
1	Industrial	58.9	0.55	1,411,000 SF
2	Industrial	62.1		1,488,000 SF
3	Industrial	30.7		735,000 SF
4	Industrial	31.1		745,000 SF
5	Industrial	59.9		1,435,000 SF
6	Industrial	50.1		1,200,000 SF
Total Industrial Acreage and Maximum Building SF		*292.8*	*0.55*	*7,014,000 SF*
Business Park				
1A	Business Park	22.9	0.60	598,000 SF
3A	Business Park	5.7		150,000 SF
4A	Business Park	5.8		152,000 SF
5A	Business Park	11.2		293,000 SF
6A	Business Park	9.5		248,000 SF
Total Business Park Acreage and Maximum Building SF		*55.1*	*0.60*	*1,441,000 SF*
--	Circulation	28.4	--	--
TOTALS		*376.3 AC*		*8,455,000 SF*

Notes:

1. Acreages are approximate and subject to survey verification.
2. Building square footage calculated by multiplying the total acreage of each planning area by the anticipated floor area ratio (FAR) for the respective land use designation (FAR of 0.55 is applicable to the Industrial land use designation and FAR of 0.60 is applicable to the Business Park land use designation).
3. Building square footages per planning area are approximate. Maximum building square footages indicated for each land use shall not be exceeded.
4. Land Use Plan is for conceptual purposes only.



Land Use Plan

Figure 3-1

0 200 400 800 Feet

3.2.1 Industrial Planning Areas (292.8 Acres)

Six planning areas (Planning Areas 1, 2, 3, 4, 5 and 6) covering a total of 292.8 acres are designated "Industrial" and located in the southerly portion of the Specific Plan area. Up to 7,014,000 square(sq.) feet of building space is permitted across Planning Areas 1, 2, 3, 4, 5 and 6.

Industrial buildings are envisioned to range from approximately 100,000 sq. feet in size up to 1,500,000 sq. feet in size and house users such as general light industrial, manufacturing, warehouse/storage, fulfillment center, and e-commerce operations.

To facilitate vehicular access to and from the uses in these planning areas, Street "A" provides an interior connection between Grove Avenue and Walker Avenue, with its ultimate alignment to be determined and designed in conjunction with implementing projects. The other perimeter and interior public streets form a grid pattern, as called for by the Ontario Policy Plan.

3.2.2 Business Park Planning Areas (55.1 Acres)

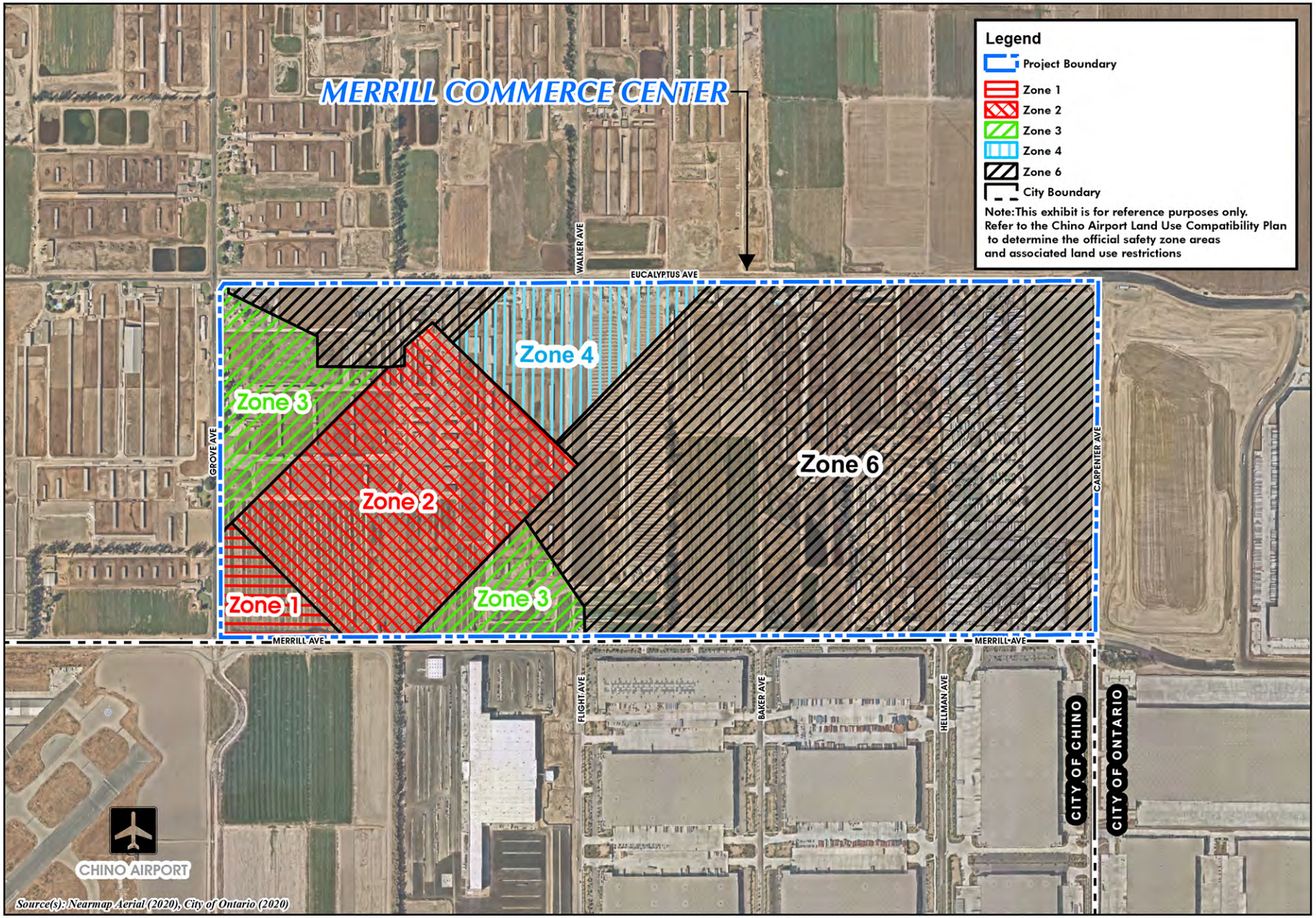
Encompassing 55.1 acres in the northerly portion of the Specific Plan area along its frontage with Eucalyptus Avenue, Planning Areas 1A, 3A, 4A, 5A and 6A are designated "Business Park." Up to 1,441,000 sq. feet of building space is permitted across Planning Areas 1A, 3A, 4A, 5A and 6A.

The buildings constructed in Business Park planning areas are envisioned to be smaller than 150,000 sq. feet, oriented toward Eucalyptus Avenue, and primarily provide for merchant wholesalers, professional services, professional office, small-scale warehousing/ storage, and research and development uses. Primary vehicular access is from Eucalyptus Avenue and private driveways interior to the planning areas.

3.3 CHINO ALUCP COMPLIANCE

The entire Specific Plan boundary is located within the Chino Airport Safety Zones (Safety Zones 1, 2, 3, 4 and 6), that may limit building height, land uses, and floor area ratio (FAR) based on the proposed land use and requirements for open land. Refer to Section 5, *Development Regulations*, for additional regulations and also refer to the Chino Airport Land Use Compatibility Plan. See Figure 3-, 2, *Chino Airport Safety Zone Map*, for additional land use restrictions.

Refer to Section 5, Development Regulations, for the specific land use and development standards applicable to each planning area, and Section 6, Design Guidelines, for information about architecture, landscaping, lighting, and signage.



Chino Airport Safety Zones

Figure 3-2

0 250 500 1,000 Feet

INFRASTRUCTURE PLAN

CHAPTER 4

4.1 Circulation and Access

4.2 Utility Infrastructure Plan

4.3 Conceptual Grading

CHAPTER 4 - INFRASTRUCTURE PLAN

4.1 CIRCULATION AND ACCESS PLAN

The MERRILL COMMERCE CENTER Circulation and Access Plan provides direct, safe, and convenient access for visitors, employees, and goods movement to and from the Specific Plan's 11 planning areas. Components of the Specific Plan's Circulation and Access Plan are discussed and illustrated on the following pages.

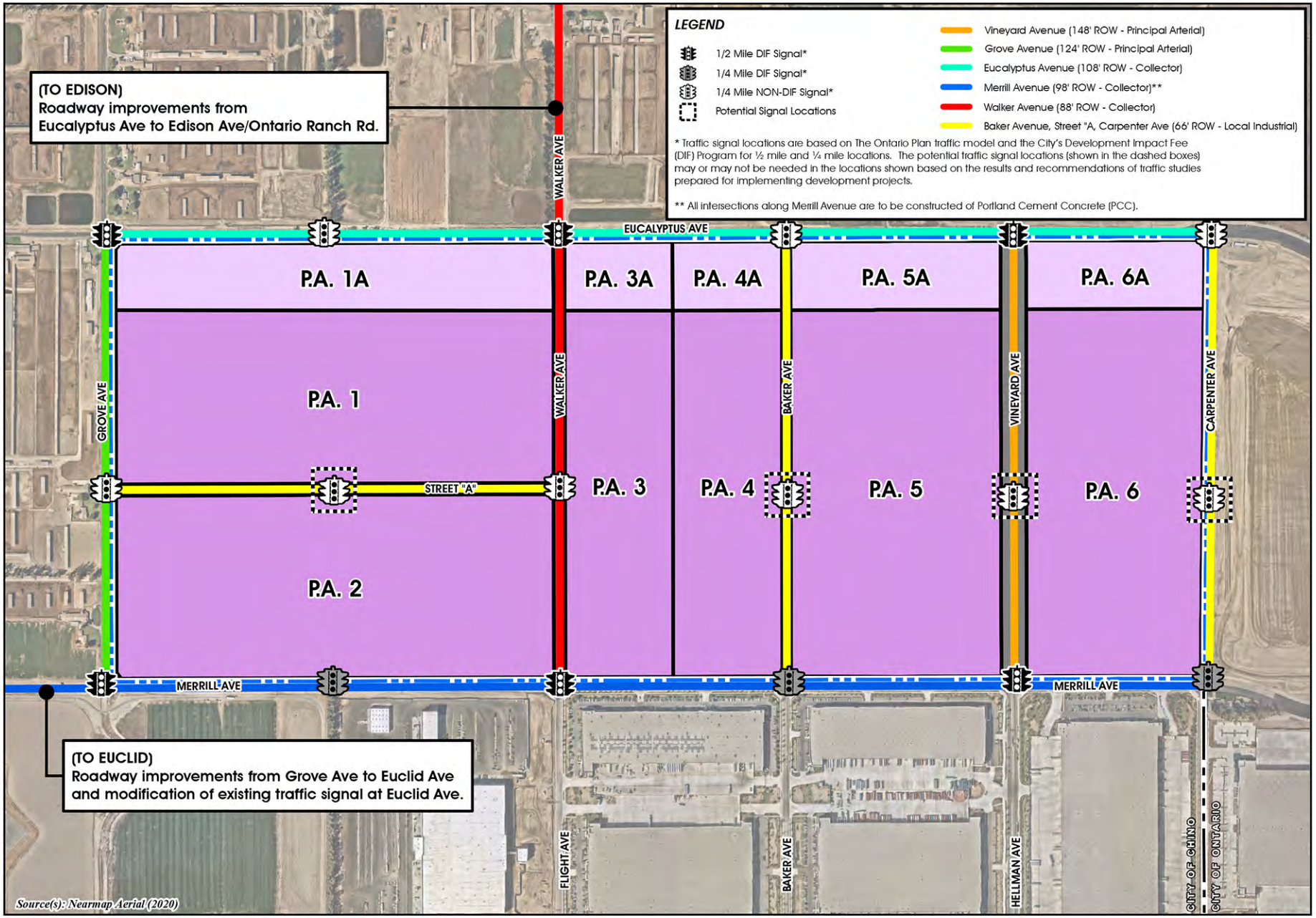
4.1.1 Vehicular Circulation

Direct access to the MERRILL COMMERCE CENTER property is provided by several roadways. Merrill Avenue forms the Specific Plan's southern boundary and Eucalyptus Avenue forms the northern boundary. Grove Avenue forms the Specific Plan's western boundary and Carpenter Avenue forms the eastern boundary. Baker Avenue, Walker Avenue, and Vineyard Avenue traverse through the middle of the Specific Plan area in north-south orientations.

Additionally, Street "A," is an internal east-west oriented roadway positioned between Planning Areas 1 and 2 connecting Grove Avenue and Walker Avenue. The ultimate alignment of Street "A" is to be determined and designed in conjunction with implementing development plans. In addition, the installation of traffic controls (traffic signals and stop signs) and the location and orientation of private driveways serving individual buildings will be determined as part of implementing development plans.

Figure 4-1, *Conceptual Vehicular Circulation and Access Plan,* illustrates the vehicular circulation plan. Final intersection designs, intersection spacing, intersection right-of-way, and traffic controls must conform to the findings of the MERRILL COMMERCE CENTER Specific Plan Traffic Impact Analysis prepared by Urban Crossroads, City standards, and to the satisfaction of the City Engineer.

The following pages describe and illustrate the primary components of the MERRILL COMMERCE CENTER Specific Plan's vehicular circulation network. Refer to Chapter 7, *Implementation Plan*, for additional circulation improvement standards pertaining to phasing.



Conceptual Vehicular Circulation and Access Plan

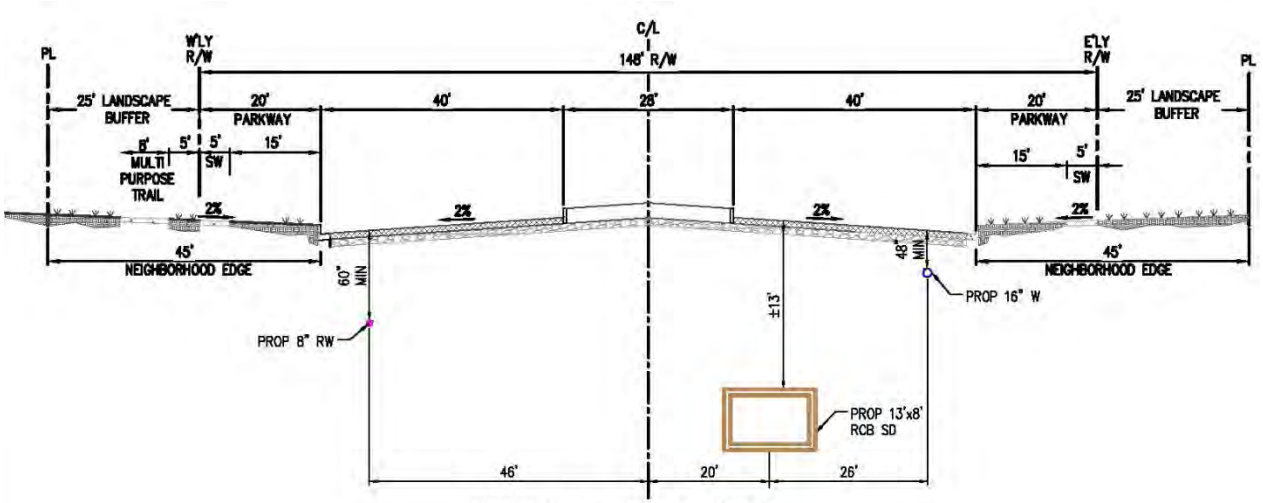
Figure 4-1

A. Vineyard Avenue (148-foot ROW Principal Arterial)

Vineyard Avenue forms the eastern boundary of Planning Areas 5 and 5A and forms the western boundary of Planning Areas 6 and 6A. This public roadway provides access to the Specific Plan area from off-site areas to the north and south. Along the segment of Vineyard Avenue located between Eucalyptus Avenue and Merrill Avenue (includes the segment that abuts the eastern boundary of Planning Areas 5 and 5A and the western boundary of Planning Areas 6 and 6A), the developer(s) of the MERRILL COMMERCE CENTER will construct the entirety of the 148-foot Principal Arterial, which includes 80 feet of paved roadway, a 28-foot wide raised landscaped median, and a 20-foot wide parkway on the east and west sides of the roadway. The 20-foot wide parkways on both sides of Vineyard Avenue contain 15 feet of curb-adjacent landscaping and a 5-foot wide sidewalk.

A 25-foot wide landscape buffer abuts the east and west sides of the Vineyard Avenue right-of-way, with the westerly landscape buffer including an 8-foot wide multi-purpose trail.

Traffic signals will be located at the intersection of Vineyard Avenue with Eucalyptus Avenue (1/2-mile DIF) and the intersection of Vineyard Avenue with Merrill Avenue (1/2-mile DIF). Also, a 1/4-mile non-DIF signal may be needed on Vineyard Avenue mid-way between Eucalyptus Avenue and Merrill Avenue depending on need. Traffic signal locations are subject to change based on the results and recommendations of a traffic study. All improvements to Vineyard Avenue shall comply with applicable City of Ontario requirements, including sight distance requirements. Buildings located in Planning Areas 5, 5A, 6, and 6A connect to Vineyard Avenue via direct driveway connections. Final driveway locations connecting with Vineyard Avenue will be determined in conjunction with the design of implementing development plans.



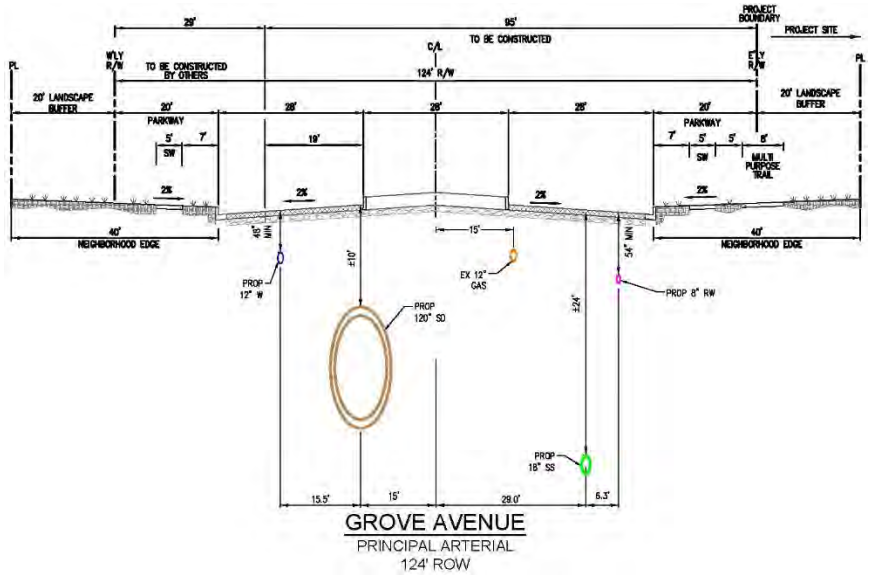
B. Grove Avenue (124-foot ROW Principal Arterial)

Grove Avenue forms the western boundary of Planning Areas 1, 1A, and 2. Along the segment of Grove Avenue located between Eucalyptus Avenue and Merrill Avenue, the developer(s) of the MERRILL COMMERCE CENTER will construct 95 feet of the ROW of this 124-foot wide Principal Arterial. The portions of Grove Avenue to be constructed by the MERRILL COMMERCE CENTER's developer(s) include 47 feet of paved roadway, a 28-foot-wide raised landscaped median, and a 20-foot wide parkway on the eastern side of the street that contains 7 feet of landscaping, a 5-foot sidewalk, a 5-foot landscape buffer and 3 feet of the 8-foot wide multi-purpose trail (the other 5 feet of the multi-purpose trail are located outside of the Grove Avenue ROW and will be constructed as part of the MERRILL COMMERCE CENTER). The remaining portions of the western side of the Grove Avenue ROW will be constructed by others and are anticipated to include 9 feet of roadway and curb-and-gutter improvements, and a 20-foot wide parkway containing a 7-foot landscaped parkway, 5-foot sidewalk, and 8 feet of landscaping.

A landscape buffer abuts the east and west sides of the Grove Avenue ROW, with the easterly 20-foot-wide landscape buffer to be located in the MERRILL COMMERCE CENTER and including 5 feet of an 8-foot wide multi-purpose trail (the other 3 feet of which are located within the Grove Avenue public ROW).

Traffic signals will be located at the intersections of Grove Avenue with Eucalyptus Avenue (1/2-mile DIF), Street "A" (1/4-mile non-DIF) and Merrill Avenue (1/2-mile DIF). Traffic signal locations are subject to change based on the results and recommendations of a traffic study. All improvements to Grove Avenue are required to comply with applicable City of Ontario requirements, including sight distance requirements.

Buildings in Planning Areas 1, 1A, and 2 connect to Grove Avenue via direct driveway connections along Grove Avenue. Final driveway locations will be determined in conjunction with the design of implementing development projects, in accordance with Chapter 2.0 Access Guidelines of the City of Ontario's Traffic and Transportation Design Guidelines.



C. *Eucalyptus Avenue (108-foot ROW Collector)*

Eucalyptus Avenue forms the northern boundary of Planning Areas 1A, 3A, 4A, 5A and 6A. This public roadway provides access to the Specific Plan area from the west and east. Along the segment of Eucalyptus Avenue that abuts the northern boundary of Planning Areas 1A, 3A, 4A, 5A, and 6A, the developer(s) of the MERRILL COMMERCE CENTER will construct 79 feet of the Eucalyptus Avenue ROW including 67 feet of paved roadway, and a 12-foot-wide parkway on the south side of the street that contains 7 feet of curb-adjacent landscaping and a 5-foot-wide sidewalk. The remaining portions of the northern side of the Eucalyptus Avenue ROW will be constructed by others and will include 17 feet of roadway and a 12-foot parkway containing 7 feet of curb-adjacent landscaping and a 5-foot sidewalk.

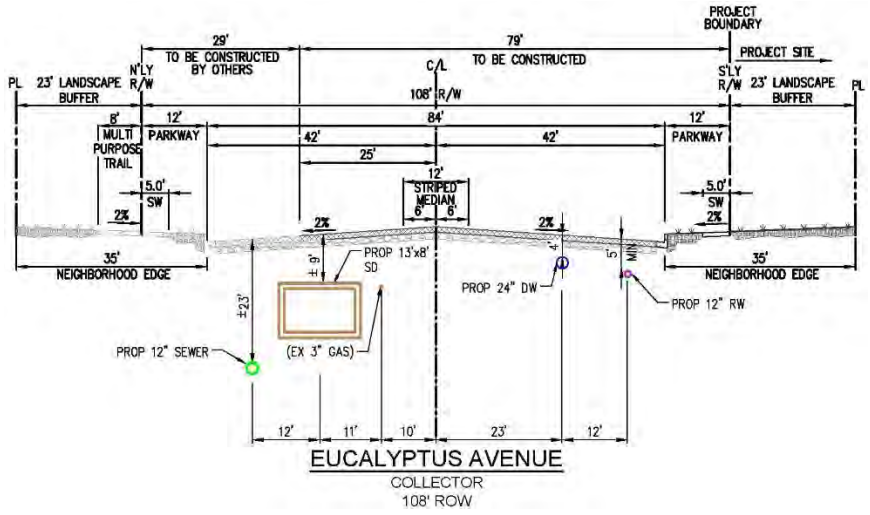
Eucalyptus Avenue is designated by the Chino Airport Compatibility Plan to satisfy open land requirements. For this reason, the median is painted and not raised and light poles and street trees are designed to maintain a clear width of about 75 feet. The light poles will be spaced at approximately 250 feet and staggered on the opposite side of the street.

Traffic signals will be located along Eucalyptus Avenue at its intersections with Grove Avenue, Walker Avenue, and Vineyard Avenue (1/2-mile DIF), and at Baker Avenue and Carpenter Avenue (1/4-mile non-DIF) and potentially mid-way between Grove Avenue and Walker Avenue (1/4-mile non-DIF) depending on need.

Traffic signal locations are subject to change based on the results and recommendations of a traffic study. All improvements to Eucalyptus Avenue are required to comply with applicable City of Ontario requirements, including sight distance requirements.

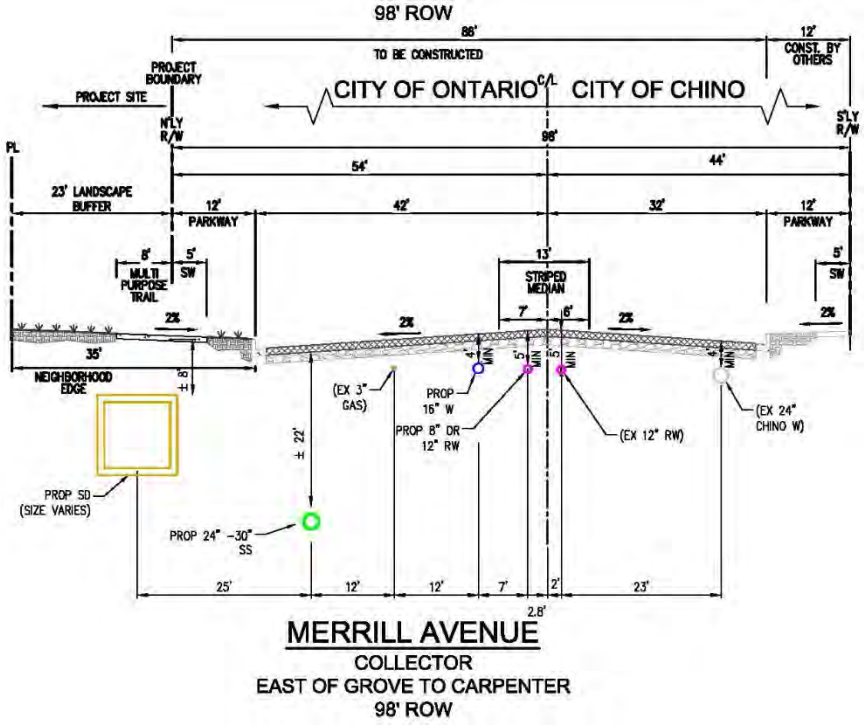
A landscape buffer abuts the north and south sides of the Eucalyptus Avenue right-of-way, with the southernly 23-foot wide landscape buffer located in the MERRILL COMMERCE CENTER outside of the public right-of-way.

Buildings in Planning Areas 1A, 3A, 4A, 5A, and 6A connect to Eucalyptus Avenue via direct driveway connections along Eucalyptus Avenue and via Grove Avenue, Walker Avenue, Baker Avenue, Vineyard Avenue, and Carpenter Avenue. Final driveway locations along Eucalyptus Avenue will be determined in conjunction with the design of implementing development projects, in accordance with Chapter 2.0 Access Guidelines of the City of Ontario's Traffic and Transportation Design Guidelines.



D. Merrill Avenue (98-foot ROW Collector)

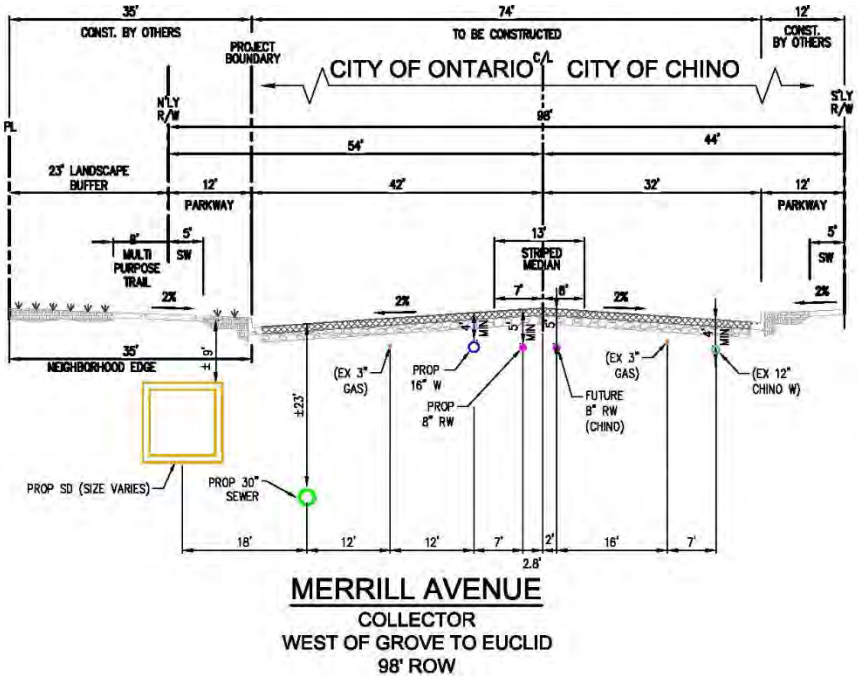
Merrill Avenue forms the southern boundary of Planning Areas 2, 3, 4, 5, and 6 and is the dividing line between the City of Ontario to the north and the City of Chino to the south. This public roadway provides access to the Specific Plan area from off-site areas to the east, south, and west. Along the segment of Merrill Avenue located between Grove Avenue and Carpenter Avenue, the developer(s) of the MERRILL COMMERCE CENTER will construct 86 feet of the ROW of this 98-foot wide Collector. The portions of Merrill Avenue between Grove Avenue and Carpenter that will be constructed as part of the MERRILL COMMERCE CENTER include 74 feet of paved roadway, a 13-foot wide striped (painted) median, and a 12-foot-wide parkway on the north side of the street that contains 7 feet of curb-adjacent landscaping and a 5-foot-wide sidewalk.



MERRILL AVENUE
COLLECTOR
EAST OF GROVE TO CARPENTER
98' ROW

The remaining portions of the Merrill Avenue ROW (southerly side of the roadway in the City of Chino) will be constructed by others and is anticipated to include a 12-foot parkway containing 7 feet of curb-adjacent landscaping and a 5-foot wide sidewalk. An approximate 23-foot landscape buffer abuts the northern side of the Merrill Avenue ROW in the MERRILL COMMERCE CENTER, with the landscape buffer including an 8-foot wide multi-purpose trail.

Along the segment of Merrill Avenue located between Euclid Avenue and Grove Avenue, the developer(s) of the MERRILL COMMERCE CENTER will construct 74 feet of the ROW of this 98-foot wide Collector. The portions of Merrill Avenue between Euclid Avenue and Grove Avenue that will be constructed as part of the MERRILL COMMERCE CENTER include 74 feet of paved roadway and a 13-foot wide striped (painted) median.



MERRILL AVENUE
COLLECTOR
WEST OF GROVE TO EUCLID
98' ROW

Merrill Avenue is designated by the Chino Airport Compatibility Plan to partially satisfy open land requirements. For this reason, the median is painted and not raised and light poles and street trees are designed to maintain a clear width of about 75 feet. The light poles will be spaced at approximately 260 feet ± 15 feet on the same side of the street and 130 feet ± 1f feet staggered on the opposite side of the street. The portion of Merrill Avenue traversing Airport Safety Zone 1 (the southwest portion of Planning Area 1) must remain clear of permanent aboveground objects, and as such may contain frangible/break-away light poles. The developer shall coordinate with Chino Airport and FAA to determine allowable heights and structures permitted within the southwest portion of Planning Area 1 near the Grove Avenue/Merrill Avenue intersection.

Traffic signals will be located at the intersections of Merrill Avenue with Grove Avenue, Walker Avenue, and Vineyard Avenue (1/2-mile DIF), and at Baker Avenue, Carpenter Avenue, and the mid-way point between Grove and Walker Avenues (1/4-mile DIF) depending on need. Traffic signal locations are subject to change based on the results and recommendations of a traffic study.

As noted on Figure 4-1, the development of the MERRILL COMMERCE CENTER also triggers the need to modify the existing traffic signal at the intersection of Euclid Avenue and Merrill Avenue west of the Specific Plan area. Improvements to Merrill Avenue east of the Specific Plan area were recently constructed and bridge improvements at the intersection of Merrill Avenue and the Cucamonga Channel were pending construction at the time this Specific Plan was prepared (2000). All improvements to Merrill Avenue are required to comply with applicable City of Ontario requirements, including sight distance requirements, in addition to requirements of the City of Chino pertaining to roadway improvements in the City of Chino's jurisdiction.

Buildings constructed in Planning Areas 2, 3, 4, 5 and 6 connect to Merrill Avenue via direct driveway connections along Merrill Avenue and via Walker Avenue, Baker Avenue, Grove Avenue, Vineyard Avenue, and Carpenter Avenue. Final driveway locations along Merrill Avenue will be determined in conjunction with the design of implementing development projects, in accordance with Chapter 2.0 Access Guidelines of the City of Ontario's Traffic and Transportation Design Guidelines.

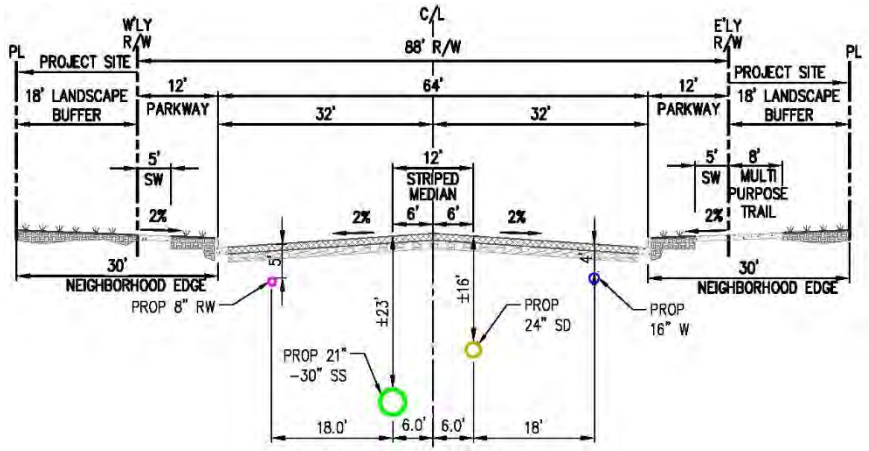
E. Walker Avenue (88-foot ROW Collector)

Walker Avenue forms the eastern boundary of Planning Areas 1, 1A and 2, and forms the western boundary of Planning Areas 3 and 3A. This public roadway provides access to the Specific Plan area from off-site areas to the north and south. Along the segment of Walker Avenue located between Edison Avenue and Merrill Avenue, the developer(s) of the MERRILL COMMERCE CENTER will construct the entirety of the 88-foot Collector, which consists of 64 feet of paved roadway and a 12-foot wide striped (painted) median. Additionally, the Walker Avenue ROW includes a 12-foot wide parkway on both sides of the roadway containing 7 feet of curb-adjacent landscaping and a 5-foot wide parkway-adjacent sidewalk.

An approximate 18-foot wide landscape buffer abuts the west and east sides of the Walker Avenue ROW inside the MERRILL COMMERCE CENTER Specific Plan, with the easterly landscape buffer including an 8-foot wide multi-purpose trail.

Traffic signals will be located at the intersections of Walker Avenue with Eucalyptus Avenue and Merrill Avenue (1/2-mile DIF), and with Street "A" (1/4-mile non-DIF) depending on need. Traffic signal locations are subject to change based on the results and recommendations of a traffic study. All improvements to Walker Avenue are required to comply with applicable City of Ontario requirements, including sight distance requirements.

Buildings in Planning Areas 1, 1A, 2, 3, and 3A connect to Walker Avenue via direct driveway connections along Walker Avenue. Final driveway locations will be determined in conjunction with the design of implementing development projects, in accordance with Chapter 2.0 Access Guidelines of the City of Ontario's Traffic and Transportation Design Guidelines.



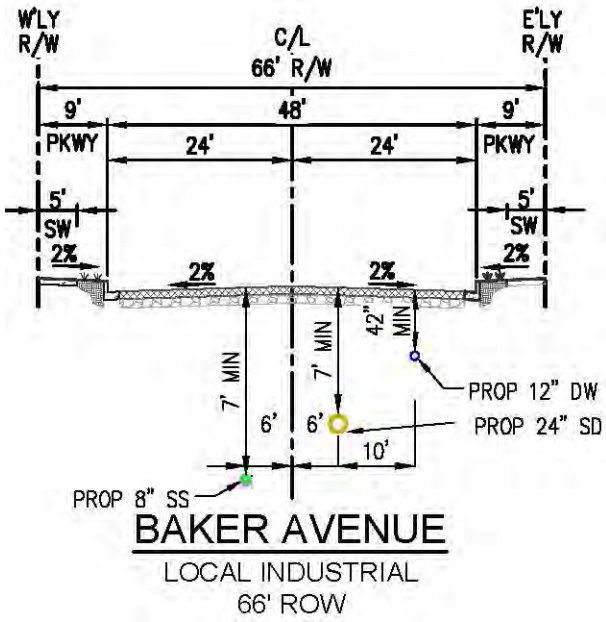
WALKER AVENUE
COLLECTOR
88' ROW

F. Baker Avenue (66-foot ROW Local Industrial)

Baker Avenue forms the eastern boundary of Planning Areas 4 and 4A, and forms the western boundary of Planning Areas 5 and 5A. This public roadway provides access to the Specific Plan area from off-site areas to the north and south. Along the segment of Baker Avenue located between Eucalyptus Avenue and Merrill Avenue, the developer(s) of the MERRILL COMMERCE CENTER will construct the entirety of the 66-foot wide Local Industrial Street, which consists of 48 feet of pavement and a 9-foot wide parkway on either side of the roadway containing 4 feet of curb-adjacent landscaping and a 5-foot wide sidewalk.

A traffic signal will be located at the intersection of Baker Avenue with Merrill Avenue (1/4-mile DIF) and at the intersection of Baker Avenue with Eucalyptus Avenue (1/4-mile non-DIF) and potentially at the mid-way point between Eucalyptus and Merrill Avenues (1/4-mile non-DIF) depending on need. Traffic signal locations are subject to change based on the results and recommendations of a traffic study. All improvements to Baker Avenue are required to comply with applicable City of Ontario requirements, including sight distance requirements.

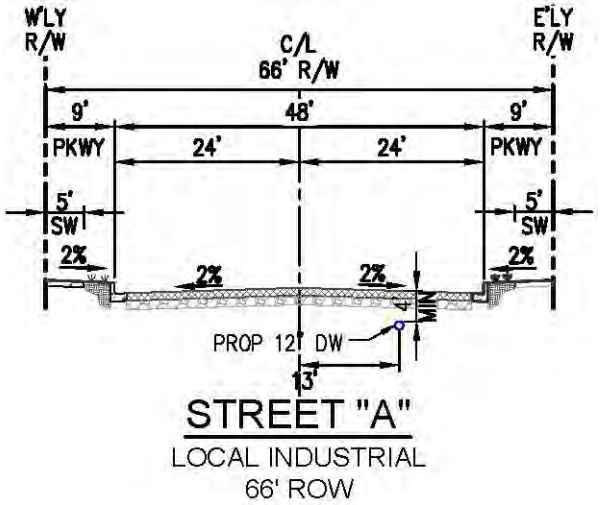
Planning Areas 4, 4A, 5, and 5A connect to Baker Avenue via direct driveway connections along Baker Avenue. Final driveway locations will be determined in conjunction with the design of implementing development projects, in accordance with Chapter 2.0 Access Guidelines of the City of Ontario's Traffic and Transportation Design Guidelines.



G. Street "A" (66-foot ROW Local Industrial)

Street "A" forms the southern boundary of Planning Area 1 and the northern boundary of Planning Area 2 and its exact alignment will be determined in conjunction with implementing development plans. This public roadway provides access to the Specific Plan area from off-site areas to the west and facilitates internal east-west circulation within the westerly portions of the Specific Plan area. Along the segment of Street "A" located between Grove Avenue and Walker Avenue, the developer(s) of the MERRILL COMMERCE CENTER will construct the entirety of the 66-foot wide Local Industrial Street, which consists of 48 feet of pavement and a 9-foot wide parkway on either side of the roadway containing 4 feet of curb-adjacent landscaping and a 5-foot wide sidewalk. A traffic signal will be located at the intersection of Street "A" with Grove Avenue and Walker Avenue (1/4-mile non-DIF), and potentially and at the mid-way point between Gove and Walker Avenues (1/4-mile non-DIF). Traffic signal locations are subject to change based on the results and recommendations of a traffic study. All improvements to Street "A" are required to comply with applicable City of Ontario requirements, including sight distance requirements.

Planning Areas 1 and 2 connect to Street "A" via direct driveway connections along Street "A." Final driveway locations will be determined in conjunction with the design of implementing development projects, in accordance with Chapter 2.0 Access Guidelines of the City of Ontario's Traffic and Transportation Design Guidelines.

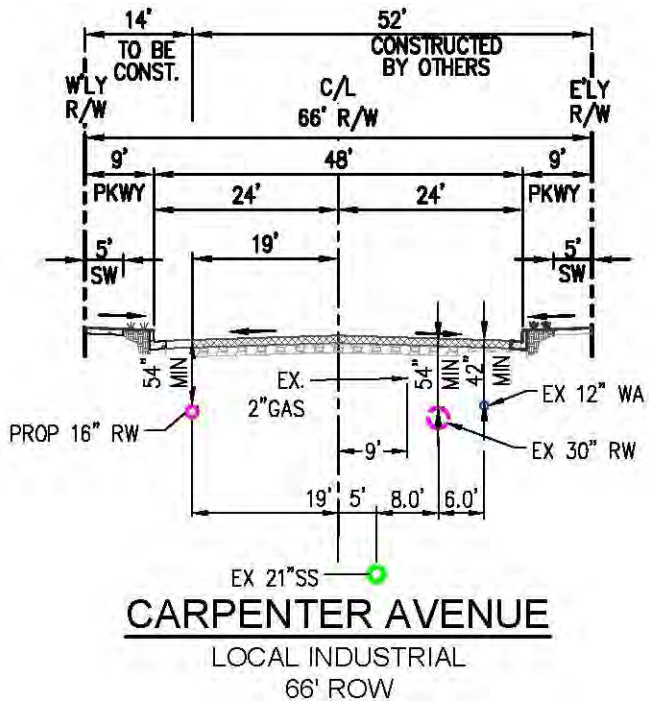


H. Carpenter Avenue (66-foot ROW Local Industrial)

Carpenter Avenue forms the eastern boundary of Planning Areas 6 and 6A. This public roadway provides access to the Specific Plan area from off-site areas to the north, south, and east. Along the segment of Carpenter Avenue located between Eucalyptus Avenue and Merrill Avenue (including the segment that abuts the eastern boundary of Planning Areas 6 and 6A, the developer(s) of the MERRILL COMMERCE CENTER will construct 14 feet of the ROW of this 66-foot-wide Local Industrial Street. The portions of Carpenter Avenue to be constructed as part of the Specific Plan include 5 feet of paved roadway (including curb and gutter) and a 9-foot-wide parkway on the western side of the street that contains 4 feet of curb-adjacent landscaping and a 5-foot sidewalk. The remaining portions of the eastern side of the Carpenter Avenue ROW will be constructed by others (the development project located on the east side of the roadway) which will include 43 feet of roadway and curb and gutter improvements, and a 9-foot-wide parkway containing 4 feet of landscaping and a 5-foot parkway-adjacent sidewalk.

Traffic signals will be located at the intersection of Carpenter Avenue with Merrill Avenue (1/4-mile DIF) and with Eucalyptus Avenue (1/4-mile non-DIF) and potentially at the mid-way point between Eucalyptus and Merrill Avenues (1/4-mile non-DIF) depending on need. Traffic signal locations are subject to change based on the results and recommendations of a traffic study. All improvements to Carpenter Avenue are required to comply with applicable City of Ontario requirements, including sight distance requirements.

Planning Areas 6 and 6A connect to Carpenter Avenue via direct driveway connections along Carpenter Avenue. Final driveway locations will be determined in conjunction with the design of implementing development projects, in accordance with Chapter 2.0 Access Guidelines of the City of Ontario's Traffic and Transportation Design Guidelines.



I. Private Drive Aisles

Private Drive Aisles connect individual planning areas to the roadways described above. Within each planning area, Private Drive Aisles provide vehicular access for automobiles and trucks to parking lots, truck courts, loading dock areas, etc. Private Drive Aisles will have pavement widths that range between 24 and 50 feet. Private Drive Aisles are not depicted on Figure 4-1 because their locations, alignments, and widths will be determined in conjunction with the design of implementing development projects.

J. Truck Routes

Access to the MERRILL COMMERCE CENTER Specific Plan area is provided from Grove Avenue, Eucalyptus Avenue, Vineyard Avenue, Baker Avenue, Carpenter Avenue, Walker Avenue, and Flight Avenue.

Truck traffic to and from the MERRILL COMMERCE CENTER will use the City of Ontario designated truck routes, which include Merrill Avenue, Edison Avenue, and Euclid Avenue. Additionally, truck traffic to and from the MERRILL COMMERCE CENTER will use the City of Chino's designated truck routes, which include Carpenter Avenue, Walker Avenue, and Flight Avenue.

Signalized intersections along truck routes in the City of Ontario will be constructed with PCC pavement per City standards, along with signalized intersections along the truck routes on Merrill Avenue, as shown on Figure 4-1, *Conceptual Vehicular Circulation and Access Plan*.

4.1.2 Non-Vehicular Circulation

The MERRILL COMMERCE CENTER Specific Plan encourages circulation by employees and visitors via non-motorized means. Pedestrian circulation is encouraged interior to the Specific Plan area through an integrated network of sidewalks, bikeways, and trails. Additional pedestrian and bike facilities will be designed on individual building sites at the time buildings are designed and positioned in each planning area as part of implementing development projects.

As illustrated on Figure 4-2, *Non-Vehicular Circulation and Mobility Plan*, the MERRILL COMMERCE CENTER Specific Plan provides for sidewalks in the public rights-of-way along the sides of the following streets that front the Specific Plan: Eucalyptus Avenue, Merrill Avenue, Grove Avenue, and Carpenter Avenue. Additionally, the MERRILL COMMERCE CENTER Specific Plan provides for sidewalks in the public rights-of-way along both sides of Baker Avenue (segment located between Eucalyptus Avenue and Merrill Avenue), Walker Avenue (segment located between Edison Avenue/Ontario Ranch Road and Merrill Avenue), Vineyard Avenue (segment located between Eucalyptus Avenue and Merrill Avenue), and Street "A." Pedestrian crosswalks are designed at signalized intersections (as depicted on Figure 4-2) to ensure pedestrian safety.

As illustrated on Figure 4-2, *Non-Vehicular Circulation and Mobility Plan*, the Specific Plan provides for 8-foot-wide multi-purpose trails along the north side of the segment of Merrill Avenue located between Euclid Avenue and Archibald Avenue; along the east side of the segment of Grove Avenue located between Eucalyptus Avenue and Merrill Avenue; along the east side of the segment of Walker Avenue located between Edison Avenue/Ontario Ranch Road and Merrill Avenue; and along the west side of the segment of Vineyard Avenue located between Eucalyptus Avenue and Merrill Avenue.

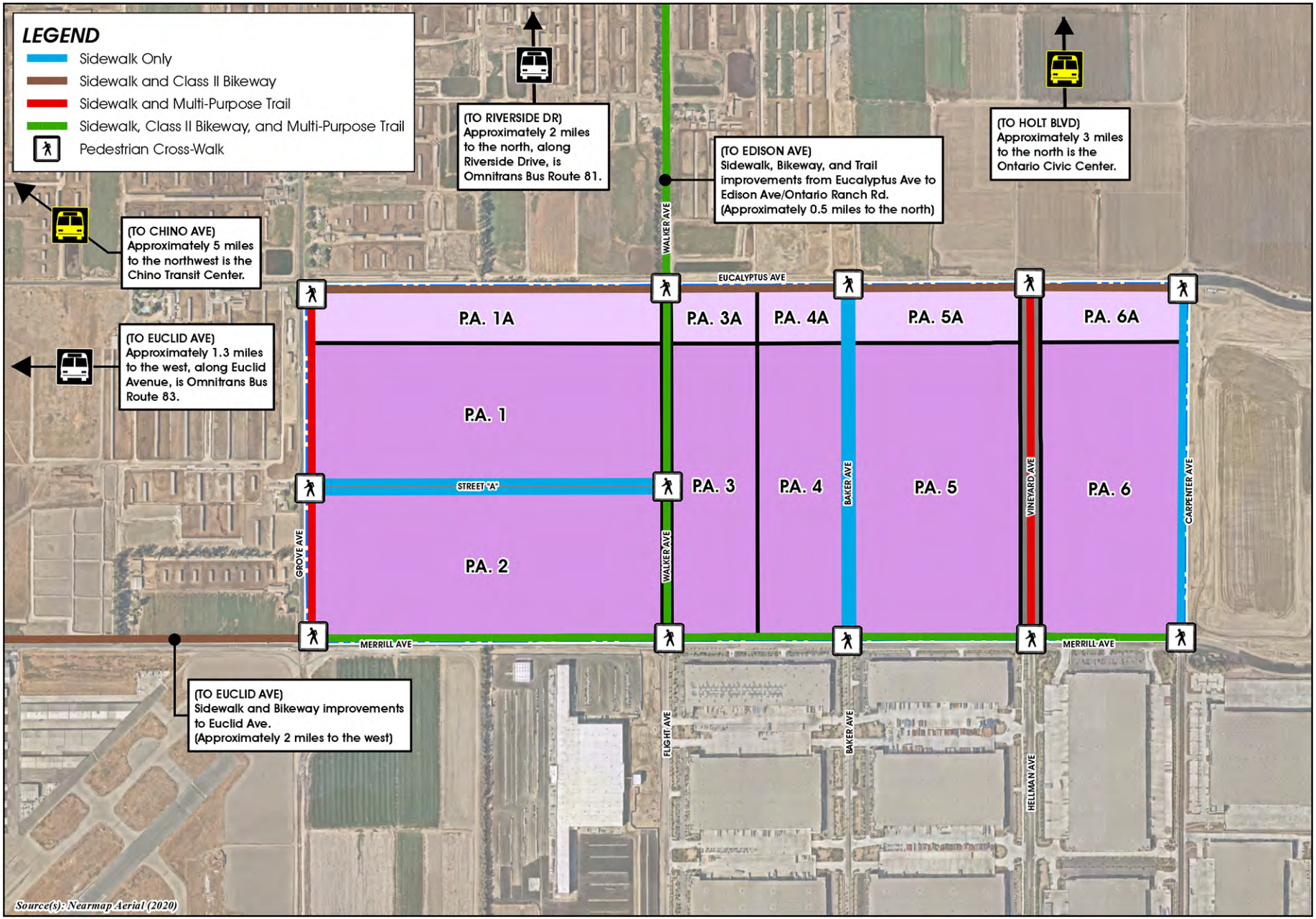
As illustrated on Figure 4-2, *Non-Vehicular Circulation and Mobility Plan*, the Specific Plan provides Class II bike lanes in the public right-of-way along both sides of the segment of Merrill Avenue located between Carpenter Avenue and Euclid Avenue; along both sides of the segment of Walker Avenue between Merrill Avenue and Edison Avenue/Ontario Ranch Road; along the south side of the segment of Eucalyptus Avenue that abuts the northern boundaries of Planning Areas 3A, 4A, 5A, and 6A; and along the north side of Eucalyptus Avenue between Grove Avenue and Walker Avenue.

Given the volume of passenger car and truck traffic circulating on the site, pedestrian and bicycle safety was given due consideration when preparing the design standards for the MERRILL COMMERCE CENTER. Provisions for sidewalks and pedestrian walkways, bicycle storage facilities, and employee and visitor gathering areas interior to the planning areas are set forth in Chapter 6, *Design Guidelines*.

As shown on Figure 4-2, the following bus and transit facilities are located to the west and north of MERRILL COMMERCE CENTER:

A. Omnitrans Bus Route 83, located approximately 1.3 miles to the west along Euclid Avenue.
B. Chino Transit Center, located approximately 5 miles to the northwest at Chino Avenue.
C. Omnitrans Bus Route 81, located approximately 2 miles to the north along Riverside Drive.
D. Ontario Civic Center/Transfer Station, located approximately 3 miles to the north at Holt Boulevard.

Future bus stops and shelters will be required to be installed to the satisfaction of the City of Ontario and Omnitrans.



Non-Vehicular Circulation and Mobility Plan

Figure 4-2

4.2 UTILITY INFRASTRUCTURE PLAN

Buildout of the MERRILL COMMERCE CENTER requires the installation of water, sewer, drainage, and other utility infrastructure, as described in this chapter. All utility infrastructure improvements shall be constructed in accordance with applicable City of Ontario design standards and specifications.

4.2.1 Potable Water Plan

Potable Water System Improvements for the Specific Plan area (as shown on Figure 4-3) require the planning, design, and construction of the 925 Pressure Zone (PZ) Phase 2 West Backbone, which includes: extending the 24-inch potable water main in Eucalyptus Avenue from Carpenter Avenue to Grove Avenue; and, installing a 30-inch to 42-inch potable water main in Grove Avenue connecting from the 24-inch potable water main in Eucalyptus Avenue and extending to Chino Avenue; installing an 18-inch potable water main in Chino Avenue and connecting 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.

Master Plan Phase 2 facilities that are required to serve the Project but that will be constructed by others include installing a 42-inch potable water main in Grove Avenue connecting from the 30-inch to 42-inch potable water main in Grove Avenue at Chino Ave and extending to Francis Avenue; and, installing a 42-inch potable main in Francis Avenue connecting from the 42-inch potable water main in Grove Avenue and extending to Bon View Avenue; and, installing a 42-inch potable water main in Bon View Avenue connecting from the 42-inch potable water main in Francis Avenue and extending to the Bon View Avenue Reservoir site and to the Reservoir; and, installing a 9 million gallon reservoir on the Bon View Reservoir site; and, installing two 2,500 gpm wells with any treatment necessary to meet water quality standards and the 16-inch to 42-inch well collection mains from the wells to the reservoirs. At the time this Specific Plan was prepared, the alignment of the 42-inch water line between Chino Avenue and the water reservoir site had not been finalized and is subject to change. The MERRILL COMMERCE CENTER Project will be required to participate in the future Phase 2 Water System Improvements north of Chino Avenue, as detailed in the development agreement with the City.

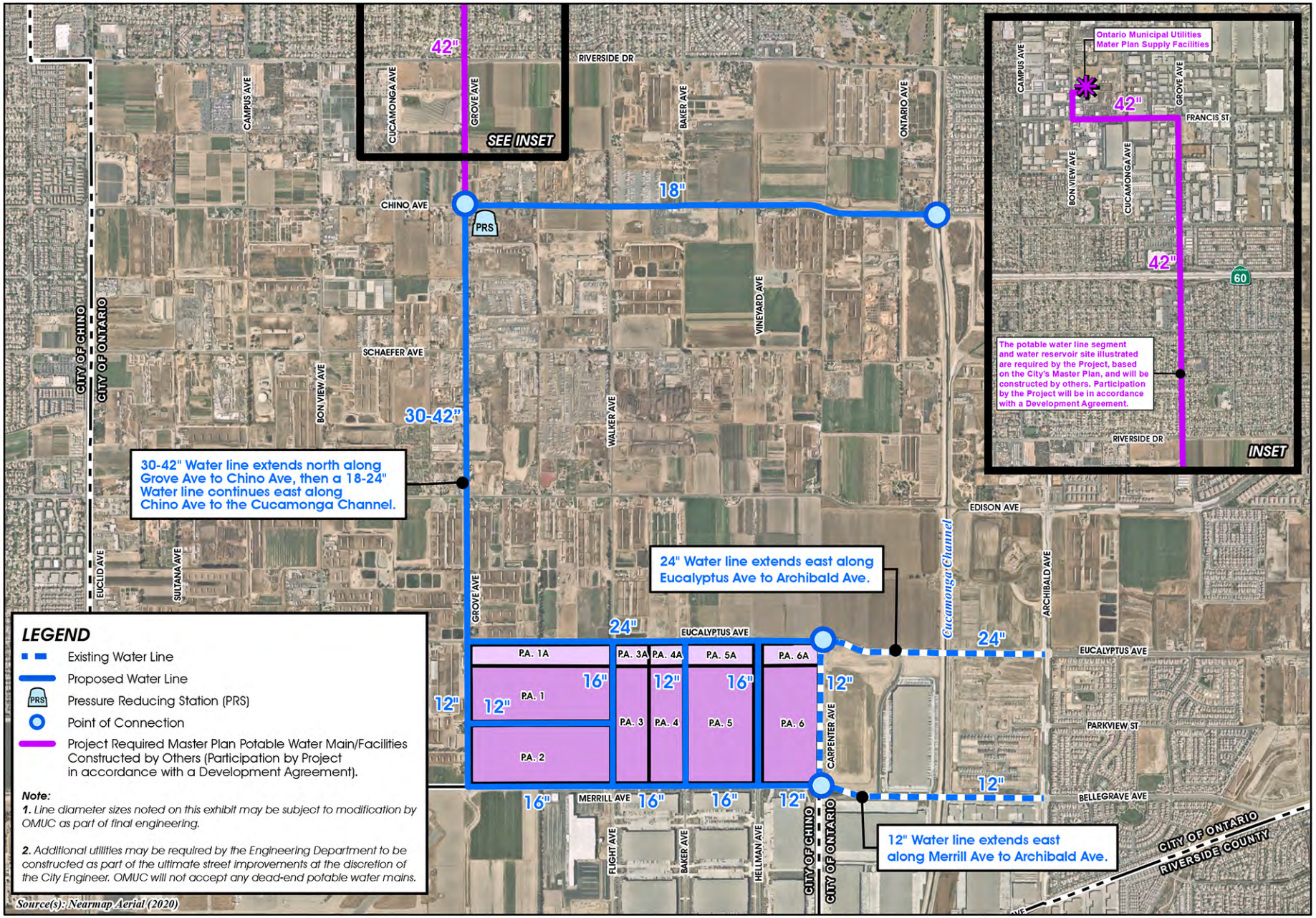
In addition to the 925 Pressure Zone (PZ) Phase 2 West Backbone, the Specific Plan area requires the planning, design, and construction of a Secondary Loop between the 925 Pressure Zone (PZ) Phase 2 West Backbone and the Specific Plan area which includes: installing a 24-inch potable water main in Eucalyptus Avenue connecting to the 30-inch to 42-inch 925 Pressure Zone (PZ) Phase 2 West Backbone main in Grove Avenue; installing a 16-inch potable water main in Merrill Avenue connecting from the 12-inch potable water main in Grove Avenue and extending to Vineyard Avenue; and, installing a 16-inch potable water main in Vineyard Avenue connecting from the 16-inch potable water main in Merrill Avenue and extending to connect to the 24-inch potable water main in Eucalyptus Avenue; and, installing a 12-inch potable water main in Merrill Avenue connecting from the 16-inch potable water main in Vineyard Avenue and extending east to connect to the 12-inch potable water main in Carpenter Avenue.

The Specific Plan area also requires the planning, design, and construction of the Local Adjacent Potable Water System, which includes: installing a 12-inch potable water main in Grove Avenue connecting to the 24-inch potable water main in Eucalyptus Avenue

and extending to connect to the 16-inch potable water main in Merrill Avenue; and, installing a 16-inch potable water main in Walker Avenue connecting to the 24-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 Baker Avenue connecting to the 24-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 "Street A" connecting to the 12-inch potable water main in Grove Avenue and extending to connect to the 16-inch potable water main in Walker Avenue.

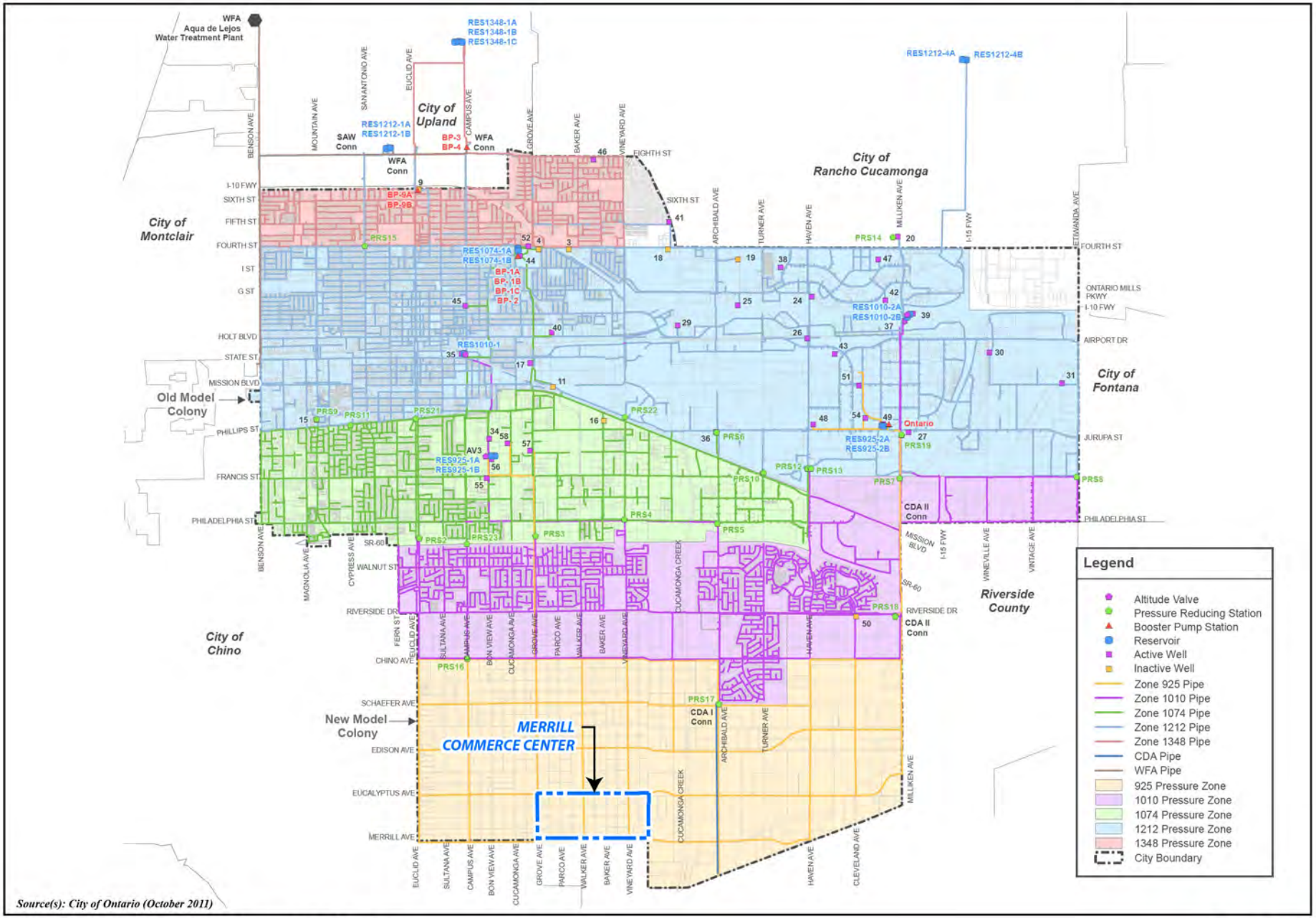
Required Potable Water Infrastructure is subject to change based upon findings of City approved hydraulic studies, master plan updates, and project final designs; and, potable water main locations are also subject to change based upon the developer-conducted and City-approved Conceptual Design Report. Any existing utilities, including IEUA water mains, that do not meet minimum depths, standard alignment locations, and/or minimum horizontal and vertical separation requirements shall be subject to relocation/ replacement by the developer(s) of the Specific Plan.

Within the project site, on individual private property, the onsite potable, domestic, and fire systems shall be private and be privately maintained.



Potable Water Infrastructure Plan

Figure 4-3



Source(s): City of Ontario (October 2011)

City of Ontario Ultimate Water System

Figure 4-3A

Not to Scale

4.2.2 Recycled Water Plan

The City of Ontario/ Ontario Municipal Utilities Company (OMUC) supplies recycled water to the Specific Plan area. Existing City recycled water infrastructure is located to the east of the Specific Plan Area in Carpenter Avenue, Eucalyptus Avenue, and Merrill Avenue. Recycled Water supplied by OMUC is produced by the Inland Empire Utility Agency (IEUA) from its four wastewater reclamation plants.

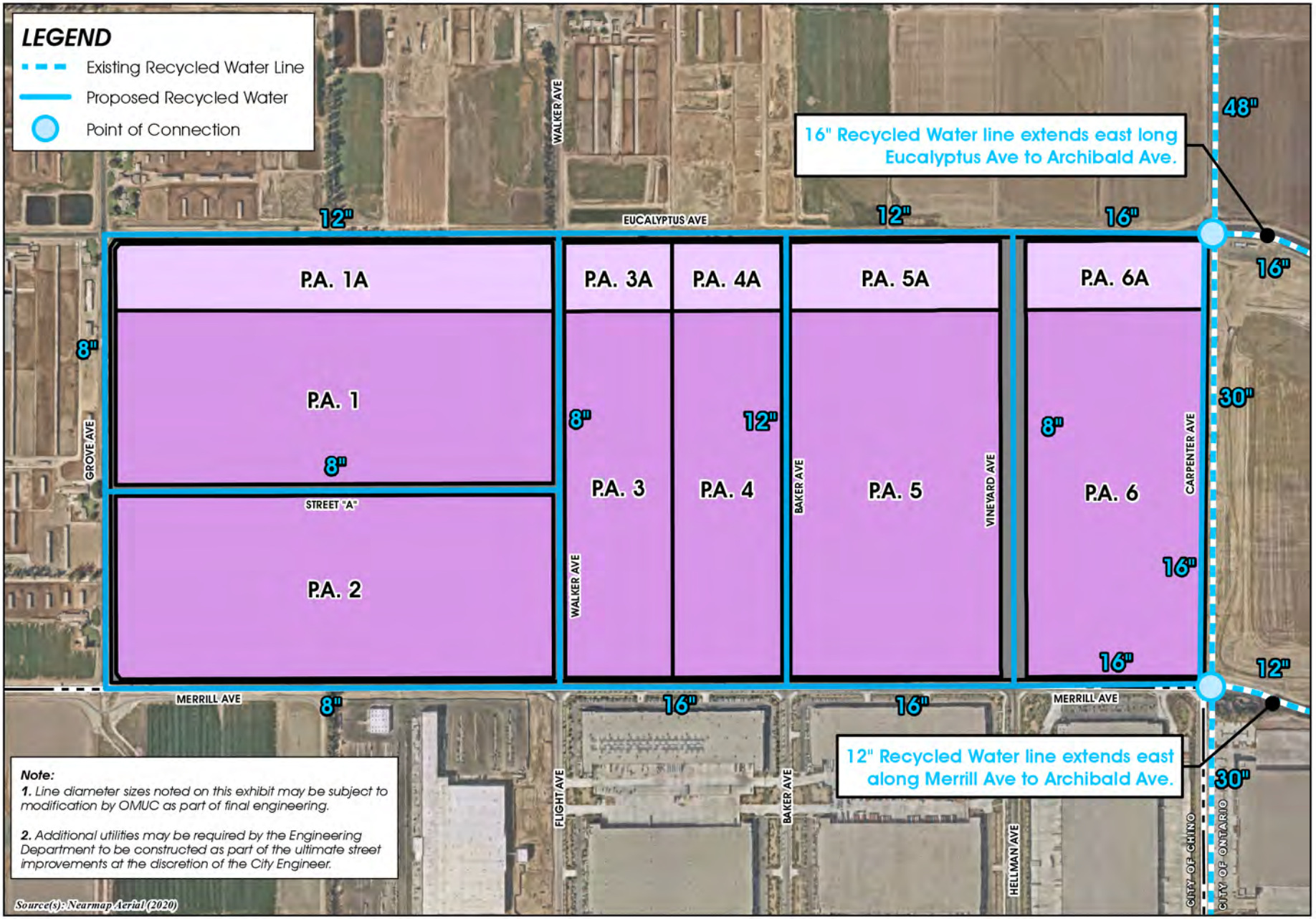
The entire Specific Plan area is within the City's master planned 930 Pressure Zone (PZ). Recycled Water Infrastructure Improvements for the Specific Plan area (as shown on Figure 4-4) require the planning, design, and construction of the Primary 930 Pressure Zone Recycled Water Master Plan Backbone mains, which includes: installing a 16-inch recycled water main in Carpenter Avenue connecting to the 16-inch 930 Pressure Zone Recycled Water main in Eucalyptus Avenue and connecting to the existing 16-inch 930 Pressure Zone recycled water main at the intersection of Carpenter Avenue and Eucalyptus Avenue; extending it west and transitioning to a 12-inch line at Vineyard Avenue; installing a 12-inch recycled water main in Eucalyptus Avenue and extending to Grove Avenue to connect to the 8-inch 930 Pressure Zone Recycled Water main in Grove Avenue; and, installing an 8-inch recycled water main in Grove Avenue connecting to the 12-inch recycled water main in Eucalyptus Avenue and extending in Grove Avenue to 8-inch recycled water main in Merrill Avenue; and, installing an 8-inch recycled water main in Merrill Avenue connecting to the 16-inch recycled water main in Merrill Avenue at Walker Avenue and extending east to Carpenter Avenue.

In addition to the Primary 930 Pressure Zone (PZ) Recycled Water Master Plan Backbone mains, the Specific Plan area requires the planning, design, and construction of a Secondary Loop Improvements which includes: installing an 8-inch recycled water main in Merrill Avenue connecting to the 8-inch recycled water main in Merrill Avenue at Grove Avenue and extending west to Euclid Avenue.

The Specific Plan area also requires the planning, design, and construction of the Adjacent Recycled Water System, which includes: installing an 8-inch recycled water main in Vineyard Avenue connecting to the 16-inch recycled water main in Merrill Avenue and extending it to connect to the 12-inch main in Eucalyptus Avenue; and, installing an 8-inch recycled water main in Walker Avenue connecting to the 8-inch recycled water main in Merrill Avenue and extending it to connect to the 12-inch main in Eucalyptus Avenue.

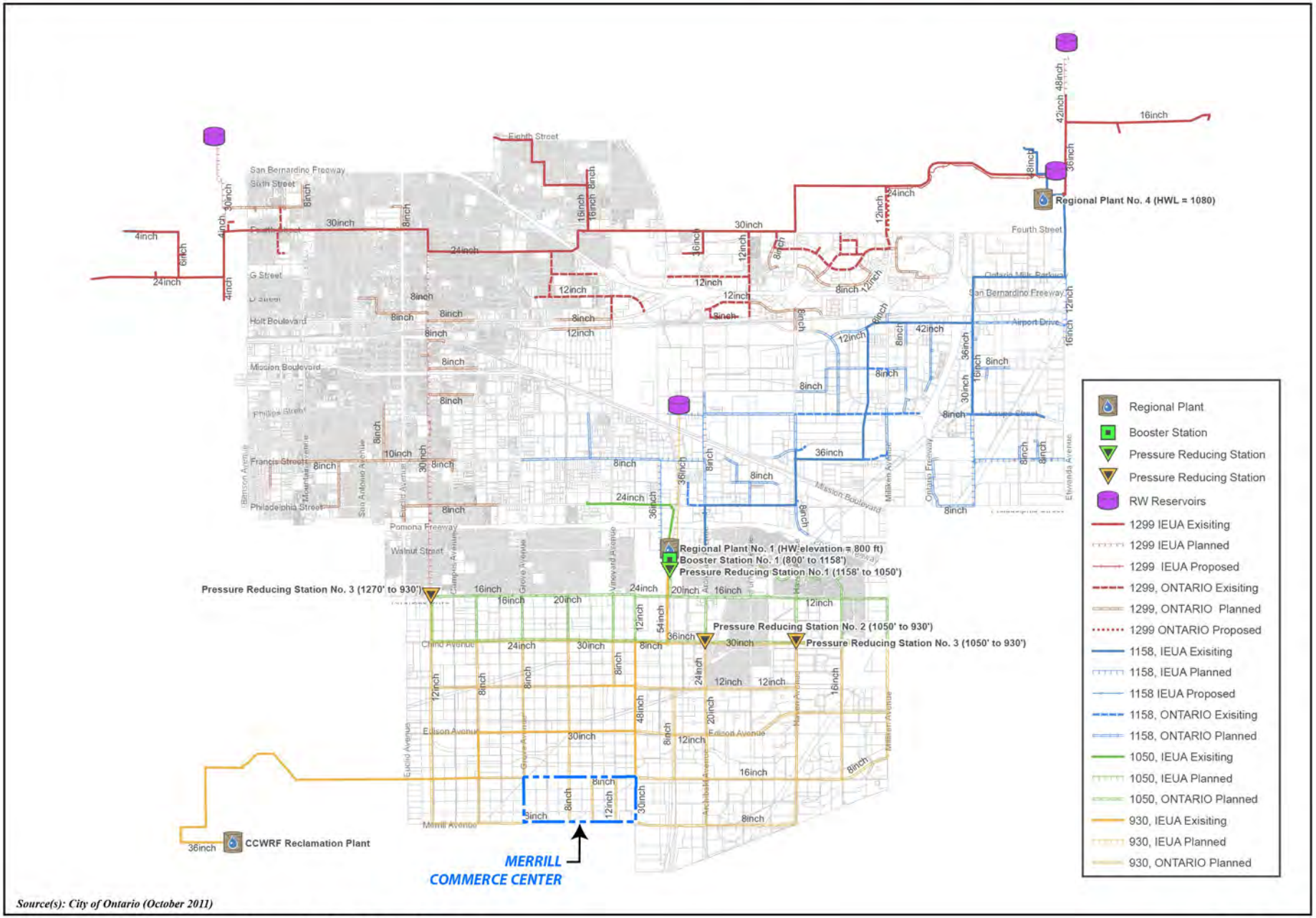
Required Recycled Water Infrastructure is subject to change based upon findings of City-approved hydraulic studies, master plan updates, and project final designs; and, Recycled Water main locations are also subject to change based upon the developer-conducted and City-approved Conceptual Design Report. Any existing utilities, including IEUA Recycled Water mains, that do not meet minimum depths, standard alignment locations, and/or minimum horizontal and vertical separation requirements shall be subject to relocation/replacement by the developer(s) of the Specific Plan.

Within the project site, on individual private property, the onsite recycled water and irrigation systems shall be private and be privately maintained.



Recycled Water Infrastructure Plan

Figure 4-4



Source(s): City of Ontario (October 2011)

City of Ontario Future Recycled Water System

Figure 4-4A

Not to Scale

1564

4.2.3 Sanitary Sewer Plan

Sanitary Sewer/Wastewater Collections for the Specific Plan area is served by the City of Ontario/ Ontario Municipal Utilities Company (OMUC), which conveys wastewater to the Inland Empire Utility Agency (IEUA) for transmission and treatment.

Currently, existing 21-inch and existing 24-inch City sanitary sewer mains are located in Carpenter Avenue to the east and south of the Specific Plan area. The entire Specific Plan area is included within the City's Sewer Master Plan. The areas west of Vineyard Avenue are Tributary to the Western Trunk Sewer, which connect to IEUA's system at Kimball Avenue and Euclid Avenue; and the areas east of Vineyard Avenue are Tributary to the Eastern Trunk Sewer (ETS), through the City's Carpenter Trunk Sewer which connect to IEUA's system at Vineyard/Hellman Avenue and the San Bernardino/ Riverside County line. Planning Areas 1 to 5 and 1A to 5A are within the Western Trunk Sewer tributary area and Planning Area 6 and 6A are within the Eastern Trunk Sewer tributary area.

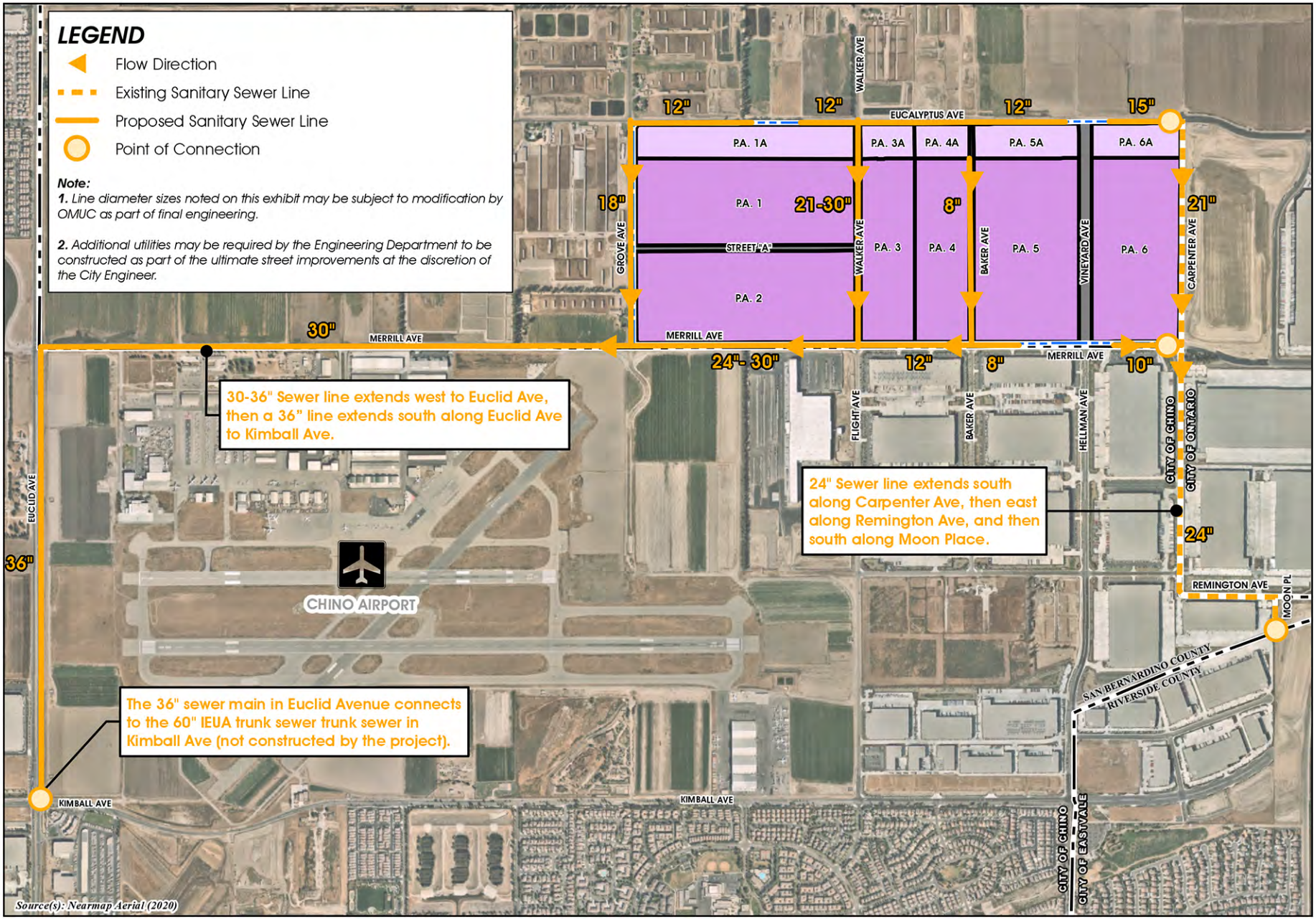
Sanitary Sewer Improvements for the Specific Plan area (as shown on Figure 4-5) require the planning, design, and construction of the following Primary Sewer Master Plan Backbone mains of the Western Trunk Sewer (WTS), which includes: installing a 36-inch sewer main in Euclid Avenue connecting to the IEUA's 60-inch Kimball Interceptor at the intersection of Kimball Avenue and Euclid Avenue and extending north to Merrill Avenue; and, installing a 30-inch sewer main in Merrill Ave from Euclid Avenue to Grove Avenue; and, installing a 24-inch to 30-inch sewer main in Merrill Avenue from Grove Avenue to Walker Avenue; and, installing a 21-inch to 30-inch sewer main in Walker Avenue from Merrill Avenue to Eucalyptus Avenue.

In addition to the Primary Sewer Master Plan Backbone mains, the Specific Plan area requires the planning, design, and construction of a Secondary Master Plan Trunk Sewer, which includes: installing an 18-inch Grove Trunk Sewer main in Grove Avenue from the WTS in Merrill Avenue and extending north in Grove Avenue to Eucalyptus Avenue.

The Specific Plan area also requires the planning, design, and construction of the Adjacent Local Sewer Systems, which includes: installing a 12-inch sewer line in Eucalyptus Avenue from east of Grove Avenue to connect with the 18-inch line in Grove Avenue; installing a 12-inch line in Eucalyptus Avenue from west of Walker Avenue to just west of Vineyard Avenue, and installing a 15-inch sewer line in Eucalyptus Avenue from west of Carpenter Avenue to connect with the existing 21-inch line in Carpenter Avenue. Also, the installation of a 10-inch sewer main in Merrill Avenue from west of Carpenter Avenue to Carpenter Avenue; and, installing an 8-inch line in Merrill Avenue from east of Baker Avenue to Baker Avenue and transitioning to a 12-inch sewer main in Merrill Avenue from Baker Avenue to connect with the WTS in Walker Avenue.; and, installing an 8-inch sewer main in Baker Avenue from Merrill Avenue northerly toward Eucalyptus Avenue.

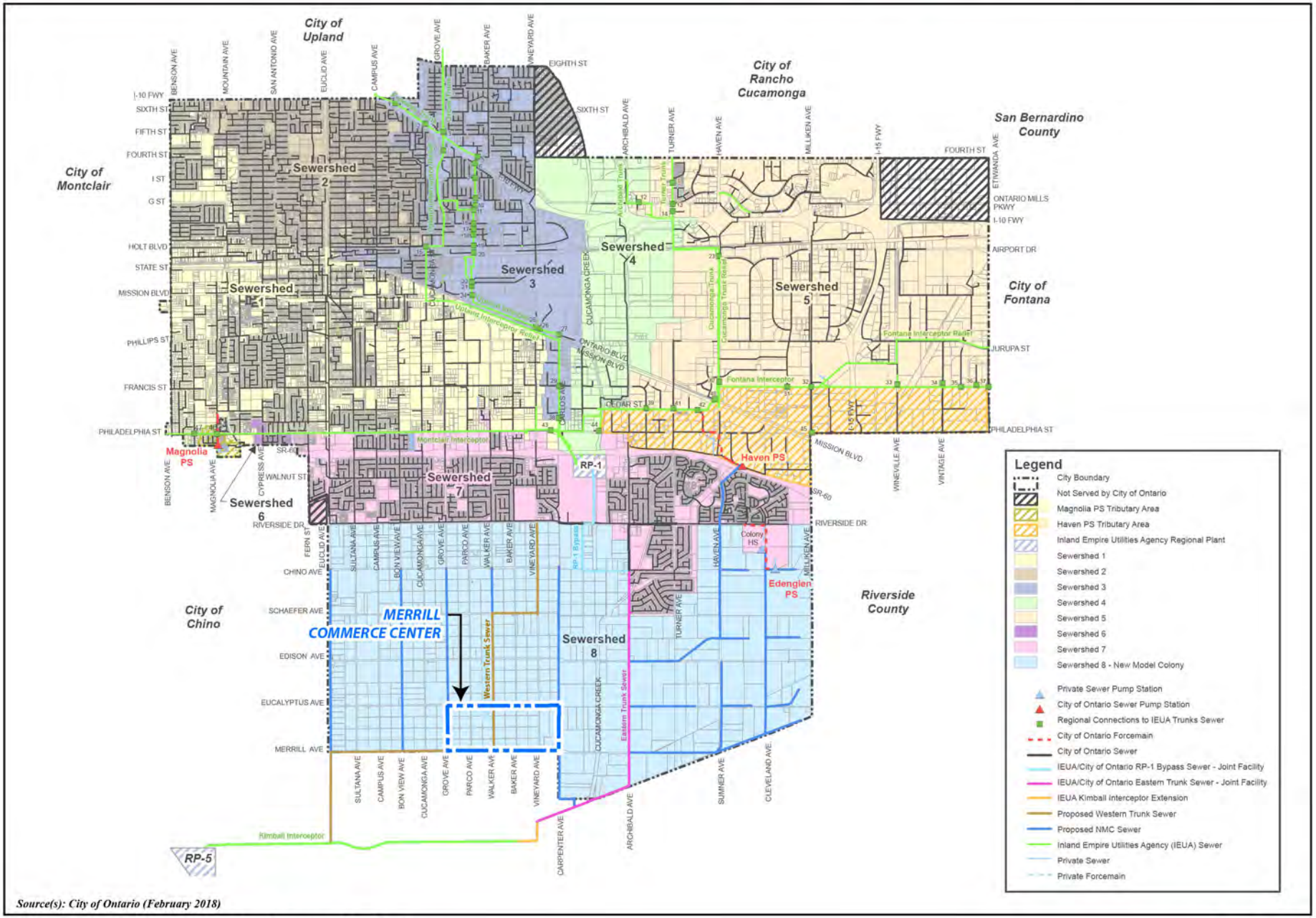
Required Sanitary Sewer Infrastructure is subject to change based upon findings of City-approved hydraulic studies, master plan updates, and project final designs; and, sewer main locations are also subject to change based upon the developer-conducted and City-approved Conceptual Design Report. Any existing utilities, including IEUA Recycled Water mains, that do not meet minimum depth, standard alignment locations, and/or minimum horizontal and vertical separation requirements shall be subject to relocation/ replacement by the developer(s) of the Specific Plan.

Within the project site, on individual private property, the onsite sewer systems shall be private and be privately maintained.



Sanitary Sewer Infrastructure Plan

Figure 4-5



Source(s): City of Ontario (February 2018)

City of Ontario Ultimate Sewer System

Figure 4-5A

Not to Scale

4.2.4 Storm Water Management Plan

The master storm drain plan for the MERRILL COMMERCE CENTER is shown on Figure 4-6, *Storm Drain Infrastructure Plan*. Improvements include the construction of the following storm drain improvements: a 13-foot by 8-foot Reinforced Concrete Box (RCB) in the segment of Eucalyptus Avenue located between Walker Avenue and Vineyard Avenue; 24-inch storm drain lines in segments of Eucalyptus Avenue between Walker Avenue and Grove Avenue, a 13-foot by 8-foot Reinforced Concrete Box (RCB) in the segment of Eucalyptus Avenue located between Walker Avenue and Vineyard Avenue; a 6-foot by 3-foot RCB, a double 8-foot by 4-foot RCB, a double 8-foot by 9-foot RCB, and a double 12-foot by 10-foot RCB in various segments of Merrill Avenue located between the midpoint of the southerly boundary of Planning Area 2 and Carpenter Avenue; a 24-inch storm drain line in the segment of Walker Avenue located between the southerly boundary of Planning Area 1 and Merrill Avenue; a 24-inch storm drain line in the segment of Baker Avenue, extending from Merrill Avenue to approximately the midpoint of Baker Avenue between Eucalyptus Avenue and Merrill Avenue; a 120-inch storm drain line in the segment of Grove Avenue located between Eucalyptus Avenue and Merrill Avenue (with a point of connection to the existing open flood channel located south of the intersection of Merrill Avenue and Grove Avenue); and a 13-foot by 8-foot RCB in the segment of Vineyard Avenue located between Merrill Avenue and Eucalyptus Avenue.

Additionally, as indicated on Figure 4-6, the developer(s) of the MERRILL COMMERCE CENTER may be conditioned to improve the existing open flood channel located south of the intersection of Merrill Avenue and Grove Avenue, which may consist of either lowering the elevation of the existing earthen channel or installing a double 10-foot by 6-foot RCB within the existing earthen channel to connect to an existing RCB located at the southerly terminus of the existing earthen flood channel. The ultimate solution will be determined during the final engineering process.

Planning Areas 1, 1A, and 2 drain in a southerly direction and the drainage ultimately flows into either a water quality basin located in the southwest portion of Planning Area 2, the existing flood channel located south of the intersection of Merrill Avenue and Grove Avenue, or to the RCB drainage system in Merrill Avenue which will convey flows easterly to the Cucamonga Channel.

Stormwater flows from Planning Areas 3 and 3A drain in a southerly direction and the drainage ultimately flows into either the 24-inch line within Walker Avenue or to the RCB system in Merrill Avenue. Planning Areas 4 and 4A also drain in a southerly direction with the drainage ultimately flowing to either a storm drain line installed in Baker Avenue or to the RCB system in Merrill Avenue. Planning Areas 5, 5A, 6, and 6A drain in a southerly direction as well, and the drainage ultimately flows to the 13-foot by 18-foot RCB in Vineyard Avenue or the double 9-foot by 8-foot RCB or 12-foot by 10-foot RCB in Merrill Avenue. Flows from Planning Areas 3, 3A, 4, 4A, 5, 5A, 6, and 6A ultimately drain easterly to an existing inlet connection to the Cucamonga Creek Channel via the existing double 12-foot by 10-foot RCB in Merrill Avenue (east of Carpenter Avenue).

Each storm drain in Grove Avenue and Merrill Avenue will be equipped with a hydrodynamic separator or City approved equal device 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).

Line diameter sizes and other storm drain facility sizes noted herein may be subject to modification by the City of Ontario and/or the San Bernardino Flood Control District as part of final engineering.

A. National Pollutant Discharge Elimination System (NPDES) and Water Quality Management Plan (WQMP)

Design for the on-site improvements within the MERRILL COMMERCE CENTER Specific Plan will utilize a variety of Low Impact Development (LID) design concepts to detain, filter, and treat surface runoff in a practical manner to comply with the requirements of the San Bernardino County NPDES Storm Water Program's current Water Quality Management Plan (WQMP) for new development projects.

The objective of the project-specific WQMP 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 shall be minimized through the implementation of on-site and off-site Low Impact Development (LID) Site Design Best Management Practices (BMP's) that retain/infilter or biotreat 85th percentile storm event runoff from the Specific Plan area.

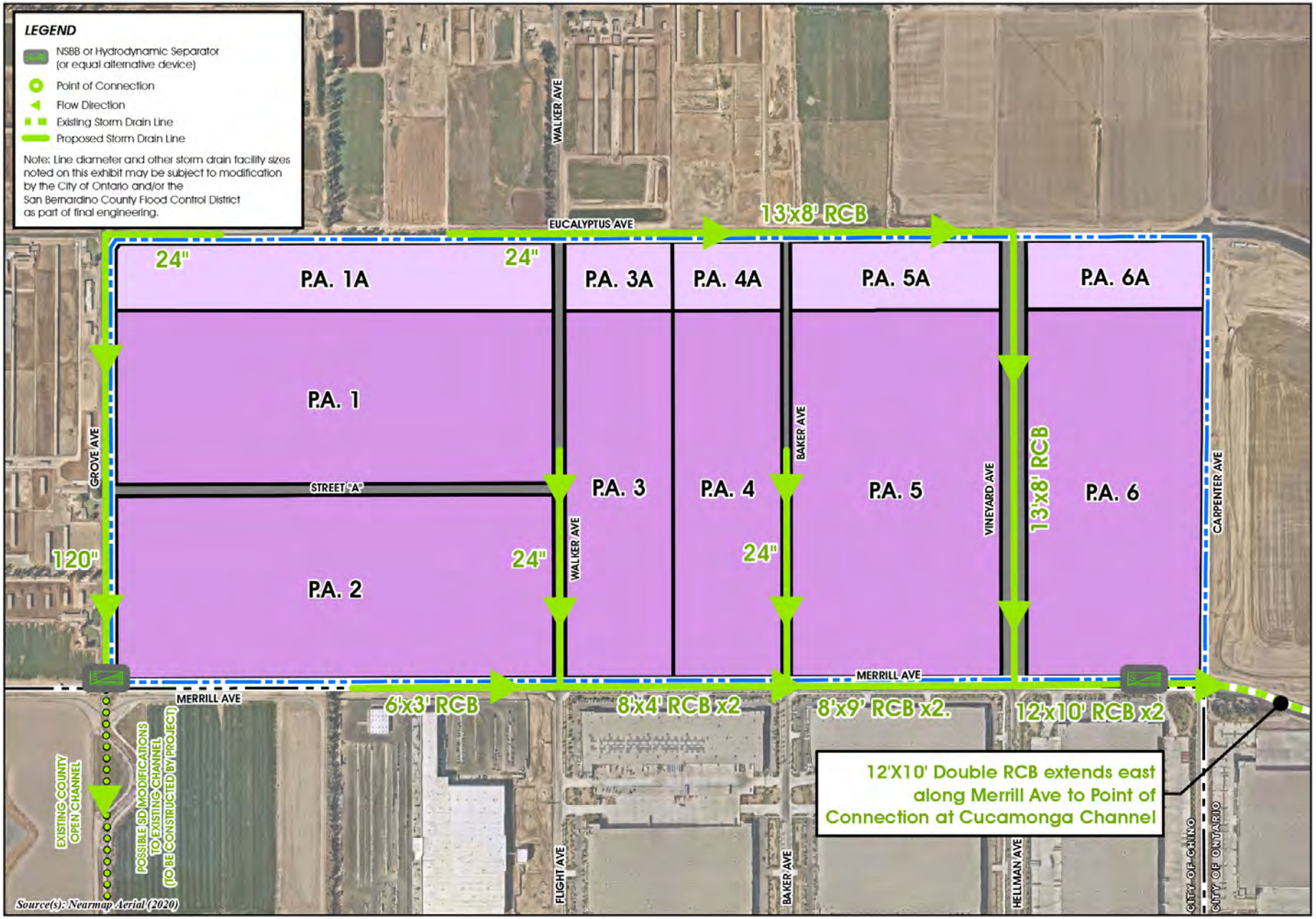
In addition, non-structural and structural Source Control BMP's will be implemented and documented in the approved Water Quality Management Plan(s) to reduce pollutant generation and transport from the Specific Plan area.

All Priority Land Use (PLU) areas, defined by the State Water Resources Board (SWRCB) as high trash generating areas such as industrial uses, within the Specific Plan area shall comply with the statewide Trash Provisions adopted by the SWRCB and trash requirements in the most current San Bernardino County Area-Wide MS4 permit.

Prior to the issuance of any grading or construction permits for any parcel map or area that disturbs one (1) acre or more of land within the MERRILL COMMERCE CENTER Specific Plan, an Erosion Control & Sedimentation Plan and Storm Water Pollution Prevention Plans (SWPPP) will be prepared to comply with California State Water Resources Control Board's (State Water Board) current "General Permit to Discharge Storm Water Associated with Construction Activity" and current "Area Wide Urban Storm Water Runoff (Regional NPDES) Permit." SWPPPs are required to identify and detail all appropriate Best Management Practices (BMP's) to be implemented or installed during construction.

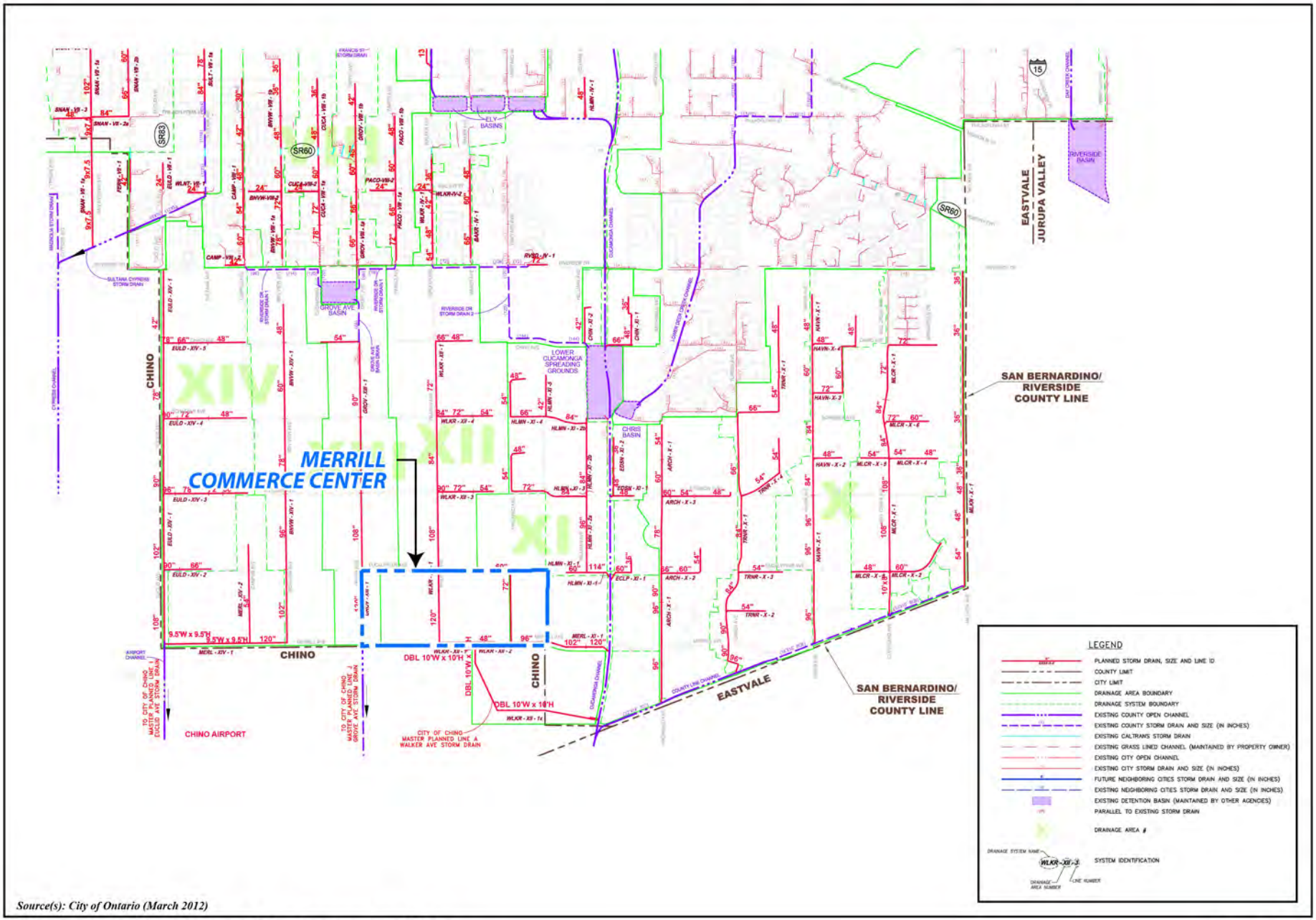
B. Airport Compatibility

The Specific Plan Area is located in the Airport Influence Areas (AIAs) of the Ontario International Airport and the Chino Airport. The Federal Aviation Administration (FAA) identifies stormwater management facilities as one of the greatest attractants to wildlife hazardous to airport operations. For this reason, all new stormwater management facilities located within the MERRILL COMMERCE CENTER will be designed to avoid the creation of open water and habitat by being designed to drain completely within a maximum 48-hour period following design storm event (i.e., 24-hour storm) and remain totally dry between storm events.



Storm Drain Infrastructure Plan

Figure 4-6



Source(s): City of Ontario (March 2012)

City of Ontario Planned Drainage Facilities

Figure 4-6A

Not to Scale

4.2.5 Dry Utilities Plan

As shown on Figure 4-7, *Dry Utilities Infrastructure Plan,* primary dry utility lines within joint trenches in Merrill Avenue will be installed to connect to existing dry utility lines at Merrill Avenue to the west of Grove Avenue and at Merrill Avenue to the east of Carpenter Avenue to fully service the Specific Plan area. Lateral dry utility lines within joint trenches will be installed in Grove Avenue, Vineyard Avenue, and Eucalyptus Avenue. The lateral dry utility line within Eucalyptus Avenue will connect to existing dry utility lines at Merrill Avenue and Archibald Avenue to the east. The lateral dry utility lines within Grove Avenue and Vineyard Avenue connect to the primary dry utility lines within Merrill Avenue.

All other dry utilities internal to the MERRILL COMMERCE CENTER will be installed underground in conjunction with the development of the MERRILL COMMERCE CENTER in accordance with applicable public utility standards and specifications and to the satisfaction of the Ontario City Engineer. The locations of other lateral connections, transformers, switches, pull boxes, and dry utility manholes will be determined at the time buildings are positioned in each planning area in conjunction with implementing development.

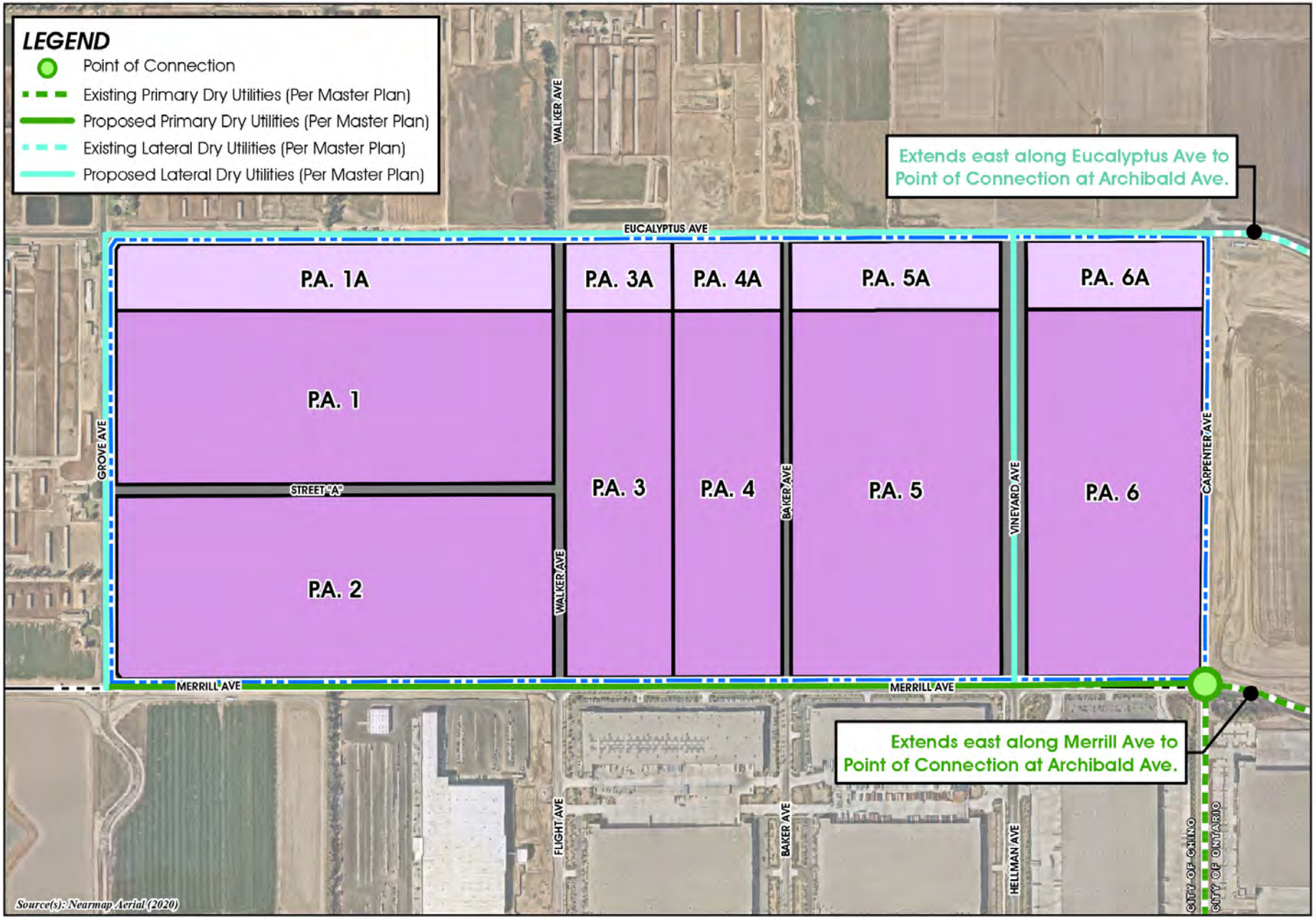
A. Fiber Optics Plan

As shown on Figure 4-8, *Fiber Optics Plan*, fiber optic lines within joint trenches, per the City of Ontario's Master Fiber Optic Plan, will be installed in Grove Avenue and Vineyard Avenue between Merrill Avenue and Eucalyptus Avenue, and in Eucalyptus Avenue and Merrill Avenue between Grove Avenue and Carpenter Avenue. Also, if required to service development, new fiber optic lines will be installed in joint trenches in Street A between Grove Avenue and Walker Avenue and in Walker Avenue and Baker Avenue between Merrill Avenue and Eucalyptus Avenue. The backbone street fiber optics (conduits, hand holes, tracer wire, and fiber) will be placed underground within a duct and structure system to be installed by the Master Developer in a joint trench. In-tract fiber and conduit will be installed by the Developer per the in-tract fiber optic design guidelines. Maintenance of the installed system will be the responsibility of the City/Special District. Development of the MERRILL COMMERCE CENTER requires Developer installation of all fiber optic infrastructure and peripheral equipment necessary to service the Specific Plan as a stand-alone development.

Existing power poles located in Grove Avenue between Merrill Avenue and Eucalyptus Avenue, along Eucalyptus Avenue between Walker Avenue and Carpenter Avenue and along Merrill Avenue between Grove Avenue and Carpenter Avenue will be undergrounded as part of the Specific Plan's buildout.

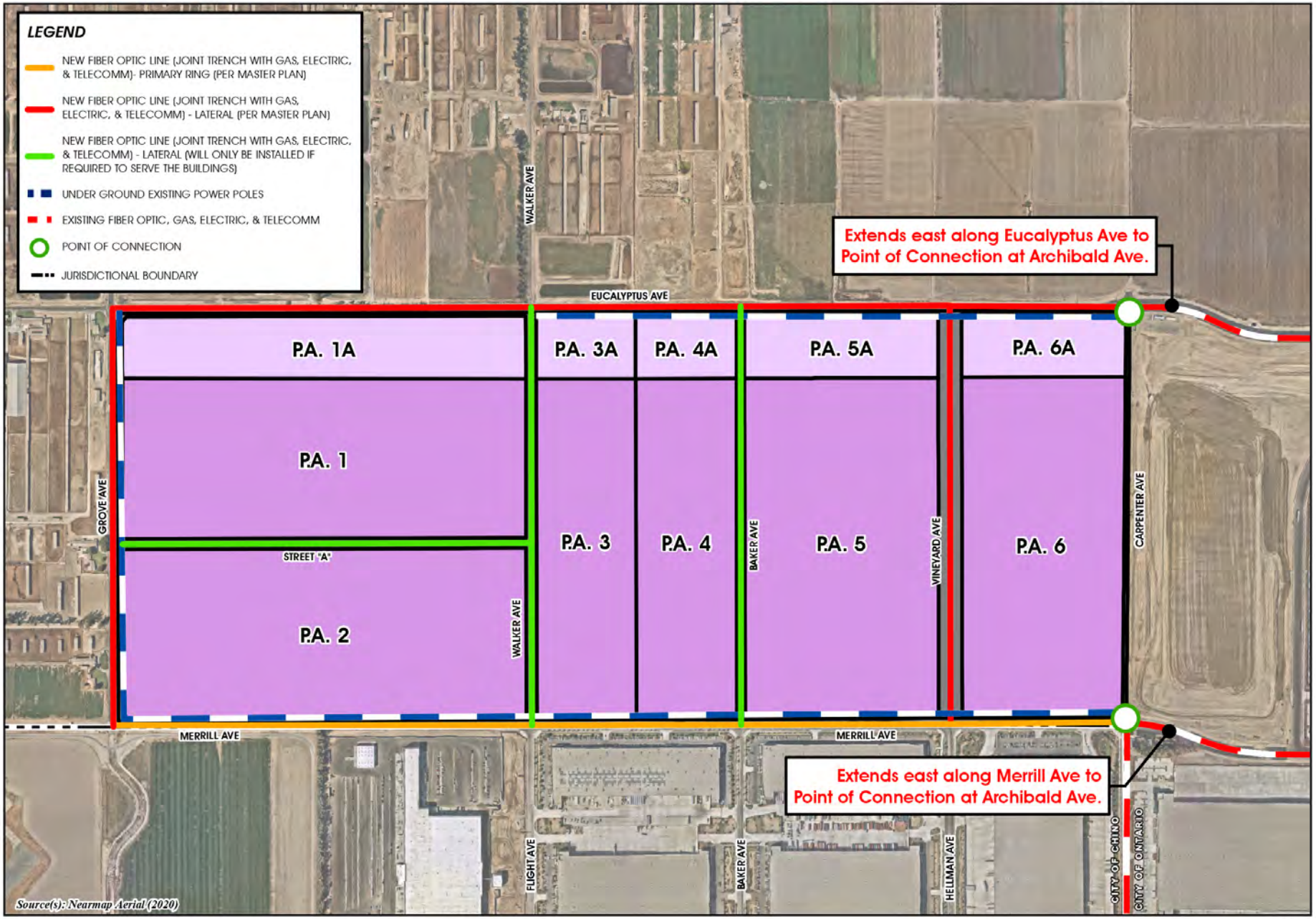
4.3 CONCEPTUAL GRADING PLAN

The natural topography of the MERRILL COMMERCE CENTER property is relatively flat. No unusual grading conditions are present and substantial import or export of earth materials is not expected. The primary objectives of the grading plan are to: provide stable development pads for construction; balance the cut and fill grading quantities on-site, and meet City of Ontario building standards and acceptable infrastructure gradient requirements.



Dry Utilities Infrastructure Plan

Figure 4-7



Fiber Optics Plan

Figure 4-8

DEVELOPMENT REGULATIONS

CHAPTER 5

5.1 Purpose and Intent

5.2 Definition of Terms

5.3 Applicability

5.4 Permitted, Conditional, and Ancillary Uses

5.5 Development Standards

CHAPTER 5 - DEVELOPMENT REGULATIONS

5.1 PURPOSE AND INTENT

This chapter formally establishes the use permissions and development standards (zoning) for the MERRILL COMMERCE CENTER property. The regulations provided herein work in concert with the architectural and landscape guidelines set forth in Chapter 6, *Design Guidelines*, to achieve the vision of the MERRILL COMMERCE CENTER.

5.2 DEFINITION OF TERMS

The meaning of words, phrases, titles, and terms shall be the same as provided in the City of Ontario Development Code (hereafter referred to as "Development Code"), unless otherwise specifically defined in this Specific Plan.

5.3 APPLICABILITY

The regulations set forth in the chapter shall apply to all development plans or agreements, tract or parcel maps, site plans, or any other action requiring administrative or discretionary approval within the 376.3-acre MERRILL COMMERCE CENTER Specific Plan area. Whenever the development standards contained herein differ from those contained in the Development Code, the provisions of this Specific Plan shall take precedence. Any development standard, condition, or situation not specifically addressed herein shall be subject to the applicable requirements of the Development Code.

5.4 PERMITTED, CONDITIONAL, AND ANCILLARY USES

Land within the MERRILL COMMERCE CENTER Specific Plan area and structures/facilities thereon may be developed, divided, and/or used for those activities listed in Table 5-1, *Permitted Uses*. Table 5-1 lists the permitted, conditionally-permitted, and administratively permitted land uses for each land use district established by this Specific Plan (Business Park and Industrial). A use that is not listed in Table 5-1 is a prohibited use unless otherwise allowed pursuant to the procedures described in Chapter 7, *Implementation Plan*, or applicable interpretations and determinations established by the Development Code. The entire Specific Plan boundary is located within the Chino Airport Safety Zones (Safety Zones 1, 2, 3, 4 & 6), that may limit land uses refer to the Chino Airport Land Use Compatibility Plan for additional land use restrictions.

The symbols shown in Table 5-1 have the following meanings:

***"P"** means the land use is permitted by right of being in the proper land use district, subject to the development standards applicable to that land use district.*

***"C"** means the land use is conditionally permitted, subject to the filing of a Conditional Use Permit in accordance with the requirements of the Development Code and must be approved by the City of Ontario Zoning Administrator or Planning Commission before the use can be established within a particular land use district.*

***"A"** means an administratively permitted use is permitted in the proper land use district, subject to the granting of an Administrative Use Permit.*

Table 5-1 Permitted Uses

Use Legend: Permitted Use = "P" Conditional Use = "C" Administratively Permitted Use = "A" Prohibited Use = "---"

Use	Land Use District: Industrial (PAs 1, 2, 3, 4, 5 & 6)	Land Use District: Business Park (PAs 1A, 3A, 4A, 5A & 6A)	Notes
Agricultural, Forestry, Fishing, Hunting			
Temporary and Interim Agricultural Uses	P	P	Restricted to existing agriculture and dairy uses.
Manufacturing			
Apparel	P	P	
Beverage	C	---	
Chemical	C	---	
Computer and Electronic Products	P	P	
Electrical Equipment, Appliance, and Component	P	P	
Fabricated Metal Products	P	---	
Food	C	---	
Footwear	P	P	
Furniture and Related Products	P	P	
Leather and Allied Products	P	P	Excludes leather and hide finishing/tanning.
Machinery	P	---	
Miscellaneous Manufacturing	P	P	Includes medical equipment and supplies; jewelry and silverware; sporting and athletic goods; dolls, toys and games; office supplies; signs; and other miscellaneous manufacturing.
Plastic Products (Manufacturing)	C	---	
Rubber Products (Manufacturing)	C	---	
Plastics and Rubber Products (Assembly)	P	P	
Printing and Related Support Activities	C	C	

Table 5-1 Permitted Uses (Cont'd)

Use Legend: Permitted Use = "P" Conditional Use = "C" Administratively Permitted Use = "A" Prohibited Use = "---"

Use	Land Use District: Industrial (PAs 1, 2, 3, 4, 5 & 6)	Land Use District: Business Park (PAs 1A, 3A, 4A, 5A & 6A)	Notes
Textile Mills	C	---	Transforms basic fiber into fabric.
Textile Products	C	C	Transforms fabric into product, except apparel.
Wood Products	C	---	
Wholesale Trade			
Motor Vehicles and Motor Vehicle Parts and Supplies	P	---	
Furniture and Home Furnishings	P	P	
Professional and Commercial Equipment and Supplies	P	P	
Household Appliances and Electrical/Electronic Goods	P	P	
Hardware, Plumbing/Heating Equipment and Supplies	P	P	
Machinery Equipment and Supplies	P	---	
Miscellaneous Durable Goods	P	---	
Transportation and Warehousing			
Within a Wholly Enclosed Building	P	P	Includes indoor motor vehicle storage.
Outside Materials and Equipment Storage	A	---	Outdoor motor vehicle storage permitted in the Industrial land use district. Refer to Section 5.5.1(2) of this Specific Plan for outdoor storage provisions.
Fulfillment Center	P	---	
Refrigerated Warehousing and Storage	C	---	A maximum of 10% of building square footage of entire Specific Plan.
Industrial Retail Sales			
Maximum 15% of Building Gross Floor Area or 8,000 s.f., whichever is less	A	A	
More than 15% of Building Gross Floor Area or 8,000 s.f., whichever is greater	C	C	

Table 5-1 Permitted Uses (Cont'd)

Use Legend: Permitted Use = "P" Conditional Use = "C" Administratively Permitted Use = "A" Prohibited Use = "---"

Use	Land Use District: Industrial (PAs 1, 2, 3, 4, 5 & 6)	Land Use District: Business Park (PAs 1A, 3A, 4A, 5A & 6A)	Notes
Package and Parcel Sorting and Delivery	P	---	
Information			
Telecommunication Facilities	A	A	
Professional, Scientific, Tech. Services			
Including but not limited to professional offices of legal, accounting, tax preparation, bookkeeping, payroll, architecture, engineering, and specialized design services; systems design; management, scientific, and technical consulting services; administrative and business support services; and advertising and public relations services.	A	P	
Management of Companies and Enterprises	A	P	Including corporate, subsidiary, and regional managing offices.
Scientific Research and Development Services	---	C	
Sound (Audio) Recording Facilities	---	P	
Accommodation and Food Services			
Food Service Contractors	---	C	
Caterers	---	C	
Mobile Food Services	---	C	
Other Services (except Pubic Administration)			
Motor Vehicle Cleaning, Repair and Maintenance	C	C	
Linen and Uniform Supply	C	C	Includes linen supply and industrial launders.
Motion Picture and Video Industries	---	P	Excludes movie theaters.
Auction Houses	C	C	
Couriers and Messengers	P	P	
Data Processing, Hosting and Related Services	P	P	
Electronic (Internet) Shopping and Auctions, and Mail Order Houses	P	P	Includes direct business to consumer internet retail sales, auction houses, and/or mail order retail sales.

5.5 DEVELOPMENT STANDARDS

The following standards establish the development criteria that shall apply within the Business Park and Industrial land use districts of this Specific Plan. The entire Specific Plan boundary is located within the Chino Airport Safety Zones that may limit building height, land uses, limit FAR based on the proposed land use, and requires open land. Refer to the Chino Airport Land Use Compatibility Plan for additional land use restrictions.

Table 5-2 Development Standards

Development Standards		
Site Requirements		
	BP	**I**
Minimum Lot Size	1.0 acre	1.0 acre
Maximum Floor Area Ratio	0.60[1]	0.55[1]
Overall Minimum Landscape Coverage (Landscaping shall include plantings (trees, shrubs, groundcovers, vines) and may include walkways, benches, trellises, thematic fencing, walls, and related amenities.)	10%[2,3]	10%[2,3]
Minimum Landscape Coverage on Parcels at Principal Arterial Corners	10%[4]	10%[4]

1. Maximum Floor Area Ratio shall be determined based on the gross total acreage of all parcels developed in all Planning Areas of the same land use category (Business Park (BP) or Industrial (I)), and the total gross floor area of all buildings developed in the same land use category. The FAR maximum shall not apply on a planning area by planning area or parcel by parcel basis.

2. The Overall Minimum Landscape Coverage shall be determined based on the net total acreage of all parcels in the same land use category. The minimum landscape coverage requirement shall not apply on a planning area by planning area or parcel by parcel basis.

3. The landscaped portions of Water Quality Basins shall be counted towards the total landscape coverage. Non-landscaped portions of Water Quality Basins shall not be counted towards the total landscape coverage.

4. Minimum Landscape Coverage at Principal Arterial Corners shall be determined based on the net total acreage of parcels adjoining the corner. Refer to Specific Plan Figure 6-1 "Primary Entry Treatment" for locations.

Table 5-3 Minimum Setback Requirements at Public Streets

- As measured from the public right-of-way.
- Architecture features such as cornices, eaves, canopies, decorative wall elements may encroach up to 4 feet into the setback.

	BP	**I**
Eucalyptus Avenue		
Building	23 feet	N/A
Drive Aisle and Passenger Car Parking	23 feet	N/A
Screened Loading and Storage Yards	23 feet	N/A
Vineyard Avenue		
Building	25 feet	25 feet
Drive Aisle and Passenger Car Parking	25 feet	25 feet
Screened Loading and Storage Yards	25 feet	25 feet
Grove Avenue		
Building	20 feet	20 feet
Drive Aisle and Passenger Car Parking	20 feet	20 feet
Screened Loading and Storage Yards	20 feet	20 feet
Walker Avenue		
Building	18 feet	18 feet
Drive Aisle and Passenger Car Parking	18 feet	18 feet
Screened Loading and Storage Yards	18 feet	18 feet
Baker Avenue		
Building	10 feet	10 feet
Drive Aisle and Passenger Car Parking	10 feet	10 feet
Screened Loading and Storage Yards	10 feet	10 feet

Table 5-3 Minimum Setback Requirements at Public Streets (Cont'd)

	BP	I
Carpenter Avenue		
Building	10 feet	10 feet
Drive Aisle and Passenger Car Parking	10 feet	10 feet
Screened Loading and Storage Yards	10 feet	10 feet
Merrill Avenue		
Building	N/A	23 feet
Drive Aisle and Passenger Car Parking	N/A	23 feet
Screened Loading and Storage Yards	N/A	23 feet
Street "A"		
Building	N/A	10 feet
Drive Aisle and Passenger Car Parking	N/A	10 feet
Screened Loading and Storage Yards	N/A	10 feet

Table 5-4 Minimum Setback Requirements at Interior Side Yards

- As measured from the property line.

	BP	I
Interior Side Yard		
Building	5 feet	0 feet
Drive Aisle, Passenger Car and Truck Parking	5 feet	5 feet
Screened Loading and Storage Yards	0 feet	0 feet

Table 5-5 Minimum Drive Aisle and Parking Space Separation Requirements

- As measured from the edge of pavement.

	BP	I
Adjacent to building office element	10 feet	10 feet
Adjacent to solid building wall or screen wall/fence, and not within a screened/ enclosed yard.	5 feet	5 feet
Adjacent to solid building wall or screen wall/fence, and within a screened/enclosed yard.	0 feet	0 feet

Table 5-6 Maximum Building Height Requirements

- As measured from the building's finished floor.
- Maximum building height in the southwest portion of Planning Area 1 is required to be lower than 95 feet subject to consistency with the Chino Airport Compatibility Plan, or in absence of an adopted Compatibility Plan, the California Airport Land Use Planning Handbook.

	BP	I
Building Height	45 feet	85 feet
Vertical Architectural Projections (towers, focal elements, cupolas, etc.)	55 feet	95 feet
Building Height and Vertical Architectural Projections (Planning Areas 5 and 6)	N/A	110 feet

5.5.1 Other Development Standards

(1) Loading docks and truck parking areas shall be visually screened from Eucalyptus Avenue, Grove Avenue, Walker Avenue, Baker Avenue, Vineyard Avenue, Merrill Avenue, Street "A", and Carpenter Avenue by walls and landscaping features.

(2) The outdoor storage of materials and equipment shall be permitted ancillary to the land uses allowed pursuant to Table 5-1. Outdoor loading and storage areas and loading doors shall be screened from view from public streets by concrete or masonry walls and landscaping. Any gates shall be lockable. Such walls and landscaping used as screening shall be a minimum eight feet (8') in height and shall be of sufficient height to screen all outdoor materials and equipment, tractors and trailers, and loading doors from view of public streets and shall not exceed 14 feet in height. The storage of outdoor materials shall not exceed the height of the screen wall as measured from the interior side of the wall.

(3) Ground- and roof-mounted exterior mechanical equipment, heating and ventilating, air conditioning, tanks, and other mechanical devices shall be of an architecturally compatible design with the primary structure and screened when visible to the public.

(4) Exterior lighting fixtures shall be downward directed. Pole-mounted lights shall be shielded with the light source oriented away from public streets and/or adjacent properties.

(5) All manufacturing and processing activities shall be conducted within a wholly-enclosed building.

(6) The following open land and occupancy limit requirements shall apply in Chino Airport Safety Zones, as established by the Chino Airport Compatibility Plan.

a. Zone 1: The southwestern corner of Planning Area 2 is located in Chino Airport Safety Zone 1. No buildings shall be located in Safety Zone 1.

b. Zone 2: Portions of Planning Areas 1 and 2 are located in Chino Airport Safety Zone 2. At least 25% of the zone shall remain as open land* and occupancy shall be limited to 60 people per acre on average and a maximum of 120 people in any one acre.

c. Zone 3: Portions of Planning Areas 1, 1A, and 2 are located in Chino Airport Safety Zone 3. At least 15% of the zone shall remain as open land* and occupancy shall be limited to 100 people per acre on average and a maximum of 300 people in any one acre.

d. Zone 4: Portions of Planning Areas 1 and 1A are located in Chino Airport Safety Zone 4. At least 15% of the zone shall remain as open land* and occupancy shall be limited to 150 people per acre on average and a maximum of 450 people in any one acre.

e. Zone 6: Portions of all Planning Areas are located in Chino Airport Safety 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. Parking lots can be considered as acceptable open lands.

(7) The Specific Plan area is located in the Airport Influence Area (AIA) established by the Ontario International Airport Land Use Compatibility Plan (ONT ALUCP) and the AIA established by the Chino Airport Compatibility Plan (CNO ALUCP). All development in MERRILL COMMERCE CENTER shall be subject to the mandatory requirements and standards of those applicable ALUCPs, or the absence of an adopted ALUCP, the California Airport Land Use Planning Handbook. Given the close proximity of the Specific Plan area to the Chino Airport, developers within the Specific Plan area shall consult and coordinate with Chino Airport agencies during the planning and design stage so as to ensure development plans accommodate applicable safety restrictions. The entire Specific Plan area is impacted by the Chino Airport; developers within the Specific Plan area shall consult and coordinate with Chino Airport and FAA during the planning and design stage to ensure that development plans and right-of-way street improvements do not create any hazards and compy with the California Airport Land Use Planning Handbook published by the Caltrans Division of Aeronautics and the Chino Airport Land Use Compatibility Plan.

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. Parking lots can be considered as acceptable open lands.

(7) The Specific Plan area is located in the Airport Influence Area (AIA) established by the Ontario International Airport Land Use Compatibility Plan (ONT ALUCP) and the AIA established by the Chino Airport Compatibility Plan (CNO ALUCP). All development in MERRILL COMMERCE CENTER shall be subject to the mandatory requirements and standards of those applicable ALUCPs, or the absence of an adopted ALUCP, the California Airport Land Use Planning Handbook. Given the close proximity of the Specific Plan area to the Chino Airport, developers within the Specific Plan area shall consult and coordinate with Chino Airport agencies during the planning and design stage so as to ensure development plans accommodate applicable safety restrictions. The entire Specific Plan area is impacted by the Chino Airport; developers within the Specific Plan area shall consult and coordinate with Chino Airport and FAA during the planning and design stage to ensure that development plans and right-of-way street improvements do not create any hazards and compy with the California Airport Land Use Planning Handbook published by the Caltrans Division of Aeronautics and the Chino Airport Land Use Compatibility Plan.

DESIGN GUIDELINES

CHAPTER 6

6.1 Purpose and Intent

6.2 Design Theme

6.3 Specific Plan-Wide Design Guidelines

6.4 Truck Courts and Loading Docks

6.5 Ground or Wall-Mounted Equipment

6.6 Rooftop Equipment

6.7 Trash Enclosures

6.8 Outdoor Employee Amenities

6.9 Outdoor Lighting

6.10 Signage Guidelines

6.11 Landscape Design Guidel

CHAPTER 6 - DESIGN GUIDELINES

6.1 PURPOSE AND INTENT

The design guidelines presented in this chapter describe the quality and character of the built environment expected for the MERRILL COMMERCE CENTER. While the design guidelines provide direction, they are meant to provide a certain level of flexibility to allow creative expression during the design of implementing development projects.

The guidelines provide criteria for architecture, lighting, energy efficiency, signage, and landscape design.

The MERRILL COMMERCE CENTER's visual identity will be expressed primarily through landscape, hardscape, and signage elements. The architectural design guidelines contained herein are presented in a manner that ensures consistent architectural expression across the Specific Plan area, while allowing for flexibility in modern-day building design.

All photographs, illustrations, and diagrams contained in these Design Guidelines serve as visual aids to convey the overall theme. Exact replication of the examples is neither required nor anticipated.



Conceptual design theme of the MERRILL COMMERCE CENTER.

The objectives of these Design Guidelines are as follows:

- To provide the City of Ontario with the assurance that the MERRILL COMMERCE CENTER will develop in accordance with the quality and character described within this Specific Plan.
- To provide guidance to developers, builders, engineers, architects, landscape architects, and other professionals to achieve and maintain the desired design quality.
- To provide an aesthetic benchmark for City staff, the Planning Commission, and the City Council in their review of the design of future implementing development projects in the Specific Plan area.
- To provide guidelines that steer the MERRILL COMMERCE CENTER to convey a contemporary aesthetic theme and character while allowing flexibility for practical application and creative expression.
- To provide guidelines for energy efficiency that can be implemented in the site planning, design, and construction phases of the Specific Plan's implementation to minimize waste deposited at landfills, decrease fossil fuel consumption, and reduce domestic water consumption.
- To ensure that the Specific Plan implements the intent of the Ontario Plan and the City's Development Code.

Guidelines that promote energy efficiency are indicated with an ("E") throughout this chapter.

The Design Guidelines presented in this chapter apply to all development within MERRILL COMMERCE CENTER, regardless of the land use category. These guidelines may be subject to modification and contemporary interpretation to allow for responses to unanticipated conditions, including but not limited to changes in the real estate market, needs and desires of building users, technology advancements, and fluctuations in economic conditions.

6.2 DESIGN THEME

The MERRILL COMMERCE CENTER is a contemporary employment center containing Industrial and Business Park land uses. It will provide businesses easy access to the regional transportation network, proximity to workers, and proximity to the Ports of LA and Long Beach (approximately 53 miles to the southwest).

The theme features a contemporary design aesthetic, which provides architectural styling with attractive detailing, steel accents, a light-toned color palette, and timeless features. Signs are modern, lighting is focused and directed, landscaping is colorful and drought-tolerant, and design features are applied that lower energy use demands of building operations.



6.3 SPECIFIC PLAN-WIDE DESIGN GUIDELINES

This section sets forth design guidelines that apply to all planning areas within MERRILL COMMERCE CENTER. Developers, builders, engineers, architects, landscape architects, and other design professionals should utilize these guidelines in order to maintain design continuity throughout the Specific Plan area.

6.3.1 Architecture Design Guidelines

A. Design Theme

The architectural style of the MERRILL COMMERCE CENTER emphasizes building massing over structural articulation. Buildings are characterized by simple and distinct cubic masses with interlocking volumes of wall planes, colors, and materials to create visual appeal. Exterior building colors are light and gray tones with stone, glass, or steel materials at focal points, such as around building entrances and near outdoor gathering spaces. Additionally, architectural designs may mix colors, materials, and textures to articulate façades and create visual appeal.

Design elements are selected to be compatible in character, massing, and materials in order to promote a clean and contemporary feel. Individual creativity and identity is encouraged, but design integrity and compatibility must be maintained among all buildings and planning areas to reinforce a unified image and campus-like setting within the MERRILL COMMERCE CENTER.

B. Building Form

Building form is one of the primary elements of architecture. Numerous design aspects, including shape, mass (size), scale, proportion, and articulation, are elements of a building's "form."



Although provided for illustrative purposes only, the image above shows how building façades visible from public roadways are to incorporate angular changes in massing, building materials, color, texture, and accents.

Building forms are especially important for building façades that are visible along the following public view corridors:

- Building façades in Planning Areas 1, 1A, and 2 that are visible from Grove Avenue, a principal arterial;
- Building façades in Planning Areas 1A, 3A, 4A, 5A and 6A that are visible from Eucalyptus Avenue, a collector road;
- Building façades in Planning Areas 5, 5A, 6, and 6A that are visible from Vineyard Avenue, a principal arterial; and
- Building façades in Planning Areas 2, 3, 4, 5, and 6 that are visible from Merrill Avenue, a collector road.

The following guidelines apply to buildings within the MERRILL COMMERCE CENTER to ensure that development is visually consistent, appealing, and inviting: Note that building faces that orient inward to truck courts or service areas and that are not visible from public roads, or publicly accessible viewing areas, are not required to adhere to the below building form guidelines.

(1) Use simple geometric shapes as the overall building form. Rectangular forms are encouraged to promote balance and visual interest. Avoid arbitrary, complicated building forms.

(2) Long horizontal wall planes visible from a public street should include periodic changes in exterior building materials, color, decorative accents, and/or articulated features.

(3) Modulation and variation of building masses between adjacent buildings visible from public streets is encouraged.

(4) Make pedestrian entrances to buildings (with the exception of service doors and emergency exit doors) obvious through changes in massing, color, and/or building materials.

(5) Pedestrian and ground-level building entries intended for visitor use should be recessed or covered by architectural projections, roofs, or arcades in order to provide shade and visual relief.

(6) Architectural and trim detailing on building façades shall be clean, simplistic, and not overly complicated.

(7) Materials applied to any elevations shall turn the corner of the building to a logical termination point in relation to architectural features or massing.



Although provided for illustrative purposes only, the image above shows an example of how the architecture of buildings is to be articulated at pedestrian entrances.

C. *Building Materials, Colors, and Textures*

Building materials and colors play a key role in developing a clean, contemporary visual environment; therefore, the selected exterior materials, colors, and textures should complement one another throughout the MERRILL COMMERCE CENTER. Slight variations are encouraged to provide visual interest.

(1) Appropriate primary exterior building materials include concrete and similar materials, as well as tilt-up panels. The primary materials should be accented by secondary materials including but not limited to natural or fabricated stone, Fire resistant wood siding (horizontal or vertical), and metal.

(2) Trim details may include metal finished in a consistent color, plaster, or concrete elements finished consistently with the building treatment. Use of overly extraneous "themed" detailing, like oversized or excessive foam cornice caps, foam moulding and window detailing is discouraged.

(3) Material changes should occur at intersecting planes, preferably at the inside corners of change of wall planes, or where architectural elements intersect.

(4) Primary exterior building colors should be light and gray tones. Darker and/or more vibrant accent colors may be provided in focal point areas, such as around building entrances and near outdoor gathering spaces.

(5) Bright primary colors, garish use of color, and arbitrary patterns or stripes that will clash with this color palette are discouraged, except in signage logos.

(6) Exposed downspouts (only permitted if not in public view), service doors and mechanical screen colors shall be the same color as the adjacent wall.

(7) If downspouts are needed in areas of public view, they shall be designed as internal downspouts.



Although provided for illustrative purposes only, the image above shows an example of the conceptual accent building materials, colors, and textures desired for the Industrial and Business Park buildings within the MERRILL COMMERCE CENTER.

D. Windows and Doors

The patterns of window and door openings shall correspond with the overall rhythm of the building and should be consistent in form, pattern, and color within each planning area. Guidelines for windows and doors within the MERRILL COMMERCE CENTER are as follows:

(1) When possible, the positioning of doors and windows on individual building façades should occur in a symmetrical and repetitive pattern to create continuity.

(2) Window styles and trims shall be consistent in form and color in each planning area. Window trims shall be finished in a consistent color on each building.

(3) Gold or unfinished/untreated metal window or door frames are prohibited. Clear silver anodized frames are allowed.

(4) Glass shall be clear or colored with subtle reflectiveness. Silver/reflective glass is prohibited. Green tinted windows with subtle reflectiveness are allowed.

(5) Pedestrian entry doors to buildings shall be clearly defined by features such as overhangs, awnings, and canopies or embellished with decorative framing treatments – including but not limited to accent trim. Dark and confined entries, flush doorways (except emergency exit and service doors), and tacked-on entry alcoves are discouraged.



Although provided for illustrative purposes only, the image above shows the pattern and style of windows and doors desired for Industrial and Business Park buildings in the MERRILL COMMERCE CENTER.

F. Walls and Fences

The following guidelines for walls and fencing will ensure that these features complement the overall the MERRILL COMMERCE CENTER design theme, and are attractive from public viewing areas, scaled appropriately, durable, and integrated consistently within the Specific Plan area.

(1) Freestanding walls and fences should not exceed a height of 14 feet, measured from the base of the wall/fence to the top of the wall/fence.

(2) Landscaping may be used for visual screening instead of walls and fences in locations where a solid physical barrier is not needed.

(3) Walls and fences in public view should be built with attractive, durable materials.

(4) Chain-link fencing is not permitted as perimeter fencing and/or within public view.

(5) Along public street frontages, long expanses of wall surfaces should be offset and/or architecturally treated to prevent monotony. Techniques to accomplish this may include, but are not limited to: openings, material changes, pilasters and posts, and staggered sections.

(6) Wall and fencing materials shall be compatible with other design elements of the MERRILL COMMERCE CENTER.







Although wall and fence design may vary, the concepts shown above provide examples of an ornamental iron fence (top), architecturally-enhanced screen wall (bottom-left), and freestanding wall (bottom-right).

6.4 TRUCK COURTS AND LOADING DOCKS

(1) Loading doors, service docks, and equipment areas should be oriented or screened to reduce visibility from public roads and publicly accessible locations within the MERRILL COMMERCE CENTER. Screening may be accomplished with solid walls or fences that are compatible with the architectural expression of the building. Screening may also be accomplished by landscaping.

(2) Business park buildings located along Eucalyptus Avenue shall not have loading docks on the building façade(s) facing Eucalyptus Avenue.

(3) No loading or unloading activity is permitted to take place from public streets/view.

(4) Adequate queuing distance should be provided on-site in front of security gates to avoid the circumstance of trucks stacking on public streets waiting to enter at gates.

(5) Truck and service vehicle entries should be designed to provide clear and convenient access to truck courts and loading areas such that passenger vehicle, pedestrian, and bicycle circulation is not adversely affected by truck movements.

(6) Loading bays that are utilized by refrigerated trailers shall have dock seals and be equipped with plug-in electrical outlets. (E)

(7) Conduit should be installed in truck courts in logical locations that would allow for the future installation of charging stations for electric trucks, in anticipation of this technology becoming available in the lifetime of the MERRILL COMMERCE CENTER. (E)



Although provided for illustrative purposes only, the image above shows screening concepts for truck courts/loading areas.

6.5 GROUND OR WALL-MOUNTED EQUIPMENT

(1) Ground-mounted equipment, including but not limited to mechanical or electrical equipment, emergency generators, boilers, storage tanks, risers, and electrical conduits, should be screened from public viewing areas including adjacent public roads. Screening may be accomplished with solid walls, or landscaping.

(2) Electrical equipment rooms should be located within the building envelope. Pop-outs or shed-like additions are discouraged.

(3) Wall-mounted items, such as electrical panels, should not be located on the building façade facing adjacent public roads/views. Wall-mounted items should be screened or incorporated into the architectural elements of the building so as not to be visually apparent from the street or other public areas.

6.6 ROOFTOP EQUIPMENT

(1) Rooftop equipment, including but not limited to mechanical equipment, electrical equipment, storage tanks, wireless telecommunication facilities, satellite dishes, vents, exhaust fans, smoke hatches, and mechanical ducts, shall be screened by rooftop screens or parapet walls so as not to be visible by the public.

(2) Integrate rooftop screens (i.e. parapet walls) into the architecture of the main building. Wood finished rooftop screens are prohibited.

(3) Design the roofs of Industrial buildings to support the future installation of solar panels. (E)

(4) Roof access (via roof ladders or other means) must be located interior to the building.



Although provided for illustrative purposes only, the image above shows how rooftop equipment would be screened from public viewing areas by a metal parapet.

6.7 TRASH ENCLOSURES

(1) All outdoor refuse containers shall be screened within a permanent, lockable and durable enclosure and should be oriented so they are not visible from public roads/views. The enclosure's design shall reflect the architectural style of adjacent buildings and use similar, high-quality materials.

(2) All outdoor trash enclosures shall be constructed with solid roofs to prevent exposure of dumpster contents to rainfall and prevent polluted stormwater runoff from these structures. (E)

(3) Refuse collection areas shall be located behind or to the side of buildings, away from the building's main entrance and public view.

(4) Buildings shall be designed to meet all Integrated Waste Department requirements, including the requirements for Sizing of Storage, Location of Collection Area, Accessibility for Collection Vehicles, and Collection of Sorted/Diverted Waste Types.

6.8 OUTDOOR EMPLOYEE AMENITIES

(1) Bicycle racks should be provided at each building or in a common area that serves multiple buildings to encourage non-vehicular circulation.

(2) Industrial buildings should include an outdoor employee amenity area, including tables and chairs so that workers do not have to travel off-site for outdoor enjoyment.





The MERRILL COMMERCE CENTER will include outdoor amenities such as bike racks and break areas for the enjoyment of employees and visitors.

6.9 OUTDOOR LIGHTING

Outdoor lighting of the MERRILL COMMERCE CENTER is an essential architectural component that provides aesthetic appeal, enhances safe pedestrian and vehicular circulation, and adds to security. Lighting within the public rights-of-way shall adhere to applicable City of Ontario requirements.

All other lighting on private property in the Specific Plan should adhere to the following guidelines.

(1) Minimize glare and "spill over" light onto public streets and adjacent properties by using downward-directed lights and/or cutoff devises on outdoor lighting fixtures, including spotlights, floodlights, electrical reflectors, and other means of illumination for signs, structures, parking, loading, unloading, and similar areas. Where desired, illuminate trees and other landscape features by concealed uplight fixtures. Limit light spillover or trespass to one-quarter foot-candle or less, measured from within five feet of any adjacent property line.

(2) Select all lighting fixtures used in the Specific Plan area from the same – or complementary – family of fixtures with respect to design, materials, fixture color, and light color. Use of LED lighting is encouraged. (E)

(3) Lights should be unbreakable plastic, recessed, or otherwise designed to reduce the problems associated with damage and replacement of fixtures.

(4) Neon and similar types of lighting are prohibited in all areas within the MERRILL COMMERCE CENTER.

(5) Locate all electrical meter pedestals and light switch/control equipment in areas with minimum public visibility or screen them with appropriate plant materials.



Although provided for illustrative purposes only, the image above conceptually show lighting fixtures that are consistent with the overall theme of the Specific Plan and minimize glare and spill over light onto public streets and adjacent properties.

(6) Illuminate parking lots, loading dock areas, pedestrian walkways, building entrances, and public sidewalks to the level necessary for building operation and security reasons. Dimmers and motion detectors are permitted.

(7) Along sidewalks and walkways, the use of low mounted fixtures (ground or bollard height), which reinforce the pedestrian-scaled, are encouraged.

(8) Use exterior lights to accent entrances, plazas, activity areas, and special features.

(9) To illuminate parking lots or parking structures and their pedestrian links that provide more than five parking spaces for use by the general public, provide minimum coverage of one foot-candle of light with a maximum of eight foot-candles on the parking or walkway surface, unless otherwise approved by the City of Ontario for visibility and security.

(10) To illuminate aisles and passageways within a building complex, provide a maximum of one-half to one foot-candle of maintained lighting.

(11) High-Pressure Sodium (HPS) light fixtures are prohibited for site lighting.

(12) Lighting is prohibited that could be mistaken for airport lighting or that would create glare in the eyes of pilots of aircraft using the nearby Chino Airport or Ontario International Airport.



Although provided for illustrative purposes only, the image above demonstrates appropriate use of exterior lights to accent entrances and special features.

6.10 SIGNAGE GUIDELINES

Signage within the Specific Plan area serves a variety of purposes. Signs will identify the MERRILL COMMERCE CENTER and its building occupants and ensure the efficient circulation of vehicle traffic within the site by identifying vehicular entry points and directing vehicles to their on-site destinations. Also, signage will enhance the pedestrian experience through the design of wayfinding components: directories, directional signage, and destination identifiers.

As such, clear, concise, and easy-to-understand signage that is also visually appealing is vitally important for positive worker and visitor experiences at the MERRILL COMMERCE CENTER. General design requirements for signage are as follows:

(1) Signage should be compatible with and complementary to the building's exterior materials, colors, and finishes.

(2) The dimensions and shape of free-standing signs and sign panels or elements mounted on building façades or marquees shall be scaled proportionately to the architecture.

(3) All signs shall be contained within the parcel to which it is applicable and shall be so oriented as to preclude hazardous obstructions to person and/or vision of pedestrians and/or vehicle operators.

(4) Building occupant identification signage shall be in keeping with the character established for the MERRILL COMMERCE CENTER with variations allowed to accommodate individual user identities/corporate branding standards.



Although provided for illustrative purposes only, the image above demonstrates integration of building occupant signage with the architectural style and color palette of the building.

(5) All signs are expected to be of the highest quality to pass eye-level examination and scrutiny, and shall comply with the following fabrication specifications:

(a) Signs should be constructed to eliminate burrs, dents, cutting edges and sharp corners;

(b) Welds on exposed surfaces should be imperceptible in the finished work;

(c) Surfaces which are intended to be flat should be without dents, bulges, oil canning, gaps, or other physical deformities;

(d) All fasteners shall be concealed;

(e) Access panels shall be tight-fitting, light-proof and flush with adjacent surfaces;

(f) Manufacturers' recommended fabrication procedures regarding expansion/contraction, fastening and restraining of acrylic plastic shall be followed; and

(g) Painted, polished and plated surfaces shall be unblemished in the finished work.

(6) Prohibited sign components include the following:

(a) Letters with exposed fastening and unfinished edges (unless architecturally consistent);

(b) Paper, cardboard, Styrofoam or untreated cloth;

(c) Visible moving parts or simulated moving parts by means of fluttering, rotation, or reflecting devices; and

(d) Flashing and strobing.

(7) All conductors, transformers, cabinets, housing, and other equipment for the illumination of signs shall be concealed and/or incorporated into the building architecture.

(8) Signs shall be constructed so as to not have exposed wiring, raceways, ballasts, conduit, transformers, or the like.

(9) Direction signs may be located at any vehicular or pedestrian decision point.

(10) Vehicular direction signs shall clearly direct to destination anchors within the MERRILL COMMERCE CENTER, on-site parking areas, and truck routes.

(11) Vehicular direction signs shall be consistent in size, shape, and design throughout the MERRILL COMMERCE CENTER.

(12) Typography on vehicular direction signs should be legible and have enough contrast to be read from an appropriate windshield viewing distance.

(13) Vehicular direction signs shall incorporate reflective vinyl copy for night-time illumination.

(14) All direction signs and general information signs (e.g., restrooms, telephones, fire extinguishers, elevators, escalators, stairs) throughout the MERRILL COMMERCE CENTER shall incorporate the appropriate identity symbol as established by the Society of Environmental Graphic Design (SEGD) and comply with all State, local and federal regulations.

(15) All traffic control signs, whether on public or private property, shall conform to the California Manual on Uniform Traffic Control Devices (MUTCD).

(16) All signage shall comply with the City of Ontario Development Code's Sign Regulations.

6.11 LANDSCAPE DESIGN GUIDELINES

These *Landscape Design Guidelines* establish landscape principles and standards that apply to all planning areas within the MERRILL COMMERCE CENTER. The intent is to ensure that plant materials, entries and monuments, streetscapes, and other amenities are compatible with the overall design theme and that all implementing development projects are united under a common design vocabulary. These *Landscape Design Guidelines*, when taken with the companion *Architectural Design Guidelines* provided herein, establish an identity for the MERRILL COMMERCE CENTER that is contemporary, visually appealing, and contextually sensitive to the surrounding area.

Although a great deal of specific design information is presented herein, these Guidelines are not intended to establish a set of rigid landscaping requirements for the MERRILL COMMERCE CENTER. It is recognized that, at times, there will be a need to adapt these Guidelines to meet certain parcel-specific or user-identity requirements. As such, these *Landscape Guidelines* are intended to be flexible, and are subject to modification over time. However, it is critical to the MERRILL COMMERCE CENTER's long-term design integrity that any deviations from these Landscape Guidelines are in keeping with the spirit of the core elements of the overall theme described herein to ensure a cohesive and unified landscape concept across the MERRILL COMMERCE CENTER.

The landscaping plan serves the dual purpose of adding visual appeal while being sensitive to the environment and the Southern California climate by using drought-tolerant materials. Landscaping occurs throughout the MERRILL COMMERCE CENTER, but most prominently at street corners, along roadways, and at building entrances and in passenger car parking lots.

Primary Entry Treatments and Secondary Entry Treatments provided at entry corners welcome employees and visitors to the MERRILL COMMERCE CENTER. Primary entry treatments featuring signs and landscaping occur at the corners of Eucalyptus Avenue with Grove Avenue and with Vineyard Avenue, and Merrill Avenue with Grove Avenue and with Vineyard Avenue. Secondary Entry Treatments featuring colorful accent trees, shrubs, and groundcover occur at the corners of entrances into the MERRILL COMMERCE CENTER.

Streetscape landscaping presents a combination of evergreen and deciduous trees, low shrubs, and masses of groundcovers to create a visually pleasing experience for pedestrians and passing motorists.

As identified on Figure 6-1, *Conceptual Landscape and Greenspace Plan,* the MERRILL COMMERCE CENTER's thematic identity is reinforced by the landscape design of interfaces, monumentation, streetscapes, and pedestrian paths. Furthermore, the recommended plant palette, community elements, and hardscape materials work in concert to reinforce and emphasize the MERRILL COMMERCE CENTER's landscape theme.



Landscape theme for drought-tolerant planting areas in the MERRILL COMMERCE CENTER, provided for illustrative purposes only.

6.11.1 Plant Palette

The plant palette for the MERRILL COMMERCE CENTER includes colorful shrubs and groundcovers, ornamental grasses and succulents, and evergreen and deciduous trees – including flowering varieties – that are commonly used throughout Southern California and complement the MERRILL COMMERCE CENTER's design theme and setting. Many of the plant materials are water-efficient species native to Southern California or naturalized to the arid Southern California climate.

Table 6-1, Plant Palette, provides a list of plant materials approved for use in the MERRILL COMMERCE CENTER. The plants listed in Table 6-1 establish a base palette for the MERRILL COMMERCE CENTER landscape design. Other similar plant materials may be substituted for species listed in Table 6-1, provided the alternative plants are drought-tolerant and complement the MERRILL COMMERCE CENTER design theme.

6.11.2 Irrigation

The following general irrigation concepts shall be considered in the design and installation of irrigation systems within the MERRILL COMMERCE CENTER:

(1) All landscaped areas should be equipped with a permanent, automatic, underground irrigation system. Drip systems are encouraged in all areas needing irrigation. Irrigation systems must conform to all City of Ontario requirements. (E)

(2) Irrigation systems should be designed to apply water slowly, allowing plants to be deep soaked and to reduce run-off. (E)

(3) Connect the irrigation system to the recycled water conveyance system (E)

(4) "Pop-up" type sprinkler heads may be used adjacent to all walks, drives, curbs (car overhangs), parking areas and public right-of-way but must be designed to prevent all run-off and overspray

(5) The design of irrigation systems, particularly the location of controller boxes, valves, and other above-ground equipment (e.g., backflow prevention devices), shall be incorporated into the overall landscaping design. Where aboveground equipment is provided, it shall be screened or otherwise removed from public view, to the extent possible.

(6) The irrigation system shall be programmed to operate between 6:00pm and 6:00am. (E)

Table 6-1 Plant Palette

BOTANICAL NAME	COMMON NAME	APPLICATION	WATER USE
TREES			
ARBUTUS 'MARINA'	MARINA STRAWBERRY TREE	ACCENT TREE / CANOPY TREE	L
CERCIDIUM X 'DESERT MUSEUM'	DESERT MUSEUM PALO VERDE	ACCENT TREE	L
CERCIS C. 'FOREST PANSY'	EASTERN REDBUD	STREET TREE / WATER QUALITY	M
CHITALPA T. 'MORNING CLOUD'	CHITALPA	STREET TREE	L
GEIJERA PARVIFLORA	AUSTRALIAN WILLOW	CANOPY TREE / BACKGROUND	L
KOELRUETERIA BIPINNATA	CHINESE FLAME TREE	STREET TREE	L
LAGERSTROEMIA F. 'NATCHEZ'	CRAPE MYRTLE	STREET TREE / CANOPY TREE	M
MAGNOLIA SPP.	ST. MARY'S MAGNOLIA	STREET TREE / CANOPY TREE	M
OLEA EUROPAEA – SWAN HILL	SWAN HILL FRUITLESS OLIVE	ACCENT TREE	L
PINUS ELDARICA	AFGHAN PINE	STREET TREE / BACKGROUND	M
PISTACHIA CHINENSIS	CHINESE PISTACHE	STREET TREE	M
PLATANUS A. 'BLOODGOOD'	LONDON PLANE TREE	STREET TREE / BACKGROUND	M
PLATANUS RACEMOSA	CALIFORNIA SYCAMORE	WATER QUALITY / CANOPY TREE	M
PODOCARPUS GRACILIOR	FERN PINE	STREET TREE / CANOPY TREE	M
TRISTANIA CONFERTA	BRISBANE BOX	CANOPY TREE / BACKGROUND	M
QUERCUS AGRIFOLIA	COAST LIVE OAK	STREET TREE / ACCENT TREE	L
QUERCUS SUBER	CORK OAK	STREET TREE	L
QUERCUS ILEX	HOLLY OAK	STREET TREE / CANOPY TREE	L
SHRUBS AND GROUNDCOVERS			
ACACIA REDOLENS	ACACIA	GROUNDCOVER	L
ALOE ARBORESCENS	TORCH ALOE	ACCENT / BACKGROUND	L
ALOE PETRICOLA	STONE ALOE	ACCENT / BACKGROUND	L
ALOE STRIATA	CORAL ALOE	ACCENT	L
ARBUTUS U. 'COMPACTA'	DWARF STRAWBERRY TREE	BACKGROUND	L
BACCHARIS X 'CENTENNIAL'	CENTENNIAL COYOTE BRUSH	WATER QUALITY	L
SHRUBS AND GROUNDCOVERS			
CALLISTEMON 'LITTLE JOHN'	DWARF CALLISTEMON	MIDGROUND / FOREGROUND	L
CARISSA M. 'GREEN CARPET'	DWARF NATAL PLUM	GROUNDCOVER	M
CAREX DIVULSA	BERKELEY SEDGE	GROUNDCOVER / FOREGROUND	L
CISTUS PURPUREUS	PURPLE ROCK ROSE	MID-GROUND / WATER QUALITY	L
COTYLEDON ORBICULATA	PIG'S EAR	FOREGROUND / ACCENT	L
DIANELLA 'LITTLE REV'	LITTLE REV FLAX LILY	FOREGROUND	L
DIANELLA T. 'VARIEGATA'	VARIEGATED FLAX LILY	FOREGROUND / MID-GROUND	M
ECHEVERIA A. 'LIPSTICK'	ECHEVERIA	ACCENT	L
FESTUCA MAIREI	ATLAS FESCUE	FOREGROUND / MID-GROUND	L
HESPERALOE 'BRAKELIGHTS'	BRAKELIGHTS YUCCA	MID-GROUND / ACCENT	L
JUNCUS PATENS	CALIFORNIA GRAY RUSH	WATER QUALITY	L
KURAPIA	KURAPIA	GROUNDCOVER	L
LANTANA MONTEVIDENSIS	PURPLE LANTANA	GROUNDCOVER	L
LANTANA 'NEW GOLD'	NEW GOLD LANTANA	GROUNDCOVER / FOREGROUND	L
LAVANDULA X I. 'PROVENCE'	PROVENCE FRENCH LAVENDER	FOREGROUND	L
LEYMUS C. 'CANYON PRINCE'	CANYON PRINCE WILD RYE	MID-GROUND / WATER QUALITY	L
MUHLENBERGIA C. 'REGAL MIST'	PINK MUHLY	MID-GROUND / WATER QUALITY	L
OLEA 'MONTRA'	LITTLE OLLIE	MID-GROUND	L
RHAPHIOLEPIS INDICA 'CLARA'	INDIAN HAWTHORN	MID-GROUND / BACKGROUND	M
ROSMARINUS O. 'PROSTRATUS'	PROSTRATE ROSEMARY	GROUNDCOVER	L
SALVIA GREGGII	AUTUMN SAGE	MID-GROUND	L
SALVIA L. 'SANTA BARBARA'	SANTA BARBARA MEXICAN SAGE	MID-GROUND / WATER QUALITY	L
TURF 'MARATHON IIE'	SODDED TURF	GROUNDCOVER	H
WESTRINGIA 'WYNYABBIE GEM'	COAST ROSEMARY	BACKGROUND	L

6.11.3 Streetscapes

Streetscape landscaping plays an important role in creating a sense of place. In addition, streetscapes serve functional purposes, including screening undesirable views from public view. Within the MERRILL COMMERCE CENTER, streetscapes are planted with a combination of evergreen and deciduous trees, low shrubs, and masses of groundcovers to create a visually pleasing experience for pedestrians and passing motorists. The landscaping plant palette for streetscapes should link the roadways to the rest of the MERRILL COMMERCE CENTER and should reflect the CENTER's landscape design theme.

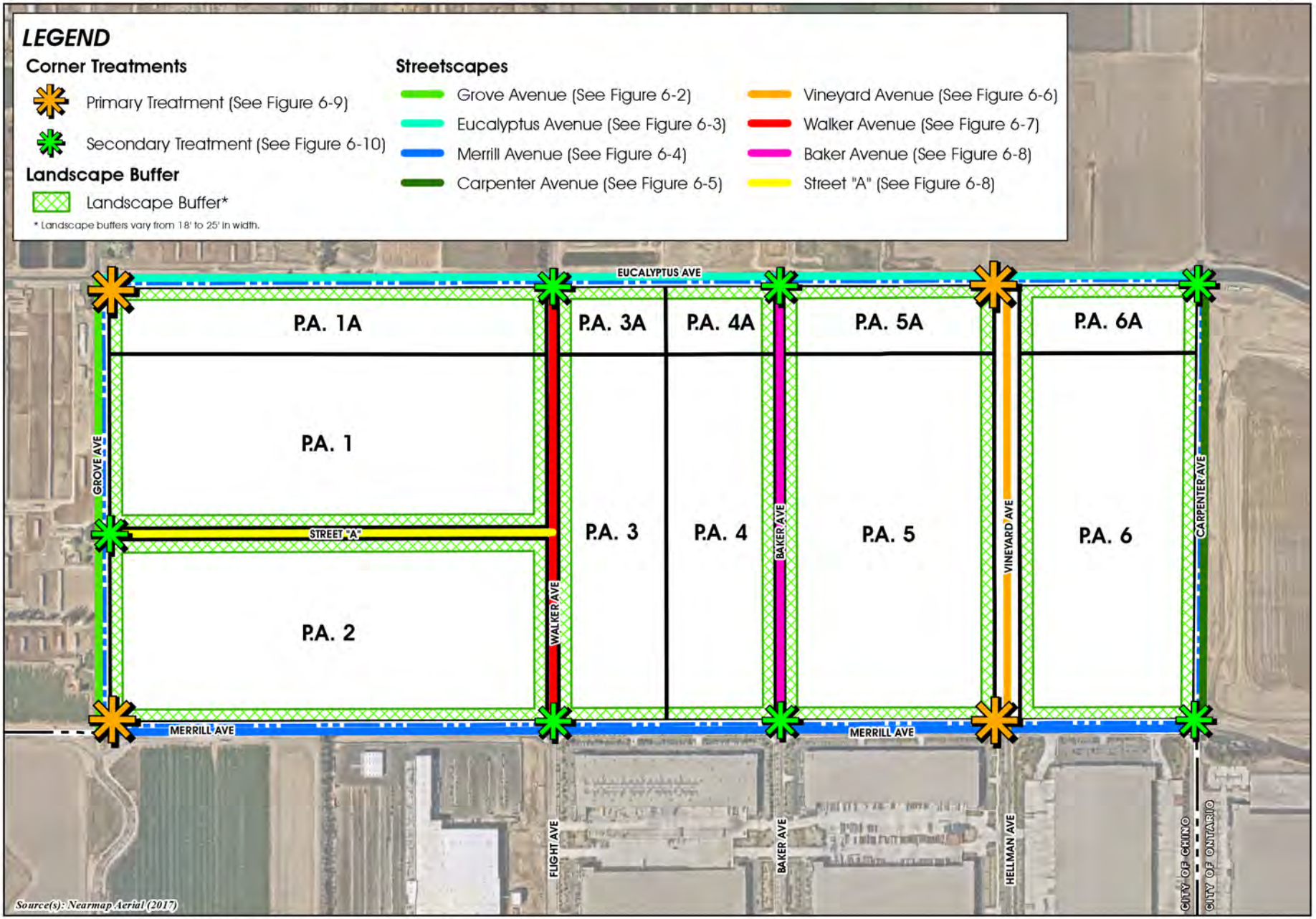
The conceptual streetscape landscape treatments within the MERRILL COMMERCE CENTER are presented on the following pages.

A. Grove Avenue Streetscape

The segment of Grove Avenue abutting the MERRILL COMMERCE CENTER features two landscaped components: 1) a 28-foot wide landscaped raised median and 2) parkways on both sides of the street. The landscaped raised median is planted with thematic accent trees at regular intervals – to reinforce the theme established at entries and monuments – and colorful groundcovers and succulents. Parkways include a curb-adjacent park strip planted with deciduous and/or evergreen trees, and low flowering groundcovers and succulents, as well as a 5-foot wide sidewalk. Evergreen trees are planted outside of the right-of-way on both sides of the street to provide pedestrians using the sidewalk with additional opportunities for shade and to screen undesirable views. An 8-foot wide multi-purpose trail is also provided along the eastern side of Grove Avenue to provide passive recreational opportunities. The typical Grove Avenue Streetscape is illustrated on Figure 6-2, *Grove Avenue Streetscape*.

B. Eucalyptus Avenue Streetscape

The segment of Eucalyptus Avenue abutting the MERRILL COMMERCE CENTER features landscaping within parkways on both sides of the street. Parkways include a curb-adjacent park strip planted with deciduous and/or evergreen trees, and low flowering groundcovers and succulents, as well as a 5-foot wide sidewalk. Evergreen trees are planted outside of the right-of-way on both sides of the street to provide pedestrians using the sidewalk with additional opportunities for shade and to screen undesirable views. Because Eucalyptus Avenue is designated by the Chino Airport Compatibility Plan to satisfy open land requirements, street trees are spaced to maintain a clear width of about 75 feet. An 8-foot wide multi-purpose trail is also provided along the northern side of Eucalyptus Avenue to offer passive recreational opportunities. The typical Eucalyptus Avenue Streetscape is illustrated on Figure 6-3, *Eucalyptus Avenue Streetscape*.



Conceptual Landscape and Greenspace Plan

Figure 6-1

C. *Merrill Avenue Streetscape*

The segment of Merrill Avenue abutting the MERRILL COMMERCE CENTER features landscaping within parkways on both sides of the street. Parkways include a curb-adjacent park strip planted with deciduous and/or evergreen trees, and low flowering groundcovers and succulents, as well as a 5-foot wide sidewalk. Because Merrill Avenue is designated by the Chino Airport Compatibility Plan to satisfy open land requirements, street trees are spaced to maintain a clear width of about 75 feet, except within Airport Safety Zone 1 (southwest portion of Planning Area 1), where no trees are permitted. Along other segments of Merrill Avenue abutting the Specific Plan boundary, additional evergreen and/or deciduous trees are planted outside of the right-of-way on both sides of the street to provide pedestrians using the sidewalk with additional opportunities for shade and to screen undesirable views. An 8-foot wide multi-purpose trail is also provided along the northern side of Merrill Avenue outside of the right-of-way to offer pedestrians passive recreational opportunities. The typical Merrill Avenue Streetscape is illustrated on Figure 6-4, *Merrill Avenue Streetscape*.

D. *Carpenter Avenue Streetscape*

The segment of Carpenter Avenue abutting the MERRILL COMMERCE CENTER features landscaping within parkways on the western side of the street. Parkways include a curb-adjacent park strip planted with deciduous and/or evergreen trees, and low flowering groundcovers and succulents, as well as a 5-foot wide sidewalk. Evergreen and/or deciduous trees are planted outside of the right-of-way on both sides of the street to provide pedestrians using the sidewalk with additional opportunities for shade and to screen undesirable views. The typical Carpenter Avenue Streetscape is illustrated on Figure 6-5, *Carpenter Avenue Streetscape*.

E. *Vineyard Avenue Streetscape*

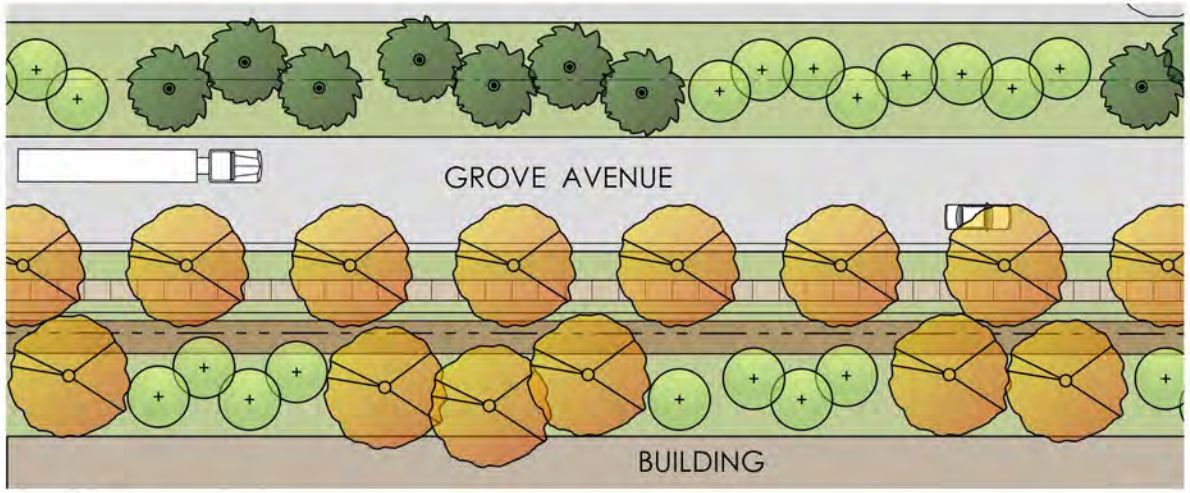
The segment of Vineyard Avenue abutting the MERRILL COMMERCE CENTER features two landscaped components: 1) a 28-foot wide landscaped raised median and 2) parkways on both sides of the street. The landscaped raised median is planted with thematic accent trees at regular intervals – to reinforce the theme established at entries and monuments – and colorful groundcovers and succulents. Parkways include a curb-adjacent park strip planted with deciduous and/or evergreen trees, and low flowering groundcovers and succulents, as well as a 5-foot wide sidewalk. An 8-foot wide Multi-Purpose Trail is also provided along the western side of Vineyard Avenue to provide passive recreational opportunities for pedestrians. Evergreen and/or deciduous trees are planted outside of the right-of-way on both sides of the street to provide pedestrians using the sidewalk and Multi-Purpose Trail with additional opportunities for shade and to screen undesirable views. The typical Vineyard Avenue Streetscape is illustrated on Figure 6-6, *Vineyard Avenue Streetscape*.

F. *Walker Avenue Streetscape*

The typical section of Walker Avenue features landscaping within parkways on both sides of the street. Parkways include a curb-adjacent park strip planted with deciduous and/or evergreen trees, and low flowering groundcovers and succulents, as well as a 5-foot wide sidewalk. Evergreen and/or deciduous trees are planted outside of the right-of-way on both sides of the street to provide pedestrians using the sidewalk with additional opportunities for shade and to screen undesirable views. An 8-foot wide Multi-Purpose Trail is also provided along the eastern side of Walker Avenue outside of the right-of-way to offer pedestrians passive recreational opportunities. The typical Walker Avenue Streetscape is illustrated on Figure 6-7, *Walker Avenue Streetscape*.

G. Street 'A' and Baker Avenue Streetscapes

The typical sections of Street 'A' and Baker Avenue features landscaping within parkways on both sides of the street. Parkways include a curb-adjacent park strip planted with deciduous and/or evergreen trees, and low flowering groundcovers and succulents, as well as a 5-foot wide sidewalk. Evergreen and/or deciduous trees are planted outside of the right-of-way on both sides of the street to provide pedestrians using the sidewalk with additional opportunities for shade and to screen undesirable views. The typical Street 'A' and Baker Avenue Streetscape is illustrated on Figure 6-8, *Baker Avenue and Street "A" Streetscape*.



Plan View

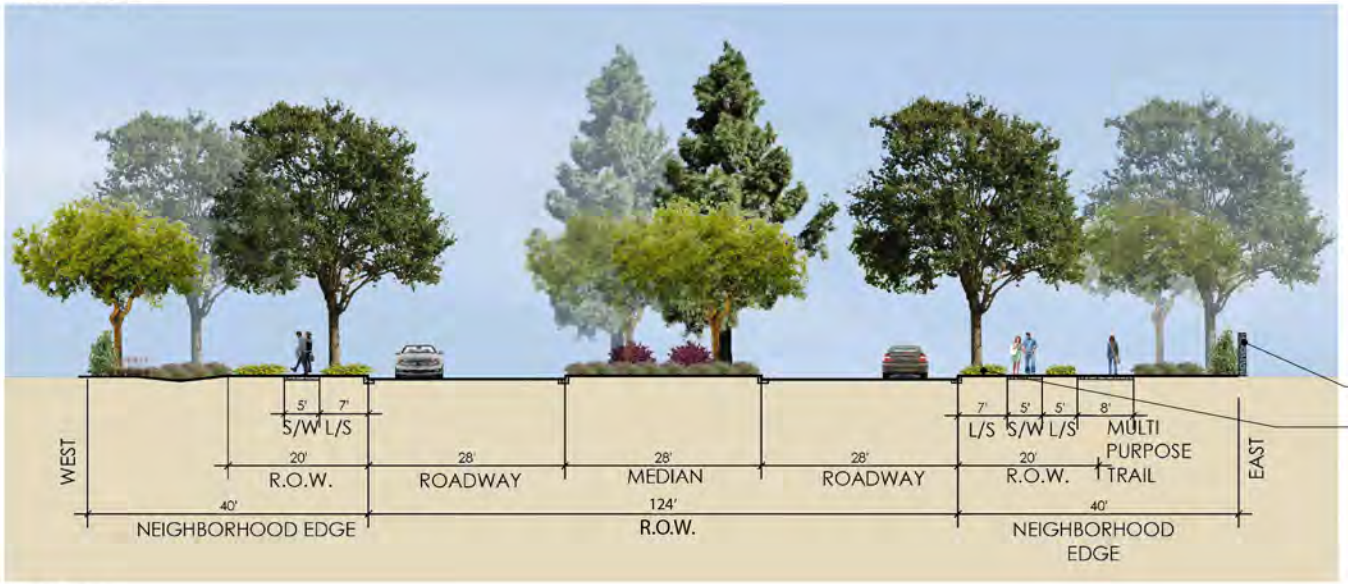
GROVE AVENUE STREETSCAPE

PLATANUS A. 'BLOODGOOD' (LONDON PLANE TREE)
HEIGHT X SPREAD: 40' X 30'
SPACING: 40' O.C.
DESCRIPTION: DECIDUOUS

CERCIS C. 'FOREST PANSY' (EASTERN REDBUD)
HEIGHT X SPREAD: 20' X 15'
SPACING: 15' O.C.
DESCRIPTION: DECIDUOUS

PINUS ELDARICA (AFGHAN PINE)
HEIGHT X SPREAD: 40' X 30'
SPACING: 30' O.C.
DESCRIPTION: EVERGREEN

7' WIDE PARKWAY
5' WIDE SIDEWALK
5' WIDE LANDSCAPE SETBACK
8' WIDE MULTI-PURPOSE TRAIL (EAST SIDE ONLY)
LANDSCAPE SETBACK



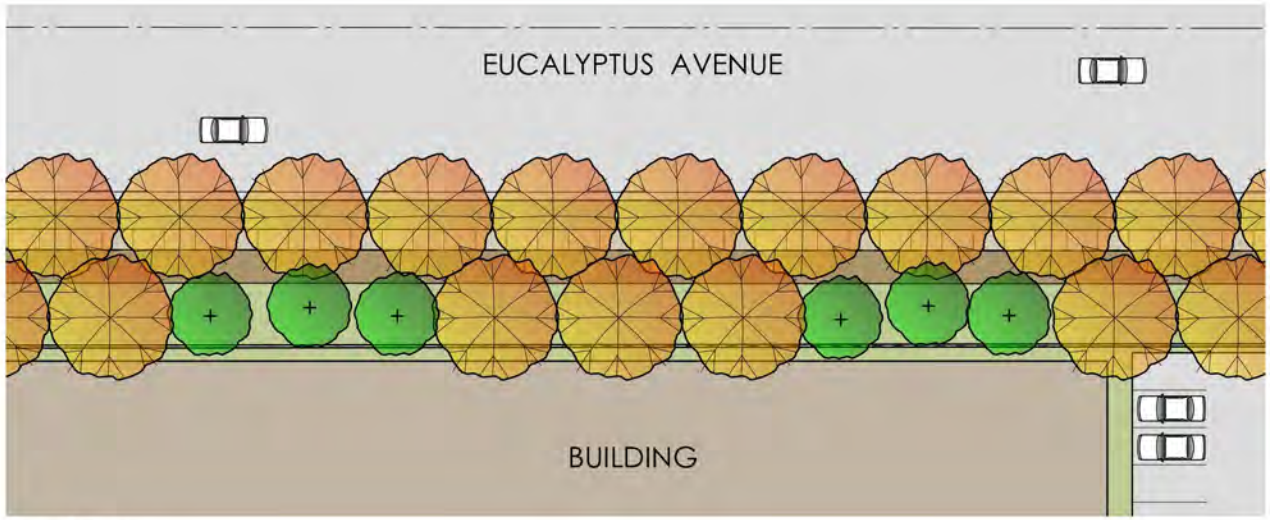
Section

Source(s): RLA (06-12-2019)

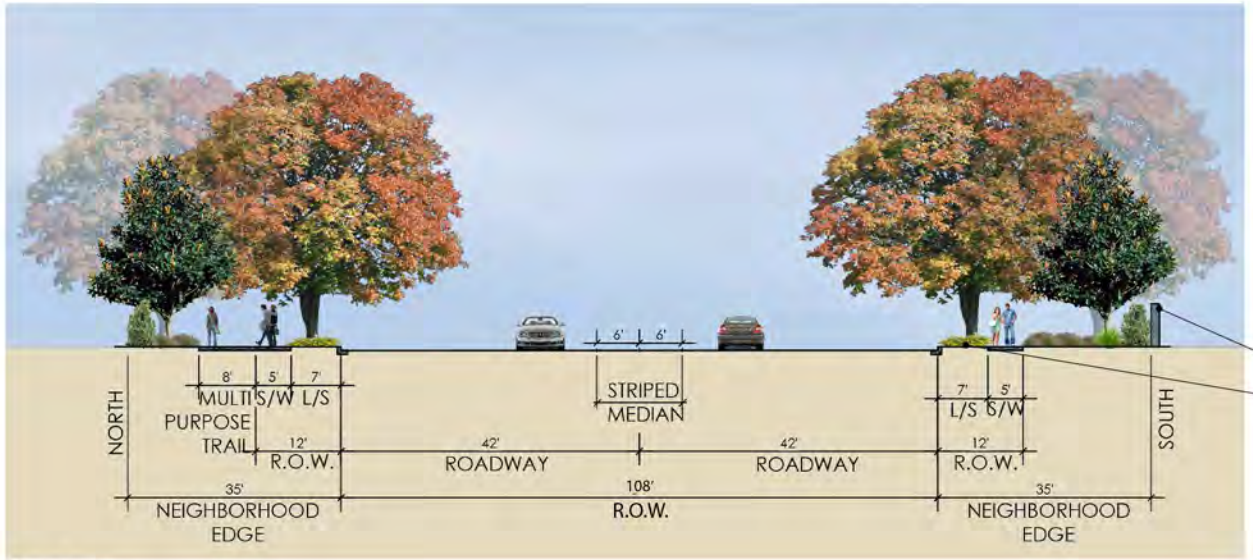
Grove Avenue Streetscape

Figure 6-2

Not to Scale



Plan View



Section

EUCALYPTUS AVENUE STREETSCAPE

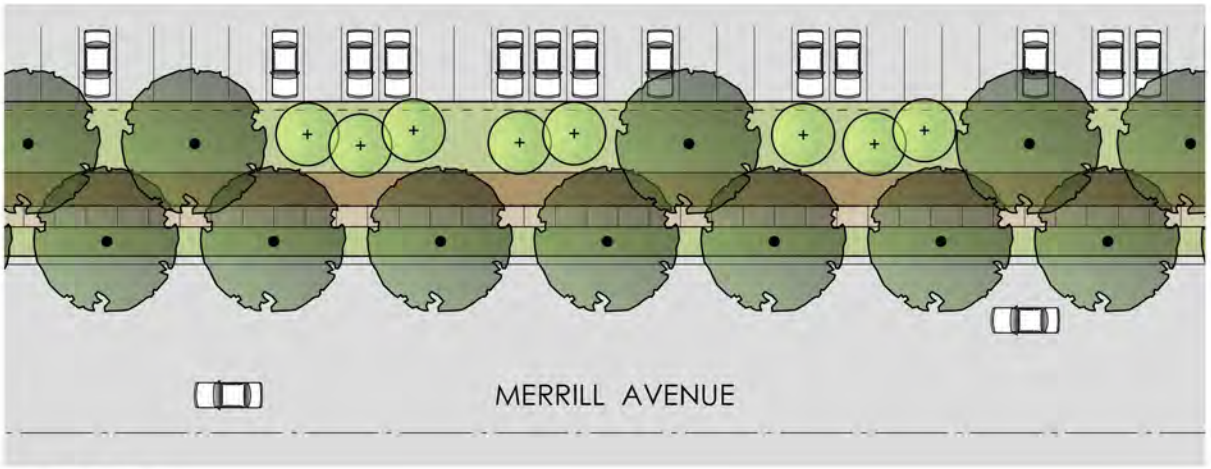
PODOCARPUS GRACILIOR (FERN PINE)
HEIGHT X SPREAD: 40' X 30'
SPACING: 30' O.C.
DESCRIPTION: EVERGREEN

PISTACIA CHINENSIS (CHINESE PISTACHE)
HEIGHT X SPREAD: 40' X 40'
SPACING: 30' O.C.
DESCRIPTION: DECIDUOUS

Source(s): RLA (06-12-2019)

Eucalyptus Avenue Streetscape Figure 6-3

Not to Scale



Plan View

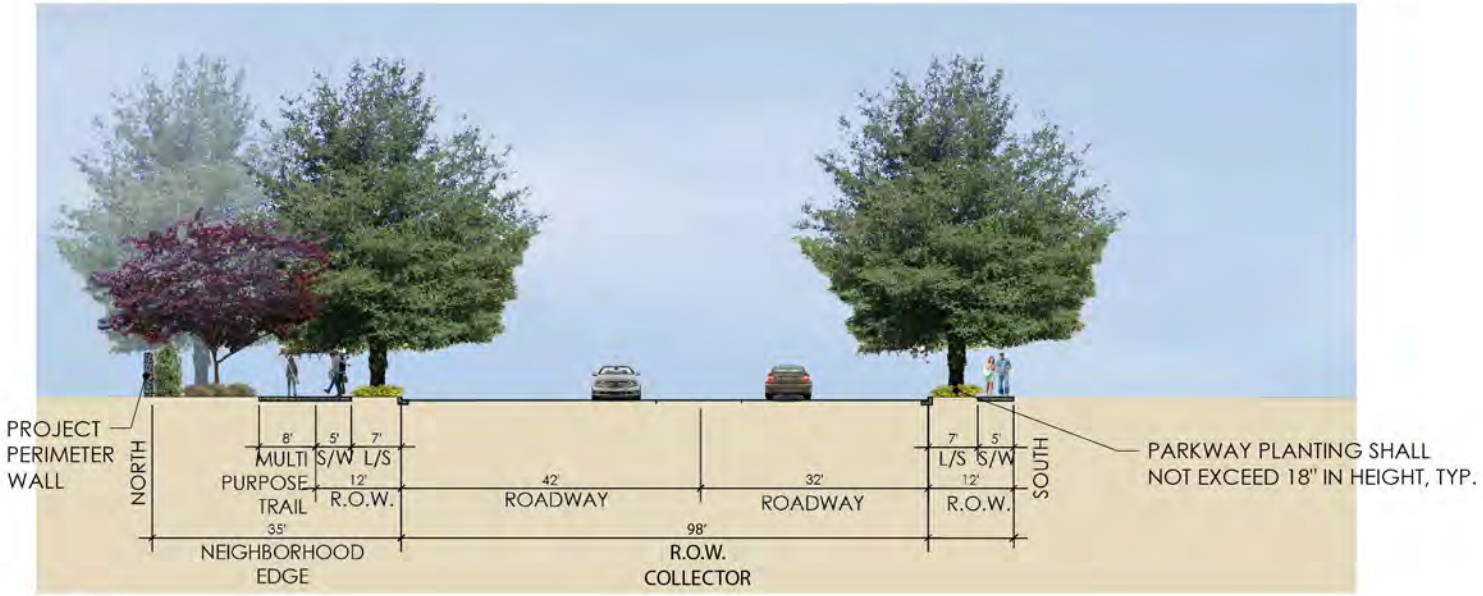
LANDSCAPE SETBACK

8' WIDE MULTI-PURPOSE TRAIL
5' WIDE SIDEWALK
7' WIDE PARKWAY

MERRILL AVENUE STREETSCAPE

CERCIS C. 'FOREST PANSY' (EASTERN REDBUD)
HEIGHT X SPREAD: 20' X 15'
SPACING: 15' O.C.
DESCRIPTION: DECIDUOUS

QUERCUS AGRIFOLIA (COAST LIVE OAK)
HEIGHT X SPREAD: 35' X 35'
SPACING: 40' O.C.
DESCRIPTION: EVERGREEN



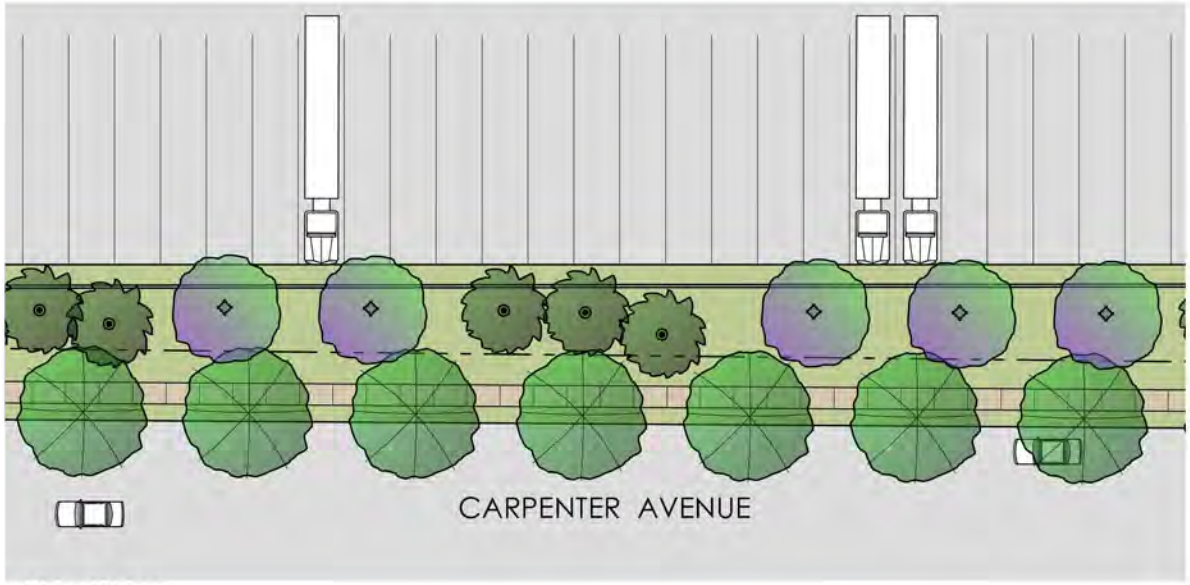
Section

Source(s): RLA (06-12-2019)

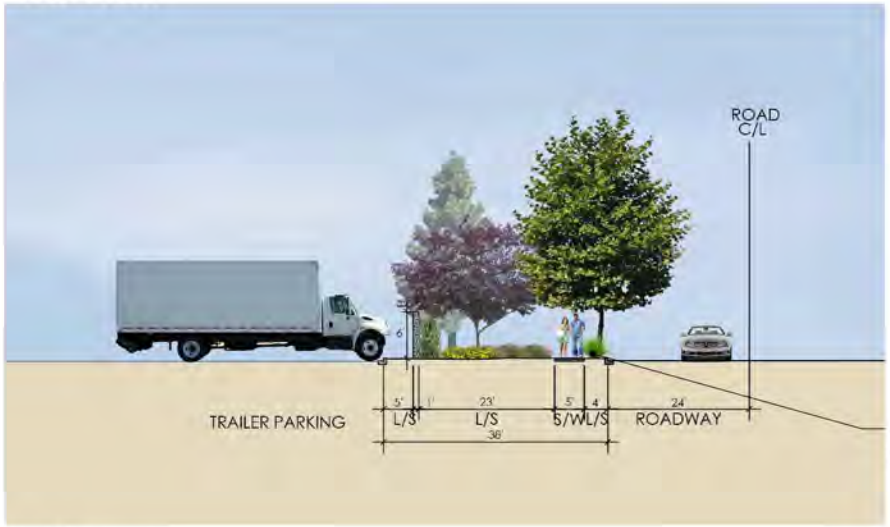
Merrill Avenue Streetscape

Figure 6-4

Not to Scale



Plan View



Section

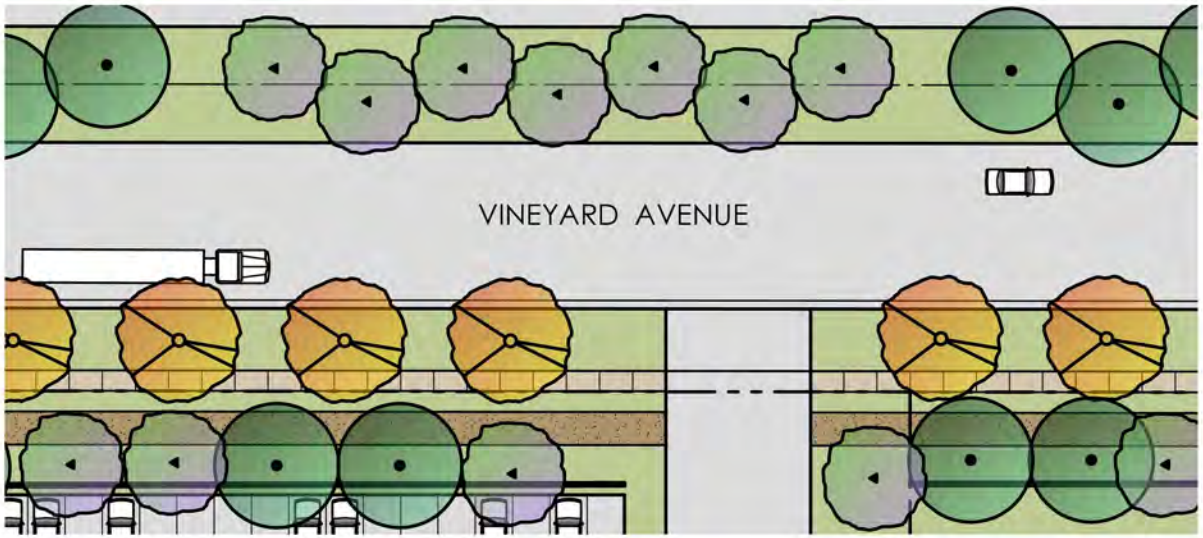
CARPENTER AVENUE STREETSCAPE

LIRIODENDRON TULIPIFERA (TULIP TREE)	HEIGHT X SPREAD: 60' X 30' SPACING: 40' O.C. DESCRIPTION: DECIDUOUS
PINUS ELDARICA (AFGHAN PINE) - OR - PODOCARPUS GRACILIOR (FERN PINE)	HEIGHT X SPREAD: 40' X 30' SPACING: 30' O.C. DESCRIPTION: EVERGREEN
PRUNUS CERASIFERA (FLOWERING PLUM)	HEIGHT X SPREAD: 25' X 25' SPACING: 35' O.C. DESCRIPTION: DECIDUOUS

Source(s): RLA (06-12-2019)

Carpenter Avenue Streetscape Figure 6-5

Not to Scale



Plan View

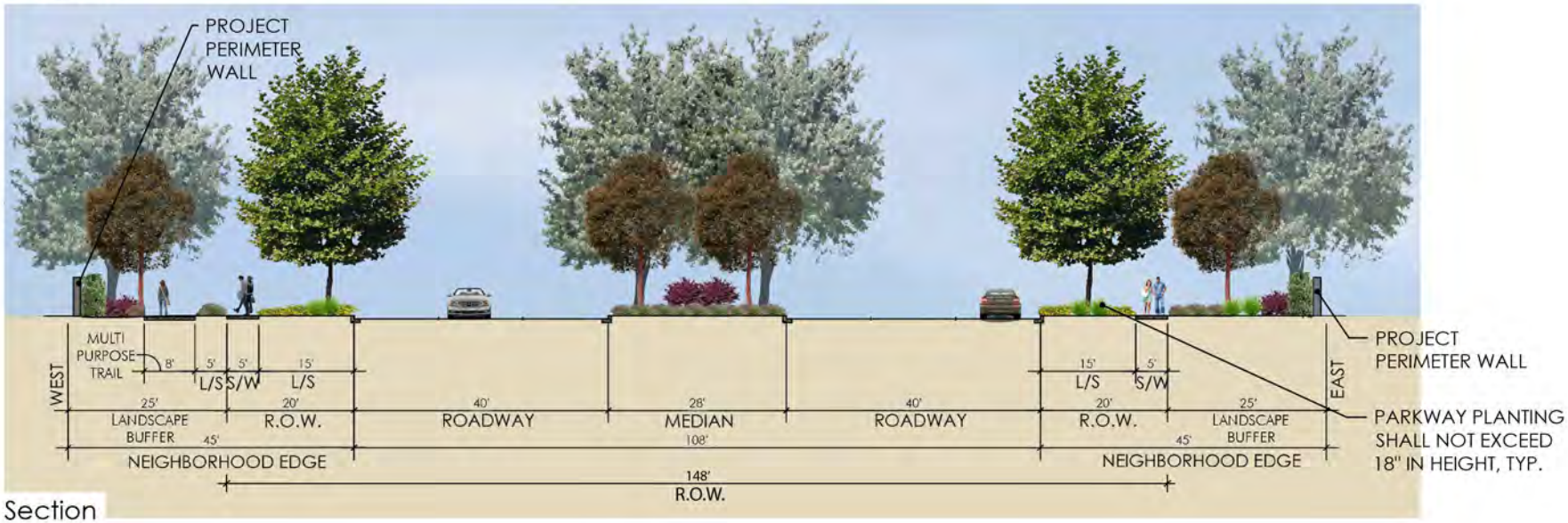
VINEYARD AVENUE STREETSCAPE

PLATANUS A. 'BLOODGOOD' (LONDON PLANT TREE)
HEIGHT X SPREAD: 40' X 30'
SPACING: 30' O.C.
DESCRIPTION: DECIDUOUS

CHITALPA T. 'MORNING CLOUD' (CHITALPA)
HEIGHT X SPREAD: 35' X 20'
SPACING: 20' O.C.
DESCRIPTION: DECIDUOUS

QUERCUS SUBER (CORK OAK)
HEIGHT X SPREAD: 70' X 20'
SPACING: 20' O.C.
DESCRIPTION: EVERGREEN

15' WIDE PARKWAY
5' WIDE SIDEWALK
5' WIDE LANDSCAPE AREA
8' WIDE MULTI-PURPOSE TRAIL
LANDSCAPE SETBACK



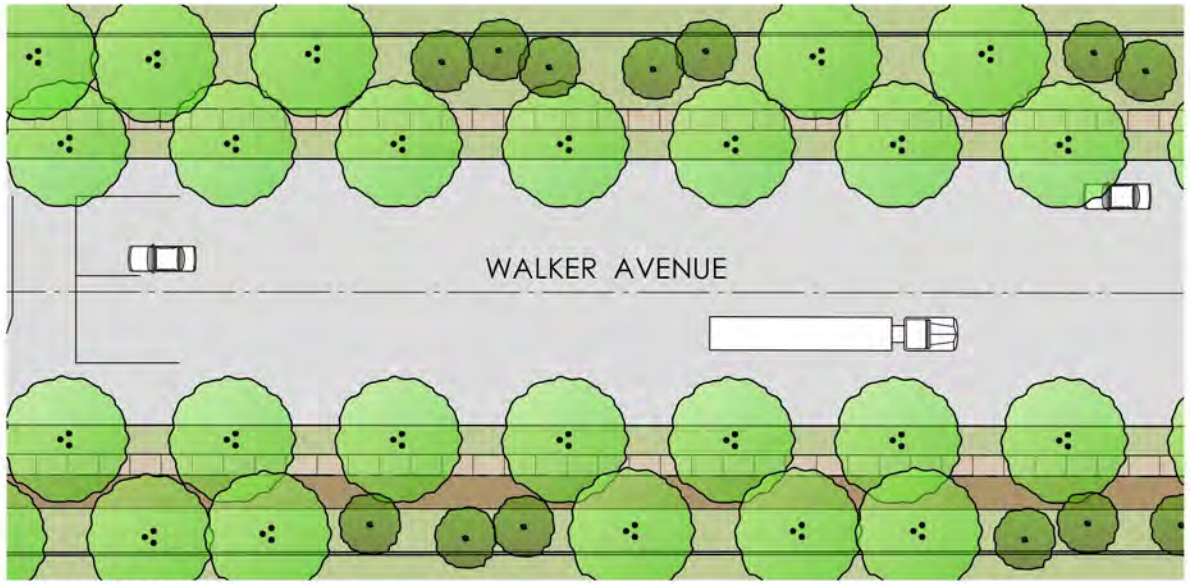
Section

Source(s): RLA (12-18-2019)

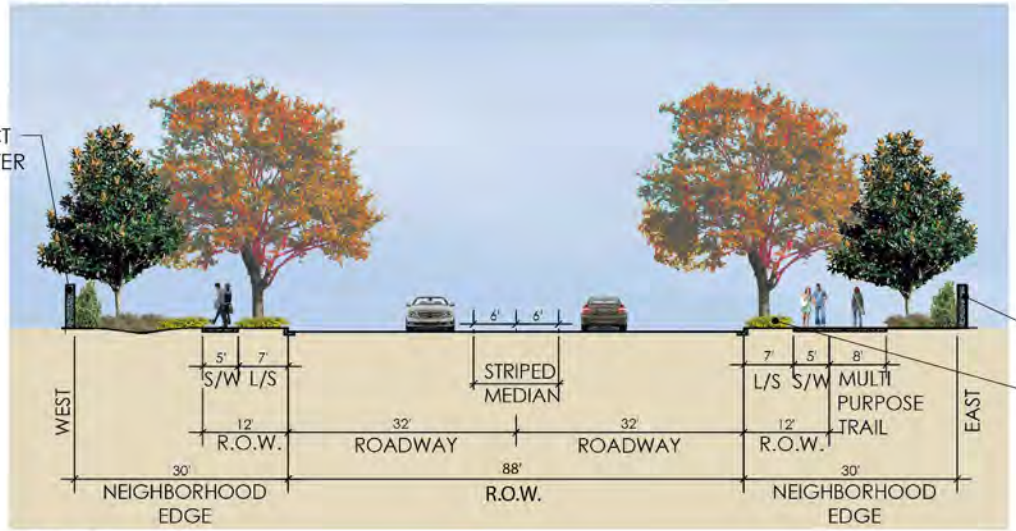
Vineyard Avenue Streetscape

Figure 6-6

Not to Scale



Plan View



Section

WALKER AVENUE STREETSCAPE

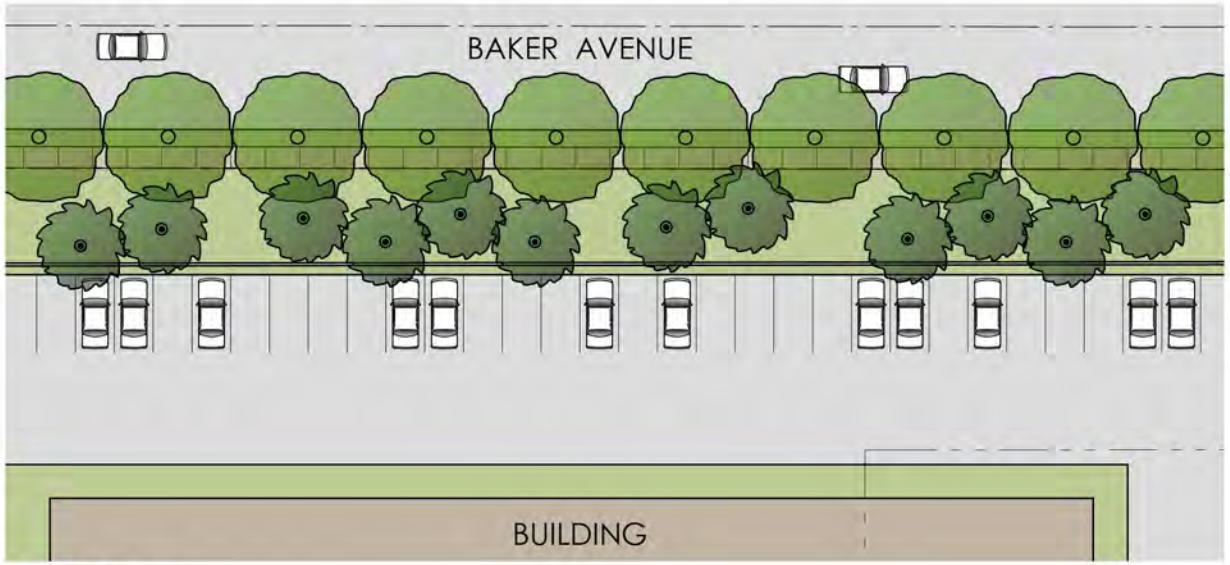
KOELREUTERIA BIPINNATA (CHINESE FLAME TREE)	HEIGHT X SPREAD: 30' X 30' SPACING: 40' O.C. DESCRIPTION: DECIDUOUS
TRISTANIA LAURINA (WATER GUM)	HEIGHT X SPREAD: 15' X 15' SPACING: 20' O.C. DESCRIPTION: EVERGREEN

Source(s): RLA (06-12-2019)

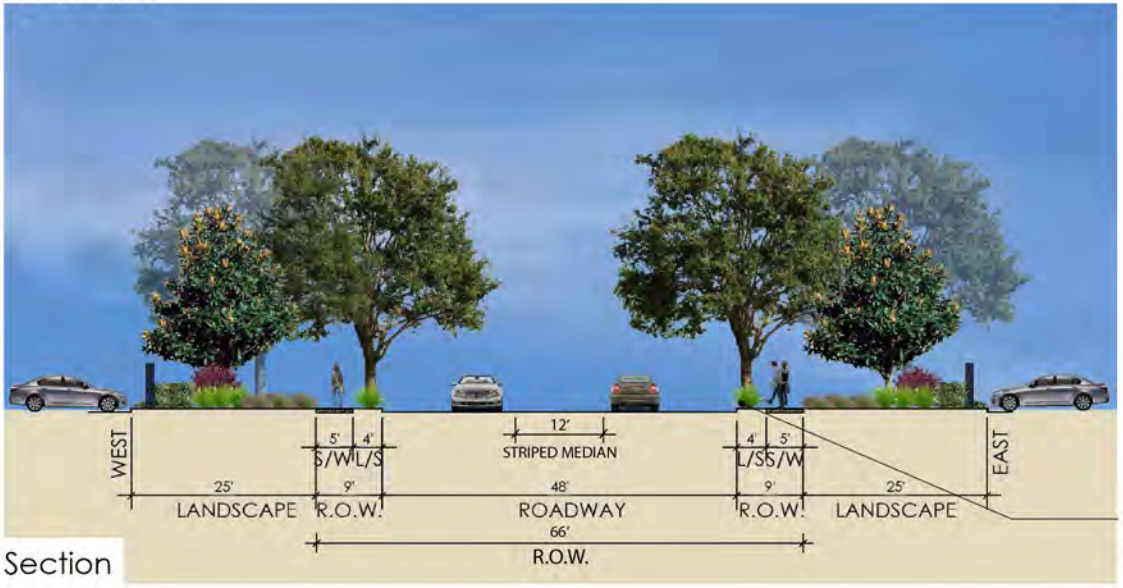
Walker Avenue Streetscape

Figure 6-7

Not to Scale



Plan View



Section



PARKWAY PLANTING SHALL NOT EXCEED 18" IN HEIGHT, TYP.

Source(s): RLA (12-18-2019)

Baker Avenue and Street "A" Streetscape

Figure 6-8

Not to Scale

6.11.4 Entries and Monuments

The MERRILL COMMERCE CENTER provides a three-tiered hierarchy of entry and corner treatments to identify the CENTER and distinguish individual planning areas. The entry and corner treatments are designed to provide distinctive visual statements and emphasize the Specific Plan's contemporary aesthetic. All hardscape and landscape features at entry and monument locations shall provide adequate "line-of-sight" for motorists and shall comply with applicable City design standards and specifications. Monumentation shall not be located within the public street right-of-way.

The entry and corner concepts described and illustrated on the following pages have been designed to provide a prominent reminder of the quality and distinctiveness of the MERRILL COMMERCE CENTER and to complement and reinforce the CENTER's general architectural and landscape theme. Implemented entry and corner treatments should be flexible to respond to physical contexts and the needs and desires of specific tenants and may differ slightly from the concepts presented herein; however, all entry and corner treatments within the MERRILL COMMERCE CENTER shall be consistent in theme and character.

A. Primary Corner Treatments

Primary Corner Monuments may be located at the intersections of Eucalyptus Avenue and Grove Avenue (southeast corner), Eucalyptus Avenue and Vineyard Avenue (southwest corner), and Merrill Avenue and Grove Avenue (northeast corner), and Merrill Avenue and Vineyard Avenue (northwest corner) to announce arrival to the MERRILL COMMERCE CENTER. These Primary Corner Monuments are the largest of the entry/monument family. The conceptual design for these monuments includes a gabion style frame monument with filled native rock, freestanding steel letters, monument lighting, and a laser-cut steel panel with a masonry wall. Landscaping at the Primary Corner Treatments include low foreground plants with accent trees in orchard rows behind the monument. Figure 6-9, *Conceptual Primary Corner Treatment,* conceptually illustrates these monuments. Note that a modified version of the Primary Corner Treatment is required at the northeast corner of the Merrill Avenue and Grove Avenue intersection, which is located in Chino Airport Safety Zone 1, in which tall vertical objects including trees greater than 4 inches in diameter and taller than 4 feet above the ground are not permitted.

B. Secondary Corner Treatments

Secondary Corner Treatments may be located at the entrances into the MERRILL COMMERCE CENTER from Grove Avenue, Eucalyptus Avenue, Carpenter Avenue, and Merrill Avenue to subtly promote the CENTER's design theme at key focal points. These Secondary Corner Treatments feature accent trees in orchard rows, shrub planting to echo rows, and background shrubs on both corners of the street. Figure 6-10, *Conceptual Secondary Corner Treatment,* conceptually illustrates these monuments.

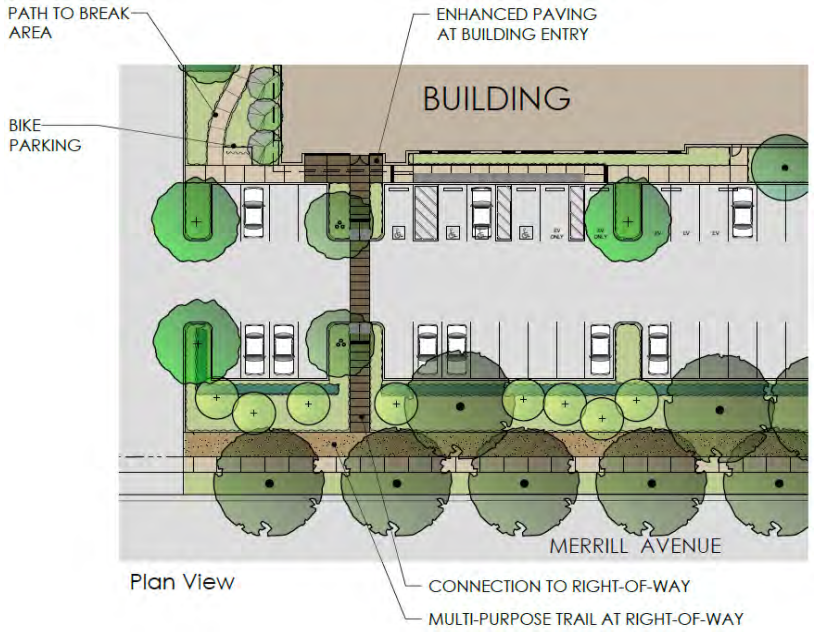
C. Building User Monument Treatments

Tenant Monument Treatments may be provided at the corners of driveways connecting to public roads. The locations of such driveways will be determined at the time buildings are designed and oriented in the Specific Plan area as part of implementing development projects. Tenant Monument Treatments are meant to identify building occupants and welcome employees and visitors to the site. The designs of typical Tenant Monument Treatments are conceptually shown below, and may include a tenant monument,

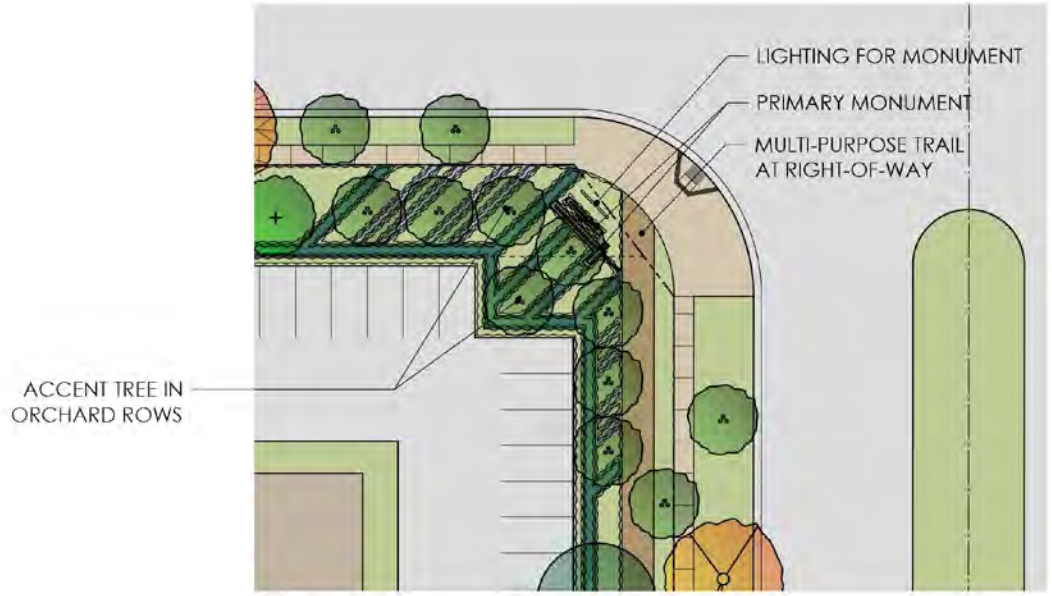
monument lighting, a masonry wall with pin mounted letters, and a gabion style frame filled with native rock. Landscaping at these Treatments may include accent trees, decorative row planting, and background shrubs. Figure 6-11, *Conceptual Building User Monument Treatment,* conceptually illustrates these monuments.

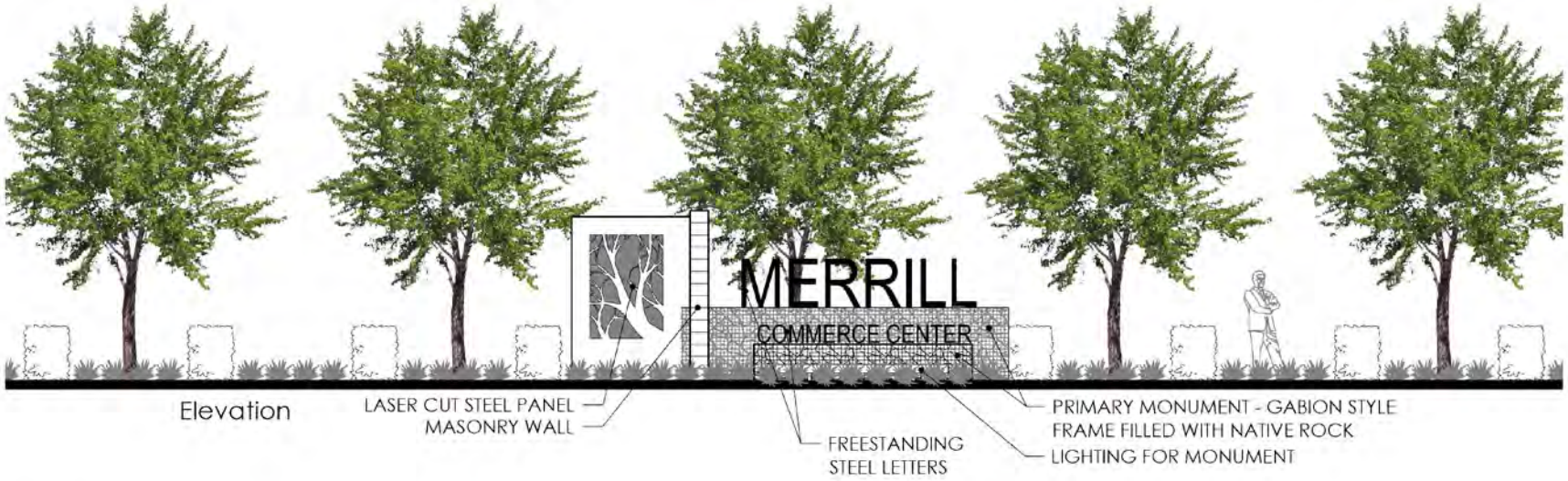
D. Building Entry Treatments

Building Entry Treatments may be provided at the entrances of Industrial or Business Park buildings. Building Entry Treatments are meant to welcome employees and visitors to Industrial or Business Park buildings. The designs of typical Building Entry Treatments are conceptually shown below, and may include tenant signage on the building façade, an enhanced paving at building entry, connection to the public road, and Multi-Purpose Trail, bike parking, and pathways to break areas.



The illustration above the conceptual design of building entry treatments that may be provided at the entrances of Industrial and Business Park buildings.





Source(s): RLA (03-11-2019)

Conceptual Primary Corner Treatment

Figure 6-9

Not to Scale

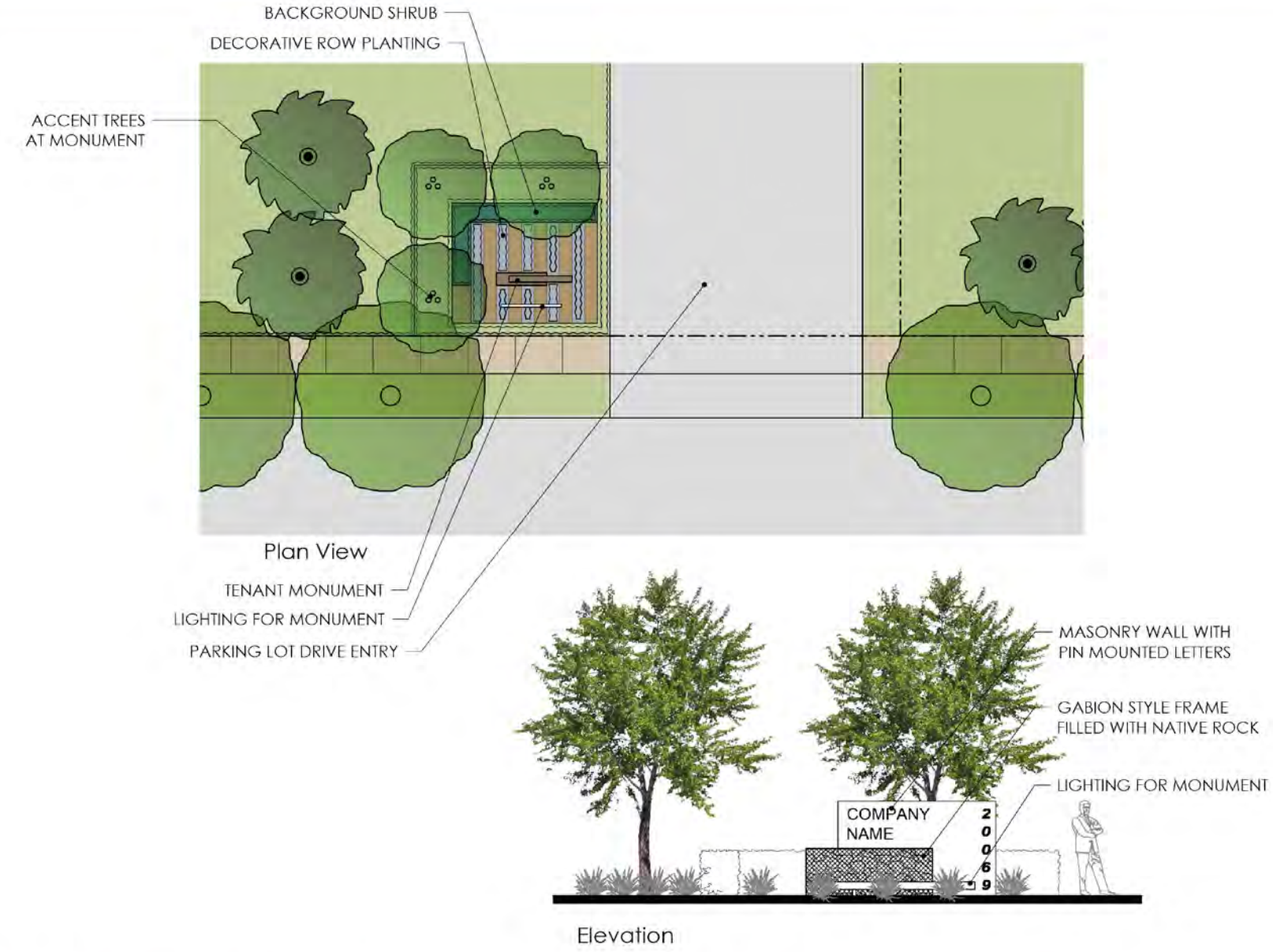


Source(s): RLA (03-11-2019)

Conceptual Secondary Corner Treatment

Figure 6-10

Not to Scale



Source(s): RLA (03-11-2019)

Conceptual Building User Monument Treatment

Figure 6-11

Not to Scale

6.11.5 Walls and Fences

Along building site perimeters and interior to building sites, the installation of fences and walls will be necessary. The final locations and details of these fences and walls will be determined when buildings are designed and oriented during the implementation of the MERRILL COMMERCE CENTER.

As shown on Figure 6-12, *Conceptual Screening Wall Illustration,* an 8- to 14-foot high screen wall may be provided around the perimeters of individual buildings sites and around loading and dock areas, trailer parking areas, and parking lots to screen on-site industrial uses from public views and public roads. In addition, landscaping within rights-of-way and outside of rights-of-way serve as additional screening between on-site industrial uses and public roads.

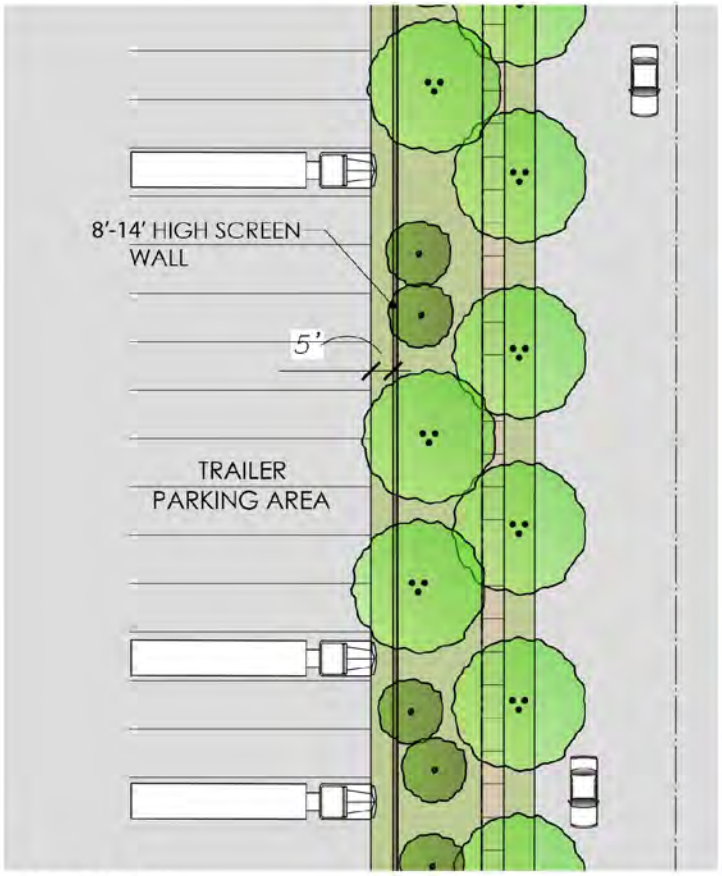
6.11.6 Open Space Areas

As shown on Figure 6-13, *Conceptual Open Space Area Illustration*, shared open space areas may be provided within the MERRILL COMMERCE CENTER to offer employees and visitors a recreational amenity in proximity to the Industrial/Business Park uses. The shared amenities that may be provided within open space areas include seating areas, meandering decomposed granite walkways, overhead structures above decomposed granite dining areas, open turf areas, and a natural planting scheme with boulders. The final locations and details of these open space areas will be determined when buildings are designed and oriented during the implementation of the MERRILL COMMERCE CENTER.

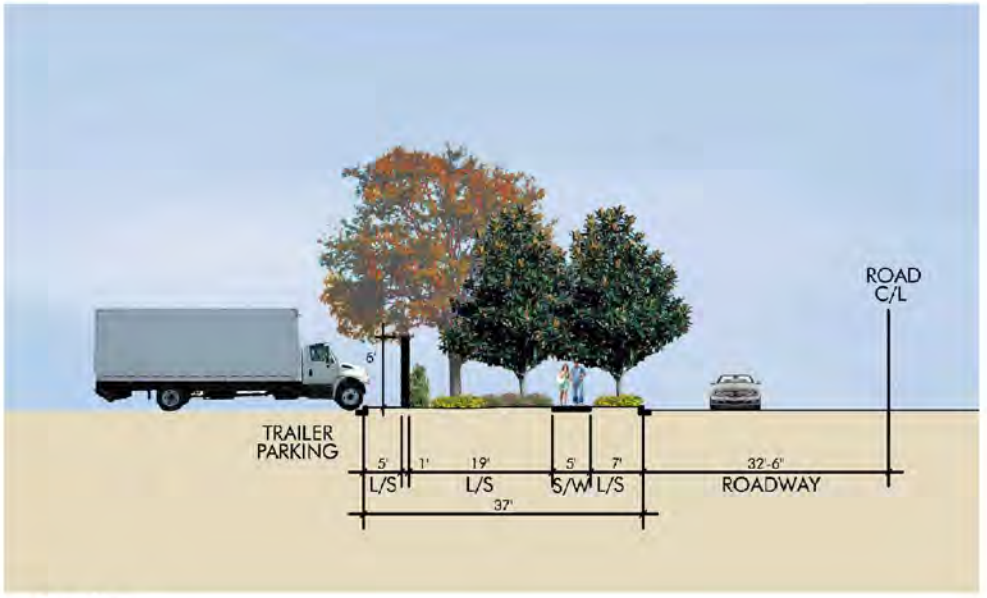
6.11.7 Water Quality Basins

As shown on Figure 6-14, *Conceptual Water Quality Basin Illustration,* water quality basins may be provided within the MERRILL COMMERCE CENTER to treat stormwater before the flows ultimately drain into the storm drain facilities, as described in Section 4.2.4, *Storm Water Management Plan*. The water quality basins may include contoured basin edges for a natural look, and landscaping around the perimeter of the basin to screen public views of the basin. Swales may be no greater than 40% of the landscape area width to allow for ornamental landscaping, although landscaping may have limitations where necessary to deter the attraction of birds to the basins, which can be a hazard to aircraft using the nearby Chino Airport and Ontario International Airport. Other wildlife deterrents that may be considered include floating covers, bird balls, netting, and basins designed to be linear and narrow with steep sides and rip-rap lining.

The final locations and design details of the water quality basins will be determined when buildings are designed and oriented during the implementation of the MERRILL COMMERCE CENTER.



Plan View



Section

WALKER AVENUE STREETSCAPE

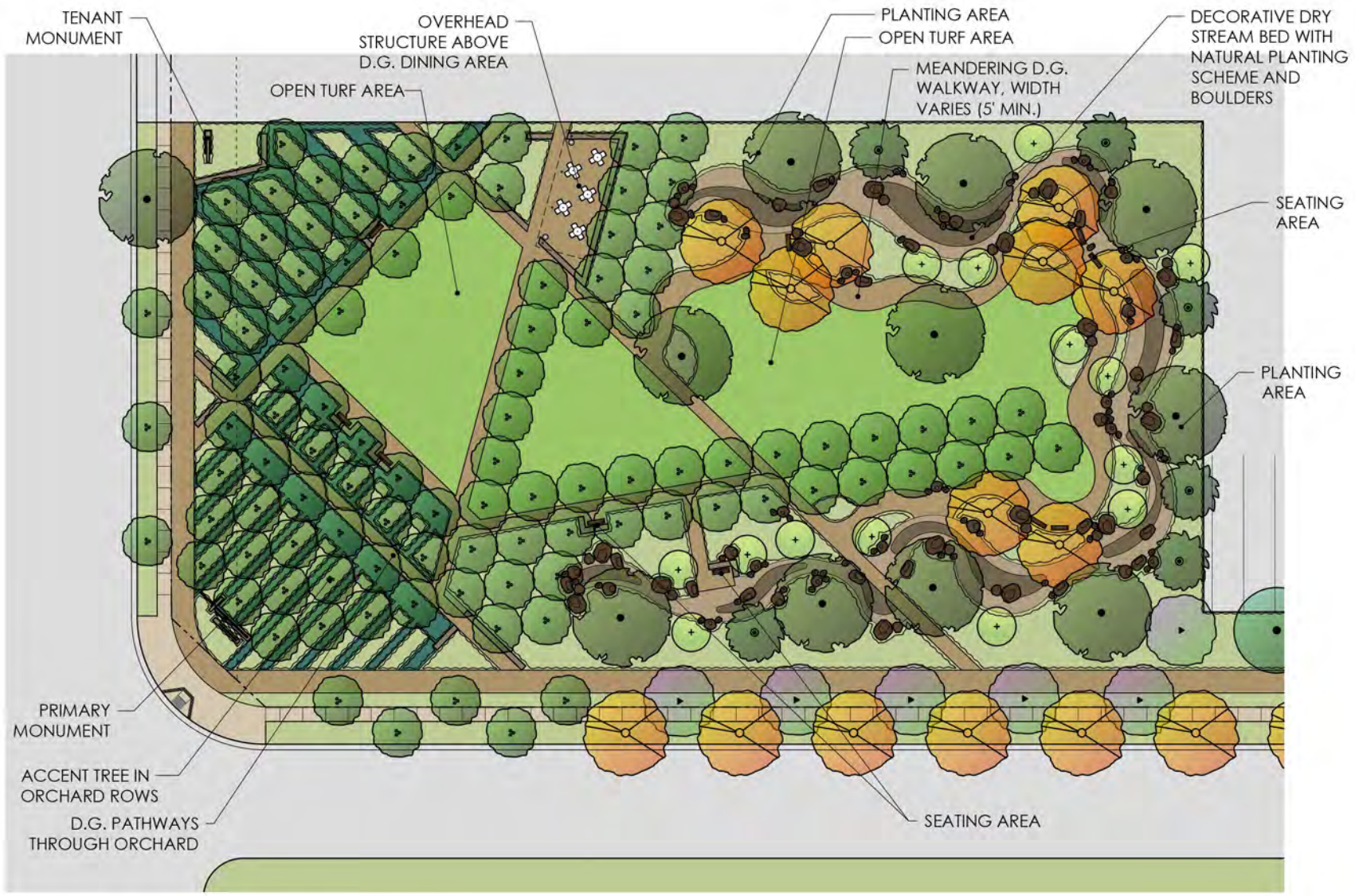
KOELREUTERIA BIPINNATA (CHINESE FLAME TREE)	HEIGHT X SPREAD: 30' X 30' SPACING: 40' O.C. DESCRIPTION: DECIDUOUS
MAGNOLIA G. 'ST MARY' (ST. MARY'S MAGNOLIA)	HEIGHT X SPREAD: 15' X 15' SPACING: 20' O.C. DESCRIPTION: EVERGREEN

Source(s): RLA (03-11-2019)

Conceptual Screening Wall Illustration

Figure 6-12

Not to Scale



Source(s): RLA (03-11-2019)

Conceptual Open Space Area Illustration

Figure 6-13

Not to Scale



Source(s): RLA (03-11-2019)

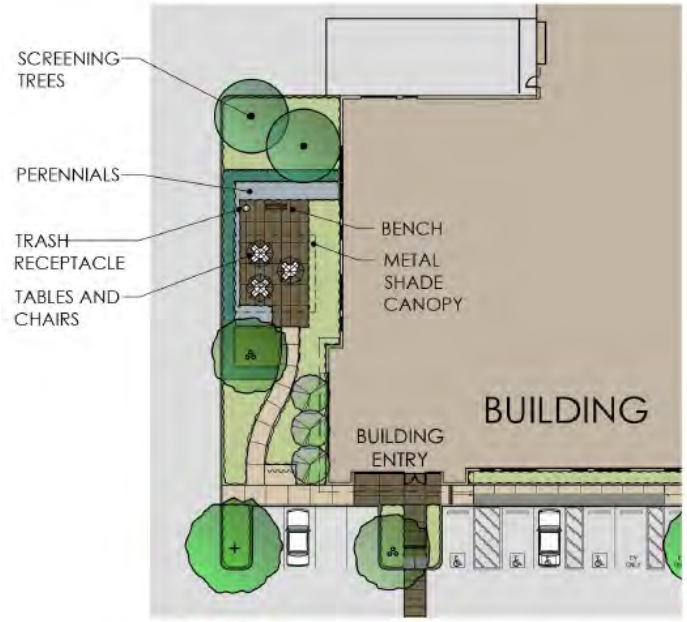
Conceptual Water Quality Basin Illustration

Figure 6-14

Not to Scale

6.11.8 Shared Outdoor Patio Break Areas

As shown in the illustration below, shared outdoor patio break areas should be provided within Industrial and Business Park planning areas to offer employees with outdoor areas adjacent to their work buildings. Shared outdoor patio break areas may include amenities such as benches, metal shade canopies, tables, chairs, perennials/shrubs, and trash receptables. Trees may also be provided to shade the outdoor patio break areas.



Plan View

The illustration above shows the conceptual design of outdoor patio break areas adjacent to Industrial and Business Park buildings.

6.11.9 Parking Lots

As shown in the illustration below, passenger car parking lots within Industrial and Business Park sites provide landscaping that consist of shade trees and parking finger islands for every ten (10) stalls, and landscaping outside/inside of the abutting public road's right-of-way. Bicycle parking is also provided near the entrances of buildings. Trees and parking fingers are not required in truck courts, to minimize truck turning movement conflicts.



Plan View

The illustration above shows the conceptual design and landscaping to be provided within parking lots in MERRILL COMMERCE CENTER.

IMPLEMENTATION PLAN

CHAPTER 7

7.1 Severability

7.2 Applicability

7.3 Interpretation

7.4 Development Review Process

7.5 Substantial Conformance

7.6 Formal Amendments to the Specific Plan

7.7 Appeals

7.8 Compliance with Mitigation Monitoring and Reporting Program

7.9 Project Financing

7.10 Phasing Plan

7.11 Additional Entitlement Requirements

7.12 Maintenance Plan

CHAPTER 7 - IMPLEMENTATION PLAN

7.1 SEVERABILITY

This Specific Plan document enables the City of Ontario to facilitate the processing and approval of development plans and implementing permits to build out the MERRILL COMMERCE CENTER. If any regulation, condition, program, or portion of this Specific Plan is held invalid or unenforceable, such portions shall be deemed separate, distinct, and independent provisions, and the invalidity of such portions or provisions shall not affect the validity and enforceability of the remaining provisions contained herein.

7.2 APPLICABILITY

Approval of the MERRILL COMMERCE CENTER Specific Plan indicates acceptance by the City of Ontario City Council of a general framework for the development of the MERRILL COMMERCE CENTER property. Part of that framework establishes specific development standards that constitute the zoning regulations for the Specific Pan (refer to Chapter 5, *Development Standards*). The provisions contained herein are intended to regulate development within the Specific Plan area.

Development within the MERRILL COMMERCE CENTER Specific Plan boundary shall be implemented through the City's approval of tentative and final parcel maps and the Development Plan Review process as established in the City's Development Code. The implementation process described herein provides the mechanisms for review and approval of development projects within MERRILL COMMERCE CENTER.

7.3 INTERPRETATION

Unless otherwise provided, any ambiguity concerning the content or application of the Specific Plan shall be resolved by the City's Planning Director, or his/her designee, in a manner consistent with the goals, policies, purpose, and intent established in this Specific Plan.

7.4 DEVELOPMENT REVIEW PROCESS

7.4.1 Subdivision Maps

Approval of future tentative subdivision maps within the MERRILL COMMERCE CENTER Specific Plan may occur concurrently with or subsequently to the adoption of the Specific Plan. All tentative and final subdivision maps shall be reviewed and approved pursuant to the applicable provisions of the City's Subdivision Ordinance and consistent with the applicable provisions established within the Land Use, Infrastructure, Design Guidelines, and Development Regulations chapters of this Specific Plan.

7.4.2 Development Plan Review

All development within the MERRILL COMMERCE CENTER property shall be subject to the Development Plan Review Process established in the City of Ontario Development Code. Adoption of this Specific Plan by the City includes the design guidelines contained in Chapter 6, which shall be the design criteria by which development projects with the Specific Plan shall be reviewed during Development Plan Review. Topics on which these design guidelines are silent, the applicable design guidelines contained within the City's Development Code shall apply. The design guidelines are intended to be flexible in nature while establishing rudimentary evaluation

criteria for the review by the City of development projects during design review.

7.4.3 Development Agreements

Approval of statutory Development Agreements, per individual property owner, authorized pursuant to California Government Code Sections 65864 et seq., is required as part of the approval of the Specific Plan and prior to approval of the first Final Map. The Development Agreements shall include, but not be limited to, methods for financing, acquisition, and construction of infrastructure. The MERRILL COMMERCE CENTER Development Agreement shall be fully executed prior to the issuance of the first building permits for development within the Specific Plan.

7.4.4 Conditional Use Permits

Uses specified as conditionally permitted uses within Chapter 5, *Development Regulations*, of this Specific Plan shall be reviewed and approved by the City pursuant to the requirements of the City's Development Code, Article 9, "Conditional Use Permits."

7.4.5 Variances

Variances and Administrative Exceptions to the development regulations contained in Chapter 5, *Development Regulations*, of this Specific Plan with respect to the site area, setback dimensions, building heights, distances between buildings, landscape percentage and off-street parking and loading shall be reviewed pursuant to "Variances and Administrative Exceptions" of the City's Development Code.

7.5 SUBSTANTIAL CONFORMANCE

All development under the Specific Plan is subject to a Substantial Conformance Determination, considered and approved ministerially by the Planning Director or designee. The Substantial Conformance Determination is also a mechanism that allows for the approval of ministerial minor modifications for development under the Specific Plan. The City recognizes that modifications to the text and exhibits of this document may be needed over time. Upon direction by the City of Ontario Planning Department, certain modifications to text, exhibits, and/or development standards and design guidelines may not require a formal Specific Plan Amendment (i.e., through public hearing) and occur ministerially. The following minor modifications to this document do not require a formal Specific Plan Amendment and are subject to review and approval by the Planning Director. The Planning Director shall have the discretion to defer any request for modification to the Planning Commission or City Council, either for ministerial direction and guidance, or determination that the required change requires a formal amendment as discussed below in Section 7.6. Ministerial substantial conformance decisions are not subject to CEQA compliance.

- Expansions or reductions of the net acreage covered by a given Planning Area.
- A decrease in development intensity/density (building square footage).
- Modification of design criteria such as architectural details, landscape treatments, fencing, lighting, and entry treatments.
- Changes to the Phasing Plan, provided infrastructure is available to serve the phase as determined by the City Engineer.

- Implementation of alternative landscape materials, wall materials, entry monument design, primary/secondary corner treatments, and streetscape design that are generally consistent with the conceptual design guidelines contained within this Specific Plan.
- Modifications to Architectural Design Guidelines, such as variation of architectural style and variations in materials and colors.
- Final infrastructure facility sizing and precise location of dry utilities, water, sewer, and storm drainage improvements as approved by the City Engineer, OMUC, or San Bernardino Flood Control District.
- Roadway ROW design, when the changes are warranted and approved by the City Engineer.
- Revisions to exhibits which do not substantially change the intent of the Specific Plan.
- Modification, deletions, and additions to the list of permitted and conditional uses.
- Specific modifications of a similar nature to those listed above which are deemed minor by the Planning Director, which are in keeping with the intent of this Specific Plan and which are in conformance with the Policy Plan component of The Ontario Plan.

7.6 FORMAL AMENDMENTS TO THE SPECIFIC PLAN

All modifications to this document which do not meet the criteria of a Substantial Conformance (as defined in the previous subsection) shall be deemed to require a formal Specific Plan Amendment. This document was prepared pursuant to California Government Code §65450, et. seq. Amendments shall be processed in accordance with the applicable requirements of the law, which include §65450, et. seq. of the California Government Code.

Formal Specific Plan Amendments shall be subject to the review and approval of the City Council. The Planning Commission should first hear and consider all applications for formal Specific Plan Amendments and provide a recommendation to the City Council. As required by the California Government Code, all government agencies significantly affected by the proposed Amendment shall be notified of the proposed action prior to the approval. In addition, and as required by CEQA, formal Specific Plan Amendments shall be appropriately reviewed in accordance with the State CEQA Guidelines, with the City of Ontario serving as the CEQA Lead Agency.

Any formal Specific Plan Amendment initiated by an applicant requires preliminary review by the Planning Director, filing of an official application and required materials supporting the Amendment, submittal of a fee deposit, Planning Commission review and recommendations, and City Council review and final decision.

Amendments also may be initiated by the City Council or Planning Commission by majority vote. All Planning Commission-requested amendments shall be submitted and considered by the City Council and accepted for processing by a majority vote. City staff may initiate an amendment by submitting the requested amendment to the Planning Commission for a vote. Only amendments accepted by a majority vote of the Planning Commission shall be submitted to the City Council for consideration; however, the Applicant shall have the right of appeal to City Council if the Planning Commission fails to approve.

In considering approval or disapproval of formal Specific Plan Amendments, the City Council shall find that the request is:

- Consistent with the Policy Plan component of The Ontario Plan (General Plan) in effect at the time of consideration.
- Compatible with surrounding land uses with respect to use, development standards, density, or issues of health, public safety, and general welfare.
- Consistent with the overall design character and general structure of the MERRILL COMMERCE CENTER as set forth in Chapter 6, *Design Guidelines*, of this Specific Plan.

7.7 APPEALS

Appeals of any determination of the Planning Director, Zoning Administrator or the Planning Commission, may be made by the applicant or any other aggrieved party by filing an application on forms provided by the City of Ontario and accompanied by the appropriate filing fee, where applicable, within ten (10) days following the final date of action for which an appeal is made. Appeals shall be processed consistent with the provisions of Article 5, "Appeals" of the City of Ontario Development Code.

7.8 COMPLIANCE WITH MITIGATION MONITORING AND REPORTING PROGRAM

Certification of an EIR shall be required prior to the approval of the Specific Plan. Development within the MERRILL COMMERCE CENTER Specific Plan shall comply with all approved mitigation measures as described in the MMRP included as part of the EIR.

7.9 PROJECT FINANCING

The financing of construction, operation, and maintenance of public improvements, facilities, and public services shall include funding through a combination of financing mechanisms. Prior to the recordation of final maps, a final determination shall be made by City staff and confirmed by the Planning Director and City Engineer regarding the responsibility for construction and maintenance of public facilities, whether publicly or privately maintained.

Implementation of the MERRILL COMMERCE CENTER Specific Plan may involve financing options including, but not limited to, the following:

7.9.1 Facilities and Services

Construction of public improvements and facilities and the provision of public services may be financed through private capital investment, a Community Facilities District (CFD), or other special district, pursuant to the Mello-Roos Community Facilities District Act of 1982.

7.9.2 Operation and Maintenance

Options for operation and maintenance of public improvements and facilities include, but are not limited to, the following:

- Individual private property owners
- Private Property Owners Association
- CFD or other special district (will be at the City's sole discretion)

7.10 PHASING PLAN

As shown on Figure 7-1, *Conceptual Phasing Plan,* the development of the MERRILL COMMERCE CENTER is expected to occur in three (3) phases in response to market demands and according to a logical and orderly extension of roadways, public utilities, and

infrastructure. Phase A includes Planning Areas 4, 4A, 5 and 5A; Phase B includes Planning Areas 1, 1A, 2, 3 and 3A; and Phase C includes Planning Areas 6 and 6A. These phases may be developed as subphases and may occur either sequentially or concurrently with one another. Phasing of the Specific Plan shall be permitted; however, improvements will be dictated by the City of Ontario's Land Development Section and the approved MERRILL COMMERCE CENTER Development Agreement.

7.11 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 City has imposed the following requirements all Subdivision Maps and implementing developments within the Specific Plan area.

A. Utilities System Map (USM)

Prior to approval of any entitlement application (subdivision maps, Development Plan Reviews, etc.) in the Specific Plan area, as part of the entitlement application a Conceptual Utilities Systems Map (USM) shall be prepared and submitted to the Development Agency Engineering Department and the Utilities Engineering Department for review and approval. The USM is a summary plan sheet exhibit that shows all the public offsite infrastructure requirements and demands for the development project (and/or subdivision), the onsite private infrastructure improvements, and the interaction between the public and private utilities systems. As a Condition of Approval for the development project (and/or subdivision), the Conceptual Utilities Systems Map shall be updated into a Final Utilities Systems Map to reflect the changes that occur between entitlement and Final Plan and Permit Approval. Reference the Ontario Municipal Utilities Company Utilities Engineering Department's Utilities Systems Map (USM) Requirements for details.

7.11.1 Integrated Waste Management Report (IWMR) and Solid Waste Handling Plan (SWHP)

Prior to approval of any entitlement application (subdivision maps, Development Plan Reviews, etc.) in the Specific Plan area, as part of the entitlement application a Conceptual Integrated Waste Management Report (IWMR) and a Conceptual Solid Waste Handling Plan (SWHP) shall be prepared and submitted to the Community Development Agency Engineering Department and the Ontario Municipal Utilities Company for review and approval. The SWHP summary plan sheet exhibit that demonstrates the project site's design conformance with the Integrated Waste Department's requirements, including the requirements for Sizing of Storage, Location of Collection Areas, Accessibility for Collection Vehicles, and Collection of Sorted/Diverted Waste Types. The IWMR is a report that presents project specific information that is not able to be demonstrated within the Solid Waste Handling Plan, including discussions on: project solid waste operations; project compliance with all applicable laws, statutes, policies, and requirements; and, conformance with all the Integrated Waste Department's requirements, including the requirements for Sizing of Storage, Location of Collection Areas, Accessibility for Collection Vehicles, and Collection of Sorted/Diverted Waste Types. As a Condition of Approval for the development project (and/or subdivision), the Conceptual SWHP and the Conceptual IWMR shall be updated into a Final SWHP and Final IWMR to reflect the changes that occur between entitlement and Final Plan and Permit Approval. The SWHP and IWMR may be required to be updated from whenever there are new occupants, new uses or changes to existing uses, Tenant

Improvements, Business Licenses, and Certificates of Occupancy. Reference the Ontario Municipal Utilities Company Utilities Engineering Department's IWMR and SWHP requirements for details.

7.11.2 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 Community Development Agency Engineering Department and the Ontario Municipal Utilities Company 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.).

A. 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.

7.11.3 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 Community Development Agency Engineering Department and the Ontario Municipal Utilities Company. The PDR shall include the following:

A. Conceptual Design Compliance

A discussion modifying or confirming the conceptual design established with the Project's Conceptual Design Report. The study shall confirm all ROW, infrastructure improvements, and vertical and horizontal alignments for each utility.

B. 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 point 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 the centerline, the depth from the finished surface to the top of the pipe, and the distance between utilities (outside wall to outside wall).

C. 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.

D. Supporting Details

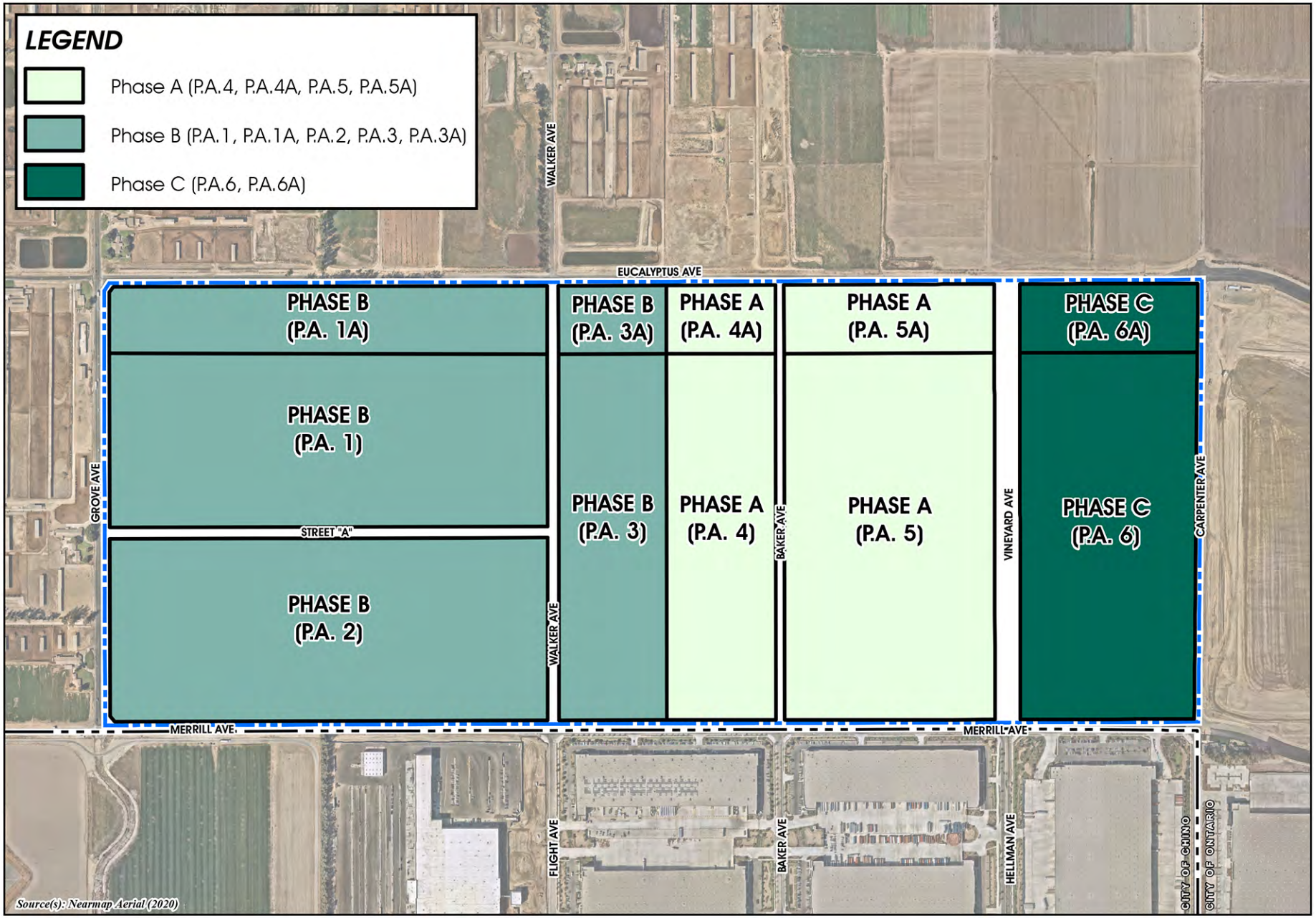
The PDR shall include any supporting details needed to demonstrate that utilities can be adequately accommodated in the public ROW, including the placement of large appurtenances, clearance from existing obstructions, etc.

E. 30% Design Drawings

The PDR findings shall be incorporated into a 30% design plan set and included in the PDR.

F. 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.



Conceptual Phasing Plan

Figure 7-1

7.12 MAINTENANCE PLAN

The public and private improvements constructed within the MERRILL COMMERCE CENTER shall be maintained through a combination of public and private entities as described in Table 7-1, *Maintenance Responsibilities*. Table 7-1 provides a list of maintenance entity options that may fund and/or maintain facilities within the Specific Plan, however, the ultimate maintenance entity for each facility will be determined by the MERRILL COMMERCE CENTER's Development Agreement. A Property Owners Association (POA) shall be established for the maintenance of common area landscape improvements and private roadways within areas of the MERRILL COMMERCE CENTER. For areas in public ownership (such as public roadway ROWs), municipal maintenance districts may fund the maintenance of these areas.

Table 7-1 Maintenance Responsibilities

Facility	City and/or CFD	Property Owners Association	Property Owner or Occupant	Public Utility
Master Plan Roadways (Eucalyptus Avenue, Merrill Avenue, Grove Avenue, Walker Avenue, Baker Avenue, Vineyard Avenue, and Carpenter Avenue)				
Curb-to-curb improvements	✓			
Parkways within public right-of-way (ROW)	✓			
Neighborhood Edges, Master Plan Trails and Medians	✓			
Landscape buffer located outside public ROW		✓		
Interior public streets (Street A)				
Curb-to-curb improvements	✓			
Parkways within public right-of-way (ROW)	✓			
Sidewalks/Trails	✓			
Landscape buffer located outside public ROW		✓		
Interior private streets located outside of the public ROW (including parkways, landscaping, non-Master Plan Trails, and sidewalks)		✓		
Off-street parking areas			✓	
Traffic signals	✓			
Traffic control signs – in the public ROW	✓			

Table 7-1 Maintenance Responsibilities (Cont'd)

Facility	City and/or CFD	Property Owners Association	Property Owner or Occupant	Public Utility
Traffic control signs – not in the public ROW		✓		
Street lights – in the public ROW	✓			
Street lights – not in the public ROW		✓		
Public water, sewer, and storm drain improvements within public ROW (excluding laterals)	✓			
On-site landscaping and irrigation		✓	✓	
Common open space		✓		
Walls and fences		✓	✓	
Corner and Entry Monuments		✓		
Tenant Signage		✓	✓	
Off-street lighting		✓	✓	
Storm Water Drainage/Water Quality Facilities – within the curb-to-curb area of a public street	✓			
Permanent Storm Water Drainage/Water Quality Facilities (swales, basins, biotreatment filters, etc.) – behind the curb line of the public street		✓		
Dry Utilities (electricity, natural gas, communications systems)				✓
Fiber Optic communication system in the public ROW	✓			✓

GENERAL PLAN CONSISTENCY ANALYIS

APPENDIX A

APPENDIX A POLICY PLAN CONSISTENCY

California Government Code (Title 7, Division 1, Chapter 3, Article 8, §§ 65450 through 65457) allows local governments to adopt and administer specific plans as tools to implement their general plan; however, specific plans must demonstrate consistency with the goals and policies set forth in the local general plan. This appendix provides a summary discussion to demonstrate that this MERRILL COMMERCE CENTER Specific Plan is consistent with, and results in the implementation of, applicable primary goals and policies of the Policy Plan (General Plan) component of The Ontario Plan.

Ontario Plan Policy	Specific Plan 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.*	
Policy 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.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan area is located in the Ontario Ranch area of the City, which is an area planned for future growth. Although existing infrastructure improvements are limited on and adjacent to the Specific Plan property, the City's Master Plans for water, sewer, and storm drainage identify planned infrastructure facilities to support growth in this area. The developer(s) of the MERRILL COMMERCE CENTER will be required to participate in the installation of the Master Plan infrastructure. Immediately south of the MERRILL COMMERCE CENTER are existing and planned industrial warehouse developments and the Chino Airport, in the City of Chino. Development of the MERRILL COMMERCE CENTER will help to establish an identity for the City of Ontario along its southern border in this location, as envisioned by the Policy Plan's Land Use Element. The Policy Plan designates the MERRILL COMMERCE CENTER property as "Business Park," "Office Commercial," and "General Commercial" land uses. This Specific Plan calls for "Business Park" and "Industrial" uses that are generally compatible with the Policy Plan's intent for employment growth and development.
Policy LU1-2: Sustainable Community Strategy. We integrate state, regional and local Sustainable Community/Smart Growth principles into the development and entitlement process.	**Consistent.** The MERRILL COMMERCE CENTER features numerous sustainable features. The Specific Plan encourages non-motorized circulation by employees and visitors via its provision of an integrated network of sidewalks, bikeways, and trails. In accordance with the Exhibit M-3, *Multipurpose Trails & Bikeway Corridor Plan*, of the Policy Plan, Class II bike lanes are provided along both sides of the segment of Merrill Avenue located between Carpenter Avenue and Euclid Avenue; along both sides of the segment of Walker Avenue between Merrill Avenue and Edison Avenue; and along the south side of the segment of Eucalyptus Avenue that abuts the northern boundaries of Planning Areas 3A, 4A, 5A and 6A. Additionally, the MERRILL COMMERCE CENTER includes an 8-foot multi-purpose trail along segments of Merrill Avenue, Eucalyptus Avenue, Grove Avenue, Walker Avenue, and Vineyard Avenue which promotes pedestrian and bicycle connectivity.

Ontario Plan Policy	Specific Plan Consistency
	All development in the Specific Plan area is required to conform to the California Green Building Standards Code (CalGreen). In addition, the roofs of industrial buildings will be structurally designed to support solar panels. The plant palette for the MERRILL COMMERCE CENTER is comprised of water-efficient species native to southern California or naturalized to the arid southern California climate, and the use of turf will be minimized. As such, the MERRILL COMMERCE CENTER is consistent with, and results in the implementation of, this policy.
Policy LU1-3: Adequate Capacity. We require adequate infrastructure and services for all development.	**Consistent.** The developer(s) of the MERRILL COMMERCE CENTER are required to install adequate roadway and utility infrastructure improvements to meet the demands of the Specific Plan while maintaining adequate service levels for existing, surrounding development. Refer to the Environmental Impact Report (EIR) prepared for the MERRILL COMMERCE CENTER Specific Plan for a detailed analysis of the adequacy of the Specific Plan's infrastructure improvements.
Policy LU1-4: Mobility. We require development and urban design, where appropriate, that reduces reliance on the automobile and capitalizes on multi-modal transportation opportunities.	**Consistent.** The MERRILL COMMERCE CENTER offers numerous opportunities for non-vehicular circulation, including multi-purpose trails, bikeways, and sidewalks. Class II Bikeways are designed along both sides of the segment of Merrill Avenue located between Carpenter Avenue and Euclid Avenue; along both sides of the segment of Walker Avenue between Merrill Avenue and Edison Avenue; and along the south side of the segment of Eucalyptus Avenue that abuts the northern boundaries of Planning Areas 3A, 4A, 5A, and 6A, as well as sidewalks, multi-purpose trails, and pathways to promote non-vehicular transportation. Multi-purpose trails are provided at the perimeters of MERRILL COMMERCE CENTER to encourage connectivity and circulation by employees, visitors, and the passerby by means not completely dependent on a motorized vehicle.
Policy LU1-5: Jobs-Housing Balance. We coordinate land use, infrastructure, and transportation planning and analysis with regional, county and other local agencies to	**Consistent.** The developer(s) of the MERRILL COMMERCE CENTER will construct roadway and utility improvements in accordance with the City's infrastructure master plans. Furthermore, the MERRILL COMMERCE CENTER will generate employment opportunities for residents of the City and surrounding jurisdictions, and reduce the need for residents in the region to commute to other regions for employment opportunities. Accordingly,

Ontario Plan Policy	Specific Plan Consistency
further regional and subregional goals for jobs-housing balance.	implementation of the MERRILL COMMERCE CENTER Specific Plan will serve to improve the jobs-housing balance within the City and the Inland Empire region.
Policy 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.	**Consistent.** The MERRILL COMMERCE CENTER land use plan provides for Industrial and Business Park land uses that will accommodate a variety of employment uses arranged in a sensible and efficient manner that allow ease of access and complement the surrounding community. With a mixture of Business Park and Industrial uses, the MERRILL COMMERCE CENTER is envisioned to attract local, national, and international businesses, and will assist in diversifying the mix of employment opportunities available in the City.
Policy LU1-7: Revenues and Cost. We require future amendments to our Land Use Plan to be accompanied by analyses of fiscal impacts.	**Consistent.** A fiscal impact analysis was prepared in support of the MERRILL COMMERCE CENTER. Refer to the MERRILL COMMERCE CENTER Specific Plan EIR for a detailed analysis of potential fiscal effects associated with the implementation of the Specific Plan.
Goal LU2: *Compatibility between a wide range of uses.*	
Policy LU2-1: Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan EIR evaluated the potential physical environmental impacts of the implementation of the Specific Plan on the surrounding community in accordance with the California Environmental Quality Act (CEQA). Refer to the MERRILL COMMERCE CENTER Specific Plan EIR for a detailed analysis of impacts to adjacent properties associated with the implementation of the Specific Plan.
Policy LU2-2: Buffers. We require new uses to provide mitigation or buffers between existing uses where potential adverse impacts could occur.	**Consistent.** The MERRILL COMMERCE CENTER provides streetscapes for Eucalyptus Avenue, Merrill Avenue, Carpenter Avenue, and Grove Avenue; primary and secondary corner treatments at Specific Plan entry points; and landscaped screening walls between truck courts and parking areas and adjacent public rights-of-way. Implementation of these features provides a visual buffer between planned on-site Industrial and Business Park

Ontario Plan Policy	Specific Plan Consistency
	land uses, and existing and planned off-site land uses. As such, the MERRILL COMMERCE CENTER is consistent with, and results in the implementation of, this policy.
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.	**Consistent.** Building occupants within the MERRILL COMMERCE CENTER Specific Plan are obligated to comply with all local and State requirements for using, storing, producing, or transporting toxic substances, air emissions, other pollutants, or hazardous materials. As such, the MERRILL COMMERCE CENTER results in the implementation of this policy.
Policy LU2-5: Regulation of Uses. We regulate the location, concentration and operations of uses that have impacts on surrounding land uses.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan EIR evaluated the potential physical environmental impacts of the implementation of the Specific Plan on the surrounding community in accordance with CEQA. Refer to the MERRILL COMMERCE CENTER Specific Plan EIR for a detailed analysis of impacts to adjacent properties associated with the implementation of the Specific Plan.
Policy LU2-6: Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community character.	**Consistent.** Water, sewer, storm drain, and dry utility improvements will be located underground and out of view, with the exception of detention basins and storm water inlets and channels that are required to be exposed at the surface. Several above-ground utility lines will be undergrounded with the implementation of development in the Specific Plan area. Roadway infrastructure improvements are designed to be landscaped with a combination of evergreen and deciduous trees – including flowering varieties – shrubs and groundcovers in an aesthetically-pleasing manner to establish the MERRILL COMMERCE CENTER design theme. Entry corners are designed with an "orchard row" landscape treatment as a nod to south Ontario's agricultural history.
Policy LU2-8: Transitional Areas. We require development in transitional areas to protect the quality of life of current residents.	**Consistent.** The MERRILL COMMERCE CENTER property is surrounded by agricultural uses, dairy operations, the Chino Airport, and existing and planned industrial warehouse uses. Nonetheless, the Specific Plan stipulates landscaping and building setbacks along all of the Specific Plan's perimeter streets that separate the Specific Plan area from adjacent properties. Trucks traveling to and from the MERRILL COMMERCE CENTER are required to utilize the City's approved truck routes, thereby minimizing exposure of nearby residents to truck-related impacts. Development within the MERRILL COMMERCE CENTER

Ontario Plan Policy	Specific Plan Consistency
	must adhere to the Design Guidelines set forth in Chapter 6 of this Specific Plan, which will provide for a high-quality, attractive, and contemporary environment.
Policy 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.** If determined to be necessary, the MERRILL COMMERCE CENTER will be required to implement the mitigation measures identified in the MERRILL COMMERCE CENTER Specific Plan EIR addressing soil remediation and building venting requirements related to methane gas hazards. As such, the MERRILL COMMERCE CENTER Specific Plan is consistent with this policy.
***Goal LU4**: Development that provides short-term value only when the opportunity to achieve our Vision can be preserved.*	
Policy LU4-2: Interim Development. We allow development in growth areas that is not immediately reflective of our ultimate Vision provided it can be modified or replaced when circumstances are right. We will not allow development that impedes, precludes or compromises our ability to achieve our Vision.	**Consistent.** The central theme of the Ontario Vision is "A sustained, community-wide prosperity which continuously adds value and yields benefits." The phased development of the MERRILL COMMERCE CENTER Specific Plan will attract new businesses, provide employment opportunities for residents, contribute the City's tax base, and construct circulation and utility infrastructure improvements that are critical to allow for the growth of the region to continue. As such, the MERRILL COMMERCE CENTER will help the City achieve its Vision by continuously adding value, yielding benefits, and contributing to the prosperity of the City and the Inland Empire region.
Policy LU4-3: Infrastructure Timing. We require that the necessary infrastructure and services be in place prior to or concurrently with development.	**Consistent.** Chapter 7, *Implementation Plan*, of the MERRILL COMMERCE CENTER Specific Plan includes a development phasing plan which requires that infrastructure to support the buildout of the Specific Plan be adequately phased concurrently with development.
***Goal LU5**: Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.*	
Policy LU5-5: Airport Compatibility Planning for ONT. We create and maintain the Airport Land Use Compatibility Plan for ONT.	**Consistent.** The land uses provided by the MERRILL COMMERCE CENTER Specific Plan are consistent with the Airport Land Use Compatibility Plan (ALUCP) requirements for the Ontario International Airport and the Chino Airport. Furthermore, future development on

Ontario Plan Policy	Specific Plan Consistency
Policy 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.	the Specific Plan property would be required to comply with the development standards and design guidelines established in this Specific Plan, as well as the applicable requirements of the City of Ontario Development Code, which would preclude any potential inconsistencies with the Ontario International Airport ALUCP.

Housing Element

Goal H1: *Stable neighborhoods of quality housing, ample community services and public facilities, well-maintained infrastructure, and public safety that foster a positive sense of identity.*	
Policy H1-4: Historical Preservation. We support the preservation and enhancement of residential structures, properties, street designs, lot configurations, and other reminders of Ontario's past that are considered to be local historical or cultural resources.	**Consistent.** Refer to the MERRILL COMMERCE CENTER Specific Plan EIR for a detailed analysis of impacts to historical and cultural resources that would occur as a result of the implementation of the Specific Plan. If determined to be necessary, development projects within the MERRILL COMMERCE CENTER Specific Plan will be required to implement mitigation measures to reduce impacts to historical and cultural resources to the maximum extent feasible.

Parks & Recreation Element

Goal PR1: *A system of safe and accessible parks that meets the needs of the community.*	
Policy PR1-15: Trail Connectivity. We strengthen and improve equestrian, bike and multipurpose trail connections within the City and work to improve trail connections into adjacent jurisdictions.	**Consistent.** The MERRILL COMMERCE CENTER includes an 8-foot-wide multi-purpose trail along segments of Merrill Avenue, Eucalyptus Avenue, Grove Avenue, Walker Avenue, and Vineyard Avenue which promotes pedestrian and bicycle connectivity between the Planning Areas and with the surrounding land uses. The multi-purpose trail system provided by the MERRILL COMMERCE CENTER implements the multipurpose trail system shown in Exhibit M-3, *Multipurpose Trails & Bikeway Corridor Plan*, of The Policy Plan.

Ontario Plan Policy	Specific Plan Consistency
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.	**Consistent.** The MERRILL COMMERCE CENTER incorporates a drought-tolerant plant palette and water-efficient irrigation system design to minimize the water demands of planned development. In addition, implementing development projects will be required to comply with the water-efficiency mandates of the California Green Building Standards Code (Title 24), including the provision of water-efficient fixtures. Accordingly, the MERRILL COMMERCE CENTER Specific Plan incorporates water conservation strategies and is consistent with this policy.
Policy ER1-4: Supply-Demand Balance. We require that available water supply and demands be balanced.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan EIR evaluates the impacts of the Specific Plan's implementation related to water supply based on the results of a project-specific water supply assessment. If deemed necessary by the EIR, development within the Specific Plan is required to implement mitigation measures to reduce significant impacts to the water supply to the maximum extent feasible. Therefore, the MERRILL COMMERCE CENTER is consistent with this policy.
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.	**Consistent.** As discussed in detail in the MERRILL COMMERCE CENTER Specific Plan EIR, implementation of the Specific Plan will not result in new, substantial sources of urban runoff, and also will not violate applicable stormwater quality requirements. Also, the MERRILL COMMERCE CENTER includes permeable surfaces (e.g., landscaped areas, water quality/infiltration basins) that would allow surface water to percolate and contribute to recharge of 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.	

Ontario Plan Policy	Specific Plan Consistency
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.	**Consistent.** All sewer conveyance infrastructure needed to serve the MERRILL COMMERCE CENTER will be installed in accordance with City design standards. Accordingly, implementation of the Specific Plan will not violate any applicable waste discharge requirements as detailed in the MERRILL COMMERCE CENTER Specific Plan EIR.
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 ER3-3: 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.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan's design guidelines encourage all new construction to utilize design features, fixtures, appliances, and heating and cooling controls to conserve energy and water. In addition, all development is required to comply with the California Green Building Standards Code (CalGreen).
Policy ER3-6: Generation- Renewable Sources. We promote the use of renewable energy sources to serve public and private sector development.	**Consistent.** Buildings roofs in the Industrial planning areas will be designed to structurally support the installation of solar panels.
Goal ER4: *Improved indoor and outdoor air quality and reduced locally generated pollutant emissions.*	
Policy ER4-1: Land Use. We reduce GHG and other local pollutant emissions through compact, mixed use, and transit-oriented	**Consistent.** The MERRILL COMMERCE CENTER provides employment land uses in close proximity to major transportation corridors (Interstate 10, Interstate 15, State Route 60, State Route 83, State Route 71 and State Route 91) and near BRT Corridors along Edison Avenue and Euclid Avenue. Therefore, the MERRILL COMMERCE CENTER provides local

Ontario Plan Policy	Specific Plan Consistency
development and development that improves the regional jobs-housing balance.	employment opportunities for residents and serves to improve the regional jobs-housing balance. Additionally, the MERRILL COMMERCE CENTER provides an integrated system of sidewalks, bikeways, and multi-purpose trails on internal and perimeter roadways to encourage non-vehicular modes of transportation. Based on the foregoing, the MERRILL COMMERCE CENTER has the potential to reduce vehicle miles traveled, which would reduce tailpipe emissions – a major source of greenhouse gases (GHGs). As such, the MERRILL COMMERCE CENTER would not prevent the City from achieving this Policy Plan goal.
Policy ER4-3: Greenhouse Gases (GHG) Emissions Reductions. We will reduce GHG emissions in accordance with regional, state and federal regulations.	**Consistent.** As described in the MERRILL COMMERCE CENTER Specific Plan EIR, the Specific Plan would be consistent with applicable regional, State, and federal regulations related to the reduction of GHG emissions and would not obstruct implementation of any GHG reduction plans/programs. The MERRILL COMMERCE CENTER is consistent with Policy ER4-3.
Policy ER4-8: Tree Planting. We protect healthy trees within the City and plant new trees to increase carbon sequestration and help the regional/local air quality.	**Consistent.** As part of the development of the MERRILL COMMERCE CENTER, a substantial number of trees will be planted within the Specific Plan area, and in particular along roadway street frontages, near building entrances, and in passenger car parking lots. At primary entry corners, trees will be planted in "orchard rows."
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.	**Consistent.** The MERRILL COMMERCE CENTER property was historically used for agricultural uses, dairy farming, and a commercial trucking operation. Natural habitat is nil. The Specific Plan EIR evaluates impacts to biological resources (including sensitive/protected habitats and species) as a result of the implementation of the Specific Plan and establishes mitigation measures required to reduce significant impacts to the maximum extent feasible.
Policy ER5-2: Entitlement and Permitting Process. We comply with state and federal regulations regarding protected species.	

Ontario Plan Policy	Specific Plan Consistency
Policy ER5-3: Right to Farm. We support the right of existing farms to continue their operations within the New Model Colony.	**Consistent.** Implementation of the MERRILL COMMERCE CENTER Specific Plan would not preclude the continued operation of existing farms within the New Model Colony/Ontario Ranch. Furthermore, the MERRILL COMMERCE CENTER Specific Plan EIR evaluates impacts to surrounding land uses that could potentially occur as a result of the implementation of the MERRILL COMMERCE CENTER Specific Plan and establishes mitigation measures required to reduce significant impacts to the maximum extent feasible.
Policy ER5-4: Transition of Farms. We protect both existing farms and sensitive uses around them as agricultural areas transition to urban uses.	

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.	**Consistent.** The MERRILL COMMERCE CENTER would provide over 376.3 acres of new employment-generating land uses (up to 8,455,000 square feet of building area) in close driving distance to existing and planned residential land uses. The new job opportunities provided within the MERRILL COMMERCE CENTER Specific Plan area will assist the City's efforts to promote job growth and improve the balance between jobs and housing within the City limits.
Policy CE1-12: Circulation. We continuously plan and improve public transit and non-vehicular circulation for the mobility of all, including those with limited or no access to private automobiles.	**Consistent.** BRT Corridors are located along Edison Avenue and Euclid Avenue in close proximity to the Specific Plan. Additionally, the MERRILL COMMERCE CENTER provides Class II Bikeways along both sides of the segment of Merrill Avenue located between Carpenter Avenue and Euclid Avenue; along both sides of the segment of Walker Avenue between Merrill Avenue and Edison Avenue; and along the south side of the segment of Eucalyptus Avenue that abuts the northern boundaries of Planning Areas 3A, 4A, 5A, and 6A, as well as sidewalks, multi-purpose trails, and pathways to promote non-vehicular transportation.

Ontario Plan Policy	Specific Plan Consistency
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.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan provides for the development of the Specific Plan property as a high-quality and contemporary industrial/business park. This Specific Plan's Design Guidelines (refer to Chapter 6) establish criteria for architecture, lighting, signage, and landscape design to promote the development of an attractive industrial/business park with timeless design features that are perceived as an inviting place to work and conduct business.
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.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan requires implementing development projects within the Specific Plan area to be reviewed and approved pursuant to the provisions of the City's Subdivision Ordinance and Development Plan Review process which provides for review by the City's Planning Department which may require the development to demonstrate how each project will create appropriately unique, functional and sustainable places. Furthermore, implementing development projects within the MERRILL COMMERCE CENTER Specific Plan are required to be designed in accordance with the architectural and landscape design guidelines established in Chapter 6, *Design Guidelines*, of this Specific Plan, which will result in a unique, aesthetically attractive, and contemporary industrial/business park that will be highly competitive with similar developments in the region.
Policy 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.	**Consistent.** Implementing development projects within the MERRILL COMMERCE CENTER Specific Plan are required to be designed in accordance with the architectural and landscape design guidelines established in Chapter 6, *Design Guidelines*, of this Specific Plan, which will result in a unique, aesthetically-attractive, and contemporary industrial/business park that reflects high-quality architectural design. As such, the MERRILL COMMERCE CENTER will implement this policy.
Policy CE2-5: Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper	**Consistent.** This Specific Plan defines the entities responsible for the maintenance of publicly and privately-owned improvements within the MERRILL COMMERCE CENTER, including roadways and utility infrastructure. Compliance with the maintenance

Ontario Plan Policy	Specific Plan Consistency
maintenance on private property protects property values.	responsibility matrix established in Chapter 7, *Implementation Plan*, will ensure that all improvements within the Specific Plan area are properly and consistently maintained.
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.	
Goal CE3: *Decision-making deliberations that incorporate the full short-term and long-term economic and fiscal implications of proposed City Council actions.*	
Policy CE3-2: General Plan Amendments. We require those proposing General Plan amendments to disclose reasonably foreseeable impacts through a fiscal analysis.	**Consistent.** A fiscal impact analysis was prepared in support of the MERRILL COMMERCE CENTER. Refer to the MERRILL COMMERCE CENTER Specific Plan EIR for a detailed analysis of potential reasonably foreseeable fiscal effects associated with implementation of this Specific Plan.
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.	**Consistent.** Implementing development within the MERRILL COMMERCE CENTER Specific Plan will be required by law to comply with the California Green Building Standards Code as adopted and implemented by the City. Geotechnical studies were required for the Specific Plan, and are contained as appendices to the Specific Plan EIR.
Policy S1-2: Entitlement and Permitting Process. We follow state guidelines and the California	

Ontario Plan Policy	Specific Plan Consistency
Building Code to determine when development proposals must conduct geotechnical and geological investigations.	
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.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan EIR evaluates flooding impacts that could result from implementation of the MERRILL COMMERCE CENTER Specific Plan, primarily based on the results of a project-specific hydrology study. Where necessary, the MERRILL COMMERCE CENTER Specific Plan EIR incorporates mitigation measures to reduce significant flood hazard-related impacts to the maximum extent feasible. Furthermore, the MERRILL COMMERCE CENTER is required to improve the public storm drain system in accordance with the City's master plan of drainage and as described in Specific Plan Chapter 4, *Infrastructure Plan*.
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.	
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	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan requires implementing development within the Specific Plan area to be reviewed and approved pursuant to the provisions of the City's Subdivision Ordinance and Development Plan Review process which provides for review by the City's Fire Department which may require the

Ontario Plan Policy	Specific Plan Consistency
consideration in the design of streetscapes, sites, open spaces and buildings.	incorporation of fire prevention design elements in 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.	**Consistent.** Development within the MERRILL COMMERCE CENTER Specific Plan is required to comply with the City's Noise Ordinance, building codes, and roadway design standards. Trucks traveling to and from the Specific Plan are required to utilize City-approved truck routes. Furthermore, the MERRILL COMMERCE CENTER Specific Plan EIR evaluates noise impacts that could result from construction and operation of the MERRILL COMMERCE CENTER Specific Plan, primarily based on the results of a project-specific noise study. Where necessary, the MERRILL COMMERCE CENTER Specific Plan EIR incorporates mitigation measures to reduce significant noise impacts to the maximum extent feasible.
Policy S4-4: Truck Traffic. We manage truck traffic to minimize noise impacts on sensitive land uses.	
Policy S4-5: Roadway Design. We design streets and highways to minimize noise impacts.	
Policy S4-6: Airport Noise Compatibility. We utilize information from Airport Land Use Compatibility Plans to prevent the construction of new noise sensitive land uses within airport noise impact zones.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan includes Industrial and Business Park land uses, which are generally not considered noise-sensitive land uses. These land uses are consistent with the ALUCP requirements for the Ontario International Airport and the Chino Airport.
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.	**Consistent.** Construction activities within the Specific Plan will comply with a City-approved construction management plan and building code requirements related to dust control, and will implement all best management practices and mitigation measures identified in the MERRILL COMMERCE CENTER Specific Plan EIR with regard to dust control.
Policy S5-3: Grading in High Winds. We prohibit excavation and grading during strong	

Ontario Plan Policy	Specific Plan Consistency
wind conditions, as defined by the Building Code.	
Goal S6: *Reduced potential for hazardous materials exposure and contamination.*	
Policy S6-6: Location of Sensitive Land Uses. We prohibit new sensitive land uses from locating within airport Safety Zones and near existing sites that use, store, or generate large quantities of hazardous materials.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan includes Industrial and Business Park land uses, which are generally not considered sensitive land uses. These land uses are consistent with the ALUCP requirements for the Ontario International Airport and the Chino Airport. Therefore, the MERRILL COMMERCE CENTER is consistent with this policy.
Policy S6-9: Remediation of Methane. We require development to assess and mitigate the presence of methane, per regulatory standards and guidelines.	**Consistent.** If determined to be necessary, the MERRILL COMMERCE CENTER will be required to implement the mitigation measures identified in the MERRILL COMMERCE CENTER Specific Plan EIR addressing soil remediation and building venting requirements related to methane gas hazards.
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.	**Consistent.** Development within the MERRILL COMMERCE CENTER Specific Plan is required to be reviewed pursuant to the provisions of the City's Subdivision Ordinance and Development Plan Review process which provides for review by the City's Police Department which may require the development to incorporate CPTED in the design of streetscapes, sites, open spaces and buildings.
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:	**Consistent.** The developer(s) of MERRILL COMMERCE CENTER will improve all perimeter streets and new internal streets in accordance with the City's Master Plan of Streets and Highways and City design standards, and would comply with the San Bernardino County

Ontario Plan Policy	Specific Plan Consistency
• 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.	Municipal Separate Storm Sewer System (MS4) Permit and Water Quality Management Plan. As described in Chapter 4, *Infrastructure Plan*, of this Specific Plan, the MERRILL COMMERCE CENTER includes roadway, bikeway, sidewalk, and multi-purpose trail improvements to facilitate efficient vehicular and non-vehicular transportation through and around the Specific Plan area. The MERRILL COMMERCE CENTER Specific Plan EIR is supported by a traffic study that identifies roadway facility improvements and fair share payments that will be the responsibility of the Specific Plan developer(s). Roadway network is designed to operate at acceptable levels of service. All public roadways will be maintained in accordance with City requirements.
Policy M1-2: Mitigation of Impacts. We require development to mitigate its traffic impacts.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan EIR is supported by a traffic study that stipulates the mitigation measures that the Specific Plan's developer(s) will need to implement to address the traffic impacts of implementing development projects.
Policy M1-5: Complete Streets. We work to provide a balanced context sensitive, multimodal transportation network that meets the needs of all users of streets, roads, and highways, including motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods and users of public transportation.	**Consistent.** The MERRILL COMMERCE CENTER's circulation plan encourages mobility via a variety of means. BRT Corridors are located along Edison Avenue and Euclid Avenue in close proximity to the Specific Plan. Additionally, the MERRILL COMMERCE CENTER provides Class II Bikeways along both sides of the segment of Merrill Avenue located between Archibald Avenue and Euclid Avenue; along both sides of the segment of Walker Avenue between Merrill Avenue and Edison Avenue; and along the south side of the segment of Eucalyptus Avenue that abuts the northern boundaries of Planning Areas 3A, 4A, 5A, and 6A, as well as sidewalks, multi-purpose trails, and pathways to promote non-vehicular transportation. Additionally, development within the MERRILL COMMERCE CENTER is required to comply with applicable building codes and standards to accommodate persons with disabilities.

Ontario Plan Policy	Specific Plan Consistency
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.	**Consistent.** The MERRILL COMMERCE CENTER includes the construction of Class II Bikeways along both sides of the segment of Merrill Avenue located between Carpenter Avenue and Euclid Avenue; along both sides of the segment of Walker Avenue between Merrill Avenue and Edison Avenue; and along the south side of the segment of Eucalyptus Avenue that abuts the northern boundaries of Planning Areas 3A, 4A, 5A, and 6A. The bikeways would be provided in conformance with the City's Multipurpose Trails & Bikeway Corridor Plan.
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.	**Consistent.** The MERRILL COMMERCE CENTER provides sidewalks along all perimeter and internal public streets to facilitate safe and convenient pedestrian travel to the Specific Plan area and between the planned Business Park and Industrial land uses. Additionally, the MERRILL COMMERCE CENTER includes an 8-foot multi-purpose trail along segments of Merrill Avenue, Eucalyptus Avenue, Grove Avenue, Walker Avenue, and Vineyard Avenue. All sidewalks and trails will be constructed in accordance with City standards, and landscaping will be spaced to provide motorists and pedestrians with adequate sight lines to promote safe travel.
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 in the Truck Routes Plan.	**Consistent.** Trucks traveling to and from the MERRILL COMMERCE CENTER will be required to utilize City-designated truck routes. Merrill Avenue is a City-designated truck route. The MERRILL COMMERCE CENTER Specific Plan EIR evaluates the traffic- and noise-related impacts resulting from operation of the Specific Plan and identifies mitigation measures to reduce significant impacts to the maximum extent feasible.

Ontario Plan Policy	Specific Plan Consistency
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.	**Consistent.** This Specific Plan includes detailed architectural and landscape design guidelines (refer to Chapter 6) that address all aspects of land development, including site design, architectural design, landscape materials, monuments/entries, signage and lighting to ensure future development within the Specific Plan is aesthetically pleasing, cohesive, and distinctive, yet also complements the existing surrounding development.
Policy 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.	**Consistent.** The MERRILL COMMERCE CENTER is designed to protect the integrity of existing residential land uses within the vicinity of the Specific Plan. Streetscapes along the perimeter roadways include landscape buffers which physically and visually separate off-site areas from planned on-site Business Park and Industrial uses. Additionally, buildings would be sited to minimize adverse effects to nearby residential uses. For example, loading docks would be screened by a combination of building orientation, walls, and landscaping. Furthermore, exterior lighting fixtures would be focused on the Specific Plan property and focused/shielded to prevent light trespass on adjacent properties. The design features provided by the MERRILL COMMERCE CENTER to prevent "edge effects" with surrounding land uses are listed in Chapter 5, *Development Standards*, and Chapter 6, *Design Guidelines*, of this Specific Plan. Accordingly, the MERRILL COMMERCE CENTER will preserve and protect existing sensitive land uses near the Specific Plan property.
Policy CD1-4: Transportation Corridors. We will enhance our major transportation corridors within the City through landscape, hardscape, signage and lighting.	**Consistent.** The MERRILL COMMERCE CENTER includes streetscapes that include landscaping – including evergreen and deciduous trees, low shrubs, and groundcovers – along perimeter and interior streets concurrent with development. The MERRILL COMMERCE CENTER also includes an 8-foot multi-purpose trail along segments of Merrill Avenue, Eucalyptus Avenue, Grove Avenue, Walker Avenue, and Vineyard Avenue. Additionally, Class II bike lanes are provided along both sides of the segment of Merrill Avenue located between Carpenter Avenue and Euclid Avenue; along both sides of the

Ontario Plan Policy	Specific Plan Consistency
	segment of Walker Avenue between Merrill Avenue and Edison Avenue; and along the south side of the segment of Eucalyptus Avenue that abuts the northern boundaries of Planning Areas 3A, 4A, 5A, and 6A. The MERRILL COMMERCE CENTER also provides a series of entry monuments, tenant signage, and corner treatments, which incorporate architectural features (e.g., monument signs) and landscaping to welcome employees and and visitors and establish the Specific Plan's design theme.
Policy CD1-5: View Corridors. We require 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.	**Consistent.** The MERRILL COMMERCE CENTER does not include any design components that would detract from views of the San Gabriel Mountains from major north-south street corridors. As part of build-out of this Specific Plan, landscaping – including trees – would be planted along the major north-south interior and perimeter streets in conjunction with improvements to these roadways.
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 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	**Consistent.** Future development of the MERRILL COMMERCE CENTER will be guided by the Specific Plan's Design Guidelines, which include comprehensive architectural criteria that provide for the development of an attractive, contemporary industrial/business park. The Design Guidelines specifically address architectural style, building form (shape, mass, scale, proportion, articulation), and building materials, colors, and textures to ensure that development is visually appealing and inviting to pedestrians and motorists. The MERRILL COMMERCE CENTER's design theme complements the City of Ontario's character and would not conflict with this policy.

Ontario Plan Policy	Specific Plan Consistency
• Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.	
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 identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.	**Consistent.** As part of implementation of the MERRILL COMMERCE CENTER, existing public streets (Grove Avenue, Walker Avenue, Baker Avenue, Vineyard Avenue, Carpenter Avenue, Merrill Avenue, and Eucalyptus Avenue) will be improved with new travel lanes, medians, bicycle lanes, sidewalks, and multi-purpose trails (to the extent shown in Chapter 4, *Infrastructure Plan*) to ensure safe vehicular and non-vehicular transportation. In addition, the MERRILL COMMERCE CENTER will provide landscaping (trees, shrubs, groundcovers, etc.) along all exterior street frontages and along interior streets to establish the Specific Plan's design theme and create a welcoming visual environment for employees and visitors.
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.	**Consistent.** By nature of its location near regional transportation corridors, close driving distance to residential communities, and its planned mix of employment land uses to serve the surrounding community and region, the MERRILL COMMERCE CENTER is consistent with sustainable, "smart growth" principles. Building roofs of Industrial buildings will be constructed to support the installation of solar panels. Also, the plant palette for the MERRILL COMMERCE CENTER is comprised of drought-tolerant plant species native to Southern California or naturalized to the arid Southern California climate, and the use of turf will be minimized throughout the Specific Plan area, to minimize water use.
Policy 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	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan serves as the framework for implementing development projects in the Specific Plan area, and includes design specifications for sidewalks, building entrances, and lighting.

Ontario Plan Policy	Specific Plan Consistency
visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.	
Policy 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.	**Consistent.** The landscape concept for the MERRILL COMMERCE CENTER incorporates the use of attractive, durable landscaping materials, and an irrigation system designed to keep plant materials in good health while conserving water. Landscaping will be provided throughout the MERRILL COMMERCE CENTER, including along roadways, within passenger car parking lots, at monuments/entries, within common open space areas, and adjacent to buildings.
Policy 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.	**Consistent.** Parking lots, truck courts, and loading areas within the MERRILL COMMERCE CENTER will be designed and constructed in accordance with the requirements of the City's Development Code, and will include landscaping, screening walls, lighting, and well-defined drive aisles and parking spaces.
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.	**Consistent.** The MERRILL COMMERCE CENTER includes building entry treatments, primary and secondary corner treatments, and tenant monument treatments to identify the development and distinguish individual planning areas, in conformance with the intent of Policy CD2-11. The entry treatments, corner treatments, and tenant monuments which are illustrated in Chapter 6, *Design Guidelines*, incorporate landscaping and enhanced signage to provide attractive and distinctive visual statements.
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	**Consistent.** The Design Guidelines for the MERRILL COMMERCE CENTER (refer to Chapter 6 of this Specific Plan) include signage guidelines to ensure that future development will construct clear, concise, easy-to-read signs that reflect and complement the Specific Plan's design theme, provide for safe and efficient circulation of vehicle traffic, and facilitate

Ontario Plan Policy	Specific Plan Consistency
various aspects of the development and complement the character of the structures.	pedestrian travel. Signs will be of high-quality and the use of distracting sign elements, such as flashing lights or moving parts, is prohibited.
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.	**Consistent.** The MERRILL COMMERCE CENTER provides a coordinated, interconnected circulation network for vehicles, bicycles, and pedestrians. All public roadways constructed by the MERRILL COMMERCE CENTER, including sidewalks, trails, and parkways, will be improved as illustrated in Chapter 4, *Infrastructure Plan*, and Chapter 6, *Design Guidelines*, of this Specific Plan and in accordance with City standards. Future development also will be required to comply with City standards related to the location of landscape plantings to ensure that adequate sight lines are provided for motorists and pedestrians.
Policy 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.	**Consistent.** The MERRILL COMMERCE CENTER Design Guidelines establish site planning and landscaping measures to provide efficient, well-defined pedestrian connections that follow a cohesive design theme.
Policy CD3-3: Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan includes an integrated network of sidewalks, multipurpose trails and bikeways that facilitates access to buildings located throughout the Specific Plan using non-vehicular means of transportation. Where appropriate and implemented, the building entry treatment (as depicted in Chapter 6, *Design Guidelines*, of this Specific Plan) provides an enhanced paved path that serves as a direct connection to the adjacent right-of-way.
Policy CD3-5: Paving. We require sidewalks and road surfaces to be of a type and quality	**Consistent.** The MERRILL COMMERCE CENTER Specific Plan requires implementing development within the Specific Plan area to be reviewed and approved pursuant to the provisions of the City's Subdivision Ordinance and Development Plan Review process, which provides for review by the City's Engineering Department which will ensure

Ontario Plan Policy	Specific Plan Consistency
that contributes to the appearance and utility of streets and public spaces.	roadways and sidewalks are designed and constructed to comply with the City's roadway design standards.
Policy CD3-6: Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.	**Consistent.** The MERRILL COMMERCE CENTER utilizes landscaping to establish an attractive, cohesive design theme, as a focal point at building entry treatments, entrance monuments and corner treatments, to buffer on-site land from off-site land uses and adjacent roadway facilities, and to screen objectionable views from public views. Specific landscape design concepts for the MERRILL COMMERCE CENTER are described and illustrated in Chapter 6, *Design Guidelines*, of this Specific Plan.
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.*	
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. **Policy CD5-2: Maintenance of Infrastructure.** We require the continual maintenance of infrastructure.	**Consistent.** This Specific Plan defines the entities responsible for maintenance of publicly and privately-owned improvements within the MERRILL COMMERCE CENTER, including roadways and utility infrastructure. Compliance with the maintenance responsibility matrix established in Chapter 7, *Implementation Plan*, will ensure that all improvements within the Specific Plan area are properly and consistently maintained.

CITY OF ONTARIO *Agenda Report* **February 2, 2021**	**SECTION:** **PUBLIC HEARINGS**
Department: Planning Prepared By: Lorena Mejia Staff Member Presenting: Scott Murphy, Executive Director Community Development Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 13

SUBJECT: **A PUBLIC HEARING TO CONSIDER: [1] A GENERAL PLAN AMENDMENT (FILE NO. PGPA18-002) TO MODIFY POLICY PLAN EXHIBIT LU-01, LAND USE PLAN, CHANGING THE LAND USE DESIGNATION ON APPROXIMATELY 46 ACRES OF LAND FROM GENERAL COMMERCIAL AND BUSINESS PARK TO 4.13 ACRES OF NEIGHBORHOOD COMMERCIAL, 3.51 ACRES OF BUSINESS PARK, AND 39 ACRES OF INDUSTRIAL; [2] MODIFY POLICY PLAN EXHIBIT LU-03, FUTURE BUILDOUT, TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES; AND [3] AN AMENDMENT (FILE NO. PSPA18 003) TO THE EDENGLEN SPECIFIC PLAN, CHANGING THE LAND USE DESIGNATION FROM COMMUNITY COMMERCIAL, COMMERCIAL/BUSINESS PARK FLEX ZONE, AND BUSINESS PARK/LIGHT INDUSTRIAL, TO 4.13 ACRES OF NEIGHBORHOOD COMMERCIAL, 3.51 ACRES OF BUSINESS PARK, AND 39 ACRES OF LIGHT INDUSTRIAL, INCLUDING UPDATES TO THE DEVELOPMENT STANDARDS, EXHIBITS, AND TEXT CHANGES TO REFLECT THE PROPOSED LAND USES. THE PROJECT SITE IS LOCATED AT THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND HAMNER AVENUE (APNS: 0218-171-21 AND 0218-171-27)**

RECOMMENDATION: That the City Council consider and adopt:

A. A resolution approving the use of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140);
B. A resolution approving File No. PGPA18-002, a General Plan Amendment modifying Policy Plan Exhibit LU-01, Land Use Plan, changing the land use designation on approximately 46 acres of land located at the southwest corner of Riverside Drive and Hamner Avenue from General Commercial and Business Park, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Industrial designated land, and modify the Policy Plan Exhibit LU-03, Future Buildout, to be consistent with the proposed land use designation changes; and
C. A resolution approving File No. PSPA18-003, an Amendment to the Edenglen Specific Plan, changing the land use designation on approximately 46 acres of land located at the southwest corner of Riverside Drive and Hamner Avenue from Neighborhood Commercial, Commercial/Business Park Flex Zone, and Business Park/Light Industrial, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Light Industrial designated land, including updates to development standards and exhibits, along with text changes to reflect the proposed land use changes.

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: No fiscal impacts are anticipated with the adoption of the General Plan and Edenglen Specific Plan Amendment. The proposed land use designation changes from General Commercial and Business Park to Neighborhood Commercial, Business Park, and Industrial designated land provides for a mixture of similar commercial/retail and industrial uses. Any potential long-term fiscal impact and anticipated expenditures to the City would be offset by development impact fees and property tax revenues from the future development. Additionally, the project is conditioned to form/join a services Community Facilities District to offset increased costs associated with police, fire, and other services.

BACKGROUND & ANALYSIS: The Edenglen Specific Plan (File No. PSP03-005) and related Environmental Impact Report were approved and certified by the City Council on November 1, 2005. The Edenglen Specific Plan established the land use designations, development standards, and design guidelines on 158.7 acres of land, which included the potential development of 584 dwelling units, approximately 217,000 square feet of Commercial development, and 550,000 square feet of Business Park/Light Industrial development. In 2010, The Ontario Plan ("TOP") was adopted, which set forth the land use pattern for the City to achieve its Vision. With the adoption of TOP, a General Commercial and Business Park land use designation was assigned to the Project site.

On September 11, 2018, the applicant submitted five applications to facilitate the construction of an industrial development project, which included a General Plan Amendment (File No. PGPA18-002), an amendment to the Edenglen Specific Plan (File No. PSPA18-003), a Tentative Parcel Map (File No. PMTT18-009/TPM 20027) to subdivide 46.64 acres of land into 7 numbered lots and one lettered lot, and a Development Plan (File No. PDEV18-031) to construct five industrial buildings totaling 968,092 square feet.

On September 15, 2020, this item was brought before the City Council, at which time the applicant requested continuance of the item to a future date. On November 17, 2020, the City Council conducted a public hearing for the item and unanimously voted to continue the item to a future hearing date to allow the Planning Commission the opportunity to review and approve their requested modifications to Building 2 of the Development Plan, prior to this item being considered. Subsequently, on December 22, 2020, the Planning Commission approved the modifications to Building 2 (File No. PDEV18-031), that incorporated additional storefront glazing, reduction in the overall height of the building (42 feet to 38.5 feet), and redesigning the overall scale and massing of the building to be more in keeping with other Industrial Business Park buildings located throughout the City. The modified plan also included a conceptual floor plan of the building, demonstrating how it could be divided into multi-tenant spaces to accommodate potential retail commercial and/or office users.

GENERAL PLAN AMENDMENT: The proposed General Plan Amendment will revise Policy Plan Exhibit LU-01, Land Use Plan, changing the land use designation on 46.64 acres of land from General Commercial (20 acres) and Business Park (26.64 acres), to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Industrial designated land, as shown in Exhibit A: General

Plan Amendment Map, attached.

- Commercial Land Uses – The General Plan Amendment includes changes to Policy Plan Figure LU-03, Future Buildout, to reflect the proposed land use designation changes. The proposed land use designation change would reduce the amount of General Commercial designated land from 20 acres and 261,360 square feet of potential commercial space (based on a 0.30 floor area ratio), to 4.13 acres of Neighborhood Commercial designated land and 53,971 square feet of potential commercial space (based on a 0.30 floor area ratio). The net loss of 206,389 square feet of commercial space represents less than a 0.67 percent decrease in building area over the 31 million square feet of commercial (retail\office) space that is existing and/or planned throughout the City.

- Industrial/Business Park Land Uses – The proposed General Plan Amendment includes the reduction of 23.13 acres (gross) of Business Park designated land and 403,017 square feet of potential business park space (based on a 0.40 floor area ratio), to 3.51 acres and 76,450 square feet, respectively. Additionally, the amendment would add 39 acres of Industrial designated land and 934,362 square feet of potential industrial space (based on a 0.55 floor area ratio). The net gain of 531,345 square feet of industrial/business park space represents less than 0.3 percent increase in building area over the 181 million square feet of industrial/business park space that is existing and/or planned throughout the City.

EDENGLEN SPECIFIC PLAN AMENDMENT: The proposed Edenglen Specific Plan Amendment includes changes to the Edenglen Land Use Plan (see Exhibit B - Edenglen Land Use Plan, attached) and Land Use Summary table. The revisions to the Land Use Plan and Land Use Summary will reflect the proposed changes to the Project site land use designations from Community Commercial, Commercial/Business Park Flex Zone, and Business Park/Light Industrial, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Light Industrial designated land.

The 4.13-acre Neighborhood Commercial land use is located at the southwest corner of Hamner Avenue and Riverside Drive and allows for up to 40,000 square feet of commercial land uses, which could accommodate a mid-size grocery store and in-line retail. The 3.51-acre Business Park land use site is located along Riverside Drive, at the northwest corner of the Project site. The Business Park land use designation allows commercial land uses to accommodate flexibility in land uses along Riverside Drive. The 39 acres of Light Industrial is located on the southern portion of the project site and allows for warehousing or light manufacturing land uses. Heavy manufacturing uses will not be allowed.

The Specific Plan Amendment includes updates to development standards, the land use matrix, and various exhibits, along with text/map changes to reflect the proposed changes in land use and infrastructure. The development regulations and land use matrix have been amended to include standards for the Neighborhood Commercial, Business Park, and Light Industrial land uses. All changes and additions to the Specific Plan (exhibits, tables, and development standards) are contained within the revised Specific Plan document, and are highlighted in red.

COMMUNITY MEETINGS: The Planning Department conducted two community meetings to discuss the proposed subject applications. The first community meeting was in-person and held on December 12, 2018, at the Colony High Branch Library. The second meeting was a virtual presentation and available on the City Website from June 1, 2020, thru July 21, 2020.

At the first community meeting, 12 people were in attendance and of those persons, 10 were residents in opposition to the proposed Project. A total of 42 comments in opposition to the proposed Project were

received, including 4 comment cards, 6 phone calls, and 34 emails. Community concerns and comments included the following:

- The Edenglen Specific Plan was developed as a walkable residential community with pedestrian linkages to trails and a future commercial center to serve the community. Therefore, the surrounding residents were in opposition of the proposed elimination of the General Commercial land use designation of the Policy Plan (General Plan) and the Community Commercial district of the Edenglen Specific Plan in the initial proposal. *In response to community comments, the applicant performed a retail market study. The Market Study determined the amount of viable commercial acreage for the project site. A Retail Market Assessment was prepared by Streetsense (dated May 16, 2019) which concluded that retail demand was insufficient and could not be supported at the project site, due to lack of demand and an oversupply of retail space. The City's Economic Development Agency consultant, HdL ECON Solutions (dated July 2019), prepared a Peer Review of the Market Study and concluded that the Project site could support up to 8 acres of Neighborhood Commercial development (130,0000 square feet). Streetsense prepared a response letter to the Peer Review (dated January 30, 2020) and concluded that the methodology utilized by the HdL did not take into account new commercial under construction, located at the southwest corner of New Haven Avenue and Ontario Ranch Road (New Haven Marketplace), and as a result, the site could only support 8,400 to 28,400 square feet of retail development (see Attachment A: Retail Market Assessment, Peer Review of the Market Study and Peer Review response letter). As a result of the study, the proposed General Plan Amendment was revised to include: 4.13 acres of Neighborhood Commercial designated land located at the northeast corner of the Project site; 3.51 acres of Business Park designated land located at the northwest corner of the Project site; and 38.64 acres of Light Industrial designated land located within the southern portion of the site.*

- Concerns were raised regarding potential noise impacts from the proposed industrial uses and related Development Plan for the Project site. I*n response to community comments/concerns, the related Development Plan (File No, PDEV18-031) has been designed to minimize noise impacts to the residents. The truck yards have all been oriented away from the western property line. Screen walls that are 12-feet high have been included around the truck courts and have been strategically located along the western property line to block noise emanating from the property. Trash bins have been moved to the interior of the property and will be enclosed to insulate noise. These design features, along with the 200-foot SCE utility corridor that separates the properties, will substantially diminish any noise impacts to the adjacent residential community. A noise study was completed by Urban Crossroads (July 2020) that analyzed operational noise impact increases along the eastern property line of the Edenglen residential community. Urban Crossroads measured existing noise levels on October 10, 2019, and modeled the increased noise that will be generated by proposed operations on the Project site. The study concluded that the operation of a typical warehouse distribution center would result in a noise increase of 0.3 dBA, which is generally indiscernible to the human ear. Furthermore, the placement of the buildings will assist in the reduction of traffic noise that is currently generated from Hamner Avenue, and will help reduce wind and dust impacts from seasonal Santa Ana winds to the existing residential community.*

- Concerns were raised regarding the related proposed Development Plan and increase in truck traffic on Riverside Drive. *In response to community concerns, the related Development Plan (File No, PDEV18-031) has been designed to have truck traffic enter and exit primarily onto Hamner Avenue. Hamner Avenue is a designated Truck Route and truck traffic will primarily be coming onto the project site from the nearby SR 60 Freeway and I-15 Freeway interchanges.*

Building 2 and the future commercial development will take primary access from Riverside Drive. Buildings 3, 4, 5, and 6 will take primary access from Hamner Avenue. Furthermore, the project has been conditioned to require tractor-trailer trucks to travel east, towards Hamner Avenue, when exiting the site, and shall not utilize Riverside Drive, west of the project site, to access/exit the project site. As discussed above, the applicant revised their proposal to address concerns raised at the first Community Meeting.

Due to the COVID-19 virus pandemic and the Governor's Executive Orders, and to ensure the health and safety of City residents by limiting contact that could spread the virus, a second in-person community meeting could not be held. In response, the Planning Department provided for a virtual community presentation and mailed a pamphlet to Edenglen and Creekside residents, containing a summary of the concerns raised at the first meeting and a brief overview of the revised Project. The pamphlet included information about the virtual presentation that was posted on the City Website from June 1, 2020, thru June 15, 2020, for residents' review and comment. The City received eight comments opposing the proposed Project and the previous issues and concerns were raised a second time by residents. One new issue raised was regarding the timing of the virtual presentation. Residents were concerned that the community would not engage due to the pandemic and protests that were occurring at the time. Due to this concern, the virtual presentation, Project information, and public comment link remained on the Planning Department website for an additional five weeks, and was removed on July 21, 2020. During the extended time period, no further comments or phone calls were received.

On December 11, 2020, the Planning Department mailed a letter to residents, that included a summary of the August 25, 2020 Planning Commission meeting decision to approve the Tentative Parcel Map and approve the Development Plan with conditions to modify Building 2. The letter included the applicant's proposed changes to Building 2, a conceptual commercial site plan and contact information for the developer soliciting input from residents for developing the future commercial property. To date, no further comments or phone calls have been received by the City; however, the applicant has received 4 comments to date from residents regarding suggested retail uses for the future commercial site.

HEALTH RISK ASSESSMENT: The Applicant was required to prepare a Health Risk Assessment to determine whether the proposed Project would pose a health risk to the existing residential land uses. The Health Risk Assessment prepared by Urban Crossroads (dated July 9, 2020) analyzed the cancer burden estimates, as well as the Project operational toxic air contaminants impact from diesel particulate matter emissions. Both analyses concluded that these factors would be less than significant; therefore, no mitigation is required for the Project beyond that which was previously analyzed in The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), as certified by the Ontario City Council on January 27, 2010. Furthermore, the project was designed to minimize any potential impacts to existing residential development. The tractor-trailer yard areas are oriented away from the existing residential uses and tractor-trailer main access to the site is required to be taken from Hamner Avenue (a designated truck route). Additionally, the project has been conditioned to require trucks to travel east, towards Hamner Avenue, when exiting the site. Trucks shall not be allowed to utilize Riverside Drive, west of the project site, to access or exit the project site.

PLANNING COMMISSION REVIEW: On August 25, 2020, the Planning Commission conducted a duly noticed public hearing on the subject applications and voted unanimously (5-0) to recommend that the City Council approve the use of the Addendum to The Ontario Plan Environmental Impact Report, the General Plan Amendment, and Edenglen Specific Plan Amendment.

HOUSING ELEMENT COMPLIANCE: The Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The Edenglen Specific Plan was listed in

the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. However, the eastern half of the Edenglen Specific Plan (Project site) was not included as one of the properties in the Available Land Inventory since the eastern half of the Specific Plan did not include any residential land use designations.

AIRPORT LAND USE COMPATABILITY PLAN COMLIANCE: 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 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 Airport Land Use Compatibility Plan.

ENVIRONMENTAL REVIEW: Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), which was certified by City Council on January 27, 2010, in conjunction with File No. PGPA06-001. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of Project approval.

Exhibit A – General Plan Amendment Map

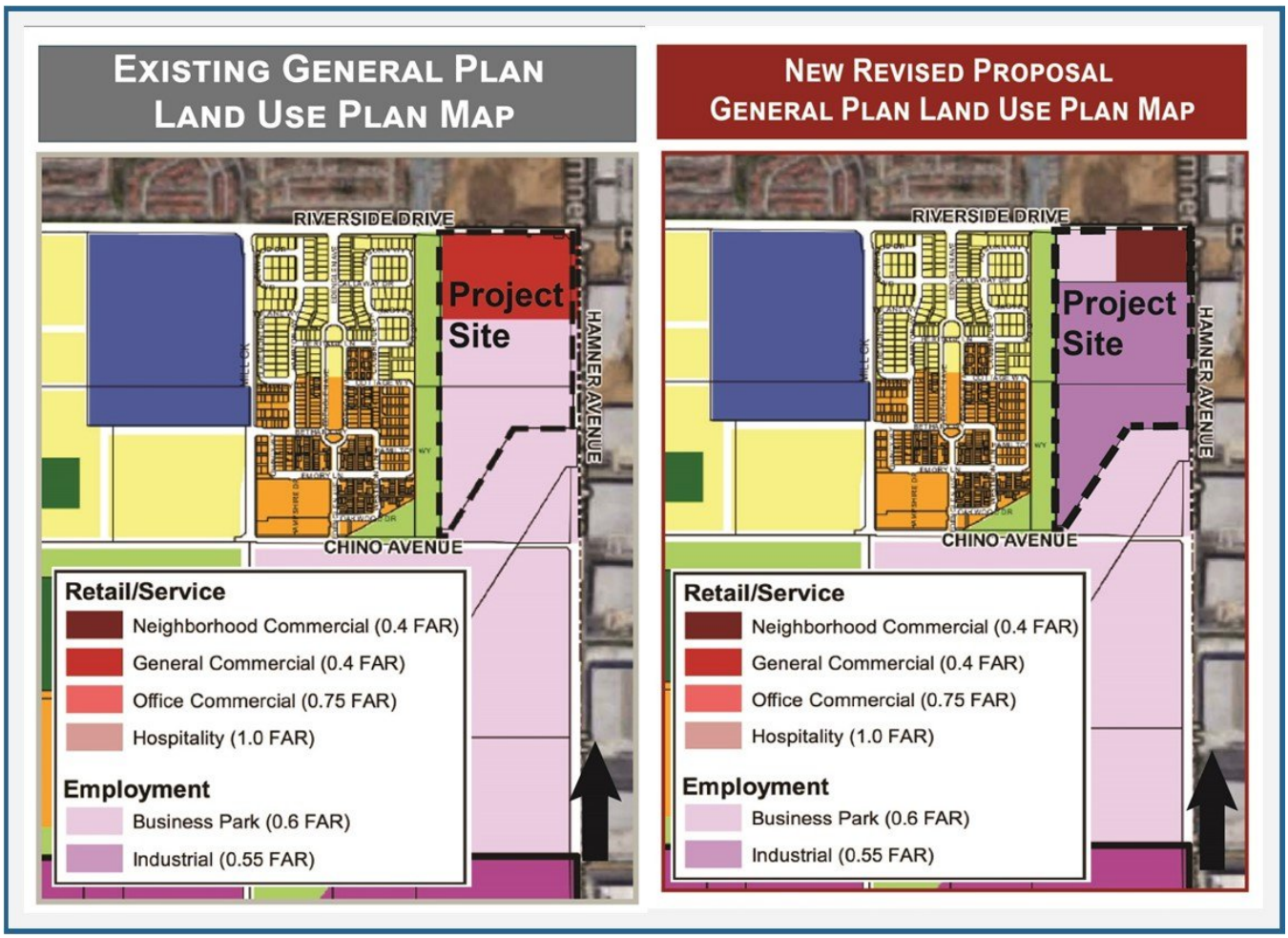
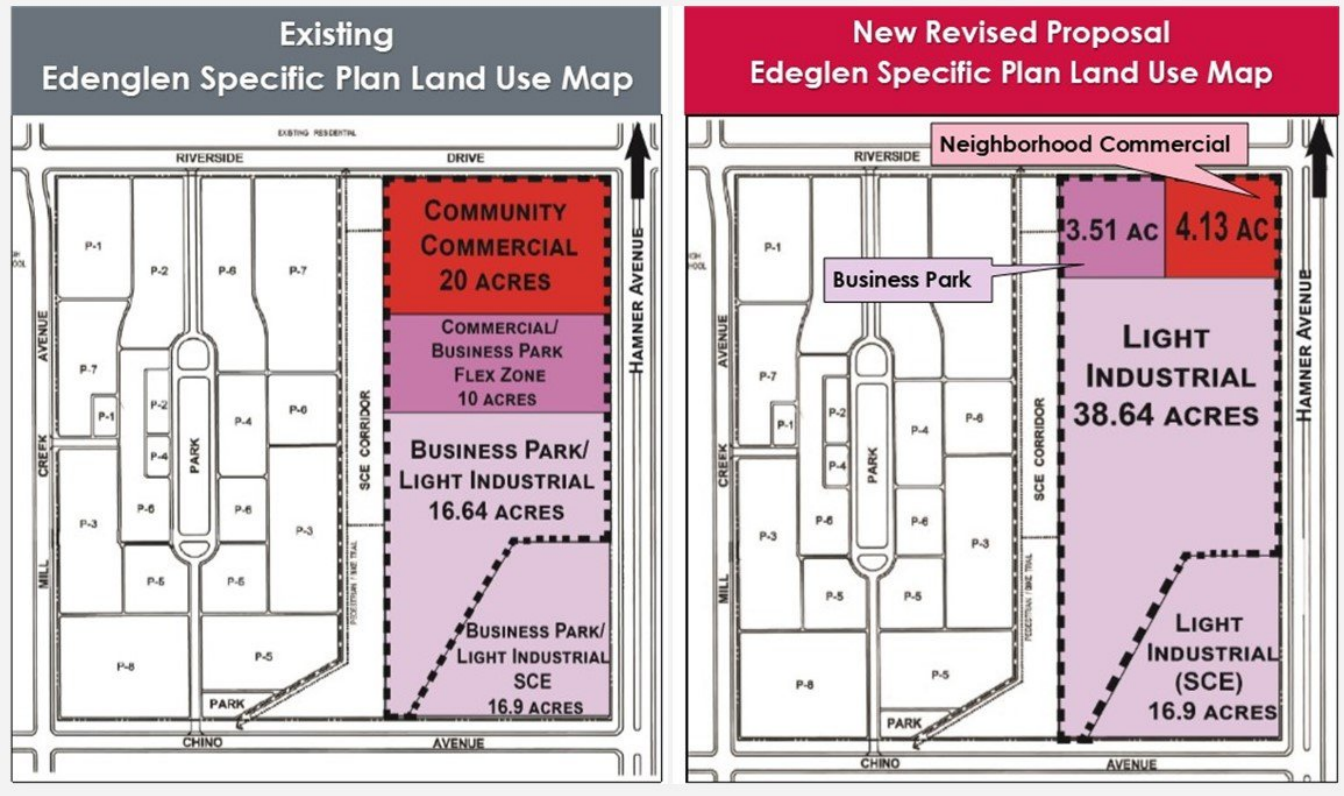


Exhibit B - Edenglen Land Use Plan



ATTACHMENT A:

Retail Market Assessment, Peer Review of the Market Study and Peer Review response letter

(Document follows this page)

streetsense.

3 Bethesda Metro Center, Suite 140, Bethesda, MD 20814
301.652.9020 / www.streetsense.com
DC / MD / NY / SF

Hamner Ave/ Riverside Drive
Retail Market Assessment

Prepared for Crow Holdings Industrial and the City of Ontario

May 16, 2019

KEY RECOMMENDATION:

- Retail is **not recommended** for the Hamner Ave/Riverside Drive.

- Resident's ability to drive (2.3 cars per household; 81% drive to work) to meet their retail needs presents the opportunity **to cluster retail demand** within the market at the **most appropriate auto oriented retail location** to promote high retail productivity and long-term sustainability. Tenants will not support walkable, pedestrian-oriented retail in this market because of a lack of density and they have the opportunity to drive to more options.

KEY FINDINGS:

Retail demand calculated for the development site located at Hamner Ave/Riverside Drive was determined to be insufficient to support retail that will be leasable and sustainable, thus leading to vacant storefronts and retail oversupply:

- **The site cannot support an anchor tenant,** such as a grocery store or pharmacy (CVS/Walgreens). This factor, coupled with the site's low volume of retail demand, will likely lead to poor quality retail tenants, vacant storefronts, and depress the overall retail market, if retail is pursued at this site.

- The site is surrounded by developable land that is more appropriate for retail development. Exhibit A ranks the nearby sites for retail suitability and tenant demand. The approximate 40 acres located directly north of the site has the best site conditions at this intersection for retailers including visibility and accessibility from the Interstate. **Development of retail on one of the two properties will significantly impact the other property's ability to capture retail sales and support retail tenants, so retail should be developed only on the most suitable property.** Moreover, comparable retail already exists on the southeast corner of the intersection.

- **Retail performs at its highest productivity when *clustered***. Pockets of disjointed retail in suboptimal locations create a highly competitive environment rather than a complementary market, where cross-shopping is encouraged and retailers benefit from co-tenanting. This results in high vacancy and poor tenant quality.

INTRODUCTION

The site studied in this effort is in Ontario, California located at the southwest corner of the Hamner Avenue / Milliken Avenue and East Riverside Drive intersection. The purpose of this study is to examine the retail appropriateness of the development site and the ability of the site to realize any market supported demand, which will consider site conditions, leasing factors, retail market principles, and best practices. Finally, as this site is part of the larger redevelopment effort, this study will identify and discuss the implications of developing market-supported retail at the site. A competitive review of existing and upcoming retail clusters in the market area, trade area analysis, customer demographic analysis, and development risk assessments were undertaken to generate a comprehensive understanding of the site's retail potential.

COMPETITION REVIEW

Given the urban-suburban typology of Ontario, competition for the site is measured on two levels – locally-serving neighborhood centers for convenience-based trips and regionally-serving destination hubs for experience-based trips. Retail customer behaviors are rooted in convenience, access, and visibility as well as tenant quality and variety of offerings. These factors are considered when assessing the market influence of each retail competitor.

Neighborhood-serving retail centers are characterized by a dominant mix of Neighborhood Goods & Services (NG&S) tenants, which include grocery stores, barber shops, hair/nail salons, pharmacies, dry cleaners, and similar uses. These retail centers primarily meet the need for convenience-based shopping trips. Thus, they compete on a geographically smaller scale, meaning customers frequenting retailers in this category will almost always patronize retail locations in close proximity to their work and home. As a result, customers are less likely to pass up the nearest shopping opportunity to fulfill their everyday needs. In this market, neighborhood-serving retail nodes are clustered along major commuter corridors, such as Route 60 (Pomona Freeway) and Interstate 15. Therefore, these auto-oriented retail developments cater to customers arriving by car, as they are highly visible and accessible from the roadway and provide ample surface parking. Households immediately surrounding the site are well-served by an existing neighborhood-serving retail node two miles – less than a five-minute drive – from the site. This retail node is comprised of the **Archibald Ranch Town Center** and **Archibald's Plaza** and includes a Ralph's grocery store, a Walgreens and Rite Aid pharmacies, dry cleaners, nail salons, and several fast-causal restaurants.

Regionally-serving retail nodes include power centers, shopping mall, and walkable lifestyle centers and are characterized by their dominate mix of retailers in the General Merchandise, Apparel, Furnishings, and Other (GAFO) category and typically include a cluster of full-services restaurants and an entertainment component, such as a movie theatre. These centers attract customers from a larger trade area in comparison to local, neighborhood-serving retail clusters. Fewer of these retail nodes can be supported in any given region as GAFO retailers demand a higher sales per square foot compared to NG&S retailers and the GAFO purchases account for approximately 20% of all retail purchases. Further amplifying the competitive landscape for sales in this category is the rise of e-commerce, which currently accounts for 9% of all retail sales and is growing at approximately 15% per year.

The region is well-served in this category. Competition includes the **Ontario Mills** – a traditional shopping enclosed shopping mall 10-minutes north of the site, **Eastvale Gateway** – a big-box power center anchored by a Target and movie theatre 10-minutes south of the site, and **Victoria Gardens** – an upscale, walkable lifestyle center with a number of full-service restaurant options.

TRADE AREA BOUNDARIES

Boundaries for trade areas are determined for primary and secondary levels of customers and are impacted by competition, drive times, sociological and geographical boundaries, shopping patterns by customer type, and other factors. The development site's trade areas are heavily impacted by the intense competition to the north and south and the neighborhood-serving retail scattered throughout the area as well as travel times throughout the region via the Interstate system.

Households and employees in the Primary Trade Area (PTA) are expected to patronize retail at higher frequency than other areas. Their shopping choices will be based on the convenience of the opportunity as well as the quality of the offering. The PTA is bound by Route 60 to the north, Edison Avenue to the south, Interstate 15 to the east, and canal to the west, as shown in Exhibit B.

Households within the Secondary Trade Area are expected to patronize retail at the site often, but with less frequency than the Primary Trade Area, as they have more convenient retail offerings closer to their residences. The STA is compromised of the neighborhoods and industrial areas to the north, east, and west, approximately half of a mile from the boundaries of the PTA.

CUSTOMER DEMOGRAPHICS

Customer spending habits are influenced by household incomes and their ability and willingness to travel throughout the region to competitive retail offerings, indicated by household car ownership rates (2.28 cars per household), commute times to work (39 minutes), and percentage of adults who commute to work by car (81%). These attributes indicate consumers are heavily reliant on personal vehicles to complete their daily routines, which directly translates to their shopping behaviors and retail preferences to include drive-throughs, visible storefront from the roadways, signage, and ample parking with convenient access to a retailer's front door.

Household incomes and household sizes also influence consumer shopping habits and the retail potential in this market. The median household income in the PTA is $85,300 while the STA is slightly lower at $77,600. These incomes are higher than the national average ($60,000), however average household size (3.3 people in the PTA, 3.5 people in the STA) is much larger than the national average (2.6 people), an indicator that households likely have limited discretionary spending on retail goods and services.

The Primary Trade Area workforce is a very diverse mix of blue-collar occupations to include employees in the Construction, Manufacturing, Wholesale Trade, and Transportation and Warehousing industries as well as in the Retail Trade industry. These workers are unlikely to patronize traditional retail, given long and inflexible hours and limited breaks. Spending is reflective of the insular jobs within a company's industrial/manufacturing complex.

CONCLUSIONS

LACKING CRITICAL MASS OF RETAIL DEMAND. While demand for additional retail development may exist, this specific site does not demand retail that would make development and tenanting a feasible task, thus resulting in vacant retail storefronts that create an eyesore and stigmatizes the property. Without a grocery or pharmacy anchor, which is not market supported at the site, retail at this site in the volumes that it is demanded will struggle to capture the sales needed to survive in a competitive market where customers have a number of options within a short drive and customer decisions are rooted in convenience.

SITE CONDITIONS AND LEASABILITY CONCERNS. The site is out-positioned by more competitive developable land, specifically the undeveloped land north of the site, which is highly visible from the Interstate and more accessible from the Interstate exit. Development on this land would position any shopping opportunities to be highly competitive with the subject site, leading to vacancy and deferred maintenance. As detailed in the customer demographics section, retail consumer behaviors are rooted in convenience,

access, and visibility. Retailers fully understand customer behaviors and patterns and will seek out sites with the utmost visibility and accessibility. Additionally, the site is located on the "edge" of the new residential neighborhood, as the site is bound by an industrial park to the east. While employees in the industrial park generate a small amount of retail demand, retailers in this market would prefer to be located at more significant residential intersections with larger residential populations nearby.

IMPACTS OF RETAIL OVERSUPPLY. A comprehensive study of Ontario's retail supply is necessary to understanding the specific conditions of Ontario's retail market; however, a brief review of the retail supply indicates that the market is currently oversupplied with retail space. One indicator of retail oversupply is a high rate of vacancy, which is observed at approximately 40% at Plaza Cardenas and 30-35% along Euclid Avenue in addition to the many vacancies on Grove Ave.

Oversupply occurs when the supply of retail space surpasses the demand for retail and it can have many adverse consequences for retailers, property owners, municipalities, and ultimately, the health and safety of the community.

The first indicator of retail oversupply is the underperformance of individual retailers, as retail sales in the market are spread too thin across too many retailers. Businesses located in an oversupplied retail market report low sales numbers as a result of their inability to capture a sufficient volume of sales, Retailers in this vulnerable position may be forced to close because low sales numbers are not financially justifiable.

When retailers close their doors, vacancy increases. Retail vacancy in markets that are oversupplied with retail space creates both a tough situation for landlords and negatively impacts retailers surrounding the recently closed business. Landlords risk long-term vacancy and decreasing rental rates in order to attract retailers, lowering the bar for the quality of retailer entering the market, as lower quality tenants seek lower rents. A secondary consequence for landlords decreasing rental rates at their properties, is the reduction of net operating income that may be reinvested in the property on items such as maintenance, repairs, façade improvements, and tenant improvements. High vacancy rates in retail clusters have adverse impacts on the health of the surrounding retailers, as vacant storefronts do not drive traffic to the center. Extreme vacancy issues can lead to disinvestment, blight, and abandonment. Not only does this decrease the property value of retail spaces due to visible blight caused by forgone repairs, it negatively impacts the productivity of neighboring retail spaces and the value of surrounding residential neighborhoods.

Retail oversupply is harmful to the commercial and residential real estate market, but this trend in the industry is not confined to landlords, real estate investors, property owners, and business owners. Communities experience the lasting impacts of retail oversupply long after the property owners have sold their properties or left them to decay. Retail

oversupply that results in vacancy can create significant blight issues, impacting public health and safety. The Center for Disease Control (CDC) has shown there is a connection between neighborhood conditions and the well-being of residents. Recognizing the need for healthy communities, the CDC has formed a special counsel and research department on Neighborhood and the Built Environment. The CDC reports that living near vacant or abandoned lots has serious impacts on an individual's quality of life, as these locations are commonly used for dumping litter and other waste materials. **Because vacant retail spaces are unoccupied and do not generate pedestrian activity, there is a lack of "eyes on the street" – an ideal situation for criminal activity and vandalism**. Living nearby to blighted properties can result in lower literacy scopes for pre-K children, increased violence, higher rates of chronic illness, and breakdown of social networks and capital. **The oversupply of retail space is not just an economic market issue; it is a public health issue.**

Pursuing retail development in oversupplied markets does not in and of itself trigger the consequences of oversupply but will add to the overall condition of oversupply in the market.

RETAIL DEVELOPMENT RECOMMENDATIONS

The City of Ontario is uniquely positioned with the opportunity presented by a "blank slate" and massive residential development momentum in the southeast corner of the city. The addition of thousands of households is expected to add a considerable amount of retail demand to the area, which presents the rare opportunity for the City of Ontario to create a thoughtful and progressive retail strategy in that area. Retail performs best when clustered at the best locations, as this type of development allows retailers to function in a complementary fashion. When retail is disjointed, separated into smaller centers, and scattered throughout the region, retailers are forced to compete against each other, which naturally leads to winners and losers in the market.

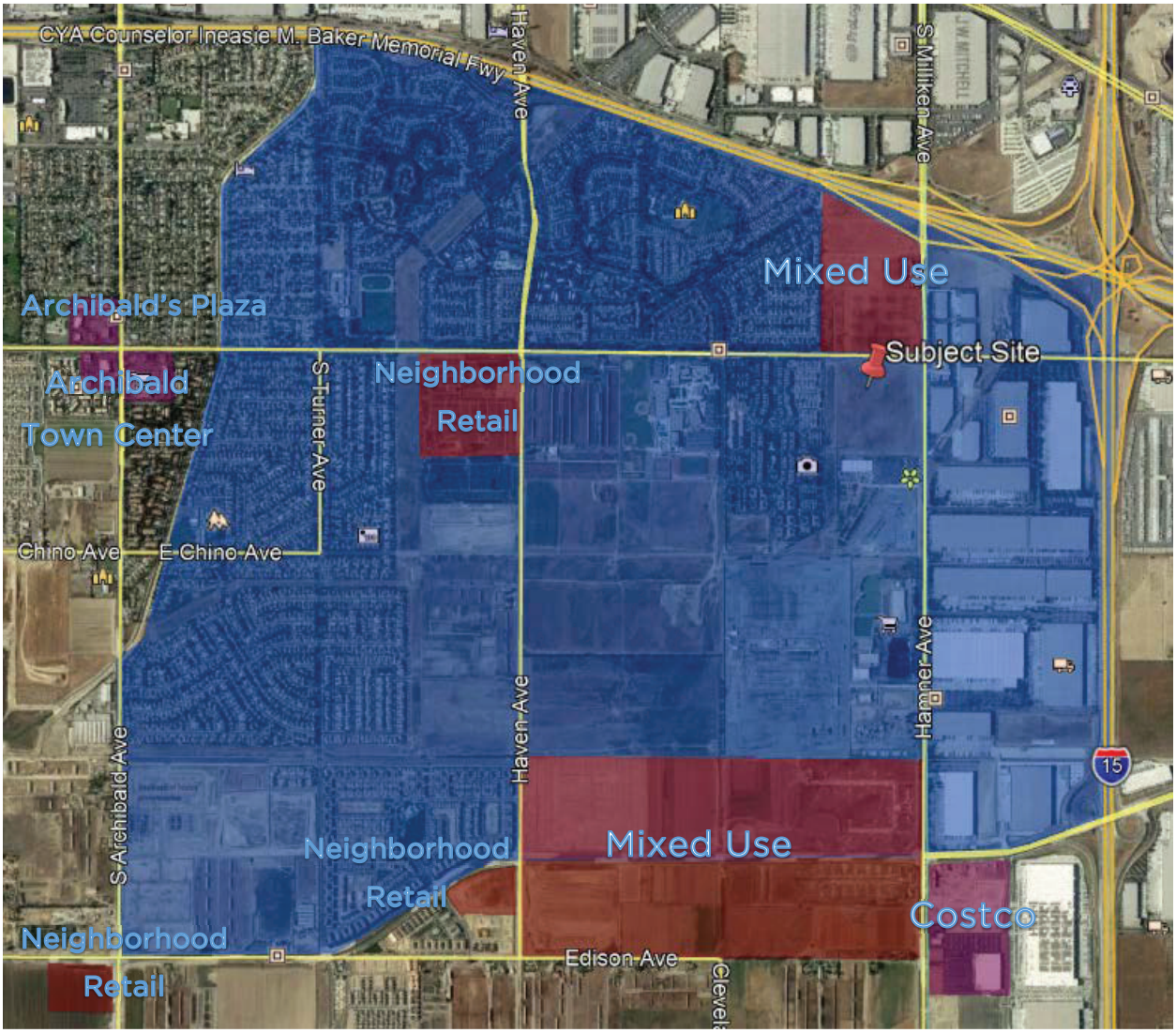
In conclusion, the site does not justify the development of retail space. Any retail development at this intersection would be best served by limited convenience retail (gas, sundry, sandwich) on the northwest corner and the existing retail on the southeast corner as commuters make their way to and from work.

EXHIBIT A

VICINITY RETAIL SITE RANKING



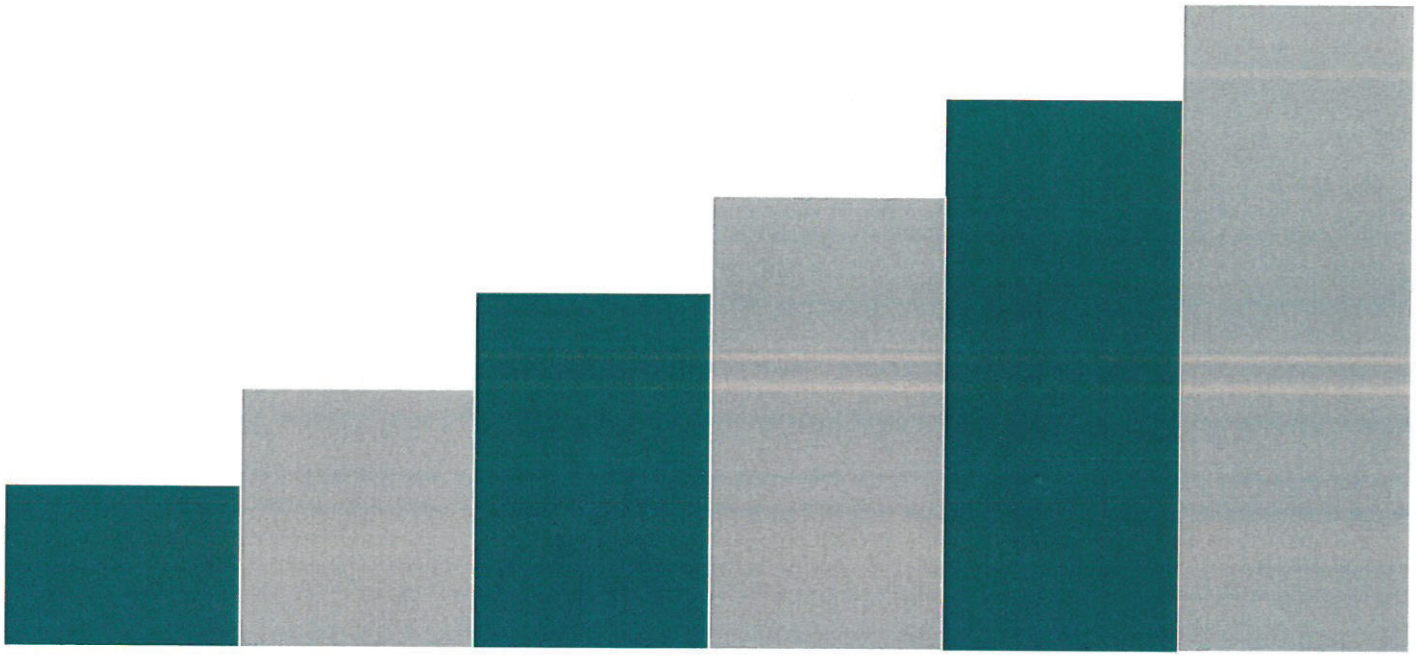
EXHIBIT B
PRIMARY TRADE AREA



PRIMARY TRADE AREA

EXISTING RETAIL

FUTURE RETAIL ZONING



Development Driven by Data

City of Ontario
Peer Review - Market Study - Crow Holdings Property at SWC of Hamner/Riverside

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Table of Contents

About Us 2
Objective 3
Overview 3
Methodology 3
Site Analysis 4
Access 4
Trade Area Summary 5
Commercial Voids 6
Consumer Demand & Market Supply Assessment 9
Void Analysis Summary 9
Current Market Conditions 10
Market Analysis – Recommended Land Use 11
Recommendation 12

About Us

In 2014, HdL Companies created ECONSolutions to expand services in providing strategic planning and consulting services to assist local governments with economic development planning and execution. ECONSolutions offers a variety of products and services for customized solutions based on a client's budget needs and specific development requirements.

Whether you need to understand a trade area, fill a vacancy, or market a shopping center, ECONSolutions will collaborate with city staff, developers, and real estate professionals to bring increased economic activity to your community. We will work with city staff in formulating steps to capitalize on near-term opportunities, evaluate areas for redevelopment or repositioning of commercial shopping centers, future revenue projections and feasibility studies to ultimately devise a strategy to encourage commercial development in your city through an understanding of your marketplace.

Our ECONSolutions staff has more than 50 years of local economic development and community development experience in California. ECONSolutions offers up-to-date data capability, an online GIS platform with state-of-the-art software for market analytics and the ability to leverage HdL's extensive databases systems. ECONSolutions can engage in projects of every size ranging from data analysis to comprehensive studies to advisory support and to public/private collaboration.

ECONSolutions Team



Nearly 50 Years of Economic Development and Community Development experience



Unique combination of public and private sector experience



Have worked for 75 local governments including 35 present city clients



Utilize cutting edge software, along with established and proven network of developers, shopping center owners, retailers and real estate professionals

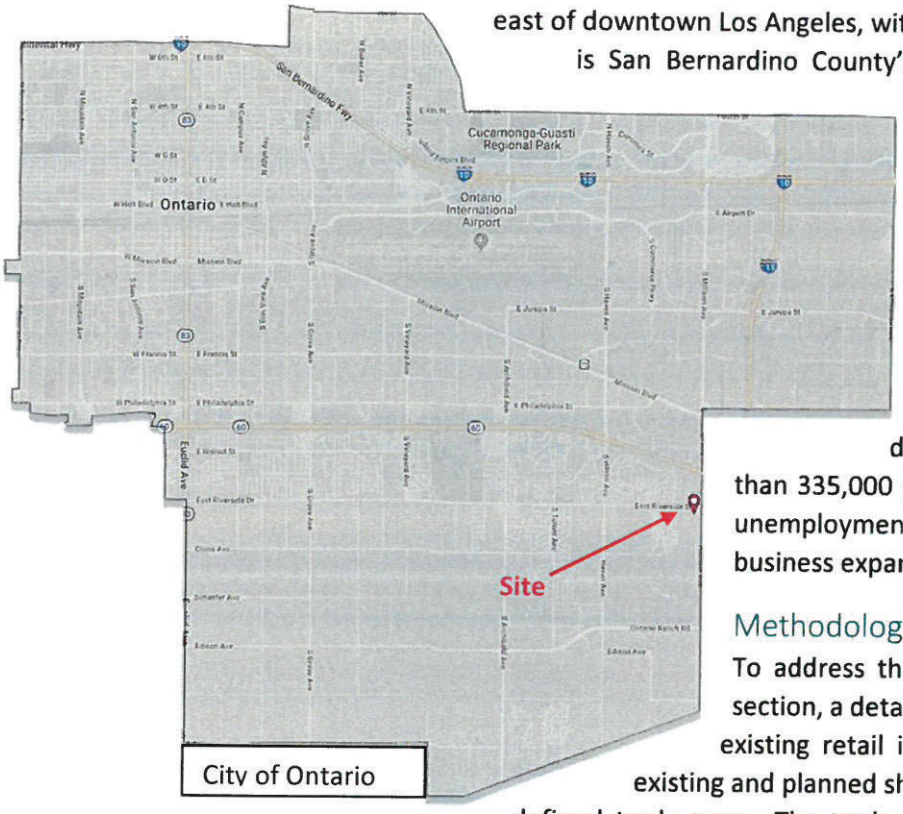
Objective

The City of Ontario has requested a peer review of the analysis conducted by StreetSense for a 46-acre property owned by Crow Holdings, for the Hamner Avenue/Riverside Avenue project area within the Edenglen Specific Plan. The review will incorporate the following considerations in providing insight as to the highest and best uses to include within the project area:

- Site Analysis/Trade Area Summary
- Consumer Demand & Market Supply Assessment/Void Analysis
- Market Analysis
- Next Steps and Recommendations

Overview

The City of Ontario is located in the southwestern San Bernardino County, 35 miles east of downtown Los Angeles, with a population of nearly 177,000 and is San Bernardino County's fourth most populous city in the County and the sixth largest in the Inland Empire. Ontario is strategically positioned in the Inland Empire along major transportation routes, providing easy access to its commercial and industrial areas via Interstate 10, Interstate 15, and State Route 60. Within a 10-minute drive time of downtown Ontario, there are more than 335,000 people with solid income levels, low unemployment and a plethora of opportunities for business expansion opportunities.



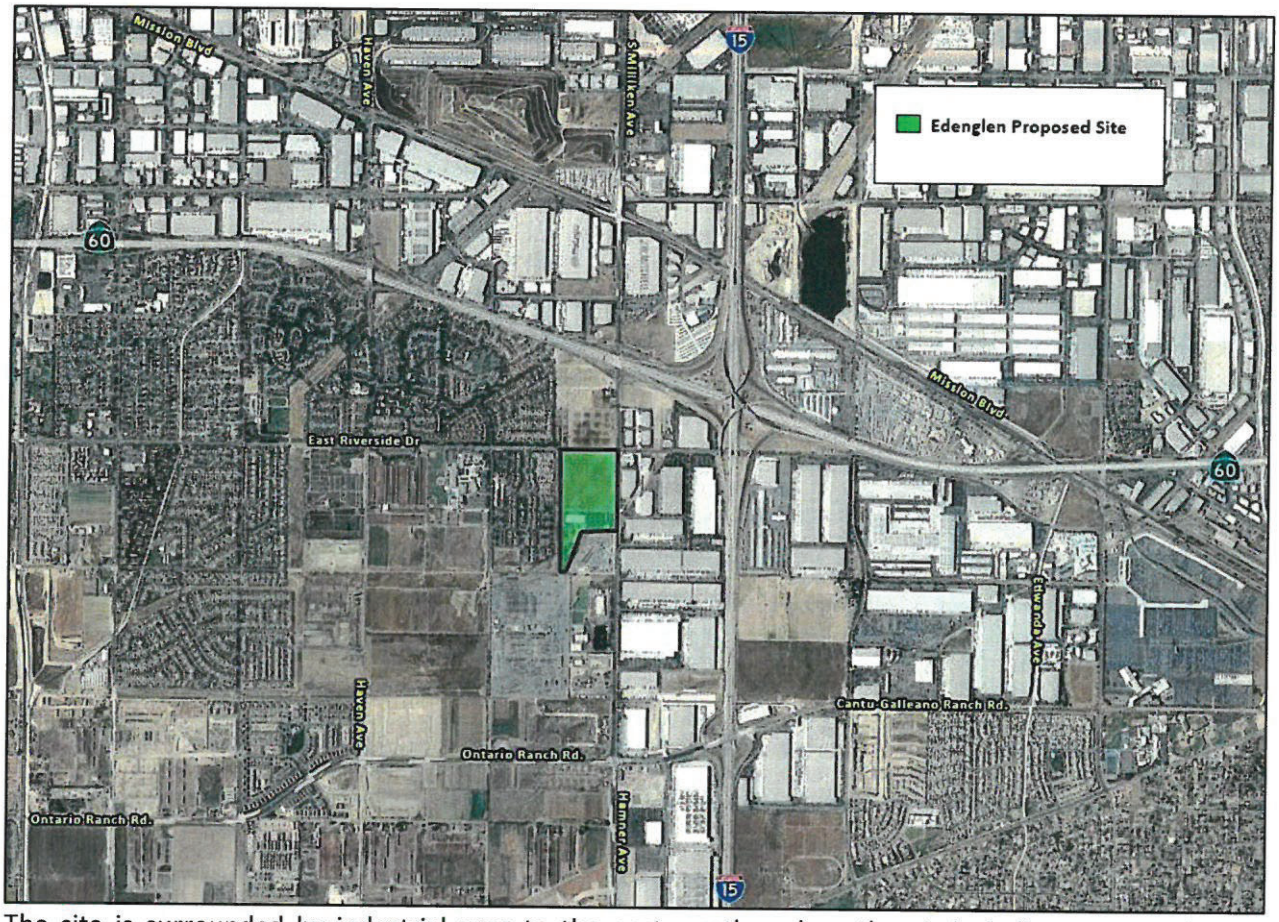
Methodology

To address the issues presented in the objective section, a detailed evaluation was preformed of the existing retail in the trade area, as well as major existing and planned shopping areas in and surrounding the defined trade area. The trade area was defined using a 5-minute primary and a 10-minute secondary drive time from the project site of the proposed development at the southwest corners of Hamner and Riverside Avenues based on the evaluation of existing centers, driving patterns, and current and future population massing.

Additionally, a Consumer Demand & Market Supply Assessment, along with a Void Analysis of the primary trade area was conducted, which provides a glimpse into the overall retail potential of the trade area, evaluated in relation to per capita population; which produced a per capita opportunity ratio (per capita opportunity demand/surplus is the ratio of the demand/surplus to overall consumer demand aggregate to per capita levels).

Site Analysis

The 46-acre site owned by Crow Holdings is situated within the Edenglen Specific plan within the City of Ontario and includes 160 acres in total. Approximately 77 acres has been designated for residential to include 584 single family and multifamily residences along with 15 acres designated for open space/park area. Cutting through the property running north and south in the middle of the specific plan, 12.8 acres consist of Southern California Edison easement/corridor which has been designated for a public trail. The remaining approximate 70 acres (including the 46-acre Crow Holdings property) with three major property owners is current designated for commercial and business park/light industrial uses.



The site is surrounded by industrial uses to the east, north and southeast, including some major e-commerce/logistics uses by major national retailers including Amazon, Walmart, and ProLogis (international 3PL). To the west and south, existing and planned residential uses as well as the adjacent Colony High School and other public schools including elementary and middle schools.

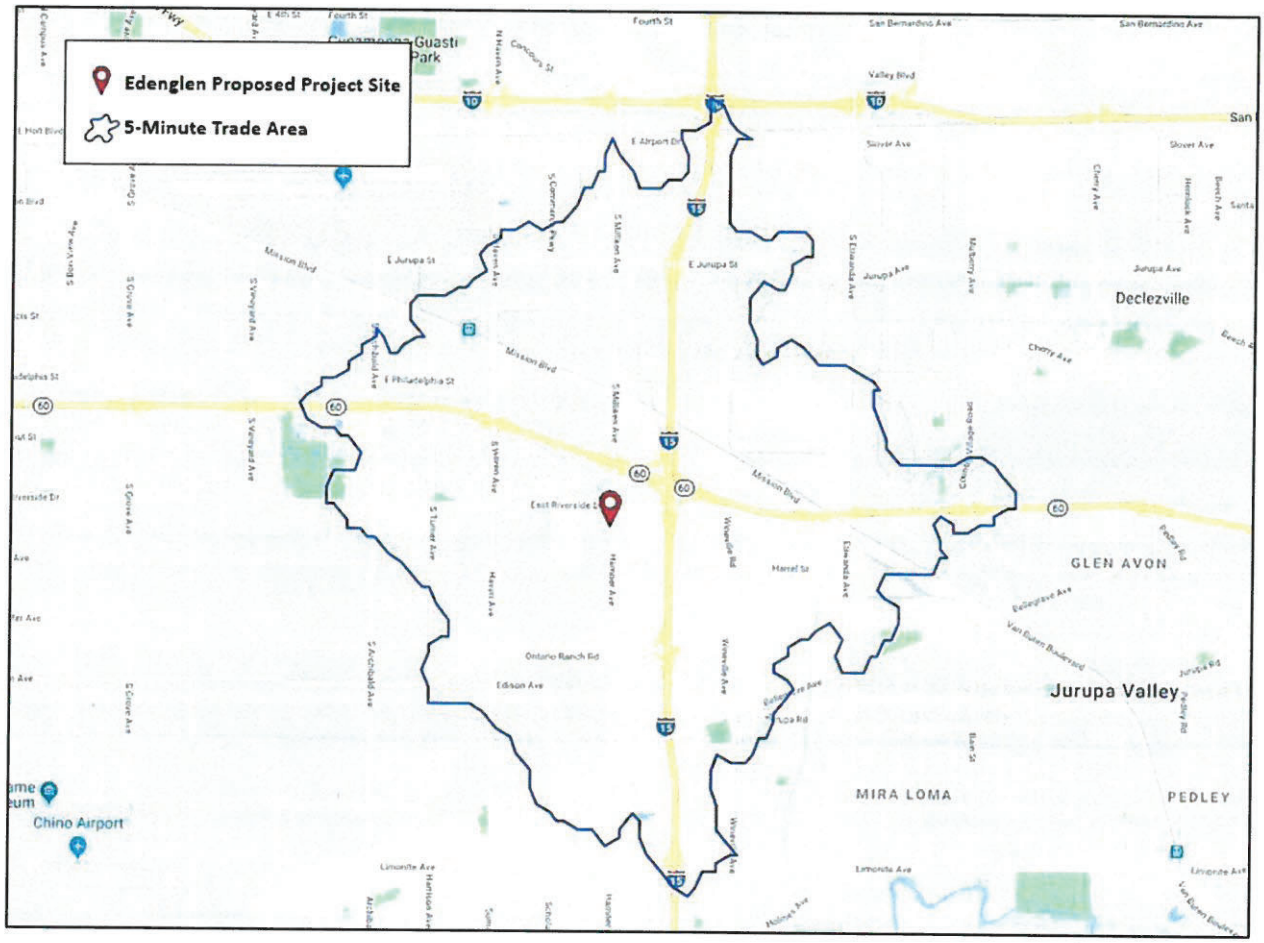
Access

The site is less than half a mile west of the I-15 freeway, less than a quarter mile south of the 60 freeway, just over a mile north of Cantu Galleano Ranch Road and approximately a mile east of Haven Avenue. Ingress and egress to the site will be best accessed along Hamner Avenue, which is a major north/south arterial road. East Riverside Avenue will be best used for access from the residential communities to the west. With the development of uses that will potentially attract more truck traffic, Chino Avenue should

be improved to allow for at a minimum left in/out access to go south along Hamner Avenue to Cantu Galleano Ranch Road and the I-15 freeway.

Trade Area Summary

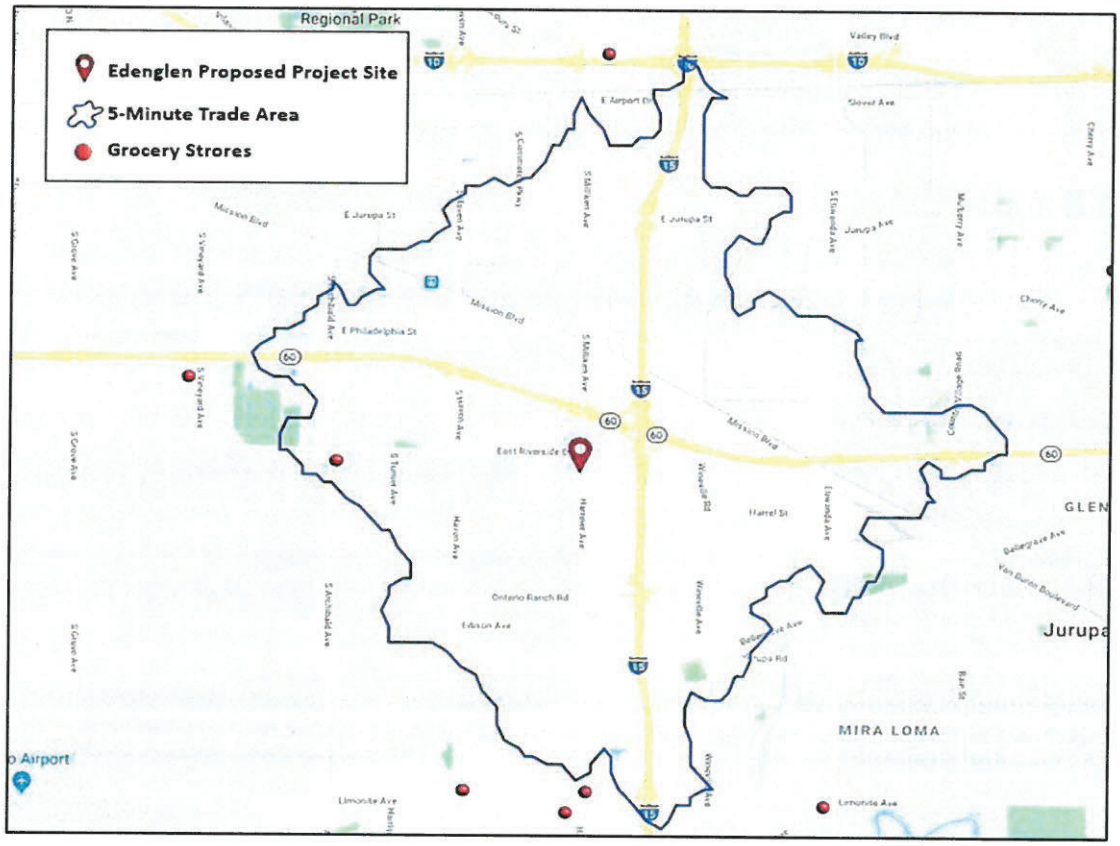
Based on analysis, it is determined that the proposed commercial uses of the site are limited to a local neighborhood shopping center due to community gravitational patterns and the existing adjacent commercial centers which is discussed in more detail in the following sections of this analysis. The retail uses servicing the trade area will appeal to customers from short distances with the uses primary servicing convenience and daily shopping needs. The following map illustrates the boundaries of the primary 5-minute drive time trade area:



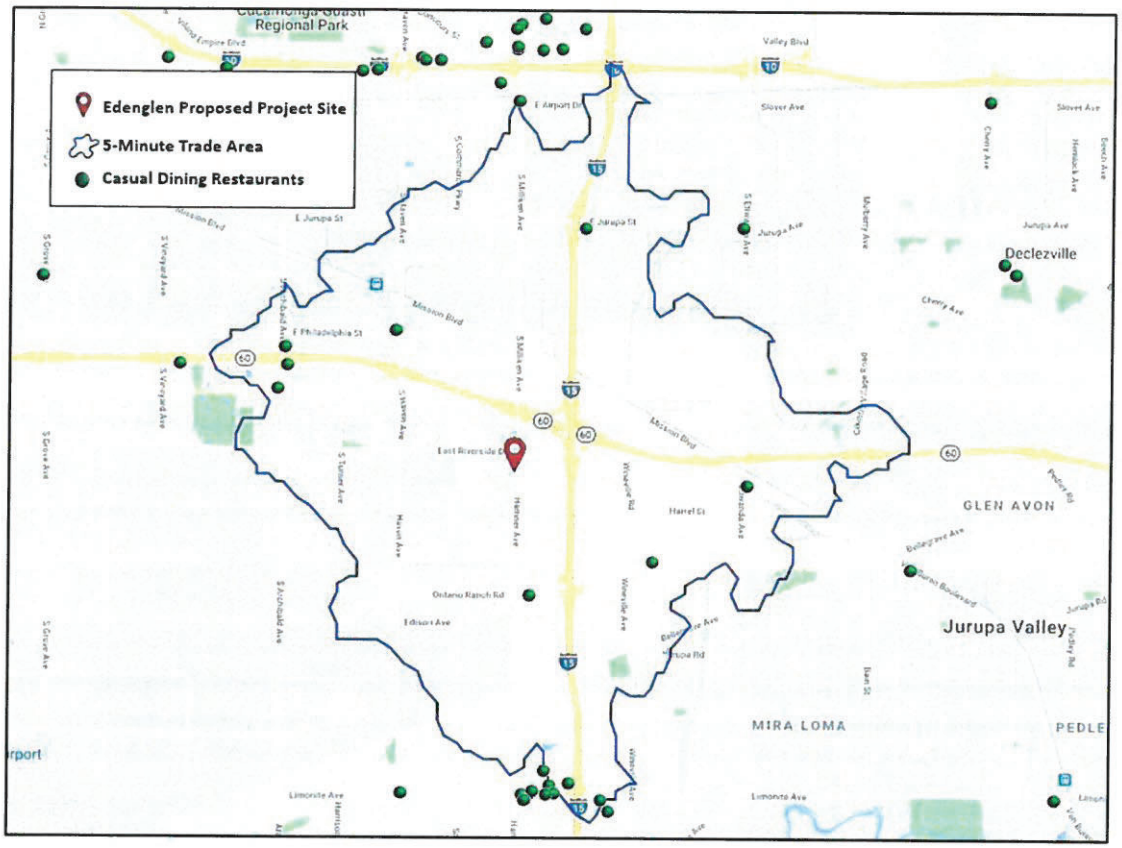
Please note, as a result of the retail trade area, the proposed project area will face some competition with existing retail centers. However, the employment with some of the uses operating 24/7 warrant consideration attracting additional neighborhood retail uses for the convenience of the workforce which is just under 30,000 people and a daytime population of nearly 45,000 people according to SiteSeer demographics as of July 2019. The 5-minute trade area nearly doubles in size during the day which has a trade area population of 25,381, as a result of a large inflow of employees coming from outside of the trade area and city working at the plethora of e-commerce/logistics businesses in the area. Additionally, more residential development is presently underway in the Ontario Ranch area of the City of Ontario that is just south and southwest of the site.

Commercial Voids

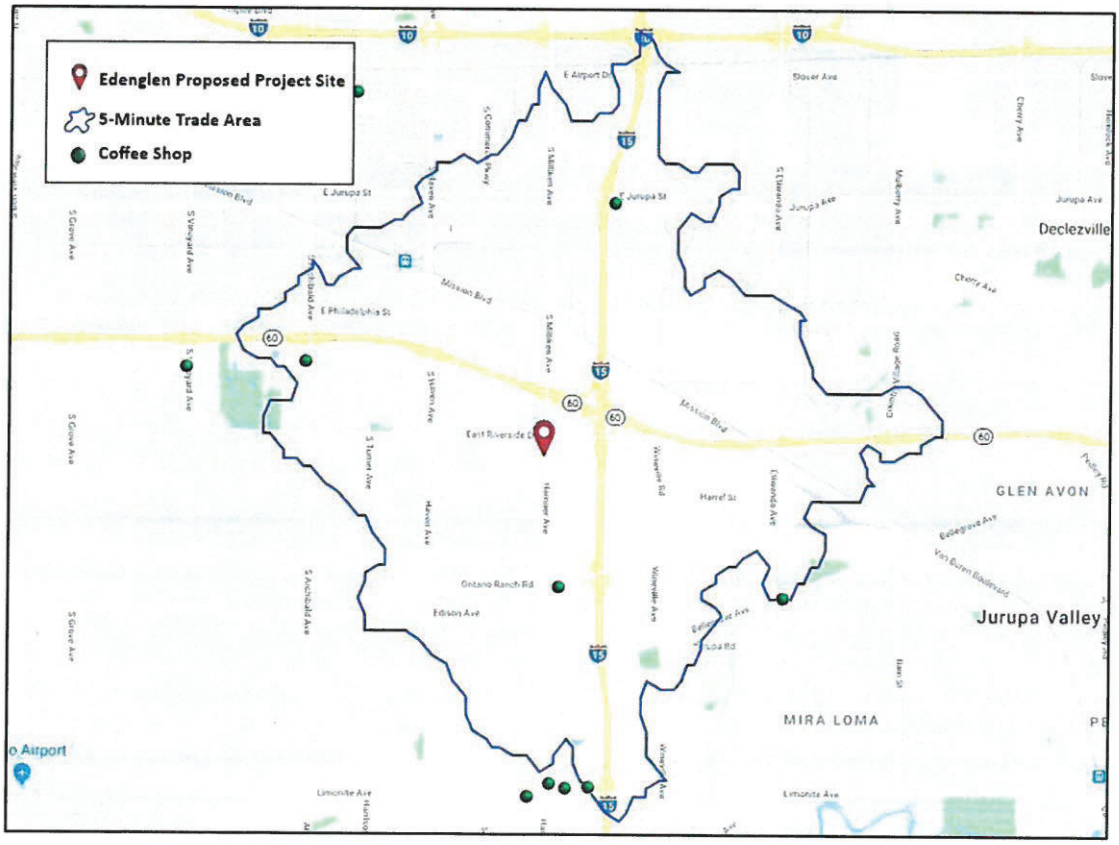
A visual void analysis was completed looking at various establishment types like grocer, restaurant, drug and other institutional uses (banks etc.). The void is more than simply finding retailers that are missing from the trade area but shows where opportunities exist to service a trade areas resident, businesses and the employees that commute in from outside the area. The process looks to not only consider the consumer demand & market supply assessment (Gap Analysis) but also to visually match opportunities with potential commercial development locations. Below are some potential commercial voids within a 5-minute drive time of the Edenglen site:



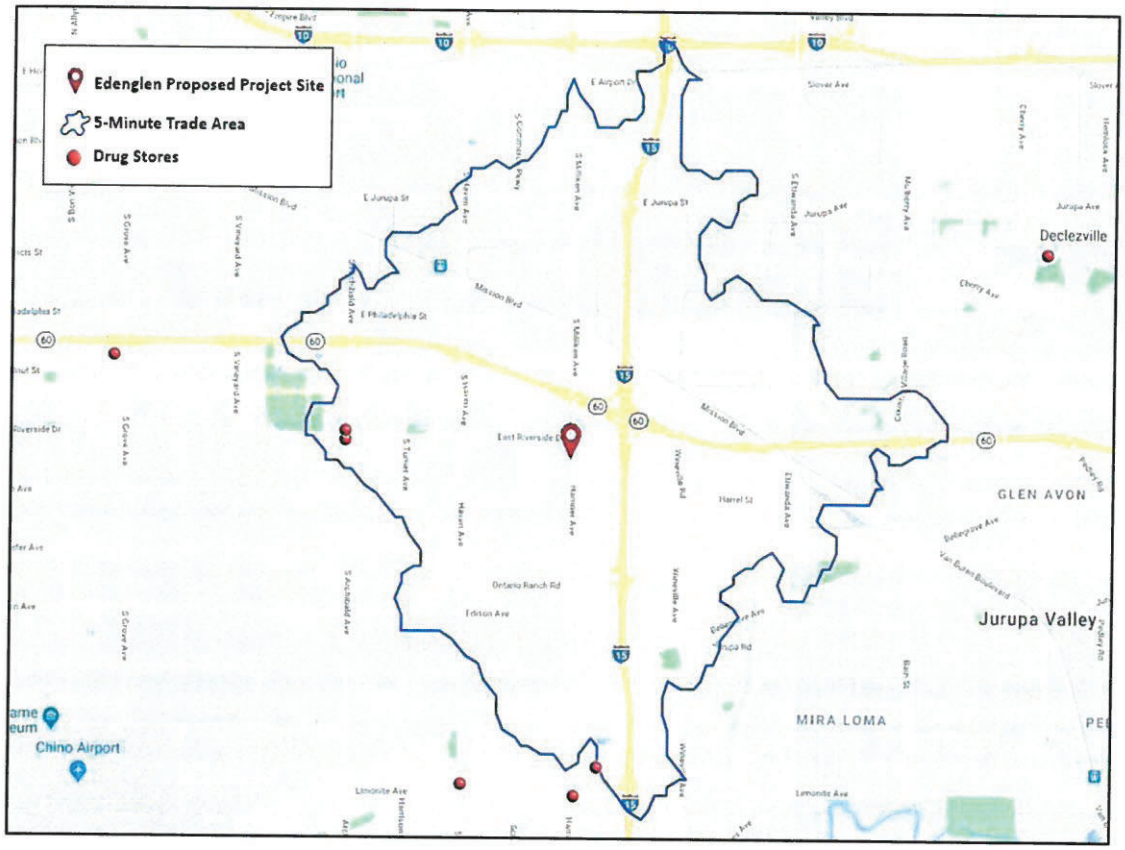
5-minute drive time showing the void in Grocery Store establishment types



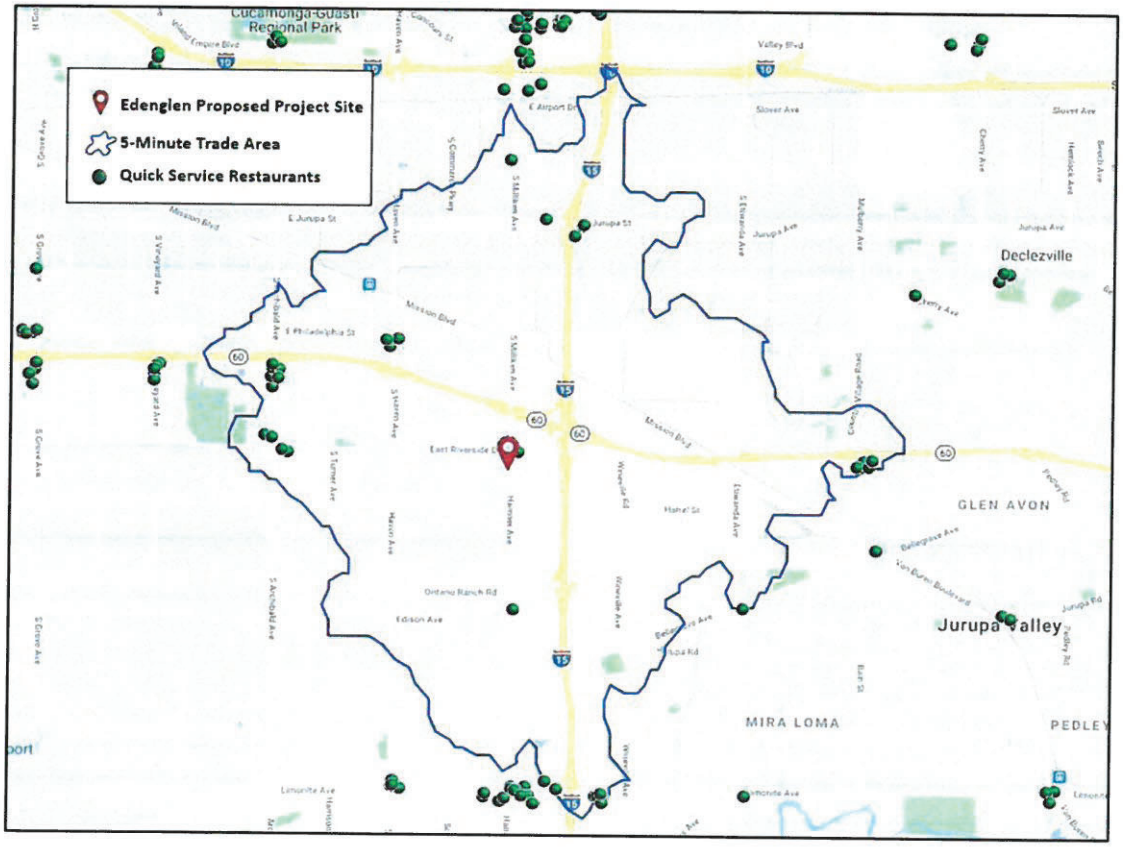
5-minute drive time showing the void in Casual Dining Restaurant establishment types



5-minute drive time showing the void in Coffee Shop establishment types



5-minute drive time showing the void in Drug Store establishment types



5-minute drive time showing the void in Quick Service Restaurant establishment types

Consumer Demand & Market Supply Assessment

A Consumer Demand & Market Supply Assessment for the trade area identifies unfulfilled market supply for consumer demand. The trade area shows approximately $26,695,559 being spent outside the primary and secondary trade areas as well as outside of the City of Ontario, much of this being spent to the south in shopping areas in the City of Eastvale. This represents approximately $266,000 in potential sales tax revenue that could be realized by the City of Ontario. ECONSolutions used a methodology whereby the potential leakage is weighed against the potential sales that can be realized from a prototypical commercial shopping center. The potential leakage is then factored into sales per square foot based on potential sales resulting from a potential retail category. To that end, ECONSolutions is estimating approximately 100,000 to 120,000 square feet of retail can be realized and absorbed within the trade area. Additionally, the Ontario Ranch (New Model Colony) is a master-planned community of 13 square miles in Ontario with more than 46,000 new homes anticipated to be developed including many presently under development at this time. The consideration of absorbing 100,000 to 120,000 square feet of new retail shopping, in addition to new homes coming to the Ontario Ranch area presents the opportunity for the development of a 6 to 8-acre neighborhood shopping center at this site. The nearest neighborhood shopping center is situated at the southwest corner of Riverside Drive and Archibald Avenue, 3 miles to the west from the site. To the south of the site at the southeast corner of Hamner Avenue and Cantu Galleano Rancho Road is the Station at Goodman Commerce in the City of Eastvale, which is a 60-acre retail development with a 650,000-power center anchored by Costco and it is a regional draw has and I-15 freeway exposure.

Void Analysis Summary

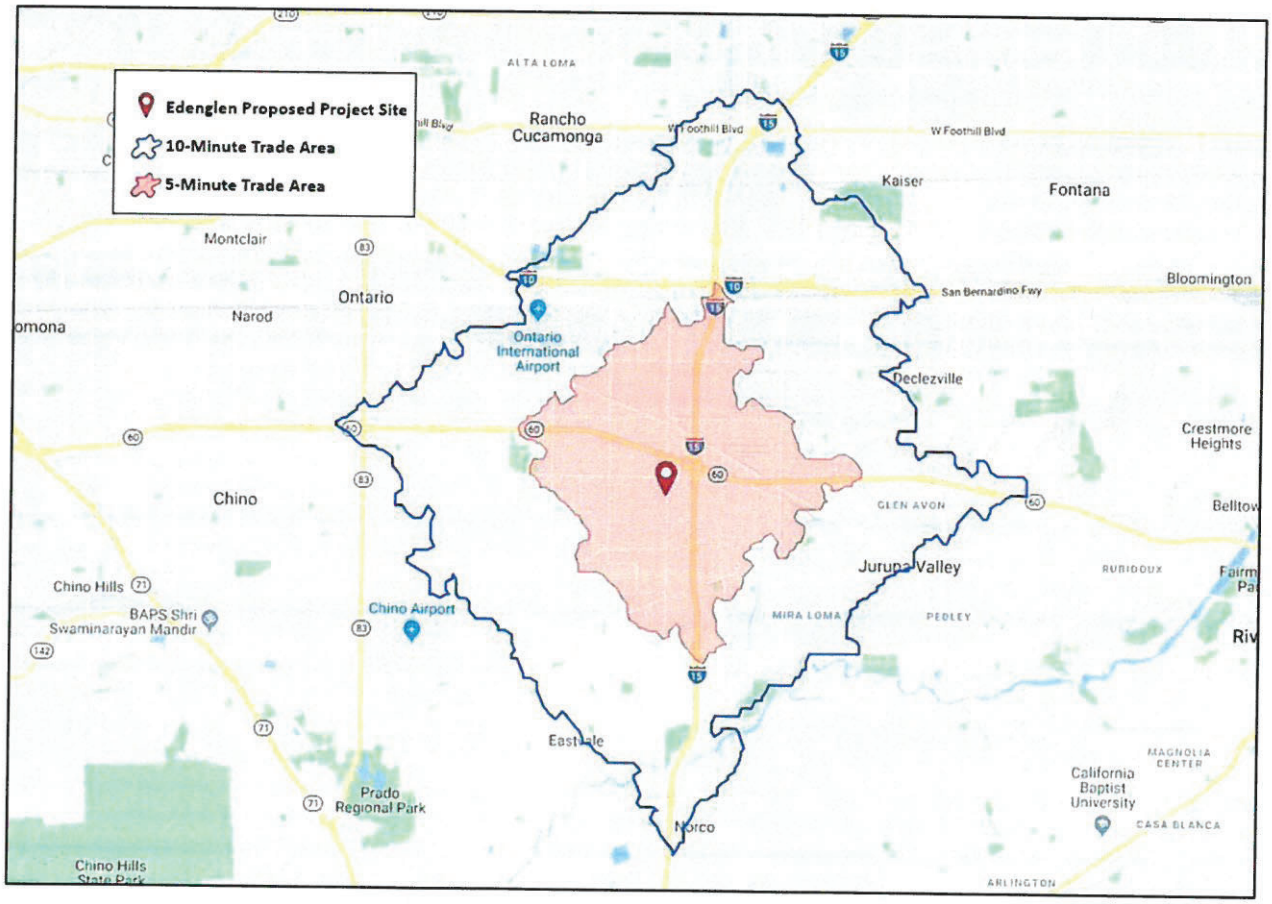
The following are possible national and regional targets from a Void Analysis on retailers and restaurants not in the trade area, as well as those active in trade areas similar in make-up to the project area.

Banks	Fitness	Fuel/ Convenience	Grocery/ Drug Store	Restaurants	Retail
Bank of California	UFC Gyms	Exxon/Mobil	H Mart	Coffee Bean & Tea Leaf	F21 Red
Bank of the West	Anytime Fitness	Texaco	99 Ranch Market	**Peet's Coffee**	WSS
Citibank	Chuze Fitness	Arco AM/PM	Aldi	Dutch Bros Coffee	Daiso Japan
		Shell	El Super	Pizza Studio	CosmoProf
			Grocery Outlet	Olive Garden	**Bob's Discount** Furniture
			Big Saver Foods	Pollo Campero	
			Good Neighbor Pharmacy	**Norm's** Restaurant	
			Mother's Market	L&L Hawaiian Barbecue	
				85 Degree Bakery & Café	
				Corner Bakery	
				Doghaus	

Current Market Conditions

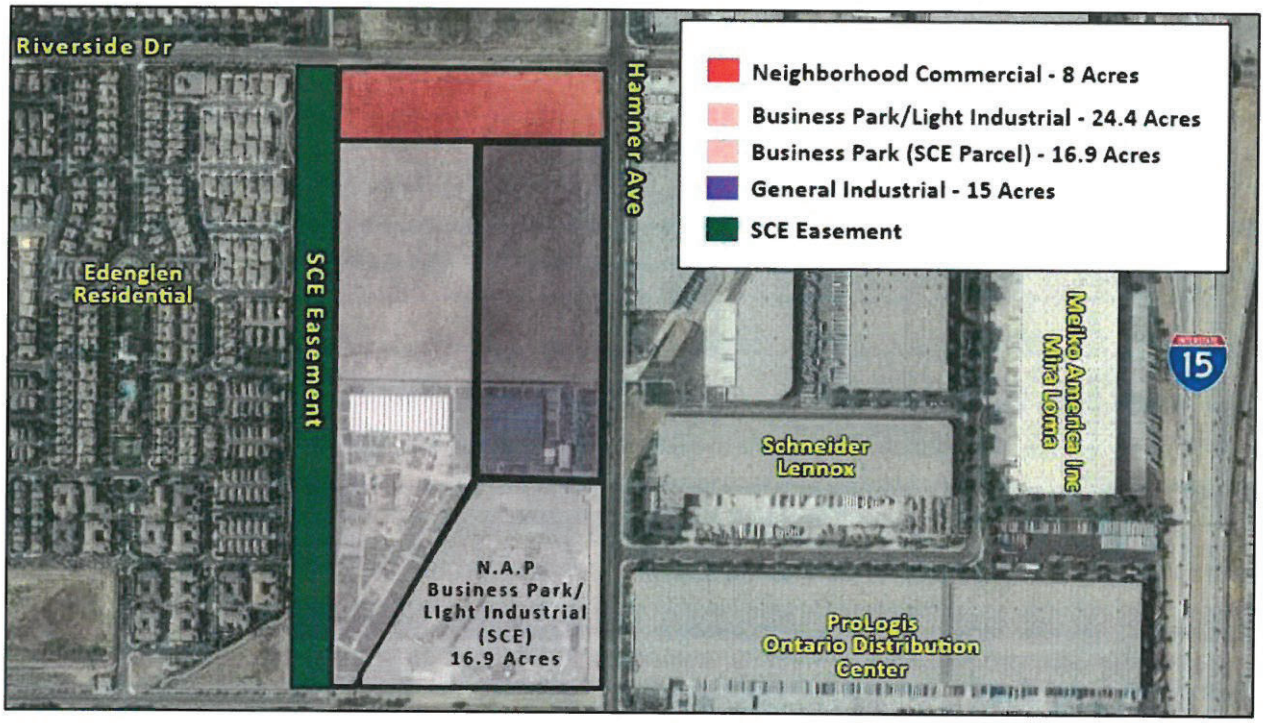
As previously mentioned, the trade area for the Edenglen Specific Plan is defined in drivetimes with the primary trade area defined as a 5-minute drivetime and besides south Ontario, it also includes the most northern section of the City of Eastvale and the western most section of the City of Jurupa Valley. The secondary trade area is defined as a 10-minute drivetime and includes some of the surrounding cities including the cities listed previously, as well as portions of northern Norco, southeast portion of Rancho Cucamonga and the most southwestern area of the City of Fontana as well as portion of unincorporated San Bernardino County that is a part of the City of Fontana sphere of influence. Within the 5-minute drivetime, there are several retail options including neighborhood, strip/convenience centers, and a few community centers. However, within the immediate area the access to grocery, quick service/fast casual restaurants, banks and other convenience services is lacking – with only a small neighborhood shopping center anchored by Ralph's at the southwest corner of Riverside Drive and Archibald Avenue, 3 miles away. Much of the residential areas in south Ontario are presently having to travel to the south to shopping centers on Limonite Avenue in the City of Eastvale.

The 5-minute drivetime consist of approximately 25,381 people living in 7,913 households and hosts a daytime population of 44,817 along with a workforce of 29,440. The 5-minute drivetime makes up approximately 8% of the total population for the City of Ontario. The 10-minute drivetime consist of approximately 171,275 people living in 46,879 households and hosts a daytime population of 225,327 along with a workforce of 126,889. The 10-minute drivetime makes up approximately 31% of the total population of the City of Ontario.



Market Analysis – Recommended Land Use

The proposed non-residential land uses within the Edenglen Specific Plan provides an opportunity for the City of Ontario to increase employment opportunities and provide for additional retail that specifically caters to the primary trade area workforce. However, the land uses within the specific plan need to consider the residential to the west of the site and as such should look to implement land uses that allow for a transition of use types that are more complementary than large industrial buildings that would negatively impact both major and minor arterial roads. The intent of the suggested uses should provide a natural transition from the intense e-commerce/logistics uses to the east and north of the site to the residential to the west. Additionally, the suggested land use will also provide opportunities for quick convenience retail/restaurants in the primary trade area catering to the area's workforce and daytime population.



The potential to create a campus type location that is physically appealing with comfortable outdoor settings that invite pedestrian links and casual meetings, and whose architecture reflects both enduring institutional qualities and cutting-edge features to attract potential tenants that will bring high wage job opportunities and also complement the surrounding area. The development of neighborhood scale shopping center here could serve the needs of residents, in the area, along with shopping and restaurant needs of the many employees working in the area.

The site could accommodate the following building square footage:

- Business Park/Office – 630,000 square feet (using existing FAR of 0.6)
  - Flex Space (R&D, Data Center, Showrooms)
- Office (SCE) – 440,000 square feet (using existing FAR of 0.55)
- Industrial – 350,000 square feet (using existing FAR of 0.6)
  - Distribution (e-commerce, Warehouse, Light Assembly) – single building
- Retail – 130,000 square feet (using existing FAR of 0.4)

Using data provided by the Bureau of Labor Statistics for average square foot per employee (based on use type), the total proposed approximate 1.5 million square feet of space could potentially employee nearly 2,300 employees.

Recommendation

The Peer Review of the Retail Market Assessment provided by StreetSense indicates that the study was lacking in determining the market demand for more retail development in the area. The study did a very elementary evaluation of current market conditions and of site considerations in comparing other undeveloped properties in the area. The study really provided limited analysis on the market demand for new retail development in the area, including doing a Consumer Demand and Market Supply Assessment to ascertain the unfulfilled market supply for consumer demand in this area of Ontario. StreetSense purports that retail is not recommended here but provides no analysis or market demand data to support this finding. Additionally, the StreetSense report provided no mention of the addition of a significant amount of new residential units presently under development in the Ontario Ranch area, just south and southwest of the site. It also makes no correlation to the opportunity to better serve the retail and restaurant demand of the huge daytime population in this area of Ontario, Eastvale and Jurupa Valley.

The Market Study provided by ECONSolutions by HdL determines there is presently a market demand for 100,000 to 120,000 square feet of new retail in this area. The Consumer Demand & Market Supply Assessment demonstrates that nearly $26.7 million in consumer spending is being done outside of the 5-minute drive time trade area, which equates to nearly $267,000 in lost sales tax revenue for the City of Ontario. In fact, many of the residents and workers in this area are traveling outside of the trade area to shopping areas to the south in the City of Eastvale. Additionally, the need for more retail above 100,000 to 120,000 square feet will continue to grow as nearly 46,000 new homes are built in the Ontario Ranch area, just south and southwest of the site. Using the statistic provide by the census bureau of 3.46 persons per household in the City of Ontario (Census Bureau, 2019), at buildout this could increase the total population by approximately 159,000 people.

The recommendation for land uses for the site include:

- 8-acres of Neighborhood Commercial on the northerly part of the property (fronting on Riverside Drive, but also having visibility from Hamner Avenue). This zoning would allow for the development of an approximately 100,000 to 120,000 square foot neighborhood shopping center.

- 15-acres of General Industrial fronting on Hamner Avenue (and across the street from existing industrial development. This zoning would enable the development of an approximately 350,000 square foot industrial building for a logistics or distribution user.

- 24.4-acres of Business Park that serves as a transition to the existing residential to the west of the site, as well as to the General Industrial to the east. This zoning would enable the development of several buildings in a campus like setting with approximately 630,000 square feet of building space. Examples of this type of development is prevalent at many locations in Ontario, Chino and Eastvale and market demand should be high with new users generating new employment opportunities in the area and increase in retail demand as well.

streetsense.

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Hamner Ave/ Riverside Drive

Response: *Peer Review – Market Study – Crow Holdings Property at SWC of Hamner/Riverside*

Prepared for Crow Holdings Industrial and the City of Ontario

January 30, 2020

The purpose of this document is to evaluate the methodologies, findings, conclusions, and recommendations of the *Peer Review – Market Study – Crow Holdings Property at SWC of Hamner/Riverside* document prepared by ECONSolutions by HdL as commissioned by the City of Ontario. This document is to serve as a response to ECONSolutions peer review of Streetsense's retail market study commissioned by Crow Holdings Industrial.

To calculate the market demand for retail at the site, HdL utilizes a retail leakage model to determine retail demand. Retail leakage models compare total retail business sales to total retail household expenditures within a given trade area. The result of this comparison is either a surplus of retail sales or a leakage of retail sales within the trade area. Retail leakage models are useful in understanding the baseline retail market conditions in a given submarket. The pitfall of utilizing a retail leakage model to determine retail potential is in the trade area delineation and the assumption that leakage can be recaptured at brick-and-mortar retailers within the trade areas, which doesn't accurately reflect household retail spending occurring through ecommerce retailers. The conclusion that all of the retail leakage can be recaptured assumes that all household spending can and should occur within the trade area, which in this study, is a five-minute drivetime. This methodology and trade area delineation does not accurately reflect the reality of consumer behaviors in this market, as demographics indicate an ability and willingness to drive outside a five-minute area. Finally, this methodology does not consider the fundamental reality that retail markets are competitive, and sites are not evaluated equally by prospective tenants.

Almost all neighborhoods throughout the nation experience leakage. While retail leakage gap/opportunity reports are considered in Streetsense's analyses, our approach to calculating market demand is more specific by utilizing a gravity model. By assigning a capture rate, or percentage likelihood for customers to patronize retail offerings within each submarket with respect to competition (both online and brick-and-mortar retailers), travel behaviors, and convenience, Streetsense is able to provide a more accurate estimation of how much additional square footage is supportable at the site. The gravity model used to determine the supportable retail square footage at this site considers the reality of the intense competition

to the north at Ontario Mills and south at Eastvale. Due to their tenant mix, quality, and quantity of retail offerings, these two retail developments will continue to be driving forces in the market and because of their retail momentum and established presence in the market, these developments and available development parcels surrounding these developments will continue to capture any latent demand for retail in the market.

Despite the differences in approach and methodology to estimating retail potential for a site, leakage models should consider new retail construction within the trade area, as new product within the trade area will absorb the amount of identified leakage. HdL reports a leakage of $26.7 million in annual retail sales within the trade area, which equates to 100,000 to 120,000 square feet of retail potential. However, HdL does not include the construction of New Haven Marketplace, a 91,600 square foot grocery-anchored neighborhood retail center. New Haven Marketplace is under construction at the southwest corner of Ontario Road and New Haven Avenue, located one and a half miles southwest of the site within the site's trade area. Therefore, in a leakage study of the site, new retail construction will recapture 91,600 square feet of identified retail leakage, resulting in a remaining 8,400 to 28,400 square feet of retail leakage. Retail leakage absorption through new construction is not limited to current development projects, but also future development projects that may not be underway. Undeveloped land zoned for retail and commercial use within the trade area are potential retail opportunities to recapture identified retail leakage. The Hdl study assumes that 100% of the leakage should be captured at the subject property and does not assign any portion of the leakage to any other sites, even though many are in better locations to capture the leakage.

In addition to new construction, leakage models should also consider potential redevelopment or retenanting of vacant or underutilized existing retail space. In a similar manner to new construction, redevelopment and retenanting replaces retail space that is not capturing retail sales, and thus contributing to leakage, and converts it into space that can capture retail sales, which will decrease the amount of reported leakage. Redevelopment can also include the addition of pad sites at existing retail centers. While no current redevelopments are planned, possible redevelopment or retenanting of retail centers in the trade area would further decrease the amount of leakage reported within the trade area. These opportunities include Pacific Plaza, Archibald Ranch Town Center, and Archibalds Plaza.

In summary, the retail leakage model is a useful tool to gaining a baseline understanding of retail market conditions and opportunities at a high level within a trade area, however there are limitations to this approach. Additionally, the leakage model utilized by HdL to estimate retail demand omits consideration of new retail developments. This is a significant omission

as HdL concludes that the entirety of retail leakage within the trade area ($26.7 million) can be captured at the site in consideration. This conclusion does not consider absorption through new construction and potential redevelopment. Therefore, utilizing the leakage model approach to determine retail demand, the market appropriate, supportable retail program at the site is between 8,400 to 28,400 square feet.

PLANNING COMMISSION STAFF REPORT

August 25, 2020

FILE NOS: PGPA18-002, PSPA18-003, PMTT18-009, and PDEV18-031

SUBJECT: A request for the following entitlements: [1] a General Plan Amendment (File No. PGPA18-002) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on approximately 46 acres of land from General Commercial and Business Park, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Industrial; [2] modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and [3] an amendment (File No. PSPA18-003) to the Edenglen Specific Plan to change the land use designation from Community Commercial, Commercial/Business Park Flex Zone, and Business Park/Light Industrial, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Light Industrial, including updates to the development standards, exhibits, and text changes to reflect the proposed land uses; [4] a Tentative Parcel Map (File No. PMTT18-009/TPM 20027) to subdivide 46.64 acres of land into 7 numbered parcels and 1 lettered lot; and [5] a Development Plan (File No. PDEV18-031) to construct 5 industrial buildings totaling 968,092 square feet. The project site is located at the southwest corner of Riverside Drive and Hamner Avenue; (APNs: 0218-171-21 and 0218-171-27) **submitted by: Ontario CC, LLC. City Council action is required for the General Plan Amendment, Specific Plan Amendment, and Development Agreement.**

PROPERTY OWNER: Ontario CC, LLC

RECOMMENDED ACTION: That the Planning Commission: [1] recommend the City Council adopt an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140); [2] recommend the City Council approve File Nos. PGPA18-002 and PSPA18-003; and [3] approve File Nos. PMTT18-009 and PDEV18-031, 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 46.64 acres of land located at the southwest corner of Riverside Drive and Hamner Avenue, and is depicted in Figure 1: Project Location, below. The Project site is comprised of two lots, the northern portion of the site is undeveloped and has been historically used for agricultural purposes. The southern half of the site is developed with several shade structures, concrete block material bays, and greenhouses that were utilized by a commercial nursery (Sunshine

Case Planner:	Lorena Mejia
Planning Director Approval:	
Submittal Date:	9-11-2018

Hearing Body	*Date*	*Decision*	*Action*
DAB	8-17-2020	Approve	Recommend
PC	8-25-2020		Recommend/ Final
CC			Final

Growers), which ceased operations in January 2020. 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.

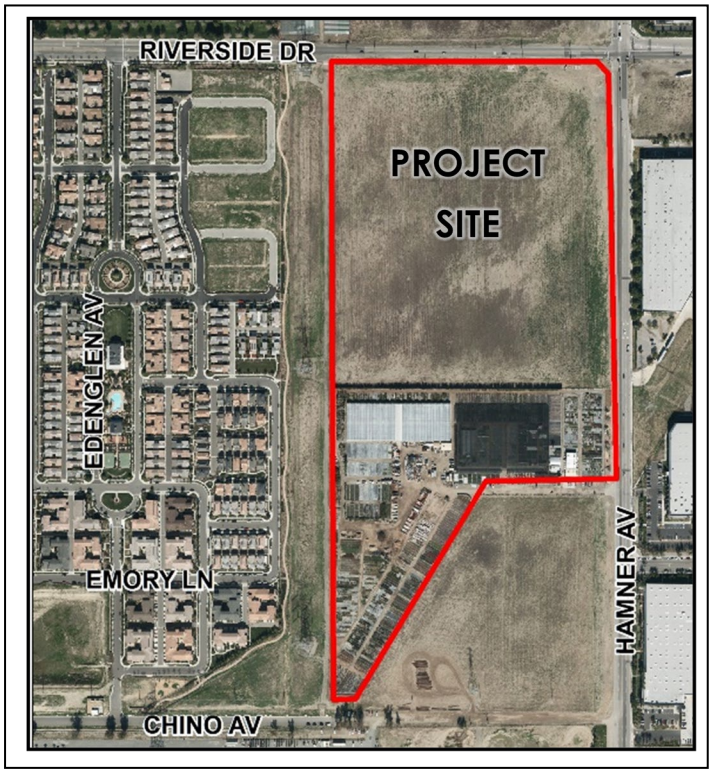


Figure 1: Project Location

PROJECT ANALYSIS:

[1] Background — The Edenglen Specific Plan (File No. PSP03-005) was approved and the related Environmental Impact Report ("EIR") was certified by the City Council on November 1, 2005. The Edenglen Specific Plan established the land use designations, development standards, and design guidelines on 158.7 acres of land, which included the potential development of 584 dwelling units, approximately 217,000 square feet of Commercial development, and 550,000 square feet of Business Park/Light Industrial development.

In 2010, The Ontario Plan ("TOP") was adopted, which set forth the land use pattern for the City to achieve its Vision. With the adoption of TOP, a Commercial and Business Park land use designation was assigned to the Project site.

On September 11, 2018, the applicant submitted five applications to facilitate the construction of an industrial development project, which are described below.

- A General Plan Amendment (File No. PGPA18-002) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on approximately 46 acres of land from General Commercial and Business Park, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Industrial.

- An amendment to the Edenglen Specific Plan (File No. PSPA18-003), changing the land use designations assigned to the Project site, from Neighborhood Commercial, Commercial/Business Park Flex Zone, and Business Park/Light Industrial, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Light Industrial. The Specific Plan Amendment also

includes updates to development standards and exhibits, along with text changes to reflect the proposed land use changes.

- A Tentative Parcel Map (File No. PMTT18-009/TPM 20027) to subdivide 46.64 acres of land into 7 numbered lots and one lettered lot, in conjunction with a Development Agreement (File No. PDA18-006) between the City of Ontario and Ontario CC, LLC, to establish the terms and conditions for the development of the Tentative Parcel Map.

- A Development Plan (File No. PDEV18-031) to construct five industrial buildings totaling 968,092 square feet.

On August 17, 2020, the Development Advisory Board ("DAB") conducted a hearing to consider the Tentative Parcel Map and Development Plan, and concluded the hearing voting to recommend that the Planning Commission approve the Applications subject to conditions of approval, which are included as attachments to the Planning Commission resolutions.

[2] General Plan Amendment ("GPA") — To accommodate the proposed Development Plan application, the GPA will revise Exhibit LU-01 Land Use Plan, changing the land use designation on approximately 46 acres of land from General Commercial (20 acres) and Business Park (26.64 acres), to 4.13 acres of Neighborhood

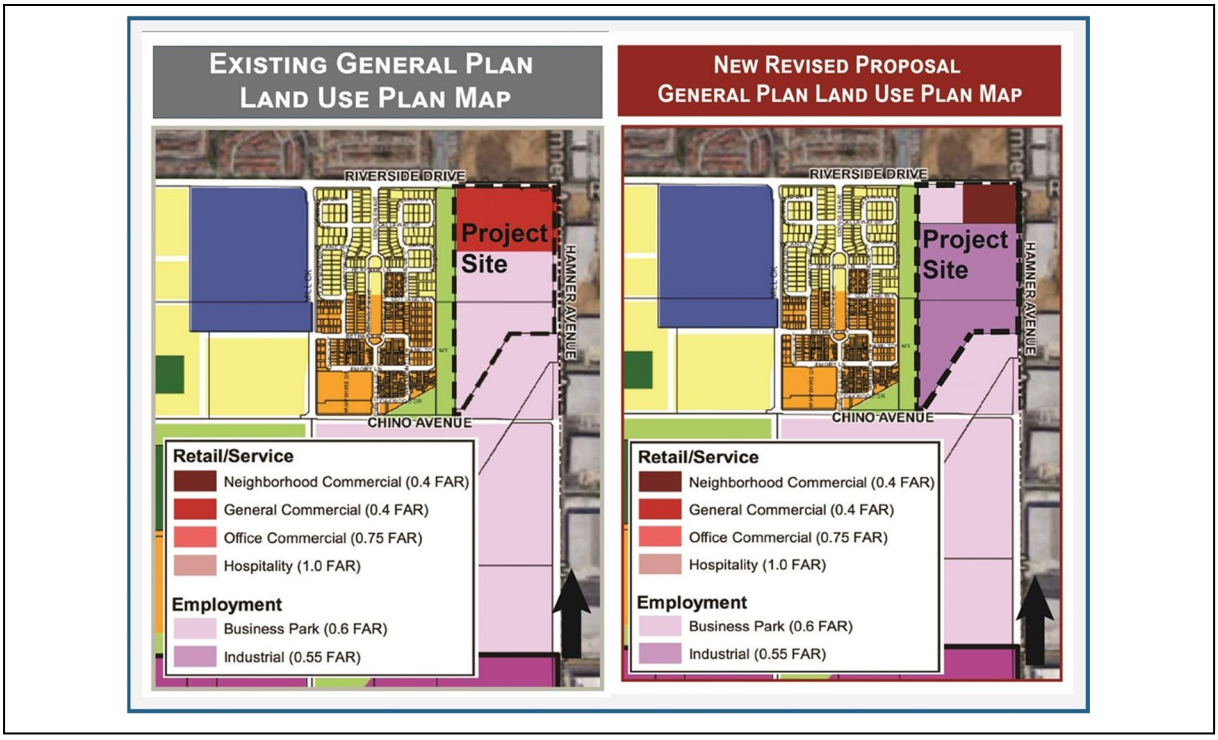


Figure 2: General Plan Amendment

Commercial, 3.51 acres of Business Park, and 39 acres of Industrial, as shown in Figure 2: General Plan Amendment.

[a] Commercial Land Uses – The GPA includes changes to Figure LU-03: Future Buildout, to reflect the proposed land use designation changes (Exhibit A - Amended LU-03: Future Buildout Table). The proposed land use designation change would eliminate 20 acres (TOP gross acres) of General Commercial designated land and 261,360 square feet of potential commercial space (based on a 0.30 FAR). The amendment would add 4.13 acres of Neighborhood Commercial designated land and 53,971 square feet of potential commercial space (based on a 0.30 FAR). The net loss of 207,409 square feet of commercial space represents a less than 0.006 percent decrease in building area over the 31 million square feet of commercial (retail\office) space that is existing and/or planned throughout the City.

[b] Industrial/Business Park Land Uses – The proposed GPA includes the elimination of 23.13 acres (TOP gross acres) of Business Park land and 403,017 square feet of potential commercial space (based on a 0.40 FAR). The amendment would add 39 acres of Industrial designated land and 934,362 square feet of potential industrial space (based on a 0.55 FAR). The net gain of 531,345 square feet of industrial/business park space represents a less than 0.003% increase in building area over the 181 million square feet of industrial/business park space that is existing and/or planned throughout the City.

[3] Edenglen Specific Plan Amendment ("SPA") — To accommodate the proposed Development Plan application, the SPA proposes the following:

[a] The SPA includes changes to the Edenglen Land Use Plan (Edenglen Specific Plan Exhibit 10) and Land Use Summary - Table 2 (see, Exhibit B - Edenglen Land Use Plan and Land Use Summary). The revisions to the Land Use Plan and Land Use Summary will reflect the proposed changes to the Project site land use designations, from Community Commercial, Commercial/Business Park Flex Zone, and Business Park/Light Industrial, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Light Industrial, as shown in Figure 3: Specific Plan Amendment, below.

The 4.13-acre Neighborhood Commercial land use is located at the southwest corner of Hamner Avenue and Riverside Drive and allows for up to 40,000 square feet of commercial land uses, which could accommodate a mid-size grocery store and in-line retail. The 3.51-acre Business Park land use is located along Riverside Drive, at the northwest corner of the Project site, and is included in the Development Plan application. The Business Park land use designation allows commercial land uses to accommodate flexibility in land uses along Riverside Drive. The 39 acres of Light Industrial is located on the southern portion of the project site and is included in the Development Plan application. The proposed buildings are envisioned to allow for warehousing or light manufacturing uses. Heavy manufacturing uses will not be allowed.

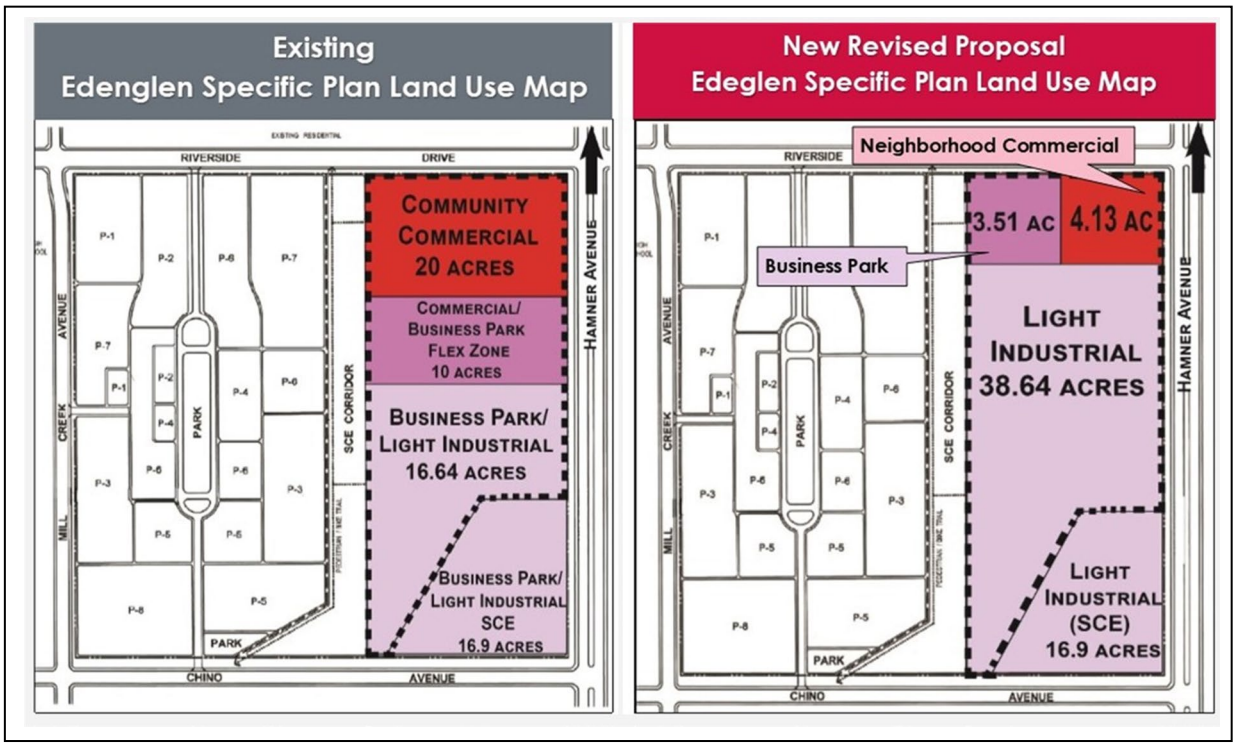


Figure 3: Specific Plan Amendment

[b] The SPA includes updates to development standards, the land use matrix, and various exhibits, along with text/map changes to reflect the proposed land use changes and infrastructure requirements to accommodate the proposed Tentative Parcel Map and Development Plan applications (see Attachment A: Edenglen Specific Plan Amendment Document to the Resolution for the Edenglen Specific Plan Amendment). The development regulations and land use matrix have been amended to include standards for the Neighborhood Commercial, Business Park, and Light Industrial land uses. All changes and additions to the Specific Plan (exhibits, tables, and development standards) are contained within the revised Specific Plan document, and are highlighted in red.

[4] Tentative Parcel Map — The proposed Tentative Parcel Map will subdivide the Project site into 7 numbered lots and one lettered lot (see Exhibit C—Tentative Parcel Map, attached) to facilitate the construction of five industrial buildings totaling 968,092 square feet. The parcels are located within three proposed land use districts and range in size from 0.02 to 11.42 acres, as shown in the Tentative Parcel Map summary table below.

Tentative Parcel Map 20027 Summary Table				
Parcel No.	***Proposed General Plan Land Use Designation***	***Edenglen Specific Plan - Proposed Land Use District***	***Land Area***	
			Acres	***Square Feet***
1	Neighborhood Commercial	Neighborhood Commercial	4.13	180,078
2	Business Park	Business Park	3.51	152,753
3	Industrial	Light Industrial	10.34	450,594
4	Industrial	Light Industrial	11.42	497,487
5	Industrial	Light Industrial	6.24	271,852
6	Industrial	Light Industrial	10.99	478,737
7	N/A – Parcel for existing CDA Facility		0.03	1,394
A	N/A – Parcel for existing Pressure Reducing Station		0.02	941
TOTAL			46.64	2,033,836

[5] Development Plan

[a] Site Design/Building Layout — Proposed, is the construction of five industrial buildings totaling 968,092 square feet on an irregular shaped lot that is 46.64 acres in area. The building sizes range from 59,585 to 271,277 square feet and the Project has an overall Floor Area Ratio ("FAR") of 0.48. The Project will provide the majority of parking along the west, east, and north property lines. Additionally, smaller parking areas are located throughout the site, generally located adjacent to each building's office area (see Exhibit D—Site Plan, attached). The Project will provide a combination of 12-foot high tilt-up perimeter screen walls and an 8-foot high decorative tubular steel fencing along the west and south property lines. The screen wall sections are strategically located along the west property line, in front of the tractor-trailer yard areas, to block noise from leaving the property and mitigate the visual impacts of truck traffic entering and exiting the yard areas (see Exhibit D1—Screen Wall Locations, attached). A description of each building is provided below.

- Building 2 (Parcel 2) is located at the northwest corner of the Project site and consists of a 54,585 square foot warehouse/distribution building, having a FAR of 0.39. Building 2 is oriented east-west, with dock-high loading doors facing south, and office entries facing north, towards Riverside Drive. The building has been designed with two potential office areas located at the northwest and northeast corners of the building. The building is setback approximately 180 feet from the north property line (Riverside Drive), approximately 63 feet from the south property line, 68 feet from the west property line, and 39 feet from the east property line.

  The yard area will be screened from view of public streets by the proposed building. The south facing portion of the building was designed in a U-shaped configuration to screen the tractor-trailer loading areas. The building wall containing the dock-

high loading doors is recessed approximately 60 feet behind the main building line, blocking the view of loading activities from the public street.

- Building 3 (Parcel 3) is centrally located on the Project site and consists of a 250,781 square foot warehouse/distribution building, having a FAR of 0.55. Building 3 is oriented east-west, with dock high loading doors facing south, and office entries located at the southwest and southeast corners of the proposed building. The building is setback approximately 8 feet from the north property line (visible from Riverside Drive), approximately 102 feet from the south property line, 88 feet from the west property line (facing the Edenglen Residential community), and 103 feet from the east property line (facing Hamner Avenue).

  The yard area will be screened from view of public streets by a 12-foot high screen wall with view-obstructing gates. In addition, the south-facing portion of the building was designed in a U-shaped configuration to screen the tractor-trailer loading areas. Like Building 2, the building wall containing the dock-high doors is recessed approximately 60 feet behind the main building line, minimizing views of any loading activities from the public street.

- Building 4 (Parcel 4) is centrally located on the Project site, directly south of Building 3. The building has been designed to mirror the Building 3 site and floor plan layout, creating a large and fully screened tractor-trailer yard area, with dock-high loading doors facing Building 3's dock-high loading doors. Building 4 consists of a 271,277 square foot warehouse/distribution building, having a FAR of 0.54. Building 4 is oriented east-west, with dock-high loading doors facing north, and office entries located at the northwest and northeast corners of the proposed building. The building is setback approximately 102 feet from the north property line, approximately 26 feet from the south property line, 88 feet from the west property line (facing Edenglen Residential community), and 103 feet from the east property line (facing Hamner Avenue).

  The tractor-trailer yard area will be screened from view of public streets by a 12-foot high screen wall, with view-obstructing gates. In addition, the north facing portion of the building was designed in a U-shaped configuration to screen the tractor-trailer loading areas. The building wall containing the dock-high doors is recessed approximately 60 feet behind the main building line, minimizing views of any loading activities from the public street.

- Building 5 (Parcel 5) is located at the southeast corner of the Project site, directly south of Building 4, and consists of a 136,330 square foot warehouse/distribution building, having a FAR of 0.50. Building 5 is orientated in an east-west direction, with dock-high loading areas facing south, and an office entry located at the southeast corner of the proposed building. The building is setback approximately 46 feet from the north property line, approximately 80 feet from the south property

line, 39 feet from the west property line (facing Edenglen Residential community), and 84 feet from the east property line (facing Hamner Avenue).

The yard area will be screened from view of public streets by a 12-foot high screen wall, with view-obstructing gates. In addition, the south-facing portion of the building was designed in an L-shaped configuration to screen the tractor-trailer loading areas from public view. The building wall containing the dock-high loading doors is recessed approximately 60 feet behind the main building line, minimizing views of any loading activities from the public street.

- Building 6 (Parcel 6) is located at the southwest corner of the Project site, directly south of Building 4 and west of Building 5 and consists of a 250,119 square foot warehouse/distribution building, having a FAR of 0.52. Building 6 is oriented in a north-south direction, with dock-high loading located along the east and south exterior building elevations, and the office area is located at the northeast corner of the proposed building, facing north. The building is setback approximately 45 feet from the north property line, approximately 276 feet from the south property line, 39 feet from the west property line (facing Edenglen Residential community), and 126 feet from the east property line. Building 6 is not visible from the public street; however, the building is visible from the neighboring Edenglen Residential community to the west.

  The tractor-trailer yard area will be screened from view of public streets by the surrounding buildings and a 12-foot high screen wall placed along the west property line. In addition, the east-facing portion of the building is designed in an L-shaped configuration to screen the tractor-trailer loading areas from view of an internal drive aisle. The building wall containing the dock-high loading doors is recessed approximately 60 feet behind the main building line, minimizing views of any loading activities from the private drive aisle.

[b] Site Access/Circulation — The Project site will have two access points from Riverside Drive, and four access points from Hamner Avenue (see Exhibit D2—Project Access Locations, attached). Building 2, and a future commercial development proposed at the northeast corner of the Project site, will have primary access from Riverside Drive, including a 35-foot wide driveway located at the northwest corner of the Project site and a centrally located 40-foot wide driveway that will be signalized. Buildings 3, 4, 5, and 6 will have primary access from Hamner Avenue, including a 40-foot wide driveway located approximately 250 feet south of the Hamner/Riverside intersection, a centrally located 50-foot wide driveway centered between Buildings 3 and 4, a 40-foot wide driveway located approximately 1,180 feet south of the Hamner/Riverside intersection that will be signalized, and a 40-foot wide driveway located at the southeast corner of Project site.

A 24-foot wide north-south drive aisle is proposed along the eastern portion of the site, connecting single and double-loaded parking lots across the Hamner Avenue frontage, while maintaining a 35-foot parking landscape setback. A 28-foot to 35-foot wide north-

south drive aisle is proposed along the western portion of the site, connecting to east-west running drive-aisles (35 to 40 feet wide) that provide access to driveways located along Hamner Avenue. Due to the expansive widths and lengths of all five buildings, the internal drive-aisles all exceed the minimum 26-foot wide fire emergency access lane requirement, providing adequate maneuvering and access for emergency vehicles throughout the Project site.

[c] Parking — The Edenglen Specific Plan refers to the Ontario Development Code for parking requirements. The Project has provided off-street parking pursuant to the "Warehouse and Distribution" parking standards specified in the Development Code. The Project requires a total of 526 parking spaces and 556 parking spaces have been provided, as shown in Table A: Parking Summary, below. The Project has been conditioned to include a shared parking easement/agreement within the required CC&Rs. Buildings 3, 4, 5, and 6 include alternative parking plans to accommodate additional vehicular parking stalls in lieu of trailer parking spaces within the truck courtyard areas, to allow greater flexibility for future building tenants that may require a greater parking demand.

Table A: Parking Summary

Bldg. No.	*Type of Use*	*Building Area*	*Trailer Parking*		*Vehicle Spaces*	
			Required	*Provided*	*Required*	*Provided*
2	Warehouse / Distribution	59,585 SF	7	7	40	81
3	Warehouse / Distribution	250,781 SF	38	47	135	150 **(*181)**
4	Warehouse / Distribution	271,277 SF	**10**	**47**	146	166 **(*186)**
5	Warehouse / Distribution	136,330 SF	**6**	**6**	70	78 **(*130)**
6	Warehouse / Distribution	250,119 SF	**11**	**34**	135	81 **(*175)**
Parking Totals: (*Alternate Parking Plan providing additional vehicular parking spaces within trailer courtyard area)					**526**	**556 (*753)**

[d] Architecture — The proposed buildings are of concrete tilt-up construction and all five buildings incorporate the same architectural design, with enhanced elements and treatments located at office entries and along street facing elevations (see Exhibit E—Elevations, attached). Architectural elements for all buildings include smooth-painted concrete in white and grey tones, with horizontal and vertical reveals, windows with clear anodized aluminum mullions and blue glazing, Alucobond clear anodized canopies at the main office entries, and recessed panel sections with contrasting colors. The mechanical equipment will be roof-mounted and obscured from public view by the parapet walls. Staff believes that the proposed Project illustrates the type of high-quality architecture

promoted by the Development Code and Edenglen Specific Plan. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas;
- Articulation in the building parapet/roof line, which serves to accentuate the building's entries and breaks up large expanses of building wall;
- Variations in building massing; and
- Incorporation of base and top treatments defined by changes in color and horizontal/vertical reveals.

[e] Landscaping — The proposed Edenglen Specific Plan amendment (File No. PSPA18-003) requires that the Project provide an overall landscape coverage of ten percent and approximately thirteen percent is provided, as shown in Table B: Landscape Coverage Percentages, below. The Project provides substantial landscaping along Hamner Avenue and Riverside Drive, at each office element, throughout the parking areas, and along the western property line (see Exhibit F—Landscape Plan, attached). The Project includes right-of-way improvements (street widening, curb, gutter, sidewalk, and parkway) along Hamner Avenue and Riverside Drive. The proposed on-site and off-site landscape improvements will assist towards creating a walkable safe area for pedestrians to access the Project site.

Table B: Landscape Coverage Percentages

Parcel No.	***Bldg. No.***	***Required Landscape Coverage (in %)***	***Proposed Landscape Coverage (in %)***
2	2	10%	18.22%
3	3	10%	10.33%
4	4	10%	9.29%
5	5	10%	15.73%
6	6	10%	10.25%
TOTAL			**12.86%**

The landscape plan incorporates 24-inch box shade trees in the right-of-way, including Lavender Crepe Myrtles along Riverside Drive and Coast Live Oaks with Crape Myrtles along Hamner Avenue. A combination of 48-inch, 36-inch, 24-inch box, and 15 gallon accent and shade trees will be provided on the Project site, the tree species include Arbutus unedo, Weeping Bottle Brush, Western Redbud, Coral Gum, Canary Island Pine, Afghan Pine, California Sycamore and London Plane Trees. The landscape plan also includes a variety of shrubs, grasses, and groundcovers that are low water usage and drought tolerant, to be planted throughout the Project site. Moreover, each building will

incorporate either one or two employee break areas, with benches, tables, and shade trees.

[f] Utilities (drainage, sewer) — To serve the proposed industrial development, the Project will be required to construct infrastructure improvements per the Development Agreement (File No. PDA18-006) and requirements of the Edenglen Specific Plan. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes both Projects' 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, biotreatment, and evapotranspiration. The PWQMP proposes the use of above ground bio-retention basins within the landscape setbacks along Hamner Avenue and rear portion of the Project site, including an underground stormwater infiltration system within the tractor-trailer courtyard area of Building 6. Any overflow drainage will be conveyed to a new storm drain connection located at the rear end of the Project site.

[6] Community Meetings — The Planning Department held two community meetings to discuss the proposed subject applications. The first community meeting was in-person and held on December 12, 2018, at the Colony High Branch Library. The second meeting was a Virtual presentation and available on the on the City Website from June 1, 2020, thru July 21, 2020.

[a] First Community Meeting — At the first community meeting, 12 people were in attendance and of those, 10 were residents in opposition of the proposed Project and continued to receive additional comments after the meeting. A total of 42 comments in opposition of the proposed Project were received, including 4 comment cards, 6 phone calls and 34 emails (see Attachment A—First Community Meeting comments, attached). Community concerns and comments generally included:

[i] **Opposition to excluding commercial land uses from the General Plan and Edenglen Specific Plan.** The Specific Plan was developed as a walkable residential community with pedestrian linkages to trails and a future commercial center to serve the community.

In response to community comments, the applicant performed an economic feasibility study and revised the proposed General Plan amendment to include: 4.13 acres of Neighborhood Commercial located on the northeast corner of the project site; 3.51 acres of Business Park located on the northwest corner of the site; and 38.64 acres of Light Industrial located on the southern portion of the site.

Furthermore, building 1 was eliminated from the project site plan and has been reserved for a future commercial development. The 4.31 acres of commercial land can accommodate approximately 40,000 square feet of future commercial uses. No proposal for the commercial corner has been submitted to date.

Building 2 is located within the proposed Business Park land use designation that allows for commercial and indoor recreational uses along with business park uses.

Buildings 3, 4, 5 and 6 are within the Light Industrial land use designation which allows warehouse, light manufacturing, and similar types of uses.

[ii] **Concerns with larger industrial buildings in close proximity to an existing residential neighborhood.** Community members expressed concerns with the west building elevations and the need to create an attractive view for the adjacent residential community. Community members requested a landscape buffer be installed along the western property line to buffer noise, light and soften views of the west facing buildings.

In response to community comments, the buildings have been designed to have an office-like appearance and the western building elevations have been enhanced to provide an attractive view from the adjacent residential. Also, a combination of Southern Live Oak trees and Western Redbud trees will be planted along the western property lines within a landscape planter that varies in size from 6 to 23 feet wide. Additional landscape planters are provided directly adjacent to each building that range in size from 6 to 12 feet wide.

Large plants will be used along the western property line in conjunction with screen walls to mitigate noise travel and create a more visually appealing view from the residential community.

[iii] **Concerns with noise impacts from the proposed industrial uses and project.**

In response to community comments/concerns, the Project has been designed to minimize noise impacts to the residents. The truck yards have all been oriented away from the western property line. Screen walls that are 12-feet high have been included around the truck courts and have been strategically located along the western property line to block noise traveling from the property. Trash bins have been moved to the interior of the property and will be enclosed to insulate noise. These design features, along with the 200-foot SCE utility corridor that separates the properties, will substantially diminish any noise impacts to the adjacent residential community.

A noise study was completed by Urban Crossroads (July 2020) that analyzed operational noise impact increases along the eastern property line of the Edenglen residential community. Urban Crossroads measured existing noise levels on October 10, 2019 and modeled the increased noise that will be generated by the proposed operations at the property. The study concluded that the operation of a typical warehouse distribution center would result in a noise increase of 0.3 dBA, which is generally indiscernible to the human ear. Furthermore, the placement of the buildings will assist in the reduction of

traffic noise that currently exist from Hamner Avenue and help reduce wind and dust impacts from seasonal Santa Ana winds to the existing residential community.

[iv] **Concerns with graffiti.**

In response to community concerns, graffiti prone surfaces in highly visible areas, such as screen walls facing public streets were minimized and will be treated with a graffiti-proof coating. Wrought iron fencing is used where mitigation of noise and visual impacts are not a concern. Any graffiti that does occur on the property will be cleaned per City requirements within 72 hours of receiving notice.

[v] **Concerns with light impacts from the proposed industrial uses.**

Outdoor lighting will be shielded and oriented inward towards the project to minimize light pollution off-site. Dense landscaping and screen walls along the western edge of the property will further shield residents from any light pollution at night.

[vi] **Concerns that the proposed plan would increase truck traffic on Riverside Drive.**

In response to community concerns, the project has been designed to have truck traffic enter and exit primarily onto Hamner Avenue. Hamner Avenue is a designated Truck Route and truck traffic will primarily be coming onto the project site from the nearby SR 60 Freeway I-15 Freeway interchanges. Building 2 and the future commercial development will have primary access from Riverside Drive. Buildings 3, 4, 5 and 6 will have primary access from Hamner Avenue. Furthermore, the project has been conditioned to have tractor-trailer trucks travel east towards Hamner Avenue when exiting the site and shall not be allowed utilize Riverside Drive west of the project site to access/exit the project site.

[vii] **Concerns with street parking of trucks along Hamner Avenue and undesirable uses of the public streets (such as street racing).**

The street frontages along Riverside Drive and Hamner Avenue will be improved (curb, gutter, and sidewalk) and no parking will be allowed. The development of the project site will create more eyes on the street and discourage illegal uses such as street racing. Also, on-site security patrol will be provided for the property and assist in preventing any undesirable use of the property at night or weekends, alerting law enforcement of any illegal activity occurring off-site and within the immediate area.

Traffic is currently problematic on Riverside Drive and Hamner Avenue since the existing streets are not properly sized for the amount of vehicle traffic in the area. In response to community comments, the project will be responsible for the widening and construction of new street improvements on Riverside Drive and Hamner Avenue, and will widen the intersection to improve the flow of traffic. These improvements will mitigate the traffic

impacts that may be associated with the proposed project and improve vehicular traffic flows along Riverside Drive and Hamner Avenue. The required improvements include:

- *Widening of Riverside Drive and Hamner Avenue to accommodate 3 lanes in both directions, a new median on each street, neighborhood landscaped edge, new sidewalks (5 feet wide) and parkway landscaping (7 feet wide) along both street frontages;*

- *Widening the Riverside Drive and Hamner Avenue intersection to increase traffic flow; and*

- *Installation of new traffic signals on Riverside Drive and Hamner Avenue, and at the driveway entrances to the project site.*

[b] Second Community Meeting — The applicant revised their proposal to address concerns raised at the first Community Meeting. Due to the COVID-19 virus pandemic and the Governor's Executive Orders, and to ensure the health and safety of City residents by limiting contact that could spread the virus, a second in-person Community Meeting was not held; however, the Planning Department provided for a Virtual Community Presentation and mailed a pamphlet to Edenglen and Creekside residents, containing a summary of the concerns raised at the first meeting and a brief overview of the revised Project. The pamphlet included information about the Virtual Meeting and the self-guided presentation (see Attachment B—Virtual Meeting Presentation Slides, attached) that was posted on the City Website from June 1, 2020, thru June 15, 2020, for residents' review and comment (see Exhibit G—Planning Department Website Screenshot, attached). The City received eight comments opposing the proposed Project and the previous issues and concerns were raised a second time by residents (see Attachment C—Second Meeting Community comments, attached). One new issue raised was regarding the timing of the Virtual Meeting, residents were concerned that the community would not engage due to the pandemic concerns and riots that were occurring at the time. Due to this concern, the Virtual Meeting presentation, Project information, and public comment link remained on the Planning Department website for an additional five weeks and was removed on July 21, 2020. During the extended time period, no further comments or phone calls were received.

[7] Health Risk Assessment — The Applicant was required to prepare a Health Risk Assessment ("HRA") to determine whether the proposed Project would pose a health risk to the existing residential land uses. The HRA prepared by Urban Crossroads (Dated: July 9, 2020) analyzed the cancer burden estimates as well as the Project operational Toxic Air Contaminants ("TACs") impact from Diesel Particulate Matter ("DPM") emissions. Both analyses concluded that these factors would be less than significant; therefore, no mitigation is required for the Project beyond that which was previously analyzed in The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), as certified by the Ontario City Council on January 27, 2010. Furthermore, the project was designed to minimize any potential impacts to existing residential

development. The tractor-trailer yard areas are oriented away from the existing residential uses and tractor-trailer main access to the site shall be taken from Hamner Avenue (designated truck route). Additionally, the project has been conditioned to have trucks travel east, towards Hamner Avenue, when exiting the site. Trucks shall not be allowed to utilize Riverside Drive west of the project site, to access or exit the project site.

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
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- 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] 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.

  - LU1-1 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.

  - LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Economics Element:

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

- 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.

▪ 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. The project the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The Edenglen Specific Plan was listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. However, the eastern half of the Edenglen Specific Plan (Project site) was not included as one of the properties in the Available Land Inventory since the eastern half of the Specific Plan did not include any residential land use designations.

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: Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The environmental impacts of this Project were thoroughly analyzed in the EIR Addendum

prepared for General Plan Amendment (File No. PGPA18-002) and an amendment to the Edenglen Specific Plan (File No. PSPA18-003), which concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level.

Approval of this Project is contingent upon City Council approving the General Plan Amendment (File No. PGPA18-002), Edenglen Specific Plan (File No. PSPA18-003), and EIR Addendum.

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 Commercial Nursery	General Commercial and Business Park	Edenglen Specific Plan	Community Commercial, Commercial/Business Park Flex Zone, and Business Park/Light Industrial
North	Vacant	Mixed-Use	Tuscana Village Specific Plan	Commercial and Residential
South	SCE Substation	Business Park	Edenglen Specific Plan	Light Industrial
East	City of Eastvale (Gas Station and Industrial)	Commercial Retail & Business Park	C-1/C-P (General Commercial) & IP (Industrial Park)	N/A
West	SCE Easement	OS-NR	Edenglen Specific Plan	SCE Corridor

General Site & Building Statistics

Item	*Proposed*	*Min./Max. Standard*	*Meets Y/N*
Project Area:	46.64	N/A	Y
Lot/Parcel Size:	4.13 AC Neighborhood Commercial, 3.51 AC Business Park, 6.24 – 11.42 AC Light Industrial	10,000 SF Neighborhood Commercial, 1 AC Business Park, 10,000 SF Light Industrial (Min.)	Y
Floor Area Ratio:	0.39 BP & 0.52 LI	0.60 BP & 0.55 LI (Max.)	Y
Building Height:	46 FT	ALUCP (Max.)	Y

Off-Street Parking:

Bldg. No.	***Type of Use***	***Building Area***	***Parking Ratio***	***Spaces Required***	***Spaces Provided***
2	Warehouse / Distribution	59,585 SF	One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF; Parking required when "general business offices" and other associated uses, exceed 10 percent of the building GFA (5,958 SF of office allowed) ***7 dock-high loading doors proposed*** ***(2 trailer spaces required & provided)***	40	81
3	Warehouse / Distribution	250,781 SF	One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF; Parking required when "general business offices" and other associated uses, exceed 10 percent of the building GFA (25,078 SF of office allowed)	135	150 **(*181)**

Bldg. No.	*Type of Use*	*Building Area*	*Parking Ratio*	*Spaces Required*	*Spaces Provided*
			(*Alternate Parking Plan providing additional vehicular parking spaces within trailer courtyard area) ***31 additional spaces** ***38 dock-high loading doors proposed*** ***(47 trailer spaces provided)***		
4	Warehouse / Distribution	271,277 SF	One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF; Parking required when "general business offices" and other associated uses, exceed 10 percent of the building GFA (25,078 SF of office allowed) (*Alternate Parking Plan providing additional vehicular parking spaces within trailer courtyard area) ***20 additional spaces** ***38 dock-high loading doors proposed*** ***(10 spaces required - 47 trailer spaces provided)***	146	166 **(*186)**
5	Warehouse / Distribution	136,330 SF	One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF; Parking required when "general business offices" and other associated uses, exceed 10 percent of the building GFA (13,633 SF of office allowed) (*Alternate Parking Plan providing additional vehicular parking spaces within trailer courtyard area) ***52 additional spaces** ***22 dock-high loading doors proposed*** ***(6 trailer spaces required & provided)***	70	78 **(*130)**
6	Warehouse / Distribution	250,119 SF	One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF; Parking required when "general business offices" and other associated uses, exceed 10 percent of the building GFA (25,078 SF of office allowed) (*Alternate Parking Plan providing additional vehicular parking spaces within trailer courtyard area) ***94 additional spaces** ***43 dock-high loading doors proposed*** ***(11 spaces required - 34 trailer spaces provided)***	135	81 **(*175)**
Parking Totals: (*Alternate Parking Plan providing additional vehicular parking spaces within trailer courtyard area)				**526**	**556** **(*753)**

Exhibit A – Amended LU-03: Future Buildout Table

LU-03 Future Buildout[1]

Land Use	Acres[2]	Assumed Density/Intensity[3]	Units	Population[4]	Non-Residential Square Feet	Jobs[5]
Retail/Service						
Neighborhood Commercial[6]	~~281~~ 285	0.30 FAR			~~3,671,585~~ 3,725,556	~~8,884~~ 9,015
General Commercial	~~477~~ 457	0.30 FAR			~~6,229,385~~ 5,968,025	~~5,787~~ 5,544
Office/ Commercial	490	0.75 FAR			16,018,428	35,523
Hospitality	142	1.00 FAR			6,177,679	7,082
Subtotal	***~~1,390~~ 1,374***				***~~32,097,077~~ 31,889,668***	***~~57,276~~ 57,164***
Employment						
Business Park	~~1,531~~ 1,508	0.40 FAR			~~26,676,301~~ 26,273,284	~~46,803~~ 46,096
Industrial	~~6,446~~ 6,485	0.55 FAR			~~154,428,405~~ 155,362,767	~~135,684~~ 136,505
Subtotal	***~~7,977~~ 7,993***				***~~181,104,705~~ 181,636,050***	***~~182,487~~ 182,601***
Other						
Open Space–Non-Recreation	1,232	Not applicable				
Open Space–Parkland[6]	950	Not applicable				
Open Space-Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,871	Not applicable				
Subtotal	***9,906***					
Total	***31,786***		***100,654***	***347,190***	***~~247,784,328~~ 248,108,284***	***~~311,659~~ 311,661***

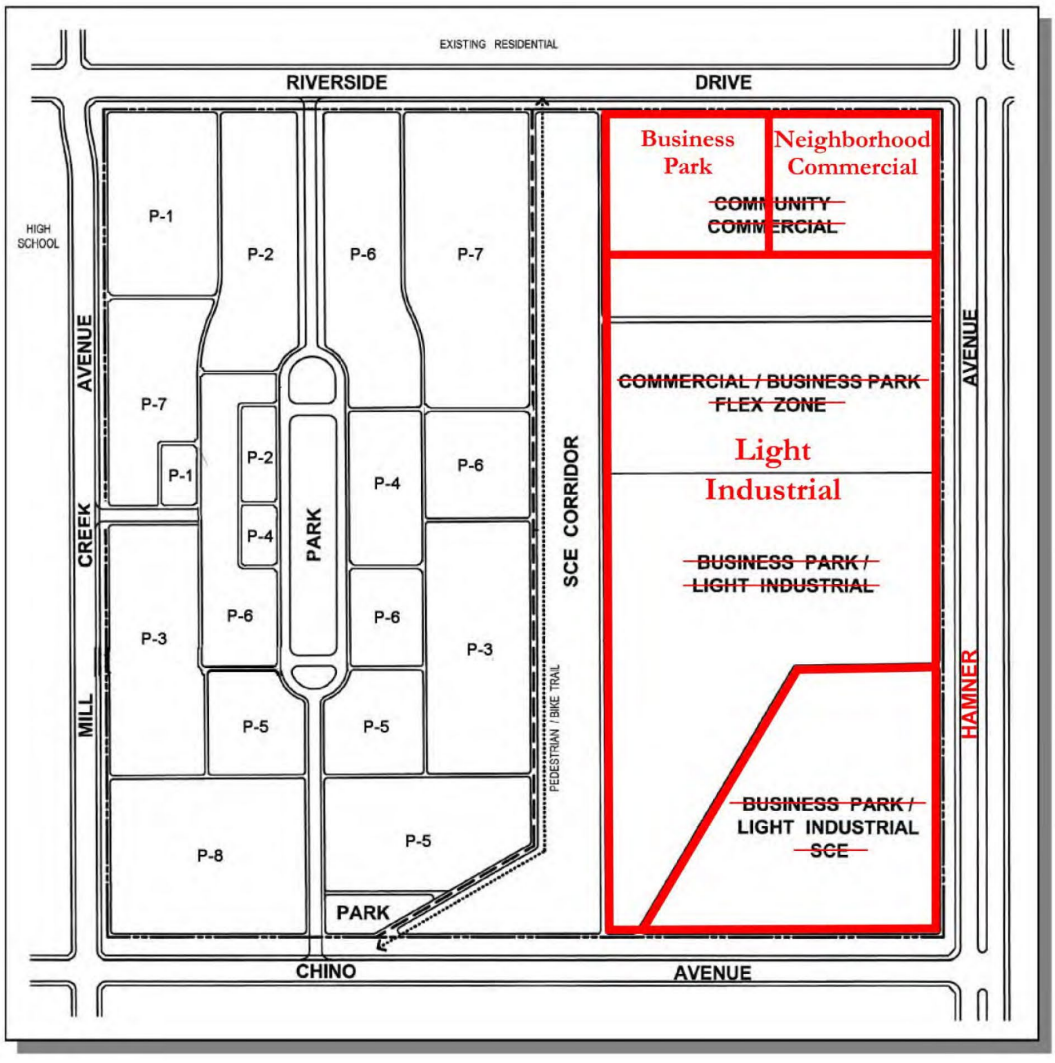
Notes
1 Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
2 Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
3 Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
4 Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
5 To view the factors used to generate the number of employees by land use category, access the Methodology report.
6 Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

Amended ~~March~~ August 2020 Page 2

Exhibit B - Edenglen Land Use Plan and Land Use Summary

BROOKFIELD HOMES
live the difference

Exhibit 10 - Land Use Plan



EDENGLEN
ONTARIO, CALIFORNIA

Exhibit B - Edenglen Land Use Plan and Land Use Summary Continued

Table 2 - Land Use Summary

LAND USE	UNITS	GROSS ACRES	UNITS PER ACRE	MAXIMUM SQUARE FEET
Residential [1]				
P-1	21	5.7	3.7	
P-2	29	5.8	5.0	
P-3	106	10.8	9.8	
P-4	36	3.8	9.5	
P-5	139	8.4	16.6	
P-6	87	10.5	8.3	
P-7	67	9.8	6.8	
P-8	99	6.3	15.7	
Net Residential Subtotal	*584*	*61.1*	*9.5*	
Park		4.0		
Roadways, Edge Buffer		10.1		
Gross Residential Subtotal	*584*	*75.2*	*7.76*	
OTHER			ADJUSTED GROSS ACRES	
Neighborhood Commercial		4.0	4.13	40,000
Business Park		4.0	3.51	59,585
Light Industrial		39.4	39.0	908,507
Light Industrial (SCE)		16.9	16.9	
SCE Corridor (OS/NR)		13.8	13.8	
Other Land Uses Subtotal		*78.1*	*77.34*	
PROJECT TOTAL	584	153.3	152.54	1,008,092

[1] Includes Pocket Parks within each neighborhood.

Exhibit B—Tentative Parcel Map

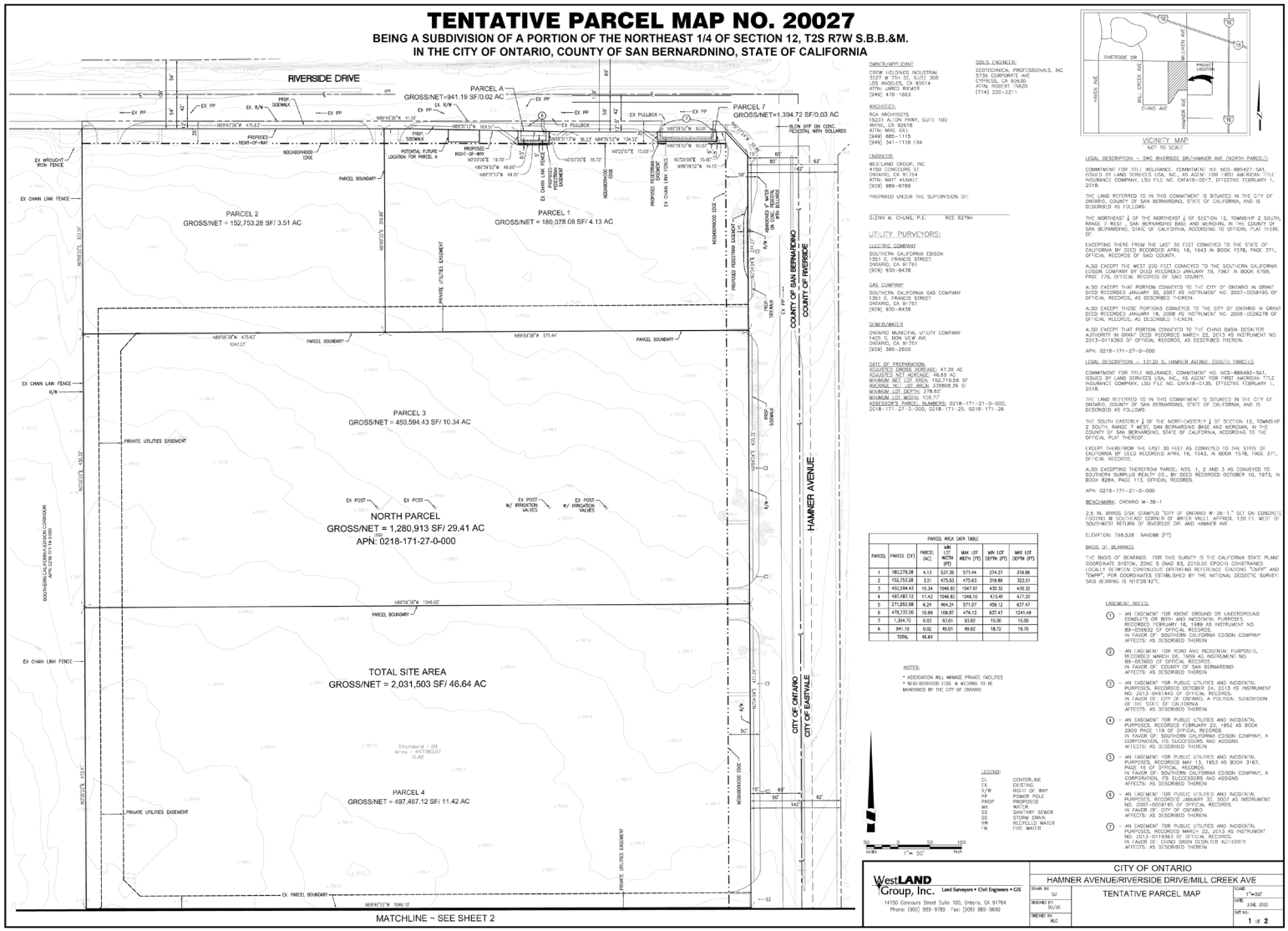


Exhibit B—Tentative Parcel Map Continued

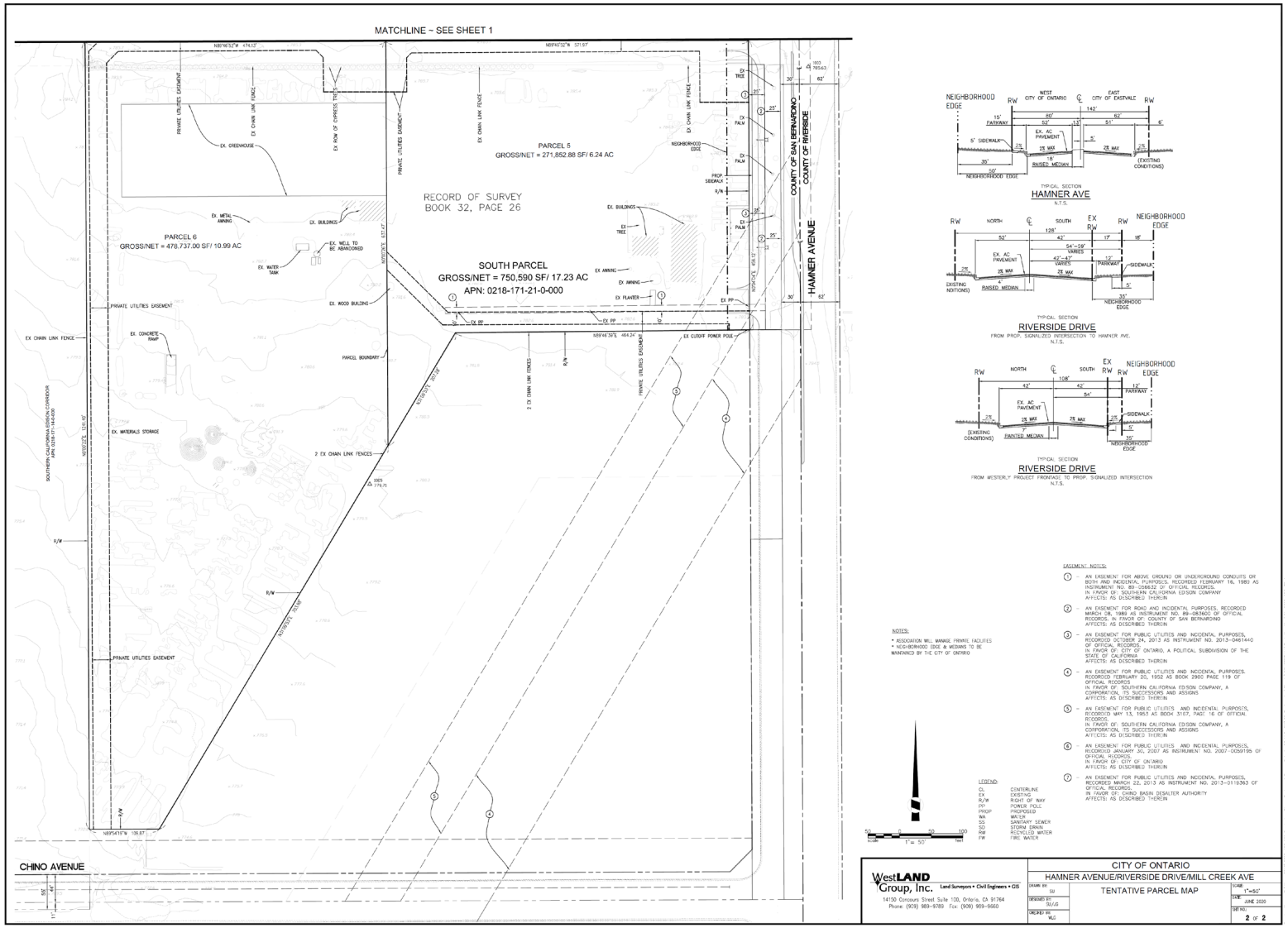


Exhibit D—SITE PLAN

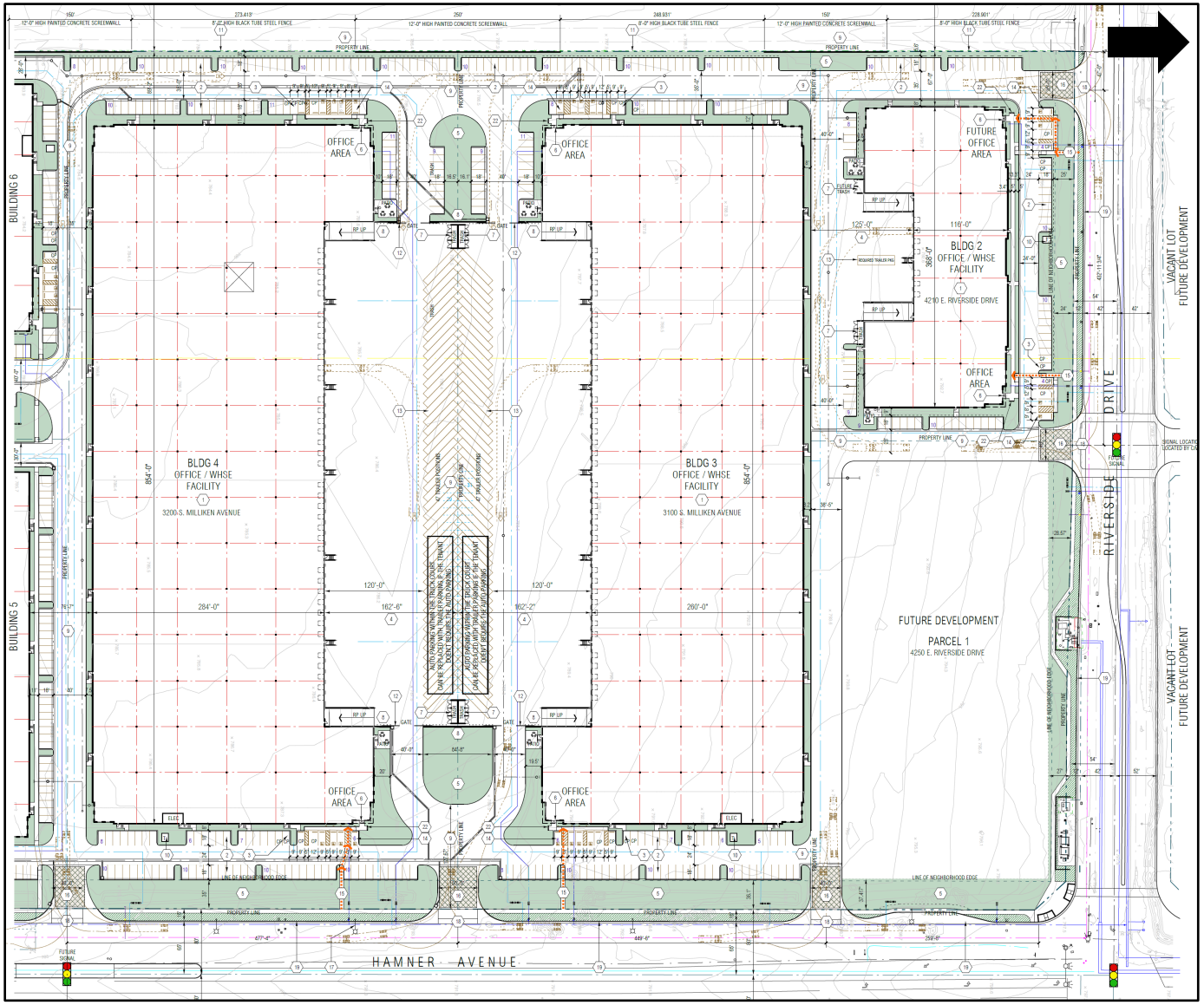


Exhibit D—SITE PLAN CONTINUED

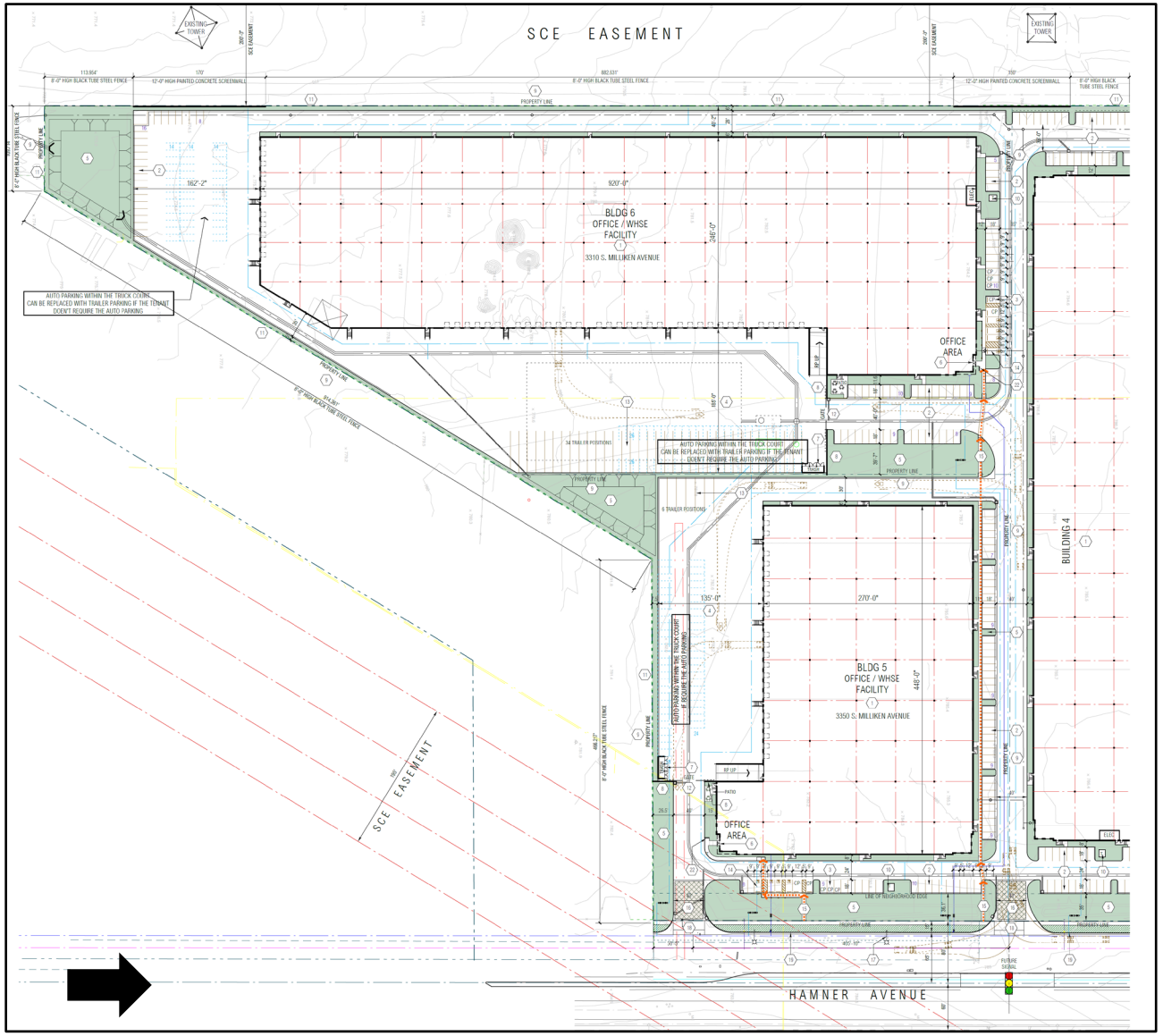
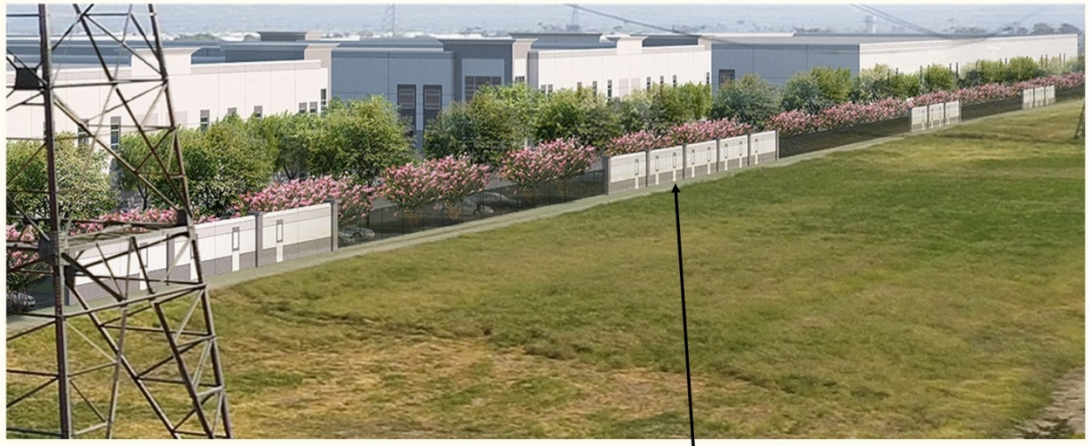
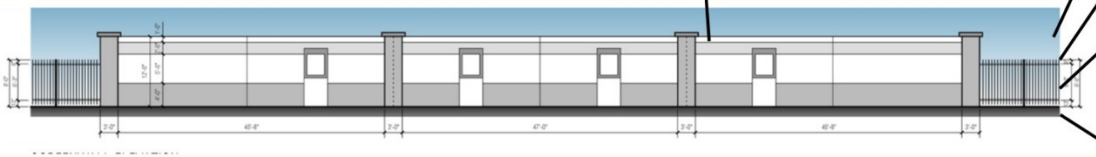


EXHIBIT D1—SCREEN WALL LOCATIONS



Proposed Screen Wall/Steel Tubular Fencing Rendering

Birdseye view looking towards the western property line



Proposed Screen Wall Elevation

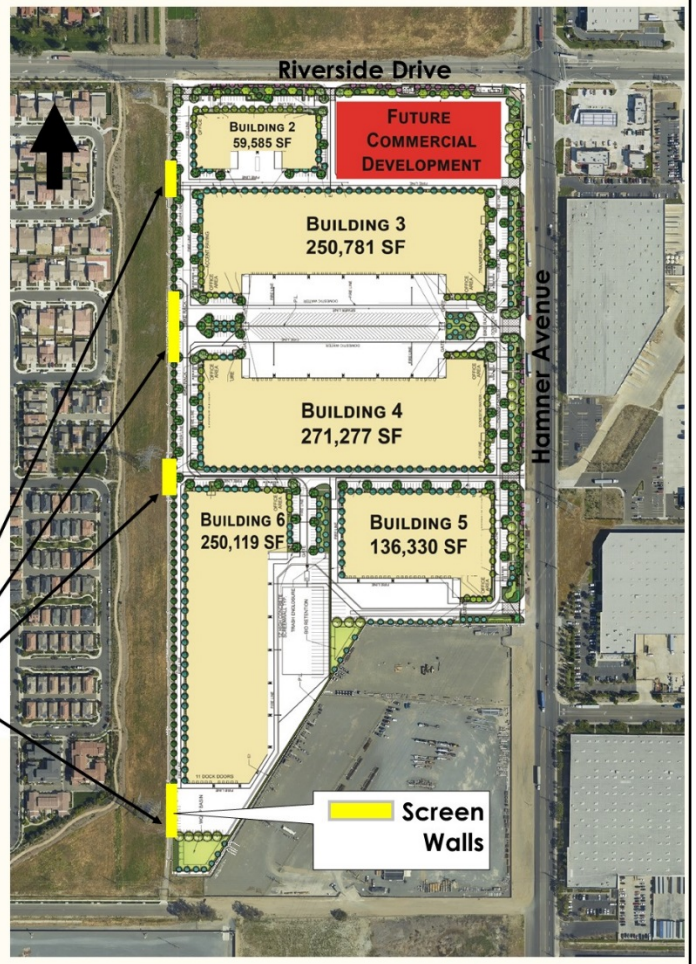


EXHIBIT D2—PROJECT ACCESS LOCATIONS

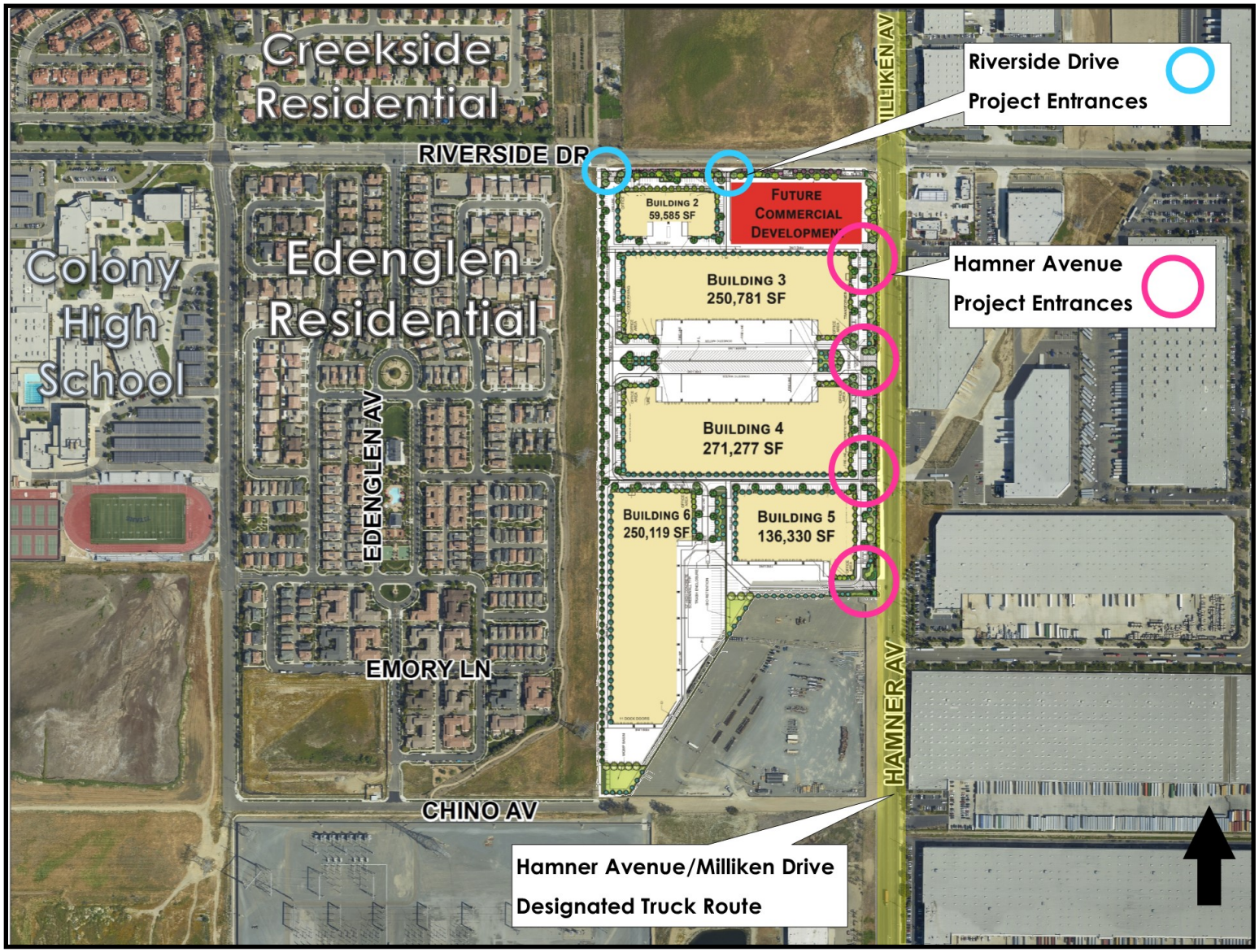
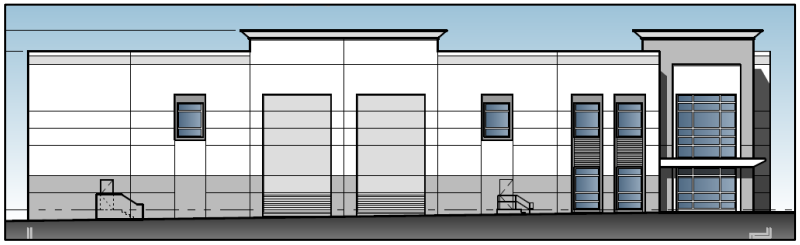


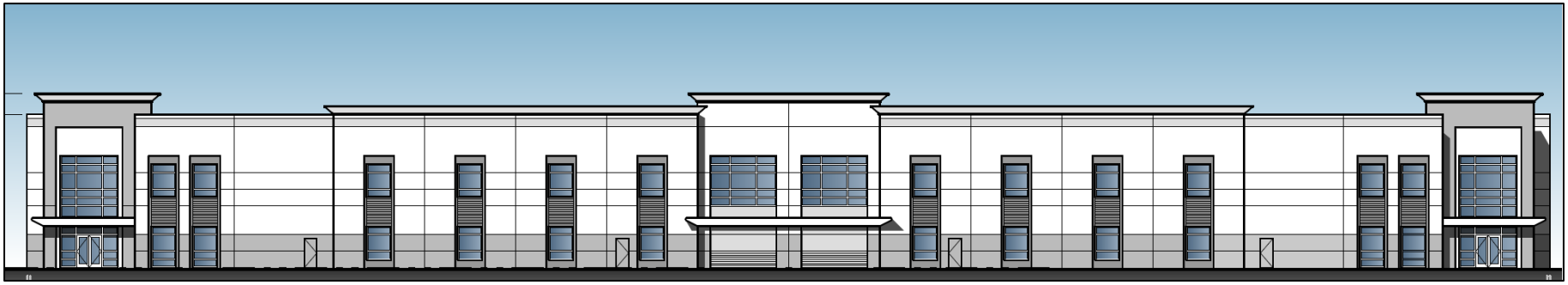
Exhibit E—EXTERIOR ELEVATIONS (BUILDING 2)



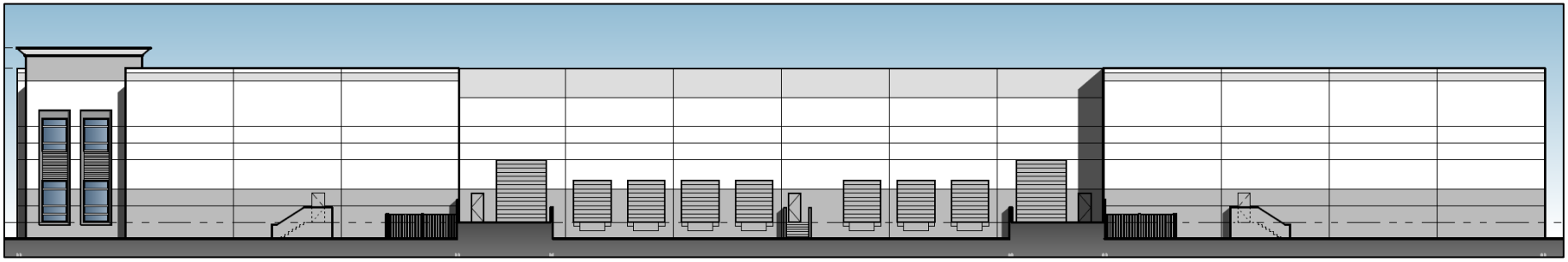
West Elevation



East Elevation



North Elevation

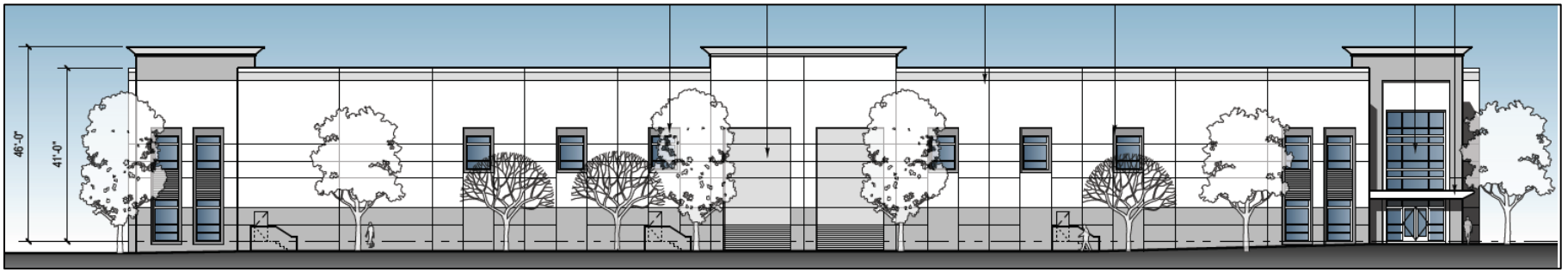


South Elevation

Exhibit E—EXTERIOR ELEVATIONS (BUILDING 3)



East Elevation



West Elevation

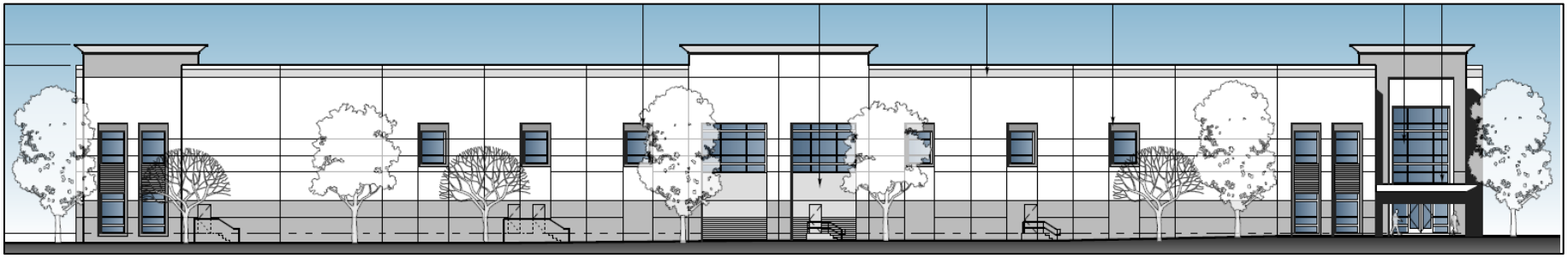


North Elevation

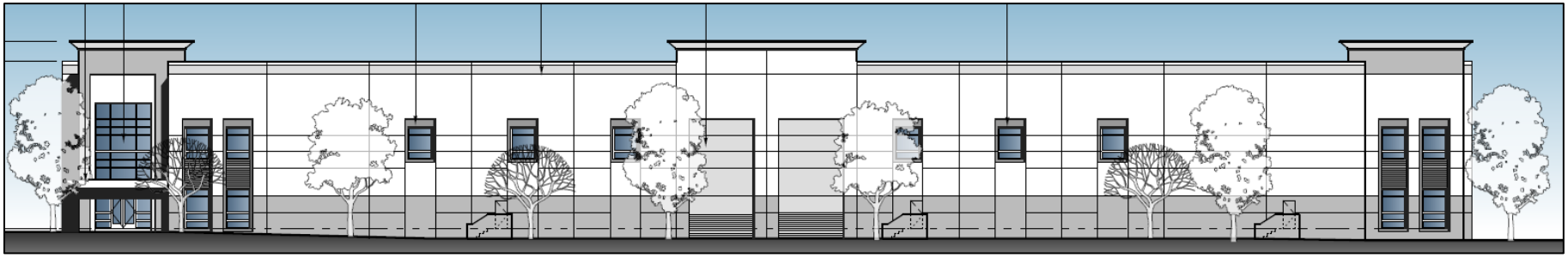


South Elevation

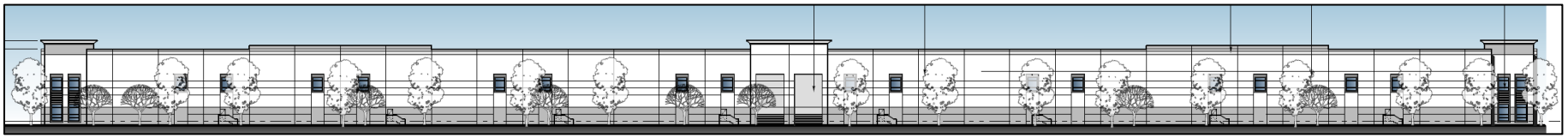
Exhibit E—EXTERIOR ELEVATIONS (BUILDING 4)



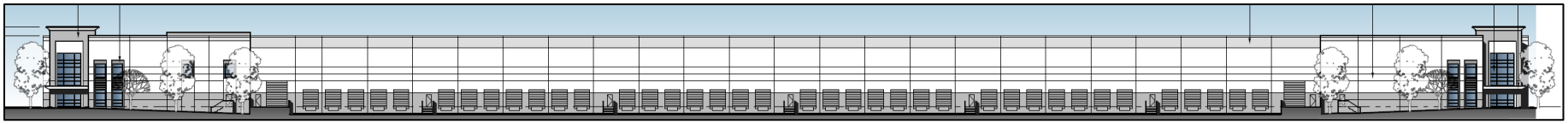
East Elevation



West Elevation



South Elevation

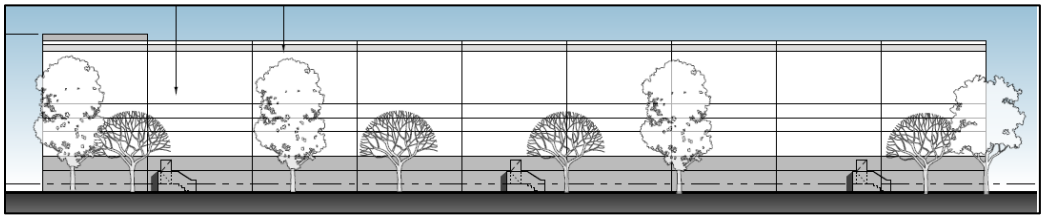


North Elevation

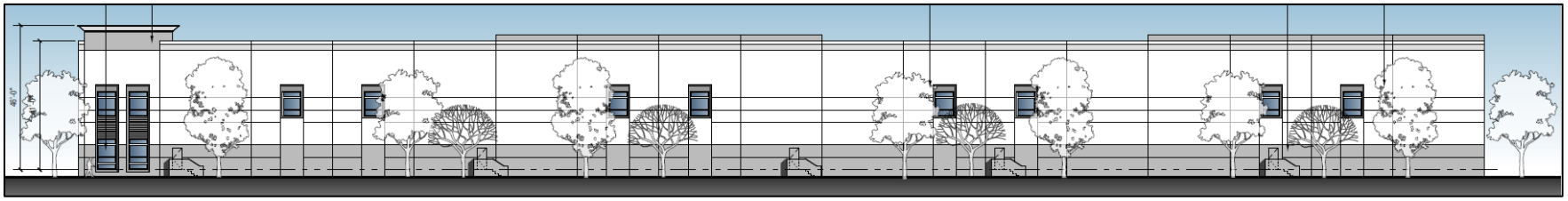
Exhibit E—EXTERIOR ELEVATIONS (BUILDING 5)



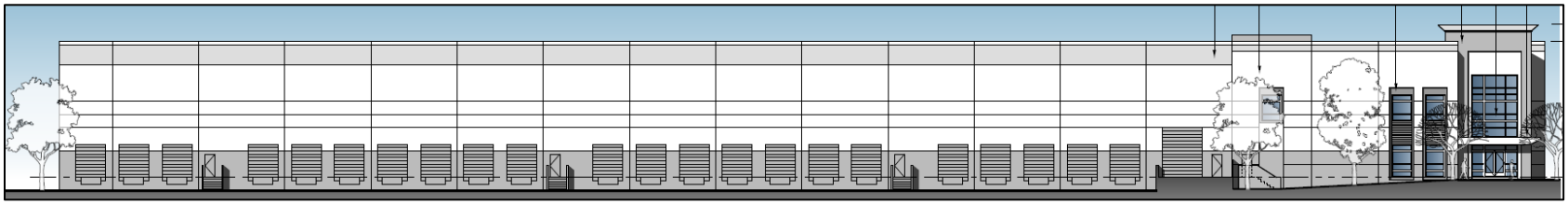
East Elevation



West Elevation



North Elevation

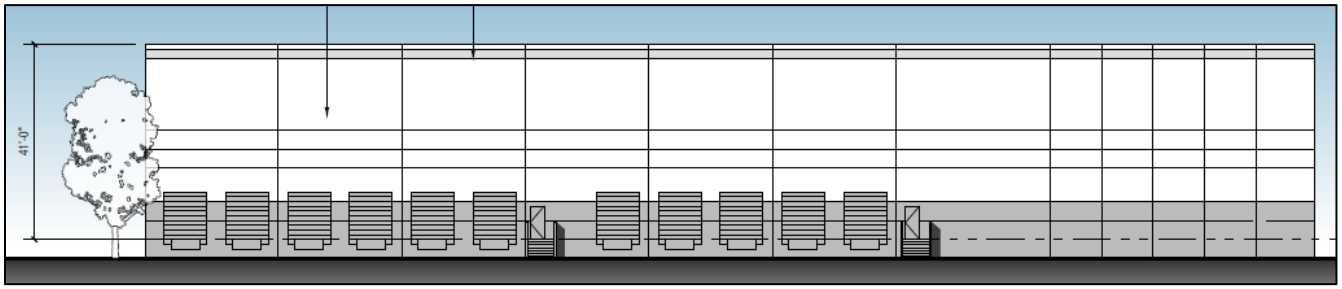


South Elevation

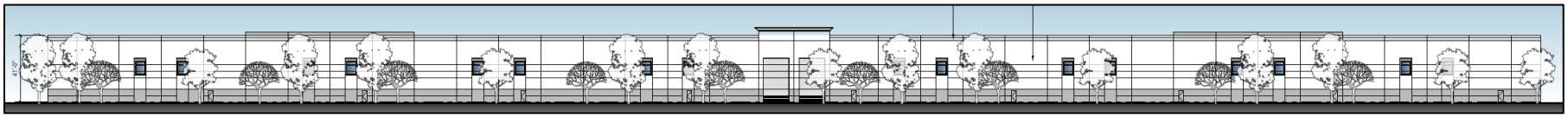
Exhibit E—EXTERIOR ELEVATIONS (BUILDING 6)



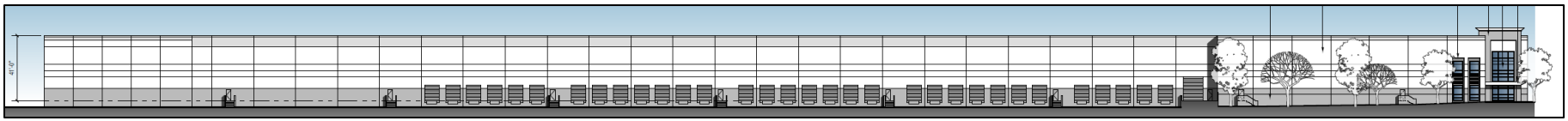
North Elevation



South Elevation



West Elevation



East Elevation

Exhibit F—LANDSCAPE PLAN

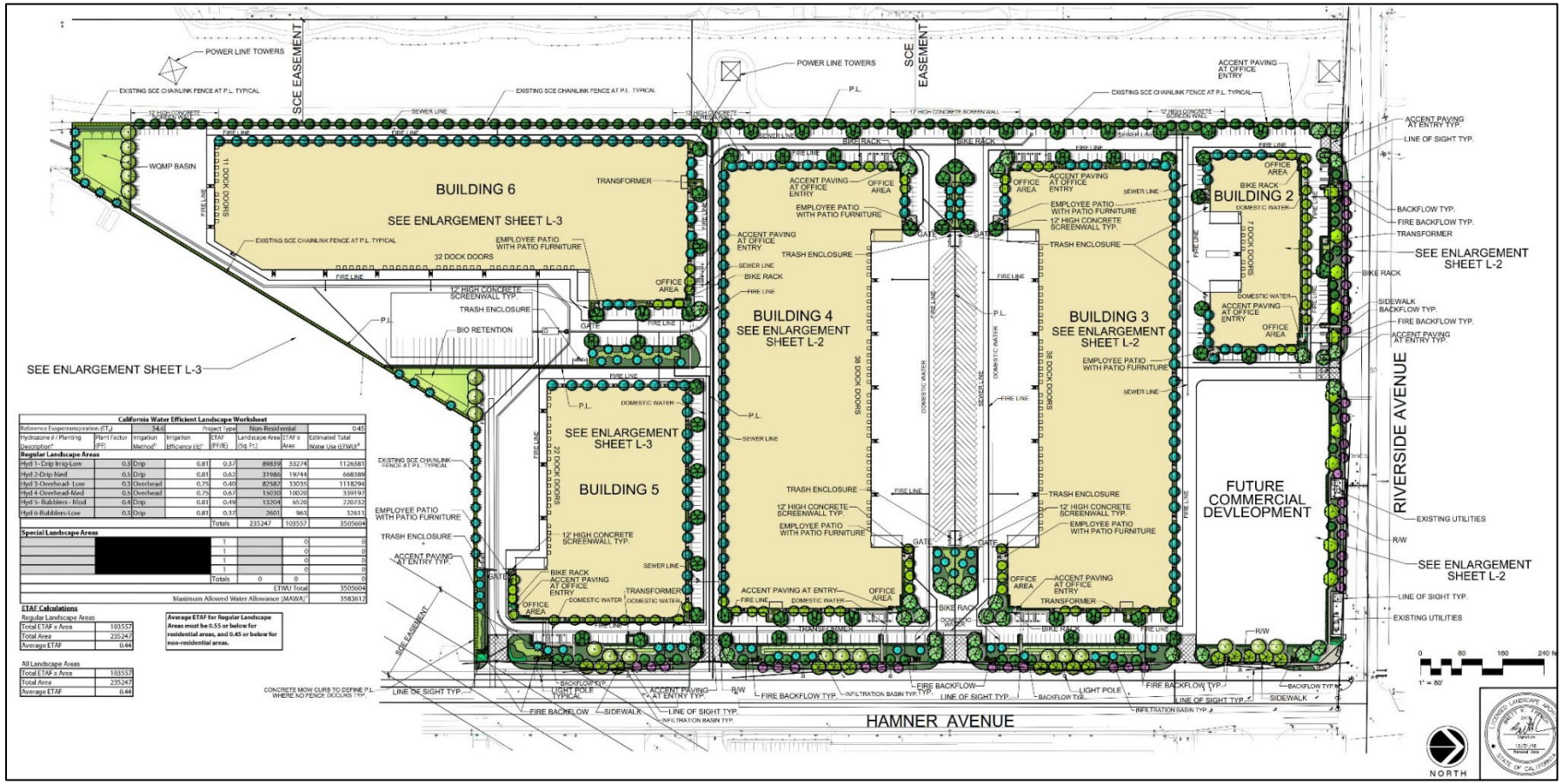
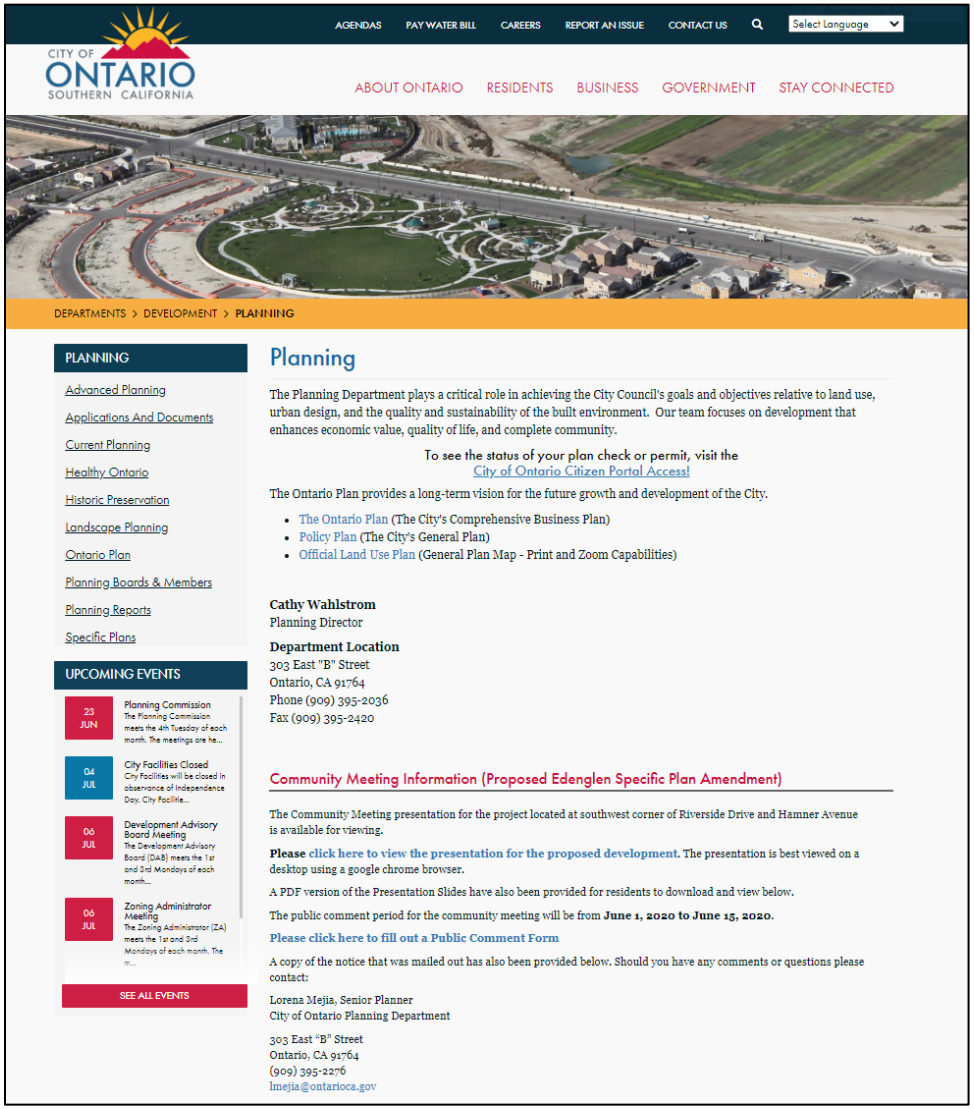


EXHIBIT G—PLANNING DEPARTMENT WEBSITE SCREENSHOT



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PLANNING

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- Applications And Documents
- Current Planning
- Healthy Ontario
- Historic Preservation
- Landscape Planning
- Ontario Plan
- Planning Boards & Members
- Planning Reports
- Specific Plans

UPCOMING EVENTS

23 JUN — Planning Commission
The Planning Commission meets the 4th Tuesday of each month. The meetings are he...

04 JUL — City Facilities Closed
City Facilities will be closed in observance of Independence Day. City Facilitie...

06 JUL — Development Advisory Board Meeting
The Development Advisory Board (DAB) meets the 1st and 3rd Mondays of each month...

06 JUL — Zoning Administrator Meeting
The Zoning Administrator (ZA) meets the 1st and 3rd Mondays of each month. The m...

SEE ALL EVENTS

Planning

The Planning Department plays a critical role in achieving the City Council's goals and objectives relative to land use, urban design, and the quality and sustainability of the built environment. Our team focuses on development that enhances economic value, quality of life, and complete community.

To see the status of your plan check or permit, visit the
City of Ontario Citizen Portal Access!

The Ontario Plan provides a long-term vision for the future growth and development of the City.

- The Ontario Plan (The City's Comprehensive Business Plan)
- Policy Plan (The City's General Plan)
- Official Land Use Plan (General Plan Map - Print and Zoom Capabilities)

Cathy Wahlstrom
Planning Director

Department Location
303 East "B" Street
Ontario, CA 91764
Phone (909) 395-2036
Fax (909) 395-2420

Community Meeting Information (Proposed Edenglen Specific Plan Amendment)

The Community Meeting presentation for the project located at southwest corner of Riverside Drive and Hamner Avenue is available for viewing.

Please click here to view the presentation for the proposed development. The presentation is best viewed on a desktop using a google chrome browser.

A PDF version of the Presentation Slides have also been provided for residents to download and view below.

The public comment period for the community meeting will be from **June 1, 2020 to June 15, 2020.**

Please click here to fill out a Public Comment Form

A copy of the notice that was mailed out has also been provided below. Should you have any comments or questions please contact:

Lorena Mejia, Senior Planner
City of Ontario Planning Department

303 East "B" Street
Ontario, CA 91764
(909) 395-2276
lmejia@ontarioca.gov

Attachment A—First Community Meeting Comments

Edenglen GPA, SPA and Development Plan – 1st Community Meeting Comments

No.	Name	Project Position	Type of Correspondence	Comments
1	John Schmoldt	Oppose	Comment Card	My concerns are with the proposed plan is that the heavy truck traffic will increase Riverside Drive. Also, with the proposed 4 warehouses there will be traffic and noise 24 hours a day 7 days a week. I do not support this plan.
2 *	Glenn & Mary Boyd	Oppose	Comment Card	Interested in what the west facing general industrial buildings will look like. Parking for business? Brightly lit-up at night? Noisy? Operations 24/7/365? Subject graffiti?
3	Jonathan Urban	Oppose	Comment Card	Please keep the existing plan. It's already going to be a large majority Industrial and Business Park. Give us a little commercial ("retail") with the 20 acres in the existing plan. Preferably, I would like this all Commercial but that is not what we are discussing. This is a neighborhood area, give us a commercial parcel to complete that neighborhood feeling. Limit the industrial. I worked in Industrial/warehouse/transportation my entire career... the noises, hours of operation, safety concern is not good for close to neighborhood.
4	Mary Boyd	Oppose	Comment Card	Incorporate large plantings that will buffer noise, light and views of the west facing buildings. It is important that we maintain a pleasant aesthetic that will add and be attractive to the community.
5	Patrick	Oppose	Phone Message	Edenglen HOA Board President opposes the proposed development and wants to the land use and specific plan preserved
6	Maria Cristina Catala	Oppose	E-mail	Opposed re-zoning from "General Commercial and Business Park" to "Business Park and Industrial" We have an enormous amount of Industrial in this area already, and the infrastructure is already suffering because of it. The roads are damaged due to the trucks, traffic on Hamner and Riverside Dr. is already slow to access the 60 and the 15. I am aware there are plans to make it 4 lanes, however for Semi trucks to safely turn without crossing into the oncoming traffic lane, they need 3 lanes width for each side. Industrial areas provide room and isolation for street racing and car hangouts, already happening in the areas along Hamner. This is also happening on Mills past the abandoned road regularly, and we have to deal with the noise of the tires and modified exhaust pipes. We do not want to make new areas for the kids to do their car exhibitions. If the area is commercial with walk-up stores, as originally proposed, the residents can have more access to necessary services, for which we are now forced to go to Eastvale. This side of Ontario does not offer much by way of shopping, restaurants, or other services, and residents must leave the city for regular needs. Close services appeals to residents, and is a factor in determining of this is a desirable place to live. Making the areas more appealing to home owners and residents increases home value, and brings in more tax income for the city.
7	Joseph Brennan	Oppose	E-mail	I am opposed to the rezoning proposal on the corner of Riverside and Hamner. Edenglen was meant as a pedestrian friendly community with promised walkability to retail stores.
8	Howard McGinnis	Oppose	E-mail	When we moved into Edenglen, we were excited about the pedestrian friendly concept of eventually being able to walk to a Starbucks, a Grocery store a restaurant... With the rezone that is proposed, the corner lot will be turned into an industrial park which means NO retail Stores, increased truck/big rig traffic, possible industrial pollution, and ugly utilitarian buildings
9	Song Stitt	Oppose	E-mail	My family and I hoped to see the lot on Hamner and Riverside to blossom as a kid-family marketplace. Regretfully that is not what was proposed. Please reconsider turning it into an industrial park. We do not want saturation of trucks and even potential pollution.
10	Peter Teodoro	Oppose	E-mail	We are against the proposed industrial park at the corner of riverside and Hamner.
11	Erika Teodoro	Oppose	E-mail	I'm a resident in the Edenglen community and I'm against the proposed rezoning at Hamner and riverside Ave
12	Carol Tuchfarber	Oppose	E-mail	I live in Creekside. I was just made aware of the potential change in zoning at Riverside Drive and Hamner. I am VERY DISSATISFIED to hear of this change. Our corner of the community could use a Stater Bros., Trader Joes, or Sprouts, etc. or smaller shops if necessary. Come on, more industrial parks are the last thing we want to see at that corner. Push harder for something worthwhile where we can shop. I will do everything in my power and also encourage others who live in this area to help prevent the rezoning. Ontario is causing us to shop in Riverside County and I would prefer to spend my money in Ontario.
13	Diana Jacquez	Oppose	E-mail	I've lived in Edenglen for over 8 years now. I am opposed to having an industrial park in our backyard (Hamner and Riverside). We are surrounded by industrial parks all along Hamner going North and now South. We were excited about the pedestrian friendly concept of eventually being able to walk to a retail store. I would like to know when the next meeting will take place.

Edenglen GPA, SPA and Development Plan – 1st Community Meeting Comments

No.	Name	Project Position	Type of Correspondence	Comments
14	Ramon Jacquez	Oppose	E-mail	I've lived in Edenglen for over 8 years now. I am opposed to having an industrial park in our backyard (Hamner and Riverside). We are surrounded by industrial parks all along Hamner going North and now South. We were excited about the pedestrian friendly concept of eventually being able to walk to a retail store
15	Delilah Smith	Oppose	E-mail	I am a concerned resident from Ontario that purchased a new home in New Haven over 2 years ago. Our builder and the city have great plans to build great shopping and grocery store fronts on Ontario Ranch Road. I heard the City is rezoning Riverside and Hamner to an industrial park. Which means no store fronts and more big rigs just down street from us. New Haven does NOT want an industrial park in our backyard. I did no invest hundreds of thousands of dollars in my home to have more industrial toxic lots near my home. We the citizens of Ontario Ranch and New Haven do not agree with the planning of this industrial park which adds to the big rig traffic. I am a Registered Nurse in my community and I would like more shopping, local grocery stores, coffee shops, in order to keep the money I spend somewhere else, here in Ontario Ranch. Which will ultimately increase our property value and beautification of our community.
16	Praneth Meas	Oppose	E-mail	I recently decided to move to the community as I like the environment, cleanliness, quiet and enjoy the pedestrian walk within and around the community. Recently after learning the current empty lot by the community original proposed plan has been reproposed to build more industrial, I am not happy about this same with the rest of residents in and nearby communities. As a homeowner in Edenglen community I strongly oppose the proposal. Having industrial park behind my backyard is the last thing I want to happen. The current tight corner road hammer and riverside are already busy and hard enough to get by pass by. Not to mention there are already lots of big trucks every time park along hammer. I would like to see the zone to reserve for business park or at least keep as existing proposed plan. As a Ontario resident, I hate to spend my money to nearby cities such as Eastvale, Chino or Mira Loma. I sincerely hope you would reconsider the proposed plan.
17	Ken Schmitt	Oppose	E-mail	I watched Fedco (Police station building now), now Kmart on Euclid, and other stores close. We have no stores to shop at because Ontario will not let major players build here since I moved in. Change your tone immediately and let stores start building here so that the tax base is spent in Ontario. Right now I spend most of my budget in Riverside county (Eastvale and Norco) because we do not have a similar level or shopping and services in south Ontario. The mills area is too far to commute to shop when other stores are half the distance. I see all the new homes being built but not a single shopping center or Walmart has been built below the 60 freeway. The same goes for non warehouses, public schools, and other neighborhood supports. I know the rhetoric has been "it is coming", I have been waiting since 1979 and I will not accept this any more. Stop putting the emphasis on north Ontario and the airport and support the large population below the 60 freeway. I will only vote for candidates that support the above and bring the variety of stores and professional jobs to south Ontario.
18	Noemi Garrison	Oppose	E-mail	I'm opposed to the rezoning of the corner lot off Hamner and Riverside Dr. Please consider the proximity to residents homes and what an inconvenience this would be for several reasons.
19	Leslie Garrison	Oppose	E-mail	I'm opposed to the rezoning of the corner lot off Riverside Dr and Hamner next to Edenglen. This is not what the residents want.
20 *	Norma and Juan Aguirre	Oppose	E-mail	In regards to the rezoning project My husband and I bought a home in EastCreek this past July We were told my local residents that stores would be going up at that section of Riverside/Hamner We thought this would be nice and convenient to us Then we hear now that the city wants to rezone this property to industrial There is enough industrial All along Hamner We shop at Eastvale mist if the time the Ralph's on Riverside and the CVS on Grove especially the property do rundown and I don't feel safe shopping at night there. Why not put a 24 hour CVS or Joanne's, Ice cream shops, nice restaurant there is so much that can be done at that property with a nice revenue coming back to our city. Please reconsider!!
21	Doralyn Seawell	Oppose	E-mail	When we moved into Edenglen, we were excited about the pedestrian friendly concept of eventually being able to walk to a Starbucks, a Grocery store or a restaurant... With the rezone that is proposed, the corner lot will be turned into an industrial park which means NO retail Stores, increased truck/big rig traffic, possible industrial pollution, and ugly utilitarian buildings. This is by no means were my expectations for that corner. Something more attractive and useful for the community was expected. A Sprouts market would benefit and serve the residents of Edenglen much better and increase the value of the community.
22	Jean Gambill	Oppose	E-mail	Please stick to the original plan of shops, restaurants and an entertainment center. We do not want another industrial area.
23	Elgad Snyder	Oppose	E-mail	I'm elgad snyder from creekside resident since 2005. I vote for no industrial and please please please put more grocery stores and amenities for Ontario residents.
24	Christina A Ramirez	Oppose	E-mail	I am a homeowner (Condo actually) in the Edenglen Community and I oppose an industrial park built behind, on the side, or anywhere near our community.
25	Ruben Ramos	Oppose	E-mail	My name is Ruben Ramos and I live with my family in the Edenglen community of Ontario. We are concern about the rezoning proposal at the corner of Riverside Dr and Hamner Avenue. We are very concern for our community. We do not want an industrial park in the area. Please be aware of it and help us keep our community safer.

Edenglen GPA, SPA and Development Plan – 1st Community Meeting Comments

No.	Name	Project Position	Type of Correspondence	Comments
26	Andrew Dubick	Oppose	E-mail	Hello, my name is Andrew Dubick and I relocated to Ontario in July. I have talked with neighbors recently and was told that the intersection is going to be zoned for industrial usage. After doing some research I have found that this neighborhood area along with creek side would benefit from having a grocery store and restaurants along with other light commercial. As you are well aware we have nothing close enough to walk to for shopping or eating. Local neighborhoods would greatly appreciate having shopping and restaurants within walking distance. Thank you for your time and consideration in this matter. Have a wonderful holiday season
27	Lauri Gutierrez	Oppose	E-mail	Hi Lorena, I am a resident of Edenglen and attended the community meeting on December 12th. I have spoken to many people following the meeting who feel like what we say isn't going to matter because the developer has made promises to the city to complete much needed infrastructure in this area. I hope this is not the case. No one in our community wants the rezoning to take place. We don't want those pop up style industrial buildings right next to our beautiful neighborhood. We don't want the monochromatic looking elevations. We don't want the noise that comes from these buildings. We don't want the traffic on Hamner and the large semi-truck noise. What we do want is for the existing zoning to stay in place. We want shops and restaurants and a grocery store. Most of my neighbors go to Eastvale and Chino or even Rancho because we don't have enough eating/shopping options here in South Ontario. Please do not allow this rezone to happen to our neighborhood. Industrial buildings do not belong in this location.
28	Thia Le	Oppose	E-mail	My husband and I are residents of Creekside West. We oppose the development of more industrial buildings that are being planned for the corner of Hamner and Riverside Dr. We need more local shops that are within walking distance. It's a shame that we have to drive to other cities for a quick bite, coffee, doctor visits, etc. Industrial lots are eyesores that keep business and visitors away. Why not keep the visitors and dollars in our own city?
29	Angela Sharma	Oppose	E-mail	As a resident of South Ontario I am against the industrial rezone that has been proposed. There's already too many industrial parks around here. We only have one grocery store which is a Ralph's. It would be nice to have a Stater brothers or even some organize food store - Trader Joe's, Whole Foods, or sprouts nearby instead of more warehouses. I have elderly parents so proximity of grocery/retail is important to them instead of driving to different cities. Please take this into consideration. There are folks who moved to the area under the impression that there would be retail/grocery stores nearby. Rezoning to an industrial area is not what they signed up for. I forgot to add to my first email that industrial park means more big rig truck traffic and more pollution. This is a residential area and pets often escape their homes and can possibly be hurt if they venture towards this industrial park.
30 *	Jason and Pam	Oppose	E-mail	We live on 3010 Edenglen, I was unable to attend the rezoning meeting but I strongly disagree with the proposal. What do I need to do on my end to make sure this proposition does not go through?
31	D'Andre Lampkin	Oppose	E-mail	My name is D'Andre Lampkin and I reside in Creekside located in South Ontario. As a matter of introduction and perspective, I have the honor and privileged serving the residents of Ontario as a Board Member representing the Creekside Master HOA and Board Chair of the Lampkin Foundation, an Ontario based 501(c)(3), state and federal tax exempt organization whose focus is to create and support programs that lead to the development or stronger, more resilient communities. I also serve as CEO of Care Staffing Professionals, a nationally accredited healthcare staffing solutions company located in Ontario California who has the unique distinction of providing quality paying jobs to local residents and nurse staffing services to the San Bernardino County government. Because of my roles in the community (most of which are voluntary), I've had the unique opportunity to collaborate, speak with and work on behalf of the interest of various Ontario residents. It was recently brought to my attention you are seeking input from the community regarding the rezoning of property located on the southeast corner of Riverside Dr and Hamner Ave. In my interactions with member who reside in Creekside and adjacent communities, the residents have often expressed a strong desire for retail space where they can keep dollars local. For a long time, South Ontario residents have felt forgotten - like they are the step child of the city. While it may not be the intent of city officials and land developers, these feelings are not without base. Not a single member of city council resides in South Ontario and land developers are rarely seen hosting outreach meetings in the area. Civic engagement is restricted to showing up to meetings in North Ontario, shopping in north Ontario or spending money neighboring cities because their amenities are more desirable. Residents in and around Creekside have hoped for retail space that resembles Victoria Gardens, the Shoppes at Chino Hills, or Dos Lagos. Residents want a pedestrian friendly retail space where they can gather and meet other residents from the unique South Ontario communities. South Ontario residents no longer want to be restricted by the walls surrounding our HOAs. In many cases, the parks and amenities are limited to residents who pay HOA dues for those amenities. So, if there's never been a better case for creating such retail space, I think wanting to link these communities together is well worth consideration. I implore you take advantage of this opportunity to build something that builds community and meets the needs of the residents. We need places to shop and contribute collaboratively to the city's economy. Should you have any questions, I can be reached by email or phone (323) 229-6063.
32	Rita Bock	Oppose	E-mail	I am emailing to let you know we do not want this new industrial park in the Edenglen Community. Ontario needs more grocery stores and restaurants for the increase of homes being built.
33	Anthony Roberts	Oppose	E-mail	I am a resident of the Edenglen community and I oppose this rezoning plan. The residential population is increasing and we need more local retail businesses to support the growing community.

Edenglen GPA, SPA and Development Plan – 1st Community Meeting Comments

No.	Name	Project Position	Type of Correspondence	Comments
34	Angela Gannaway	Oppose	E-mail & Phone Message	When we moved into Edenglen, we were excited about the pedestrian friendly concept of eventually being able to walk to a Starbucks, a Grocery store a restaurant... With the rezone that is proposed, the corner lot will be turned into an industrial park which means NO retail Stores, increased truck/big rig traffic, possible industrial pollution, and utilitarian buildings. We do not want ANOTHER industrial park right in our backyard. We already have so many, along with being next to the electrical plant. Please reconsider this proposal, and let the neighborhood and community that has to sit next to that lot be a part of the decision making that happens in our city.
35	Karen Smith	Oppose	Phone message	Oppose the proposed project. Would like commercial land use to be maintained.
36	Raymond Smith	Oppose	Phone message	Oppose the proposed project. Would like commercial land use to be maintained.
37	Irene Chisolm	Oppose	e-mail & phone message	HOA President for Creekside Village East; Opposes proposed industrial project wants the existing land use plan to be maintained. Explained that there are 60 comments on Nextdoor opposing project and forwarded some of the posted comments.
38	Michelle Abuan	Oppose	e-mail	I live in Edenglen and I am writing because I heard the lot on this corner will be rezoned for industrial space and tractor trailers. Please do not let them happen. We were told there would be a grocery store and other smaller businesses. I have lived in Edenglen for almost 10 years and we have patiently waited for the land development. Is there a petition we can sign?
39	Cesar Garcia	Oppose	e-mail	I am a resident of Ontario, and believe that the lot will be of better use.. if you build retail shops/and places to hang out. Instead you guys have us shopping in different city's such as EASTVALE and VICTORIA GARDENS as well as CHINO HILLS. Building another industrial warehouse... Is a bit ridiculous... especially with Ontario ranch building so many homes.

Notes: (*) One comment representing two residents. A total of 42 comments received.

Attachment B— Virtual Meeting Presentation Slides

Riverside Drive/Hamner Avenue
Proposed Development

The project site is located at the southwest corner of Riverside Drive and Hamner Avenue. The project entitlements include the following applications:

1)General Plan Amendment

2)Edenglen Specific Plan Amendment

3)Tentative Parcel Map and

4)Development Plan

On December 12, 2018 the Ontario Planning Department hosted a Community Meeting at the Colony High School Branch Library for the proposed entitlements.

Per the issues and comments raised at the community meeting, the applicant has revised the project proposal. Response to comments and additional information has been provided by the applicant and will be discussed throughout the presentation.



1) Proposed General Plan Amendment

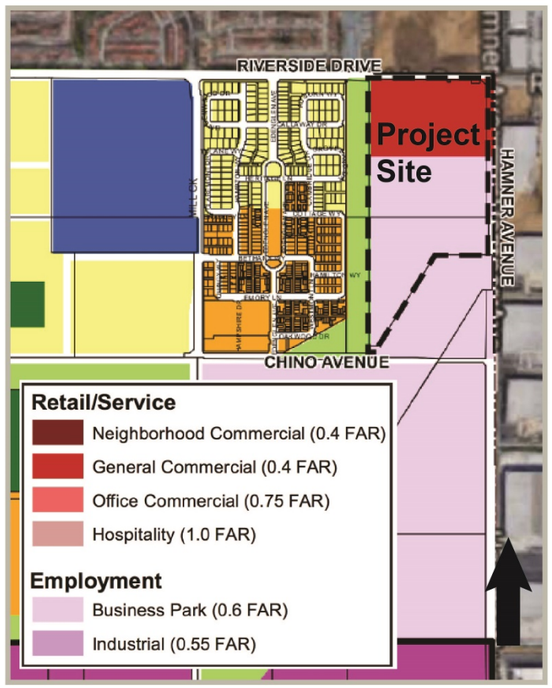
The applicant's initial proposal was to change the General Plan land use designation from General Commercial and Business Park to Business Park and Industrial (maps displayed on the right).

"Community members opposed the proposal to eliminate the commercial land use designations"

In response to community comments the applicant performed an economic feasibility study and revised the proposed General Plan amendment to include (map highlighted in red on the far right):

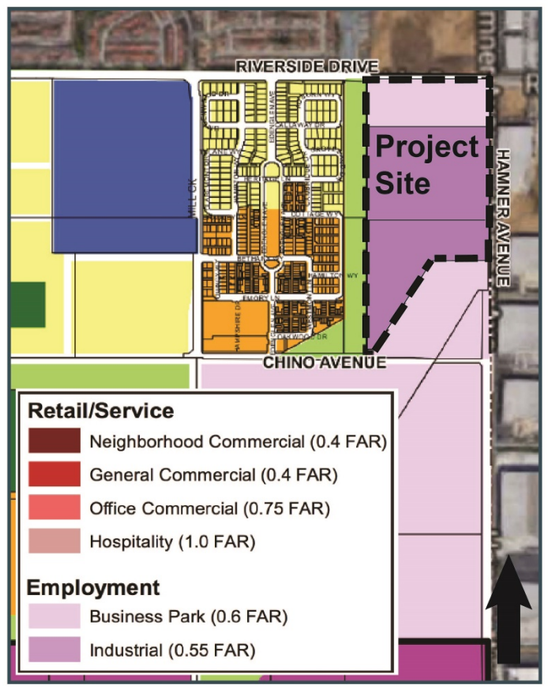
- **4.13 acres of Community Commercial located on the northeast corner of the project site.**
- **3.51 acres of Business Park located on the northwest corner of the site.**
- **38.64 acres of Industrial located on the southern portion of the site.**

Existing General Plan Land Use Plan Map



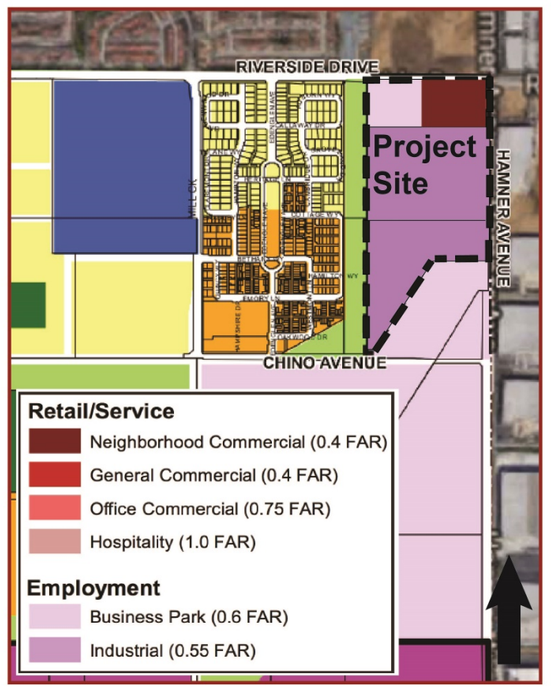
Existing General Plan Land Use Designation	Gross Acreage
General Commercial	17.2
Business Park	30.17

Proposal from 1st Community Meeting General Plan Land Use Plan Map



Existing General Plan Land Use Designation	Gross Acreage
Business Park	8
Industrial	39.37

New Revised Proposal General Plan Land Use Plan Map



Existing General Plan Land Use Designation	Net Acreage
Neighborhood Commercial	4.13
Business Park	3.51
Industrial	38.64

2) Proposed Edenglen Specific Plan Amendment

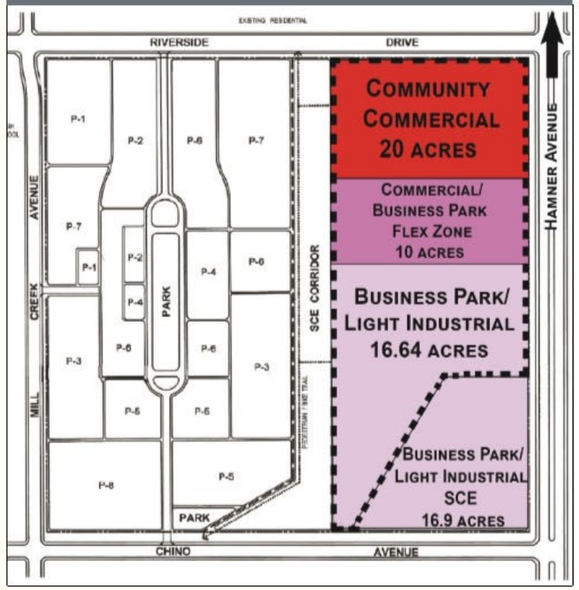
The applicant's initial proposal was to amend the Edenglen Specific Plan and change the land use designation from Community Commercial, Commercial/Business Park Flex Zone to Business Park and General Industrial.

"Community members opposed the proposal to eliminate all commercial land use designations from the Edenglen Specific Plan"

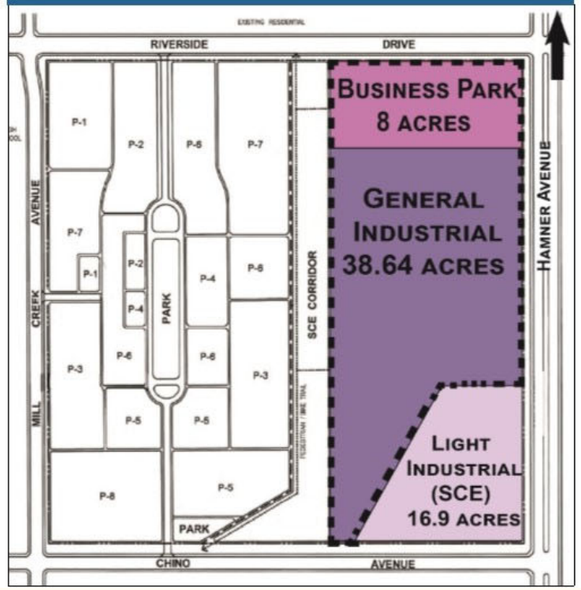
In response to community comments the applicant has revised the proposed amendment to include:

- **4.13 acres of Neighborhood Commercial located on the northeast corner of the project site.**
- **3.51 acres of Business Park located on the northwest corner of the site.**
- **38.64 acres of Light Industrial located on the southern portion of the site.**

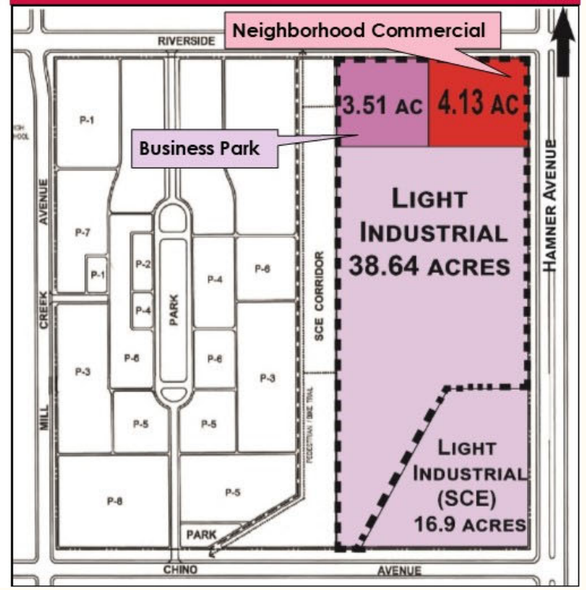
Existing
Edenglen Specific Plan Land Use Map



Proposal from First Community Meeting
Edenglen Specific Plan Land Use Map



New Revised Proposal
Edenglen Specific Plan Land Use Map



3 & 4) Tentative Parcel Map & Development Plan—Proposed Site Plan

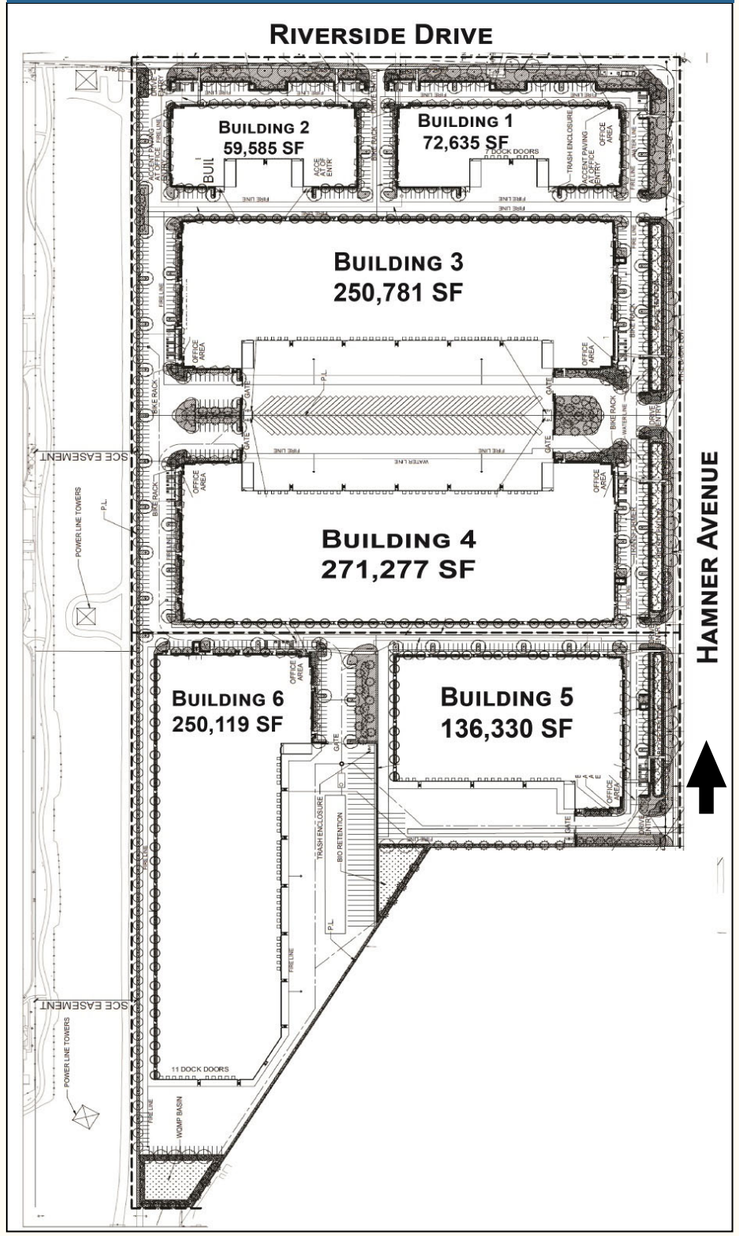
The site plan on the immediate right was presented at first community meeting. In response to community concerns regarding the elimination of commercial land uses the site plan was revised (displayed on the far right of the screen).

Building 1 was eliminated from the project site plan and has been reserved for a future commercial development. The 4.31 acres of commercial land can accommodate approximately 40,000 square feet of future commercial uses. No proposal for the commercial corner has been submitted to date.

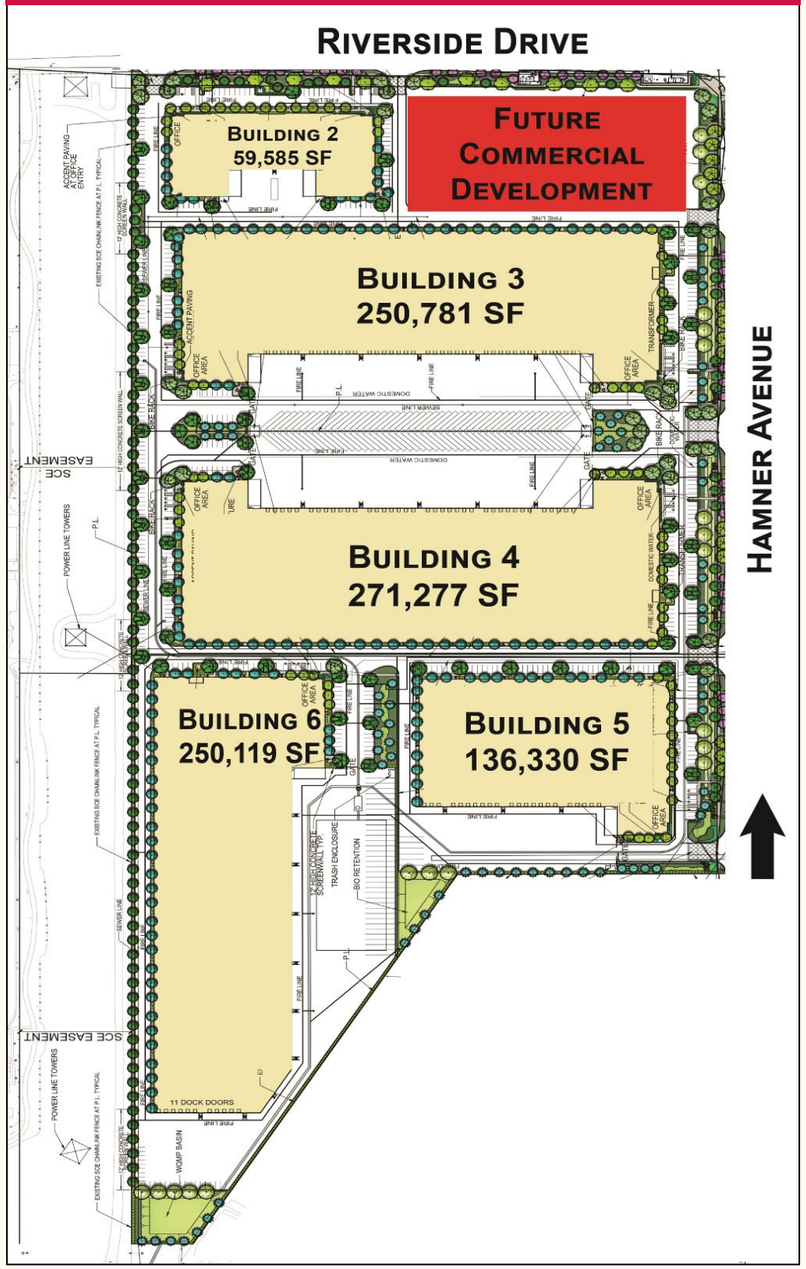
Building 2 is located within the proposed Business Park land use designation that allows for commercial and indoor recreational uses along with business park uses.

Buildings 3, 4, 5 and 6 are within the Light Industrial land use designation which allows warehouse, light manufacturing and similar types of uses.

Development Plan Proposal from First Community Meeting



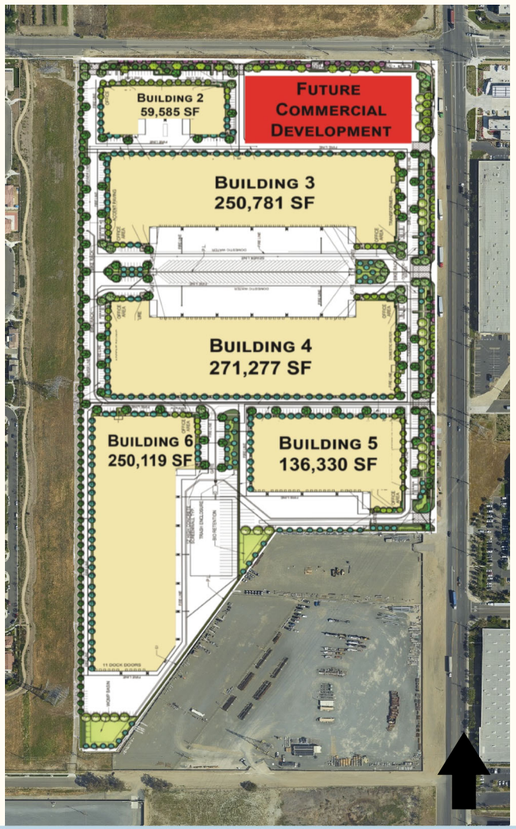
New Revised Development Plan Proposal

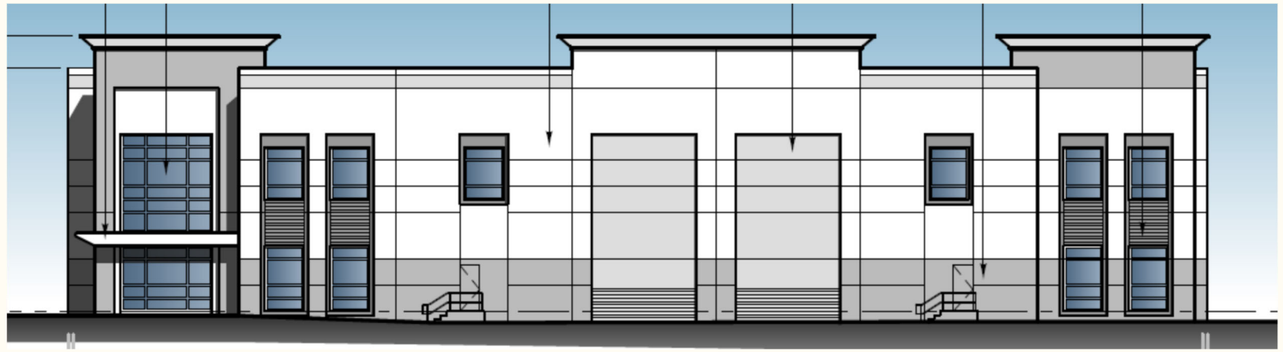


Aesthetic Impacts to the Community—West Facing Building Elevations

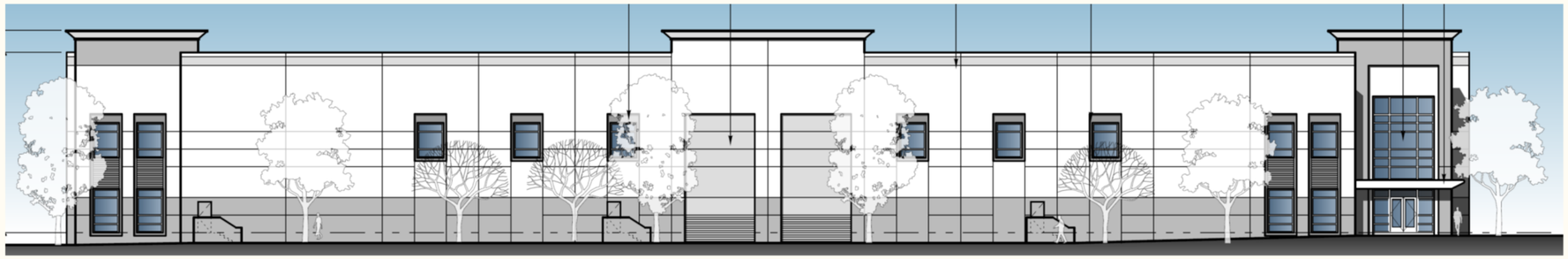
"Community members expressed concerns with the west building elevations and the need to create an attractive view for the adjacent residential community "

In response to community comments the buildings have been designed to have an office-like appearance and the western building elevations have been enhanced to provide an attractive view from the adjacent residential.





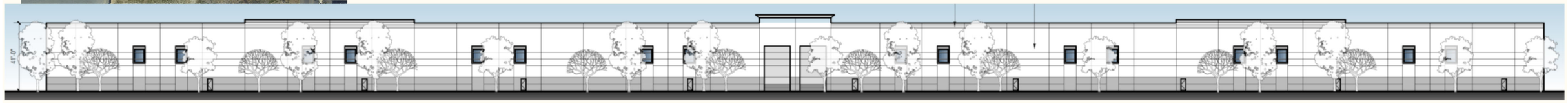
Building 2—West Facing Building Elevation



Building 3—West Facing Building Elevation



Building 4—West Facing Building Elevation



Building 6—West Facing Building Elevation

Aesthetic Impacts to the Community – Landscape Buffer

"Community members requested a landscape buffer along the western elevation to buffer noise, light and soften views of the west facing buildings"

In response to community comments a combination of Southern Live Oak trees and Western Redbud trees will be planted along the western property lines within a landscape planter that varies in size from 6 to 23 feet wide. Additional landscape planters are provided directly adjacent to each building that range in size from 6 to 12 feet wide.

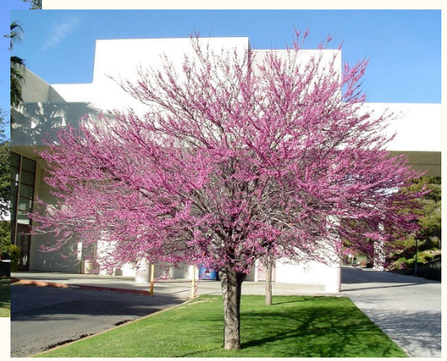
Large plants will be used along the western property line in conjunction with screen walls to mitigate noise travel and create a more visually appealing view from the residential community .



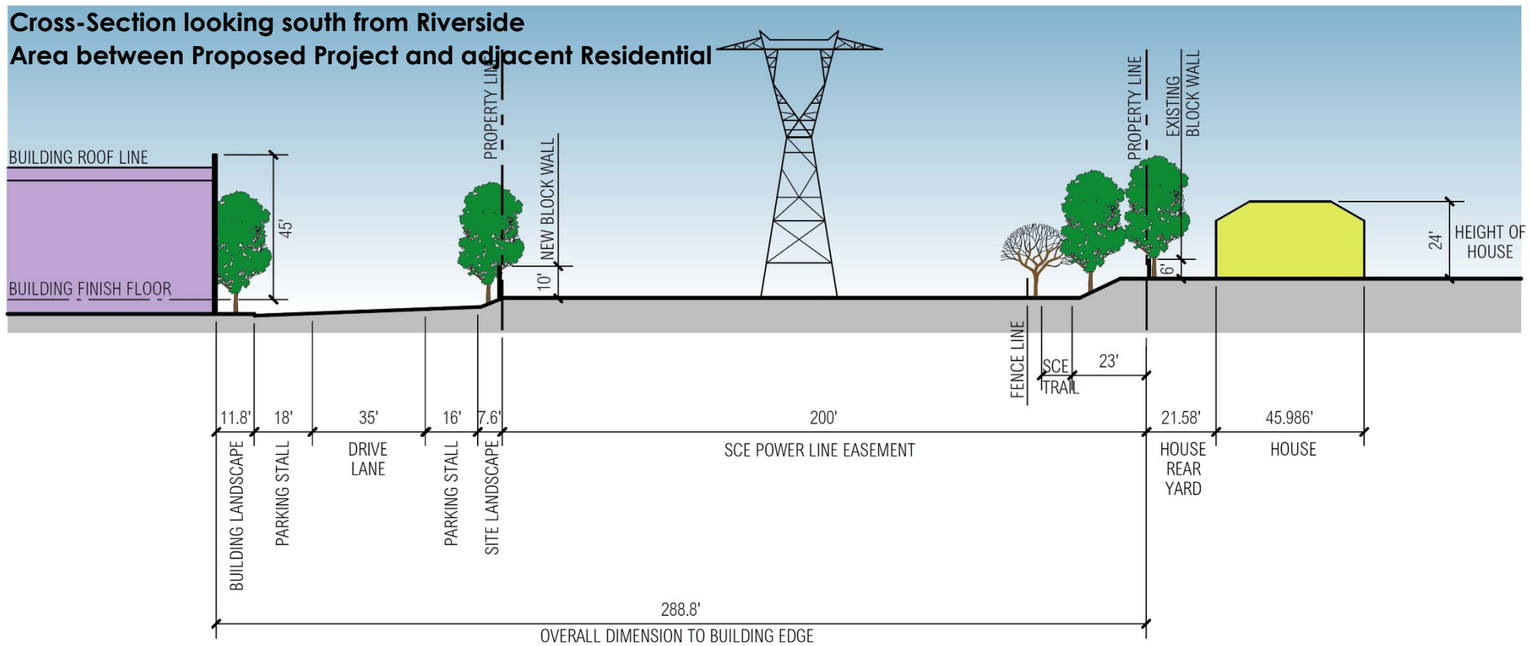
Western View of Proposed Project looking southeast



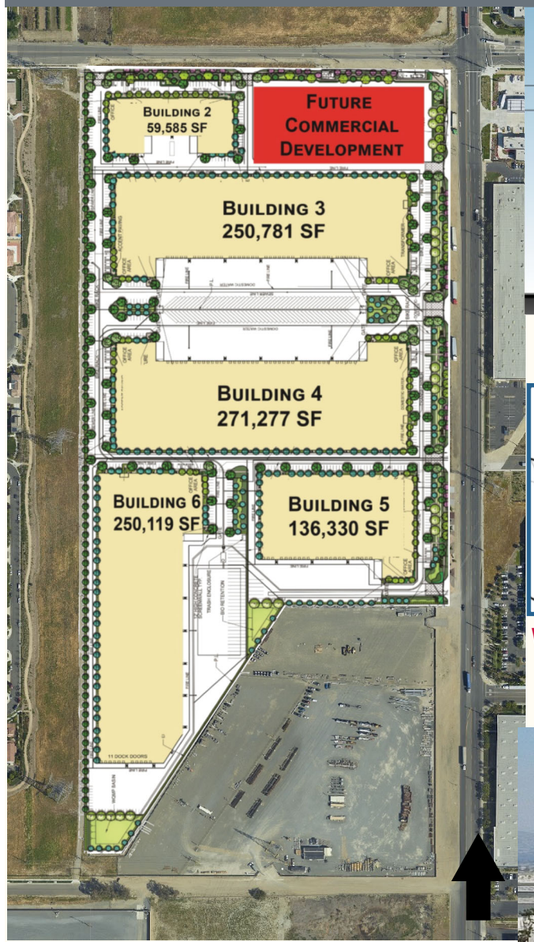
Southern Live Oak



Western Redbud

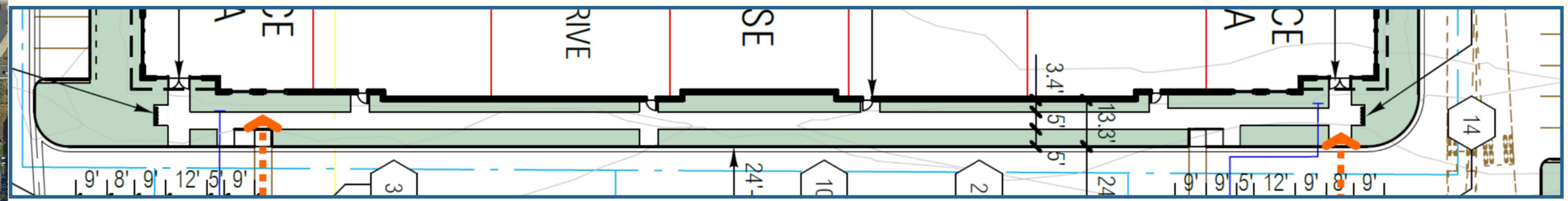


Aesthetic Impacts to the Community—North Facing Building Elevations (Views from Riverside Drive)





Building 2—North Facing Building Elevation



Walkway provided in front of Building 2

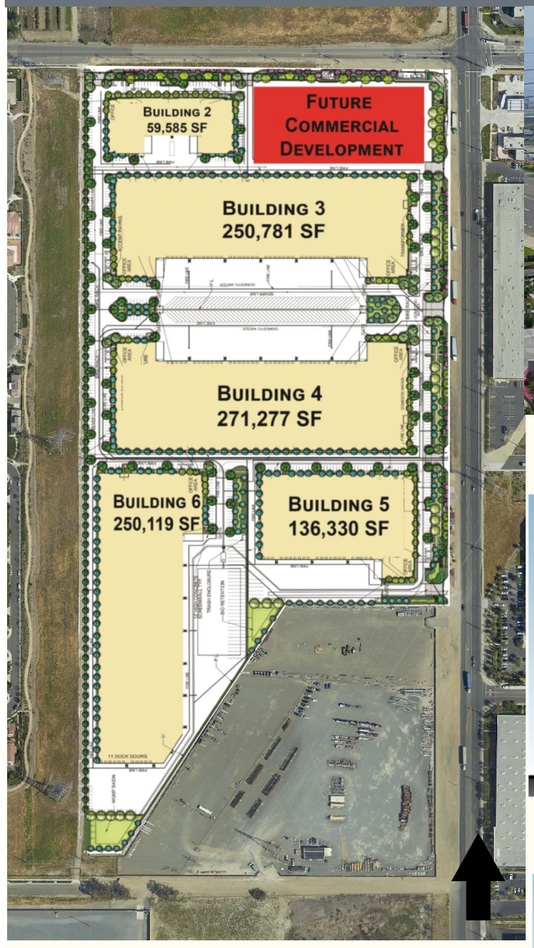


North facing view of the Project Site looking south towards Building 2, 3 and future commercial site



Building 3—North Facing Building Elevation

Aesthetic Impacts to the Community—East Facing Building Elevations (Views from Hamner Avenue)

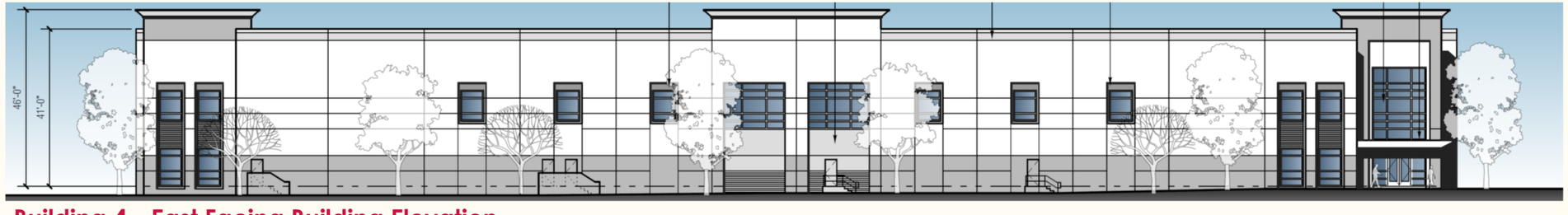




Northwest Corner view of the Project Site looking southeast



Building 3—East Facing Building Elevation



Building 4—East Facing Building Elevation



Building 5—East Facing Building Elevation

Noise and Light Impacts

"Community members had concerns with potential noise impacts from the proposed industrial use and project "

In response to community comments/concerns the project has been designed to minimize noise impacts to the residents. The truck yards have all been oriented away from the western property line. Screen walls that are 12-feet high have been included around the truck courts and have been strategically located along the western property line to block noise traveling off the property. Trash bins have been moved to the interior of the property and will be enclosed to insulate noise. These design features along with the 200-foot SCE utility corridor that separates the properties will substantially diminish any noise impacts to the adjacent residential community.

A noise study was completed by Urban Crossroads (April 2020) that analyzed operational noise impact increases along the eastern property line of the Edenglen residential community. Urban Crossroads measured existing noise levels on October 10, 2019 and modeled the increased noise that will be generated by the proposed operations at the property. The study concluded that the operation of a typical warehouse distribution center would result in a noise increase of 0.3 dBA, which is generally indiscernible to the human ear. Furthermore, the placement of the buildings will assist in the reduction of traffic noise that currently exist from Hamner Avenue and help reduce wind and dust impacts from seasonal Santa Ana winds.

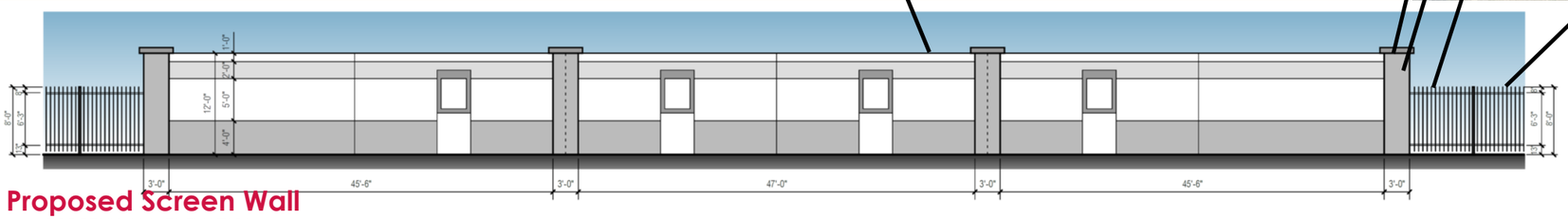
"Community Members had concerns about Graffiti"

In response to community concerns, graffiti prone surfaces in highly visible areas, such as screen walls facing public streets were minimized and will be treated with a graffiti-proof coating . Wrought iron fencing is used where mitigation of noise and visual impacts are not a concern. Any graffiti that does occur on the property will be cleaned per City requirements within 72 hours of receiving notice.

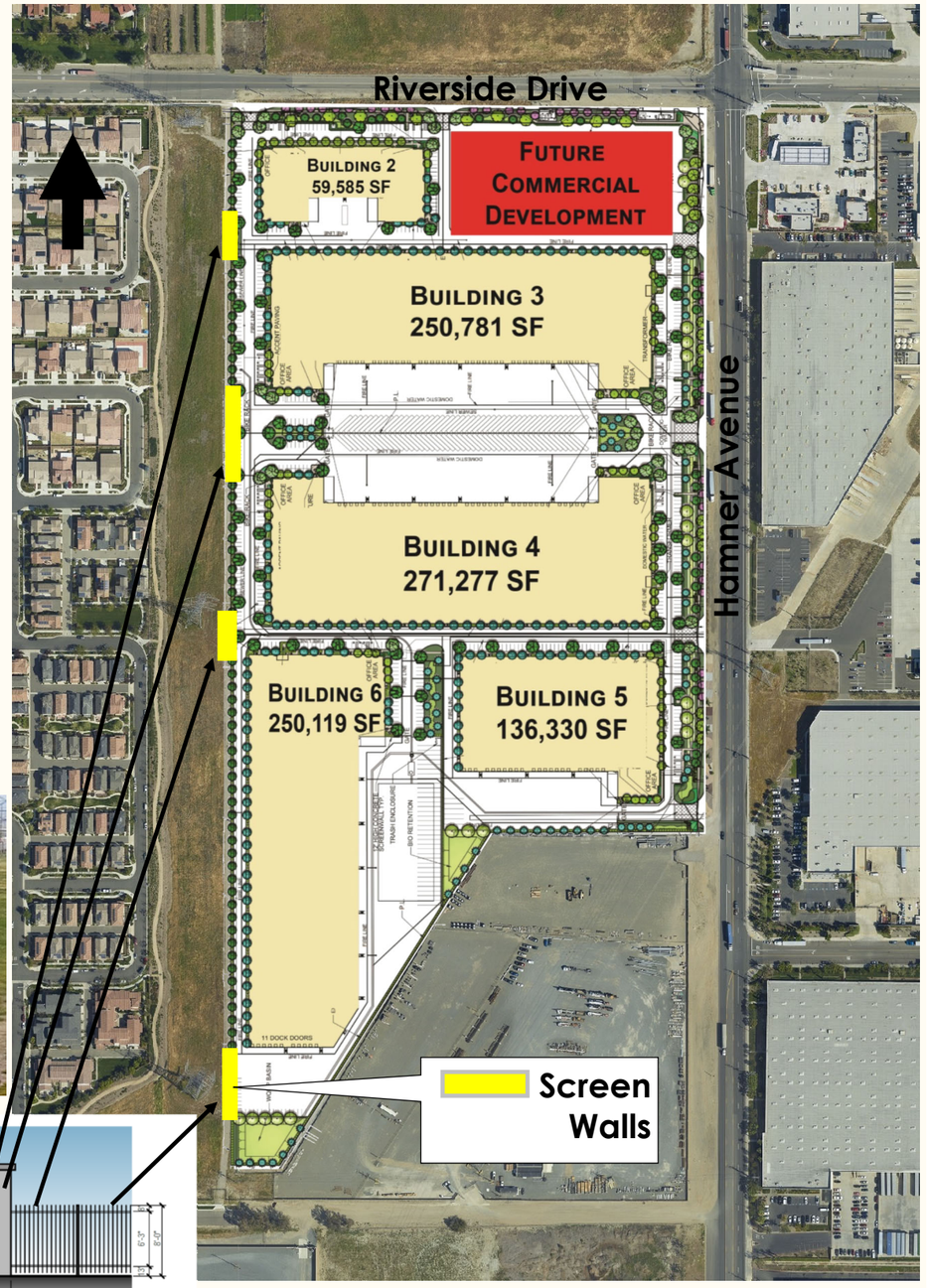
"Community members had concerns about light Impacts from the Project"

Outdoor lighting will be shielded and oriented inward towards the project to minimize light pollution off-site. Dense landscaping and screen walls along the western edge of the property will further shield residents from any light pollution at night.





Proposed Screen Wall



Traffic Related Comments and Concerns

"Community members had concerns that the proposed plan would increase truck traffic on Riverside Drive "

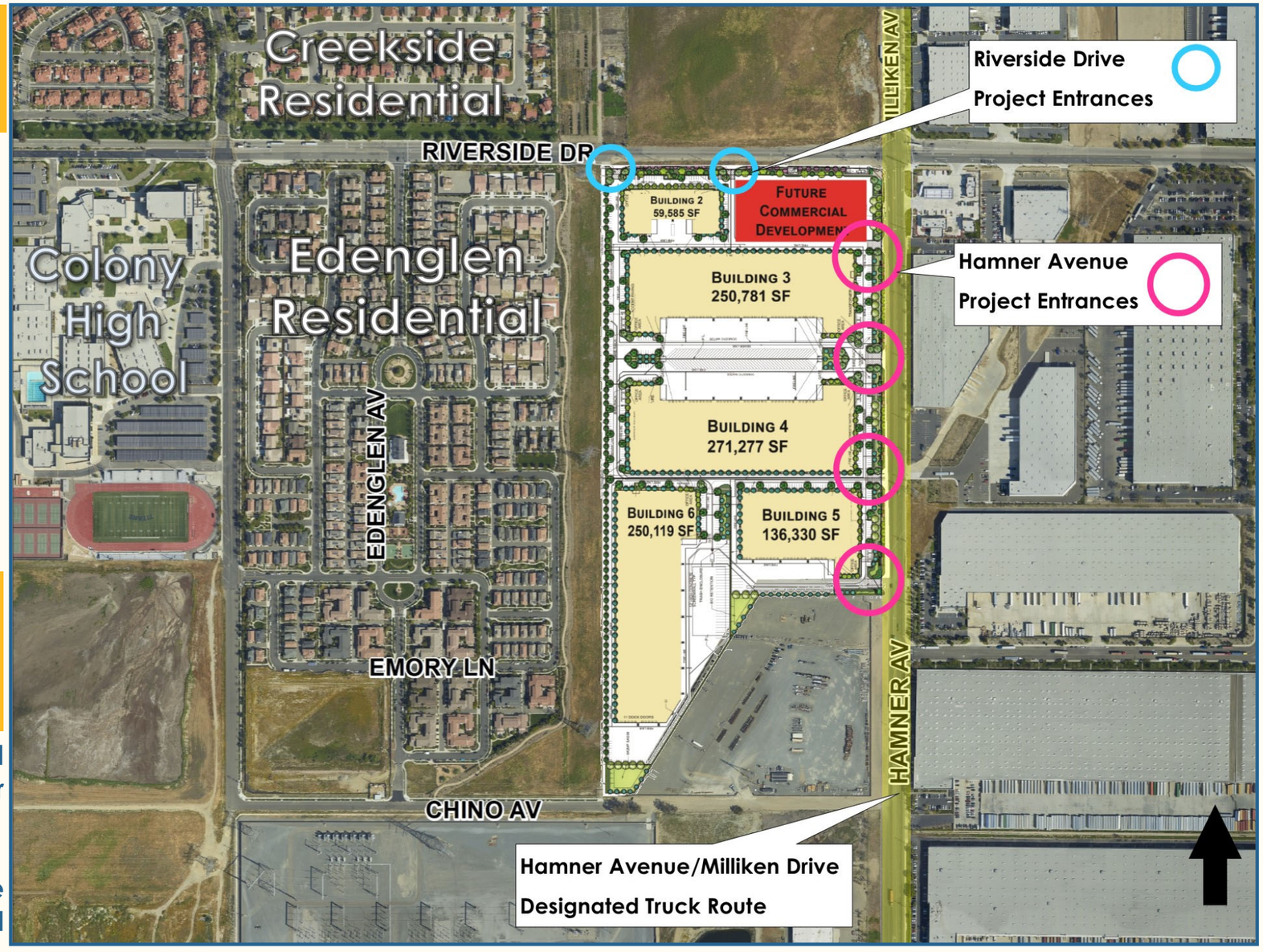
In response to community concerns the project has been designed to have truck traffic enter and exit primarily onto Hamner Avenue. Hamner Avenue is a designated Truck Route and truck traffic will primarily be coming onto the project site from the nearby SR 60 Freeway I-15 Freeway interchanges.

Building 2 and future commercial development will have primary access from Riverside Drive. Buildings 3, 4, 5 and 6 will have primary access from Hamner Avenue.

"Community members had concerns with street parking of trucks along Hamner Avenue and undesirable uses of the public streets (such as street racing)"

The street frontages along Riverside Drive and Hamner Avenue will be improved (curb, gutter and sidewalk) and no parking will be allowed.

The development of the project site will create more eyes on the street and discourage illegal uses such as street racing.



In response to community concerns on-site security patrol will be provided for the property. On-site security will help prevent any undesirable use of the property at night or weekends and can alert law enforcement of any illegal activity occurring off-site and within the immediate area.

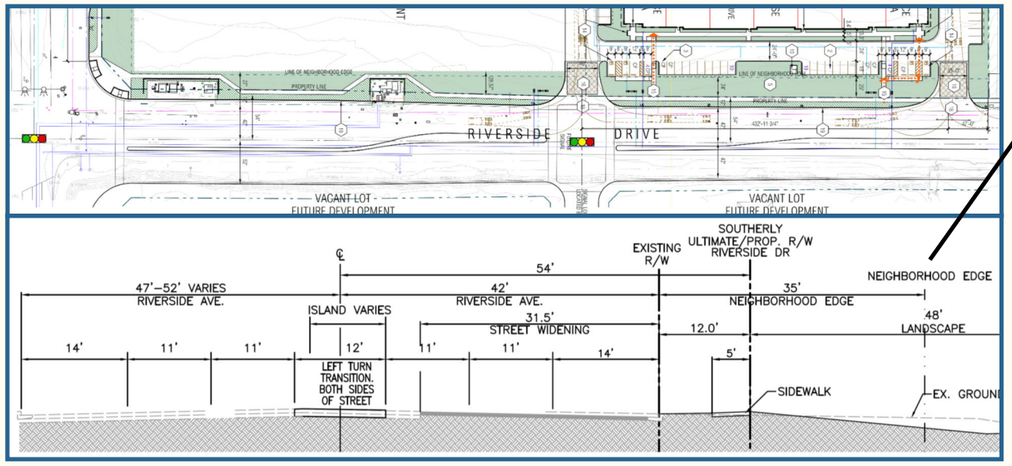
Street Improvements

"Community members voiced concerns about the project causing damage to Roads and Infrastructure"

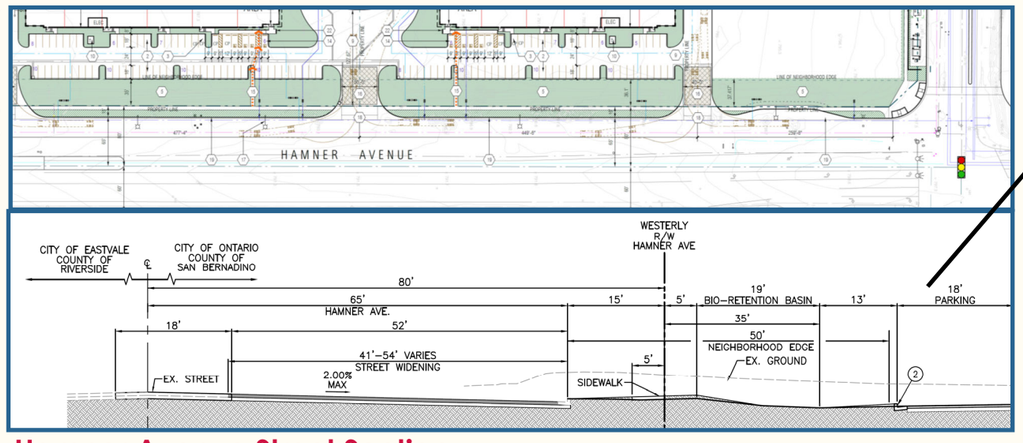
Traffic is currently problematic on Riverside Drive and Hamner Avenue since the existing streets are not properly sized for the amount of vehicle traffic in the area.

In response to community comments, the project will widen and construct new street improvements on Riverside Drive and Hamner Avenue and widen the intersection to improve the flow of traffic. These improvements will mitigate the traffic impacts that may be associated from the proposed project, and improve vehicular traffic flows along Riverside Drive and Hamner Avenue. These improvements include:

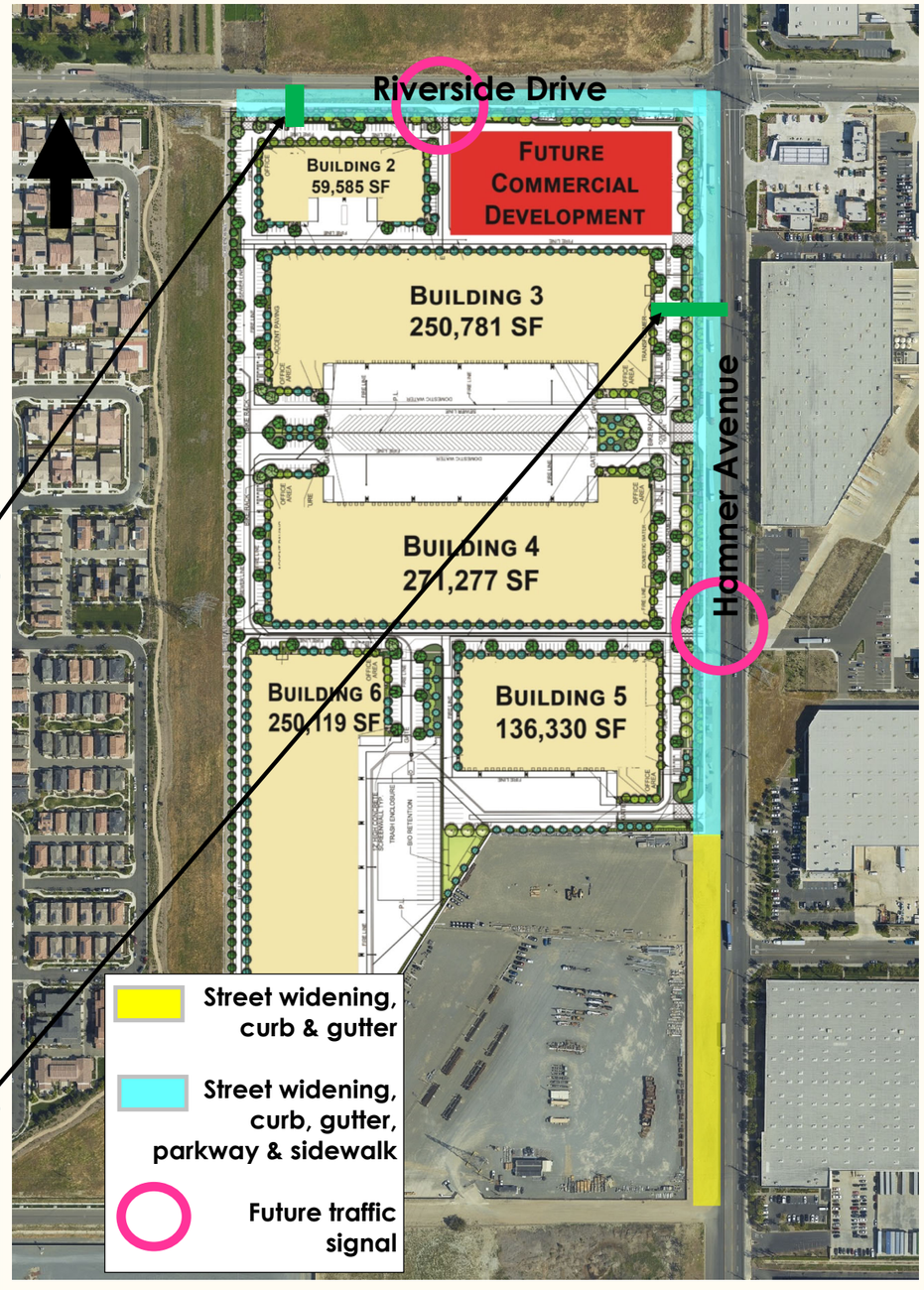
- Widening of Riverside Drive and Hamner Avenue to accommodate more lanes (3 lanes in both directions), a new median on each street, neighborhood landscaped edge, new sidewalks (5 feet wide) and parkway landscaping (7 feet wide) along both street frontages.
- Widening the Riverside Drive and Hamner Avenue intersection to increase traffic flow and installation of new traffic signals.
- Installation of new traffic signals on Riverside Drive and Hamner Avenue at the driveway entrances to the project site.



Riverside Drive Street Section



Hamner Avenue Street Section



Attachment C—Second Meeting Community Comments

Lorena Mejia

From: norma reyna <davekoz1@yahoo.com>
Sent: Monday, June 1, 2020 8:36 PM
To: Lorena Mejia
Subject: Property site Riverside/Hamner

To Whom it May Concern

Hi my name is Norma Aguirre and I reside on
San Lorenzo River Rd in East Creekside.

I am against the building of the commercial buildings on that corner reasons listed below:

There is so much traffic on weekdays, on
Riverside dr going toward Millikan it's a two lane street, the freeway is so close by
That the commercial trucks are always getting
Off on Milliken so much traffic

There is Colony High school so close by
As it is so much traffic on Riverside dr
Especially while the kids are going to school

Why not do something for the communities of East and West Creekside as well as Edenglen
And have a Sprouts, Baskin Robbins, even
A CVS, the CVS on Grove is a horrible location
That area on Grove is not maintained very well.

There are so many other properties in Ontario
That this plan of commercial buildings can go on

Our communities I feel would appreciate this
Please reconsider this proposition

Thank you
Norma Aguirre

Sent from Yahoo Mail for iPhone [overview.mail.yahoo.com]

Community Meeting Comment Form

City of Ontario

Submitted On:
June 4, 2020 7:41am
America/Los_Angeles

Project File Number or Name	Edenglen Specific Plan Land Use
Full Name	Daniel Benitez
Address (optional)	3980 East Bethany Way Unit 9 Ontario CA 91761
Email (optional)	daniel.benitez@laverne.edu
Phone Number (optional)	9095601663
Please provide project related comments below	My concern is this. Developing the parcel further creates a traffic choke point at the intersection of Riverside/Hamner. Riverside Drive between Edenglen Avenue and the above intersection must be widened to accommodate traffic. Further, to allow a separate access to Hamner, Chino Avenue between Edenglen Avenue and Hamner must be opened and paved. Right now that section of Chino Avenue is locked and unpaved. If possible plans should be made to extend Chino Avenue from Hamner to Turner Avenue using either easements or eminent domain.
Email to receive a copy of your submission	daniel.benitez@laverne.edu

Community Meeting Comment Form

City of Ontario

Submitted On:
June 1, 2020 7:44pm
America/Los_Angeles

Project File Number or Name	Corner of Riverside and Hamner Project
Full Name	Joseph arias
Address (optional)	4055 E. Callaway dr Ontario CA 91761
Email (optional)	joeyjones805@aol.com
Phone Number (optional)	
Please provide project related comments below	Edenglen community currently has only one exit and even with proposed street widening I seem to still see future traffic especially with Colony high school. Mill creek is another street proposed for future exiting and entering from either direction parallel to Hamner Avenue that should be completed before so residents can avoid new traffic. I also want to add that more commercial development should be considered so we don't have to drive to another city like Eastvale for food/amenities. I just feel Ontarioranch needs faster access to these proposed commercial developments unless we know a grocery store is going to be built on the corner of Hamner.
Email to receive a copy of your submission	joeyjones805@aol.com

Community Meeting Comment Form

City of Ontario

Submitted On:
June 7, 2020 5:14pm
America/Los_Angeles

Project File Number or Name	Pgpa18-002
Full Name	Jason Samia
Address (optional)	CA
Email (optional)	ritean@gmail.com
Phone Number (optional)	9097866008
Please provide project related comments below	don't approval of the revised version of the project. We need more small businesses local to engage the community. The benefits of a 20 acre site of "community commercial" real estate would pay for itself in the long run for both homeowner and property management.
Email to receive a copy of your submission	ritean@gmail.com

Community Meeting Comment Form

City of Ontario

Submitted On:
June 15, 2020 2:56pm
America/Los_Angeles

Project File Number or Name	Edenglen project
Full Name	Howard McGinnis
Address (optional)	3195 South Edenglen ave unit A Ontario CA 91761
Email (optional)	hcm5252@gmail.com
Phone Number (optional)	7142725944
Please provide project related comments below	The timing of this is precarious. People are dealing with Covid-19, protests, and riots. It's been quite the distraction during the comment period for this project. It will be sneaked past many residents. The initial proposal when I purchased in Edenglen was 20 acres of community shopping. As it is now, all shopping is done outside of the city of Ontario because the shopping is in Eastvale. I would love nothing more than to spend my money in the city I live in. Then a new proposal for only 8 acres of shopping and 39 acres of Industrial. We already have enough trucking traffic and no community shopping. How does that proposal help with residents in this part of Ontario? Now you are just slapping us in the face with just 4 acres of neighborhood commercial. What's that going to provide? A gas station and a dry cleaner? We still won't be able to shop conveniently in the city of Ontario. Spending our money outside the city we live in. This plan is just going to create more truck traffic, pollution, and opportunity for vacant buildings. The new project proposal eliminates 75% of the walk to shopping that presented to ALL of the Edenglen residents.
Email to receive a copy of your submission	hcm5252@gmail.com

Lorena Mejia

From: Claudia Cuscianna <clcuscianna@icloud.com>
Sent: Monday, June 1, 2020 12:26 PM
To: Lorena Mejia
Subject: Riverside Dr & Hamner Avenue Project

Hello,

My name is Claudia Cuscianna and I live in the homes directly behind this proposed project on Riverside and Hamner Avebue in Edenglen. I heard there is talk of buildings with docks for large transportation trucks that pull large, heavy containers. The site plan calls for the construction of a large warehouse distribution center. I am not in favor of this proposal. I have lived in Edenglen for the past two years. I believe our planned community would be adversely affected by the amount of additional large truck traffic with which residents would have to contend, especially when traveling to work. Every morning there is a lot of traffic with parents dropping off children to Colony High School and Grace Yokely Middle school. There is additional existing traffic in the mornings and afternoons for Colony High School. In addition, the physical weight of the trucks would be a tremendous physical burden to Riverside Drive as well as Hamner Ave. There will be additional "wear and tear" to our streets surrounding our planned communities of Creekside East and Edenglen. As the Eastvale housing developments are completed, our automobile traffic will also increase on Riverside Drive. I don't feel the truck traffic is a positive outcome for our adjacent communities. We already have enough distribution centers. An alternative suggestion for developing that land may be Creating a shopping center with stores such as Whole Foods, Sprouts or Trader Joe's. Possibly a coffee shop, restaurants some retail where residents can walk to. A gym is greatly needed in this area as well. Something where the kids can safely walk to after school. A place where south Ontario residents can enjoy as this area is still building out. These types of stores would be frequented daily by Creekside East, Creekside West, and Edenglen, New Haven and all the South Ontario and not to mention Jurupa Valley new developments. This suggestion of these or similar retail outlets would better serve our three adjacent planned communities in place of a distribution center.

It would be nice to have an area that could be safely walked to or biked to for the residents to enjoy and bring money to our lovely city of Ontario instead of crossing the street and spending money in Eastvale.

This area is a great residential area. It would be nice to be able to look out from our walking path that would be right behind that proposal and see something beautiful that can somehow be incorporated into the scene. I heard that walking path is supposed to extend south to the newer developments. It would be nice if there was a nice destination shopping/retail/restaurant center that could be there for anyone walking that trail to have as a destination point. It would encourage walking in our neighborhood and leaving the cars behind.

Thank you,

Claudia Cuscianna

Sent from my iPhone

Lorena Mejia

From: Planning Comments
Subject: FW: [City of Ontario] Public Comment from Thomas L. Munoz

From: SeamlessDocs <noreply@seamlessdocs.com>
Date: May 29, 2020 at 3:54:51 PM PDT
To: Planning Director <planningdirector@ontarioca.gov>
Subject: [City of Ontario] Public Comment from Thomas L. Munoz
Reply-To: "noreply@seamlessdocs.com" <noreply@seamlessdocs.com>

CITY OF ONTARIO

This document has been sent on behalf of City of Ontario by SeamlessDocs.

Form Submission

Public Comment from Thomas L. Munoz

Planning Commission Meetings Public Comment Form

Agenda Item Number or "Public Comment"

Public Comment

Speaker Full Name

Thomas L. Munoz

Address (optional)

Street Address: 2592 Oak Springs Place

City: Ontario
State: CA
Zip: 91761

Phone Number (optional)

951-206-7771

Name of Organization

I'm not part of any organization.

Subject on which the person wishes to speak?

Against

Briefly describe what you would like to say

There is a development proposal for industrial buildings with docks for large transportation trucks that pull large, heavy containers. The site is the vacant land on the corner of Riverside Drive and Hamner Ave. The plan calls for the construction of a large warehouse distribution center. I am not in favor of this proposal. I have lived in Creekside East since 1985. I believe our planned community would be adversely affected by the amount of additional large truck traffic with which residents would have to contend, especially when traveling to work. Every morning there is a lot of traffic with parents dropping off children to Creek View Elementary and parents picking up their students at 2:30. There is additional existing traffic in the mornings and afternoons for Colony High School. In addition, the physical weight of the trucks would be a tremendous physical burden to Riverside Drive as well as Hamner Ave. There will be additional "wear and tear" to our streets surrounding our planned communities of Creekside East and Edenglen. As the Eastvale housing developments are completed, our automobile traffic will also increase on Riverside Drive. I don't feel the truck traffic is a positive outcome for our adjacent communities. We already have enough distribution centers. An alternative suggestion for developing that land may be retail stores such as a Dollar Tree, or a Sprouts or a Trader Joe's market. These types of stores would be frequented daily by Creekside East, Creekside West, and Edenglen. This suggestion of these or similar retail outlets would better serve our three adjacent planned communities in place of a distribution center. Respectfully submitted.

Email to receive a copy of your submission

tmunoz3230@yahoo.com

Powered by SeamlessDocs

Lorena Mejia

From: D'Andre Lampkin <dlampkin@lampkinfoundation.org>
Sent: Tuesday, June 9, 2020 4:44 PM
To: Lorena Mejia
Subject: Community Meeting Notice - Riverside Drive/Hamner Avenue Proposed Development

Hi Lorena,

Please accept this email as my written opposition to the Riverside Drive/Hamner Avenue Proposed Development. In 2018 I expressed the same opposition and made a few recommendation as to how and why I believe the space should be used. Despite the changes made to the original plan, I still feel the proposed development is not consistent with the aesthetics or needs of the community. In my previous letter of opposition, I commented that Creekside residents need and deserve a location nearby where they can shop, dine, and gather. The newer developments in Ontario Ranch are receiving mixed use locations where residents can shop, dine, and play, but Creekside continues to be isolated in this sense. Creekside residents are forced to spend their entertainment and luxury dollars in neighboring cities like Eastvale or drive the 15 to 20 minutes north toward the Ontario Mills.

Adding more warehouses and truck traffic will only decrease the quality of life in the Creekside and Edenglen communities. Hamner street is already in disarray due to the number of trucks travelling through daily. Collisions between trucks and leisure vehicles occur almost daily. In some cases cars end up underneath the large trucks. There is also the issue of increase noise and pollution. These impacts already need to be reduced. Limiting the hours of truck traffic will not address the issues the area is already facing. Furthermore, landscaping buffers would not make a difference since pedestrians will not traverse the area since there's no real destination for nearby residents. Isn't the irony that the proposed development provides no real destination for residents wanting to walk or bike their community?

I implore the developers to listen and stop expanding and shrinking their designs believing we want the trucks in the community. In my previous email, I provided some guidance on what I believe residents would like to see. It is my hope the developer uses it as a guide rather than try to shove their desired to place warehouses in a space that was originally intended to serve a walkable residential community with pedestrian linkages to trails and a future commercial center to serve the residents – not truck deliveries.

D'Andre Lampkin, MSci HSEM
Founder, Board Chair

D'ANDRE D. LAMPKIN FOUNDATION

D'Andre D. Lampkin Foundation
P.O. Box 3099
Ontario, California 91761

O: (424) 346-3362
F: (909) 458-0400

RESOLUTION NO. PC20-052

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE AN ADDENDUM TO THE ONTARIO PLAN (TOP) CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH # 2008101140), PURSUANT TO THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NO. PGPA06-001

WHEREAS, Ontario CC, LLC (hereinafter referred to as "Applicant") has filed an Application for the approval of a General Plan Amendment, Specific Plan Amendment, Tentative Parcel Map, Development Agreement and Development Plan, File Nos. PGPA18-002, PSPA18-003, PMTT18-009, PDA18-006, and PDEV18-031, which consists of: 1) A General Plan Amendment (File No. PGPA18-002) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation of approximately 46 acres of land from General Commercial and Business Park, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park and 39 acres of Industrial; 3) Modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and 3) An amendment (File No. PSPA18-003) to the Edenglen Specific Plan to change the land use designation from Community Commercial, Commercial/Business Park Flex Zone, and Business Park/Light Industrial to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Light Industrial, including updates to the development standards, exhibits and text changes to reflect the proposed land uses; 4) A Tentative Parcel Map (File No. PMTT18-009/TPM 20027) to subdivide 46.64 acres of land into 7 numbered parcels and 1 lettered lot; 5) A Development Agreement (File No. PDA18-006) between the City of Ontario and Ontario CC, LLC, to establish the terms and conditions for the development of Tentative Parcel Map 20027; and 6) A Development Plan (File No. PDEV18-031) to construct 5 industrial buildings totaling 968,092 square feet. The Project site is located on the southwest corner of Riverside Drive and Hamner Avenue, in the City of Ontario, California (hereinafter referred to as "Application" or "Project"); and

WHEREAS, The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. 2008101140) was certified on January 27, 2010 (hereinafter referred to as “Certified EIR”), in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario has prepared and approved for attachment to the certified Environmental Impact Report, an Addendum to the Certified EIR (hereinafter referred to as “EIR Addendum”) in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as “CEQA”); and

WHEREAS, the EIR Addendum concluded that implementation of the Project could result in a number of significant effects on the environment that were previously

analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, pursuant to State CEQA Guidelines Section 15164(a), a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary to a project, but the preparation of a subsequent or supplemental EIR is not required; and

WHEREAS, the City determined that none of the conditions requiring preparation of a subsequent or supplemental EIR would occur from the Project, and that preparation of an Addendum to the Certified EIR was appropriate; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the Planning Commission is the recommending authority for the requested approval to construct and otherwise undertake the Project; and

WHEREAS, the Planning Commission has reviewed and considered the EIR Addendum for the Project, has concluded that none of the conditions requiring preparation of a subsequent of supplemental EIR have occurred, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, approval of this Project is contingent upon City Council approving a General Plan Amendment (File No. PGPA18-002), an amendment to the Edenglen Specific Plan (File No. PSPA18-003), and an EIR Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. SCH# 2008101140) that was certified on January 27, 2010; and

WHEREAS, the EIR Addendum for the Project is on file in the Planning Department, located at 303 East B Street, Ontario, CA 91764, are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein; 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 administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written

and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report Environmental Impact Report (State Clearinghouse No. 2008101140), certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001; and

(2) The EIR Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(3) 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. This Application introduces no new significant environmental impacts; and

(4) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference; and

(5) The EIR Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and

(6) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts.

SECTION 2: ***Additional Environmental Review Not Required.*** Based on the Addendum, all related 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 Environmental Impact Report 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: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 and 2, above, the Planning Commission hereby recommends the City Council finds that based upon the entire record of proceedings before it, and all information received, that there is no substantial evidence that the Project will constitute substantial changes to the Certified EIR, and does hereby approve the EIR Addendum, attached hereto as "Attachment A," and incorporated herein by this reference.

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.

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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 25th day of August, 2020, 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:

RC FOR CW

Cathy Wahlstrom
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. PC20-052, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 25, 2020, by the following roll call vote, to wit:

AYES: DeDiemar, Gage, Gregorek, Reyes, Ricci, Willoughby

NOES: None

ABSENT: None

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

RESOLUTION NO. PC20-053

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PGPA18-002, AN AMENDMENT TO THE LAND USE ELEMENT OF THE POLICY PLAN (GENERAL PLAN), REVISING EXHIBIT LU-01 (OFFICIAL LAND USE PLAN) AND EXHIBIT LU-03 (FUTURE BUILDOUT), AFFECTING PROPERTY LOCATED AT THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND HAMNER AVENUE, FROM GENERAL COMMERCIAL (20 ACRES) AND BUSINESS PARK (26.64 ACRES) TO 4.13 ACRES OF NEIGHBORHOOD COMMERCIAL, 3.51 ACRES OF BUSINESS PARK, AND 39 ACRES OF INDUSTRIAL, AND MAKING FINDINGS IN SUPPORT THEREOF—APN'S: 0218-171-21 AND 0218-171-27. (SEE ATTACHMENTS 1 AND 2) (PART OF CYCLE 2 FOR THE 2020 CALENDAR YEAR).

WHEREAS, Ontario CC, LLC ("Applicant") has filed an Application for the approval of a General Plan Amendment, File No. PGPA18-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City of Ontario adopted the Policy Plan (General Plan) as part of The Ontario Plan in January 2010. Since the adoption of The Ontario Plan, the City has evaluated Exhibits LU-01: Official Land Use Plan and LU-03: Future Buildout further and is proposing modifications; and

WHEREAS, the proposed changes to Exhibit LU-01 Official Land Use Plan include changes to land use designations of certain properties shown on Exhibit A to accommodate an industrial Development Plan (File No. PDEV18-031) and Tentative Tract Map (File No. PMTT18-009); and

WHEREAS, Policy Plan Exhibit LU-03 (Future Buildout) specifies the expected buildout for the City of Ontario, incorporating the adopted land use designations. The proposed changes to Exhibit LU-01 (Official Land Use Plan) will require that Exhibit LU-03 (Future Buildout) is modified to be consistent with Exhibit LU-01 (Official Land Use Plan), as depicted on Exhibit B, attached; and

WHEREAS, a Specific Plan Amendment, Tentative Parcel Map, Development Agreement and Development Plan, File Nos. PSPA18-003, PMTT18-009, PDA18-006, and PDEV18-031, respectively, were filed in conjunction with the proposed General Plan Amendment. The four applications consist of: 1) an amendment (File No. PSPA18-003) to the Edenglen Specific Plan to change the land use designation from Community Commercial, Commercial/Business Park Flex Zone, and Business Park/Light Industrial to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Light Industrial, including updates to the development standards, exhibits and text

changes to reflect the proposed land uses; 2) a Tentative Parcel Map (File No. PMTT18-009/TPM 20027) to subdivide 46.64 acres of land into 7 numbered parcels and 1 lettered lot; 3) a Development Agreement (File No. PDA18-006) between the City of Ontario and Ontario CC, LLC, to establish the terms and conditions for the development of Tentative Parcel Map 20027; and 4) a Development Plan (File No. PDEV18-031) to construct 5 industrial buildings totaling 968,092 square feet; and

WHEREAS, the City of Ontario conducted two community meetings to discuss the proposed subject applications. The first community meeting was in-person and held on December 12, 2018, at the Colony High Branch Library. The second meeting was a Virtual Meeting and available on the on the City Website from June 1, 2020, through July 21, 2020; 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, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, as the first action on the Project, on August 25, 2020, the Planning Commission recommended approval of a Resolution recommending City Council adopt an Addendum to the Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 for File No. PGPA06-001. The Addendum finds that the proposed project introduces no new significant environmental impacts, and all previously adopted mitigation measures are incorporated into the Project by reference; and

WHEREAS, on August 25, 2020 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 body for the Project, the Planning Commission has reviewed and

considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report — State Clearinghouse No. 2008101140 ("Certified EIR"), which was certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001; and

(2) The Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(3) 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. This Application introduces no new significant environmental impacts; and

(4) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference; and

(5) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and

(6) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

SECTION 2: ***Additional Environmental Review Not Required.*** Based on the Addendum, all related 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 environmental impact report 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: ***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 recommending body 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 4: ***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 Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) The proposed General Plan Amendment is consistent with the goals and policies of The Ontario Plan as follows:

(a) **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.

Compliance: The proposed land use designation change from 20 acres of General Commercial and 26.64 acres of Business Park, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Industrial will facilitate the construction of a proposed industrial development. The proposed industrial development will assist towards promoting local/regional job growth and furthering the goal of jobs and housing balance within the Inland Empire.

(b) **CE1-2 - Jobs and Workforce Skills.** We use our economic development resources to: 1) attract jobs suited for the skills and education of current and future City residents; 2) work with regional partners to provide opportunities for the labor force to improve its skills and education; and 3) attract businesses that increase Ontario's stake and participation in growing sectors of the regional and global economy.

Compliance: The proposed land use designation changes from 20 acres of General Commercial and 26.64 acres of Business Park, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Industrial will facilitate the construction of a proposed an industrial development. The proposed industrial development will assist towards creating jobs suited for the skills and education of current and future City residents and provide jobs in growing sectors of the regional and global economy.

(c) **CE1-11 - Socioeconomic Trends.** We continuously monitor, plan for, and respond to changing socioeconomic trends.

Compliance: The proposed land use designation changes from 20 acres of General Commercial and 26.64 acres of Business Park, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Industrial will facilitate the construction of a proposed industrial development. The project site was initially intended to be developed with small industrial buildings and a larger commercial center. In responding to changing socioeconomic trends, larger industrial/business park complexes have grown in demand and commercial/retail space demand has declined. The proposed

General Plan Amendment is in response to changing socioeconomic trends which has shifted to on-line shopping resulting in greater demands for warehouse industrial uses.

(2) The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

(3) The Land Use Element is a mandatory element allowed four general plan amendments per calendar year and this general plan amendment is the second amendment to the Land Use Element of the 2020 calendar year consistent with Government Code Section 65358;

(4) The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The Edenglen Specific Plan was listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. However, the eastern half of the Edenglen Specific Plan (Project site) was not included as one of the properties in the Available Land Inventory since the eastern half of the Specific Plan did not include any residential land use designations; and

(5) During the amendment of the general plan, opportunities for the involvement of citizens, California Native American Indian tribes (Government Code Section 65352.3.), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means were implemented consistent with Government Code Section 65351.

SECTION 5: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the proposed General Plan Amendment, as depicted in Attachment 1 (Policy Plan Land Use Plan (Exhibit LU-01) Revision) and Attachment 2 (Future Buildout (Exhibit LU-03) Revision) of this Resolution.

SECTION 6: ***Indemnification.*** The Applicant/Property Owner 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 7: ***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 8: ***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 25th day of August 2020, 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:

RL for CW

Cathy Wahlstrom
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. PC20-053, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 25, 2020, by the following roll call vote, to wit:

AYES: DeDiemar, Gage, Gregorek, Reyes, Ricci, Willoughby

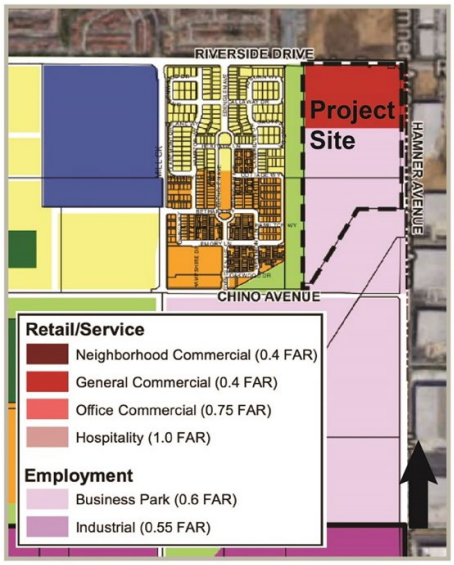
NOES: None

ABSENT: None

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT 1: Policy Plan Land Use Plan (Exhibit LU-01) Revision

Existing Policy Plan Land Use	Assessor Parcel Number(s) Involved	Proposed Policy Plan Land Use
 General Commercial (20 acres) Business Park (26.64 acres)	*0218-171-21 and 0218-171-27* *(1 of 2 properties)*	 Neighborhood Commercial (4.13 acres) Business Park (3.51 acres) Industrial (39 acres)

ATTACHMENT 2: Future Buildout (Exhibit LU-03) Revision

LU-03 Future Buildout[1]

THE ONTARIO PLAN
A FRAMEWORK FOR THE FUTURE

Land Use	Acres[2]	Assumed Density/Intensity[3]	Units	Population[4]	Non-Residential Square Feet	Jobs[5]
Retail/Service						
Neighborhood Commercial[6]	~~281~~ 285	0.30 FAR			~~3,671,585~~ 3,725,556	~~8,884~~ 9,015
General Commercial	~~477~~ 457	0.30 FAR			~~6,229,385~~ 5,968,025	~~5,787~~ 5,544
Office/ Commercial	490	0.75 FAR			16,018,428	35,523
Hospitality	142	1.00 FAR			6,177,679	7,082
Subtotal	***~~1,390~~ 1,374***				***~~32,097,077~~ 31,889,668***	***~~57,276~~ 57,164***
Employment						
Business Park	~~1,531~~ 1,508	0.40 FAR			~~26,676,301~~ 26,273,284	~~46,803~~ 46,096
Industrial	~~6,446~~ 6,485	0.55 FAR			~~154,428,405~~ 155,362,767	~~135,684~~ 136,505
Subtotal	***~~7,977~~ 7,993***				***~~181,104,705~~ 181,636,050***	***~~182,487~~ 182,601***
Other						
Open Space–Non-Recreation	1,232	Not applicable				
Open Space–Parkland[6]	950	Not applicable				
Open Space-Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,871	Not applicable				
Subtotal	***9,906***					
Total	***31,786***		***100,654***	***347,190***	***~~247,784,328~~ 248,108,284***	***~~311,659~~ 311,661***

Notes
1 Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
2 Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
3 Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
4 Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
5 To view the factors used to generate the number of employees by land use category, access the Methodology report.
6 Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

RESOLUTION NO. PC20-054

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PSPA18-003, AN AMENDMENT TO THE EDENGLEN SPECIFIC PLAN TO: (1) CHANGE THE LAND USE DESIGNATION ON 46.64 ACRES OF LAND FROM COMMUNITY COMMERCIAL, COMMERCIAL/BUSINESS PARK FLEX ZONE, AND BUSINESS PARK/LIGHT INDUSTRIAL, TO 4.13 ACRES OF NEIGHBORHOOD COMMERCIAL, 3.51 ACRES OF BUSINESS PARK, AND 39 ACRES OF LIGHT INDUSTRIAL ON TWO PROPERTIES LOCATED AT THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND HAMNER AVENUE; AND 2) AMEND THE SPECIFIC PLAN TO UPDATE THE DEVELOPMENT STANDARDS, EXHIBITS, AND TEXT CHANGES TO REFLECT THE PROPOSED LAND USES, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-171-21 AND 0218-171-27.

WHEREAS, Ontario CC, LLC, (hereinafter referred to as "Applicant") has filed an Application for the approval of a Specific Plan Amendment, File No. PSPA18-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 46.64 acres of land generally located at the southwest corner of Riverside Drive and Hamner Avenue, within the proposed Neighborhood Commercial, Business Park, and Light Industrial land use districts of the Edenglen Specific Plan, and is presently vacant to the north and to the south the property is improved with several shade structures, concrete block material bays, and greenhouses that were utilized by a commercial nursery (Sunshine Growers) formerly on the Project site; and

WHEREAS, the property to the north of the Project site is within the Commercial and Residential district of the Tuscana Village Specific Plan and is vacant. The property to the east is within the C-1/C-P (General Commercial) and IP (Industrial Park) zoning district of the City of Eastvale and is developed with a gas station and Industrial uses. The property to the south is within the Light Industrial district of the Edenglen Specific Plan and is developed with an SCE Substation. The property to the west is within the SCE Corridor district of the Edenglen Specific Plan and is developed with power lines and transmission towers; and

WHEREAS, the Edenglen Specific Plan Amendment includes changes to the Edenglen Land Use Plan (Edenglen Specific Plan Exhibit 10) and Land Use Summary - Table 2. The revisions to the Land Use Plan and Land Use Summary will reflect the proposed changes to the Project site land use designations, from Community Commercial, Commercial/Business Park Flex Zone, and Business Park/Light Industrial,

to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Light Industrial; and

WHEREAS, the proposed 4.13-acre Neighborhood Commercial land use district is located at the southwest corner of Hamner Avenue and Riverside Drive, and allows for up to 40,000 square feet of commercial land uses, which could accommodate a mid-size grocery store and in-line retail; and

WHEREAS, the proposed 3.51-acre Business Park land use district is located along Riverside Drive, at the northwest corner of the Project site. The Business Park land use designation allows commercial land uses to accommodate flexibility in land uses along Riverside Drive; and

WHEREAS, the proposed 39-acre Light Industrial land use district is located on the southern portion of the project site and is included in the Development Plan application. The proposed buildings are envisioned for warehouse, distribution, and light manufacturing uses. Heavy manufacturing uses will not be allowed; and

WHEREAS, the Edenglen Specific Plan Amendment includes updates to development standards, the land use matrix, and various exhibits, along with text/map changes to reflect the proposed land use changes and infrastructure requirements to accommodate the proposed Tentative Parcel Map and Development Plan applications (see Attachment A: Edenglen Specific Plan Amendment Document). The development regulations and land use matrix have been amended to include standards for the Neighborhood Commercial, Business Park, and Light Industrial land use districts; and

WHEREAS, a General Plan Amendment, Tentative Parcel Map, Development Agreement and Development Plan, File Nos. PGPA18-002, PMTT18-009, PDA18-006, and PDEV18-031, respectively, were filed in conjunction with the proposed Edenglen Specific Plan Amendment. The four applications consist of: 1) a General Plan Amendment (File No. PGPA18-002) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation of approximately 46 acres of land from General Commercial and Business Park, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Industrial; 2) modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; 3) a Tentative Parcel Map (File No. PMTT18-009/TPM 20027) to subdivide 46.64 acres of land into 7 numbered parcels and one lettered lot; 4) a Development Agreement (File No. PDA18-006) between the City of Ontario and Ontario CC, LLC, to establish the terms and conditions for the development of Tentative Parcel Map No. 20027; and 5) a Development Plan (File No. PDEV18-031) to construct 5 industrial buildings totaling 968,092 square feet; and

WHEREAS, The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. SCH# 2008101140) was certified on January 27, 2010 (hereinafter referred to as “Certified EIR”), in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario prepared and approved for attachment to the certified Environmental Impact Report, an Addendum to the Certified EIR (hereinafter referred to as “EIR Addendum”) in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as “CEQA”); and

WHEREAS, the environmental impacts of this Project were thoroughly analyzed in the EIR Addendum prepared for General Plan Amendment (File No. PGPA18-002) and an amendment to the Edenglen Specific Plan (File No. PSPA18-003), which concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; 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. — (hereinafter referred to as "CEQA") and an EIR Addendum has been prepared to determine possible environmental impacts; 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, 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 17, 2020, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Addendum and the Project, and concluded said hearing on that date, voting to issue Decision Nos. DAB20-045, DAB20-046 and DAB20-047, respectively, recommending that the Planning Commission recommend the City Council approve the Application; and

WHEREAS, as the first action on the Project, on August 25, 2020, the Planning Commission issued a Resolution recommending the City Council adopt the EIR Addendum, finding that the proposed Project introduces no new significant environmental impacts and applying all previously adopted mitigation measures to the Project, which were incorporated by reference; and

WHEREAS, on August 25, 2020, 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: ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the Planning Commission finds that based upon 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. The Edenglen Specific Plan was listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. However, the eastern half of the Edenglen Specific Plan (Project site) was not included as one of the properties in the Available Land Inventory since the eastern half of the Specific Plan did not include any residential land use designations.

SECTION 2: ***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 3: ***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 Sections 1 and 2, 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 proposed Edenglen Specific Plan amendment will provide land use consistency with the related proposed General Plan Amendment (File No. PGPA18-002) that will change the land use on 46.64 acres of land from General Commercial and Business Park, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Industrial. The proposed amendments will accommodate a proposed industrial development on the subject site that are consistent with goals, policies, plans and City Council priorities of The Ontario Plan.

(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 amendments to the Edenglen Specific Plan will establish consistency with the related proposed General Plan Amendment (File No. PGPA18-002). The proposed Specific Plan Amendment will not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. The land use changes will

continue to provide commercial, business park and industrial uses within the Edenglen Specific Plan, which is consistent with the type and intensity of development specified in The Ontario Plan and evaluated by The Ontario Plan Environmental Impact Report.

(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 Project site is located near sensitive land uses to the west. The associated Development Plan application (File No. PDEV18-031) incorporates design features within the site plan, including, but not limited to, building orientation and landscape buffers, to mitigate any impacts to a less than significant level, providing a project that is complimentary to and harmonious with the surrounding area.

(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 subject site is physically suitable to accommodate the proposed industrial, business park and future commercial land uses. The Edenglen Specific Plan amendment includes development standards to facilitate the proposed land uses, which will be developed with adequate lot sizes, access, and utilities to serve the project site.

SECTION 4: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 3, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Specific Plan Amendment, included as “Attachment A” of this resolution.

SECTION 5: ***Indemnification.*** The Applicant/Property Owner 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 6: ***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 7: ***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 25th day of August 2020, 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:

FOR CCW

Cathy Wahlstrom
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. PC20-054, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 25, 2020, by the following roll call vote, to wit:

AYES: DeDiemar, Gage, Gregorek, Reyes, Ricci, Willoughby

NOES: None

ABSENT: None

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN ADDENDUM TO THE ONTARIO PLAN CERTIFIED ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2008101140), PURSUANT TO THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED.

WHEREAS, Ontario CC, LLC (hereinafter referred to as "Applicant") has filed an Application for the approval of a has filed an Application for the approval of a General Plan Amendment, Specific Plan Amendment, Tentative Parcel Map, Development Agreement and Development Plan, File Nos. PGPA18-002, PSPA18-003, PMTT18-009, PDA18-006, and PDEV18-031, which consists of: 1) A General Plan Amendment (File No. PGPA18-002) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation of approximately 46 acres of land from General Commercial and Business Park, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park and 39 acres of Industrial; 3) Modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and 3) An amendment (File No. PSPA18-003) to the Edenglen Specific Plan to change the land use designation from Community Commercial, Commercial/Business Park Flex Zone, and Business Park/Light Industrial to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Light Industrial, including updates to the development standards, exhibits and text changes to reflect the proposed land uses; 4) A Tentative Parcel Map (File No. PMTT18-009/TPM 20027) to subdivide 46.64 acres of land into 7 numbered parcels and 1 lettered lot; 5) A Development Agreement (File No. PDA18-006) between the City of Ontario and Ontario CC, LLC, to establish the terms and conditions for the development of Tentative Parcel Map 20027; and 6) A Development Plan (File No. PDEV18-031) to construct 5 industrial buildings totaling 968,092 square feet. The Project site is located on the southwest corner of Riverside Drive and Hamner Avenue, in the City of Ontario, California (hereinafter referred to as "Application" or "Project"); and

WHEREAS, The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. 2008101140) was certified on January 27, 2010 (hereinafter referred to as “Certified EIR”), in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario has prepared and approved for attachment to the certified Environmental Impact Report, an Addendum to the Certified EIR (hereinafter referred to as “EIR Addendum”) in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as “CEQA”); and

WHEREAS, the EIR Addendum concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, pursuant to State CEQA Guidelines Section 15164(a), a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary to a project, but the preparation of a subsequent or supplemental EIR is not required; and

WHEREAS, the City determined that none of the conditions requiring preparation of a subsequent or supplemental EIR would occur from the Project, and that preparation of an Addendum to the Certified EIR was appropriate; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the City Council is the decision-making authority for the requested approval to construct and otherwise undertake the Project; and

WHEREAS, on August 25, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Addendum and concluded said hearing on that date, voting to issue Resolution No. PC20-052, recommending the City Council approve the Application; and

WHEREAS, on September 15, 2020 the City Council of the City of Ontario conducted a hearing to consider the Project, and continued the hearing to a future date; and

WHEREAS, on November 17, 2020 the City Council of the City of Ontario conducted a hearing to consider the Project, and continued the hearing to a future date; and

WHEREAS, on February 2, 2021 the City Council of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, the City Council has reviewed and considered the EIR Addendum for the Project, has concluded that none of the conditions requiring preparation of a subsequent of supplemental EIR have occurred, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the EIR Addendum for the Project are on file in the Planning Department, located at 303 East B Street, Ontario, CA 91764, are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein; 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 authority for the Project, The City Council has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the City Council, the City Council finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report Environmental Impact Report (State Clearinghouse No. 2008101140), certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001; and

(2) The EIR Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(3) 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. This Application introduces no new significant environmental impacts; and

(4) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference; and

(5) The EIR Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the City Council; and

(6) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts.

SECTION 2. ***Additional Environmental Review Not Required.*** Based on the Addendum, all related 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 Environmental Impact Report 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. ***City Council Action.*** Based upon the findings and conclusions set forth in Sections 1 and 2, above, the City Council hereby finds that based upon the entire record of proceedings before it, and all information received, that there is no substantial evidence that the Project will constitute substantial changes to the Certified EIR, and does hereby approve the EIR Addendum, attached hereto as "Attachment A," and incorporated herein by this reference.

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.

PASSED, APPROVED, AND ADOPTED this 2nd day of February 2021.

_____

PAUL S. LEON, MAYOR

ATTEST:

_____
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

_____
BEST BEST AND 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. 2021- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held February 2, 2021 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. 2021- duly passed and adopted by the Ontario City Council at their regular meeting held February 2, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:

Addendum to The Ontario Plan Environmental Impact Report

(Addendum to follow this page)

Ontario Commerce Center
Screencheck
2020 Addendum
to
The Ontario Plan Certified EIR
(SCH No. 2008101140)

Prepared for:
City of Ontario
303 East "B" Street
Ontario, CA 91764

July 2020

appliedplanning inc

Ontario Commerce Center
2020 Addendum
to
The Ontario Plan Certified EIR
(SCH No. 2008101140)

Prepared for:

City of Ontario
303 East "B" Street
Ontario, CA 91764

Prepared By:

Applied Planning, Inc.
11762 De Palma Road, 1-C 310
Corona, CA 92883

July 2020

Table of Contents

SECTION		PAGE
1.0	**INTRODUCTION**	**1-1**
1.1	Overview	1-1
1.2	CEQA Documentation	1-6
1.3	Addendum Purpose and Summary	1-6
1.4	Intended Use of this Addendum	1-7
1.5	Document Organization	1-8
1.6	Conclusion	1-8
2.0	**PROJECT DESCRIPTION**	**2-1**
2.1	Introduction	2-1
2.2	Existing and Proposed Land Use Designations	2-2
2.3	Existing Land Uses	2-7
2.4	Development Concept	2-9
2.5	Project Objectives	2-21
2.6	Discretionary Approvals and Permits	2-22
3.0	**ENVIRONMENTAL CHECKLIST**	**3-1**
4.0	**DETERMINATION**	**4-1**
5.0	**MITIGATION SUMMARY**	**5-1**
5.1	Overview	5-1

Table **Page**

2.2-1 Existing and Proposed Policy Plan Land Use Designations 2-3
2.2-2 Existing and Proposed Specific Plan Land Use Designations 2-3
11-1 Existing and Proposed Policy Plan Land Use Designations 3-66
11-2 Existing and Proposed Specific Plan Land Use Designations 3-66
13-1 Ambient Noise Measurements 3-71
13-2 Maximum Received Construction-Source Noise Levels 3-73
13-3 Maximum Construction-Source Noise Contributions 3-73
13-4 Maximum Received Operational-Source Noise Levels 3-75
13-5 Incremental Noise Contribution Significance Criteria 3-76
13-6 Maximum Operational-Source Noise Contributions 3-76
13-7 Maximum Operational-Source Noise Contributions 3-76
13-8 Maximum Received Construction-Source Vibration Levels 3-79
17-1 Trip Generation Comparison 3-89
19-1 Comparative Water Demand 3-99
5.1-1 Mitigation and Implementation Summary Matrix 5-2

Figure **Page**

1.1-1 Edenglen Specific Plan Location 1-2
1.1-2 Approved Specific Plan Land Use Plan 1-3
1.1-3 Modified Project Specific Plan Land Use Plan 1-5
2.2-1 Existing and Proposed General Plan Designations 2-4
2.2-2 Existing and Proposed Specific Plan Land Use Designations 2-5
2.3-1 Existing Land Uses 2-8
2.4-1 Modified Project Site Plan 2-10
2.4-2a Modified Project Architectural Elevations 2-12
2.4-2b Modified Project Architectural Elevations 2-13
2.4-2c Modified Project Architectural Elevations 2-14
2.4-2d Modified Project Architectural Elevations 2-15
2.4-2e Modified Project Architectural Elevations 2-16
2.4-3 Landscape Plan 2-18

APPENDICES

Appendix A: Health Risk Assessment

Appendix B: Biological Reports

Appendix C: Cultural Reports

Appendix D: Geotechnical Report

Appendix E: Phase I and Phase II

Appendix F: Noise Impact Analysis

Appendix G: WQMP

Appendix H: Transportation

1.0 INTRODUCTION

1.0 INTRODUCTION

1.1 OVERVIEW

This Addendum to The Ontario Plan Certified Environmental Impact Report (TOP EIR, Certified EIR) substantiates that the proposed Modification to the Edenglen Specific Plan described herein would not result in any new significant impacts not considered and addressed in the Certified EIR; nor would there be any substantial increase in the severity of, or substantial change in any previously-identified environmental impacts considered and addressed in the Certified EIR.

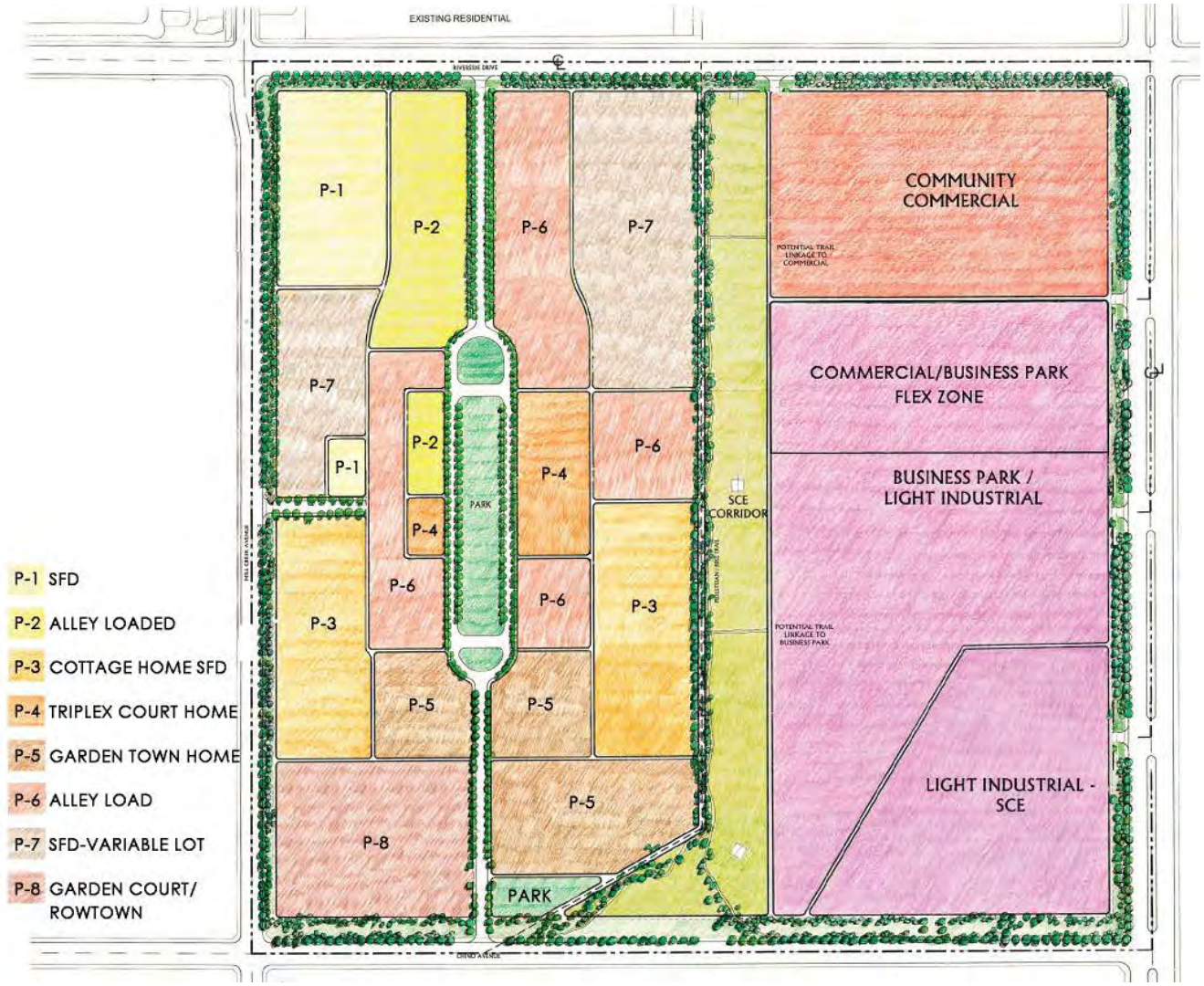
1.1.1 Original Project

Location of the Edenglen Specific Plan (Specific Plan, Original Project) is presented at Figure 1.1-1. The Specific Plan was approved by the City of Ontario in 2005. The approved Specific Plan Land Use Plan is presented at Figure 1.1-2. As approved by the City, the Original Project allows for development of various Residential, Community Commercial Retail, Commercial/Business Park, and Business Park/Light Industrial uses. The Original Project development concept also incorporated Open Space, Trail, and Edge Buffer/Roadway land use assignments. Residential uses proposed under the Original Project were assigned to areas located westerly of an approximately 150-foot-wide greenbelt/SCE Corridor (N - S) that physically separates westerly and easterly areas of the Specific Plan.



Source: Google Earth; Michael Brandman Associates; Applied Planning, Inc.

Figure 1.1-1
Edenglen Specific Plan Location



Source: Michael Brandman Associates; Applied Planning, Inc.

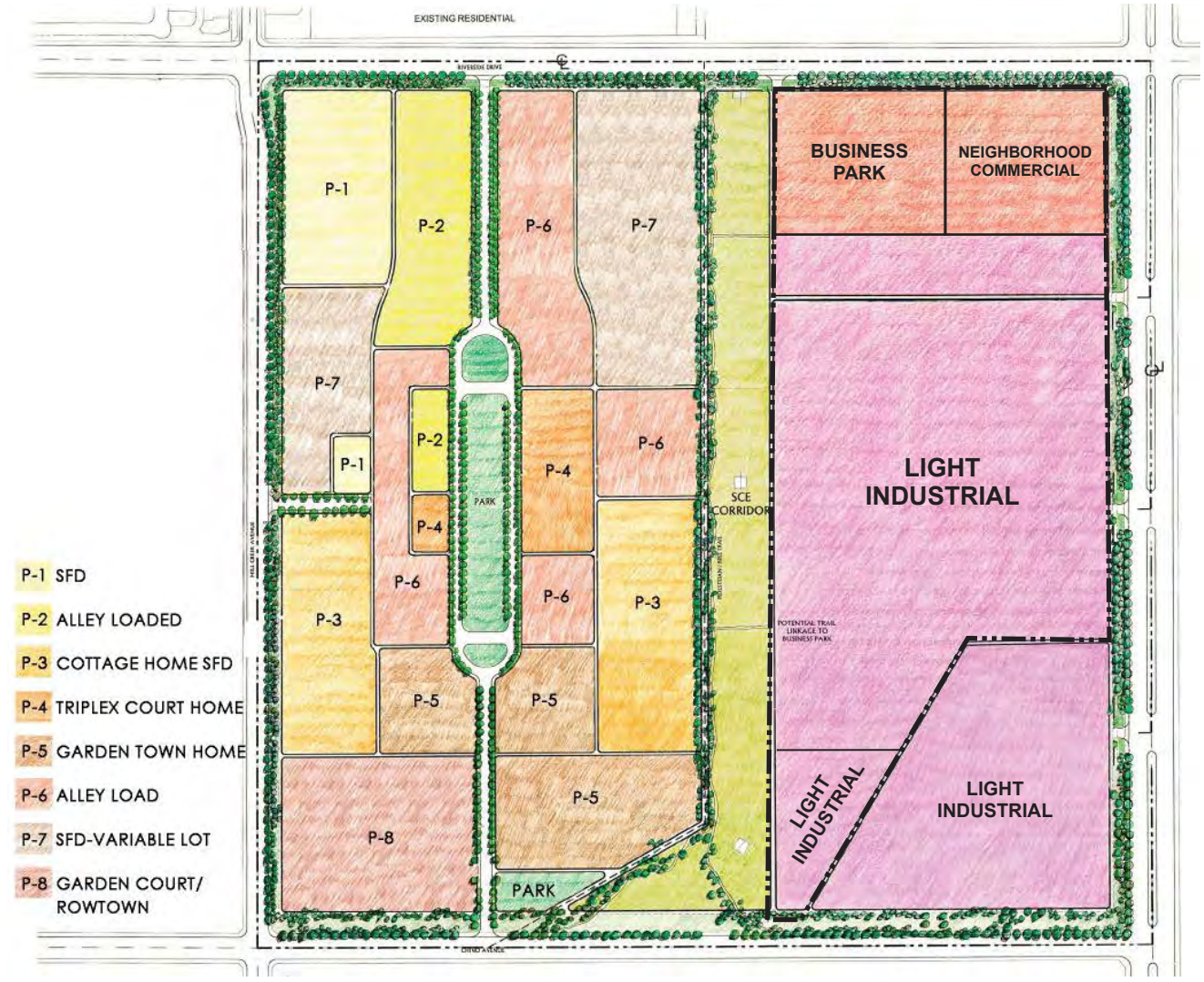
Figure 1.1-2
Approved Specific Plan Land Use Plan

1.1.2 Modified Project

The proposed Modification to the Original Project (the Modified Project[1]) would amend land uses and development types allowed in the easterly portion of the Specific Plan Area, east of the SCE Corridor (N – S) bisecting the site. In summary, the Modified Project would amend and reconfigure the Specific Plan Land Use Plan to allow for business park, light industrial, and commercial land uses in easterly areas of the Specific Plan, easterly of the SCE Corridor. The Modified Project would not affect any of the Specific Plan Residential, Open Space, or SCE Corridor Trail land uses.

The Modified Project Land Use Plan is illustrated at Figure 1.1-3. Under the Modified Project development concept evaluated herein, up to 968,092 of Light Industrial/ Business Park uses, and up to 40,000 square feet of Commercial Retail uses would be implemented on the northeasterly corner of the Specific Plan. The Modified Project would also construct necessary supporting site improvements including, but not limited to: site adjacent road improvements, site access improvements, loading dock areas, truck and car parking areas, landscaping, lighting, and signage. The Modified Project uses are assumed to operate 7 days per week, 24 hours per day.

[1] The Modified Project working title is the "Ontario Commerce Center."



Source: Michael Brandman Associates; Applied Planning, Inc.

Figure 1.1-3
Modified Project Land Use Plan

1.2 CALIFORNIA ENVIRONMENTAL QUALITY ACT DOCUMENTATION

California Environmental Quality Act (CEQA) documentation for the Original Project is presented in *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140*, SCH No. 2008101140 (Certified EIR). This Addendum to the Certified EIR (Addendum) compares the impacts that were identified in the Certified EIR with the anticipated impacts of the proposed Modified Project. This Addendum substantiates that the proposed Modified Project would not result in new significant impacts, substantially different impacts, or impacts that would be substantially more severe than those evaluated and addressed in the Certified EIR.

1.3 ADDENDUM PURPOSE AND SUMMARY

The focus and purpose of this document is to determine if the Modified Project described herein would result in new or substantially different environmental impacts than those considered and addressed in the Certified EIR. To these ends, this Addendum defines, describes, compares, and contrasts potential environmental impacts of the Modified Project in the context of the environmental impacts assessed in the Certified EIR.

In so doing, this Addendum substantiates consistency with applicable California Environmental Quality Act Guidelines (*CEQA Guidelines*) provisions addressing preparation of an Addendum to a previously-Certified EIR.

In these regards, as presented at *CEQA Guidelines* Section 15164, an Addendum to a Certified EIR may be prepared if only minor technical changes or additions are necessary and none of the conditions described in Section 15162, calling for the preparation of a subsequent or supplemental EIR, have occurred. Further, Public Resources Code Section 21166 prohibits preparation of a subsequent or supplemental EIR for a Certified EIR unless substantial project changes are proposed requiring major revisions to the Certified EIR; a substantial change in circumstances has occurred requiring major revisions to the Certified EIR; or new information becomes available requiring major revisions to the Certified EIR. As supported by the information provided here, none of these conditions

apply to the Modified Project. This Addendum to the Certified EIR fulfills CEQA documentation requirements for the Modified Project.

1.4 INTENDED USE OF THIS ADDENDUM

The City of Ontario (City) is the Lead Agency for the purposes of CEQA because it has the principal responsibility and authority for consideration of discretionary actions and permitting for the Modified Project. As the Lead Agency, the City is also responsible for analyzing the Modified Project's potential environmental impacts.

The Lead Agency will employ this Addendum in its evaluation of potential environmental impacts resulting from, or associated with, approval and implementation of the Modified Project. This Addendum may also be used by various Responsible Agencies, e.g., Air Quality Management District(s), Regional Water Quality Control Board(s), *et al.*; as well as utilities and service providers when such entities issue discretionary permits necessary to carry out the Modified Project. For example, if the Modified Project would require discretionary permits from the South Coast Air Quality Management District (SCAQMD), this Addendum would serve as the environmental assessment for such permits (please refer to California Code of Regulations, Section 15050).

In employing this Addendum, the City and other agencies need to recognize that the Modified Project plans and development concepts identified herein are just that – plans and concepts that are subject to refinement as the Modified Project is further defined. Acknowledging the potential for these future minor alterations to the Modified Project, this Addendum in all instances evaluates maximum impact scenarios that would account for these potential minor alterations.

1.5 DOCUMENT ORGANIZATION

This Addendum is presented in five sections, as follows:

- **Section 1.0**, *Introduction*, provides an overview of the Modified Project, its context, and environmental documentation applicable to the proposed development.

- **Section 2.0**, *Modified Project – Description*, presents the proposed Modified Project in greater detail.
- **Section 3.0**, *Environmental Checklist*, presents the analysis of potential environmental impacts of the Modified Project. The analysis considers potential environmental impacts of the Modified Project relative to impacts identified in the Certified EIR.

- **Section 4.0**, *Determination*, presents the determination regarding the appropriate environmental document for the Modified Project.

- **Section 5.0**, *Mitigation Summary*, presents mitigation from The Ontario Plan Certified EIR that would be implemented under the Modified Project.

1.6 CONCLUSION

This Addendum substantiates that implementation and operation of the proposed Modified Project described and evaluated herein would not result in any significant new, different, additional, or substantially increased environmental impacts than were previously considered and addressed in the Certified EIR.

2.0 PROJECT DESCRIPTION

2.0 MODIFIED PROJECT-DESCRIPTION

2.1 INTRODUCTION

The Edenglen Specific Plan (Specific Plan, Original Project) allows for development of various Residential, Community Commercial Retail, Commercial/Business Park, and Business Park/Light Industrial uses. The Original Project development concept also incorporated Open Space, Trail, and Edge Buffer/Roadway land use assignments. Residential uses proposed under the Original Project were assigned to areas located westerly of an approximately 150-foot-wide greenbelt/SCE Corridor (N - S) that physically separates westerly and easterly areas of the Specific Plan.

The Modified Project[1] considered here would amend and reconfigure the Edenglen Specific Plan Land Use Plan to allow for business park, industrial, and commercial development in easterly areas of the Specific Plan. Under the Modified Project development concept evaluated here, up to 968,092 of Light Industrial/ Business Park uses, and up to 40,000 square feet of Commercial Retail uses would be implemented on the northeasterly corner of the Specific Plan.

Within this Addendum, likely maximum impacts are evaluated for all environmental topics. At the discretion of the City, uses differing from those evaluated here, and that could result in substantially different impacts than the uses evaluated here would be subject to additional CEQA environmental analysis. Ultimate scope and configuration of the Modified Project uses would be as approved by the City.

[1] The Modified Project working title is the "Ontario Commerce Center."

2.2 EXISTING AND PROPOSED LAND USE DESIGNATIONS

Existing and proposed land use designations are described below. Tables 2.2-1 and 2.2-2 detail land use designations that would be amended under the Modified Project. Existing and Proposed Policy Plan Land Use designations under the Modified Project are illustrated at Figure 2.2-1. Existing and proposed Specific Plan Land Use Plan designations are illustrated at Figure 2.2-2.

Original Project Land Use Designations

The existing Policy Plan (General Plan) Land Use designations for the Original Project are: "Low Density Residential," "Medium Density Residential," "Open Space Non-Recreation," "General Commercial," and "Business Park." Areas proposed for development under the Modified Project are currently designated General Commercial and Business Park.

The existing Specific Plan Land Use Plan assigns various residential land uses to areas located westerly of the SCE Corridor. The existing Specific Plan Land Use Plan assigns Community Commercial Retail, Commercial/Business Park, and Business Park/Light Industrial uses to areas located easterly of the SCE Corridor.

Modified Project Land Use Designations

The existing Policy Plan Land Use and Specific Plan Land Use designations for the easterly portions of the Specific Plan would be amended to allow for the development of land uses proposed under the Modified Project. More specifically, the existing Policy Plan Land Uses for easterly areas of the Specific Plan would be reconfigured and changed from General Commercial and Business Park to Neighborhood Commercial, Business Park, and Industrial. Specific Plan Land Use designations for areas proposed for development under the Modified Project are currently designated Community Commercial, Commercial/Business Park Flex Zone, Business Park/Light Industrial, and Business Park/SCE. As amended under the Modified Project, the Specific Plan Land Use designations for the Modified Project site would be changed to Business Park, Neighborhood Commercial, and Light Industrial.

Table 2.2-1
Existing and Proposed Policy Plan Land Use Designations

Existing		Proposed	
Policy Plan Land Use Designation	**Approximate Acreage**	**Policy Plan Land Use Designation**	**Approximate Acreage**
General Commercial	20.0	Neighborhood Commercial	4.1
Business Park	36.9	Business Park	3.5
---	---	Light Industrial [Includes SCE]	49.3
Total	56.9	**Total**	56.9

Notes:
1. Existing Land Uses from: Edenglen Specific Plan EIR, (Michael Brandman Associates) July 2005.
2. Proposed acreages are approximate, per TPM No. 20027 (Westland Group. Inc.) August 2018.

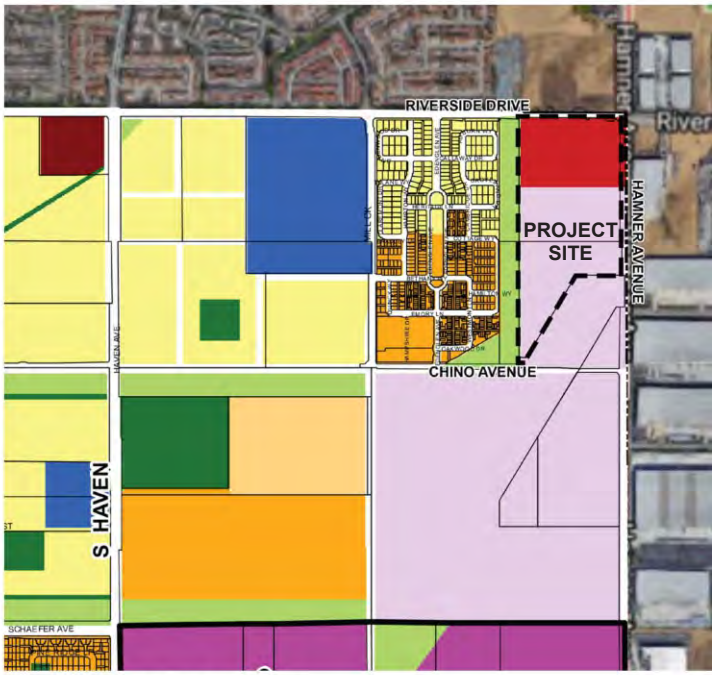
Table 2.2-2
Existing and Proposed Specific Plan Land Use Designations

Existing		Proposed	
Specific Plan Land Use Designation	**Approximate Acreage**	**Specific Plan Land Use Designation**	**Approximate Acreage**
Community Commercial	20.0	Neighborhood Commercial	4.1
Commercial/Business Park Flex Zone	10	Business Park	3.5
Business Park/Light Industrial	26.9	Light Industrial	39.0
		Light Industrial (SCE)	10.3
Total	56.9	**Total**	56.9

Notes:
1. Existing Land Uses from: Edenglen Specific Plan EIR, (Michael Brandman Associates) July 2005.
2. Proposed acreages are approximate, per TPM No. 20027 (Westland Group. Inc.) August 2018.

Retail/Service
- Neighborhood Commercial (0.4 FAR)
- General Commercial (0.4 FAR)
- Office Commercial (0.75 FAR)
- Hospitality (1.0 FAR)

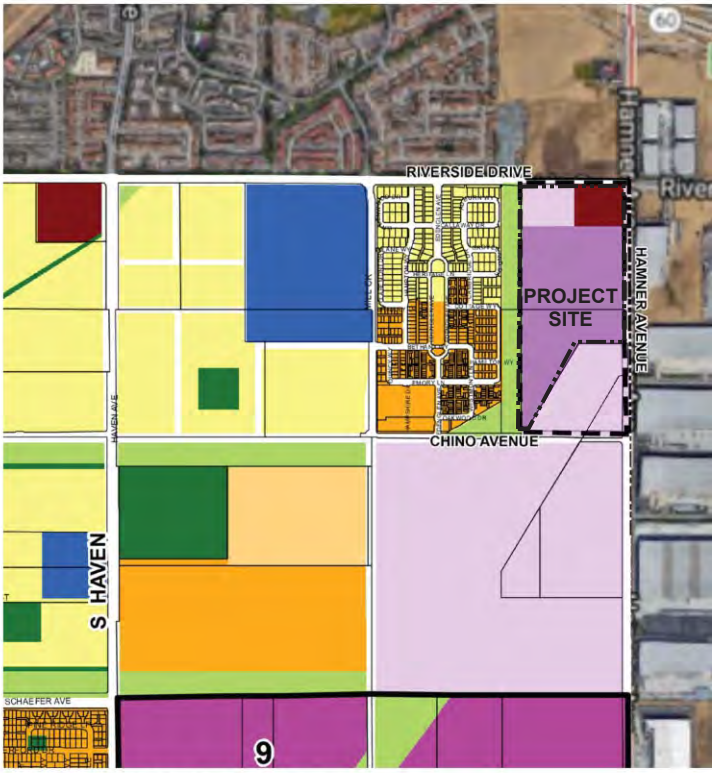
Employment
- Business Park (0.6 FAR)
- Industrial (0.55 FAR)



EXISTING

Retail/Service
- Neighborhood Commercial (0.4 FAR)
- General Commercial (0.4 FAR)
- Office Commercial (0.75 FAR)
- Hospitality (1.0 FAR)

Employment
- Business Park (0.6 FAR)
- Industrial (0.55 FAR)



PROPOSED

N

NOT TO SCALE

Source: The Galloway Group

Figure 2.2-1
Existing and Proposed Policy Plan Designations



Source: Michael Brandman Associates; Applied Planning, Inc.

Figure 2.2-2
Existing and Proposed Specific Plan Designations

Surrounding Properties Land Use Designations

Policy Plan Land Use and Zoning designations of surrounding properties are summarized below. The Modified Project would not affect Land Use and Zoning designations of these properties.

North

- Policy Plan Land Use Designation: General Commercial

- Zoning: Specific Plan (Tuscana Village Specific Plan-Commercial/Residential)[2] See also: https://www.ontarioca.gov/Planning/SpecificPlans.

South

- Policy Plan Land Use Designation: Business Park

- Zoning: Specific Plan, Agricultural Overlay

East

- City of Eastvale General Plan: Commercial Retail, Business Park

- City of Eastvale Zoning: C-1/C-P – General Commercial, I-P – Industrial Park

West

- Policy Plan Land Use Designation: Edenglen Specific Plan – Open Space Non-Recreation, Low Density Residential, Medium Density Residential; west of the Edenglen Specific Plan – Public School, Low Density Residential

- Zoning: Edenglen Specific Plan – Residential (Single Family Detached, Single Family Attached, Single Family Detached), Parks, Community Trail (SCE Corridor); west of the Edenglen Specific Plan – Civic (Colony High School),

[2] A proposed Specific Plan Amendment (SPA) for the Tuscana Village SP has been submitted to the City. The proposed SPA would allow for development of light industrial and commercial/retail/restaurant uses within the subject site.

Specific Plan (Rich Haven Specific Plan-Residential, Regional Commercial/Mixed Use) See also: https://www.ontarioca.gov/Planning/SpecificPlans.

2.3 EXISTING LAND USES

Existing land uses are described below, and are illustrated at Figure 2.3-1.

Project Site

The northerly portion of the Modified Project site is undeveloped and has been historically used for agricultural purposes. The southerly portion is a former commercial nursery (Sunshine Growers Nursery). Southeasterly of the Modified Project site is a property owned by SCE, but included within the boundaries of the Specific Plan. The Modified Project would not affect this SCE property.

North

North of the Modified Project site, across Riverside Avenue, is undeveloped vacant land.

South

Southerly of the Modified Project site, across Chino Avenue (alignment), is the SCE Mira Loma Substation.

East

East of the Modified Project site, across Hamner Avenue, are City of Eastvale properties developed with light industrial uses.

West

Westerly of the Modified Project site are residential uses developed as part of the approved Edenglen Specific Plan.



N

NOT TO SCALE

Source: Google Earth, Applied Planning, Inc.

Figure 2.3-1
Existing Land Uses

2.4 DEVELOPMENT CONCEPT

2.4.1 Site Plan and Architectural Concepts

The Modified Project considered herein would implement commercial retail, business park and light industrial uses on an approximately 56.9-acre site[3] bounded by Riverside Drive to the north, Chino Avenue (alignment) to the south, Hamner Avenue to the east, and developed residential portions of the Edenglen Specific Plan to the west. Figure 2.4-1 illustrates the Modified Project Site Plan Concept. Figures 2.4-2 (a) through 2.4-2 (e) present architectural concepts for the Modified Project buildings. Final site plan and building designs would be subject to City review and approval.

2.4.2 Access and Circulation

Regional access to the Project site and surrounding areas is provided by State Route 60. Preliminary concepts indicate local access to the Modified Project would be provided via four driveways on Hamner Avenue and two driveways on Riverside Drive.

Access within the Project site would be provided by various internal drive aisles. Ultimate driveaway locations, configurations, and internal circulation plans for the Modified Project would conform to City requirements based on detailed site plans.

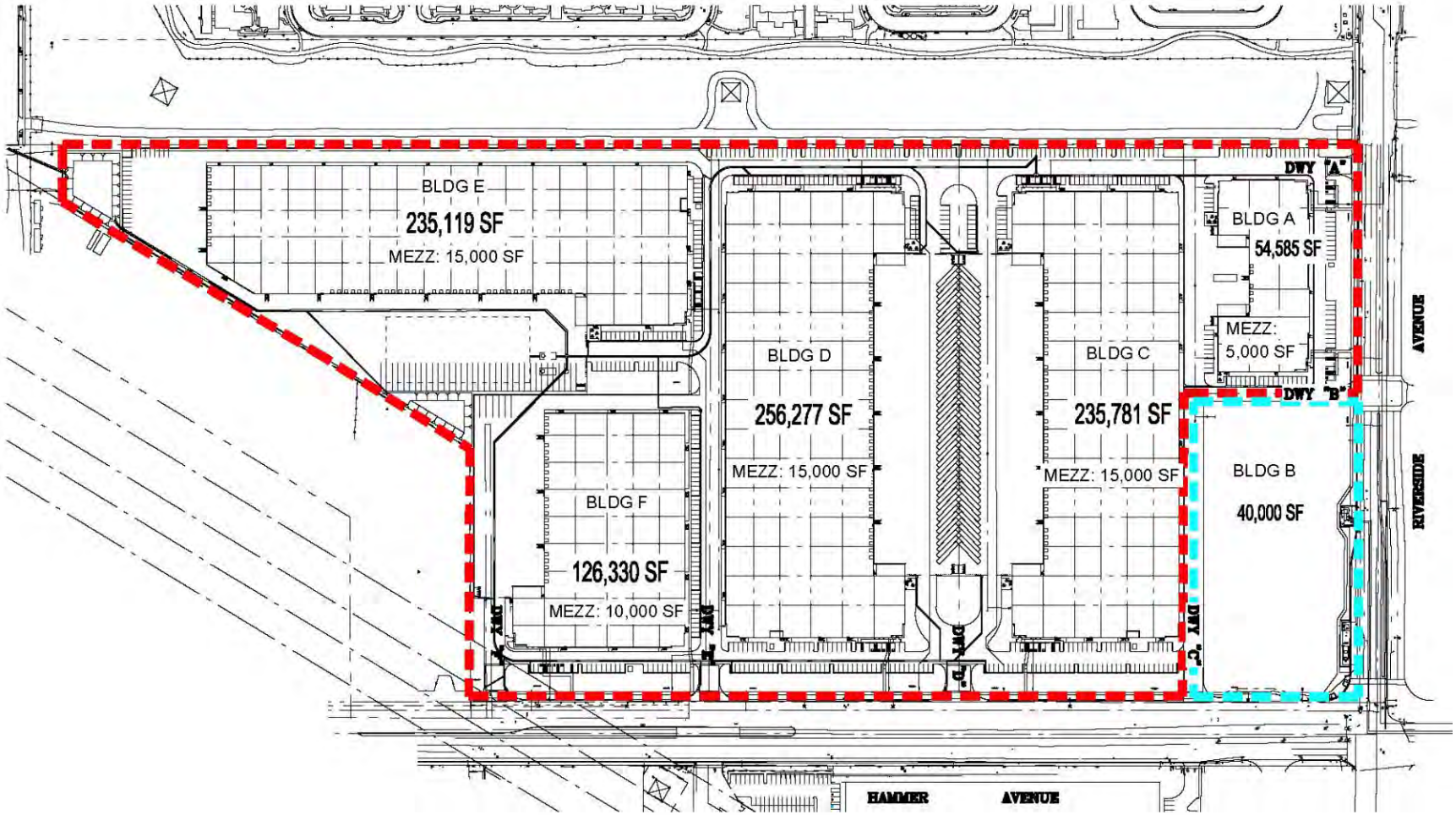
As part of the Modified Project, both Hamner Avenue and Riverside Drive would be improved adjacent to the site.

All roads, drive aisles, and access points implemented under the Modified Project would conform to City engineering standards and City Fire Department requirements.

2.4.3 Parking

The Modified Project will adhere to the parking requirements set forth by the City of Ontario Development Code. Parking assignments and design of parking areas within the site are subject to City review and approval.

[3] As directed by the City, the SCE substation property located at the northwest corner of Chino Avenue at Hamner Avenue is included within the boundaries of the Modified Project site. However, the Modified Project does not propose or require development within this SCE property.



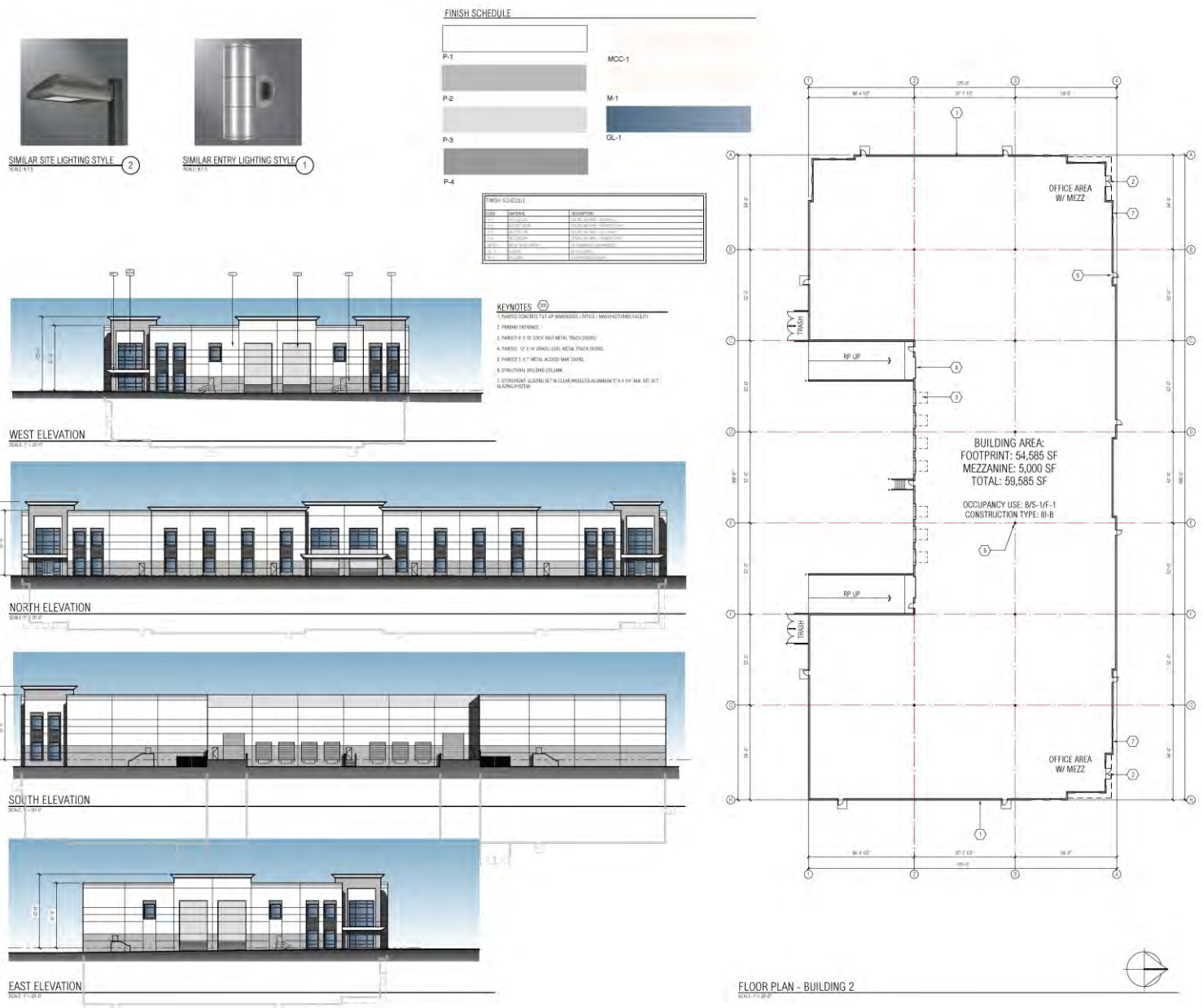
N

NOT TO SCALE

Source: Linscott Law & Greenspan

applied planning inc

Figure 2.4-1
Site Plan Concept



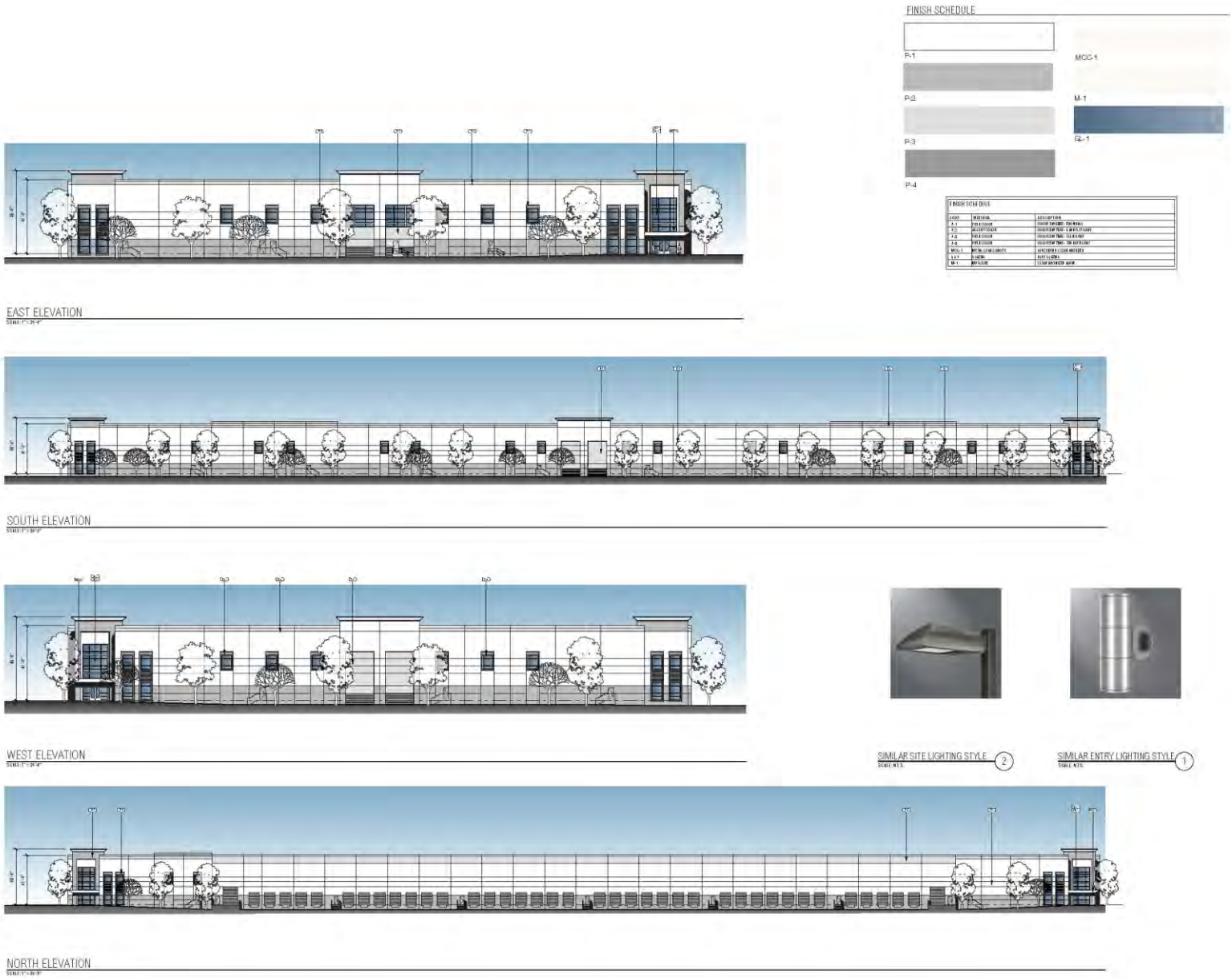
Source: RGA Office of Architectural Design

Figure 2.4-2 A
Building 2
Floor Plan/Architectural Elevations



Source: RGA Office of Architectural Design

Figure 2.4-2 B
Building 3
Architectural Elevations



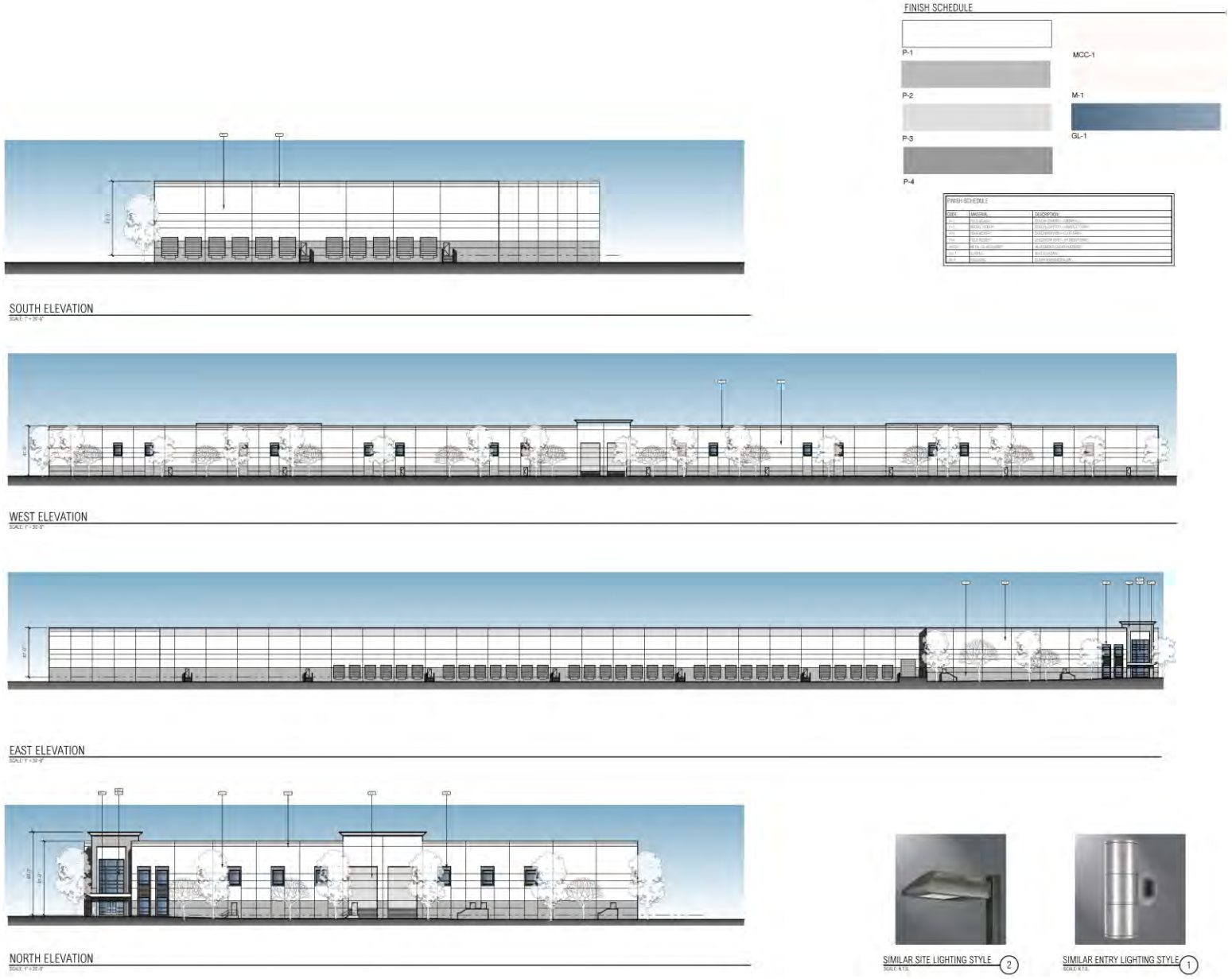
Source: RGA Office of Architectural Design

Figure 2.4-2 C
Building 4
Architectural Elevations



Source: RGA Office of Architectural Design

Figure 2.4-2 D
Building 5
Architectural Elevations



Source: RGA Office of Architectural Design

Figure 2.4-2 E
Building 6
Architectural Elevations

2.4.4 Landscape/Streetscape

All landscaping/streetscaping would comply with applicable provisions of the City Municipal Code. The implemented landscape/streetscape concept would act to enhance perception of the site as developed under the Modified Project, and to screen views of the site interior from off-site vantages. Landscape and streetscape elements would provide shade and visual interest, define entry/access points, and accentuate site and architectural features. The Modified Project Landscape Concept is presented at Figure 2.4-3.

2.4.5 Infrastructure/Utilities

2.4.5.1 Water Services

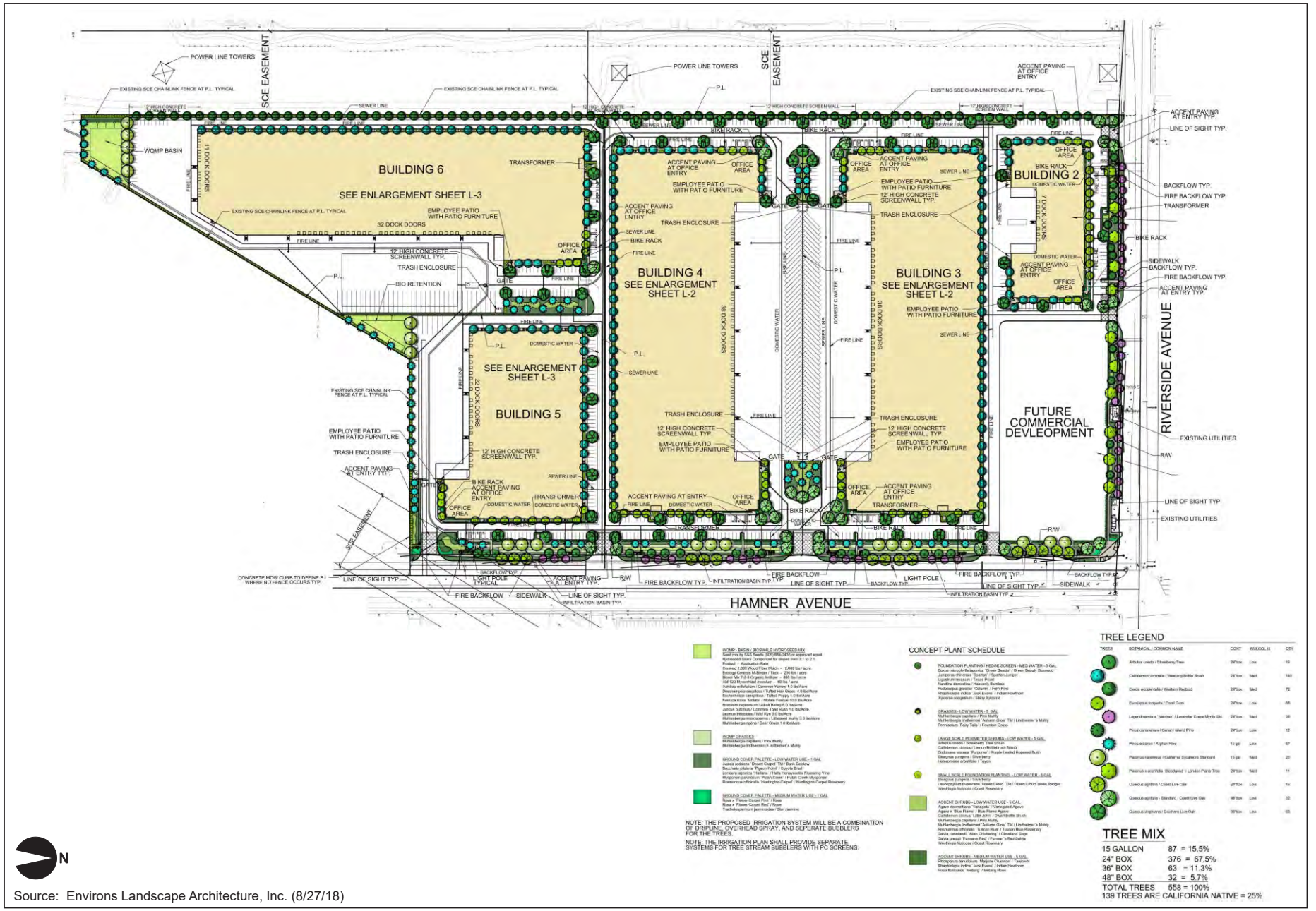
Domestic water will be provided by the City of Ontario. The Modified Project would connect to water lines located in adjacent Riverside Drive and Hamner Avenue rights-of-way. Final designs and any necessary modification of water conveyance systems serving the Modified Project would conform to City of Ontario requirements.

2.4.5.2 Recycled Water Services

Recycled water will be supplied in the future by Inland Empire Utilities Agency (IEUA) from their facilities at Westwind Park. On-site recycled water lines will be charged with domestic water until such time as recycled water is available from IEUA. The Modified Project would connect to recycled water lines located in adjacent Riverside Drive.

2.4.5.3 Sewer Services

Sewer service will be provided by the City of Ontario consistent with the City's Sewer Master Plan. The Modified Project would connect to the sanitary sewer line located within Chino Avenue along the southerly boundary of the Modified Project site. Final designs and any necessary modification of sanitary sewer conveyance systems serving the Modified Project would conform to City of Ontario requirements.



Source: Environs Landscape Architecture, Inc. (8/27/18)

Figure 2.4-3
Landscape Concept

2.4.5.4 Stormwater Management System

Existing drainage patterns on-site would be maintained. The Modified Project would implement on-site stormwater management systems to detain and treat stormwater discharges. Per the Preliminary Project WQMP,[4] the entire design capacity volume (DCV) would be retained and treated on-site (Preliminary WQMP, p. 10). Treated stormwaters would be discharged southerly to the Master Plan of Drainage (MPD) storm drain located in the Chino Avenue right-of-way.

The Final WQMP, as approved by the City, would ensure that the Modified Project stormwater management systems have been designed to convey and treat stormwater discharges and limit the post-development peak flows consistent with available storm drain capacities.

2.4.5.5 Solid Waste Management

The City of Ontario provides solid waste collection services for the City and will service the Modified Project.

2.4.5.6 Electricity

SCE will provide electricity to the site from existing vicinity facilities. As part of the Modified Project, existing SCE power poles and transmission lines located along Riverside Drive (the northerly boundary of the Modified Project site) would be relocated to allow for development of the Modified Project site and improvement of adjacent Riverside Drive. All proposed connections and modifications to SCE facilities would conform to SCE and City requirements.

2.4.5.7 Natural Gas

The Gas Company will provide natural gas to the site. All proposed connections and modifications to Gas Company facilities would conform to Gas Company and City requirements.

[4] *Preliminary Water Quality Management Plan For: Crow Holdings Industrial Project*, January 9, 2020 (Addendum Appendix G).

2.4.5.8 Communications Services

Communications services, including wired and wireless telephone and internet services are available through numerous private providers and would be provided on an as-needed basis. To the extent practical and consistent with City Conditions of Approval, existing and proposed wires, conductors, conduits, raceways, and similar communications improvements within the Project area would be installed underground. Any necessary surface-mounted equipment, e.g., terminal boxes, transformers, meters, service cabinets, etc., would be screened and would conform to City building setback requirements.

2.4.6 Energy Efficiency/Sustainability

Energy-saving and sustainable design features and operational programs would be incorporated in all facilities developed pursuant to the Modified Project. The Modified Project would be required to comply with incumbent energy efficiency and performance standards established under the CALGreen Code and the City of Ontario Climate Action Plan (CAP).

2.4.7 Construction Area Traffic Management Plan

Temporary and short-term traffic detours and traffic disruptions could result during construction activities including implementation of access and circulation improvements noted above. Accordingly, the Applicant would be responsible for the preparation and submittal of a Construction Area Traffic Management Plan (Plan). Typical elements and information incorporated in the Plan would include, but not be limited to:

- **Name of on-site construction superintendent and contact phone number.**

- **Identification of Construction Contract Responsibilities** - For example, for excavation and grading activities, describe the approximate depth of excavation, and quantity of soil import/export (if any).

- **Identification and Description of Truck Routes** - to include the number of trucks and their staging location(s) (if any).

- **Identification and Description of Material Storage Locations (if any).**

- **Location and Description of Construction Trailer (if any).**

- **Identification and Description of Traffic Controls** - Traffic controls shall be provided per the Manual of Uniform Traffic Control Devices (MUTCD) if the occupation or closure of any traffic lanes, parking lanes, parkways or any other public right-of-way is required. If the right-of-way occupation requires configurations or controls not identified in the MUTCD, a separate traffic control plan must be submitted to the City for review and approval. All right-of-way encroachments would require permitting through the City.

- **Identification and Description of Parking** - Estimate the number of workers and identify parking areas for their vehicles.

- **Identification and Description of Maintenance Measures** - Identify and describe measures taken to ensure that the work site and public right-of-way would be maintained (including dust control).

The Plan would be reviewed and approved by the City prior to the issuance of the first building permit. The Plan and its requirements would also be required to be provided to all contractors as one component of building plan/contract document packages.

2.4.8 Opening Year

For the purposes of this analysis, the Project Opening Year is defined as mid-2021, by which time all proposed uses are assumed to be complete, occupied, and operational.

2.5 PROJECT OBJECTIVES

The primary goal of the Modified Project is the development of the subject site with a productive mix of light industrial, business park, and commercial/retail uses. Complementary objectives include the following:

- Create an integrated development that provides a range of employment opportunities for residents in surrounding areas.

- Create a development wherein commercial uses would benefit from the site's visibility from adjacent Hamner Avenue and Riverside Drive.

- Locate commercial shopping and service uses proximate to underserved residential uses.

- Provide an industrial park supporting varied warehouse distribution and industrial tenants.

- Provide safe and convenient access for trucks in a manner that minimizes any potential disruption to residential areas.

- Facilitate goods movement.

- Establish new development that would further the City's near-term and long-range fiscal goals.

2.6 DISCRETIONARY APPROVALS and PERMITS

Discretionary actions, permits, and related consultation(s) necessary to approve and implement the Project include, but are not limited to, the following.

2.6.1 Lead Agency Discretionary Actions and Permits

- CEQA Compliance;

- Make findings pursuant to CEQA Guideline 15162 that the Modified Project creates no new significant impacts than those otherwise disclosed in Environmental Impact Report SCH No. 2008101140;

- Approval of a General Plan Land Use Designation Amendment (PGPA 18-002);

- Approval of a Specific Plan Amendment (PSPA 18-003);
- Approval of Tentative Parcel Maps (PMTT18-009 – PM 20027)
- Approval of Development Plans (PDEV 18-031); and
- Approval of a Development Agreement (PDA 18-006).

2.6.2 Other Consultation and Permits

Anticipated consultation and permits necessary to realize the Modified Project would or may include the following:

- Permitting by/through the Regional Water Quality Control Board (RWQCB) pursuant to requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit.
- Permitting by/through the South Coast Air Quality Management District (SCAQMD) for certain equipment or land uses that may be implemented pursuant to the Modified Project.
- Permitting (i.e., utility construction and connection permits) from affected utility purveyors, notably the City of Ontario, IEUA, and SCE.
- Other ministerial permits necessary to realize all on- and off-site improvements related to the development of the site.

3.0 ENVIRONMENTAL CHECKLIST

ENVIRONMENTAL CHECKLIST

Ontario Commerce Center

2020 Addendum to The Ontario Plan Certified EIR (SCH No. 2008101140)

General Note: The CEQA Initial Study Checklist categories and topics presented below conform to the suggested content presented in the *2019 CEQA Guidelines*, Appendix G. In certain instances, the 2019 CEQA Initial Study Checklist content differs from that presented in *The Ontario Plan Certified EIR (*Certified EIR). Additional or new environmental topics considered in the 2019 CEQA Initial Study Checklist, and not reflected in the Certified EIR, are recognized in the discussions below. Other Certified EIR discussions have been restructured or paraphrased to align with the format and content of the 2019 CEQA Initial Study Checklist, with no substantial effect on environmental findings or conclusions.

1. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Have a substantial adverse effect on a scenic vista?					X	
b) Substantially damage visible scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?					X	
c) 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?					X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?					X	

Substantiation:

a-d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR recognizes that buildout of the City would alter the visual character of the City. However, the Certified EIR concludes that compliance with the City Municipal Code, as well as applicable policies presented within the Policy Plan, would ensure that potential aesthetics impacts would be less-than-significant (Certified EIR, pp. 5.1-7 – 5.1-17).

Certified EIR Mitigation Measures: None.

Modified Project: Final designs of the Modified Project facilities including, but not limited to, the proposed buildings, landscape/hardscape features, and lighting configurations would be required to conform to the Specific Plan Design Guidelines and Development Standards[1] and applicable provisions of the City Municipal Code. Final designs of all uses would be subject to City review and approval. Conformance with the Specific Plan Design Guidelines and Development Standards and City Municipal Code requirements would ensure that the Modified Project would not substantially degrade scenic vistas, substantially degrade scenic resources, adversely alter the existing visual character or quality of the area, or create a new source of substantial light or glare which would adversely affect day or nighttime views. On this basis, when compared to the Certified EIR findings, no new or substantially increased aesthetic impacts would result from the Modified Project.

Modified Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Modified Project Design Concepts.

[1] The Specific Plan Design Guidelines and Development Standards have been amended to address new or modified uses proposed by the Modified Project.

2. AGRICULTURE AND FORESTRY RESOURCES

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?					X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?					X	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?					X	
d) Result in the loss of forest land or conversion of forest land to non-forest use?					X	
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use, or conversion of forest land to non-forest use?					X	

Substantiation:

a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR recognizes that implementation of The Ontario Plan would potentially convert all of the City's Important Farmland to non-farmland uses, and have significant and unavoidable impacts in this regard (Certified EIR, pp. 5.2-9 – 5.2-10).

Certified EIR Mitigation Measures: The Certified EIR examined several alternatives that would further preservation of agricultural land, including the retention of on-site agricultural uses, the replacement of agricultural resources off-site, the relocation of Prime Farmland topsoil, the establishment of conservation easements or preserves, and the transfer of development rights. However, no feasible alternatives or mitigation measures were identified that would substantially minimize significant impacts to Farmlands projected to occur under The Ontario Plan.

Modified Project: No designated Farmlands exist within the Modified Project site. The Modified Project does not propose or require uses that would otherwise result in potentially adverse impacts to Farmlands. Implementation of the Modified Project would not result in impacts to Farmlands or agricultural resources beyond those previously addressed by the Certified EIR. On this basis, when compared to the Certified EIR findings, no new or substantially increased impacts to Farmlands would result from the Modified Project.

Modified Project Mitigation Measures: None.

b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR noted that implementation of The Ontario Plan would affect all active Williamson Act contracts within the City, and concluded that impacts to these resources would be significant and unavoidable (Certified EIR, p. 5.2-10).

Certified EIR Mitigation Measures: The Certified EIR identified no feasible alternatives or mitigation measures to minimize this significant impact.

Modified Project: No Williamson Act contracts are in place for the subject site. The Modified Project will therefore not conflict with any existing agricultural zoning designations, nor affect any existing Williamson Act contract(s).

Modified Project Mitigation Measures: None.

c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: This environmental topical concern has been added to the *CEQA Guidelines* Appendix G, *Environmental Checklist Form* since the adoption of the Certified EIR and was therefore not specifically addressed in the Certified EIR.

Certified EIR Mitigation Measures: Not Applicable.

Modified Project: The Modified Project site is not zoned for forest land, timberland, or timberland zoned Timberland Production. The Modified Project would therefore have no impact on forest land or timberland.

Modified Project Mitigation Measures: None.

d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: This question has been added to the *CEQA Guidelines* Appendix G, *Environmental Checklist Form* since the adoption of the Certified EIR and was therefore not specifically addressed in the Certified EIR.

Certified EIR Mitigation Measures: Not Applicable.

Modified Project: No forest land is located on the Modified Project site or in the vicinity. The Modified Project would therefore have no impact on forest land.

Modified Project Mitigation Measures: None.

e) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: This question has been added to the *CEQA Guidelines* Appendix G, *Environmental Checklist Form* since the adoption of the Certified EIR and was therefore not specifically addressed in the Certified EIR.

Certified EIR Mitigation Measures: Not Applicable.

Modified Project: The Modified Project does not require or propose other changes to the environment which could result in the conversion of farmland or forestland to other uses. The Modified Project would therefore have no impact on the existing environment that could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

Modified Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009*;* Modified Project Design Concepts.

3. AIR QUALITY

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?					X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?					X	
c) Expose sensitive receptors to substantial pollutant concentrations?					X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?					X	

Substantiation:

a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that The Ontario Plan would be inconsistent with the Air Quality Management Plan (AQMP) because air pollutant emissions associated with buildout of the City would cumulatively contribute to the nonattainment designations in the South Coast Air Basin (SCAB). Furthermore, buildout of the City consistent with The Ontario Plan would exceed current estimates of population, employment, and vehicle miles traveled (VMT) for the City and therefore these emissions are not included in the current regional emissions inventory for the SCAB. For these reasons, the Certified EIR concluded that The Ontario Plan would result in significant AQMP consistency impacts (Certified EIR, p. 5.3-11).

Certified EIR Mitigation Measures: The Certified EIR determined that the Goals and Policies included in the Policy Plan would facilitate continued City cooperation with the South Coast Air Quality Management District (SCAQMD) and Southern California Association of Governments (SCAG) and thereby support regional air quality improvement goals. The Certified EIR concluded however that no mitigation measures are available that would substantially reduce AQMP inconsistency impacts.

Modified Project: The Modified Project would amend the site's current land use designations. However, the Modified Project would not substantively increase or otherwise alter the development intensities beyond that currently anticipated for the subject site under the Original Project and reflected in the Certified EIR. Moreover, the Modified Project uses would result in fewer emissions than would result from development of the subject site pursuant to the Original Project. More specifically, for urban development such as that considered here, traffic is the dominant source of air pollutant emissions, typically accounting for more than 90 percent of a given development proposal's criteria air pollutant emissions. Total trips generated by the Modified Project would be reduced by at least 50 percent when compared to the Original Project (see subsequent discussions at Checklist Item 17., *Transportation*). Comparable reductions in criteria air pollutant emissions would result from the Modified Project. On

this basis, the Modified Project would result in a net reduction in air pollutant emissions when compared to the Original Project.

Based on the preceding, when compared to the Certified EIR findings, no new or substantially increased AQMP consistency impacts would occur under the Modified Project.

Modified Project Mitigation Measures: None.

b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that buildout of The Ontario Plan may generate short-term and long-term emissions that exceed the SCAQMD's regional significance thresholds for VOC, CO, NOx, PM_{10}, and $PM_{2.5}$, and would cumulatively contribute to the SCAB nonattainment designations for O_3, PM_{10} and $PM_{2.5}$. Even with the implementation of mitigation measures, air quality impacts were considered significant and unavoidable (Certified EIR, pp. 5.3-11 – 5.3-14).

Certified EIR Mitigation Measures:

3-1 The City of Ontario Building Department shall require that all new construction projects incorporate all feasible mitigation measures to reduce air quality emissions. Potential measures shall be incorporated as conditions of approval for a project and may include:

- *Requiring fugitive dust control measures that exceed South Coast Air Quality Management District's Rule 403, such as:*
  - *Requiring use of nontoxic soil stabilizers to reduce wind erosion.*
  - *Applying water every four hours to active soil-disturbing activities.*
  - *Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials.*
  - *Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 or higher exhaust emission limits.*

- *Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards.*
- *Limiting nonessential idling of construction equipment to no more than five consecutive minutes.*
- *Using Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the South Coast Air Quality Management District's website at: http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf.*

3-2 *The City of Ontario shall evaluate new development proposals within the City and require all developments to include access or linkages to alternative modes of transportation, such as transit stops, bike paths, and/or pedestrian paths (e.g., sidewalks).*

Modified Project:

Construction-Source Emissions

Modified Project construction activities would result in emissions of carbon monoxide (CO), Volatile Organic Compounds (VOCs), Nitrogen Oxides (NOX), Sulfur Oxides (SOX), particulate matter ≤ 10 microns (PM_{10}), and particulate matter ≤ 2.5 microns ($PM_{2.5}$). Construction equipment types and construction methodologies employed in development of the Modified Project would be typical of industrial/commercial development, and would not require equipment or activities not reflected in the Certified EIR. The Modified Project would comply with all City Conditions of Approval, including those addressing control and reduction of construction-source emissions. On this basis, when compared to the Certified EIR findings, no new or substantially increased construction-source emissions impacts would occur under the Modified Project.

Operational-Source Emissions

For urban development such as that considered here, traffic is the dominant source of air pollutant emissions, typically accounting for more than 90 percent of a given development proposal's criteria air pollutant emissions. Total trips generated by the Modified Project would be reduced by at least 50 percent when compared to the Original Project (see subsequent discussions at Checklist Item 17., *Transportation*). Comparable

reductions in criteria air pollutant emissions would result from the Modified Project. On this basis, the Modified Project would result in a net reduction in air pollutant emissions when compared to the Original Project.

As indicated, the Modified Project would result in a net decrease in operational-source criteria pollutant emissions when compared to operational-source criteria pollutant emissions generated by the Original Project and reflected in the Certified EIR. As such, when compared to the Certified EIR findings, no new or substantially increased operational-source emissions impacts would occur under the Modified Project.

Modified Project Mitigation Measures: None.

c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that development pursuant to the Policy Plan would result in significant and unavoidable air quality impacts due to elevated concentrations of air pollutants at sensitive receptors (Certified EIR, p. 5.3-26).

Certified EIR Mitigation Measures:

3-3 The City of Ontario shall evaluate new development proposals within the City for potential incompatibilities with regard to the California Air Resources Board's Air Quality and Land Use Handbook: A Community Health Perspective (April 2005). New development that is inconsistent with the recommended buffer distances shall only be approved if all feasible mitigation measures, such as high efficiency Minimum Efficiency Reporting Value filters have been incorporated into the project design to protect future sensitive receptors from harmful concentrations of air pollutants as a result of proximity to existing air pollution sources.

Modified Project: As required by the City, a Health Risk Assessment (HRA) has been prepared for the Modified Project (*Ontario Commerce Center Mobile Source Health Risk Assessment, City of Ontario* [Urban Crossroads, Inc.] July 9, 2020 (HRA, Addendum Appendix A). The HRA identifies potential sources of toxic air contaminants (TACs), and

evaluates potential effects of TAC concentrations at proximate sensitive receptors. Results of the HRA are summarized below.

The HRA evaluated potential health risk impacts to proximate receptors (residents, workers, and school children) that could result from exposure to diesel particulate matter (DPM) generated by heavy-duty diesel trucks accessing the Modified Project site. The Modified Project does not otherwise propose or require uses that could generate TACs or other emissions that could adversely affect area receptors. Health risk exposures were modeled in accordance with the guidelines presented in *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD) 2003.

The SCAQMD *CEQA Air Quality Handbook* (1993) states that emissions of Toxic Air Contaminants (TACs) are considered significant if a Health Risk Assessment shows an increased carcinogenic risk of greater than 10 incidents per million population. Consistent with the stated SCAQMD *Handbook* cancer risk threshold, for the purposes of this analysis, an increase in cancer risk of 10 incidents per million population is considered potentially significant.

The SCAQMD has also established non-carcinogenic risk parameters for use in HRAs. Non-carcinogenic risks are quantified by calculating a Hazard Index, expressed as the ratio between the ambient pollutant concentration and its toxicity or Reference Exposure Level (REL). An REL is a concentration at or below which health effects are not likely to occur. A Hazard Index less of than one (1.0) means that adverse health effects are not expected. Within this analysis, non-carcinogenic exposures not exceeding the SCAQMD Hazard Index of 1.0 are considered less-than-significant.

As substantiated in the HRA, at the maximally exposed individual receptor (MEIR), the maximum incremental cancer risk attributable to the Modified Project is estimated at 6.15 in one million, which is less than the SCAQMD threshold of 10 in one million (HRA, p. 21). At this same location, non-cancer risks were estimated at 0.002, which would not exceed the applicable SCAQMD threshold of 1.0 (HRA, p. 2).

As substantiated in the HRA, at the maximally exposed individual worker (MEIW), the maximum incremental cancer risk attributable to the Modified Project is estimated at 2.00 in one million, which is less than the SCAQMD threshold of 10 in one million (HRA, p. 2). At this same location, non-cancer risks were estimated at 0.007, which would not exceed the applicable SCAQMD threshold of 1.0 (HRA, p. 2).

As substantiated in the HRA, at the maximally exposed individual school child (MEISC), the maximum incremental cancer risk attributable to the Modified Project is estimated at 0.23 in one million, which is less than the SCAQMD threshold of 10 in one million (HRA, p. 2). At this same location, non-cancer risks were estimated at 0.0004, which would not exceed the applicable SCAQMD threshold of 1.0 (HRA, p. 2).

Based on the preceding, the Modified Project would not expose sensitive receptors to substantial pollutant concentrations. When compared to the Certified EIR findings, no new or substantially increased impacts to sensitive receptors would result from the Modified Project.

Modified Project Mitigation Measures: None.

d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that development pursuant to The Policy Plan would result in significant and unavoidable temporary odor impacts associated with transition of agricultural lands to nonagricultural uses (Certified EIR, p. 5.3-28).

Certified Mitigation Measures: No feasible mitigation.

Modified Project: The Modified Project does not propose or require transition of agricultural land uses to nonagricultural uses. Nor would the developed Modified Project site be affected by proximate agricultural use odor sources. Construction-source and operational-source odor impacts that may result from the Modified Project are controlled as a byproduct of hazardous/potentially hazardous materials handling plans and Best

Management Practices implemented under SCAQMD Rule 402 et al. The Modified Project would comply with all SCAQMD Rules regulating and controlling odors and odor sources. The Modified Project would therefore not create objectionable odors affecting a substantial number of people. The Modified Project does not propose or require uses that would generate other emissions that could adversely affect a substantial number of people. On this basis, when compared to the Certified EIR findings, no new or substantially increased "other emissions" impacts would occur under the Modified Project.

Modified Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; *Ontario Commerce Center Mobile Source Health Risk Assessment, City of Ontario* (Urban Crossroads, Inc.) July 9, 2020; Modified Project Design Concepts.

4. BIOLOGICAL RESOURCES

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Have a substantial adverse effect, either directly or through habitat modification, 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?					X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies and regulations; or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?					X	

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?					X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?					X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?					X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?					X	

Substantiation:

a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR notes that implementation of The Ontario Plan would not directly affect sensitive species since the General Plan does not confer entitlements for development. However, development in accordance with The Ontario Plan could impact sensitive species. Projects considered for approval under The Ontario Plan would be subject to independent CEQA review to determine whether there is potential habitat on-site for sensitive species. The Certified EIR did not identify any significant impacts in this regard (Certified EIR, pp. 5.4-26 – 5.4-28).

Certified EIR Mitigation Measures: None.

Modified Project: Consistent with direction provided in the Certified EIR, a development-level biological resources assessment has been prepared for the Modified Project. Analysis of the Modified Project's potential impacts to protected species is presented in: *Burrowing Owl and Delhi Sands Flower-Loving Fly Habitat Assessment Technical Memorandum* (Chambers Group) January 4, 2019 (2019 Biological Resources Report, Addendum Appendix B). Conclusions of the 2019 Biological Report are excerpted below:

> The open Ruderal vegetation community, combined with the presence of California ground squirrel burrows, provides suitable habitat for [burrowing owl] BUOW. Due to the presence of suitable habitat for BUOW, according to the 2012 CDFW BUOW Staff Report, occupancy surveys will be required. In addition, regardless of the presence or absence of BUOW during the habitat assessment or occupancy surveys, because suitable habitat is present on the [Modified] Project site and in the buffer, a take avoidance survey will be required no less than 14 days prior to ground disturbance.[2]
>
> The compacted, heavily mixed, silty, sandy soils; regular disking; non-native vegetation; and isolation from undisturbed Delhi sands soil offers unsuitable to low quality habitat for DSF; therefore, no further surveys are recommended for DSF (2019 Biological Report, p. 6).

Based on the findings of the 2019 Biological Report, the Modified Project could result in potentially significant impacts to the BUOW. Additionally, the Modified Project site serves generally as habitat for migratory birds, and implementation of the Project could adversely affect nesting migratory birds.

[2] A subsequent burrowing owl (BUOW) survey conducted at the Modified Project site indicates that all natural or artificial burrows were unoccupied by burrowing owl. Nor did any burrows show any evidence of burrowing owl occupancy. Burrowing owls are presumed absent from the site (*Burrowing Owl Survey Report for the Ontario Development Project Site* (Harmsworth Associates) April 2020, p. 6. See: April 2020 BUOW Survey, Addendum Appendix B.

The following Conditions of Approval (COA) are recommended as means of addressing potential impacts to the BUOW and nesting migratory birds. The City may also implement additional/other biological resources requirements through the Project COA.

Recommended Conditions of Approval:

- ***Avoidance of Nesting Migratory Birds:*** *If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season, all suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified biologist (Biologist). The Biologist shall be approved by the City and retained by the Applicant. The survey results shall be submitted by the Applicant to the City Planning Department. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 300-foot buffer, with the final buffer distance to be determined by the Project Biologist. The buffer area shall be avoided until, as determined by the Biologist, the nesting cycle is complete or it is concluded that the nest has failed. In addition, the Biologist shall be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.*

- ***Avoidance of Nesting Burrowing Owls:*** *No more than 72 hours prior to any site disturbances, focused surveys for the burrowing owl shall be conducted. If absence of this species is confirmed, project work can proceed. If, however, burrowing owl is located on site, the appropriate resource agencies (CDFW and USFWS) shall be contacted. The Applicant shall consult with the wildlife agencies regarding the most appropriate methods and timing for removal of owls. As necessary, owls will be actively evicted following agency approved protocols (i.e., placing a one-way door at the burrow entrance to ensure that owls cannot access the burrow once they leave). Any such active eviction shall occur outside of the breeding/nesting season. That is, active eviction shall be accomplished between September 1 and February 15. If more than 30 days has elapsed between owl*

eviction and completion of clearing and grubbing activities, a subsequent survey for the burrowing owl shall be conducted to ensure that owls have not re-populated the site. Any reoccupation by owls will require subsequent protocol active eviction.

With implementation of the above COA's potential biological resources impacts of the Modified Project would be reduced to levels that would be less-than-significant.

Based on the preceding discussions, when compared to the Certified EIR findings, no new or substantially increased impacts to protected species would occur under the Modified Project.

b, c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that implementation of The Ontario Plan would not result in direct impacts, however, projects approved pursuant to the General Plan could indirectly result in impacts to such resources. As such, individual projects undergoing environmental review under CEQA would be required to determine whether there is potential habitat onsite for sensitive species. The Certified EIR did not identify any significant impacts in this regard. (Certified EIR, p. 5.4-28).

Certified EIR Mitigation Measures: None.

Modified Project: No riparian habitat, sensitive natural communities, or federally protected wetlands exist within the subject site. Nor does the Modified Project propose or require uses or facilities that would result in potentially significant impacts to offsite riparian habitat, sensitive natural community, or federally protected wetlands. The Modified Project would not have a substantial adverse effect on any riparian habitat, sensitive natural community, or federally protected wetlands. On this basis, when compared to the Certified EIR findings, no new or substantially increased impacts to riparian habitat, sensitive natural communities, or federally protected wetlands would occur under the Modified Project.

Modified Project Mitigation Measures: None.

d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR states that no regional wildlife movement corridors have been identified in the City, and most of the City is ill-suited for the purposes of wildlife movement. Additionally, compliance with existing policies and regulations would ensure impacts in this regard are less-than-significant (Certified EIR, p. 5.4-30).

Certified EIR Mitigation Measures: None.

Modified Project: No wildlife corridors or linkages are located onsite, and it is unlikely that the site is of any significance to wildlife movement. Consistent with the conclusion of the Certified EIR, the Modified Project would not 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. On this basis, when compared to the Certified EIR findings, no new or substantially increased impacts to wildlife corridors, wildlife linkages, or wildlife movement would occur under the Modified Project.

Modified Project Mitigation Measures: None.

e, f) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR did not identify any conflicts with any local policies or ordinances protecting biological resources, adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan (Certified EIR, pp. 5.4-30 – 5.4-31).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project would comply with local policies or ordinances protecting biological resources. The Modified Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation

Plan, or other approved local, regional, or state habitat conservation plan. When compared to the Certified EIR findings, no new or substantially increased impacts to a Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan would result from the Modified Project.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009*; Burrowing Owl and Delhi Sands Flower-Loving Fly Habitat Assessment Technical Memorandum* (Chambers Group) January 4, 2019; Modified Project Design Concepts.

5. CULTURAL RESOURCES

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?					X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?					X	
c) Disturb any human remains, including those interred outside of formal cemeteries?					X	

Substantiation:

a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Historic resources in the City include historic districts, historic landmarks or points of historical interest, and other buildings, structures, objects, and sites that appear eligible for listing on the National, California, or Local Registers of Historic Places. The Certified EIR concluded that adoption of The Ontario Plan itself would not directly affect any historical structures; however, identified and potential

historic structures and sites may be vulnerable as development occurs. The Certified EIR concluded this was a potentially significant impact (Certified EIR, pp. 5.5-16 – 5.5-19).

Certified EIR Mitigation Measures:

5-1 Historic or potentially historic resources in the City shall be evaluated for historic significance through the City's tier system prior to the issuance of development approvals in the Focus Areas.

Even with the implementation of Mitigation Measure 5-1, the Certified EIR concluded that impacts to historical resources would be significant and unavoidable.

Modified Project: To assess the potential for historic resources, a Cultural Resources Assessment has been conducted for the Modified Project site.[3] The Cultural Resources Assessment determined that no cultural resources, including prehistoric, historic, or archaeological sites or historic-period buildings, exist within the Modified Project boundaries (Cultural Resources Assessment, p. 9). The Modified Project does not propose or require uses or operations that would otherwise potentially affect cultural resources. The potential for the Modified Project to cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064 is therefore considered less-than-significant.

Modified Project Mitigation Measures: None.

b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Adoption of The Ontario Plan in itself would not directly affect archaeological resources. However, implementation of the proposed Land Use Plan could allow development and redevelopment of potentially sensitive areas. The Certified EIR concluded this was a potentially significant impact (Certified EIR, p. 5.5-20).

[3] See: *Cultural Resources Assessment, The Hamner Avenue/Riverside Drive/Mill Creek Avenue Project, City of Ontario, San Bernardino County, California* (BCR Consulting, LLC) April 20, 2020 (Cultural Resources Assessment, Addendum Appendix C).

Certified EIR Mitigation Measures:

5-2 *In areas of documented or inferred archaeological and/or paleontological resource presence, City staff shall require applicants for development permits to provide studies to document the presence/absence of such resources. On properties where resources are identified, such studies shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified cultural preservation expert. The mitigation plan shall include the following requirements:*

a) Archaeologists and/or paleontologist shall be retained for the project and will be on call during grading and other significant ground-disturbing activities.
b) Should any cultural/scientific resources be discovered, no further grading shall occur in the area of the discovery until the Planning Director is satisfied that adequate provisions are in place to protect these resources.
c) Unanticipated discoveries shall be evaluated for significance by a San Bernardino County Certified Professional Archaeologist/Paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates, and other special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including catalog with museum numbers.

5-3 *Upon receipt of an application for a Specific Plan or a project that requires a General Plan amendment subject to CEQA and is within the City's jurisdiction, the City's representative shall consult with the relevant tribe(s)' representative(s) to determine if the proposed project is within a culturally sensitive area to the tribe. If sufficient evidence is provided to reasonably ascertain that the site is within a [tribal] culturally sensitive area, then a cultural resources assessment prepared by an archaeologist shall be required. The findings of the cultural resources assessment shall be incorporated into the CEQA documentation. A copy of the report shall be forwarded to the tribe(s). If mitigation is recommended in the CEQA document, the procedure described in Mitigation Measure 5-4 shall be followed.*

5-4 *Prior to the issuance of grading permits for a Specific Plan or project that requires a General Plan amendment for which the CEQA document defines cultural resource mitigation for potential tribal resources, the project applicant shall contact the designated tribe(s) to notify them of the grading, excavation, and monitoring program. The applicant shall coordinate with the City of Ontario and the tribal representative(s) to develop mitigation measures that address the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground-disturbing activities; scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The City of Ontario shall be the final arbiter of the conditions for projects within the City's jurisdiction.*

With the implementation of Mitigation Measures 5-2 through 5-4, the Certified EIR concluded that impacts to archaeological and/or paleontological resources would be less-than-significant.

Modified Project: The Cultural Resources Assessment determined that no cultural resources, including prehistoric or historic archaeological sites or historic-period buildings, exist within the Modified Project boundaries (Cultural Resources Assessment, p. 9). The Modified Project does not propose or require uses or operations that would otherwise potentially affect known cultural resources. However, previously undocumented cultural resources may be identified during ground-disturbing activities at the Modified Project site. This is a potentially significant impact.

Modified Project Mitigation Measures: To address potentially significant impacts to previously-undocumented cultural resources, the Modified Project shall implement Certified EIR Mitigation Measures 5-2, 5-3, 5-4. No additional measures are required or proposed for the Modified Project.

With implementation of mitigation, the potential for the Modified Project to result in cause a substantial adverse change in the significance of an archaeological resource would be less-than-significant. When compared to the Certified EIR findings, no new or substantially increased impacts to archaeological resources would result from the Modified Project.

c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that compliance with existing regulations would ensure that the potential for The Ontario Plan to disturb any human remains, including those interred outside of formal cemeteries was less-than-significant (Certified EIR, p. 5.5-21).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project would be required to comply with all existing regulations, including the California Public Resources Code Section 5097.98, which would afford protection for any human remains discovered during development activities. On this basis, the potential for the Modified Project to result in disturbance of any human remains, including those interred outside of formal cemeteries would be less-than-significant. When compared to the Certified EIR findings, no new or substantially increased impacts related to potential disturbance of human remains would result from the Modified Project.

Modified Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009*; Cultural Resources Assessment, The Hamner Avenue/Riverside Drive/Mill Creek Avenue [Ontario Commerce Center] Project City of Ontario, San Bernardino County, California* (BCR Consulting, LLC) April 20, 2020; Modified Project Design Concepts.

6. ENERGY

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?					X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?					X	

Substantiation:

a, b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: This environmental topical concern has been added to the *CEQA Guidelines* Appendix G, Environmental Checklist Form since the adoption of the Certified EIR, and was therefore not specifically addressed in the Certified EIR.

Certified EIR Mitigation Measures: Not Applicable.

Modified Project: The Modified Project in total would be required to comply with incumbent performance standards established under the Building Energy Efficiency Standards contained in the California Code of Regulations (CCR), Title 24, Part 6 (Title 24, Energy Efficiency Standards). The Modified Project would be required to conform to applicable CALGreen provisions (CCR, Title 24, Part 11 – CALGreen). CALGreen was implemented in 2007 to support the goals of the State's greenhouse gas reduction and building energy efficiency programs. The Project would also implement applicable efficiency/conservation measures provisions of the City of Ontario Community Climate Action Plan (CAP) and updates.

Additionally, developers and owners/tenants generally have vested financial incentives to avoid imprudent energy consumption practices. In this regard, there is growing recognition among developers and owners/tenants that energy-efficient and sustainable practices yield both environmental and economic benefits.

Based on the preceding, the Modified Project would not result in or cause wasteful, inefficient, and unnecessary consumption of energy; and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. When compared to impacts addressed in the Certified EIR, no new or substantially increased energy impacts would occur under the Modified Project.

Modified Project Mitigation Measures: None.

Sources*:* *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009*;* Modified Project Design Concepts.

7. GEOLOGY AND SOILS

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:						
(i) rupture of a known earthquake fault;					X	
(ii) strong seismic ground shaking;					X	
(iii) seismic-related ground failure, including liquefaction; or					X	
(iv) landslides?					X	
b) Result in substantial soil erosion or the loss of topsoil?					X	

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?					X	
d) 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?					X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?						X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?					X	

Substantiation:

a – d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR recognizes existing geological conditions and location of the City within a seismically active area. The Certified EIR concludes that compliance with California Building Code (CBC) regulations and standard City Conditions of Approval would preclude significant geology/soils impacts (Certified EIR, pp. 5.7-16 – 5.7-19).

Certified EIR Mitigation Measures: None.

Modified Project: Geology and soils conditions affecting the Modified Project site are preliminarily evaluated in: *Preliminary Geotechnical Investigation, Proposed Industrial Building Development, SWC Hamner Avenue and E. Riverside Drive Ontario, California* (GPI)

January 31, 2018 (2018 Geotechnical Investigation, Addendum Appendix D). The 2018 Geotechnical investigation identifies the following geology/soils conditions affecting the subject site.

- Undocumented fill and upper disturbed natural soils are not considered to be suitable for uniform support of new foundations or floor slabs.

- There are approximately 25 small to medium sized stockpiles located onsite along Hamner Avenue. A few stockpiles contain soils consisting of clays and sands with varying amounts of gravel. The remaining stockpiles consist of concrete, brick, metal, and plastic debris. The stockpile materials were likely generated from offsite sources. Existing stockpiled materials are not considered suitable for use as compacted fill.

- Current moisture contents of the upper soils are generally slightly moist to moist and likely near or below the optimum moisture content. Moisture conditions (wetting) will likely be required during subgrade processing and placement and compaction of fill.

- The upper on-site soils are predominantly dry to slightly moist, loose to medium dense silty sands. As such, these soils are considered to be susceptible to caving in open cuts and excavations. Care should be taken to maintain support of the soils and structures left in-place adjacent to planned excavations.

- Due to the presence of loose to medium dense sands and silty sands and high peak ground acceleration, potential total dry seismic settlements of ¼- to ½-inch and differential seismic settlement of less than ¼-inch over a span of 60 feet were computed. These settlements are based on values obtained using the 2016 California Building Code (CBC) and should be considered in addition to the static settlement when evaluating the design of the proposed structures.

- Although not tested, the upper onsite soils (silty sands and sandy silts) are anticipated to have a low potential for expansion. Expansion index testing will need to be performed as part of subsequent comprehensive geotechnical investigation(s).

- Corrosivity soils testing indicates a negligible level of soluble sulfate content with respect to concrete. The soils are considered to be moderately corrosive to corrosive to buried ferrous metals. Testing also indicates negligible levels of chloride by most standards. However, the building footings will be exposed to moisture in the adjacent soil and could be susceptible to corrosion. Final designs should be evaluated for potential corrosion effects and incorporate corrosion protection if/as required.

  [2018 Geotechnical Investigation, pp. 6 – 7]

The 2018 Geotechnical Investigation at Sections 4.2 – 4.11 provides preliminary recommendations addressing the above issues and development of the site generally. Issues and design considerations addressed include: seismic design, earthwork, foundations, concrete slabs, retaining structures, pavements, corrosion, drainage, surface infiltration, and geotechnical observation and testing.

As part of the City's standard review and approval of development projects, the Modified Project would be required to comply with recommendations of the 2018 Geotechnical Investigation as incorporated in a Final City-approved geotechnical report. Design of the Modified Project would also be required to comply with applicable provisions of the Uniform Building Code (UBC) and California Building Code (CBC). Compliance with recommendations of the final City-approved geotechnical report and provisions of the UBC and CBC would reduce potential geology and soils impacts to levels that would be less-than-significant. The Modified Project would therefore not result in new, additional, or different geological/soils impacts not considered and addressed in the Certified EIR.

Modified Project Mitigation Measures: None.

e) *No Impact.*

Certified EIR Conclusions: Wastewater generated by new development pursuant to the Ontario Plan would be conveyed to and treated at wastewater treatment facilities owned and operated by the Inland Empire Utilities Agency (Regional Plant No. 1 in the City of Ontario and Regional Plant No. 5 in the City of Chino). The use of septic tanks for new commercial/industrial development such as that evaluated herein is not envisioned. (Certified EIR, p. 5.7-18).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project would connect to the City sanitary sewer system. No septic tanks or other alternative wastewater disposal systems are proposed. On this basis, the Modified Project would not result in any impacts related to on-site or alternative wastewater disposal systems. The Modified Project would therefore not result in new, additional, or different impacts regarding use of alternative wastewater treatment systems not considered and addressed in the Certified EIR.

Modified Project Mitigation Measures: None.

f) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Adoption of The Ontario Plan in itself would not directly affect paleontological resources. However, implementation of the Ontario Plan Land Use Plan could allow development and redevelopment of potentially sensitive areas. The Certified EIR concluded this was a potentially significant impact (Certified EIR, p. 5.5-20).

Certified EIR Mitigation Measures: Please refer to previous Mitigation Measure 5-2. With the implementation of this Mitigation Measure, the Certified EIR concluded that impacts to paleontological resources would be less-than-significant.

Modified Project: The Cultural Resources Assessment at Appendix C concluded that ground-disturbing activities at the Modified Project site could result in potentially significant impacts to paleontological resources (Cultural Resources Assessment *Paleontological Overview*). Pursuant to recommendations presented in the *Paleontological Overview*, the Modified Project shall implement a paleontological resource mitigation program to monitor, salvage, and curate any recovered fossils associated with the current study area.

Modified Project Mitigation Measures: To address potentially significant impacts to paleontological resources, a paleontological resource mitigation program shall be implemented as recommended under the Cultural Resources Assessment *Paleontological Overview*, and required under Certified EIR Mitigation Measure 5-2. With implementation of Certified EIR Mitigation Measure 5-2, the potential for the Project to directly or indirectly destroy a unique paleontological resource or site or unique geological feature would be less-than-significant. No additional mitigation is required under the Modified Project.

With implementation of mitigation, the Modified Project would not result in new, additional, or different paleontological resource impacts not considered and addressed in the Certified EIR.

Sources: *Preliminary Geotechnical Investigation, Proposed Industrial Building Development, SWC Hamner Avenue and E. Riverside Drive Ontario, California* (GPI) January 31, 2018; *Cultural Resources Assessment, The Hamner Avenue/Riverside Drive/Mill Creek Avenue Project, City of Ontario, San Bernardino County, California* (BCR Consulting, LLC) April 20, 2020; Modified Project Design Concepts.

8. GREENHOUSE GAS EMISSIONS

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?					X	
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?					X	

Substantiation:

a, b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that buildout of The Ontario Plan would contribute to global climate change through direct emissions of GHG from onsite area sources, offsite energy production required for onsite activities, and indirect emissions from water use and vehicle trips. As such, the potential for implementation of The Ontario Plan to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases was deemed significant and unavoidable, even with the implementation of the following mitigation measures (Re-Circulated Portions of The Ontario Plan Draft Environmental Impact Report, p. 2-118).

Certified EIR Mitigation Measures:

6-1 The City of Ontario shall prepare a Climate Action Plan within 18 months after adopting The Ontario Plan. The goal of the Climate Action Plan shall be to reduce GHG emissions from all activities within the City boundaries to support the State's efforts under AB 32

and to mitigate the impact of climate change on the City, State, and world. Once completed, the City shall update The Ontario Plan and associated policies, as necessary, to be consistent with the Climate Action Plan and prepare a subsequent or supplemental Environmental Impact Report, if new significant impacts are identified. The Climate Action Plan shall include the following:

- *Emission Inventories: The City shall establish GHG emissions inventories including emissions from all sectors within the City, using methods approved by, or consistent with guidance from, the CARB; the City shall update inventories every 3 years or as determined by state standards to incorporate improved methods, better data, and more accurate tools and methods, and to assess progress. If the City is not on schedule to achieve the GHG reduction targets, additional measured shall be implemented, as identified in the CAP.*

    - *The City shall establish a baseline inventory of GHG emissions including municipal emissions, and emissions from all business sectors and the community.*

    - *The City shall define a "business as usual" scenario of municipal, economic, and community activities, and prepare a projected inventory for 2020 based on that scenario.*

- *Emission Targets: The City will develop Plans to reduce or encourage reductions in GHG emissions from all sectors within the City:*

    - *A Municipal Climate Action Plan which shall include measures to reduce GHG emissions from municipal activities by at least 30 percent by 2020 compared to the "business as usual" municipal emissions (including any reductions required by the California Air Resource Board under AB 32.*

    - *A Business Climate Action Plan in collaboration with the business community, which shall include measures to reduce GHG emissions from business activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" business emissions.*

- *A Community Climate Action Plan in collaboration with the stakeholders from the community at large, which shall include measures reduce GHG emissions from community activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" community emissions.*

6-2 *The Climate Action Plan shall include specific measures to achieve the GHG emissions reduction targets identified in Mitigation Measure 6-1. The Climate Action Plan shall quantify the approximate greenhouse gas emissions reductions of each measure and measures shall be enforceable. Measures listed below, along with others, shall be considered during the development of the Climate Action Plan (CAP):*

- *Require all new or renovated municipal buildings to seek Silver or higher Leadership in Energy and Environmental Design (LEED) standard, or compliance with similar green building rating criteria.*

- *Require all municipal fleet purchases to be fuel efficient vehicles for their intended use based on the fuel type, design, size, and cost efficiency.*

- *Require that new development projects in Ontario that require demolition prepare a demolition plan to reduce waste by recycling and/or salvaging a nonhazardous construction and demolition debris.*

- *Require that new developments design buildings to be energy efficient by siting buildings to take advantage of shade, prevailing winds, landscaping, and sun screening to reduce energy required for cooling.*

- *Require that cool roofs for non-residential development and cool pavement to be incorporated into the site/building design for new development where appropriate.*

- *Evaluate the feasibility of implementing a Public Transit Fee to support Omnitrans in developing additional transit service in the City.*

- *Require diesel emission reduction strategies to eliminate and/or reduce idling at truck stops, warehouses, and distribution facilities throughout the City.*

- *Install energy efficient lighting and lighting control systems in all municipal buildings.*

- *Require all new traffic lights installed be energy efficient traffic signals. Require the use of reclaimed water for landscape irrigation in all new development and on public property where such connections are within the service boundaries of the City's reclaimed water system.*

- *Require all new landscaping irrigation systems installed within the City to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors. Conduct energy efficiency audits of existing municipal buildings by checking, repairing, and readjusting heating, ventilation, and air conditioning systems, lighting, water heating equipment, insulation, and weatherization.*

- *Ensure that its local Climate Action, Land Use, Housing, and Transportation Plans are aligned with, support, and enhance any regional plans that have been developed consistent with state guidance to achieve reductions in GHG emissions.*

- *Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure.*

- *Reduce heat gain from pavement and other similar hardscaping.*

- *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.*

    - *Provide safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets.*

- *Facilitate employment opportunities that minimize the need for private vehicle trips, by:*

- *Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations.*

- *Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate.*

- *Establish policies and programs to reduce onsite parking demand and promote ridesharing and public transit at large events.*

- *Support and promote the use of low-and zero-emission vehicles, by:*

  - *Encouraging the necessary infrastructure to facilitate the use of zero emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations.*

  - *Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV).*

  - *Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes.*

  - *Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas-electric hybrid vehicles.*

- *Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use.*

- *Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient green building practices where not prohibited by Airport Land Use Compatibility Plan (ALUCP)/Federal Aviation Administration (FAA).*

- *Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques.*

- *Support the use of green building practices by:*

  - *Providing information, marketing, training, and technical assistance about green building practices.*

  - *Adopting a Green Building ordinance with guidelines for green building practices in residential and commercial development.*

- *Adopt energy efficiency performance standards for buildings designed to achieve a greater reduction in energy and water use than currently required by state law, including:*

  - *Standards for the installation of "cool roofs".*

  - *Standards for improved overall efficiency of lighting systems.*

  - *Requirements for the use of Energy Star appliances and fixtures in discretionary new development.*

- *Encourage the performance of energy audits for residential and commercial buildings prior to completion of sale, and that audit results and information about opportunities for energy efficiency improvements be presented to the buyer.*

- *Establish policies and programs that facilitate the siting of new renewable energy generation.*

- *Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible.*

- *Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including:*

  - *Conducting energy audits.*

  - *Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low-emissive window glass.*

  - *Implementing an energy tracking and management system for its municipal facilities.*

  - *Installing energy-efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations.*

  - *Installing energy-efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations.*

  - *Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.).*

  - *Installing Energy Star® appliances and energy-efficient vending machines.*

  - *Improving water use efficiency, including a schedule to replace or retrofit system components with high-efficiency units (i.e., ultra-low-flow toilets, fixtures, etc.).*

  - *Installing irrigation control systems which maximize water use efficiency and minimize off- peak use.*

  - *Adopting an accelerated replacement schedule for energy inefficient systems and components.*

- *Ensure that staff receives appropriate training and support to implement objectives and policies to reduce GHG emissions, including:*

    - *Providing energy efficiency training to design, engineering, building operations, and maintenance staff.*

    - *Providing information on energy use and management, including data from the tracking and management system, to managers and others making decisions that influence energy use.*

    - *Providing energy design review services to departments undertaking new construction or renovation projects, to facilitate compliance with LEED standards.*

- *Maximize efficiency at drinking water treatment, pumping, and distribution facilities, including development of off-peak demand schedules for heavy commercial and industrial users.*

- *Establish a replacement policy and schedule to replace fleet vehicles and equipment with the most fuel-efficient vehicles practical, including gasoline hybrid and alternative fuel or electric models.*

- *Require the installation of outdoor electrical outlets on buildings to support the use, where practical, of electric lawn and garden equipment, and other tools that would otherwise be run with small gas engines or portable generators.*

- *Implement measures to reduce employee vehicle trips and to mitigate emissions impacts from municipal travel.*

- *Conduct a comprehensive inventory and analysis of the urban forest, and coordinate tree maintenance responsibilities with all responsible departments, consistent with best management practices.*

- *Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and will install or replace vegetation with drought-tolerant, low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects.*

- *Implement enhanced programs to divert solid waste from landfill operations, by:*

  - *Establishing a diversion target which meets or exceeds AB 939 requirements.*

  - *Promoting and expanding recycling programs, purchasing policies, and employee education to reduce the amount of waste produced.*

- *Reduce per capita water consumption consistent with state law by 2020.*

- *Establish a water conservation plan that may include such policies and actions as:*

  - *Maintaining and refining the City's tiered rate structure for water use.*

  - *Establishing restrictions on time of use for landscape watering, or other demand management strategies.*

  - *Establishing performance standards for irrigation equipment and water fixtures, consistent with state law.*

- *Establish programs and policies to increase the use of recycled water, including:*

  - *Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation.*

- *Ensure that building standards and permit approval processes promote and support water conservation, by:*

- *Establishing building design guidelines and criteria to promote water efficient building design, including minimizing the amount of non-roof impervious surfaces around the building(s).*

- *Establishing menus and check-lists for developers and contractors to ensure water-efficient infrastructure and technology are used in new construction, including low-flow toilets and shower heads, moisture-sensing irrigation, and other such advances.*

- *Organize workshops on waste reduction activities for the home or business, such as backyard composting, or office paper recycling, and shall schedule recycling dropoff events and neighborhood chipping/mulching days.*

- *Organize workshops on steps to increase energy efficiency in the home or business, such as weatherizing the home or building envelope, installing smart lighting systems, and how to conduct a self-audit for energy use and efficiency.*

6-3 The City of Ontario will amend the Municipal Code within 18 months after adopting The Ontario Plan, with provisions implementing the following GHG emission reduction concepts:

- *Increase densities in urban core areas to support public transit, by, among other means:*

  - *Removing barriers to the development of accessory dwelling units in existing residential neighborhoods.*

- *Reduce required road width standards wherever feasible to calm traffic and encourage alternative modes of transportation.*

- *Add bicycle facilities to city streets and public spaces, where feasible.*

- *Promote infill, mixed-use, and higher density development, and provide incentives to support the creation of affordable housing in mixed use zones.*

- *Plan for and create incentives for mixed-use development.*

- *Identify sites suitable for mixed-use development and establish appropriate site-specific standards to accommodate mixed uses which could include:*

  - *Increasing allowable building height or allow height limit bonuses, in appropriate areas and where safe to do so.*

  - *Allowing flexibility in applying development standards (such as FAR2 and lot coverage) based on the location, type, and size of the units, and the design of the development.*

  - *Allowing reduced and shared parking based on the use mix, and availability of and proximity to public transit stops.*

  - *Allowing for tandem parking, shared parking and off-site parking leases.*

- *Enable prototype mixed-use structures for use in neighborhood center zones that can be adapted to new uses over time with minimal internal remodeling.*

- *Identify and facilitate the inclusion of complementary land uses not already present in local zoning districts, such as supermarkets, parks and recreational fields, schools in neighborhoods, and residential uses in business districts, to reduce the vehicle miles traveled and promote bicycling and walking to these uses.*

- *Revise zoning ordinance(s) to allow local-serving businesses, such as childcare centers, restaurants, banks, family medical offices, drug stores, and other similar services near employment centers to minimize midday vehicle use.*

- *Develop form-based community design standards to be applied to development projects and land use plans, for areas designated mixed-use.*

- *Implement a Housing Overlay Zone for residential properties at transit centers and along transit corridors. This may include average minimum residential densities of 25 units per acre*

within one quarter miles of transit centers; average minimum densities of 15 units per acre within one quarter mile of transit corridors; and minimum FAR of 0.5:1 for non-residential uses within a quarter mile of transit centers or corridors.

- *Identify transit centers appropriate for mixed-use development, and promote transit oriented, mixed-use development within these targeted areas, by:*
  - *Providing maximum parking standards and flexible building height limitations.*
  - *Providing density bonus programs.*
  - *Establishing guidelines for private and public spaces for transit-oriented and mixed-use development.*
  - *Discouraging auto-oriented development.*
- *Ensure new development is designed to make public transit a viable choice for residents, including:*
  - *Locating medium to high density development near activity centers that can be served efficiently by public transit and alternative transportation modes.*
  - *Locating medium to high density development near streets served by public transit whenever feasible.*
  - *Linking neighborhoods to bus stops by continuous sidewalks or pedestrian paths.*
- *Develop form-based community design standards to be applied to development projects and land use plans, for areas designated mixed-use.*
- *Create and preserve distinct, identifiable neighborhoods whose characteristics support pedestrian travel, especially within, but not limited to, mixed-use and transit-oriented development areas, by:*

- *Designing or maintaining neighborhoods where the neighborhood amenities can be reached in approximately five minutes of walking.*

- *Encouraging pedestrian-only streets and/or plazas within developments, and destinations that may be reached conveniently by public transportation, walking, or bicycling.*

- *Allowing flexible parking strategies in neighborhood activity centers to foster a pedestrian-oriented streetscape.*

- *Providing continuous sidewalks with shade trees and landscape strips to separate pedestrians from traffic.*

- *Encouraging neighborhood parks and recreational centers near concentrations of residential areas (preferably within one quarter mile) and include pedestrian walkways and bicycle paths that encourage nonmotorized travel.*

- *Ensure pedestrian access to activities and services, especially within, but not limited to, mixed-use and transit-oriented development areas, by:*

  - *Ensuring new development that provides pedestrian connections in as many locations as possible to adjacent development, arterial streets, thoroughfares.*

  - *Ensuring a balanced mix of housing, workplaces, shopping, recreational opportunities, and institutional uses, including mixed-use structures.*

  - *Locating schools in neighborhoods, within safe and easy walking distances of residences served.*

  - *Encouraging new development in which primary entrances are pedestrian entrances, with automobile entrances and parking located to the rear.*

  - *Supporting development where automobile access to buildings does not impede pedestrian access, by consolidating driveways between buildings or developing alley access.*

- *Utilizing street parking as a buffer between sidewalk pedestrian traffic and the automobile portion of the roadway.*

- *Prioritizing the physical development of pedestrian connectors for existing areas that do not meet established connectivity standards.*

- *Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure.*

- *Reduce heat gain from pavement and other similar hardscaping, by:*

  - *Including low-water landscaping in place of hardscaping around transportation infrastructure and in parking areas.*

  - *Establishing standards that provide for pervious pavement options.*

  - *Removing obstacles to natural, drought tolerant landscaping and low-water landscaping.*

- *Coordinate 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, including, but not limited to:*

  - *Providing safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets.*

- *Upgrade and maintain the following transit system infrastructure to enhance public use, including:*

  - *Ensuring transit stops and bus lanes are safe, convenient, clean and efficient.*

  - *Ensuring transit stops have clearly marked street-level designation, and are accessible.*

  - *Ensuring transit stops are safe, sheltered, benches are clean, and lighting is adequate.*

- *Working with transit providers to place transit stations along transit corridors within mixed-use or transit-oriented development areas at intervals appropriate for the mode of transit.*

- *Facilitate employment opportunities that minimize the need for private vehicle trips, by:*

  - *Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations.*

  - *Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate.*

- *Establish standards for new development and redevelopment projects to support bicycle use, including:*

  - *Amending the Development Code to include standards for pedestrian and bicyclist accommodations, including:*

    - *Providing access for pedestrians and bicyclist to public transportation through construction of dedicated paths, where feasible.*

  - *Requiring new development and redevelopment projects to include bicycle facilities, as appropriate with the new land use, including:*

    - *Where feasible, promote the construction of weatherproof bicycle facilities and at a minimum, provide bicycle racks or covered, secure parking near the building entrances.*

- *Establish a network of multi-use trails to facilitate direct off-street bicycle and pedestrian travel, and will provide bike racks along these trails at secure, lighted locations.*

- *Establish policies and programs to reduce onsite parking demand and promote and public transit at large events.*

- *Require new commercial and retail developments to provide prioritized parking for electric vehicles and vehicles using alternative fuels.*

- *Support and promote the use of low-and zero-emission vehicles (NEV), by:*

    - *Encouraging the necessary infrastructure to facilitate the use of zero emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations.*

    - *Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV).*

    - *Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes.*

    - *Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas-electric hybrid vehicles.*

- *Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use.*

- *Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient green building practices where not prohibited by ALUCP/FAA.*

- *Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques.*

- *Support the use of green building practices by:*

- *Establishing guidelines for green building practices in residential and commercial development.*

- *Providing incentives, which may include reduction in development fees, administrative fees, and/or expedited permit processing for projects that use green building practices.*

- *Adopt energy efficiency performance standards for buildings that achieve a greater reduction in energy and water use than otherwise required by current state law, including:*

  - *Standards for the installation of "cool roofs".*

  - *Standards for improved overall efficiency of lighting systems.*

  - *Requirements for the use of Energy Star appliances and fixtures in discretionary new development.*

  - *Requirements for new residential lots and/or structures to be arranged and oriented to maximize effective use of passive solar energy.*

- *Require that affordable housing development incorporate energy efficient design and features to the maximum extent feasible.*

- *Identify possible sites for production of renewable energy (such as solar, wind, small hydro, and biogas).*

- *Identify and remove or otherwise address barriers to renewable energy production, including:*

  - *Reviewing and revising building and development codes, design guidelines, and zoning ordinances to remove renewable energy production barriers.*

  - *Working with related agencies, such as fire, water, health and others that may have policies or requirements that adversely impact the development or use of renewable energy technologies.*

- *Developing protocols for safe storage of renewable and alternative energy products with the potential to leak, ignite or explode, such as biodiesel, hydrogen, and/or compressed air.*

- *Allow renewable energy projects in areas zoned for open space, where consistent with the Land Use element, and other uses and values.*

- *Promote and encourage renewable energy generation, and co-generation projects where feasible and appropriate.*

- *Require that, where feasible, all new buildings be constructed to allow for easy, cost effective installation of solar energy systems in the future, using such "solar-ready" features as:*

  - *Optimal roof orientation (between 20 to 55 degrees from the horizontal), with sufficient south-sloped roof surface, where such buildings architecture and construction are designed for sloped roofs.*

  - *Clear access without obstructions (chimneys, heating and plumbing vents, etc.) on the south sloped roof.*

  - *Roof framing that will support the addition of solar panels.*

  - *Installation of electrical conduit to accept solar electric system wiring.*

  - *Installation of plumbing to support a solar hot water system and provision of space for a solar hot water storage tank.*

- *Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible.*

- *Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including:*

  - *Conducting energy audits.*

- *Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low-emissive window glass.*

- *Implementing an energy tracking and management system for its municipal facilities.*

- *Installing energy-efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations.*

- *Installing energy-efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations.*

- *Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.).*

- *Installing Energy Star® appliances and energy-efficient vending machines.*

- *Improving water use efficiency, including a schedule to replace or retrofit system components with high-efficiency units (i.e., ultra-low-flow toilets, fixtures, etc.).*

- *Installing irrigation control systems maximizing water use efficiency and minimizing off-peak use.*

- *Adopting an accelerated replacement schedule for energy inefficient systems and components.*

- *Require that any newly constructed, purchased, or leased municipal space meet minimum standards, such as:*
  - *The Energy Star® New Homes Program established by U.S. EPA.*

  - *The incorporation of passive solar design features in new buildings, including daylighting and passive solar heating.*

- *Reduce per capita water consumption consistent with state law by 2020.*

- *Establish a water conservation plan that may include such policies and actions as:*

  - *Maintaining and refining the City's tiered rate structure for water use.*

  - *Establishing restrictions on time of use for landscape watering, or other demand management strategies.*

  - *Establishing performance standards for irrigation equipment and water fixtures, consistent with State Law.*

- *The City will establish programs and policies to increase the use of recycled water, including:*

  - *Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation.*

- *Ensure that building standards and permit approval processes promote and support water conservation, by:*

  - *Establishing building design guidelines and criteria to promote water efficient building design, including minimizing the amount of non-roof impervious surfaces around the building(s).*

  - *Establishing menus and check-lists for developers and contractors to ensure water-efficient infrastructure and technology are used in new construction, including low-flow toilets and shower heads, moisture-sensing irrigation, and other such advances.*

- *Install water-efficient landscapes and irrigation, including:*

  - *Requiring planting drought-tolerant and native species, and covering exposed dirt with moisture-retaining mulch or other materials such as decomposed granite.*

- *Requiring the installation of water-efficient irrigation systems and devices, including advanced technology such as moisture-sensing irrigation controls.*

- *Promote the planting of shade trees and establish shade tree guidelines and specifications, including:*

  - *Establishing guidelines for tree planting based on the land use (residential, commercial, parking lots, etc.).*

  - *Establishing guidelines for tree types based on species size, branching patterns, whether deciduous or evergreen, whether roots are invasive, etc.*

  - *Establishing tree guidelines for placement, including distance from structures, density of planting, and orientation relative to structures and the sun.*

- *Develop an Urban Forestry Program to consolidate policies and ordinances regarding tree planting, maintenance, and removal, including:*

  - *Establishing guidelines for tree planting, including criteria for selecting deciduous or evergreen trees low-VOC-producing trees, and emphasizing the use of drought-tolerant native trees and vegetation.*

6-4 Measures listed in Mitigation Measure 6-2 and 6-3 shall be considered by the City while reviewing all new development, as appropriate, between the time of adoption of The Ontario Plan and adoption of the Climate Action Plan (CAP).

6-5 Pursuant to a goal of overall consistency with the Sustainable Communities Strategies, the City of Ontario shall evaluate new development for consistency with the development pattern set forth in the Sustainable Communities Strategies plan, upon adoption of the plan by the Southern California Association of Governments.

6-6 The City of Ontario shall participate in the County of San Bernardino's Green Valley Initiative.

Modified Project: The Modified Project proposes development comparable in design and intensity to development entitled under the Original Project. The Modified Project does not propose or require uses or operations that would substantially increase GHG emissions when compared to the Original Project. Further, based on decreased trip generation and related decreases in vehicular-source energy consumption that would result from the Modified Project, the Modified Project would likely reduce GHG emissions impacts when compared to GHG emissions impacts of the Original Project.

When compared to the Certified EIR analysis, no new or substantially increased GHG emissions impacts would occur under the Modified Project. Moreover, in comparison to the Original Project, GHG emissions impacts would be diminished under the Modified Project.

Further, the Modified Project would implement applicable provisions of the City CAP. The City CAP supports and complies with state and regional plans, policies, and regulations adopted for the purpose of reducing GHGs. On this basis, the Modified Project would not conflict with plans, policies, and regulations adopted for the purpose of reducing GHGs. The Modified Project would therefore not result in new, additional, or different impacts regarding consistency with applicable GHG emissions reduction plans, policies, and regulations not considered and addressed in the Certified EIR.

Modified Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Modified Project Design Concepts.

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?					X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?					X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?					X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?					X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?					X	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?					X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?					X	

Substantiation:

a-c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that buildout in accordance with The Ontario Plan would involve the transport, use, and/or disposal of hazardous materials; however, these activities would be in compliance with federal, state, and local regulations thus precluding significant impacts in this regard (Certified EIR, p. 5.8-24).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project would not result in or cause exposure(s) to hazards or potentially hazardous conditions. That is, uses proposed by the Modified Project are not considered hazardous. Nor does the Project propose or require facilities or operations involving inherent substantial hazards.

During the normal course of construction and operation activities, there would be limited transport of potentially hazardous materials (e.g., gasoline, diesel fuel, paints, solvents, fertilizer, etc.) to and from the Modified Project site. However, as presented within the Certified EIR, the Project would be required to comply with all City and County Hazardous Materials Management Plans and regulations addressing transport, use, storage and disposal of these materials. The Modified Project does not propose or require uses or activities that would result in atypical transportation, use, storage, or disposal of hazardous or potentially hazardous materials not addressed under current regulations and policies.

Further, any occupancies that would store or use hazardous materials would be required to comply with California Hazardous Materials Business Plan (HMBP) requirements (*California Health & Safety Code*, Division 20, Chapter 6.95) The HMBP contains detailed information on the storage of hazardous materials at regulated facilities. The purpose of the HMBP is to prevent or minimize damage to public health, safety, and the environment, from a release or threatened release of a hazardous material. The HMBP

also provides emergency response personnel with adequate information to help them better prepare and respond to chemical-related incidents at regulated facilities.

The Modified Project does not propose or require uses that would handle hazardous or acutely hazardous materials, substances, or waste. Heavy duty truck traffic accessing the Modified Project would generate diesel particulate matter (DPM). DPM is a known carcinogen. The Modified Project Health Risk Assessment (HRA, Addendum Appendix A) substantiates that the DPM emissions generated by the Modified Project would not result in potentially significant hazardous impacts at vicinity schools.

Based on the preceding, when compared to impacts identified in the Certified EIR, the Modified Project, would not result in new or substantially increased impacts or substantially different impacts related to use, transport, or potential upset of hazardous materials. Nor, when compared to impacts identified in the Certified EIR, would the Modified Project result in new or substantially increased impacts or substantially different impacts related to potentially hazardous emissions or hazardous materials impacts at vicinity schools.

Modified Project Mitigation Measures: None.

d) No Changes or New Information Requiring Preparation of an MND or EIR.

Certified EIR Conclusions: Many properties within the City of Ontario are included on State and federal lists of registered hazardous materials sites. The Certified EIR concluded that compliance with federal, state, and local regulations would ensure these properties would not cause significant impacts (Certified EIR, p. 5.8-25).

Certified EIR Mitigation Measures: None.

Modified Project: A Phase I ESA and Phase II ESI have been prepared for the Modified Project site.[4] The Phase I Assessment indicates that the subject site is not listed on any of the researched hazards/hazardous materials databases (Phase I ESA, Appendix E, *EDR Database Report*, Executive Summary, p. 3). On this basis, there is no potential for the Modified Project to be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

The Phase I ESA concluded further that the diesel fuel above ground storage tank (AST) associated with the Sunshine Growers Nursery (located in the southerly portion of the Modified Project site) constituted a recognized environmental condition (REC). The Phase I ESA recommended additional investigation of shallow soils in the area of the diesel fuel AST to screen for possible hydrocarbon releases. The Modified Project site is not otherwise considered to be substantially affected by potential hazards or potentially hazardous conditions (Phase I ESA, pp. iv-v).

Consistent with recommendations of the Project Phase I ESA, a Phase II ESI has been prepared to screen for possible hydrocarbon releases associated with the diesel fuel AST located on the Sunshine Growers Nursery property. The Phase II ESI concluded that "no obvious indications of contamination were noted in the soil samples recovered for analysis. Laboratory analysis did not detect VOCs [volatile organic compounds] or TPH [total petroleum hydrocarbons] in the four soil samples. In conclusion, the results of this investigation did not identify any fuel-related impacts in shallow soils in the area of the AST. Additional investigation is not warranted or recommended" (Phase II ESI, p. 3).

Based on the preceding, the Modified Project would result in less-than-significant impacts related to hazards/hazardous materials. Further, the Modified Project would not result in substantially increased or substantially different hazards/hazardous materials impacts than were considered and addressed in the Certified EIR.

[4] See Addendum Appendix E: *Phase I Environmental Site Assessment 47.38-Acre Property, 13130 Hamner Avenue And Undeveloped Parcel At Southwest Corner Of East Riverside Drive And South Hamner Avenue, Ontario, California 91761 (Assessor's Parcel Number: 0218 - 171- 21 - 0000 & - 27)* (SCS Engineers) February 7, 2018; *Phase II Soil Investigation Report, Sunshine Growers Nursery Inc., 13130 Hamner Avenue Ontario, California 91761 (Assessor's Parcel Number: 0218-171-21-0000)* (SCS Engineers) March 12, 2018.

Modified Project Mitigation Measures: None.

e) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Ontario International Airport (ONT), as well as a small portion of the Chino Airport property, is located within the City of Ontario. The Certified EIR determined that consistency reviews of new development with the appropriate Airport Land Use Compatibility Plan (ALUCP) would be sufficient to prevent significant impacts (Certified EIR, p. 5.8-27).

Certified EIR Mitigation Measures: None.

Modified Project: Location of area airports relative to the Original Project site [inclusive of the proposed Modified Project site] has not changed since preparation of the Certified EIR – the site remains more than two miles distant from the nearest airport; the nearest airport is ONT, located approximately 2.5 miles northwesterly of the site.

The Modified Project site is located within the area subject to provisions of The ONT Airport Land Use Compatibility Plan, ALUCP (July 2018). The ALUCP defines the ONT Airport Influence Area (AIA) as an area in which current and future airport-related noise, overflight, safety, and airspace protection factors may significantly affect land uses or necessitate restriction on those uses. The Modified Project site is located outside the ONT safety zones[5]. As with the development anticipated under the Original Project and evaluated in the Certified EIR, development implemented pursuant to the Modified Project would comply with all requirements set forth within the ALUCP. Based on the preceding, no new or substantially increased impacts related to airport hazards/airport compatibility would result from the Modified Project.

Modified Project Mitigation Measures: None.

[5] See: ONT Compatibility Policy Map: Safety Zones
http://www.ontarioplan.org/wp-content/uploads/sites/4/2015/05/policy-map-2-2.pdf

f) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The City manages disaster preparedness through the Technical Services Bureau of the Ontario Fire Department, which is responsible for the preparation of the community for disasters and the organization of recovery efforts. The Fire Department also works with other local public departments, such as the San Bernardino County Fire Department Hazardous Materials Division and, if necessary, the Countywide HazMat Team of the County Environmental Health Department, to enact these principles and to protect the community in the event of a disaster. Additionally, the City maintains a Local Hazard Mitigation Plan and participates in the Standardized Emergency Management System (SEMS) as required under Government Code Section 8607(a).

The Certified EIR concluded that buildout in accordance with The Ontario Plan would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan (Certified EIR, p. 5.8-28).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project does not propose or require permanent alteration to vehicle circulation routes, and would not interfere with any identified emergency response or emergency evacuation plan. In accordance with existing City policies, coordination with the local fire and police departments during pre-construction review of the Project's plans would ensure that potential interference with emergency response plans and evacuation plans are avoided. When compared to impacts identified in the Certified EIR, no new or substantially increased impacts regarding emergency response plans or emergency evacuation plans would result from the Modified Project.

Modified Project Mitigation Measures: None.

g) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that adherence to existing regulations and review of building plans by the Ontario Fire Department would reduce risks from urban and wildland fire threats to the City. No significant impacts were identified (Certified EIR, p. 5.8-32).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project site is located in an urbanized area, and no wildlands are located in the vicinity of the site. Fire protection services are provided to the City and the Modified Project site by the Ontario Fire Department. Pre-construction coordination with Ontario Fire Department staff and adherence to local fire department regulations during construction and operation of the Modified Project would be required. As such, no new or substantially increased impacts related to wildland fire impacts would result from the Modified Project.

Modified Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009*;* Modified Project Design Concepts.

10. HYDROLOGY AND WATER QUALITY

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?					X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?					X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					X	
(i) result in substantial erosion or siltation on- or off-site?					X	
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?					X	
(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?					X	
(iv) impede or redirect flood flows?					X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?					X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?						X

Substantiation:

a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR recognizes that buildout of The Ontario Plan would increase concentrations of pollutants during construction and post-construction activities. To address potential water quality impacts resulting from project construction and operations, projects are required to comply with provisions of the City's National Pollutant Discharge Elimination System (NPDES) permit. NPDES permit requirements include, but are not limited to, mandated preparation of a Stormwater Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP). Mandated SWPPPs and WQMPs are required to develop and implement Best Management Practices (BMPs) to reduce construction-source and operational-source stormwater pollutant discharges. Based on compliance with the City NPDES Permit and implementation of required SWPPPs and WQMPs, the Certified EIR did not identify any significant water quality impacts (Certified EIR, p. 5.9-23).

Certified EIR Mitigation Measures: None.

Modified Project: Consistent with City requirements, a WQMP and SWPPP would be prepared for the Modified Project.[6] City review and approval of these documents is required prior to issuance of Grading Permits. As with the Original Project, implementation of an approved SWPPP and WQMP would reduce the potential for the Modified Project to violate water quality standards or otherwise adversely affect water quality to levels that would be less-than-significant.

Based on the preceding, the Modified Project's potential to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality is considered less-than-significant. When compared to the Certified EIR findings, no new or substantially increased water quality impacts would result from the Modified Project.

[6] A Preliminary WQMP has been prepared for the Modified Project (see: *Preliminary Water Quality Management Plan For: Crow Holdings Industrial Project*, January 9, 2020 [Modified Project WQMP] Addendum Appendix G).

Modified Project Mitigation Measures: None.

b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR recognizes that development pursuant to The Ontario Plan would increase the amount of impervious surface within the City. However, groundwater recharge efforts would not be hindered. All development projects would be required to prepare project-specific hydrology studies, implement BMPs for compliance with NPDES regulations, and comply with City policies promoting infiltration of runoff and groundwater recharge (Certified EIR, pp. 5.9-19 – 5.9-20).

Certified EIR Mitigation Measures: None.

Modified Project: Direct additions or withdrawals of groundwater are not proposed or required by the Modified Project. Construction proposed by the Project would not involve massive substructures at depths that would significantly impair or alter the direction or rate of flow of groundwater. The Modified Project does not propose or require uses or facilities that would affect designated groundwater recharge areas.

Based on the preceding, the Modified Project would not contribute to groundwater depletion or interfere with groundwater recharge to an environmentally significant degree. When compared to impacts identified in the Certified EIR, no new or substantially increased groundwater impacts would result from the Modified Project.

Modified Project Mitigation Measures: None.

c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Consistent with NPDES requirements, post-development runoff quantities would not be permitted to substantially increase as a result of a development project considered for approval under The Ontario Plan. In this regard, projects would be required to prepare project-specific hydrology studies. Further, existing City policies encourage the use of low impact development strategies to intercept

runoff, slow the discharge rate, increase infiltration and ultimately reduce discharge volumes to traditional storm drain systems.

The Certified EIR notes that while the amount of impervious surfaces would be increased under The Ontario Plan (and thus surface water flows into drainage systems), existing City and County requirements would ensure significant impacts related to alteration of drainage patterns do not occur (Certified EIR, p. 5.9-19).

Certified EIR Mitigation Measures: None.

Modified Project: Existing drainage patterns within the subject site would be maintained. The Modified Project would implement on-site stormwater management systems to detain and treat stormwater discharges. Per the Preliminary WQMP, the entire design capacity volume (DCV) would be retained and treated on-site (Preliminary WQMP, p. 10). Treated stormwaters would be discharged southerly to the Master Plan of Drainage (MPD) storm drain to be located in East Chino Avenue.

The Final WQMP as approved by the City would ensure that the Modified Project stormwater management systems have been designed to convey and treat stormwater discharges and limit the post-development peak flows consistent with available storm drain capacities. Based on the preceding, when compared to the Certified EIR findings, no new or substantially increased impacts related to alteration of drainage patterns would result from the Modified Project.

Modified Project Mitigation Measures: None.

d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that, although inundation within the City is possible, the gently sloping terrain and emergency procedures in place would preclude significant hazards in this regard (Certified EIR, pp. 5.9-23 – 5.9-24).

Certified EIR Mitigation Measures: None.

Modified Project: Conditions at the subject site have not changed since preparation of the Certified EIR – the site remains unaffected by potential flood hazards, tsunami hazards, or seiche hazards. No new or substantially increased flood hazard impacts, tsunami hazard impacts, or seiche hazard impacts would result from the Modified Project.

Modified Project Mitigation Measures: None.

e) *No Impact.*

Certified EIR Conclusions: This checklist item was not specifically addressed within the Certified EIR.

Certified EIR Mitigation Measures: Not Applicable.

Modified Project: The Modified Project does not propose or require uses or facilities that would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The Project would have no impact in these regards.

Modified Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009*; Preliminary Water Quality Management Plan For: Crow Holdings Industrial Project*, January 9, 2020; Modified Project Design Concepts.

11. LAND USE AND PLANNING

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Physically divide an established community?					X	
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?					X	

Substantiation:

a, b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concludes that implementation of The Ontario Plan would not result in significant land use impacts (Certified EIR, p. 5.10-31).

Certified EIR Mitigation Measures: None.

Modified Project: No established community is located within the Modified Project site. The Modified Project would not otherwise result in potential division of an established community.

The Modified Project site designated as "General Commercial" and "Business Park" under the Policy Plan (General Plan) Land Use Element. The Modified Project site is currently zoned "Specific Plan" (Edenglen Specific Plan). To accommodate the Modified Project, the site's land use designations would be amended. Amended Policy Plan designations of the site would be "Industrial" and "General Commercial." Additionally, the Edenglen Specific Plan Land Use Plan would be amended to reflect the industrial and commercial land uses proposed by the Modified Project. The Specific Plan Development Standards and Design Regulations would be amended to guide development of industrial and commercial uses that would be implemented under the Modified Project.

Tables 11-1 and 11-2 detail land use designations that would be amended under the Modified Project.

Table 11-1
Existing and Proposed Policy Plan Land Use Designations

Existing		Proposed	
Policy Plan Land Use Designation	**Approximate Acreage**	**Policy Plan Land Use Designation**	**Approximate Acreage**
General Commercial	20.0	Neighborhood Commercial	4.0
Business Park	44.3	Business Park	4.0
---	---	Industrial	56.3
Total	64.3	**Total**	64.3

Sources: Edenglen Specific Plan, May 2009; Edenglen Specific Plan Amendment, April 2020.

Table 11-2
Existing and Proposed Specific Plan Land Use Designations

Existing		Proposed	
Specific Plan Land Use Designation	**Approximate Gross Acreage**	**Specific Plan Land Use Designation**	**Approximate Net Acreage**
Community Commercial	20.0	Business Park	3.51
Commercial/Business Park Flex Zone	10	Neighborhood Commercial	4.13
Business Park/Light Industrial	34.3	General Industrial	39.4
		Light Industrial	16.9
Total	64.3	**Total**	63.94

Sources: Edenglen Specific Plan, May 2009; Edenglen Specific Plan Amendment, April 2020.

The Modified Project would be required to comply with applicable Policy Plan Policies, applicable requirements of the Edenglen Specific Plan (as amended), and provisions of the City Development Code. Collectively, the Policy Plan Policies, the amended Specific Plan, and the City Development Code act to minimize potential environmental effects that may result from the land uses implemented under the Modified Project. On this basis, the potential for the Modified Project to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect is considered less-than-significant.

Modified Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009*; Edenglen Specific Plan Amendment,* April 2020*;* Modified Project Design Concepts.

12. MINERAL RESOURCES

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?					X	
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?					X	

Substantiation:

a, b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concludes that implementation of The Ontario Plan would have no potential to result in the loss of a known mineral resource of value to the region or the state; or result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan (Certified EIR, p. 5.11-7).

Certified EIR Mitigation Measures: None.

Modified Project: Underlying conditions at the subject site have not changed since preparation of the Certified EIR, and the site remains devoid of any potentially valuable or locally-important mineral resources. On this basis, the Modified Project would have no potential to result in the loss of a known mineral resource of value to the region or the state; or result in the loss of availability of a locally-important mineral resource recovery

site delineated on a local general plan, specific plan, or other land use plan. No new or substantially increased mineral resources impacts would result from the Modified Project.

Modified Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009*;* Modified Project Design Concepts.

13. NOISE

Would the project result in:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?					X	
b) Generation of excessive groundborne vibration or groundborne noise levels?					X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?					X	

Substantiation:

a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that new development implemented pursuant to The Ontario Plan would result in an increase in traffic on local

roadways, and substantially increase the existing noise environment (Certified EIR, p. 5.12-27). The Certified EIR determined that "[n]o mitigation measures are available that would prevent noise levels along major transportation corridors from increasing as a result of substantial increases in traffic volumes" (Certified EIR, p. 5.12-40). The Certified EIR also concluded that new development could be exposed to excessive transportation-source noise levels. Mitigation Measure 12-1, below, would reduce but would not avoid this impact or reduce the impact to levels that would be less-than-significant.

Additionally, because construction activities associated with new development may occur near noise-sensitive receptors and noise disturbances may occur for prolonged periods of time, construction noise impacts were considered potentially significant (Certified EIR, p. 5.12-37). Mitigation Measure 12-4, below, would reduce but would not avoid this impact or reduce the impact to levels that would be less-than-significant.

Certified EIR Mitigation Measures:

12-1 *Prior to the issuance of building permits for any project that involves a noise-sensitive use within the 65 dBA CNEL contour along major roadways, freeways, railroads, or the Ontario International Airport, the project property owner/developers shall retain an acoustical engineer to conduct an acoustic analysis and identify, where appropriate, site design features (e.g., setbacks, berms, or sound walls) and/or required building acoustical improvements (e.g., sound transmission class rated windows, doors, and attic baffling), to ensure compliance with the City's Noise Compatibility Criteria and the California State Building Code and California Noise Insulation Standards (Title 24 and 21 of the California Code of Regulations).*

12-4 *Construction activities associated with new development that occurs near sensitive receptors shall be evaluated for potential noise impacts. Mitigation measures such as installation of temporary sound barriers for adjacent construction activities that occur adjacent to occupied noise-sensitive structures, equipping construction equipment with mufflers, and reducing nonessential idling of construction equipment to no more than five minutes shall be incorporated into the construction operations to reduce construction-related noise to the extent feasible.*

Even with the implementation of Mitigation Measures 12-1 and 12-4, the Certified EIR concluded that development pursuant to The Policy Plan would result in a substantial temporary and/or permanent increase in ambient noise levels (Certified EIR, pp. 5.12-41 – 5.12-42).

Modified Project: Potential noise impacts of the Modified Project are evaluated in *Ontario Commerce Center, Noise Impact Analysis* (Urban Crossroads, Inc.) July 9, 2020 (Noise Impact Analysis, Addendum Appendix F). Analysis and conclusions of the Noise Impact Analysis are summarized below. As substantiated in the Noise Impact Analysis, when compared to findings of the Certified EIR, the Modified Project would not result in any new or substantially increased noise impacts.

Noise Standards[7]

Construction

The City of Ontario has set restrictions to control noise impacts associated with construction. Construction noise would be considered significant if construction activities occurring outside of the hours specified (7:00 AM and 6:00 PM weekdays and 9:00 AM to 6:00 PM weekends, excluding federal holidays) or if construction activities substantially elevate the ambient noise environment at noise-sensitive uses for a substantial period. The Modified Project construction activities would comply with the City approved hour of activity restrictions, thereby precluding construction activities during noise-sensitive time periods. To present a conservative approach, this analysis nonetheless evaluates construction noise based on the 65 dBA Leq exterior noise level limit for the neighboring residential land uses (Noise Zone I).

Operational

The City of Ontario requires that noise from new stationary sources in the City comply with the City's Noise Ordinance, which limits the acceptable noise at the property line of

[7] Although the Project site is located within the City of Ontario, potentially affected receivers in the adjacent City of Eastvale were also considered. A review of the area indicates that existing land uses east of Milliken Avenue in the City of Eastvale consist mostly of developed industrial land uses. Proximate City of Eastvale land uses are not noise/vibration sensitive. Noise and/or vibration generates by the Modified Project and that may be received at these City of Eastvale land uses would not comprise potentially significant impacts.

the impacted property, to reduce nuisances to sensitive land uses. For Manufacturing and Industrial land uses (Noise Zone V), such as the Modified Project, ambient exterior noise levels may not exceed 70 dBA Leq. For residential land uses (Noise Zone I), ambient exterior noise levels may not exceed 65 dBA Leq during the daytime hours (7:00 a.m. to 10:00 p.m.), and may not exceed 45 dBA Leq during the nighttime hours (10:00 p.m. to 7:00 a.m.).

Ambient Conditions

To assess the existing noise level environment, five 24-hour noise level measurements were taken at noise sensitive receiver locations in the Modified Project study area. Table 13-1 presents the ambient noise measurements. Please also refer to Noise Impact Analysis Exhibit 5-A, *Noise Measurement Locations*.

Table 13-1
Ambient Noise Measurements

Location	Description	Energy Average Noise Level (dBA L_{eq})		CNEL
		Daytime	Nighttime	
L1	Located northwest of the Project site on Riverside Drive near the existing single-family residence at 2965 McCloud River Lane.	58.3	56.1	63.2
L2	Located west of the Project site and south of Riverside drive near existing single-family residential home at 4097 East Auburn Way.	53.8	52.3	59.3
L3	Located west of the Project site near existing single-family residential home at 4088 East Heritage Lane.	51.0	47.7	55.1
L4	Located west of the Project site on East Cottage Way near existing single-family residential home at 4096 East Cottage Way.	48.8	48.1	54.8
L5	Located southwest of the Project site on East Emory Lane near existing single-family residential home at 4099 East Emory Lane.	57.2	53.4	60.6

Source: *Ontario Commerce Center Noise Impact Analysis* (Urban Crossroads, Inc.) July 9, 2020.

Sensitive Receivers

The following receiver locations, shown at Noise Impact Analysis Exhibit 6-A, *Sensitive Receiver Locations*, were identified as representative noise impact analysis locations.

R1: Located approximately 312 feet northwest of the Modified Project site, R1 represents the private residential outdoor living area at 2965 McCloud River Lane.

R2: Location R2 represents the residence located at 4097 E. Auburn Way, approximately 209 feet west of the Modified Project site. There are no private outdoor living areas (backyards) facing the Modified Project site at this location. R2 is established at the residential building façade.

R3: Location R3 represents the residence at 4087 E. Groveland Drive, located approximately 218 feet west of the Modified Project site. As above, R3 is established at the building façade.

R4: Location R4 represents the existing noise sensitive residence at 4088 E. Heritage Lane located approximately 208 feet west from the Project site. Location R4 describes the exterior noise levels at the building façade.

R5: Location R5 represents the existing noise sensitive residence at 4097 E. Springfield Paseo located roughly 259 feet west of the Project site. Since there are no private outdoor living areas, Location R5 describes the exterior noise levels at building façade.

R6: Location R6 represents the multi-family attached residence location at 4098 E. Emory Lane located west of the Project site at roughly 229 feet. Location R6 describes the exterior noise levels at the building façade.

Construction-Source Noise Impacts

In the evaluation of construction-source noise impacts, the Noise Impact Analysis employs empirical reference noise measurements obtained from similar construction activities. Based on the reference construction noise levels, maximum received noise levels attributable to the Modified Project construction activities were calculated, and are summarized at Table 13-2. Compliance with applicable significance thresholds is also presented.

Table 13-2
Maximum Received Construction-Source Noise Levels

Receiver Location	Maximum Received Noise Level (dBA Leq)	Threshold (dBA Leq)	Threshold Exceeded?
R1	59.2	65	No
R2	58.8	65	No
R3	62.0	65	No
R4	59.5	65	No
R5	62.9	65	No
R6	63.2	65	No

Source: *Ontario Commerce Center Noise Impact Analysis* (Urban Crossroads, Inc.) July 9, 2020.

As shown at Table 13-2, received construction-source noise levels would satisfy the City of Ontario exterior noise level limit of 65 dBA Leq at potentially affected receivers.

Incremental effects of construction-source noise were also considered. For the purposes of this analysis, when considering temporary construction-source noise contributions to ambient conditions, relevant State-level guidance was reviewed. More specifically, Caltrans' May 2011 Traffic Noise Analysis Protocol identifies a relative noise increase of 12 dBA Leq as substantial. While the Caltrans 12.0 dBA Leq threshold was not created specifically to address construction-source noise, it is applied in this analysis as a reasonable threshold to assess temporary noise level increases during Project construction. Received construction-source noise levels in the context of ambient conditions are summarized at Table 13-3. Compliance with applicable significance thresholds is also presented.

Table 13-3
Maximum Construction-Source Noise Contributions to Ambient Conditions

Receiver Location	Maximum Received Noise Level (dBA Leq)	Ambient Noise Levels (dBA Leq)	Combined Project and Ambient	Maximum Project Incremental Contribution* (dBA Leq)	Incremental Threshold (dBA Leq)	Incremental Threshold Exceeded?
R1	59.2	58.3	61.8	3.5	12.0	No
R2	58.8	53.8	60.0	6.2	12.0	No
R3	62.0	51.0	62.3	11.3	12.0	No
R4	59.5	51.0	60.1	9.1	12.0	No

Table 13-3
Maximum Construction-Source Noise Contributions to Ambient Conditions

Receiver Location	Maximum Received Noise Level (dBA Leq)	Ambient Noise Levels (dBA Leq)	Combined Project and Ambient	Maximum Project Incremental Contribution* (dBA Leq)	Incremental Threshold (dBA Leq)	Incremental Threshold Exceeded?
R5	62.9	48.8	63.1	14.3	12.0	Yes
R6	63.2	57.2	64.2	7.0	12.0	No

Sources: *Ontario Commerce Center Noise Impact Analysis* (Urban Crossroads, Inc.) July 9, 2020; Applied Planning, Inc.
Notes: *Decibels (dBA) is a logarithmic scale – noise levels are not arithmetically calculated. For example, 59.3 dBA received construction-source noise + 55.1 dBA ambient noise level= 60.6 dBA. The incremental contribution to ambient conditions in this case is 5.5 dBA.

As summarized in the preceding discussions, received construction-source noise levels would comply with applicable City standards. With the exception of the temporary incremental increase in ambient noise at Receptor R5, construction-source noise would not represent a substantial temporary or periodic increase in ambient noise levels. The Certified EIR has previously acknowledged and disclosed that construction-source noise was a significant and unavoidable impact. The received noise levels generated by the Modified Project construction activities would not result in construction-source noise impacts not already considered and addressed in the Certified EIR. Moreover, Certified EIR Mitigation Measure 12-4 and Project Conditions of Approval would be imposed to reduce all received construction-source noise levels to the extent practical.

Operational-Source Noise Impacts

The Noise Impact Analysis assumes the Modified Project would be operational 24 hours per day, seven days per week. The Modified Project operations would primarily be conducted within the enclosed buildings, except for traffic movement, parking, and the loading/unloading of trucks at designated loading bays. Operational noise sources are expected to include: short term truck idling, delivery truck activities, backup alarms, loading/unloading of dry goods, roof-top air conditioning units, and parking lot vehicle movements. In the evaluation of operational-source noise impacts, the Noise Impact Analysis employs empirical reference noise measurements obtained from existing similar uses. Maximum received noise levels attributable to the Modified Project operational activities were calculated, and are summarized at Table 13-4. Compliance with applicable significance thresholds is also presented.

Table 13-4
Maximum Received Operational-Source Noise Levels

Receiver Location	Received Operational-Source Operational Noise Levels (dBA Leq)		Noise Level Standards (dBA Leq)		Noise Level Standards Exceeded?	
	Daytime	Nighttime	Daytime	Nighttime*	Daytime	Nighttime
R1	39.9	38.1	65.0	56.1	No	No
R2	39.6	38.1	65.0	52.3	No	No
R3	45.3	44.5	65.0	47.7	No	No
R4	45.2	44.7	65.0	47.7	No	No
R5	42.3	40.7	65.0	48.1	No	No
R6	49.2	49.0	65.0	53.4	No	No

Source: *Ontario Commerce Center Noise Impact Analysis* (Urban Crossroads, Inc.) July 9, 2020.
Notes: Per City of Ontario Municipal Code 5-29.04 (a), "If the ambient noise level exceeds the resulting standard, the ambient noise level shall be the standard." In this case, the ambient condition exceeds the City's baseline 45 dBA standard.

As shown at Table 13-4, received operational-source noise levels would satisfy the City of Ontario daytime and nighttime exterior noise standards.

Incremental operational-source noise impacts in the context of existing conditions were also evaluated. For the purposes of evaluating long-term operational noise increases, Federal Interagency Committee on Noise (FICON) guidance has been employed in this analysis. FICON guidance is based on studies that relate aircraft noise levels to the percentage of persons highly annoyed by aircraft noise. Although the FICON guidance was specifically developed to assess aircraft noise impacts, this guidance is often used in environmental noise impact assessments involving the use of cumulative noise exposure metrics, such as the average-daily noise level (CNEL) and equivalent continuous noise level (L_{eq}). FICON guidance is employed in this analysis when considering the significance of incremental operational-source noise increases attributable to the Modified Project in the context of ambient conditions. Applicable significance criteria are summarized at Table 13-5.

Table 13-5
Incremental Noise Contribution Significance Criteria

Significance Criteria	
Contributions to Ambient Conditions	
if ambient is < 60 dBA L_{eq}	≥ 5 dBA L_{eq} increase
if ambient is 60 - 65 dBA L_{eq}	≥ 3 dBA L_{eq} increase
if ambient is > 65 dBA L_{eq}	≥ 1.5 dBA L_{eq} increase

Source: *Ontario Commerce Center Noise Impact Analysis* (Urban Crossroads, Inc.) July 9, 2020.

Incremental operational-source noise impacts of the Modified Project under daytime and nighttime conditions are summarized at Tables 13-6 and 13-7, respectively.

Table 13-6
Maximum Operational-Source Noise Contributions to Ambient Conditions (Daytime)

Receiver Location	Maximum Received Noise Level (dBA Leq)	Ambient Noise Levels (dBA Leq)	Combined Project and Ambient	Maximum Project Incremental Contribution* (dBA Leq)	Incremental Threshold (dBA Leq)	Incremental Threshold Exceeded?
R1	39.9	58.3	58.4	0.1	5.0	No
R2	39.6	53.8	54.0	0.2	5.0	No
R3	45.3	51.0	52.0	1.0	5.0	No
R4	45.2	51.0	52.0	1.0	5.0	No
R5	42.3	48.8	49.7	0.9	5.0	No
R6	49.2	57.2	57.8	0.6	5.0	No

Source: *Ontario Commerce Center Noise Impact Analysis* (Urban Crossroads, Inc.) July 9, 2020.

Table 13-7
Maximum Operational-Source Noise Contributions to Ambient Conditions (Nighttime)

Receiver Location	Maximum Received Noise Level (dBA Leq)	Ambient Noise Levels (dBA Leq)	Combined Project and Ambient	Maximum Project Incremental Contribution (dBA Leq)	Incremental Threshold (dBA Leq)	Incremental Threshold Exceeded?
R1	38.1	56.1	56.2	0.1	5.0	No
R2	38.1	52.3	52.5	0.2	5.0	No
R3	44.5	47.7	49.4	1.7	5.0	No
R4	44.7	47.7	49.5	1.8	5.0	No
R5	40.7	48.1	48.8	0.7	5.0	No
R6	49.0	53.4	54.8	1.4	5.0	No

Source: *Ontario Commerce Center Noise Impact Analysis* (Urban Crossroads, Inc.) July 9, 2020.

As summarized in the preceding discussions, received operational-source noise levels would comply with applicable City standards. Moreover, operational-source noise would not represent a substantial temporary or periodic increase in ambient noise levels.

Vehicular-Source Noise Impacts

Trip generation for the Modified Project was compared to trip generation that would occur under the development of the subject site envisioned under the Original Project. When compared to the Original Project land uses, total daily trip generation (passenger car equivalents, PCE) under the Modified Project would be reduced by at least 50 percent (see: Checklist Item 17., *Transportation*). Reduced trip generation under the Modified Project would translate to diminished vehicular-source noise impacts when compared to impacts resulting from the Original Project and reflected in the Certified EIR. On this basis, when compared to the Certified EIR findings, no new or substantially increased vehicular-source noise impacts would occur under the Modified Project.

Modified Project Mitigation Measures: None.

b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that mobile-source and stationary/area-source vibration impacts associated with buildout of The Ontario Plan would be less-than-significant. However, construction activities associated with buildout of the individual land uses could expose sensitive uses to strong levels of groundborne vibration. Additionally, sensitive land uses along the Union Pacific railroad corridor would be exposed to strong levels of groundborne vibration. These are potentially significant impacts.

Certified EIR Mitigation Measures:

12-2 Individual projects that involve vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, occurring near sensitive receptors shall be evaluated for potential vibration impacts. If construction-related vibration is determined to be perceptible at vibration-sensitive uses (i.e., exceed the Federal Transit Administration vibration-annoyance criteria of 78 VdB during the daytime), additional requirements, such as use of less vibration

intensive equipment or construction techniques, shall be implemented during construction (e.g., drilled piles to eliminate use of vibration-intensive pile driver).

12-3 *Prior to the issuance of building permits for any project that involves a vibration-sensitive use directly adjacent to the Union Pacific Railroad or Southern California Regional Rail Authority main lines shall retain an acoustical engineer to evaluate potential for trains to create perceptible levels of vibration indoors. If vibration-related impacts are found, mitigation measures, such as use of concrete, iron, or steel, or masonry materials to ensure that levels of vibration amplification are within acceptable limits to building occupants, shall be implemented. Pursuant to the Federal Transit Administration vibration-annoyance criteria, these acceptable limits are 78 VdB during the daytime and 72 VdB during the nighttime for residential uses, 84 VdB for office uses, and 90 VdB for workshops.*

The Certified EIR concluded even with the implementation of Mitigation Measures 12-2, construction-source groundborne vibration would be a significant and unavoidable impact. The Certified EIR concluded further that Mitigation Measure 12-3 would reduce vibration impacts along the Union Pacific railroad corridor to levels that would be less-than-significant (Certified EIR, pp. 5.12-40 – 5.12-42).

Modified Project:

Construction-Source Vibration

Construction activities can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. It is expected that groundborne vibration from construction activities would cause only intermittent, localized intrusion. Construction activities most likely to cause vibration impacts include:

- Heavy Construction Equipment: Although all heavy mobile construction equipment has the potential of causing at least some perceptible vibration, the vibration is usually short-term and is not of sufficient magnitude to cause building damage. It is not expected that heavy equipment such as large bulldozers would operate close enough to any residences to cause a vibration impact.

- Trucks: Trucks hauling building materials to construction sites can be sources of vibration intrusion if the haul routes pass through residential neighborhoods on streets with bumps or potholes. Repairing the bumps and potholes generally eliminates the problem.

In the evaluation of construction-source vibration impacts, the Noise Impact Analysis employs reference construction-source vibration data published by the Federal Transit Administration (FTA). Maximum received construction-source vibration levels are summarized at Table 13-8.

Table 13-8
Maximum Received Construction-Source Vibration Levels

Receiver Location	Maximum Received Vibration Level (VdB)	Threshold (VdB)	Threshold Exceeded?
R1	54.1	78	No
R2	59.3	78	No
R3	58.8	78	No
R4	59.4	78	No
R5	56.5	78	No
R6	58.1	78	No

Source: *Ontario Commerce Center Noise Impact Analysis* (Urban Crossroads, Inc.) July 9, 2020.

Table 13-8 shows the maximum received construction-source vibration levels are expected to range from 54.1 to 59.1 VdB. These vibration levels would not exceed the acceptable 78 VdB criteria for residential uses established by the FTA. Moreover, received vibration levels are unlikely to be sustained during the entire construction period. Rather, maximum vibration levels would be received only during times that heavy construction equipment is operating at the site perimeter. Based on the preceding, construction-source vibration impacts would be less-than-significant.

Operational-Source Vibration

Operations within the subject site would include heavy trucks moving on-site, to and from loading dock areas. Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. Typical vibration levels for heavy trucks operating at

normal traffic speeds do not exceed 65 VdB at 25 feet. Therefore, given that delivery trucks would be traveling on-site at lower speeds, unmitigated operational-source vibration levels at potentially affected receiver locations are anticipated to remain below 65 VdB. As such, received operational-source vibration levels would not exceed the acceptable 78 VdB criteria for residential uses identified by the FTA. On this basis, the operational-source vibration impacts resulting from transiting heavy trucks would be less-than-significant.

Based on the preceding, the potential for the Modified Project to result in the generation of excessive groundborne vibration or groundborne noise levels is considered less-than-significant. When compared to findings of the Certified EIR, no new or substantially increased vibration impacts would result from the Modified Project.

Modified Project Mitigation Measures: None.

c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Aircraft overflights, takeoffs, and landings in the City of Ontario contribute to the ambient noise environment. The Certified EIR concluded that Chino Airport does not significantly affect sensitive receptors within the City of Ontario. However, sensitive land uses within the 65 dba CNEL noise contour of the Ontario International Airport would be exposed to substantial levels of airport-related noise. Even with the implementation of mitigation, airport-related noise was deemed a significant and unavoidable impact of The Ontario Plan (Certified EIR, pp. 5.12-40 – 5.12-42).

Certified EIR Mitigation Measures: Please Refer to Mitigation Measure 12-1, above.

Modified Project: The Modified Project site is located approximately 2.7 miles southeasterly of the Ontario International Airport (ONT). The Ontario International Airport Land Use Compatibility Plan was adopted by Ontario City Council on April 19, 2018 to promote compatibility between the airport and the land uses that surround it. The Modified Project site is located within the airport influence area, and is located outside of the Noise Impact Zones.

Based on the preceding, the Modified Project would not be adversely affected by airport/airfield noise, nor would the Modified Project contribute to or result in adverse airport/airfield noise impacts. When compared to the Certified EIR findings, no new or substantially increased airport/airfield noise impacts would result from the Modified Project.

Modified Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; *Ontario Commerce Center Noise Impact Analysis* (Urban Crossroads, Inc.) July 9, 2020; Modified Project Design Concepts.

14. POPULATION AND HOUSING

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?					X	

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?					X	

Substantiation:

a, b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that, while development of the City pursuant to The Ontario Plan would increase both population and employment, impacts would be less-than-significant (Certified EIR, pp. 5.13-12 – 5.13-20).

Certified EIR Mitigation Measures: None.

Modified Project:

Direct Population Growth Inducement

No housing would be implemented under the Modified Project. The Modified Project would not otherwise affect existing housing or residential land uses. No direct population growth would result from the Modified Project.

Indirect Growth Inducement

Indirect population growth inducement could result from creation of additional jobs and the extension of infrastructure and services to areas not currently served, or substantial capacity/capability upgrades to existing systems and services.

In general terms, job creation furthers growth via wages, salaries and general fiscal benefits; increased demands for housing; and increased demand for consumer goods and services. Jobs created by or resulting from the Modified Project would be typical of area

employment opportunities, and would be filled by the local residents with no substantial increase in population.

The Modified Project would implement infrastructure improvements that are consistent with the City and purveyor master plans. Growth that may result from or be facilitated by the Modified Project infrastructure improvements would not result in growth and growth-related impacts not previously considered and addressed in the Certified EIR.

Consistency with Population Growth Projections

SCAG population growth projections reflect assumptions and development scenarios incorporated in local plans including City general plans. As demonstrated in the preceding discussions, the Project would not induce or generate growth beyond that reflected in The Ontario Plan and evaluated in the Certified EIR. Accordingly, the Project would not result in growth not already anticipated within SCAG population growth projections for the region.

As supported by the preceding discussions, the Modified Project would not induce substantial population growth; displace substantial numbers of existing housing; or displace substantial numbers of people. When compared to the Certified EIR findings, no new or substantially increased population and housing impacts would result from the Modified Project.

Modified Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Modified Project Design Concepts.

15. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of 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 public service:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Fire protection?					X	
b) Police protection?					X	
c) Schools?					X	
d) Parks?					X	
e) Other public facilities?					X	

Substantiation:

a – e) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Certified EIR Section 5.14, *Public Services*, concluded that implementation of The Ontario Plan would not result in potentially significant public services impacts (Certified EIR, pp. 5.14-1 – 5.14-24).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project would be constructed within an already-developed urban environment. Fire protection and police protection services are currently available to the subject site via existing facilities. Further, the industrial and commercial uses proposed by the Project would not create substantive additional demands for school or park facilities. Development impact fees and sales tax revenues generated by the Modified Project would provide funding sources available for support and enhancement of public services commensurate with incremental demands of the development. By law, the Modified Project would be required to remit school impact fees.

When compared to the Certified EIR findings, no new or substantially increased public service impacts would result from the Modified Project.

Modified Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Modified Project Design Concepts.

16. RECREATION

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) 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?					X	
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?					X	

Substantiation:

a, b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that because new development would be required to provide sufficient public parkland or pay in-lieu fees, impacts to recreational facilities would be less-than-significant (Certified EIR, pp. 5.15-12 – 5.15-15).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project does not propose residential uses or recreational facilities. Proposed industrial and commercial uses implemented under the Modified

Project would not generate resident populations that would require or use recreational facilities. The Modified Project would therefore have no potential to 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; or to include or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. When compared to the Certified EIR findings, no new or substantially increased recreation impacts would result from the Modified Project.

Modified Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Modified Project Design Concepts.

17. TRANSPORTATION

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?					X	
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?					X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?					X	
d) Result in inadequate emergency access?					X	

Substantiation:

a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that with the implementation of regulatory requirements, all transportation impacts would be less-than-significant, with the exception of the following:

> "Trips generated as a result of buildout of the proposed land use plan would cause a deficient level of service for the existing area intersections without implementation of the recommended lane geometry improvements. in addition, buildout of the proposed land use plan would also cumulatively contribute to the cumulatively significant freeway level of service impact that is already projected to occur in the future."

The Certified EIR concluded that cumulative impacts in this regard would be significant and unavoidable. More specifically, the Certified EIR states:

> Mitigation Measure 16-1 includes development of more enhanced intersections throughout the City, as identified in Table 5.16-6, and construction of additional turn and through lanes. Implementation of these improvements would result in LOS E or above at all intersections during both AM and PM peak hours. These improvements would occur through the entitlement process. Under the City's development impact fee program, project applicants for new developments can either contribute their fair share toward traffic improvements or make the improvements as part of the project. Additionally, the City of Ontario has a Capitol [*sic*] Improvement Program that details the implementation of regional improvements. With implementation of the mitigation measure, impacts to local roadways would be less than significant. However, buildout of the Proposed Land Use Plan would result in additional traffic volume that would significantly cumulatively contribute to mainline freeway segment impacts. The City's development impact fees cannot be used for improvements to roadway facilities under Caltrans' sole jurisdiction, such

as freeway mainline segments, and the City cannot widen the freeway itself. Indeed, the widening of a freeway would require the acquisition of additional right-of-way, often at the expense of residential uses, and the high cost financially and socially of such a disruption would render such cumulative mitigation infeasible, even if it were within the City's jurisdiction. Consequently, impacts to freeway segments within the City under Impact 5.16-1 would be significant and unavoidable (Certified EIR, p. 5.16-47).

Certified EIR Mitigation Measure:

16-1 *The Mobility Element of the Ontario Plan shall be consistent with the traffic study prepared by Kimley-Horn and Associates.* [Certified EIR] *Table 5.16-6 shows the recommended lane geometry for the Proposed Land Use Plan.*

Modified Project: Relative traffic impacts of the Modified Project can be inferred by comparing the estimated trip generation of land uses that were assumed for the Original Project to trip generation of the Modified Project land uses. To this end, a Focused Traffic Assessment[8] has been prepared for the Modified Project.

Based on the Specific Plan entitlements for Community Commercial, Commercial/Business Park Flex Zone, and Business Park/Light Industrial Land Uses, the Focused Traffic Assessment trip generation analysis assumed the following alternative tenant mixes for the Original Project:

Original Project Alternative 1

- Retail: 217,520 SF
- Business Park: 550,000 SF

Original Project Alternative 2

- Retail: 217,520 SF
- Industrial Park: 550,000 SF

[8] *Revised Focused Traffic Assessment for Edenglen Business Park Project, Ontario, California* (Linscott Law & Greenspan) April 21, 2020 (Addendum Appendix H).

Based on the Modified Project land uses, the Focused Traffic Assessment trip generation analysis assumed the following Alternative tenant mixes for the Modified Project.

Modified Project Alternative 1:

- General Light Industrial: 59,585 SF
- Warehousing: 908,507 SF
- Retail: 40,000 SF

Modified Project Alternative 2:

- General Light Industrial: 59,585 SF
- Warehousing: 522,058 SF
- Manufacturing: 386,449 SF
- Retail: 40,000 SF

The Focused Traffic Assessment notes: "the proposed [Modified] Project will likely be developed based on Alternative 1. However, the other alternative [Alternative 2] was included to provide flexibility in development options" (Focused Traffic Assessment, p. 3). Trip generation of the Original Project Alternatives 1 and 2, and trip generation of the Modified Project Alternatives 1 and 2 are summarized and compared at Table 17-1. Trips identified at Table 17-1 are presented in terms of Passenger Car Equivalents (PCE). In this regard, the Focused Traffic Assessment recognizes the relative transportation impacts of passenger cars vs. trucks that would access the Project, and converts truck traffic to passenger car equivalents as follows: All 2-axle, 3-axle and 4+-axle trucks are converted to Passenger Car Equivalents using a factor of 1.5 PCE per truck, 2.0 PCE per truck, and 3.0 PCE per truck, respectively.

Table 17-1
Trip Generation Comparison Summary (PCE)

Scenario	Total Daily Trips	AM Peak Hour Total	PM Peak Hour Total
Modified Project Alternative 1 (General Light Industrial + Warehouse + Retail)	5,358	442	500
Modified Project Alternative 2 (General Light Industrial + Warehousing + Manufacturing + Retail)	6,459	693	789
Original Project Alternative 1 (Retail + Business Park)	16,020	455	869

Table 17-1
Trip Generation Comparison Summary (PCE)

Scenario	Total Daily Trips	AM Peak Hour Total	PM Peak Hour Total
Original Project Alternative 2 (Retail + Industrial Park)	12,613	617	1,057
Net Trip Generation: Modified Project Alternative 1 Trips – Original Project Alternative 1 Trips	**-10,662**	**-13**	**-369**
Net Trip Generation: Modified Project Alternative 1 Trips – Original Project Alternative 2 Trips	**-7,255**	**-175**	**-557**
Net Trip Generation: Modified Project Alternative 2 Trips – Original Project Alternative 1 Trips	**-9,561**	**238**	**-80**
Net Trip Generation: Modified Project Alternative 2 Trips – Original Project Alternative 2 Trips	**-6,154**	**76**	**-268**

Source: *Revised Focused Traffic Assessment for Edenglen Business Park Project*, Ontario, California (Linscott Law & Greenspan) April 21, 2020.

As indicated at Table 17-1, the Modified Project under all scenarios would result in reduced total daily trips when compared to the Original Project. In this regard, under all comparative scenarios, total PCE trips generated by the Modified Project would be reduced by at least 50 percent when compared to the Original Project. [9]

Modified Project Alternative 1 – the likely development scenario – would generate fewer total daily trips and fewer AM and PM peak hour trips than would result from the Original Project (Alternatives 1 and 2). Total reduced trip generation and total peak hour trip generation under the Modified Project Alternative 1 would result in reduced traffic impacts when compared to the Original Project.

Modified Project Alternative 2 would generate fewer total daily trips and fewer PM peak hour trips than would result from the Original Project (Alternatives 1 and 2). However, AM peak hour trip generation would increase. Based on the reduction in total daily trips and reduction in PM peak hour traffic, it is likely that the Modified Project Alternative 2 would result in reduced traffic impacts when compared to the Original Project. However,

[9] A subsequent traffic study (*Edenglen Business Park Project Alternative Trip Generation Assessment Ontario, California* [Linscott Law & Greenspan] June 15, 2020, Addendum Appendix H) addressed potential traffic impacts of the Modified Project assuming development of the site with refrigerated warehouse uses. The Alternative Trip Generation Assessment substantiates that peak hour trip generation and potential LOS impacts resulting from refrigerated warehouse uses would be further reduced when compared to both the Original Project and the Modified Project as evaluated in the April 21, 2020 Revised Focused Traffic Assessment.

based on the projected increase in AM peak hour traffic, the City may require additional focused analysis should the Modified Project Alternative 2 be implemented.

Based on the preceding, the Modified Project would not result in new or substantially increased transportation (Level of Service, LOS) impacts not identified in the Certified EIR.

Modified Project Mitigation Measures: None.

b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: *CEQA Guidelines* Section 15064.3, subdivision (b) was added to the *CEQA Guidelines* in 2019. The Vehicle Miles Traveled (VMT) metric established under Section 15064.3 is recognized. The VMT metric is effective as of July 2020. The VMT metric and related provisions were therefore not considered in the Certified EIR.

Certified EIR Mitigation Measures: None.

Modified Project: Consistent with *CEQA Guidelines* Section 15064.3, subdivision (b), potential VMT impacts of the Modified Project have been evaluated in Technical Memorandum *Vehicle Miles Traveled (VMT) Analysis for the Ontario Commerce Center, Ontario* (Linscott Law & Greenspan, Engineers) June 4, 2020 (Modified Project VMT Impact Analysis, Addendum Appendix H).

Per the City VMT thresholds, to avoid a potentially significant VMT impact, the Modified Project VMT/employee is required to be a minimum of 15% below the existing City Average VMT/employee. As presented in the Modified Project VMT Impact Analysis, the existing (2020) City Average VMT/employee is estimated at 16.38 VMT/employee. The Modified Project Average VMT/employee is estimated at 5.89 VMT/employee (Modified Project VMT Impact Analysis, pp. 9, 10). On this basis, The Modified Project Average VMT/employee is reduced by approximately 64% when compared to the existing City Average VMT/employee. The Modified Project VMT impact is therefore considered less-than-significant.

Modified Project Mitigation Measures: None.

c, d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that buildout of the City pursuant to The Ontario Plan would result in changes to the circulation network. Such changes would however be implemented consistent with City roadway classification and roadway design standards, acting to preclude potential design hazards. Additionally, City Design Review processes ensure that adequate emergency access is provided for all new development projects. On this basis, there would be no impacts related to hazardous design features, or emergency access provisions (Certified EIR, pp. 5.16-36).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project does not propose elements or aspects that would substantially increase transportation/traffic hazards. Moreover, all improvements would be designed and implemented consistent with recommendations of the Focused Traffic Assessment (see: Focused Traffic Assessment, pp. 9 – 11) and City traffic engineering and safety standards, thereby minimizing the potential to result in or cause hazardous traffic/transportation conditions.

The Modified Project would generate urban traffic comparable to and compatible with the vehicle mix and vehicle categories present within the area roadway system. The Project uses would therefore not cause or result in incompatible vehicle movements or traffic that would substantively increase hazards. Further, based on the projected net decrease in trip generation under the Modified Project, the potential for the Project to result in potential traffic hazards would likely be reduced when compared to the uses assumed within the Certified EIR.

Additionally, pursuant to the Project Construction Traffic Management Plan (please refer to Addendum Section 2, *Project Description*, 2.4.6 C*onstruction Traffic Management Plan*), the Modified Project would be required to maintain appropriate access during construction activities.

Based on the preceding, when compared to the Certified EIR findings, no new or substantially increased design hazards or emergency access impacts would occur under the Modified Project.

Modified Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009*; Revised Focused Traffic Assessment for Edenglen Business Park Project, Ontario, California* (Linscott Law & Greenspan) April 21, 2020; Modified Project Design Concepts.

18. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or						X
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.						X

Substantiation:

a, b) *No Impact*

Certified EIR Conclusions: This environmental topical concern has recently been added to the *CEQA Guidelines* Appendix G, Environmental Checklist Form and was therefore not specifically addressed in the Certified EIR. Impacts to archaeological and tribal resources generally are addressed at Certified EIR Section 5.5, *Cultural Resources*. With the implementation of mitigation, the Certified EIR concluded that impacts to archaeological resources would be less-than-significant (Certified EIR, p. 5.5-24).

Certified EIR Mitigation Measures:

5-3 Upon receipt of an application for a Specific Plan or a project that requires a General Plan amendment subject to CEQA and is within the City's jurisdiction, the City's representative shall consult with the relevant tribe(s)' representative(s) to determine if the proposed project is within a culturally sensitive area to the tribe. If sufficient evidence is provided to reasonably ascertain that the site is within a [tribal] culturally sensitive area, then a cultural resources assessment prepared by an archaeologist shall be required. The findings of the cultural resources assessment shall be incorporated into the CEQA documentation. A copy of the report shall be forwarded to the tribe(s). If mitigation is recommended in the CEQA document, the procedure described in Mitigation Measure 5-4 shall be followed.

5-4 Prior to the issuance of grading permits for a Specific Plan or project that requires a General Plan amendment for which the CEQA document defines cultural resource mitigation for potential tribal resources, the project applicant shall contact the designated tribe(s) to notify them of the grading, excavation, and monitoring program. The applicant shall coordinate with the City of Ontario and the tribal representative(s) to develop mitigation measures that address the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground-disturbing activities; scheduling; terms of compensation; and treatment and final disposition of any cultural resources,

sacred sites, and human remains discovered on the site. The City of Ontario shall be the final arbiter of the conditions for projects within the City's jurisdiction.

Modified Project: As discussed previously at Checklist Item 5, *Cultural Resources*, with incorporation of mitigation, neither the Original Project or the Modified Project would potentially adversely affect historic, archaeological, or paleontological resources. Neither the Original Project nor the Modified Project would potentially adversely affect human remains.

Additionally, evaluation of impacts to tribal cultural resources pursuant to AB 52, Gatto. Native Americans: California Environmental Quality Act applies only to CEQA projects that are required to file a Notice of Preparation for an Environmental Impact Report, or Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration. Because the Modified Project would not be required to file any of the mentioned documents, AB 52 requirements addressing potential impacts to tribal resources are not applicable within the context of this Addendum analysis.

Modified Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009*; Cultural Resources Assessment, The Hamner Avenue/Riverside Drive/Mill Creek Avenue [Ontario Commerce Center] Project City of Ontario, San Bernardino County, California* (BCR Consulting, LLC) April 20, 2020; Modified Project Design Concepts.

19. UTILITIES AND SERVICE SYSTEMS

Would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?					X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?					X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?					X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?					X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?					X	

Substantiation:

a – c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that, although buildout of The Ontario Plan would generate additional wastewater, it would be adequately treated in accordance with Regional Water Quality Control Board and California Department of Public Health requirements. Additionally, storm drainage systems would be expanded

to accommodate growth associated with the buildout of The Ontario Plan. Compliance with regulatory requirements and standard conditions of approval would reduce impacts to water treatment, wastewater treatment, and storm water management to levels that would be less-than-significant (Certified EIR, pp. 5.17-25, 5.17-28).

The Certified EIR also determined that buildout of The Ontario Plan would create a four percent greater need for water supply than previously assessed in the 2005 City of Ontario Urban Water Management Plan. Mitigation Measures 17-1 through 17-3 were included to preclude significant water supply impacts (Certified EIR, p. 5.17-20).

Certified EIR Mitigation Measures:

17-1 The City shall include a policy in the Policy Plan that requires water conservation measures for development projects to improve water use efficiency and reduce overall water demand. Reduce potable water demand, through conservation measures, including but not limited to:

a) Work cooperatively with all developers to incorporate conservation measures into project designs (such as those recommended by the California Urban Water Conservation Council).

b) Continue to develop and implement drought contingency plans to assist citizens and businesses reduce water use during water shortages and emergencies.

c) Revise the City Code to include a Water-Efficient Landscape Ordinance to encourage or, as appropriate, require the use of water-efficient landscaping consistent with AB 325.

17-2 The City shall include a policy in the Policy Plan that maximizes the use of recycled water as an irrigation (nonpotable) source for landscaping, parks, and other irrigation opportunities in all areas of the City and requires use of recycled water in dual-system office and industrial uses in selected urban areas of the City, where available and feasible.

17-3 The City shall include a policy in the Policy Plan that the City participate through the Chino Basin Water Master and the Inland Empire Utilities Agency in regional efforts to develop finding additional sources of water for groundwater recharge, such as capture of stormwater runoff, recycled water, or other sources to ensure that the Chino Basin stays in long-term hydraulic balance and sustainability and that adequate additional local water sources would be available to increase the flexibility of the City's water supply.

Modified Project: Necessary infrastructure systems are locally available to the Modified Project. The Modified Project does not propose or require construction of major infrastructure systems that could result in potentially significant environmental impacts. All proposed connections to and any necessary modification of serving infrastructure systems would conform to City and purveyor requirements. The potential for the Modified Project to result in significant environmental impacts attributable to the construction or relocation of serving infrastructure systems would be less-than-significant.

Water demands of the Original Project land uses are reflected in the *2015 City of Ontario Urban Water Management Plan* (OMUC) July 2016 (2015 UWMP). The 2015 UWMP concluded that all projected water demands of the City can met under normal conditions, single-year drought conditions, and multiple year drought conditions through 2040 (2015 UWMP, pp. 7-5 – 7-7).

Comparative water demands of the Original Project and Modified Project are summarized at Table 19-1. As indicated at Table 19-1, the Modified Project's annual demand of 172 af/yr is approximately 24 percent less than water demands of the Original Project (226 af/yr) assumed for the site within the 2015 UWMP. The Modified Project would result in a net water demand reduction when compared to the Original Project and would not result in water supply impacts not already considered and addressed in the 2015 UWMP.

Table 19-1
Comparative Water Demand
Original Project vs. Modified Project

	Land Use	Approx. Acreage	Water Demand Factor (gpd/acre)[1]	Total Water Demand (gal/day)	Total Water Demand (acre feet (af)/year)
Original Project					
	General Commercial	20.0	3,140	62,800	70
	Business Park	44.3	3,140	139,102	156
Subtotal				201,902 gal/day	226 af/year
Modified Project					
	Neighborhood Commercial	4.0	3,140	12,560	14
	Business Park	4.0	3,140	12,560	14
	Industrial	56.3	2,290	128,927	144
Subtotal				154,047	172
Difference (24%)				***(47,855 gal/day)***	***(54 af/year)***

[1] Water Demand Factors from: 2015 City of Ontario Urban Water Management Plan, Appendix B Technical *Memorandum – Ultimate Citywide Water Demand Estimate*, Table 2, *Future Domestic Water Unit Demand Factors* (AKM Consulting Engineering) May 2016.

As discussed above, water demands of the Modified Project would be reduced when compared to demands of the Original Project. Because wastewater generation is directly related to water consumption, wastewater generation of the Modified Project would also be reduced when compared to the Original Project. Related wastewater conveyance and wastewater treatment demands of the Modified Project would be comparably reduced when compared to the Original Project. As with the Original Project, the potential for the Modified Project to exceed available wastewater treatment capacities or capabilities would be less-than-significant.

Modified Project Mitigation Measures: None.

d, e) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that buildout of The Ontario Plan would be served by landfills with sufficient permitted capacities to accommodate all solid waste disposal needs. Additionally, no conflicts with federal, state, and local management and reduction statutes and regulations related to solid waste were

identified. The Certified EIR determined that impacts related to solid waste would be less-than-significant (Certified EIR, p. 5.17-31).

Certified EIR Mitigation Measures: None.

Modified Project: The Modified Project would result in comparable uses and development intensities when compared to the Original Project. Related solid waste management demands of the Modified Project would comparable to those of the Original Project. Moreover, the Modified Project would comply with applicable solid waste management and reduction statutes and regulations (summarized below), acting to further reduce solid waste management impacts of the Modified Project.

City of Ontario Construction & Demolition Recycling Plan (CDRP)

Pursuant to Ontario Municipal Ordinance (OMC) Sec. 6-3.602 *Construction & Demolition Recycling Plan* and the 2016 California Green Building Standards Code (CALGreen), all building and demolition permit applicants are required to prepare and submit a Construction & Demolition Recycling Plan (CDRP) and a Construction & Demolition Recycling Plan (CDRP) Summary Report. OMC Sec. 6-3.602 and CALGreen require all construction and qualifying renovation and demolition projects to divert at least 65% of all generated waste materials. The Modified Project would be subject to (OMC) Sec. 6-3.602 and CALGreen construction waste diversion mandates. The City oversees compliance with OMC Sec. 6-3.602 and CALGreen construction waste diversion mandates.

AB 939 - California Integrated Waste Management Act of 1989

Solid waste management is guided by the California Integrated Waste Management Act of 1989 (AB 939), which emphasizes resource conservation through reduction, recycling, and reuse of solid waste. AB 939 requires that localities conduct a Solid Waste Generation Study (SWGS) and develop a Source Reduction Recycling Element (SRRE), providing for a minimum 50 percent reduction in waste sent to landfills. Diversion rates are calculated and tracked by the California Integrated Waste Management Board (Board). Alternatively, the Board can determine that a jurisdiction's "good faith efforts" to

implement comprehensive diversion programs have satisfied the requirement even if diversion levels are below 50 percent.

To reduce waste disposal, AB 939 requires every California city and county to divert 50 percent of its waste from landfills. Residential, commercial and governmental waste recycling programs in support of the SRRE have been implemented by the City.

The City is currently meeting or exceeding all AB 939 solid waste diversion targets. The Modified Project would be required to comply with AB 939 as implemented by the City.

AB 341 - Commercial Recycling

Assembly Bill 341 mandates recycling for businesses producing four or more cubic yards of solid waste per week, and multifamily dwellings of five units or more. Under the law, business must separate recyclables from trash and then either subscribe to City of Ontario recycling services, self-haul their recyclables, or contract with a permitted private recycler. The Modified Project would be subject to Assembly Bill 341 mandates.

AB 1826 - Commercial Organics Recycling

Under Assembly Bill 1826, businesses are required to arrange for organic recycling services. The Project would be subject to Assembly Bill 1826 mandates.

The California Department of Resources Recycling and Recovery (CalRecycle) oversees both the mandatory commercial recycling program and the mandatory commercial organics recycling program. The City of Ontario supports both bills through public outreach, monitoring of recycling efforts, providing notification to non-compliant businesses, and periodic State reporting.

The Project would be required to comply with the above solid waste management statutes and regulations. The City and CalRecycle would oversee and monitor compliance with applicable solid waste management statutes and regulations.

SB 1383 - Organic Waste Management Requirements

SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The law grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025.

The City is currently developing programs and strategies to address the requirements of SB 1383, the Modified Project would be required to ultimately abide by those requirements.

As stated in the Certified EIR, impacts to solid waste services and facilities from new development are addressed through the payment of development impact fees as outlined in the City of Ontario Development Impact Fee Calculation and Nexus Fee Schedules. With the payment of required development impact fees and compliance with existing solid waste regulations, the Modified Project would not result in any new or substantially increased solid waste impacts not previously identified within the Certified EIR.

Based on the preceding, the Modified 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 would be less-than-significant. Additionally, the Modified Project would comply with applicable solid waste management and reduction statutes and regulations. On this basis, the Modified Project would result in less-than-significant solid waste management impacts. The Modified Project would not result in solid waste management impacts substantially greater than or substantially than solid waste management impacts considered and addressed in the Certified EIR.

Modified Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009*;* Modified Project Design Concepts.

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?						X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?						X
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?						X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?						X

Substantiation:

a – d) *No Impact.*

Certified EIR Conclusions: This environmental topical concern has been recently added to the *CEQA Guidelines* Appendix G, Environmental Checklist Form and was therefore not specifically addressed in the Certified EIR.

Certified EIR Mitigation Measures: Not Applicable.

Modified Project: The City of Ontario as a whole is an urbanized area. Per the California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Zone Maps,

the City and the Modified Project site are not located within or near a state responsibility area, or within an area classified as a very high fire hazard severity zone.

Fire protection services for the Modified Project site and vicinity are currently provided by the Ontario Fire Department (Fire Department). Adherence to Fire Department building and site design requirements, and compliance with codified fire protection and prevention measures during construction and operation of the Modified Project are required. On this basis, when compared to the Certified EIR findings, no new or substantially increased wildfire impacts would result from the Modified Project.

Modified Project Mitigation Measures: None.

Sources: *SW San Bernardino County, Fire Hazard Severity Zones in SRA* (November 7, 2007); https://osfm.fire.ca.gov/media/6781/fhszs_map62.pdf; Modified Project Design Concepts.

21. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?					X	

Does the project:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.)					X	
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?					X	

Substantiation:

a – c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

This Addendum defines, describes, compares, and contrasts potential environmental impacts of the Modified Project in the context of the environmental impacts assessed in the Certified EIR. In so doing, this Addendum substantiates consistency with applicable *CEQA Guidelines* provisions addressing preparation of an Addendum to a previously-Certified EIR.

As supported by the discussions presented herein, the Modified Project would not result in or cause any new significant impacts, substantively increased impacts, or substantively different environmental impacts than those previously considered and addressed in the Certified EIR. Analysis beyond that presented in this Addendum is not required or warranted.

4.0 DETERMINATION

4.0 DETERMINATION

As supported by the analysis presented herein, the potential environmental effects of the development allowed by the Modified Project, and associated required discretionary actions, have been adequately addressed in the Certified EIR. This Addendum provides minor technical changes to the Certified EIR analysis. As such, the development of any further information and analysis is not warranted. Pursuant to the requirements of *CEQA Guidelines* Section 15162 and 15164, the following determinations have been made.

Major Revisions to the Certified EIR Not Required

Based on the preceding analysis and information, there is no evidence that major changes to the Certified EIR are required. This Addendum indicates that there is no new significant or more severe environmental impact, and that the development of the Modified Project described herein would essentially have the same, or reduced, impacts as those described in the Certified EIR.

No Substantial Change in Circumstances Requiring Major Revisions to the Certified EIR

No information exists in the record, or is otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the Certified EIR.

No New Information Showing Greater Significant Effects than Identified in the Certified EIR

This Addendum has considered all available relevant information to determine whether there is new information, which was not available at the time the Certified EIR was prepared, that may indicate that a new significant effect may occur that was not reported in the Certified EIR. As supported by the analysis presented in this Addendum, there is no substantial new information that was not available at the time of

the Certified EIR, indicating that there would be a new, significant impact requiring major revisions of the Certified EIR.

No New Information Showing Ability to Reduce Significant Effects Identified in the Certified EIR

The Addendum analysis substantiates that there are no significant impacts requiring identification of new or additional alternatives to the Modified Project. The continued implementation of applicable Certified EIR mitigation measures and Mitigation Measures propose under the Modified Project reduce the Modified Project's potentially significant impacts to levels that are less-than-significant.

Summary

The analysis presented in this document substantiates that the analysis presented in the Certified EIR is sufficient to satisfy CEQA requirements for the proposed Modified Project. That is, with incorporation of mitigation, implementation of the Modified Project described and evaluated herein would not result in any significant new, different, additional, or substantially increased environmental impacts than were previously considered and addressed in the Certified EIR. As such, environmental assessment of the Modified Project does not require any major revision of the previously-approved Certified EIR, nor would development allowed by the Modified Project result in conditions that would require preparation of further analysis as described in the *CEQA Guidelines*.

5.0 MITIGATION SUMMARY

5.0 MITIGATION SUMMARY

5.1 OVERVIEW

The following Table 5.1-1, *Mitigation Summary Matrix*, comprehensively presents mitigation measures incorporated in the Certified EIR, and mitigation measures proposed by the Modified Project described herein.

Within the Table 5.1-1 "Mitigation Measures" column, applicable Certified EIR Mitigation Measures, and Mitigation Measures proposed under the Modified Project are presented. Certified EIR Mitigation Measures that are no longer required are indicated by ~~strikeout font~~. New or modified Mitigation Measures to be implemented under the Modified Project are indicated by ***bold italic text***. The "Remarks" column identifies status and applicability of all Mitigation Measures. Retained or new mitigation measures presented at Table 5.1-1 will be implemented through the Modified Project Conditions of Approval or as otherwise deemed appropriate by the City.

At the discretion of the City Community Development Director, any of the mitigation measures identified at Table 5.1-1 may be modified to respond to conditions and context as they may apply to development proposed by the Modified Project. Any such discretionary modifications shall not result in any new significant environmental impacts. Rather, modifications (if any) would ensure compliance and consistency with current City goals, policies, regulations, and development programs/plans.

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	**Remarks**
Aesthetics	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.
Agriculture and Forestry Resources	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.
Air Quality	
~~3-1 The City of Ontario Building Department shall require that all new construction projects incorporate all feasible mitigation measures to reduce air quality emissions. Potential measures shall be incorporated as conditions of approval for a project and may include:~~ ~~• Requiring fugitive dust control measures that exceed South Coast Air Quality Management District's Rule 403, such as:~~ ~~o Requiring use of nontoxic soil stabilizers to reduce wind erosion.~~ ~~o Applying water every four hours to active soil-disturbing activities.~~ ~~o Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials.~~ ~~o Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 or higher exhaust emission limits.~~ ~~o Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards.~~ ~~o Limiting nonessential idling of construction equipment to no more than five consecutive minutes.~~ ~~o Using Super Compliant VOC paints for coating of architectural~~	Not Applicable. This is a City staff directive to be implemented during the development approval process; not mitigation measures for the Modified Project. It is noted that the Modified Project would not result in air quality impacts not previously addressed in the Certified EIR.

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	**Remarks**
~~surfaces whenever possible. A list of Super Compliant architectural coating manufactures can be found on the South Coast Air Quality Management District's website at: http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf.~~	
~~3-2 The City of Ontario shall evaluate new development proposals within the City and require all developments to include access or linkages to alternative modes of transportation, such as transit stops, bike paths, and/or pedestrian paths (e.g., sidewalks).~~	Not Applicable. This is a City staff directive to be implemented during the development approval process; not mitigation measures for the Modified Project. It is noted that the Modified Project would not result in air quality impacts not previously addressed in the Certified EIR.
~~3-3 The City of Ontario shall evaluate new development proposals within the City for potential incompatibilities with regard to the California Air Resources Board's Air Quality and Land Use Handbook: A Community Health Perspective (April 2005). New development that is inconsistent with the recommended buffer distances shall only be approved if all feasible mitigation measures, such as high efficiency Minimum Efficiency Reporting Value filters have been incorporated into the project design to protect future sensitive receptors from harmful concentrations of air pollutants as a result of proximity to existing air pollution sources.~~	Not Applicable. This is a City staff directive to be implemented during the development approval process; not mitigation measures for the Modified Project. It is noted that the Modified Project would not result in air quality impacts not previously addressed in the Certified EIR.
Biological Resources	
4-1 Avoidance of Nesting Migratory Birds: If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season, all suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified biologist (Project Biologist). The Project Biologist shall be approved by the City and retained by the Applicant. The survey results shall be submitted by the Project Applicant to the City	Applicable. This Measure shall be implemented by the Modified Project.

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	**Remarks**
Planning Department. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 300-foot buffer, with the final buffer distance to be determined by the Project Biologist. The buffer area shall be avoided until, as determined by the Project Biologist, the nesting cycle is complete or it is concluded that the nest has failed. In addition, the Project Biologist shall be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.	
4-2 ***Avoidance of Nesting Burrowing Owls: No more than 72 hours prior to any site disturbances, focused surveys for the burrowing owl shall be conducted. If absence of this species is confirmed, project work can proceed. If however, burrowing owl is located on site, the appropriate resource agencies (CDFW and USFWS) shall be contacted. The Project Applicant shall consult with the wildlife agencies regarding the most appropriate methods and timing for removal of owls. As necessary, owls will be actively evicted following agency approved protocols (i.e., placing a one-way door at the burrow entrance to ensure that owls cannot access the burrow once they leave). Any such active eviction shall occur outside of the breeding/nesting season. That is, active eviction shall be accomplished between September 1 and February 15. If more than 30 days has elapsed between owl eviction and completion of clearing and grubbing activities, a subsequent survey for the burrowing owl shall be conducted to ensure that owls have not re-populated the site. Any reoccupation by owls will require subsequent protocol active eviction.***	Applicable. This Measure shall be implemented by the Modified Project.

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	**Remarks**
Cultural Resources	
~~5-1 Historic or potentially historic resources in the City shall be evaluated for historic significance through the City's tier system prior to the issuance of development approvals in the Focus Areas.~~	Not Applicable. No historic or potentially historic resources exist within the Modified Project site. It is noted that the Modified Project would not result in historic resources impacts not previously considered and addressed in the Certified EIR.
5-2 In areas of documented or inferred archaeological and/or paleontological resource presence, City staff shall require applicants for development permits to provide studies to document the presence/absence of such resources. On properties where resources are identified, such studies shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified cultural preservation expert. The mitigation plan shall include the following requirements: a) Archaeologists and/or paleontologist shall be retained for the project and will be on call during grading and other significant ground-disturbing activities. b) Should any cultural/scientific resources be discovered, no further grading shall occur in the area of the discovery until the Planning Director is satisfied that adequate provisions are in place to protect these resources. c) Unanticipated discoveries shall be evaluated for significance by a San Bernardino County Certified Professional Archaeologist/Paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates, and other special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including catalog with museum numbers.	Applicable. This Measure shall be implemented by the Modified Project.

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	**Remarks**
5-3 Upon receipt of an application for a Specific Plan or a project that requires a General Plan amendment subject to CEQA and is within the City's jurisdiction, the City's representative shall consult with the relevant tribe(s)' representative(s) to determine if the proposed project is within a culturally sensitive area to the tribe. If sufficient evidence is provided to reasonably ascertain that the site is within a [tribal] culturally sensitive area, then a cultural resources assessment prepared by an archaeologist shall be required. The findings of the cultural resources assessment shall be incorporated into the CEQA documentation. A copy of the report shall be forwarded to the tribe(s). If mitigation is recommended in the CEQA document, the procedure described in Mitigation Measure 5-4 shall be followed.	Applicable. This Measure shall be implemented by the Modified Project.
5-4 Prior to the issuance of grading permits for a Specific Plan or project that requires a General Plan amendment for which the CEQA document defines cultural resource mitigation for potential tribal resources, the project applicant shall contact the designated tribe(s) to notify them of the grading, excavation, and monitoring program. The applicant shall coordinate with the City of Ontario and the tribal representative(s) to develop mitigation measures that address the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground-disturbing activities; scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The City of Ontario shall be the final arbiter of the conditions for projects within the City's jurisdiction.	Applicable. This Measure shall be implemented by the Modified Project.
Energy	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	**Remarks**
Geology and Soils	
Please refer to Certified EIR Mitigation Measure 5-2, presented previously.	Applicable. This Measure shall be implemented by the Modified Project.
Greenhouse Gas Emissions	
~~6-1 The City of Ontario shall prepare a Climate Action Plan within 18 months after adopting The Ontario Plan. The goal of the Climate Action Plan shall be to reduce GHG emissions from all activities within the City boundaries to support the State's efforts under AB 32 and to mitigate the impact of climate change on the City, State, and world. Once completed, the City shall update The Ontario Plan and associated policies, as necessary, to be consistent with the Climate Action Plan and prepare a subsequent or supplemental Environmental Impact Report, if new significant impacts are identified. The Climate Action Plan shall include the following:~~ • ~~Emission Inventories: The City shall establish GHG emissions inventories including emissions from all sectors within the City, using methods approved by, or consistent with guidance from, the CARB; the City shall update inventories every 3 years or as determined by state standards to incorporate improved methods, better data, and more accurate tools and methods, and to assess progress. If the City is not on schedule to achieve the GHG reduction targets, additional measured shall be implemented, as identified in the CAP.~~ • ~~The City shall establish a baseline inventory of GHG emissions including municipal emissions, and emissions from all business~~	Not Applicable. This is a City staff directive to prepare a Climate Action Plan. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in greenhouse gas (GHG) emission impacts or climate change impacts not previously considered and addressed in the Certified EIR. The Modified Project would implement applicable provisions of the Climate Action Plan.

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
~~sectors and the community.~~ ~~• The City shall define a "business as usual" scenario of municipal, economic, and community activities, and prepare a projected inventory for 2020 based on that scenario.~~ ~~• Emission Targets: The City will develop Plans to reduce or encourage reductions in GHG emissions from all sectors within the City:~~ ~~• A Municipal Climate Action Plan which shall include measures to reduce GHG emissions from municipal activities by at least 30 percent by 2020 compared to the "business as usual" municipal emissions (including any reductions required by the California Air Resource Board under AB 32.~~ ~~• A Business Climate Action Plan in collaboration with the business community, which shall include measures to reduce GHG emissions from business activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" business emissions.~~ ~~• A Community Climate Action Plan in collaboration with the stakeholders from the community at large, which shall include measures reduce GHG emissions from community activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" community emissions.~~	
~~6-2 The Climate Action Plan shall include specific measures to achieve the GHG emissions reduction targets identified in Mitigation Measure 6-1. The Climate Action Plan shall quantify the~~	Not Applicable. This is a City staff directive guiding preparation of, and content of, the Climate Action Plan. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	**Remarks**
~~approximate greenhouse gas emissions reductions of each measure and measures shall be enforceable. Measures listed below, along with others, shall be considered during the development of the Climate Action Plan (CAP):~~ ~~• Require all new or renovated municipal buildings to seek Silver or higher Leadership in Energy and Environmental Design (LEED) standard, or compliance with similar green building rating criteria.~~ ~~• Require all municipal fleet purchases to be fuel efficient vehicles for their intended use based on the fuel type, design, size, and cost efficiency.~~ ~~• Require that new development projects in Ontario that require demolition prepare a demolition plan to reduce waste by recycling and/or salvaging a nonhazardous construction and demolition debris.~~ ~~• Require that new developments design buildings to be energy efficient by siting buildings to take advantage of shade, prevailing winds, landscaping, and sun screening to reduce energy required for cooling.~~ ~~• Require that cool roofs for non-residential development and cool pavement to be incorporated into the site/building design for new development where appropriate.~~ ~~• Evaluate the feasibility of implementing a Public Transit Fee to support Omnitrans in developing additional transit service in the City.~~	would not result in greenhouse gas (GHG) emission impacts or climate change impacts not previously considered and addressed in the Certified EIR. The Modified Project would implement applicable provisions of the Climate Action Plan.

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
• ~~Require diesel emission reduction strategies to eliminate and/or reduce idling at truck stops, warehouses, and distribution facilities throughout the City.~~ • ~~Install energy efficient lighting and lighting control systems in all municipal buildings.~~ • ~~Require all new traffic lights installed be energy efficient traffic signals. Require the use of reclaimed water for landscape irrigation in all new development and on public property where such connections are within the service boundaries of the City's reclaimed water system.~~ • ~~Require all new landscaping irrigation systems installed within the City to be automated, high efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors. Conduct energy efficiency audits of existing municipal buildings by checking, repairing, and readjusting heating, ventilation, and air conditioning systems, lighting, water heating equipment, insulation, and weatherization.~~ • ~~Ensure that its local Climate Action, Land Use, Housing, and Transportation Plans are aligned with, support, and enhance any regional plans that have been developed consistent with state guidance to achieve reductions in GHG emissions.~~ • ~~Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure.~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
~~• Reduce heat gain from pavement and other similar hardscaping.~~ ~~• 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.~~ ~~• Provide safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets.~~ ~~• Facilitate employment opportunities that minimize the need for private vehicle trips, by:~~ ~~• Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations.~~ ~~• Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate.~~ ~~• Establish policies and programs to reduce onsite parking demand and promote ridesharing and public transit at large events.~~ ~~• Support and promote the use of low and zero emission vehicles, by:~~ ~~• Encouraging the necessary infrastructure to facilitate the use of zero emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations.~~ ~~• Encouraging new construction to include vehicle access to properly~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
~~wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV).~~ • ~~Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes.~~ • ~~Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas electric hybrid vehicles.~~ • ~~Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use.~~ • ~~Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient green building practices where not prohibited by Airport Land Use Compatibility Plan (ALUCP)/Federal Aviation Administration (FAA).~~ • ~~Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques.~~ • ~~Support the use of green building practices by:~~ • ~~Providing information, marketing, training, and technical assistance about green building practices.~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
~~• Adopting a Green Building ordinance with guidelines for green building practices in residential and commercial development.~~ ~~• Adopt energy efficiency performance standards for buildings designed to achieve a greater reduction in energy and water use than currently required by state law, including:~~ ~~• Standards for the installation of "cool roofs".~~ ~~• Standards for improved overall efficiency of lighting systems.~~ ~~• Requirements for the use of Energy Star appliances and fixtures in discretionary new development.~~ ~~• Encourage the performance of energy audits for residential and commercial buildings prior to completion of sale, and that audit results and information about opportunities for energy efficiency improvements be presented to the buyer.~~ ~~• Establish policies and programs that facilitate the siting of new renewable energy generation.~~ ~~• Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible.~~ ~~• Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including:~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
• ~~Conducting energy audits.~~ • ~~Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low emissive window glass.~~ • ~~Implementing an energy tracking and management system for its municipal facilities.~~ • ~~Installing energy efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations.~~ • ~~Installing energy efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations.~~ • ~~Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.).~~ • ~~Installing Energy Star® appliances and energy efficient vending machines.~~ • ~~Improving water use efficiency, including a schedule to replace or retrofit system components with high efficiency units (i.e., ultra low flow toilets, fixtures, etc.).~~ • ~~Installing irrigation control systems which maximize water use efficiency and minimize off peak use.~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
• ~~Adopting an accelerated replacement schedule for energy inefficient systems and components.~~ • ~~Insure that staff receives appropriate training and support to implement objectives and policies to reduce GHG emissions, including:~~ • ~~Providing energy efficiency training to design, engineering, building operations, and maintenance staff.~~ • ~~Providing information on energy use and management, including data from the tracking and management system, to managers and others making decisions that influence energy use.~~ • ~~Providing energy design review services to departments undertaking new construction or renovation projects, to facilitate compliance with LEED standards.~~ • ~~Maximize efficiency at drinking water treatment, pumping, and distribution facilities, including development of off peak demand schedules for heavy commercial and industrial users.~~ • ~~Establish a replacement policy and schedule to replace fleet vehicles and equipment with the most fuel efficient vehicles practical, including gasoline hybrid and alternative fuel or electric models.~~ • ~~Require the installation of outdoor electrical outlets on buildings to support the use, where practical, of electric lawn and garden equipment, and other tools that would otherwise be run with small gas engines or portable generators.~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
~~• Implement measures to reduce employee vehicle trips and to mitigate emissions impacts from municipal travel.~~ ~~• Conduct a comprehensive inventory and analysis of the urban forest, and coordinate tree maintenance responsibilities with all responsible departments, consistent with best management practices.~~ ~~• Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and will install or replace vegetation with drought tolerant, low maintenance native species or edible landscaping that can also provide shade and reduce heat island effects.~~ ~~• Implement enhanced programs to divert solid waste from landfill operations, by:~~ ~~• Establishing a diversion target which meets or exceeds AB 939 requirements.~~ ~~• Promoting and expanding recycling programs, purchasing policies, and employee education to reduce the amount of waste produced.~~ ~~• Reduce per capita water consumption consistent with state law by 2020.~~ ~~• Establish a water conservation plan that may include such policies and actions as:~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
• ~~Maintaining and refining the City's tiered rate structure for water use.~~ • ~~Establishing restrictions on time of use for landscape watering, or other demand management strategies.~~ • ~~Establishing performance standards for irrigation equipment and water fixtures, consistent with state law.~~ • ~~Establish programs and policies to increase the use of recycled water, including:~~ • ~~Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation.~~ • ~~Ensure that building standards and permit approval processes promote and support water conservation, by:~~ • ~~Establishing building design guidelines and criteria to promote water efficient building design, including minimizing the amount of non-roof impervious surfaces around the building(s).~~ • ~~Establishing menus and check lists for developers and contractors to ensure water efficient infrastructure and technology are used in new construction, including low flow toilets and shower heads, moisture sensing irrigation, and other such advances.~~ • ~~Organize workshops on waste reduction activities for the home or business, such as backyard composting, or office paper recycling,~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
~~and shall schedule recycling dropoff events and neighborhood chipping/mulching days.~~ ~~• Organize workshops on steps to increase energy efficiency in the home or business, such as weatherizing the home or building envelope, installing smart lighting systems, and how to conduct a self-audit for energy use and efficiency.~~	
~~6-3 The City of Ontario will amend the Municipal Code within 18 months after adopting The Ontario Plan, with provisions implementing the following GHG emission reduction concepts:~~ ~~• Increase densities in urban core areas to support public transit, by, among other means:~~ ~~• Removing barriers to the development of accessory dwelling units in existing residential neighborhoods.~~ ~~• Reduce required road width standards wherever feasible to calm traffic and encourage alternative modes of transportation.~~ ~~• Add bicycle facilities to city streets and public spaces, where feasible.~~ ~~• Promote infill, mixed use, and higher density development, and provide incentives to support the creation of affordable housing in mixed use zones.~~ ~~• Plan for and create incentives for mixed use development.~~ ~~• Identify sites suitable for mixed use development and establish~~	Not Applicable. This is a City staff directive to amend the Municipal Code to reflect certain GHG emission reduction concepts. The Project would implement applicable Municipal Code GHG emission reduction concepts.

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
~~appropriate site specific standards to accommodate mixed uses which could include:~~ • ~~Increasing allowable building height or allow height limit bonuses, in appropriate areas and where safe to do so.~~ • ~~Allowing flexibility in applying development standards (such as FAR2 and lot coverage) based on the location, type, and size of the units, and the design of the development.~~ • ~~Allowing reduced and shared parking based on the use mix, and availability of and proximity to public transit stops.~~ • ~~Allowing for tandem parking, shared parking and off site parking leases.~~ • ~~Enable prototype mixed use structures for use in neighborhood center zones that can be adapted to new uses over time with minimal internal remodeling.~~ • ~~Identify and facilitate the inclusion of complementary land uses not already present in local zoning districts, such as supermarkets, parks and recreational fields, schools in neighborhoods, and residential uses in business districts, to reduce the vehicle miles traveled and promote bicycling and walking to these uses.~~ • ~~Revise zoning ordinance(s) to allow local serving businesses, such as childcare centers, restaurants, banks, family medical offices, drug stores, and other similar services near employment centers to minimize midday vehicle use.~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
~~• Develop form-based community design standards to be applied to development projects and land use plans, for areas designated mixed-use.~~ ~~• Implement a Housing Overlay Zone for residential properties at transit centers and along transit corridors. This may include average minimum residential densities of 25 units per acre within one quarter miles of transit centers; average minimum densities of 15 units per acre within one quarter mile of transit corridors; and minimum FAR of 0.5:1 for non-residential uses within a quarter mile of transit centers or corridors.~~ ~~• Identify transit centers appropriate for mixed-use development, and promote transit oriented, mixed use development within these targeted areas, by:~~ ~~• Providing maximum parking standards and flexible building height limitations.~~ ~~• Providing density bonus programs.~~ ~~• Establishing guidelines for private and public spaces for transit-oriented and mixed-use development.~~ ~~• Discouraging auto-oriented development.~~ ~~• Ensure new development is designed to make public transit a viable choice for residents, including:~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
• ~~Locating medium to high density development near activity centers that can be served efficiently by public transit and alternative transportation modes.~~ • ~~Locating medium to high density development near streets served by public transit whenever feasible.~~ • ~~Linking neighborhoods to bus stops by continuous sidewalks or pedestrian paths.~~ • ~~Develop form based community design standards to be applied to development projects and land use plans, for areas designated mixed use.~~ • ~~Create and preserve distinct, identifiable neighborhoods whose characteristics support pedestrian travel, especially within, but not limited to, mixed use and transit oriented development areas, by:~~ • ~~Designing or maintaining neighborhoods where the neighborhood amenities can be reached in approximately five minutes of walking.~~ • ~~Encouraging pedestrian only streets and/or plazas within developments, and destinations that may be reached conveniently by public transportation, walking, or bicycling.~~ • ~~Allowing flexible parking strategies in neighborhood activity centers to foster a pedestrian oriented streetscape.~~ • ~~Providing continuous sidewalks with shade trees and landscape strips to separate pedestrians from traffic.~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
• ~~Encouraging neighborhood parks and recreational centers near concentrations of residential areas (preferably within one quarter mile) and include pedestrian walkways and bicycle paths that encourage nonmotorized travel.~~ • ~~Ensure pedestrian access to activities and services, especially within, but not limited to, mixed-use and transit-oriented development areas, by:~~ • ~~Ensuring new development that provides pedestrian connections in as many locations as possible to adjacent development, arterial streets, thoroughfares.~~ • ~~Ensuring a balanced mix of housing, workplaces, shopping, recreational opportunities, and institutional uses, including mixed-use structures.~~ • ~~Locating schools in neighborhoods, within safe and easy walking distances of residences served.~~ • ~~Encouraging new development in which primary entrances are pedestrian entrances, with automobile entrances and parking located to the rear.~~ • ~~Supporting development where automobile access to buildings does not impede pedestrian access, by consolidating driveways between buildings or developing alley access.~~ • ~~Utilizing street parking as a buffer between sidewalk pedestrian~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
~~traffic and the automobile portion of the roadway.~~ • ~~Prioritizing the physical development of pedestrian connectors for existing areas that do not meet established connectivity standards.~~ • ~~Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure.~~ • ~~Reduce heat gain from pavement and other similar hardscaping, by:~~ • ~~Including low water landscaping in place of hardscaping around transportation infrastructure and in parking areas.~~ • ~~Establishing standards that provide for pervious pavement options.~~ • ~~Removing obstacles to natural, drought tolerant landscaping and low water landscaping.~~ • ~~Coordinate 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, including, but not limited to:~~ • ~~Providing safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets.~~ • ~~Upgrade and maintain the following transit system infrastructure to enhance public use, including:~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
~~• Ensuring transit stops and bus lanes are safe, convenient, clean and efficient.~~	
~~• Ensuring transit stops have clearly marked street-level designation, and are accessible.~~	
~~• Ensuring transit stops are safe, sheltered, benches are clean, and lighting is adequate.~~	
~~• Working with transit providers to place transit stations along transit corridors within mixed use or transit oriented development areas at intervals appropriate for the mode of transit.~~	
~~• Facilitate employment opportunities that minimize the need for private vehicle trips, by:~~	
~~• Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations.~~	
~~• Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate.~~	
~~• Establish standards for new development and redevelopment projects to support bicycle use, including:~~	
~~• Amending the Development Code to include standards for pedestrian and bicyclist accommodations, including:~~	
~~• Providing access for pedestrians and bicyclist to public transportation through construction of dedicated paths, where~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
~~feasible.~~ ~~• Requiring new development and redevelopment projects to include bicycle facilities, as appropriate with the new land use, including:~~ ~~• Where feasible, promote the construction of weatherproof bicycle facilities and at a minimum, provide bicycle racks or covered, secure parking near the building entrances.~~ ~~• Establish a network of multi-use trails to facilitate direct off-street bicycle and pedestrian travel, and will provide bike racks along these trails at secure, lighted locations.~~ ~~• Establish policies and programs to reduce onsite parking demand and promote and public transit at large events.~~ ~~• Require new commercial and retail developments to provide prioritized parking for electric vehicles and vehicles using alternative fuels.~~ ~~• Support and promote the use of low and zero emission vehicles (NEV), by:~~ ~~• Encouraging the necessary infrastructure to facilitate the use of zero emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations.~~ ~~• Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
~~electric hybrids (PHEV).~~ ~~• Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes.~~ ~~• Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas-electric hybrid vehicles.~~ ~~• Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use.~~ ~~• Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient green building practices where not prohibited by ALUCP/FAA.~~ ~~• Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques.~~ ~~• Support the use of green building practices by:~~ ~~• Establishing guidelines for green building practices in residential and commercial development.~~ ~~• Providing incentives, which may include reduction in development~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
~~fees, administrative fees, and/or expedited permit processing for projects that use green building practices.~~ ~~• Adopt energy efficiency performance standards for buildings that achieve a greater reduction in energy and water use than otherwise required by current state law, including:~~ ~~• Standards for the installation of "cool roofs".~~ ~~• Standards for improved overall efficiency of lighting systems.~~ ~~• Requirements for the use of Energy Star appliances and fixtures in discretionary new development.~~ ~~• Requirements for new residential lots and/or structures to be arranged and oriented to maximize effective use of passive solar energy.~~ ~~• Require that affordable housing development incorporate energy efficient design and features to the maximum extent feasible.~~ ~~• Identify possible sites for production of renewable energy (such as solar, wind, small hydro, and biogas).~~ ~~• Identify and remove or otherwise address barriers to renewable energy production, including:~~ ~~• Reviewing and revising building and development codes, design guidelines, and zoning ordinances to remove renewable energy production barriers.~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
~~• Working with related agencies, such as fire, water, health and others that may have policies or requirements that adversely impact the development or use of renewable energy technologies.~~ ~~• Developing protocols for safe storage of renewable and alternative energy products with the potential to leak, ignite or explode, such as biodiesel, hydrogen, and/or compressed air.~~ ~~• Allow renewable energy projects in areas zoned for open space, where consistent with the Land Use element, and other uses and values.~~ ~~• Promote and encourage renewable energy generation, and co-generation projects where feasible and appropriate.~~ ~~• Require that, where feasible, all new buildings be constructed to allow for easy, cost effective installation of solar energy systems in the future, using such "solar ready" features as:~~ ~~• Optimal roof orientation (between 20 to 55 degrees from the horizontal), with sufficient south sloped roof surface, where such buildings architecture and construction are designed for sloped roofs.~~ ~~• Clear access without obstructions (chimneys, heating and plumbing vents, etc.) on the south sloped roof.~~ ~~• Roof framing that will support the addition of solar panels.~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
~~• Installation of electrical conduit to accept solar electric system wiring.~~ ~~• Installation of plumbing to support a solar hot water system and provision of space for a solar hot water storage tank.~~ ~~• Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible.~~ ~~• Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including:~~ ~~• Conducting energy audits.~~ ~~• Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low emissive window glass.~~ ~~• Implementing an energy tracking and management system for its municipal facilities.~~ ~~• Installing energy efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations.~~ ~~• Installing energy efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations.~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
• ~~Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.).~~ • ~~Installing Energy Star® appliances and energy-efficient vending machines.~~ • ~~Improving water use efficiency, including a schedule to replace or retrofit system components with high-efficiency units (i.e., ultra low-flow toilets, fixtures, etc.).~~ • ~~Installing irrigation control systems maximizing water use efficiency and minimizing off- peak use.~~ • ~~Adopting an accelerated replacement schedule for energy inefficient systems and components.~~ • ~~Require that any newly constructed, purchased, or leased municipal space meet minimum standards, such as:~~ • ~~The Energy Star® New Homes Program established by U.S. EPA.~~ • ~~The incorporation of passive solar design features in new buildings, including daylighting and passive solar heating.~~ • ~~Reduce per capita water consumption consistent with state law by 2020.~~ • ~~Establish a water conservation plan that may include such policies and actions as:~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
~~• Maintaining and refining the City's tiered rate structure for water use.~~ ~~• Establishing restrictions on time of use for landscape watering, or other demand management strategies.~~ ~~• Establishing performance standards for irrigation equipment and water fixtures, consistent with State Law.~~ ~~• The City will establish programs and policies to increase the use of recycled water, including:~~ ~~• Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation.~~ ~~• Ensure that building standards and permit approval processes promote and support water conservation, by:~~ ~~• Establishing building design guidelines and criteria to promote water efficient building design, including minimizing the amount of non-roof impervious surfaces around the building(s).~~ ~~• Establishing menus and check lists for developers and contractors to ensure water efficient infrastructure and technology are used in new construction, including low flow toilets and shower heads, moisture sensing irrigation, and other such advances.~~ ~~• Install water efficient landscapes and irrigation, including:~~	

Table 5.1-1
Mitigation Summary Matrix

Mitigation Measures	Remarks
• ~~Requiring planting drought tolerant and native species, and covering exposed dirt with moisture-retaining mulch or other materials such as decomposed granite.~~ • ~~Requiring the installation of water efficient irrigation systems and devices, including advanced technology such as moisture-sensing irrigation controls.~~ • ~~Promote the planting of shade trees and establish shade tree guidelines and specifications, including:~~ • ~~Establishing guidelines for tree planting based on the land use (residential, commercial, parking lots, etc.).~~ • ~~Establishing guidelines for tree types based on species size, branching patterns, whether deciduous or evergreen, whether roots are invasive, etc.~~ • ~~Establishing tree guidelines for placement, including distance from structures, density of planting, and orientation relative to structures and the sun.~~ • ~~Develop an Urban Forestry Program to consolidate policies and ordinances regarding tree planting, maintenance, and removal, including:~~ • ~~Establishing guidelines for tree planting, including criteria for selecting deciduous or evergreen trees low VOC producing trees, and emphasizing the use of drought tolerant native trees and vegetation.~~	

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	**Remarks**
~~6-4 Measures listed in Mitigation Measure 6-2 and 6-3 shall be considered by the City while reviewing all new development, as appropriate, between the time of adoption of The Ontario Plan and adoption of the Climate Action Plan (CAP).~~	Not Applicable. This is a City staff directive to consider Mitigation Measure 6-2 and 6-3 while reviewing all new development, as appropriate, between the time of adoption of The Ontario Plan and adoption of the Climate Action Plan. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in GHG impacts not previously addressed as part of the Certified EIR analysis. The Modified Project would implement applicable provisions of the Climate Action Plan.
~~6-5 Pursuant to a goal of overall consistency with the Sustainable Communities Strategies, the City of Ontario shall evaluate new development for consistency with the development pattern set forth in the Sustainable Communities Strategies plan, upon adoption of the plan by the Southern California Association of Governments.~~	Not Applicable. This is a City staff directive to evaluate new development for consistency with the development pattern set forth in the Sustainable Communities Strategies (SCS) plan. This is not a mitigation measure for the Modified Project. The Modified Project would not conflict with the SCS plan as implemented by the City.
~~6-6 The City of Ontario shall participate in the County of San Bernardino's Green Valley Initiative.~~	Not Applicable. This is a City staff directive to participate in the County of San Bernardino's Green Valley Initiative. This is not a mitigation measure for the Modified Project. The Modified Project would not interfere with or conflict with City participation in the County of San Bernardino's Green Valley Initiative.
Hazards and Hazardous Materials	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.
Hydrology and Water Quality	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.
Land Use and Planning	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	**Remarks**
Mineral Resources	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.
Noise	
~~12-1 Prior to the issuance of building permits for any project that involves a noise-sensitive use within the 65 dBA CNEL contour along major roadways, freeways, railroads, or the Los Angeles/Ontario International Airport, the project property owner/developers shall retain an acoustical engineer to conduct an acoustic analysis and identify, where appropriate, site design features (e.g., setbacks, berms, or sound walls) and/or required building acoustical improvements (e.g., sound transmission class rated windows, doors, and attic baffling), to ensure compliance with the City's Noise Compatibility Criteria and the California State Building Code and California Noise Insulation Standards (Title 24 and 21 of the California Code of Regulations).~~	Not Applicable. This is a City staff directive requiring certain project applicants to retain an acoustical engineer to conduct acoustic analyses. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in noise impacts not previously considered and addressed in the Certified EIR.
~~12-2 Individual projects that involve vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, occurring near sensitive receptors shall be evaluated for potential vibration impacts. If construction-related vibration is determined to be perceptible at vibration-sensitive uses (i.e., exceed the Federal Transit Administration vibration annoyance criteria of 78 VdB during the daytime), additional requirements, such as use of less vibration-intensive equipment or construction techniques, shall be implemented during construction (e.g., drilled piles to eliminate use of vibration-intensive pile driver).~~	Not Applicable. This is a City staff directive to requiring certain project applicants to evaluate vibration impacts at potentially affected vibration-sensitive use. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in vibration impacts not previously considered and addressed in the Certified EIR.
~~12-3 Prior to the issuance of building permits for any project that involves a vibration-sensitive use directly adjacent to the Union Pacific Railroad or Southern California Regional Rail Authority~~	Not Applicable. This is a City staff directive requiring certain project applicants to evaluate railroad-source vibration impacts at potentially affected vibration-sensitive uses. This is not a mitigation measure for

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	**Remarks**
~~main lines shall retain an acoustical engineer to evaluate potential for trains to create perceptible levels of vibration indoors. If vibration related impacts are found, mitigation measures, such as use of concrete, iron, or steel, or masonry materials to ensure that levels of vibration amplification are within acceptable limits to building occupants, shall be implemented. Pursuant to the Federal Transit Administration vibration annoyance criteria, these acceptable limits are 78 VdB during the daytime and 72 VdB during the nighttime for residential uses, 84 VdB for office uses, and 90 VdB for workshops.~~	the Modified Project. It is noted that the Modified Project would not result in vibration impacts not previously considered and addressed in the Certified EIR.
~~12-4 Construction activities associated with new development that occurs near sensitive receptors shall be evaluated for potential noise impacts. Mitigation measures such as installation of temporary sound barriers for adjacent construction activities that occur adjacent to occupied noise-sensitive structures, equipping construction equipment with mufflers, and reducing nonessential idling of construction equipment to no more than five minutes shall be incorporated into the construction operations to reduce construction related noise to the extent feasible.~~	Not Applicable. This is a City staff directive requiring certain project applicants to evaluate construction-source noise impacts at potentially affected sensitive uses. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in construction-source noise impacts not previously considered and addressed in the Certified EIR.
Population and Housing	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.
Public Services	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	**Remarks**
Recreation	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.
Transportation	
~~16-1The Mobility Element of the Ontario Plan shall be consistent with the traffic study prepared by Kimley Horn and Associates. Table 5.16-6 shows the recommended lane geometry for the Proposed Land Use Plan.~~	Not Applicable. This is a City staff directive to assure that the Mobility Element of the Ontario Plan is consistent with the recommendations of the associated traffic study. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in transportation impacts not previously considered and addressed in the Certified EIR.
Tribal Cultural Resources	
Please refer to Mitigation Measures 5-3 and 5-4, presented under Cultural Resources.	See earlier remarks.
Utilities and Service Systems	
17-~~1The City shall include a policy in the Policy Plan that requires water conservation measures for development projects to improve water use efficiency and reduce overall water demand. Reduce potable water demand, through conservation measures, including but not limited to:~~ ~~a) Work cooperatively with all developers to incorporate conservation measures into project designs (such as those recommended by the California Urban Water Conservation Council).~~ ~~b) Continue to develop and implement drought contingency plans~~	Not Applicable. This is a City staff directive to assure that a water use efficiency policy is included in the Policy Plan. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in utilities or service systems impacts not previously considered and addressed in the Certified EIR.

Table 5.1-1 Mitigation Summary Matrix	
Mitigation Measures	**Remarks**
~~to assist citizens and businesses reduce water use during water shortages and emergencies.~~ ~~c) Revise the City Code to include a Water-Efficient Landscape Ordinance to encourage or, as appropriate, require the use of water-efficient landscaping consistent with AB 325.~~	
~~17 2The City shall include a policy in the Policy Plan that maximizes the use of recycled water as an irrigation (nonpotable) source for landscaping, parks, and other irrigation opportunities in all areas of the City and requires use of recycled water in dual system office and industrial uses in selected urban areas of the City, where available and feasible.~~	Not Applicable. This is a City staff directive to assure that a water use efficiency policy is included in the Policy Plan maximizing the use of recycled water. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in utilities or service systems impacts not previously considered and addressed in the Certified EIR.
~~17 3The City shall include a policy in the Policy Plan that the City participate through the Chino Basin Water Master and the Inland Empire Utilities Agency in regional efforts to develop finding additional sources of water for groundwater recharge, such as capture of stormwater runoff, recycled water, or other sources to ensure that the Chino Basin stays in long term hydraulic balance and sustainability and that adequate additional local water sources would be available to increase the flexibility of the City's water supply.~~	Not Applicable. This is a City staff directive to assure that policy is included in the Policy Plan that requires the City to participate with regional water agency in the pursuit of additional water sources. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in utilities or service systems impacts not previously considered and addressed in the Certified EIR.
Wildfire	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.

Ontario Commerce Center

MOBILE SOURCE HEALTH RISK ASSESSMENT

CITY OF ONTARIO

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JULY 9, 2020

TABLE OF CONTENTS

TABLE OF CONTENTS I
APPENDICES I
LIST OF EXHIBITS II
LIST OF TABLES II
LIST OF ABBREVIATED TERMS III
EXECUTIVE SUMMARY 1
1 INTRODUCTION 3
1.1 Site Location 4
1.2 Project Description 4
2 BACKGROUND 8
2.1 Background on Recommended Methodology 8
2.2 Emissions Estimation 8
2.3 Exposure Quantification 14
2.4 Carcinogenic Chemical Risk 18
2.5 Non-carcinogenic Exposures 19
2.6 Potential Project-Related DPM Source Cancer and Non-Cancer Risks 20
3 REFERENCES 22
4 CERTIFICATION 24

APPENDICES

APPENDIX 2.1: AERMOD MODEL INPUT/OUTPUT
APPENDIX 2.2: RISK CALCULATIONS

LIST OF EXHIBITS

EXHIBIT 1-A: LOCATION MAP 5
EXHIBIT 1-B: SITE PLAN 6
EXHIBIT 2-A: MODELED EMISSION SOURCES 11
EXHIBIT 2-B: PROJECT TRUCK TRIP DISTRIBUTION 12
EXHIBIT 2-C: WIND ROSE (SRA 33) 15
EXHIBIT 2-D: RECEPTOR LOCATIONS 17

LIST OF TABLES

TABLE ES-1: SUMMARY OF CANCER AND NON-CANCER RISKS 2
TABLE 2-1: 2020 WEIGHTED AVERAGE DPM EMISSIONS FACTORS 10
TABLE 2-2: DPM EMISSIONS FROM PROJECT TRUCKS (2020 ANALYSIS YEAR) 13
TABLE 2-3: AERMOD MODEL PARAMETERS 14
TABLE 2-4: EXPOSURE ASSUMPTIONS FOR INDIVIDUAL CANCER RISK (30 YEAR RESIDENTIAL) 16
TABLE 2-5: EXPOSURE ASSUMPTIONS FOR INDIVIDUAL CANCER RISK (25 YEAR WORKER) 16
TABLE 2-6: EXPOSURE ASSUMPTIONS FOR INDIVIDUAL CANCER RISK (9 YEAR SCHOOL CHILD) 16

LIST OF ABBREVIATED TERMS

(1)	Reference
µg	Microgram
AERMOD	American Meteorological Society/Environmental Protection Agency Regulatory Model
APS	Auxiliary Power System
AQMD	Air Quality Management District
ARB	Air Resources Board
CEQA	California Environmental Quality Act
CPF	Cancer Potency Factor
DPM	Diesel Particulate Matter
EMFAC	Emission Factor Model
EPA	Environmental Protection Agency
HHD	Heavy Heavy-Duty
HI	Hazard Index
HRA	Health Risk Assessment
LHD	Light Heavy-Duty
MATES	Multiple Air Toxics Exposure Study
MEIR	Maximally Exposed Individual Receptor
MEISC	Maximally Exposed Individual School Child
MEIW	Maximally Exposed Individual Worker
MHD	Medium Heavy-Duty
NAD	North American Datum
OEHHA	Office of Environmental Health Hazard
PCE	Passenger Car Equivalent
PM10	Particulate Matter 10 microns in diameter or less
Project	Ontario Commerce Center
REL	Reference Exposure Level
RM	Recommended Measures
SCAQMD	South Coast Air Quality Management District
SRA	Source Receptor Area
TAC	Toxic Air Contaminant
TIA	Traffic Impact Analysis
URF	Unit Risk Factor
UTM	Universal Transverse Mercator
VMT	Vehicle Miles Traveled

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EXECUTIVE SUMMARY

This report evaluates the potential mobile source health risk impacts to sensitive receptors (residents) and adjacent workers associated with the development of the proposed Project, more specifically, health risk impacts as a result of exposure to diesel particulate matter (DPM) as a result of heavy-duty diesel trucks accessing the site. This section summarizes the significance criteria and Project mobile source health risks.

The results of the health risk assessment of lifetime cancer risk from Project-generated DPM emissions are provided on Table ES-1.

Residential Exposure Scenario:

The residential land use with the greatest potential exposure to Project DPM source emissions is located at 4088 E Heritage Lane located approximately 215 feet west from the Project site. At the maximally exposed individual receptor (MEIR), the maximum incremental cancer risk attributable to Project DPM source emissions is estimated at 6.15 in one million, which is less than the threshold of 10 in one million. At this same location, non-cancer risks were estimated to be 0.002, which would not exceed the applicable threshold of 1.0. As such, the Project will not cause a significant human health or cancer risk to adjacent residences. All other residential locations in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIR identified herein.

Worker Exposure Scenario:

The worker receptor land use with the greatest potential exposure to Project DPM source emissions is located approximately 170 feet east from the Project site at an existing industrial use. At the maximally exposed individual worker (MEIW), the maximum incremental cancer risk impact at this location is 2.00 in one million[1] which is less than the threshold of 10 in one million. Maximum non-cancer risks at this same location were estimated to be 0.007, which would not exceed the applicable threshold of 1.0. As such, the Project will not cause a significant human health or cancer risk to adjacent workers. All other modeled worker locations in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIW identified herein.

School Child Exposure Scenario:

The school site land use with the greatest potential exposure to Project DPM source emissions is at the Colony High School located more than ¼ mile (1,320 feet) west of the Project site. At the maximally exposed individual school child (MEISC), the maximum incremental cancer risk impact attributable to the Project at this location is calculated to be an estimated 0.23 in one million which is less than the significance threshold of 10 in one million. At this same location, non-cancer

1 SCAQMD guidance does not require assessment of the potential health risk to on-site workers. Excerpts from the document OEHHA Air Toxics Hot Spots Program Risk Assessment Guidelines—The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act) / CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

risks attributable to the Project were calculated to be 0.0004, which would not exceed the applicable significance threshold of 1.0. Any other schools near the Project site would be exposed to less emissions and consequently less impacts than what is disclosed for the MEISC[2]. As such, the Project will not cause a significant human health or cancer risk to nearby school children.

TABLE ES-1: SUMMARY OF CANCER AND NON-CANCER RISKS

Time Period	Location	Maximum Lifetime Cancer Risk (Risk per Million)	Significance Threshold (Risk per Million)	Exceeds Significance Threshold
30 Year Exposure	Maximum Exposed Sensitive Receptor	6.15	10	NO
25 Year Exposure	Maximum Exposed Worker Receptor	2.00	10	NO
9 Year Exposure	Maximum Exposed School Child Receptor	0.23	10	NO
Time Period	**Location**	**Maximum Hazard Index**	**Significance Threshold**	**Exceeds Significance Threshold**
Annual Average	Maximum Exposed Sensitive Receptor	0.002	1.0	NO
Annual Average	Maximum Exposed Worker Receptor	0.007	1.0	NO
Annual Average	Maximum Exposed School Child Receptor	0.0004	1.0	NO

2 In traffic-related studies, the additional non-cancer health risk attributable to proximity was seen within 1,000 feet and was strongest within 300 feet. California freeway studies show about a 70-percent drop-off in particulate pollution levels at 500 feet. Based on CARB and SCAQMD emissions and modeling analyses, an 80-percent drop-off in pollutant concentrations is expected at approximately 1,000 feet from a distribution center (1).

1 INTRODUCTION

The purpose of this Health Risk Assessment (HRA) is to evaluate Project-related impacts to sensitive receptors (residential, schools) and adjacent workers as a result of heavy-duty diesel trucks accessing the site.

The South Coast Air Quality Management District (SCAQMD) reviewed the conceptual site plan for the proposed project and provided input to the City on the scope of the air quality analysis. SCAQMD identifies that if a proposed Project is expected to generate/attract heavy-duty diesel trucks, which emit diesel particulate matter (DPM), preparation of a mobile source HRA is recommended. This document serves to meet the SCAQMD's request for preparation of a HRA. The mobile source HRA has been prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (1) and is comprised of all relevant and appropriate procedures presented by the U.S. EPA, California Environmental Protection Agency and SCAQMD. Cancer risk is expressed in terms of expected incremental incidence per million population. The SCAQMD has established an incidence rate of ten (10) persons per million as the maximum acceptable incremental cancer risk due to DPM exposure. This threshold serves to determine whether or not a given project has a potentially significant development-specific and cumulative impact.

The AQMD has published a report on how to address cumulative impacts from air pollution: *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution* (2). In this report the AQMD clearly states (Page D-3):

"…the AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts.

Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant."

The SCAQMD has also established non-carcinogenic risk parameters for use in HRAs. Non-carcinogenic risks are quantified by calculating a "hazard index," expressed as the ratio between the ambient pollutant concentration and its toxicity or Reference Exposure Level (REL). An REL is a concentration at or below which health effects are not likely to occur. A hazard index less of than one (1.0) means that adverse health effects are not expected. Within this analysis, non-carcinogenic exposures of less than 1.0 are considered less-than-significant.

1.1 SITE LOCATION

The proposed Ontario Commerce Center site is located west of Hamner Avenue and south of Riverside Drive in the City of Ontario, as shown on Exhibit 1-A. The Project site is located within the Edenglen Specific Plan in the area east of the Southern California Edison (SCE) power transmission line corridor. The Project is mostly vacant with the Sunshine Growers Wholesale Nursery occupying the southern portion of the site. Existing land uses near the Project site consist of a mix of residential land uses to the west within the City of Ontario Edenglen Specific Plan ("Specific Plan") and nearby industrial land uses located east of the Project Site within the City of Eastvale. California State Route 60 is located approximately 0.4 miles north of the Project site, Interstate 15 (I-15) Freeway is located approximately 0.46 miles east of the Project Site and the Ontario International Airport is located roughly 2.7 miles northwest of the Project site.

1.2 PROJECT DESCRIPTION

As shown on Exhibit 1-B the Project provides for up to 968,092 square feet (sf) of General Light Industrial/Warehousing/Manufacturing uses, and up to 40,000 sf of Commercial Retail. According to the Specific Plan, the site is entitled for commercial development consisting of a mixture of Community Commercial uses and Business Park/Light Industrial Uses. In place of the approved (entitled) uses, the Project is proposing to develop a Business Park consisting of general light industrial/warehousing/manufacturing uses, plus maintain the ability to develop a commercial retail center consistent with the Specific Plan.

Based on the *Edenglen Business Park Project Trip Generation Assessment* (*Trip Generation* Assessment) prepared by LLG Engineers (June 15, 2020) (3), Project Alternative 2B is considered in this assessment since it generates the most truck trips and also includes refrigerated warehousing which would generate additional emissions from transport refrigeration units (TRUs):

PROJECT ALTERNATIVE 2B INCLUDES:

- General Light Industrial: 59,585 sf (Building A)
- Cold Storage Warehousing: 522,058 sf (Buildings C and D combined)
- Manufacturing: 386,449 sf (Buildings E and F combined)
- Retail: 40,000 SF (Building B)

The *Trip Generation Assessment* summarizes the trips associated with the Project in terms of Passenger Car Equivalents (PCEs). For analytical purposes herein, the trips associated with the project are presented in terms of actual vehicles to more appropriately model the potential impacts from DPM. The trips in terms of actual vehicles have been provided by the traffic engineer (4) and are based on the actual vehicle trips evaluated in the *Traffic Assessment*. Project Alternative 2B is expected to generate a total of approximately 5,824 two-way vehicular trips per day (2,912 inbound and 2,912 outbound) which includes 598 two-way truck trips per day (299 inbound and 299 outbound) (4) .

EXHIBIT 1-A: LOCATION MAP

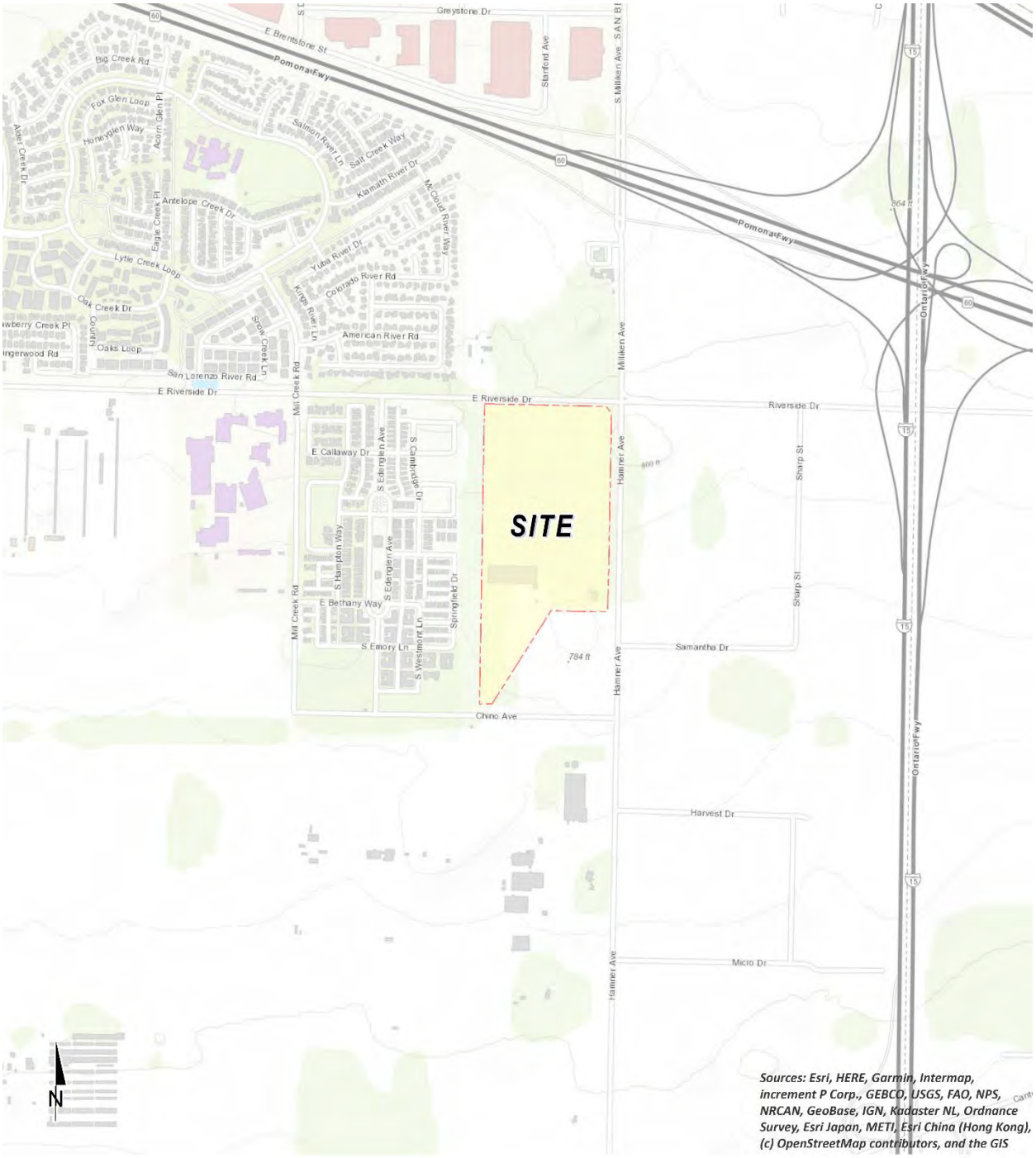
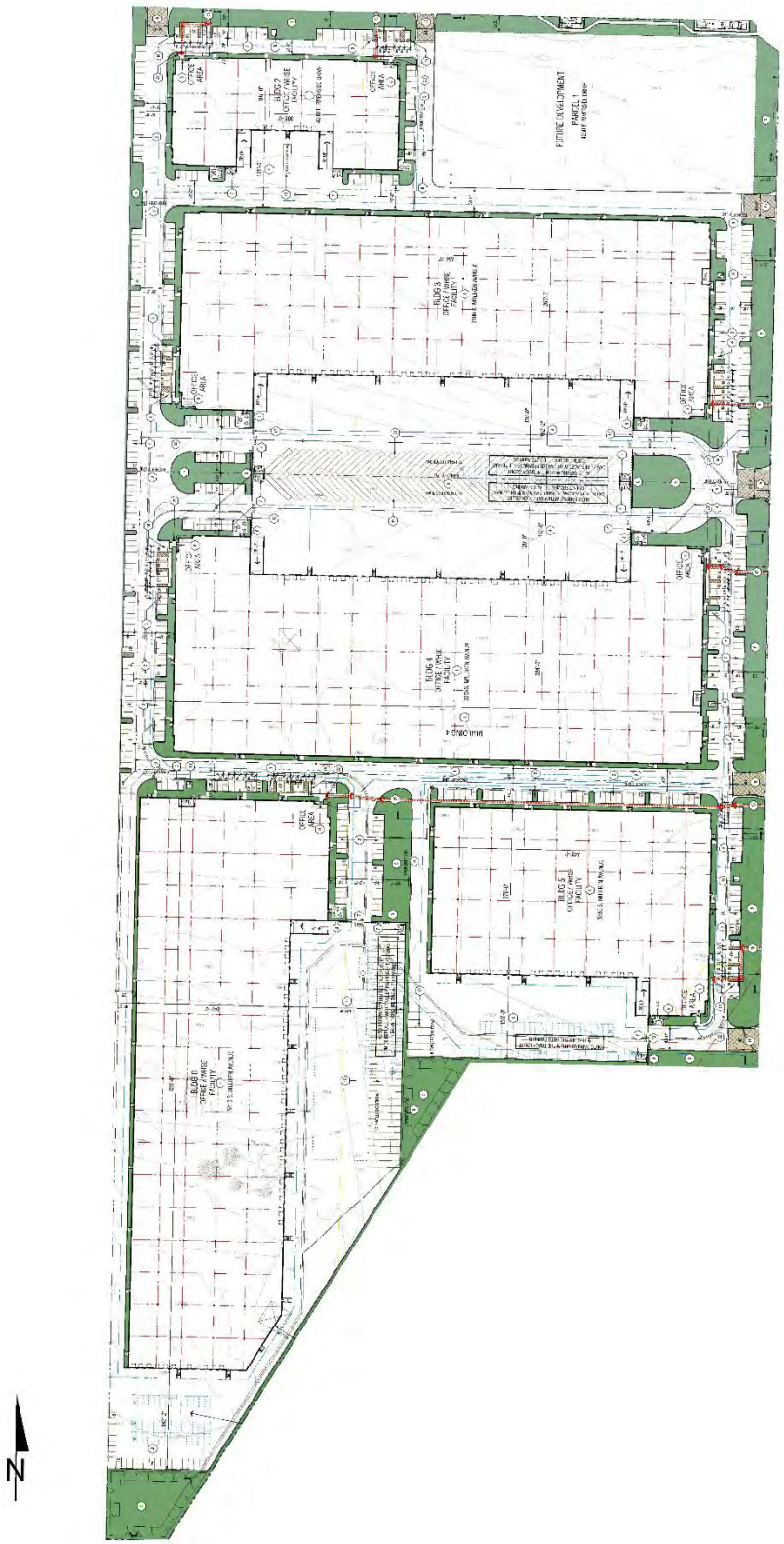


EXHIBIT 1-B: SITE PLAN



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2 BACKGROUND

2.1 BACKGROUND ON RECOMMENDED METHODOLOGY

As noted above, this HRA is based on SCAQMD guidelines to produce conservative estimates of risk posed by exposure to DPM. The conservative nature of this analysis is due primarily to the following factors:

- The ARB-adopted diesel exhaust Unit Risk Factor (URF) of 300 in one million per µg/m3 is based upon the upper 95 percentile of estimated risk for each of the epidemiological studies utilized to develop the URF. Using the 95th percentile URF represents a very conservative (health-protective) risk posed by DPM.
- The emissions derived assume that every truck accessing the project site will idle for 15 minutes under the unmitigated scenario, this is an overestimation of actual idling times and thus conservative.[3] It should be noted that ARB's anti-idling requirements impose a 5-minute maximum idling time and therefore the analysis conservatively overestimates DPM emissions from idling by a factor of 3.

2.2 EMISSIONS ESTIMATION

2.2.1 ON-SITE AND OFF-SITE TRUCK ACTIVITY

Vehicle DPM emissions were estimated using emission factors for particulate matter less than 10µm in diameter (PM_{10}) generated with the 2017 version of the Emission FACtor model (EMFAC) developed by the ARB. EMFAC 2017 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 the ARB to project changes in future emissions from on-road mobile sources (5). The most recent version of this model, EMFAC 2017, incorporates regional motor vehicle data, information and estimates regarding the distribution of vehicle miles traveled (VMT) by speed, and number of starts per day.

Several distinct emission processes are included in EMFAC 2017. Emission factors calculated using EMFAC 2017 are expressed in units of grams per vehicle miles traveled (g/VMT) or grams per idle-hour (g/idle-hr), depending on the emission process. The emission processes and corresponding emission factor units associated with diesel particulate exhaust for this Project are presented below.

For this Project, annual average PM_{10} emission factors were generated by running EMFAC 2017 in EMFAC Mode for vehicles in the San Bernardino County jurisdiction. The EMFAC Mode 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 temperature, relative humidity, and

[3] Although the Project is required to comply with ARB's idling limit of 5 minutes, staff at SCAQMD recommends that the on-site idling emissions should be estimated for 15 minutes of truck idling (personal communication, in person, with Jillian Wong, December 22, 2016), which would take into account on-site idling which 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.

vehicle speed. The model was run for speeds traveled in the vicinity of the Project. The vehicle travel speeds for each segment modeled are summarized below.

- Idling – on-site loading/unloading and truck gate
- 5 miles per hour – on-site vehicle movement including driving and maneuvering
- 25 miles per hour – off-site vehicle movement including driving and maneuvering.

Calculated emission factors are shown at Table 2-3. As a conservative measure, a 2020 EMFAC 2017 run was conducted and a static 2020 emissions factor data set was used for the entire duration of analysis herein (e.g., 30 years). Use of 2020 emission factors would overstate potential impacts since this approach assumes that emission factors remain "static" and do not change over time due to fleet turnover or cleaner technology with lower emissions that would be incorporated after 2020. Additionally, based on EMFAC 2017, Light-Heavy-Duty Trucks comprise of 46.4% diesel, Medium-Heavy-Duty Trucks comprise of 88.1% diesel, and Heavy-Heavy-Duty Trucks comprise of 96.1% diesel trucks and have been accounted for accordingly in the emissions factor generation.

The vehicle DPM exhaust emissions were calculated for running exhaust emissions. The running exhaust emissions were calculated by applying the running exhaust PM10 emission factor (g/VMT) from EMFAC over the total distance traveled. The following equation was used to estimate off-site emissions for each of the different vehicle classes comprising the mobile sources (5):

$Emissions_{speedA}$ (g/s) = $EF_{RunExhaust}$ (g/VMT) * Distance (VMT/trip) * Number of Trips (trips/day) / seconds per day

Where:

$Emissions_{speedA}$ (g/s): Vehicle emissions at a given speed A;

$EF_{RunExhaust}$ (g/VMT): EMFAC running exhaust PM_{10} emission factor at speed A;

Distance (VMT/trip): Total distance traveled per trip.

Similar to off-site traffic, on-site vehicle running emissions were calculated by applying the running exhaust PM_{10} emission factor (g/VMT) from EMFAC and the total vehicle trip number over the length of the driving path using the same formula presented above for on-site emissions. In addition, on-site vehicle idling exhaust emissions were calculated by applying the idle exhaust PM_{10} emission factor (g/idle-hr) from EMFAC and the total truck trip over the total idle time (15 minutes). The following equation was used to estimate the on-site vehicle idling emissions for each of the different vehicle classes (5):

$Emissions_{idle}$ (g/s) = EF_{idle} (g/hr) * Number of Trips (trips/day) * Idling Time (min/trip) *

60 minutes per hour / seconds per day

Where:

$Emissions_{idle}$ (g/s): Vehicle emissions during idling;

EF_{idle}(g/s): EMFAC idle exhaust PM_{10} emission factor.

TABLE 2-1: 2020 WEIGHTED AVERAGE DPM EMISSIONS FACTORS

General Light Industrial	
Speed	Weighted Average
0 (idling)	0.19233 (g/idle-hr)
5	0.10852 (g/s)
Cold Storage Warehousing	
Speed	Weighted Average
0 (idling)	0.12998 (g/idle-hr)
5	0.13274 (g/s)
Manufacturing	
Speed	Weighted Average
0 (idling)	0.13258 (g/idle-hr)
5	0.13145 (g/s)
Average of General Light Industrial, Cold Storage Warehousing, and Manufacturing	
Speed	Weighted Average
25	0.04837 (g/s)

Each roadway was modeled as a line source (made up of multiple adjacent volume sources). Due to the large number of volume sources modeled for this analysis, the corresponding coordinates of each volume source have not been included in this report but are included in Appendix "2.1". The DPM emission rate for each volume source was calculated by multiplying the emission factor (based on the average travel speed along the roadway) by the number of trips and the distance traveled along each roadway segment and dividing the result by the number of volume sources along that roadway, as illustrated on Table 2-2. The modeled emission sources are illustrated on Exhibit 2-A. The modeled truck travel routes included in the HRA are based on the anticipated truck trip distribution (inbound and outbound) as identified in the *Traffic Assessment* (6), the anticipated truck trip distribution is illustrated on Exhibit 2-B. The modeling domain was extended along the Project's primary truck route and includes off-site sources in the study area for more than 1 mile. This modeling domain is substantially more conservative than using only a ¼ mile modeling domain, which is supported by substantial evidence since several studies have shown that the greatest potential risks occur within a ¼ mile of the primary source of emissions (7) (in the case of the Project this is the on-site idling and on-site travel).

On-site truck idling was estimated to occur as trucks enter and travel through the facility. Although the Project is required to comply with CARB's idling limit of 5 minutes, staff at SCAQMD recommends that the on-site idling emissions should be estimated for 15 minutes of truck idling (8), which would take into account on-site idling which 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. As such, this analysis estimated truck idling at 15 minutes, consistent with SCAQMD's recommendation.

As previously noted, Project Alternative 2B is expected to generate a total of approximately 5,824 two-way vehicular trips per day (2,912 inbound and 2,912 outbound) which includes 598 two-way truck trips per day (299 inbound and 299 outbound) (4).

EXHIBIT 2-A: MODELED EMISSION SOURCES

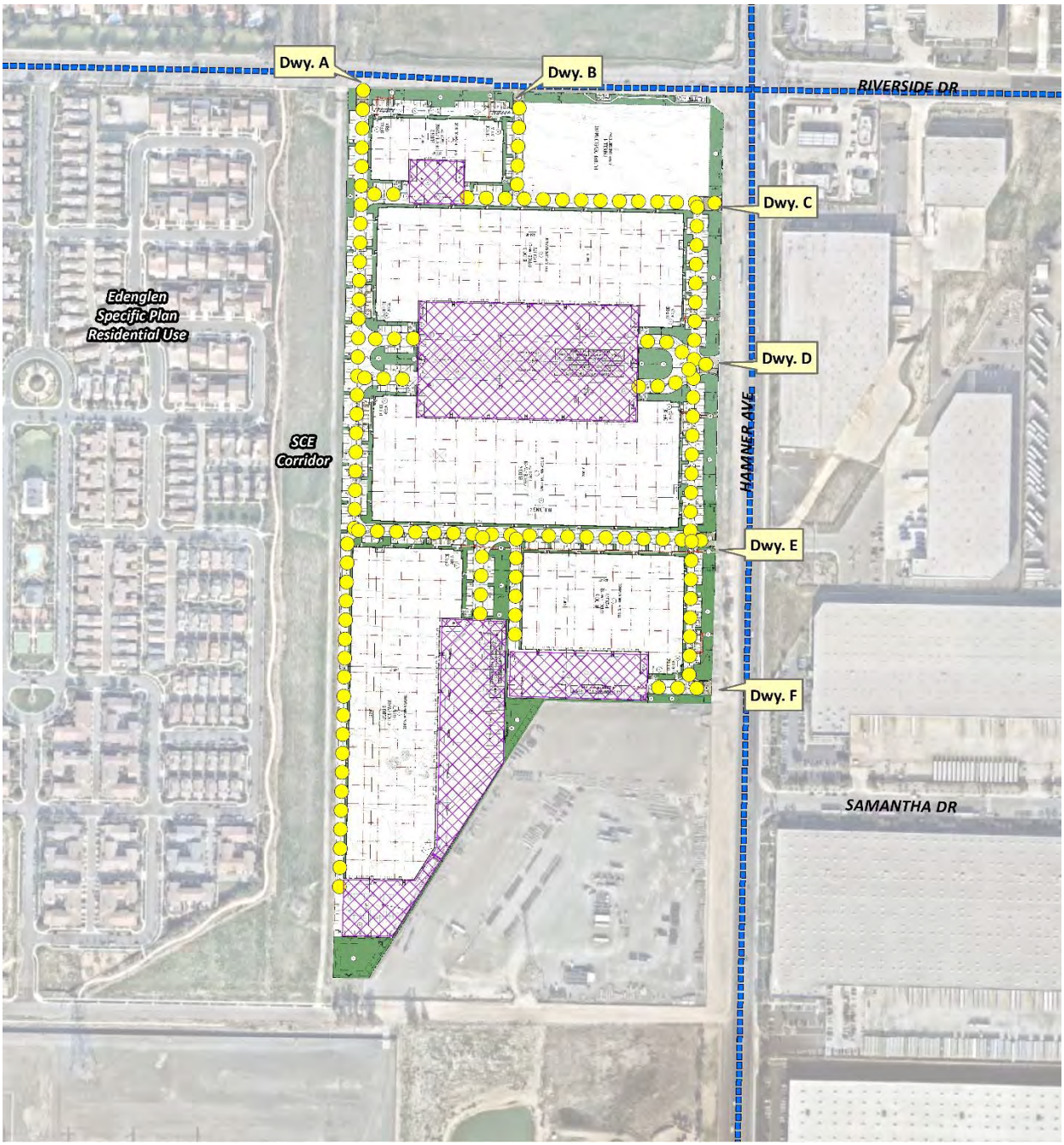
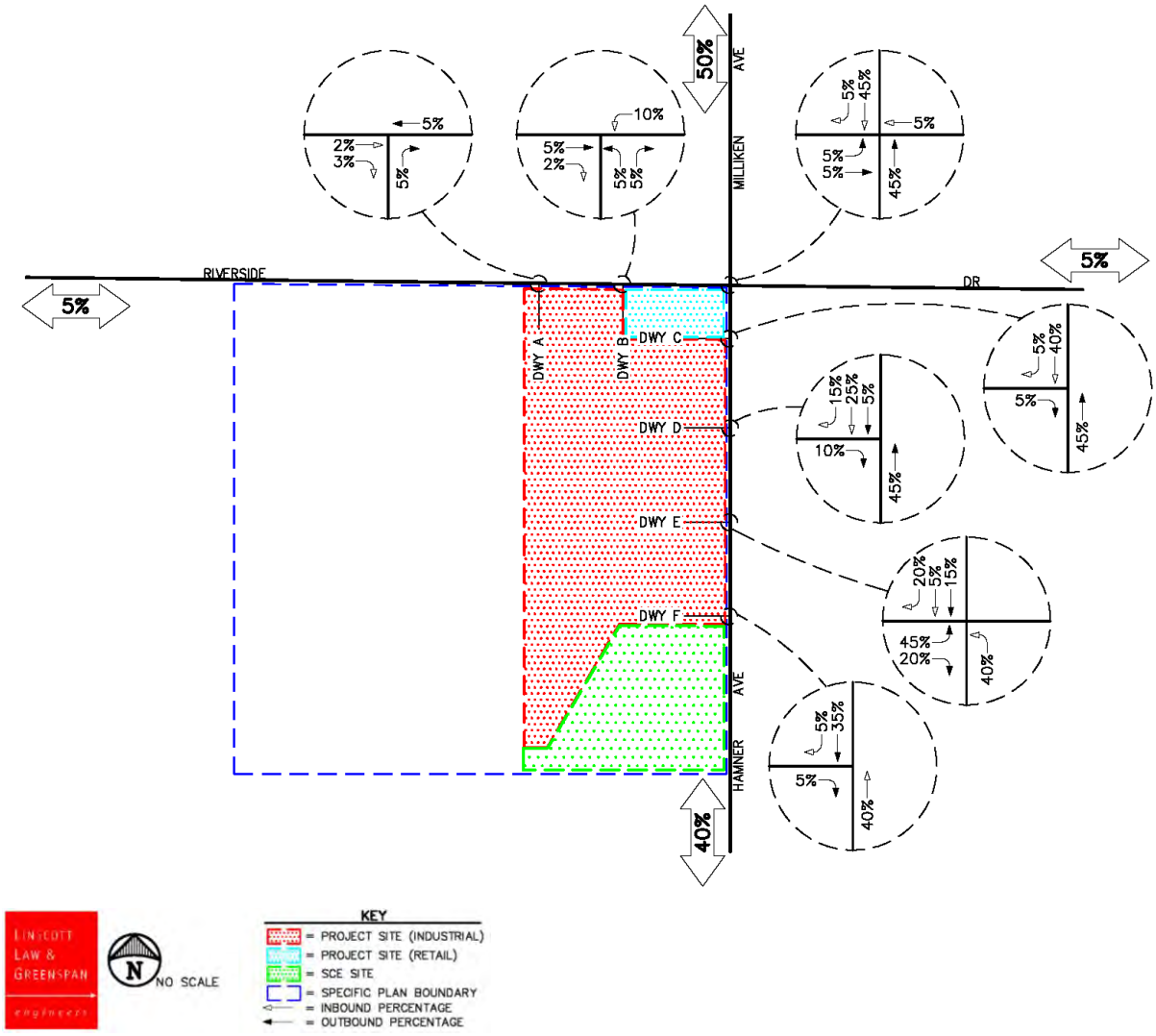


EXHIBIT 2-B: PROJECT TRUCK TRIP DISTRIBUTION



LINSCOTT LAW & GREENSPAN engineers

N NO SCALE

KEY
= PROJECT SITE (INDUSTRIAL)
= PROJECT SITE (RETAIL)
= SCE SITE
= SPECIFIC PLAN BOUNDARY
= INBOUND PERCENTAGE
= OUTBOUND PERCENTAGE

TABLE 2-2: DPM EMISSIONS FROM PROJECT TRUCKS (2020 ANALYSIS YEAR)

Truck Emission Rates						
Source	Trucks Per Day	VMT [a] (miles/day)	Truck Emission Rate [b] (grams/mile)	Truck Emission Rate [b] (grams/idle-hour)	Daily Truck Emissions [c] (grams/day)	Modeled Emission Rates (g/second)
On-Site Idling Building A (Light Industrial)	32			0.1923	1.51	1.753E-05
On-Site Idling Buildings C (Cold Storage Warehousing)	54			0.1300	18.39	2.128E-04
On-Site Idling Buildings D (Cold Storage Warehousing)	58			0.1300	19.76	2.287E-04
On-Site Idling Buildings E (Manufacturing)	100			0.1326	3.31	3.836E-05
On-Site Idling Buildings F (Manufacturing)	55			0.1326	1.81	2.091E-05
On-Site Travel Building A (Light Industrial)	63	11.56	0.1085		1.25	1.452E-05
On-Site Travel Buildings C (Cold Storage Warehousing)	108	21.36	0.1327		5.47	6.326E-05
On-Site Travel Buildings D (Cold Storage Warehousing)	117	23.63	0.1327		6.05	7.001E-05
On-Site Travel Buildings E (Manufacturing)	200	51.83	0.1314		6.81	7.886E-05
On-Site Travel Buildings F (Manufacturing)	109	10.82	0.1314		1.42	1.646E-05
Off-Site Travel 50% Miliken Ave	299	177.30	0.0484		12.67	1.467E-04
Off-Site Travel 40% Hamner Ave	239	258.56	0.0484		13.71	1.586E-04
Off-Site Travel 5% Riverside (to the west)	30	54.80	0.0484		2.92	3.382E-05
Off-Site Travel 5% Riverside (to the east)	30	16.24	0.0484		0.87	1.002E-05

[a] Vehicle miles traveled are for modeled truck route only.

[b] Emission rates determined using EMFAC 2017. Idle emission rates are expressed in grams per idle hour rather than grams per mile.

[c] This column includes the total truck travel and truck idle emissions. For idle emissions this column includes emissions based on the assumption that each truck idles for 15 minutes. TRUs presumed to idle for 30 minutes.

2.2.2 TRANSPORT REFRIGERATION UNITS (TRUS)

In order to account for the possibility of refrigerated uses (cold storage) that would be accommodated by the up to 522,058 sf of High Cube Cold Storage Warehouse proposed, all trucks accessing this land use are presumed to also have transport refrigeration units (TRUs). Therefore, for modeling purposes 112 total daily trucks (one-way) are assumed to be trucks with TRUs. In addition to on-site truck idling, the analysis assumes that each TRU accessing the site will also idle for 30 minutes, even though the CARB's anti-idling rules mandate a 5-minute idling time. Based on CARB's *Draft Update to Inventory for Transportation Refrigeration Units* (9) 60% of TRUs are anticipated to be 25+ horsepower and 40% of TRUs are anticipated to be 23 horsepower, as such 60% of TRUs are assumed to be 34 horsepower with a load factor of 0.53 (0.01 grams of PM_{10} per brake-horsepower-hour) and 40% of TRUs are assumed to be 23 horsepower with a load factor of 0.46 (0.12 grams of PM_{10} per brake-horsepower-hour). TRUs are also accounted for during on-site and off-site travel. TRU emission rates were calculated based on CARB's 2017 Off-Road Diesel Emission Factors for analysis year 2020.

2.3 EXPOSURE QUANTIFICATION

The analysis herein has been conducted in accordance with the guidelines in the Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (1). SCAQMD recommends using the Environmental Protection Agency's (U.S. EPA's) AERMOD model. For purposes of this analysis, the model was used to calculate annual average particulate concentrations associated with site operations.

The model offers additional flexibility by allowing the user to assign an initial release height and vertical dispersion parameters for mobile sources representative of a roadway. For this HRA, the roadways were modeled as adjacent volume sources. Roadways were modeled using the U.S. EPA's haul route methodology for modeling of on-site and off-site truck movement. More specifically, the Haul Road Volume Source Calculator in Lakes AERMOD View has been utilized to determine the release height parameters. Based on the US EPA methodology, the Project's modeled sources would result in a release height of 3.49 meters, and an initial lateral dimension of 4.0 meters, and an initial vertical dimension of 3.25 meters.

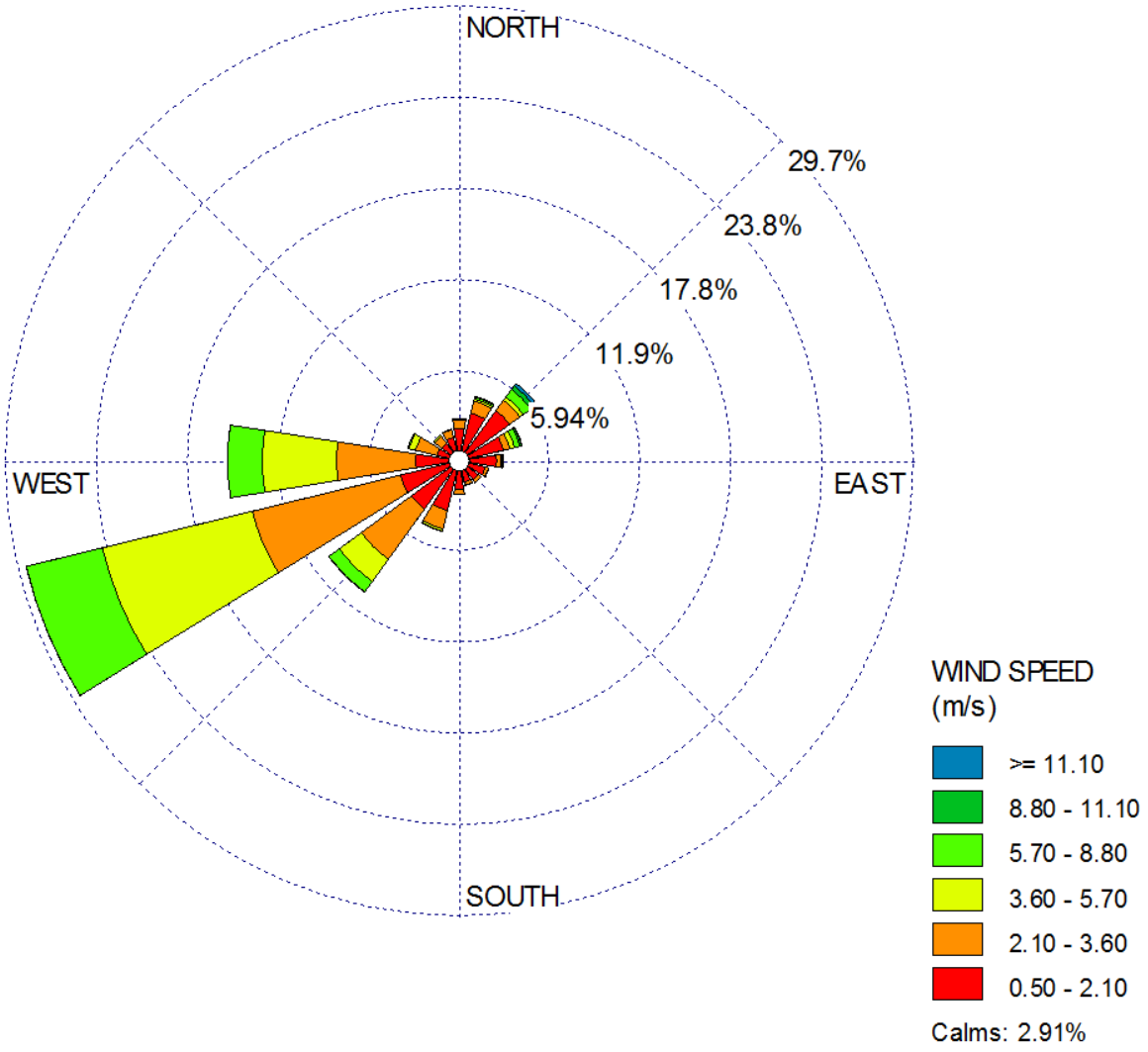
SCAQMD required model parameters are presented in Table 2-3 (10). The model requires additional input parameters including emission data and local meteorology. Meteorological data from the SCAQMD's Ontario monitoring station (SRA 33) was used to represent local weather conditions and prevailing winds (11). A wind rose exhibit of the Fontana monitoring station is provided at Exhibit 2-C.

TABLE 2-3: AERMOD MODEL PARAMETERS

Dispersion Coefficient	Urban
Population	2,035,210
Terrain	Elevated (Regulatory Default)
Averaging Time	1 year (5-year Meteorological Data Set)
Receptor Height	0 meters (Regulatory Default)

Universal Transverse Mercator (UTM) coordinates for North American Datum 1983 (NAD 83) were used to locate the project boundaries, each volume source location, and receptor locations in the project vicinity. The AERMOD dispersion model summary output files for the proposed facility are presented in Appendix 2.1.

EXHIBIT 2-C: WIND ROSE (SRA 33)



Receptors

Receptors in the Project study area include existing residential homes and industrial uses, as illustrated on Exhibit 2-D. Modeled receptors were placed at residential and non-residential locations. Receptors may be placed at applicable structure locations for residential and worker property and not necessarily the boundaries of these uses. It should be noted that the primary purpose of receptor placement is focused on long-term exposure. For example, the HRA evaluates the potential health risks to residential and worker over a period of 30 or 25 years of exposure, respectively. As such, even though it is unlikely to occur in practical terms (because the amount of time spent indoors), this study assumes that a resident or worker would be exposed over a long-period of time for 12 or 24-hours per day at the structure where they reside or work.

Sensitive receptors near the Project site include existing residential homes and Citrus High School. Other sensitive land uses in the Project study area that are located at greater distances than those identified in this study will experience lower concentrations than those presented in this report due to particulate dispersion, additional attenuation from distance, and the shielding of intervening structures.

Discrete variants for daily breathing rates, exposure frequency, and exposure duration were obtained from relevant distribution profiles presented in the 2015 OEHHA Guidelines. Tables 2-4 through 2-6 summarize the Exposure Parameters for Residents, Offsite Worker, and School exposure scenarios based on 2015 OEHHA Guidelines. Appendix 2.2 includes the detailed risk calculation.

TABLE 2-4: EXPOSURE ASSUMPTIONS FOR INDIVIDUAL CANCER RISK (30 YEAR RESIDENTIAL)

Age	Daily Breathing Rate (L/kg-day)	Age Specific Factor	Exposure Duration (years)	Fraction of Time at Home	Exposure Frequency (days/year)	Exposure Time (hours/day)
-0.25 to 0	361	10	0.25	0.85	350	24
0 to 2	1,090	10	2	0.85	350	24
2 to 16	572	3	14	0.72	350	24
16 to 30	261	1	14	0.73	350	24

TABLE 2-5: EXPOSURE ASSUMPTIONS FOR INDIVIDUAL CANCER RISK (25 YEAR WORKER)

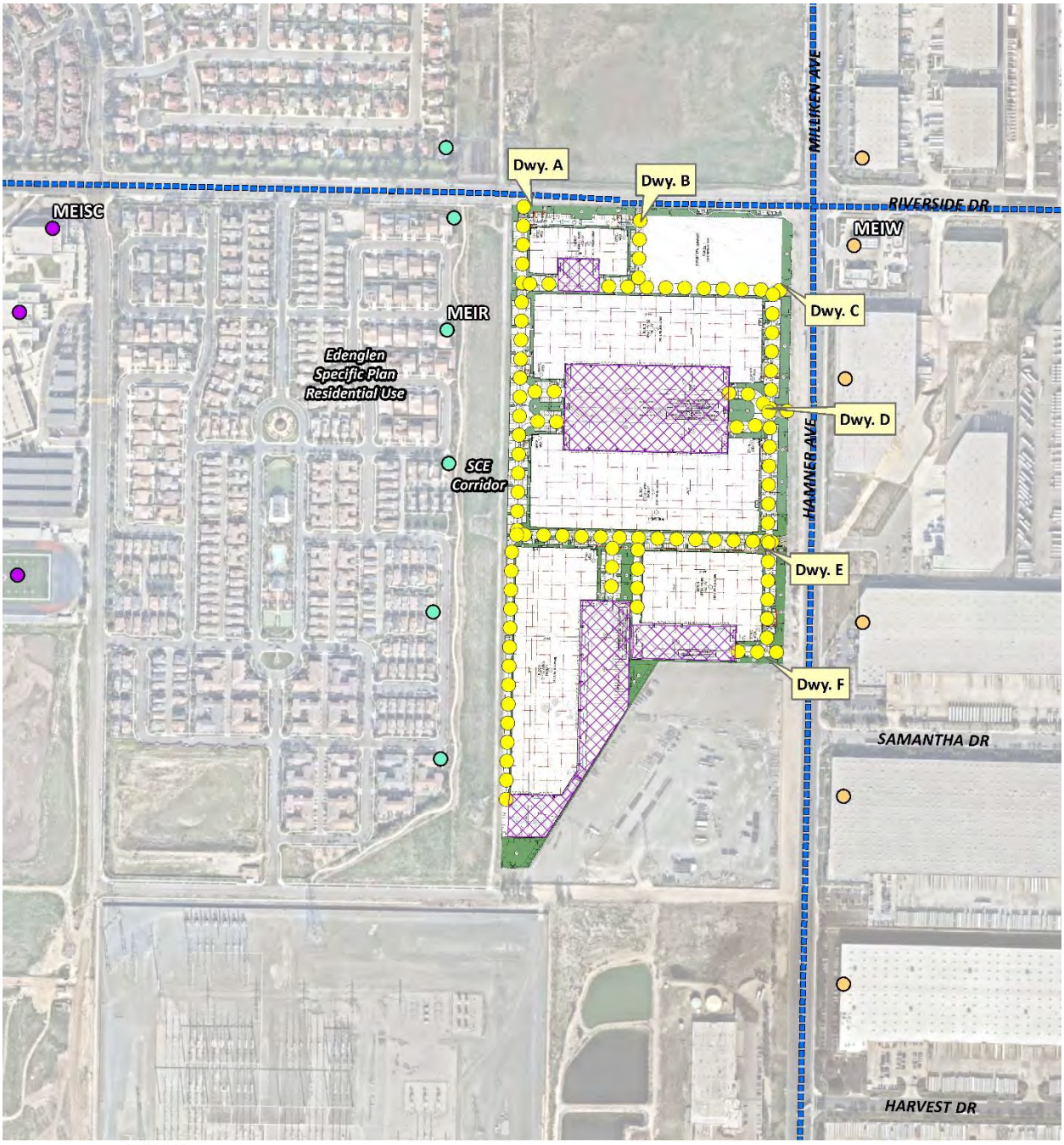
Age	Daily Breathing Rate (L/kg-day)	Age Specific Factor	Exposure Duration (years)	Exposure Frequency (days/year)	Exposure Time (hours/day)
16 to 41	230	1	25	250	12

TABLE 2-6: EXPOSURE ASSUMPTIONS FOR INDIVIDUAL CANCER RISK (9 YEAR SCHOOL CHILD)

Age	Daily Breathing Rate (L/kg-day)	Age Specific Factor	Exposure Duration (years)	Exposure Frequency (days/year) [a]	Exposure Time (hours/day)
9 year duration	572	3	9	180	12

[a] To represent the unique characteristics of the school-based population, the assessment employed the U.S. Environmental Protection Agency's guidance to develop viable dose estimates based on reasonable maximum exposures (RME). RME's are defined as the "highest exposure that is reasonably expected to occur" for a given receptor population. As a result, lifetime risk values for the student population were adjusted to account for an exposure duration of 180 days per year for nine (9) years. The 9 year exposure duration is also consistent with OEHHA Recommendations and consistent with the exposure duration utilized in school-based risk assessments for various schools within the Los Angeles County Unified School District (LAUSD) that have been accepted by the SCAQMD.

EXHIBIT 2-D: RECEPTOR LOCATIONS



2.4 CARCINOGENIC CHEMICAL RISK

The SCAQMD CEQA Air Quality Handbook (1993) states that emissions of toxic air contaminants (TACs) are considered significant if a HRA shows an increased risk of greater than 10 in one million. Based on guidance from the SCAQMD in the document Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (1), for purposes of this analysis, 10 in one million is used as the cancer risk threshold for the proposed Project.

Excess cancer risks are estimated as the upper-bound incremental probability that an individual will develop cancer over a lifetime as a direct result of exposure to potential carcinogens over a specified exposure duration. The estimated risk is expressed as a unitless probability. The cancer risk attributed to a chemical is calculated by multiplying the chemical intake or dose at the human exchange boundaries (e.g., lungs) by the chemical-specific cancer potency factor (CPF). A risk level of 10 in one million implies a likelihood that up to 10 people, out of one million equally exposed people would contract cancer if exposed continuously (24 hours per day) to the levels of toxic air contaminants over a specified duration of time. As an example, the risk of dying from accidental drowning is 1,000 in a million which is 100 times more than the SCAQMD's threshold of 10 in one million, the nearest comparison to 10 in one million is the 7 in one million lifetime chance that an individual would be struck by lightning.

Guidance from CARB and the California Environmental Protection Agency, Office of Environmental Health Hazard Assessment (OEHHA) recommends a refinement to the standard point estimate approach when alternate human body weights and breathing rates are utilized to assess risk for susceptible subpopulations such as children. For the inhalation pathway, the procedure requires the incorporation of several discrete variates to effectively quantify dose. Once determined, contaminant dose is multiplied by the cancer potency factor (CPF) in units of inverse dose expressed in milligrams per kilogram per day (mg/kg/day)-1 to derive the cancer risk estimate. Therefore, to assess exposures, the following dose algorithm was utilized.

$$DOSEair = (Cair \times [BR/BW] \times A \times EF) \times (1 \times 10^{-6})$$

Where:

DOSEair = chronic daily intake (mg/kg/day)

Cair = concentration of contaminant in air (ug/m3)

[BR/BW] = daily breathing rate normalized to body weight (L/kg BW-day)

A = inhalation absorption factor

EF = exposure frequency (days/365 days)

BW = body weight (kg)

1 x 10 -6 = conversion factors (ug to mg, L to m3)

RISKair = DOSEair x CPF x ED/AT

Where:

DOSEair	=	chronic daily intake (mg/kg/day)
CPF	=	cancer potency factor
ED	=	number of years within particular age group
AT	=	averaging time

2.5 NON-CARCINOGENIC EXPOSURES

An evaluation of the potential noncarcinogenic effects of chronic exposures was also conducted. Adverse health effects are evaluated by comparing a compound's annual concentration with its toxicity factor or Reference Exposure Level (REL). The REL for diesel particulates was obtained from OEHHA for this analysis. The chronic reference exposure level (REL) for DPM was established by OEHHA as 5 $\mu g/m^3$ (OEHHA Toxicity Criteria Database, http://www.oehha.org/risk/chemicaldb/index.asp).

The non-cancer hazard index was calculated (consistent with SCAQMD methodology) as follows:

The relationship for the non-cancer health effects of DPM is given by the following equation:

$$HI_{DPM} = C_{DPM}/REL_{DPM}$$

Where:

HI_{DPM}	=	Hazard Index; an expression of the potential for non-cancer health effects.
C_{DPM}	=	Annual average DPM concentration ($\mu g/m^3$).
REL_{DPM}	=	Reference exposure level (REL) for DPM; the DPM concentration at which no adverse health effects are anticipated.

For purposes of this analysis the hazard index for the respiratory endpoint totaled less than one for all receptors in the project vicinity, and thus is less than significant.

2.6 POTENTIAL PROJECT-RELATED DPM SOURCE CANCER AND NON-CANCER RISKS

Residential Exposure Scenario:

The residential land use with the greatest potential exposure to Project DPM source emissions is located at 4088 E Heritage Lane located approximately 215 feet west from the Project site. At the MEIR, the maximum incremental cancer risk attributable to Project DPM source emissions is estimated at 6.15 in one million, which is less than the threshold of 10 in one million. At this same location, non-cancer risks were estimated to be 0.002, which would not exceed the applicable threshold of 1.0. As such, the Project will not cause a significant human health or cancer risk to adjacent residences. All other residential locations in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIR identified herein.

Worker Exposure Scenario:

The worker receptor land use with the greatest potential exposure to Project DPM source emissions is located approximately 170 feet east from the Project site at an existing industrial use. At the MEIW, the maximum incremental cancer risk impact at this location is 2.00 in one million[4] which is less than the threshold of 10 in one million. Maximum non-cancer risks at this same location were estimated to be 0.007, which would not exceed the applicable threshold of 1.0. As such, the Project will not cause a significant human health or cancer risk to adjacent workers. All other modeled worker locations in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIW identified herein.

School Child Exposure Scenario:

The school site land use with the greatest potential exposure to Project DPM source emissions is at the Colony High School located more than ¼ mile (1,320 feet) west of the Project site. At the MEISC, the maximum incremental cancer risk impact attributable to the Project at this location is calculated to be an estimated 0.23 in one million which is less than the significance threshold of 10 in one million. At this same location, non-cancer risks attributable to the Project were calculated to be 0.0004, which would not exceed the applicable significance threshold of 1.0. Any other schools near the Project site would be exposed to less emissions and consequently less impacts than what is disclosed for the MEISC[5]. As such, the Project will not cause a significant human health or cancer risk to nearby school children.

4 SCAQMD guidance does not require assessment of the potential health risk to on-site workers. Excerpts from the document OEHHA Air Toxics Hot Spots Program Risk Assessment Guidelines—The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act) / CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

5 In traffic-related studies, the additional non-cancer health risk attributable to proximity was seen within 1,000 feet and was strongest within 300 feet. California freeway studies show about a 70-percent drop-off in particulate pollution levels at 500 feet. Based on CARB and SCAQMD emissions and modeling analyses, an 80-percent drop-off in pollutant concentrations is expected at approximately 1,000 feet from a distribution center (1).

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3 REFERENCES

1. **South Coast Air Quality Managment District.** Mobile Source Toxics Analysis. [Online] 2003. http://www.aqmd.gov/ceqa/handbook/mobile_toxic/mobile_toxic.html.
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3. **LLG Engineers.** *Edenglen Business Park Project Alternative Trip Generation Assessment.* June 15, 2020.
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5. **California Department of Transportation.** EMFAC Software. [Online] http://www.dot.ca.gov/hq/env/air/pages/emfac.htm.
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7. **Air Resources Board.** *Air Quality and Land Use Handbook: A Community Health Perspective.* 2005.
8. **Wong, Jillian.** *Planning, Rule Development & Area Sources.* December 22, 2016.
9. **California Air Resources Board.** *Draft 2019 Update to Emissions Inventory for Transportation Refrigeration Units.* 2019.
10. **Environmental Protection Agency.** User's Guide for the AMS/EPA Regulatory Model - AERMOD. [Online] September 2004. http://www.epa.gov/scram001/7thconf/aermod/aermodugb.pdf.
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4 CERTIFICATION

The contents of this health risk assessment represent an accurate depiction of the impacts to sensitive receptors associated with the proposed Ontario Commerce Center Project. The information contained in this health risk assessment report is based on the best available data at the time of preparation. If you have any questions, please contact me directly at (949) 336-5987.

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EDUCATION

Master of Science in Environmental Studies
California State University, Fullerton • May, 2010

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PROFESSIONAL AFFILIATIONS

AEP – Association of Environmental Planners
AWMA – Air and Waste Management Association
ASTM – American Society for Testing and Materials

PROFESSIONAL CERTIFICATIONS

Environmental Site Assessment – American Society for Testing and Materials • June, 2013
Planned Communities and Urban Infill – Urban Land Institute • June, 2011
Indoor Air Quality and Industrial Hygiene – EMSL Analytical • April, 2008
Principles of Ambient Air Monitoring – California Air Resources Board • August, 2007
AB2588 Regulatory Standards – Trinity Consultants • November, 2006
Air Dispersion Modeling – Lakes Environmental • June, 2006

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APPENDIX 2.1:

AERMOD MODEL INPUT/OUTPUT

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```
** Lakes Environmental AERMOD MPI
**
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** LAKES ENVIRONMENTAL SOFTWARE INC.
** DATE: 7/9/2020
** FILE: C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214 HRA CSO.ADI
**
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**
**
**************************************
** AERMOD CONTROL PATHWAY
**************************************
**
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   AVERTIME ANNUAL
   URBANOPT 2035210
   POLLUTID DPM
   RUNORNOT RUN
   ERRORFIL "13214 HRA CSO.ERR"
CO FINISHED
**
**************************************
** AERMOD SOURCE PATHWAY
**************************************
**
**
SO STARTING
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** SOURCE ID - TYPE - X COORD. - Y COORD. **
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   LOCATION L0005317     VOLUME   448345.544 3764111.599 241.31
   LOCATION L0005318     VOLUME   448354.133 3764111.469 241.36
** END OF LINE VOLUME SOURCE ID = SLINE3
** ----------------------------------------------------------------
** LINE SOURCE REPRESENTED BY ADJACENT VOLUME SOURCES
** LINE VOLUME SOURCE ID = SLINE4
** DESCRSRC ON-SITE IDLING BUILDING E
** PREFIX
** LENGTH OF SIDE = 8.59
** CONFIGURATION = ADJACENT
** EMISSION RATE = 0.00003836
** VERTICAL DIMENSION = 6.99
** SZINIT = 3.25
** NODES = 2
** 448197.534, 3763930.643, 238.50, 3.49, 4.00
** 448194.225, 3763749.987, 237.85, 3.49, 4.00
** ----------------------------------------------------------------
   LOCATION L0004307     VOLUME   448197.455 3763926.349 239.64
   LOCATION L0004308     VOLUME   448197.298 3763917.760 239.55
   LOCATION L0004309     VOLUME   448197.141 3763909.172 239.46
   LOCATION L0004310     VOLUME   448196.983 3763900.583 239.38
   LOCATION L0004311     VOLUME   448196.826 3763891.995 239.29
   LOCATION L0004312     VOLUME   448196.669 3763883.406 239.13
   LOCATION L0004313     VOLUME   448196.511 3763874.817 238.96
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   LOCATION L0004314     VOLUME   448196.354 3763866.229 238.78
   LOCATION L0004315     VOLUME   448196.197 3763857.640 238.63
   LOCATION L0004316     VOLUME   448196.040 3763849.052 238.55
   LOCATION L0004317     VOLUME   448195.882 3763840.463 238.46
   LOCATION L0004318     VOLUME   448195.725 3763831.875 238.37
   LOCATION L0004319     VOLUME   448195.568 3763823.286 238.29
   LOCATION L0004320     VOLUME   448195.410 3763814.697 238.20
   LOCATION L0004321     VOLUME   448195.253 3763806.109 238.11
   LOCATION L0004322     VOLUME   448195.096 3763797.520 238.02
   LOCATION L0004323     VOLUME   448194.938 3763788.932 237.94
   LOCATION L0004324     VOLUME   448194.781 3763780.343 237.85
   LOCATION L0004325     VOLUME   448194.624 3763771.755 237.76
   LOCATION L0004326     VOLUME   448194.467 3763763.166 237.73
   LOCATION L0004327     VOLUME   448194.309 3763754.578 237.71
** END OF LINE VOLUME SOURCE ID = SLINE4
** ----------------------------------------------------------------------
** LINE SOURCE REPRESENTED BY ADJACENT VOLUME SOURCES
** LINE VOLUME SOURCE ID = SLINE5
** DESCRSRC ON-SITE IDLING BUILDING F
** PREFIX
** LENGTH OF SIDE = 8.59
** CONFIGURATION = ADJACENT
** EMISSION RATE = 0.00002091
** VERTICAL DIMENSION = 6.99
** SZINIT = 3.25
** NODES = 2
** 448362.308, 3763894.909, 239.66, 3.49, 4.00
** 448264.370, 3763896.232, 239.32, 3.49, 4.00
** ----------------------------------------------------------------------
   LOCATION L0004328     VOLUME   448358.014 3763894.967 239.69
   LOCATION L0004329     VOLUME   448349.425 3763895.083 239.62
   LOCATION L0004330     VOLUME   448340.835 3763895.199 239.63
   LOCATION L0004331     VOLUME   448332.246 3763895.315 239.63
   LOCATION L0004332     VOLUME   448323.657 3763895.431 239.63
   LOCATION L0004333     VOLUME   448315.068 3763895.547 239.62
   LOCATION L0004334     VOLUME   448306.479 3763895.663 239.60
   LOCATION L0004335     VOLUME   448297.889 3763895.779 239.59
   LOCATION L0004336     VOLUME   448289.300 3763895.895 239.57
   LOCATION L0004337     VOLUME   448280.711 3763896.011 239.50
   LOCATION L0004338     VOLUME   448272.122 3763896.128 239.43
** END OF LINE VOLUME SOURCE ID = SLINE5
** ----------------------------------------------------------------------
** LINE SOURCE REPRESENTED BY ADJACENT VOLUME SOURCES
** LINE VOLUME SOURCE ID = SLINE6
** DESCRSRC ON-SITE TRAVEL BUILDING A
** PREFIX
** LENGTH OF SIDE = 8.59
** CONFIGURATION = ADJACENT
** EMISSION RATE = 0.00001452
** VERTICAL DIMENSION = 6.99
```

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** SZINIT = 3.25
** NODES = 4
** 448119.807, 3764376.223, 241.73, 3.49, 4.00
** 448116.574, 3764295.407, 241.10, 3.49, 4.00
** 448249.114, 3764291.096, 241.06, 3.49, 4.00
** 448251.269, 3764372.991, 242.15, 3.49, 4.00
** ----------------------------------------------------------------
   LOCATION L0004339     VOLUME   448119.635 3764371.932 243.75
   LOCATION L0004340     VOLUME   448119.292 3764363.349 243.65
   LOCATION L0004341     VOLUME   448118.948 3764354.766 243.53
   LOCATION L0004342     VOLUME   448118.605 3764346.183 243.41
   LOCATION L0004343     VOLUME   448118.262 3764337.599 243.25
   LOCATION L0004344     VOLUME   448117.918 3764329.016 243.03
   LOCATION L0004345     VOLUME   448117.575 3764320.433 242.81
   LOCATION L0004346     VOLUME   448117.232 3764311.850 242.59
   LOCATION L0004347     VOLUME   448116.888 3764303.267 242.47
   LOCATION L0004348     VOLUME   448117.297 3764295.383 242.36
   LOCATION L0004349     VOLUME   448125.882 3764295.104 242.23
   LOCATION L0004350     VOLUME   448134.468 3764294.825 242.09
   LOCATION L0004351     VOLUME   448143.053 3764294.545 241.95
   LOCATION L0004352     VOLUME   448151.639 3764294.266 241.82
   LOCATION L0004353     VOLUME   448160.224 3764293.987 241.68
   LOCATION L0004354     VOLUME   448168.810 3764293.708 241.53
   LOCATION L0004355     VOLUME   448177.395 3764293.429 241.55
   LOCATION L0004356     VOLUME   448185.981 3764293.149 241.59
   LOCATION L0004357     VOLUME   448194.566 3764292.870 241.63
   LOCATION L0004358     VOLUME   448203.152 3764292.591 241.67
   LOCATION L0004359     VOLUME   448211.737 3764292.312 241.70
   LOCATION L0004360     VOLUME   448220.323 3764292.033 241.73
   LOCATION L0004361     VOLUME   448228.908 3764291.753 241.76
   LOCATION L0004362     VOLUME   448237.493 3764291.474 241.92
   LOCATION L0004363     VOLUME   448246.079 3764291.195 242.11
   LOCATION L0004364     VOLUME   448249.260 3764296.648 242.28
   LOCATION L0004365     VOLUME   448249.486 3764305.235 242.43
   LOCATION L0004366     VOLUME   448249.712 3764313.822 242.57
   LOCATION L0004367     VOLUME   448249.938 3764322.409 242.69
   LOCATION L0004368     VOLUME   448250.164 3764330.996 242.80
   LOCATION L0004369     VOLUME   448250.390 3764339.583 242.92
   LOCATION L0004370     VOLUME   448250.616 3764348.170 243.01
   LOCATION L0004371     VOLUME   448250.841 3764356.757 243.10
   LOCATION L0004372     VOLUME   448251.067 3764365.344 243.18
** END OF LINE VOLUME SOURCE ID = SLINE6
** ----------------------------------------------------------------
** LINE SOURCE REPRESENTED BY ADJACENT VOLUME SOURCES
** LINE VOLUME SOURCE ID = SLINE7
** DESCRSRC ON-SITE TRAVEL BUILDING C
** PREFIX
** LENGTH OF SIDE = 8.59
** CONFIGURATION = ADJACENT
** EMISSION RATE = 0.00006326
```

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** VERTICAL DIMENSION = 6.99
** SZINIT = 3.25
** NODES = 5
** 448421.523, 3764152.091, 240.78, 3.49, 4.00
** 448392.429, 3764149.936, 240.49, 3.49, 4.00
** 448385.963, 3764167.177, 240.72, 3.49, 4.00
** 448376.265, 3764168.255, 240.62, 3.49, 4.00
** 448115.496, 3764170.410, 240.15, 3.49, 4.00
** ----------------------------------------------------------------
   LOCATION L0005319     VOLUME   448417.240 3764151.774 242.23
   LOCATION L0005320     VOLUME   448408.673 3764151.140 242.21
   LOCATION L0005321     VOLUME   448400.107 3764150.505 242.12
   LOCATION L0005322     VOLUME   448392.116 3764150.771 242.04
   LOCATION L0005323     VOLUME   448389.100 3764158.814 242.09
   LOCATION L0005324     VOLUME   448386.084 3764166.857 242.20
   LOCATION L0005325     VOLUME   448377.766 3764168.088 242.18
   LOCATION L0005326     VOLUME   448369.185 3764168.313 242.18
   LOCATION L0005327     VOLUME   448360.596 3764168.384 242.18
   LOCATION L0005328     VOLUME   448352.006 3764168.455 242.18
   LOCATION L0005329     VOLUME   448343.416 3764168.526 242.12
   LOCATION L0005330     VOLUME   448334.827 3764168.597 242.03
   LOCATION L0005331     VOLUME   448326.237 3764168.668 241.95
   LOCATION L0005332     VOLUME   448317.647 3764168.739 241.88
   LOCATION L0005333     VOLUME   448309.058 3764168.810 241.85
   LOCATION L0005334     VOLUME   448300.468 3764168.881 241.83
   LOCATION L0005335     VOLUME   448291.878 3764168.952 241.80
   LOCATION L0005336     VOLUME   448283.288 3764169.023 241.73
   LOCATION L0005337     VOLUME   448274.699 3764169.094 241.64
   LOCATION L0005338     VOLUME   448266.109 3764169.165 241.56
   LOCATION L0005339     VOLUME   448257.519 3764169.236 241.50
   LOCATION L0005340     VOLUME   448248.930 3764169.307 241.50
   LOCATION L0005341     VOLUME   448240.340 3764169.378 241.50
   LOCATION L0005342     VOLUME   448231.750 3764169.449 241.50
   LOCATION L0005343     VOLUME   448223.160 3764169.520 241.55
   LOCATION L0005344     VOLUME   448214.571 3764169.591 241.61
   LOCATION L0005345     VOLUME   448205.981 3764169.662 241.67
   LOCATION L0005346     VOLUME   448197.391 3764169.733 241.79
   LOCATION L0005347     VOLUME   448188.802 3764169.804 242.05
   LOCATION L0005348     VOLUME   448180.212 3764169.875 242.31
   LOCATION L0005349     VOLUME   448171.622 3764169.946 242.57
   LOCATION L0005350     VOLUME   448163.033 3764170.017 242.74
   LOCATION L0005351     VOLUME   448154.443 3764170.088 242.88
   LOCATION L0005352     VOLUME   448145.853 3764170.159 243.02
   LOCATION L0005353     VOLUME   448137.263 3764170.230 243.17
   LOCATION L0005354     VOLUME   448128.674 3764170.301 243.31
   LOCATION L0005355     VOLUME   448120.084 3764170.372 243.46
** END OF LINE VOLUME SOURCE ID = SLINE7
** ----------------------------------------------------------------
** LINE SOURCE REPRESENTED BY ADJACENT VOLUME SOURCES
** LINE VOLUME SOURCE ID = SLINE8
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** DESCRSRC ON-SITE TRAVEL BUILDING D
** PREFIX
** LENGTH OF SIDE = 8.59
** CONFIGURATION = ADJACENT
** EMISSION RATE = 0.00007001
** VERTICAL DIMENSION = 6.99
** SZINIT = 3.25
** NODES = 7
** 448421.523, 3764148.859, 240.79, 3.49, 4.00
** 448393.506, 3764149.936, 240.49, 3.49, 4.00
** 448388.119, 3764137.006, 240.51, 3.49, 4.00
** 448378.421, 3764127.308, 240.34, 3.49, 4.00
** 448359.024, 3764129.463, 240.19, 3.49, 4.00
** 448331.008, 3764124.075, 240.16, 3.49, 4.00
** 448110.109, 3764139.161, 239.83, 3.49, 4.00
** ----------------------------------------------------------------
   LOCATION L0005356     VOLUME   448417.231 3764149.024 242.20
   LOCATION L0005357     VOLUME   448408.647 3764149.354 242.19
   LOCATION L0005358     VOLUME   448400.064 3764149.684 242.11
   LOCATION L0005359     VOLUME   448392.726 3764148.064 242.02
   LOCATION L0005360     VOLUME   448389.423 3764140.135 241.91
   LOCATION L0005361     VOLUME   448384.442 3764133.329 241.79
   LOCATION L0005362     VOLUME   448378.347 3764127.316 241.68
   LOCATION L0005363     VOLUME   448369.809 3764128.264 241.68
   LOCATION L0005364     VOLUME   448361.272 3764129.213 241.69
   LOCATION L0005365     VOLUME   448352.809 3764128.267 241.67
   LOCATION L0005366     VOLUME   448344.374 3764126.645 241.59
   LOCATION L0005367     VOLUME   448335.938 3764125.023 241.49
   LOCATION L0005368     VOLUME   448327.447 3764124.318 241.41
   LOCATION L0005369     VOLUME   448318.877 3764124.903 241.34
   LOCATION L0005370     VOLUME   448310.307 3764125.489 241.27
   LOCATION L0005371     VOLUME   448301.737 3764126.074 241.20
   LOCATION L0005372     VOLUME   448293.167 3764126.659 241.13
   LOCATION L0005373     VOLUME   448284.597 3764127.244 241.09
   LOCATION L0005374     VOLUME   448276.027 3764127.830 241.09
   LOCATION L0005375     VOLUME   448267.457 3764128.415 241.08
   LOCATION L0005376     VOLUME   448258.887 3764129.000 241.08
   LOCATION L0005377     VOLUME   448250.317 3764129.585 241.00
   LOCATION L0005378     VOLUME   448241.747 3764130.171 240.91
   LOCATION L0005379     VOLUME   448233.177 3764130.756 240.84
   LOCATION L0005380     VOLUME   448224.607 3764131.341 240.93
   LOCATION L0005381     VOLUME   448216.037 3764131.927 241.11
   LOCATION L0005382     VOLUME   448207.467 3764132.512 241.28
   LOCATION L0005383     VOLUME   448198.897 3764133.097 241.46
   LOCATION L0005384     VOLUME   448190.327 3764133.682 241.66
   LOCATION L0005385     VOLUME   448181.756 3764134.268 241.87
   LOCATION L0005386     VOLUME   448173.186 3764134.853 242.08
   LOCATION L0005387     VOLUME   448164.616 3764135.438 242.24
   LOCATION L0005388     VOLUME   448156.046 3764136.023 242.37
   LOCATION L0005389     VOLUME   448147.476 3764136.609 242.49
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   LOCATION L0005390     VOLUME   448138.906 3764137.194 242.64
   LOCATION L0005391     VOLUME   448130.336 3764137.779 242.88
   LOCATION L0005392     VOLUME   448121.766 3764138.365 243.11
   LOCATION L0005393     VOLUME   448113.196 3764138.950 243.33
** END OF LINE VOLUME SOURCE ID = SLINE8
** ----------------------------------------------------------------
** LINE SOURCE REPRESENTED BY ADJACENT VOLUME SOURCES
** LINE VOLUME SOURCE ID = SLINE9
** DESCRSRC ON-SITE TRAVEL BUILDING E
** PREFIX
** LENGTH OF SIDE = 8.59
** CONFIGURATION = ADJACENT
** EMISSION RATE = 0.00007886
** VERTICAL DIMENSION = 6.99
** SZINIT = 3.25
** NODES = 3
** 448215.435, 3763779.132, 238.36, 3.49, 4.00
** 448222.715, 3764004.133, 238.92, 3.49, 4.00
** 448414.627, 3764000.824, 239.54, 3.49, 4.00
** ----------------------------------------------------------------
   LOCATION L0004448     VOLUME   448215.574 3763783.425 237.97
   LOCATION L0004449     VOLUME   448215.852 3763792.011 238.01
   LOCATION L0004450     VOLUME   448216.130 3763800.596 238.05
   LOCATION L0004451     VOLUME   448216.407 3763809.182 238.14
   LOCATION L0004452     VOLUME   448216.685 3763817.767 238.23
   LOCATION L0004453     VOLUME   448216.963 3763826.353 238.32
   LOCATION L0004454     VOLUME   448217.241 3763834.938 238.43
   LOCATION L0004455     VOLUME   448217.518 3763843.524 238.57
   LOCATION L0004456     VOLUME   448217.796 3763852.109 238.71
   LOCATION L0004457     VOLUME   448218.074 3763860.695 238.85
   LOCATION L0004458     VOLUME   448218.352 3763869.280 238.98
   LOCATION L0004459     VOLUME   448218.629 3763877.866 239.10
   LOCATION L0004460     VOLUME   448218.907 3763886.451 239.22
   LOCATION L0004461     VOLUME   448219.185 3763895.037 239.32
   LOCATION L0004462     VOLUME   448219.463 3763903.622 239.41
   LOCATION L0004463     VOLUME   448219.740 3763912.208 239.49
   LOCATION L0004464     VOLUME   448220.018 3763920.793 239.58
   LOCATION L0004465     VOLUME   448220.296 3763929.379 239.67
   LOCATION L0004466     VOLUME   448220.574 3763937.964 239.76
   LOCATION L0004467     VOLUME   448220.852 3763946.550 239.84
   LOCATION L0004468     VOLUME   448221.129 3763955.135 239.93
   LOCATION L0004469     VOLUME   448221.407 3763963.721 240.02
   LOCATION L0004470     VOLUME   448221.685 3763972.306 240.10
   LOCATION L0004471     VOLUME   448221.963 3763980.892 240.18
   LOCATION L0004472     VOLUME   448222.240 3763989.477 240.21
   LOCATION L0004473     VOLUME   448222.518 3763998.063 240.23
   LOCATION L0004474     VOLUME   448225.231 3764004.089 240.22
   LOCATION L0004475     VOLUME   448233.820 3764003.941 240.18
   LOCATION L0004476     VOLUME   448242.409 3764003.793 240.18
   LOCATION L0004477     VOLUME   448250.997 3764003.645 240.18
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   LOCATION L0004478     VOLUME   448259.586 3764003.497 240.18
   LOCATION L0004479     VOLUME   448268.175 3764003.349 240.25
   LOCATION L0004480     VOLUME   448276.763 3764003.201 240.31
   LOCATION L0004481     VOLUME   448285.352 3764003.053 240.38
   LOCATION L0004482     VOLUME   448293.941 3764002.905 240.42
   LOCATION L0004483     VOLUME   448302.530 3764002.757 240.41
   LOCATION L0004484     VOLUME   448311.118 3764002.608 240.41
   LOCATION L0004485     VOLUME   448319.707 3764002.460 240.41
   LOCATION L0004486     VOLUME   448328.296 3764002.312 240.41
   LOCATION L0004487     VOLUME   448336.885 3764002.164 240.41
   LOCATION L0004488     VOLUME   448345.473 3764002.016 240.41
   LOCATION L0004489     VOLUME   448354.062 3764001.868 240.45
   LOCATION L0004490     VOLUME   448362.651 3764001.720 240.53
   LOCATION L0004491     VOLUME   448371.239 3764001.572 240.62
   LOCATION L0004492     VOLUME   448379.828 3764001.424 240.70
   LOCATION L0004493     VOLUME   448388.417 3764001.276 240.64
   LOCATION L0004494     VOLUME   448397.006 3764001.128 240.58
   LOCATION L0004495     VOLUME   448405.594 3764000.980 240.52
   LOCATION L0004496     VOLUME   448414.183 3764000.831 240.52
** END OF LINE VOLUME SOURCE ID = SLINE9
** ----------------------------------------------------------------------
** LINE SOURCE REPRESENTED BY ADJACENT VOLUME SOURCES
** LINE VOLUME SOURCE ID = SLINE10
** DESCRSRC ON-SITE TRAVEL BUILDING F
** PREFIX
** LENGTH OF SIDE = 8.59
** CONFIGURATION = ADJACENT
** EMISSION RATE = 0.00001646
** VERTICAL DIMENSION = 6.99
** SZINIT = 3.25
** NODES = 3
** 448407.347, 3763877.074, 239.73, 3.49, 4.00
** 448273.009, 3763879.059, 239.57, 3.49, 4.00
** 448253.817, 3763895.603, 239.04, 3.49, 4.00
** ----------------------------------------------------------------------
   LOCATION L0004497     VOLUME   448403.053 3763877.137 239.75
   LOCATION L0004498     VOLUME   448394.463 3763877.264 239.75
   LOCATION L0004499     VOLUME   448385.874 3763877.391 239.75
   LOCATION L0004500     VOLUME   448377.285 3763877.518 239.73
   LOCATION L0004501     VOLUME   448368.696 3763877.645 239.68
   LOCATION L0004502     VOLUME   448360.107 3763877.772 239.63
   LOCATION L0004503     VOLUME   448351.518 3763877.899 239.58
   LOCATION L0004504     VOLUME   448342.929 3763878.026 239.54
   LOCATION L0004505     VOLUME   448334.340 3763878.153 239.51
   LOCATION L0004506     VOLUME   448325.751 3763878.280 239.48
   LOCATION L0004507     VOLUME   448317.162 3763878.406 239.46
   LOCATION L0004508     VOLUME   448308.573 3763878.533 239.46
   LOCATION L0004509     VOLUME   448299.984 3763878.660 239.46
   LOCATION L0004510     VOLUME   448291.395 3763878.787 239.46
   LOCATION L0004511     VOLUME   448282.806 3763878.914 239.39
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   LOCATION L0004512     VOLUME   448274.217 3763879.041 239.30
   LOCATION L0004513     VOLUME   448267.418 3763883.879 239.28
   LOCATION L0004514     VOLUME   448260.911 3763889.488 239.27
   LOCATION L0004515     VOLUME   448254.405 3763895.096 239.32
** END OF LINE VOLUME SOURCE ID = SLINE10
** ----------------------------------------------------------------------
** LINE SOURCE REPRESENTED BY ADJACENT VOLUME SOURCES
** LINE VOLUME SOURCE ID = SLINE11
** DESCRSRC OFF-SITE TRAVEL 50% MILIKEN AVE
** PREFIX
** LENGTH OF SIDE = 8.59
** CONFIGURATION = ADJACENT
** EMISSION RATE = 0.0001467
** VERTICAL DIMENSION = 6.99
** SZINIT = 3.25
** NODES = 2
** 448454.878, 3764140.936, 240.76, 3.49, 4.00
** 448446.620, 3765096.768, 249.74, 3.49, 4.00
** ----------------------------------------------------------------------
   LOCATION L0005394     VOLUME   448454.840 3764145.231 242.24
   LOCATION L0005395     VOLUME   448454.766 3764153.821 242.28
   LOCATION L0005396     VOLUME   448454.692 3764162.410 242.34
   LOCATION L0005397     VOLUME   448454.618 3764171.000 242.43
   LOCATION L0005398     VOLUME   448454.544 3764179.590 242.52
   LOCATION L0005399     VOLUME   448454.469 3764188.179 242.60
   LOCATION L0005400     VOLUME   448454.395 3764196.769 242.69
   LOCATION L0005401     VOLUME   448454.321 3764205.359 242.78
   LOCATION L0005402     VOLUME   448454.247 3764213.948 242.86
   LOCATION L0005403     VOLUME   448454.173 3764222.538 242.95
   LOCATION L0005404     VOLUME   448454.098 3764231.128 243.04
   LOCATION L0005405     VOLUME   448454.024 3764239.718 243.13
   LOCATION L0005406     VOLUME   448453.950 3764248.307 243.21
   LOCATION L0005407     VOLUME   448453.876 3764256.897 243.30
   LOCATION L0005408     VOLUME   448453.802 3764265.487 243.39
   LOCATION L0005409     VOLUME   448453.727 3764274.076 243.48
   LOCATION L0005410     VOLUME   448453.653 3764282.666 243.55
   LOCATION L0005411     VOLUME   448453.579 3764291.256 243.60
   LOCATION L0005412     VOLUME   448453.505 3764299.845 243.65
   LOCATION L0005413     VOLUME   448453.431 3764308.435 243.69
   LOCATION L0005414     VOLUME   448453.356 3764317.025 243.78
   LOCATION L0005415     VOLUME   448453.282 3764325.614 243.86
   LOCATION L0005416     VOLUME   448453.208 3764334.204 243.95
   LOCATION L0005417     VOLUME   448453.134 3764342.794 244.16
   LOCATION L0005418     VOLUME   448453.059 3764351.383 244.62
   LOCATION L0005419     VOLUME   448452.985 3764359.973 245.08
   LOCATION L0005420     VOLUME   448452.911 3764368.563 245.55
   LOCATION L0005421     VOLUME   448452.837 3764377.152 245.93
   LOCATION L0005422     VOLUME   448452.763 3764385.742 246.29
   LOCATION L0005423     VOLUME   448452.688 3764394.332 246.65
   LOCATION L0005424     VOLUME   448452.614 3764402.921 246.80
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LOCATION L0005425     VOLUME   448452.540 3764411.511 246.54
LOCATION L0005426     VOLUME   448452.466 3764420.101 246.28
LOCATION L0005427     VOLUME   448452.392 3764428.690 246.01
LOCATION L0005428     VOLUME   448452.317 3764437.280 245.97
LOCATION L0005429     VOLUME   448452.243 3764445.870 245.97
LOCATION L0005430     VOLUME   448452.169 3764454.459 245.97
LOCATION L0005431     VOLUME   448452.095 3764463.049 246.00
LOCATION L0005432     VOLUME   448452.021 3764471.639 246.09
LOCATION L0005433     VOLUME   448451.946 3764480.229 246.18
LOCATION L0005434     VOLUME   448451.872 3764488.818 246.27
LOCATION L0005435     VOLUME   448451.798 3764497.408 246.43
LOCATION L0005436     VOLUME   448451.724 3764505.998 246.60
LOCATION L0005437     VOLUME   448451.649 3764514.587 246.78
LOCATION L0005438     VOLUME   448451.575 3764523.177 246.93
LOCATION L0005439     VOLUME   448451.501 3764531.767 247.05
LOCATION L0005440     VOLUME   448451.427 3764540.356 247.17
LOCATION L0005441     VOLUME   448451.353 3764548.946 247.29
LOCATION L0005442     VOLUME   448451.278 3764557.536 247.28
LOCATION L0005443     VOLUME   448451.204 3764566.125 247.25
LOCATION L0005444     VOLUME   448451.130 3764574.715 247.21
LOCATION L0005445     VOLUME   448451.056 3764583.305 247.21
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LOCATION L0005447     VOLUME   448450.907 3764600.484 247.33
LOCATION L0005448     VOLUME   448450.833 3764609.074 247.38
LOCATION L0005449     VOLUME   448450.759 3764617.663 247.52
LOCATION L0005450     VOLUME   448450.685 3764626.253 247.67
LOCATION L0005451     VOLUME   448450.611 3764634.843 247.82
LOCATION L0005452     VOLUME   448450.536 3764643.432 248.03
LOCATION L0005453     VOLUME   448450.462 3764652.022 248.32
LOCATION L0005454     VOLUME   448450.388 3764660.612 248.61
LOCATION L0005455     VOLUME   448450.314 3764669.201 248.90
LOCATION L0005456     VOLUME   448450.240 3764677.791 249.08
LOCATION L0005457     VOLUME   448450.165 3764686.381 249.26
LOCATION L0005458     VOLUME   448450.091 3764694.971 249.43
LOCATION L0005459     VOLUME   448450.017 3764703.560 249.53
LOCATION L0005460     VOLUME   448449.943 3764712.150 249.53
LOCATION L0005461     VOLUME   448449.868 3764720.740 249.53
LOCATION L0005462     VOLUME   448449.794 3764729.329 249.53
LOCATION L0005463     VOLUME   448449.720 3764737.919 249.52
LOCATION L0005464     VOLUME   448449.646 3764746.509 249.52
LOCATION L0005465     VOLUME   448449.572 3764755.098 249.52
LOCATION L0005466     VOLUME   448449.497 3764763.688 249.57
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LOCATION L0005469     VOLUME   448449.275 3764789.457 249.93
LOCATION L0005470     VOLUME   448449.201 3764798.047 249.96
LOCATION L0005471     VOLUME   448449.126 3764806.636 249.99
LOCATION L0005472     VOLUME   448449.052 3764815.226 250.01
LOCATION L0005473     VOLUME   448448.978 3764823.816 250.02
LOCATION L0005474     VOLUME   448448.904 3764832.405 249.99
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   LOCATION L0005477     VOLUME   448448.681 3764858.174 249.94
   LOCATION L0005478     VOLUME   448448.607 3764866.764 249.94
   LOCATION L0005479     VOLUME   448448.533 3764875.354 249.94
   LOCATION L0005480     VOLUME   448448.459 3764883.943 249.94
   LOCATION L0005481     VOLUME   448448.384 3764892.533 249.94
   LOCATION L0005482     VOLUME   448448.310 3764901.123 249.94
   LOCATION L0005483     VOLUME   448448.236 3764909.713 249.94
   LOCATION L0005484     VOLUME   448448.162 3764918.302 249.94
   LOCATION L0005485     VOLUME   448448.087 3764926.892 249.94
   LOCATION L0005486     VOLUME   448448.013 3764935.482 249.94
   LOCATION L0005487     VOLUME   448447.939 3764944.071 249.94
   LOCATION L0005488     VOLUME   448447.865 3764952.661 249.94
   LOCATION L0005489     VOLUME   448447.791 3764961.251 249.94
   LOCATION L0005490     VOLUME   448447.716 3764969.840 249.94
   LOCATION L0005491     VOLUME   448447.642 3764978.430 249.94
   LOCATION L0005492     VOLUME   448447.568 3764987.020 249.94
   LOCATION L0005493     VOLUME   448447.494 3764995.609 249.94
   LOCATION L0005494     VOLUME   448447.420 3765004.199 249.94
   LOCATION L0005495     VOLUME   448447.345 3765012.789 249.94
   LOCATION L0005496     VOLUME   448447.271 3765021.378 249.94
   LOCATION L0005497     VOLUME   448447.197 3765029.968 249.94
   LOCATION L0005498     VOLUME   448447.123 3765038.558 250.00
   LOCATION L0005499     VOLUME   448447.049 3765047.147 250.07
   LOCATION L0005500     VOLUME   448446.974 3765055.737 250.14
   LOCATION L0005501     VOLUME   448446.900 3765064.327 250.18
   LOCATION L0005502     VOLUME   448446.826 3765072.916 250.20
   LOCATION L0005503     VOLUME   448446.752 3765081.506 250.22
   LOCATION L0005504     VOLUME   448446.677 3765090.096 250.24
** END OF LINE VOLUME SOURCE ID = SLINE11
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** LINE SOURCE REPRESENTED BY ADJACENT VOLUME SOURCES
** LINE VOLUME SOURCE ID = SLINE12
** DESCRSRC OFF-SITE TRAVEL 40% HAMNER AVE
** PREFIX
** LENGTH OF SIDE = 8.59
** CONFIGURATION = ADJACENT
** EMISSION RATE = 0.0001586
** VERTICAL DIMENSION = 6.99
** SZINIT = 3.25
** NODES = 2
** 448454.878, 3764132.678, 240.67, 3.49, 4.00
** 448434.233, 3762390.299, 225.13, 3.49, 4.00
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   LOCATION L0005617     VOLUME   448454.725 3764119.794 242.11
   LOCATION L0005618     VOLUME   448454.623 3764111.205 242.06
   LOCATION L0005619     VOLUME   448454.521 3764102.616 242.02
   LOCATION L0005620     VOLUME   448454.420 3764094.026 241.91
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LOCATION L0005621     VOLUME   448454.318 3764085.437 241.78
LOCATION L0005622     VOLUME   448454.216 3764076.847 241.65
LOCATION L0005623     VOLUME   448454.114 3764068.258 241.52
LOCATION L0005624     VOLUME   448454.013 3764059.669 241.38
LOCATION L0005625     VOLUME   448453.911 3764051.079 241.25
LOCATION L0005626     VOLUME   448453.809 3764042.490 241.11
LOCATION L0005627     VOLUME   448453.707 3764033.900 241.01
LOCATION L0005628     VOLUME   448453.605 3764025.311 240.93
LOCATION L0005629     VOLUME   448453.504 3764016.722 240.85
LOCATION L0005630     VOLUME   448453.402 3764008.132 240.78
LOCATION L0005631     VOLUME   448453.300 3763999.543 240.73
LOCATION L0005632     VOLUME   448453.198 3763990.953 240.68
LOCATION L0005633     VOLUME   448453.097 3763982.364 240.63
LOCATION L0005634     VOLUME   448452.995 3763973.775 240.59
LOCATION L0005635     VOLUME   448452.893 3763965.185 240.55
LOCATION L0005636     VOLUME   448452.791 3763956.596 240.52
LOCATION L0005637     VOLUME   448452.690 3763948.006 240.48
LOCATION L0005638     VOLUME   448452.588 3763939.417 240.42
LOCATION L0005639     VOLUME   448452.486 3763930.828 240.37
LOCATION L0005640     VOLUME   448452.384 3763922.238 240.32
LOCATION L0005641     VOLUME   448452.282 3763913.649 240.24
LOCATION L0005642     VOLUME   448452.181 3763905.059 240.15
LOCATION L0005643     VOLUME   448452.079 3763896.470 240.07
LOCATION L0005644     VOLUME   448451.977 3763887.881 239.99
LOCATION L0005645     VOLUME   448451.875 3763879.291 239.96
LOCATION L0005646     VOLUME   448451.774 3763870.702 239.92
LOCATION L0005647     VOLUME   448451.672 3763862.112 239.89
LOCATION L0005648     VOLUME   448451.570 3763853.523 239.81
LOCATION L0005649     VOLUME   448451.468 3763844.934 239.72
LOCATION L0005650     VOLUME   448451.367 3763836.344 239.64
LOCATION L0005651     VOLUME   448451.265 3763827.755 239.55
LOCATION L0005652     VOLUME   448451.163 3763819.165 239.46
LOCATION L0005653     VOLUME   448451.061 3763810.576 239.38
LOCATION L0005654     VOLUME   448450.959 3763801.987 239.29
LOCATION L0005655     VOLUME   448450.858 3763793.397 239.27
LOCATION L0005656     VOLUME   448450.756 3763784.808 239.27
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LOCATION L0005663     VOLUME   448450.044 3763724.682 239.42
LOCATION L0005664     VOLUME   448449.942 3763716.093 239.51
LOCATION L0005665     VOLUME   448449.840 3763707.503 239.60
LOCATION L0005666     VOLUME   448449.738 3763698.914 239.69
LOCATION L0005667     VOLUME   448449.636 3763690.325 239.77
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LOCATION L0005669     VOLUME   448449.433 3763673.146 240.04
LOCATION L0005670     VOLUME   448449.331 3763664.556 240.25
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LOCATION L0005671     VOLUME   448449.229 3763655.967 240.46
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LOCATION L0005673     VOLUME   448449.026 3763638.788 240.61
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LOCATION L0005675     VOLUME   448448.822 3763621.609 240.61
LOCATION L0005676     VOLUME   448448.720 3763613.020 240.61
LOCATION L0005677     VOLUME   448448.619 3763604.431 240.62
LOCATION L0005678     VOLUME   448448.517 3763595.841 240.62
LOCATION L0005679     VOLUME   448448.415 3763587.252 240.57
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LOCATION L0005681     VOLUME   448448.212 3763570.073 240.28
LOCATION L0005682     VOLUME   448448.110 3763561.484 240.13
LOCATION L0005683     VOLUME   448448.008 3763552.894 239.83
LOCATION L0005684     VOLUME   448447.906 3763544.305 239.51
LOCATION L0005685     VOLUME   448447.805 3763535.715 239.18
LOCATION L0005686     VOLUME   448447.703 3763527.126 238.90
LOCATION L0005687     VOLUME   448447.601 3763518.537 238.73
LOCATION L0005688     VOLUME   448447.499 3763509.947 238.56
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LOCATION L0005690     VOLUME   448447.296 3763492.768 238.28
LOCATION L0005691     VOLUME   448447.194 3763484.179 238.19
LOCATION L0005692     VOLUME   448447.092 3763475.590 238.11
LOCATION L0005693     VOLUME   448446.990 3763467.000 238.04
LOCATION L0005694     VOLUME   448446.889 3763458.411 238.02
LOCATION L0005695     VOLUME   448446.787 3763449.821 238.00
LOCATION L0005696     VOLUME   448446.685 3763441.232 237.98
LOCATION L0005697     VOLUME   448446.583 3763432.643 237.92
LOCATION L0005698     VOLUME   448446.482 3763424.053 237.86
LOCATION L0005699     VOLUME   448446.380 3763415.464 237.79
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LOCATION L0005705     VOLUME   448445.769 3763363.927 237.17
LOCATION L0005706     VOLUME   448445.667 3763355.338 237.00
LOCATION L0005707     VOLUME   448445.566 3763346.749 236.79
LOCATION L0005708     VOLUME   448445.464 3763338.159 236.52
LOCATION L0005709     VOLUME   448445.362 3763329.570 236.26
LOCATION L0005710     VOLUME   448445.260 3763320.980 236.00
LOCATION L0005711     VOLUME   448445.159 3763312.391 235.81
LOCATION L0005712     VOLUME   448445.057 3763303.802 235.64
LOCATION L0005713     VOLUME   448444.955 3763295.212 235.46
LOCATION L0005714     VOLUME   448444.853 3763286.623 235.32
LOCATION L0005715     VOLUME   448444.751 3763278.033 235.23
LOCATION L0005716     VOLUME   448444.650 3763269.444 235.14
LOCATION L0005717     VOLUME   448444.548 3763260.855 235.06
LOCATION L0005718     VOLUME   448444.446 3763252.265 235.03
LOCATION L0005719     VOLUME   448444.344 3763243.676 235.02
LOCATION L0005720     VOLUME   448444.243 3763235.086 235.01
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LOCATION L0005722     VOLUME   448444.039 3763217.908 234.88
LOCATION L0005723     VOLUME   448443.937 3763209.318 234.79
LOCATION L0005724     VOLUME   448443.836 3763200.729 234.70
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LOCATION L0005726     VOLUME   448443.632 3763183.550 234.53
LOCATION L0005727     VOLUME   448443.530 3763174.961 234.44
LOCATION L0005728     VOLUME   448443.428 3763166.371 234.32
LOCATION L0005729     VOLUME   448443.327 3763157.782 234.14
LOCATION L0005730     VOLUME   448443.225 3763149.192 233.97
LOCATION L0005731     VOLUME   448443.123 3763140.603 233.79
LOCATION L0005732     VOLUME   448443.021 3763132.014 233.70
LOCATION L0005733     VOLUME   448442.920 3763123.424 233.61
LOCATION L0005734     VOLUME   448442.818 3763114.835 233.53
LOCATION L0005735     VOLUME   448442.716 3763106.246 233.44
LOCATION L0005736     VOLUME   448442.614 3763097.656 233.35
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LOCATION L0005739     VOLUME   448442.309 3763071.888 233.01
LOCATION L0005740     VOLUME   448442.207 3763063.299 232.85
LOCATION L0005741     VOLUME   448442.105 3763054.709 232.68
LOCATION L0005742     VOLUME   448442.004 3763046.120 232.58
LOCATION L0005743     VOLUME   448441.902 3763037.530 232.57
LOCATION L0005744     VOLUME   448441.800 3763028.941 232.56
LOCATION L0005745     VOLUME   448441.698 3763020.352 232.55
LOCATION L0005746     VOLUME   448441.597 3763011.762 232.46
LOCATION L0005747     VOLUME   448441.495 3763003.173 232.38
LOCATION L0005748     VOLUME   448441.393 3762994.583 232.29
LOCATION L0005749     VOLUME   448441.291 3762985.994 232.24
LOCATION L0005750     VOLUME   448441.190 3762977.405 232.25
LOCATION L0005751     VOLUME   448441.088 3762968.815 232.25
LOCATION L0005752     VOLUME   448440.986 3762960.226 232.25
LOCATION L0005753     VOLUME   448440.884 3762951.636 232.16
LOCATION L0005754     VOLUME   448440.782 3762943.047 232.08
LOCATION L0005755     VOLUME   448440.681 3762934.458 231.99
LOCATION L0005756     VOLUME   448440.579 3762925.868 231.90
LOCATION L0005757     VOLUME   448440.477 3762917.279 231.82
LOCATION L0005758     VOLUME   448440.375 3762908.689 231.73
LOCATION L0005759     VOLUME   448440.274 3762900.100 231.65
LOCATION L0005760     VOLUME   448440.172 3762891.511 231.47
LOCATION L0005761     VOLUME   448440.070 3762882.921 231.30
LOCATION L0005762     VOLUME   448439.968 3762874.332 231.13
LOCATION L0005763     VOLUME   448439.866 3762865.742 230.95
LOCATION L0005764     VOLUME   448439.765 3762857.153 230.78
LOCATION L0005765     VOLUME   448439.663 3762848.564 230.60
LOCATION L0005766     VOLUME   448439.561 3762839.974 230.43
LOCATION L0005767     VOLUME   448439.459 3762831.385 230.25
LOCATION L0005768     VOLUME   448439.358 3762822.795 230.08
LOCATION L0005769     VOLUME   448439.256 3762814.206 229.90
LOCATION L0005770     VOLUME   448439.154 3762805.617 229.73
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   LOCATION L0005773     VOLUME   448438.849 3762779.848 229.21
   LOCATION L0005774     VOLUME   448438.747 3762771.259 229.03
   LOCATION L0005775     VOLUME   448438.645 3762762.670 228.86
   LOCATION L0005776     VOLUME   448438.543 3762754.080 228.68
   LOCATION L0005777     VOLUME   448438.442 3762745.491 228.60
   LOCATION L0005778     VOLUME   448438.340 3762736.901 228.60
   LOCATION L0005779     VOLUME   448438.238 3762728.312 228.60
   LOCATION L0005780     VOLUME   448438.136 3762719.723 228.60
   LOCATION L0005781     VOLUME   448438.035 3762711.133 228.51
   LOCATION L0005782     VOLUME   448437.933 3762702.544 228.42
   LOCATION L0005783     VOLUME   448437.831 3762693.954 228.34
   LOCATION L0005784     VOLUME   448437.729 3762685.365 228.30
   LOCATION L0005785     VOLUME   448437.628 3762676.776 228.30
   LOCATION L0005786     VOLUME   448437.526 3762668.186 228.30
   LOCATION L0005787     VOLUME   448437.424 3762659.597 228.29
   LOCATION L0005788     VOLUME   448437.322 3762651.007 228.29
   LOCATION L0005789     VOLUME   448437.220 3762642.418 228.28
   LOCATION L0005790     VOLUME   448437.119 3762633.829 228.27
   LOCATION L0005791     VOLUME   448437.017 3762625.239 228.22
   LOCATION L0005792     VOLUME   448436.915 3762616.650 228.14
   LOCATION L0005793     VOLUME   448436.813 3762608.060 228.06
   LOCATION L0005794     VOLUME   448436.712 3762599.471 227.99
   LOCATION L0005795     VOLUME   448436.610 3762590.882 227.98
   LOCATION L0005796     VOLUME   448436.508 3762582.292 227.97
   LOCATION L0005797     VOLUME   448436.406 3762573.703 227.96
   LOCATION L0005798     VOLUME   448436.305 3762565.113 227.95
   LOCATION L0005799     VOLUME   448436.203 3762556.524 227.95
   LOCATION L0005800     VOLUME   448436.101 3762547.935 227.95
   LOCATION L0005801     VOLUME   448435.999 3762539.345 227.96
   LOCATION L0005802     VOLUME   448435.897 3762530.756 228.03
   LOCATION L0005803     VOLUME   448435.796 3762522.167 228.10
   LOCATION L0005804     VOLUME   448435.694 3762513.577 228.18
   LOCATION L0005805     VOLUME   448435.592 3762504.988 228.15
   LOCATION L0005806     VOLUME   448435.490 3762496.398 228.07
   LOCATION L0005807     VOLUME   448435.389 3762487.809 227.98
   LOCATION L0005808     VOLUME   448435.287 3762479.220 227.88
   LOCATION L0005809     VOLUME   448435.185 3762470.630 227.72
   LOCATION L0005810     VOLUME   448435.083 3762462.041 227.56
   LOCATION L0005811     VOLUME   448434.982 3762453.451 227.39
   LOCATION L0005812     VOLUME   448434.880 3762444.862 227.28
   LOCATION L0005813     VOLUME   448434.778 3762436.273 227.19
   LOCATION L0005814     VOLUME   448434.676 3762427.683 227.10
   LOCATION L0005815     VOLUME   448434.574 3762419.094 227.01
   LOCATION L0005816     VOLUME   448434.473 3762410.504 226.94
   LOCATION L0005817     VOLUME   448434.371 3762401.915 226.87
   LOCATION L0005818     VOLUME   448434.269 3762393.326 226.80
** END OF LINE VOLUME SOURCE ID = SLINE12
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** LINE SOURCE REPRESENTED BY ADJACENT VOLUME SOURCES
** LINE VOLUME SOURCE ID = SLINE13
** DESCRSRC OFF-SITE TRAVEL 5% (TO THE WEST)
** PREFIX
** LENGTH OF SIDE = 8.59
** CONFIGURATION = ADJACENT
** EMISSION RATE = 0.00003382
** VERTICAL DIMENSION = 6.99
** SZINIT = 3.25
** NODES = 3
** 448232.953, 3764390.321, 242.27, 3.49, 4.00
** 448090.499, 3764396.618, 242.05, 3.49, 4.00
** 445278.739, 3764435.841, 237.71, 3.49, 4.00
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   LOCATION L0005820     VOLUME   448220.080 3764390.890 243.44
   LOCATION L0005821     VOLUME   448211.498 3764391.270 243.45
   LOCATION L0005822     VOLUME   448202.917 3764391.649 243.45
   LOCATION L0005823     VOLUME   448194.335 3764392.028 243.45
   LOCATION L0005824     VOLUME   448185.754 3764392.408 243.46
   LOCATION L0005825     VOLUME   448177.172 3764392.787 243.46
   LOCATION L0005826     VOLUME   448168.590 3764393.166 243.48
   LOCATION L0005827     VOLUME   448160.009 3764393.546 243.57
   LOCATION L0005828     VOLUME   448151.427 3764393.925 243.66
   LOCATION L0005829     VOLUME   448142.845 3764394.304 243.75
   LOCATION L0005830     VOLUME   448134.264 3764394.684 243.80
   LOCATION L0005831     VOLUME   448125.682 3764395.063 243.81
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LOCATION L0006152     VOLUME   445368.591 3764434.587 238.82
LOCATION L0006153     VOLUME   445360.002 3764434.707 238.91
LOCATION L0006154     VOLUME   445351.413 3764434.827 239.00
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   LOCATION L0006155     VOLUME   445342.824 3764434.947 239.01
   LOCATION L0006156     VOLUME   445334.235 3764435.066 239.01
   LOCATION L0006157     VOLUME   445325.646 3764435.186 239.02
   LOCATION L0006158     VOLUME   445317.056 3764435.306 239.04
   LOCATION L0006159     VOLUME   445308.467 3764435.426 239.11
   LOCATION L0006160     VOLUME   445299.878 3764435.546 239.19
   LOCATION L0006161     VOLUME   445291.289 3764435.665 239.26
   LOCATION L0006162     VOLUME   445282.700 3764435.785 239.28
** END OF LINE VOLUME SOURCE ID = SLINE13
** ----------------------------------------------------------------
** LINE SOURCE REPRESENTED BY ADJACENT VOLUME SOURCES
** LINE VOLUME SOURCE ID = SLINE14
** DESCRSRC OFF-SITE TRAVEL 5% (TO THE EAST)
** PREFIX
** LENGTH OF SIDE = 8.59
** CONFIGURATION = ADJACENT
** EMISSION RATE = 0.00001002
** VERTICAL DIMENSION = 6.99
** SZINIT = 3.25
** NODES = 2
** 448234.182, 3764386.377, 242.28, 3.49, 4.00
** 449109.685, 3764378.958, 242.28, 3.49, 4.00
** ----------------------------------------------------------------
   LOCATION L0006163     VOLUME   448238.477 3764386.341 243.40
   LOCATION L0006164     VOLUME   448247.066 3764386.268 243.40
   LOCATION L0006165     VOLUME   448255.656 3764386.195 243.39
   LOCATION L0006166     VOLUME   448264.246 3764386.122 243.42
   LOCATION L0006167     VOLUME   448272.835 3764386.050 243.46
   LOCATION L0006168     VOLUME   448281.425 3764385.977 243.51
   LOCATION L0006169     VOLUME   448290.015 3764385.904 243.55
   LOCATION L0006170     VOLUME   448298.604 3764385.831 243.59
   LOCATION L0006171     VOLUME   448307.194 3764385.758 243.63
   LOCATION L0006172     VOLUME   448315.784 3764385.686 243.67
   LOCATION L0006173     VOLUME   448324.374 3764385.613 243.76
   LOCATION L0006174     VOLUME   448332.963 3764385.540 243.89
   LOCATION L0006175     VOLUME   448341.553 3764385.467 244.02
   LOCATION L0006176     VOLUME   448350.143 3764385.394 244.15
   LOCATION L0006177     VOLUME   448358.732 3764385.322 244.19
   LOCATION L0006178     VOLUME   448367.322 3764385.249 244.24
   LOCATION L0006179     VOLUME   448375.912 3764385.176 244.28
   LOCATION L0006180     VOLUME   448384.501 3764385.103 244.46
   LOCATION L0006181     VOLUME   448393.091 3764385.030 244.76
   LOCATION L0006182     VOLUME   448401.681 3764384.958 245.07
   LOCATION L0006183     VOLUME   448410.270 3764384.885 245.37
   LOCATION L0006184     VOLUME   448418.860 3764384.812 245.72
   LOCATION L0006185     VOLUME   448427.450 3764384.739 246.07
   LOCATION L0006186     VOLUME   448436.040 3764384.666 246.42
   LOCATION L0006187     VOLUME   448444.629 3764384.594 246.45
   LOCATION L0006188     VOLUME   448453.219 3764384.521 246.23
   LOCATION L0006189     VOLUME   448461.809 3764384.448 246.00
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LOCATION L0006190     VOLUME   448470.398 3764384.375 245.76
LOCATION L0006191     VOLUME   448478.988 3764384.302 245.37
LOCATION L0006192     VOLUME   448487.578 3764384.230 244.98
LOCATION L0006193     VOLUME   448496.167 3764384.157 244.59
LOCATION L0006194     VOLUME   448504.757 3764384.084 244.39
LOCATION L0006195     VOLUME   448513.347 3764384.011 244.36
LOCATION L0006196     VOLUME   448521.936 3764383.938 244.32
LOCATION L0006197     VOLUME   448530.526 3764383.866 244.29
LOCATION L0006198     VOLUME   448539.116 3764383.793 244.33
LOCATION L0006199     VOLUME   448547.705 3764383.720 244.37
LOCATION L0006200     VOLUME   448556.295 3764383.647 244.40
LOCATION L0006201     VOLUME   448564.885 3764383.575 244.40
LOCATION L0006202     VOLUME   448573.475 3764383.502 244.36
LOCATION L0006203     VOLUME   448582.064 3764383.429 244.32
LOCATION L0006204     VOLUME   448590.654 3764383.356 244.27
LOCATION L0006205     VOLUME   448599.244 3764383.283 244.19
LOCATION L0006206     VOLUME   448607.833 3764383.211 244.10
LOCATION L0006207     VOLUME   448616.423 3764383.138 244.01
LOCATION L0006208     VOLUME   448625.013 3764383.065 243.97
LOCATION L0006209     VOLUME   448633.602 3764382.992 243.97
LOCATION L0006210     VOLUME   448642.192 3764382.919 243.97
LOCATION L0006211     VOLUME   448650.782 3764382.847 243.97
LOCATION L0006212     VOLUME   448659.371 3764382.774 243.97
LOCATION L0006213     VOLUME   448667.961 3764382.701 243.97
LOCATION L0006214     VOLUME   448676.551 3764382.628 243.97
LOCATION L0006215     VOLUME   448685.141 3764382.555 243.92
LOCATION L0006216     VOLUME   448693.730 3764382.483 243.83
LOCATION L0006217     VOLUME   448702.320 3764382.410 243.74
LOCATION L0006218     VOLUME   448710.910 3764382.337 243.66
LOCATION L0006219     VOLUME   448719.499 3764382.264 243.66
LOCATION L0006220     VOLUME   448728.089 3764382.191 243.66
LOCATION L0006221     VOLUME   448736.679 3764382.119 243.66
LOCATION L0006222     VOLUME   448745.268 3764382.046 243.66
LOCATION L0006223     VOLUME   448753.858 3764381.973 243.66
LOCATION L0006224     VOLUME   448762.448 3764381.900 243.66
LOCATION L0006225     VOLUME   448771.037 3764381.827 243.66
LOCATION L0006226     VOLUME   448779.627 3764381.755 243.65
LOCATION L0006227     VOLUME   448788.217 3764381.682 243.65
LOCATION L0006228     VOLUME   448796.807 3764381.609 243.65
LOCATION L0006229     VOLUME   448805.396 3764381.536 243.62
LOCATION L0006230     VOLUME   448813.986 3764381.463 243.56
LOCATION L0006231     VOLUME   448822.576 3764381.391 243.51
LOCATION L0006232     VOLUME   448831.165 3764381.318 243.46
LOCATION L0006233     VOLUME   448839.755 3764381.245 243.46
LOCATION L0006234     VOLUME   448848.345 3764381.172 243.46
LOCATION L0006235     VOLUME   448856.934 3764381.100 243.46
LOCATION L0006236     VOLUME   448865.524 3764381.027 243.45
LOCATION L0006237     VOLUME   448874.114 3764380.954 243.45
LOCATION L0006238     VOLUME   448882.703 3764380.881 243.45
LOCATION L0006239     VOLUME   448891.293 3764380.808 243.45
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   LOCATION L0006240     VOLUME   448899.883 3764380.736 243.45
   LOCATION L0006241     VOLUME   448908.473 3764380.663 243.45
   LOCATION L0006242     VOLUME   448917.062 3764380.590 243.45
   LOCATION L0006243     VOLUME   448925.652 3764380.517 243.44
   LOCATION L0006244     VOLUME   448934.242 3764380.444 243.44
   LOCATION L0006245     VOLUME   448942.831 3764380.372 243.44
   LOCATION L0006246     VOLUME   448951.421 3764380.299 243.43
   LOCATION L0006247     VOLUME   448960.011 3764380.226 243.37
   LOCATION L0006248     VOLUME   448968.600 3764380.153 243.31
   LOCATION L0006249     VOLUME   448977.190 3764380.080 243.25
   LOCATION L0006250     VOLUME   448985.780 3764380.008 243.19
   LOCATION L0006251     VOLUME   448994.369 3764379.935 243.13
   LOCATION L0006252     VOLUME   449002.959 3764379.862 243.07
   LOCATION L0006253     VOLUME   449011.549 3764379.789 243.01
   LOCATION L0006254     VOLUME   449020.139 3764379.716 242.98
   LOCATION L0006255     VOLUME   449028.728 3764379.644 242.95
   LOCATION L0006256     VOLUME   449037.318 3764379.571 242.92
   LOCATION L0006257     VOLUME   449045.908 3764379.498 242.91
   LOCATION L0006258     VOLUME   449054.497 3764379.425 242.91
   LOCATION L0006259     VOLUME   449063.087 3764379.352 242.91
   LOCATION L0006260     VOLUME   449071.677 3764379.280 242.90
   LOCATION L0006261     VOLUME   449080.266 3764379.207 242.87
   LOCATION L0006262     VOLUME   449088.856 3764379.134 242.84
   LOCATION L0006263     VOLUME   449097.446 3764379.061 242.81
   LOCATION L0006264     VOLUME   449106.035 3764378.988 242.85
** END OF LINE VOLUME SOURCE ID = SLINE14
** SOURCE PARAMETERS **
** LINE VOLUME SOURCE ID = SLINE1
   SRCPARAM L0004259     0.000003506      3.49      4.00      3.25
   SRCPARAM L0004260     0.000003506      3.49      4.00      3.25
   SRCPARAM L0004261     0.000003506      3.49      4.00      3.25
   SRCPARAM L0004262     0.000003506      3.49      4.00      3.25
   SRCPARAM L0004263     0.000003506      3.49      4.00      3.25
** ----------------------------------------------------------------
** LINE VOLUME SOURCE ID = SLINE2
   SRCPARAM L0005276     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005277     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005278     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005279     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005280     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005281     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005282     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005283     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005284     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005285     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005286     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005287     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005288     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005289     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005290     0.0000101333      3.49      4.00      3.25
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   SRCPARAM L0005291     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005292     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005293     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005294     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005295     0.0000101333      3.49      4.00      3.25
   SRCPARAM L0005296     0.0000101333      3.49      4.00      3.25
** ----------------------------------------------------------------------
** LINE VOLUME SOURCE ID = SLINE3
   SRCPARAM L0005297     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005298     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005299     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005300     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005301     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005302     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005303     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005304     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005305     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005306     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005307     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005308     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005309     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005310     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005311     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005312     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005313     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005314     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005315     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005316     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005317     0.0000103955      3.49      4.00      3.25
   SRCPARAM L0005318     0.0000103955      3.49      4.00      3.25
** ----------------------------------------------------------------------
** LINE VOLUME SOURCE ID = SLINE4
   SRCPARAM L0004307     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004308     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004309     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004310     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004311     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004312     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004313     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004314     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004315     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004316     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004317     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004318     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004319     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004320     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004321     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004322     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004323     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004324     0.000001827      3.49      4.00      3.25
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   SRCPARAM L0004325     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004326     0.000001827      3.49      4.00      3.25
   SRCPARAM L0004327     0.000001827      3.49      4.00      3.25
** ------------------------------------------------------------------
** LINE VOLUME SOURCE ID = SLINE5
   SRCPARAM L0004328     0.000001901      3.49      4.00      3.25
   SRCPARAM L0004329     0.000001901      3.49      4.00      3.25
   SRCPARAM L0004330     0.000001901      3.49      4.00      3.25
   SRCPARAM L0004331     0.000001901      3.49      4.00      3.25
   SRCPARAM L0004332     0.000001901      3.49      4.00      3.25
   SRCPARAM L0004333     0.000001901      3.49      4.00      3.25
   SRCPARAM L0004334     0.000001901      3.49      4.00      3.25
   SRCPARAM L0004335     0.000001901      3.49      4.00      3.25
   SRCPARAM L0004336     0.000001901      3.49      4.00      3.25
   SRCPARAM L0004337     0.000001901      3.49      4.00      3.25
   SRCPARAM L0004338     0.000001901      3.49      4.00      3.25
** ------------------------------------------------------------------
** LINE VOLUME SOURCE ID = SLINE6
   SRCPARAM L0004339     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004340     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004341     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004342     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004343     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004344     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004345     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004346     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004347     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004348     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004349     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004350     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004351     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004352     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004353     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004354     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004355     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004356     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004357     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004358     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004359     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004360     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004361     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004362     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004363     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004364     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004365     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004366     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004367     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004368     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004369     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004370     0.0000004271      3.49      4.00      3.25
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   SRCPARAM L0004371     0.0000004271      3.49      4.00      3.25
   SRCPARAM L0004372     0.0000004271      3.49      4.00      3.25
** ------------------------------------------------------------------
** LINE VOLUME SOURCE ID = SLINE7
   SRCPARAM L0005319     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005320     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005321     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005322     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005323     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005324     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005325     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005326     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005327     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005328     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005329     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005330     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005331     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005332     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005333     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005334     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005335     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005336     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005337     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005338     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005339     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005340     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005341     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005342     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005343     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005344     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005345     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005346     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005347     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005348     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005349     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005350     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005351     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005352     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005353     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005354     0.00000171      3.49      4.00      3.25
   SRCPARAM L0005355     0.00000171      3.49      4.00      3.25
** ------------------------------------------------------------------
** LINE VOLUME SOURCE ID = SLINE8
   SRCPARAM L0005356     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005357     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005358     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005359     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005360     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005361     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005362     0.000001842      3.49      4.00      3.25
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   SRCPARAM L0005363     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005364     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005365     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005366     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005367     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005368     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005369     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005370     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005371     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005372     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005373     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005374     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005375     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005376     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005377     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005378     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005379     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005380     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005381     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005382     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005383     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005384     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005385     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005386     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005387     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005388     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005389     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005390     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005391     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005392     0.000001842      3.49      4.00      3.25
   SRCPARAM L0005393     0.000001842      3.49      4.00      3.25
** ------------------------------------------------------------------
** LINE VOLUME SOURCE ID = SLINE9
   SRCPARAM L0004448     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004449     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004450     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004451     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004452     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004453     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004454     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004455     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004456     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004457     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004458     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004459     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004460     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004461     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004462     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004463     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004464     0.000001609      3.49      4.00      3.25
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   SRCPARAM L0004465     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004466     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004467     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004468     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004469     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004470     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004471     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004472     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004473     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004474     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004475     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004476     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004477     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004478     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004479     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004480     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004481     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004482     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004483     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004484     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004485     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004486     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004487     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004488     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004489     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004490     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004491     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004492     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004493     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004494     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004495     0.000001609      3.49      4.00      3.25
   SRCPARAM L0004496     0.000001609      3.49      4.00      3.25
** ----------------------------------------------------------------
** LINE VOLUME SOURCE ID = SLINE10
   SRCPARAM L0004497     0.0000008663      3.49      4.00      3.25
   SRCPARAM L0004498     0.0000008663      3.49      4.00      3.25
   SRCPARAM L0004499     0.0000008663      3.49      4.00      3.25
   SRCPARAM L0004500     0.0000008663      3.49      4.00      3.25
   SRCPARAM L0004501     0.0000008663      3.49      4.00      3.25
   SRCPARAM L0004502     0.0000008663      3.49      4.00      3.25
   SRCPARAM L0004503     0.0000008663      3.49      4.00      3.25
   SRCPARAM L0004504     0.0000008663      3.49      4.00      3.25
   SRCPARAM L0004505     0.0000008663      3.49      4.00      3.25
   SRCPARAM L0004506     0.0000008663      3.49      4.00      3.25
   SRCPARAM L0004507     0.0000008663      3.49      4.00      3.25
   SRCPARAM L0004508     0.0000008663      3.49      4.00      3.25
   SRCPARAM L0004509     0.0000008663      3.49      4.00      3.25
   SRCPARAM L0004510     0.0000008663      3.49      4.00      3.25
   SRCPARAM L0004511     0.0000008663      3.49      4.00      3.25
   SRCPARAM L0004512     0.0000008663      3.49      4.00      3.25
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   SRCPARAM L0004513     0.0000008663      3.49      4.00      3.25
   SRCPARAM L0004514     0.0000008663      3.49      4.00      3.25
   SRCPARAM L0004515     0.0000008663      3.49      4.00      3.25
** ------------------------------------------------------------------
** LINE VOLUME SOURCE ID = SLINE11
   SRCPARAM L0005394     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005395     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005396     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005397     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005398     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005399     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005400     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005401     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005402     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005403     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005404     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005405     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005406     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005407     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005408     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005409     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005410     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005411     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005412     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005413     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005414     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005415     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005416     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005417     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005418     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005419     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005420     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005421     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005422     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005423     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005424     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005425     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005426     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005427     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005428     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005429     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005430     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005431     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005432     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005433     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005434     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005435     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005436     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005437     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005438     0.000001322      3.49      4.00      3.25
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SRCPARAM L0005439     0.000001322      3.49      4.00      3.25
SRCPARAM L0005440     0.000001322      3.49      4.00      3.25
SRCPARAM L0005441     0.000001322      3.49      4.00      3.25
SRCPARAM L0005442     0.000001322      3.49      4.00      3.25
SRCPARAM L0005443     0.000001322      3.49      4.00      3.25
SRCPARAM L0005444     0.000001322      3.49      4.00      3.25
SRCPARAM L0005445     0.000001322      3.49      4.00      3.25
SRCPARAM L0005446     0.000001322      3.49      4.00      3.25
SRCPARAM L0005447     0.000001322      3.49      4.00      3.25
SRCPARAM L0005448     0.000001322      3.49      4.00      3.25
SRCPARAM L0005449     0.000001322      3.49      4.00      3.25
SRCPARAM L0005450     0.000001322      3.49      4.00      3.25
SRCPARAM L0005451     0.000001322      3.49      4.00      3.25
SRCPARAM L0005452     0.000001322      3.49      4.00      3.25
SRCPARAM L0005453     0.000001322      3.49      4.00      3.25
SRCPARAM L0005454     0.000001322      3.49      4.00      3.25
SRCPARAM L0005455     0.000001322      3.49      4.00      3.25
SRCPARAM L0005456     0.000001322      3.49      4.00      3.25
SRCPARAM L0005457     0.000001322      3.49      4.00      3.25
SRCPARAM L0005458     0.000001322      3.49      4.00      3.25
SRCPARAM L0005459     0.000001322      3.49      4.00      3.25
SRCPARAM L0005460     0.000001322      3.49      4.00      3.25
SRCPARAM L0005461     0.000001322      3.49      4.00      3.25
SRCPARAM L0005462     0.000001322      3.49      4.00      3.25
SRCPARAM L0005463     0.000001322      3.49      4.00      3.25
SRCPARAM L0005464     0.000001322      3.49      4.00      3.25
SRCPARAM L0005465     0.000001322      3.49      4.00      3.25
SRCPARAM L0005466     0.000001322      3.49      4.00      3.25
SRCPARAM L0005467     0.000001322      3.49      4.00      3.25
SRCPARAM L0005468     0.000001322      3.49      4.00      3.25
SRCPARAM L0005469     0.000001322      3.49      4.00      3.25
SRCPARAM L0005470     0.000001322      3.49      4.00      3.25
SRCPARAM L0005471     0.000001322      3.49      4.00      3.25
SRCPARAM L0005472     0.000001322      3.49      4.00      3.25
SRCPARAM L0005473     0.000001322      3.49      4.00      3.25
SRCPARAM L0005474     0.000001322      3.49      4.00      3.25
SRCPARAM L0005475     0.000001322      3.49      4.00      3.25
SRCPARAM L0005476     0.000001322      3.49      4.00      3.25
SRCPARAM L0005477     0.000001322      3.49      4.00      3.25
SRCPARAM L0005478     0.000001322      3.49      4.00      3.25
SRCPARAM L0005479     0.000001322      3.49      4.00      3.25
SRCPARAM L0005480     0.000001322      3.49      4.00      3.25
SRCPARAM L0005481     0.000001322      3.49      4.00      3.25
SRCPARAM L0005482     0.000001322      3.49      4.00      3.25
SRCPARAM L0005483     0.000001322      3.49      4.00      3.25
SRCPARAM L0005484     0.000001322      3.49      4.00      3.25
SRCPARAM L0005485     0.000001322      3.49      4.00      3.25
SRCPARAM L0005486     0.000001322      3.49      4.00      3.25
SRCPARAM L0005487     0.000001322      3.49      4.00      3.25
SRCPARAM L0005488     0.000001322      3.49      4.00      3.25
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   SRCPARAM L0005489     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005490     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005491     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005492     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005493     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005494     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005495     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005496     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005497     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005498     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005499     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005500     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005501     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005502     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005503     0.000001322      3.49      4.00      3.25
   SRCPARAM L0005504     0.000001322      3.49      4.00      3.25
** ------------------------------------------------------------------
** LINE VOLUME SOURCE ID = SLINE12
   SRCPARAM L0005616     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005617     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005618     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005619     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005620     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005621     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005622     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005623     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005624     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005625     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005626     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005627     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005628     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005629     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005630     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005631     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005632     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005633     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005634     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005635     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005636     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005637     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005638     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005639     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005640     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005641     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005642     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005643     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005644     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005645     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005646     0.0000007813      3.49      4.00      3.25
   SRCPARAM L0005647     0.0000007813      3.49      4.00      3.25
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SRCPARAM L0005648     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005649     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005650     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005651     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005652     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005653     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005654     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005655     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005656     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005657     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005658     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005659     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005660     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005661     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005662     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005663     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005664     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005665     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005666     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005667     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005668     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005669     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005670     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005671     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005672     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005673     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005674     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005675     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005676     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005677     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005678     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005679     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005680     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005681     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005682     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005683     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005684     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005685     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005686     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005687     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005688     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005689     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005690     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005691     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005692     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005693     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005694     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005695     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005696     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005697     0.0000007813      3.49      4.00      3.25
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SRCPARAM L0005698     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005699     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005700     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005701     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005702     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005703     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005704     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005705     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005706     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005707     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005708     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005709     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005710     0.0000007813      3.49      4.00      3.25
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SRCPARAM L0005712     0.0000007813      3.49      4.00      3.25
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SRCPARAM L0005715     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005716     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005717     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005718     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005719     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005720     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005721     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005722     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005723     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005724     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005725     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005726     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005727     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005728     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005729     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005730     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005731     0.0000007813      3.49      4.00      3.25
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SRCPARAM L0005733     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005734     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005735     0.0000007813      3.49      4.00      3.25
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SRCPARAM L0005743     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005744     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005745     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005746     0.0000007813      3.49      4.00      3.25
SRCPARAM L0005747     0.0000007813      3.49      4.00      3.25
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SRCPARAM L0005768     0.0000007813      3.49      4.00      3.25
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SRCPARAM L0005797     0.0000007813      3.49      4.00      3.25
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   SRCPARAM L0005823     0.00000009831      3.49      4.00      3.25
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   SRCPARAM L0005826     0.00000009831      3.49      4.00      3.25
   SRCPARAM L0005827     0.00000009831      3.49      4.00      3.25
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   SRCPARAM L0005832     0.00000009831      3.49      4.00      3.25
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   SRCPARAM L0005840     0.00000009831      3.49      4.00      3.25
   SRCPARAM L0005841     0.00000009831      3.49      4.00      3.25
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   SRCPARAM L0005843     0.00000009831      3.49      4.00      3.25
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SRCPARAM L0006002     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006003     0.00000009831      3.49      4.00      3.25
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SRCPARAM L0006005     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006006     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006007     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006008     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006009     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006010     0.00000009831      3.49      4.00      3.25
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SRCPARAM L0006012     0.00000009831      3.49      4.00      3.25
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SRCPARAM L0006014     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006015     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006016     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006017     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006018     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006019     0.00000009831      3.49      4.00      3.25
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SRCPARAM L0006021     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006022     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006023     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006024     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006025     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006026     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006027     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006028     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006029     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006030     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006031     0.00000009831      3.49      4.00      3.25
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SRCPARAM L0006037     0.00000009831      3.49      4.00      3.25
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SRCPARAM L0006039     0.00000009831      3.49      4.00      3.25
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SRCPARAM L0006041     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006042     0.00000009831      3.49      4.00      3.25
SRCPARAM L0006043     0.00000009831      3.49      4.00      3.25
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SRCPARAM L0006045     0.00000009831      3.49      4.00      3.25
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SRCPARAM L0006095     0.00000009831      3.49      4.00      3.25
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SRCPARAM L0006145     0.00000009831      3.49      4.00      3.25
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   SRCPARAM L0006161     0.00000009831      3.49      4.00      3.25
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** LINE VOLUME SOURCE ID = SLINE14
   SRCPARAM L0006163     0.00000009824      3.49      4.00      3.25
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   SRCPARAM L0006192     0.00000009824      3.49      4.00      3.25
   SRCPARAM L0006193     0.00000009824      3.49      4.00      3.25
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SRCPARAM L0006226     0.00000009824      3.49      4.00      3.25
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SRCPARAM L0006240     0.00000009824      3.49      4.00      3.25
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SRCPARAM L0006243     0.00000009824      3.49      4.00      3.25
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   SRCPARAM L0006246     0.00000009824      3.49      4.00      3.25
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   SRCPARAM L0006263     0.00000009824      3.49      4.00      3.25
   SRCPARAM L0006264     0.00000009824      3.49      4.00      3.25
** ------------------------------------------------------------------
   URBANSRC ALL
   SRCGROUP ALL
SO FINISHED
**
**************************************
** AERMOD RECEPTOR PATHWAY
**************************************
**
**
RE STARTING
   INCLUDED "13214 HRA CSO.ROU"
RE FINISHED
**
**************************************
** AERMOD METEOROLOGY PATHWAY
**************************************
**
**
ME STARTING
   SURFFILE KONT_V9_ADJU\KONT_V9.SFC
   PROFFILE KONT_V9_ADJU\KONT_V9.PFL
   SURFDATA 3102 2012
   UAIRDATA 3190 2012
   PROFBASE 289.0 METERS
ME FINISHED
**
**************************************
** AERMOD OUTPUT PATHWAY
```

```
**************************************
**
**
OU STARTING
** AUTO-GENERATED PLOTFILES
   PLOTFILE   ANNUAL ALL "13214 HRA CSO.AD\AN00GALL.PLT" 31
   SUMMFILE "13214 HRA CSO.SUM"
OU FINISHED


  *** Message Summary For AERMOD Model Setup ***

  --------- Summary of Total Messages --------

 A Total of            0 Fatal Error Message(s)
 A Total of            2 Warning Message(s)
 A Total of            0 Informational Message(s)


    ******** FATAL ERROR MESSAGES ********
               ***  NONE  ***


    ********   WARNING MESSAGES   ********
 ME W186    2346       MEOPEN: THRESH_1MIN 1-min ASOS wind speed threshold used
      0.50
 ME W187    2346       MEOPEN: ADJ_U* Option for Stable Low Winds used in AERMET


 **********************************
 *** SETUP Finishes Successfully ***
 **********************************

 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***        07/09/20
 *** AERMET - VERSION  16216 ***   ***
                         ***        17:37:35

                                    PAGE   1
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*

                                              ***     MODEL SETUP OPTIONS SUMMARY
  ***
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - - - - -

 **Model Is Setup For Calculation of Average CONCentration Values.

   --  DEPOSITION LOGIC  --
 **NO GAS DEPOSITION Data Provided.
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```
 **NO PARTICLE DEPOSITION Data Provided.
 **Model Uses NO DRY DEPLETION.  DRYDPLT  =  F
 **Model Uses NO WET DEPLETION.  WETDPLT  =  F

 **Model Uses URBAN Dispersion Algorithm for the SBL for  1017 Source(s),
   for Total of    1 Urban Area(s):
   Urban Population =   2035210.0 ;  Urban Roughness Length =  1.000 m

 **Model Uses Regulatory DEFAULT Options:
        1. Stack-tip Downwash.
        2. Model Accounts for ELEVated Terrain Effects.
        3. Use Calms Processing Routine.
        4. Use Missing Data Processing Routine.
        5. No Exponential Decay.
        6. Urban Roughness Length of 1.0 Meter Assumed.

 **Other Options Specified:
        ADJ_U*   - Use ADJ_U* option for SBL in AERMET
        CCVR_Sub - Meteorological data includes CCVR substitutions
        TEMP_Sub - Meteorological data includes TEMP substitutions

 **Model Assumes No FLAGPOLE Receptor Heights.

 **The User Specified a Pollutant Type of:  DPM

 **Model Calculates ANNUAL Averages Only

 **This Run Includes:   1017 Source(s);       1 Source Group(s); and      17
Receptor(s)

               with:      0 POINT(s), including
                          0 POINTCAP(s) and      0 POINTHOR(s)
                and:   1017 VOLUME source(s)
                and:      0 AREA type source(s)
                and:      0 LINE source(s)
                and:      0 RLINE/RLINEXT source(s)
                and:      0 OPENPIT source(s)
                and:      0 BUOYANT LINE source(s) with      0 line(s)


 **Model Set To Continue RUNning After the Setup Testing.

 **The AERMET Input Meteorological Data Version Date:  16216

 **Output Options Selected:
         Model Outputs Tables of ANNUAL Averages by Receptor
         Model Outputs External File(s) of High Values for Plotting (PLOTFILE
Keyword)
         Model Outputs Separate Summary File of High Ranked Values (SUMMFILE
Keyword)
```

```
 **NOTE:  The Following Flags May Appear Following CONC Values:  c for Calm Hours
                                                                 m for Missing
Hours
                                                                 b for Both Calm
and Missing Hours

 **Misc. Inputs:  Base Elev. for Pot. Temp. Profile (m MSL) =   289.00 ;  Decay
Coef. =    0.000     ;  Rot. Angle =     0.0
                  Emission Units = GRAMS/SEC                              ;
Emission Rate Unit Factor =   0.10000E+07
                  Output Units   = MICROGRAMS/M**3

 **Approximate Storage Requirements of Model =      3.9 MB of RAM.

 **Input Runstream File:          aermod.inp

 **Output Print File:             aermod.out


 **Detailed Error/Message File:   13214 HRA CSO.ERR

 **File for Summary of Results:   13214 HRA CSO.SUM

 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                 ***        07/09/20
 *** AERMET - VERSION  16216 ***   ***
                        ***        17:37:35

                                   PAGE   2
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                  *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - -

 L0004259         0   0.35060E-05  448164.8 3764312.1   242.1     3.49     4.00
3.25     YES
 L0004260         0   0.35060E-05  448173.3 3764311.9   242.1     3.49     4.00
3.25     YES
 L0004261         0   0.35060E-05  448181.9 3764311.7   242.1     3.49     4.00
3.25     YES
```

L0004262	0	0.35060E-05	448190.5	3764311.5	242.1	3.49	4.00	3.25 YES
L0004263	0	0.35060E-05	448199.1	3764311.3	242.0	3.49	4.00	3.25 YES
L0005276	0	0.10133E-04	448173.2	3764185.6	242.1	3.49	4.00	3.25 YES
L0005277	0	0.10133E-04	448181.8	3764185.5	242.0	3.49	4.00	3.25 YES
L0005278	0	0.10133E-04	448190.4	3764185.3	241.9	3.49	4.00	3.25 YES
L0005279	0	0.10133E-04	448199.0	3764185.1	241.7	3.49	4.00	3.25 YES
L0005280	0	0.10133E-04	448207.6	3764185.0	241.7	3.49	4.00	3.25 YES
L0005281	0	0.10133E-04	448216.1	3764184.8	241.7	3.49	4.00	3.25 YES
L0005282	0	0.10133E-04	448224.7	3764184.7	241.7	3.49	4.00	3.25 YES
L0005283	0	0.10133E-04	448233.3	3764184.5	241.7	3.49	4.00	3.25 YES
L0005284	0	0.10133E-04	448241.9	3764184.4	241.7	3.49	4.00	3.25 YES
L0005285	0	0.10133E-04	448250.5	3764184.2	241.7	3.49	4.00	3.25 YES
L0005286	0	0.10133E-04	448259.1	3764184.0	241.7	3.49	4.00	3.25 YES
L0005287	0	0.10133E-04	448267.7	3764183.9	241.7	3.49	4.00	3.25 YES
L0005288	0	0.10133E-04	448276.3	3764183.7	241.8	3.49	4.00	3.25 YES
L0005289	0	0.10133E-04	448284.9	3764183.6	241.9	3.49	4.00	3.25 YES
L0005290	0	0.10133E-04	448293.4	3764183.4	242.0	3.49	4.00	3.25 YES
L0005291	0	0.10133E-04	448302.0	3764183.3	242.0	3.49	4.00	3.25 YES
L0005292	0	0.10133E-04	448310.6	3764183.1	242.1	3.49	4.00	3.25 YES
L0005293	0	0.10133E-04	448319.2	3764182.9	242.2	3.49	4.00	3.25 YES
L0005294	0	0.10133E-04	448327.8	3764182.8	242.2	3.49	4.00	3.25 YES
L0005295	0	0.10133E-04	448336.4	3764182.6	242.3	3.49	4.00	3.25 YES
L0005296	0	0.10133E-04	448345.0	3764182.5	242.4	3.49	4.00	3.25 YES
L0005297	0	0.10396E-04	448173.8	3764114.2	241.8	3.49	4.00	3.25 YES
L0005298	0	0.10396E-04	448182.4	3764114.1	241.6	3.49	4.00	3.25 YES

```
 L0005299         0   0.10396E-04  448190.9 3764113.9   241.4     3.49     4.00
3.25     YES
 L0005300         0   0.10396E-04  448199.5 3764113.8   241.2     3.49     4.00
3.25     YES
 L0005301         0   0.10396E-04  448208.1 3764113.7   241.1     3.49     4.00
3.25     YES
 L0005302         0   0.10396E-04  448216.7 3764113.6   241.0     3.49     4.00
3.25     YES
 L0005303         0   0.10396E-04  448225.3 3764113.4   240.9     3.49     4.00
3.25     YES
 L0005304         0   0.10396E-04  448233.9 3764113.3   240.8     3.49     4.00
3.25     YES
 L0005305         0   0.10396E-04  448242.5 3764113.2   240.9     3.49     4.00
3.25     YES
 L0005306         0   0.10396E-04  448251.1 3764113.0   240.9     3.49     4.00
3.25     YES
 L0005307         0   0.10396E-04  448259.7 3764112.9   240.9     3.49     4.00
3.25     YES
 L0005308         0   0.10396E-04  448268.2 3764112.8   241.0     3.49     4.00
3.25     YES
 L0005309         0   0.10396E-04  448276.8 3764112.6   241.0     3.49     4.00
3.25     YES
 L0005310         0   0.10396E-04  448285.4 3764112.5   241.1     3.49     4.00
3.25     YES
 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                       ***        17:37:35

                                  PAGE   3
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                    *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - - -

 L0005311         0   0.10396E-04  448294.0 3764112.4   241.1     3.49     4.00
3.25     YES
 L0005312         0   0.10396E-04  448302.6 3764112.2   241.2     3.49     4.00
3.25     YES
 L0005313         0   0.10396E-04  448311.2 3764112.1   241.2     3.49     4.00
3.25     YES
```

L0005314	0	0.10396E-04	448319.8	3764112.0	241.2	3.49	4.00	3.25 YES
L0005315	0	0.10396E-04	448328.4	3764111.9	241.2	3.49	4.00	3.25 YES
L0005316	0	0.10396E-04	448337.0	3764111.7	241.3	3.49	4.00	3.25 YES
L0005317	0	0.10396E-04	448345.5	3764111.6	241.3	3.49	4.00	3.25 YES
L0005318	0	0.10396E-04	448354.1	3764111.5	241.4	3.49	4.00	3.25 YES
L0004307	0	0.18270E-05	448197.5	3763926.3	239.6	3.49	4.00	3.25 YES
L0004308	0	0.18270E-05	448197.3	3763917.8	239.6	3.49	4.00	3.25 YES
L0004309	0	0.18270E-05	448197.1	3763909.2	239.5	3.49	4.00	3.25 YES
L0004310	0	0.18270E-05	448197.0	3763900.6	239.4	3.49	4.00	3.25 YES
L0004311	0	0.18270E-05	448196.8	3763892.0	239.3	3.49	4.00	3.25 YES
L0004312	0	0.18270E-05	448196.7	3763883.4	239.1	3.49	4.00	3.25 YES
L0004313	0	0.18270E-05	448196.5	3763874.8	239.0	3.49	4.00	3.25 YES
L0004314	0	0.18270E-05	448196.4	3763866.2	238.8	3.49	4.00	3.25 YES
L0004315	0	0.18270E-05	448196.2	3763857.6	238.6	3.49	4.00	3.25 YES
L0004316	0	0.18270E-05	448196.0	3763849.1	238.6	3.49	4.00	3.25 YES
L0004317	0	0.18270E-05	448195.9	3763840.5	238.5	3.49	4.00	3.25 YES
L0004318	0	0.18270E-05	448195.7	3763831.9	238.4	3.49	4.00	3.25 YES
L0004319	0	0.18270E-05	448195.6	3763823.3	238.3	3.49	4.00	3.25 YES
L0004320	0	0.18270E-05	448195.4	3763814.7	238.2	3.49	4.00	3.25 YES
L0004321	0	0.18270E-05	448195.3	3763806.1	238.1	3.49	4.00	3.25 YES
L0004322	0	0.18270E-05	448195.1	3763797.5	238.0	3.49	4.00	3.25 YES
L0004323	0	0.18270E-05	448194.9	3763788.9	237.9	3.49	4.00	3.25 YES
L0004324	0	0.18270E-05	448194.8	3763780.3	237.9	3.49	4.00	3.25 YES
L0004325	0	0.18270E-05	448194.6	3763771.8	237.8	3.49	4.00	3.25 YES
L0004326	0	0.18270E-05	448194.5	3763763.2	237.7	3.49	4.00	3.25 YES

```
 L0004327         0   0.18270E-05  448194.3 3763754.6   237.7     3.49     4.00
3.25     YES
 L0004328         0   0.19010E-05  448358.0 3763895.0   239.7     3.49     4.00
3.25     YES
 L0004329         0   0.19010E-05  448349.4 3763895.1   239.6     3.49     4.00
3.25     YES
 L0004330         0   0.19010E-05  448340.8 3763895.2   239.6     3.49     4.00
3.25     YES
 L0004331         0   0.19010E-05  448332.2 3763895.3   239.6     3.49     4.00
3.25     YES
 L0004332         0   0.19010E-05  448323.7 3763895.4   239.6     3.49     4.00
3.25     YES
 L0004333         0   0.19010E-05  448315.1 3763895.5   239.6     3.49     4.00
3.25     YES
 L0004334         0   0.19010E-05  448306.5 3763895.7   239.6     3.49     4.00
3.25     YES
 L0004335         0   0.19010E-05  448297.9 3763895.8   239.6     3.49     4.00
3.25     YES
 L0004336         0   0.19010E-05  448289.3 3763895.9   239.6     3.49     4.00
3.25     YES
 L0004337         0   0.19010E-05  448280.7 3763896.0   239.5     3.49     4.00
3.25     YES
 L0004338         0   0.19010E-05  448272.1 3763896.1   239.4     3.49     4.00
3.25     YES
↟ *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                 ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                       ***       17:37:35

                                 PAGE   4
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                  *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - -

 L0004339         0   0.42710E-06  448119.6 3764371.9   243.8     3.49     4.00
3.25     YES
 L0004340         0   0.42710E-06  448119.3 3764363.3   243.7     3.49     4.00
3.25     YES
 L0004341         0   0.42710E-06  448118.9 3764354.8   243.5     3.49     4.00
3.25     YES
```

L0004342	0	0.42710E-06	448118.6	3764346.2	243.4	3.49	4.00	3.25 YES
L0004343	0	0.42710E-06	448118.3	3764337.6	243.2	3.49	4.00	3.25 YES
L0004344	0	0.42710E-06	448117.9	3764329.0	243.0	3.49	4.00	3.25 YES
L0004345	0	0.42710E-06	448117.6	3764320.4	242.8	3.49	4.00	3.25 YES
L0004346	0	0.42710E-06	448117.2	3764311.8	242.6	3.49	4.00	3.25 YES
L0004347	0	0.42710E-06	448116.9	3764303.3	242.5	3.49	4.00	3.25 YES
L0004348	0	0.42710E-06	448117.3	3764295.4	242.4	3.49	4.00	3.25 YES
L0004349	0	0.42710E-06	448125.9	3764295.1	242.2	3.49	4.00	3.25 YES
L0004350	0	0.42710E-06	448134.5	3764294.8	242.1	3.49	4.00	3.25 YES
L0004351	0	0.42710E-06	448143.1	3764294.5	242.0	3.49	4.00	3.25 YES
L0004352	0	0.42710E-06	448151.6	3764294.3	241.8	3.49	4.00	3.25 YES
L0004353	0	0.42710E-06	448160.2	3764294.0	241.7	3.49	4.00	3.25 YES
L0004354	0	0.42710E-06	448168.8	3764293.7	241.5	3.49	4.00	3.25 YES
L0004355	0	0.42710E-06	448177.4	3764293.4	241.6	3.49	4.00	3.25 YES
L0004356	0	0.42710E-06	448186.0	3764293.1	241.6	3.49	4.00	3.25 YES
L0004357	0	0.42710E-06	448194.6	3764292.9	241.6	3.49	4.00	3.25 YES
L0004358	0	0.42710E-06	448203.2	3764292.6	241.7	3.49	4.00	3.25 YES
L0004359	0	0.42710E-06	448211.7	3764292.3	241.7	3.49	4.00	3.25 YES
L0004360	0	0.42710E-06	448220.3	3764292.0	241.7	3.49	4.00	3.25 YES
L0004361	0	0.42710E-06	448228.9	3764291.8	241.8	3.49	4.00	3.25 YES
L0004362	0	0.42710E-06	448237.5	3764291.5	241.9	3.49	4.00	3.25 YES
L0004363	0	0.42710E-06	448246.1	3764291.2	242.1	3.49	4.00	3.25 YES
L0004364	0	0.42710E-06	448249.3	3764296.6	242.3	3.49	4.00	3.25 YES
L0004365	0	0.42710E-06	448249.5	3764305.2	242.4	3.49	4.00	3.25 YES
L0004366	0	0.42710E-06	448249.7	3764313.8	242.6	3.49	4.00	3.25 YES

```
 L0004367         0   0.42710E-06  448249.9 3764322.4   242.7     3.49     4.00
3.25     YES
 L0004368         0   0.42710E-06  448250.2 3764331.0   242.8     3.49     4.00
3.25     YES
 L0004369         0   0.42710E-06  448250.4 3764339.6   242.9     3.49     4.00
3.25     YES
 L0004370         0   0.42710E-06  448250.6 3764348.2   243.0     3.49     4.00
3.25     YES
 L0004371         0   0.42710E-06  448250.8 3764356.8   243.1     3.49     4.00
3.25     YES
 L0004372         0   0.42710E-06  448251.1 3764365.3   243.2     3.49     4.00
3.25     YES
 L0005319         0   0.17100E-05  448417.2 3764151.8   242.2     3.49     4.00
3.25     YES
 L0005320         0   0.17100E-05  448408.7 3764151.1   242.2     3.49     4.00
3.25     YES
 L0005321         0   0.17100E-05  448400.1 3764150.5   242.1     3.49     4.00
3.25     YES
 L0005322         0   0.17100E-05  448392.1 3764150.8   242.0     3.49     4.00
3.25     YES
 L0005323         0   0.17100E-05  448389.1 3764158.8   242.1     3.49     4.00
3.25     YES
 L0005324         0   0.17100E-05  448386.1 3764166.9   242.2     3.49     4.00
3.25     YES
↟ *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                  ***        07/09/20
 *** AERMET - VERSION  16216 ***   ***
                       ***        17:37:35

                                  PAGE   5
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                    *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - - - -

 L0005325         0   0.17100E-05  448377.8 3764168.1   242.2     3.49     4.00
3.25     YES
 L0005326         0   0.17100E-05  448369.2 3764168.3   242.2     3.49     4.00
3.25     YES
 L0005327         0   0.17100E-05  448360.6 3764168.4   242.2     3.49     4.00
3.25     YES
```

L0005328	0	0.17100E-05	448352.0	3764168.5	242.2	3.49	4.00	3.25 YES
L0005329	0	0.17100E-05	448343.4	3764168.5	242.1	3.49	4.00	3.25 YES
L0005330	0	0.17100E-05	448334.8	3764168.6	242.0	3.49	4.00	3.25 YES
L0005331	0	0.17100E-05	448326.2	3764168.7	242.0	3.49	4.00	3.25 YES
L0005332	0	0.17100E-05	448317.6	3764168.7	241.9	3.49	4.00	3.25 YES
L0005333	0	0.17100E-05	448309.1	3764168.8	241.9	3.49	4.00	3.25 YES
L0005334	0	0.17100E-05	448300.5	3764168.9	241.8	3.49	4.00	3.25 YES
L0005335	0	0.17100E-05	448291.9	3764169.0	241.8	3.49	4.00	3.25 YES
L0005336	0	0.17100E-05	448283.3	3764169.0	241.7	3.49	4.00	3.25 YES
L0005337	0	0.17100E-05	448274.7	3764169.1	241.6	3.49	4.00	3.25 YES
L0005338	0	0.17100E-05	448266.1	3764169.2	241.6	3.49	4.00	3.25 YES
L0005339	0	0.17100E-05	448257.5	3764169.2	241.5	3.49	4.00	3.25 YES
L0005340	0	0.17100E-05	448248.9	3764169.3	241.5	3.49	4.00	3.25 YES
L0005341	0	0.17100E-05	448240.3	3764169.4	241.5	3.49	4.00	3.25 YES
L0005342	0	0.17100E-05	448231.8	3764169.4	241.5	3.49	4.00	3.25 YES
L0005343	0	0.17100E-05	448223.2	3764169.5	241.6	3.49	4.00	3.25 YES
L0005344	0	0.17100E-05	448214.6	3764169.6	241.6	3.49	4.00	3.25 YES
L0005345	0	0.17100E-05	448206.0	3764169.7	241.7	3.49	4.00	3.25 YES
L0005346	0	0.17100E-05	448197.4	3764169.7	241.8	3.49	4.00	3.25 YES
L0005347	0	0.17100E-05	448188.8	3764169.8	242.1	3.49	4.00	3.25 YES
L0005348	0	0.17100E-05	448180.2	3764169.9	242.3	3.49	4.00	3.25 YES
L0005349	0	0.17100E-05	448171.6	3764169.9	242.6	3.49	4.00	3.25 YES
L0005350	0	0.17100E-05	448163.0	3764170.0	242.7	3.49	4.00	3.25 YES
L0005351	0	0.17100E-05	448154.4	3764170.1	242.9	3.49	4.00	3.25 YES
L0005352	0	0.17100E-05	448145.9	3764170.2	243.0	3.49	4.00	3.25 YES

```
 L0005353         0   0.17100E-05  448137.3 3764170.2   243.2     3.49     4.00
3.25     YES
 L0005354         0   0.17100E-05  448128.7 3764170.3   243.3     3.49     4.00
3.25     YES
 L0005355         0   0.17100E-05  448120.1 3764170.4   243.5     3.49     4.00
3.25     YES
 L0005356         0   0.18420E-05  448417.2 3764149.0   242.2     3.49     4.00
3.25     YES
 L0005357         0   0.18420E-05  448408.6 3764149.4   242.2     3.49     4.00
3.25     YES
 L0005358         0   0.18420E-05  448400.1 3764149.7   242.1     3.49     4.00
3.25     YES
 L0005359         0   0.18420E-05  448392.7 3764148.1   242.0     3.49     4.00
3.25     YES
 L0005360         0   0.18420E-05  448389.4 3764140.1   241.9     3.49     4.00
3.25     YES
 L0005361         0   0.18420E-05  448384.4 3764133.3   241.8     3.49     4.00
3.25     YES
 L0005362         0   0.18420E-05  448378.3 3764127.3   241.7     3.49     4.00
3.25     YES
 L0005363         0   0.18420E-05  448369.8 3764128.3   241.7     3.49     4.00
3.25     YES
 L0005364         0   0.18420E-05  448361.3 3764129.2   241.7     3.49     4.00
3.25     YES
 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***        07/09/20
 *** AERMET - VERSION  16216 ***   ***
                         ***       17:37:35

                                   PAGE   6
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                    *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
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 L0005365         0   0.18420E-05  448352.8 3764128.3   241.7     3.49     4.00
3.25     YES
 L0005366         0   0.18420E-05  448344.4 3764126.6   241.6     3.49     4.00
3.25     YES
 L0005367         0   0.18420E-05  448335.9 3764125.0   241.5     3.49     4.00
3.25     YES
```

L0005368	0	0.18420E-05	448327.4	3764124.3	241.4	3.49	4.00	3.25 YES
L0005369	0	0.18420E-05	448318.9	3764124.9	241.3	3.49	4.00	3.25 YES
L0005370	0	0.18420E-05	448310.3	3764125.5	241.3	3.49	4.00	3.25 YES
L0005371	0	0.18420E-05	448301.7	3764126.1	241.2	3.49	4.00	3.25 YES
L0005372	0	0.18420E-05	448293.2	3764126.7	241.1	3.49	4.00	3.25 YES
L0005373	0	0.18420E-05	448284.6	3764127.2	241.1	3.49	4.00	3.25 YES
L0005374	0	0.18420E-05	448276.0	3764127.8	241.1	3.49	4.00	3.25 YES
L0005375	0	0.18420E-05	448267.5	3764128.4	241.1	3.49	4.00	3.25 YES
L0005376	0	0.18420E-05	448258.9	3764129.0	241.1	3.49	4.00	3.25 YES
L0005377	0	0.18420E-05	448250.3	3764129.6	241.0	3.49	4.00	3.25 YES
L0005378	0	0.18420E-05	448241.7	3764130.2	240.9	3.49	4.00	3.25 YES
L0005379	0	0.18420E-05	448233.2	3764130.8	240.8	3.49	4.00	3.25 YES
L0005380	0	0.18420E-05	448224.6	3764131.3	240.9	3.49	4.00	3.25 YES
L0005381	0	0.18420E-05	448216.0	3764131.9	241.1	3.49	4.00	3.25 YES
L0005382	0	0.18420E-05	448207.5	3764132.5	241.3	3.49	4.00	3.25 YES
L0005383	0	0.18420E-05	448198.9	3764133.1	241.5	3.49	4.00	3.25 YES
L0005384	0	0.18420E-05	448190.3	3764133.7	241.7	3.49	4.00	3.25 YES
L0005385	0	0.18420E-05	448181.8	3764134.3	241.9	3.49	4.00	3.25 YES
L0005386	0	0.18420E-05	448173.2	3764134.9	242.1	3.49	4.00	3.25 YES
L0005387	0	0.18420E-05	448164.6	3764135.4	242.2	3.49	4.00	3.25 YES
L0005388	0	0.18420E-05	448156.0	3764136.0	242.4	3.49	4.00	3.25 YES
L0005389	0	0.18420E-05	448147.5	3764136.6	242.5	3.49	4.00	3.25 YES
L0005390	0	0.18420E-05	448138.9	3764137.2	242.6	3.49	4.00	3.25 YES
L0005391	0	0.18420E-05	448130.3	3764137.8	242.9	3.49	4.00	3.25 YES
L0005392	0	0.18420E-05	448121.8	3764138.4	243.1	3.49	4.00	3.25 YES

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 L0005393         0   0.18420E-05  448113.2 3764138.9   243.3     3.49     4.00
3.25     YES
 L0004448         0   0.16090E-05  448215.6 3763783.4   238.0     3.49     4.00
3.25     YES
 L0004449         0   0.16090E-05  448215.9 3763792.0   238.0     3.49     4.00
3.25     YES
 L0004450         0   0.16090E-05  448216.1 3763800.6   238.1     3.49     4.00
3.25     YES
 L0004451         0   0.16090E-05  448216.4 3763809.2   238.1     3.49     4.00
3.25     YES
 L0004452         0   0.16090E-05  448216.7 3763817.8   238.2     3.49     4.00
3.25     YES
 L0004453         0   0.16090E-05  448217.0 3763826.4   238.3     3.49     4.00
3.25     YES
 L0004454         0   0.16090E-05  448217.2 3763834.9   238.4     3.49     4.00
3.25     YES
 L0004455         0   0.16090E-05  448217.5 3763843.5   238.6     3.49     4.00
3.25     YES
 L0004456         0   0.16090E-05  448217.8 3763852.1   238.7     3.49     4.00
3.25     YES
 L0004457         0   0.16090E-05  448218.1 3763860.7   238.9     3.49     4.00
3.25     YES
 L0004458         0   0.16090E-05  448218.4 3763869.3   239.0     3.49     4.00
3.25     YES
↟ *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                       ***       17:37:35

                                 PAGE   7
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                    *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
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 L0004459         0   0.16090E-05  448218.6 3763877.9   239.1     3.49     4.00
3.25     YES
 L0004460         0   0.16090E-05  448218.9 3763886.5   239.2     3.49     4.00
3.25     YES
 L0004461         0   0.16090E-05  448219.2 3763895.0   239.3     3.49     4.00
3.25     YES
```

L0004462	0	0.16090E-05	448219.5	3763903.6	239.4	3.49	4.00	3.25 YES
L0004463	0	0.16090E-05	448219.7	3763912.2	239.5	3.49	4.00	3.25 YES
L0004464	0	0.16090E-05	448220.0	3763920.8	239.6	3.49	4.00	3.25 YES
L0004465	0	0.16090E-05	448220.3	3763929.4	239.7	3.49	4.00	3.25 YES
L0004466	0	0.16090E-05	448220.6	3763938.0	239.8	3.49	4.00	3.25 YES
L0004467	0	0.16090E-05	448220.9	3763946.5	239.8	3.49	4.00	3.25 YES
L0004468	0	0.16090E-05	448221.1	3763955.1	239.9	3.49	4.00	3.25 YES
L0004469	0	0.16090E-05	448221.4	3763963.7	240.0	3.49	4.00	3.25 YES
L0004470	0	0.16090E-05	448221.7	3763972.3	240.1	3.49	4.00	3.25 YES
L0004471	0	0.16090E-05	448222.0	3763980.9	240.2	3.49	4.00	3.25 YES
L0004472	0	0.16090E-05	448222.2	3763989.5	240.2	3.49	4.00	3.25 YES
L0004473	0	0.16090E-05	448222.5	3763998.1	240.2	3.49	4.00	3.25 YES
L0004474	0	0.16090E-05	448225.2	3764004.1	240.2	3.49	4.00	3.25 YES
L0004475	0	0.16090E-05	448233.8	3764003.9	240.2	3.49	4.00	3.25 YES
L0004476	0	0.16090E-05	448242.4	3764003.8	240.2	3.49	4.00	3.25 YES
L0004477	0	0.16090E-05	448251.0	3764003.6	240.2	3.49	4.00	3.25 YES
L0004478	0	0.16090E-05	448259.6	3764003.5	240.2	3.49	4.00	3.25 YES
L0004479	0	0.16090E-05	448268.2	3764003.3	240.2	3.49	4.00	3.25 YES
L0004480	0	0.16090E-05	448276.8	3764003.2	240.3	3.49	4.00	3.25 YES
L0004481	0	0.16090E-05	448285.4	3764003.1	240.4	3.49	4.00	3.25 YES
L0004482	0	0.16090E-05	448293.9	3764002.9	240.4	3.49	4.00	3.25 YES
L0004483	0	0.16090E-05	448302.5	3764002.8	240.4	3.49	4.00	3.25 YES
L0004484	0	0.16090E-05	448311.1	3764002.6	240.4	3.49	4.00	3.25 YES
L0004485	0	0.16090E-05	448319.7	3764002.5	240.4	3.49	4.00	3.25 YES
L0004486	0	0.16090E-05	448328.3	3764002.3	240.4	3.49	4.00	3.25 YES

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 L0004487         0   0.16090E-05  448336.9 3764002.2   240.4     3.49     4.00
3.25     YES
 L0004488         0   0.16090E-05  448345.5 3764002.0   240.4     3.49     4.00
3.25     YES
 L0004489         0   0.16090E-05  448354.1 3764001.9   240.5     3.49     4.00
3.25     YES
 L0004490         0   0.16090E-05  448362.7 3764001.7   240.5     3.49     4.00
3.25     YES
 L0004491         0   0.16090E-05  448371.2 3764001.6   240.6     3.49     4.00
3.25     YES
 L0004492         0   0.16090E-05  448379.8 3764001.4   240.7     3.49     4.00
3.25     YES
 L0004493         0   0.16090E-05  448388.4 3764001.3   240.6     3.49     4.00
3.25     YES
 L0004494         0   0.16090E-05  448397.0 3764001.1   240.6     3.49     4.00
3.25     YES
 L0004495         0   0.16090E-05  448405.6 3764001.0   240.5     3.49     4.00
3.25     YES
 L0004496         0   0.16090E-05  448414.2 3764000.8   240.5     3.49     4.00
3.25     YES
 L0004497         0   0.86630E-06  448403.1 3763877.1   239.8     3.49     4.00
3.25     YES
 L0004498         0   0.86630E-06  448394.5 3763877.3   239.8     3.49     4.00
3.25     YES
 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                         ***       17:37:35

                                   PAGE   8
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                    *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
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 L0004499         0   0.86630E-06  448385.9 3763877.4   239.8     3.49     4.00
3.25     YES
 L0004500         0   0.86630E-06  448377.3 3763877.5   239.7     3.49     4.00
3.25     YES
 L0004501         0   0.86630E-06  448368.7 3763877.6   239.7     3.49     4.00
3.25     YES
```

L0004502	0	0.86630E-06	448360.1	3763877.8	239.6	3.49	4.00	3.25 YES
L0004503	0	0.86630E-06	448351.5	3763877.9	239.6	3.49	4.00	3.25 YES
L0004504	0	0.86630E-06	448342.9	3763878.0	239.5	3.49	4.00	3.25 YES
L0004505	0	0.86630E-06	448334.3	3763878.2	239.5	3.49	4.00	3.25 YES
L0004506	0	0.86630E-06	448325.8	3763878.3	239.5	3.49	4.00	3.25 YES
L0004507	0	0.86630E-06	448317.2	3763878.4	239.5	3.49	4.00	3.25 YES
L0004508	0	0.86630E-06	448308.6	3763878.5	239.5	3.49	4.00	3.25 YES
L0004509	0	0.86630E-06	448300.0	3763878.7	239.5	3.49	4.00	3.25 YES
L0004510	0	0.86630E-06	448291.4	3763878.8	239.5	3.49	4.00	3.25 YES
L0004511	0	0.86630E-06	448282.8	3763878.9	239.4	3.49	4.00	3.25 YES
L0004512	0	0.86630E-06	448274.2	3763879.0	239.3	3.49	4.00	3.25 YES
L0004513	0	0.86630E-06	448267.4	3763883.9	239.3	3.49	4.00	3.25 YES
L0004514	0	0.86630E-06	448260.9	3763889.5	239.3	3.49	4.00	3.25 YES
L0004515	0	0.86630E-06	448254.4	3763895.1	239.3	3.49	4.00	3.25 YES
L0005394	0	0.13220E-05	448454.8	3764145.2	242.2	3.49	4.00	3.25 YES
L0005395	0	0.13220E-05	448454.8	3764153.8	242.3	3.49	4.00	3.25 YES
L0005396	0	0.13220E-05	448454.7	3764162.4	242.3	3.49	4.00	3.25 YES
L0005397	0	0.13220E-05	448454.6	3764171.0	242.4	3.49	4.00	3.25 YES
L0005398	0	0.13220E-05	448454.5	3764179.6	242.5	3.49	4.00	3.25 YES
L0005399	0	0.13220E-05	448454.5	3764188.2	242.6	3.49	4.00	3.25 YES
L0005400	0	0.13220E-05	448454.4	3764196.8	242.7	3.49	4.00	3.25 YES
L0005401	0	0.13220E-05	448454.3	3764205.4	242.8	3.49	4.00	3.25 YES
L0005402	0	0.13220E-05	448454.2	3764213.9	242.9	3.49	4.00	3.25 YES
L0005403	0	0.13220E-05	448454.2	3764222.5	243.0	3.49	4.00	3.25 YES
L0005404	0	0.13220E-05	448454.1	3764231.1	243.0	3.49	4.00	3.25 YES

```
 L0005405         0   0.13220E-05  448454.0 3764239.7   243.1     3.49     4.00
3.25     YES
 L0005406         0   0.13220E-05  448454.0 3764248.3   243.2     3.49     4.00
3.25     YES
 L0005407         0   0.13220E-05  448453.9 3764256.9   243.3     3.49     4.00
3.25     YES
 L0005408         0   0.13220E-05  448453.8 3764265.5   243.4     3.49     4.00
3.25     YES
 L0005409         0   0.13220E-05  448453.7 3764274.1   243.5     3.49     4.00
3.25     YES
 L0005410         0   0.13220E-05  448453.7 3764282.7   243.6     3.49     4.00
3.25     YES
 L0005411         0   0.13220E-05  448453.6 3764291.3   243.6     3.49     4.00
3.25     YES
 L0005412         0   0.13220E-05  448453.5 3764299.8   243.7     3.49     4.00
3.25     YES
 L0005413         0   0.13220E-05  448453.4 3764308.4   243.7     3.49     4.00
3.25     YES
 L0005414         0   0.13220E-05  448453.4 3764317.0   243.8     3.49     4.00
3.25     YES
 L0005415         0   0.13220E-05  448453.3 3764325.6   243.9     3.49     4.00
3.25     YES
 L0005416         0   0.13220E-05  448453.2 3764334.2   244.0     3.49     4.00
3.25     YES
 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                         ***       17:37:35

                                   PAGE   9
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                    *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - - -

 L0005417         0   0.13220E-05  448453.1 3764342.8   244.2     3.49     4.00
3.25     YES
 L0005418         0   0.13220E-05  448453.1 3764351.4   244.6     3.49     4.00
3.25     YES
 L0005419         0   0.13220E-05  448453.0 3764360.0   245.1     3.49     4.00
3.25     YES
```

L0005420	0	0.13220E-05	448452.9	3764368.6	245.6	3.49	4.00	3.25 YES
L0005421	0	0.13220E-05	448452.8	3764377.2	245.9	3.49	4.00	3.25 YES
L0005422	0	0.13220E-05	448452.8	3764385.7	246.3	3.49	4.00	3.25 YES
L0005423	0	0.13220E-05	448452.7	3764394.3	246.7	3.49	4.00	3.25 YES
L0005424	0	0.13220E-05	448452.6	3764402.9	246.8	3.49	4.00	3.25 YES
L0005425	0	0.13220E-05	448452.5	3764411.5	246.5	3.49	4.00	3.25 YES
L0005426	0	0.13220E-05	448452.5	3764420.1	246.3	3.49	4.00	3.25 YES
L0005427	0	0.13220E-05	448452.4	3764428.7	246.0	3.49	4.00	3.25 YES
L0005428	0	0.13220E-05	448452.3	3764437.3	246.0	3.49	4.00	3.25 YES
L0005429	0	0.13220E-05	448452.2	3764445.9	246.0	3.49	4.00	3.25 YES
L0005430	0	0.13220E-05	448452.2	3764454.5	246.0	3.49	4.00	3.25 YES
L0005431	0	0.13220E-05	448452.1	3764463.0	246.0	3.49	4.00	3.25 YES
L0005432	0	0.13220E-05	448452.0	3764471.6	246.1	3.49	4.00	3.25 YES
L0005433	0	0.13220E-05	448451.9	3764480.2	246.2	3.49	4.00	3.25 YES
L0005434	0	0.13220E-05	448451.9	3764488.8	246.3	3.49	4.00	3.25 YES
L0005435	0	0.13220E-05	448451.8	3764497.4	246.4	3.49	4.00	3.25 YES
L0005436	0	0.13220E-05	448451.7	3764506.0	246.6	3.49	4.00	3.25 YES
L0005437	0	0.13220E-05	448451.6	3764514.6	246.8	3.49	4.00	3.25 YES
L0005438	0	0.13220E-05	448451.6	3764523.2	246.9	3.49	4.00	3.25 YES
L0005439	0	0.13220E-05	448451.5	3764531.8	247.1	3.49	4.00	3.25 YES
L0005440	0	0.13220E-05	448451.4	3764540.4	247.2	3.49	4.00	3.25 YES
L0005441	0	0.13220E-05	448451.4	3764548.9	247.3	3.49	4.00	3.25 YES
L0005442	0	0.13220E-05	448451.3	3764557.5	247.3	3.49	4.00	3.25 YES
L0005443	0	0.13220E-05	448451.2	3764566.1	247.2	3.49	4.00	3.25 YES
L0005444	0	0.13220E-05	448451.1	3764574.7	247.2	3.49	4.00	3.25 YES

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 L0005445         0   0.13220E-05  448451.1 3764583.3   247.2     3.49     4.00
3.25     YES
 L0005446         0   0.13220E-05  448451.0 3764591.9   247.3     3.49     4.00
3.25     YES
 L0005447         0   0.13220E-05  448450.9 3764600.5   247.3     3.49     4.00
3.25     YES
 L0005448         0   0.13220E-05  448450.8 3764609.1   247.4     3.49     4.00
3.25     YES
 L0005449         0   0.13220E-05  448450.8 3764617.7   247.5     3.49     4.00
3.25     YES
 L0005450         0   0.13220E-05  448450.7 3764626.3   247.7     3.49     4.00
3.25     YES
 L0005451         0   0.13220E-05  448450.6 3764634.8   247.8     3.49     4.00
3.25     YES
 L0005452         0   0.13220E-05  448450.5 3764643.4   248.0     3.49     4.00
3.25     YES
 L0005453         0   0.13220E-05  448450.5 3764652.0   248.3     3.49     4.00
3.25     YES
 L0005454         0   0.13220E-05  448450.4 3764660.6   248.6     3.49     4.00
3.25     YES
 L0005455         0   0.13220E-05  448450.3 3764669.2   248.9     3.49     4.00
3.25     YES
 L0005456         0   0.13220E-05  448450.2 3764677.8   249.1     3.49     4.00
3.25     YES
 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                         ***       17:37:35

                                   PAGE  10
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                    *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
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 L0005457         0   0.13220E-05  448450.2 3764686.4   249.3     3.49     4.00
3.25     YES
 L0005458         0   0.13220E-05  448450.1 3764695.0   249.4     3.49     4.00
3.25     YES
 L0005459         0   0.13220E-05  448450.0 3764703.6   249.5     3.49     4.00
3.25     YES
```

L0005460	0	0.13220E-05	448449.9	3764712.1	249.5	3.49	4.00	3.25 YES
L0005461	0	0.13220E-05	448449.9	3764720.7	249.5	3.49	4.00	3.25 YES
L0005462	0	0.13220E-05	448449.8	3764729.3	249.5	3.49	4.00	3.25 YES
L0005463	0	0.13220E-05	448449.7	3764737.9	249.5	3.49	4.00	3.25 YES
L0005464	0	0.13220E-05	448449.6	3764746.5	249.5	3.49	4.00	3.25 YES
L0005465	0	0.13220E-05	448449.6	3764755.1	249.5	3.49	4.00	3.25 YES
L0005466	0	0.13220E-05	448449.5	3764763.7	249.6	3.49	4.00	3.25 YES
L0005467	0	0.13220E-05	448449.4	3764772.3	249.7	3.49	4.00	3.25 YES
L0005468	0	0.13220E-05	448449.3	3764780.9	249.8	3.49	4.00	3.25 YES
L0005469	0	0.13220E-05	448449.3	3764789.5	249.9	3.49	4.00	3.25 YES
L0005470	0	0.13220E-05	448449.2	3764798.0	250.0	3.49	4.00	3.25 YES
L0005471	0	0.13220E-05	448449.1	3764806.6	250.0	3.49	4.00	3.25 YES
L0005472	0	0.13220E-05	448449.1	3764815.2	250.0	3.49	4.00	3.25 YES
L0005473	0	0.13220E-05	448449.0	3764823.8	250.0	3.49	4.00	3.25 YES
L0005474	0	0.13220E-05	448448.9	3764832.4	250.0	3.49	4.00	3.25 YES
L0005475	0	0.13220E-05	448448.8	3764841.0	250.0	3.49	4.00	3.25 YES
L0005476	0	0.13220E-05	448448.8	3764849.6	249.9	3.49	4.00	3.25 YES
L0005477	0	0.13220E-05	448448.7	3764858.2	249.9	3.49	4.00	3.25 YES
L0005478	0	0.13220E-05	448448.6	3764866.8	249.9	3.49	4.00	3.25 YES
L0005479	0	0.13220E-05	448448.5	3764875.4	249.9	3.49	4.00	3.25 YES
L0005480	0	0.13220E-05	448448.5	3764883.9	249.9	3.49	4.00	3.25 YES
L0005481	0	0.13220E-05	448448.4	3764892.5	249.9	3.49	4.00	3.25 YES
L0005482	0	0.13220E-05	448448.3	3764901.1	249.9	3.49	4.00	3.25 YES
L0005483	0	0.13220E-05	448448.2	3764909.7	249.9	3.49	4.00	3.25 YES
L0005484	0	0.13220E-05	448448.2	3764918.3	249.9	3.49	4.00	3.25 YES

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 L0005485         0   0.13220E-05  448448.1 3764926.9   249.9     3.49     4.00
3.25     YES
 L0005486         0   0.13220E-05  448448.0 3764935.5   249.9     3.49     4.00
3.25     YES
 L0005487         0   0.13220E-05  448447.9 3764944.1   249.9     3.49     4.00
3.25     YES
 L0005488         0   0.13220E-05  448447.9 3764952.7   249.9     3.49     4.00
3.25     YES
 L0005489         0   0.13220E-05  448447.8 3764961.3   249.9     3.49     4.00
3.25     YES
 L0005490         0   0.13220E-05  448447.7 3764969.8   249.9     3.49     4.00
3.25     YES
 L0005491         0   0.13220E-05  448447.6 3764978.4   249.9     3.49     4.00
3.25     YES
 L0005492         0   0.13220E-05  448447.6 3764987.0   249.9     3.49     4.00
3.25     YES
 L0005493         0   0.13220E-05  448447.5 3764995.6   249.9     3.49     4.00
3.25     YES
 L0005494         0   0.13220E-05  448447.4 3765004.2   249.9     3.49     4.00
3.25     YES
 L0005495         0   0.13220E-05  448447.3 3765012.8   249.9     3.49     4.00
3.25     YES
 L0005496         0   0.13220E-05  448447.3 3765021.4   249.9     3.49     4.00
3.25     YES
 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                         ***       17:37:35

                                   PAGE  11
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                    *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
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 L0005497         0   0.13220E-05  448447.2 3765030.0   249.9     3.49     4.00
3.25     YES
 L0005498         0   0.13220E-05  448447.1 3765038.6   250.0     3.49     4.00
3.25     YES
 L0005499         0   0.13220E-05  448447.0 3765047.1   250.1     3.49     4.00
3.25     YES
```

L0005500	0	0.13220E-05	448447.0	3765055.7	250.1	3.49	4.00	3.25 YES
L0005501	0	0.13220E-05	448446.9	3765064.3	250.2	3.49	4.00	3.25 YES
L0005502	0	0.13220E-05	448446.8	3765072.9	250.2	3.49	4.00	3.25 YES
L0005503	0	0.13220E-05	448446.8	3765081.5	250.2	3.49	4.00	3.25 YES
L0005504	0	0.13220E-05	448446.7	3765090.1	250.2	3.49	4.00	3.25 YES
L0005616	0	0.78130E-06	448454.8	3764128.4	242.2	3.49	4.00	3.25 YES
L0005617	0	0.78130E-06	448454.7	3764119.8	242.1	3.49	4.00	3.25 YES
L0005618	0	0.78130E-06	448454.6	3764111.2	242.1	3.49	4.00	3.25 YES
L0005619	0	0.78130E-06	448454.5	3764102.6	242.0	3.49	4.00	3.25 YES
L0005620	0	0.78130E-06	448454.4	3764094.0	241.9	3.49	4.00	3.25 YES
L0005621	0	0.78130E-06	448454.3	3764085.4	241.8	3.49	4.00	3.25 YES
L0005622	0	0.78130E-06	448454.2	3764076.8	241.7	3.49	4.00	3.25 YES
L0005623	0	0.78130E-06	448454.1	3764068.3	241.5	3.49	4.00	3.25 YES
L0005624	0	0.78130E-06	448454.0	3764059.7	241.4	3.49	4.00	3.25 YES
L0005625	0	0.78130E-06	448453.9	3764051.1	241.2	3.49	4.00	3.25 YES
L0005626	0	0.78130E-06	448453.8	3764042.5	241.1	3.49	4.00	3.25 YES
L0005627	0	0.78130E-06	448453.7	3764033.9	241.0	3.49	4.00	3.25 YES
L0005628	0	0.78130E-06	448453.6	3764025.3	240.9	3.49	4.00	3.25 YES
L0005629	0	0.78130E-06	448453.5	3764016.7	240.9	3.49	4.00	3.25 YES
L0005630	0	0.78130E-06	448453.4	3764008.1	240.8	3.49	4.00	3.25 YES
L0005631	0	0.78130E-06	448453.3	3763999.5	240.7	3.49	4.00	3.25 YES
L0005632	0	0.78130E-06	448453.2	3763991.0	240.7	3.49	4.00	3.25 YES
L0005633	0	0.78130E-06	448453.1	3763982.4	240.6	3.49	4.00	3.25 YES
L0005634	0	0.78130E-06	448453.0	3763973.8	240.6	3.49	4.00	3.25 YES
L0005635	0	0.78130E-06	448452.9	3763965.2	240.6	3.49	4.00	3.25 YES

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 L0005636         0   0.78130E-06  448452.8 3763956.6   240.5     3.49     4.00
3.25     YES
 L0005637         0   0.78130E-06  448452.7 3763948.0   240.5     3.49     4.00
3.25     YES
 L0005638         0   0.78130E-06  448452.6 3763939.4   240.4     3.49     4.00
3.25     YES
 L0005639         0   0.78130E-06  448452.5 3763930.8   240.4     3.49     4.00
3.25     YES
 L0005640         0   0.78130E-06  448452.4 3763922.2   240.3     3.49     4.00
3.25     YES
 L0005641         0   0.78130E-06  448452.3 3763913.6   240.2     3.49     4.00
3.25     YES
 L0005642         0   0.78130E-06  448452.2 3763905.1   240.2     3.49     4.00
3.25     YES
 L0005643         0   0.78130E-06  448452.1 3763896.5   240.1     3.49     4.00
3.25     YES
 L0005644         0   0.78130E-06  448452.0 3763887.9   240.0     3.49     4.00
3.25     YES
 L0005645         0   0.78130E-06  448451.9 3763879.3   240.0     3.49     4.00
3.25     YES
 L0005646         0   0.78130E-06  448451.8 3763870.7   239.9     3.49     4.00
3.25     YES
 L0005647         0   0.78130E-06  448451.7 3763862.1   239.9     3.49     4.00
3.25     YES
↟ *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                       ***       17:37:35

                                 PAGE  12
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                    *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
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 L0005648         0   0.78130E-06  448451.6 3763853.5   239.8     3.49     4.00
3.25     YES
 L0005649         0   0.78130E-06  448451.5 3763844.9   239.7     3.49     4.00
3.25     YES
 L0005650         0   0.78130E-06  448451.4 3763836.3   239.6     3.49     4.00
3.25     YES
```

L0005651	0	0.78130E-06	448451.3	3763827.8	239.6	3.49	4.00	3.25 YES
L0005652	0	0.78130E-06	448451.2	3763819.2	239.5	3.49	4.00	3.25 YES
L0005653	0	0.78130E-06	448451.1	3763810.6	239.4	3.49	4.00	3.25 YES
L0005654	0	0.78130E-06	448451.0	3763802.0	239.3	3.49	4.00	3.25 YES
L0005655	0	0.78130E-06	448450.9	3763793.4	239.3	3.49	4.00	3.25 YES
L0005656	0	0.78130E-06	448450.8	3763784.8	239.3	3.49	4.00	3.25 YES
L0005657	0	0.78130E-06	448450.7	3763776.2	239.3	3.49	4.00	3.25 YES
L0005658	0	0.78130E-06	448450.6	3763767.6	239.3	3.49	4.00	3.25 YES
L0005659	0	0.78130E-06	448450.5	3763759.0	239.3	3.49	4.00	3.25 YES
L0005660	0	0.78130E-06	448450.3	3763750.4	239.3	3.49	4.00	3.25 YES
L0005661	0	0.78130E-06	448450.2	3763741.9	239.3	3.49	4.00	3.25 YES
L0005662	0	0.78130E-06	448450.1	3763733.3	239.3	3.49	4.00	3.25 YES
L0005663	0	0.78130E-06	448450.0	3763724.7	239.4	3.49	4.00	3.25 YES
L0005664	0	0.78130E-06	448449.9	3763716.1	239.5	3.49	4.00	3.25 YES
L0005665	0	0.78130E-06	448449.8	3763707.5	239.6	3.49	4.00	3.25 YES
L0005666	0	0.78130E-06	448449.7	3763698.9	239.7	3.49	4.00	3.25 YES
L0005667	0	0.78130E-06	448449.6	3763690.3	239.8	3.49	4.00	3.25 YES
L0005668	0	0.78130E-06	448449.5	3763681.7	239.9	3.49	4.00	3.25 YES
L0005669	0	0.78130E-06	448449.4	3763673.1	240.0	3.49	4.00	3.25 YES
L0005670	0	0.78130E-06	448449.3	3763664.6	240.2	3.49	4.00	3.25 YES
L0005671	0	0.78130E-06	448449.2	3763656.0	240.5	3.49	4.00	3.25 YES
L0005672	0	0.78130E-06	448449.1	3763647.4	240.6	3.49	4.00	3.25 YES
L0005673	0	0.78130E-06	448449.0	3763638.8	240.6	3.49	4.00	3.25 YES
L0005674	0	0.78130E-06	448448.9	3763630.2	240.6	3.49	4.00	3.25 YES
L0005675	0	0.78130E-06	448448.8	3763621.6	240.6	3.49	4.00	3.25 YES

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 L0005676         0   0.78130E-06  448448.7 3763613.0   240.6     3.49     4.00
3.25     YES
 L0005677         0   0.78130E-06  448448.6 3763604.4   240.6     3.49     4.00
3.25     YES
 L0005678         0   0.78130E-06  448448.5 3763595.8   240.6     3.49     4.00
3.25     YES
 L0005679         0   0.78130E-06  448448.4 3763587.3   240.6     3.49     4.00
3.25     YES
 L0005680         0   0.78130E-06  448448.3 3763578.7   240.4     3.49     4.00
3.25     YES
 L0005681         0   0.78130E-06  448448.2 3763570.1   240.3     3.49     4.00
3.25     YES
 L0005682         0   0.78130E-06  448448.1 3763561.5   240.1     3.49     4.00
3.25     YES
 L0005683         0   0.78130E-06  448448.0 3763552.9   239.8     3.49     4.00
3.25     YES
 L0005684         0   0.78130E-06  448447.9 3763544.3   239.5     3.49     4.00
3.25     YES
 L0005685         0   0.78130E-06  448447.8 3763535.7   239.2     3.49     4.00
3.25     YES
 L0005686         0   0.78130E-06  448447.7 3763527.1   238.9     3.49     4.00
3.25     YES
 L0005687         0   0.78130E-06  448447.6 3763518.5   238.7     3.49     4.00
3.25     YES
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 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                    *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
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 L0005688         0   0.78130E-06  448447.5 3763509.9   238.6     3.49     4.00
3.25     YES
 L0005689         0   0.78130E-06  448447.4 3763501.4   238.4     3.49     4.00
3.25     YES
 L0005690         0   0.78130E-06  448447.3 3763492.8   238.3     3.49     4.00
3.25     YES
```

L0005691	0	0.78130E-06	448447.2	3763484.2	238.2	3.49	4.00	3.25 YES
L0005692	0	0.78130E-06	448447.1	3763475.6	238.1	3.49	4.00	3.25 YES
L0005693	0	0.78130E-06	448447.0	3763467.0	238.0	3.49	4.00	3.25 YES
L0005694	0	0.78130E-06	448446.9	3763458.4	238.0	3.49	4.00	3.25 YES
L0005695	0	0.78130E-06	448446.8	3763449.8	238.0	3.49	4.00	3.25 YES
L0005696	0	0.78130E-06	448446.7	3763441.2	238.0	3.49	4.00	3.25 YES
L0005697	0	0.78130E-06	448446.6	3763432.6	237.9	3.49	4.00	3.25 YES
L0005698	0	0.78130E-06	448446.5	3763424.1	237.9	3.49	4.00	3.25 YES
L0005699	0	0.78130E-06	448446.4	3763415.5	237.8	3.49	4.00	3.25 YES
L0005700	0	0.78130E-06	448446.3	3763406.9	237.7	3.49	4.00	3.25 YES
L0005701	0	0.78130E-06	448446.2	3763398.3	237.7	3.49	4.00	3.25 YES
L0005702	0	0.78130E-06	448446.1	3763389.7	237.6	3.49	4.00	3.25 YES
L0005703	0	0.78130E-06	448446.0	3763381.1	237.5	3.49	4.00	3.25 YES
L0005704	0	0.78130E-06	448445.9	3763372.5	237.4	3.49	4.00	3.25 YES
L0005705	0	0.78130E-06	448445.8	3763363.9	237.2	3.49	4.00	3.25 YES
L0005706	0	0.78130E-06	448445.7	3763355.3	237.0	3.49	4.00	3.25 YES
L0005707	0	0.78130E-06	448445.6	3763346.7	236.8	3.49	4.00	3.25 YES
L0005708	0	0.78130E-06	448445.5	3763338.2	236.5	3.49	4.00	3.25 YES
L0005709	0	0.78130E-06	448445.4	3763329.6	236.3	3.49	4.00	3.25 YES
L0005710	0	0.78130E-06	448445.3	3763321.0	236.0	3.49	4.00	3.25 YES
L0005711	0	0.78130E-06	448445.2	3763312.4	235.8	3.49	4.00	3.25 YES
L0005712	0	0.78130E-06	448445.1	3763303.8	235.6	3.49	4.00	3.25 YES
L0005713	0	0.78130E-06	448445.0	3763295.2	235.5	3.49	4.00	3.25 YES
L0005714	0	0.78130E-06	448444.9	3763286.6	235.3	3.49	4.00	3.25 YES
L0005715	0	0.78130E-06	448444.8	3763278.0	235.2	3.49	4.00	3.25 YES

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 L0005716         0   0.78130E-06  448444.6 3763269.4   235.1     3.49     4.00
3.25     YES
 L0005717         0   0.78130E-06  448444.5 3763260.9   235.1     3.49     4.00
3.25     YES
 L0005718         0   0.78130E-06  448444.4 3763252.3   235.0     3.49     4.00
3.25     YES
 L0005719         0   0.78130E-06  448444.3 3763243.7   235.0     3.49     4.00
3.25     YES
 L0005720         0   0.78130E-06  448444.2 3763235.1   235.0     3.49     4.00
3.25     YES
 L0005721         0   0.78130E-06  448444.1 3763226.5   235.0     3.49     4.00
3.25     YES
 L0005722         0   0.78130E-06  448444.0 3763217.9   234.9     3.49     4.00
3.25     YES
 L0005723         0   0.78130E-06  448443.9 3763209.3   234.8     3.49     4.00
3.25     YES
 L0005724         0   0.78130E-06  448443.8 3763200.7   234.7     3.49     4.00
3.25     YES
 L0005725         0   0.78130E-06  448443.7 3763192.1   234.6     3.49     4.00
3.25     YES
 L0005726         0   0.78130E-06  448443.6 3763183.5   234.5     3.49     4.00
3.25     YES
 L0005727         0   0.78130E-06  448443.5 3763175.0   234.4     3.49     4.00
3.25     YES
↟ *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                       ***       17:37:35

                                 PAGE  14
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                  *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - -

 L0005728         0   0.78130E-06  448443.4 3763166.4   234.3     3.49     4.00
3.25     YES
 L0005729         0   0.78130E-06  448443.3 3763157.8   234.1     3.49     4.00
3.25     YES
 L0005730         0   0.78130E-06  448443.2 3763149.2   234.0     3.49     4.00
3.25     YES
```

L0005731	0	0.78130E-06	448443.1	3763140.6	233.8	3.49	4.00	3.25 YES
L0005732	0	0.78130E-06	448443.0	3763132.0	233.7	3.49	4.00	3.25 YES
L0005733	0	0.78130E-06	448442.9	3763123.4	233.6	3.49	4.00	3.25 YES
L0005734	0	0.78130E-06	448442.8	3763114.8	233.5	3.49	4.00	3.25 YES
L0005735	0	0.78130E-06	448442.7	3763106.2	233.4	3.49	4.00	3.25 YES
L0005736	0	0.78130E-06	448442.6	3763097.7	233.4	3.49	4.00	3.25 YES
L0005737	0	0.78130E-06	448442.5	3763089.1	233.3	3.49	4.00	3.25 YES
L0005738	0	0.78130E-06	448442.4	3763080.5	233.2	3.49	4.00	3.25 YES
L0005739	0	0.78130E-06	448442.3	3763071.9	233.0	3.49	4.00	3.25 YES
L0005740	0	0.78130E-06	448442.2	3763063.3	232.9	3.49	4.00	3.25 YES
L0005741	0	0.78130E-06	448442.1	3763054.7	232.7	3.49	4.00	3.25 YES
L0005742	0	0.78130E-06	448442.0	3763046.1	232.6	3.49	4.00	3.25 YES
L0005743	0	0.78130E-06	448441.9	3763037.5	232.6	3.49	4.00	3.25 YES
L0005744	0	0.78130E-06	448441.8	3763028.9	232.6	3.49	4.00	3.25 YES
L0005745	0	0.78130E-06	448441.7	3763020.4	232.6	3.49	4.00	3.25 YES
L0005746	0	0.78130E-06	448441.6	3763011.8	232.5	3.49	4.00	3.25 YES
L0005747	0	0.78130E-06	448441.5	3763003.2	232.4	3.49	4.00	3.25 YES
L0005748	0	0.78130E-06	448441.4	3762994.6	232.3	3.49	4.00	3.25 YES
L0005749	0	0.78130E-06	448441.3	3762986.0	232.2	3.49	4.00	3.25 YES
L0005750	0	0.78130E-06	448441.2	3762977.4	232.2	3.49	4.00	3.25 YES
L0005751	0	0.78130E-06	448441.1	3762968.8	232.2	3.49	4.00	3.25 YES
L0005752	0	0.78130E-06	448441.0	3762960.2	232.2	3.49	4.00	3.25 YES
L0005753	0	0.78130E-06	448440.9	3762951.6	232.2	3.49	4.00	3.25 YES
L0005754	0	0.78130E-06	448440.8	3762943.0	232.1	3.49	4.00	3.25 YES
L0005755	0	0.78130E-06	448440.7	3762934.5	232.0	3.49	4.00	3.25 YES

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 L0005756         0   0.78130E-06  448440.6 3762925.9   231.9     3.49     4.00
3.25     YES
 L0005757         0   0.78130E-06  448440.5 3762917.3   231.8     3.49     4.00
3.25     YES
 L0005758         0   0.78130E-06  448440.4 3762908.7   231.7     3.49     4.00
3.25     YES
 L0005759         0   0.78130E-06  448440.3 3762900.1   231.7     3.49     4.00
3.25     YES
 L0005760         0   0.78130E-06  448440.2 3762891.5   231.5     3.49     4.00
3.25     YES
 L0005761         0   0.78130E-06  448440.1 3762882.9   231.3     3.49     4.00
3.25     YES
 L0005762         0   0.78130E-06  448440.0 3762874.3   231.1     3.49     4.00
3.25     YES
 L0005763         0   0.78130E-06  448439.9 3762865.7   231.0     3.49     4.00
3.25     YES
 L0005764         0   0.78130E-06  448439.8 3762857.2   230.8     3.49     4.00
3.25     YES
 L0005765         0   0.78130E-06  448439.7 3762848.6   230.6     3.49     4.00
3.25     YES
 L0005766         0   0.78130E-06  448439.6 3762840.0   230.4     3.49     4.00
3.25     YES
 L0005767         0   0.78130E-06  448439.5 3762831.4   230.2     3.49     4.00
3.25     YES
 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                         ***       17:37:35

                                   PAGE  15
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                    *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - -

 L0005768         0   0.78130E-06  448439.4 3762822.8   230.1     3.49     4.00
3.25     YES
 L0005769         0   0.78130E-06  448439.3 3762814.2   229.9     3.49     4.00
3.25     YES
 L0005770         0   0.78130E-06  448439.2 3762805.6   229.7     3.49     4.00
3.25     YES
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 L0005771         0   0.78130E-06  448439.1 3762797.0   229.6     3.49     4.00
3.25     YES
 L0005772         0   0.78130E-06  448439.0 3762788.4   229.4     3.49     4.00
3.25     YES
 L0005773         0   0.78130E-06  448438.8 3762779.8   229.2     3.49     4.00
3.25     YES
 L0005774         0   0.78130E-06  448438.7 3762771.3   229.0     3.49     4.00
3.25     YES
 L0005775         0   0.78130E-06  448438.6 3762762.7   228.9     3.49     4.00
3.25     YES
 L0005776         0   0.78130E-06  448438.5 3762754.1   228.7     3.49     4.00
3.25     YES
 L0005777         0   0.78130E-06  448438.4 3762745.5   228.6     3.49     4.00
3.25     YES
 L0005778         0   0.78130E-06  448438.3 3762736.9   228.6     3.49     4.00
3.25     YES
 L0005779         0   0.78130E-06  448438.2 3762728.3   228.6     3.49     4.00
3.25     YES
 L0005780         0   0.78130E-06  448438.1 3762719.7   228.6     3.49     4.00
3.25     YES
 L0005781         0   0.78130E-06  448438.0 3762711.1   228.5     3.49     4.00
3.25     YES
 L0005782         0   0.78130E-06  448437.9 3762702.5   228.4     3.49     4.00
3.25     YES
 L0005783         0   0.78130E-06  448437.8 3762694.0   228.3     3.49     4.00
3.25     YES
 L0005784         0   0.78130E-06  448437.7 3762685.4   228.3     3.49     4.00
3.25     YES
 L0005785         0   0.78130E-06  448437.6 3762676.8   228.3     3.49     4.00
3.25     YES
 L0005786         0   0.78130E-06  448437.5 3762668.2   228.3     3.49     4.00
3.25     YES
 L0005787         0   0.78130E-06  448437.4 3762659.6   228.3     3.49     4.00
3.25     YES
 L0005788         0   0.78130E-06  448437.3 3762651.0   228.3     3.49     4.00
3.25     YES
 L0005789         0   0.78130E-06  448437.2 3762642.4   228.3     3.49     4.00
3.25     YES
 L0005790         0   0.78130E-06  448437.1 3762633.8   228.3     3.49     4.00
3.25     YES
 L0005791         0   0.78130E-06  448437.0 3762625.2   228.2     3.49     4.00
3.25     YES
 L0005792         0   0.78130E-06  448436.9 3762616.6   228.1     3.49     4.00
3.25     YES
 L0005793         0   0.78130E-06  448436.8 3762608.1   228.1     3.49     4.00
3.25     YES
 L0005794         0   0.78130E-06  448436.7 3762599.5   228.0     3.49     4.00
3.25     YES
 L0005795         0   0.78130E-06  448436.6 3762590.9   228.0     3.49     4.00
3.25     YES
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 L0005796         0   0.78130E-06  448436.5 3762582.3   228.0     3.49     4.00
3.25     YES
 L0005797         0   0.78130E-06  448436.4 3762573.7   228.0     3.49     4.00
3.25     YES
 L0005798         0   0.78130E-06  448436.3 3762565.1   228.0     3.49     4.00
3.25     YES
 L0005799         0   0.78130E-06  448436.2 3762556.5   228.0     3.49     4.00
3.25     YES
 L0005800         0   0.78130E-06  448436.1 3762547.9   228.0     3.49     4.00
3.25     YES
 L0005801         0   0.78130E-06  448436.0 3762539.3   228.0     3.49     4.00
3.25     YES
 L0005802         0   0.78130E-06  448435.9 3762530.8   228.0     3.49     4.00
3.25     YES
 L0005803         0   0.78130E-06  448435.8 3762522.2   228.1     3.49     4.00
3.25     YES
 L0005804         0   0.78130E-06  448435.7 3762513.6   228.2     3.49     4.00
3.25     YES
 L0005805         0   0.78130E-06  448435.6 3762505.0   228.2     3.49     4.00
3.25     YES
 L0005806         0   0.78130E-06  448435.5 3762496.4   228.1     3.49     4.00
3.25     YES
 L0005807         0   0.78130E-06  448435.4 3762487.8   228.0     3.49     4.00
3.25     YES
```



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                                                    *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - - -

 L0005808         0   0.78130E-06  448435.3 3762479.2   227.9     3.49     4.00
3.25     YES
 L0005809         0   0.78130E-06  448435.2 3762470.6   227.7     3.49     4.00
3.25     YES
 L0005810         0   0.78130E-06  448435.1 3762462.0   227.6     3.49     4.00
3.25     YES
```

L0005811	0	0.78130E-06	448435.0	3762453.5	227.4	3.49	4.00	3.25 YES
L0005812	0	0.78130E-06	448434.9	3762444.9	227.3	3.49	4.00	3.25 YES
L0005813	0	0.78130E-06	448434.8	3762436.3	227.2	3.49	4.00	3.25 YES
L0005814	0	0.78130E-06	448434.7	3762427.7	227.1	3.49	4.00	3.25 YES
L0005815	0	0.78130E-06	448434.6	3762419.1	227.0	3.49	4.00	3.25 YES
L0005816	0	0.78130E-06	448434.5	3762410.5	226.9	3.49	4.00	3.25 YES
L0005817	0	0.78130E-06	448434.4	3762401.9	226.9	3.49	4.00	3.25 YES
L0005818	0	0.78130E-06	448434.3	3762393.3	226.8	3.49	4.00	3.25 YES
L0005819	0	0.98310E-07	448228.7	3764390.5	243.4	3.49	4.00	3.25 YES
L0005820	0	0.98310E-07	448220.1	3764390.9	243.4	3.49	4.00	3.25 YES
L0005821	0	0.98310E-07	448211.5	3764391.3	243.5	3.49	4.00	3.25 YES
L0005822	0	0.98310E-07	448202.9	3764391.6	243.5	3.49	4.00	3.25 YES
L0005823	0	0.98310E-07	448194.3	3764392.0	243.5	3.49	4.00	3.25 YES
L0005824	0	0.98310E-07	448185.8	3764392.4	243.5	3.49	4.00	3.25 YES
L0005825	0	0.98310E-07	448177.2	3764392.8	243.5	3.49	4.00	3.25 YES
L0005826	0	0.98310E-07	448168.6	3764393.2	243.5	3.49	4.00	3.25 YES
L0005827	0	0.98310E-07	448160.0	3764393.5	243.6	3.49	4.00	3.25 YES
L0005828	0	0.98310E-07	448151.4	3764393.9	243.7	3.49	4.00	3.25 YES
L0005829	0	0.98310E-07	448142.8	3764394.3	243.8	3.49	4.00	3.25 YES
L0005830	0	0.98310E-07	448134.3	3764394.7	243.8	3.49	4.00	3.25 YES
L0005831	0	0.98310E-07	448125.7	3764395.1	243.8	3.49	4.00	3.25 YES
L0005832	0	0.98310E-07	448117.1	3764395.4	243.8	3.49	4.00	3.25 YES
L0005833	0	0.98310E-07	448108.5	3764395.8	243.9	3.49	4.00	3.25 YES
L0005834	0	0.98310E-07	448099.9	3764396.2	243.9	3.49	4.00	3.25 YES
L0005835	0	0.98310E-07	448091.4	3764396.6	244.0	3.49	4.00	3.25 YES

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 L0005836         0   0.98310E-07  448082.8 3764396.7   244.1     3.49     4.00
3.25     YES
 L0005837         0   0.98310E-07  448074.2 3764396.8   244.1     3.49     4.00
3.25     YES
 L0005838         0   0.98310E-07  448065.6 3764397.0   244.1     3.49     4.00
3.25     YES
 L0005839         0   0.98310E-07  448057.0 3764397.1   244.1     3.49     4.00
3.25     YES
 L0005840         0   0.98310E-07  448048.4 3764397.2   244.1     3.49     4.00
3.25     YES
 L0005841         0   0.98310E-07  448039.8 3764397.3   244.0     3.49     4.00
3.25     YES
 L0005842         0   0.98310E-07  448031.2 3764397.4   243.9     3.49     4.00
3.25     YES
 L0005843         0   0.98310E-07  448022.6 3764397.6   243.9     3.49     4.00
3.25     YES
 L0005844         0   0.98310E-07  448014.1 3764397.7   243.8     3.49     4.00
3.25     YES
 L0005845         0   0.98310E-07  448005.5 3764397.8   243.8     3.49     4.00
3.25     YES
 L0005846         0   0.98310E-07  447996.9 3764397.9   243.8     3.49     4.00
3.25     YES
 L0005847         0   0.98310E-07  447988.3 3764398.0   243.8     3.49     4.00
3.25     YES
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*** VOLUME SOURCE DATA ***

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC)	X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT (METERS)	INIT. SY (METERS)	INIT. SZ	URBAN SOURCE	EMISSION RATE SCALAR VARY BY
L0005848	0	0.98310E-07	447979.7	3764398.2	243.8	3.49	4.00	3.25	YES	
L0005849	0	0.98310E-07	447971.1	3764398.3	243.8	3.49	4.00	3.25	YES	
L0005850	0	0.98310E-07	447962.5	3764398.4	243.8	3.49	4.00	3.25	YES	

L0005851	0	0.98310E-07	447953.9	3764398.5	243.9	3.49	4.00	3.25 YES
L0005852	0	0.98310E-07	447945.3	3764398.6	244.0	3.49	4.00	3.25 YES
L0005853	0	0.98310E-07	447936.8	3764398.8	244.1	3.49	4.00	3.25 YES
L0005854	0	0.98310E-07	447928.2	3764398.9	244.1	3.49	4.00	3.25 YES
L0005855	0	0.98310E-07	447919.6	3764399.0	244.1	3.49	4.00	3.25 YES
L0005856	0	0.98310E-07	447911.0	3764399.1	244.1	3.49	4.00	3.25 YES
L0005857	0	0.98310E-07	447902.4	3764399.2	244.1	3.49	4.00	3.25 YES
L0005858	0	0.98310E-07	447893.8	3764399.4	244.1	3.49	4.00	3.25 YES
L0005859	0	0.98310E-07	447885.2	3764399.5	244.1	3.49	4.00	3.25 YES
L0005860	0	0.98310E-07	447876.6	3764399.6	244.1	3.49	4.00	3.25 YES
L0005861	0	0.98310E-07	447868.0	3764399.7	244.1	3.49	4.00	3.25 YES
L0005862	0	0.98310E-07	447859.4	3764399.8	244.0	3.49	4.00	3.25 YES
L0005863	0	0.98310E-07	447850.9	3764400.0	244.0	3.49	4.00	3.25 YES
L0005864	0	0.98310E-07	447842.3	3764400.1	243.9	3.49	4.00	3.25 YES
L0005865	0	0.98310E-07	447833.7	3764400.2	243.7	3.49	4.00	3.25 YES
L0005866	0	0.98310E-07	447825.1	3764400.3	243.4	3.49	4.00	3.25 YES
L0005867	0	0.98310E-07	447816.5	3764400.4	243.1	3.49	4.00	3.25 YES
L0005868	0	0.98310E-07	447807.9	3764400.6	243.0	3.49	4.00	3.25 YES
L0005869	0	0.98310E-07	447799.3	3764400.7	243.1	3.49	4.00	3.25 YES
L0005870	0	0.98310E-07	447790.7	3764400.8	243.1	3.49	4.00	3.25 YES
L0005871	0	0.98310E-07	447782.1	3764400.9	243.2	3.49	4.00	3.25 YES
L0005872	0	0.98310E-07	447773.6	3764401.0	243.3	3.49	4.00	3.25 YES
L0005873	0	0.98310E-07	447765.0	3764401.2	243.4	3.49	4.00	3.25 YES
L0005874	0	0.98310E-07	447756.4	3764401.3	243.5	3.49	4.00	3.25 YES
L0005875	0	0.98310E-07	447747.8	3764401.4	243.5	3.49	4.00	3.25 YES

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 L0005876         0   0.98310E-07  447739.2 3764401.5   243.5     3.49     4.00
3.25     YES
 L0005877         0   0.98310E-07  447730.6 3764401.6   243.6     3.49     4.00
3.25     YES
 L0005878         0   0.98310E-07  447722.0 3764401.8   243.6     3.49     4.00
3.25     YES
 L0005879         0   0.98310E-07  447713.4 3764401.9   243.6     3.49     4.00
3.25     YES
 L0005880         0   0.98310E-07  447704.8 3764402.0   243.7     3.49     4.00
3.25     YES
 L0005881         0   0.98310E-07  447696.3 3764402.1   243.8     3.49     4.00
3.25     YES
 L0005882         0   0.98310E-07  447687.7 3764402.2   243.9     3.49     4.00
3.25     YES
 L0005883         0   0.98310E-07  447679.1 3764402.4   244.1     3.49     4.00
3.25     YES
 L0005884         0   0.98310E-07  447670.5 3764402.5   244.2     3.49     4.00
3.25     YES
 L0005885         0   0.98310E-07  447661.9 3764402.6   244.4     3.49     4.00
3.25     YES
 L0005886         0   0.98310E-07  447653.3 3764402.7   244.4     3.49     4.00
3.25     YES
 L0005887         0   0.98310E-07  447644.7 3764402.8   244.4     3.49     4.00
3.25     YES
↟ *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                 ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                       ***       17:37:35

                                 PAGE  18
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                    *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - - -

 L0005888         0   0.98310E-07  447636.1 3764403.0   244.4     3.49     4.00
3.25     YES
 L0005889         0   0.98310E-07  447627.5 3764403.1   244.4     3.49     4.00
3.25     YES
 L0005890         0   0.98310E-07  447619.0 3764403.2   244.2     3.49     4.00
3.25     YES
```

L0005891	0	0.98310E-07	447610.4	3764403.3	244.1	3.49	4.00	3.25 YES
L0005892	0	0.98310E-07	447601.8	3764403.4	243.9	3.49	4.00	3.25 YES
L0005893	0	0.98310E-07	447593.2	3764403.6	243.9	3.49	4.00	3.25 YES
L0005894	0	0.98310E-07	447584.6	3764403.7	243.9	3.49	4.00	3.25 YES
L0005895	0	0.98310E-07	447576.0	3764403.8	243.9	3.49	4.00	3.25 YES
L0005896	0	0.98310E-07	447567.4	3764403.9	244.0	3.49	4.00	3.25 YES
L0005897	0	0.98310E-07	447558.8	3764404.0	244.3	3.49	4.00	3.25 YES
L0005898	0	0.98310E-07	447550.2	3764404.2	244.6	3.49	4.00	3.25 YES
L0005899	0	0.98310E-07	447541.6	3764404.3	244.9	3.49	4.00	3.25 YES
L0005900	0	0.98310E-07	447533.1	3764404.4	245.3	3.49	4.00	3.25 YES
L0005901	0	0.98310E-07	447524.5	3764404.5	245.7	3.49	4.00	3.25 YES
L0005902	0	0.98310E-07	447515.9	3764404.6	246.2	3.49	4.00	3.25 YES
L0005903	0	0.98310E-07	447507.3	3764404.8	246.5	3.49	4.00	3.25 YES
L0005904	0	0.98310E-07	447498.7	3764404.9	246.6	3.49	4.00	3.25 YES
L0005905	0	0.98310E-07	447490.1	3764405.0	246.7	3.49	4.00	3.25 YES
L0005906	0	0.98310E-07	447481.5	3764405.1	246.8	3.49	4.00	3.25 YES
L0005907	0	0.98310E-07	447472.9	3764405.2	246.8	3.49	4.00	3.25 YES
L0005908	0	0.98310E-07	447464.3	3764405.4	246.8	3.49	4.00	3.25 YES
L0005909	0	0.98310E-07	447455.8	3764405.5	246.8	3.49	4.00	3.25 YES
L0005910	0	0.98310E-07	447447.2	3764405.6	246.8	3.49	4.00	3.25 YES
L0005911	0	0.98310E-07	447438.6	3764405.7	246.6	3.49	4.00	3.25 YES
L0005912	0	0.98310E-07	447430.0	3764405.8	246.4	3.49	4.00	3.25 YES
L0005913	0	0.98310E-07	447421.4	3764406.0	246.2	3.49	4.00	3.25 YES
L0005914	0	0.98310E-07	447412.8	3764406.1	245.9	3.49	4.00	3.25 YES
L0005915	0	0.98310E-07	447404.2	3764406.2	245.5	3.49	4.00	3.25 YES

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 L0005916         0   0.98310E-07  447395.6 3764406.3   245.1     3.49     4.00
3.25     YES
 L0005917         0   0.98310E-07  447387.0 3764406.4   244.8     3.49     4.00
3.25     YES
 L0005918         0   0.98310E-07  447378.5 3764406.6   244.7     3.49     4.00
3.25     YES
 L0005919         0   0.98310E-07  447369.9 3764406.7   244.6     3.49     4.00
3.25     YES
 L0005920         0   0.98310E-07  447361.3 3764406.8   244.5     3.49     4.00
3.25     YES
 L0005921         0   0.98310E-07  447352.7 3764406.9   244.4     3.49     4.00
3.25     YES
 L0005922         0   0.98310E-07  447344.1 3764407.0   244.3     3.49     4.00
3.25     YES
 L0005923         0   0.98310E-07  447335.5 3764407.1   244.2     3.49     4.00
3.25     YES
 L0005924         0   0.98310E-07  447326.9 3764407.3   244.1     3.49     4.00
3.25     YES
 L0005925         0   0.98310E-07  447318.3 3764407.4   244.1     3.49     4.00
3.25     YES
 L0005926         0   0.98310E-07  447309.7 3764407.5   244.1     3.49     4.00
3.25     YES
 L0005927         0   0.98310E-07  447301.2 3764407.6   244.1     3.49     4.00
3.25     YES
 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                         ***       17:37:35

                                   PAGE  19
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                    *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
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- - - - - - - - - - - - - - - - - - - -

 L0005928         0   0.98310E-07  447292.6 3764407.7   244.2     3.49     4.00
3.25     YES
 L0005929         0   0.98310E-07  447284.0 3764407.9   244.3     3.49     4.00
3.25     YES
 L0005930         0   0.98310E-07  447275.4 3764408.0   244.3     3.49     4.00
3.25     YES
```

L0005931	0	0.98310E-07	447266.8	3764408.1	244.3	3.49	4.00	3.25 YES
L0005932	0	0.98310E-07	447258.2	3764408.2	244.3	3.49	4.00	3.25 YES
L0005933	0	0.98310E-07	447249.6	3764408.3	244.2	3.49	4.00	3.25 YES
L0005934	0	0.98310E-07	447241.0	3764408.5	244.2	3.49	4.00	3.25 YES
L0005935	0	0.98310E-07	447232.4	3764408.6	244.1	3.49	4.00	3.25 YES
L0005936	0	0.98310E-07	447223.9	3764408.7	244.0	3.49	4.00	3.25 YES
L0005937	0	0.98310E-07	447215.3	3764408.8	243.9	3.49	4.00	3.25 YES
L0005938	0	0.98310E-07	447206.7	3764408.9	243.8	3.49	4.00	3.25 YES
L0005939	0	0.98310E-07	447198.1	3764409.1	243.7	3.49	4.00	3.25 YES
L0005940	0	0.98310E-07	447189.5	3764409.2	243.6	3.49	4.00	3.25 YES
L0005941	0	0.98310E-07	447180.9	3764409.3	243.5	3.49	4.00	3.25 YES
L0005942	0	0.98310E-07	447172.3	3764409.4	243.5	3.49	4.00	3.25 YES
L0005943	0	0.98310E-07	447163.7	3764409.5	243.4	3.49	4.00	3.25 YES
L0005944	0	0.98310E-07	447155.1	3764409.7	243.4	3.49	4.00	3.25 YES
L0005945	0	0.98310E-07	447146.5	3764409.8	243.4	3.49	4.00	3.25 YES
L0005946	0	0.98310E-07	447138.0	3764409.9	243.5	3.49	4.00	3.25 YES
L0005947	0	0.98310E-07	447129.4	3764410.0	243.5	3.49	4.00	3.25 YES
L0005948	0	0.98310E-07	447120.8	3764410.1	243.6	3.49	4.00	3.25 YES
L0005949	0	0.98310E-07	447112.2	3764410.3	243.6	3.49	4.00	3.25 YES
L0005950	0	0.98310E-07	447103.6	3764410.4	243.6	3.49	4.00	3.25 YES
L0005951	0	0.98310E-07	447095.0	3764410.5	243.6	3.49	4.00	3.25 YES
L0005952	0	0.98310E-07	447086.4	3764410.6	243.5	3.49	4.00	3.25 YES
L0005953	0	0.98310E-07	447077.8	3764410.7	243.5	3.49	4.00	3.25 YES
L0005954	0	0.98310E-07	447069.2	3764410.9	243.4	3.49	4.00	3.25 YES
L0005955	0	0.98310E-07	447060.7	3764411.0	243.4	3.49	4.00	3.25 YES

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 L0005956         0   0.98310E-07  447052.1 3764411.1   243.3     3.49     4.00
3.25     YES
 L0005957         0   0.98310E-07  447043.5 3764411.2   243.2     3.49     4.00
3.25     YES
 L0005958         0   0.98310E-07  447034.9 3764411.3   243.1     3.49     4.00
3.25     YES
 L0005959         0   0.98310E-07  447026.3 3764411.5   243.0     3.49     4.00
3.25     YES
 L0005960         0   0.98310E-07  447017.7 3764411.6   243.0     3.49     4.00
3.25     YES
 L0005961         0   0.98310E-07  447009.1 3764411.7   243.0     3.49     4.00
3.25     YES
 L0005962         0   0.98310E-07  447000.5 3764411.8   242.9     3.49     4.00
3.25     YES
 L0005963         0   0.98310E-07  446991.9 3764411.9   242.9     3.49     4.00
3.25     YES
 L0005964         0   0.98310E-07  446983.4 3764412.1   242.8     3.49     4.00
3.25     YES
 L0005965         0   0.98310E-07  446974.8 3764412.2   242.8     3.49     4.00
3.25     YES
 L0005966         0   0.98310E-07  446966.2 3764412.3   242.7     3.49     4.00
3.25     YES
 L0005967         0   0.98310E-07  446957.6 3764412.4   242.7     3.49     4.00
3.25     YES
↑ *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***        07/09/20
 *** AERMET - VERSION  16216 ***   ***
                       ***        17:37:35

                                  PAGE  20
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                    *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
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 L0005968         0   0.98310E-07  446949.0 3764412.5   242.7     3.49     4.00
3.25     YES
 L0005969         0   0.98310E-07  446940.4 3764412.7   242.6     3.49     4.00
3.25     YES
 L0005970         0   0.98310E-07  446931.8 3764412.8   242.6     3.49     4.00
3.25     YES
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L0005971	0	0.98310E-07	446923.2	3764412.9	242.5	3.49	4.00	3.25 YES
L0005972	0	0.98310E-07	446914.6	3764413.0	242.5	3.49	4.00	3.25 YES
L0005973	0	0.98310E-07	446906.1	3764413.1	242.4	3.49	4.00	3.25 YES
L0005974	0	0.98310E-07	446897.5	3764413.3	242.4	3.49	4.00	3.25 YES
L0005975	0	0.98310E-07	446888.9	3764413.4	242.4	3.49	4.00	3.25 YES
L0005976	0	0.98310E-07	446880.3	3764413.5	242.3	3.49	4.00	3.25 YES
L0005977	0	0.98310E-07	446871.7	3764413.6	242.3	3.49	4.00	3.25 YES
L0005978	0	0.98310E-07	446863.1	3764413.7	242.2	3.49	4.00	3.25 YES
L0005979	0	0.98310E-07	446854.5	3764413.9	242.2	3.49	4.00	3.25 YES
L0005980	0	0.98310E-07	446845.9	3764414.0	242.1	3.49	4.00	3.25 YES
L0005981	0	0.98310E-07	446837.3	3764414.1	242.0	3.49	4.00	3.25 YES
L0005982	0	0.98310E-07	446828.7	3764414.2	241.9	3.49	4.00	3.25 YES
L0005983	0	0.98310E-07	446820.2	3764414.3	241.9	3.49	4.00	3.25 YES
L0005984	0	0.98310E-07	446811.6	3764414.5	241.8	3.49	4.00	3.25 YES
L0005985	0	0.98310E-07	446803.0	3764414.6	241.7	3.49	4.00	3.25 YES
L0005986	0	0.98310E-07	446794.4	3764414.7	241.6	3.49	4.00	3.25 YES
L0005987	0	0.98310E-07	446785.8	3764414.8	241.5	3.49	4.00	3.25 YES
L0005988	0	0.98310E-07	446777.2	3764414.9	241.4	3.49	4.00	3.25 YES
L0005989	0	0.98310E-07	446768.6	3764415.1	241.3	3.49	4.00	3.25 YES
L0005990	0	0.98310E-07	446760.0	3764415.2	241.2	3.49	4.00	3.25 YES
L0005991	0	0.98310E-07	446751.4	3764415.3	241.2	3.49	4.00	3.25 YES
L0005992	0	0.98310E-07	446742.9	3764415.4	241.2	3.49	4.00	3.25 YES
L0005993	0	0.98310E-07	446734.3	3764415.5	241.1	3.49	4.00	3.25 YES
L0005994	0	0.98310E-07	446725.7	3764415.7	241.1	3.49	4.00	3.25 YES
L0005995	0	0.98310E-07	446717.1	3764415.8	241.0	3.49	4.00	3.25 YES

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 L0005996         0   0.98310E-07  446708.5 3764415.9   241.0     3.49     4.00
3.25     YES
 L0005997         0   0.98310E-07  446699.9 3764416.0   241.0     3.49     4.00
3.25     YES
 L0005998         0   0.98310E-07  446691.3 3764416.1   241.0     3.49     4.00
3.25     YES
 L0005999         0   0.98310E-07  446682.7 3764416.3   241.0     3.49     4.00
3.25     YES
 L0006000         0   0.98310E-07  446674.1 3764416.4   241.0     3.49     4.00
3.25     YES
 L0006001         0   0.98310E-07  446665.6 3764416.5   240.9     3.49     4.00
3.25     YES
 L0006002         0   0.98310E-07  446657.0 3764416.6   240.9     3.49     4.00
3.25     YES
 L0006003         0   0.98310E-07  446648.4 3764416.7   240.8     3.49     4.00
3.25     YES
 L0006004         0   0.98310E-07  446639.8 3764416.9   240.8     3.49     4.00
3.25     YES
 L0006005         0   0.98310E-07  446631.2 3764417.0   240.8     3.49     4.00
3.25     YES
 L0006006         0   0.98310E-07  446622.6 3764417.1   240.7     3.49     4.00
3.25     YES
 L0006007         0   0.98310E-07  446614.0 3764417.2   240.7     3.49     4.00
3.25     YES
↟ *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                 ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                       ***        17:37:35

                                  PAGE  21
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                    *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
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 L0006008         0   0.98310E-07  446605.4 3764417.3   240.7     3.49     4.00
3.25     YES
 L0006009         0   0.98310E-07  446596.8 3764417.5   240.7     3.49     4.00
3.25     YES
 L0006010         0   0.98310E-07  446588.3 3764417.6   240.7     3.49     4.00
3.25     YES
```

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 L0006011         0   0.98310E-07  446579.7 3764417.7   240.7     3.49     4.00
3.25     YES
 L0006012         0   0.98310E-07  446571.1 3764417.8   240.7     3.49     4.00
3.25     YES
 L0006013         0   0.98310E-07  446562.5 3764417.9   240.7     3.49     4.00
3.25     YES
 L0006014         0   0.98310E-07  446553.9 3764418.1   240.7     3.49     4.00
3.25     YES
 L0006015         0   0.98310E-07  446545.3 3764418.2   240.7     3.49     4.00
3.25     YES
 L0006016         0   0.98310E-07  446536.7 3764418.3   240.7     3.49     4.00
3.25     YES
 L0006017         0   0.98310E-07  446528.1 3764418.4   240.7     3.49     4.00
3.25     YES
 L0006018         0   0.98310E-07  446519.5 3764418.5   240.7     3.49     4.00
3.25     YES
 L0006019         0   0.98310E-07  446511.0 3764418.7   240.7     3.49     4.00
3.25     YES
 L0006020         0   0.98310E-07  446502.4 3764418.8   240.7     3.49     4.00
3.25     YES
 L0006021         0   0.98310E-07  446493.8 3764418.9   240.8     3.49     4.00
3.25     YES
 L0006022         0   0.98310E-07  446485.2 3764419.0   240.8     3.49     4.00
3.25     YES
 L0006023         0   0.98310E-07  446476.6 3764419.1   240.9     3.49     4.00
3.25     YES
 L0006024         0   0.98310E-07  446468.0 3764419.3   240.9     3.49     4.00
3.25     YES
 L0006025         0   0.98310E-07  446459.4 3764419.4   241.0     3.49     4.00
3.25     YES
 L0006026         0   0.98310E-07  446450.8 3764419.5   241.1     3.49     4.00
3.25     YES
 L0006027         0   0.98310E-07  446442.2 3764419.6   241.2     3.49     4.00
3.25     YES
 L0006028         0   0.98310E-07  446433.6 3764419.7   241.3     3.49     4.00
3.25     YES
 L0006029         0   0.98310E-07  446425.1 3764419.8   241.6     3.49     4.00
3.25     YES
 L0006030         0   0.98310E-07  446416.5 3764420.0   241.9     3.49     4.00
3.25     YES
 L0006031         0   0.98310E-07  446407.9 3764420.1   242.2     3.49     4.00
3.25     YES
 L0006032         0   0.98310E-07  446399.3 3764420.2   242.4     3.49     4.00
3.25     YES
 L0006033         0   0.98310E-07  446390.7 3764420.3   242.5     3.49     4.00
3.25     YES
 L0006034         0   0.98310E-07  446382.1 3764420.4   242.6     3.49     4.00
3.25     YES
 L0006035         0   0.98310E-07  446373.5 3764420.6   242.7     3.49     4.00
3.25     YES
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 L0006036         0   0.98310E-07  446364.9 3764420.7   242.8     3.49     4.00
3.25     YES
 L0006037         0   0.98310E-07  446356.3 3764420.8   242.8     3.49     4.00
3.25     YES
 L0006038         0   0.98310E-07  446347.8 3764420.9   242.8     3.49     4.00
3.25     YES
 L0006039         0   0.98310E-07  446339.2 3764421.0   242.8     3.49     4.00
3.25     YES
 L0006040         0   0.98310E-07  446330.6 3764421.2   242.8     3.49     4.00
3.25     YES
 L0006041         0   0.98310E-07  446322.0 3764421.3   242.9     3.49     4.00
3.25     YES
 L0006042         0   0.98310E-07  446313.4 3764421.4   243.0     3.49     4.00
3.25     YES
 L0006043         0   0.98310E-07  446304.8 3764421.5   243.2     3.49     4.00
3.25     YES
 L0006044         0   0.98310E-07  446296.2 3764421.6   243.3     3.49     4.00
3.25     YES
 L0006045         0   0.98310E-07  446287.6 3764421.8   243.5     3.49     4.00
3.25     YES
 L0006046         0   0.98310E-07  446279.0 3764421.9   243.7     3.49     4.00
3.25     YES
 L0006047         0   0.98310E-07  446270.5 3764422.0   243.7     3.49     4.00
3.25     YES
↑ *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                  ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                       ***       17:37:35

                                 PAGE  22
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                  *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - - -

 L0006048         0   0.98310E-07  446261.9 3764422.1   243.7     3.49     4.00
3.25     YES
 L0006049         0   0.98310E-07  446253.3 3764422.2   243.8     3.49     4.00
3.25     YES
 L0006050         0   0.98310E-07  446244.7 3764422.4   243.6     3.49     4.00
3.25     YES
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 L0006051         0   0.98310E-07  446236.1 3764422.5   243.5     3.49     4.00
3.25     YES
 L0006052         0   0.98310E-07  446227.5 3764422.6   243.2     3.49     4.00
3.25     YES
 L0006053         0   0.98310E-07  446218.9 3764422.7   243.0     3.49     4.00
3.25     YES
 L0006054         0   0.98310E-07  446210.3 3764422.8   242.6     3.49     4.00
3.25     YES
 L0006055         0   0.98310E-07  446201.7 3764423.0   242.2     3.49     4.00
3.25     YES
 L0006056         0   0.98310E-07  446193.2 3764423.1   241.7     3.49     4.00
3.25     YES
 L0006057         0   0.98310E-07  446184.6 3764423.2   241.4     3.49     4.00
3.25     YES
 L0006058         0   0.98310E-07  446176.0 3764423.3   241.2     3.49     4.00
3.25     YES
 L0006059         0   0.98310E-07  446167.4 3764423.4   241.0     3.49     4.00
3.25     YES
 L0006060         0   0.98310E-07  446158.8 3764423.6   240.8     3.49     4.00
3.25     YES
 L0006061         0   0.98310E-07  446150.2 3764423.7   241.0     3.49     4.00
3.25     YES
 L0006062         0   0.98310E-07  446141.6 3764423.8   241.1     3.49     4.00
3.25     YES
 L0006063         0   0.98310E-07  446133.0 3764423.9   241.3     3.49     4.00
3.25     YES
 L0006064         0   0.98310E-07  446124.4 3764424.0   241.4     3.49     4.00
3.25     YES
 L0006065         0   0.98310E-07  446115.8 3764424.2   241.4     3.49     4.00
3.25     YES
 L0006066         0   0.98310E-07  446107.3 3764424.3   241.4     3.49     4.00
3.25     YES
 L0006067         0   0.98310E-07  446098.7 3764424.4   241.4     3.49     4.00
3.25     YES
 L0006068         0   0.98310E-07  446090.1 3764424.5   241.4     3.49     4.00
3.25     YES
 L0006069         0   0.98310E-07  446081.5 3764424.6   241.4     3.49     4.00
3.25     YES
 L0006070         0   0.98310E-07  446072.9 3764424.8   241.4     3.49     4.00
3.25     YES
 L0006071         0   0.98310E-07  446064.3 3764424.9   241.3     3.49     4.00
3.25     YES
 L0006072         0   0.98310E-07  446055.7 3764425.0   241.2     3.49     4.00
3.25     YES
 L0006073         0   0.98310E-07  446047.1 3764425.1   241.1     3.49     4.00
3.25     YES
 L0006074         0   0.98310E-07  446038.5 3764425.2   241.0     3.49     4.00
3.25     YES
 L0006075         0   0.98310E-07  446030.0 3764425.4   240.9     3.49     4.00
3.25     YES
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 L0006076         0   0.98310E-07  446021.4 3764425.5   240.7     3.49     4.00
3.25     YES
 L0006077         0   0.98310E-07  446012.8 3764425.6   240.5     3.49     4.00
3.25     YES
 L0006078         0   0.98310E-07  446004.2 3764425.7   240.4     3.49     4.00
3.25     YES
 L0006079         0   0.98310E-07  445995.6 3764425.8   240.3     3.49     4.00
3.25     YES
 L0006080         0   0.98310E-07  445987.0 3764426.0   240.2     3.49     4.00
3.25     YES
 L0006081         0   0.98310E-07  445978.4 3764426.1   240.2     3.49     4.00
3.25     YES
 L0006082         0   0.98310E-07  445969.8 3764426.2   240.2     3.49     4.00
3.25     YES
 L0006083         0   0.98310E-07  445961.2 3764426.3   240.2     3.49     4.00
3.25     YES
 L0006084         0   0.98310E-07  445952.7 3764426.4   240.2     3.49     4.00
3.25     YES
 L0006085         0   0.98310E-07  445944.1 3764426.6   240.1     3.49     4.00
3.25     YES
 L0006086         0   0.98310E-07  445935.5 3764426.7   240.0     3.49     4.00
3.25     YES
 L0006087         0   0.98310E-07  445926.9 3764426.8   239.9     3.49     4.00
3.25     YES
↟ *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                 ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                       ***       17:37:35

                                 PAGE  23
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                  *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - - -

 L0006088         0   0.98310E-07  445918.3 3764426.9   239.8     3.49     4.00
3.25     YES
 L0006089         0   0.98310E-07  445909.7 3764427.0   239.7     3.49     4.00
3.25     YES
 L0006090         0   0.98310E-07  445901.1 3764427.2   239.7     3.49     4.00
3.25     YES
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L0006091	0	0.98310E-07	445892.5	3764427.3	239.6	3.49	4.00	3.25 YES
L0006092	0	0.98310E-07	445883.9	3764427.4	239.5	3.49	4.00	3.25 YES
L0006093	0	0.98310E-07	445875.4	3764427.5	239.4	3.49	4.00	3.25 YES
L0006094	0	0.98310E-07	445866.8	3764427.6	239.3	3.49	4.00	3.25 YES
L0006095	0	0.98310E-07	445858.2	3764427.8	239.2	3.49	4.00	3.25 YES
L0006096	0	0.98310E-07	445849.6	3764427.9	239.1	3.49	4.00	3.25 YES
L0006097	0	0.98310E-07	445841.0	3764428.0	239.1	3.49	4.00	3.25 YES
L0006098	0	0.98310E-07	445832.4	3764428.1	239.0	3.49	4.00	3.25 YES
L0006099	0	0.98310E-07	445823.8	3764428.2	238.9	3.49	4.00	3.25 YES
L0006100	0	0.98310E-07	445815.2	3764428.4	238.8	3.49	4.00	3.25 YES
L0006101	0	0.98310E-07	445806.6	3764428.5	238.7	3.49	4.00	3.25 YES
L0006102	0	0.98310E-07	445798.0	3764428.6	238.6	3.49	4.00	3.25 YES
L0006103	0	0.98310E-07	445789.5	3764428.7	238.5	3.49	4.00	3.25 YES
L0006104	0	0.98310E-07	445780.9	3764428.8	238.5	3.49	4.00	3.25 YES
L0006105	0	0.98310E-07	445772.3	3764429.0	238.4	3.49	4.00	3.25 YES
L0006106	0	0.98310E-07	445763.7	3764429.1	238.3	3.49	4.00	3.25 YES
L0006107	0	0.98310E-07	445755.1	3764429.2	238.2	3.49	4.00	3.25 YES
L0006108	0	0.98310E-07	445746.5	3764429.3	238.1	3.49	4.00	3.25 YES
L0006109	0	0.98310E-07	445737.9	3764429.4	238.0	3.49	4.00	3.25 YES
L0006110	0	0.98310E-07	445729.3	3764429.6	237.9	3.49	4.00	3.25 YES
L0006111	0	0.98310E-07	445720.7	3764429.7	237.9	3.49	4.00	3.25 YES
L0006112	0	0.98310E-07	445712.2	3764429.8	237.8	3.49	4.00	3.25 YES
L0006113	0	0.98310E-07	445703.6	3764429.9	237.8	3.49	4.00	3.25 YES
L0006114	0	0.98310E-07	445695.0	3764430.0	237.9	3.49	4.00	3.25 YES
L0006115	0	0.98310E-07	445686.4	3764430.2	238.0	3.49	4.00	3.25 YES

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 L0006116         0   0.98310E-07  445677.8 3764430.3   238.1     3.49     4.00
3.25     YES
 L0006117         0   0.98310E-07  445669.2 3764430.4   238.1     3.49     4.00
3.25     YES
 L0006118         0   0.98310E-07  445660.6 3764430.5   238.1     3.49     4.00
3.25     YES
 L0006119         0   0.98310E-07  445652.0 3764430.6   238.1     3.49     4.00
3.25     YES
 L0006120         0   0.98310E-07  445643.4 3764430.8   238.1     3.49     4.00
3.25     YES
 L0006121         0   0.98310E-07  445634.9 3764430.9   238.1     3.49     4.00
3.25     YES
 L0006122         0   0.98310E-07  445626.3 3764431.0   238.1     3.49     4.00
3.25     YES
 L0006123         0   0.98310E-07  445617.7 3764431.1   238.1     3.49     4.00
3.25     YES
 L0006124         0   0.98310E-07  445609.1 3764431.2   238.1     3.49     4.00
3.25     YES
 L0006125         0   0.98310E-07  445600.5 3764431.4   238.1     3.49     4.00
3.25     YES
 L0006126         0   0.98310E-07  445591.9 3764431.5   238.1     3.49     4.00
3.25     YES
 L0006127         0   0.98310E-07  445583.3 3764431.6   238.1     3.49     4.00
3.25     YES
↟ *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                       ***        17:37:35

                                  PAGE  24
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                    *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
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 L0006128         0   0.98310E-07  445574.7 3764431.7   238.1     3.49     4.00
3.25     YES
 L0006129         0   0.98310E-07  445566.1 3764431.8   238.1     3.49     4.00
3.25     YES
 L0006130         0   0.98310E-07  445557.6 3764432.0   238.1     3.49     4.00
3.25     YES
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L0006131	0	0.98310E-07	445549.0	3764432.1	238.1	3.49	4.00	3.25 YES
L0006132	0	0.98310E-07	445540.4	3764432.2	238.1	3.49	4.00	3.25 YES
L0006133	0	0.98310E-07	445531.8	3764432.3	238.1	3.49	4.00	3.25 YES
L0006134	0	0.98310E-07	445523.2	3764432.4	238.1	3.49	4.00	3.25 YES
L0006135	0	0.98310E-07	445514.6	3764432.5	238.2	3.49	4.00	3.25 YES
L0006136	0	0.98310E-07	445506.0	3764432.7	238.3	3.49	4.00	3.25 YES
L0006137	0	0.98310E-07	445497.4	3764432.8	238.4	3.49	4.00	3.25 YES
L0006138	0	0.98310E-07	445488.8	3764432.9	238.4	3.49	4.00	3.25 YES
L0006139	0	0.98310E-07	445480.3	3764433.0	238.4	3.49	4.00	3.25 YES
L0006140	0	0.98310E-07	445471.7	3764433.1	238.4	3.49	4.00	3.25 YES
L0006141	0	0.98310E-07	445463.1	3764433.3	238.4	3.49	4.00	3.25 YES
L0006142	0	0.98310E-07	445454.5	3764433.4	238.4	3.49	4.00	3.25 YES
L0006143	0	0.98310E-07	445445.9	3764433.5	238.4	3.49	4.00	3.25 YES
L0006144	0	0.98310E-07	445437.3	3764433.6	238.4	3.49	4.00	3.25 YES
L0006145	0	0.98310E-07	445428.7	3764433.7	238.5	3.49	4.00	3.25 YES
L0006146	0	0.98310E-07	445420.1	3764433.9	238.6	3.49	4.00	3.25 YES
L0006147	0	0.98310E-07	445411.5	3764434.0	238.7	3.49	4.00	3.25 YES
L0006148	0	0.98310E-07	445402.9	3764434.1	238.7	3.49	4.00	3.25 YES
L0006149	0	0.98310E-07	445394.4	3764434.2	238.7	3.49	4.00	3.25 YES
L0006150	0	0.98310E-07	445385.8	3764434.3	238.7	3.49	4.00	3.25 YES
L0006151	0	0.98310E-07	445377.2	3764434.5	238.7	3.49	4.00	3.25 YES
L0006152	0	0.98310E-07	445368.6	3764434.6	238.8	3.49	4.00	3.25 YES
L0006153	0	0.98310E-07	445360.0	3764434.7	238.9	3.49	4.00	3.25 YES
L0006154	0	0.98310E-07	445351.4	3764434.8	239.0	3.49	4.00	3.25 YES
L0006155	0	0.98310E-07	445342.8	3764434.9	239.0	3.49	4.00	3.25 YES

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 L0006156         0   0.98310E-07  445334.2 3764435.1   239.0     3.49     4.00
3.25     YES
 L0006157         0   0.98310E-07  445325.6 3764435.2   239.0     3.49     4.00
3.25     YES
 L0006158         0   0.98310E-07  445317.1 3764435.3   239.0     3.49     4.00
3.25     YES
 L0006159         0   0.98310E-07  445308.5 3764435.4   239.1     3.49     4.00
3.25     YES
 L0006160         0   0.98310E-07  445299.9 3764435.5   239.2     3.49     4.00
3.25     YES
 L0006161         0   0.98310E-07  445291.3 3764435.7   239.3     3.49     4.00
3.25     YES
 L0006162         0   0.98310E-07  445282.7 3764435.8   239.3     3.49     4.00
3.25     YES
 L0006163         0   0.98240E-07  448238.5 3764386.3   243.4     3.49     4.00
3.25     YES
 L0006164         0   0.98240E-07  448247.1 3764386.3   243.4     3.49     4.00
3.25     YES
 L0006165         0   0.98240E-07  448255.7 3764386.2   243.4     3.49     4.00
3.25     YES
 L0006166         0   0.98240E-07  448264.2 3764386.1   243.4     3.49     4.00
3.25     YES
 L0006167         0   0.98240E-07  448272.8 3764386.0   243.5     3.49     4.00
3.25     YES
↑ *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                       ***       17:37:35

                                 PAGE  25
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                  *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - -

 L0006168         0   0.98240E-07  448281.4 3764386.0   243.5     3.49     4.00
3.25     YES
 L0006169         0   0.98240E-07  448290.0 3764385.9   243.6     3.49     4.00
3.25     YES
 L0006170         0   0.98240E-07  448298.6 3764385.8   243.6     3.49     4.00
3.25     YES
```

L0006171	0	0.98240E-07	448307.2	3764385.8	243.6	3.49	4.00	3.25 YES
L0006172	0	0.98240E-07	448315.8	3764385.7	243.7	3.49	4.00	3.25 YES
L0006173	0	0.98240E-07	448324.4	3764385.6	243.8	3.49	4.00	3.25 YES
L0006174	0	0.98240E-07	448333.0	3764385.5	243.9	3.49	4.00	3.25 YES
L0006175	0	0.98240E-07	448341.6	3764385.5	244.0	3.49	4.00	3.25 YES
L0006176	0	0.98240E-07	448350.1	3764385.4	244.2	3.49	4.00	3.25 YES
L0006177	0	0.98240E-07	448358.7	3764385.3	244.2	3.49	4.00	3.25 YES
L0006178	0	0.98240E-07	448367.3	3764385.2	244.2	3.49	4.00	3.25 YES
L0006179	0	0.98240E-07	448375.9	3764385.2	244.3	3.49	4.00	3.25 YES
L0006180	0	0.98240E-07	448384.5	3764385.1	244.5	3.49	4.00	3.25 YES
L0006181	0	0.98240E-07	448393.1	3764385.0	244.8	3.49	4.00	3.25 YES
L0006182	0	0.98240E-07	448401.7	3764385.0	245.1	3.49	4.00	3.25 YES
L0006183	0	0.98240E-07	448410.3	3764384.9	245.4	3.49	4.00	3.25 YES
L0006184	0	0.98240E-07	448418.9	3764384.8	245.7	3.49	4.00	3.25 YES
L0006185	0	0.98240E-07	448427.5	3764384.7	246.1	3.49	4.00	3.25 YES
L0006186	0	0.98240E-07	448436.0	3764384.7	246.4	3.49	4.00	3.25 YES
L0006187	0	0.98240E-07	448444.6	3764384.6	246.5	3.49	4.00	3.25 YES
L0006188	0	0.98240E-07	448453.2	3764384.5	246.2	3.49	4.00	3.25 YES
L0006189	0	0.98240E-07	448461.8	3764384.4	246.0	3.49	4.00	3.25 YES
L0006190	0	0.98240E-07	448470.4	3764384.4	245.8	3.49	4.00	3.25 YES
L0006191	0	0.98240E-07	448479.0	3764384.3	245.4	3.49	4.00	3.25 YES
L0006192	0	0.98240E-07	448487.6	3764384.2	245.0	3.49	4.00	3.25 YES
L0006193	0	0.98240E-07	448496.2	3764384.2	244.6	3.49	4.00	3.25 YES
L0006194	0	0.98240E-07	448504.8	3764384.1	244.4	3.49	4.00	3.25 YES
L0006195	0	0.98240E-07	448513.3	3764384.0	244.4	3.49	4.00	3.25 YES

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 L0006196         0   0.98240E-07  448521.9 3764383.9   244.3     3.49     4.00
3.25     YES
 L0006197         0   0.98240E-07  448530.5 3764383.9   244.3     3.49     4.00
3.25     YES
 L0006198         0   0.98240E-07  448539.1 3764383.8   244.3     3.49     4.00
3.25     YES
 L0006199         0   0.98240E-07  448547.7 3764383.7   244.4     3.49     4.00
3.25     YES
 L0006200         0   0.98240E-07  448556.3 3764383.6   244.4     3.49     4.00
3.25     YES
 L0006201         0   0.98240E-07  448564.9 3764383.6   244.4     3.49     4.00
3.25     YES
 L0006202         0   0.98240E-07  448573.5 3764383.5   244.4     3.49     4.00
3.25     YES
 L0006203         0   0.98240E-07  448582.1 3764383.4   244.3     3.49     4.00
3.25     YES
 L0006204         0   0.98240E-07  448590.7 3764383.4   244.3     3.49     4.00
3.25     YES
 L0006205         0   0.98240E-07  448599.2 3764383.3   244.2     3.49     4.00
3.25     YES
 L0006206         0   0.98240E-07  448607.8 3764383.2   244.1     3.49     4.00
3.25     YES
 L0006207         0   0.98240E-07  448616.4 3764383.1   244.0     3.49     4.00
3.25     YES
↟ *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                 ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                       ***       17:37:35

                                 PAGE  26
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                  *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - - -

 L0006208         0   0.98240E-07  448625.0 3764383.1   244.0     3.49     4.00
3.25     YES
 L0006209         0   0.98240E-07  448633.6 3764383.0   244.0     3.49     4.00
3.25     YES
 L0006210         0   0.98240E-07  448642.2 3764382.9   244.0     3.49     4.00
3.25     YES
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 L0006211         0   0.98240E-07  448650.8 3764382.8   244.0     3.49     4.00
3.25     YES
 L0006212         0   0.98240E-07  448659.4 3764382.8   244.0     3.49     4.00
3.25     YES
 L0006213         0   0.98240E-07  448668.0 3764382.7   244.0     3.49     4.00
3.25     YES
 L0006214         0   0.98240E-07  448676.6 3764382.6   244.0     3.49     4.00
3.25     YES
 L0006215         0   0.98240E-07  448685.1 3764382.6   243.9     3.49     4.00
3.25     YES
 L0006216         0   0.98240E-07  448693.7 3764382.5   243.8     3.49     4.00
3.25     YES
 L0006217         0   0.98240E-07  448702.3 3764382.4   243.7     3.49     4.00
3.25     YES
 L0006218         0   0.98240E-07  448710.9 3764382.3   243.7     3.49     4.00
3.25     YES
 L0006219         0   0.98240E-07  448719.5 3764382.3   243.7     3.49     4.00
3.25     YES
 L0006220         0   0.98240E-07  448728.1 3764382.2   243.7     3.49     4.00
3.25     YES
 L0006221         0   0.98240E-07  448736.7 3764382.1   243.7     3.49     4.00
3.25     YES
 L0006222         0   0.98240E-07  448745.3 3764382.0   243.7     3.49     4.00
3.25     YES
 L0006223         0   0.98240E-07  448753.9 3764382.0   243.7     3.49     4.00
3.25     YES
 L0006224         0   0.98240E-07  448762.4 3764381.9   243.7     3.49     4.00
3.25     YES
 L0006225         0   0.98240E-07  448771.0 3764381.8   243.7     3.49     4.00
3.25     YES
 L0006226         0   0.98240E-07  448779.6 3764381.8   243.7     3.49     4.00
3.25     YES
 L0006227         0   0.98240E-07  448788.2 3764381.7   243.7     3.49     4.00
3.25     YES
 L0006228         0   0.98240E-07  448796.8 3764381.6   243.7     3.49     4.00
3.25     YES
 L0006229         0   0.98240E-07  448805.4 3764381.5   243.6     3.49     4.00
3.25     YES
 L0006230         0   0.98240E-07  448814.0 3764381.5   243.6     3.49     4.00
3.25     YES
 L0006231         0   0.98240E-07  448822.6 3764381.4   243.5     3.49     4.00
3.25     YES
 L0006232         0   0.98240E-07  448831.2 3764381.3   243.5     3.49     4.00
3.25     YES
 L0006233         0   0.98240E-07  448839.8 3764381.2   243.5     3.49     4.00
3.25     YES
 L0006234         0   0.98240E-07  448848.3 3764381.2   243.5     3.49     4.00
3.25     YES
 L0006235         0   0.98240E-07  448856.9 3764381.1   243.5     3.49     4.00
3.25     YES
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 L0006236         0   0.98240E-07  448865.5 3764381.0   243.5     3.49     4.00
3.25     YES
 L0006237         0   0.98240E-07  448874.1 3764381.0   243.5     3.49     4.00
3.25     YES
 L0006238         0   0.98240E-07  448882.7 3764380.9   243.5     3.49     4.00
3.25     YES
 L0006239         0   0.98240E-07  448891.3 3764380.8   243.5     3.49     4.00
3.25     YES
 L0006240         0   0.98240E-07  448899.9 3764380.7   243.5     3.49     4.00
3.25     YES
 L0006241         0   0.98240E-07  448908.5 3764380.7   243.5     3.49     4.00
3.25     YES
 L0006242         0   0.98240E-07  448917.1 3764380.6   243.5     3.49     4.00
3.25     YES
 L0006243         0   0.98240E-07  448925.7 3764380.5   243.4     3.49     4.00
3.25     YES
 L0006244         0   0.98240E-07  448934.2 3764380.4   243.4     3.49     4.00
3.25     YES
 L0006245         0   0.98240E-07  448942.8 3764380.4   243.4     3.49     4.00
3.25     YES
 L0006246         0   0.98240E-07  448951.4 3764380.3   243.4     3.49     4.00
3.25     YES
 L0006247         0   0.98240E-07  448960.0 3764380.2   243.4     3.49     4.00
3.25     YES
 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                       ***        17:37:35

                                  PAGE  27
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                                    *** VOLUME SOURCE DATA ***

               NUMBER EMISSION RATE                    BASE    RELEASE    INIT.
INIT.   URBAN  EMISSION RATE
   SOURCE       PART.  (GRAMS/SEC)     X        Y      ELEV.   HEIGHT      SY
SZ     SOURCE  SCALAR VARY
     ID         CATS.               (METERS) (METERS) (METERS) (METERS) (METERS)
(METERS)             BY
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - - -

 L0006248         0   0.98240E-07  448968.6 3764380.2   243.3     3.49     4.00
3.25     YES
 L0006249         0   0.98240E-07  448977.2 3764380.1   243.2     3.49     4.00
3.25     YES
 L0006250         0   0.98240E-07  448985.8 3764380.0   243.2     3.49     4.00
3.25     YES
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 L0006251         0   0.98240E-07  448994.4 3764379.9   243.1     3.49     4.00
3.25     YES
 L0006252         0   0.98240E-07  449003.0 3764379.9   243.1     3.49     4.00
3.25     YES
 L0006253         0   0.98240E-07  449011.5 3764379.8   243.0     3.49     4.00
3.25     YES
 L0006254         0   0.98240E-07  449020.1 3764379.7   243.0     3.49     4.00
3.25     YES
 L0006255         0   0.98240E-07  449028.7 3764379.6   243.0     3.49     4.00
3.25     YES
 L0006256         0   0.98240E-07  449037.3 3764379.6   242.9     3.49     4.00
3.25     YES
 L0006257         0   0.98240E-07  449045.9 3764379.5   242.9     3.49     4.00
3.25     YES
 L0006258         0   0.98240E-07  449054.5 3764379.4   242.9     3.49     4.00
3.25     YES
 L0006259         0   0.98240E-07  449063.1 3764379.4   242.9     3.49     4.00
3.25     YES
 L0006260         0   0.98240E-07  449071.7 3764379.3   242.9     3.49     4.00
3.25     YES
 L0006261         0   0.98240E-07  449080.3 3764379.2   242.9     3.49     4.00
3.25     YES
 L0006262         0   0.98240E-07  449088.9 3764379.1   242.8     3.49     4.00
3.25     YES
 L0006263         0   0.98240E-07  449097.4 3764379.1   242.8     3.49     4.00
3.25     YES
 L0006264         0   0.98240E-07  449106.0 3764379.0   242.9     3.49     4.00
3.25     YES
 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                  ***       07/09/20
 *** AERMET - VERSION  16216 ***   ***
                          ***       17:37:35

                                    PAGE  28
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                          *** SOURCE IDs DEFINING SOURCE GROUPS
***

 SRCGROUP ID                                          SOURCE IDs
 -----------                                          ----------


  ALL        L0004259    , L0004260    , L0004261    , L0004262    , L0004263    ,
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L0005308    , L0005309    , L0005310    ,

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L0005316    , L0005317    , L0005318    ,

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*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** SOURCE IDs DEFINING SOURCE GROUPS
***

SRCGROUP ID	SOURCE IDs

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L0005370 , L0005371 , L0005372 ,

L0005373 , L0005374 , L0005375 , L0005376 , L0005377 ,
L0005378 , L0005379 , L0005380 ,

L0005381 , L0005382 , L0005383 , L0005384 , L0005385 ,
L0005386 , L0005387 , L0005388 ,

L0005389 , L0005390 , L0005391 , L0005392 , L0005393 ,
L0004448 , L0004449 , L0004450 ,

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L0004459 , L0004460 , L0004461 , L0004462 , L0004463 ,
L0004464 , L0004465 , L0004466 ,

L0004467 , L0004468 , L0004469 , L0004470 , L0004471 ,
L0004472 , L0004473 , L0004474 ,

L0004475 , L0004476 , L0004477 , L0004478 , L0004479 ,
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L0005438    , L0005439    , L0005440    ,

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 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                  ***        07/09/20
 *** AERMET - VERSION  16216 ***   ***
                         ***        17:37:35

                                    PAGE  30
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                          *** SOURCE IDs DEFINING SOURCE GROUPS
***

 SRCGROUP ID                                          SOURCE IDs
 -----------                                          ----------


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L0005470    , L0005471    , L0005472    ,
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             L0005688    , L0005689    , L0005690    , L0005691    , L0005692    ,
L0005693    , L0005694    , L0005695    ,

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L0005717    , L0005718    , L0005719    ,
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*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** SOURCE IDs DEFINING SOURCE GROUPS
***

SRCGROUP ID	SOURCE IDs

L0005728 , L0005729 , L0005730 , L0005731 , L0005732 ,
L0005733 , L0005734 , L0005735 ,

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L0005757 , L0005758 , L0005759 ,

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L0005765 , L0005766 , L0005767 ,

L0005768 , L0005769 , L0005770 , L0005771 , L0005772 ,
L0005773 , L0005774 , L0005775 ,

L0005776 , L0005777 , L0005778 , L0005779 , L0005780 ,
L0005781 , L0005782 , L0005783 ,

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L0005792 , L0005793 , L0005794 , L0005795 , L0005796 ,
L0005797 , L0005798 , L0005799 ,

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L0005805 , L0005806 , L0005807 ,

L0005808 , L0005809 , L0005810 , L0005811 , L0005812 ,

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             L0005816    , L0005817    , L0005818    , L0005819    , L0005820    ,
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             L0005824    , L0005825    , L0005826    , L0005827    , L0005828    ,
L0005829    , L0005830    , L0005831    ,

             L0005832    , L0005833    , L0005834    , L0005835    , L0005836    ,
L0005837    , L0005838    , L0005839    ,

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L0005845    , L0005846    , L0005847    ,

             L0005848    , L0005849    , L0005850    , L0005851    , L0005852    ,
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L0005869    , L0005870    , L0005871    ,

             L0005872    , L0005873    , L0005874    , L0005875    , L0005876    ,
L0005877    , L0005878    , L0005879    ,

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 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***        07/09/20
 *** AERMET - VERSION  16216 ***   ***
                           ***       17:37:35

                                     PAGE  32
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                              *** SOURCE IDs DEFINING SOURCE GROUPS
***

 SRCGROUP ID                                                SOURCE IDs
 -----------                                                ----------


             L0005888    , L0005889    , L0005890    , L0005891    , L0005892    ,
L0005893    , L0005894    , L0005895    ,

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L0005901    , L0005902    , L0005903    ,
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L0005917    , L0005918    , L0005919    ,

             L0005920    , L0005921    , L0005922    , L0005923    , L0005924    ,
L0005925    , L0005926    , L0005927    ,

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L0005933    , L0005934    , L0005935    ,

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L0005941    , L0005942    , L0005943    ,

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L0005957    , L0005958    , L0005959    ,

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L0005973    , L0005974    , L0005975    ,

             L0005976    , L0005977    , L0005978    , L0005979    , L0005980    ,
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L0005989    , L0005990    , L0005991    ,

             L0005992    , L0005993    , L0005994    , L0005995    , L0005996    ,
L0005997    , L0005998    , L0005999    ,

             L0006000    , L0006001    , L0006002    , L0006003    , L0006004    ,
L0006005    , L0006006    , L0006007    ,

             L0006008    , L0006009    , L0006010    , L0006011    , L0006012    ,
L0006013    , L0006014    , L0006015    ,

             L0006016    , L0006017    , L0006018    , L0006019    , L0006020    ,
L0006021    , L0006022    , L0006023    ,

             L0006024    , L0006025    , L0006026    , L0006027    , L0006028    ,
L0006029    , L0006030    , L0006031    ,

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L0006037    , L0006038    , L0006039    ,
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*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** SOURCE IDs DEFINING SOURCE GROUPS ***

SRCGROUP ID	SOURCE IDs

L0006048 , L0006049 , L0006050 , L0006051 , L0006052 ,
L0006053 , L0006054 , L0006055 ,

L0006056 , L0006057 , L0006058 , L0006059 , L0006060 ,
L0006061 , L0006062 , L0006063 ,

L0006064 , L0006065 , L0006066 , L0006067 , L0006068 ,
L0006069 , L0006070 , L0006071 ,

L0006072 , L0006073 , L0006074 , L0006075 , L0006076 ,
L0006077 , L0006078 , L0006079 ,

L0006080 , L0006081 , L0006082 , L0006083 , L0006084 ,
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L0006088 , L0006089 , L0006090 , L0006091 , L0006092 ,
L0006093 , L0006094 , L0006095 ,

L0006096 , L0006097 , L0006098 , L0006099 , L0006100 ,
L0006101 , L0006102 , L0006103 ,

L0006104 , L0006105 , L0006106 , L0006107 , L0006108 ,
L0006109 , L0006110 , L0006111 ,

L0006112 , L0006113 , L0006114 , L0006115 , L0006116 ,
L0006117 , L0006118 , L0006119 ,

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L0006125 , L0006126 , L0006127 ,

L0006128 , L0006129 , L0006130 , L0006131 , L0006132 ,

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L0006149    , L0006150    , L0006151    ,

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L0006157    , L0006158    , L0006159    ,

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L0006165    , L0006166    , L0006167    ,

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L0006173    , L0006174    , L0006175    ,

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L0006181    , L0006182    , L0006183    ,

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L0006189    , L0006190    , L0006191    ,

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L0006205    , L0006206    , L0006207    ,
 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                  ***        07/09/20
 *** AERMET - VERSION  16216 ***   ***
                          ***        17:37:35

                                     PAGE  34
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                              *** SOURCE IDs DEFINING SOURCE GROUPS
***

 SRCGROUP ID                                              SOURCE IDs
 -----------                                              ----------


             L0006208    , L0006209    , L0006210    , L0006211    , L0006212    ,
L0006213    , L0006214    , L0006215    ,

             L0006216    , L0006217    , L0006218    , L0006219    , L0006220    ,
L0006221    , L0006222    , L0006223    ,
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L0006229    , L0006230    , L0006231    ,

             L0006232    , L0006233    , L0006234    , L0006235    , L0006236    ,
L0006237    , L0006238    , L0006239    ,

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L0006245    , L0006246    , L0006247    ,

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L0006253    , L0006254    , L0006255    ,

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L0006261    , L0006262    , L0006263    ,

             L0006264    ,
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 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                        *** SOURCE IDs DEFINED AS URBAN SOURCES
***

  URBAN ID   URBAN POP                                    SOURCE IDs
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              2035210.   L0004259    , L0004260    , L0004261    , L0004262    ,
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L0005284    , L0005285    , L0005286    ,

             L0005287    , L0005288    , L0005289    , L0005290    , L0005291    ,
L0005292    , L0005293    , L0005294    ,

             L0005295    , L0005296    , L0005297    , L0005298    , L0005299    ,
L0005300    , L0005301    , L0005302    ,

             L0005303    , L0005304    , L0005305    , L0005306    , L0005307    ,
L0005308    , L0005309    , L0005310    ,

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L0005316    , L0005317    , L0005318    ,
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             L0004315    , L0004316    , L0004317    , L0004318    , L0004319    ,
L0004320    , L0004321    , L0004322    ,

             L0004323    , L0004324    , L0004325    , L0004326    , L0004327    ,
L0004328    , L0004329    , L0004330    ,

             L0004331    , L0004332    , L0004333    , L0004334    , L0004335    ,
L0004336    , L0004337    , L0004338    ,

             L0004339    , L0004340    , L0004341    , L0004342    , L0004343    ,
L0004344    , L0004345    , L0004346    ,

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L0004352    , L0004353    , L0004354    ,

             L0004355    , L0004356    , L0004357    , L0004358    , L0004359    ,
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             L0004363    , L0004364    , L0004365    , L0004366    , L0004367    ,
L0004368    , L0004369    , L0004370    ,

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L0005322    , L0005323    , L0005324    ,

             L0005325    , L0005326    , L0005327    , L0005328    , L0005329    ,
L0005330    , L0005331    , L0005332    ,

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L0005338    , L0005339    , L0005340    ,

             L0005341    , L0005342    , L0005343    , L0005344    , L0005345    ,
L0005346    , L0005347    , L0005348    ,

             L0005349    , L0005350    , L0005351    , L0005352    , L0005353    ,
L0005354    , L0005355    , L0005356    ,

             L0005357    , L0005358    , L0005359    , L0005360    , L0005361    ,
L0005362    , L0005363    , L0005364    ,
↟ *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***        07/09/20
 *** AERMET - VERSION  16216 ***   ***
                          ***        17:37:35

                                     PAGE  36
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*
```

*** SOURCE IDs DEFINED AS URBAN SOURCES ***

URBAN ID	URBAN POP	SOURCE IDs
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		L0005373 , L0005374 , L0005375 , L0005376 , L0005377 , L0005378 , L0005379 , L0005380 ,
		L0005381 , L0005382 , L0005383 , L0005384 , L0005385 , L0005386 , L0005387 , L0005388 ,
		L0005389 , L0005390 , L0005391 , L0005392 , L0005393 , L0004448 , L0004449 , L0004450 ,
		L0004451 , L0004452 , L0004453 , L0004454 , L0004455 , L0004456 , L0004457 , L0004458 ,
		L0004459 , L0004460 , L0004461 , L0004462 , L0004463 , L0004464 , L0004465 , L0004466 ,
		L0004467 , L0004468 , L0004469 , L0004470 , L0004471 , L0004472 , L0004473 , L0004474 ,
		L0004475 , L0004476 , L0004477 , L0004478 , L0004479 , L0004480 , L0004481 , L0004482 ,
		L0004483 , L0004484 , L0004485 , L0004486 , L0004487 , L0004488 , L0004489 , L0004490 ,
		L0004491 , L0004492 , L0004493 , L0004494 , L0004495 , L0004496 , L0004497 , L0004498 ,
		L0004499 , L0004500 , L0004501 , L0004502 , L0004503 , L0004504 , L0004505 , L0004506 ,
		L0004507 , L0004508 , L0004509 , L0004510 , L0004511 , L0004512 , L0004513 , L0004514 ,
		L0004515 , L0005394 , L0005395 , L0005396 , L0005397 , L0005398 , L0005399 , L0005400 ,
		L0005401 , L0005402 , L0005403 , L0005404 , L0005405 , L0005406 , L0005407 , L0005408 ,

*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** SOURCE IDs DEFINED AS URBAN SOURCES
***

URBAN ID	URBAN POP	SOURCE IDs

L0005457 , L0005458 , L0005459 , L0005460 , L0005461 ,
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L0005470 , L0005471 , L0005472 ,

L0005473 , L0005474 , L0005475 , L0005476 , L0005477 ,
L0005478 , L0005479 , L0005480 ,

L0005481 , L0005482 , L0005483 , L0005484 , L0005485 ,
L0005486 , L0005487 , L0005488 ,

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L0005494 , L0005495 , L0005496 ,

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L0005629    , L0005630    , L0005631    ,

             L0005632    , L0005633    , L0005634    , L0005635    , L0005636    ,
L0005637    , L0005638    , L0005639    ,

             L0005640    , L0005641    , L0005642    , L0005643    , L0005644    ,
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L0005669    , L0005670    , L0005671    ,

             L0005672    , L0005673    , L0005674    , L0005675    , L0005676    ,
L0005677    , L0005678    , L0005679    ,

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L0005693    , L0005694    , L0005695    ,

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             L0005704    , L0005705    , L0005706    , L0005707    , L0005708    ,
L0005709    , L0005710    , L0005711    ,

             L0005712    , L0005713    , L0005714    , L0005715    , L0005716    ,
L0005717    , L0005718    , L0005719    ,

             L0005720    , L0005721    , L0005722    , L0005723    , L0005724    ,
L0005725    , L0005726    , L0005727    ,
 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***        07/09/20
 *** AERMET - VERSION  16216 ***   ***
                           ***        17:37:35

                                    PAGE  38
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*
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*** SOURCE IDs DEFINED AS URBAN SOURCES ***

URBAN ID	URBAN POP	SOURCE IDs
		L0005728 , L0005729 , L0005730 , L0005731 , L0005732 , L0005733 , L0005734 , L0005735 ,
		L0005736 , L0005737 , L0005738 , L0005739 , L0005740 , L0005741 , L0005742 , L0005743 ,
		L0005744 , L0005745 , L0005746 , L0005747 , L0005748 , L0005749 , L0005750 , L0005751 ,
		L0005752 , L0005753 , L0005754 , L0005755 , L0005756 , L0005757 , L0005758 , L0005759 ,
		L0005760 , L0005761 , L0005762 , L0005763 , L0005764 , L0005765 , L0005766 , L0005767 ,
		L0005768 , L0005769 , L0005770 , L0005771 , L0005772 , L0005773 , L0005774 , L0005775 ,
		L0005776 , L0005777 , L0005778 , L0005779 , L0005780 , L0005781 , L0005782 , L0005783 ,
		L0005784 , L0005785 , L0005786 , L0005787 , L0005788 , L0005789 , L0005790 , L0005791 ,
		L0005792 , L0005793 , L0005794 , L0005795 , L0005796 , L0005797 , L0005798 , L0005799 ,
		L0005800 , L0005801 , L0005802 , L0005803 , L0005804 , L0005805 , L0005806 , L0005807 ,
		L0005808 , L0005809 , L0005810 , L0005811 , L0005812 , L0005813 , L0005814 , L0005815 ,
		L0005816 , L0005817 , L0005818 , L0005819 , L0005820 , L0005821 , L0005822 , L0005823 ,
		L0005824 , L0005825 , L0005826 , L0005827 , L0005828 , L0005829 , L0005830 , L0005831 ,
		L0005832 , L0005833 , L0005834 , L0005835 , L0005836 , L0005837 , L0005838 , L0005839 ,

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             L0005856    , L0005857    , L0005858    , L0005859    , L0005860    ,
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L0005877    , L0005878    , L0005879    ,

             L0005880    , L0005881    , L0005882    , L0005883    , L0005884    ,
L0005885    , L0005886    , L0005887    ,
 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***        07/09/20
 *** AERMET - VERSION  16216 ***   ***
                         ***        17:37:35

                                    PAGE  39
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*


                                          *** SOURCE IDs DEFINED AS URBAN SOURCES
***

  URBAN ID   URBAN POP                                    SOURCE IDs
  --------   ---------                                    ----------


             L0005888    , L0005889    , L0005890    , L0005891    , L0005892    ,
L0005893    , L0005894    , L0005895    ,

             L0005896    , L0005897    , L0005898    , L0005899    , L0005900    ,
L0005901    , L0005902    , L0005903    ,

             L0005904    , L0005905    , L0005906    , L0005907    , L0005908    ,
L0005909    , L0005910    , L0005911    ,

             L0005912    , L0005913    , L0005914    , L0005915    , L0005916    ,
L0005917    , L0005918    , L0005919    ,

             L0005920    , L0005921    , L0005922    , L0005923    , L0005924    ,
L0005925    , L0005926    , L0005927    ,

             L0005928    , L0005929    , L0005930    , L0005931    , L0005932    ,
L0005933    , L0005934    , L0005935    ,
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L0005949    , L0005950    , L0005951    ,

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L0005957    , L0005958    , L0005959    ,

             L0005960    , L0005961    , L0005962    , L0005963    , L0005964    ,
L0005965    , L0005966    , L0005967    ,

             L0005968    , L0005969    , L0005970    , L0005971    , L0005972    ,
L0005973    , L0005974    , L0005975    ,

             L0005976    , L0005977    , L0005978    , L0005979    , L0005980    ,
L0005981    , L0005982    , L0005983    ,

             L0005984    , L0005985    , L0005986    , L0005987    , L0005988    ,
L0005989    , L0005990    , L0005991    ,

             L0005992    , L0005993    , L0005994    , L0005995    , L0005996    ,
L0005997    , L0005998    , L0005999    ,

             L0006000    , L0006001    , L0006002    , L0006003    , L0006004    ,
L0006005    , L0006006    , L0006007    ,

             L0006008    , L0006009    , L0006010    , L0006011    , L0006012    ,
L0006013    , L0006014    , L0006015    ,

             L0006016    , L0006017    , L0006018    , L0006019    , L0006020    ,
L0006021    , L0006022    , L0006023    ,

             L0006024    , L0006025    , L0006026    , L0006027    , L0006028    ,
L0006029    , L0006030    , L0006031    ,

             L0006032    , L0006033    , L0006034    , L0006035    , L0006036    ,
L0006037    , L0006038    , L0006039    ,

             L0006040    , L0006041    , L0006042    , L0006043    , L0006044    ,
L0006045    , L0006046    , L0006047    ,
 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                ***        07/09/20
 *** AERMET - VERSION  16216 ***   ***
                           ***        17:37:35

                                    PAGE  40
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*
```

*** SOURCE IDs DEFINED AS URBAN SOURCES ***

URBAN ID	URBAN POP	SOURCE IDs
		L0006048 , L0006049 , L0006050 , L0006051 , L0006052 , L0006053 , L0006054 , L0006055 ,
		L0006056 , L0006057 , L0006058 , L0006059 , L0006060 , L0006061 , L0006062 , L0006063 ,
		L0006064 , L0006065 , L0006066 , L0006067 , L0006068 , L0006069 , L0006070 , L0006071 ,
		L0006072 , L0006073 , L0006074 , L0006075 , L0006076 , L0006077 , L0006078 , L0006079 ,
		L0006080 , L0006081 , L0006082 , L0006083 , L0006084 , L0006085 , L0006086 , L0006087 ,
		L0006088 , L0006089 , L0006090 , L0006091 , L0006092 , L0006093 , L0006094 , L0006095 ,
		L0006096 , L0006097 , L0006098 , L0006099 , L0006100 , L0006101 , L0006102 , L0006103 ,
		L0006104 , L0006105 , L0006106 , L0006107 , L0006108 , L0006109 , L0006110 , L0006111 ,
		L0006112 , L0006113 , L0006114 , L0006115 , L0006116 , L0006117 , L0006118 , L0006119 ,
		L0006120 , L0006121 , L0006122 , L0006123 , L0006124 , L0006125 , L0006126 , L0006127 ,
		L0006128 , L0006129 , L0006130 , L0006131 , L0006132 , L0006133 , L0006134 , L0006135 ,
		L0006136 , L0006137 , L0006138 , L0006139 , L0006140 , L0006141 , L0006142 , L0006143 ,
		L0006144 , L0006145 , L0006146 , L0006147 , L0006148 , L0006149 , L0006150 , L0006151 ,
		L0006152 , L0006153 , L0006154 , L0006155 , L0006156 , L0006157 , L0006158 , L0006159 ,

*** SOURCE IDs DEFINED AS URBAN SOURCES
***

URBAN ID	URBAN POP	SOURCE IDs

L0006208 , L0006209 , L0006210 , L0006211 , L0006212 ,
L0006213 , L0006214 , L0006215 ,

L0006216 , L0006217 , L0006218 , L0006219 , L0006220 ,
L0006221 , L0006222 , L0006223 ,

L0006224 , L0006225 , L0006226 , L0006227 , L0006228 ,
L0006229 , L0006230 , L0006231 ,

L0006232 , L0006233 , L0006234 , L0006235 , L0006236 ,
L0006237 , L0006238 , L0006239 ,

L0006240 , L0006241 , L0006242 , L0006243 , L0006244 ,
L0006245 , L0006246 , L0006247 ,

L0006248 , L0006249 , L0006250 , L0006251 , L0006252 ,
L0006253 , L0006254 , L0006255 ,

```
             L0006256    , L0006257    , L0006258    , L0006259    , L0006260    ,
L0006261    , L0006262    , L0006263    ,

             L0006264    ,
 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                  ***        07/09/20
 *** AERMET - VERSION  16216 ***   ***
                         ***        17:37:35

                                    PAGE  42
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*

                                          *** DISCRETE CARTESIAN RECEPTORS ***
                                        (X-COORD, Y-COORD, ZELEV, ZHILL, ZFLAG)
                                                    (METERS)

     ( 448034.5, 3764448.2,     244.3,     244.3,       0.0);         ( 448044.1,
3764368.1,     243.8,     243.8,       0.0);
     ( 448037.0, 3764240.5,     243.8,     243.8,       0.0);         ( 448040.2,
3764088.6,     241.7,     241.7,       0.0);
     ( 448023.6, 3763919.4,     240.8,     240.8,       0.0);         ( 448033.2,
3763752.1,     238.3,     238.3,       0.0);
     ( 448508.1, 3764439.6,     245.4,     245.4,       0.0);         ( 448499.4,
3764339.9,     243.5,     243.5,       0.0);
     ( 448490.7, 3764188.2,     242.6,     242.6,       0.0);         ( 448512.4,
3763910.8,     240.5,     240.5,       0.0);
     ( 448492.2, 3763712.9,     239.3,     239.3,       0.0);         ( 448493.6,
3763499.1,     238.3,     238.3,       0.0);
     ( 447587.5, 3764352.9,     243.8,     243.8,       0.0);         ( 447388.6,
3764370.1,     243.8,     243.8,       0.0);
     ( 447550.3, 3764257.1,     243.1,     243.1,       0.0);         ( 447550.3,
3763958.0,     239.7,     239.7,       0.0);
     ( 447443.6, 3764982.9,     249.9,     249.9,       0.0);

 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                  ***        07/09/20
 *** AERMET - VERSION  16216 ***   ***
                         ***        17:37:35

                                    PAGE  43
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*

                                        *** METEOROLOGICAL DAYS SELECTED FOR
PROCESSING ***
                                                          (1=YES; 0=NO)

           1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1
1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
           1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1
```

```
1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1
1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1
1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1
1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1
1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1
1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1
```

NOTE: METEOROLOGICAL DATA ACTUALLY PROCESSED WILL ALSO DEPEND ON WHAT IS INCLUDED IN THE DATA FILE.

*** UPPER BOUND OF FIRST THROUGH FIFTH WIND SPEED CATEGORIES ***

(METERS/SEC)

1.54, 3.09, 5.14, 8.23, 10.80,

*** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

*** UP TO THE FIRST 24 HOURS OF METEOROLOGICAL DATA ***

Surface file: KONT_V9_ADJU\KONT_V9.SFC
Met Version: 16216
Profile file: KONT_V9_ADJU\KONT_V9.PFL

Surface format: FREE

Profile format: FREE

Surface station no.: 3102 Upper air station no.: 3190
Name: UNKNOWN Name: UNKNOWN

Year: 2012 Year: 2012

First 24 hours of scalar data

YR	MO	DY	JDY	HR	H0	U*	W*	DT/DZ	ZICNV	ZIMCH	M-O LEN	Z0	BOWEN

```
ALBEDO  REF WS   WD     HT  REF TA     HT
- - - -
```

```
1.00    1.76   40.    7.9  283.8    2.0


 First hour of profile data
 YR MO DY HR HEIGHT F  WDIR    WSPD AMB_TMP sigmaA  sigmaW  sigmaV
 12 01 01 01    7.9 1   43.    2.03   286.0   99.0  -99.00  -99.00

 F indicates top of profile (=1) or below (=0)
 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                  ***        07/09/20
 *** AERMET - VERSION  16216 ***   ***
                         ***        17:37:35

                                    PAGE  45
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*

                   *** THE ANNUAL AVERAGE CONCENTRATION    VALUES AVERAGED OVER   5
YEARS FOR SOURCE GROUP: ALL      ***
                                    INCLUDING SOURCE(S):     L0004259    , L0004260
 , L0004261    , L0004262    , L0004263    ,
                   L0005276    , L0005277    , L0005278    , L0005279    , L0005280
 , L0005281    , L0005282    , L0005283    ,
                   L0005284    , L0005285    , L0005286    , L0005287    , L0005288
 , L0005289    , L0005290    , L0005291    ,
                   L0005292    , L0005293    , L0005294    , L0005295    , L0005296
 , L0005297    , L0005298    ,  . . .      ,

                                              *** DISCRETE CARTESIAN RECEPTOR POINTS
***

                                         ** CONC OF DPM      IN MICROGRAMS/M**3
                    **

       X-COORD (M)   Y-COORD (M)        CONC                       X-COORD (M)
Y-COORD (M)        CONC
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
         448034.47    3764448.23        0.00454                      448044.09
3764368.10        0.00626
         448037.04    3764240.54        0.00858                      448040.24
3764088.63        0.01089
         448023.58    3763919.40        0.00743                      448033.19
3763752.10        0.00535
         448508.08    3764439.59        0.01230                      448499.41
3764339.91        0.01821
         448490.74    3764188.21        0.03364                      448512.41
3763910.84        0.01194
         448492.18    3763712.92        0.00798                      448493.63
3763499.10        0.00606
         447587.51    3764352.93        0.00185                      447388.63
```

```
3764370.10        0.00149
         447550.31    3764257.07        0.00161                       447550.31
3763958.05        0.00164
         447443.56    3764982.94        0.00059

 *** AERMOD - VERSION  19191 ***   *** C:\LAKES\AERMOD VIEW\13214 HRA CSO\13214
HRA CSO.ISC                  ***        07/09/20
 *** AERMET - VERSION  16216 ***   ***
                          ***        17:37:35

                                    PAGE  46
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  URBAN  ADJ_U*

                                    *** THE SUMMARY OF MAXIMUM ANNUAL RESULTS
AVERAGED OVER   5 YEARS ***


                                     ** CONC OF DPM      IN MICROGRAMS/M**3
               **


                         NETWORK
GROUP ID                        AVERAGE CONC                RECEPTOR  (XR, YR,
ZELEV, ZHILL, ZFLAG)  OF TYPE  GRID-ID
- - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - -

ALL       1ST HIGHEST VALUE IS       0.03364 AT (  448490.74,  3764188.21,
242.62,   242.62,    0.00)  DC
          2ND HIGHEST VALUE IS       0.01821 AT (  448499.41,  3764339.91,
243.54,   243.54,    0.00)  DC
          3RD HIGHEST VALUE IS       0.01230 AT (  448508.08,  3764439.59,
245.38,   245.38,    0.00)  DC
          4TH HIGHEST VALUE IS       0.01194 AT (  448512.41,  3763910.84,
240.49,   240.49,    0.00)  DC
          5TH HIGHEST VALUE IS       0.01089 AT (  448040.24,  3764088.63,
241.68,   241.68,    0.00)  DC
          6TH HIGHEST VALUE IS       0.00858 AT (  448037.04,  3764240.54,
243.84,   243.84,    0.00)  DC
          7TH HIGHEST VALUE IS       0.00798 AT (  448492.18,  3763712.92,
239.34,   239.34,    0.00)  DC
          8TH HIGHEST VALUE IS       0.00743 AT (  448023.58,  3763919.40,
240.75,   240.75,    0.00)  DC
          9TH HIGHEST VALUE IS       0.00626 AT (  448044.09,  3764368.10,
243.80,   243.80,    0.00)  DC
         10TH HIGHEST VALUE IS       0.00606 AT (  448493.63,  3763499.10,
238.34,   238.34,    0.00)  DC


 *** RECEPTOR TYPES:  GC = GRIDCART
```

 *** MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ_U*

 *** Message Summary : AERMOD Model Execution ***

  --------- Summary of Total Messages --------

 A Total of   0 Fatal Error Message(s)
 A Total of   2 Warning Message(s)
 A Total of   1628 Informational Message(s)

 A Total of   43848 Hours Were Processed

 A Total of   1278 Calm Hours Identified

 A Total of   350 Missing Hours Identified (0.80 Percent)

    ******** FATAL ERROR MESSAGES ********
               *** NONE ***

    ********   WARNING MESSAGES   ********
 ME W186   2346   MEOPEN: THRESH_1MIN 1-min ASOS wind speed threshold used
      0.50
 ME W187   2346   MEOPEN: ADJ_U* Option for Stable Low Winds used in AERMET

    ****
    *** AERMOD Finishes Successfully ***
    ****

AVERAGE EMISSION FACTOR
SAN BERNARDINO 2020

Speed	LHD1	MHD	HHD
0	0.368	0.226104	0.02848
5	0.038326	0.204018	0.13117
25	0.013428	0.072307	0.05076

Speed	Weighted Average Emissions
0	**0.19233**
5	**0.10852**

AVERAGE EMISSION FACTOR
SAN BERNARDINO 2020

Speed	LHD1	MHD	HHD
0	0.368	0.226104	0.02848
5	0.038326	0.204018	0.13117
25	0.013428	0.072307	0.05076

Speed	Weighted Average Emissions
0	**0.12998**
5	**0.13274**

AVERAGE EMISSION FACTOR
SAN BERNARDINO 2020

Speed	LHD1	MHD	HHD
0	0.368	0.226104	0.02848
5	0.038326	0.204018	0.13117
25	0.013428	0.072307	0.05076

Speed	Weighted Average Emissions
0	**0.13258**
5	**0.13145**

AVERAGE EMISSION FACTOR
SAN BERNARDINO 2020 - COMBINED

Speed	LHD1	MHD	HHD
0	0.368	0.226104	0.02848
5	0.038326	0.204018	0.13117
25	0.013428	0.072307	0.05076

Speed	**Weighted Average Emissions**
25	**0.04837**

Emission Rates - 2020 Emission Factors

Truck Emission Rates						
Source	Trucks Per Day	VMT [a] (miles/day)	Truck Emission Rate [b] (grams/mile)	Truck Emission Rate [b] (grams/idle-hour)	Daily Truck Emissions [c] (grams/day)	Modeled Emission Rates (g/second)
On-Site Idling Building A (Light Industrial)	32			0.1923	1.51	1.753E-05
On-Site Idling Buildings C (Cold Storage Warehousing)	54			0.1300	18.39	2.128E-04
On-Site Idling Buildings D (Cold Storage Warehousing)	58			0.1300	19.76	2.287E-04
On-Site Idling Buildings E (Manufacturing)	100			0.1326	3.31	3.836E-05
On-Site Idling Buildings F (Manufacturing)	55			0.1326	1.81	2.091E-05
On-Site Travel Building A (Light Industrial)	63	11.56	0.1085		1.25	1.452E-05
On-Site Travel Buildings C (Cold Storage Warehousing)	108	21.36	0.1327		5.47	6.326E-05
On-Site Travel Buildings D (Cold Storage Warehousing)	117	23.63	0.1327		6.05	7.001E-05
On-Site Travel Buildings E (Manufacturing)	200	51.83	0.1314		6.81	7.886E-05
On-Site Travel Buildings F (Manufacturing)	109	10.82	0.1314		1.42	1.646E-05
Off-Site Travel 50% Miliken Ave	299	177.30	0.0484		12.67	1.467E-04
Off-Site Travel 40% Hamner Ave	239	258.56	0.0484		13.71	1.586E-04
Off-Site Travel 5% Riverside (to the west)	30	54.80	0.0484		2.92	3.382E-05
Off-Site Travel 5% Riverside (to the east)	30	16.24	0.0484		0.87	1.002E-05

[a] Vehicle miles traveled are for modeled truck route only.

[b] Emission rates determined using EMFAC 2017. Idle emission rates are expressed in grams per idle hour rather than grams per mile.

[c] This column includes the total truck travel and truck idle emissions. For idle emissions this column includes emissions based on the assumption that each truck idles for 15 minutes. TRUs presumed to idle for 30 minutes.

Idling / TRU Unmitigated

Emission Factor:		
TRU EF	0.12	g/bhp-hr
TRU HP	23	HP
TRU Load Factor	0.46	
TRU EF @23 HP and 0.53 LF	1.2696	g/idle-hr
Emission Factor:		
TRU EF	0.01	g/bhp-hr
TRU HP	34	HP
TRU Load Factor	0.53	
TRU EF @34 HP and 0.53 LF	0.1802	g/idle-hr
Emission Factor:		
Weighted Avg TRU EF (60% 25+ HP, 40% <25 HP)	0.61596	g/idle-hr

calendar_y	season_m	sub_area	vehicle_class	fuel	temperatu	relative_hu	process	speed_tim	pollutant	emission_rate
2020	Annual	San Bernar	HHDT	Dsl	60	70	RUNEX	5	PM10	0.13646
2020	Annual	San Bernar	HHDT	Dsl	60	70	RUNEX	25	PM10	0.05281
2020	Annual	San Bernar	LHDT1	Dsl	60	70	RUNEX	5	PM10	0.082601
2020	Annual	San Bernar	LHDT1	Dsl	60	70	RUNEX	25	PM10	0.028941
2020	Annual	San Bernar	MHDT	Dsl	60	70	RUNEX	5	PM10	0.231545
2020	Annual	San Bernar	MHDT	Dsl	60	70	RUNEX	25	PM10	0.082063
2020	Annual	San Bernar	HHDT	Dsl			IDLEX		PM10	0.029628
2020	Annual	San Bernar	LHDT1	Dsl			IDLEX		PM10	0.793125
2020	Annual	San Bernar	MHDT	Dsl			IDLEX		PM10	0.256611

EMFAC2017 (v1.0.2) Emissions Inventory
Region Type: County
Region: SAN BERNARDINO
Calendar Year: 2020
Season: Annual
Vehicle Classification: EMFAC2007 Categories
Units: miles/day for VMT, trips/day for Trips, tons/day for Emissions, 1000 gallons/day for Fuel Consumption

Region	Calendar Y	Vehicle Ca	Model Yea	Speed	Fuel	Population
SAN BERN	2020	HHDT	Aggregate	Aggregate	GAS	9.540219
SAN BERN	2020	HHDT	Aggregate	Aggregate	DSL	27707.12
SAN BERN	2020	HHDT	Aggregate	Aggregate	NG	1108.036
SAN BERN	2020	LHDT1	Aggregate	Aggregate	GAS	26438.2
SAN BERN	2020	LHDT1	Aggregate	Aggregate	DSL	22885.62
SAN BERN	2020	MHDT	Aggregate	Aggregate	GAS	2348.721
SAN BERN	2020	MHDT	Aggregate	Aggregate	DSL	17407.58

HHDT% GAS/NG	0.038771
HHDT% DSL	0.961229
LHDT1% GAS	0.536013
LHDT1% DSL	0.463987
MHDT% GAS	0.118885
MHDT% DSL	0.881115

APPENDIX 2.2:

RISK CALCULATIONS

Table 1
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
-0.25 to 0 Age Bin Exposure Scenario

Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**								
					URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
	(ug/m^3)	(mg/m^3)			$(ug/m^3)^{-1}$	$(mg/kg/day)^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
	0.01089	1.09E-05	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	3.8E-06	1.2E-07	5.0E+00	1.4E-03	2.2E-03							
TOTAL								1.2E-07			2.2E-03	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	350
exposure duration (years)	0.25
inhalation rate (L/kg-day))	361
inhalation absorption factor	1
averaging time (years)	70
fraction of time at home	0.85
age sensitivity factor (age third trimester	10

Table 2
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
0-2 Age Bin Exposure Scenario

Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**								
					URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
	(ug/m^3)	(mg/m^3)			($ug/m^3)^{-1}$	$(mg/kg/day)^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
	0.01089	1.09E-05	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	1.1E-05	2.9E-06	5.0E+00	1.4E-03	2.2E-03							
TOTAL								2.9E-06			2.2E-03	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	350
exposure duration (years)	2
inhalation rate (L/kg-day))	1090
inhalation absorption factor	1
averaging time (years)	70
fraction of time at home	0.85
age sensitivity factor (0 to 2 years old)	10

Table 3
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
2-16 Age Bin Exposure Scenario

Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**								
					URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
	(ug/m^3)	(mg/m^3)			(ug/m^3)$^{-1}$	(mg/kg/day)$^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
	0.01089	1.09E-05	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	6.0E-06	2.7E-06	5.0E+00	1.4E-03	2.2E-03							
TOTAL								2.7E-06			2.2E-03	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	350
exposure duration (years)	14
inhalation rate (L/kg-day))	572
inhalation absorption factor	1
averaging time (years)	70
fraction of time at home	0.72
age sensitivity factor (ages 2 to 16 years	3

Table 4
Quantification of Carcinogenic Risks and Noncarcinogenic Hazards
16-30 Age Bin Exposure Scenario

Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**								
					URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
	(ug/m^3)	(mg/m^3)			(ug/m^3)$^{-1}$	(mg/kg/day)$^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
	0.01089	1.09E-05	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	2.7E-06	4.2E-07	5.0E+00	1.4E-03	2.2E-03							
TOTAL								4.2E-07			2.2E-03	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00
								0.42										

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	350
exposure duration (years)	14
inhalation rate (L/kg-day))	261
inhalation absorption factor	1
averaging time (years)	70
fraction of time at home	0.73
age sensitivity factor (ages 16 to 30 years old)	1

Total Risk for All Age Bins (per million) 6.15

Table 5
Quantification of Carcinogenic Risks and Noncarcinogenic Risks
25-Year Worker Exposure Scenario

	Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**									
						URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
		(ug/m^3)	(mg/m^3)			(ug/m^3)$^{-1}$	(mg/kg/day)$^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
1	Diesel Particulates	3.36E-02	3.36E-05	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	5.3E-06	2.0E-06	5.0E+00	1.4E-03	6.7E-03							
	TOTAL								2.0E-06			6.8E-03	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00
									2.00										

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	250
exposure duration (years)	25
inhalation rate (L/kg-day))	230
inhalation absorption factor	1
averaging time (years)	70

Table 6
Quantification of Carcinogenic Risks and Noncarcinogenic Risks
9-Year School Child Exposure Scenario

	Source	Mass GLC		Weight Fraction	Contaminant	Carcinogenic Risk				Noncarcinogenic Hazards/ Toxicological Endpoints**									
						URF	CPF	DOSE	RISK	REL	RfD	RESP	CNS/PNS	CV/BL	IMMUN	KIDN	GI/LV	REPRO	EYES
		(ug/m^3)	(mg/m^3)			(ug/m^3)$^{-1}$	(mg/kg/day)$^{-1}$	(mg/kg-day)		(ug/m^3)	(mg/kg/day)								
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)
1	Diesel Particulates	1.85E-03	1.85E-06	1.00E+00	Diesel Particulate	3.0E-04	1.1E+00	5.2E-07	2.1E-07	5.0E+00	1.4E-03	3.7E-04							
	TOTAL								2.3E-07			4.1E-04	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00	0.0E+00
									0.23										

** Key to Toxicological Endpoints

RESP	Respiratory System
CNS/PNS	Central/Peripheral Nervous System
CV/BL	Cardiovascular/Blood System
IMMUN	Immune System
KIDN	Kidney
GI/LV	Gastrointestinal System/Liver
REPRO	Reproductive System (e.g. teratogenic and developmental effects)
EYES	Eye irritation and/or other effects

Note: Exposure factors used to calculate contaminant intake

exposure frequency (days/year)	180
exposure duration (years)	9
inhalation rate (L/kg-day))	572
inhalation absorption factor	1
averaging time (years)	70
age sensitivity factor (ages 4-13)	3

TECHNICAL MEMORANDUM

To: Jared Riemer / Crow Holdings Industrial

From: Chambers Group, Inc.

Date: January 4, 2019

Project: Ontario Development

Subject: Burrowing Owl and Delhi Sands Flower-Loving Fly Habitat Assessment

The purpose of this memo is to summarize the results of the habitat assessment survey for burrowing owl (*Athene cunicularia*; BUOW) and Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*; DSF), for the Ontario Development Project (Project), as required by the Planning Department of the City of Ontario, San Bernardino County, California.

PROJECT LOCATION AND DESCRIPTION

The Project site is located on the southwest corner of the intersection at Riverside Drive and Hamner Avenue within the United States Geological Survey (USGS) *Guasti* topographic quadrangle (see Attachment 1, Project Location Map). The elevation of the Project site ranges from 744 to 787 feet above mean sea level. The Project proposes to construct six buildings totaling 1,040,727 square feet on approximately 46.64 acres of land (Assessor Parcel Numbers: 0218-171-27 and 0218-171-21). Riverside Drive and a disturbed open space parcel border the Project on the north, Hamner Avenue and commercial buildings are on the east, a construction yard is located south and east of Sunshine Growers Nursery, and a utility right-of-way with disturbed open space and residential properties exists to the west.

BACKGROUND

Burrowing Owl

The BUOW is a California Species of Special Concern (SSC). It is broadly distributed across the western United States, with populations in Florida and Central and South America. The BUOW breeds in open plains from western Canada and the western United States, Mexico through Central America, and into South America to Argentina (Klute 2003). This species inhabits dry, open, native or non-native grasslands, deserts, and other arid environments with low-growing and low-density vegetation (Ehrlich 1988). It may occupy golf courses, cemeteries, road rights-of way, airstrips, abandoned buildings, irrigation ditches, and vacant lots with holes or cracks suitable for use as burrows (TLMA 2006). BUOWs typically use burrows made by mammals such as California ground squirrels, foxes, or badgers (Trulio 1997). When burrows are scarce, the burrowing owl may use man-made structures such as openings beneath cement or asphalt pavement, pipes, culverts, and nest boxes (TLMA 2006). BUOWs often are found within, under, or in close proximity to man-made structures. Prey sources for this species include small rodents; arthropods such as spiders, crickets, centipedes, and grasshoppers; smaller birds;

amphibians; reptiles; and carrion. Threats to the BUOW include loss of nesting burrows, habitat loss, and mortality from motor vehicles.

Delhi Sands Flower-Loving Fly

The DSF is a federally listed endangered species occurring within southwestern San Bernardino and Riverside counties in southern California. This species requires the biologically unique arid dunes with fine, sandy soils classified as belonging to the "Delhi" series. The sand is blown in by the fall Santa Ana winds from the San Gabriel and San Bernardino mountains, creating the Colton Dunes Ecosystem (USFWS 1997). The largest populations are on the 12 permanently protected sites located within the Colton, Jurupa, and Ontario recovery units (USFWS 2008). Characteristics of these sites where DSF is known to occur include fine, sandy soils, often with whole or partial stabilized dunes, with sparse native vegetation (USFWS 1997). Native vegetation within the Colton Dunes include: California buckwheat (*Eriogonum fasciculatum* spp.), California croton (*Croton californicus*), deerweed (*Acmispon glaber*), and California evening primrose (*Oenothera californica* ssp. *californica*) (USFWS 1997). Only two of the 12 protected populations are considered secure, as the populations are isolated, and the dune system is becoming eliminated (USFWS 1997). Delhi Sands flower-loving fly 's habitat has been reduced by 97 percent due to a loss of habitat from development, agricultural conversion, sand mining, invasion by exotic species, dumping of cow manure and trash, collection, and off-road vehicle (ORV) use, dating back to the 1800s (USFWS 1997). In the final rule, the primary habitat degrading activity of DSF habitat was soil disturbance resulting from grading, plowing, and disking, to remove vegetation for fire control and ORV use (USFWS 2008). DSF spend their larval stages underground, and the flight season occurs from July through September (USFWS 2008). Trampling and vehicular activity compact soils and crush vegetation and subterranean animals. Disruption of the substrate destroys the cryptoflora crust, opening the system up to invasive organisms, causing erosion, and decreasing the integrity of the ecosystem (USFWS 1997). Since the Recovery Plan was written and finalized in 1997, habitat assessment surveys have resulted in the discovery that moderately disturbed lands, such as abandoned vineyards and grazing lands, also provide habitat for DSF; however, populations that have been identified in these habitats, are small and unlikely to persist without substantial restoration (USFWS 2008).

METHODS

Literature Review

Prior to performing the site visit, soils were determined in accordance with categories set forth by the U.S. Department of Agriculture (USDA) Soil Conservation Service and by referencing the USDA Natural Resources Conservation Service (NRCS) Web Soil Survey (USDA 2018). The USDA soil report is included as Attachment 2. In addition, the geotechnical report prepared for the Project was reviewed for current soil conditions (GPI 2018).

Chambers Group, Inc. (Chambers Group) staff reviewed the most recent records of the California Natural Diversity Database (CNDDB) managed by the California Department of Fish and Wildlife (CDFW), and quadrangles containing and surrounding the Project site (*Corona North, Cucamonga Peak, Devore, Fontana, Guasti, Mount Baldy, Ontario, Prado Dam, Riverside West*) were queried (CDFW 2018). This

database contains records of reported occurrences of federal- and state-listed endangered or threatened or proposed endangered or threatened species, California SSC, and otherwise sensitive species or habitats that may occur within or in the immediate vicinity of the Project site. In addition, a Trust Resource Report was generated through the United States Fish and Wildlife (USFWS) Information for Planning and Conservation (IPaC) process for critical habitat on or within the Project vicinity and federally listed species identified as potentially occurring in or near the proposed Project area (USFWS 2018). A list of occurrences for BUOW and DSF within and/or in the vicinity of the Project site was developed from the database searches. All BUOW and DSF occurrences that either overlap the Project or that exist within 5 miles of the Project site were mapped (see Attachment 1, Burrowing Owl and Delhi Sands Flower-loving Fly Designated Habitat and Species Occurrences Map).

Habitat Assessment

The site visit was conducted on foot by Chambers Group Biologists Corey Jacobs and Saraiah Skidmore on December 19, 2018. The purpose of the site visit was to document current site conditions, with a focus on the Project site's potential to support BUOW and DSF.

Given the flat terrain and low height of the vegetation, wide transects spaced at approximately 50 to 75 feet (approximately 15 to 20 meters) were utilized to achieve 100 percent visual coverage in search for suitable habitat. Transects were walked within the open space areas of the Project and within a 500-foot buffer (approximately 150 meters) around the site (Survey Area), in accordance with the CDFW Burrowing Owl Staff Report (CDFW 2012). Vegetation communities on the Project site were identified (Attachment 1, Biological Resources Map). Plant and wildlife species observed or detected during the survey were recorded (Attachment 3). Site photographs were taken depicting current conditions of the Survey Area (Attachment 4).

Upon completion of the habitat assessment survey on the Project site, several DSF protected sites were visited for habitat comparisons. The Colton Recovery Unit sites visited and listed in the recovery plan and 5-year review for DSF (USFWS 1997, 2008) included the Angelus Block conservation area located along Industrial Drive in Rialto (listed as site B under the Colton Recovery Units), the Hospital Reserve located northeast of the intersection of Valley Boulevard and Pepper Avenues in the City of Colton (listed as site C under the Colton Recovery Units), habitat located east of Riverside Drive and south of San Bernardino Avenue (behind the Rialto Grace Vargas Senior Center) and at the corner of Indigo and Woodland avenues (listed as site D under the Colton Recovery Units), and at the northeast intersection of Randall and Pepper avenues in unincorporated San Bernardino County (listed as site E under the Colton Recovery Units). Photos of the sites are included in Attachment 4.

RESULTS

Literature Review

One soil type, Delhi fine sand (Db), resulted from the USDA database search within the Project site and immediate buffer (USDA 2018). According to the USDA report, the Delhi series consists of deep wind

deposited (aeolian) soil (USDA 2006). Delhi fine sand has 0- to 2-percent slopes and is sandy alluvium derived from granite (USDA 2018). This soil is somewhat excessively drained with little to no runoff. Delhi fine sand is prime farmland if irrigated (USDA 2018). The soil report and detailed descriptions are included as Attachment 2. Although the site was mapped as Delhi fine sand at the time of the mapping by USDA, a geotechnical investigation conducted on the northern portion of the Project site in January of 2018 identified 1 to 2 feet of fill soils containing silty sands overlaying natural soils (GPI 2018). The geotechnical investigation report also discussed the presence of stockpiles that consisted of clays, sands, gravels, concrete, brick, metal, and plastic debris (GPI 2018).

The CNDDB and USFWS literature reviews resulted in multiple occurrences of BUOW and DSF located within 5 miles of the Project site. A map with the BUOW and DSF occurrences from the database searches and within 5 miles of the Project site is included in Attachment 1.

Habitat Assessment

The habitat assessment survey was conducted on December 19, 2018, between the hours of 0700 and 1200. Weather conditions included temperatures from 51 to 77 degrees Fahrenheit (°F), wind speeds from 0 to 3 miles per hour, and cloud cover from 0 to 5 percent.

The Survey Area and buffer are highly disturbed and relatively flat. During the habitat assessment, soils were observed to be consistent with those observed by the geotechnical investigation, silty sand overlying natural soils. Natural soils were visible at ground squirrel burrows, where underlying Delhi soils were brought to the surface.

The northern portion of the Project site consisted of open space with Ruderal vegetation, and the southern portion of the site exists as an active nursery and is considered Developed. A strip of Ornamental Landscaping occurs along the nursery's northern boundary (see Attachment 1, Biological Resource Map). Vegetation and non-vegetation communities are described in detail below. A complete list of plant and wildlife species observed is included in Attachment 3.

Areas classified as Ruderal tend to be dominated by pioneering herbaceous species that readily colonize disturbed ground and that are typically found in temporary, often frequently disturbed habitats (Barbour et al. 1999). The soils in Ruderal areas are often characterized as heavily compacted and frequently disturbed. The vegetation in these areas is adapted to living in compacted soils where water does not readily penetrate the soil. Often, Ruderal areas are dominated by species of the *Centaurea*, *Brassica*, *Malva*, *Salsola*, *Eremocarpus, Amaranthus*, and *Atriplex* genera. Ruderal plant species found on the Project site included non-native: pigweed (*Amaranthus* sp.), foxtail (*Bromus madritensis*), lamb's quarter's (*Chenopodium album*), red-stemmed filaree (*Erodium cicutarium*), cheeseweed (*Malva parviflora*), Russian-thistle (*Salsola australis*), and London rocket (*Sisymbrium irio*). Approximately 30 acres of Project site is Ruderal vegetation.

Developed areas are areas that have been altered by humans and now display man-made structures such as houses, paved roads, buildings, parks, and other maintained areas. Developed areas are present within

the southern portion of the Survey Area at Sunshine Growers Nursery, a wholesale plant nursery. The nursery consists of maintained areas including: compacted dirt roads; gravel/rock beds where potted plants are staged for buyers; concrete pads for sorting bulk materials including rock, mulch, and granite; and permanent and semi-permanent structures. Approximately 16 acres of the Project site is Developed.

Ornamental Landscaping includes areas where the vegetation is dominated by non-native horticultural plants (Gray and Bramlet 1992). Typically, the species composition consists of introduced trees, shrubs, flowers, and turf grass. Ornamental Landscaping is present within the Survey Area at the northern boundary of the nursery. The plant species found on the Project site typical of this community included Italian cypress (*Cupressus sempervirens*). Approximately 0.60 acre of the Project site is Ornamental Landscaping.

Wildlife species observed or detected during the site visit were characteristic of the existing site conditions. Avian species included: red-tailed hawk (*Buteo jamaicensis*), house finch (*Carduelis psaltria*), common raven (*Corvus corax*), rock pigeon (*Columba livia*), American kestrel (*Falco sparverius*), northern mockingbird (*Mimus polyglottos*), ash-throated flycatcher (*Myiarchus cinerascens*), Eurasian-collared dove (*Streptopelia decaocto*), European starling (*Sturnus vulgaris*), and mourning dove (*Zenaida macroura*). Mammal species included: coyote (*Canis latrans*), California ground squirrel (*Spermophilus beecheyi*), and Botta's gopher (*Thomomys bottae*).

DSF protected sites were visited within the Colton Recovery Unit. Delhi soils at these sites contained "clean" soils, meaning they did not appear to contain fill soils. Habitat at these sites did show varying signs of habitat disturbance including the presence of non-native weeds and vehicle or bike tracks on edges; however, the disturbance was relatively low and soils did not appear to be compacted or permanently impacted by the disturbances. Native vegetation including California buckwheat, California croton, and deerweed were also observed at these sites. These sites were mostly fenced off; and, therefore, habitat was only visible from the fence line. The edges of the habitat contained more disturbance (a higher percentage of invasive weeds) than other areas located further from the fence may have been. In general, based on limited visibility and access points, the habitat at these sites was considered to be of moderate to high quality, especially when compared to the Project site.

Burrowing Owl

BUOW's or BUOW sign was not observed or detected within the Survey Area. However, the Ruderal vegetation located in the northern portion of the Project site and in the buffer located to the north and on the west side of the Project is potential habitat for BUOW. The Ruderal vegetation was open, with low-growing vegetation. California ground squirrels and their burrows were abundant in the Survey Area, providing suitable burrows for BUOW use. A BUOW occurrence was observed in 2011 located partially within the Project site on the southeastern edge (along the driveway of the nursery) and the most recent BUOW occurrence was observed in 2016 approximately 3.5 miles north of the Project site.

Delhi Sands Flower-Loving Fly

Unsuitable to low quality soils for DSF were observed within the Project site. Soils along the roadsides were compact and contained coarse sand and gravels, likely from stockpiles observed during the geotechnical investigation that were not present during the habitat assessment survey. The soil surface further from the roads contained silty sand, and the Survey Area showed signs of being regularly disked. The Survey Area contained non-native invasive weeds, another sign that the site has been highly disturbed for such an extended period of time that native plant species have been removed and outcompeted by non-native species. The disking has resulted in a flattened landscape, aside from one location where black solid silt fencing was installed along the fence bordering the northern boundary of the nursery. As a result of the silt fencing, silty sand has blown up against the fence line. The nearest and most recent DSF occurrence was an observation in 2001 located approximately 0.5 mile north of the Project site.

CONCLUSIONS AND RECOMMENDATIONS

The open Ruderal vegetation community, combined with the presence of California ground squirrel burrows, provides suitable habitat for BUOW. Due to the presence of suitable habitat for BUOW, according to the 2012 CDFW BUOW Staff Report, occupancy surveys will be required. In addition, regardless of the presence or absence of BUOW during the habitat assessment or occupancy surveys, because suitable habitat is present on the Project site and in the buffer, a take avoidance survey will be required no less than 14 days prior to ground disturbance.

The compacted, heavily mixed, silty, sandy soils; regular disking; non-native vegetation; and isolation from undisturbed Delhi sands soil offers unsuitable to low quality habitat for DSF; therefore, no further surveys are recommended for DSF.

Please contact me at (909) 335-7068 ext. 7330 if you have any questions or concerns regarding this memo report.

Sincerely,

Saraiah Skidmore

Saraiah Skidmore
Senior Biologist
sskidmore@chambersgroupinc.com

ATTACHMENTS:

Attachment 1: Report Figures

Attachment 2: USDA Soil Reports and Descriptions

Attachment 3: Plant and Wildlife Species Observed/Detected Lists

Attachment 4: Site Photographs

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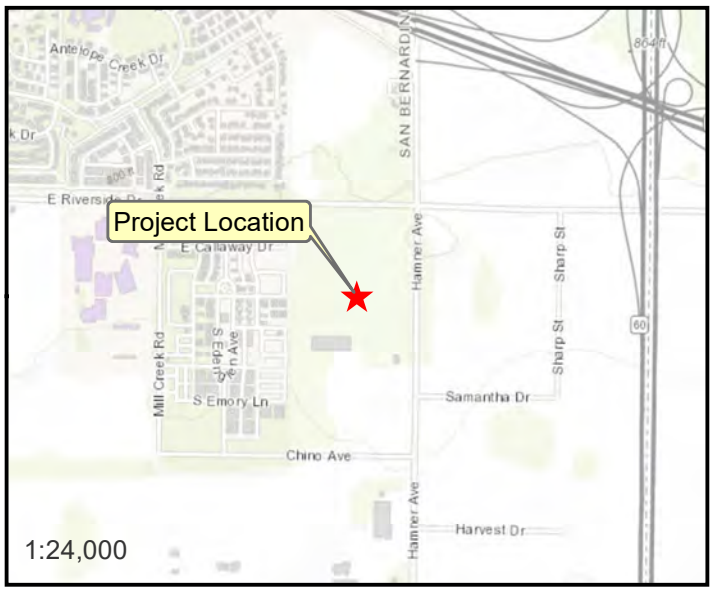
ATTACHMENT 1– REPORT FIGURES







Legend

Project Location

N

0 1,000 2,000

Feet

Figure 1

Project Location Map

Name: 21137 Location & Vicinity.Mxd
Print Date: 12/12/2018, Author: esimmons

CHAMBERS GROUP

Figure 2

Burrowing Owl and Delhi Sands Flower-Loving Fly Habitat Designations and Species Occurrences within Five Miles

Legend

- Survey Area
- 5-mile Buffer
- USFWS Delhi Sands flower-loving fly Recovery Unit Boundary
- USFWS Delhi Sands flower-loving fly Soils
- USFWS Documented Species Occurrence

CDFW Documented Occurrence

- Animal (80m)
- Animal (specific)
- Animal (non-specific)
- Animal (circular)

N

0 0.5 1 2

Miles



CHAMBERS GROUP

Name: 21137 BIO Fig 2 Desig Habitats & Species Occ.Mxd
Print Date: 1/4/2019, Author: esir



Legend

- Project Location
- **Vegetation Community**
- Ornamental Landscaping
- Ruderal
- Developed

N

0 200 400

Feet

Figure 3

Biological Resources Map

Name: 21137 BIO Fig 3 Biological Resources.Mxd
Print Date: 12/21/2018, Author: esimmons

CHAMBERS GROUP

ATTACHMENT 2– USDA SOIL REPORTS AND DESCRIPTIONS

LOCATION DELHI CA

Established Series
Rev. RCH-LCL-CAF
05/2006

DELHI SERIES

The Delhi series consists of very deep, somewhat excessively drained soils. They formed in wind modified material weathered from granitic rock sources. Delhi soils are on floodplains, alluvial fans and terraces. Slopes are 0 to 15 percent. The mean annual precipitation is about 13 inches and the mean annual temperature is about 62 degrees F.

TAXONOMIC CLASS: Mixed, thermic Typic Xeropsamments

TYPICAL PEDON: Delhi sand - annual grasses, grazed (Colors are for dry soil unless otherwise stated.)

Cl--0 to 21 inches; pale brown (10YR 6/3) sand, brown (10YR 5/3) moist; single grained; loose; slightly acid (pH 6.5); gradual smooth boundary. (10 to 30 inches thick)

C2--21 to 40 inches; pale brown (10YR 6/3) sand, brown (10YR 5/3) moist; slightly lighter color than horizon above; loose; slightly acid (pH 6.5); gradual smooth boundary. (16 to 25 inches thick)

C3--40 to 70 inches; light yellowish brown (10YR 6/4) sand, yellowish brown (10YR 5/4) moist; loose; strongly acid (pH 5.5).

TYPE LOCATION: Merced County, California; south side of Bloss Avenue, 100 yards west of Highway 99, south of Delhi; section 22, T.6 S., R.11 E.

RANGE IN CHARACTERISTICS: Delhi soils have short undulating slopes of 0 to 15 percent and lack stratification. The mean annual soil temperature at a depth of 20 inches is 60 to 66 degrees F and the soil temperature usually is not below 47 degrees F at any time. The average January soil temperature is about 50 degrees F and the average July temperature is 75 to 85 degrees F. The soil between depths of about 12 to 35 inches is continuously dry from late April or May until late October or early December and is continuously moist in some or all parts all the rest of the year. Very coarse sand is 0 to 5 percent and combined coarse and very coarse sand is 35 percent or less.

The C horizon is 10YR 5/3, 5/4, 6/4, 6/3, 6/2, 6/1, 7/1, 7/2, 7/3 or 7/4. Moist colors are 10YR 4/2, 4/3, 4/4, 5/4, 5/3, 5/2, 5/1, 6/1, 6/2, 6/3 or 6/4. Usually there is little change in color with depth, but in some pedons the upper part of the profile is slightly darker than the lower part and an A horizon can be identified. The upper part is sand, fine sand, loamy fine sand or loamy sand. The lower part is sand or loamy sand. The clay content ranges from 0 to 5 percent. The soil is slightly acid to slightly alkaline.

When an A horizon is present, it has dry color of 10YR 6/2, 6/3, 5/2, 5/3, 5/4 or 4/3. Moist color is 10YR 4/3 or 4/2. Clay content is 0 to 5 percent and textures are fine sand or loamy sand. Organic matter content is less than 1 percent. Reaction is slightly acid to slightly alkaline.

COMPETING SERIES: These are the Abaft, Arnold, Briones, Calhi, Corralitos, Monoridge, Monvero, and Tujunga series. Abaft soils have mean summer and mean winter soil temperatures that differ by more than 25 to 35 degrees F. Arnold soils have complex slopes of 9 to 60 percent and have a paralithic contact at depths of 40 to 60 inches. Briones soils have a paralithic contact at depths of 20 to 40 inches. Calhi soils are calcareous below a depth of 10 inches. Corralitos soils are moderately acid, stratified, and the average January and average July soil temperatures differ by 20 degrees F. or less. Tujunga are stratified soils on smooth slopes with some gravel and have 35 percent or more coarse and very coarse sand.

GEOGRAPHIC SETTING: Delhi soils are on 0 to 15 percent slopes at elevations of 25 to 1,400 feet. They formed in wind modified alluvium derived from granitic rock sources on floodplains, alluvial fans and terraces. The climate is dry subhumid with cool moist winters and hot dry summers. Mean annual precipitation, all in the form of rain, is 10 to 16 inches. Average annual temperature is 59 to 65 degrees F, average January temperature is 45 to 50 degrees F, and average July temperature is 75 to 80 degrees F. The frost-free period is 225 to 310 days.

GEOGRAPHICALLY ASSOCIATED SOILS: These are the competing Tujunga and the Dello, Hanford, Grangeville, Hilmar and Snelling soils. Dello soils are saturated with water during part of the year and are mottled within a depth of 20 inches. Hanford soils have a coarse-loamy textural control section. Grangeville soils are seasonally saturated with water and have a mollic epipedon. Hilmar soils have contrasting loamy texture within the 10 to 40 inch section. Snelling soils have an argillic horizon.

DRAINAGE AND PERMEABILITY: Somewhat excessively drained; negligible to slow runoff; rapid permeability.

USE AND VEGETATION: Used for growing grapes, peaches, truck crops, alfalfa and for homesites. Principal native plants are buckwheat and a few shrubs and trees. Typical vegetation is annual grasses and forbs.

DISTRIBUTION AND EXTENT: East side of San Joaquin Valley, central valley and intermountain valleys in the western part of southern California. The series is extensive in MLRA-17.

MLRA SOIL SURVEY REGIONAL OFFICE (MO) RESPONSIBLE: Davis, California

SERIES ESTABLISHED: Tulare County (Visalia Area), California, 1935.

REMARKS: NSSL pedon S79CA-047-000 (type location)

National Cooperative Soil Survey
U.S.A.

Soil Map—San Bernardino County Southwestern Part, California, and Western Riverside Area, California
(Ontario Development and Buffer)



Map Scale: 1:4,760 if printed on A portrait (8.5" x 11") sheet.

N

Meters
0 50 100 200 300

Feet
0 200 400 800 1200

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at scales ranging from 1:15,800 to 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: San Bernardino County Southwestern Part, California
Survey Area Data: Version 10, Sep 12, 2018

Soil Survey Area: Western Riverside Area, California
Survey Area Data: Version 11, Sep 12, 2018

Your area of interest (AOI) includes more than one soil survey area. These survey areas may have been mapped at different scales, with a different land use in mind, at different times, or at different levels of detail. This may result in map unit symbols, soil properties, and interpretations that do not completely agree across soil survey area boundaries.

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jan 5, 2015—Jan 18, 2015

MAP LEGEND

MAP INFORMATION

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Db	Delhi fine sand	62.3	92.6%
Subtotals for Soil Survey Area		**62.3**	**92.6%**
Totals for Area of Interest		**67.3**	**100.0%**

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Db	Delhi fine sand	5.0	7.4%
Subtotals for Soil Survey Area		**5.0**	**7.4%**
Totals for Area of Interest		**67.3**	**100.0%**

San Bernardino County Southwestern Part, California

Db—Delhi fine sand

Map Unit Setting

National map unit symbol: hcjq
Elevation: 30 to 1,400 feet
Mean annual precipitation: 10 to 16 inches
Mean annual air temperature: 59 to 64 degrees F
Frost-free period: 225 to 310 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Delhi and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Delhi

Setting

Landform: Alluvial fans
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy alluvium derived from granite

Typical profile

H1 - 0 to 18 inches: fine sand
H2 - 18 to 60 inches: sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Somewhat excessively drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): High to very high (5.95 to 19.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: Low (about 4.4 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Unnamed
Percent of map unit: 5 percent
Landform: Depressions
Hydric soil rating: Yes

Tujunga, loamy sand
Percent of map unit: 5 percent
Hydric soil rating: No

Unnamed
Percent of map unit: 5 percent
Hydric soil rating: No

Data Source Information

Soil Survey Area: San Bernardino County Southwestern Part, California
Survey Area Data: Version 10, Sep 12, 2018

Soil Survey Area: Western Riverside Area, California
Survey Area Data: Version 11, Sep 12, 2018

ATTACHMENT 3– PLANT AND WILDLIFE SPECIES OBSERVED/DETECTED LISTS

ATTACHMENT 3: PLANT SPECIES OBSERVED ON SITE

Scientific Name	Common Name
GYMNOSPERMS	
*Cupressus sempervirens**	Italian cypress
ANGIOSPERMS (EUDICOTS)	
AMARANTHACEAE	**AMARANTH FAMILY**
Amaranthus sp.	pigweed
APIACEAE	**CARROT FAMILY**
*Foeniculum vulgare**	fennel
ASTERACEAE	**SUNFLOWER FAMILY**
Sonchus spp.*	sow thistle species
BRASSICACEAE	**MUSTARD FAMILY**
*Sisymbrium irio**	London rocket
CHENOPODIACEAE	**GOOSEFOOT FAMILY**
*Chenopodium album**	lamb's quarters
*Salsola australis**	Russian-thistle
GERANIACEAE	**GERANIUM FAMILY**
*Erodium cicutarium**	red-stemmed filaree
MALVACEAE	**MALLOW FAMILY**
*Malva parviflora**	cheeseweed
URTICACEAE	**NETTLE FAMILY**
*Urtica urens**	dwarf nettle
ANGIOSPERMS (MONOCOTS)	
POACEAE	**GRASS FAMILY**
*Bromus madritensis**	foxtail

*Non-Native Species

ATTACHMENT 3: WILDLIFE SPECIES OBSERVED/DETECTED ON SITE

Scientific Name	Common Name
CLASS AVES	**BIRDS**
PHALACROCORACIDAE	**CORMORANTS**
Phalacrocorax sp.	cormorant
CATHARTIDAE	**NEW WORLD VULTURES**
Cathartes aura	turkey vulture
ACCIPITRIDAE	**HAWKS, KITES, EAGLES**
Buteo jamaicensis	red-tailed hawk
FALCONIDAE	**FALCONS**
Falco sparverius	American kestrel
COLUMBIDAE	**PIGEONS & DOVES**
Columba livia	rock pigeon
Streptopelia decaocto	Eurasian collared-dove
Zenaida macroura	mourning dove
TYRANNIDAE	**TYRANT FLYCATCHERS**
Myiarchus cinerascens	ash-throated flycatcher
Tyrannus verticalis	western kingbird
CORVIDAE	**JAYS & CROWS**
Corvus corax	common raven
MIMIDAE	**MOCKINGBIRDS, THRASHERS**
Mimus polyglottos	northern mockingbird
STURNIDAE	**STARLINGS**
Sturnus vulgaris	European starling
EMBERIZIDAE	**EMBERIZIDS**
Zonotrichia leucophrys	white-crowned sparrow
FRINGILLIDAE	**FINCHES**
Carpodacus mexicanus	house finch
CLASS MAMMALIA	**MAMMALS**
LEPORIDAE	**HARES & RABBITS**
Sylvilagus audubonii	desert cottontail
SCIURIDAE	**SQUIRRELS**
Spermophilus beecheyi	California ground squirrel
GEOMYIDAE	**POCKET GOPHERS**
Thomomys bottae	Botta's pocket gopher
CANIDAE	**WOLVES & FOXES**
Canis familiaris	domestic dog
Canis latrans	coyote

ATTACHMENT 4– SITE PHOTOGRAPHS

ATTACHMENT 4 – SITE PHOTOGRAPHS

	Photo 1: Facing northwest. Depicting the northern portion of the Project with Ruderal vegetation, silty sand soil containing 1 to 2 feet of fill, and California ground squirrel burrows where the underlying Delhi sands soil was brought to the surface.
	Photo 2: Facing west. Depicting Ruderal vegetation in the foreground, the transmission line and residential community west of the Project site in the background, and the ornamental trees on the left side of the photo that line the northern boundary of Sunshine Growers Nursery.
	Photo 3: Facing southwest. Depicting Ruderal vegetation located in the northern portion of the Project. The northern portion is relatively flat, regularly disced, and contains silty, sand soil. The line of trees lining the northern border of Sunshine Growers Nursery, Ornamental Landscaping, is visible in the background of the photo.

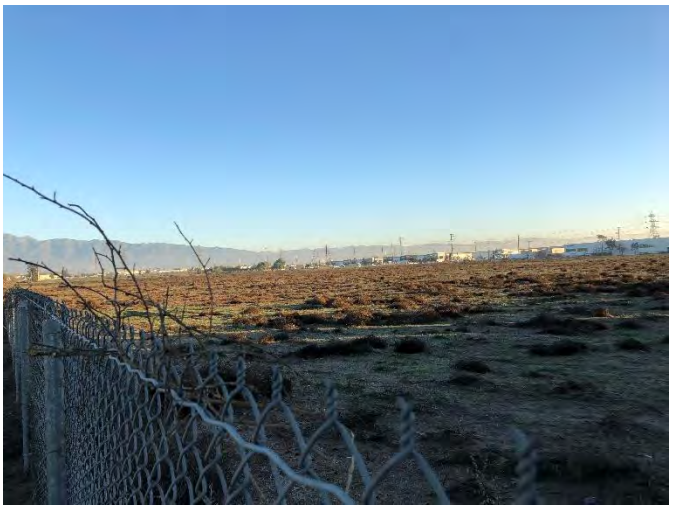
	Photo 4: Facing east. Depicting the active, maintained Sunshine Growers Nursery with the ornamental trees that line the northern boundary of the nursery on the left side of the photo.
	Photo 5: Facing south. Depicting the western boundary of Sunshine Growers Nursery on the left side of the photo and the transmission right-of-way and residential properties on the right side of the photo.
	Photo 6: Facing northeast. Depicting the relatively flat northern section of the Project site with Ruderal vegetation. Riverside Drive occurs on the mountain side of the photo and the commercial buildings in the background occur along Hamner Avenue.

	Photo 7: Facing southwest. Depicting the compact, coarse sand and gravel in the foreground and the regularly disced, Ruderal vegetation beyond that.
	Photo 8: Facing south. Depicting the build-up of silty sand along the fence line of Sunshine Growers Nursery's northern boundary.
	Photo 9: Facing east. Depicting the ornamental trees that line the northern boundary of Sunshine Growers Nursery with the build-up of silty sand and non-native weeds along the bottom of the fence.

	Photo 10: Facing northwest. Depicting the DSF Hospital Reserve located northeast of the intersection of Valley Boulevard and Pepper Avenues in the City of Colton (listed as site C under the Colton Recovery Units). Habitat is disturbed but Delhi sand soils appear to be "clean" as in they do not appear to contain fill soils. The DSF habitat in this photo is considered to be of moderate to high quality.
	Photo 11: Facing northeast. Depicting DSF habitat located at the corner of Indigo and Woodland Avenues (listed as site D under the Colton Recovery Units). Habitat is disturbed but Delhi sand soils appear to be "clean" as in they do not appear to contain fill soils. The DSF habitat in this photo is considered to be of high quality.
	Photo 12: Facing northwest. Depicting DSF habitat at the northeast intersection of Randall and Pepper Avenues in unincorporated San Bernardino County (listed as site E under the Colton Recovery Units). Habitat is disturbed but Delhi sand soils appear to be "clean" as in they do not appear to contain fill soils. The DSF habitat in this photo is considered to be of moderate quality.

BURROWING OWL SURVEY REPORT
FOR THE
ONTARIO DEVELOPMENT PROJECT SITE

Prepared for:
APPLIED PLANNING, Inc.
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Prepared by:

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APRIL 2020

TABLE OF CONTENTS

1.0 INTRODUCTION 1
1.1 Site description 1
2.0 METHODS 5
3.0 RESULTS 6
4.0 REFERENCES 8
5.0 APPENDICES 9
5.1 Appendix A: Weather data 9
5.2 Appendix B: Wildlife species detected. 10

LIST OF FIGURES

Figure 1: Location of the Ontario Development project site in San Bernardino County, southern California 2
Figure 2: Location of the Ontario Development project site 3
Figure 3: Location of the Ontario Development project site 4
Figure 4: Potential burrowing habitat at the Ontario Development site 7

1.0 INTRODUCTION

The Ontario Development Project site is located in the City of Ontario, San Bernardino County, California (Figure 1). The site is south of East Riverside Drive, west of Hamner Avenue, east of existing residential developments and north of some commercial developments (Figures 2 and 3). The site is within SE Section 1 of Township 2 South and Range 7 West of the Guasti, California, United States Geological Survey (USGS) 7.5-minute topographic quadrangle (Figure 1).

This report summarizes the results of focused surveys for burrowing owl (*Athene cunicularia*) conducted at the project site in spring 2020.

1.1 Site description

The entire Ontario Development project site consists of approximately 51 acres of disturbed undeveloped land and an abandoned nursery, located at the edge of the built-up city limits. The project site has been significantly impacted due to years of disking, disturbance, trash, off-road trails and footpaths. The site is flat with little topographical variation. Site topography varies from an elevation of approximately 796 feet above msl along the northrn boundary to approximately 770 along the southwestern boundary of the site (Figure 3).

Vegetation in the undeveloped portion of the site consisted of semi-natural herbaceous stands. This is a type of non-native grassland community, with low to medium growing herbaceous vegetation type dominated by annual grasses and forbs of Mediterranean origin. These areas are often devoid of vegetation for portions of the year due to disking. Holland (1986) classified this habitat type as Ruderal.

On the project site, the semi-natural herbaceous stand was devoid of vegetation or sparsely vegetated due to recent disking. Plants present included summer mustard (*Hirschfeldia incana*), lamb's quarters (*Chenopodium album*), cheeseweed (*Malva parviflora*), golden crown beard (*Verbesina encelioides*), common fiddleneck (*Amsinckia intermedia*), brome grass (*Bromus* spp.), red-stemmed filaree (*Erodium cicutarium*) and London rocket (*Sisymbrium irio*).

The abandoned nursery consisted of old and abandoned buildings, sheds, concrete areas, landscaping and some of the weeds documented in the semi-natural herbaceous stand.

The site has a Mediterranean type climate, with hot dry summers, relatively cool winters and sparse rains. Annual precipitation for the region averages 13.3 inches, and average annual temperature ranges from 50^0 to 79^0 F. Rainfall during the 2019/2020 season was above normal throughout southern California (Appendix A).

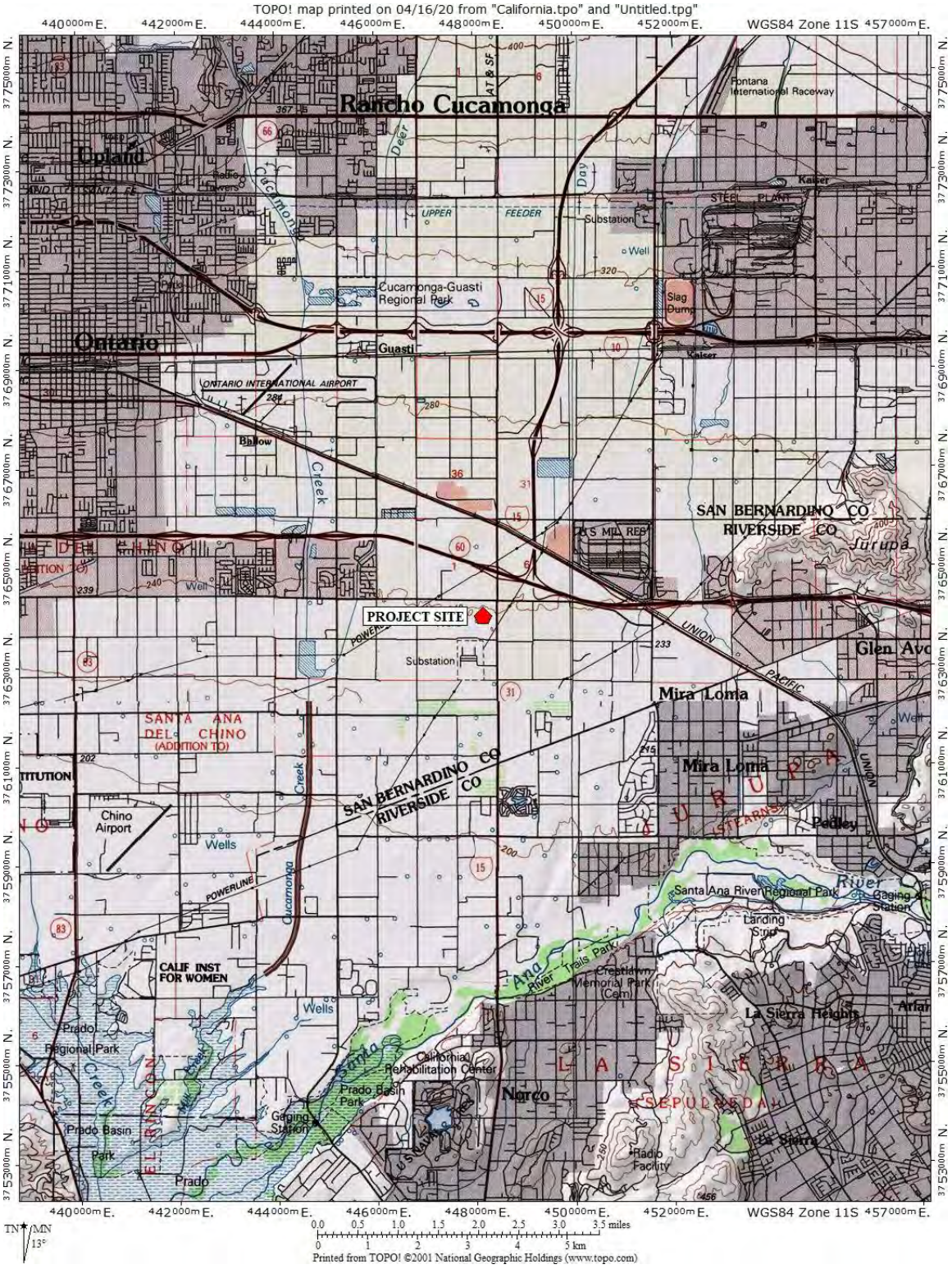

Figure 1: Location of the Ontario Development project site in San Bernardino County, southern California. Source: USGS Topographical quadrant: Guasti.

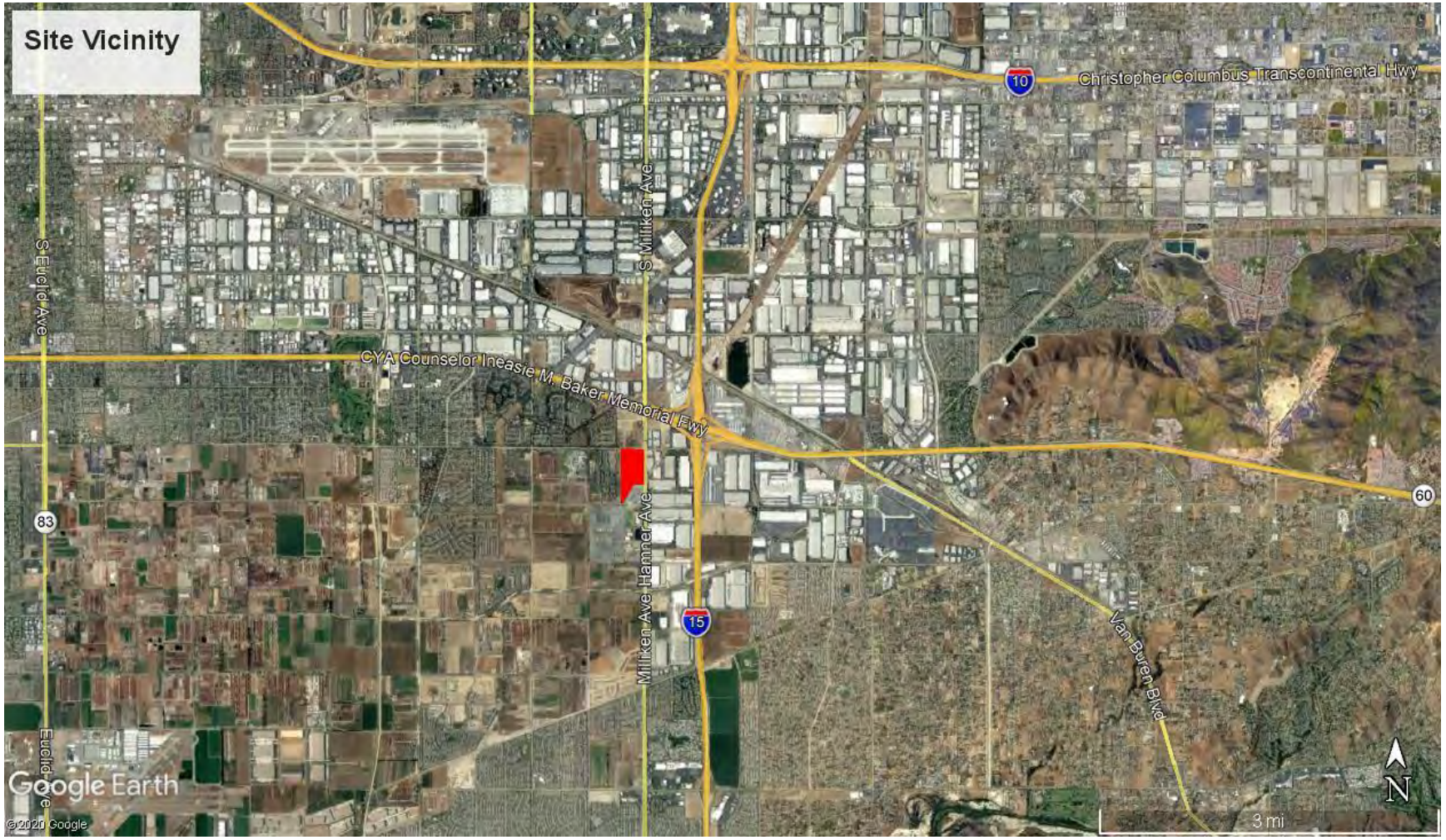

Figure 2: Location of the Ontario Development project site (in red). Source: Google Earth, Inc.



Figure 3: Location of the Ontario Development project site (in red). Source: Google Earth, Inc.

2.0 METHODS

Prior to conducting fieldwork previous results of wildlife surveys and habitat assessments in the project area were reviewed. Potential burrowing owl habitat occurs throughout the site. The entire project site and suitable off-site areas within 150 meters of the site were included in the survey area.

Focused burrowing owl surveys at the project site were conducted following standard burrowing owl survey protocols and the Fish and Game methods (CDFG 2012). The survey area consisted of all areas of the site (including the abandoned nursery) and a buffer area of 150 meters outside the entire extent of the site boundary; except the already developed off-site areas. All these areas were surveyed a total of two times. Focused burrowing owl surveys were conducted on 4 and 17 April, 2020 by Paul Galvin (Table 1, Figure 4).

Surveys were conducted during the morning hours (from before sunrise to approximately 2 hours after sunrise). All surveys were conducted during good weather conditions (not too hot and no or only light winds).

The survey methods consisted of scanning all open areas and suitable habitat with binoculars prior to walking through that area. The biologist then conducted pedestrian walking surveys through all areas. The walking transects were spaced to ensure 100% visual coverage of the ground surface. The exact distance between transect lines varied depending on topography and vegetation but was generally no more than 75 feet. All open areas, banks, rodent burrows and any other area likely to support owl burrows were checked.

Table 1: Survey conditions during burrowing owl assessment/surveys.

Date	Biologist	Time	%Cloud cover	Temp (^{0}F)	Wind speed (mph)	Area surveyed	BUOW
4/04/20	PG	6.15-9.00	10-0	51-55	0-0	Project site and 150m buffer area	None
4/17/20	PG	6.00-9.00	70-80	50-58	0-0	Project site and 150m buffer area	None

3.0 RESULTS

No burrowing owls or their sign were detected during the surveys and there was no evidence that any burrowing owls occurred onsite. In addition, this species has not been recorded from the project area in the past.

The majority of the site could be considered as burrowing owl habitat (Figure 4) since it is undeveloped or an abandoned nursery. Burrows found onsite were small mammal (California ground squirrel, rats and mice) burrows. There were also some artificial or man-made structures (such as rock crevices, debris piles, old pipes) located onsite. Both these natural and man-made structures provide potential suitable burrows for burrowing owl. However, none of these natural or artificial burrows were occupied by burrowing owl nor did they show any evidence of burrowing owl occupancy.

Burrowing owls are presumed absent from the site.



Figure 4: Potential burrowing habitat (yellow shading) at the Ontario Development site (in red). Source: Google Earth, Inc.

4.0 REFERENCES

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5.0 APPENDICES

5.1 Appendix A: Weather data

Public information national weather service San Diego CA; 2019-2020 rainfall season in review, http://www.nws.noaa.gov/climate

A wetter than normal rainfall season will end on 30 June 2019. Winter was wet across southern California. Most of coastal southern California had greater than 100% of typical rainfall in 2019/2020 and the winter is not over to-date.

Areas	2019-2020 Total	Normal Total	% of Normal
Santa Barbara	13.13	17.73	74
Lancaster	7.6	5.1	149
downtown Los Angeles	11.83	14.77	80
Long Beach Airport	12.51	12.72	98
John Wayne Airport	14.02	12.76	110
Fullerton	14.06	14.72	96
Riverside	12.11	10.12	120
Oceanside Airport	16.48	10.54	156
San Diego	12.76	10.13	126
Palm Springs	6.7	5.49	122

CORONA, CALIFORNIA (042031)
Period of Record Monthly Climate Summary
Period of Record : 7/ 1/1948 to 7/31/1988

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Average Max. Temperature (F)	66.1	69.0	70.4	74.9	79.1	84.8	91.6	91.6	89.0	82.1	73.3	67.5	78.3
Average Min. Temperature (F)	40.2	41.6	42.9	46.0	50.6	54.6	58.6	59.3	56.7	50.8	44.4	40.0	48.8
Average Total Precipitation (in.)	2.52	2.18	1.82	0.93	0.21	0.03	0.03	0.11	0.30	0.31	1.38	1.67	11.49
Average Total SnowFall (in.)	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1
Average Snow Depth (in.)	0	0	0	0	0	0	0	0	0	0	0	0	0

Percent of possible observations for period of record.
Max. Temp.: 99.1% Min. Temp.: 99.4% Precipitation: 100% Snowfall: 100% Snow Depth: 100%
Check Station Metadata or Metadata graphics for more detail about data completeness.
http://www.wrcc.dri.edu/summary/climsmsca.html

5.2 Appendix B: Wildlife species detected at the Ontario Development project site, 2020.

FAMILY/SPECIES NAME	COMMON NAME
AVES	**BIRDS**
ACCIPITRIDAE	**HAWKS, KITES, EAGLES AND ALLIES**
Buteo jamaicensis	Red-tailed Hawk
COLUMBIDAE	**PIGEONS AND DOVES**
Columba livia	Rock Pigeon
Streptopelia decaocto	Eurasian Collared-Dove
Zenaida macroura	Mourning Dove
TROCHILIDAE	**HUMMINGBIRDS**
Calypte anna	Anna's Hummingbird
TYRANNIDAE	**TYRANT FLYCATCHERS**
Sayornis nigricans	Black Phoebe
Sayornis saya	Say's Phoebe
Tyrannus verticalis	Western Kingbird
CORVIDAE	**JAYS AND CROWS**
Corvus brachyrhynchos	American Crow
Corvus corax	Common Raven
HIRUNDINIDAE	**SWALLOWS**
Hirundo rustica	Barn Swallow
AEGITHALIDAE	**BUSHTITS**
Psaltriparus minimus	Bushtit
MIMIDAE	**MOCKINGBIRDS AND THRASHERS**
Mimus polyglottos	Northern Mockingbird
STURNIDAE	**STARLINGS**
Sturnus vulgaris	European Starling
EMBERIZIDAE	**EMBERIZIDS**
Melospiza melodia	Song Sparrow
Zonotrichia leucophrys	White-crowned Sparrow
ICTERIDAE	**BLACKBIRDS**
Agelaius phoeniceus	Red-winged Blackbird
FRINGILLIDAE	**FRINGILLINE AND CARDUELINE FINCHES**
Haemorhous mexicanus	House Finch
PASSERIDAE	**OLD WORLD SPARROWS**
Passer domesticus	House Sparrow
MAMMALIA	**MAMMALS**
LEPORIDAE	**RABBITS & HARES**
Sylvilagus audubonii	Desert Cottontail
SCIURIDAE	**SQUIRRELS, CHIPMUNKS & MARMOTS**
Otospermophilus beecheyi	California Ground Squirrel
GEOMYIDAE	**POCKET GOPHERS**
Thomomys bottae	Botta’s Pocket Gopher
CANIDAE	**FOXES, WOLVES & RELATIVES**
Canis latrans	Coyote

Sources:

Invertebrates: Powell and Hogue (1979) and Hogue 1993.

Butterflies: NatureServe, http://www.natureserve.org/explorer/

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CULTURAL RESOURCES ASSESSMENT

The Hamner Avenue/Riverside Drive/Mill Creek Avenue Project
City of Ontario, San Bernardino County, California

Prepared for:

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Prepared by:

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Claremont, California 91711

Project No. APP2001

Data Base Information:
Type of Study: Reconnaissance
Resources Recorded: None
Keywords: Hamner Avenue, Riverside Drive
USGS Quadrangle: 7.5-minute *Guasti, California* (1981)

BCRCONSULTING LLC

April 20, 2020

MANAGEMENT SUMMARY

BCR Consulting LLC (BCR Consulting) is under contract to Applied Planning to complete a Cultural Resources Assessment of the proposed Hamner Avenue/Riverside Drive/Mill Creek Avenue Project (project) in the City of Ontario (City), San Bernardino County, California. The project occupies approximately 47 acres and is bounded by a vacant lot to the west, East Riverside Drive to the north, an asphalt paved lot to the south, and Hamner Avenue to the east. A cultural resources records search, additional research, intensive-level pedestrian field survey, and Sacred Lands File search with the Native American Heritage Commission (NAHC) were conducted for the project in partial fulfillment of the California Environmental Quality Act (CEQA).

The records search revealed that 35 previous cultural resources studies have taken place, and three cultural resources have been recorded within one mile of the project site. The project site has never previously been assessed for cultural resources, and no cultural resources have been previously identified within its boundaries.

During the field survey, BCR Consulting archaeologists did not identify any cultural resources, including prehistoric or historic archaeological sites or historic-period buildings, within the project boundaries. Buildings, structures, and facilities associated with the Sunshine Growers Wholesale Nursery do occupy a portion of the project site. Although San Bernardino County Assessor records and research through the City did not yield construction dates, aerial photographs indicate that the property was never developed or cultivated prior to 1977. Since the buildings are less than 45 years old they are not from the “historic period” and do not warrant further consideration under CEQA. Due to negative findings during the research and field survey, BCR Consulting recommends that no additional cultural resource work or monitoring is necessary for proposed project activities. However, if previously undocumented cultural resources are identified during earthmoving activities, a qualified archaeologist shall be contacted to assess the nature and significance of the find, diverting construction excavation if necessary.

If human remains are encountered during the undertaking, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

TABLE OF CONTENTS

MANAGEMENT SUMMARY ii

INTRODUCTION 1
REGULATORY SETTING 1

NATURAL SETTING 4

CULTURAL SETTING 5
PREHISTORIC CONTEXT 5
HISTORY 5

PERSONNEL 7

METHODS 8
RESEARCH 8
FIELD SURVEY 8

RESULTS 8
RESEARCH 8
FIELD SURVEY 9

RECOMMENDATIONS 9

REFERENCES 11

FIGURES

1: Project Location Map 2

TABLES

A: Cultural Resources and Reports Within One Mile of the Project Site 6

APPENDICES

A: PROJECT PHOTOGRAPHS
B: NATIVE AMERICAN HERITAGE COMMISSION CORRESPONDENCE
C: PALEONTOLOGICAL OVERVIEW

INTRODUCTION

BCR Consulting LLC (BCR Consulting) is under contract to Applied Planning to complete a Cultural Resources Assessment of the proposed Hamner Avenue/Riverside Drive/Mill Creek Avenue Project (project) in the City of Ontario (City), San Bernardino County, California. The project occupies approximately 47 acres and is bounded by a vacant lot to the west, East Riverside Drive to the north, an asphalt paved lot to the south, and Hamner Avenue to the east. A cultural resources records search, additional research, reconnaissance pedestrian field survey, and Sacred Lands File search with the Native American Heritage Commission (NAHC) were conducted for the project in partial fulfillment of the California Environmental Quality Act (CEQA). The project site is located in Section 12 of Township 2 South, Range 7 West, San Bernardino Baseline and Meridian. It is depicted on the United States Geological Survey (USGS) *Guasti, California* (1981) 7.5-minute topographic quadrangle (Figure 1).

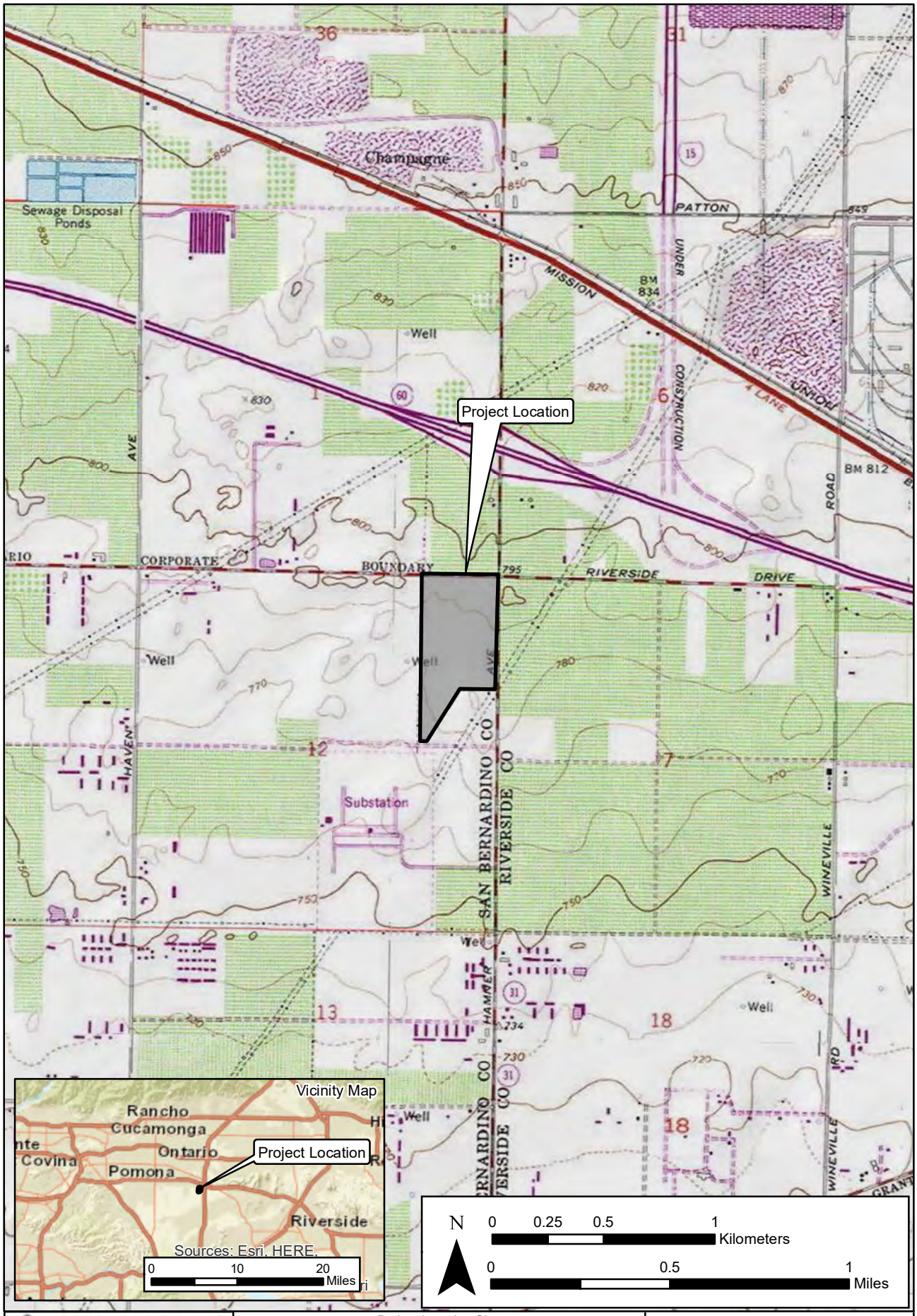
Regulatory Setting

The California Environmental Quality Act. CEQA applies to all discretionary projects undertaken or subject to approval by the state's public agencies (California Code of Regulations 14(3), § 15002(i)). Under CEQA, "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" (Cal. Code Regs. tit. 14(3), § 15064.5(b)). State CEQA Guidelines section 15064.5(a) defines a "historical resource" as a resource that meets one or more of the following criteria:

- Listed in, or eligible for listing in, the California Register of Historical Resources (California Register)
- Listed in a local register of historical resources (as defined at Cal. Public Res. Code § 5020.1(k))
- Identified as significant in a historical resource survey meeting the requirements of § 5024.1(g) of the Cal. Public Res. Code
- Determined to be a historical resource by a project's lead agency (Cal. Code Regs. tit. 14(3), § 15064.5(a))

A historical resource consists of "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…Generally, a resource shall be considered by the lead agency to be 'historically significant' if the resource meets the criteria for listing in the California Register of Historical Resources" (Cal. Code Regs. tit. 14(3), § 15064.5(a)(3)).

The significance of a historical resource is impaired when a project demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for the California Register. If an impact on a historical or archaeological resource is significant, CEQA requires feasible measures to minimize the impact (State CEQA Guidelines § 15126.4 (a)(1)). Mitigation of significant impacts must lessen or eliminate the physical impact that the project will have on the resource.



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Project Location Site
The Hamner Avenue/Riverside Drive/Mill Creek Avenue Project
Reference: ESRI; USGS Quad: Guasti, California (1981)

Figure 1

Applied Planning, Inc.

Section 5024.1 of the Cal. Public Res. Code established the California Register. Generally, a resource is considered by the lead agency to be "historically significant" if the resource meets the criteria for listing in the California Register (Cal. Code Regs. tit. 14(3), § 15064.5(a)(3)). The eligibility criteria for the California Register are similar to those of the National Register of Historic Places (National Register), and a resource that meets one of more of the eligibility criteria of the National Register will be eligible for the California Register.

The California Register program encourages public recognition and protection of resources of architectural, historical, archaeological, and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under CEQA. Criteria for Designation:

1. Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.
2. Associated with the lives of persons important to local, California or national history.
3. Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values.
4. Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation.

In addition to meeting one or more of the above criteria, the California Register requires that sufficient time has passed since a resource's period of significance to "obtain a scholarly perspective on the events or individuals associated with the resources." (CCR 4852 [d][2]). Fifty years is normally considered sufficient time for a potential historical resource, and in order that the evaluation remain valid for a minimum of five years after the date of this report, all resources older than 45 years (i.e. resources from the "historic-period") will be evaluated for California Register listing eligibility, or CEQA significance. The California Register also requires that a resource possess integrity. This is defined as the ability for the resource to convey its significance through seven aspects: location, setting, design, materials, workmanship, feeling, and association.

Tribal Cultural Resources. The Legislature added requirements regarding tribal cultural resources for CEQA in Assembly Bill 52 (AB 52) that took effect July 1, 2015. AB 52 requires consultation with California Native American tribes and consideration of tribal cultural resources in the CEQA process. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources. By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process. To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a Proposed Project. Since the City will initiate and carry out the required AB52 Native American Consultation, the results of the consultation are not provided in this report. However, this report may be used during the consultation process, and BCR Consulting staff are available to answer questions and address comments as necessary.

Paleontological Resources. CEQA provides guidance relative to significant impacts on paleontological resources, indicating that a project would have a significant impact on paleontological resources if it disturbs or destroys a unique paleontological resource or site or unique geologic feature. Section 5097.5 of the California Public Resources Code specifies that any unauthorized removal of paleontological remains is a misdemeanor. Further, California Penal Code Section 622.5 sets the penalties for damage or removal of paleontological resources. CEQA documentation prepared for projects would be required to analyze paleontological resources as a condition of the CEQA process to disclose potential impacts. Please note that as of January 2018 paleontological resources are considered in the geological rather than cultural category. Therefore, paleontological resources are not summarized in the body of this report. A paleontological overview completed by professional paleontologists from the Western Science Center is provided as Appendix C.

City of Ontario. The City has adopted the Ontario Development Code that establishes historic preservation activities and requirements. Properties may be designated at the local level as Historic Landmarks or Districts. Unless there is evidence for extraordinary importance, only properties over 50 years of age are eligible for inclusion. 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 if:

1. It meets the criteria for listing in the NRHP; or
2. it meets the criterion for listing in the CRHR; or
3. it meets one of more of the following criteria:
   A. It exemplifies or reflects special elements of the City's history;
   B. It is identified with persons or events significant in local, state, or national history;
   C. It is representative of the work of a notable builder, designer, architect, or artist;
   D. It embodies distinguishing characteristics of a style, type, period, or method of construction;
   E. It is noteworthy example of the use of indigenous materials or craftsmanship;
   F. It embodies elements that represent a significant structural, engineering, or architectural achievement or innovation;
   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; or
   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.
   I. It has yielded or is likely to yield information important to the City's history or prehistory.

Landmarks and Districts listed in the National Register or the California Register are automatically listed as City Historic Landmarks and Districts. A City Landmark and/or District must also possess integrity.

NATURAL SETTING

The project is located in the Pomona Valley, which is bounded on the west by the San Jose Hills, on the south by the Chino Hills, on the north by the foothills of the San Gabriel Mountains (USGS 1981), and on the east by La Sierra and the Jurupa Mountains. Local rainfall ranges

from 5 to 15 inches annually (Jaeger and Smith 1971:36-37). The area containing the project site exhibits a very gradual southerly slope, which lies on a flood plain that feeds the Santa Ana River approximately five miles to the south (USGS 1981). The native biology of the region is difficult to reconstruct due to weed abatement, development of a modern nursery, and municipal, and industrial impacts. However, the project site is situated in the Upper Sonoran Life Zone, which is locally present between approximately 500 and 5,000 feet AMSL. This zone typically comprises cismontane valleys and low mountain slopes dominated by mixed coastal sage scrub and chaparral vegetation communities (Williams 2008).

CULTURAL SETTING

Prehistoric Context

The project site is located within the traditional boundaries of the Gabrielino (Bean and Smith 1978; Kroeber 1925). The Gabrielino probably first encountered Europeans when Spanish explorers reached California's southern coast during the 15th and 16th centuries (Bean and Smith 1978; Kroeber 1925). The first documented encounter, however, occurred in 1769 when Gaspar de Portola's expedition crossed Gabrielino territory (Bean and Smith 1978). Other brief encounters took place over the years, and are documented in McCawley 1996 (citing numerous sources). The Gabrielino name has been attributed by association with the Spanish mission of San Gabriel, and refers to a subset of people sharing speech and customs with other Cupan speakers (such as the Juaneño/Luiseño/Ajachemem) from the greater Takic branch of the Uto-Aztecan language family (Bean and Smith 1978). Gabrielino villages occupied the watersheds of various rivers (locally including the Santa Ana) and intermittent streams. Chiefs were usually descended through the male line and often administered several villages. Gabrielino society was somewhat stratified and is thought to have contained three hierarchically ordered social classes which dictated ownership rights and social status and obligations (Bean and Smith 1978:540-546). Plants utilized for food were heavily relied upon and included acorn-producing oaks, as well as seed-producing grasses and sage. Animal protein was commonly derived from rabbits and deer in inland regions, while coastal populations supplemented their diets with fish, shellfish, and marine mammals (Boscana 1933, Heizer 1968, Johnston 1962, McCawley 1996). Dog, coyote, bear, tree squirrel, pigeon, dove, mud hen, eagle, buzzard, raven, lizards, frogs, and turtles were specifically not utilized as a food source (Kroeber 1925:652).

History

Historic-era California is generally divided into three periods: the Spanish or Mission Period (1769 to 1821), the Mexican or Rancho Period (1821 to 1848), and the American Period (1848 to present).

Spanish Period. The first European to pass through the area is thought to be a Spaniard called Father Francisco Garces. Having become familiar with the area, Garces acted as a guide to Juan Bautista de Anza, who had been commissioned to lead a group across the desert from a Spanish outpost in Arizona to set up quarters at the Mission San Gabriel in 1771 near what today is Pasadena (Beck and Haase 1974). Garces was followed by Alta California Governor Pedro Fages, who briefly explored the region in 1772. Searching for San Diego Presidio deserters, Fages had traveled through Riverside to San Bernardino, crossed over

the mountains into the Mojave Desert, and then journeyed westward to the San Joaquin Valley (Beck and Haase 1974).

Mexican Period. In 1821, Mexico overthrew Spanish rule and the missions began to decline. By 1833, the Mexican government passed the Secularization Act, and the missions, reorganized as parish churches, lost their vast land holdings, and released their neophytes (Beattie and Beattie 1974).

American Period. The American Period, 1848–Present, began with the Treaty of Guadalupe Hidalgo. In 1850, California was accepted into the Union of the United States primarily due to the population increase created by the Gold Rush of 1849. The cattle industry reached its greatest prosperity during the first years of the American Period. Mexican Period land grants had created large pastoral estates in California, and demand for beef during the Gold Rush led to a cattle boom that lasted from 1849–1855. However, beginning about 1855, the demand for beef began to decline due to imports of sheep from New Mexico and cattle from the Mississippi and Missouri Valleys. When the beef market collapsed, many California ranchers lost their ranchos through foreclosure. A series of disastrous floods in 1861–1862, followed by a significant drought further diminished the economic impact of local ranching. This decline combined with ubiquitous agricultural and real estate developments of the late 19th century, set the stage for diversified economic pursuits that continue to this day (Beattie and Beattie 1974; Cleland 1941).

Ontario. Ontario, California was founded as a township in September 1882 by George and William B. Chaffey, named after their home of Ontario, Canada. The brothers purchased 6,218 acres of land with water rights and set aside 640 acres for the community of Ontario. Half of the initial 640 acres was deeded to the Chaffey Agricultural College as an endowment. On December 10, 1891, Ontario was incorporated as a city under the California Constitution with a City Council-City Manager form of government. In 1903, Ontario was proclaimed a “Model Irrigation Colony” by an Act of Congress. Ontario had many modern innovations, many of which still show their value today. An impressive two-hundred feet wide and eight miles long, Euclid Avenue (on the National Register List of Historic Places) was the stately back-bone of the colony.

Provisions for an electric railway, water rights for each landowner, a local educational institution, electric lights, one of the first long distance telephone lines, and public access to water and transportation set a new standard for rural communities and irrigation practices and ensured the success of the Model Colony. Water originating from the nearby San Gabriel Mountains was readily available. In addition to accessible water, climate conditions in Ontario were similar to those in the Mediterranean with dry, hot summers and cool, moist winters as regular occurrences. Ontario first developed as an agricultural community, largely, but not exclusively, devoted to the citrus industry. In addition to oranges, the production of peaches, walnuts, lemons, olives and grapes were also important to the growth of Ontario and neighboring cities (City of Ontario; Galvin & Associates 2004:7).

In 1923, airplane enthusiasts Waldo Waterman and Archie Mitchell established Latimer Field. From that point on, Ontario became an aviation town. Urban growth pushed the fliers east until they took up their permanent residence located at the Ontario World Airport. During WWII, this

airport was a busy training facility for pilots. After WWII, construction boomed in Ontario as the city's growth more than doubled by the end of the 1950s. In 1954, four new schools were built, with land for three more being purchased. That same year, the Interstate 10 opened for public use, diminishing or altering commercial traffic through Ontario. The downtown area found competition in neighborhood shopping centers that featured large parking lots and national brand chain stores (Rounds 1999:125-126).

As the citrus industry declined, large tracts of orange groves gave way to new housing for settlers to the region. Following the 1960s and 1970s, the city's population had grown from 46,617 to 87,300 residents as Ontario expanded its boundaries eastward to encompass Guasti and the large tracts of vineyards beyond it (Rounds 1999:130). Ontario has become a diversified community with approximately 173,000 residents in 2015. Although the City boundaries have been extended from 0.38 square miles in 1891 to almost 50 square miles today, Ontario's Historic Downtown still retains the original subdivision pattern established by the Chaffey brothers (City of Ontario 2018).

The dry, arid climate made Ontario amenable to several agricultural products. While irrigation innovations brought abundant water to Ontario for its booming citrus industry, the cultivation of grape vineyards and wineries enjoyed similar success in the area. Secondo Guasti, an Italian immigrant who arrived in California in 1883, saw promise in the sandy sediment and subsurface water supply of the area south of Cucamonga and Ontario. Together with several other Italians, Guasti purchased 2,000 acres of land for $60,000 to establish the Italian Vineyard Company (The Ontario City Library 2017:74; Rounds 1999:88). Guasti township, an unincorporated community comprising 1,200 mostly Italian and Mexican immigrants who worked on the vineyards and wine-making processes, was concurrently established. Secondo Guasti funded the construction of a fire station, a school, markets and shops, a dairy and farms, rows of clapboard houses for workers, and much more to be utilized by the community. Guasti's winery operation was modern by contemporary standards, with grapes being mechanically crushed and transported by conveyors, pumps, and hoses. In 1908 a narrow-gauge railroad brought grapes to the crusher, and in 1909 a refrigeration plant was installed to control fermentation temperatures. At its peak, the Italian Vineyard Company was renowned as the largest vineyard in the world, comprising nearly 5,000 acres of vineyards (Hees 2015).

Vineyards and wineries persisted as a specialty of the area through the first half of the 1900s. Even during the years of Prohibition, the vineyards continued to produce grapes for sacramental wine or home winemaking. Over the course of the ensuing decades, the vineyard workforces diversified from Italian immigrant labor to include Mexicans, Asians, and African Americans. Secondo Guasti passed away in 1927, leaving the company to his son Secondo II before his death in 1934. The Italian Vineyard Company's winery site was sold to Garrett & Company in 1945, then to the Biane family in 1957 who operated Brookside Winery on-site until the 1980s (Ontario City Library 2017: 73, 75). The success of vineyards and their production in the first half of the twentieth century would not carry over to the latter half. At its peak in the 1940s, the region contained 60 wineries and over 45,000 acres of vineyards (Weeks 2008: 49). By the 1950s, profits for the region's sweet wine began to decline as national tastes began to favor dry table wines. New, more profitable wineries began springing up along California's northern coastal regions that were more favorable to drier varieties of wine (Rounds 1999:128).

PERSONNEL

David Brunzell, M.A., RPA acted as the Project Manager and Principal Investigator for the current study. Mr. Brunzell also compiled the technical report. BCR Consulting Archaeological Field Director, Joseph Orozco, M.A., RPA completed the cultural resources records searches through the South-Central Coastal Information Center (SCCIC) and the Eastern Information Center (EIC). BCR Consulting Staff Archaeologist Nicholas Shepetuk, B.A. completed the field survey. The paleontological overview (provided in Appendix C) was completed by Professional Paleontologist Darla Radford, Collections Manager for the Western Science Center.

METHODS

Research

Records Search. On October 15, 2019 (prior to the field survey) a records search was conducted at the South-Central Coastal Information Center (SCCIC) at California State University, Fullerton and at the Eastern Information Center (EIC) at the University of California, Riverside. This archival research was performed for The Toscana Square Project, located adjacent to the current project. Since the research was completed recently and comprised the same research radius, a new records search was not deemed necessary. Use of the previous records search results has been approved by Diane Ayala, Senior Planner for the City. This archival research reviewed the status of all recorded historic and prehistoric cultural resources, and survey and excavation reports completed within one mile of the project site. Additional resources reviewed included the National Register of Historic Places (National Register), the California Register of Historical Resources (California Register), and documents and inventories published by the California Office of Historic Preservation. These include the lists of California Historical Landmarks, California Points of Historical Interest, Listing of National Register Properties, and the Inventory of Historic Structures.

Field Survey

A reconnaissance-level cultural resources field survey of the project site was conducted on April 16, 2020. The survey was conducted by walking parallel transects spaced approximately 15 meters apart across the accessible project site. Soil exposures were carefully examined for evidence of cultural resources Digital photographs were taken at various points within the project site. A hand-held global positioning system (GPS) unit was available for mapping purposes, and detailed notes were taken to record field conditions and any discoveries.

RESULTS

Research

Data from the SCCIC and the EIC revealed that 35 previous cultural resource studies have taken place, and three cultural resources have been recorded within one mile of the project site. The project site has never previously been assessed for cultural resources, and no cultural resources have been previously identified within its boundaries. The records search is summarized as follows:

Table A. Cultural Resources and Reports Within One Mile of the Project Site

USGS 7.5 Min Quad	Cultural Resources Within 1 Mile of Project Site	Studies W/in 1 Mile
Guasti (1981)	P-36-12621: Hist.-Period Residence (3/4 Mile W) P-36-25440-Hist.-Period Transmission Line (1 Mile S) P-36-26051-Hist.-Period Transmission Line (1 Mile S)	RI-117, 4172, 4596, 4617, 6115, 6299, 6915, 8536, 9005, 9119, 9482, 10205; SB-106-613, 655, 1029, 1499, 2162, 3573, 4134, 4175, 4379, 4676, 4677, 5290, 5477, 5482, 5810, 5976, 6095, 6513, 7655, 7756, 6818, 6787, 6818

Limited additional land-use research was performed to help characterize potential for the project site to contain any historic-period resources. Aerial photos show that buildings, structures, and facilities associated with the Sunshine Growers Wholesale Nursery occupy a portion of the project site. Although San Bernardino County Assessor records and research through the City did not yield construction dates, aerial photographs indicate that the property was not subject to any improvements from prior to 1948 until at least 1977 (see University of California Santa Barbara 2019). According to its website, Sunshine Growers is a group of three wholesale nurseries that sell plant material to the public (Sunshine Growers Nursery 2020). Since the buildings are less than 45 years old they are not from the “historic period” and do not warrant further consideration under CEQA, or as a City landmark or District. Research has not yielded any existing evidence for historic or prehistoric resources located within the project site boundaries.

Field Survey

During the field survey Nicholas Shepetuk carefully inspected the project site, and identified no cultural resources within its boundaries. Surface visibility was approximately 80 percent within the project site. Ground disturbances were severe and resulted from a variety of natural and artificial factors, including pavement and modular buildings and greenhouse construction associated with recent operation of a modern nursery, mechanical weed abatement, surface erosion, and adjacent road and residential construction. No historic-period or prehistoric cultural resources of any kind were identified within the project site boundaries. Although research indicated an operating nursery within the project site boundaries, the business has been abandoned.

RECOMMENDATIONS

During the field survey, BCR Consulting archaeologists did not identify any cultural resources, including prehistoric or historic archaeological sites or historic-period buildings, within the project boundaries. Buildings, structures, and facilities associated with the Sunshine Growers Wholesale Nursery do occupy a portion of the project site. Although San Bernardino County Assessor records and research through the City did not yield construction dates, aerial photographs indicate that the property was never developed or cultivated prior to 1977. Since the buildings are less than 45 years old they are not from the “historic period” and do not warrant further consideration under CEQA. Due to negative findings during the research and field survey, BCR Consulting recommends that no additional cultural resource work or monitoring is necessary for proposed project activities. However, if previously undocumented cultural resources are identified during earthmoving activities, a qualified archaeologist shall

be contacted to assess the nature and significance of the find, diverting construction excavation if necessary.

If human remains are encountered during the undertaking, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

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APPENDIX A

PROJECT PHOTOGRAPHS



Photo 1: Project Site Overview (View NW)



Photo 2: Project Site Overview (View West)



Photo 3: Modern Greenhouses from Former Nursery



Photo 4: Modern Greenhouse (abandoned) Overview

APPENDIX B

NATIVE AMERICAN HERITAGE COMMISSION CORRESPONDENCE

NATIVE AMERICAN HERITAGE COMMISSION

CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

SECRETARY
Merri Lopez-Keifer
Luiseño

PARLIAMENTARIAN
Russell Attebery
Karuk

COMMISSIONER
Marshall McKay
Wintun

COMMISSIONER
William Mungary
Paiute/White Mountain Apache

COMMISSIONER
Joseph Myers
Pomo

COMMISSIONER
Julie Tumamait-Stenslie
Chumash

COMMISSIONER
[Vacant]

EXECUTIVE SECRETARY
Christina Snider
Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

March 26, 2020

Nicholas Shepetuk
BCR Consulting LLC

Via Email to: nickshepetuk@gmail.com

Re: Native American Tribal Consultation, Pursuant to the Assembly Bill 52 (AB 52), Amendments to the California Environmental Quality Act (CEQA) (Chapter 532, Statutes of 2014), Public Resources Code Sections 5097.94 (m), 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3, Hammer Avenue/Riverside Drive/Mill Creek Avenue Project, San Bernardino County

Dear Mr. Shepetuk:

Pursuant to Public Resources Code section 21080.3.1 (c), attached is a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the above-listed project. Please note that the intent of the AB 52 amendments to CEQA is to avoid and/or mitigate impacts to tribal cultural resources, (Pub. Resources Code §21084.3 (a)) ("Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.")

Public Resources Code sections 21080.3.1 and 21084.3(c) require CEQA lead agencies to consult with California Native American tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes on projects for which a Notice of Preparation or Notice of Negative Declaration or Mitigated Negative Declaration has been filed on or after July 1, 2015. Specifically, Public Resources Code section 21080.3.1 (d) provides:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The AB 52 amendments to CEQA law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction prior to receiving requests for notification of projects in the tribe's areas of traditional and cultural affiliation. The Native American Heritage Commission (NAHC) recommends, but does not require, early consultation as a best practice to ensure that lead agencies receive sufficient information about cultural resources in a project area to avoid damaging effects to tribal cultural resources.

The NAHC also recommends, but does not require that agencies should also include with their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:

- A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE, such as known archaeological sites;
- Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
- Whether the records search indicates a low, moderate, or high probability that unrecorded cultural resources are located in the APE; and
- If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

2. The results of any archaeological inventory survey that was conducted, including:

   - Any report that may contain site forms, site significance, and suggested mitigation measures.

     All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code section 6254.10.

3. The result of any Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was negative.

4. Any ethnographic studies conducted for any area including all or part of the APE; and

5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Andrew.Green@nahc.ca.gov.

Sincerely,

Andrew Green

Andrew Green
Cultural Resources Analyst

Attachment

Native American Heritage Commission
Tribal Consultation List
San Bernardino County
3/26/2020

Agua Caliente Band of Cahuilla Indians
Jeff Grubbe, Chairperson
5401 Dinah Shore Drive — Cahuilla
Palm Springs, CA, 92264
Phone: (760) 699 - 6800
Fax: (760) 699-6919

Gabrieleno Band of Mission Indians - Kizh Nation
Andrew Salas, Chairperson
P.O. Box 393 — Gabrieleno
Covina, CA, 91723
Phone: (626) 926 - 4131
admin@gabrielenoindians.org

Gabrieleno/Tongva San Gabriel Band of Mission Indians
Anthony Morales, Chairperson
P.O. Box 693 — Gabrieleno
San Gabriel, CA, 91778
Phone: (626) 483 - 3564
Fax: (626) 286-1262
GTTribalcouncil@aol.com

Gabrielino /Tongva Nation
Sandonne Goad, Chairperson
106 1/2 Judge John Aiso St., #231 — Gabrielino
Los Angeles, CA, 90012
Phone: (951) 807 - 0479
sgoad@gabrielino-tongva.com

Gabrielino Tongva Indians of California Tribal Council
Robert Dorame, Chairperson
P.O. Box 490 — Gabrielino
Bellflower, CA, 90707
Phone: (562) 761 - 6417
Fax: (562) 761-6417
gtongva@gmail.com

Gabrielino-Tongva Tribe
Charles Alvarez,
23454 Vanowen Street — Gabrielino
West Hills, CA, 91307
Phone: (310) 403 - 6048
roadkingcharles@aol.com

Quechan Tribe of the Fort Yuma Reservation
Jill McCormick, Historic Preservation Officer
P.O. Box 1899 — Quechan
Yuma, AZ, 85366
Phone: (760) 572 - 2423
historicpreservation@quechantribe.com

San Fernando Band of Mission Indians
Donna Yocum, Chairperson
P.O. Box 221838 — Kitanemuk
Newhall, CA, 91322 — Vanyume
Phone: (503) 539 - 0933 — Tataviam
Fax: (503) 574-3308
ddyocum@comcast.net

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and section 5097.98 of the Public Resources Code.

This list is only applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed Hammer Avenue/Riverside Drive/Mill Creek Avenue Project, San Bernardino County.

APPENDIX C

PALEONTOLOGICAL OVERVIEW

WESTERN SCIENCE CENTER

BCR Consulting LLC
Nicholas Shepetuk
505 West 8th Street
Claremont, CA 91711

March 26, 2020

Dear Mr. Shepetuk,

This letter presents the results of a record search conducted for the Hamner Avenue/Riverside Drive/Mill Creek Avenue Project in the city of Ontario, San Bernardino County, California. The project site is located south of Riverside Drive and west of Hamner Avenue in Township 2 South, Range 7 West, Section 12 on the Guasti, CA USGS 7.5 minute quadrangle.

The geologic units underlying this project are mapped entirely as young eolian deposits dating from the Late Pleistocene to Holocene period (Morton & Miller, 2006). Pleistocene eolian units are considered to be of high paleontological sensitivity. The Western Science Center does not have localities within the project area or within a 1 mile radius, but does have a fossil locality associated with the Vanderham Project within 2 miles that presented paleontological finds within similar alluvial mapped units. Fossils recovered from this project include cuneiform, magnum, trapezoid, unciform, carpal, phalanx, metacarpal, ulna-radius, tibia, and ilial crest elements associated with the large Pleistocene herbivore, *Camelops sp*.

Any fossils recovered from the project area would be scientifically significant. Excavation activity associated with development of the project area would impact the paleontologically sensitive Late Pleistocene units and it is the recommendation of the Western Science Center that a paleontological resource mitigation program be put in place to monitor, salvage, and curate any recovered fossils associated with the current study area.

If you have any questions, or would like further information about the Vanderham Project, please feel free to contact me at dradford@westerncentermuseum.org

Sincerely,

Darla Radford
Collections Manager


Hamner Ave/Riverside Dr/Mill Creek Ave Project
Project area, one mile radius, geologic mapping, and any WSC fossil localities.
Legend
Project area and one mile radius
Qye: Young eolian deposits (Late Pleistocene to Holocene)
WSC 209
E Philadelphia St
E Mission Blvd
CYA Counselor Ineasie M. Baker Memorial Fwy
Milliken Ave
Country Village Rd
Riverside Dr
60
S Turner Ave
E Chino Ave
Van Buren Blvd
Harrel St
Wineville Ave
Hamner Ave
Haven Ave
S Archibald Ave
WSC 209
15
Etiwanda Ave
Bellegrave Ave
Edison Ave
Google Earth
©2020 Google
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GEOTECHNICAL PROFESSIONALS INC

PRELIMINARY GEOTECHNICAL INVESTIGATION
PROPOSED INDUSTRIAL BUILDING DEVELOPMENT
SWC HAMNER AVENUE AND E. RIVERSIDE DRIVE
ONTARIO, CALIFORNIA

Prepared for:
CHI/Acquisitions CA, L.P.
527 W. 7th Street, Suite 308
Los Angeles, California 90014

Prepared by:
Geotechnical Professionals Inc.
5736 Corporate Avenue
Cypress, California 90630
(714) 220-2211

Project No. 2857.I

January 31, 2018

GPI GEOTECHNICAL PROFESSIONALS INC

January 31, 2018

CHI/Acquisitions CA, L.P.
527 W. 7th Street, Suite 308
Los Angeles, California 90014

Attention: Mr. Jared J. Reimer

Subject: Report of Preliminary Geotechnical Investigation
Proposed Industrial Building Development
SWC Hamner Avenue and E. Riverside Drive
Ontario, California
GPI Project No. 2857.I

Dear Mr. Reimer:

Transmitted herewith is one copy of our preliminary geotechnical investigation report for the subject project. The remaining copies of the report have been distributed to the project team as shown below. The report presents our planning-level evaluation of the foundation conditions at the site and preliminary recommendations for design and construction. A comprehensive geotechnical investigation with additional subsurface explorations and lab testing will be required for the project design.

We appreciate the opportunity of offering our services on this project and look forward to seeing the project through its successful completion. Feel free to call us if you have questions regarding our report or need further assistance.

Very truly yours,
Geotechnical Professionals Inc.

Paul R. Schade, G.E.
Principal

PRS:sph

cc: (1) Addressee

5736 Corporate Avenue • Cypress, CA 90630 • (714) 220-2211 • FAX (714) 220-2122

TABLE OF CONTENTS

	PAGE
1.0 INTRODUCTION	1
1.1 GENERAL	1
1.2 PROJECT DESCRIPTION	1
1.3 PURPOSE OF INVESTIGATION	2
2.0 SCOPE OF WORK	3
3.0 SITE CONDITIONS	4
3.1 SURFACE CONDITIONS	4
3.2 SUBSURFACE SOIL CONDITIONS	4
3.3 GROUNDWATER AND CAVING	5
4.0 CONCLUSIONS AND RECOMMENDATIONS	6
4.1 OVERVIEW	6
4.2 SEISMIC DESIGN	7
4.2.1 General	7
4.2.2 Strong Ground Motion Potential	7
4.2.3 Potential for Ground Rupture	7
4.2.4 Liquefaction and Seismic Settlement	7
4.3 EARTHWORK	8
4.3.1 Clearing	8
4.3.2 Excavations	9
4.3.3 Subgrade Preparation	10
4.3.4 Material for Fill	10
4.3.5 Placement and Compaction of Fills	11
4.3.6 Shrinkage and Subsidence	11
4.3.7 Trench/Wall Backfill	11
4.3.8 Observation and Testing	12
4.4 FOUNDATIONS	12
4.4.1 Foundation Type	12
4.4.2 Allowable Bearing Pressures	12
4.4.3 Minimum Footing Width and Embedment	13
4.4.4 Estimated Settlements	13
4.4.5 Lateral Load Resistance	13
4.4.6 Foundation Inspection	13
4.4.7 Foundation Concrete	14
4.5 CONCRETE SLABS	14
4.6 RETAINING STRUCTURES	15
4.7 PAVEMENTS	16
4.8 CORROSION	17
4.9 DRAINAGE	17
4.10 SURFACE INFILTRATION	17
4.11 GEOTECHNICAL OBSERVATION AND TESTING	18
5.0 LIMITATIONS	19

REFERENCES

APPENDICES
- A EXPLORATORY BORINGS
- B LABORATORY TESTS

LIST OF FIGURES

FIGURE NO.

1	Site Location Map
2	Site Plan

APPENDIX A

A-1 to A-5	Logs of Exploratory Borings

APPENDIX B

B-1	Direct Shear Test Results
B-2 and B-3	Consolidation Test Results
Table 1	Corrosivity Test Results

1.0 INTRODUCTION

1.1 GENERAL

This report presents the results of a preliminary geotechnical investigation performed by Geotechnical Professionals Inc. (GPI) for the proposed industrial building development at the subject site in Ontario, California. The site location is shown on the Site Location Map, Figure 1.

The project is in a relatively early stage of planning and design. As such, details regarding the project are still being developed, and some of the geotechnical recommendations presented in this report are necessarily preliminary as they are based on limited subsurface data.

This initial investigation was limited to the roughly 30-acre open area at the southwest corner of E. Riverside Drive and Hamner Avenue. Additional explorations and lab testing, as well as structural loads and details, will be required for the comprehensive geotechnical investigation.

1.2 PROJECT DESCRIPTION

The proposed project will consist of an industrial building development on a 30+ acre site. Although building details are limited, we assume the building(s) will be one story, of tilt-up concrete construction, and have a floor slab on-grade. An early stage conceptual site plan provided by the Project Architect indicates the development may consist of three buildings with the following approximate footprints:

- Building 1: 381,270 square feet (15.7 acres)
- Building 2: 129,040 square feet (7.1 acres)
- Building 3: 170,080 square feet (7.9 acres)

Column and wall loads are not available at this preliminary stage, but we anticipate the maximum loads will be up to 100 kips and 8 kips per lineal foot, respectively. We understand the proposed development will also include truck docks and loading areas, additional pavements, site walls, and landscaping. The conceptual site configuration is shown on the Site Plan, Figure 2.

Based on information provided by the Project Civil Engineer, we understand a storm water infiltration system such as StormTrap (precast concrete) is also being considered. Although proposed depths of infiltration were not set at the time of our investigation, we selected potential infiltration depths of 5, 10, and 15 feet below existing grades when performing our field infiltration tests, based on our discussions.

Our preliminary recommendations are based upon preliminary structural and finish grade information.

1.3 PURPOSE OF INVESTIGATION

The primary purpose of this investigation and report is to provide a planning-level evaluation of the existing geotechnical conditions at the site as they relate to the design and construction of the proposed development.

2.0 SCOPE OF WORK

Our scope of work included a limited field investigation, laboratory testing, field infiltration testing, foundation analyses, and preparation of this preliminary report.

Our field investigation consisted of five exploratory borings and three infiltration wells. The borings were drilled to depths of 15 to 51 feet below existing grades. The infiltration wells were installed to depths of 5 to 15 feet below existing grades. Descriptions of the field procedures and logs of the borings are presented in Appendix A.

Our limited laboratory testing program included determinations of in-place moisture content and dry density, shear strength, fines content, consolidation, and corrosivity. Laboratory test procedures and results are presented in Appendix B.

Soil corrosivity testing was performed by HDR under subcontract to GPI. Their test results are presented at the end of Appendix B.

Limited engineering evaluations were performed to provide preliminary earthwork criteria and foundation, slab, retaining wall, and pavement design parameters. The results of our evaluations are presented in the remainder of the report.

3.0 SITE CONDITIONS

3.1 SURFACE CONDITIONS

The site covered by this report is approximately 30 acres in size and bounded by E. Riverside Drive to the north, Hamner Avenue to the east, an existing nursery to the south, and residences and other undeveloped properties to the west. The site is undeveloped and currently covered with light vegetation. Also present on the site are approximately 25 small stockpiles likely generated from off-site sources. We noted that a few stockpiles consisted of soils including clays, sands, and varying amounts of gravel. The remaining stockpiles included concrete, brick, metal, and plastic debris. The stockpiles are predominantly located along Hamner Avenue.

The topography of the site and the surrounding area is relatively flat, with less than a 1 percent downgrade to the south. Ground surface elevations across the site vary from about +786 feet in the north to +774 feet in the south.

In reviewing historical aerial photos (historicaerials.com), the site appears to have remained undeveloped since 1938, the earliest photo available. USGS topographic maps dating back to 1897 do not appear to indicate the presence of site development.

It is also our understanding that the property to the south of the undeveloped area may be included as part of the overall development in the future. The southern property is also approximately 30 acres in size, with a working nursery occupying the northern and western portions of the property. Ground surface elevations across this property range from about +774 feet in the north to +762 feet in the south. Based on aerial photographs, the nursery appears to have been in place since at least 1994. This portion of the site was not evaluated as part of this preliminary geotechnical investigation.

3.2 SUBSURFACE SOIL CONDITIONS

Our limited field investigation disclosed a subsurface profile consisting of undocumented fill soils and disturbed topsoil overlying natural soils. Detailed descriptions of the conditions encountered are shown on the Logs of Borings in Appendix A. Additional explorations will be required for the design-level geotechnical investigation report.

The shallow undocumented fills and disturbed topsoils were encountered to depths of 1 to 2 feet below existing grades. The fill soils consisted predominantly of slightly moist to moist silty sands, with minor amounts of concrete and brick debris encountered in boring B-2, located at the northeast corner of the site.

The natural soils generally consisted of loose to medium dense silty sands overlying firm to stiff silts and sandy silts. The silty sands were predominantly encountered within the upper 5 to 10 feet, with lesser amounts encountered at depth. The sandy soils were generally dry to moist while the silts were slightly moist to very moist. Trace amounts of gravel were encountered throughout the soil profile.

The natural materials exhibit low to moderate strength and moderate compressibility

characteristics. Although not tested, the upper soils are anticipated to have a very low expansion potential.

3.3 GROUNDWATER AND CAVING

Groundwater was not encountered within the 51-foot depth explored. Published data by the State on historical groundwater levels does not extend to the subject site. Based on the California Department of Water Resources *Water Data Library* (CADWR, 2018), there are two active groundwater monitoring wells within approximately 2 miles of the subject site. Data from Well Chino-1208387, located approximately 650 feet west of the site, indicated a shallowest depth to groundwater of 192 feet since January 2001 (the earliest date available). This depth reading corresponds to an approximate elevation of +602 feet and was taken in July of 2008. Data from Well Chino-1003469, located roughly 2 miles to the east of the site, indicated a shallowest depth to groundwater of approximately 207 feet since January 2001. This depth reading corresponds to an approximate elevation of +604 feet and was taken in November of 2008.

Based on the above groundwater measurements and the prevailing ground surface elevations at the site (approximately +786 feet to +774 feet), the shallowest groundwater depth within the limits of the proposed development is most likely deeper than 175 feet below the existing ground surface.

Because the drilling was performed with relatively small diameter hollow-stem auger drilling equipment, a detailed description of the caving was not obtained. However, based on the fines and moisture contents of the soils encountered, the caving potential of the upper soils is considered to be moderate to high.

4.0 CONCLUSIONS AND RECOMMENDATIONS

4.1 OVERVIEW

Based on the results of our planning-level investigation, it is our opinion that from a geotechnical viewpoint it is feasible to develop the site as proposed, provided the geotechnical constraints discussed below are mitigated. Based on our limited evaluation, the most significant geotechnical issues that will affect the design and construction of the proposed building are as follows:

- The undocumented fill and upper disturbed natural soils are not considered to be suitable for uniform support of new foundations or floor slabs. We recommend the existing fill and upper natural soils be removed and replaced as properly compacted fill. The existing soils are generally considered to be suitable for reuse as properly compacted fill. Details are presented in the "Earthwork" section of this report.

- There are approximately 25 small to medium sized stockpiles located onsite along Hamner Avenue. A few stockpiles contain soils consisting of clays and sands with varying amounts of gravel. The remaining stockpiles consist of concrete, brick, metal, and plastic debris. The stockpile materials were likely generated from offsite sources. We do not consider these materials suitable for use as compacted fill.

- Current moisture contents of the upper soils are generally slightly moist to moist and likely near or below the optimum moisture content. Moisture conditions (wetting) will likely be required during subgrade processing and placement and compaction of fill.

- The upper on-site soils are predominantly dry to slightly moist, loose to medium dense silty sands. As such, the soils are considered to be susceptible to caving in open cuts and excavations. Care should be taken to maintain support of the soils and structures left in-place adjacent to planned excavations.

- Due to the presence of loose to medium dense sands and silty sands and high peak ground acceleration, we computed potential total dry seismic settlements of ¼- to ½-inch and differential seismic settlement of less than ¼-inch over a span of 60 feet. These settlements are based on values obtained using the 2016 California Building Code (CBC) and should be considered in addition to the static settlement when evaluating the design of the proposed structures.

- Although not tested, the upper onsite soils (silty sands and sandy silts) are anticipated to have a low potential for expansion. Expansion index testing will be performed as part of our comprehensive geotechnical investigation.

- Corrosivity testing performed by HDR on a sample from our borings indicates a negligible level of soluble sulfate content with respect to concrete (category S0). The soils are considered to be moderately corrosive to corrosive to buried ferrous metals. Testing also indicates negligible levels of chloride by most standards (i.e. Caltrans). However, as the footings will be exposed to moisture in the adjacent soil, we recommend an exposure category of C1 per ACI 318.

Our preliminary recommendations related to the geotechnical aspects of the development of the site are presented in the subsequent sections of this report.

4.2 SEISMIC DESIGN

4.2.1 General

The site is located in a seismically active area of Southern California and is likely to be subjected to strong ground shaking due to earthquakes on nearby faults.

We assume the seismic design of the proposed development will be in accordance with the California Building Code, 2016 edition. For the 2016 CBC, a Soil Class D may be used. The seismic code values can be obtained directly from the tables in the building code using the above value and appropriate United States Geological Survey web site. The Project Structural Engineer should determine the seismic design method. A summary of the seismic code parameters are presented below:

Site Class D	PGA_M: 0.500 g
S_{MS} : 1.500 g	S_{M1} : 0.900 g
S_{DS} : 1.000 g	S_{D1} : 0.600 g

4.2.2 Strong Ground Motion Potential

Based on published information (USGS, 2008), the site is within 8.7 and 10.3 miles of the active (based on fault displacement within last 11,700 years) Chino and Cucamonga faults, respectively. During the life of the project, the site will likely be subject to moderate to strong ground motions due to earthquakes on nearby faults. The structural design of the facility will need to incorporate measures to mitigate the effects of strong ground motion.

4.2.3 Potential for Ground Rupture

There are no known active faults crossing or projecting through the site. The site is not located in an Alquist-Priolo Earthquake Fault Zone. Therefore, ground rupture at this site due to faulting is considered unlikely.

4.2.4 Liquefaction and Seismic Settlement

Soil liquefaction is a phenomenon in which saturated cohesionless soils undergo a temporary loss of strength during severe ground shaking and acquire a degree of mobility sufficient to permit ground deformation. In extreme cases, the soil particles can become suspended in groundwater, resulting in the soil deposit becoming mobile and fluid-like.

Liquefaction is generally considered to occur primarily in loose to medium dense deposits of saturated soils. Thus, three conditions are required for liquefaction to occur: (1) a cohesionless soil of loose to medium density; (2) a saturated condition; and (3) rapid large strain, cyclic loading, normally provided by earthquake motions.

The site is not located within a zone identified as having a potential for liquefaction by the State, as the quadrangle has not yet been assessed. The site is located in a zone identified as having a moderate potential for liquefaction by the City (City of Ontario, 2011). As noted previously, groundwater was not encountered within the 51-foot depth recently explored. Historical measurements in nearby wells, dating back to 2001, indicated shallowest depths to groundwater of roughly 175 feet below existing grades. Due to the excessive depth to groundwater, soil liquefaction is not likely to occur at this site.

Seismic ground subsidence, not related to liquefaction, occurs when loose, granular soils above the groundwater are densified during strong earthquake shaking. The 2016 California Building Code (CBC) and ASCE 7-10 (ASCE, 2010) require that the ground motion used to evaluate liquefaction and seismic settlement be based on the Peak Ground Acceleration (PGA_M) adjusted for site class effects. This value is computed using the mapped Maximum Considered Geometric Mean (MCE_G) peak ground acceleration for Site Class B and a site coefficient, F_{PGA}. Accordingly, we considered a ground acceleration of 0.50g for a magnitude 6.9 earthquake (mean deaggregated). Based on our analyses, we estimate a potential dry seismic settlement of ¼- to ½-inch. The differential seismic settlement is estimated to be less than ¼-inch across a span of 60 feet.

4.3 EARTHWORK

The earthwork for the planned improvements is anticipated to consist of clearing and excavation of undocumented fill and upper natural soils, subgrade preparation, and the placement and compaction of fill.

4.3.1 Clearing

Prior to grading, performing excavations or constructing the proposed improvements, the areas to be developed should be stripped of vegetation and cleared of debris and pavements. Buried obstructions, such as footings, abandoned utilities, and tree roots should be removed from areas to be developed. Deleterious material generated during the clearing operation should be removed from the site. Existing vegetation should not be mixed into the soils.

If cesspools or septic systems are encountered during grading, they should be removed in their entirety. The resulting excavation should be backfilled with properly compacted fill soils. As an alternative, cesspools can be backfilled with lean sand-cement slurry. At the conclusion of the clearing operations, a representative of GPI should observe and accept the site prior to further grading.

As noted previously, approximately 25 medium sized stockpiles are located onsite along Hamner Avenue. The stockpiles are highly variable, with some consisting of clays, sands, and gravels and the remaining consisting of concrete, brick, metal, and plastic debris. The materials were likely generated from offsite sources. These materials are not considered to

be suitable for use onsite as compacted fill and should be removed during the clearing process.

4.3.2 Excavations

Excavations at this site will include removals of undocumented fill and disturbed low-density natural soils, footing excavations, and trenching for proposed utility lines.

Prior to placement of fills or construction of the building or site walls, the existing fill and a portion of the upper natural soils within the proposed building pad and wall areas should be removed and replaced as properly compacted fill. For planning purposes, removals for the building pad should extend to a depth of 6 feet below existing grades or 3 feet below the base of foundations, whichever is deeper. Removals below the site walls or other minor structures should extend to depths of 4 feet below existing grades or 2 feet below the base of foundations, whichever is deeper. For pavement subgrade, removals should extend to at least 1-foot below existing or finished grades, whichever is deeper. The depth of anticipated removals should be further refined when the additional explorations are performed for the design-level investigation.

The actual depths of removals should be determined in the field during grading by GPI. The soils exposed at the base of the overexcavation should be processed in place as described in the "Subgrade Preparation" section of this report.

The Project Surveyor should accurately stake the corners of the areas to be overexcavated in the field. Where space is available, the base of the excavations should extend laterally at least 5 feet beyond the building line or edge of foundations, or a minimum distance equal to the depth of overexcavation/compaction below finish grade (i.e., a 1:1 projection below the top outside edge of footings), whichever is greater. Building lines include the footprint of the building and other foundation supported improvements, such as canopies and attached site walls.

Excavation of the soils at the site should be readily achieved using conventional methods. The contractor should determine the best method for removal based on the subsurface conditions outlined herein.

Where not removed by the aforementioned excavations, existing utility trench backfill should be removed and replaced as properly compacted fill within the building pad. For planning purposes, removals over the utilities should extend to within 1-foot of the top of the pipe. For utilities that are 5 feet or shallower, the removal should extend laterally 1-foot beyond both sides of the pipe. For deeper utilities, the removals should include a zone defined by a 1:1 projection upward (and away from the pipe) from each side of the pipe. The actual limits of removal will be confirmed in the field. We recommend that known utilities be shown on the grading plan. Wet utilities left in-place outside building areas should be capped to reduce the potential for water to infiltrate into the building pad.

The dry to slightly moist sandy soils at the site are expected to have a moderate to severe caving potential when exposed in open cuts. Temporary construction excavations may be made vertically into the undisturbed natural soils without shoring to a depth of 3 feet below adjacent grade (up to 4 feet in properly compacted fills). For cuts up to 10 feet deep, the

slopes should be properly shored or sloped back to at least 1:1 or flatter. For deeper cuts up to 20 feet, the slopes should be properly shored or sloped back to at least 1½:1 (horizontal to vertical) or flatter. The allowable slope inclinations are measured from the toe to the top of the cut. Even at these inclinations, some raveling should be anticipated. The exposed slope face should be kept moist (but not saturated) during construction to reduce local sloughing. Surcharge loads should not be permitted within a horizontal distance equal to the height of cut from the top of the excavation or 5 feet from the top of the slopes, whichever is greater, unless the cut is properly shored. Excavations that extend below an imaginary plane inclined at 45 degrees below the edge of adjacent existing site facilities should be properly shored to maintain support of adjacent elements. Excavations and shoring systems should meet the minimum requirements given in the State of California Occupational Safety and Health Standards.

Deeper removals along property lines and adjacent to existing improvements will require shoring or slot cuts. Recommendations for shoring are provided in the "Retaining Structures" section of the report. Removals that will undermine existing structures or pavements may utilize "ABC" slot cuts to depths not greater than 8 feet. The slots should not be wider than 5 feet and should be backfilled to finished grade prior to excavation of the adjacent slots. A test slot should be performed prior to production slots to confirm the stability of the planned cuts. We should be provided with the details of planned slot cuts for review prior to execution.

4.3.3 Subgrade Preparation

After the recommended cuts and removals are performed and prior to placing fills or construction of the proposed improvements, the subgrade soils should be scarified to a depth of 12 inches, moisture conditioned, and compacted to at least 90 percent of the maximum dry density, determined in accordance with ASTM D1557. In areas to be paved outside of the structure footprints, the exposed subgrade should be scarified, moisture-conditioned, and compacted to at least 95 percent of the maximum dry density.

4.3.4 Material for Fill

In general, the on-site soils are suitable for use as compacted fill, with the exception of the silts and sandy silts that should not be used as retaining wall backfill. If clays are encountered during grading, they should not be placed within 2 feet of the finished subgrade in floor slab areas or used as retaining wall backfill. Although not encountered in our small diameter borings, oversized materials greater than 6 inches in diameter are not considered suitable for use as compacted fill. In addition, fills placed within 3 feet of the finished building pad subgrade should not contain particles greater than 3 inches in diameter.

The materials present in the existing onsite stockpiles are not considered to be suitable for use as compacted fill and should be removed from the site during clearing.

Imported fill material should be predominately granular (contain no more than 40 percent fines-portion passing No. 200 sieve), and relatively non-expansive (an Expansion Index of less than 20). GPI should be provided with a sample (at least 50 pounds) and notified at least 72 hours in advance of the location of soils proposed for import. Each proposed

import source should be sampled, tested and accepted for use prior to delivery of the soils to the site. Soils imported prior to acceptance by GPI may be rejected if not suitable.

Both imported and existing on-site soils to be used as fill should be free of debris and pieces larger than 6 inches in greatest dimension. Although not anticipated, on-site materials greater than 6 inches in diameter can be exported, crushed, or disposed of in windrows outside of the building pad. If windrows are used, the oversized particles should be placed so that voids around the particles can be filled with sandy soils, which should be jetted or flooded after placement. At least 2 feet of properly compacted fill without oversized materials should cover the windrowed materials.

4.3.5 Placement and Compaction of Fills

Fill soils should be placed in horizontal lifts, moisture-conditioned, and mechanically compacted to densities equal to at least 90 percent of the maximum dry density, determined in accordance with ASTM D1557. Soils within 1-foot of the subgrade for building floor slabs and pavement areas, and the aggregate base material should be compacted to a relative compaction of at least 95 percent. The optimum lift thickness will depend on the compaction equipment used and can best be determined in the field. The following uncompacted lift thickness can be used as preliminary guidelines.

Plate compactors	4-6 inches
Small vibratory or static rollers (5-ton±) or track equipment	6-9 inches
Heavy loaders and large vibratory rollers	9-12 inches

The maximum lift thickness should not be greater than 12 inches and each lift should be thoroughly compacted and accepted prior to subsequent lifts.

Fills should be placed at moisture contents of 1 to 2 percent over the optimum moisture content in order to readily achieve the required compaction. Current moisture contents of the upper soils are generally slightly moist to moist and likely at or below the optimum moisture content. As such, we anticipate that some moisture conditioning (wetting) will be required.

4.3.6 Shrinkage and Subsidence

Shrinkage is the loss of soil volume caused by compaction of fills to a higher density than before grading. Subsidence is the settlement of in-place subgrade soils caused by loads generated by large earthmoving equipment. For earthwork volume estimating purposes, an average shrinkage value of 15 to 20 percent may be assumed for the surficial soils. Subsidence is expected to be less than 0.1 feet. These values are estimates only and exclude losses due to removal of vegetation or debris. Actual shrinkage and subsidence will depend on the types of earthmoving equipment used and should be determined during grading.

4.3.7 Trench/Wall Backfill

Utility trench backfill consisting of the on-site silty sands or sands or imported soil, or wall backfill consisting of granular material should be mechanically compacted in lifts. Lift

thickness should not exceed those values given in the "Placement and Compaction of Fills" section of this report. Moisture conditioning (wetting) of the on-site soils will likely be required prior to re-use as backfill. Jetting or flooding of backfill materials should not be permitted. A representative of GPI should observe and test trench and wall backfills as they are placed.

In backfill areas where mechanical compaction of soil backfill is impractical due to space constraints, sand-cement slurry may be substituted for compacted backfill. The slurry should contain two sacks of cement per cubic yard and have a maximum slump of 5 inches. If open-graded rock is used as backfill, the material should be placed in lifts and mechanically densified. Open-graded rock should be separated from the on-site soils by a suitable filter fabric (Mirafi 140N or equivalent).

4.3.8 Observation and Testing

A representative of GPI should observe excavations, subgrade preparation, and fill placement activities. Sufficient in-place field density tests should be performed during fill placement and in-place compaction to evaluate the overall compaction of the soils. Soils that do not meet minimum compaction requirements should be reworked and tested prior to placement of additional fill.

4.4 FOUNDATIONS

4.4.1 Foundation Type

The proposed structures may be supported on conventional isolated and/or continuous shallow footings, provided the subsurface soils are prepared in accordance with the recommendations given in this report. Footings should be supported on properly compacted fill.

4.4.2 Allowable Bearing Pressures

Based on the shear strength and elastic settlement characteristics of the natural and recompacted on-site soils, a static allowable net bearing pressure of up to 3,000 pounds per square foot (psf) may be used for both continuous footings and isolated column footings for the proposed structures, including property line walls and other minor structures. These bearing pressures are for dead-load-plus-live-load, and may be increased one-third for short-term, transient, wind and seismic loading. The actual bearing pressure used may be less than the value presented above and can be based on economics and structural loads to determine the minimum width for footings as discussed below. The maximum edge pressures induced by eccentric loading or overturning moments should not be allowed to exceed these recommended values.

4.4.3 Minimum Footing Width and Embedment

The following minimum footing widths and embedments are recommended for the corresponding allowable bearing pressure.

STATIC BEARING PRESSURE (psf)	MINIMUM FOOTING WIDTH (inches)	MINIMUM FOOTING* EMBEDMENT (inches)
3,000	48	24
2,500	24	24
2,000	24	18
1,500	18	18

* Refers to minimum depth below lowest adjacent grade at the time of foundation construction.

A minimum footing width of 18 inches should be used even if the actual bearing pressure is less than 1,500 psf.

4.4.4 Estimated Settlements

Total static settlement of isolated pad or continuous wall footings (up to 100 kips for columns and 8 kips per lineal foot) is expected to be on the order of ¾- to 1-inch. Differential static settlement along a 60-foot span of a continuous footing is expected to be on the order of ½-inch or less. The majority of the settlement will occur immediately upon load application.

The potential for seismic settlement was addressed in a previous section of this report and should be referred to in evaluating the potential total settlements.

The above estimates are based on the assumption that the recommended earthwork will be performed and that the footings will be sized in accordance with our recommendations.

4.4.5 Lateral Load Resistance

Soil resistance to lateral loads will be provided by a combination of frictional resistance between the bottom of footings and underlying soils and by passive soil pressures acting against the embedded sides of the footings. For frictional resistance, a coefficient of friction of 0.35 may be used for design. In addition, an allowable lateral bearing pressure equal to an equivalent fluid weight of 275 pounds per cubic foot may be used, up to a maximum of 2,750 pounds per square foot (psf), provided the footings are poured tight against compacted fill. These values may be used in combination without reduction.

4.4.6 Foundation Inspection

Prior to placement of concrete and reinforcing steel, a representative of GPI should observed and approve foundation excavations.

4.4.7 Foundation Concrete

Laboratory testing by HDR (Appendix B) indicates that the near surface soils exhibit a soluble sulfate content of 54 mg/kg (0.0054 percent by weight). In accordance with the 2016 CBC, foundation concrete should conform to the requirements outlined to the requirements outlined in ACI 318, Section 19.3 for a negligible level of soluble sulfate exposure for soil (category S0). Chloride contents were 19 mg/kg (0.0019 percent by weight), which is considered to be low (category C1).

4.5 CONCRETE SLABS

Concrete slabs should be supported on granular, non-expansive (EI $\leq$ 20), compacted soils as discussed in the "Placement and Compaction of Fill" section.

Although not anticipated over the majority of the building, a vapor/moisture retarder should be placed under slabs that are to be covered with moisture-sensitive floor coverings (wood, vinyl, tile, etc.). Currently, common practice is to use a 10 or 15 mil polyethylene product such as Stego Wrap for this purpose. Whether the concrete slab is placed directly on the vapor barrier or on a clean sand layer between the slab and vapor barrier is a decision for the Project Architect and General Contractor, as it is not a geotechnical issue. If covered by sand, the sand layer should be about 2 inches thick and contain less than 5 percent by weight passing the No. 200 sieve. Based on our explorations and laboratory testing, the soils at the site are not suitable for this purpose. The sand layer should be nominally compacted using light equipment. The sand placed over the vapor retarder should only be slightly moist. If the sand gets wet (for example as a result of rainfall or excessive moistening) it must be allowed to dry prior to placing concrete. Care should be taken to avoid infiltration of water into the sand layer after placement of the concrete slab, such as at slab cut-outs and other exposures. A sand layer is not required beneath the vapor retarder, but we take no exception if one is provided.

It should be noted that the material used as a vapor retarder is only one of several factors affecting the prevention of moisture accumulation under floor coverings. Other factors include maintaining a low water-cement ratio for the concrete used for the floor slab, effective sealing of joints and edges (particularly at pipe penetrations) as well as excess moisture in the concrete. The manufacturer of the floor coverings should be consulted for establishing acceptable criteria for the condition of the floor surface prior to placing moisture-sensitive floor coverings.

For lateral resistance design, a coefficient of friction value of 0.40 between aggregate base or select fill and concrete may be used. For a slab on a visqueen moisture barrier, a coefficient of 0.1 should be used. For a concrete slab on Stego Wrap, a coefficient of 0.3 may be used, which is consistent with recommendations provided by the American Concrete Institute (ACI).

For elastic design of slabs-on-grade supporting sustained concentrated loads, a modulus of subgrade reaction (k) of 150 pounds per cubic inch (pounds per square inch per inch of deflection) may be used. This value is for a 1-foot by 1-foot square loaded area and should be adjusted by the structural designer for the area of the proposed building slab using

appropriate elastic theory.

Although not tested, the upper silty sands are anticipated to have a low potential for expansion. As such, there are no geotechnical requirements for minimum floor slab thickness or reinforcing.

4.6 RETAINING STRUCTURES

We understand that major retaining walls are not planned as part of the proposed development. The following recommendations are provided for walls or shoring less than 8 feet in height. We recommend that walls be backfilled with sandy soils (less than 40 percent passing the No. 200 sieve), which appear to be readily available on site but will require selective grading.

Active earth pressures can be used for designing cantilevered walls or shoring that can yield laterally at least ½-percent of the wall height under the imposed loads. For level, drained backfill, derived from granular, non-expansive soils, a lateral pressure of an equivalent fluid weighing of 35 pounds per cubic foot may be used. This value can also be used for design of temporary cantilevered shoring.

At-rest pressures should be used for restrained walls that remain rigid enough to be essentially non-yielding. For select, non-expansive, level, drained backfill, a lateral pressure of an equivalent fluid weighing 55 pounds per cubic foot can be used.

As outlined in the California Building Code, site retaining walls taller than 6 feet should be designed to resist seismic lateral earth pressures. A lateral pressure equivalent to a fluid with a unit weight of 20 pounds per cubic foot may be used. This pressure should be combined with the active earth pressure presented above. If the retaining walls are designed using the at-rest pressure provided above, only the difference between the active plus seismic pressures and the at-rest pressure needs to be included as the seismic pressure.

The recommended pressures are based on the assumption that the supported earth will be fully drained, preventing the build-up of hydrostatic pressures. For traditional backfilled retaining walls, a drain consisting of perforated pipe and 1 cubic foot of gravel per lineal foot, wrapped in filter fabric should be used. The fabric (non-woven filter fabric, Mirafi 140N or equivalent) should be lapped at the top.

Walls subject to surcharge loads should be designed for an additional uniform lateral pressure equal to one-third and one-half the anticipated surcharge pressure for unrestrained and restrained walls, respectively.

The Structural Engineer should specify the use of select, granular wall backfill on the plans. Wall footings should be designed as discussed in the "Foundations" section.

4.7 PAVEMENTS

For new pavements, an assumed R-value of 20 was used for the on-site soils. Final pavement design should be based on R-value testing performed during our comprehensive, design-level investigation. The California Division of Highways Design Method was used for design of the recommended preliminary pavement sections. The following pavement sections are recommended for planning purposes only.

PAVEMENT AREA	TRAFFIC INDEX	SECTION THICKNESS (inches)	
		ASPHALT CONCRETE	AGGREGATE BASE COURSE
Asphalt Concrete			
Auto Parking Stalls	4	3	5
Circulation Drives	5	3	7
Truck Drives	6	3.5	10
Heavy Truck Drives	7	4	12
Off-Site Street	7 8 9 10	4 5 6 7	12 14 15 17
Portland Cement Concrete		**PCC**	
Auto Parking Stalls	4	6.5	—
Circulation Drives	5	7.0	—
Truck Drives	6	7.5	—
Heavy Truck Drives	7	8.0	—

The pavement subgrade underlying the aggregate base or concrete should be properly prepared and compacted in accordance with the recommendations outlined under "Subgrade Preparation".

The concrete used for paving should have a modulus of rupture of at least 550 psi (equivalent to an approximate compressive strength of 3,500 psi) at the time the pavement is subjected to truck traffic. The pavement base course should be compacted to at least 95 percent of maximum dry density (ASTM D-1557). Aggregate base should conform to the requirements of Section 26 of the California Department of Transportation Standard Specifications for Class II aggregate base (three-quarter inch maximum) or Section 200-2 of the Standard Specifications for Public Works Construction (Green Book) for untreated base materials (except processed miscellaneous base).

If it is desired to use portland cement concrete with a modulus of rupture (MOR) of 490 psi (approximate equivalent compressive strength of 3,000 psi), we recommend the following modified concrete pavement sections:

PAVEMENT AREA	TRAFFIC INDEX	MOR = 490 psi PCC SECTION THICKNESS (inches)
Auto Parking Stalls	4	7.0
Circulation Drives	5	7.5
Truck Drives	6	8.0
Heavy Truck Drives	7	8.0

The above recommendations are based on the assumption that the base course and compacted subgrade will be properly drained. The design of paved areas should incorporate measures to prevent moisture build-up within the base course, which can otherwise lead to premature pavement failure. For example, curbing adjacent to landscaped areas should be deep enough to act as a barrier to infiltration of irrigation water into the adjacent base course.

4.8 CORROSION

Resistivity testing of a representative sample of the on-site soils indicates that they are moderately corrosive to corrosive to ferrous metals. GPI does not practice corrosion engineering. We recommend that a corrosion engineering firm, such as HDR, be consulted if corrosion protection recommendations are required.

4.9 DRAINAGE

Positive surface gradients should be provided adjacent to structures so as to direct surface water run-off and roof drainage away from foundations and slabs toward suitable discharge facilities. Long-term ponding of surface water should not be allowed on pavements or adjacent to buildings.

4.10 SURFACE INFILTRATION

Current regulations require that storm water be infiltrated into the site soils of new developments when possible. In general, the soil profile at the site consists predominantly of silty sands and sands in the upper 10 feet, underlain by silts and sandy silts. Sands and silty sands typically have fair to good infiltration characteristics.

To evaluate the infiltration characteristics of the near surface soils, we performed three field infiltration tests in accordance with methods established by the County of San Bernardino (County, 2011). Infiltration testing was performed at depths of 5 to 15 feet below the existing ground surface. The wells were installed adjacent to borings B-3 to B-5, located in the southern half of the portion of the development covered by this report. It is our understanding that the proposed infiltration system will likely be constructed out of precast concrete.

The tests were performed in shallow borings drilled with an 8-inch hollow stem auger. The test wells were constructed in the borings using 2-inch diameter slotted and solid well casing. The annular space between the perforated casing and the borehole was filled with No. 3 well sand.

Prior to running the tests, the soils adjacent to the wells were soaked with approximately 5 gallons of water in accordance with the procedures outlined by the County. Because the upper on-site soils are predominately sandy, the pre-soaks were completed within 30 minutes. Following the pre-soak, we performed two additional tests at each well to confirm the sandy criteria and set the test time intervals. Due to rapid infiltration during the pre-soak and the criteria testing, resulting in water draining more than 24 inches in less than 10 minutes, the tests were performed by measuring the time interval associated with a 1-foot drop in the casings. The tests were performed at least 6 times in each well.

The adjusted infiltration rates were calculated by taking the preadjusted rates and correcting them using the Porchet Method as provided in the County Guidelines. The results of the infiltration testing are presented in Tables 1 to 3. The final adjusted infiltration rates are presented below:

WELL	ADJUSTED INFILTRATION RATE (in./hr.)
P-1	5.4
P-2	15.2
P-3	2.4

The soils encountered at the test depths generally consisted of silty sands and sands with lesser amounts of sandy silt. The above results are above the generally accepted minimum infiltration rate of 0.3 inches per hour. We anticipate that infiltration into the onsite silts or sandy silts would most likely result in significantly lower rates.

Additional factors of safety in computing the design infiltration rate of the proposed system should be determined by the Project Civil Engineer. It should be noted that the volume of water applied during our test was relatively low compared to the potential stormwater systems. Due to the presence of silts and sandy silts at depth, infiltration of large volumes of water into the near surface soils may result in limited percolation rates and a potential for long-term mounding or perched conditions. The Civil Engineer should evaluate the feasibility of subsurface infiltration using the rates provided.

The testing was performed with clean, clear water, and the results do not include effects of sediments, fines, dissolved solids, or other debris, as these will significantly reduce the percolation rates of the subsurface soils. The infiltration system should include processes to clean the inflow of sediments or other deleterious materials to reduce the potential for clogging and reduced infiltration rates.

4.11 GEOTECHNICAL OBSERVATION AND TESTING

We recommend that a representative of GPI observe earthwork during construction to confirm that the recommendations provided in our report are applicable during construction. The earthwork activities include grading, compaction of fills, subgrade preparation, pavement construction, and foundation excavations. If conditions are different than expected, we should be afforded the opportunity to provide an alternate recommendation based on the actual conditions encountered.

5.0 LIMITATIONS

This report, exploration logs, and other materials resulting from GPI's efforts were prepared exclusively for CHI/Acquisitions CA, L.P. and their consultants in the planning-level evaluation of the proposed development. The report is not intended to be suitable for reuse on extensions or modifications of the project or for use on projects other than the currently proposed development, as it may not contain sufficient or appropriate information for such uses. This report is also not intended as a design-level document, as the conclusions and recommendations are based on limited subsurface information.

Soil deposits may vary in type, strength, and many other important properties between points of exploration due to non-uniformity of the geologic formations or to man-made cut and fill operations. While we cannot evaluate the consistency of the properties of materials in areas not explored, the conclusions drawn in this report are based on the assumption that the data obtained in the field and laboratory are reasonably representative of field conditions and are conducive to interpolation and extrapolation.

Furthermore, our recommendations were developed with the assumption that a proper level of field observation and construction review will be provided by GPI during grading, excavation, and foundation construction. If others perform the construction phase services, they must accept full responsibility for all geotechnical aspects of the project, including this report.

Our investigation and evaluations were performed using generally accepted engineering approaches and principles available at this time and the degree of care and skill ordinarily exercised under similar circumstances by reputable geotechnical engineers practicing in this area. No other representation, either expressed or implied, is included or intended in our report.

Respectfully submitted,
Geotechnical Professionals Inc.

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BASE MAP REPRODUCED FROM MICROSOFT STREETS AND TRIPS (C. 2008)

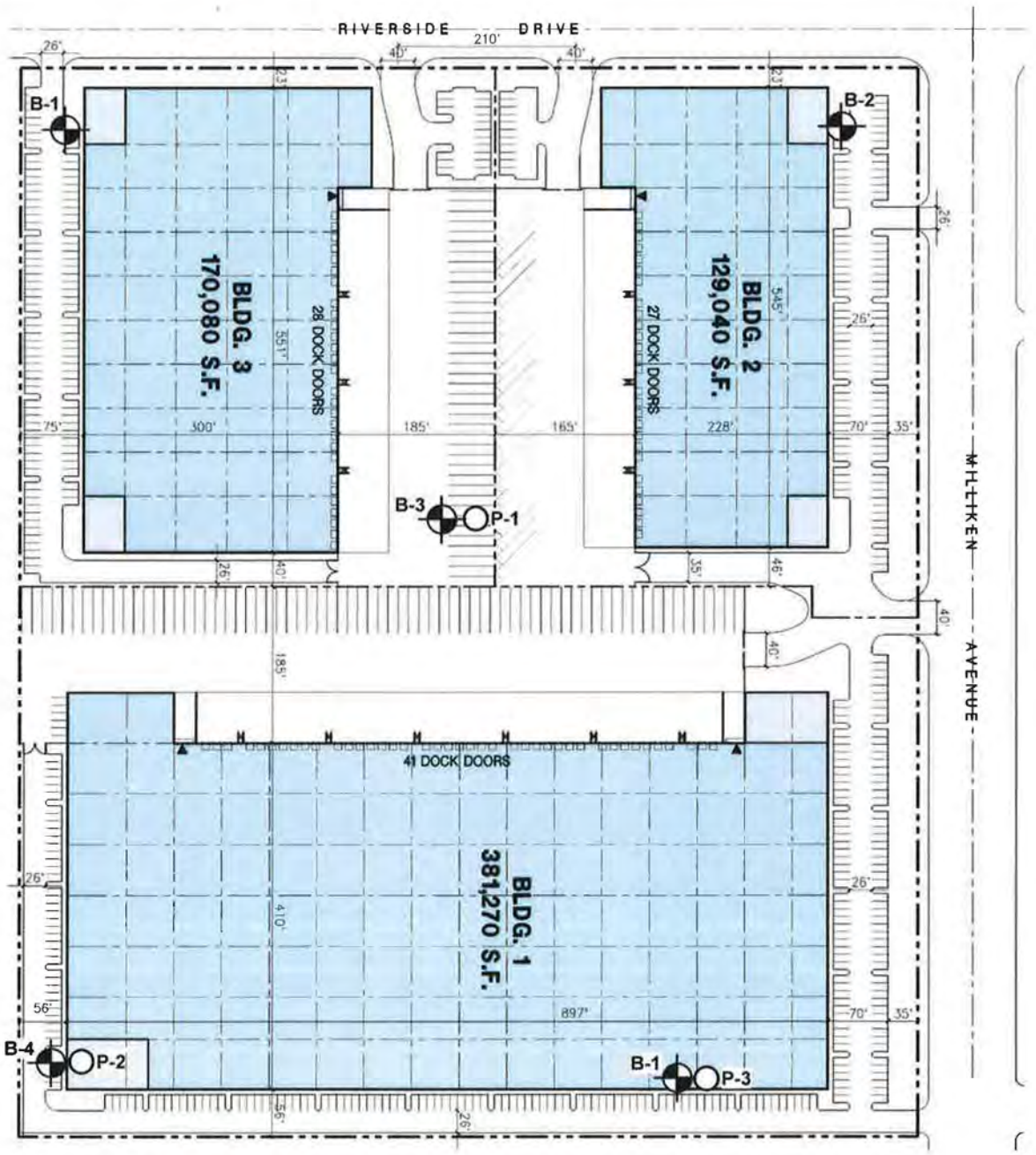
GPI GEOTECHNICAL PROFESSIONALS, INC.

CROW ONTARIO

GPI PROJECT NO.: 2857.I | SCALE: 1" = 2000'

SITE LOCATION MAP

FIGURE 1



EXPLANATION

B-1 — APPROXIMATE LOCATION AND NUMBER OF EXPLORATORY BORING

P-2 — APPROXIMATE LOCATION AND NUMBER OF PERCOLATION WELL

0 200 400 FEET

BASE PLAN REPRODUCED FROM CONCEPTUAL SITE PLAN PREPARED BY HPA ARCHITECTURE: DATED DECEMBER 1, 2017

GPI GEOTECHNICAL PROFESSIONALS, INC.

CROW ONTARIO

GPI PROJECT NO.: 2857.I | SCALE: 1" = 200'

SITE PLAN

FIGURE 2

TABLE 1

BOREHOLE INFILTRATION TEST RESULTS (corrected with Porchet Method)
Riverside County Method-TGD, 2011

Project No. 2857.I
Client: Crow Ontario
By SG

Date: 1/15/2018
Test Date 1/11/2018

NOTE: Slowest rate from percolation testing used to calculate infiltration rate

		Water	Water	Total		Initial	Final	Change in	Average	
	Test	Depth	Depth	Depth of	Hole	Water	Water	Height of	Height of	Infiltration
Test Well	Duration	Initial	Final	Test Hole	Diameter	Height	Height	Water	Water	Rate*
	(min)	(ft)	(ft)	(ft)	(inches)	(ft)	(ft)	(ft)	(ft)	(in/hr)
	Δt	D_o	D_f	D_T	(2r)	H_o	H_f	$\Delta H=\Delta D$	H_{avg}	I_t
P-1	4.17	2.45	2.95	4.45	8	2.00	1.50	0.5	1.75	7.5
P-1	5.75	2.45	2.95	4.45	8	2.00	1.50	0.5	1.75	5.4
P-1	5.71	2.45	2.95	4.45	8	2.00	1.50	0.5	1.75	5.5
P-1	5.64	2.45	2.95	4.45	8	2.00	1.50	0.5	1.75	5.5
P-1	5.79	2.45	2.95	4.45	8	2.00	1.50	0.5	1.75	5.4
P-1	5.68	2.45	2.95	4.45	8	2.00	1.50	0.5	1.75	5.5
P-1	5.62	2.45	2.95	4.45	8	2.00	1.50	0.5	1.75	5.6
P-1	5.75	2.45	2.95	4.45	8	2.00	1.50	0.5	1.75	5.4

* $I_t=(\Delta H(60r))/(\Delta t(r + 2H_{avg}))$

TABLE 2

BOREHOLE INFILTRATION TEST RESULTS (corrected with Porchet Method)
Riverside County Method-TGD, 2011

Project No. 2857.I
Client: Crow Ontario
By SG

Date: 1/15/2018
Test Date 1/12/2018

NOTE: Slowest rate from percolation testing used to calculate infiltration rate

Test Well	Test Duration (min) Δt	Water Depth Initial (ft) D_o	Water Depth Final (ft) D_f	Total Depth of Test Hole (ft) D_T	Hole Diameter (inches) (2r)	Initial Water Height (ft) H_o	Final Water Height (ft) H_f	Change in Height of Water (ft) ΔH=ΔD	Average Height of Water (ft) H_{avg}	Infiltration Rate* (in/hr) I_t
P-2	1.57	11.71	12.21	14.11	8	2.40	1.90	0.5	2.15	16.5
P-2	1.80	12.02	12.52	14.11	8	2.09	1.59	0.5	1.84	16.6
P-2	1.83	12.02	12.52	14.11	8	2.09	1.59	0.5	1.84	16.3
P-2	1.90	12.02	12.52	14.11	8	2.09	1.59	0.5	1.84	15.7
P-2	1.97	12.02	12.52	14.11	8	2.09	1.59	0.5	1.84	15.2
P-2	1.82	12.02	12.52	14.11	8	2.09	1.59	0.5	1.84	16.5
P-2	1.75	12.02	12.52	14.11	8	2.09	1.59	0.5	1.84	17.1
P-2	1.65	12.02	12.52	14.11	8	2.09	1.59	0.5	1.84	18.1
P-2	1.95	12.02	12.52	14.11	8	2.09	1.59	0.5	1.84	15.3

* $I_t=(\Delta H(60r))/(\Delta t(r + 2H_{avg}))$

TABLE 3

BOREHOLE INFILTRATION TEST RESULTS (corrected with Porchet Method)
Riverside County Method-TGD, 2011

Project No. 2857.I
Client: Crow Ontario
By SG

Date: 1/15/2018
Test Date 1/11/2018

NOTE: Slowest rate from percolation testing used to calculate infiltration rate

Test Well	Test Duration (min) Δt	Water Depth Initial (ft) D_o	Water Depth Final (ft) D_f	Total Depth of Test Hole (ft) D_T	Hole Diameter (inches) (2r)	Initial Water Height (ft) H_o	Final Water Height (ft) H_f	Change in Height of Water (ft) ΔH=ΔD	Average Height of Water (ft) H_{avg}	Infiltration Rate* (in/hr) I_t
P-3	10.00	6.03	7.05	10.21	8	4.18	3.16	1.02	3.67	3.2
P-3	10.00	5.78	6.96	10.21	8	4.43	3.25	1.18	3.84	3.5
P-3	6.58	7.49	7.82	10.21	8	2.72	2.39	0.33	2.56	2.2
P-3	8.13	7.18	7.68	10.21	8	3.03	2.53	0.5	2.78	2.5
P-3	8.35	7.18	7.68	10.21	8	3.03	2.53	0.5	2.78	2.4
P-3	8.45	7.18	7.68	10.21	8	3.03	2.53	0.5	2.78	2.4
P-3	8.32	7.18	7.68	10.21	8	3.03	2.53	0.5	2.78	2.4
P-3	8.48	7.18	7.68	10.21	8	3.03	2.53	0.5	2.78	2.4
P-3	8.33	7.18	7.68	10.21	8	3.03	2.53	0.5	2.78	2.4
P-3	8.52	7.18	7.68	10.21	8	3.03	2.53	0.5	2.78	2.4

* $I_t=(\Delta H(60r))/(\Delta t(r + 2H_{avg}))$

APPENDIX A

APPENDIX A

EXPLORATORY BORINGS

The subsurface conditions at the site were investigated by drilling and sampling five exploratory borings. The borings were advanced to depths ranging from 15 to 50 feet below the existing ground surface. We also installed infiltration test wells to depths of 5 to 15 feet adjacent to three borings (P-1 at B-3, P-2 at B-4, and P-3 at B-5). The locations of the explorations and wells are shown on the Site Plan, Figure 2.

The exploratory borings were drilled using limited access hollow-stem auger drill equipment. Relatively undisturbed samples were obtained using a brass-ring lined sampler (ASTM D 3550). The brass-rings have an inside diameter of 2.42 inches. The ring samples were driven into the soil by a 140-pound hammer dropping 30 inches. The number of blows needed to drive the sampler into the soil was recorded as the penetration resistance.

At selected locations, disturbed samples were obtained using a split-spoon sampler by means of the Standard Penetration Test (SPT, ASTM D 6066). The spoon sampler was driven into the soil by a 140-pound hammer dropping 30 inches, employing the "free-fall" hammer described above. After an initial seating drive of 6 inches, the number of blows needed to drive the sampler into the soil a depth of 12 inches was recorded as the penetration resistance. These values are the raw uncorrected blowcounts.

The field explorations for the investigation were performed under the continuous technical supervision of GPI's representative, who visually inspected the site, maintained detailed logs of the borings, classified the soils encountered, and obtained relatively undisturbed samples for examination and laboratory testing. The soils encountered in the borings were classified in the field and through further examination in the laboratory in accordance with the Unified Soils Classification System. Detailed logs of the borings are presented in Figures A-1 to A-5 in this appendix.

The boring locations were laid out in the field by measuring from existing site features. Ground surface elevations at the exploration locations were estimated from internet sources and should be considered approximate.

MOISTURE (%)	DRY DENSITY (PCF)	PENETRATION RESISTANCE (BLOWS/FOOT)	SAMPLE TYPE	DEPTH (FEET)	DESCRIPTION OF SUBSURFACE MATERIALS	ELEVATION (FEET)
				0	This summary applies only at the location of this boring and at the time of drilling. Subsurface conditions may differ at other locations and may change at this location with the passage of time. The data presented is a simplification of actual conditions encountered.	
					Fill: **SILTY SAND (SM)** light brown, slightly moist to moist	
3.2	102	21	D		Natural: **SILTY SAND (SM)** light brown, slightly moist, medium dense	
5.8	97	13	D		@ 4 feet, loose	780
7.0	101	10	D	5		
29.4	91	11	D			775
				10	**SILT (ML)** brown, wet, firm	
16.4	93	22	D		@ 14 feet, very moist, stiff to very stiff, trace clay	770
4.2	104			15	**SILTY SAND (SM)** brown, slightly moist, medium dense	
					Total Depth 15 feet	

SAMPLE TYPES
- C Rock Core
- S Standard Split Spoon
- D Drive Sample
- B Bulk Sample
- T Tube Sample

DATE DRILLED: 1-11-18
EQUIPMENT USED: 8 " Hollow Stem Auger
GROUNDWATER LEVEL (ft): Not Encountered

GPI

PROJECT NO.: 2857.I
CROW ONTARIO

LOG OF BORING NO. B-1

FIGURE A-1

MOISTURE (%)	DRY DENSITY (PCF)	PENETRATION RESISTANCE (BLOWS/FOOT)	SAMPLE TYPE	DEPTH (FEET)	DESCRIPTION OF SUBSURFACE MATERIALS	ELEVATION (FEET)
					This summary applies only at the location of this boring and at the time of drilling. Subsurface conditions may differ at other locations and may change at this location with the passage of time. The data presented is a simplification of actual conditions encountered.	
			B	0	Fill: **SILTY SAND (SM)** brown, moist, with gravel sized pieces of concrete and brick	
8.4	99	10	D		Natural: **SILTY SAND (SM)** brown, moist, loose	780
8.7	96	7	D	5		
15.2	104	18	D		**SILT (ML)** light brown, moist to very moist, stiff, trace sand	775
14.6	97	21	D	10		
						770
7.5	98	15	D	15	@ 15 feet, slightly moist	
						765
11.9	91	17	D	20	@ 20 feet, moist	
						760
1.9	117	34	D	25	**SAND (SP)** greyish brown, dry to slightly moist, medium dense, with gravel, trace silt	
						755
1.9	120	64	D	30	@ 30 feet, dense	
						750
11.3	108	50	D	35	**SANDY SILT (ML)** brown with grey, moist, hard	
						745

SAMPLE TYPES
- C Rock Core
- S Standard Split Spoon
- D Drive Sample
- B Bulk Sample
- T Tube Sample

DATE DRILLED: 1-11-18
EQUIPMENT USED: 8 " Hollow Stem Auger
GROUNDWATER LEVEL (ft): Not Encountered

GPI

PROJECT NO.: 2857.I
CROW ONTARIO

LOG OF BORING NO. B-2

FIGURE A-2

MOISTURE (%)	DRY DENSITY (PCF)	PENETRATION RESISTANCE (BLOWS/FOOT)	SAMPLE TYPE	DEPTH (FEET)	DESCRIPTION OF SUBSURFACE MATERIALS	ELEVATION (FEET)
					This summary applies only at the location of this boring and at the time of drilling. Subsurface conditions may differ at other locations and may change at this location with the passage of time. The data presented is a simplification of actual conditions encountered.	
13.0	103	22	D	40	**SANDY SILT (ML)** reddish brown with grey, moist, stiff to very stiff, trace clay	740
11.1	106	32	D	45	@ 45 feet, very stiff	735
7.1	98	36	D	50	@ 50 feet, brown	
					SILTY SAND (SM) reddish brown, moist, medium dense	
					Total Depth 51 feet	

SAMPLE TYPES
- C Rock Core
- S Standard Split Spoon
- D Drive Sample
- B Bulk Sample
- T Tube Sample

DATE DRILLED: 1-11-18

EQUIPMENT USED: 8 " Hollow Stem Auger

GROUNDWATER LEVEL (ft): Not Encountered

GPI

PROJECT NO.: 2857.I

CROW ONTARIO

LOG OF BORING NO. B-2

FIGURE A-2

MOISTURE (%)	DRY DENSITY (PCF)	PENETRATION RESISTANCE (BLOWS/FOOT)	SAMPLE TYPE	DEPTH (FEET)	DESCRIPTION OF SUBSURFACE MATERIALS	ELEVATION (FEET)
				0	This summary applies only at the location of this boring and at the time of drilling. Subsurface conditions may differ at other locations and may change at this location with the passage of time. The data presented is a simplification of actual conditions encountered.	
					Fill: **SILTY SAND (SM)** light brown, moist	
3.0	101	21	D		Natural: **SILTY SAND (SM)** light brown, slightly moist, medium dense	775
10.4	96	15	D	5	**SANDY SILT (ML)** light brown, moist, stiff	
15.3		7	S		@ 7 feet, firm, with white veins	770
8.9	92	20	D	10	**SILT (ML)** light brown, slightly moist, stiff	
16.7		7	S		@ 11 feet, very moist, firm, trace gravel	
3.4	100	17	D		**SILTY SAND (SM)** light brown, slightly moist, medium dense	765
5.7 9.8		7	S	15	@ 15 feet, slightly moist, loose	
					SANDY SILT (ML) light brown, slightly moist to moist, firm	
					Total Depth 16.5 feet Well P-1 installed @ a depth of 4.5 feet below existing grades	

SAMPLE TYPES
- C Rock Core
- S Standard Split Spoon
- D Drive Sample
- B Bulk Sample
- T Tube Sample

DATE DRILLED: 1-11-18
EQUIPMENT USED: 8 " Hollow Stem Auger
GROUNDWATER LEVEL (ft): Not Encountered

GPI

PROJECT NO.: 2857.I
CROW ONTARIO

LOG OF BORING NO. B-3

FIGURE A-3

MOISTURE (%)	DRY DENSITY (PCF)	PENETRATION RESISTANCE (BLOWS/FOOT)	SAMPLE TYPE	DEPTH (FEET)	DESCRIPTION OF SUBSURFACE MATERIALS This summary applies only at the location of this boring and at the time of drilling. Subsurface conditions may differ at other locations and may change at this location with the passage of time. The data presented is a simplification of actual conditions encountered.	ELEVATION (FEET)
				0	Fill: **SILTY SAND (SM)** light brown, moist	
5.4	98	8	D		Natural: **SILTY SAND (SM)** light brown, slightly moist, loose	
6.1	103	18	D	5	@ 4 feet, medium dense	770
5.2	102	12	D		@ 6 feet, loose	
					SAND with SILT (SP-SM) light brown, moist, loose	
16.7	104	12	D	10	**SILT (ML)** light brown, very moist, firm to stiff, trace sand	765
2.4	94	20	D	15	**SAND with SILT (SP-SM)** light brown, dry to slightly moist, medium dense	760
8.6		9	S		**SILT (ML)** light brown, slightly moist to moist, stiff	
8.4	94	18	D			755
10.5		12	S	20	@ 20 feet, trace sand	
9.6	90	20	D		@ 22 feet, slightly moist to moist, stiff, trace sand	
7.7 4.3		18	S	25	**SANDY SILT (ML)** light brown, slightly moist, very stiff	750
					SILTY SAND (SM) light brown, slightly moist, medium dense	
					Total Depth 25.5 feet Well P-2 installed @ a depth of 14.1 feet below existing grades	

SAMPLE TYPES
- C Rock Core
- S Standard Split Spoon
- D Drive Sample
- B Bulk Sample
- T Tube Sample

DATE DRILLED: 1-11-18
EQUIPMENT USED: 8 " Hollow Stem Auger
GROUNDWATER LEVEL (ft): Not Encountered

GPI

PROJECT NO.: 2857.I
CROW ONTARIO

LOG OF BORING NO. B-4

FIGURE A-4

MOISTURE (%)	DRY DENSITY (PCF)	PENETRATION RESISTANCE (BLOWS/FOOT)	SAMPLE TYPE	DEPTH (FEET)	DESCRIPTION OF SUBSURFACE MATERIALS	ELEVATION (FEET)
				0	This summary applies only at the location of this boring and at the time of drilling. Subsurface conditions may differ at other locations and may change at this location with the passage of time. The data presented is a simplification of actual conditions encountered.	
					Fill: **SILTY SAND (SM)** light brown, slightly moist	775
3.6	100	8	D		Natural: **SILTY SAND (SM)** light brown, slightly moist, loose	
6.0	115	14	D	5	**SILT (ML)** light brown, slightly moist, stiff, trace sand	770
6.9	93	14	D		**SANDY SILT (ML)** light brown, slightly moist to moist, stiff	
5.0	98	16	D	10	**SILTY SAND (SM)** light brown, dry to slightly moist, medium dense	765
3.1						
2.5		16	S		**SAND with SILT (SP-SM)** light brown, slightly moist, medium dense, trace gravel	
		27	D	15	@ 14 feet, no recovery	
1.9		11	S		@ 16 feet, loose	760
7.8					**SILT (ML)** light brown, slightly moist, stiff	
8.1	96	19	D		@ 18 feet, with sand	
					SANDY SILT (ML) light brown, slightly moist, stiff	
4.2		14	S	20		755
					SILTY SAND (SM) light brown, slightly moist, medium dense	
9.5	93	17	D	25	@ 25 feet, moist	750
					Total Depth 26 feet Well P-3 installed @ a depth of 10.2 feet below existing grades	

SAMPLE TYPES
- C Rock Core
- S Standard Split Spoon
- D Drive Sample
- B Bulk Sample
- T Tube Sample

DATE DRILLED: 1-11-18

EQUIPMENT USED: 8 " Hollow Stem Auger

GROUNDWATER LEVEL (ft): Not Encountered

GPI

PROJECT NO.: 2857.I

CROW ONTARIO

LOG OF BORING NO. B-5

FIGURE A-5

APPENDIX B

APPENDIX B

LABORATORY TESTS

INTRODUCTION

Representative undisturbed samples and bulk samples were carefully packaged in the field and sealed to prevent moisture loss. The samples were then transported to our Cypress office for examination and testing assignments. Laboratory tests were performed on selected representative samples as an aid in classifying the soils and to evaluate the physical properties of the soils affecting foundation design and construction procedures. Detailed descriptions of the laboratory tests are presented below under the appropriate test headings. Test results are presented in the figures that follow.

MOISTURE CONTENT AND DRY DENSITY

Moisture content and dry density was determined from a number of the samples. The samples were weighed to determine the wet weight and then were dried in accordance with ASTM D 2216. After drying, the weight of each sample was measured, and moisture content was calculated. Moisture content values are presented on the boring logs in Appendix B.

GRAIN SIZE DISTRIBUTION

Select soil samples were dried, weighed, soaked in water until individual soil particles were separated, and then washed on the No. 200 sieve. That portion of the material retained on the No. 200 sieve was oven-dried and weighed to determine the percentage of the material passing the No. 200 sieve. A summary of the percentages passing the No. 200 sieve is presented below.

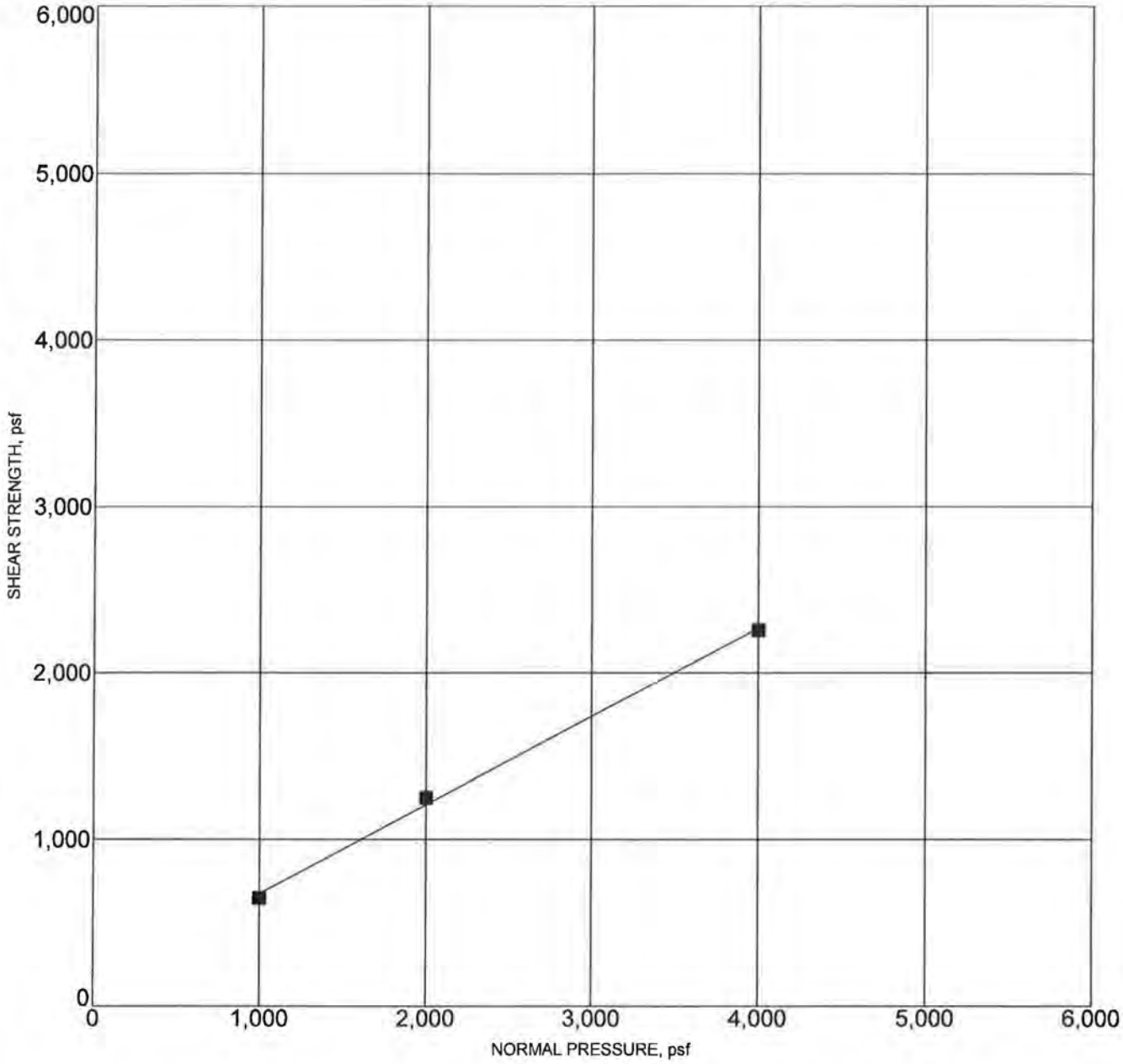
BORING NO.	DEPTH (ft)	SOIL DESCRIPTION	PERCENT PASSING No. 200 SIEVE
B-2	7	Silt (ML)	91
B-2	20	Silt (ML)	81
B-4	20	Silt (ML)	90

DIRECT SHEAR

Direct shear tests were performed on undisturbed samples in accordance with ASTM D 3080. The samples were placed in the shear machine, and pre-selected normal loads were applied. The samples were submerged, allowed to consolidate, and then were sheared to failure. Shear stress and sample deformation were monitored throughout the test. The results of the direct shear tests are presented in Figure B-1.

CONSOLIDATION

One-dimensional consolidation tests were performed on undisturbed samples in accordance with ASTM D 2435. After trimming the ends, the samples were placed in the consolidometer and loaded to up to 0.4 ksf. Thereafter, the samples were incrementally loaded to a maximum load of up to 25.6 ksf. The samples were inundated at 1.6 ksf. Sample deformation was measured to 0.0001 inch. Rebound behavior was investigated by unloading the samples back to 0.4 ksf. Results of the consolidation tests, in the form of strain versus log pressure are presented in Figures B-2 and B-3.



● **PEAK STRENGTH**
Friction Angle= 28 degrees
Cohesion= 144 psf

⧓ **ULTIMATE STRENGTH**
Friction Angle= 28 degrees
Cohesion= 144 psf

Sample Location		Classification	DD,pcf	MC,%
B-3	5.0	SANDY SILT (ML)	96	10.4

PROJECT: CROW ONTARIO PROJECT NO.: 2857.I

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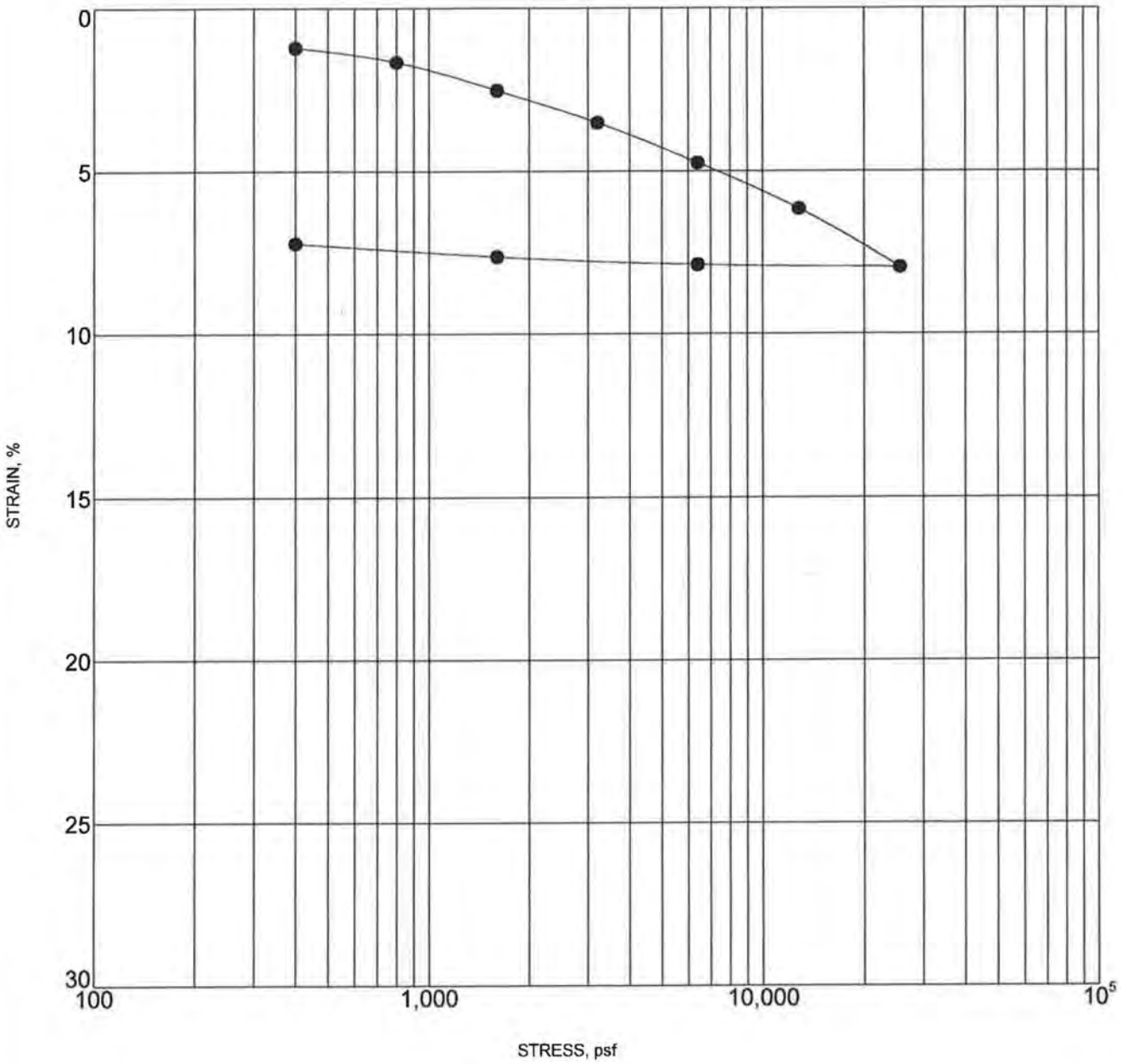
DIRECT SHEAR TEST RESULTS

FIGURE B-1



Sample inundated at 400 psf

	Sample Location		Classification	DD,pcf	MC,%
●	B-2	15.0	SILT (ML)	98	7.5

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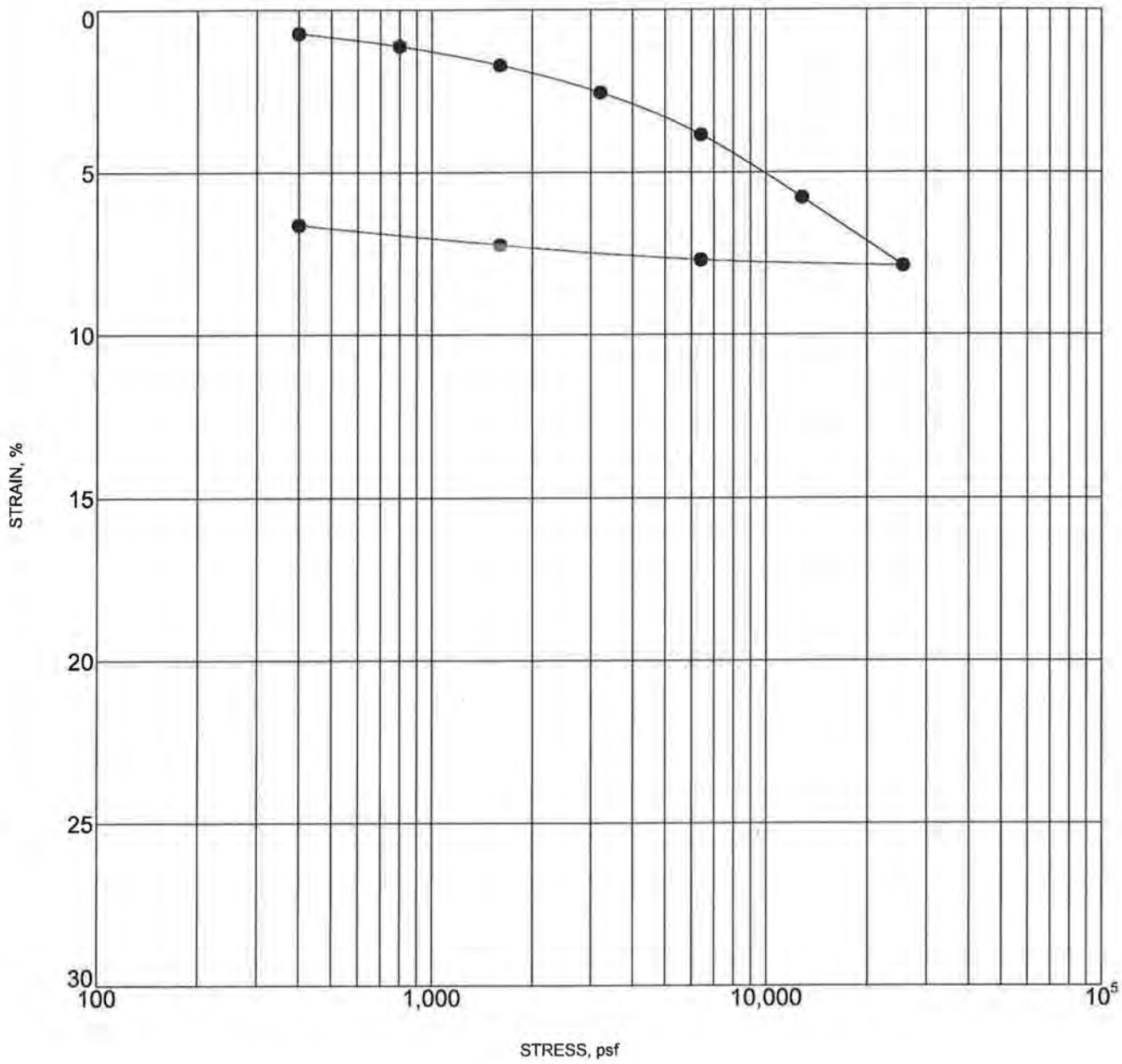
CONSOLIDATION TEST RESULTS

FIGURE B-2



Sample inundated at 1600 psf

	Sample Location		Classification	DD,pcf	MC,%
●	B-4	9.0	SILT (ML)	104	16.7

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CONSOLIDATION TEST RESULTS

FIGURE B-3

Table 1 - Laboratory Tests on Soil Samples

Geotechnical Professionals, Inc.
Crow Ontario
Your #2857.I, HDR Lab #18-0033LAB
23-Jan-18

Sample ID			B-4 @ 0-5'
Resistivity		**Units**	
as-received		ohm-cm	48,000
saturated		ohm-cm	1,960
pH			6.9
Electrical Conductivity		mS/cm	0.24
Chemical Analyses			
Cations			
calcium	Ca^{2+}	mg/kg	89
magnesium	Mg^{2+}	mg/kg	32
sodium	Na^{1+}	mg/kg	15
potassium	K^{1+}	mg/kg	132
Anions			
carbonate	CO_3^{2-}	mg/kg	ND
bicarbonate	HCO_3^{1-}	mg/kg	125
fluoride	F^{1-}	mg/kg	ND
chloride	Cl^{1-}	mg/kg	19
sulfate	SO_4^{2-}	mg/kg	54
phosphate	PO_4^{3-}	mg/kg	104
Other Tests			
ammonium	NH_4^{1+}	mg/kg	21
nitrate	NO_3^{1-}	mg/kg	392
sulfide	S^{2-}	qual	na
Redox		mV	na

Resistivity per ASTM G187, Cations per ASTM D6919, Anions per ASTM D4327, and Alkalinity per APHA 2320-B.
Electrical conductivity in millisiemens/cm and chemical analyses were made on a 1:5 soil-to-water extract.
mg/kg = milligrams per kilogram (parts per million) of dry soil.
Redox = oxidation-reduction potential in millivolts
ND = not detected
na = not analyzed

PHASE I ENVIRONMENTAL SITE ASSESSMENT
47.38-ACRE PROPERTY
13130 HAMNER AVENUE AND UNDEVELOPED PARCEL AT SOUTHWEST CORNER OF EAST RIVERSIDE DRIVE AND SOUTH HAMNER AVENUE
ONTARIO, CALIFORNIA 91761
(ASSESSOR'S PARCEL NUMBER: 0218-171-21-0000 & -27-0000)

Prepared for:

CHI/Acquisitions CA, L.P., a Delaware Limited Partnership

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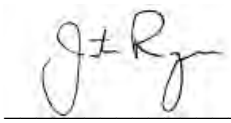
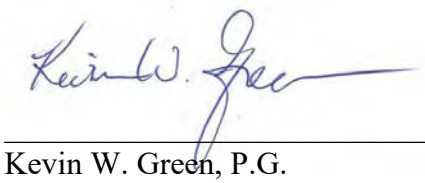
February 7, 2018
File No. 01218010.00

This Phase I Environmental Site Assessment Report for a 47.38-acre site located at the southwestern corner of East Riverside Drive and Hamner Avenue, in Ontario, California, dated February 7, 2018, was prepared by Justin Rauzon and reviewed by Kevin Green.

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312. The resumes for the individuals below are included in **Appendix F**. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.



Justin Rauzon, R.E.P.A.
Project Manager
SCS ENGINEERS



Kevin W. Green, P.G.
Project Director
SCS ENGINEERS

Table of Contents

Section		Page
EXECUTIVE SUMMARY		IV
1	INTRODUCTION	1
2	PURPOSE	1
3	SCOPE OF SERVICES	1
4	SPECIAL TERMS AND CONDITIONS	2
5	LIMITATIONS AND ASSUMPTIONS	2
6	GENERAL SITE CHARACTERISTICS	3
	Site Location	3
	General Site Description	3
	Adjoining Property Use	4
7	PHYSICAL SETTING	4
	Physiographic Setting	4
	Geology and Soils	4
	Groundwater	5
	Radon	5
8	SITE INSPECTION	5
	Hazardous Substances	5
	Natural Drainage	6
	Disturbed Areas	6
	Elevators and Other Hydraulic Equipment	6
	Wells	6
	Electrical Equipment	6
	Wastewater	7
	Drinking Water	7
	Storage Tanks	7
	Visual Inspection of Adjoining Sites	7
9	INTERVIEWS	7
10	SITE HISTORY	8
	Historical Use Summary	10
	Historical Use of Adjoining Sites	11
11	COMMONLY KNOWN OR REASONABLY ASCERTAINABLE INFORMATION	11
	Previous Environmental Reports	11
	Regulatory Agency Records	11
	California Environmental Protection Agency Files	11
	Santa Ana Regional Water Quality Control Board Files	11
	South Coast Air Quality Management District Files	12
12	REVIEW OF FEDERAL, STATE, TRIBAL, AND LOCAL GOVERNMENT DATABASES	12

Property Listings 12
Adjacent Site Listings 12
Other Database Sites 13
Unmappable or Orphan Sites 14
Landfills 14
Oil and Gas Wells 14
National Pipeline Mapping System 14
13 USER PROVIDED INFORMATION 15
Title Records 15
Environmental Liens or Activity and Use Limitations 15
Specialized Knowledge 15
Valuation Reduction for Environmental Issues 15
14 DEGREE OF OBVIOUSNESS OF THE PRESENCE/LIKELY PRESENCE OF CONTAMINATION ON THE PROPERTY 15
15 DATA GAPS 16
16 FINDINGS AND OPINIONS 16
17 REFERENCES 18
18 GLOSSARY/DEFINITIONS 19

Appendices

A Figures 1 and 2
B Aerial Image and Site Photographs
C Historical Site Use Information
D Regulatory Agency File Review Information
E EDR Database Report
F Resumes of Project Personnel

EXECUTIVE SUMMARY

SCS Engineers (SCS) was retained by CHI/Acquisitions CA, L.P., a Delaware Limited Partnership to prepare a Phase I Environmental Site Assessment (Phase I ESA) of a 47.38-acre site located at the southwestern corner of East Riverside Drive and Hamner Avenue (historically South Milliken Avenue), in Ontario, California (the "Property"). This assessment was performed in conformance with 40 CFR 312, Standards for Conducting All Appropriate Inquiries, and in general conformance with ASTM E1527-13.

The Property is located at the southwestern corner of East Riverside Drive and Hamner Avenue. It comprises two parcels, an undeveloped northern parcel and a southern parcel (13130 Hamner Avenue) occupied by Sunshine Growers Nursery Inc. (Sunshine Growers). The Property comprises 47.38 acres. The northern parcel is undeveloped land. Some flattened straw-like and brush-like vegetation was observed on the northern lot. Surface vents for water infrastructure were noted along the eastern side of the Property during the site inspection. Water infrastructure, including remote monitoring equipment, is also located on carve-outs from the northeastern portion of the Property, immediately to the south of East Riverside Drive. Sunshine Growers operates a nursery with a retail building, outdoor growing areas, covered greenhouse growing areas, and a maintenance building.

The Property was rural land located along the San Bernardino-Riverside county line as early as 1897. Historical topographic maps showed a few dirt roads/pathways crisscrossed the Property and one rural structure on the central-western portion of the Property between 1897 and 1903. By 1938, the structure was no longer present and the Property was agricultural land, partially covered with orchards. The northern portion of the Property has remained undeveloped and/or agricultural land since that time. The Sunshine Growers Nursery has been located on the southern portion of the Property since the late 1980s.

Sunshine Growers stores small quantities (less than five-gallon containers) of pesticides, herbicides, fungicides, etc. The company has a state permit and maintains monthly pesticide use reports. Fertilizer is stored inside the greenhouse area. The facility has never maintained bulk storage of chemicals (e.g., in tanks). It is our opinion that, without specific evidence of pesticide mismanagement on the Property, collection and analysis of soil samples for pesticides is unwarranted. The company also stores waste oil, grease, and maintenance paints. One approximately 500-gallon, single-walled, steel aboveground storage tank (AST) is located on the center of the Property. The AST stores fuel for on-site tractors and an emergency generator located immediately to the east of the tank. The tank is situated inside a concrete containment berm. A supply hose runs from the bottom of the tank, over the containment berm, underground for approximately five feet, and then up into the emergency generator. The AST has been present at the nursery since it was first developed 29 years ago. Given the duration the AST has been at the Property, and the fact that the hosing passes underground where a leak would not be detected, SCS considers the diesel fuel AST to be a recognized environmental condition (REC). One groundwater supply well is located on the center of the Nursery portion of the Property.

Regulatory database information identified few known and suspected contamination sites in the area surrounding the Property. It is unlikely that these, or other sites listed in the database report, have negatively affected the environmental condition of the Property.

Conclusions

In summary, SCS performed a Phase I Environmental Site Assessment of a 47.38-acre site located at the southwestern corner of East Riverside Drive and Hamner Avenue, in Ontario, California, in conformance with the scope and limitations of 40 CFR 312 and ASTM E1527-13. Any exceptions to, or deletions from, this practice are described in Section 5 of this report.

In the opinion of the Environmental Professionals, this assessment has revealed evidence of conditions indicative of recognized environmental conditions in connection with the Property, as discussed above. Additional investigation of shallow soils in the area of the diesel fuel AST at the nursery is recommended to screen for possible hydrocarbon releases.

1 INTRODUCTION

SCS Engineers (SCS) was retained by CHI/Acquisitions CA, L.P., a Delaware Limited Partnership (the "User") to prepare a Phase I Environmental Site Assessment (Phase I ESA) of a 47.38-acre site located at the southwestern corner of East Riverside Drive and Hamner Avenue (historically South Milliken Avenue), in Ontario, California (the "Property"). The Property comprises two parcels, an undeveloped northern parcel and a southern parcel occupied by Sunshine Growers Nursery Inc. (Sunshine Growers). A location map for the Property is presented as **Figure 1** in **Appendix A**. This assessment was performed in conformance with 40 CFR 312, Standards for Conducting All Appropriate Inquiries, and in general conformance with ASTM E1527-13.

2 PURPOSE

This Phase I ESA is intended to constitute appropriate inquiry into the previous ownership and uses of the property, as required to support the assertion of the innocent landowner, contiguous property owner, and/or bona fide prospective purchaser defenses to liability (collectively the landowner liability protections, or LLPs) under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA a.k.a. Superfund), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), and the Small Business Liability Relief and Brownfields Revitalization Act of 2002.

The purpose of this investigation was to identify conditions indicative of releases or threatened releases of hazardous substances as defined in CERCLA Section 101, and petroleum products, on, at, in, or to the Property.

If known or suspected contamination is identified, Users seeking to maintain LLPs have responsibilities in addition to completion of an AAI-compliant Phase I ESA. These "continuing obligations" include taking "appropriate care" and "reasonable steps" with respect to known or suspected releases of hazardous substances during the term of property ownership. In addition to these requirements under federal law, there are different requirements under state law with respect to liability protections. On request, SCS can provide support for clients with continuing obligations, as appropriate.

3 SCOPE OF SERVICES

This Phase I ESA is based on:

- Interviews with past and/or present owners, operators, and/or occupants of the Property.
- Reviews of federal, tribal, state, and local government records.
- Visual inspections of the Property and adjoining properties performed on January 19, 2018.
- Review of historical Property use information (topographic maps, aerial photographs, fire insurance maps, existing reports, etc.).

- Commonly known or reasonably ascertainable information about the Property (e.g., interviews with appropriate regulatory agency personnel and review of agency files review of available documents, interviews with other knowledgeable persons).
- Degree of obviousness of the presence or likely presence of contamination at the Property, and the ability to detect the contamination by appropriate investigation.
- Information provided as a result of the additional inquiries conducted by the User.

4 SPECIAL TERMS AND CONDITIONS

This Phase I ESA for a 47.38-acre site located at the southwestern corner of East Riverside Drive and Hamner Avenue, in Ontario, California has been prepared specifically for CHI/Acquisitions CA, L.P., a Delaware Limited Partnership. The report has been prepared in accordance with the care and skill generally exercised by reputable professionals, under similar circumstances, in this or similar localities. No other warranty, express or implied, is made as to the professional opinions presented herein.

No other party, known or unknown to SCS, is intended as a beneficiary of this work product, its content, or information embedded therein. Third parties use this report at their own risk. Third party reliance letters may be issued on request to SCS subject to approval of CHI/Acquisitions CA, L.P., a Delaware Limited Partnership and payment to SCS of a fee for such letters.

5 LIMITATIONS AND ASSUMPTIONS

The investigation focused on releases and threatened releases of hazardous substances or petroleum products that could be considered a recognized environmental condition (REC) and/or a liability due to their possible presence in significant concentrations (e.g., above acceptable limits set by the Federal or state government) or due to the potential for contaminant migration through exposure pathways (e.g., soil vapor inhalation or groundwater ingestion). Materials that may contain substances which are not currently deemed hazardous by the federal or state of California EPA were not considered as part of this study.

Unless specifically included in our scope of services, formal surveys for asbestos-containing materials, lead-based paints, fire safety, vapor intrusion, indoor air quality, mold, and similar matters were not part of this assessment. The Property was not evaluated for compliance with land use, zoning, wetlands, or similar laws. This report is not intended to be an environmental compliance audit.

Hazardous substances naturally occurring in plants, soils, and rocks (e.g., heavy metals, naturally occurring asbestos, or radon) are not typically considered in these investigations. Similarly, construction debris (e.g., discarded concrete, asphalt) is not considered to be of concern unless observations suggest that hazardous substances are likely to be present in significant concentrations.

Unless otherwise noted, sampling and laboratory analyses of soil, water, air, building materials, or other media, were not performed as part of this investigation. Positive identification of hazardous substances can only be accomplished through sampling and appropriate laboratory analysis.

SCS Engineers assumes no responsibility for the accuracy of information obtained from, compiled by, or provided by third-party sources, such as regulatory agency listings. Unless obviously inaccurate or if information exists to the contrary, SCS Engineers assumes that information collected during this environmental site assessment is accurate and correct. Unless warranted, information collected has not been independently validated as part of this assessment.

The following information is the responsibility of the User (40 CFR 312.22) and is not included in this Phase I ESA:

- Specialized knowledge or experience of the User.
- The relationship of the purchase price to the fair market value of the Property. The purchaser of a Property is required to consider whether any differential between the purchase price and the fair market value of the Property is due to the presence of releases or potential releases of hazardous substances at the Property.

Certain other limitations could affect the accuracy and completeness of this report, as follows:

- Site Access Limitations – None.
- Physical Obstructions to Observations – None.
- Outstanding Information Requests – None.
- Historical Data Sources Failure – None.
- Other Limitations – None.

6 GENERAL SITE CHARACTERISTICS

SITE LOCATION

The Property is located at the southwestern corner of East Riverside Drive and Hamner Avenue. It comprises two parcels, an undeveloped northern parcel and a southern parcel occupied by Sunshine Growers. The Property has been assigned tax assessor's parcel numbers (APNs) 0218-171-21-0000 and -27-0000). An APN map is provided as **Figure 2** in **Appendix A**.

GENERAL SITE DESCRIPTION

The Property comprises 47.38 acres. The northern parcel (-27-0000) is undeveloped land. Some flattened straw-like and brush-like vegetation was observed on the northern lot. Sunshine Growers occupies the southern parcel (13130 Hamner Avenue). The company operates a nursery with a retail building, outdoor growing areas, covered greenhouse growing areas, and a maintenance building.

ADJOINING PROPERTY USE

- North – Water utility infrastructure, including remote monitoring equipment, is located on two carve-outs at the northeastern portion of the Property. East Riverside Drive adjoins the Property immediately to the north. Undeveloped, agricultural land is located across the street directly to the north. A small plant nursery is located across the street to the northwest.
- East –Hamner Avenue adjoins the Property immediately to the east. A new Chevron service station and associated convenience store is under construction at the southeastern corner of East Riverside Drive and Hamner Avenue. Snapware occupies an industrial warehouse building across the street to the south of the new service station (3900 Hamner Avenue). A new industrial warehouse building (3950 Hamner Avenue) and a Prologis industrial warehouse building (4100 Hamner Avenue) are located to the east of the southern portion of the Property. The 3950 Hamner Avenue building appeared to be vacant and no tenant was identified at 4100 Hamner Avenue. Southern California Edison (SCE) occupies an area immediately adjacent to the southeast of Sunshine Growers as an outdoor material yard (4275 Hamner Avenue). A Prologis industrial warehouse building (4100 Hamner Avenue) is located across the street to the east of the southern portion of the Property.
- South – The SCE material yard is located outside the southeastern portion of the Property. An SCE electrical substation is located across a dirt road further to the south. Fuji Natural Foods (13500 Hamner Avenue) is also located across the dirt road to the south.
- West – An electrical utility right-of-way with high-tension electrical line towers adjoins the Property immediately to the west. Residential developments are located further to the west.

7 PHYSICAL SETTING

PHYSIOGRAPHIC SETTING

According to the U.S. Geological Survey (USGS), Guasti, California 7.5-minute topographic maps, the Property is located along the San Bernardino-Riverside County border, to the southwest of an agricultural area. The Property itself was not historically depicted as agricultural land. The Property is situated at an elevation of approximately 785 to 790 feet above mean sea level. The Property is relatively flat, with a slight regional slope to the south.

GEOLOGY AND SOILS

The Property is located in the Chino Basin area, a broad alluvial plain that is underlain by undifferentiated Pleistocene and Holocene alluvium deposits consisting predominantly of gravel, sand, silt, and clay. According to a review of information on the State Water Resources Control Board (SWRCB) GeoTracker website for the Crossroad Classic Mustang site (T0606500266), located at 12421 Riverside Avenue, Mira Loma, approximately 0.1 miles to the northeast, subsurface lithology consists of interbedded fine sands, silts, and clay to 80 feet below ground surface (bgs), with a dense, partially cemented gravelly sand between 30 and 45 feet bgs. Based on proximity, similar geologic conditions are anticipated at the Property.

GROUNDWATER

Based on a review of GeoTracker information for the Crossroad Classic Mustang site, first groundwater was measured at a depth of 198 feet bgs in October 2004. Based on proximity, groundwater is anticipated at a similar depth beneath the Property. Based on topography, groundwater is expected to flow southerly in direction.

RADON

According to the California Department of Public Health's February 2016 Radon Program report, screening in the area of the Property (91761 zip code) found no locations (out of seven) where buildings had radon levels greater than or equal to 4 picocuries per liter (pCi/L), the EPA action level. The maximum radon result for the Property's zip code was 0.7 pCi/L. The alluvial geology of the area is not normally associated with elevated radon levels.

8 SITE INSPECTION

Justin Rauzon of SCS conducted an inspection of the Property and surrounding area on January 19, 2018. A Google Earth aerial image and photographs of the Property are provided in **Appendix B**.

Access to the Property was arranged by Mr. Jared Riemer of Crow Holdings Industrial and Mr. Eloy Cova of CBRE personnel. The northern portion of the Property is undeveloped land with fencing along the western and southern boundaries. Surface vents for water infrastructure was noted along the eastern side of the Property. As noted above, water infrastructure, including remote monitoring equipment, is also located on carve-outs from the northeastern portion of the Property, immediately to the south of East Riverside Drive.

Mr. Russ Lepper, the owner of Sunshine Growers, authorized access to the southern portion of the Property. His son, Curtis Lepper, accompanies Mr. Rauzon on the site tour and provided general information about the operations. The nursery operation grows plants and provides storage of mulch and gravel products. It is open to the public. There is a retail store building on the northeastern side of the Property, near the entrance. Shaded growing areas and greenhouses are located on the central-northern and northwestern portions of the nursery. A maintenance building and skid-mounted office building are located to the south of the southeastern corner of the greenhouse structures.

HAZARDOUS SUBSTANCES

No hazardous substances or hazardous wastes were observed at the undeveloped northern portion of the Property during the site inspection.

Sunshine Growers stores small quantities (containers less than five gallons) of pesticides, herbicides, fungicides, etc. in the maintenance building. The facility has an agricultural permit from the State of California (Permit No. 3615-3603650) for the use of these products. The nursery maintains pesticide use reports documenting the volumes and areas where they are sprayed. According to Mr. Curtis Lepper, most of the spraying is done inside the greenhouse area. A few drums of waste oil, lubricating grease, and maintenance paint were also noted inside

the maintenance building. No evidence of chemical mismanagement (spills, staining, reports of releases, etc.) were noted during the site inspection.

NATURAL DRAINAGE

Natural waterways are not currently located on the Property. Runoff from the Property infiltrates into the ground or flows overland to the surrounding streets and undeveloped land.

DISTURBED AREAS

No disturbed areas were noted on the southern nursery parcel.

At the time of the site inspection, approximately 25 mounds of discarded soil and construction debris were observed on the eastern side of the northern portion of the Property, along the western side of Hamner Avenue. Each of the piles was approximately three to four cubic yards and appeared to be from unauthorized dumping. Some concrete rubble, small amounts of asphalt, and PVC piping was mixed in with the soil. No obvious indications of contamination (visible staining, odors, etc.) were noted among the mounds. These piles were removed from the Property by January 30, 2018 and fencing was put around the perimeter of the northern parcel to prevent future unauthorized dumping. Since the stockpiles are no longer at the Property, no negatively environmental effects from their presence is anticipated.

ELEVATORS AND OTHER HYDRAULIC EQUIPMENT

No elevators or other hydraulic equipment were observed at the Property.

WELLS

One groundwater supply well is located near the center of the nursery portion of the Property. No other groundwater wells or other monitoring wells were noted on the northern portion of the Property or in the immediately surrounding area.

ELECTRICAL EQUIPMENT

No electrical transformers or other fluid-filled electrical equipment were noted at the northern Property during the site inspection.

One pole-mounted Southern California Edison (SCE) electrical transformer servicing the nursery buildings is located at the center of the southern parcel of the Property. SCE has stated that they have never specified the purchase of distribution transformers utilizing PCBs as the insulating/cooling fluid. SCE transformers utilize mineral oil exclusively. In a statistically valid test of over 20,000 SCE distribution transformers, SCE determined that the concentrations of PCBs in the mineral oils was less than 50 parts per million (ppm) in over 96 percent of the units. Based on the available information, no significant environmental impact to the Property is anticipated from this transformer.

WASTEWATER

Neither sanitary nor process wastewater is currently generated at the northern portion of the Property. Sanitary wastewater generated at two restrooms located on the nursery portion of the Property is directed to two septic systems. One is located outside the northern portion of the retail building and the second is located to the south of the maintenance building and office. The septic systems reportedly are connected to leach fields.

DRINKING WATER

Drinking water is not currently supplied to the northern portion of the Property. The nursery portion of the Property is not connected to a municipal water supply. Groundwater from the on-site well is used only for nursery watering activities. Bottled water is provided for drinking

STORAGE TANKS

No evidence (fill ports, vent lines, or dispensers) of underground storage tanks (USTs) was observed on the Property. One approximately 500-gallon, single-walled, steel aboveground storage tank (AST) is located on the center of the Property. The AST stores fuel for on-site tractors and an emergency generator located immediately to the east of the tank. The tank is situated inside a concrete containment berm. A supply hose runs from the bottom of the tank, over the containment berm, underground for approximately five feet, and then up into the emergency generator. The AST has been present at the nursery since it was first developed 29 years ago. Given the duration the AST has been at the Property, and the fact that the hosing passes underground where a leak would not be detected, SCS considers the diesel fuel AST to be a recognized environmental condition (REC). No other ASTs were observed on the Property.

VISUAL INSPECTION OF ADJOINING SITES

No obvious indications of RECs were noted at the adjoining sites during the site inspection. While service stations use and store fuel in USTs, the Chevron station located to the east was still under construction.

9 INTERVIEWS

SCS interviewed one electrical utility employee working across the street to the north of the Property. He was working on the signal at the adjoining intersection. He indicated that the infrastructure observed outside the northeastern corner of the Property and along the eastern edge of the Property was remote monitoring equipment associated with an underground water system.

SCS interviewed Mr. Curtis Lepper during the Sunshine Growers site inspection and Mr. Russ Lepper by telephone. According to Mr. Russ Lepper, Sunshine Nursery has operated at the southern portion of the Property for 29 years. The operations have remained the same throughout that time. He indicated that there are two septic systems and one groundwater supply well. He stated that Round-Up is typically sprayed outside on the Property 6-12 times per year. The primary use of pesticides and herbicides is for growing of poinsettia plants inside the greenhouse between July and December each year.

10 SITE HISTORY

Site history was evaluated from the following sources:

- Historical USGS topographic maps provided by Environmental Data Resources (EDR) (January 10, 2018).
- Historical aerial photographs provided by EDR (January 10, 2018).
- A search was made of EDR-Sanborn collection and no maps of the Property were found (January 10, 2018).
- A City Directory review report provided by EDR (January 10, 2018)

Copies of topographic maps, historical aerial photographs, city directories, and the certified Sanborn map search report are included in **Appendix C**.

Year	Description	Source
1897 to 1903	The Property was rural land located along the San Bernardino-Riverside county line. A few dirt roads/pathways crisscrossed the Property and one rural structure was depicted on the central-western portion of the Property. A few rural roads/pathways were also located on surrounding sites. No other structures were located in the general area.	Topographic map
1938	The Property was agricultural land, partially covered with orchards. Dirt roads adjoined the northern and eastern edges of the Property. The Property was surrounded on all sides by agricultural or undeveloped land.	Aerial photo
1941	The Property and adjoining sites were depicted as undeveloped land, with no indications of the dirt roads/pathways or structure shown in the 1897 to 1903 topographic maps.	Topographic map
1944	The Property was largely undeveloped land with a few orchards on the southern end. Orchards were depicted to the north and south of the Property. The areas to the west and east were undeveloped and vacant.	Topographic map
1948	With the exception of a few trees on the northeastern corner, the Property was undeveloped and cleared of orchards. The areas to the north and east were agricultural orchards. The adjoining areas to the west and south were undeveloped and cleared of vegetation.	Aerial photo
1953	The Property was agricultural, cultivated with row crops. The surrounding area was also agricultural, though there were no longer orchards on adjoining sites. A groundwater well was depicted outside the western side of the Property.	Aerial photo and Topographic map
1954	No significant changes from the 1953 topographic map were noted on the Property or adjoining sites.	Topographic map

Year	Description	Source
1959	The Property and surrounding sites were undeveloped, agricultural land. A structure outside the western side of the Property appeared to be located where the groundwater well was depicted in the 1953 and 1954 topographic maps.	Aerial photo
1966	No significant changes from the 1954 topographic map were noted on the Property or adjoining sites.	Topographic map
1967	No significant changes from the 1959 aerial photo were noted on the Property or adjoining sites.	Aerial photo
1973	No significant changes from the 1966 topographic map were noted on the Property or adjoining sites.	Topographic map
1975	No significant changes from the 1959 aerial photo were noted on the Property. Two electrical towers were developed immediately to the west of the Property.	Aerial photo
1976	No significant changes from the 1973 topographic map were noted on the Property or adjoining sites.	Topographic map
1981	No significant changes from the 1976 topographic map were noted on the Property. An electrical substation was depicted to the southwest of the Property.	Topographic map
1985	No significant changes from the 1975 aerial photo were noted on the Property. The area across the street to the northwest, beneath the electrical line right-of-way, was being used as a plant nursery.	Aerial photo
1989	The southern portion of the Property was being developed as a nursery (13130 South Milliken Avenue, later changed to 13130 Hamner Avenue). No other significant changes from the 1975 aerial photo were noted on the Property. The electrical substation located to the southwest of the Property was also being developed. No other significant changes from the 1975 aerial photo were noted on immediately adjoining sites.	Aerial photo
1990	No significant changes from the 1989 aerial photo were noted on the Property or adjoining sites.	Aerial photo
1994	No significant changes from the 1990 aerial photo were noted on the Property or adjoining sites.	Aerial photo
1995	Sunshine Growers Nursery was listed at 13130 South Milliken Avenue.	City directories

Year	Description	Source
2005	No significant changes from the 1994 aerial photo were noted on the Property. Two industrial warehouse buildings (3900 Hamner Avenue and 4100 Hamner Avenue) were developed to the east of the Property, across Hamner Avenue.	Aerial photo
2006	No significant changes from the 2005 aerial photo were noted on the Property or adjoining sites.	Aerial photo
2008	Sunshine Growers Nursery was listed at 13130 South Milliken Avenue.	City directories
2009	No significant changes from the 2006 aerial photo were noted on the Property. The remote monitoring water infrastructure was visible outside the northeastern portion of the Property.	Aerial photo
2010	No significant changes from the 2009 aerial photo were noted on the Property or adjoining sites. Snapware Corp and Cal-Mold Incorporated were listed as tenants at 3900 Hamner Avenue, to the east of the Property.	Aerial photo and City directories
2012	No significant changes from the 2010 aerial photo were noted on the Property or adjoining sites. This topographic map does not provide site-specific detail.	Aerial photo and Topographic map

HISTORICAL USE SUMMARY

The Property was rural land located along the San Bernardino-Riverside county line as early as 1897. Historical topographic maps showed a few dirt roads/pathways crisscrossed the Property and one rural structure on the central-western portion of the Property between 1897 and 1903. By 1938, the structure was no longer present and the Property was agricultural land, partially covered with orchards. The northern portion of the Property has remained undeveloped and/or agricultural land since that time. The Sunshine Growers Nursery has been located on the southern portion of the Property since the late 1980s.

The existence of past agricultural activities on the Property and in adjacent areas indicates a potential for pesticide and/or heavy metal (associated with dusting powders) contamination. In SCS's experience, it is not uncommon to find trace levels of pesticides in soils at former agricultural areas in Southern California. However, these trace concentrations are rarely cause for environmental concern. Sunshine Growers has a permit for its pesticide use and maintains records of its spraying in accordance with its permit requirements. The facility has never maintained bulk storage of chemicals (e.g., in tanks). It is our opinion that, without specific evidence of pesticide mismanagement on the Property, collection and analysis of soil samples for pesticides is unwarranted.

HISTORICAL USE OF ADJOINING SITES

The area surrounding the Property was also agricultural and/or undeveloped rural land as early as 1938. A groundwater well was installed to the southwest of the Property around 1953. High-tension electrical lines, including two towers, were constructed to the west of the Property around 1975. Plant nurseries have been located across the street to the northwest and immediately to the south since the 1980s. An industrial warehouse building was developed across the street to the east sometime between 1995 and 2005. Snapware Corp and Cal-Mold Incorporated have been tenants at this building since at least 2010. Based on the available historical information, SCS identified no activities on adjoining sites that would likely affect the environmental condition of the Property.

11 COMMONLY KNOWN OR REASONABLY ASCERTAINABLE INFORMATION

In order to identify commonly known or reasonably ascertainable information about the Property, SCS reviewed previous environmental reports and various regulatory agency files and interviewed regulatory agency personnel. The following information was identified.

PREVIOUS ENVIRONMENTAL REPORTS

No previous environmental reports were provided to SCS for review.

REGULATORY AGENCY RECORDS

Local regulatory agencies and other sources were contacted in an effort to identify any known or suspected contamination sites or incidents of hazardous waste storage or disposal which might have resulted in soil or groundwater contamination within a one-mile radius of the Property. Within the City of Ontario, the San Bernardino County Fire Department (Hazardous Materials Division) generally acts as the lead enforcement agency for underground storage tank compliance. If a tank has leaked and groundwater contamination is suspected, the Santa Ana Regional Water Quality Control Board (SARWQCB) generally becomes the lead agency in supervising contaminant characterization and cleanup.

Since the Property has been undeveloped agricultural land without a historical address and no issues of potential environmental concern were identified from other sources, review of San Bernardino County Fire Department or SARWQCB files was not warranted.

California Environmental Protection Agency Files

The Property is not a listed site on the California Environmental Protection Agency (CalEPA) Regulated Site Portal website (**Appendix D**).

Santa Ana Regional Water Quality Control Board Files

The Property does not appear on the SWRCB's GeoTracker website. Recent SARWQCB case files, if any, would be listed on this website (**Appendix D**).

South Coast Air Quality Management District Files

The Property does not appear on the South Coast Air Quality Management District (AQMD) Facility INformation Detail (FIND) website.

12 REVIEW OF FEDERAL, STATE, TRIBAL, AND LOCAL GOVERNMENT DATABASES

A database search for sites listed on various federal, state, tribal, and local databases in the area around the Property was obtained from EDR (September 12, 2017). A description of each of the databases searched is included in the report, which is attached as **Appendix E**. Among the databases included in the EDR report are NPL (federal, tribal, and state-equivalent), proposed and delisted NPL, CORRACTS (RCRA facilities subject to corrective actions), hazardous waste sites identified for investigation or remediation (SEMS [Superfund Enterprise Management System, formerly known as CERCLIS], State CERCLIS, VCP, Brownfields Calsites, etc.), LUST, sites with engineering controls, former CERCLIS (NFRAP), RCRA and state hazardous waste generators, ERNS, SWLF, USTs, and Toxic Pits.

Review of these records satisfies all requirements as set forth in 40 CFR Section 312.26 (b) and (c) with regard to the review of federal, tribal, and state government records of databases of such government records and local government records and databases of such records pertaining to both the Property and the nearby or adjoining properties. Further, the search distances for each particular database are as specified in 40 CFR 312.26 and ASTM E1527-13.

Any known or suspected contaminated sites included on these lists within 0.25 miles of the Property are discussed in the following text. As a general rule, sites beyond 0.25 miles are not anticipated to impact a site significantly. Any sites beyond 0.25 miles with a high potential to impact the Property are also discussed. (Please note: the distances and directions listed in this report have been field verified and might not always match those in the EDR report.)

Sites such as TSD facilities, hazardous waste generators, HAZNET, FINDS, SQGs, LQGs, USTs, HIST UST, RCRA violations, and TRIS facilities with toxic chemical releases (generally in accordance with permitting requirements - into the air, water, or land as reported under SARA Title III) use or store hazardous materials and thus may pose a potential problem in the event of a spill or leak. However, unless these sites also appear in an agency list of contaminated sites, there is no evidence of any problems at this time. Therefore, sites on these lists will not be discussed unless on or in close proximity to the Property.

Please refer to **Appendix E** for further information on these sites.

PROPERTY LISTINGS

The Property is not listed in any of the databases searched by EDR.

ADJACENT SITE LISTINGS

The following adjacent sites were listed in one or more databases searched by EDR:

AG-Jack Pinheiro Dairy/Jack Pinheiro Dairy, 11011 East Riverside Drive (adjacent to the north) – UST, SWEEPS UST, CA FID UST, San Bern. Co. Permit, and WDS. According to these listings, one 1,000-gallon fuel UST was historically located at an address that maps across the street to the north of the Property. It is not clear where exactly this site was located, but the odd-numbered address implies it is on the northern side of the street. It may have been across the street to the northwest, in the area where a plant nursery is currently located. The database information contains no indications of past leaks. Based on the available information, this site is not anticipated to negatively affect the environmental condition of the Property.

Cal Mold Inc., 3900 Hamner Avenue (adjacent to the east) – RCRA-SQG, FINDS, ECHO, HAZNET, NPDES. According to this listing, Cal Mold Inc. has generated hazardous waste at the site across the street to the east since 1998. The wastes generated include ignitable hazardous waste, unspecified aqueous solution, oil-containing waste, waste oil and mixed oil, other organic solids, unspecified alkaline solution, etc. The facility was issued notices of violation related to its hazardous materials business plan in 2013 and 2017. These appear to have been related to paperwork, not releases. Based on the available information, this site is not anticipated to negatively affect the environmental condition of the Property.

Exel Inc. D C 3/5, 4000 and 4100 South Hamner Avenue (adjacent to the east) – FINDs, RCRA-SQG, ECHO. According to this listing, corrosive wastes were handled at the facility. No violations were found for the facility. Based on the available information, this site is not anticipated to negatively affect the environmental condition of the Property.

Fuji Natural Foods, 13500 South Milliken Avenue (adjacent to the south) – HIST UST, San Bern. Co. Permit, SWEEPS UST, and CA FID UST. This facility is located downgradient from the Property. It has a 10,000-gallon motor regular unleaded UST with no reported releases. The facility is also a small quantity generator storing 11-30 hazardous materials. Based on the available information, this site is not anticipated to negatively affect the environmental condition of the Property.

OTHER DATABASE SITES

The EDR report provides a summary table of regulatory database sites within specified distances of the Property, including: 1. standard environmental records, 2. additional environmental records, and 3. high risk historical records. This summary table is provided beginning on Page 4 of the EDR report (**Appendix E**). In addition to the adjoining sites above, SCS identified no other sites of concern within 0.25 miles of the Property. One other site located approximately 0.2 miles to the east-northeast (Crossroad Classic Mustang) reported a leaking UST, but the leak affected soil only and the case was closed by Riverside County in 2006. Based on distance and regulatory status, this site is not anticipated to affect the Property.

The other sites within 0.25 miles are listed in the RCRA-SQG, FINDS, ECHO, SWEEPS UST, and CA FID UST databases. None are known to have any contamination at this time; therefore,

none are anticipated to have impacted the Property. Similarly, none of the sites situated beyond 0.25 miles are anticipated to have impacted the Property.

Unmappable or Orphan Sites

Two unmappable sites were identified in the EDR report. Unmappable sites cannot be plotted due to inaccurate or incomplete addresses. Based on review of the provided data, including the estimated locations of the unmappable sites in relation to the Property, it appears unlikely that the unmappable sites have adversely affected the environmental condition of the Property.

LANDFILLS

According to the EDR-provided review of the California Department of Resources Recycling and Recovery (CalRecycle) Solid Waste Information System, no active or inactive landfills were identified within 0.5 miles of the Property. Based on the available information, it is unlikely that landfills have adversely affected the environmental condition of the Property.

OIL AND GAS WELLS

Available oil and gas well maps from the California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR) were reviewed to identify oil and gas wells on the Property or in the nearby area. According to the DOGGR Well Finder online database, the property is not located within the boundaries of a delineated oil and gas field.

A map showing the location of the Property relative to nearby oil and gas wells is provided in **Appendix D**. No oil and gas wells are located on the Property or within one mile of the Property.

NATIONAL PIPELINE MAPPING SYSTEM

SCS reviewed the National Pipeline Mapping System (NPMS) website for the Property and surrounding area to identify any hazardous materials pipelines. The NPMS is a geographic information system (GIS) created by the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA), and Office of Pipeline Safety (OPS) in cooperation with other federal and state governmental agencies and the pipeline industry. The NPMS consists of geospatial data, attribute data, public contact information, and metadata pertaining to the interstate and intrastate hazardous liquid trunklines and hazardous liquid low-stress lines as well as gas transmission pipelines, liquefied natural gas (LNG) plants, and hazardous liquid breakout tanks (tanks that receive and store liquids transported by pipeline) jurisdictional to PHMSA. The nominal accuracy of geospatial data in the NPMS is +/-500 feet. The NPMS does not contain information on interconnects, pump and compressor stations, valves, direction of flow, capacity, throughput, or operating pressure. In addition, distribution and gathering pipelines are not included in the NPMS.

The NPMS is built from data submitted by pipeline, LNG plant, and breakout tank facility operators. Since 2002, transmission pipeline and LNG plant facility operators are required to

submit mapping information to the NPMS and to update their submissions annually. Breakout tank operators are able to submit data to the NPMS on a voluntary basis.

A map showing the location of the Property relative to nearby NPMS pipelines is provided in **Appendix D**. Based on review of the NPMS website, one Plains Marketing, L.P. crude oil pipeline (Operator ID: 26085, Pipeline ID: 1821) is located along Hamner Avenue to the east of the Property. The pipeline status is described as "retired." No accidents were reported on the NPMS website in the area of the Property. Based on the available information, no negative environmental affects to the Property are anticipated from this pipeline.

13 USER PROVIDED INFORMATION

A User Questionnaire was not returned to SCS for inclusion in the report. CHI/Acquisitions CA, L.P., a Delaware Limited Partnership provided no information beyond what is discussed above.

TITLE RECORDS

No title report was provided to SCS for review.

ENVIRONMENTAL LIENS OR ACTIVITY AND USE LIMITATIONS

No information regarding environmental liens or activity and use limitations was provided to SCS. No environmental liens or activity/use limitations were identified by SCS during the course of this assessment.

SPECIALIZED KNOWLEDGE

No specialized knowledge regarding the Property was provided to SCS by the User.

VALUATION REDUCTION FOR ENVIRONMENTAL ISSUES

No property valuation information was provided to SCS.

14 DEGREE OF OBVIOUSNESS OF THE PRESENCE/LIKELY PRESENCE OF CONTAMINATION ON THE PROPERTY

As discussed above, the Property was rural land located along the San Bernardino-Riverside county line as early as 1897. Historical topographic maps showed a few dirt roads/pathways crisscrossed the Property and one rural structure on the central-western portion of the Property between 1897 and 1903. By 1938, the structure was no longer present and the Property was agricultural land, partially covered with orchards. The northern portion of the Property remained undeveloped and/or agricultural land since that time. The Sunshine Growers Nursery has been on the southern portion of the Property since the late 1980s. The 500-gallon AST has been present at the nursery since it was first developed 29 years ago. Given the duration the AST has

been at the Property, and the fact that the hosing passes underground where a leak would not be detected, SCS considers the diesel fuel AST to be a REC.

15 DATA GAPS

A data gap represents an inability on the part of the environmental professional to obtain information required by the standards and practices of 40 CFR 312 to fully identify conditions indicative of releases or threatened releases of hazardous substances on, at, in, or to the Property.

No data gaps were encountered during the course of this Phase I ESA.

16 FINDINGS AND OPINIONS

Based on the scope of work performed, SCS finds the following:

The Property is located at the southwestern corner of East Riverside Drive and Hamner Avenue. It comprises two parcels, an undeveloped northern parcel and a southern parcel (13130 Hamner Avenue) occupied by Sunshine Growers Nursery Inc. (Sunshine Growers). The Property comprises 47.38 acres. The northern parcel is undeveloped land. Some flattened straw-like and brush-like vegetation was observed on the northern lot. Surface vents for water infrastructure were noted along the eastern side of the Property during the site inspection. Water infrastructure, including remote monitoring equipment, is also located on carve-outs from the northeastern portion of the Property, immediately to the south of East Riverside Drive. Sunshine Growers operates a nursery with a retail building, outdoor growing areas, covered greenhouse growing areas, and a maintenance building.

The Property was rural land located along the San Bernardino-Riverside county line as early as 1897. Historical topographic maps showed a few dirt roads/pathways crisscrossed the Property and one rural structure on the central-western portion of the Property between 1897 and 1903. By 1938, the structure was no longer present and the Property was agricultural land, partially covered with orchards. The northern portion of the Property has remained undeveloped and/or agricultural land since that time. The Sunshine Growers Nursery has been located on the southern portion of the Property since the late 1980s.

Sunshine Growers stores small quantities (less than five-gallon containers) of pesticides, herbicides, fungicides, etc. The company has a state permit and maintains monthly pesticide use reports. Fertilizer is stored inside the greenhouse area. The facility has never maintained bulk storage of chemicals (e.g., in tanks). It is our opinion that, without specific evidence of pesticide mismanagement on the Property, collection and analysis of soil samples for pesticides is unwarranted. The company also stores waste oil, grease, and maintenance paints. One approximately 500-gallon, single-walled, steel aboveground storage tank (AST) is located on the center of the Property. The AST stores fuel for on-site tractors and an emergency generator located immediately to the east of the tank. The tank is situated inside a concrete containment berm. A supply hose runs from the bottom of the tank, over the containment berm, underground for approximately five feet, and then up into the emergency generator. The AST has been present at the nursery since it was first developed 29 years ago. Given the duration the AST has been at the Property, and the fact that the hosing passes underground where a leak would not be detected,

SCS considers the diesel fuel AST to be a recognized environmental condition (REC). One groundwater supply well is located on the center of the Nursery portion of the Property.

Regulatory database information identified few known and suspected contamination sites in the area surrounding the Property. It is unlikely that these, or other sites listed in the database report, have negatively affected the environmental condition of the Property.

In summary, SCS performed a Phase I Environmental Site Assessment of a 47.38-acre site located at the southwestern corner of East Riverside Drive and Hamner Avenue, in Ontario, California, in conformance with the scope and limitations of 40 CFR 312 and ASTM E1527-13. Any exceptions to, or deletions from, this practice are described in Section 5 of this report.

In the opinion of the Environmental Professionals, this assessment has revealed evidence of conditions indicative of recognized environmental conditions in connection with the Property, as discussed above. Additional investigation of shallow soils in the area of the diesel fuel AST at the nursery is recommended to screen for possible hydrocarbon releases.

17 REFERENCES

ASTM International, November 1, 2013. Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, Designation: E1527-13.

California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR) Website: http://www.conservation.ca.gov/dog/Pages/Index.aspx.

California Department of Health Services (CDHS), Updated February 2016. *California Indoor Radon Test Results*: https://archive.cdph.ca.gov/HealthInfo/environhealth/Documents/Radon/RnReport02262016.pdf.

California Department of Toxic Substance Control (DTSC) EnviroStor Website: https://www.envirostor.dtsc.ca.gov/public/.

California Environmental Protection Agency (CalEPA), Site Portal Website: https://siteportal.calepa.ca.gov/nsite/.

California Environmental Protection Agency, State Water Resources Control Board (SWRCB), GeoTracker Website: http://geotracker.waterboards.ca.gov/.

Environmental Data Resources, Inc. (EDR), www.edrnet.com, (800) 352-0050.

Federal Register, The Daily Journal of the United States Government, November 1, 2005. Part III, Environmental Protection Agency, 40 CFR Part 312, Standards and Practices for All Appropriate Inquiry. Volume 70, No. 210. Amended December 30, 2013, Volume 78, No. 250.

Los Angeles County Department of Public Works (LACDPW). 900 Fremont Avenue, Alhambra, California 91803, (626) 458-5100.

National Pipeline Mapping System (NPMS) Website: https://www.npms.phmsa.dot.gov/PublicViewer/.

South Coast Air Quality Management District (AQMD), Facility INformation Detail (FIND) website: http://www3.aqmd.gov/webappl/fim/prog/search.aspx.

18 GLOSSARY/DEFINITIONS

AAI -- All Appropriate Inquiry
AUL -- Activity and Use Limitations
BTEX -- benzene, toluene, ethylbenzene, and total xylenes
CERCLA -- Comprehensive, Environmental Response, Compensation, and Liability Act
CERCLIS -- Comprehensive Environmental Response, Compensation, and Liability Information System
CFR -- Code of Federal Regulations
CORRACTS -- Corrective Action Against Responsible Parties at a RCRA site
CREC -- 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 (e.g., property use restrictions, AULs, or institutional or engineering controls).
DOGGR -- Department of Oil, Gas, and Geothermal Resources
De Minimis Condition -- A condition that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be *de minimis conditions* are not RECs or CRECs.
DTSC -- California EPA Department of Toxic Substances Control
EDR -- Environmental Data Resources, Inc.
EPA -- Environmental Protection Agency
ERNS -- Emergency Response Notification System
ESA -- Environmental Site Assessment
FINDS -- Facility Index System
HAZNET -- California EPA Hazardous Waste Facility and Manifest Data
HREC -- Historical Recognized Environmental Condition: A past release of any hazardous substances or petroleum products that has occurred in connection with the property 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 property to any required controls
LQG -- Large Quantity Hazardous Waste Generator
LUST -- Leaking Underground Storage Tank
MCL -- Maximum contaminant level
MTBE -- Methyl-tert-butyl-ether
NFA -- No Further Action determination
NFRAP -- No Further Remedial Action Planned
NPL -- National Priority List (Superfund)
PAHs -- Polynuclear aromatic hydrocarbons
PCBs -- Polychlorinated biphenyls
PRGs -- Preliminary Remediation Goals
RCRA -- Resource Conservation and Recovery Act
RCRIS -- Resource Conservation and Recovery Information System

RECs -- R*ecognized environmental conditions* is defined by ASTM E 1527-13 a*s*: "The presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to 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*."

ROD -- Record of Decision

RBSLs -- Risk-based Screening Levels

RWQCB -- Regional Water Quality Control Board

SARA -- Superfund Amendments and Reauthorization Act

SLIC -- Spills, Leaks, Investigations, and Cleanups database

SQG -- Small Quantity Hazardous Waste Generator

SWIS -- Solid Waste Information System

SWLF -- Solid Waste Facility/Landfills

TPH -- Total Petroleum Hydrocarbons

TRIS -- Toxic Release Inventory System

TSD -- Treatment, Storage, and/or Disposal Facility

User -- The person or persons seeking to establish the innocent landowner defense, bona fide prospective purchaser liability protection, and/or contiguous property owner liability protection pursuant to CERCLA sections 101 and 107.

USGS -- United States Geologic Survey

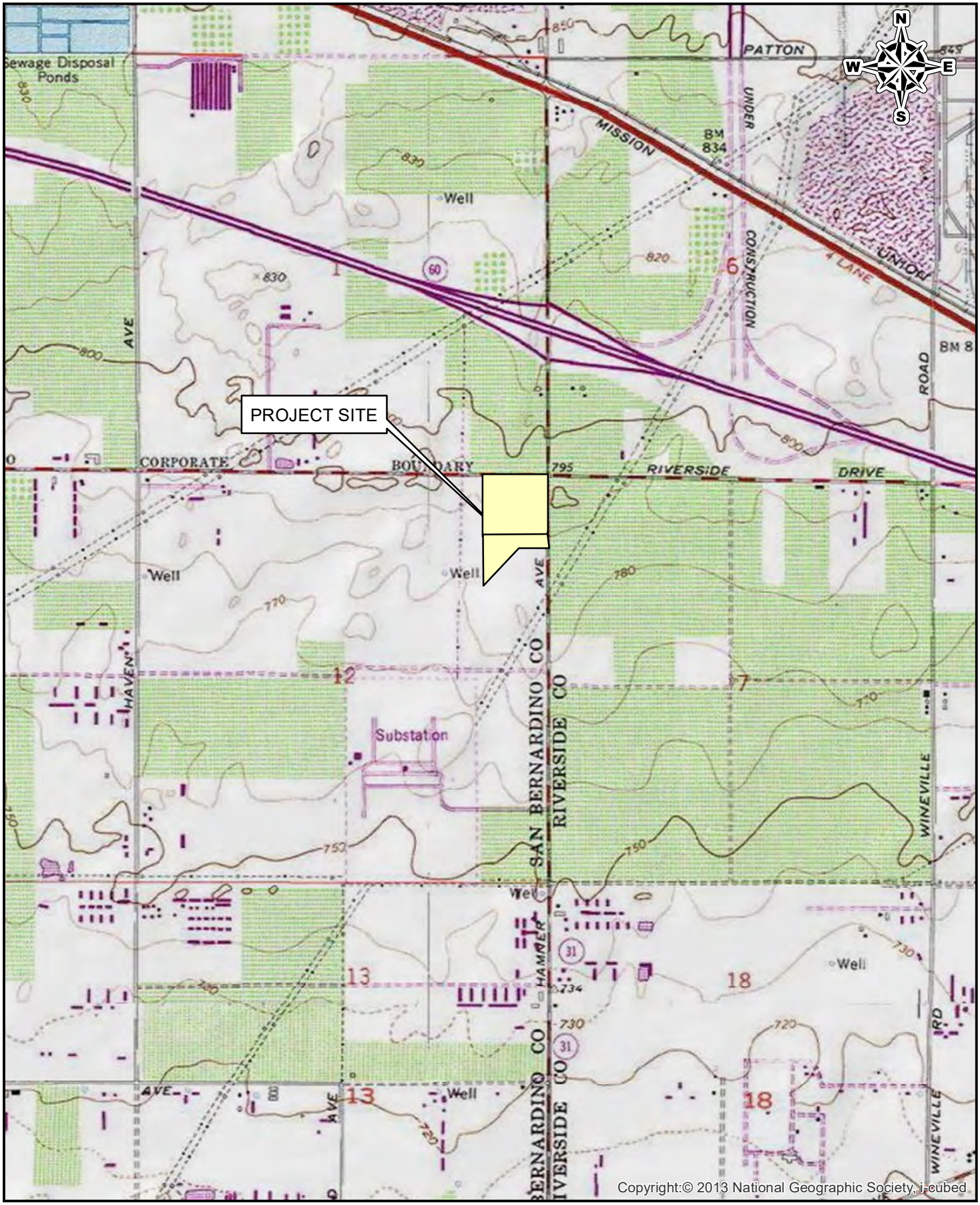
UST -- Underground Storage Tank

VCP -- Voluntary Cleanup Program

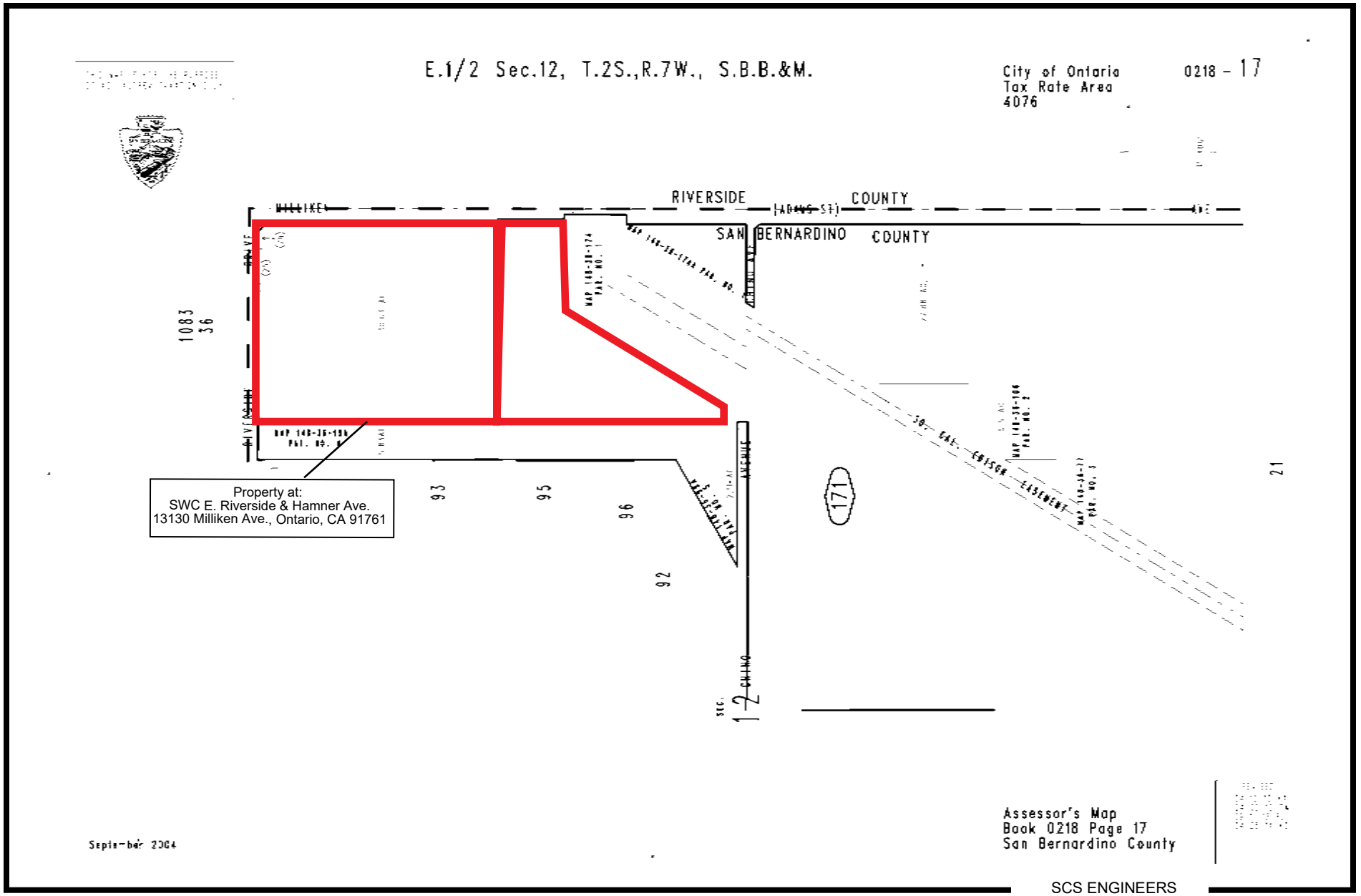
VOCs -- Volatile organic compounds

APPENDIX A

FIGURES 1 AND 2



SCS ENGINEERS 3900 KILROY AIRPORT WAY, STE 100 LONG BEACH, CALIFORNIA 90806-6816	SITE: SWC E. Riverside & Hamner Avenue 13130 Milliken Avenue Ontario, California 91761	Job No.: 01218010.00 Title: SITE LOCATION MAP	FIGURE 2289

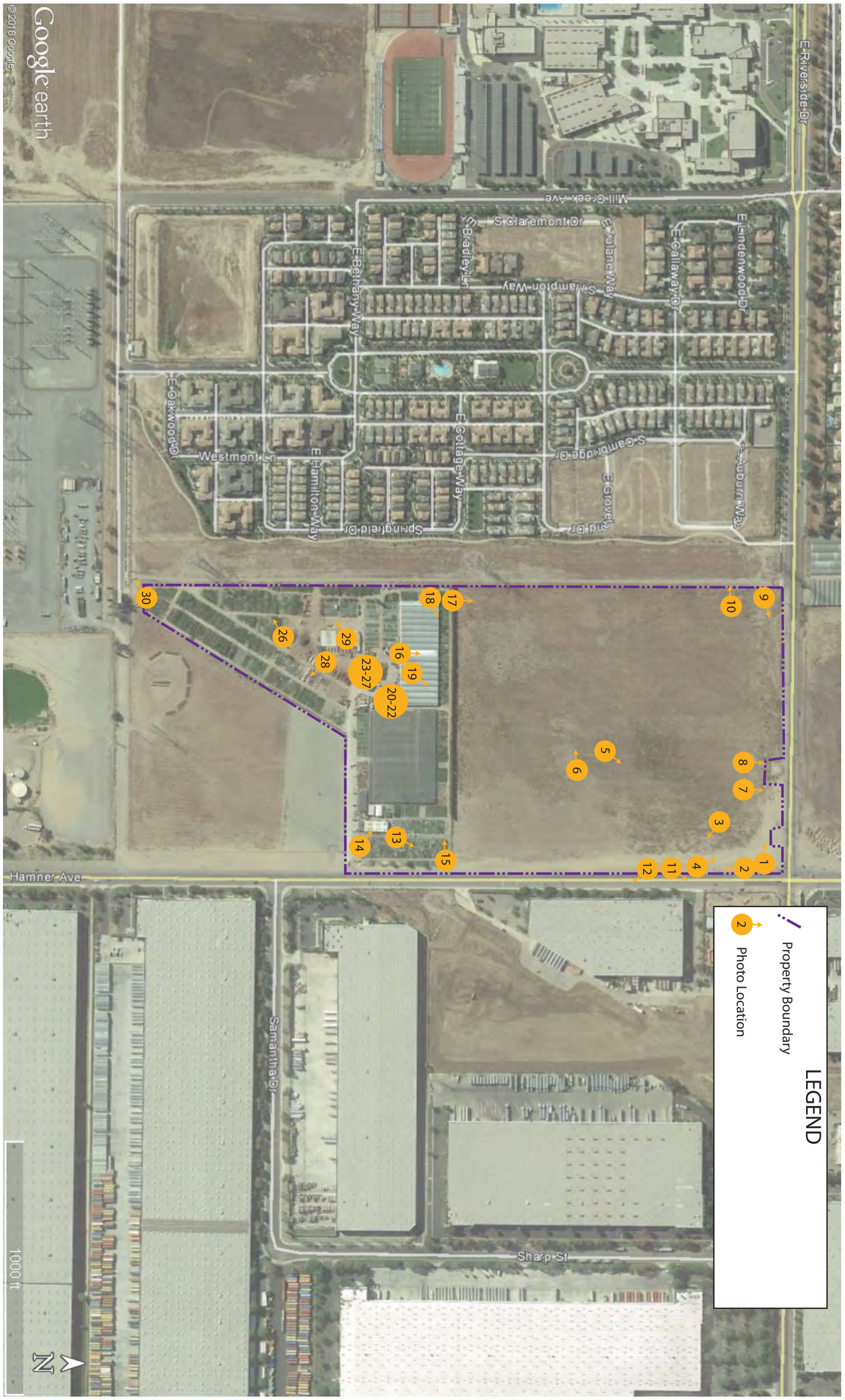


SCS ENGINEERS

Figure 2. Assessor's Parcel Map (APNs#: 0218-171-21-0000 & 0218-171-27-0000)

APPENDIX B

AERIAL IMAGE AND SITE PHOTOGRAPHS



SCS ENGINEERS
ENVIRONMENTAL CONSULTANTS
3900 KILROY AIRPORT WAY, SUITE 100
LONG BEACH, CA 90806
PH. (562) 426-9544 FAX. (562) 427-0805

PROJ. NO.: 01218010.00
DWN. BY: J. RAUZON
APP. BY: K. GREEN

CLIENT:
CHI/ACQUISITIONS CA, L.P.
CROW HOLDINGS INDUSTRIAL
527 WEST 7TH STREET, SUITE 308
LOS ANGELES, CALIFORNIA 90014

SHEET TITLE:
GOOGLE EARTH AERIAL IMAGE SHOWING
PHOTO LOCATIONS

PROJECT TITLE:
47.38-ACRE PROPERTY
SOUTHWEST CORNER OF EAST RIVERSIDE DRIVE AND HAMNER AVENUE
ONTARIO, CALIFORNIA 91761

DATE: JANUARY 2018
SCALE: SEE FIGURE
FIGURE NO.: AERIAL



Photo 1 – View from the northeastern corner of the Property to the west.



Photo 2 – Some of the stockpiles on the eastern side of the northern portion of the Property at the time of the site inspection.



Photo 3 – View showing the eastern side of the northern parcel after the piles were removed on January 30, 2018.



Photo 4 – View showing the fencing installed around the northern portion of the Property.



Photo 5 – View showing the undeveloped northern parcel.



Photo 6 – View to the west across the southern portion of the northern parcel.



Photo 7 – Water equipment outside the northern edge of the Property.



Photo 8 – Remote water monitoring equipment outside the northern end of the Property.



Photo 9 – View from the northwestern corner of the Property looking towards the east.



Photo 10 – High-tension electrical lines adjoining the Property to the west.

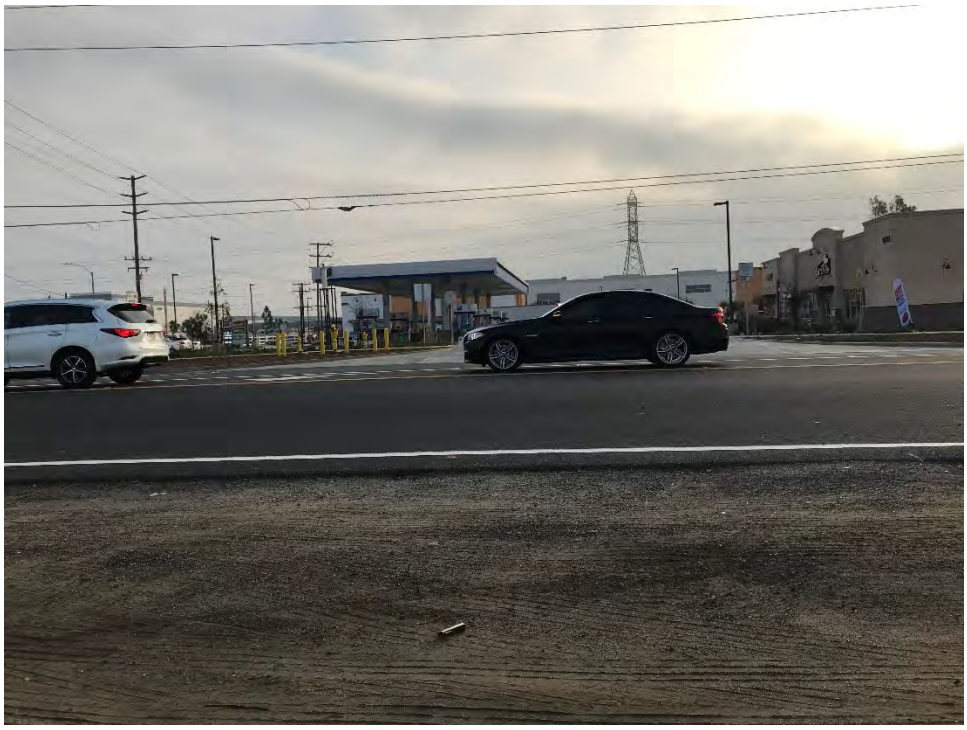


Photo 11 – Gas station located across the street to the east of the northeastern corner of the Property.



Photo 12 – Snapware building to the east of the Property.



Photo 13 – The northeastern portion of the nursery site.



Photo 14 – Retail building on the northeastern portion of the nursery site.



Photo 15 – View to the west along the northern side of the nursery.



Photo 16 – View inside the greenhouses on the northwestern portion of the Property.



Photo 17 – View to the north along the western side of the northern parcel.



Photo 18 – View to the east along the northern side of the southern parcel.



Photo 19 – Growing area inside one of the greenhouses.



Photo 20 – Maintenance paints and oils in the maintenance building.



Photo 21 – Pesticides, herbicides, fungicides, etc. stored inside the maintenance building.



Photo 22 – Waste oil stored inside the maintenance building.



Photo 23 – The diesel fuel AST at the center of the nursery parcel.



Photo 24 – The emergency generator to the east of the diesel AST.



Photo 25 – Area where the fuel line passes outside the berm and underground to the generator.



Photo 26 – Plants on the southern side of the Property.



Photo 27 – Groundwater supply well on the center of the Property.



Photo 28 – Septic system on the south-central portion of the Property.



Photo 29 – Mulch and gravel storage areas.



Photo 30 – Electrical substation to the south of the Property.

APPENDIX C

HISTORICAL SITE USE INFORMATION

SWC E. Riverside & Hamner Ave

13130 Milliken Ave

Ontario, CA 91761

Inquiry Number: 5155334.9

January 11, 2018

The EDR Aerial Photo Decade Package

6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

EDR Aerial Photo Decade Package

01/11/18

Site Name:

SWC E. Riverside & Hamner A
13130 Milliken Ave
Ontario, CA 91761
EDR Inquiry # 5155334.9

Client Name:

SCS Engineers
3900 Kilroy Airport Way
Long Beach, CA 90806
Contact: Kim Braun

Environmental Data Resources, Inc. (EDR) Aerial Photo Decade Package is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's professional researchers provide digitally reproduced historical aerial photographs, and when available, provide one photo per decade.

Search Results:

Year	Scale	Details	Source
2012	1"=500'	Flight Year: 2012	USDA/NAIP
2010	1"=500'	Flight Year: 2010	USDA/NAIP
2009	1"=500'	Flight Year: 2009	USDA/NAIP
2006	1"=500'	Flight Year: 2006	USDA/NAIP
2005	1"=500'	Flight Year: 2005	USDA/NAIP
1994	1"=500'	Acquisition Date: June 01, 1994	USGS/DOQQ
1990	1"=500'	Flight Date: August 29, 1990	USDA
1989	1"=500'	Flight Date: August 03, 1989	USDA
1985	1"=500'	Flight Date: July 28, 1985	USDA
1975	1"=500'	Flight Date: August 01, 1975	USGS
1967	1"=500'	Flight Date: May 15, 1967	USDA
1959	1"=500'	Flight Date: October 15, 1959	USDA
1953	1"=500'	Flight Date: February 02, 1953	USDA
1948	1"=500'	Flight Date: July 10, 1948	USGS
1938	1"=500'	Flight Date: June 14, 1938	USDA

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EDR
2311


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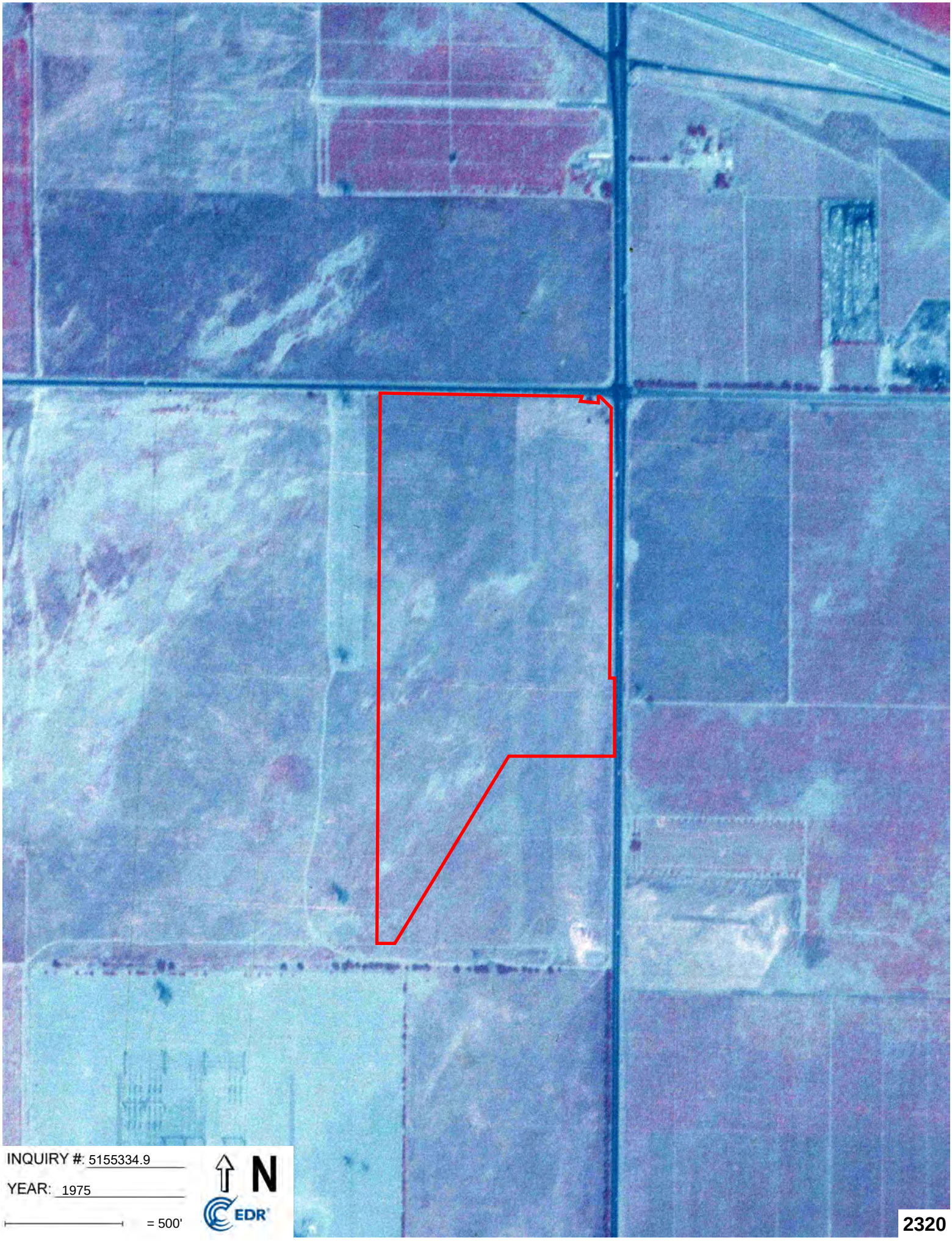
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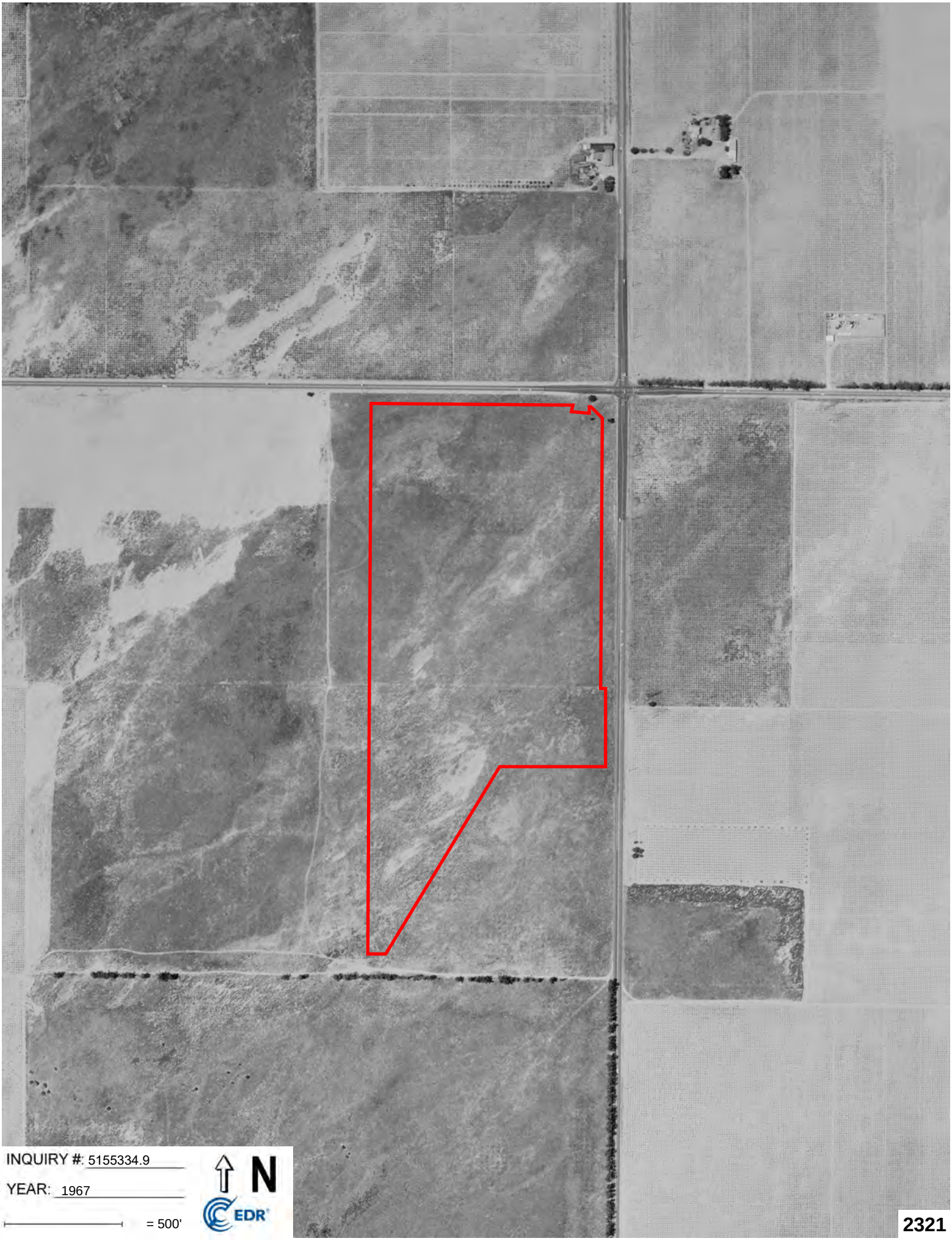

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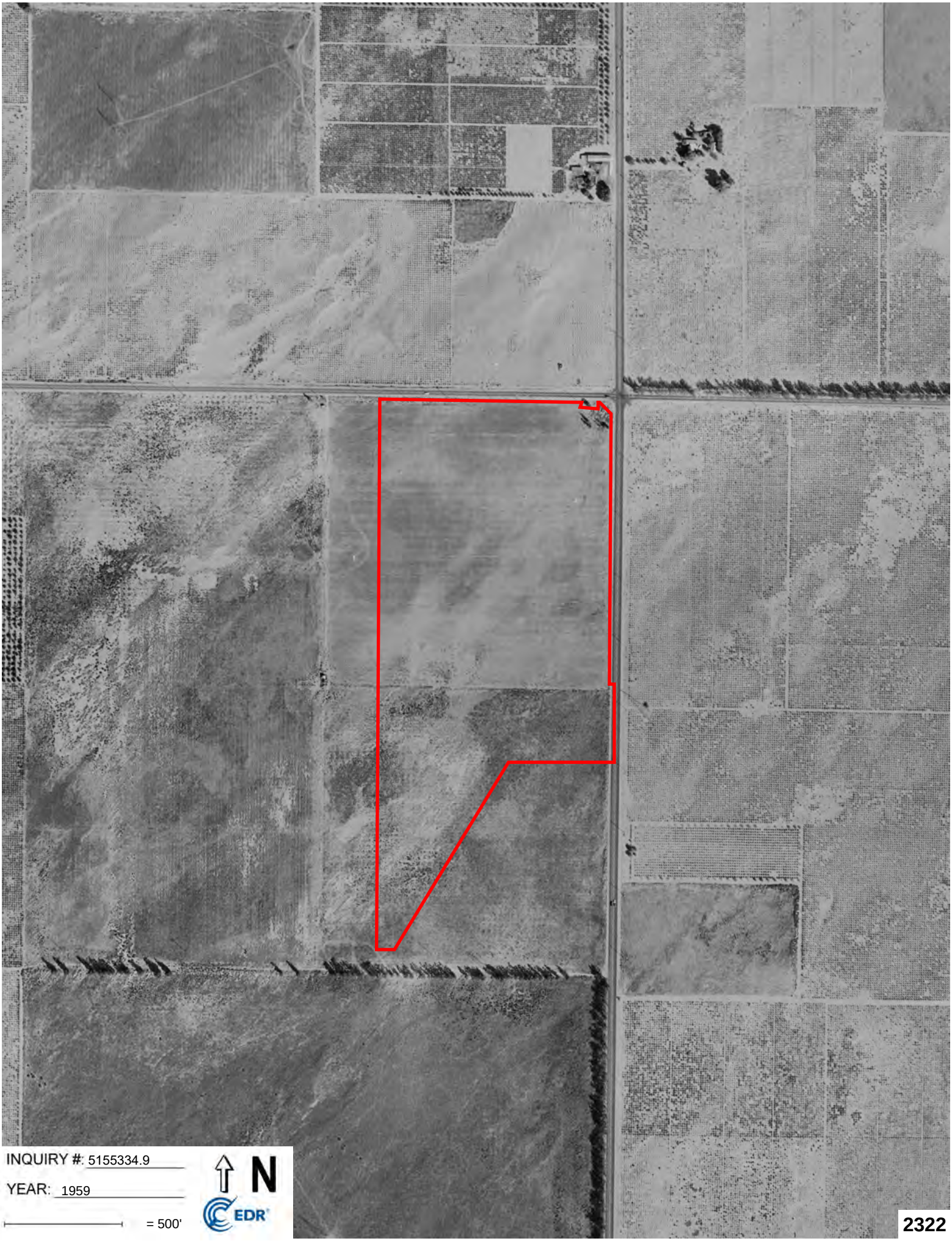

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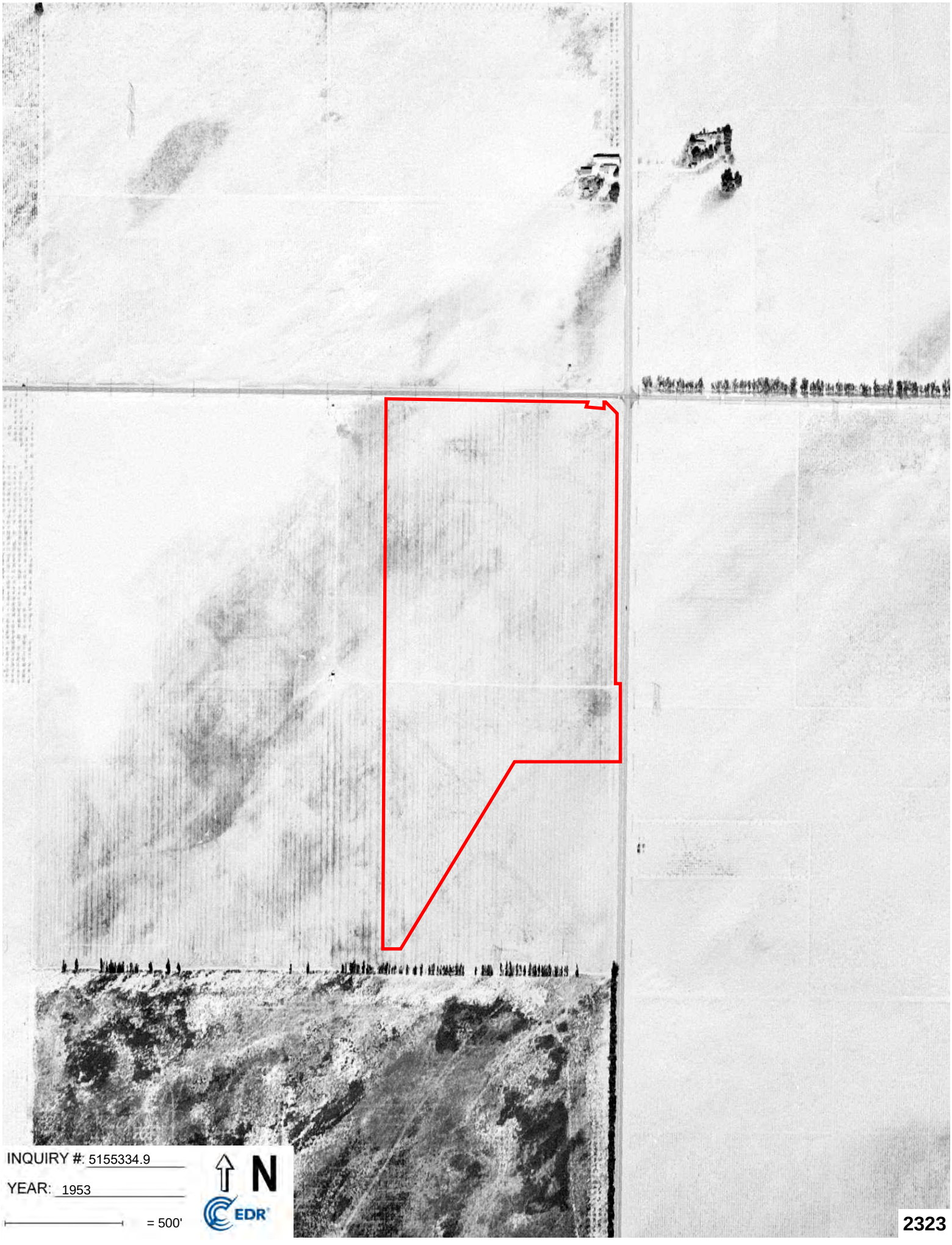
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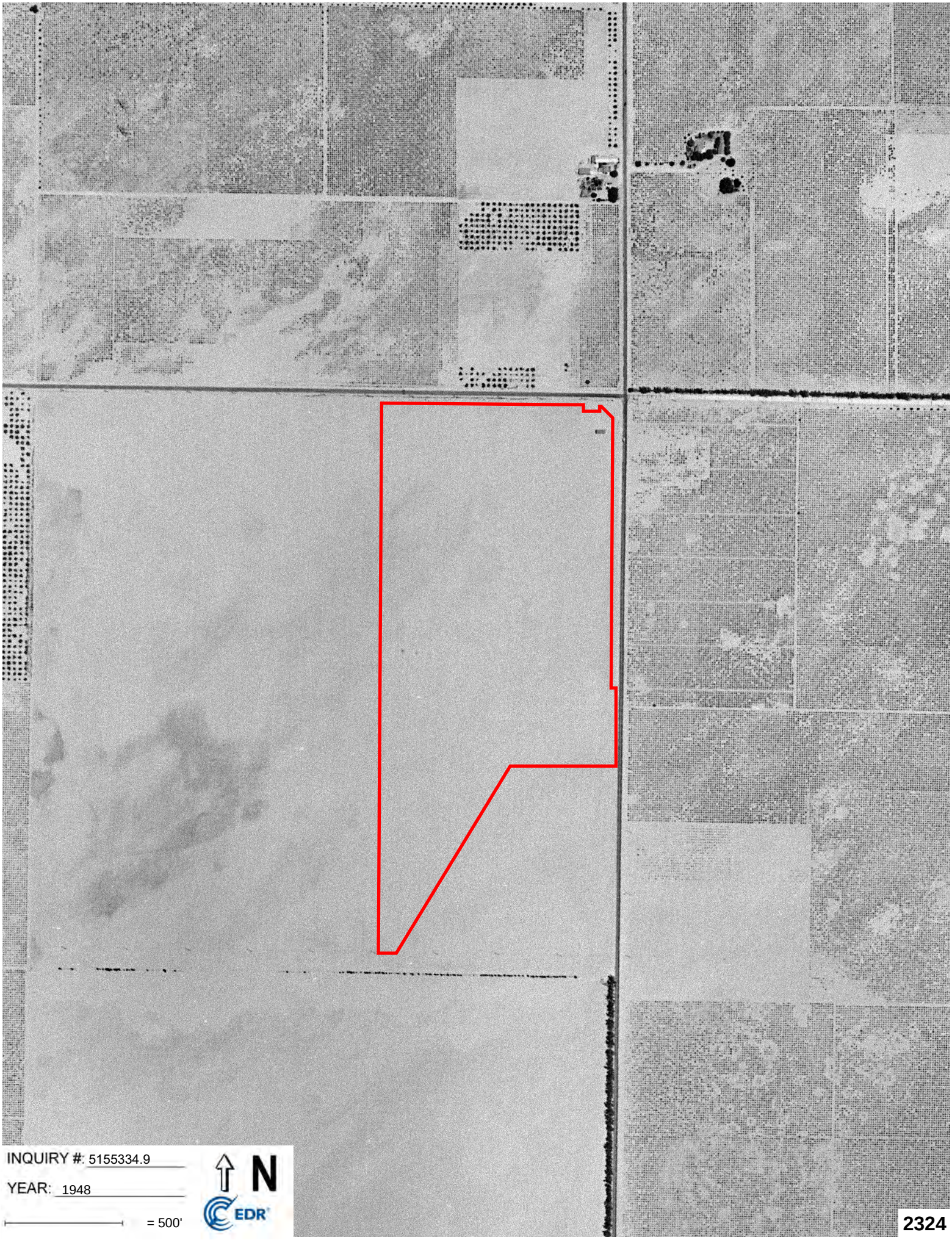
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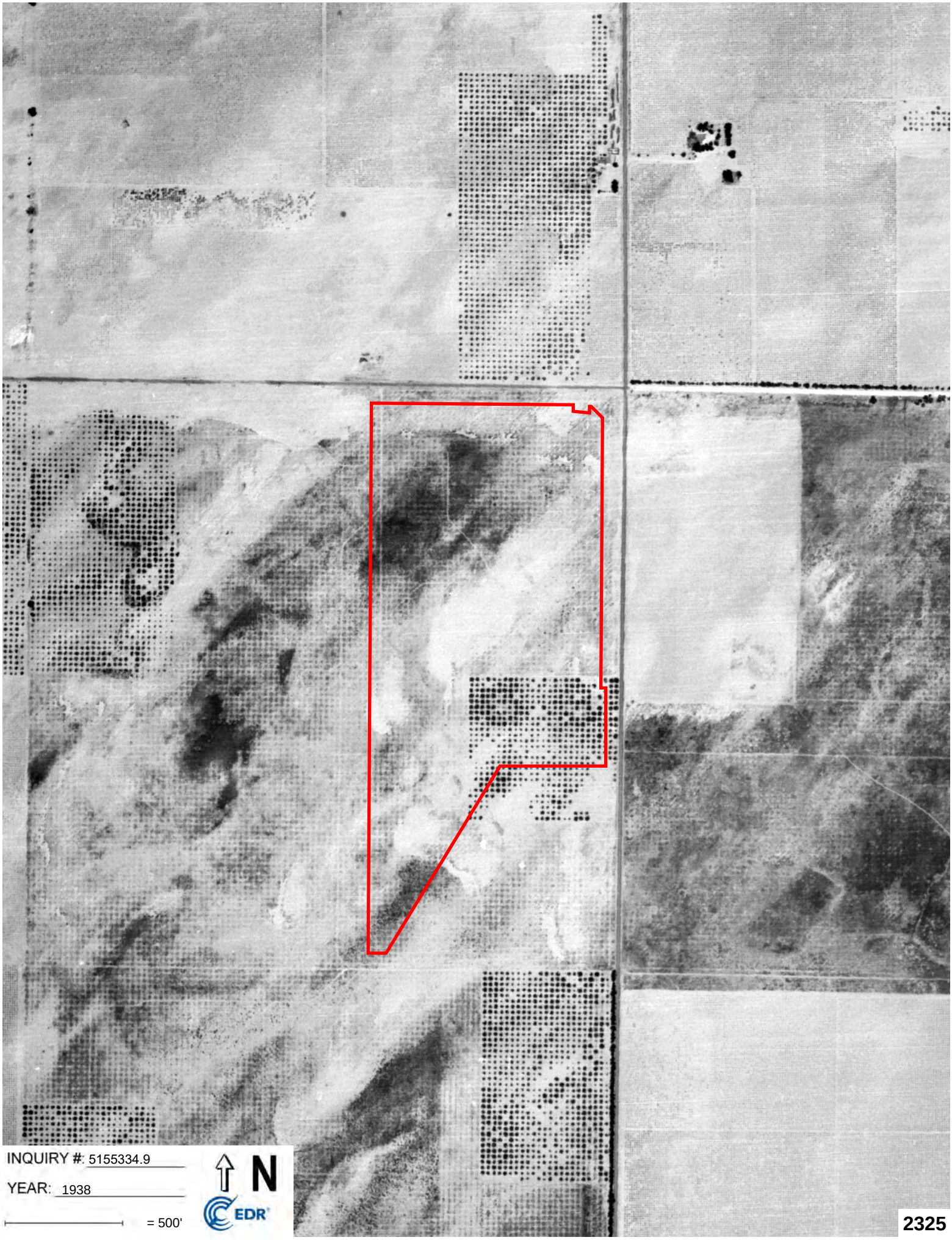

INQUIRY #: 5155334.9

YEAR: 1938

= 500'

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EDR

2325

SWC E. Riverside & Hamner Ave
13130 Milliken Ave
Ontario, CA 91761

Inquiry Number: 5155334.5
January 10, 2018

The EDR-City Directory Abstract

Environmental Data Resources Inc
6 Armstrong Road
Shelton, CT 06484
800.352.0050
www.edrnet.com

TABLE OF CONTENTS

SECTION

Executive Summary

Findings

City Directory Images

Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

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EXECUTIVE SUMMARY

DESCRIPTION

Environmental Data Resources, Inc.'s (EDR) City Directory Abstract is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's City Directory Abstract includes a search and abstract of available city directory data. For each address, the directory lists the name of the corresponding occupant at five year intervals.

Business directories including city, cross reference and telephone directories were reviewed, if available, at approximately five year intervals for the years spanning 1922 through 2014. This report compiles information gathered in this review by geocoding the latitude and longitude of properties identified and gathering information about properties within 660 feet of the target property.

A summary of the information obtained is provided in the text of this report.

RECORD SOURCES

EDR's Digital Archive combines historical directory listings from sources such as Cole Information and Dun & Bradstreet. These standard sources of property information complement and enhance each other to provide a more comprehensive report.

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RESEARCH SUMMARY

The following research sources were consulted in the preparation of this report. An "X" indicates where information was identified in the source and provided in this report.

Year	Source	TP	Adjoining	Text Abstract	Source Image
2014	EDR Digital Archive	-	X	X	-
	EDR Digital Archive	X	X	X	-
2003	Haines Co Publishers	X	-	X	-
2002	Cole Information Services	-	-	-	-
1996	GTE Directories	-	-	-	-
1991	GTE California Incorporated	-	-	-	-
1990	GTE	-	-	-	-
1985	GTE Directories	-	-	-	-
1981	General Telephone Company of California	-	-	-	-
1980	GTE	-	-	-	-
1975	Pacific Telephone Co	-	-	-	-

EXECUTIVE SUMMARY

Year	Source	TP	Adjoining	Text Abstract	Source Image
1970	General Telephone Company of California	-	-	-	-
1965	Luskey Brothers & Co	-	-	-	-
1964	Luskey Brothers & Co	-	-	-	-
1961	Luskey Brothers& Co Publishers	-	-	-	-
1960	Luskey Brothers & Co Publishers	-	-	-	-
1956	General Telephone Company Publishers	-	-	-	-
1955	Luskey Brothers Co Publishers	-	-	-	-
1951	Los Angeles Directory Company Publishers	-	-	-	-
1950	The Pacific Telephone and Telegraph Co	-	-	-	-
1949	San Bernardino Directory Co. Publishers	-	-	-	-
1946	Los Angeles Directory Company Publishers	-	-	-	-
1945	Southern California Telephone Company	-	-	-	-
1942	San Bernardino Directory Co Publisher	-	-	-	-
1941	Associated Telephone Company Limited	-	-	-	-
1940	Los Angeles Directory Co.	-	-	-	-
1938	Los Angeles Directory Co.	-	-	-	-
1936	San Bernardino Directory Co Publisher	-	-	-	-
1934	Los Angeles Directory Co.	-	-	-	-
1931	Los Angeles Directory Co.	-	-	-	-
1930	San Bernardino Directory Co Publisher	-	-	-	-
1926	Los Angeles Directory Co Publisher	-	-	-	-
1923	Los Angeles Directory Company	-	-	-	-
1922	R.L. Polk & Co Publishers	-	-	-	-

FINDINGS

TARGET PROPERTY INFORMATION

ADDRESS

13130 Milliken Ave
Ontario, CA 91761

FINDINGS DETAIL

Target Property research detail.

MILLIKEN AVE

13130 MILLIKEN AVE

Year	Uses	Source
2003	SUNSHINE GROWERS NURSERY	Haines & Co Publishers

S Milliken Ave

13130 S Milliken Ave

Year	Uses	Source
2014	SUNSHINE GROWERS NURSERY INC	EDR Digital Archive
2010	NURSERY PRODUCTS & SERVICE	EDR Digital Archive
	SUNSHINE GROWERS NURSERY INC	EDR Digital Archive

S MILLIKEN AVE

13130 S MILLIKEN AVE

Year	Uses	Source
2008	SUNSHINE GROWERS NURSERY	Haines Company, Inc.
1995	SUNSHINE GROWERS NURSERY	GTE Directories

FINDINGS

ADJOINING PROPERTY DETAIL

The following Adjoining Property addresses were researched for this report. Detailed findings are provided for each address.

Hamner Ave

4000 Hamner Ave

Year	*Uses*	*Source*
2014	HEATCRAFT INC	EDR Digital Archive
	LENNOX	EDR Digital Archive
	ADS LOGISTIC SERVICES	EDR Digital Archive

FINDINGS

TARGET PROPERTY: ADDRESS NOT IDENTIFIED IN RESEARCH SOURCE

The following Target Property addresses were researched for this report, and the addresses were not identified in the research source.

Address Researched	Address Not Identified in Research Source
13130 Milliken Ave	2002, 1996, 1991, 1990, 1985, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922

ADJOINING PROPERTY: ADDRESSES NOT IDENTIFIED IN RESEARCH SOURCE

The following Adjoining Property addresses were researched for this report, and the addresses were not identified in research source.

Address Researched	Address Not Identified in Research Source
4000 Hamner Ave	2010, 2008, 2003, 2002, 1996, 1995, 1991, 1990, 1985, 1981, 1980, 1975, 1970, 1965, 1964, 1961, 1960, 1956, 1955, 1951, 1950, 1949, 1946, 1945, 1942, 1941, 1940, 1938, 1936, 1934, 1931, 1930, 1926, 1923, 1922

SWC E. Riverside & Hamner Ave
13130 Milliken Ave
Ontario, CA 91761

Inquiry Number: 5155334.4
January 10, 2018

EDR Historical Topo Map Report

with QuadMatch™

6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

EDR Historical Topo Map Report

01/10/18

Site Name:	Client Name:
SWC E. Riverside & Hamner A	SCS Engineers
13130 Milliken Ave	3900 Kilroy Airport Way
Ontario, CA 91761	Long Beach, CA 90806
EDR Inquiry # 5155334.4	Contact: Kim Braun

EDR Topographic Map Library has been searched by EDR and maps covering the target property location as provided by SCS Engineers were identified for the years listed below. EDR's Historical Topo Map Report is designed to assist professionals in evaluating potential liability on a target property resulting from past activities. EDRs Historical Topo Map Report includes a search of a collection of public and private color historical topographic maps, dating back to the late 1800s.

Search Results:		*Coordinates:*	
P.O.#	NA	**Latitude:**	34.015319 34° 0' 55" North
Project:	01218010.00	**Longitude:**	-117.560387 -117° 33' 37" West
		UTM Zone:	Zone 11 North
		UTM X Meters:	448258.46
		UTM Y Meters:	3763996.07
		Elevation:	786.82' above sea level

Maps Provided:

2012	1941
1981	1903
1976	1900
1973	1897
1966, 1967	
1954	
1953, 1954	
1944, 1947	

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Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

2012 Source Sheets



Corona North
2012
7.5-minute, 24000



Guasti
2012
7.5-minute, 24000

1981 Source Sheets

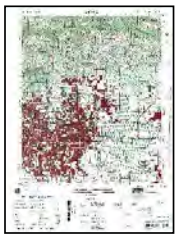


Guasti
1981
7.5-minute, 24000
Aerial Photo Revised 1978



Corona North
1981
7.5-minute, 24000
Aerial Photo Revised 1978

1976 Source Sheets



ONTARIO
1976
15-minute, 50000

1973 Source Sheets



Guasti
1973
7.5-minute, 24000
Aerial Photo Revised 1973



Corona North
1973
7.5-minute, 24000
Aerial Photo Revised 1973

Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

1966, 1967 Source Sheets



Guasti
1966
7.5-minute, 24000
Aerial Photo Revised 1966



Corona North
1967
7.5-minute, 24000
Aerial Photo Revised 1966

1954 Source Sheets



Ontario
1954
15-minute, 62500

1953, 1954 Source Sheets



Guasti
1953
7.5-minute, 24000
Aerial Photo Revised 1952



Corona North
1954
7.5-minute, 24000
Aerial Photo Revised 1952

1944, 1947 Source Sheets



CUCAMONGA
1944
15-minute, 50000



CORONA
1947
15-minute, 50000

Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

1941 Source Sheets



GUASTI VICINITY
1941
7.5-minute, 31680

1903 Source Sheets



Cucamonga
1903
15-minute, 62500

1900 Source Sheets



Cucamonga
1900
15-minute, 62500

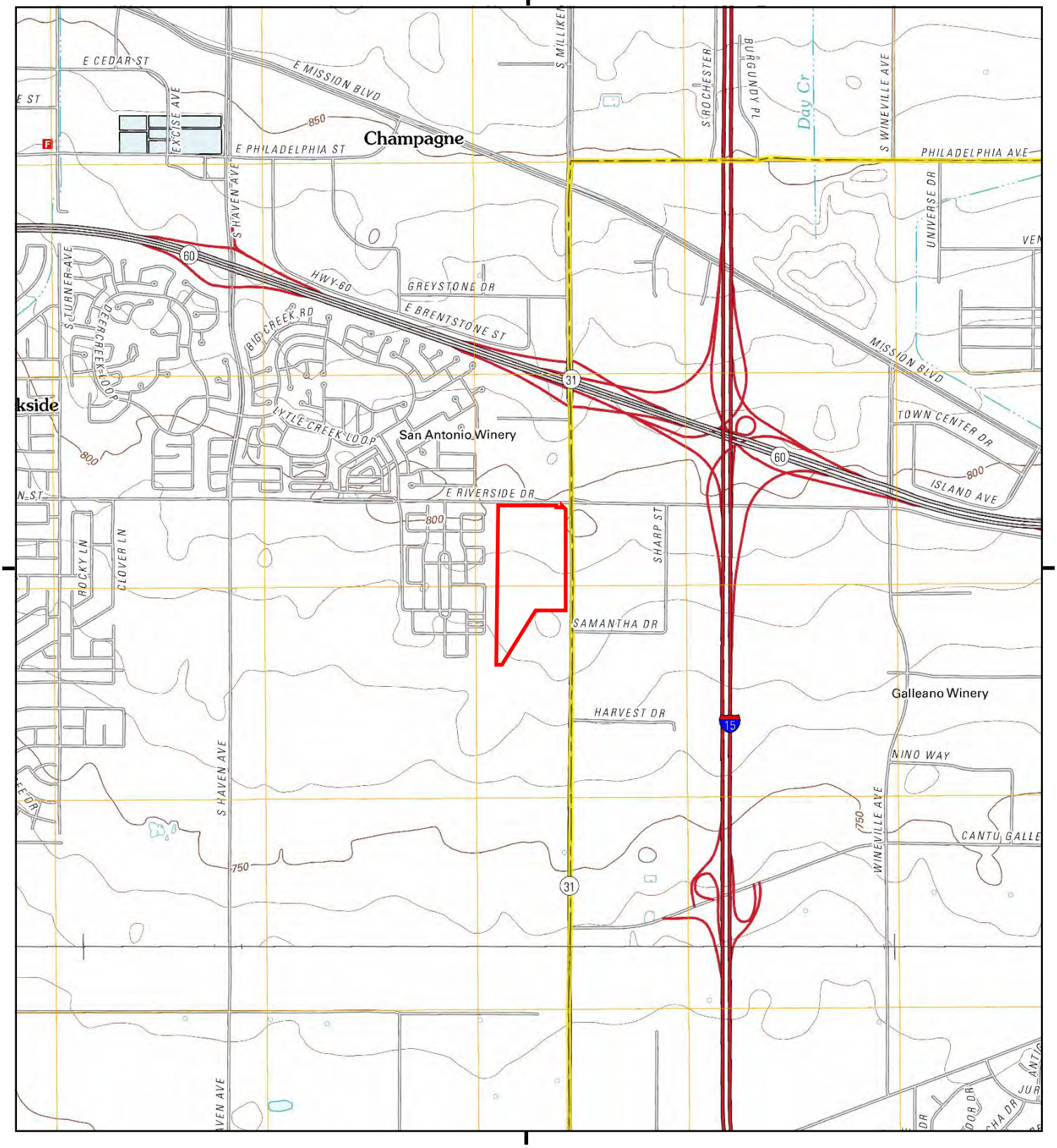
1897 Source Sheets



Cucamonga
1897
15-minute, 62500

Historical Topo Map

2012



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

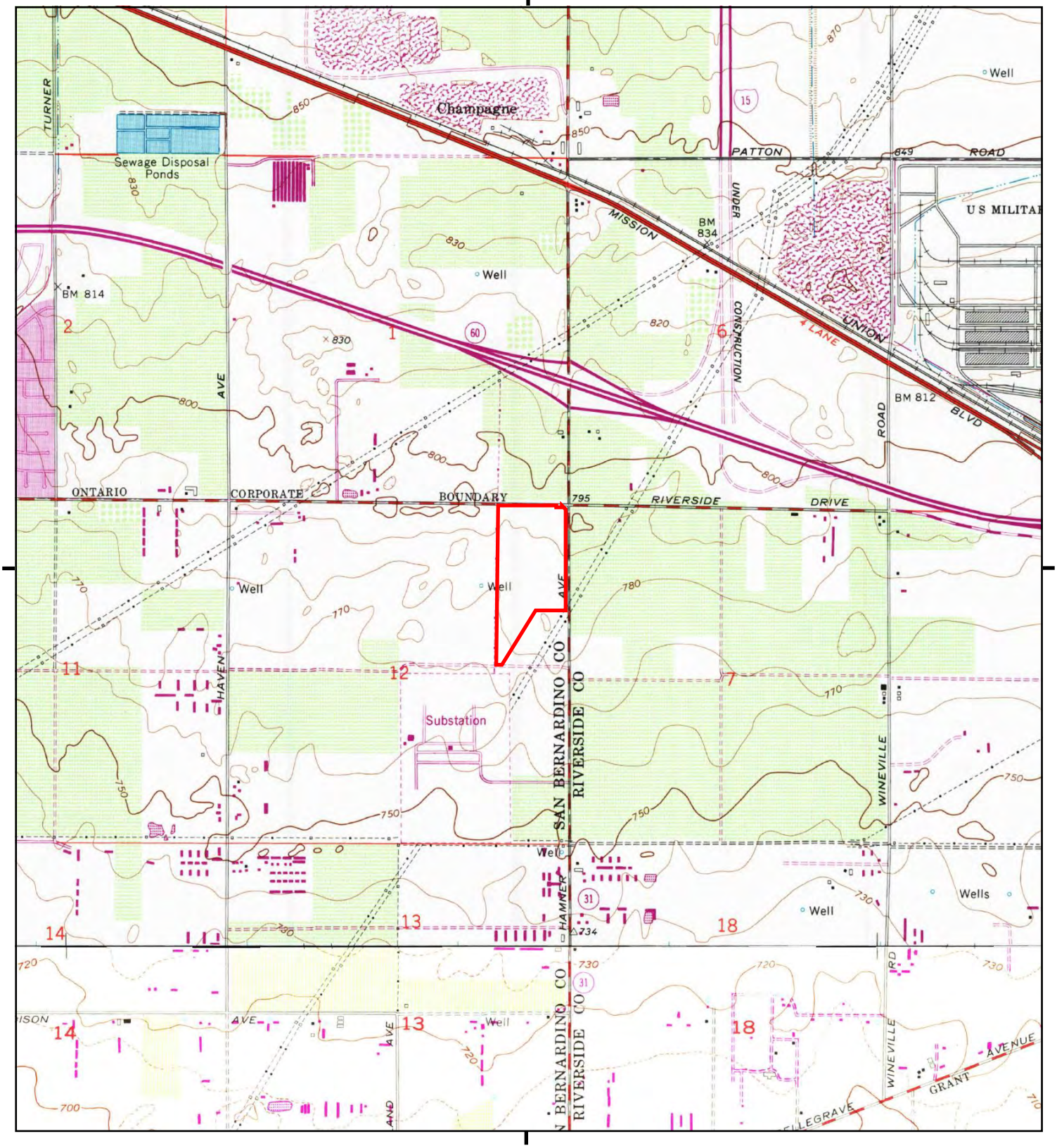
TP, Guasti, 2012, 7.5-minute
S, Corona North, 2012, 7.5-minute

SITE NAME: SWC E. Riverside & Hamner Ave
ADDRESS: 13130 Milliken Ave
Ontario, CA 91761
CLIENT: SCS Engineers

N

Historical Topo Map

1981



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

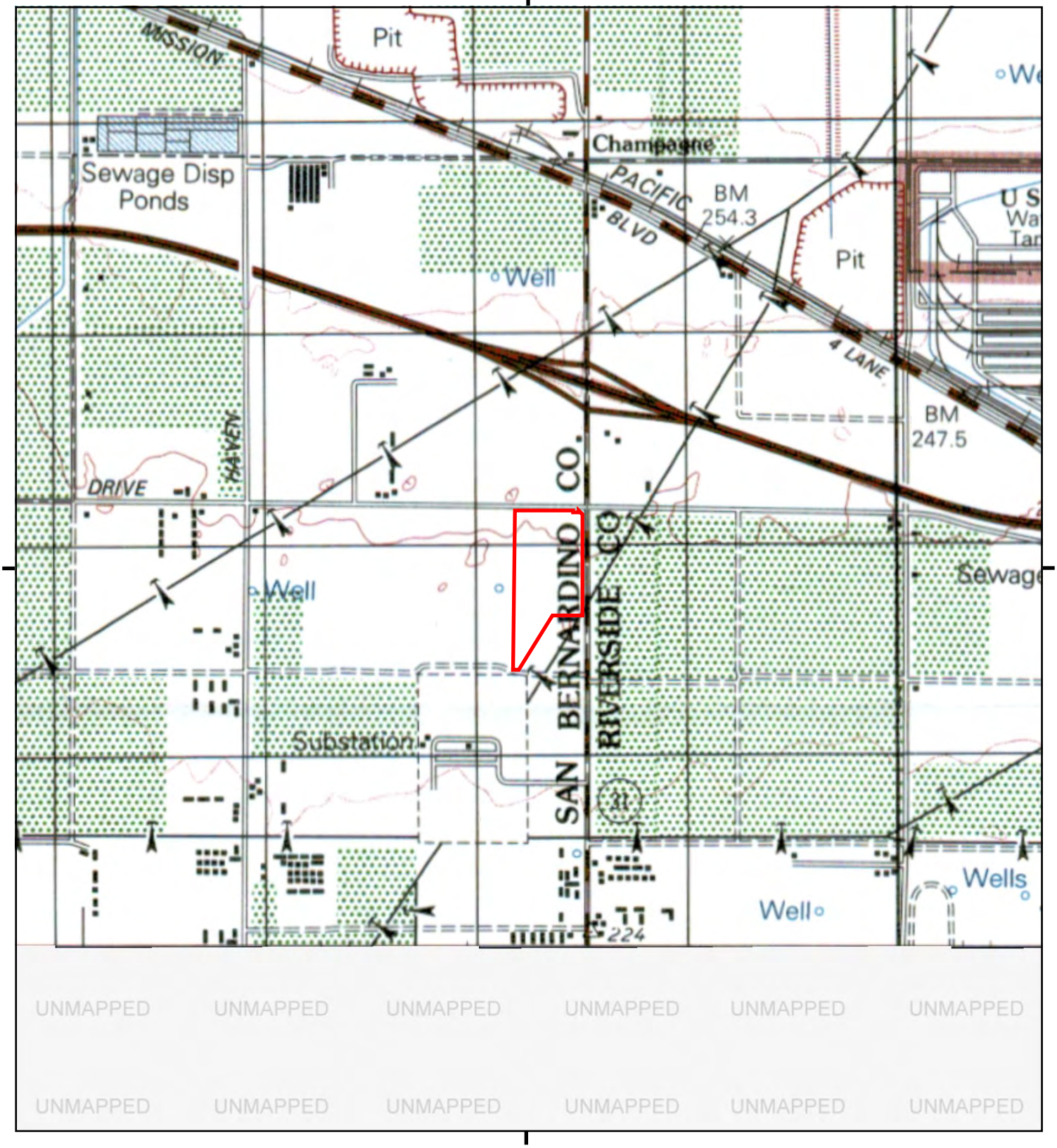
TP, Guasti, 1981, 7.5-minute
S, Corona North, 1981, 7.5-minute

SITE NAME: SWC E. Riverside & Hamner Ave
ADDRESS: 13130 Milliken Ave
Ontario, CA 91761
CLIENT: SCS Engineers

N

Historical Topo Map

1976



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

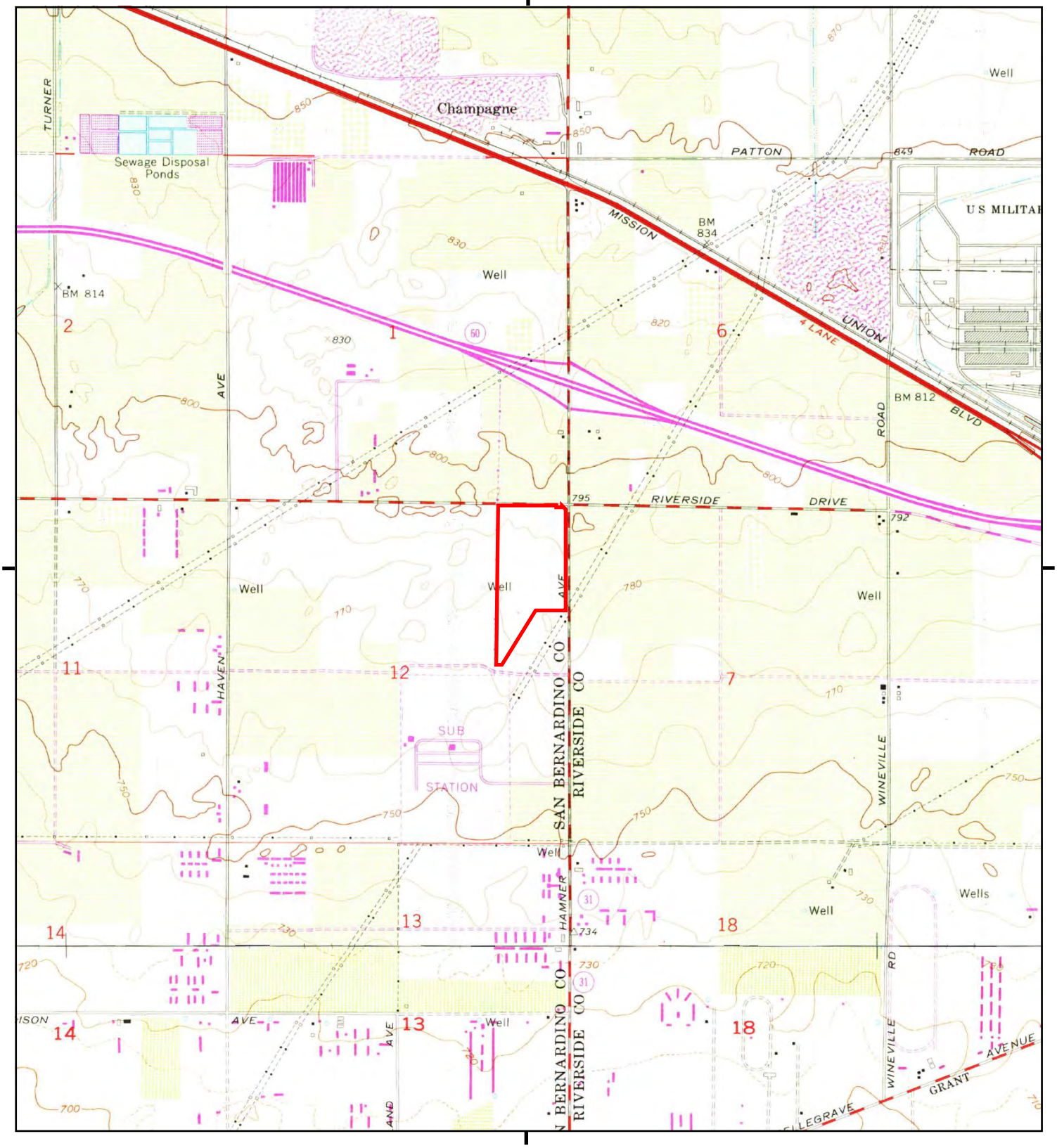
TP, ONTARIO, 1976, 15-minute

SITE NAME: SWC E. Riverside & Hamner Ave
ADDRESS: 13130 Milliken Ave
Ontario, CA 91761
CLIENT: SCS Engineers

N

Historical Topo Map

1973



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

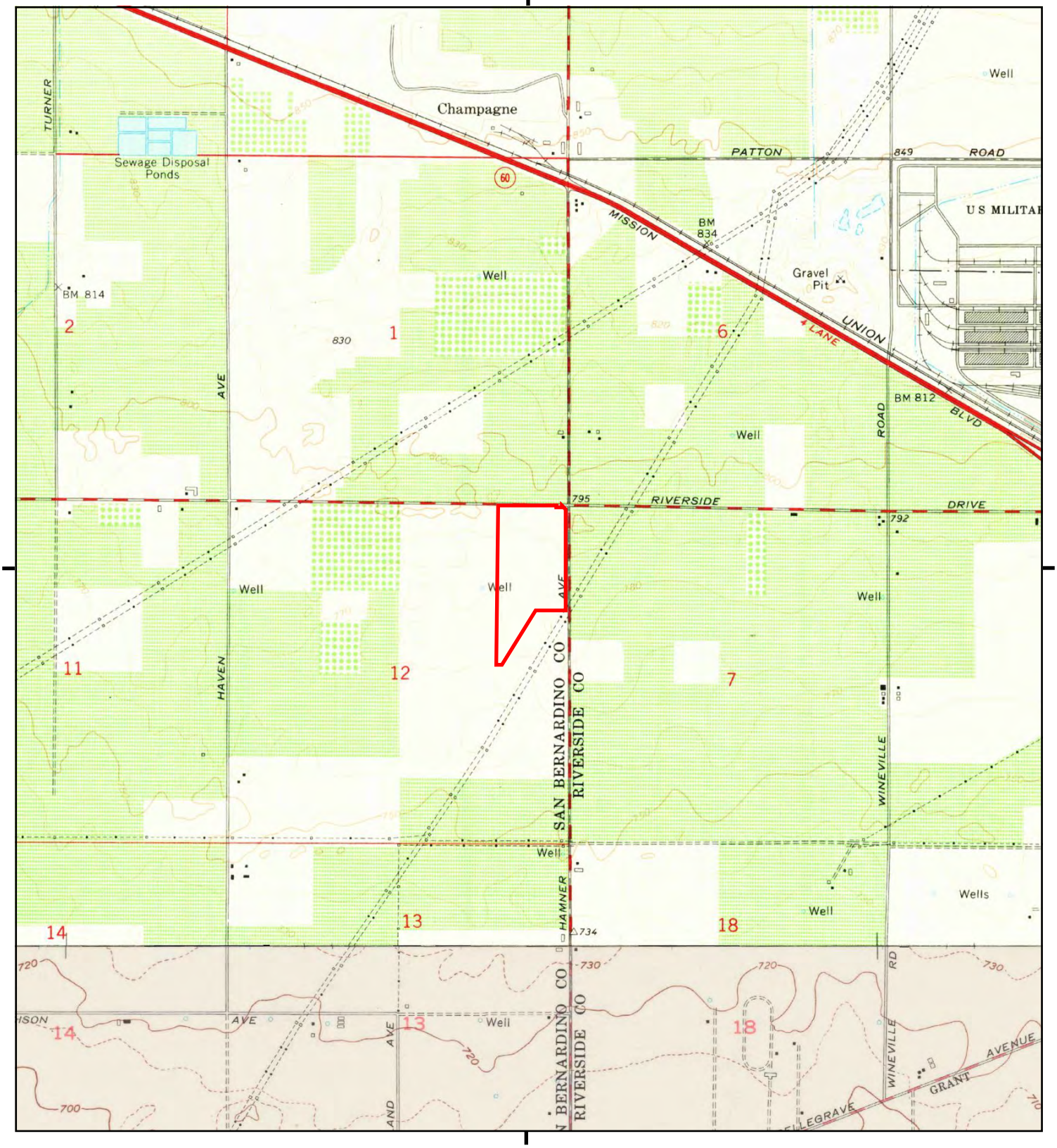
TP, Guasti, 1973, 7.5-minute
S, Corona North, 1973, 7.5-minute

SITE NAME: SWC E. Riverside & Hamner Ave
ADDRESS: 13130 Milliken Ave
Ontario, CA 91761
CLIENT: SCS Engineers

N

Historical Topo Map

1966, 1967



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

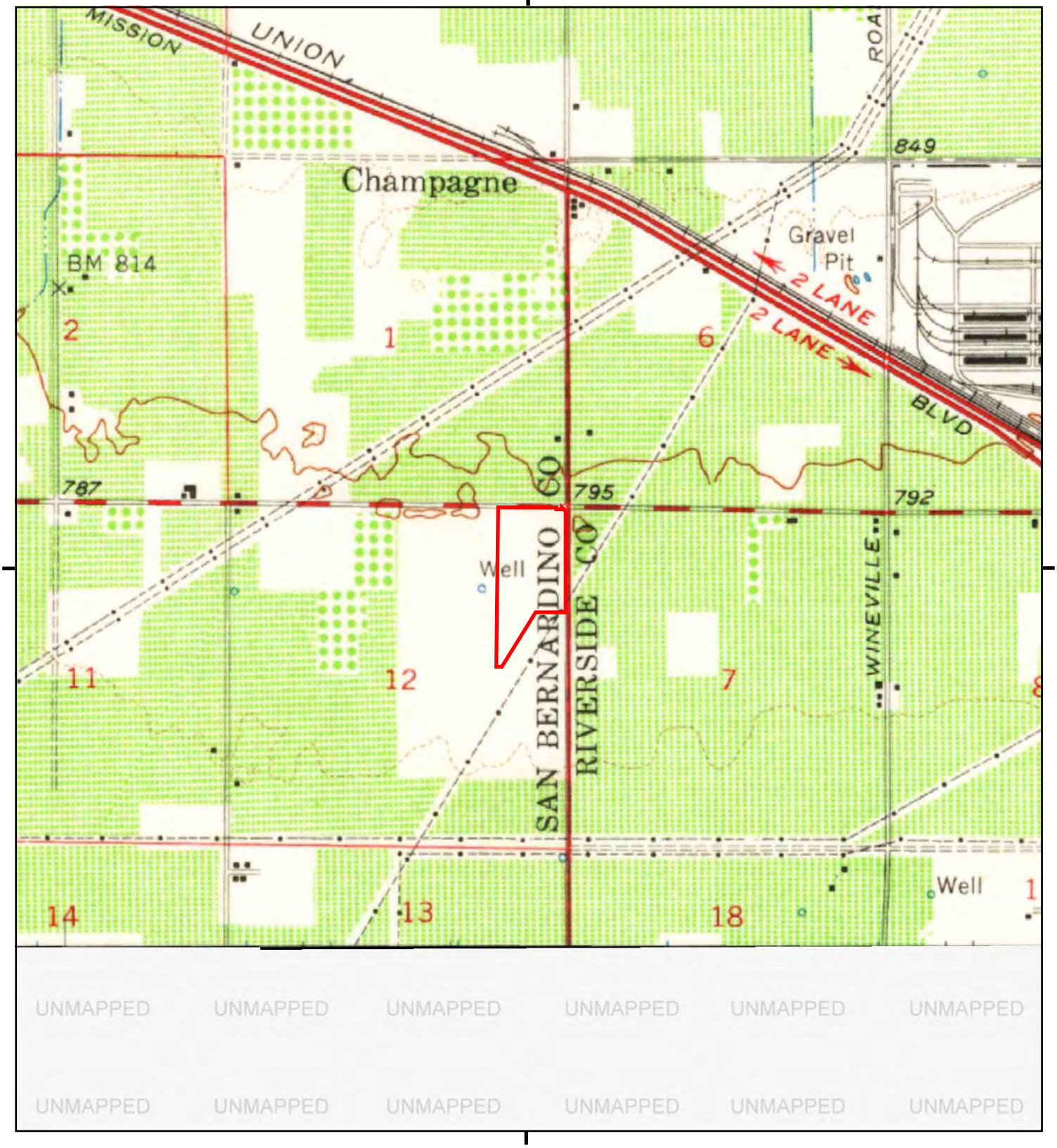
TP, Guasti, 1966, 7.5-minute
S, Corona North, 1967, 7.5-minute

SITE NAME: SWC E. Riverside & Hamner Ave
ADDRESS: 13130 Milliken Ave
Ontario, CA 91761
CLIENT: SCS Engineers

N

Historical Topo Map

1954



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

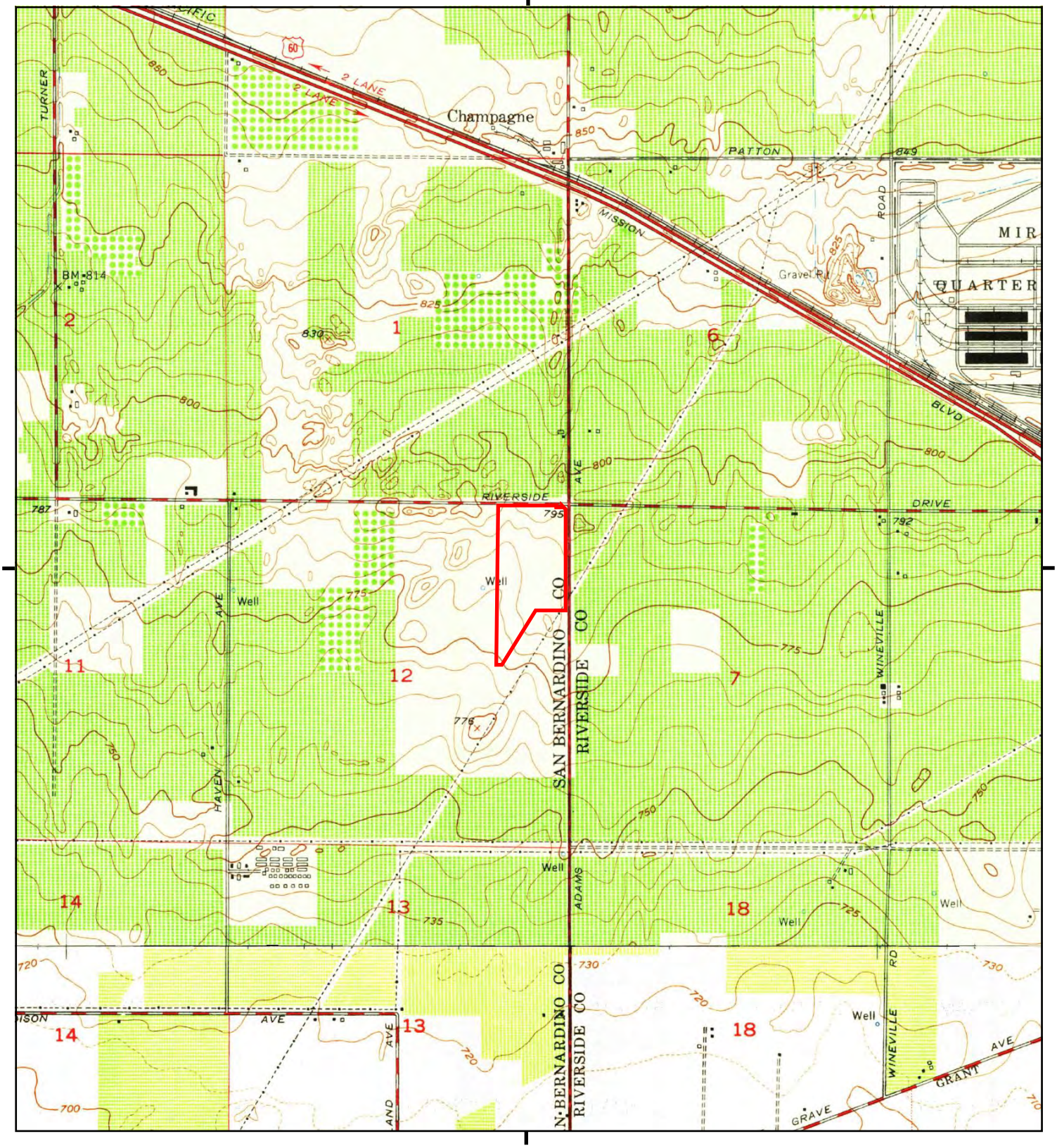
TP, Ontario, 1954, 15-minute

SITE NAME: SWC E. Riverside & Hamner Ave
ADDRESS: 13130 Milliken Ave
Ontario, CA 91761
CLIENT: SCS Engineers

N

Historical Topo Map

1953, 1954



This report includes information from the following map sheet(s).

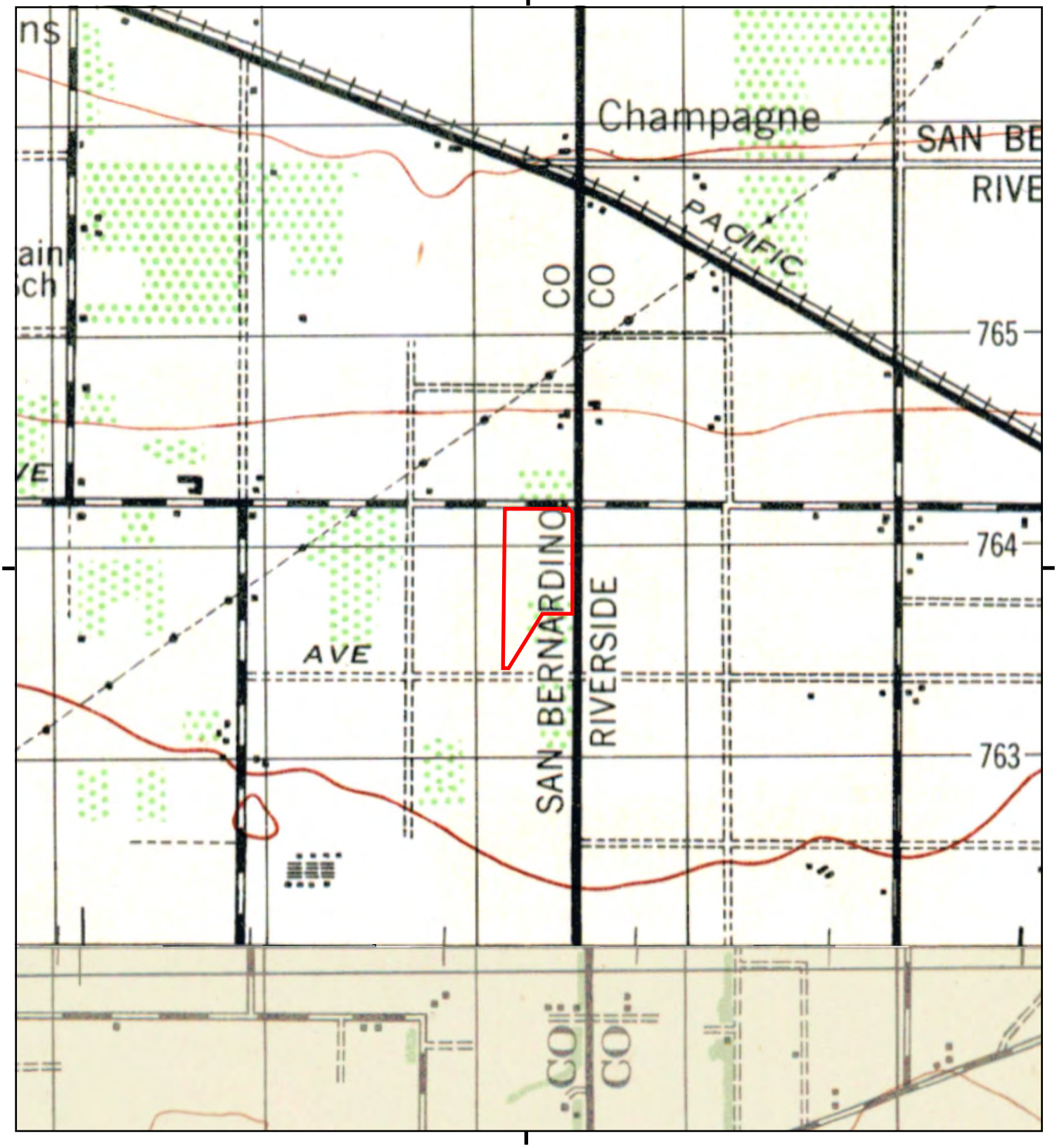
0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, Guasti, 1953, 7.5-minute
S, Corona North, 1954, 7.5-minute

SITE NAME: SWC E. Riverside & Hamner Ave
ADDRESS: 13130 Milliken Ave
Ontario, CA 91761
CLIENT: SCS Engineers

N



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

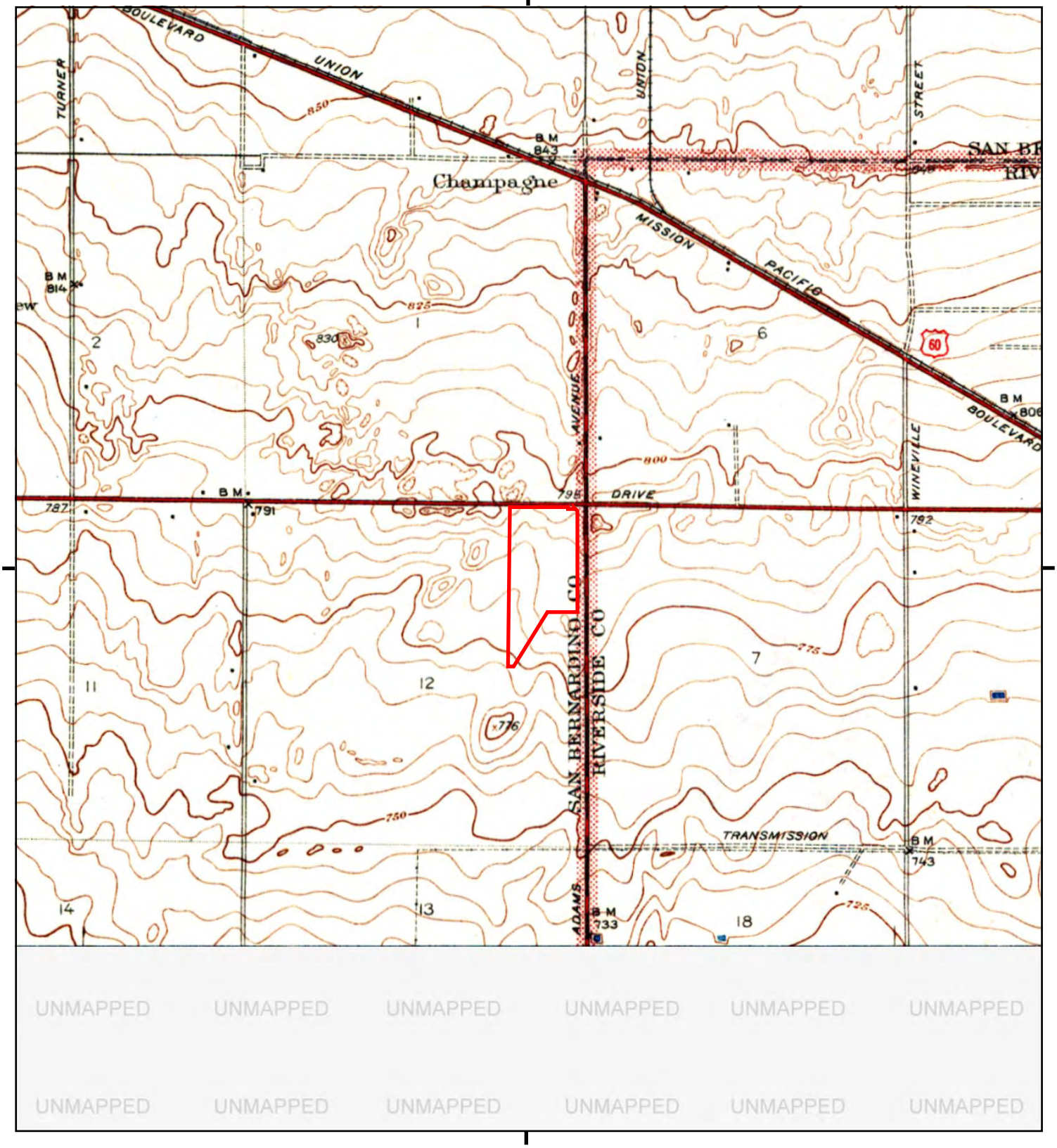
TP, CUCAMONGA, 1944, 15-minute
S, CORONA, 1947, 15-minute

SITE NAME: SWC E. Riverside & Hamner Ave
ADDRESS: 13130 Milliken Ave
Ontario, CA 91761
CLIENT: SCS Engineers

N

Historical Topo Map

1941



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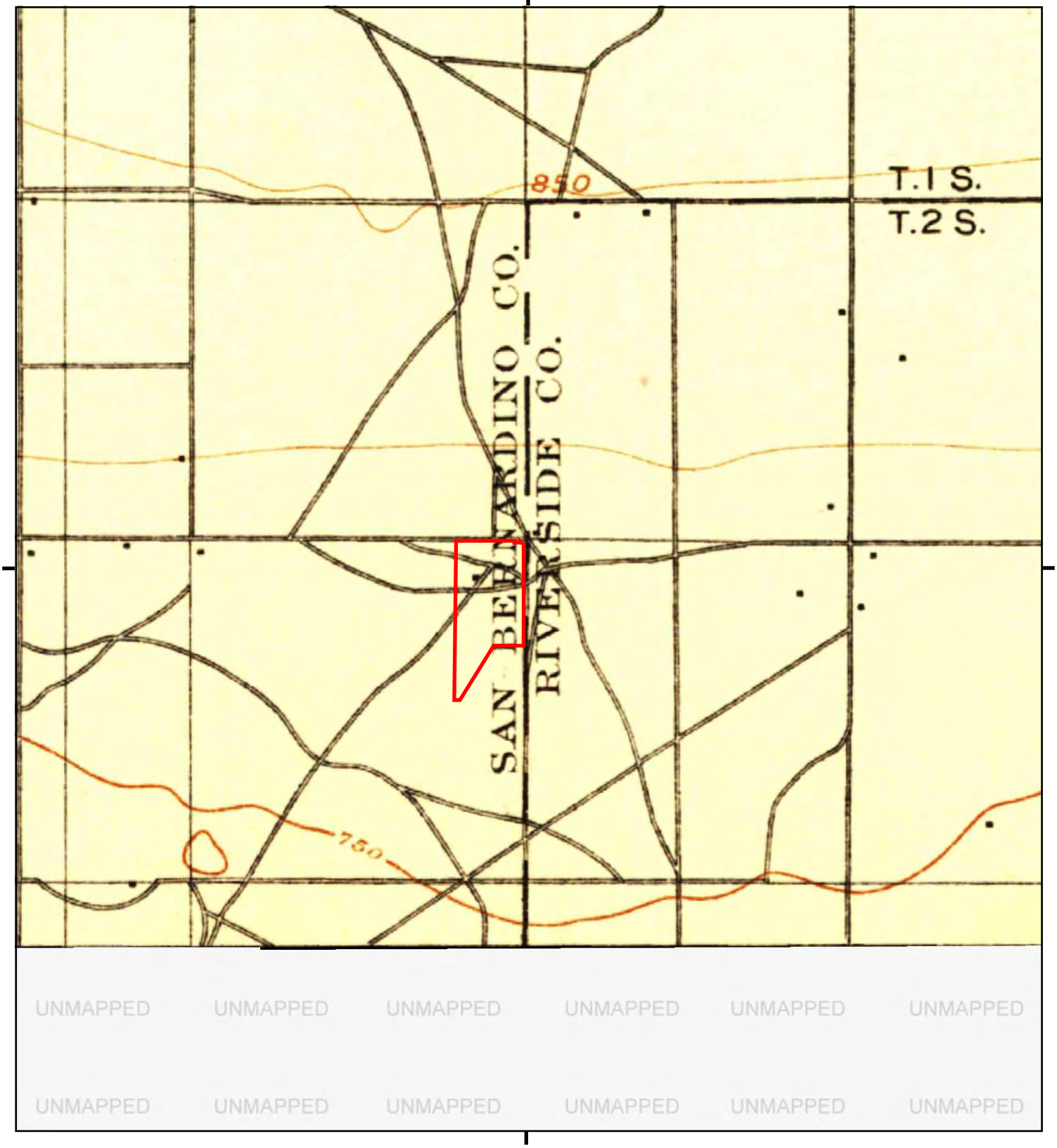
NW N NE
W E
SW S SE

TP, GUASTI VICINITY, 1941, 7.5-minute

SITE NAME: SWC E. Riverside & Hamner Ave
ADDRESS: 13130 Milliken Ave
Ontario, CA 91761
CLIENT: SCS Engineers

N



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

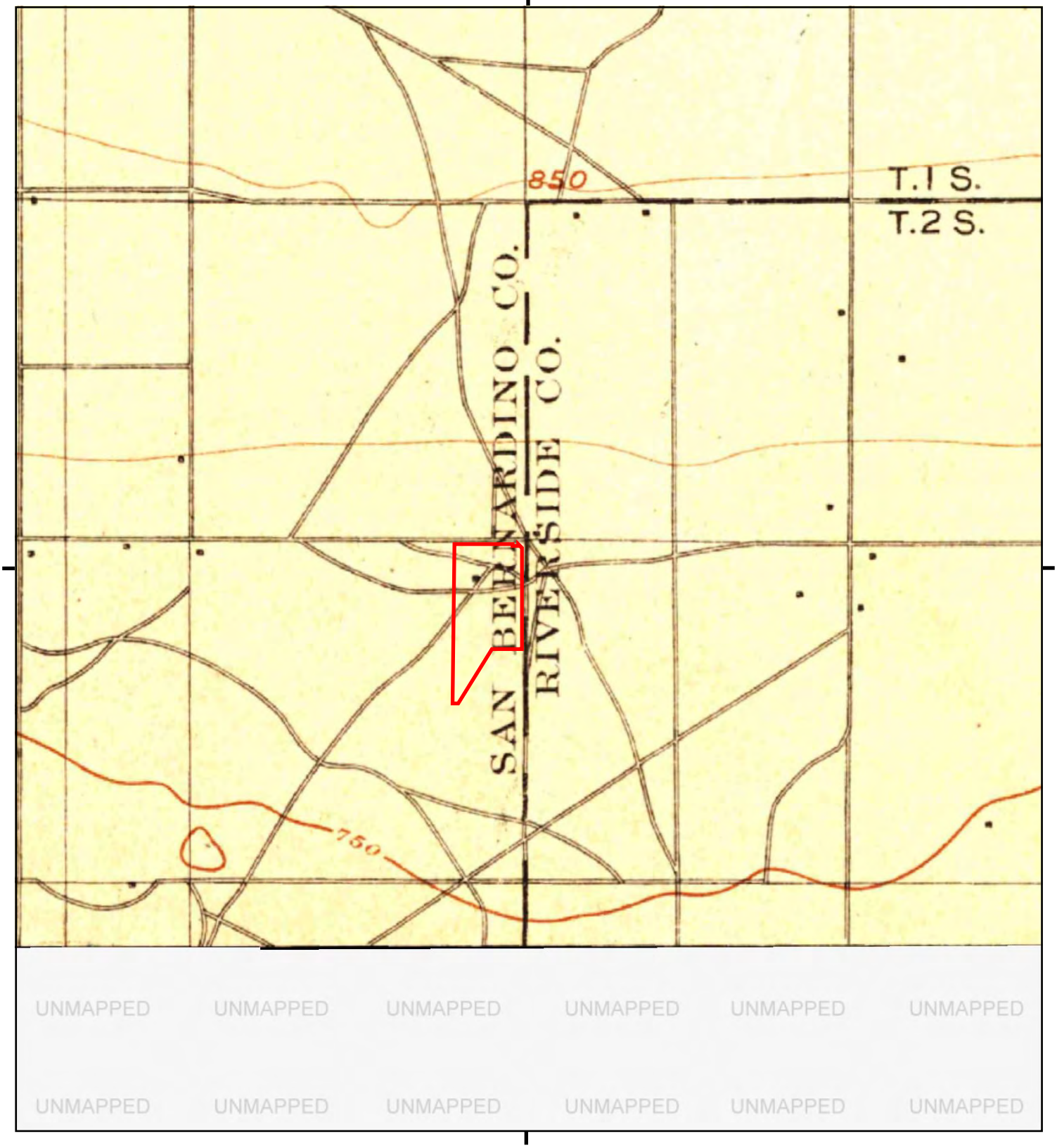
TP, Cucamonga, 1903, 15-minute

SITE NAME: SWC E. Riverside & Hamner Ave
ADDRESS: 13130 Milliken Ave
Ontario, CA 91761
CLIENT: SCS Engineers

N

Historical Topo Map

1900



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

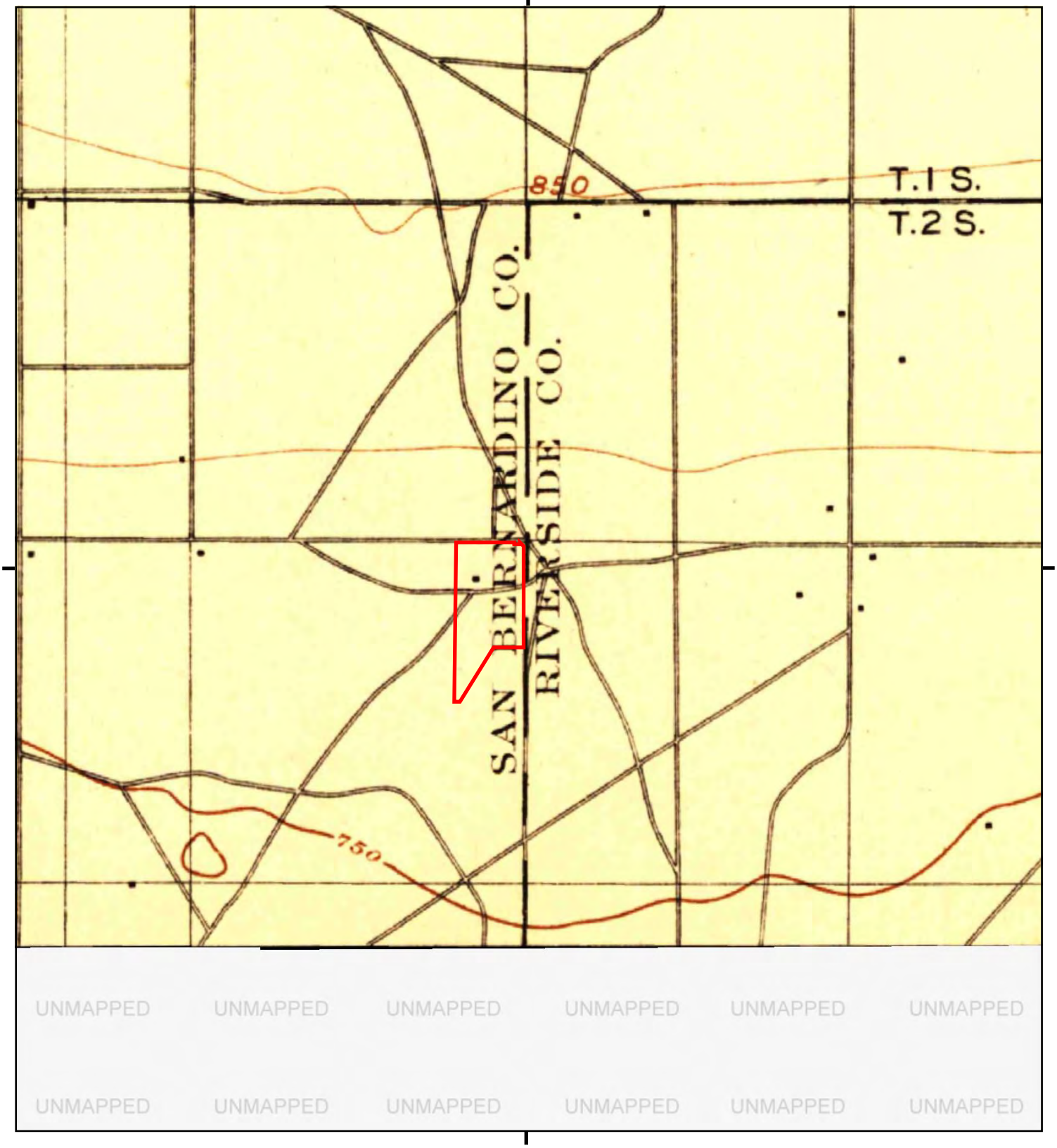
TP, Cucamonga, 1900, 15-minute

SITE NAME: SWC E. Riverside & Hamner Ave
ADDRESS: 13130 Milliken Ave
Ontario, CA 91761
CLIENT: SCS Engineers

N

Historical Topo Map

1897



This report includes information from the following map sheet(s).

0 Miles 0.25 0.5 1 1.5

NW N NE
W E
SW S SE

TP, Cucamonga, 1897, 15-minute

SITE NAME: SWC E. Riverside & Hamner Ave
ADDRESS: 13130 Milliken Ave
Ontario, CA 91761
CLIENT: SCS Engineers

N

SWC E. Riverside & Hamner Ave

13130 Milliken Ave

Ontario, CA 91761

Inquiry Number: 5155334.3

January 10, 2018

Certified Sanborn® Map Report

6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

Certified Sanborn® Map Report

01/10/18

Site Name:

SWC E. Riverside & Hamner A
13130 Milliken Ave
Ontario, CA 91761
EDR Inquiry # 5155334.3

Client Name:

SCS Engineers
3900 Kilroy Airport Way
Long Beach, CA 90806
Contact: Kim Braun

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The Sanborn Library is continually enhanced with newly identified map archives. This report accesses all maps in the collection as of the day this report was generated.

Certified Sanborn Results:

Certification # D80B-4631-AA9E

PO # NA

Project 01218010.00

UNMAPPED PROPERTY

This report certifies that the complete holdings of the Sanborn Library, LLC collection have been searched based on client supplied target property information, and fire insurance maps covering the target property were not found.

Sanborn® Library search results

Certification #: D80B-4631-AA9E

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- ☑ Library of Congress
- ☑ University Publications of America
- ☑ EDR Private Collection

The Sanborn Library LLC Since 1866™

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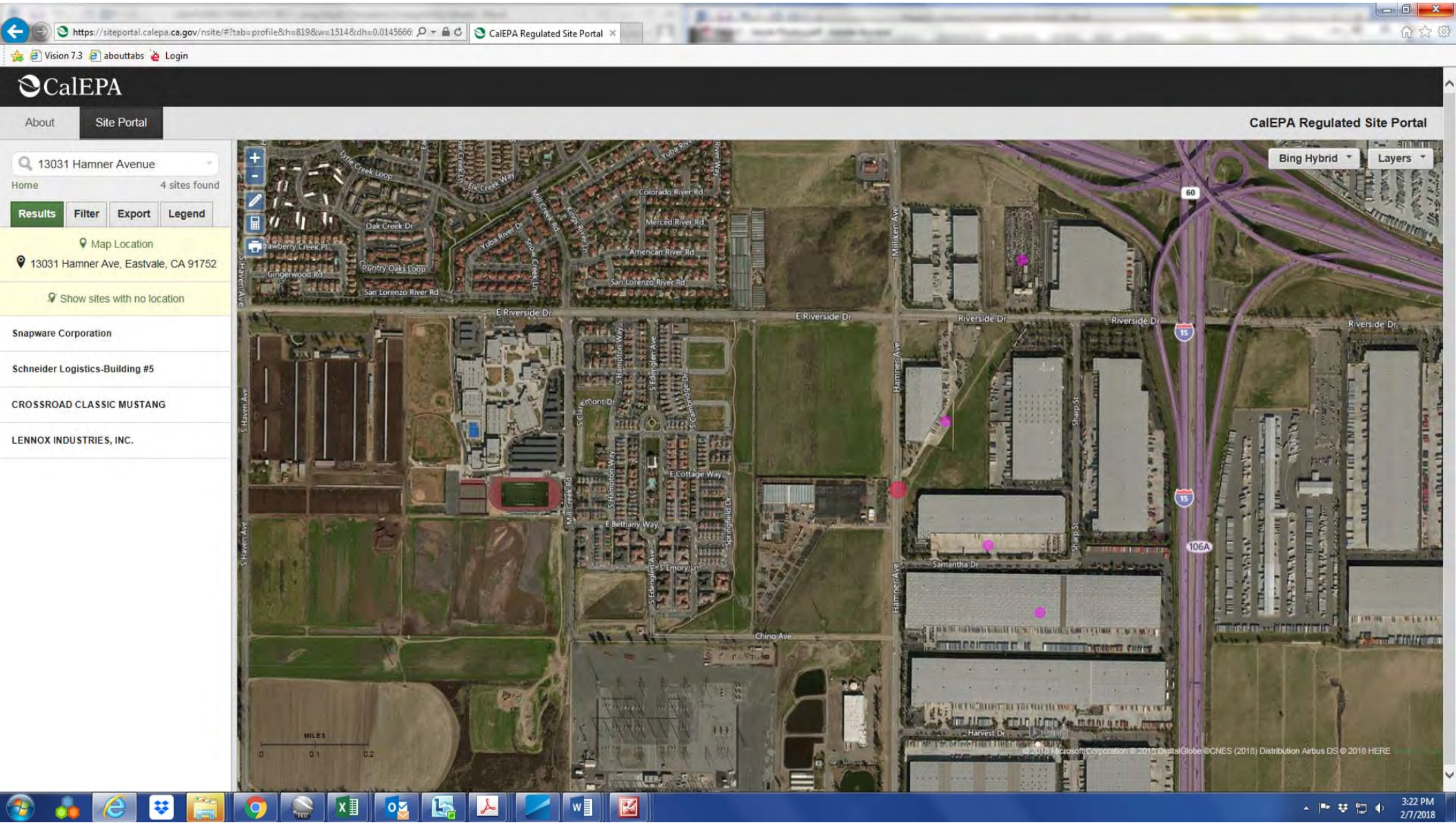
APPENDIX D

REGULATORY AGENCY FILE REVIEW INFORMATION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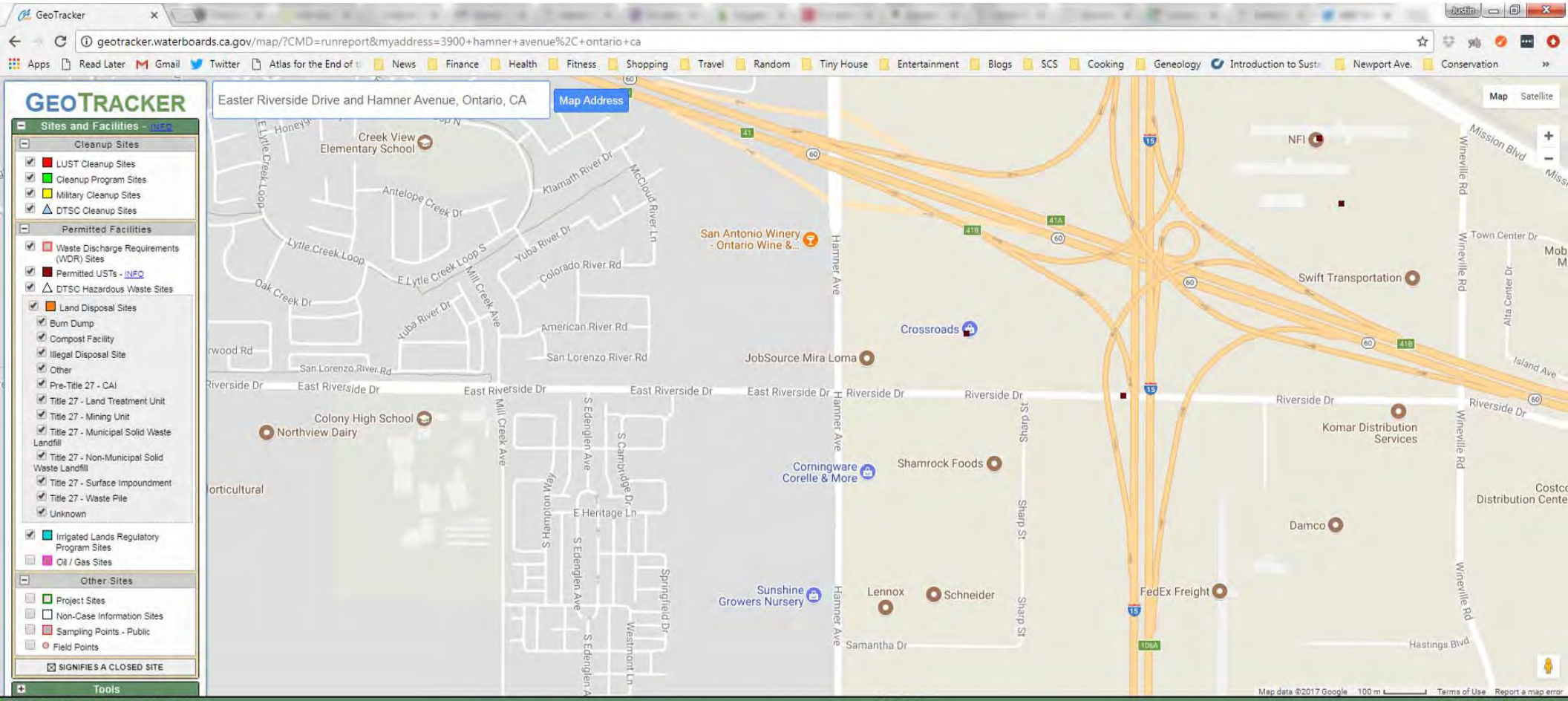
CalEPA Regulated Site Portal
Vision 7.3
abouttabs
Login
CalEPA
About
Site Portal
CalEPA Regulated Site Portal
13031 Hamner Avenue
Home
4 sites found
Results
Filter
Export
Legend
Map Location
13031 Hamner Ave, Eastvale, CA 91752
Show sites with no location
Snapware Corporation
Schneider Logistics-Building #5
CROSSROAD CLASSIC MUSTANG
LENNOX INDUSTRIES, INC.
Bing Hybrid
Layers
E Riverside Dr
Hamner Ave
Milliken Ave
S Haven Ave
Chino Ave
Samantha Dr
Harvest Dr
E Cottage Way
E Bethany Way
S Emory Ln
Oak Creek Dr
Country Oaks Loop
Gingerwood Rd
San Lorenzo River Rd
Colorado River Rd
Merced River Rd
American River Rd
Sharp St
106A
MILES
© 2018 Microsoft Corporation © 2018 DigitalGlobe ©CNES (2018) Distribution Airbus DS © 2018 HERE
3:22 PM
2/7/2018


GeoTracker
geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=3900+hamner+avenue%2C+ontario+ca
GEOTRACKER
Easter Riverside Drive and Hamner Avenue, Ontario, CA
Map Address
Sites and Facilities - INFO
Cleanup Sites
LUST Cleanup Sites
Cleanup Program Sites
Military Cleanup Sites
DTSC Cleanup Sites
Permitted Facilities
Waste Discharge Requirements (WDR) Sites
Permitted USTs - INFO
DTSC Hazardous Waste Sites
Land Disposal Sites
Burn Dump
Compost Facility
Illegal Disposal Site
Other
Pre-Title 27 - CAI
Title 27 - Land Treatment Unit
Title 27 - Mining Unit
Title 27 - Municipal Solid Waste Landfill
Title 27 - Non-Municipal Solid Waste Landfill
Title 27 - Surface Impoundment
Title 27 - Waste Pile
Unknown
Irrigated Lands Regulatory Program Sites
Oil / Gas Sites
Other Sites
Project Sites
Non-Case Information Sites
Sampling Points - Public
Field Points
SIGNIFIES A CLOSED SITE
Tools
Creek View Elementary School
Colony High School
Northview Dairy
San Antonio Winery - Ontario Wine &...
JobSource Mira Loma
Crossroads
Corningware Corelle & More
Shamrock Foods
Sunshine Growers Nursery
Lennox
Schneider
NFI
Swift Transportation
Komar Distribution Services
Damco
FedEx Freight
Costco Distribution Cente
Hamner Ave
Sharp St
Wineville Rd
Mission Blvd
Riverside Dr
East Riverside Dr
San Lorenzo River Rd
American River Rd
Colorado River Rd
Yuba River Dr
Mill Creek Ave
Lytle Creek Loop
Antelope Creek Dr
Klamath River Dr
McCloud River Ln
Oak Creek Dr
E Heritage Ln
Samantha Dr
Hastings Blvd
Island Ave
Town Center Dr
Map
Satellite
Map data ©2017 Google
Terms of Use
Report a map error
SITES CURRENTLY VISIBLE ON MAP
4 SITES LISTED
EXPORT THIS LIST TO EXCEL
SITE NAME | GLOBAL ID | FAC ID | STATUS | ADDRESS | CITY
CONSOLIDATED FREIGHTWAYS | T0606500619 | | COMPLETED - CASE CLOSED | 11888 MISSION BLVD | MIRA LOMA
CROSSROAD CLASSIC MUSTANG | T0606500266 | | COMPLETED - CASE CLOSED | 12421 RIVERSIDE AVENUE, UNIT B | MIRA LOMA
LAMA OIL INC. | | | | 12515 RIVERSIDE DR | EASTVALE
SWIFT TRANSPORTATION | | FA0014986 | | 3575 WINEVILLE AVENUE | JURUPA VALLEY
3:59 PM
10/3/2017

Division of Oil, Gas & Geothermal Resources - Well Finder

Find By Location

Find My Current Location

or

Street: 13130 south miliken

City: ontario

Zip: Find

Display a 1 mile buffer

Buffer radius is limited to 10 mi (52800ft).

Find By API

Find By Lat, Long

Find By PLSS

Find By Oil/Gas Field

Data (Layers):

Notices & Permits

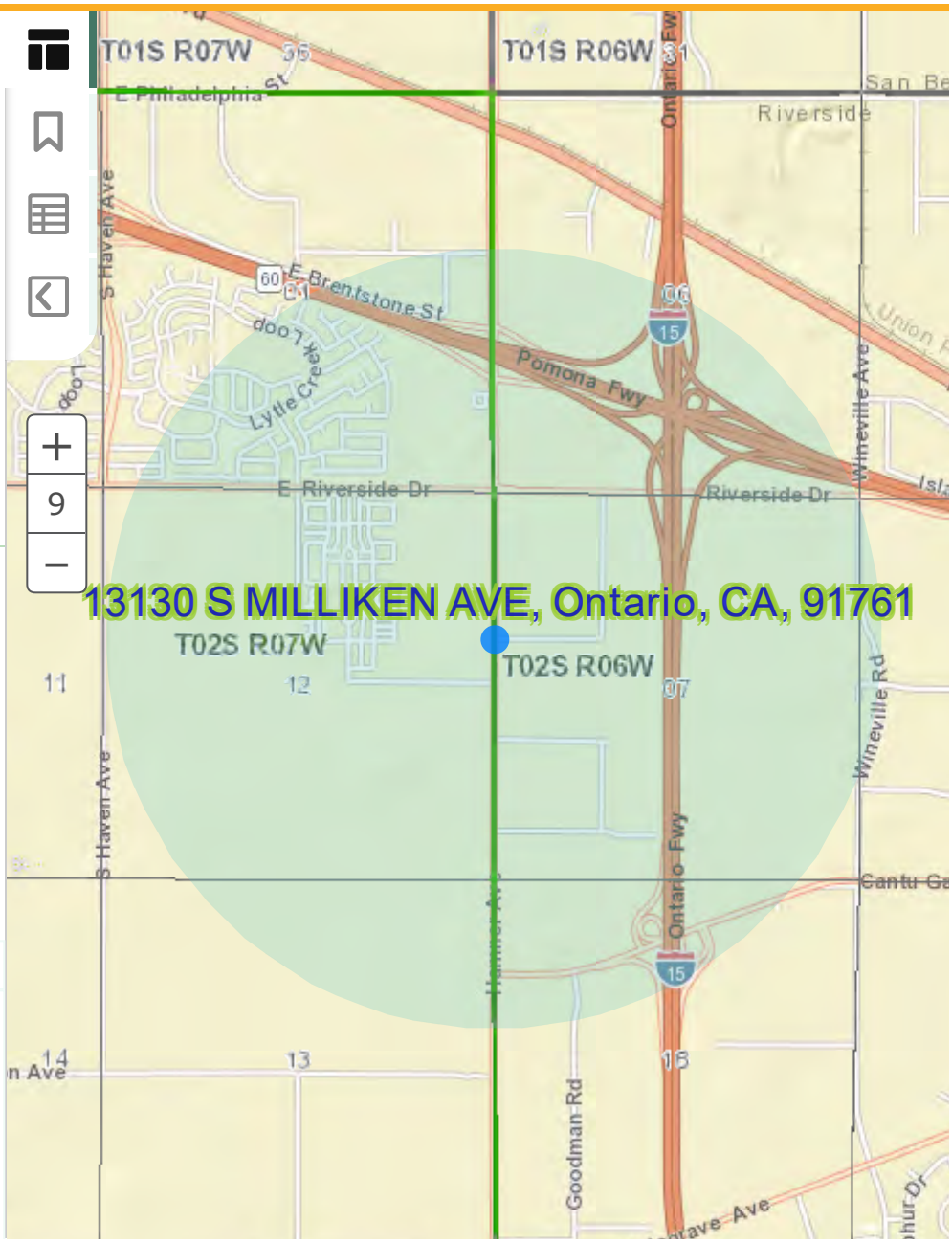
DOGGR Wells

Label: API# Well# Detailed

EPA Wells for Aquifer Exemption Review

Enhanced Oil Recovery Wells

Disposal Wells



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Legend

- Accidents (Liquid)
- Incidents (Gas)
- Gas Transmission Pipelines
- Hazardous Liquid Pipelines

500 m
1000 ft

Pipelines depicted on this map represent gas transmission and hazardous liquid lines only. Gas gathering and gas distribution systems are not represented.

This map should never be used as a substitute for contacting a one-call center prior to excavation activities. Please call 811 before any digging occurs.

Questions regarding this map or its contents can be directed to npms@dot.gov.

Projection: Geographic

Datum: NAD83

Map produced by the Public Viewer application at www.npms.phmsa.dot.gov

Date Printed: Jan 11, 2018

811 Know what's below. Call before you dig.

APPENDIX E

EDR DATABASE REPORT

SWC E. Riverside & Hamner Ave
13130 Milliken Ave
Ontario, CA 91761

Inquiry Number: 05155334.2r
January 10, 2018

The EDR Radius Map™ Report with GeoCheck®

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TABLE OF CONTENTS

SECTION	PAGE
Executive Summary	ES1
Overview Map	2
Detail Map	3
Map Findings Summary	4
Map Findings	8
Orphan Summary	35
Government Records Searched/Data Currency Tracking	GR-1

GEOCHECK ADDENDUM

Physical Setting Source Addendum	A-1
Physical Setting Source Summary	A-2
Physical Setting SSURGO Soil Map	A-6
Physical Setting Source Map	A-10
Physical Setting Source Map Findings	A-12
Physical Setting Source Records Searched	PSGR-1

Thank you for your business.
Please contact EDR at 1-800-352-0050
with any questions or comments.

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EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-13), the ASTM Standard Practice for Environmental Site Assessments for Forestland or Rural Property (E 2247-16), the ASTM Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process (E 1528-14) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

TARGET PROPERTY INFORMATION

ADDRESS

13130 MILLIKEN AVE
ONTARIO, CA 91761

COORDINATES

Latitude (North):	34.0153190 - 34° 0' 55.14''
Longitude (West):	117.5603870 - 117° 33' 37.39''
Universal Tranverse Mercator:	Zone 11
UTM X (Meters):	448257.3
UTM Y (Meters):	3763801.5
Elevation:	787 ft. above sea level

USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map:	5620426 GUASTI, CA
Version Date:	2012
South Map:	5640930 CORONA NORTH, CA
Version Date:	2012

AERIAL PHOTOGRAPHY IN THIS REPORT

Portions of Photo from:	20140603
Source:	USDA

MAPPED SITES SUMMARY

Target Property Address:
13130 MILLIKEN AVE
ONTARIO, CA 91761

Click on Map ID to see full detail.

MAP ID	SITE NAME	ADDRESS	DATABASE ACRONYMS	RELATIVE ELEVATION	DIST (ft. & mi.) DIRECTION
A1	AG-JACK PINHEIRO DAI	11011 E RIVERSIDE DR	UST	Higher	38, 0.007, North
A2	JACK PINHEIRO DAIRY	11011 RIVERSIDE DR	SWEEPS UST, CA FID UST, San Bern. Co. Permit, WDS	Higher	41, 0.008, North
3	EXEL INC D C 3	4000 S HAMNER AVE	RCRA-SQG, FINDS, ECHO	Higher	111, 0.021, ENE
B4	VAN DIGEST DAIRY	4680 HAMNER	SWEEPS UST, CA FID UST	Higher	114, 0.022, NNE
B5	CAL MOLD INC	3900 HAMNER AVE	RCRA-SQG, FINDS, ECHO, HAZNET, NPDES	Higher	139, 0.026, NNE
6	EXEL INC D C 5	4100 HAMNER AVE	RCRA-SQG, FINDS, ECHO	Lower	345, 0.065, SE
7	LAMA OIL INC.	12515 RIVERSIDE DR	UST	Higher	494, 0.094, NE
C8	CROSSROAD CLASSIC MU	12421 RIVERSIDE AVEN	LUST, HIST CORTESE	Higher	1031, 0.195, NE
C9	CROSSROADS AUTO	12421 RIVERSIDE AVE	RCRA-SQG, FINDS	Higher	1031, 0.195, NE
C10	CROSSROAD CLASSIC MU	12421 RIVERSIDE AVE	LUST	Higher	1031, 0.195, NE
D11	FUJI NATURAL FOODS	13500 MILIKEN AVE	HIST UST	Lower	1171, 0.222, South
D12	FUJI NATURAL FOODS	13500 S MILLIKEN AVE	HIST UST, San Bern. Co. Permit	Lower	1171, 0.222, South
D13	FUJI NATURAL FOODS	13500 MILLIKEN AVE	SWEEPS UST, CA FID UST	Lower	1171, 0.222, South
14	EXEL INC D C 1	4250 S HAMNER AVE	RCRA-SQG, FINDS, ECHO	Lower	1177, 0.223, SSE
15	ONTARIO WELL #50	3900 W RIVERSIDE DR	San Bern. Co. Permit	Higher	1254, 0.237, NW
16	EXEL INC D C 2	12400 RIVERSIDE AVE	RCRA-SQG, FINDS, ECHO	Higher	1290, 0.244, ENE
17	SCE-MIRA LOMA SUBSTA	13568 MILLIKEN	LUST, AST, SWEEPS UST, CA FID UST, EMI	Lower	1750, 0.331, SSE
18	SCE MIRA LOMA SUBSTA	13568 MILLIKEN AVE	LUST	Higher	2121, 0.402, North

EXECUTIVE SUMMARY

TARGET PROPERTY SEARCH RESULTS

The target property was not listed in any of the databases searched by EDR.

DATABASES WITH NO MAPPED SITES

No mapped sites were found in EDR's search of available ("reasonably ascertainable ") government records either on the target property or within the search radius around the target property for the following databases:

STANDARD ENVIRONMENTAL RECORDS

Federal NPL site list

NPL ---------- National Priority List
Proposed NPL ---------- Proposed National Priority List Sites
NPL LIENS ---------- Federal Superfund Liens

Federal Delisted NPL site list

Delisted NPL ---------- National Priority List Deletions

Federal CERCLIS list

FEDERAL FACILITY ---------- Federal Facility Site Information listing
SEMS ---------- Superfund Enterprise Management System

Federal CERCLIS NFRAP site list

SEMS-ARCHIVE ---------- Superfund Enterprise Management System Archive

Federal RCRA CORRACTS facilities list

CORRACTS ---------- Corrective Action Report

Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF ---------- RCRA - Treatment, Storage and Disposal

Federal RCRA generators list

RCRA-LQG ---------- RCRA - Large Quantity Generators
RCRA-CESQG ---------- RCRA - Conditionally Exempt Small Quantity Generator

Federal institutional controls / engineering controls registries

LUCIS ---------- Land Use Control Information System
US ENG CONTROLS ---------- Engineering Controls Sites List
US INST CONTROL ---------- Sites with Institutional Controls

EXECUTIVE SUMMARY

Federal ERNS list

ERNS ---------- Emergency Response Notification System

State- and tribal - equivalent NPL

RESPONSE ---------- State Response Sites

State- and tribal - equivalent CERCLIS

ENVIROSTOR ---------- EnviroStor Database

State and tribal landfill and/or solid waste disposal site lists

SWF/LF ---------- Solid Waste Information System

State and tribal leaking storage tank lists

INDIAN LUST ---------- Leaking Underground Storage Tanks on Indian Land
SLIC ---------- Statewide SLIC Cases

State and tribal registered storage tank lists

FEMA UST ---------- Underground Storage Tank Listing
AST ---------- Aboveground Petroleum Storage Tank Facilities
INDIAN UST ---------- Underground Storage Tanks on Indian Land

State and tribal voluntary cleanup sites

VCP ---------- Voluntary Cleanup Program Properties
INDIAN VCP ---------- Voluntary Cleanup Priority Listing

State and tribal Brownfields sites

BROWNFIELDS ---------- Considered Brownfieds Sites Listing

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists

US BROWNFIELDS ---------- A Listing of Brownfields Sites

Local Lists of Landfill / Solid Waste Disposal Sites

WMUDS/SWAT ---------- Waste Management Unit Database
SWRCY ---------- Recycler Database
HAULERS ---------- Registered Waste Tire Haulers Listing
INDIAN ODI ---------- Report on the Status of Open Dumps on Indian Lands
ODI ---------- Open Dump Inventory
DEBRIS REGION 9 ---------- Torres Martinez Reservation Illegal Dump Site Locations
IHS OPEN DUMPS ---------- Open Dumps on Indian Land

Local Lists of Hazardous waste / Contaminated Sites

US HIST CDL ---------- Delisted National Clandestine Laboratory Register

HIST Cal-Sites	Historical Calsites Database
SCH	School Property Evaluation Program
CDL	Clandestine Drug Labs
Toxic Pits	Toxic Pits Cleanup Act Sites
US CDL	National Clandestine Laboratory Register

Local Land Records

LIENS	Environmental Liens Listing
LIENS 2	CERCLA Lien Information
DEED	Deed Restriction Listing

Records of Emergency Release Reports

HMIRS	Hazardous Materials Information Reporting System
CHMIRS	California Hazardous Material Incident Report System
LDS	Land Disposal Sites Listing
MCS	Military Cleanup Sites Listing
SPILLS 90	SPILLS 90 data from FirstSearch

Other Ascertainable Records

RCRA NonGen / NLR	RCRA - Non Generators / No Longer Regulated
FUDS	Formerly Used Defense Sites
DOD	Department of Defense Sites
SCRD DRYCLEANERS	State Coalition for Remediation of Drycleaners Listing
US FIN ASSUR	Financial Assurance Information
EPA WATCH LIST	EPA WATCH LIST
2020 COR ACTION	2020 Corrective Action Program List
TSCA	Toxic Substances Control Act
TRIS	Toxic Chemical Release Inventory System
SSTS	Section 7 Tracking Systems
ROD	Records Of Decision
RMP	Risk Management Plans
RAATS	RCRA Administrative Action Tracking System
PRP	Potentially Responsible Parties
PADS	PCB Activity Database System
ICIS	Integrated Compliance Information System
FTTS	FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
MLTS	Material Licensing Tracking System
COAL ASH DOE	Steam-Electric Plant Operation Data
COAL ASH EPA	Coal Combustion Residues Surface Impoundments List
PCB TRANSFORMER	PCB Transformer Registration Database
RADINFO	Radiation Information Database
HIST FTTS	FIFRA/TSCA Tracking System Administrative Case Listing
DOT OPS	Incident and Accident Data
CONSENT	Superfund (CERCLA) Consent Decrees
INDIAN RESERV	Indian Reservations
FUSRAP	Formerly Utilized Sites Remedial Action Program
UMTRA	Uranium Mill Tailings Sites
LEAD SMELTERS	Lead Smelter Sites
US AIRS	Aerometric Information Retrieval System Facility Subsystem
US MINES	Mines Master Index File
ABANDONED MINES	Abandoned Mines

FINDS Facility Index System/Facility Registry System
UXO Unexploded Ordnance Sites
DOCKET HWC Hazardous Waste Compliance Docket Listing
ECHO Enforcement & Compliance History Information
FUELS PROGRAM EPA Fuels Program Registered Listing
CA BOND EXP. PLAN Bond Expenditure Plan
Cortese "Cortese" Hazardous Waste & Substances Sites List
CUPA Listings CUPA Resources List
DRYCLEANERS Cleaner Facilities
EMI Emissions Inventory Data
ENF Enforcement Action Listing
Financial Assurance Financial Assurance Information Listing
HAZNET Facility and Manifest Data
ICE ICE
HWP EnviroStor Permitted Facilities Listing
HWT Registered Hazardous Waste Transporter Database
MINES Mines Site Location Listing
MWMP Medical Waste Management Program Listing
NPDES NPDES Permits Listing
PEST LIC Pesticide Regulation Licenses Listing
PROC Certified Processors Database
Notify 65 Proposition 65 Records
UIC UIC Listing
WASTEWATER PITS Oil Wastewater Pits Listing
WDS Waste Discharge System
WIP Well Investigation Program Case List

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP EDR Proprietary Manufactured Gas Plants
EDR Hist Auto EDR Exclusive Historical Auto Stations
EDR Hist Cleaner EDR Exclusive Historical Cleaners

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives

RGA LF Recovered Government Archive Solid Waste Facilities List
RGA LUST Recovered Government Archive Leaking Underground Storage Tank

SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified in the following databases.

Elevations have been determined from the USGS Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property.
Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in ***bold italics*** are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.

EXECUTIVE SUMMARY

STANDARD ENVIRONMENTAL RECORDS

Federal RCRA generators list

RCRA-SQG: RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month.

A review of the RCRA-SQG list, as provided by EDR, and dated 09/13/2017 has revealed that there are 6 RCRA-SQG sites within approximately 0.25 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
EXEL INC D C 3	***4000 S HAMNER AVE***	***ENE 0 - 1/8 (0.021 mi.)***	***3***	***10***
CAL MOLD INC	***3900 HAMNER AVE***	***NNE 0 - 1/8 (0.026 mi.)***	***B5***	***12***
CROSSROADS AUTO	***12421 RIVERSIDE AVE***	***NE 1/8 - 1/4 (0.195 mi.)***	***C9***	***23***
EXEL INC D C 2	***12400 RIVERSIDE AVE***	***ENE 1/8 - 1/4 (0.244 mi.)***	***16***	***29***
Lower Elevation	**Address**	**Direction / Distance**	**Map ID**	**Page**
EXEL INC D C 5	***4100 HAMNER AVE***	***SE 0 - 1/8 (0.065 mi.)***	***6***	***18***
EXEL INC D C 1	***4250 S HAMNER AVE***	***SSE 1/8 - 1/4 (0.223 mi.)***	***14***	***27***

State and tribal leaking storage tank lists

LUST: Leaking Underground Storage Tank (LUST) Sites included in GeoTracker. GeoTracker is the Water Boards data management system for sites that impact, or have the potential to impact, water quality in California, with emphasis on groundwater.

A review of the LUST list, as provided by EDR, has revealed that there are 4 LUST sites within approximately 0.5 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
CROSSROAD CLASSIC MU	***12421 RIVERSIDE AVEN***	***NE 1/8 - 1/4 (0.195 mi.)***	***C8***	***20***
Database: LUST REG 8, Date of Government Version: 02/14/2005 Database: LUST, Date of Government Version: 09/11/2017 Status: Completed - Case Closed Facility Status: Pollution Characterization Global Id: T0606500266 Global ID: T0606500266				
CROSSROAD CLASSIC MU	12421 RIVERSIDE AVE	NE 1/8 - 1/4 (0.195 mi.)	C10	24
Database: RIVERSIDE CO. LUST, Date of Government Version: 10/11/2017 Facility Id: 92383 Facility Status: 9				
SCE MIRA LOMA SUBSTA	13568 MILLIKEN AVE	N 1/4 - 1/2 (0.402 mi.)	18	33
Database: LUST REG 8, Date of Government Version: 02/14/2005 Facility Status: Case Closed Global ID: T0607199165				
Lower Elevation	**Address**	**Direction / Distance**	**Map ID**	**Page**
SCE-MIRA LOMA SUBSTA	***13568 MILLIKEN***	***SSE 1/4 - 1/2 (0.331 mi.)***	***17***	***30***
Database: LUST, Date of Government Version: 09/11/2017				

Status: Completed - Case Closed
Global Id: T0607199165

State and tribal registered storage tank lists

UST: The Underground Storage Tank database contains registered USTs. USTs are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA). The data come from the State Water Resources Control Board's Hazardous Substance Storage Container Database.

A review of the UST list, as provided by EDR, has revealed that there are 2 UST sites within approximately 0.25 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
AG-JACK PINHEIRO DAI Database: UST, Date of Government Version: 09/11/2017 Facility Id: 87014227	11011 E RIVERSIDE DR	N 0 - 1/8 (0.007 mi.)	A1	8
LAMA OIL INC. Database: UST, Date of Government Version: 09/11/2017	12515 RIVERSIDE DR	NE 0 - 1/8 (0.094 mi.)	7	20

ADDITIONAL ENVIRONMENTAL RECORDS

Local Lists of Registered Storage Tanks

SWEEPS UST: Statewide Environmental Evaluation and Planning System. This underground storage tank listing was updated and maintained by a company contacted by the SWRCB in the early 1990's. The listing is no longer updated or maintained. The local agency is the contact for more information on a site on the SWEEPS list.

A review of the SWEEPS UST list, as provided by EDR, and dated 06/01/1994 has revealed that there are 3 SWEEPS UST sites within approximately 0.25 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
JACK PINHEIRO DAIRY Status: A Tank Status: A Comp Number: 38652	***11011 RIVERSIDE DR***	***N 0 - 1/8 (0.008 mi.)***	***A2***	***8***
VAN DIGEST DAIRY Status: A Tank Status: A Comp Number: 36865	***4680 HAMNER***	***NNE 0 - 1/8 (0.022 mi.)***	***B4***	***11***

Lower Elevation	Address	Direction / Distance	Map ID	Page
FUJI NATURAL FOODS Status: A Comp Number: 18372	***13500 MILLIKEN AVE***	***S 1/8 - 1/4 (0.222 mi.)***	***D13***	***26***

HIST UST: Historical UST Registered Database.

A review of the HIST UST list, as provided by EDR, and dated 10/15/1990 has revealed that there are 2 HIST UST sites within approximately 0.25 miles of the target property.

Lower Elevation	Address	Direction / Distance	Map ID	Page
FUJI NATURAL FOODS	13500 MILIKEN AVE	S 1/8 - 1/4 (0.222 mi.)	D11	25
FUJI NATURAL FOODS	***13500 S MILLIKEN AVE***	***S 1/8 - 1/4 (0.222 mi.)***	***D12***	***25***
Facility Id: 00000018372				

CA FID UST: The Facility Inventory Database contains active and inactive underground storage tank locations. The source is the State Water Resource Control Board.

A review of the CA FID UST list, as provided by EDR, and dated 10/31/1994 has revealed that there are 3 CA FID UST sites within approximately 0.25 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
JACK PINHEIRO DAIRY	***11011 RIVERSIDE DR***	***N 0 - 1/8 (0.008 mi.)***	***A2***	***8***
Facility Id: 36008959				
Status: A				
VAN DIGEST DAIRY	***4680 HAMNER***	***NNE 0 - 1/8 (0.022 mi.)***	***B4***	***11***
Facility Id: 36001290				
Status: A				

Lower Elevation	Address	Direction / Distance	Map ID	Page
FUJI NATURAL FOODS	***13500 MILLIKEN AVE***	***S 1/8 - 1/4 (0.222 mi.)***	***D13***	***26***
Facility Id: 36001373				
Status: A				

Other Ascertainable Records

HIST CORTESE: The sites for the list are designated by the State Water Resource Control Board [LUST], the Integrated Waste Board [SWF/LS], and the Department of Toxic Substances Control [CALSITES]. This listing is no longer updated by the state agency.

A review of the HIST CORTESE list, as provided by EDR, and dated 04/01/2001 has revealed that there is 1 HIST CORTESE site within approximately 0.5 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
CROSSROAD CLASSIC MU	***12421 RIVERSIDE AVEN***	***NE 1/8 - 1/4 (0.195 mi.)***	***C8***	***20***
Reg Id: 083302036T				

EXECUTIVE SUMMARY

San Bern. Co. Permit: San Bernardino County Fire Department Hazardous Materials Division.

A review of the San Bern. Co. Permit list, as provided by EDR, and dated 08/31/2017 has revealed that there are 3 San Bern. Co. Permit sites within approximately 0.25 miles of the target property.

Equal/Higher Elevation	Address	Direction / Distance	Map ID	Page
JACK PINHEIRO DAIRY Facility Status: INACTIVE Facility Id: FA0000509	***11011 RIVERSIDE DR***	***N 0 - 1/8 (0.008 mi.)***	***A2***	***8***
ONTARIO WELL #50 Facility Status: INACTIVE Facility Id: FA0012899	3900 W RIVERSIDE DR	NW 1/8 - 1/4 (0.237 mi.)	15	29

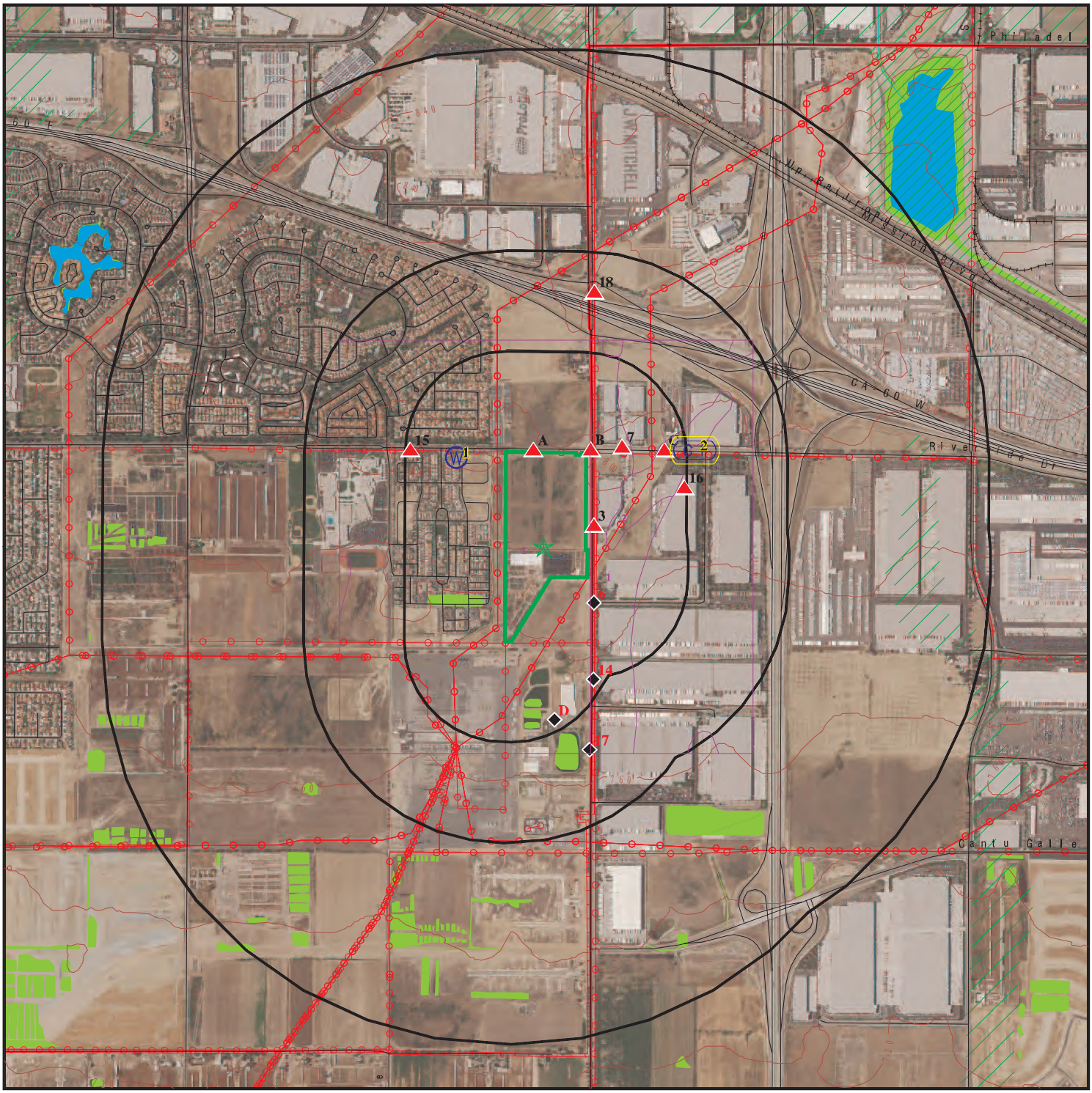
Lower Elevation	Address	Direction / Distance	Map ID	Page
FUJI NATURAL FOODS Facility Status: ACTIVE Facility Id: FA0015181	***13500 S MILLIKEN AVE***	***S 1/8 - 1/4 (0.222 mi.)***	***D12***	***25***

EXECUTIVE SUMMARY

Due to poor or inadequate address information, the following sites were not mapped. Count: 2 records.

Site Name	Database(s)
SO CAL GAS/ONTARIO MGP	EDR MGP
MILLIKEN SANITARY LANDFILL	ENVIROSTOR

OVERVIEW MAP - 05155334.2R



This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: SWC E. Riverside & Hamner Ave ADDRESS: 13130 Milliken Ave Ontario CA 91761 LAT/LONG: 34.015319 / 117.560387	CLIENT: SCS Engineers CONTACT: Kim Braun INQUIRY #: 05155334.2r DATE: January 10, 2018 12:50 pm

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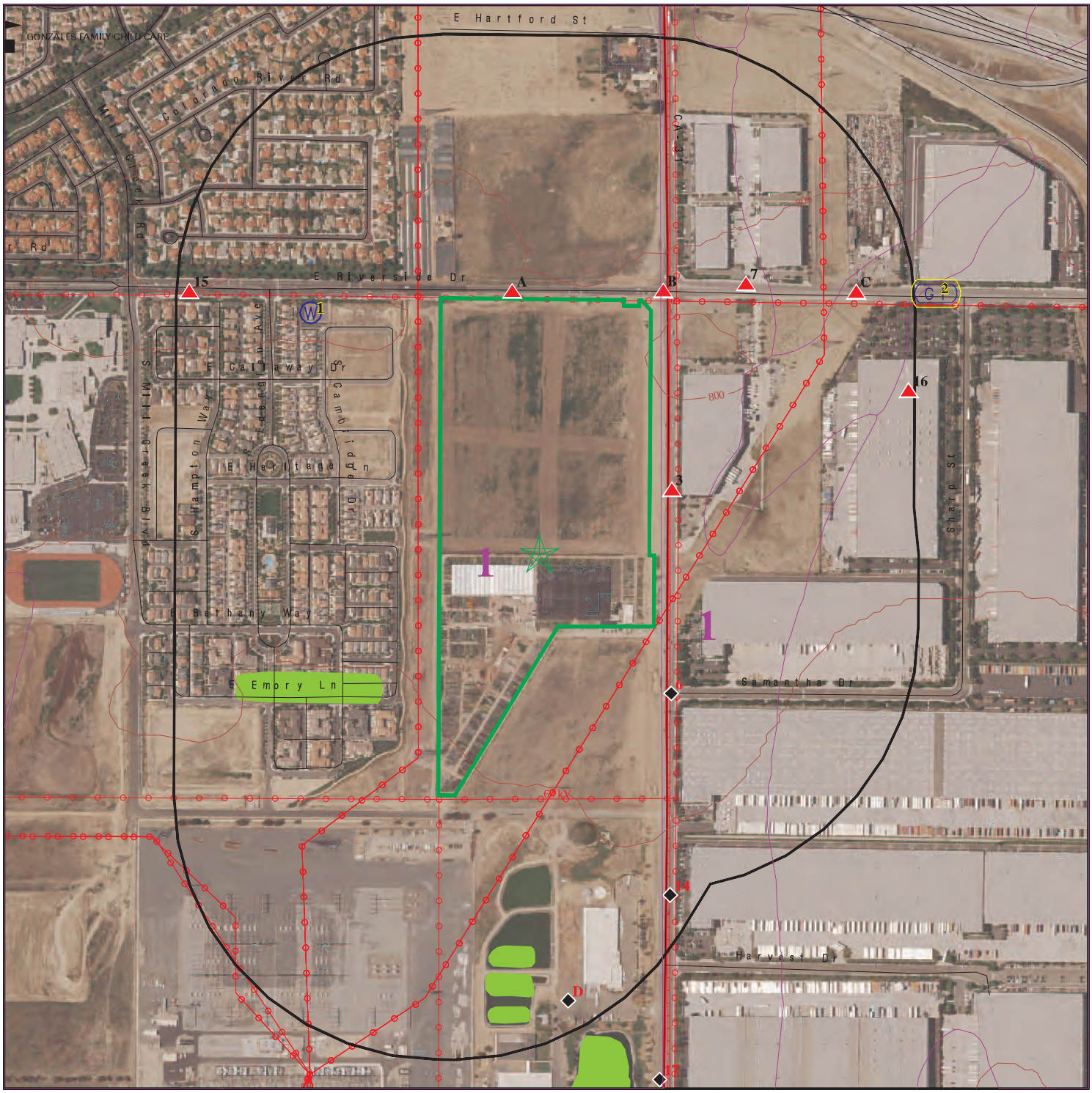
DETAIL MAP - 05155334.2R



Target Property
Sites at elevations higher than or equal to the target property
Sites at elevations lower than the target property
Manufactured Gas Plants
Sensitive Receptors
National Priority List Sites
Dept. Defense Sites

0 1/8 1/4 1/2 Miles

Indian Reservations BIA
County Boundary
Power transmission lines
Pipelines
100-year flood zone
500-year flood zone
National Wetland Inventory
State Wetlands

Areas of Concern

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: SWC E. Riverside & Hamner Ave	CLIENT: SCS Engineers
ADDRESS: 13130 Milliken Ave Ontario CA 91761	CONTACT: Kim Braun
LAT/LONG: 34.015319 / 117.560387	INQUIRY #: 05155334.2r DATE: January 10, 2018 12:53 pm

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MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
STANDARD ENVIRONMENTAL RECORDS								
Federal NPL site list								
NPL	1.000		0	0	0	0	NR	0
Proposed NPL	1.000		0	0	0	0	NR	0
NPL LIENS	0.001		0	NR	NR	NR	NR	0
Federal Delisted NPL site list								
Delisted NPL	1.000		0	0	0	0	NR	0
Federal CERCLIS list								
FEDERAL FACILITY	0.500		0	0	0	NR	NR	0
SEMS	0.500		0	0	0	NR	NR	0
Federal CERCLIS NFRAP site list								
SEMS-ARCHIVE	0.500		0	0	0	NR	NR	0
Federal RCRA CORRACTS facilities list								
CORRACTS	1.000		0	0	0	0	NR	0
Federal RCRA non-CORRACTS TSD facilities list								
RCRA-TSDF	0.500		0	0	0	NR	NR	0
Federal RCRA generators list								
RCRA-LQG	0.250		0	0	NR	NR	NR	0
RCRA-SQG	0.250		3	3	NR	NR	NR	6
RCRA-CESQG	0.250		0	0	NR	NR	NR	0
Federal institutional controls / engineering controls registries								
LUCIS	0.500		0	0	0	NR	NR	0
US ENG CONTROLS	0.500		0	0	0	NR	NR	0
US INST CONTROL	0.500		0	0	0	NR	NR	0
Federal ERNS list								
ERNS	0.001		0	NR	NR	NR	NR	0
State- and tribal - equivalent NPL								
RESPONSE	1.000		0	0	0	0	NR	0
State- and tribal - equivalent CERCLIS								
ENVIROSTOR	1.000		0	0	0	0	NR	0
State and tribal landfill and/or solid waste disposal site lists								
SWF/LF	0.500		0	0	0	NR	NR	0
State and tribal leaking storage tank lists								
LUST	0.500		0	2	2	NR	NR	4

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
INDIAN LUST	0.500		0	0	0	NR	NR	0
SLIC	0.500		0	0	0	NR	NR	0
State and tribal registered storage tank lists								
FEMA UST	0.250		0	0	NR	NR	NR	0
UST	0.250		2	0	NR	NR	NR	2
AST	0.250		0	0	NR	NR	NR	0
INDIAN UST	0.250		0	0	NR	NR	NR	0
State and tribal voluntary cleanup sites								
VCP	0.500		0	0	0	NR	NR	0
INDIAN VCP	0.500		0	0	0	NR	NR	0
State and tribal Brownfields sites								
BROWNFIELDS	0.500		0	0	0	NR	NR	0
ADDITIONAL ENVIRONMENTAL RECORDS								
Local Brownfield lists								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
Local Lists of Landfill / Solid Waste Disposal Sites								
WMUDS/SWAT	0.500		0	0	0	NR	NR	0
SWRCY	0.500		0	0	0	NR	NR	0
HAULERS	0.001		0	NR	NR	NR	NR	0
INDIAN ODI	0.500		0	0	0	NR	NR	0
ODI	0.500		0	0	0	NR	NR	0
DEBRIS REGION 9	0.500		0	0	0	NR	NR	0
IHS OPEN DUMPS	0.500		0	0	0	NR	NR	0
Local Lists of Hazardous waste / Contaminated Sites								
US HIST CDL	0.001		0	NR	NR	NR	NR	0
HIST Cal-Sites	1.000		0	0	0	0	NR	0
SCH	0.250		0	0	NR	NR	NR	0
CDL	0.001		0	NR	NR	NR	NR	0
Toxic Pits	1.000		0	0	0	0	NR	0
US CDL	0.001		0	NR	NR	NR	NR	0
Local Lists of Registered Storage Tanks								
SWEEPS UST	0.250		2	1	NR	NR	NR	3
HIST UST	0.250		0	2	NR	NR	NR	2
CA FID UST	0.250		2	1	NR	NR	NR	3
Local Land Records								
LIENS	0.001		0	NR	NR	NR	NR	0
LIENS 2	0.001		0	NR	NR	NR	NR	0
DEED	0.500		0	0	0	NR	NR	0
Records of Emergency Release Reports								
HMIRS	0.001		0	NR	NR	NR	NR	0

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
CHMIRS	0.001		0	NR	NR	NR	NR	0
LDS	0.001		0	NR	NR	NR	NR	0
MCS	0.001		0	NR	NR	NR	NR	0
SPILLS 90	0.001		0	NR	NR	NR	NR	0
Other Ascertainable Records								
RCRA NonGen / NLR	0.250		0	0	NR	NR	NR	0
FUDS	1.000		0	0	0	0	NR	0
DOD	1.000		0	0	0	0	NR	0
SCRD DRYCLEANERS	0.500		0	0	0	NR	NR	0
US FIN ASSUR	0.001		0	NR	NR	NR	NR	0
EPA WATCH LIST	0.001		0	NR	NR	NR	NR	0
2020 COR ACTION	0.250		0	0	NR	NR	NR	0
TSCA	0.001		0	NR	NR	NR	NR	0
TRIS	0.001		0	NR	NR	NR	NR	0
SSTS	0.001		0	NR	NR	NR	NR	0
ROD	1.000		0	0	0	0	NR	0
RMP	0.001		0	NR	NR	NR	NR	0
RAATS	0.001		0	NR	NR	NR	NR	0
PRP	0.001		0	NR	NR	NR	NR	0
PADS	0.001		0	NR	NR	NR	NR	0
ICIS	0.001		0	NR	NR	NR	NR	0
FTTS	0.001		0	NR	NR	NR	NR	0
MLTS	0.001		0	NR	NR	NR	NR	0
COAL ASH DOE	0.001		0	NR	NR	NR	NR	0
COAL ASH EPA	0.500		0	0	0	NR	NR	0
PCB TRANSFORMER	0.001		0	NR	NR	NR	NR	0
RADINFO	0.001		0	NR	NR	NR	NR	0
HIST FTTS	0.001		0	NR	NR	NR	NR	0
DOT OPS	0.001		0	NR	NR	NR	NR	0
CONSENT	1.000		0	0	0	0	NR	0
INDIAN RESERV	0.001		0	NR	NR	NR	NR	0
FUSRAP	1.000		0	0	0	0	NR	0
UMTRA	0.500		0	0	0	NR	NR	0
LEAD SMELTERS	0.001		0	NR	NR	NR	NR	0
US AIRS	0.001		0	NR	NR	NR	NR	0
US MINES	0.250		0	0	NR	NR	NR	0
ABANDONED MINES	0.001		0	NR	NR	NR	NR	0
FINDS	0.001		0	NR	NR	NR	NR	0
UXO	1.000		0	0	0	0	NR	0
DOCKET HWC	0.001		0	NR	NR	NR	NR	0
ECHO	0.001		0	NR	NR	NR	NR	0
FUELS PROGRAM	0.250		0	0	NR	NR	NR	0
CA BOND EXP. PLAN	1.000		0	0	0	0	NR	0
Cortese	0.500		0	0	0	NR	NR	0
CUPA Listings	0.250		0	0	NR	NR	NR	0
DRYCLEANERS	0.250		0	0	NR	NR	NR	0
EMI	0.001		0	NR	NR	NR	NR	0
ENF	0.001		0	NR	NR	NR	NR	0
Financial Assurance	0.001		0	NR	NR	NR	NR	0
HAZNET	0.001		0	NR	NR	NR	NR	0

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
ICE	0.001		0	NR	NR	NR	NR	0
HIST CORTESE	0.500		0	1	0	NR	NR	1
HWP	1.000		0	0	0	0	NR	0
HWT	0.250		0	0	NR	NR	NR	0
MINES	0.001		0	NR	NR	NR	NR	0
MWMP	0.250		0	0	NR	NR	NR	0
NPDES	0.001		0	NR	NR	NR	NR	0
San Bern. Co. Permit	0.250		1	2	NR	NR	NR	3
PEST LIC	0.001		0	NR	NR	NR	NR	0
PROC	0.500		0	0	0	NR	NR	0
Notify 65	1.000		0	0	0	0	NR	0
UIC	0.001		0	NR	NR	NR	NR	0
WASTEWATER PITS	0.500		0	0	0	NR	NR	0
WDS	0.001		0	NR	NR	NR	NR	0
WIP	0.250		0	0	NR	NR	NR	0
EDR HIGH RISK HISTORICAL RECORDS								
EDR Exclusive Records								
EDR MGP	1.000		0	0	0	0	NR	0
EDR Hist Auto	0.125		0	NR	NR	NR	NR	0
EDR Hist Cleaner	0.125		0	NR	NR	NR	NR	0
EDR RECOVERED GOVERNMENT ARCHIVES								
Exclusive Recovered Govt. Archives								
RGA LF	0.001		0	NR	NR	NR	NR	0
RGA LUST	0.001		0	NR	NR	NR	NR	0
- Totals --		0	10	12	2	0	0	24

NOTES:

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

A1 **AG-JACK PINHEIRO DAIRY** **UST** **U003784996**
North **11011 E RIVERSIDE DR** **N/A**
< 1/8 **ONTARIO, CA 91761**
0.007 mi.
38 ft. **Site 1 of 2 in cluster A**

Relative:
Higher

Actual:
797 ft.

UST:
Facility ID: 87014227
Permitting Agency: SAN BERNARDINO COUNTY
Latitude: 34.01894
Longitude: -117.56427

A2 **JACK PINHEIRO DAIRY** **SWEEPS UST** **S101618952**
North **11011 RIVERSIDE DR** **CA FID UST** **N/A**
< 1/8 **ONTARIO, CA 91761** **San Bern. Co. Permit**
0.008 mi. **WDS**
41 ft. **Site 2 of 2 in cluster A**

Relative:
Higher

Actual:
798 ft.

SWEEPS UST:
Status: Active
Comp Number: 38652
Number: 9
Board Of Equalization: Not reported
Referral Date: 09-10-91
Action Date: 09-10-91
Created Date: 02-29-88
Owner Tank Id: 1
SWRCB Tank Id: 36-000-038652-000001
Tank Status: A
Capacity: 1000
Active Date: 08-24-88
Tank Use: M.V. FUEL
STG: P
Content: REG UNLEADED
Number Of Tanks: 1

CA FID UST:
Facility ID: 36008959
Regulated By: UTNKA
Regulated ID: 00038652
Cortese Code: Not reported
SIC Code: Not reported
Facility Phone: Not reported
Mail To: Not reported
Mailing Address: 11011 RIVERSIDE DR
Mailing Address 2: Not reported
Mailing City,St,Zip: ONTARIO 91761
Contact: Not reported
Contact Phone: Not reported
DUNs Number: Not reported
NPDES Number: Not reported
EPA ID: Not reported
Comments: Not reported
Status: Active

San Bern. Co. Permit:
Region: SAN BERNARDINO
Facility ID: FA0000509
Owner: JACK PINHEIRO DAIRY

JACK PINHEIRO DAIRY (Continued) **S101618952**

Permit Number: PT0003494
Permit Category: HAZMAT HANDLER - UST ONLY
Facility Status: INACTIVE
Expiration Date: 09/30/1989

Region: SAN BERNARDINO
Facility ID: FA0000509
Owner: JACK PINHEIRO DAIRY
Permit Number: PT0011109
Permit Category: UST OWNERSHIP/OPERATING PERMIT (PER UST)
Facility Status: INACTIVE
Expiration Date: 09/30/1987

WDS:
Facility ID: Santa Ana River 365520001
Facility Type: Agricultural - Facility that treats and/or disposes of the wastes associated with confined and concentrated animal feeding, confined animal feeding, confined animal holding, confined and concentrated aquatic animal production facilities, and aquaculture. the treatment and/or disposal of agricultural return water is included in this category.
Facility Status: Active - Any facility with a continuous or seasonal discharge that is under Waste Discharge Requirements.
NPDES Number: CAG018001 The 1st 2 characters designate the state. The remaining 7 are assigned by the Regional Board
Subregion: 8
Facility Telephone: Not reported
Facility Contact: Not reported
Agency Name: PINHEIRO JACK
Agency Address: 11011 RIVERSIDE DR
Agency City,St,Zip: ONTARIO 91761
Agency Contact: JACK PINHEIRO
Agency Telephone: Not reported
Agency Type: Private
SIC Code: 241
SIC Code 2: Not reported
Primary Waste Type: Nonhazardous Solid Wastes/Influent or Solid Wastes that contain nonhazardous putrescible and non putrescible solid, semisolid, and liquid wastes (E.G., garbage, trash, refuse, paper, demolition and construction wastes, manure, vegetable or animal solid and semisolid waste).
Primary Waste: STORMS
Waste Type2: N
Waste2: Stormwater Runoff
Primary Waste Type: Nonhazardous Solid Wastes/Influent or Solid Wastes that contain nonhazardous putrescible and non putrescible solid, semisolid, and liquid wastes (E.G., garbage, trash, refuse, paper, demolition and construction wastes, manure, vegetable or animal solid and semisolid waste).
Secondary Waste: Solid Wastes
Secondary Waste Type: Nonhazardous Solid Wastes/Influent or Solid Wastes that contain nonhazardous putrescible and non putrescible solid, semisolid, and liquid wastes (E.G., garbage, trash, refuse, paper, demolition and construction wastes, manure, vegetable or animal solid and semisolid waste).
Design Flow: 0
Baseline Flow: 0

JACK PINHEIRO DAIRY (Continued) **S101618952**

Reclamation:	No reclamation requirements associated with this facility.
POTW:	The facility is not a POTW.
Treat To Water:	Moderate Threat to Water Quality. A violation could have a major adverse impact on receiving biota, can cause aesthetic impairment to a significant human population, or render unusable a potential domestic or municipal water supply. Awsthetic impairment would include nuisance from a waste treatment facility.
Complexity:	Category C - Facilities having no waste treatment systems, such as cooling water dischargers or thosewho must comply through best management practices, facilities with passive waste treatment and disposal systems, such as septic systems with subsurface disposal, or dischargers having waste storage systems with land disposal such as dairy waste ponds.

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3 **EXEL INC D C 3** **RCRA-SQG 1004676980**
ENE **4000 S HAMNER AVE** **FINDS CAR000091827**
< 1/8 **MIRA LOMA, CA 91752** **ECHO**
0.021 mi.
111 ft.

Relative:
Higher

Actual:
791 ft.

RCRA-SQG:

Date form received by agency:	02/13/2001
Facility name:	EXEL INC D C 3
Facility address:	4000 S HAMNER AVE MIRA LOMA, CA 91752
EPA ID:	CAR000091827
Mailing address:	4250 S HAMNER AVE MIRA LOMA, CA 91752
Contact:	TOD SUDMEIER
Contact address:	4250 S HAMNER AVE MIRA LOMA, CA 91752
Contact country:	US
Contact telephone:	909-360-5000
Contact email:	Not reported
EPA Region:	09
Classification:	Small Small Quantity Generator
Description:	Handler: generates more than 100 and less than 1000 kg of hazardous waste during any calendar month and accumulates less than 6000 kg of hazardous waste at any time; or generates 100 kg or less of hazardous waste during any calendar month, and accumulates more than 1000 kg of hazardous waste at any time

Owner/Operator Summary:

Owner/operator name:	EXEL INC
Owner/operator address:	501 W SCHROCK RD WESTERVILLE, OH 43081
Owner/operator country:	Not reported
Owner/operator telephone:	614-890-1730
Owner/operator email:	Not reported
Owner/operator fax:	Not reported
Owner/operator extension:	Not reported
Legal status:	Private
Owner/Operator Type:	Owner
Owner/Op start date:	Not reported
Owner/Op end date:	Not reported

EXEL INC D C 3 (Continued) **1004676980**

Handler Activities Summary:
- U.S. importer of hazardous waste: No
- Mixed waste (haz. and radioactive): No
- Recycler of hazardous waste: No
- Transporter of hazardous waste: No
- Treater, storer or disposer of HW: No
- Underground injection activity: No
- On-site burner exemption: No
- Furnace exemption: No
- Used oil fuel burner: No
- Used oil processor: No
- User oil refiner: No
- Used oil fuel marketer to burner: No
- Used oil Specification marketer: No
- Used oil transfer facility: No
- Used oil transporter: No

. Waste code: D002
. Waste name: CORROSIVE WASTE

Violation Status: No violations found

FINDS:

Registry ID: 110012198415

Environmental Interest/Information System
RCRAInfo is a national information system that supports the Resource Conservation and Recovery Act (RCRA) program through the tracking of events and activities related to facilities that generate, transport, and treat, store, or dispose of hazardous waste. RCRAInfo allows RCRA program staff to track the notification, permit, compliance, and corrective action activities required under RCRA.

Click this hyperlink while viewing on your computer to access additional FINDS: detail in the EDR Site Report.

ECHO:
- Envid: 1004676980
- Registry ID: 110012198415
- DFR URL: http://echo.epa.gov/detailed-facility-report?fid=110012198415

B4 **VAN DIGEST DAIRY** **SWEEPS UST** **S101618995**
NNE **4680 HAMNER** **CA FID UST** **N/A**
< 1/8 **ONTARIO, CA 91761**
0.022 mi.
114 ft. **Site 1 of 2 in cluster B**

Relative:
Higher

Actual:
798 ft.

SWEEPS UST:
- Status: Active
- Comp Number: 36865
- Number: 9
- Board Of Equalization: Not reported
- Referral Date: 09-04-91
- Action Date: 09-04-91
- Created Date: 02-29-88

VAN DIGEST DAIRY (Continued) **S101618995**

Owner Tank Id:	1
SWRCB Tank Id:	36-000-036865-000001
Tank Status:	A
Capacity:	500
Active Date:	07-01-85
Tank Use:	M.V. FUEL
STG:	P
Content:	DIESEL
Number Of Tanks:	2
Status:	Active
Comp Number:	36865
Number:	9
Board Of Equalization:	Not reported
Referral Date:	09-04-91
Action Date:	09-04-91
Created Date:	02-29-88
Owner Tank Id:	2
SWRCB Tank Id:	36-000-036865-000002
Tank Status:	A
Capacity:	500
Active Date:	07-01-85
Tank Use:	M.V. FUEL
STG:	P
Content:	REG UNLEADED
Number Of Tanks:	Not reported

CA FID UST:

Facility ID:	36001290
Regulated By:	UTNKA
Regulated ID:	00036865
Cortese Code:	Not reported
SIC Code:	Not reported
Facility Phone:	7149849466
Mail To:	Not reported
Mailing Address:	4680 HAMNER
Mailing Address 2:	Not reported
Mailing City,St,Zip:	ONTARIO 91761
Contact:	Not reported
Contact Phone:	Not reported
DUNs Number:	Not reported
NPDES Number:	Not reported
EPA ID:	Not reported
Comments:	Not reported
Status:	Active

B5 **CAL MOLD INC** **RCRA-SQG 1001231404**
NNE **3900 HAMNER AVE** **FINDS CAR000044735**
< 1/8 **MIRA LOMA, CA 91752** **ECHO**
0.026 mi. **HAZNET**
139 ft. **Site 2 of 2 in cluster B** **NPDES**

Relative:
Higher

Actual:
798 ft.

RCRA-SQG:

Date form received by agency:	09/25/1998
Facility name:	CAL MOLD INC
Facility address:	3900 HAMNER AVE
	MIRA LOMA, CA 91752

CAL MOLD INC (Continued) **1001231404**

EPA ID: CAR000044735
Contact: EDWARD FLEMING
Contact address: 3900 HAMNER AVE
MIRA LOMA, CA 91752
Contact country: US
Contact telephone: 909-361-3100
Contact email: Not reported
EPA Region: 09
Classification: Small Small Quantity Generator
Description: Handler: generates more than 100 and less than 1000 kg of hazardous waste during any calendar month and accumulates less than 6000 kg of hazardous waste at any time; or generates 100 kg or less of hazardous waste during any calendar month, and accumulates more than 1000 kg of hazardous waste at any time

Owner/Operator Summary:
Owner/operator name: CAL MOLD INC
Owner/operator address: 3900 HAMNER AVE
MIRA LOMA, CA 91752
Owner/operator country: Not reported
Owner/operator telephone: 909-361-3100
Owner/operator email: Not reported
Owner/operator fax: Not reported
Owner/operator extension: Not reported
Legal status: Private
Owner/Operator Type: Owner
Owner/Op start date: Not reported
Owner/Op end date: Not reported

Handler Activities Summary:
U.S. importer of hazardous waste: No
Mixed waste (haz. and radioactive): No
Recycler of hazardous waste: No
Transporter of hazardous waste: No
Treater, storer or disposer of HW: No
Underground injection activity: No
On-site burner exemption: No
Furnace exemption: No
Used oil fuel burner: No
Used oil processor: No
User oil refiner: No
Used oil fuel marketer to burner: No
Used oil Specification marketer: No
Used oil transfer facility: No
Used oil transporter: No

. Waste code: D001
. Waste name: IGNITABLE WASTE

Violation Status: No violations found

FINDS:

Registry ID: 110002924710

Environmental Interest/Information System
California Hazardous Waste Tracking System - Datamart (HWTS-DATAMART)

CAL MOLD INC (Continued) **1001231404**

provides California with information on hazardous waste shipments for generators, transporters, and treatment, storage, and disposal facilities.

RCRAInfo is a national information system that supports the Resource Conservation and Recovery Act (RCRA) program through the tracking of events and activities related to facilities that generate, transport, and treat, store, or dispose of hazardous waste. RCRAInfo allows RCRA program staff to track the notification, permit, compliance, and corrective action activities required under RCRA.

Click this hyperlink while viewing on your computer to access additional FINDS: detail in the EDR Site Report.

ECHO:

Envid:	1001231404
Registry ID:	110002924710
DFR URL:	http://echo.epa.gov/detailed-facility-report?fid=110002924710

HAZNET:

envid:	1001231404
Year:	2006
GEPAID:	CAR000044735
Contact:	ERIC T FLEMING PRESIDENT
Telephone:	9093613100
Mailing Name:	Not reported
Mailing Address:	3900 HAMNER AVE
Mailing City,St,Zip:	MIRA LOMA, CA 917520000
Gen County:	Not reported
TSD EPA ID:	CAD982444481
TSD County:	Not reported
Waste Category:	Unspecified aqueous solution
Disposal Method:	Recycler
Tons:	1.14
Cat Decode:	Not reported
Method Decode:	Not reported
Facility County:	Riverside

envid:	1001231404
Year:	2006
GEPAID:	CAR000044735
Contact:	ERIC T FLEMING PRESIDENT
Telephone:	9093613100
Mailing Name:	Not reported
Mailing Address:	3900 HAMNER AVE
Mailing City,St,Zip:	MIRA LOMA, CA 917520000
Gen County:	Not reported
TSD EPA ID:	CAD982444481
TSD County:	Not reported
Waste Category:	Unspecified oil-containing waste
Disposal Method:	Recycler
Tons:	0.91
Cat Decode:	Not reported
Method Decode:	Not reported
Facility County:	Riverside

CAL MOLD INC (Continued) **1001231404**

envid: 1001231404
Year: 2005
GEPAID: CAR000044735
Contact: ERIC T FLEMING PRESIDENT
Telephone: 9093613100
Mailing Name: Not reported
Mailing Address: 3900 HAMNER AVE
Mailing City,St,Zip: MIRA LOMA, CA 917520000
Gen County: Not reported
TSD EPA ID: CAT080013352
TSD County: Not reported
Waste Category: Waste oil and mixed oil
Disposal Method: Recycler
Tons: 0.91
Cat Decode: Not reported
Method Decode: Not reported
Facility County: Riverside

envid: 1001231404
Year: 2004
GEPAID: CAR000044735
Contact: ERIC T FLEMING PRESIDENT
Telephone: 9093613100
Mailing Name: Not reported
Mailing Address: 3900 HAMNER AVE
Mailing City,St,Zip: MIRA LOMA, CA 917520000
Gen County: Not reported
TSD EPA ID: CAT080013352
TSD County: Not reported
Waste Category: Waste oil and mixed oil
Disposal Method: Recycler
Tons: 0.68
Cat Decode: Not reported
Method Decode: Not reported
Facility County: Riverside

envid: 1001231404
Year: 2004
GEPAID: CAR000044735
Contact: ERIC T FLEMING PRESIDENT
Telephone: 9093613100
Mailing Name: Not reported
Mailing Address: 3900 HAMNER AVE
Mailing City,St,Zip: MIRA LOMA, CA 917520000
Gen County: Not reported
TSD EPA ID: CAD982444481
TSD County: Not reported
Waste Category: Other organic solids
Disposal Method: Transfer Station
Tons: 0
Cat Decode: Not reported
Method Decode: Not reported
Facility County: Riverside

Click this hyperlink while viewing on your computer to access
8 additional CA_HAZNET: record(s) in the EDR Site Report.

CAL MOLD INC (Continued) **1001231404**

NPDES:

Npdes Number:	Not reported
Facility Status:	Not reported
Agency Id:	Not reported
Region:	8
Regulatory Measure Id:	326882
Order No:	Not reported
Regulatory Measure Type:	Industrial
Place Id:	Not reported
WDID:	8 33I020938
Program Type:	Not reported
Adoption Date Of Regulatory Measure:	Not reported
Effective Date Of Regulatory Measure:	Not reported
Expiration Date Of Regulatory Measure:	Not reported
Termination Date Of Regulatory Measure:	Not reported
Discharge Name:	Not reported
Discharge Address:	Not reported
Discharge City:	Not reported
Discharge State:	Not reported
Discharge Zip:	Not reported
RECEIVED DATE:	05/09/2008
PROCESSED DATE:	06/27/2007
STATUS CODE NAME:	Active
STATUS DATE:	06/27/2007
PLACE SIZE:	335000
PLACE SIZE UNIT:	SqFt
FACILITY CONTACT NAME:	Richard Cadogan
FACILITY CONTACT TITLE:	Technical Manager
FACILITY CONTACT PHONE:	951-361-3100
FACILITY CONTACT PHONE EXT:	Not reported
FACILITY CONTACT EMAIL:	cadoganrw@worldkitchen.com
OPERATOR NAME:	Snapware Corp
OPERATOR ADDRESS:	3900 Hamner Ave
OPERATOR CITY:	Mira Loma
OPERATOR STATE:	California
OPERATOR ZIP:	91752
OPERATOR CONTACT NAME:	Richard Cadogan
OPERATOR CONTACT TITLE:	Technical Manager
OPERATOR CONTACT PHONE:	951-361-3100
OPERATOR CONTACT PHONE EXT:	Not reported
OPERATOR CONTACT EMAIL:	cadoganrw@worldkitchen.com
OPERATOR TYPE:	Private Business
DEVELOPER NAME:	Not reported
DEVELOPER ADDRESS:	Not reported
DEVELOPER CITY:	Not reported
DEVELOPER STATE:	California
DEVELOPER ZIP:	Not reported
DEVELOPER CONTACT NAME:	Not reported
DEVELOPER CONTACT TITLE:	Not reported
CONSTYPE LINEAR UTILITY IND:	Not reported
EMERGENCY PHONE NO:	Not reported
EMERGENCY PHONE EXT:	Not reported
CONSTYPE ABOVE GROUND IND:	Not reported
CONSTYPE BELOW GROUND IND:	Not reported
CONSTYPE CABLE LINE IND:	Not reported
CONSTYPE COMM LINE IND:	Not reported
CONSTYPE COMMERTIAL IND:	Not reported

CAL MOLD INC (Continued) **1001231404**

CONSTYPE ELECTRICAL LINE IND:	Not reported
CONSTYPE GAS LINE IND:	Not reported
CONSTYPE INDUSTRIAL IND:	Not reported
CONSTYPE OTHER DESRIPTION:	Not reported
CONSTYPE OTHER IND:	Not reported
CONSTYPE RECONS IND:	Not reported
CONSTYPE RESIDENTIAL IND:	Not reported
CONSTYPE TRANSPORT IND:	Not reported
CONSTYPE UTILITY DESCRIPTION:	Not reported
CONSTYPE UTILITY IND:	Not reported
CONSTYPE WATER SEWER IND:	Not reported
DIR DISCHARGE USWATER IND:	N
RECEIVING WATER NAME:	San Antonio Creek Channel
CERTIFIER NAME:	Richard Cadogan
CERTIFIER TITLE:	Technical Manager
CERTIFICATION DATE:	24-APR-15
PRIMARY SIC:	3089-Plastics Products, NEC
SECONDARY SIC:	Not reported
TERTIARY SIC:	Not reported
Npdes Number:	CAS000001
Facility Status:	Active
Agency Id:	0
Region:	8
Regulatory Measure Id:	326882
Order No:	97-03-DWQ
Regulatory Measure Type:	Enrollee
Place Id:	Not reported
WDID:	8 33I020938
Program Type:	Industrial
Adoption Date Of Regulatory Measure:	Not reported
Effective Date Of Regulatory Measure:	06/27/2007
Expiration Date Of Regulatory Measure:	Not reported
Termination Date Of Regulatory Measure:	Not reported
Discharge Name:	Snapware Corp
Discharge Address:	3900 Hamner Ave
Discharge City:	Mira Loma
Discharge State:	California
Discharge Zip:	91752
RECEIVED DATE:	Not reported
PROCESSED DATE:	Not reported
STATUS CODE NAME:	Not reported
STATUS DATE:	Not reported
PLACE SIZE:	Not reported
PLACE SIZE UNIT:	Not reported
FACILITY CONTACT NAME:	Not reported
FACILITY CONTACT TITLE:	Not reported
FACILITY CONTACT PHONE:	Not reported
FACILITY CONTACT PHONE EXT:	Not reported
FACILITY CONTACT EMAIL:	Not reported
OPERATOR NAME:	Not reported
OPERATOR ADDRESS:	Not reported
OPERATOR CITY:	Not reported
OPERATOR STATE:	Not reported
OPERATOR ZIP:	Not reported
OPERATOR CONTACT NAME:	Not reported
OPERATOR CONTACT TITLE:	Not reported

CAL MOLD INC (Continued) **1001231404**

OPERATOR CONTACT PHONE:	Not reported
OPERATOR CONTACT PHONE EXT:	Not reported
OPERATOR CONTACT EMAIL:	Not reported
OPERATOR TYPE:	Not reported
DEVELOPER NAME:	Not reported
DEVELOPER ADDRESS:	Not reported
DEVELOPER CITY:	Not reported
DEVELOPER STATE:	Not reported
DEVELOPER ZIP:	Not reported
DEVELOPER CONTACT NAME:	Not reported
DEVELOPER CONTACT TITLE:	Not reported
CONSTYPE LINEAR UTILITY IND:	Not reported
EMERGENCY PHONE NO:	Not reported
EMERGENCY PHONE EXT:	Not reported
CONSTYPE ABOVE GROUND IND:	Not reported
CONSTYPE BELOW GROUND IND:	Not reported
CONSTYPE CABLE LINE IND:	Not reported
CONSTYPE COMM LINE IND:	Not reported
CONSTYPE COMMERTIAL IND:	Not reported
CONSTYPE ELECTRICAL LINE IND:	Not reported
CONSTYPE GAS LINE IND:	Not reported
CONSTYPE INDUSTRIAL IND:	Not reported
CONSTYPE OTHER DESRIPTION:	Not reported
CONSTYPE OTHER IND:	Not reported
CONSTYPE RECONS IND:	Not reported
CONSTYPE RESIDENTIAL IND:	Not reported
CONSTYPE TRANSPORT IND:	Not reported
CONSTYPE UTILITY DESCRIPTION:	Not reported
CONSTYPE UTILITY IND:	Not reported
CONSTYPE WATER SEWER IND:	Not reported
DIR DISCHARGE USWATER IND:	Not reported
RECEIVING WATER NAME:	Not reported
CERTIFIER NAME:	Not reported
CERTIFIER TITLE:	Not reported
CERTIFICATION DATE:	Not reported
PRIMARY SIC:	Not reported
SECONDARY SIC:	Not reported
TERTIARY SIC:	Not reported

6
SE
< 1/8
0.065 mi.
345 ft.

EXEL INC D C 5 **RCRA-SQG 1004677534**
4100 HAMNER AVE **FINDS CAR000098558**
MIRA LOMA, CA 91752 **ECHO**

Relative:
Lower

Actual:
786 ft.

RCRA-SQG:

Date form received by agency:	06/18/2001
Facility name:	EXEL INC D C 5
Facility address:	4100 HAMNER AVE MIRA LOMA, CA 91752
EPA ID:	CAR000098558
Mailing address:	4250 HAMNER AVE MIRA LOMA, CA 91752
Contact:	TOD SUDMEIER
Contact address:	4250 HAMNER AVE MIRA LOMA, CA 91752
Contact country:	US
Contact telephone:	909-360-5000

EXEL INC D C 5 (Continued) **1004677534**

Contact email: Not reported
EPA Region: 09
Classification: Small Small Quantity Generator
Description: Handler: generates more than 100 and less than 1000 kg of hazardous waste during any calendar month and accumulates less than 6000 kg of hazardous waste at any time; or generates 100 kg or less of hazardous waste during any calendar month, and accumulates more than 1000 kg of hazardous waste at any time

Owner/Operator Summary:
Owner/operator name: EXEL INC
Owner/operator address: 501 W SCHROCK RD
WESTERVILLE, OH 43081
Owner/operator country: Not reported
Owner/operator telephone: 614-890-1730
Owner/operator email: Not reported
Owner/operator fax: Not reported
Owner/operator extension: Not reported
Legal status: Private
Owner/Operator Type: Owner
Owner/Op start date: Not reported
Owner/Op end date: Not reported

Handler Activities Summary:
U.S. importer of hazardous waste: No
Mixed waste (haz. and radioactive): No
Recycler of hazardous waste: No
Transporter of hazardous waste: No
Treater, storer or disposer of HW: No
Underground injection activity: No
On-site burner exemption: No
Furnace exemption: No
Used oil fuel burner: No
Used oil processor: No
User oil refiner: No
Used oil fuel marketer to burner: No
Used oil Specification marketer: No
Used oil transfer facility: No
Used oil transporter: No

. Waste code: D002
. Waste name: CORROSIVE WASTE

Violation Status: No violations found

FINDS:

Registry ID: 110012213470

Environmental Interest/Information System
RCRAInfo is a national information system that supports the Resource Conservation and Recovery Act (RCRA) program through the tracking of events and activities related to facilities that generate, transport, and treat, store, or dispose of hazardous waste. RCRAInfo allows RCRA program staff to track the notification, permit, compliance, and corrective action activities required under RCRA.

EXEL INC D C 5 (Continued) **1004677534**

Click this hyperlink while viewing on your computer to access additional FINDS: detail in the EDR Site Report.

ECHO:
Envid: 1004677534
Registry ID: 110012213470
DFR URL: http://echo.epa.gov/detailed-facility-report?fid=110012213470

7
NE
< 1/8
0.094 mi.
494 ft.

LAMA OIL INC. **UST** **U004274406**
12515 RIVERSIDE DR **N/A**
EASTVALE, CA 91752

Relative:
Higher

Actual:
797 ft.

UST:
Facility ID: Not reported
Permitting Agency: Riverside County Department of Environmental Health
Latitude: 34.0188
Longitude: -117.55075

C8
NE
1/8-1/4
0.195 mi.
1031 ft.

CROSSROAD CLASSIC MUSTANG **LUST** **S102005689**
12421 RIVERSIDE AVENUE, UNIT B **HIST CORTESE** **N/A**
MIRA LOMA, CA 91752

Site 1 of 3 in cluster C

Relative:
Higher

Actual:
793 ft.

LUST:
Lead Agency: RIVERSIDE COUNTY LOP
Case Type: LUST Cleanup Site
Geo Track: http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0606500266
Global Id: T0606500266
Latitude: 34.020158
Longitude: -117.554878
Status: Completed - Case Closed
Status Date: 02/27/2006
Case Worker: SCB
RB Case Number: 083302036T
Local Agency: RIVERSIDE COUNTY LOP
File Location: Not reported
Local Case Number: 92383
Potential Media Affect: Soil
Potential Contaminants of Concern: Gasoline
Site History: Not reported

LUST:
Global Id: T0606500266
Contact Type: Regional Board Caseworker
Contact Name: CARL BERNHARDT
Organization Name: SANTA ANA RWQCB (REGION 8)
Address: 3737 MAIN STREET, SUITE 500
City: RIVERSIDE
Email: cbernhardt@waterboards.ca.gov
Phone Number: 9517824495

Global Id: T0606500266

CROSSROAD CLASSIC MUSTANG (Continued) **S102005689**

Contact Type: Local Agency Caseworker
Contact Name: SHARON BOLTINGHOUSE
Organization Name: RIVERSIDE COUNTY LOP
Address: 3880 LEMON ST SUITE 200
City: RIVERSIDE
Email: sbolting@rivco.org
Phone Number: 9519558980

LUST:
Global Id: T0606500266
Action Type: Other
Date: 04/16/1992
Action: Leak Discovery

Global Id: T0606500266
Action Type: Other
Date: 04/16/1992
Action: Leak Reported

Global Id: T0606500266
Action Type: ENFORCEMENT
Date: 06/22/1993
Action: Notice of Reimbursement

Global Id: T0606500266
Action Type: Other
Date: 04/16/1992
Action: Leak Stopped

LUST:
Global Id: T0606500266
Status: Completed - Case Closed
Status Date: 02/27/2006

Global Id: T0606500266
Status: Open - Case Begin Date
Status Date: 04/16/1992

Global Id: T0606500266
Status: Open - Site Assessment
Status Date: 04/16/1992

Global Id: T0606500266
Status: Open - Site Assessment
Status Date: 05/01/1992

Global Id: T0606500266
Status: Open - Site Assessment
Status Date: 08/11/1992

Global Id: T0606500266
Status: Open - Site Assessment
Status Date: 08/14/2000

Global Id: T0606500266
Status: Open - Verification Monitoring

CROSSROAD CLASSIC MUSTANG (Continued) **S102005689**

Status Date: 08/14/2000

LUST REG 8:

Region:	8
County:	Riverside
Regional Board:	Santa Ana Region
Facility Status:	Pollution Characterization
Case Number:	083302036T
Local Case Num:	92383
Case Type:	Soil only
Substance:	Gasoline
Qty Leaked:	Not reported
Abate Method:	Not reported
Cross Street:	MILLIKEN
Enf Type:	None Taken
Funding:	Not reported
How Discovered:	Tank Closure
How Stopped:	Not reported
Leak Cause:	UNK
Leak Source:	Piping
Global ID:	T0606500266
How Stopped Date:	4/16/1992
Enter Date:	6/22/1992
Date Confirmation of Leak Began:	4/16/1992
Date Preliminary Assessment Began:	8/11/1992
Discover Date:	4/16/1992
Enforcement Date:	1/1/1965
Close Date:	Not reported
Date Prelim Assessment Workplan Submitted:	5/1/1992
Date Pollution Characterization Began:	1/1/1965
Date Remediation Plan Submitted:	Not reported
Date Remedial Action Underway:	Not reported
Date Post Remedial Action Monitoring:	Not reported
Enter Date:	6/22/1992
GW Qualifies:	Not reported
Soil Qualifies:	Not reported
Operator:	Not reported
Facility Contact:	Not reported
Interim:	Not reported
Oversite Program:	LUST
Latitude:	34.0188187
Longitude:	-117.5546806
MTBE Date:	Not reported
Max MTBE GW:	Not reported
MTBE Concentration:	0
Max MTBE Soil:	Not reported
MTBE Fuel:	1
MTBE Tested:	Site NOT Tested for MTBE.Includes Unknown and Not Analyzed.
MTBE Class:	*
Staff:	CAB
Staff Initials:	UNK
Lead Agency:	Local Agency
Local Agency:	33000L
Hydr Basin #:	UPPER SANTA ANA VALL
Beneficial:	Not reported
Priority:	Not reported

CROSSROAD CLASSIC MUSTANG (Continued) **S102005689**

Cleanup Fund Id: Not reported
Work Suspended: Not reported
Summary: RP APPLIED TO CLEANUP FUND WERE NOT INITIALLY APPROVED DUE TO COMPLICATIONS.

HIST CORTESE:
Region: CORTESE
Facility County Code: 33
Reg By: LTNKA
Reg Id: 083302036T

C9 **CROSSROADS AUTO** **RCRA-SQG 1000819950**
NE **12421 RIVERSIDE AVE UNIT D** **FINDS CAD983659699**
1/8-1/4 **MIRA LOMA, CA 91752**
0.195 mi.
1031 ft. **Site 2 of 3 in cluster C**

Relative: Higher

Actual: 793 ft.

RCRA-SQG:
Date form received by agency: 02/16/1993
Facility name: CROSSROADS TRUCK
Facility address: 12421 RIVERSIDE AVE UNIT D
MIRA LOMA, CA 91752
EPA ID: CAD983659699
Contact: GREG CAMPBELL
Contact address: 12421 RIVERSIDE AVE UNIT D
MIRA LOMA, CA 91752
Contact country: US
Contact telephone: 714-681-3301
Contact email: Not reported
EPA Region: 09
Classification: Small Small Quantity Generator
Description: Handler: generates more than 100 and less than 1000 kg of hazardous waste during any calendar month and accumulates less than 6000 kg of hazardous waste at any time; or generates 100 kg or less of hazardous waste during any calendar month, and accumulates more than 1000 kg of hazardous waste at any time

Owner/Operator Summary:
Owner/operator name: GREG CAMPBELL
Owner/operator address: 12421 RIVERSIDE
MIRA LOMA, CA 91752
Owner/operator country: Not reported
Owner/operator telephone: 714-681-3301
Owner/operator email: Not reported
Owner/operator fax: Not reported
Owner/operator extension: Not reported
Legal status: Private
Owner/Operator Type: Owner
Owner/Op start date: Not reported
Owner/Op end date: Not reported

Handler Activities Summary:
U.S. importer of hazardous waste: No
Mixed waste (haz. and radioactive): No
Recycler of hazardous waste: No
Transporter of hazardous waste: No
Treater, storer or disposer of HW: No

CROSSROADS AUTO (Continued) **1000819950**

Underground injection activity:	No
On-site burner exemption:	No
Furnace exemption:	No
Used oil fuel burner:	No
Used oil processor:	No
User oil refiner:	No
Used oil fuel marketer to burner:	No
Used oil Specification marketer:	No
Used oil transfer facility:	No
Used oil transporter:	No

Violation Status: No violations found

FINDS:

Registry ID: 110002892843

Environmental Interest/Information System

RCRAInfo is a national information system that supports the Resource Conservation and Recovery Act (RCRA) program through the tracking of events and activities related to facilities that generate, transport, and treat, store, or dispose of hazardous waste. RCRAInfo allows RCRA program staff to track the notification, permit, compliance, and corrective action activities required under RCRA.

STATE MASTER

ICIS (Integrated Compliance Information System) is the Integrated Compliance Information System and provides a database that, when complete, will contain integrated Enforcement and Compliance information across most of EPA's programs. The vision for ICIS is to replace EPA's independent databases that contain Enforcement data with a single repository for that information. Currently, ICIS contains all Federal Administrative and Judicial enforcement actions. This information is maintained in ICIS by EPA in the Regional offices and it Headquarters. A future release of ICIS will replace the Permit Compliance System (PCS) which supports the NPDES and will integrate that information with Federal actions already in the system. ICIS also has the capability to track other activities occurring in the Region that support Compliance and Enforcement programs. These include; Incident Tracking, Compliance Assistance, and Compliance Monitoring.

Click this hyperlink while viewing on your computer to access additional FINDS: detail in the EDR Site Report.

C10 **CROSSROAD CLASSIC MUSTANG** **LUST** **S101300490**
NE **12421 RIVERSIDE AVE** **N/A**
1/8-1/4 **MIRA LOMA, CA**
0.195 mi.
1031 ft. **Site 3 of 3 in cluster C**

Relative:
Higher

Actual:
793 ft.

RIVERSIDE CO. LUST:

Region:	RIVERSIDE
Facility ID:	92383
Employee:	Boltinghous-LOP
Site Closed:	Yes
Case Type:	Soil only

CROSSROAD CLASSIC MUSTANG (Continued) **S101300490**

Facility Status: closed/action completed
Casetype Decode: Soil only is impacted
Fstatus Decode: Closed/Action completed

D11 **FUJI NATURAL FOODS** **HIST UST** **S118410404**
South **13500 MILIKEN AVE** **N/A**
1/8-1/4 **ONTARIO, CA 91761**
0.222 mi.
1171 ft. **Site 1 of 3 in cluster D**

Relative:
Lower

Actual:
768 ft.

HIST UST:

File Number:	00029EE8
URL:	http://geotracker.waterboards.ca.gov/ustpdfs/pdf/00029EE8.pdf
Region:	Not reported
Facility ID:	Not reported
Facility Type:	Not reported
Other Type:	Not reported
Contact Name:	Not reported
Telephone:	Not reported
Owner Name:	Not reported
Owner Address:	Not reported
Owner City,St,Zip:	Not reported
Total Tanks:	Not reported
Tank Num:	Not reported
Container Num:	Not reported
Year Installed:	Not reported
Tank Capacity:	Not reported
Tank Used for:	Not reported
Type of Fuel:	Not reported
Container Construction Thickness:	Not reported
Leak Detection:	Not reported

Click here for Geo Tracker PDF:

D12 **FUJI NATURAL FOODS** **HIST UST** **U001569985**
South **13500 S MILLIKEN AVE** **San Bern. Co. Permit** **N/A**
1/8-1/4 **ONTARIO, CA 91761**
0.222 mi.
1171 ft. **Site 2 of 3 in cluster D**

Relative:
Lower

Actual:
768 ft.

HIST UST:

File Number:	Not reported
URL:	Not reported
Region:	STATE
Facility ID:	00000018372
Facility Type:	Other
Other Type:	Not reported
Contact Name:	RANDALL YAMAUCHI
Telephone:	7149471008
Owner Name:	FUJI NATURAL FOODS
Owner Address:	13500 MILLIKEN AVE.
Owner City,St,Zip:	ONTARIO, CA 91761
Total Tanks:	0001
Tank Num:	001

FUJI NATURAL FOODS (Continued) **U001569985**

Container Num: 001
Year Installed: Not reported
Tank Capacity: 00010000
Tank Used for: PRODUCT
Type of Fuel: DIESEL
Container Construction Thickness: 3/16
Leak Detection: None

San Bern. Co. Permit:
Region: SAN BERNARDINO
Facility ID: FA0015181
Owner: Fuji Natural Foods inc.
Permit Number: PT0026459
Permit Category: HAZARDOUS MATERIALS 11-30 CHEMICALS
Facility Status: ACTIVE
Expiration Date: 12/31/2017

Region: SAN BERNARDINO
Facility ID: FA0015181
Owner: Fuji Natural Foods inc.
Permit Number: PT0036659
Permit Category: SMALL QUANTITY GENERATOR
Facility Status: ACTIVE
Expiration Date: 12/31/2017

D13 **FUJI NATURAL FOODS** **SWEEPS UST** **S101618937**
South **13500 MILLIKEN AVE** **CA FID UST** **N/A**
1/8-1/4 **ONTARIO, CA 91761**
0.222 mi.
1171 ft. **Site 3 of 3 in cluster D**

Relative:
Lower

Actual:
768 ft.

SWEEPS UST:
Status: Active
Comp Number: 18372
Number: 1
Board Of Equalization: 44-020676
Referral Date: 09-05-91
Action Date: 09-05-91
Created Date: 02-29-88
Owner Tank Id: Not reported
SWRCB Tank Id: Not reported
Tank Status: Not reported
Capacity: Not reported
Active Date: Not reported
Tank Use: Not reported
STG: Not reported
Content: Not reported
Number Of Tanks: Not reported

Status: Not reported
Comp Number: 18372
Number: Not reported
Board Of Equalization: 44-020676
Referral Date: Not reported
Action Date: Not reported
Created Date: Not reported
Owner Tank Id: Not reported

FUJI NATURAL FOODS (Continued) **S101618937**

SWRCB Tank Id: 36-000-018372-000001
Tank Status: Not reported
Capacity: 10000
Active Date: Not reported
Tank Use: M.V. FUEL
STG: PRODUCT
Content: REG UNLEADED
Number Of Tanks: 1

CA FID UST:
Facility ID: 36001373
Regulated By: UTNKA
Regulated ID: 00018372
Cortese Code: Not reported
SIC Code: Not reported
Facility Phone: 2136201966
Mail To: Not reported
Mailing Address: 13500 MILLIKEN AVE
Mailing Address 2: Not reported
Mailing City,St,Zip: ONTARIO 91761
Contact: Not reported
Contact Phone: Not reported
DUNs Number: Not reported
NPDES Number: Not reported
EPA ID: Not reported
Comments: Not reported
Status: Active

14
SSE
1/8-1/4
0.223 mi.
1177 ft.

EXEL INC D C 1 **RCRA-SQG 1004676982**
4250 S HAMNER AVE **FINDS CAR000091843**
MIRA LOMA, CA 91752 **ECHO**

Relative:
Lower

Actual:
774 ft.

RCRA-SQG:
Date form received by agency: 02/13/2001
Facility name: EXEL INC D C 1
Facility address: 4250 S HAMNER AVE
MIRA LOMA, CA 91752
EPA ID: CAR000091843
Contact: TOD SUDMEIER
Contact address: 4250 S HAMNER AVE
MIRA LOMA, CA 91752
Contact country: US
Contact telephone: 909-360-5000
Contact email: Not reported
EPA Region: 09
Classification: Small Small Quantity Generator
Description: Handler: generates more than 100 and less than 1000 kg of hazardous waste during any calendar month and accumulates less than 6000 kg of hazardous waste at any time; or generates 100 kg or less of hazardous waste during any calendar month, and accumulates more than 1000 kg of hazardous waste at any time

Owner/Operator Summary:
Owner/operator name: EXEL INC
Owner/operator address: 501 W SCHROCK RD

EXEL INC D C 1 (Continued) **1004676982**

WESTERVILLE, OH 43081
Owner/operator country: Not reported
Owner/operator telephone: 614-890-1730
Owner/operator email: Not reported
Owner/operator fax: Not reported
Owner/operator extension: Not reported
Legal status: Private
Owner/Operator Type: Owner
Owner/Op start date: Not reported
Owner/Op end date: Not reported

Handler Activities Summary:
U.S. importer of hazardous waste: No
Mixed waste (haz. and radioactive): No
Recycler of hazardous waste: No
Transporter of hazardous waste: No
Treater, storer or disposer of HW: No
Underground injection activity: No
On-site burner exemption: No
Furnace exemption: No
Used oil fuel burner: No
Used oil processor: No
User oil refiner: No
Used oil fuel marketer to burner: No
Used oil Specification marketer: No
Used oil transfer facility: No
Used oil transporter: No

. Waste code: D002
. Waste name: CORROSIVE WASTE

Violation Status: No violations found

FINDS:

Registry ID: 110012198433

Environmental Interest/Information System
RCRAInfo is a national information system that supports the Resource Conservation and Recovery Act (RCRA) program through the tracking of events and activities related to facilities that generate, transport, and treat, store, or dispose of hazardous waste. RCRAInfo allows RCRA program staff to track the notification, permit, compliance, and corrective action activities required under RCRA.

Click this hyperlink while viewing on your computer to access additional FINDS: detail in the EDR Site Report.

ECHO:
Envid: 1004676982
Registry ID: 110012198433
DFR URL: http://echo.epa.gov/detailed-facility-report?fid=110012198433

15
NW
1/8-1/4
0.237 mi.
1254 ft.

ONTARIO WELL #50
3900 W RIVERSIDE DR
ONTARIO, CA 91761

San Bern. Co. Permit **S110071692**
N/A

Relative:
Higher

Actual:
800 ft.

San Bern. Co. Permit:
Region: SAN BERNARDINO
Facility ID: FA0012899
Owner: CITY OF ONTARIO
Permit Number: PT0022567
Permit Category: HAZMAT HANDLER 0-10 EMPLOYEES
Facility Status: INACTIVE
Expiration Date: 11/30/2012

16
ENE
1/8-1/4
0.244 mi.
1290 ft.

EXEL INC D C 2
12400 RIVERSIDE AVE
MIRA LOMA, CA 91752

RCRA-SQG **1004676981**
FINDS **CAR000091835**
ECHO

Relative:
Higher

Actual:
792 ft.

RCRA-SQG:
Date form received by agency: 02/13/2001
Facility name: EXEL INC D C 2
Facility address: 12400 RIVERSIDE AVE
MIRA LOMA, CA 91752
EPA ID: CAR000091835
Mailing address: 4250 S HAMNER AVE
MIRA LOMA, CA 91752
Contact: TOD SUDMEIER
Contact address: 4250 S HAMNER AVE
MIRA LOMA, CA 91752
Contact country: US
Contact telephone: 909-360-5000
Contact email: Not reported
EPA Region: 09
Classification: Small Small Quantity Generator
Description: Handler: generates more than 100 and less than 1000 kg of hazardous waste during any calendar month and accumulates less than 6000 kg of hazardous waste at any time; or generates 100 kg or less of hazardous waste during any calendar month, and accumulates more than 1000 kg of hazardous waste at any time

Owner/Operator Summary:
Owner/operator name: EXEL INC
Owner/operator address: 501 W SCHROCK RD
WESTERVILLE, OH 43081
Owner/operator country: Not reported
Owner/operator telephone: 614-890-1730
Owner/operator email: Not reported
Owner/operator fax: Not reported
Owner/operator extension: Not reported
Legal status: Private
Owner/Operator Type: Owner
Owner/Op start date: Not reported
Owner/Op end date: Not reported

Handler Activities Summary:
U.S. importer of hazardous waste: No

EXEL INC D C 2 (Continued) **1004676981**

Mixed waste (haz. and radioactive):	No
Recycler of hazardous waste:	No
Transporter of hazardous waste:	No
Treater, storer or disposer of HW:	No
Underground injection activity:	No
On-site burner exemption:	No
Furnace exemption:	No
Used oil fuel burner:	No
Used oil processor:	No
User oil refiner:	No
Used oil fuel marketer to burner:	No
Used oil Specification marketer:	No
Used oil transfer facility:	No
Used oil transporter:	No

. Waste code: D002
. Waste name: CORROSIVE WASTE

Violation Status: No violations found

FINDS:

Registry ID: 110012198424

Environmental Interest/Information System
RCRAInfo is a national information system that supports the Resource Conservation and Recovery Act (RCRA) program through the tracking of events and activities related to facilities that generate, transport, and treat, store, or dispose of hazardous waste. RCRAInfo allows RCRA program staff to track the notification, permit, compliance, and corrective action activities required under RCRA.

Click this hyperlink while viewing on your computer to access additional FINDS: detail in the EDR Site Report.

ECHO:

Envid:	1004676981
Registry ID:	110012198424
DFR URL:	http://echo.epa.gov/detailed-facility-report?fid=110012198424

17
SSE
1/4-1/2
0.331 mi.
1750 ft.

Relative:
Lower

Actual:
764 ft.

SCE-MIRA LOMA SUBSTATION **LUST S101591743**
13568 MILLIKEN **AST N/A**
ONTARIO, CA 91761 **SWEEPS UST**
CA FID UST
EMI

LUST:

Lead Agency:	SAN BERNARDINO COUNTY
Case Type:	LUST Cleanup Site
Geo Track:	http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0607199165
Global Id:	T0607199165
Latitude:	33.9885692
Longitude:	-117.5583246
Status:	Completed - Case Closed
Status Date:	06/11/2001
Case Worker:	Not reported
RB Case Number:	083603763T

SCE-MIRA LOMA SUBSTATION (Continued) **S101591743**

Local Agency: Not reported
File Location: Local Agency
Local Case Number: 2000020
Potential Media Affect: Soil
Potential Contaminants of Concern: Gasoline
Site History: Not reported

LUST:
Global Id: T0607199165
Contact Type: Regional Board Caseworker
Contact Name: ROSE SCOTT
Organization Name: SANTA ANA RWQCB (REGION 8)
Address: 3737 MAIN STREET, SUITE 500
City: RIVERSIDE
Email: rscott@waterboards.ca.gov
Phone Number: 9513206375

LUST:
Global Id: T0607199165
Action Type: Other
Date: 08/07/2000
Action: Leak Reported

Global Id: T0607199165
Action Type: Other
Date: 10/20/1999
Action: Leak Discovery

Global Id: T0607199165
Action Type: Other
Date: 10/20/1999
Action: Leak Stopped

LUST:
Global Id: T0607199165
Status: Completed - Case Closed
Status Date: 06/11/2001

Global Id: T0607199165
Status: Open - Case Begin Date
Status Date: 10/20/1999

Global Id: T0607199165
Status: Open - Site Assessment
Status Date: 08/07/2000

AST:
Certified Unified Program Agencies: San Bernardino
Owner: SOUTHERN CALIFORNIA EDISON
Total Gallons: 30,700
CERSID: Not reported
Facility ID: Not reported
Business Name: Not reported
Phone: Not reported
Fax: Not reported

SCE-MIRA LOMA SUBSTATION (Continued) **S101591743**

Mailing Address:	Not reported
Mailing Address City:	Not reported
Mailing Address State:	Not reported
Mailing Address Zip Code:	Not reported
Operator Name:	Not reported
Operator Phone:	Not reported
Owner Phone:	Not reported
Owner Mail Address:	Not reported
Owner State:	Not reported
Owner Zip Code:	Not reported
Owner Country:	Not reported
Property Owner Name:	Not reported
Property Owner Phone:	Not reported
Property Owner Mailing Address:	Not reported
Property Owner City:	Not reported
Property Owner Stat :	Not reported
Property Owner Zip Code:	Not reported
Property Owner Country:	Not reported
EPAID:	Not reported

SWEEPS UST:

Status:	Active
Comp Number:	22237
Number:	9
Board Of Equalization:	44-020774
Referral Date:	09-05-91
Action Date:	09-05-91
Created Date:	02-29-88
Owner Tank Id:	298
SWRCB Tank Id:	36-000-022237-000001
Tank Status:	A
Capacity:	2000
Active Date:	08-30-88
Tank Use:	M.V. FUEL
STG:	P
Content:	REG UNLEADED
Number Of Tanks:	2

Status:	Active
Comp Number:	22237
Number:	9
Board Of Equalization:	44-020774
Referral Date:	09-05-91
Action Date:	09-05-91
Created Date:	02-29-88
Owner Tank Id:	Not reported
SWRCB Tank Id:	36-000-022237-000002
Tank Status:	A
Capacity:	2385
Active Date:	08-30-88
Tank Use:	M.V. FUEL
STG:	P
Content:	DIESEL
Number Of Tanks:	Not reported

CA FID UST:

SCE-MIRA LOMA SUBSTATION (Continued) **S101591743**

Facility ID:	36008801
Regulated By:	UTNKA
Regulated ID:	00022237
Cortese Code:	Not reported
SIC Code:	Not reported
Facility Phone:	Not reported
Mail To:	Not reported
Mailing Address:	P O BOX
Mailing Address 2:	Not reported
Mailing City,St,Zip:	ONTARIO 91761
Contact:	Not reported
Contact Phone:	Not reported
DUNs Number:	Not reported
NPDES Number:	Not reported
EPA ID:	Not reported
Comments:	Not reported
Status:	Active

EMI:

Year:	1990
County Code:	36
Air Basin:	SC
Facility ID:	51003
Air District Name:	SC
SIC Code:	4911
Air District Name:	SOUTH COAST AQMD
Community Health Air Pollution Info System:	Not reported
Consolidated Emission Reporting Rule:	Not reported
Total Organic Hydrocarbon Gases Tons/Yr:	0
Reactive Organic Gases Tons/Yr:	0
Carbon Monoxide Emissions Tons/Yr:	0
NOX - Oxides of Nitrogen Tons/Yr:	0
SOX - Oxides of Sulphur Tons/Yr:	0
Particulate Matter Tons/Yr:	0
Part. Matter 10 Micrometers and Smllr Tons/Yr:	0

18
North
1/4-1/2
0.402 mi.
2121 ft.

SCE MIRA LOMA SUBSTATION **LUST** **S104791956**
13568 MILLIKEN AVE **N/A**
ONTARIO, CA 91761

Relative:
Higher

Actual:
816 ft.

LUST REG 8:

Region:	8
County:	San Bernardino
Regional Board:	Santa Ana Region
Facility Status:	Case Closed
Case Number:	083603763T
Local Case Num:	2000020
Case Type:	Soil only
Substance:	Gasoline
Qty Leaked:	Not reported
Abate Method:	Not reported
Cross Street:	EDISON AVE
Enf Type:	Not reported
Funding:	Not reported
How Discovered:	Tank Closure

SCE MIRA LOMA SUBSTATION (Continued) **S104791956**

How Stopped:	Not reported
Leak Cause:	UNK
Leak Source:	UNK
Global ID:	T0607199165
How Stopped Date:	10/20/1999
Enter Date:	8/11/2000
Date Confirmation of Leak Began:	8/7/2000
Date Preliminary Assessment Began:	Not reported
Discover Date:	10/20/1999
Enforcement Date:	Not reported
Close Date:	6/11/2001
Date Prelim Assessment Workplan Submitted:	Not reported
Date Pollution Characterization Began:	Not reported
Date Remediation Plan Submitted:	Not reported
Date Remedial Action Underway:	Not reported
Date Post Remedial Action Monitoring:	Not reported
Enter Date:	8/11/2000
GW Qualifies:	Not reported
Soil Qualifies:	Not reported
Operator:	Not reported
Facility Contact:	Not reported
Interim:	Not reported
Oversite Program:	LUST
Latitude:	34.044
Longitude:	-117.5582
MTBE Date:	Not reported
Max MTBE GW:	Not reported
MTBE Concentration:	0
Max MTBE Soil:	Not reported
MTBE Fuel:	1
MTBE Tested:	Site NOT Tested for MTBE.Includes Unknown and Not Analyzed.
MTBE Class:	*
Staff:	RS
Staff Initials:	LH6
Lead Agency:	Local Agency
Local Agency:	36000L
Hydr Basin #:	UPPER SANTA ANA VALL
Beneficial:	Not reported
Priority:	Not reported
Cleanup Fund Id:	Not reported
Work Suspended:	No

Summary: UNDER INVESTIGATION

Count: 2 records. ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
ONTARIO	1009508586	SO CAL GAS/ONTARIO MGP	CORNER OF CAMPUS, MARTLAND, MO	91761	EDR MGP
ONTARIO	S101481941	MILLIKEN SANITARY LANDFILL	INTERSECTION: MILLIKEN AVE & M	91761	ENVIROSTOR

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

To maintain currency of the following federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required.

Number of Days to Update: Provides confirmation that EDR is reporting records that have been updated within 90 days from the date the government agency made the information available to the public.

STANDARD ENVIRONMENTAL RECORDS

Federal NPL site list

NPL: National Priority List

National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA's Environmental Photographic Interpretation Center (EPIC) and regional EPA offices.

Date of Government Version: 12/11/2017
Date Data Arrived at EDR: 12/22/2017
Date Made Active in Reports: 01/05/2018
Number of Days to Update: 14

Source: EPA
Telephone: N/A
Last EDR Contact: 12/22/2017
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Quarterly

NPL Site Boundaries

Sources:

EPA's Environmental Photographic Interpretation Center (EPIC)
Telephone: 202-564-7333

EPA Region 1
Telephone 617-918-1143

EPA Region 6
Telephone: 214-655-6659

EPA Region 3
Telephone 215-814-5418

EPA Region 7
Telephone: 913-551-7247

EPA Region 4
Telephone 404-562-8033

EPA Region 8
Telephone: 303-312-6774

EPA Region 5
Telephone 312-886-6686

EPA Region 9
Telephone: 415-947-4246

EPA Region 10
Telephone 206-553-8665

Proposed NPL: Proposed National Priority List Sites

A site that has been proposed for listing on the National Priorities List through the issuance of a proposed rule in the Federal Register. EPA then accepts public comments on the site, responds to the comments, and places on the NPL those sites that continue to meet the requirements for listing.

Date of Government Version: 12/11/2017
Date Data Arrived at EDR: 12/22/2017
Date Made Active in Reports: 01/05/2018
Number of Days to Update: 14

Source: EPA
Telephone: N/A
Last EDR Contact: 12/22/2017
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Quarterly

NPL LIENS: Federal Superfund Liens

Federal Superfund Liens. Under the authority granted the USEPA by CERCLA of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner received notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

Date of Government Version: 10/15/1991
Date Data Arrived at EDR: 02/02/1994
Date Made Active in Reports: 03/30/1994
Number of Days to Update: 56

Source: EPA
Telephone: 202-564-4267
Last EDR Contact: 08/15/2011
Next Scheduled EDR Contact: 11/28/2011
Data Release Frequency: No Update Planned

Federal Delisted NPL site list

Delisted NPL: National Priority List Deletions

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

Date of Government Version: 12/11/2017
Date Data Arrived at EDR: 12/22/2017
Date Made Active in Reports: 01/05/2018
Number of Days to Update: 14

Source: EPA
Telephone: N/A
Last EDR Contact: 12/22/2017
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Quarterly

Federal CERCLIS list

FEDERAL FACILITY: Federal Facility Site Information listing

A listing of National Priority List (NPL) and Base Realignment and Closure (BRAC) sites found in the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) Database where EPA Federal Facilities Restoration and Reuse Office is involved in cleanup activities.

Date of Government Version: 11/07/2016
Date Data Arrived at EDR: 01/05/2017
Date Made Active in Reports: 04/07/2017
Number of Days to Update: 92

Source: Environmental Protection Agency
Telephone: 703-603-8704
Last EDR Contact: 01/05/2018
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Varies

SEMS: Superfund Enterprise Management System

SEMS (Superfund Enterprise Management System) tracks hazardous waste sites, potentially hazardous waste sites, and remedial activities performed in support of EPA's Superfund Program across the United States. The list was formerly know as CERCLIS, renamed to SEMS by the EPA in 2015. The list contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This dataset also contains sites which are either proposed to or on the National Priorities List (NPL) and the sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 07/11/2017
Date Data Arrived at EDR: 07/21/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 77

Source: EPA
Telephone: 800-424-9346
Last EDR Contact: 12/22/2017
Next Scheduled EDR Contact: 01/29/2018
Data Release Frequency: Quarterly

Federal CERCLIS NFRAP site list

SEMS-ARCHIVE: Superfund Enterprise Management System Archive

SEMS-ARCHIVE (Superfund Enterprise Management System Archive) tracks sites that have no further interest under the Federal Superfund Program based on available information. The list was formerly known as the CERCLIS-NFRAP, renamed to SEMS ARCHIVE by the EPA in 2015. EPA may perform a minimal level of assessment work at a site while it is archived if site conditions change and/or new information becomes available. Archived sites have been removed and archived from the inventory of SEMS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list the site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. The decision does not necessarily mean that there is no hazard associated with a given site; it only means that. based upon available information, the location is not judged to be potential NPL site.

Date of Government Version: 07/11/2017
Date Data Arrived at EDR: 07/28/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 70

Source: EPA
Telephone: 800-424-9346
Last EDR Contact: 12/22/2017
Next Scheduled EDR Contact: 01/29/2018
Data Release Frequency: Quarterly

Federal RCRA CORRACTS facilities list

CORRACTS: Corrective Action Report

CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Date of Government Version: 09/13/2017
Date Data Arrived at EDR: 09/26/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 10

Source: EPA
Telephone: 800-424-9346
Last EDR Contact: 12/26/2017
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

Federal RCRA non-CORRACTS TSD facilities list

RCRA-TSDF: RCRA - Treatment, Storage and Disposal

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

Date of Government Version: 09/13/2017
Date Data Arrived at EDR: 09/26/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 10

Source: Environmental Protection Agency
Telephone: (415) 495-8895
Last EDR Contact: 12/26/2017
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

Federal RCRA generators list

RCRA-LQG: RCRA - Large Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Large quantity generators (LQGs) generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month.

Date of Government Version: 09/13/2017
Date Data Arrived at EDR: 09/26/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 10

Source: Environmental Protection Agency
Telephone: (415) 495-8895
Last EDR Contact: 12/26/2017
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

RCRA-SQG: RCRA - Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month.

Date of Government Version: 09/13/2017
Date Data Arrived at EDR: 09/26/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 10

Source: Environmental Protection Agency
Telephone: (415) 495-8895
Last EDR Contact: 12/26/2017
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

RCRA-CESQG: RCRA - Conditionally Exempt Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

Date of Government Version: 09/13/2017
Date Data Arrived at EDR: 09/26/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 10

Source: Environmental Protection Agency
Telephone: (415) 495-8895
Last EDR Contact: 12/26/2017
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

Federal institutional controls / engineering controls registries

LUCIS: Land Use Control Information System

LUCIS contains records of land use control information pertaining to the former Navy Base Realignment and Closure properties.

Date of Government Version: 05/22/2017
Date Data Arrived at EDR: 06/13/2017
Date Made Active in Reports: 09/15/2017
Number of Days to Update: 94

Source: Department of the Navy
Telephone: 843-820-7326
Last EDR Contact: 11/08/2017
Next Scheduled EDR Contact: 02/26/2018
Data Release Frequency: Varies

US ENG CONTROLS: Engineering Controls Sites List

A listing of sites with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health.

Date of Government Version: 08/10/2017
Date Data Arrived at EDR: 08/30/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 44

Source: Environmental Protection Agency
Telephone: 703-603-0695
Last EDR Contact: 11/27/2017
Next Scheduled EDR Contact: 03/12/2018
Data Release Frequency: Varies

US INST CONTROL: Sites with Institutional Controls

A listing of sites with institutional controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls.

Date of Government Version: 08/10/2017
Date Data Arrived at EDR: 08/30/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 44

Source: Environmental Protection Agency
Telephone: 703-603-0695
Last EDR Contact: 11/27/2017
Next Scheduled EDR Contact: 03/12/2018
Data Release Frequency: Varies

Federal ERNS list

ERNS: Emergency Response Notification System

Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances.

Date of Government Version: 09/18/2017
Date Data Arrived at EDR: 09/21/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 22

Source: National Response Center, United States Coast Guard
Telephone: 202-267-2180
Last EDR Contact: 01/04/2018
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

State- and tribal - equivalent NPL

RESPONSE: State Response Sites

Identifies confirmed release sites where DTSC is involved in remediation, either in a lead or oversight capacity. These confirmed release sites are generally high-priority and high potential risk.

Date of Government Version: 10/30/2017
Date Data Arrived at EDR: 10/31/2017
Date Made Active in Reports: 12/15/2017
Number of Days to Update: 45

Source: Department of Toxic Substances Control
Telephone: 916-323-3400
Last EDR Contact: 10/31/2017
Next Scheduled EDR Contact: 02/12/2018
Data Release Frequency: Quarterly

State- and tribal - equivalent CERCLIS

ENVIROSTOR: EnviroStor Database

The Department of Toxic Substances Control's (DTSC's) Site Mitigation and Brownfields Reuse Program's (SMBRP's) EnviroStor database identifes sites that have known contamination or sites for which there may be reasons to investigate further. The database includes the following site types: Federal Superfund sites (National Priorities List (NPL)); State Response, including Military Facilities and State Superfund; Voluntary Cleanup; and School sites. EnviroStor provides similar information to the information that was available in CalSites, and provides additional site information, including, but not limited to, identification of formerly-contaminated properties that have been released for reuse, properties where environmental deed restrictions have been recorded to prevent inappropriate land uses, and risk characterization information that is used to assess potential impacts to public health and the environment at contaminated sites.

Date of Government Version: 10/30/2017
Date Data Arrived at EDR: 10/31/2017
Date Made Active in Reports: 12/15/2017
Number of Days to Update: 45

Source: Department of Toxic Substances Control
Telephone: 916-323-3400
Last EDR Contact: 10/31/2017
Next Scheduled EDR Contact: 02/12/2018
Data Release Frequency: Quarterly

State and tribal landfill and/or solid waste disposal site lists

SWF/LF (SWIS): Solid Waste Information System

Active, Closed and Inactive Landfills. SWF/LF records typically contain an inve ntory of solid waste disposal facilities or landfills. These may be active or i nactive facilities or open dumps that failed to meet RCRA Section 4004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 11/13/2017
Date Data Arrived at EDR: 11/14/2017
Date Made Active in Reports: 12/07/2017
Number of Days to Update: 23

Source: Department of Resources Recycling and Recovery
Telephone: 916-341-6320
Last EDR Contact: 11/14/2017
Next Scheduled EDR Contact: 02/26/2018
Data Release Frequency: Quarterly

State and tribal leaking storage tank lists

LUST REG 2: Fuel Leak List

Leaking Underground Storage Tank locations. Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, Sonoma counties.

Date of Government Version: 09/30/2004
Date Data Arrived at EDR: 10/20/2004
Date Made Active in Reports: 11/19/2004
Number of Days to Update: 30

Source: California Regional Water Quality Control Board San Francisco Bay Region (2)
Telephone: 510-622-2433
Last EDR Contact: 09/19/2011
Next Scheduled EDR Contact: 01/02/2012
Data Release Frequency: Quarterly

LUST REG 9: Leaking Underground Storage Tank Report

Orange, Riverside, San Diego counties. For more current information, please refer to the State Water Resources Control Board's LUST database.

Date of Government Version: 03/01/2001
Date Data Arrived at EDR: 04/23/2001
Date Made Active in Reports: 05/21/2001
Number of Days to Update: 28

Source: California Regional Water Quality Control Board San Diego Region (9)
Telephone: 858-637-5595
Last EDR Contact: 09/26/2011
Next Scheduled EDR Contact: 01/09/2012
Data Release Frequency: No Update Planned

LUST REG 8: Leaking Underground Storage Tanks

California Regional Water Quality Control Board Santa Ana Region (8). For more current information, please refer to the State Water Resources Control Board's LUST database.

Date of Government Version: 02/14/2005
Date Data Arrived at EDR: 02/15/2005
Date Made Active in Reports: 03/28/2005
Number of Days to Update: 41

Source: California Regional Water Quality Control Board Santa Ana Region (8)
Telephone: 909-782-4496
Last EDR Contact: 08/15/2011
Next Scheduled EDR Contact: 11/28/2011
Data Release Frequency: Varies

LUST REG 6L: Leaking Underground Storage Tank Case Listing

For more current information, please refer to the State Water Resources Control Board's LUST database.

Date of Government Version: 09/09/2003
Date Data Arrived at EDR: 09/10/2003
Date Made Active in Reports: 10/07/2003
Number of Days to Update: 27

Source: California Regional Water Quality Control Board Lahontan Region (6)
Telephone: 530-542-5572
Last EDR Contact: 09/12/2011
Next Scheduled EDR Contact: 12/26/2011
Data Release Frequency: No Update Planned

LUST REG 5: Leaking Underground Storage Tank Database

Leaking Underground Storage Tank locations. Alameda, Alpine, Amador, Butte, Colusa, Contra Costa, Calveras, El Dorado, Fresno, Glenn, Kern, Kings, Lake, Lassen, Madera, Mariposa, Merced, Modoc, Napa, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Solano, Stanislaus, Sutter, Tehama, Tulare, Tuolumne, Yolo, Yuba counties.

Date of Government Version: 07/01/2008
Date Data Arrived at EDR: 07/22/2008
Date Made Active in Reports: 07/31/2008
Number of Days to Update: 9

Source: California Regional Water Quality Control Board Central Valley Region (5)
Telephone: 916-464-4834
Last EDR Contact: 07/01/2011
Next Scheduled EDR Contact: 10/17/2011
Data Release Frequency: No Update Planned

LUST REG 4: Underground Storage Tank Leak List

Los Angeles, Ventura counties. For more current information, please refer to the State Water Resources Control Board's LUST database.

Date of Government Version: 09/07/2004
Date Data Arrived at EDR: 09/07/2004
Date Made Active in Reports: 10/12/2004
Number of Days to Update: 35

Source: California Regional Water Quality Control Board Los Angeles Region (4)
Telephone: 213-576-6710
Last EDR Contact: 09/06/2011
Next Scheduled EDR Contact: 12/19/2011
Data Release Frequency: No Update Planned

LUST REG 3: Leaking Underground Storage Tank Database
Leaking Underground Storage Tank locations. Monterey, San Benito, San Luis Obispo, Santa Barbara, Santa Cruz counties.

Date of Government Version: 05/19/2003
Date Data Arrived at EDR: 05/19/2003
Date Made Active in Reports: 06/02/2003
Number of Days to Update: 14
Source: California Regional Water Quality Control Board Central Coast Region (3)
Telephone: 805-542-4786
Last EDR Contact: 07/18/2011
Next Scheduled EDR Contact: 10/31/2011
Data Release Frequency: No Update Planned

LUST REG 7: Leaking Underground Storage Tank Case Listing
Leaking Underground Storage Tank locations. Imperial, Riverside, San Diego, Santa Barbara counties.

Date of Government Version: 02/26/2004
Date Data Arrived at EDR: 02/26/2004
Date Made Active in Reports: 03/24/2004
Number of Days to Update: 27
Source: California Regional Water Quality Control Board Colorado River Basin Region (7)
Telephone: 760-776-8943
Last EDR Contact: 08/01/2011
Next Scheduled EDR Contact: 11/14/2011
Data Release Frequency: No Update Planned

LUST: Leaking Underground Fuel Tank Report (GEOTRACKER)
Leaking Underground Storage Tank (LUST) Sites included in GeoTracker. GeoTracker is the Water Boards data management system for sites that impact, or have the potential to impact, water quality in California, with emphasis on groundwater.

Date of Government Version: 09/11/2017
Date Data Arrived at EDR: 09/12/2017
Date Made Active in Reports: 11/09/2017
Number of Days to Update: 58
Source: State Water Resources Control Board
Telephone: see region list
Last EDR Contact: 12/12/2018
Next Scheduled EDR Contact: 03/26/2018
Data Release Frequency: Quarterly

LUST REG 1: Active Toxic Site Investigation
Del Norte, Humboldt, Lake, Mendocino, Modoc, Siskiyou, Sonoma, Trinity counties. For more current information, please refer to the State Water Resources Control Board's LUST database.

Date of Government Version: 02/01/2001
Date Data Arrived at EDR: 02/28/2001
Date Made Active in Reports: 03/29/2001
Number of Days to Update: 29
Source: California Regional Water Quality Control Board North Coast (1)
Telephone: 707-570-3769
Last EDR Contact: 08/01/2011
Next Scheduled EDR Contact: 11/14/2011
Data Release Frequency: No Update Planned

LUST REG 6V: Leaking Underground Storage Tank Case Listing
Leaking Underground Storage Tank locations. Inyo, Kern, Los Angeles, Mono, San Bernardino counties.

Date of Government Version: 06/07/2005
Date Data Arrived at EDR: 06/07/2005
Date Made Active in Reports: 06/29/2005
Number of Days to Update: 22
Source: California Regional Water Quality Control Board Victorville Branch Office (6)
Telephone: 760-241-7365
Last EDR Contact: 09/12/2011
Next Scheduled EDR Contact: 12/26/2011
Data Release Frequency: No Update Planned

INDIAN LUST R10: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Alaska, Idaho, Oregon and Washington.

Date of Government Version: 04/25/2017
Date Data Arrived at EDR: 11/07/2017
Date Made Active in Reports: 12/08/2017
Number of Days to Update: 31
Source: EPA Region 10
Telephone: 206-553-2857
Last EDR Contact: 11/07/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

INDIAN LUST R9: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Arizona, California, New Mexico and Nevada

Date of Government Version: 04/13/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 78
Source: Environmental Protection Agency
Telephone: 415-972-3372
Last EDR Contact: 10/27/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

INDIAN LUST R8: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

Date of Government Version: 05/01/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 78
Source: EPA Region 8
Telephone: 303-312-6271
Last EDR Contact: 10/27/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

INDIAN LUST R6: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in New Mexico and Oklahoma.

Date of Government Version: 04/24/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 71
Source: EPA Region 6
Telephone: 214-665-6597
Last EDR Contact: 10/27/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

INDIAN LUST R4: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Florida, Mississippi and North Carolina.

Date of Government Version: 10/14/2016
Date Data Arrived at EDR: 01/27/2017
Date Made Active in Reports: 05/05/2017
Number of Days to Update: 98
Source: EPA Region 4
Telephone: 404-562-8677
Last EDR Contact: 10/27/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Semi-Annually

INDIAN LUST R1: Leaking Underground Storage Tanks on Indian Land
A listing of leaking underground storage tank locations on Indian Land.

Date of Government Version: 04/14/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 71
Source: EPA Region 1
Telephone: 617-918-1313
Last EDR Contact: 10/27/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

INDIAN LUST R5: Leaking Underground Storage Tanks on Indian Land
Leaking underground storage tanks located on Indian Land in Michigan, Minnesota and Wisconsin.

Date of Government Version: 04/26/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 78
Source: EPA, Region 5
Telephone: 312-886-7439
Last EDR Contact: 10/27/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

INDIAN LUST R7: Leaking Underground Storage Tanks on Indian Land
LUSTs on Indian land in Iowa, Kansas, and Nebraska

Date of Government Version: 04/14/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 71
Source: EPA Region 7
Telephone: 913-551-7003
Last EDR Contact: 10/27/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

SLIC: Statewide SLIC Cases (GEOTRACKER)
Cleanup Program Sites (CPS; also known as Site Cleanups [SC] and formerly known as Spills, Leaks, Investigations, and Cleanups [SLIC] sites) included in GeoTracker. GeoTracker is the Water Boards data management system for sites that impact, or have the potential to impact, water quality in California, with emphasis on groundwater.

Date of Government Version: 09/11/2017
Date Data Arrived at EDR: 09/12/2017
Date Made Active in Reports: 11/09/2017
Number of Days to Update: 58
Source: State Water Resources Control Board
Telephone: 866-480-1028
Last EDR Contact: 12/12/2018
Next Scheduled EDR Contact: 03/26/2018
Data Release Frequency: Varies

SLIC REG 1: Active Toxic Site Investigations
The SLIC (Spills, Leaks, Investigations and Cleanup) program is designed to protect and restore water quality from spills, leaks, and similar discharges.

Date of Government Version: 04/03/2003
Date Data Arrived at EDR: 04/07/2003
Date Made Active in Reports: 04/25/2003
Number of Days to Update: 18

Source: California Regional Water Quality Control Board, North Coast Region (1)
Telephone: 707-576-2220
Last EDR Contact: 08/01/2011
Next Scheduled EDR Contact: 11/14/2011
Data Release Frequency: No Update Planned

SLIC REG 2: Spills, Leaks, Investigation & Cleanup Cost Recovery Listing
The SLIC (Spills, Leaks, Investigations and Cleanup) program is designed to protect and restore water quality from spills, leaks, and similar discharges.

Date of Government Version: 09/30/2004
Date Data Arrived at EDR: 10/20/2004
Date Made Active in Reports: 11/19/2004
Number of Days to Update: 30

Source: Regional Water Quality Control Board San Francisco Bay Region (2)
Telephone: 510-286-0457
Last EDR Contact: 09/19/2011
Next Scheduled EDR Contact: 01/02/2012
Data Release Frequency: Quarterly

SLIC REG 3: Spills, Leaks, Investigation & Cleanup Cost Recovery Listing
The SLIC (Spills, Leaks, Investigations and Cleanup) program is designed to protect and restore water quality from spills, leaks, and similar discharges.

Date of Government Version: 05/18/2006
Date Data Arrived at EDR: 05/18/2006
Date Made Active in Reports: 06/15/2006
Number of Days to Update: 28

Source: California Regional Water Quality Control Board Central Coast Region (3)
Telephone: 805-549-3147
Last EDR Contact: 07/18/2011
Next Scheduled EDR Contact: 10/31/2011
Data Release Frequency: Semi-Annually

SLIC REG 4: Spills, Leaks, Investigation & Cleanup Cost Recovery Listing
The SLIC (Spills, Leaks, Investigations and Cleanup) program is designed to protect and restore water quality from spills, leaks, and similar discharges.

Date of Government Version: 11/17/2004
Date Data Arrived at EDR: 11/18/2004
Date Made Active in Reports: 01/04/2005
Number of Days to Update: 47

Source: Region Water Quality Control Board Los Angeles Region (4)
Telephone: 213-576-6600
Last EDR Contact: 07/01/2011
Next Scheduled EDR Contact: 10/17/2011
Data Release Frequency: Varies

SLIC REG 5: Spills, Leaks, Investigation & Cleanup Cost Recovery Listing
The SLIC (Spills, Leaks, Investigations and Cleanup) program is designed to protect and restore water quality from spills, leaks, and similar discharges.

Date of Government Version: 04/01/2005
Date Data Arrived at EDR: 04/05/2005
Date Made Active in Reports: 04/21/2005
Number of Days to Update: 16

Source: Regional Water Quality Control Board Central Valley Region (5)
Telephone: 916-464-3291
Last EDR Contact: 09/12/2011
Next Scheduled EDR Contact: 12/26/2011
Data Release Frequency: Semi-Annually

SLIC REG 6V: Spills, Leaks, Investigation & Cleanup Cost Recovery Listing
The SLIC (Spills, Leaks, Investigations and Cleanup) program is designed to protect and restore water quality from spills, leaks, and similar discharges.

Date of Government Version: 05/24/2005
Date Data Arrived at EDR: 05/25/2005
Date Made Active in Reports: 06/16/2005
Number of Days to Update: 22

Source: Regional Water Quality Control Board, Victorville Branch
Telephone: 619-241-6583
Last EDR Contact: 08/15/2011
Next Scheduled EDR Contact: 11/28/2011
Data Release Frequency: Semi-Annually

SLIC REG 6L: SLIC Sites
The SLIC (Spills, Leaks, Investigations and Cleanup) program is designed to protect and restore water quality from spills, leaks, and similar discharges.

Date of Government Version: 09/07/2004
Date Data Arrived at EDR: 09/07/2004
Date Made Active in Reports: 10/12/2004
Number of Days to Update: 35
Source: California Regional Water Quality Control Board, Lahontan Region
Telephone: 530-542-5574
Last EDR Contact: 08/15/2011
Next Scheduled EDR Contact: 11/28/2011
Data Release Frequency: No Update Planned

SLIC REG 7: SLIC List
The SLIC (Spills, Leaks, Investigations and Cleanup) program is designed to protect and restore water quality from spills, leaks, and similar discharges.

Date of Government Version: 11/24/2004
Date Data Arrived at EDR: 11/29/2004
Date Made Active in Reports: 01/04/2005
Number of Days to Update: 36
Source: California Regional Quality Control Board, Colorado River Basin Region
Telephone: 760-346-7491
Last EDR Contact: 08/01/2011
Next Scheduled EDR Contact: 11/14/2011
Data Release Frequency: No Update Planned

SLIC REG 8: Spills, Leaks, Investigation & Cleanup Cost Recovery Listing
The SLIC (Spills, Leaks, Investigations and Cleanup) program is designed to protect and restore water quality from spills, leaks, and similar discharges.

Date of Government Version: 04/03/2008
Date Data Arrived at EDR: 04/03/2008
Date Made Active in Reports: 04/14/2008
Number of Days to Update: 11
Source: California Region Water Quality Control Board Santa Ana Region (8)
Telephone: 951-782-3298
Last EDR Contact: 09/12/2011
Next Scheduled EDR Contact: 12/26/2011
Data Release Frequency: Semi-Annually

SLIC REG 9: Spills, Leaks, Investigation & Cleanup Cost Recovery Listing
The SLIC (Spills, Leaks, Investigations and Cleanup) program is designed to protect and restore water quality from spills, leaks, and similar discharges.

Date of Government Version: 09/10/2007
Date Data Arrived at EDR: 09/11/2007
Date Made Active in Reports: 09/28/2007
Number of Days to Update: 17
Source: California Regional Water Quality Control Board San Diego Region (9)
Telephone: 858-467-2980
Last EDR Contact: 08/08/2011
Next Scheduled EDR Contact: 11/21/2011
Data Release Frequency: Annually

State and tribal registered storage tank lists

FEMA UST: Underground Storage Tank Listing
A listing of all FEMA owned underground storage tanks.

Date of Government Version: 05/15/2017
Date Data Arrived at EDR: 05/30/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 136
Source: FEMA
Telephone: 202-646-5797
Last EDR Contact: 01/09/2018
Next Scheduled EDR Contact: 04/23/2018
Data Release Frequency: Varies

UST: Active UST Facilities
Active UST facilities gathered from the local regulatory agencies

Date of Government Version: 09/11/2017
Date Data Arrived at EDR: 09/12/2017
Date Made Active in Reports: 11/08/2017
Number of Days to Update: 57
Source: SWRCB
Telephone: 916-341-5851
Last EDR Contact: 12/12/2017
Next Scheduled EDR Contact: 03/26/2018
Data Release Frequency: Semi-Annually

AST: Aboveground Petroleum Storage Tank Facilities
A listing of aboveground storage tank petroleum storage tank locations.

Date of Government Version: 07/06/2016
Date Data Arrived at EDR: 07/12/2016
Date Made Active in Reports: 09/19/2016
Number of Days to Update: 69
Source: California Environmental Protection Agency
Telephone: 916-327-5092
Last EDR Contact: 12/26/2017
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

INDIAN UST R5: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 5 (Michigan, Minnesota and Wisconsin and Tribal Nations).

Date of Government Version: 04/26/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 71
Source: EPA Region 5
Telephone: 312-886-6136
Last EDR Contact: 10/27/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

INDIAN UST R6: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 6 (Louisiana, Arkansas, Oklahoma, New Mexico, Texas and 65 Tribes).

Date of Government Version: 04/24/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 12/08/2017
Number of Days to Update: 134
Source: EPA Region 6
Telephone: 214-665-7591
Last EDR Contact: 10/27/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

INDIAN UST R7: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 7 (Iowa, Kansas, Missouri, Nebraska, and 9 Tribal Nations).

Date of Government Version: 05/02/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 71
Source: EPA Region 7
Telephone: 913-551-7003
Last EDR Contact: 10/27/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

INDIAN UST R8: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming and 27 Tribal Nations).

Date of Government Version: 05/01/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 78
Source: EPA Region 8
Telephone: 303-312-6137
Last EDR Contact: 10/27/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

INDIAN UST R9: Underground Storage Tanks on Indian Land
The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 9 (Arizona, California, Hawaii, Nevada, the Pacific Islands, and Tribal Nations).

Date of Government Version: 04/13/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 78
Source: EPA Region 9
Telephone: 415-972-3368
Last EDR Contact: 10/27/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

INDIAN UST R4: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee and Tribal Nations)

Date of Government Version: 10/14/2016
Date Data Arrived at EDR: 01/27/2017
Date Made Active in Reports: 05/05/2017
Number of Days to Update: 98

Source: EPA Region 4
Telephone: 404-562-9424
Last EDR Contact: 10/27/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Semi-Annually

INDIAN UST R1: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 1 (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont and ten Tribal Nations).

Date of Government Version: 04/14/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 71

Source: EPA, Region 1
Telephone: 617-918-1313
Last EDR Contact: 10/27/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

INDIAN UST R10: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 10 (Alaska, Idaho, Oregon, Washington, and Tribal Nations).

Date of Government Version: 04/25/2017
Date Data Arrived at EDR: 07/27/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 78

Source: EPA Region 10
Telephone: 206-553-2857
Last EDR Contact: 10/27/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

State and tribal voluntary cleanup sites

VCP: Voluntary Cleanup Program Properties

Contains low threat level properties with either confirmed or unconfirmed releases and the project proponents have request that DTSC oversee investigation and/or cleanup activities and have agreed to provide coverage for DTSC's costs.

Date of Government Version: 10/30/2017
Date Data Arrived at EDR: 10/31/2017
Date Made Active in Reports: 12/15/2017
Number of Days to Update: 45

Source: Department of Toxic Substances Control
Telephone: 916-323-3400
Last EDR Contact: 10/31/2017
Next Scheduled EDR Contact: 02/12/2018
Data Release Frequency: Quarterly

INDIAN VCP R7: Voluntary Cleanup Priority Lisitng

A listing of voluntary cleanup priority sites located on Indian Land located in Region 7.

Date of Government Version: 03/20/2008
Date Data Arrived at EDR: 04/22/2008
Date Made Active in Reports: 05/19/2008
Number of Days to Update: 27

Source: EPA, Region 7
Telephone: 913-551-7365
Last EDR Contact: 04/20/2009
Next Scheduled EDR Contact: 07/20/2009
Data Release Frequency: Varies

INDIAN VCP R1: Voluntary Cleanup Priority Listing

A listing of voluntary cleanup priority sites located on Indian Land located in Region 1.

Date of Government Version: 07/27/2015
Date Data Arrived at EDR: 09/29/2015
Date Made Active in Reports: 02/18/2016
Number of Days to Update: 142

Source: EPA, Region 1
Telephone: 617-918-1102
Last EDR Contact: 12/20/2017
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Varies

State and tribal Brownfields sites

BROWNFIELDS: Considered Brownfieds Sites Listing
A listing of sites the SWRCB considers to be Brownfields since these are sites have come to them through the MOA Process.

Date of Government Version: 09/21/2017
Date Data Arrived at EDR: 09/21/2017
Date Made Active in Reports: 11/09/2017
Number of Days to Update: 49

Source: State Water Resources Control Board
Telephone: 916-323-7905
Last EDR Contact: 12/26/2017
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

ADDITIONAL ENVIRONMENTAL RECORDS

Local Brownfield lists

US BROWNFIELDS: A Listing of Brownfields Sites
Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. Assessment, Cleanup and Redevelopment Exchange System (ACRES) stores information reported by EPA Brownfields grant recipients on brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. A listing of ACRES Brownfield sites is obtained from Cleanups in My Community. Cleanups in My Community provides information on Brownfields properties for which information is reported back to EPA, as well as areas served by Brownfields grant programs.

Date of Government Version: 08/21/2017
Date Data Arrived at EDR: 09/20/2017
Date Made Active in Reports: 12/08/2017
Number of Days to Update: 79

Source: Environmental Protection Agency
Telephone: 202-566-2777
Last EDR Contact: 12/19/2017
Next Scheduled EDR Contact: 04/02/2018
Data Release Frequency: Semi-Annually

Local Lists of Landfill / Solid Waste Disposal Sites

WMUDS/SWAT: Waste Management Unit Database
Waste Management Unit Database System. WMUDS is used by the State Water Resources Control Board staff and the Regional Water Quality Control Boards for program tracking and inventory of waste management units. WMUDS is composed of the following databases: Facility Information, Scheduled Inspections Information, Waste Management Unit Information, SWAT Program Information, SWAT Report Summary Information, SWAT Report Summary Data, Chapter 15 (formerly Subchapter 15) Information, Chapter 15 Monitoring Parameters, TPCA Program Information, RCRA Program Information, Closure Information, and Interested Parties Information.

Date of Government Version: 04/01/2000
Date Data Arrived at EDR: 04/10/2000
Date Made Active in Reports: 05/10/2000
Number of Days to Update: 30

Source: State Water Resources Control Board
Telephone: 916-227-4448
Last EDR Contact: 11/06/2017
Next Scheduled EDR Contact: 02/19/2018
Data Release Frequency: No Update Planned

SWRCY: Recycler Database
A listing of recycling facilities in California.

Date of Government Version: 09/11/2017
Date Data Arrived at EDR: 09/12/2017
Date Made Active in Reports: 09/21/2017
Number of Days to Update: 9

Source: Department of Conservation
Telephone: 916-323-3836
Last EDR Contact: 12/12/2017
Next Scheduled EDR Contact: 03/26/2018
Data Release Frequency: Quarterly

HAULERS: Registered Waste Tire Haulers Listing
A listing of registered waste tire haulers.

Date of Government Version: 05/30/2017
Date Data Arrived at EDR: 05/31/2017
Date Made Active in Reports: 08/15/2017
Number of Days to Update: 76

Source: Integrated Waste Management Board
Telephone: 916-341-6422
Last EDR Contact: 11/09/2017
Next Scheduled EDR Contact: 02/26/2018
Data Release Frequency: Varies

INDIAN ODI: Report on the Status of Open Dumps on Indian Lands
Location of open dumps on Indian land.

Date of Government Version: 12/31/1998
Date Data Arrived at EDR: 12/03/2007
Date Made Active in Reports: 01/24/2008
Number of Days to Update: 52

Source: Environmental Protection Agency
Telephone: 703-308-8245
Last EDR Contact: 10/30/2017
Next Scheduled EDR Contact: 02/12/2018
Data Release Frequency: Varies

ODI: Open Dump Inventory
An open dump is defined as a disposal facility that does not comply with one or more of the Part 257 or Part 258 Subtitle D Criteria.

Date of Government Version: 06/30/1985
Date Data Arrived at EDR: 08/09/2004
Date Made Active in Reports: 09/17/2004
Number of Days to Update: 39

Source: Environmental Protection Agency
Telephone: 800-424-9346
Last EDR Contact: 06/09/2004
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

DEBRIS REGION 9: Torres Martinez Reservation Illegal Dump Site Locations
A listing of illegal dump sites location on the Torres Martinez Indian Reservation located in eastern Riverside County and northern Imperial County, California.

Date of Government Version: 01/12/2009
Date Data Arrived at EDR: 05/07/2009
Date Made Active in Reports: 09/21/2009
Number of Days to Update: 137

Source: EPA, Region 9
Telephone: 415-947-4219
Last EDR Contact: 10/20/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: No Update Planned

IHS OPEN DUMPS: Open Dumps on Indian Land
A listing of all open dumps located on Indian Land in the United States.

Date of Government Version: 04/01/2014
Date Data Arrived at EDR: 08/06/2014
Date Made Active in Reports: 01/29/2015
Number of Days to Update: 176

Source: Department of Health & Human Serivces, Indian Health Service
Telephone: 301-443-1452
Last EDR Contact: 11/03/2017
Next Scheduled EDR Contact: 02/12/2018
Data Release Frequency: Varies

Local Lists of Hazardous waste / Contaminated Sites

US HIST CDL: National Clandestine Laboratory Register
A listing of clandestine drug lab locations that have been removed from the DEAs National Clandestine Laboratory Register.

Date of Government Version: 07/13/2017
Date Data Arrived at EDR: 09/06/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 30

Source: Drug Enforcement Administration
Telephone: 202-307-1000
Last EDR Contact: 11/28/2017
Next Scheduled EDR Contact: 03/12/2018
Data Release Frequency: No Update Planned

HIST CAL-SITES: Calsites Database
The Calsites database contains potential or confirmed hazardous substance release properties. In 1996, California EPA reevaluated and significantly reduced the number of sites in the Calsites database. No longer updated by the state agency. It has been replaced by ENVIROSTOR.

Date of Government Version: 08/08/2005
Date Data Arrived at EDR: 08/03/2006
Date Made Active in Reports: 08/24/2006
Number of Days to Update: 21

Source: Department of Toxic Substance Control
Telephone: 916-323-3400
Last EDR Contact: 02/23/2009
Next Scheduled EDR Contact: 05/25/2009
Data Release Frequency: No Update Planned

SCH: School Property Evaluation Program

This category contains proposed and existing school sites that are being evaluated by DTSC for possible hazardous materials contamination. In some cases, these properties may be listed in the CalSites category depending on the level of threat to public health and safety or the environment they pose.

Date of Government Version: 10/30/2017
Date Data Arrived at EDR: 10/31/2017
Date Made Active in Reports: 12/15/2017
Number of Days to Update: 45

Source: Department of Toxic Substances Control
Telephone: 916-323-3400
Last EDR Contact: 10/31/2017
Next Scheduled EDR Contact: 02/12/2018
Data Release Frequency: Quarterly

CDL: Clandestine Drug Labs

A listing of drug lab locations. Listing of a location in this database does not indicate that any illegal drug lab materials were or were not present there, and does not constitute a determination that the location either requires or does not require additional cleanup work.

Date of Government Version: 06/30/2017
Date Data Arrived at EDR: 08/18/2017
Date Made Active in Reports: 09/21/2017
Number of Days to Update: 34

Source: Department of Toxic Substances Control
Telephone: 916-255-6504
Last EDR Contact: 01/08/2018
Next Scheduled EDR Contact: 04/23/2018
Data Release Frequency: Varies

TOXIC PITS: Toxic Pits Cleanup Act Sites

Toxic PITS Cleanup Act Sites. TOXIC PITS identifies sites suspected of containing hazardous substances where cleanup has not yet been completed.

Date of Government Version: 07/01/1995
Date Data Arrived at EDR: 08/30/1995
Date Made Active in Reports: 09/26/1995
Number of Days to Update: 27

Source: State Water Resources Control Board
Telephone: 916-227-4364
Last EDR Contact: 01/26/2009
Next Scheduled EDR Contact: 04/27/2009
Data Release Frequency: No Update Planned

US CDL: Clandestine Drug Labs

A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

Date of Government Version: 07/13/2017
Date Data Arrived at EDR: 09/06/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 30

Source: Drug Enforcement Administration
Telephone: 202-307-1000
Last EDR Contact: 11/28/2017
Next Scheduled EDR Contact: 03/12/2018
Data Release Frequency: Quarterly

Local Lists of Registered Storage Tanks

SWEEPS UST: SWEEPS UST Listing

Statewide Environmental Evaluation and Planning System. This underground storage tank listing was updated and maintained by a company contacted by the SWRCB in the early 1990's. The listing is no longer updated or maintained. The local agency is the contact for more information on a site on the SWEEPS list.

Date of Government Version: 06/01/1994
Date Data Arrived at EDR: 07/07/2005
Date Made Active in Reports: 08/11/2005
Number of Days to Update: 35

Source: State Water Resources Control Board
Telephone: N/A
Last EDR Contact: 06/03/2005
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

UST MENDOCINO: Mendocino County UST Database
A listing of underground storage tank locations in Mendocino County.

Date of Government Version: 11/27/2017
Date Data Arrived at EDR: 11/29/2017
Date Made Active in Reports: 12/18/2017
Number of Days to Update: 19

Source: Department of Public Health
Telephone: 707-463-4466
Last EDR Contact: 11/28/2017
Next Scheduled EDR Contact: 03/12/2018
Data Release Frequency: Annually

HIST UST: Hazardous Substance Storage Container Database
The Hazardous Substance Storage Container Database is a historical listing of UST sites. Refer to local/county source for current data.

Date of Government Version: 10/15/1990
Date Data Arrived at EDR: 01/25/1991
Date Made Active in Reports: 02/12/1991
Number of Days to Update: 18

Source: State Water Resources Control Board
Telephone: 916-341-5851
Last EDR Contact: 07/26/2001
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

CA FID UST: Facility Inventory Database
The Facility Inventory Database (FID) contains a historical listing of active and inactive underground storage tank locations from the State Water Resource Control Board. Refer to local/county source for current data.

Date of Government Version: 10/31/1994
Date Data Arrived at EDR: 09/05/1995
Date Made Active in Reports: 09/29/1995
Number of Days to Update: 24

Source: California Environmental Protection Agency
Telephone: 916-341-5851
Last EDR Contact: 12/28/1998
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

Local Land Records

LIENS: Environmental Liens Listing
A listing of property locations with environmental liens for California where DTSC is a lien holder.

Date of Government Version: 08/31/2017
Date Data Arrived at EDR: 09/05/2017
Date Made Active in Reports: 11/08/2017
Number of Days to Update: 64

Source: Department of Toxic Substances Control
Telephone: 916-323-3400
Last EDR Contact: 11/30/2017
Next Scheduled EDR Contact: 03/19/2018
Data Release Frequency: Varies

LIENS 2: CERCLA Lien Information
A Federal CERCLA ('Superfund') lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. These monies are spent to investigate and address releases and threatened releases of contamination. CERCLIS provides information as to the identity of these sites and properties.

Date of Government Version: 07/11/2017
Date Data Arrived at EDR: 07/26/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 79

Source: Environmental Protection Agency
Telephone: 202-564-6023
Last EDR Contact: 12/22/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Semi-Annually

DEED: Deed Restriction Listing

Site Mitigation and Brownfields Reuse Program Facility Sites with Deed Restrictions & Hazardous Waste Management Program Facility Sites with Deed / Land Use Restriction. The DTSC Site Mitigation and Brownfields Reuse Program (SMBRP) list includes sites cleaned up under the program's oversight and generally does not include current or former hazardous waste facilities that required a hazardous waste facility permit. The list represents deed restrictions that are active. Some sites have multiple deed restrictions. The DTSC Hazardous Waste Management Program (HWMP) has developed a list of current or former hazardous waste facilities that have a recorded land use restriction at the local county recorder's office. The land use restrictions on this list were required by the DTSC HWMP as a result of the presence of hazardous substances that remain on site after the facility (or part of the facility) has been closed or cleaned up. The types of land use restriction include deed notice, deed restriction, or a land use restriction that binds current and future owners.

Date of Government Version: 09/05/2017
Date Data Arrived at EDR: 09/06/2017
Date Made Active in Reports: 11/08/2017
Number of Days to Update: 63
Source: DTSC and SWRCB
Telephone: 916-323-3400
Last EDR Contact: 12/05/2017
Next Scheduled EDR Contact: 03/19/2018
Data Release Frequency: Semi-Annually

Records of Emergency Release Reports

HMIRS: Hazardous Materials Information Reporting System

Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT.

Date of Government Version: 09/21/2017
Date Data Arrived at EDR: 09/21/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 22
Source: U.S. Department of Transportation
Telephone: 202-366-4555
Last EDR Contact: 01/04/2018
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

CHMIRS: California Hazardous Material Incident Report System

California Hazardous Material Incident Reporting System. CHMIRS contains information on reported hazardous material incidents (accidental releases or spills).

Date of Government Version: 05/09/2017
Date Data Arrived at EDR: 07/26/2017
Date Made Active in Reports: 09/21/2017
Number of Days to Update: 57
Source: Office of Emergency Services
Telephone: 916-845-8400
Last EDR Contact: 10/27/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

LDS: Land Disposal Sites Listing (GEOTRACKER)

Land Disposal sites (Landfills) included in GeoTracker. GeoTracker is the Water Boards data management system for sites that impact, or have the potential to impact, water quality in California, with emphasis on groundwater.

Date of Government Version: 09/11/2017
Date Data Arrived at EDR: 09/12/2017
Date Made Active in Reports: 11/09/2017
Number of Days to Update: 58
Source: State Water Qualilty Control Board
Telephone: 866-480-1028
Last EDR Contact: 12/12/2018
Next Scheduled EDR Contact: 03/26/2018
Data Release Frequency: Quarterly

MCS: Military Cleanup Sites Listing (GEOTRACKER)

Military sites (consisting of: Military UST sites; Military Privatized sites; and Military Cleanup sites [formerly known as DoD non UST]) included in GeoTracker. GeoTracker is the Water Boards data management system for sites that impact, or have the potential to impact, water quality in California, with emphasis on groundwater.

Date of Government Version: 09/11/2017
Date Data Arrived at EDR: 09/12/2017
Date Made Active in Reports: 11/09/2017
Number of Days to Update: 58
Source: State Water Resources Control Board
Telephone: 866-480-1028
Last EDR Contact: 12/12/2018
Next Scheduled EDR Contact: 03/26/2018
Data Release Frequency: Quarterly

SPILLS 90: SPILLS90 data from FirstSearch

Spills 90 includes those spill and release records available exclusively from FirstSearch databases. Typically, they may include chemical, oil and/or hazardous substance spills recorded after 1990. Duplicate records that are already included in EDR incident and release records are not included in Spills 90.

Date of Government Version: 06/06/2012
Date Data Arrived at EDR: 01/03/2013
Date Made Active in Reports: 02/22/2013
Number of Days to Update: 50

Source: FirstSearch
Telephone: N/A
Last EDR Contact: 01/03/2013
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

Other Ascertainable Records

RCRA NonGen / NLR: RCRA - Non Generators / No Longer Regulated

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.

Date of Government Version: 09/13/2017
Date Data Arrived at EDR: 09/26/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 10

Source: Environmental Protection Agency
Telephone: (415) 495-8895
Last EDR Contact: 12/26/2017
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

FUDS: Formerly Used Defense Sites

The listing includes locations of Formerly Used Defense Sites properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions.

Date of Government Version: 01/31/2015
Date Data Arrived at EDR: 07/08/2015
Date Made Active in Reports: 10/13/2015
Number of Days to Update: 97

Source: U.S. Army Corps of Engineers
Telephone: 202-528-4285
Last EDR Contact: 11/22/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Varies

DOD: Department of Defense Sites

This data set consists of federally owned or administered lands, administered by the Department of Defense, that have any area equal to or greater than 640 acres of the United States, Puerto Rico, and the U.S. Virgin Islands.

Date of Government Version: 12/31/2005
Date Data Arrived at EDR: 11/10/2006
Date Made Active in Reports: 01/11/2007
Number of Days to Update: 62

Source: USGS
Telephone: 888-275-8747
Last EDR Contact: 10/13/2017
Next Scheduled EDR Contact: 01/22/2018
Data Release Frequency: Semi-Annually

FEDLAND: Federal and Indian Lands

Federally and Indian administrated lands of the United States. Lands included are administrated by: Army Corps of Engineers, Bureau of Reclamation, National Wild and Scenic River, National Wildlife Refuge, Public Domain Land, Wilderness, Wilderness Study Area, Wildlife Management Area, Bureau of Indian Affairs, Bureau of Land Management, Department of Justice, Forest Service, Fish and Wildlife Service, National Park Service.

Date of Government Version: 12/31/2005
Date Data Arrived at EDR: 02/06/2006
Date Made Active in Reports: 01/11/2007
Number of Days to Update: 339

Source: U.S. Geological Survey
Telephone: 888-275-8747
Last EDR Contact: 10/11/2017
Next Scheduled EDR Contact: 01/22/2018
Data Release Frequency: N/A

SCRD DRYCLEANERS: State Coalition for Remediation of Drycleaners Listing

The State Coalition for Remediation of Drycleaners was established in 1998, with support from the U.S. EPA Office of Superfund Remediation and Technology Innovation. It is comprised of representatives of states with established drycleaner remediation programs. Currently the member states are Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin.

Date of Government Version: 01/01/2017
Date Data Arrived at EDR: 02/03/2017
Date Made Active in Reports: 04/07/2017
Number of Days to Update: 63

Source: Environmental Protection Agency
Telephone: 615-532-8599
Last EDR Contact: 11/17/2017
Next Scheduled EDR Contact: 02/26/2018
Data Release Frequency: Varies

US FIN ASSUR: Financial Assurance Information

All owners and operators of facilities that treat, store, or dispose of hazardous waste are required to provide proof that they will have sufficient funds to pay for the clean up, closure, and post-closure care of their facilities.

Date of Government Version: 10/17/2017
Date Data Arrived at EDR: 11/01/2017
Date Made Active in Reports: 12/08/2017
Number of Days to Update: 37

Source: Environmental Protection Agency
Telephone: 202-566-1917
Last EDR Contact: 12/26/2017
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

EPA WATCH LIST: EPA WATCH LIST

EPA maintains a "Watch List" to facilitate dialogue between EPA, state and local environmental agencies on enforcement matters relating to facilities with alleged violations identified as either significant or high priority. Being on the Watch List does not mean that the facility has actually violated the law only that an investigation by EPA or a state or local environmental agency has led those organizations to allege that an unproven violation has in fact occurred. Being on the Watch List does not represent a higher level of concern regarding the alleged violations that were detected, but instead indicates cases requiring additional dialogue between EPA, state and local agencies - primarily because of the length of time the alleged violation has gone unaddressed or unresolved.

Date of Government Version: 08/30/2013
Date Data Arrived at EDR: 03/21/2014
Date Made Active in Reports: 06/17/2014
Number of Days to Update: 88

Source: Environmental Protection Agency
Telephone: 617-520-3000
Last EDR Contact: 11/06/2017
Next Scheduled EDR Contact: 02/19/2018
Data Release Frequency: Quarterly

2020 COR ACTION: 2020 Corrective Action Program List

The EPA has set ambitious goals for the RCRA Corrective Action program by creating the 2020 Corrective Action Universe. This RCRA cleanup baseline includes facilities expected to need corrective action. The 2020 universe contains a wide variety of sites. Some properties are heavily contaminated while others were contaminated but have since been cleaned up. Still others have not been fully investigated yet, and may require little or no remediation. Inclusion in the 2020 Universe does not necessarily imply failure on the part of a facility to meet its RCRA obligations.

Date of Government Version: 04/22/2013
Date Data Arrived at EDR: 03/03/2015
Date Made Active in Reports: 03/09/2015
Number of Days to Update: 6

Source: Environmental Protection Agency
Telephone: 703-308-4044
Last EDR Contact: 11/09/2017
Next Scheduled EDR Contact: 02/19/2018
Data Release Frequency: Varies

TSCA: Toxic Substances Control Act

Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant site.

Date of Government Version: 12/31/2016
Date Data Arrived at EDR: 06/21/2017
Date Made Active in Reports: 01/05/2018
Number of Days to Update: 198

Source: EPA
Telephone: 202-260-5521
Last EDR Contact: 12/22/2017
Next Scheduled EDR Contact: 04/02/2018
Data Release Frequency: Every 4 Years

TRIS: Toxic Chemical Release Inventory System

Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

Date of Government Version: 12/31/2014
Date Data Arrived at EDR: 11/24/2015
Date Made Active in Reports: 04/05/2016
Number of Days to Update: 133

Source: EPA
Telephone: 202-566-0250
Last EDR Contact: 11/20/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Annually

SSTS: Section 7 Tracking Systems

Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (92 Stat. 829) requires all registered pesticide-producing establishments to submit a report to the Environmental Protection Agency by March 1st each year. Each establishment must report the types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed in the past year.

Date of Government Version: 12/31/2009
Date Data Arrived at EDR: 12/10/2010
Date Made Active in Reports: 02/25/2011
Number of Days to Update: 77

Source: EPA
Telephone: 202-564-4203
Last EDR Contact: 10/27/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Annually

ROD: Records Of Decision

Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid in the cleanup.

Date of Government Version: 09/27/2017
Date Data Arrived at EDR: 10/12/2017
Date Made Active in Reports: 10/20/2017
Number of Days to Update: 8

Source: EPA
Telephone: 703-416-0223
Last EDR Contact: 12/22/2017
Next Scheduled EDR Contact: 03/19/2018
Data Release Frequency: Annually

RMP: Risk Management Plans

When Congress passed the Clean Air Act Amendments of 1990, it required EPA to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances. The Risk Management Program Rule (RMP Rule) was written to implement Section 112(r) of these amendments. The rule, which built upon existing industry codes and standards, requires companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program, which includes a(n): Hazard assessment that details the potential effects of an accidental release, an accident history of the last five years, and an evaluation of worst-case and alternative accidental releases; Prevention program that includes safety precautions and maintenance, monitoring, and employee training measures; and Emergency response program that spells out emergency health care, employee training measures and procedures for informing the public and response agencies (e.g the fire department) should an accident occur.

Date of Government Version: 11/02/2017
Date Data Arrived at EDR: 11/17/2017
Date Made Active in Reports: 12/08/2017
Number of Days to Update: 21

Source: Environmental Protection Agency
Telephone: 202-564-8600
Last EDR Contact: 10/23/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

RAATS: RCRA Administrative Action Tracking System

RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA. For administration actions after September 30, 1995, data entry in the RAATS database was discontinued. EPA will retain a copy of the database for historical records. It was necessary to terminate RAATS because a decrease in agency resources made it impossible to continue to update the information contained in the database.

Date of Government Version: 04/17/1995
Date Data Arrived at EDR: 07/03/1995
Date Made Active in Reports: 08/07/1995
Number of Days to Update: 35

Source: EPA
Telephone: 202-564-4104
Last EDR Contact: 06/02/2008
Next Scheduled EDR Contact: 09/01/2008
Data Release Frequency: No Update Planned

PRP: Potentially Responsible Parties
A listing of verified Potentially Responsible Parties

Date of Government Version: 10/25/2013
Date Data Arrived at EDR: 10/17/2014
Date Made Active in Reports: 10/20/2014
Number of Days to Update: 3
Source: EPA
Telephone: 202-564-6023
Last EDR Contact: 12/22/2017
Next Scheduled EDR Contact: 02/19/2018
Data Release Frequency: Quarterly

PADS: PCB Activity Database System
PCB Activity Database. PADS Identifies generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

Date of Government Version: 06/01/2017
Date Data Arrived at EDR: 06/09/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 126
Source: EPA
Telephone: 202-566-0500
Last EDR Contact: 10/13/2017
Next Scheduled EDR Contact: 01/22/2018
Data Release Frequency: Annually

ICIS: Integrated Compliance Information System
The Integrated Compliance Information System (ICIS) supports the information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) program.

Date of Government Version: 11/18/2016
Date Data Arrived at EDR: 11/23/2016
Date Made Active in Reports: 02/10/2017
Number of Days to Update: 79
Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 01/09/2018
Next Scheduled EDR Contact: 04/23/2018
Data Release Frequency: Quarterly

FTTS: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 04/09/2009
Date Data Arrived at EDR: 04/16/2009
Date Made Active in Reports: 05/11/2009
Number of Days to Update: 25
Source: EPA/Office of Prevention, Pesticides and Toxic Substances
Telephone: 202-566-1667
Last EDR Contact: 08/18/2017
Next Scheduled EDR Contact: 12/04/2017
Data Release Frequency: Quarterly

FTTS INSP: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
A listing of FIFRA/TSCA Tracking System (FTTS) inspections and enforcements.

Date of Government Version: 04/09/2009
Date Data Arrived at EDR: 04/16/2009
Date Made Active in Reports: 05/11/2009
Number of Days to Update: 25
Source: EPA
Telephone: 202-566-1667
Last EDR Contact: 08/18/2017
Next Scheduled EDR Contact: 12/04/2017
Data Release Frequency: Quarterly

MLTS: Material Licensing Tracking System
MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 08/30/2016
Date Data Arrived at EDR: 09/08/2016
Date Made Active in Reports: 10/21/2016
Number of Days to Update: 43
Source: Nuclear Regulatory Commission
Telephone: 301-415-7169
Last EDR Contact: 10/16/2017
Next Scheduled EDR Contact: 11/20/2017
Data Release Frequency: Quarterly

COAL ASH DOE: Steam-Electric Plant Operation Data
A listing of power plants that store ash in surface ponds.

Date of Government Version: 12/31/2005
Date Data Arrived at EDR: 08/07/2009
Date Made Active in Reports: 10/22/2009
Number of Days to Update: 76
Source: Department of Energy
Telephone: 202-586-8719
Last EDR Contact: 12/05/2017
Next Scheduled EDR Contact: 03/19/2018
Data Release Frequency: Varies

COAL ASH EPA: Coal Combustion Residues Surface Impoundments List
A listing of coal combustion residues surface impoundments with high hazard potential ratings.

Date of Government Version: 07/01/2014
Date Data Arrived at EDR: 09/10/2014
Date Made Active in Reports: 10/20/2014
Number of Days to Update: 40
Source: Environmental Protection Agency
Telephone: N/A
Last EDR Contact: 12/08/2017
Next Scheduled EDR Contact: 03/19/2018
Data Release Frequency: Varies

PCB TRANSFORMER: PCB Transformer Registration Database
The database of PCB transformer registrations that includes all PCB registration submittals.

Date of Government Version: 05/24/2017
Date Data Arrived at EDR: 11/30/2017
Date Made Active in Reports: 12/15/2017
Number of Days to Update: 15
Source: Environmental Protection Agency
Telephone: 202-566-0517
Last EDR Contact: 10/26/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

RADINFO: Radiation Information Database
The Radiation Information Database (RADINFO) contains information about facilities that are regulated by U.S. Environmental Protection Agency (EPA) regulations for radiation and radioactivity.

Date of Government Version: 10/02/2017
Date Data Arrived at EDR: 10/05/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 8
Source: Environmental Protection Agency
Telephone: 202-343-9775
Last EDR Contact: 01/04/2018
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Quarterly

HIST FTTS: FIFRA/TSCA Tracking System Administrative Case Listing
A complete administrative case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006
Date Data Arrived at EDR: 03/01/2007
Date Made Active in Reports: 04/10/2007
Number of Days to Update: 40
Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 12/17/2007
Next Scheduled EDR Contact: 03/17/2008
Data Release Frequency: No Update Planned

HIST FTTS INSP: FIFRA/TSCA Tracking System Inspection & Enforcement Case Listing
A complete inspection and enforcement case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006
Date Data Arrived at EDR: 03/01/2007
Date Made Active in Reports: 04/10/2007
Number of Days to Update: 40

Source: Environmental Protection Agency
Telephone: 202-564-2501
Last EDR Contact: 12/17/2008
Next Scheduled EDR Contact: 03/17/2008
Data Release Frequency: No Update Planned

DOT OPS: Incident and Accident Data

Department of Transporation, Office of Pipeline Safety Incident and Accident data.

Date of Government Version: 07/31/2012
Date Data Arrived at EDR: 08/07/2012
Date Made Active in Reports: 09/18/2012
Number of Days to Update: 42

Source: Department of Transporation, Office of Pipeline Safety
Telephone: 202-366-4595
Last EDR Contact: 10/31/2017
Next Scheduled EDR Contact: 02/12/2018
Data Release Frequency: Varies

CONSENT: Superfund (CERCLA) Consent Decrees

Major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. Released periodically by United States District Courts after settlement by parties to litigation matters.

Date of Government Version: 06/30/2017
Date Data Arrived at EDR: 08/03/2017
Date Made Active in Reports: 10/20/2017
Number of Days to Update: 78

Source: Department of Justice, Consent Decree Library
Telephone: Varies
Last EDR Contact: 01/04/2018
Next Scheduled EDR Contact: 04/02/2018
Data Release Frequency: Varies

BRS: Biennial Reporting System

The Biennial Reporting System is a national system administered by the EPA that collects data on the generation and management of hazardous waste. BRS captures detailed data from two groups: Large Quantity Generators (LQG) and Treatment, Storage, and Disposal Facilities.

Date of Government Version: 12/31/2015
Date Data Arrived at EDR: 02/22/2017
Date Made Active in Reports: 09/28/2017
Number of Days to Update: 218

Source: EPA/NTIS
Telephone: 800-424-9346
Last EDR Contact: 11/20/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Biennially

INDIAN RESERV: Indian Reservations

This map layer portrays Indian administered lands of the United States that have any area equal to or greater than 640 acres.

Date of Government Version: 12/31/2014
Date Data Arrived at EDR: 07/14/2015
Date Made Active in Reports: 01/10/2017
Number of Days to Update: 546

Source: USGS
Telephone: 202-208-3710
Last EDR Contact: 01/09/2018
Next Scheduled EDR Contact: 04/23/2018
Data Release Frequency: Semi-Annually

FUSRAP: Formerly Utilized Sites Remedial Action Program

DOE established the Formerly Utilized Sites Remedial Action Program (FUSRAP) in 1974 to remediate sites where radioactive contamination remained from Manhattan Project and early U.S. Atomic Energy Commission (AEC) operations.

Date of Government Version: 12/23/2016
Date Data Arrived at EDR: 12/27/2016
Date Made Active in Reports: 02/17/2017
Number of Days to Update: 52

Source: Department of Energy
Telephone: 202-586-3559
Last EDR Contact: 11/02/2017
Next Scheduled EDR Contact: 02/19/2018
Data Release Frequency: Varies

UMTRA: Uranium Mill Tailings Sites

Uranium ore was mined by private companies for federal government use in national defense programs. When the mills shut down, large piles of the sand-like material (mill tailings) remain after uranium has been extracted from the ore. Levels of human exposure to radioactive materials from the piles are low; however, in some cases tailings were used as construction materials before the potential health hazards of the tailings were recognized.

Date of Government Version: 06/23/2017
Date Data Arrived at EDR: 10/11/2017
Date Made Active in Reports: 11/03/2017
Number of Days to Update: 23

Source: Department of Energy
Telephone: 505-845-0011
Last EDR Contact: 11/22/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Varies

LEAD SMELTER 1: Lead Smelter Sites

A listing of former lead smelter site locations.

Date of Government Version: 10/10/2017
Date Data Arrived at EDR: 11/03/2017
Date Made Active in Reports: 12/15/2017
Number of Days to Update: 42

Source: Environmental Protection Agency
Telephone: 703-603-8787
Last EDR Contact: 12/22/2017
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Varies

LEAD SMELTER 2: Lead Smelter Sites

A list of several hundred sites in the U.S. where secondary lead smelting was done from 1931and 1964. These sites may pose a threat to public health through ingestion or inhalation of contaminated soil or dust

Date of Government Version: 04/05/2001
Date Data Arrived at EDR: 10/27/2010
Date Made Active in Reports: 12/02/2010
Number of Days to Update: 36

Source: American Journal of Public Health
Telephone: 703-305-6451
Last EDR Contact: 12/02/2009
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

US AIRS (AFS): Aerometric Information Retrieval System Facility Subsystem (AFS)

The database is a sub-system of Aerometric Information Retrieval System (AIRS). AFS contains compliance data on air pollution point sources regulated by the U.S. EPA and/or state and local air regulatory agencies. This information comes from source reports by various stationary sources of air pollution, such as electric power plants, steel mills, factories, and universities, and provides information about the air pollutants they produce. Action, air program, air program pollutant, and general level plant data. It is used to track emissions and compliance data from industrial plants.

Date of Government Version: 10/12/2016
Date Data Arrived at EDR: 10/26/2016
Date Made Active in Reports: 02/03/2017
Number of Days to Update: 100

Source: EPA
Telephone: 202-564-2496
Last EDR Contact: 09/26/2017
Next Scheduled EDR Contact: 01/08/2018
Data Release Frequency: Annually

US AIRS MINOR: Air Facility System Data

A listing of minor source facilities.

Date of Government Version: 10/12/2016
Date Data Arrived at EDR: 10/26/2016
Date Made Active in Reports: 02/03/2017
Number of Days to Update: 100

Source: EPA
Telephone: 202-564-2496
Last EDR Contact: 09/26/2017
Next Scheduled EDR Contact: 01/08/2018
Data Release Frequency: Annually

US MINES: Mines Master Index File

Contains all mine identification numbers issued for mines active or opened since 1971. The data also includes violation information.

Date of Government Version: 07/31/2017
Date Data Arrived at EDR: 08/30/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 44

Source: Department of Labor, Mine Safety and Health Administration
Telephone: 303-231-5959
Last EDR Contact: 11/28/2017
Next Scheduled EDR Contact: 03/12/2018
Data Release Frequency: Semi-Annually

US MINES 2: Ferrous and Nonferrous Metal Mines Database Listing

This map layer includes ferrous (ferrous metal mines are facilities that extract ferrous metals, such as iron ore or molybdenum) and nonferrous (Nonferrous metal mines are facilities that extract nonferrous metals, such as gold, silver, copper, zinc, and lead) metal mines in the United States.

Date of Government Version: 12/05/2005
Date Data Arrived at EDR: 02/29/2008
Date Made Active in Reports: 04/18/2008
Number of Days to Update: 49

Source: USGS
Telephone: 703-648-7709
Last EDR Contact: 12/01/2017
Next Scheduled EDR Contact: 03/12/2018
Data Release Frequency: Varies

US MINES 3: Active Mines & Mineral Plants Database Listing

Active Mines and Mineral Processing Plant operations for commodities monitored by the Minerals Information Team of the USGS.

Date of Government Version: 04/14/2011
Date Data Arrived at EDR: 06/08/2011
Date Made Active in Reports: 09/13/2011
Number of Days to Update: 97

Source: USGS
Telephone: 703-648-7709
Last EDR Contact: 12/01/2017
Next Scheduled EDR Contact: 03/12/2018
Data Release Frequency: Varies

ABANDONED MINES: Abandoned Mines

An inventory of land and water impacted by past mining (primarily coal mining) is maintained by OSMRE to provide information needed to implement the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The inventory contains information on the location, type, and extent of AML impacts, as well as, information on the cost associated with the reclamation of those problems. The inventory is based upon field surveys by State, Tribal, and OSMRE program officials. It is dynamic to the extent that it is modified as new problems are identified and existing problems are reclaimed.

Date of Government Version: 09/25/2017
Date Data Arrived at EDR: 09/26/2017
Date Made Active in Reports: 10/20/2017
Number of Days to Update: 24

Source: Department of Interior
Telephone: 202-208-2609
Last EDR Contact: 12/19/2017
Next Scheduled EDR Contact: 03/26/2018
Data Release Frequency: Quarterly

FINDS: Facility Index System/Facility Registry System

Facility Index System. FINDS contains both facility information and 'pointers' to other sources that contain more detail. EDR includes the following FINDS databases in this report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

Date of Government Version: 07/23/2017
Date Data Arrived at EDR: 09/06/2017
Date Made Active in Reports: 09/15/2017
Number of Days to Update: 9

Source: EPA
Telephone: (415) 947-8000
Last EDR Contact: 12/05/2017
Next Scheduled EDR Contact: 03/19/2018
Data Release Frequency: Quarterly

ECHO: Enforcement & Compliance History Information

ECHO provides integrated compliance and enforcement information for about 800,000 regulated facilities nationwide.

Date of Government Version: 09/02/2017
Date Data Arrived at EDR: 09/06/2017
Date Made Active in Reports: 10/20/2017
Number of Days to Update: 44

Source: Environmental Protection Agency
Telephone: 202-564-2280
Last EDR Contact: 12/05/2017
Next Scheduled EDR Contact: 03/19/2018
Data Release Frequency: Quarterly

DOCKET HWC: Hazardous Waste Compliance Docket Listing

A complete list of the Federal Agency Hazardous Waste Compliance Docket Facilities.

Date of Government Version: 02/13/2017
Date Data Arrived at EDR: 02/15/2017
Date Made Active in Reports: 11/03/2017
Number of Days to Update: 261

Source: Environmental Protection Agency
Telephone: 202-564-0527
Last EDR Contact: 11/21/2017
Next Scheduled EDR Contact: 03/12/2018
Data Release Frequency: Varies

UXO: Unexploded Ordnance Sites
A listing of unexploded ordnance site locations

Date of Government Version: 10/25/2016
Date Data Arrived at EDR: 06/02/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 133
Source: Department of Defense
Telephone: 703-704-1564
Last EDR Contact: 01/02/2018
Next Scheduled EDR Contact: 01/29/2018
Data Release Frequency: Varies

FUELS PROGRAM: EPA Fuels Program Registered Listing
This listing includes facilities that are registered under the Part 80 (Code of Federal Regulations) EPA Fuels Programs. All companies now are required to submit new and updated registrations.

Date of Government Version: 08/17/2017
Date Data Arrived at EDR: 08/17/2017
Date Made Active in Reports: 09/15/2017
Number of Days to Update: 29
Source: EPA
Telephone: 800-385-6164
Last EDR Contact: 11/20/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Quarterly

CA BOND EXP. PLAN: Bond Expenditure Plan
Department of Health Services developed a site-specific expenditure plan as the basis for an appropriation of Hazardous Substance Cleanup Bond Act funds. It is not updated.

Date of Government Version: 01/01/1989
Date Data Arrived at EDR: 07/27/1994
Date Made Active in Reports: 08/02/1994
Number of Days to Update: 6
Source: Department of Health Services
Telephone: 916-255-2118
Last EDR Contact: 05/31/1994
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

CORTESE: "Cortese" Hazardous Waste & Substances Sites List
The sites for the list are designated by the State Water Resource Control Board (LUST), the Integrated Waste Board (SWF/LS), and the Department of Toxic Substances Control (Cal-Sites).

Date of Government Version: 09/21/2017
Date Data Arrived at EDR: 09/21/2017
Date Made Active in Reports: 10/13/2017
Number of Days to Update: 22
Source: CAL EPA/Office of Emergency Information
Telephone: 916-323-3400
Last EDR Contact: 12/26/2017
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

DRYCLEANERS: Cleaner Facilities
A list of drycleaner related facilities that have EPA ID numbers. These are facilities with certain SIC codes: power laundries, family and commercial; garment pressing and cleaner's agents; linen supply; coin-operated laundries and cleaning; drycleaning plants, except rugs; carpet and upholster cleaning; industrial launderers; laundry and garment services.

Date of Government Version: 08/02/2017
Date Data Arrived at EDR: 08/08/2017
Date Made Active in Reports: 10/16/2017
Number of Days to Update: 69
Source: Department of Toxic Substance Control
Telephone: 916-327-4498
Last EDR Contact: 11/30/2017
Next Scheduled EDR Contact: 03/19/2018
Data Release Frequency: Annually

EMI: Emissions Inventory Data
Toxics and criteria pollutant emissions data collected by the ARB and local air pollution agencies.

Date of Government Version: 12/31/2015
Date Data Arrived at EDR: 03/21/2017
Date Made Active in Reports: 08/15/2017
Number of Days to Update: 147
Source: California Air Resources Board
Telephone: 916-322-2990
Last EDR Contact: 12/22/2017
Next Scheduled EDR Contact: 04/02/2018
Data Release Frequency: Varies

ENF: Enforcement Action Listing

A listing of Water Board Enforcement Actions. Formal is everything except Oral/Verbal Communication, Notice of Violation, Expedited Payment Letter, and Staff Enforcement Letter.

Date of Government Version: 11/01/2017
Date Data Arrived at EDR: 11/03/2017
Date Made Active in Reports: 12/07/2017
Number of Days to Update: 34

Source: State Water Resoruces Control Board
Telephone: 916-445-9379
Last EDR Contact: 11/01/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

Financial Assurance 1: Financial Assurance Information Listing

Financial Assurance information

Date of Government Version: 10/23/2017
Date Data Arrived at EDR: 10/24/2017
Date Made Active in Reports: 12/15/2017
Number of Days to Update: 52

Source: Department of Toxic Substances Control
Telephone: 916-255-3628
Last EDR Contact: 10/23/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

Financial Assurance 2: Financial Assurance Information Listing

A listing of financial assurance information for solid waste facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 11/14/2017
Date Data Arrived at EDR: 11/17/2017
Date Made Active in Reports: 12/18/2017
Number of Days to Update: 31

Source: California Integrated Waste Management Board
Telephone: 916-341-6066
Last EDR Contact: 11/09/2017
Next Scheduled EDR Contact: 02/26/2018
Data Release Frequency: Varies

HAZNET: Facility and Manifest Data

Facility and Manifest Data. The data is extracted from the copies of hazardous waste manifests received each year by the DTSC. The annual volume of manifests is typically 700,000 - 1,000,000 annually, representing approximately 350,000 - 500,000 shipments. Data are from the manifests submitted without correction, and therefore many contain some invalid values for data elements such as generator ID, TSD ID, waste category, and disposal method. This database begins with calendar year 1993.

Date of Government Version: 12/31/2016
Date Data Arrived at EDR: 07/12/2017
Date Made Active in Reports: 10/17/2017
Number of Days to Update: 97

Source: California Environmental Protection Agency
Telephone: 916-255-1136
Last EDR Contact: 01/08/2018
Next Scheduled EDR Contact: 04/23/2018
Data Release Frequency: Annually

ICE: ICE

Contains data pertaining to the Permitted Facilities with Inspections / Enforcements sites tracked in Envirostor.

Date of Government Version: 11/20/2017
Date Data Arrived at EDR: 11/20/2017
Date Made Active in Reports: 12/27/2017
Number of Days to Update: 37

Source: Department of Toxic Subsances Control
Telephone: 877-786-9427
Last EDR Contact: 11/20/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Quarterly

HIST CORTESE: Hazardous Waste & Substance Site List

The sites for the list are designated by the State Water Resource Control Board [LUST], the Integrated Waste Board [SWF/LS], and the Department of Toxic Substances Control [CALSITES]. This listing is no longer updated by the state agency.

Date of Government Version: 04/01/2001
Date Data Arrived at EDR: 01/22/2009
Date Made Active in Reports: 04/08/2009
Number of Days to Update: 76

Source: Department of Toxic Substances Control
Telephone: 916-323-3400
Last EDR Contact: 01/22/2009
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

HWP: EnviroStor Permitted Facilities Listing
Detailed information on permitted hazardous waste facilities and corrective action ("cleanups") tracked in EnviroStor.

Date of Government Version: 11/20/2017
Date Data Arrived at EDR: 11/20/2017
Date Made Active in Reports: 12/27/2017
Number of Days to Update: 37
Source: Department of Toxic Substances Control
Telephone: 916-323-3400
Last EDR Contact: 11/20/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Quarterly

HWT: Registered Hazardous Waste Transporter Database
A listing of hazardous waste transporters. In California, unless specifically exempted, it is unlawful for any person to transport hazardous wastes unless the person holds a valid registration issued by DTSC. A hazardous waste transporter registration is valid for one year and is assigned a unique registration number.

Date of Government Version: 10/10/2017
Date Data Arrived at EDR: 10/10/2017
Date Made Active in Reports: 10/17/2017
Number of Days to Update: 7
Source: Department of Toxic Substances Control
Telephone: 916-440-7145
Last EDR Contact: 01/09/2018
Next Scheduled EDR Contact: 04/23/2018
Data Release Frequency: Quarterly

MINES: Mines Site Location Listing
A listing of mine site locations from the Office of Mine Reclamation.

Date of Government Version: 09/11/2017
Date Data Arrived at EDR: 09/12/2017
Date Made Active in Reports: 11/01/2017
Number of Days to Update: 50
Source: Department of Conservation
Telephone: 916-322-1080
Last EDR Contact: 12/12/2017
Next Scheduled EDR Contact: 03/26/2018
Data Release Frequency: Quarterly

MWMP: Medical Waste Management Program Listing
The Medical Waste Management Program (MWMP) ensures the proper handling and disposal of medical waste by permitting and inspecting medical waste Offsite Treatment Facilities (PDF) and Transfer Stations (PDF) throughout the state. MWMP also oversees all Medical Waste Transporters.

Date of Government Version: 09/01/2017
Date Data Arrived at EDR: 09/06/2017
Date Made Active in Reports: 11/08/2017
Number of Days to Update: 63
Source: Department of Public Health
Telephone: 916-558-1784
Last EDR Contact: 12/05/2017
Next Scheduled EDR Contact: 03/19/2018
Data Release Frequency: Varies

NPDES: NPDES Permits Listing
A listing of NPDES permits, including stormwater.

Date of Government Version: 11/13/2017
Date Data Arrived at EDR: 11/14/2017
Date Made Active in Reports: 12/07/2017
Number of Days to Update: 23
Source: State Water Resources Control Board
Telephone: 916-445-9379
Last EDR Contact: 11/14/2017
Next Scheduled EDR Contact: 02/26/2018
Data Release Frequency: Quarterly

PEST LIC: Pesticide Regulation Licenses Listing
A listing of licenses and certificates issued by the Department of Pesticide Regulation. The DPR issues licenses and/or certificates to: Persons and businesses that apply or sell pesticides; Pest control dealers and brokers; Persons who advise on agricultural pesticide applications.

Date of Government Version: 09/05/2017
Date Data Arrived at EDR: 09/06/2017
Date Made Active in Reports: 11/08/2017
Number of Days to Update: 63
Source: Department of Pesticide Regulation
Telephone: 916-445-4038
Last EDR Contact: 12/05/2017
Next Scheduled EDR Contact: 03/19/2018
Data Release Frequency: Quarterly

PROC: Certified Processors Database
A listing of certified processors.

Date of Government Version: 09/11/2017
Date Data Arrived at EDR: 09/12/2017
Date Made Active in Reports: 10/18/2017
Number of Days to Update: 36
Source: Department of Conservation
Telephone: 916-323-3836
Last EDR Contact: 12/12/2017
Next Scheduled EDR Contact: 03/26/2018
Data Release Frequency: Quarterly

NOTIFY 65: Proposition 65 Records
Listings of all Proposition 65 incidents reported to counties by the State Water Resources Control Board and the Regional Water Quality Control Board. This database is no longer updated by the reporting agency.

Date of Government Version: 06/16/2017
Date Data Arrived at EDR: 06/20/2017
Date Made Active in Reports: 10/17/2017
Number of Days to Update: 119
Source: State Water Resources Control Board
Telephone: 916-445-3846
Last EDR Contact: 12/13/2017
Next Scheduled EDR Contact: 04/02/2018
Data Release Frequency: No Update Planned

UIC: UIC Listing
A listing of wells identified as underground injection wells, in the California Oil and Gas Wells database.

Date of Government Version: 09/11/2017
Date Data Arrived at EDR: 09/12/2017
Date Made Active in Reports: 12/15/2017
Number of Days to Update: 94
Source: Deaprtment of Conservation
Telephone: 916-445-2408
Last EDR Contact: 12/12/2017
Next Scheduled EDR Contact: 03/26/2018
Data Release Frequency: Varies

WASTEWATER PITS: Oil Wastewater Pits Listing
Water officials discovered that oil producers have been dumping chemical-laden wastewater into hundreds of unlined pits that are operating without proper permits. Inspections completed by the Central Valley Regional Water Quality Control Board revealed the existence of previously unidentified waste sites. The water board?s review found that more than one-third of the region?s active disposal pits are operating without permission.

Date of Government Version: 04/15/2015
Date Data Arrived at EDR: 04/17/2015
Date Made Active in Reports: 06/23/2015
Number of Days to Update: 67
Source: RWQCB, Central Valley Region
Telephone: 559-445-5577
Last EDR Contact: 10/13/2017
Next Scheduled EDR Contact: 01/22/2018
Data Release Frequency: Varies

WDS: Waste Discharge System
Sites which have been issued waste discharge requirements.

Date of Government Version: 06/19/2007
Date Data Arrived at EDR: 06/20/2007
Date Made Active in Reports: 06/29/2007
Number of Days to Update: 9
Source: State Water Resources Control Board
Telephone: 916-341-5227
Last EDR Contact: 11/14/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Quarterly

WIP: Well Investigation Program Case List
Well Investigation Program case in the San Gabriel and San Fernando Valley area.

Date of Government Version: 07/03/2009
Date Data Arrived at EDR: 07/21/2009
Date Made Active in Reports: 08/03/2009
Number of Days to Update: 13
Source: Los Angeles Water Quality Control Board
Telephone: 213-576-6726
Last EDR Contact: 12/19/2017
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Varies

GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP: EDR Proprietary Manufactured Gas Plants

The EDR Proprietary Manufactured Gas Plant Database includes records of coal gas plants (manufactured gas plants) compiled by EDR's researchers. Manufactured gas sites were used in the United States from the 1800's to 1950's to produce a gas that could be distributed and used as fuel. These plants used whale oil, rosin, coal, or a mixture of coal, oil, and water that also produced a significant amount of waste. Many of the byproducts of the gas production, such as coal tar (oily waste containing volatile and non-volatile chemicals), sludges, oils and other compounds are potentially hazardous to human health and the environment. The byproduct from this process was frequently disposed of directly at the plant site and can remain or spread slowly, serving as a continuous source of soil and groundwater contamination.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: No Update Planned

EDR Hist Auto: EDR Exclusive Historical Auto Stations

EDR has searched selected national collections of business directories and has collected listings of potential gas station/filling station/service station sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include gas station/filling station/service station establishments. The categories reviewed included, but were not limited to gas, gas station, gasoline station, filling station, auto, automobile repair, auto service station, service station, etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

EDR Hist Cleaner: EDR Exclusive Historical Cleaners

EDR has searched selected national collections of business directories and has collected listings of potential dry cleaner sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include dry cleaning establishments. The categories reviewed included, but were not limited to dry cleaners, cleaners, laundry, laundromat, cleaning/laundry, wash & dry etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A
Date Data Arrived at EDR: N/A
Date Made Active in Reports: N/A
Number of Days to Update: N/A

Source: EDR, Inc.
Telephone: N/A
Last EDR Contact: N/A
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives

RGA LF: Recovered Government Archive Solid Waste Facilities List

The EDR Recovered Government Archive Landfill database provides a list of landfills derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Resources Recycling and Recovery in California.

Date of Government Version: N/A
Date Data Arrived at EDR: 07/01/2013
Date Made Active in Reports: 01/13/2014
Number of Days to Update: 196

Source: Department of Resources Recycling and Recovery
Telephone: N/A
Last EDR Contact: 06/01/2012
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

RGA LUST: Recovered Government Archive Leaking Underground Storage Tank

The EDR Recovered Government Archive Leaking Underground Storage Tank database provides a list of LUST incidents derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the State Water Resources Control Board in California.

Date of Government Version: N/A
Date Data Arrived at EDR: 07/01/2013
Date Made Active in Reports: 12/30/2013
Number of Days to Update: 182

Source: State Water Resources Control Board
Telephone: N/A
Last EDR Contact: 06/01/2012
Next Scheduled EDR Contact: N/A
Data Release Frequency: Varies

COUNTY RECORDS

ALAMEDA COUNTY:

Contaminated Sites

A listing of contaminated sites overseen by the Toxic Release Program (oil and groundwater contamination from chemical releases and spills) and the Leaking Underground Storage Tank Program (soil and ground water contamination from leaking petroleum USTs).

Date of Government Version: 09/22/2017
Date Data Arrived at EDR: 09/22/2017
Date Made Active in Reports: 10/10/2017
Number of Days to Update: 18

Source: Alameda County Environmental Health Services
Telephone: 510-567-6700
Last EDR Contact: 01/04/2018
Next Scheduled EDR Contact: 04/23/2018
Data Release Frequency: Semi-Annually

Underground Tanks

Underground storage tank sites located in Alameda county.

Date of Government Version: 10/11/2017
Date Data Arrived at EDR: 10/12/2017
Date Made Active in Reports: 11/08/2017
Number of Days to Update: 27

Source: Alameda County Environmental Health Services
Telephone: 510-567-6700
Last EDR Contact: 01/04/2018
Next Scheduled EDR Contact: 04/24/2047
Data Release Frequency: Semi-Annually

AMADOR COUNTY:

CUPA Facility List

Cupa Facility List

Date of Government Version: 12/08/2017
Date Data Arrived at EDR: 12/12/2017
Date Made Active in Reports: 12/27/2017
Number of Days to Update: 15

Source: Amador County Environmental Health
Telephone: 209-223-6439
Last EDR Contact: 11/30/2017
Next Scheduled EDR Contact: 03/19/2018
Data Release Frequency: Varies

BUTTE COUNTY:

CUPA Facility Listing

Cupa facility list.

Date of Government Version: 04/21/2017
Date Data Arrived at EDR: 04/25/2017
Date Made Active in Reports: 08/09/2017
Number of Days to Update: 106

Source: Public Health Department
Telephone: 530-538-7149
Last EDR Contact: 01/04/2018
Next Scheduled EDR Contact: 04/23/2018
Data Release Frequency: No Update Planned

CALVERAS COUNTY:

CUPA Facility Listing
Cupa Facility Listing

Date of Government Version: 08/31/2017
Date Data Arrived at EDR: 09/05/2017
Date Made Active in Reports: 11/08/2017
Number of Days to Update: 64

Source: Calveras County Environmental Health
Telephone: 209-754-6399
Last EDR Contact: 12/20/2017
Next Scheduled EDR Contact: 10/09/2017
Data Release Frequency: Quarterly

COLUSA COUNTY:

CUPA Facility List
Cupa facility list.

Date of Government Version: 08/07/2017
Date Data Arrived at EDR: 08/08/2017
Date Made Active in Reports: 10/16/2017
Number of Days to Update: 69

Source: Health & Human Services
Telephone: 530-458-0396
Last EDR Contact: 11/01/2017
Next Scheduled EDR Contact: 02/19/2018
Data Release Frequency: Semi-Annually

CONTRA COSTA COUNTY:

Site List
List includes sites from the underground tank, hazardous waste generator and business plan/2185 programs.

Date of Government Version: 08/17/2017
Date Data Arrived at EDR: 08/22/2017
Date Made Active in Reports: 10/25/2017
Number of Days to Update: 64

Source: Contra Costa Health Services Department
Telephone: 925-646-2286
Last EDR Contact: 10/30/2017
Next Scheduled EDR Contact: 02/12/2018
Data Release Frequency: Semi-Annually

DEL NORTE COUNTY:

CUPA Facility List
Cupa Facility list

Date of Government Version: 10/31/2017
Date Data Arrived at EDR: 11/01/2017
Date Made Active in Reports: 11/14/2017
Number of Days to Update: 13

Source: Del Norte County Environmental Health Division
Telephone: 707-465-0426
Last EDR Contact: 10/25/2017
Next Scheduled EDR Contact: 02/12/2018
Data Release Frequency: Varies

EL DORADO COUNTY:

CUPA Facility List
CUPA facility list.

Date of Government Version: 12/04/2017
Date Data Arrived at EDR: 12/06/2017
Date Made Active in Reports: 12/27/2017
Number of Days to Update: 21

Source: El Dorado County Environmental Management Department
Telephone: 530-621-6623
Last EDR Contact: 10/30/2017
Next Scheduled EDR Contact: 02/12/2018
Data Release Frequency: Varies

FRESNO COUNTY:

CUPA Resources List

Certified Unified Program Agency. CUPA's are responsible for implementing a unified hazardous materials and hazardous waste management regulatory program. The agency provides oversight of businesses that deal with hazardous materials, operate underground storage tanks or aboveground storage tanks.

Date of Government Version: 10/03/2017
Date Data Arrived at EDR: 10/06/2017
Date Made Active in Reports: 11/15/2017
Number of Days to Update: 40

Source: Dept. of Community Health
Telephone: 559-445-3271
Last EDR Contact: 01/02/2018
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Semi-Annually

GLENN COUNTY:

CUPA Facility List

Cupa facility list

Date of Government Version: 10/25/2017
Date Data Arrived at EDR: 10/27/2017
Date Made Active in Reports: 11/15/2017
Number of Days to Update: 19

Source: Glenn County Air Pollution Control District
Telephone: 830-934-6500
Last EDR Contact: 10/23/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

HUMBOLDT COUNTY:

CUPA Facility List

CUPA facility list.

Date of Government Version: 08/03/2017
Date Data Arrived at EDR: 08/08/2017
Date Made Active in Reports: 10/16/2017
Number of Days to Update: 69

Source: Humboldt County Environmental Health
Telephone: N/A
Last EDR Contact: 11/14/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Semi-Annually

IMPERIAL COUNTY:

CUPA Facility List

Cupa facility list.

Date of Government Version: 10/23/2017
Date Data Arrived at EDR: 10/24/2017
Date Made Active in Reports: 11/15/2017
Number of Days to Update: 22

Source: San Diego Border Field Office
Telephone: 760-339-2777
Last EDR Contact: 10/23/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

INYO COUNTY:

CUPA Facility List
Cupa facility list.

Date of Government Version: 06/08/2017
Date Data Arrived at EDR: 06/09/2017
Date Made Active in Reports: 08/04/2017
Number of Days to Update: 56

Source: Inyo County Environmental Health Services
Telephone: 760-878-0238
Last EDR Contact: 11/14/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Varies

KERN COUNTY:

Underground Storage Tank Sites & Tank Listing
Kern County Sites and Tanks Listing.

Date of Government Version: 11/02/2017
Date Data Arrived at EDR: 11/07/2017
Date Made Active in Reports: 12/20/2017
Number of Days to Update: 43

Source: Kern County Environment Health Services Department
Telephone: 661-862-8700
Last EDR Contact: 11/01/2017
Next Scheduled EDR Contact: 02/19/2018
Data Release Frequency: Quarterly

KINGS COUNTY:

CUPA Facility List
A listing of sites included in the county's Certified Unified Program Agency database. California's Secretary for Environmental Protection established the unified hazardous materials and hazardous waste regulatory program as required by chapter 6.11 of the California Health and Safety Code. The Unified Program consolidates the administration, permits, inspections, and enforcement activities.

Date of Government Version: 11/14/2017
Date Data Arrived at EDR: 11/17/2017
Date Made Active in Reports: 12/15/2017
Number of Days to Update: 28

Source: Kings County Department of Public Health
Telephone: 559-584-1411
Last EDR Contact: 11/14/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Varies

LAKE COUNTY:

CUPA Facility List
Cupa facility list

Date of Government Version: 11/09/2017
Date Data Arrived at EDR: 11/10/2017
Date Made Active in Reports: 11/15/2017
Number of Days to Update: 5

Source: Lake County Environmental Health
Telephone: 707-263-1164
Last EDR Contact: 10/16/2017
Next Scheduled EDR Contact: 01/29/2018
Data Release Frequency: Varies

LASSEN COUNTY:

CUPA Facility List
Cupa facility list

Date of Government Version: 07/24/2017
Date Data Arrived at EDR: 07/26/2017
Date Made Active in Reports: 10/16/2017
Number of Days to Update: 82

Source: Lassen County Environmental Health
Telephone: 530-251-8528
Last EDR Contact: 10/23/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

LOS ANGELES COUNTY:

San Gabriel Valley Areas of Concern
San Gabriel Valley areas where VOC contamination is at or above the MCL as designated by region 9 EPA office.

Date of Government Version: 03/30/2009
Date Data Arrived at EDR: 03/31/2009
Date Made Active in Reports: 10/23/2009
Number of Days to Update: 206
Source: EPA Region 9
Telephone: 415-972-3178
Last EDR Contact: 12/13/2017
Next Scheduled EDR Contact: 04/02/2018
Data Release Frequency: No Update Planned

HMS: Street Number List
Industrial Waste and Underground Storage Tank Sites.

Date of Government Version: 10/11/2017
Date Data Arrived at EDR: 10/12/2017
Date Made Active in Reports: 10/17/2017
Number of Days to Update: 5
Source: Department of Public Works
Telephone: 626-458-3517
Last EDR Contact: 01/04/2018
Next Scheduled EDR Contact: 04/23/2018
Data Release Frequency: Semi-Annually

List of Solid Waste Facilities
Solid Waste Facilities in Los Angeles County.

Date of Government Version: 10/16/2017
Date Data Arrived at EDR: 10/17/2017
Date Made Active in Reports: 12/07/2017
Number of Days to Update: 51
Source: La County Department of Public Works
Telephone: 818-458-5185
Last EDR Contact: 10/17/2017
Next Scheduled EDR Contact: 01/29/2018
Data Release Frequency: Varies

City of Los Angeles Landfills
Landfills owned and maintained by the City of Los Angeles.

Date of Government Version: 01/01/2017
Date Data Arrived at EDR: 04/21/2017
Date Made Active in Reports: 10/09/2017
Number of Days to Update: 171
Source: Engineering & Construction Division
Telephone: 213-473-7869
Last EDR Contact: 10/16/2017
Next Scheduled EDR Contact: 01/29/2018
Data Release Frequency: Varies

Site Mitigation List
Industrial sites that have had some sort of spill or complaint.

Date of Government Version: 11/01/2017
Date Data Arrived at EDR: 11/14/2017
Date Made Active in Reports: 12/15/2017
Number of Days to Update: 31
Source: Community Health Services
Telephone: 323-890-7806
Last EDR Contact: 11/14/2017
Next Scheduled EDR Contact: 01/29/2018
Data Release Frequency: Annually

City of El Segundo Underground Storage Tank
Underground storage tank sites located in El Segundo city.

Date of Government Version: 01/21/2017
Date Data Arrived at EDR: 04/19/2017
Date Made Active in Reports: 05/10/2017
Number of Days to Update: 21
Source: City of El Segundo Fire Department
Telephone: 310-524-2236
Last EDR Contact: 10/16/2017
Next Scheduled EDR Contact: 01/29/2018
Data Release Frequency: Semi-Annually

City of Long Beach Underground Storage Tank
Underground storage tank sites located in the city of Long Beach.

Date of Government Version: 03/09/2017
Date Data Arrived at EDR: 03/10/2017
Date Made Active in Reports: 05/03/2017
Number of Days to Update: 54
Source: City of Long Beach Fire Department
Telephone: 562-570-2563
Last EDR Contact: 10/23/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Annually

City of Torrance Underground Storage Tank
Underground storage tank sites located in the city of Torrance.

Date of Government Version: 07/11/2017
Date Data Arrived at EDR: 07/14/2017
Date Made Active in Reports: 09/21/2017
Number of Days to Update: 69

Source: City of Torrance Fire Department
Telephone: 310-618-2973
Last EDR Contact: 01/04/2018
Next Scheduled EDR Contact: 04/23/2018
Data Release Frequency: Semi-Annually

MADERA COUNTY:

CUPA Facility List
A listing of sites included in the county's Certified Unified Program Agency database. California's Secretary for Environmental Protection established the unified hazardous materials and hazardous waste regulatory program as required by chapter 6.11 of the California Health and Safety Code. The Unified Program consolidates the administration, permits, inspections, and enforcement activities.

Date of Government Version: 10/26/2017
Date Data Arrived at EDR: 10/27/2017
Date Made Active in Reports: 11/06/2017
Number of Days to Update: 10

Source: Madera County Environmental Health
Telephone: 559-675-7823
Last EDR Contact: 11/14/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Varies

MARIN COUNTY:

Underground Storage Tank Sites
Currently permitted USTs in Marin County.

Date of Government Version: 09/28/2017
Date Data Arrived at EDR: 10/05/2017
Date Made Active in Reports: 11/08/2017
Number of Days to Update: 34

Source: Public Works Department Waste Management
Telephone: 415-473-6647
Last EDR Contact: 01/02/2018
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Semi-Annually

MERCED COUNTY:

CUPA Facility List
CUPA facility list.

Date of Government Version: 10/02/2017
Date Data Arrived at EDR: 10/03/2017
Date Made Active in Reports: 10/17/2017
Number of Days to Update: 14

Source: Merced County Environmental Health
Telephone: 209-381-1094
Last EDR Contact: 11/30/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Varies

MONO COUNTY:

CUPA Facility List
CUPA Facility List

Date of Government Version: 11/21/2017
Date Data Arrived at EDR: 11/27/2017
Date Made Active in Reports: 12/27/2017
Number of Days to Update: 30

Source: Mono County Health Department
Telephone: 760-932-5580
Last EDR Contact: 11/21/2017
Next Scheduled EDR Contact: 03/12/2018
Data Release Frequency: Varies

MONTEREY COUNTY:

CUPA Facility Listing
CUPA Program listing from the Environmental Health Division.

Date of Government Version: 09/11/2017
Date Data Arrived at EDR: 09/15/2017
Date Made Active in Reports: 11/28/2017
Number of Days to Update: 74
Source: Monterey County Health Department
Telephone: 831-796-1297
Last EDR Contact: 11/20/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Varies

NAPA COUNTY:

Sites With Reported Contamination
A listing of leaking underground storage tank sites located in Napa county.

Date of Government Version: 01/09/2017
Date Data Arrived at EDR: 01/11/2017
Date Made Active in Reports: 03/02/2017
Number of Days to Update: 50
Source: Napa County Department of Environmental Management
Telephone: 707-253-4269
Last EDR Contact: 11/21/2017
Next Scheduled EDR Contact: 03/12/2018
Data Release Frequency: No Update Planned

Closed and Operating Underground Storage Tank Sites
Underground storage tank sites located in Napa county.

Date of Government Version: 11/22/2017
Date Data Arrived at EDR: 11/27/2017
Date Made Active in Reports: 12/19/2017
Number of Days to Update: 22
Source: Napa County Department of Environmental Management
Telephone: 707-253-4269
Last EDR Contact: 11/21/2017
Next Scheduled EDR Contact: 03/12/2018
Data Release Frequency: No Update Planned

NEVADA COUNTY:

CUPA Facility List
CUPA facility list.

Date of Government Version: 11/02/2017
Date Data Arrived at EDR: 11/07/2017
Date Made Active in Reports: 11/15/2017
Number of Days to Update: 8
Source: Community Development Agency
Telephone: 530-265-1467
Last EDR Contact: 10/25/2017
Next Scheduled EDR Contact: 02/12/2018
Data Release Frequency: Varies

ORANGE COUNTY:

List of Industrial Site Cleanups
Petroleum and non-petroleum spills.

Date of Government Version: 11/02/2017
Date Data Arrived at EDR: 11/09/2017
Date Made Active in Reports: 12/07/2017
Number of Days to Update: 28
Source: Health Care Agency
Telephone: 714-834-3446
Last EDR Contact: 11/06/2017
Next Scheduled EDR Contact: 02/19/2018
Data Release Frequency: Annually

List of Underground Storage Tank Cleanups
Orange County Underground Storage Tank Cleanups (LUST).

Date of Government Version: 11/02/2017
Date Data Arrived at EDR: 11/09/2017
Date Made Active in Reports: 12/15/2017
Number of Days to Update: 36
Source: Health Care Agency
Telephone: 714-834-3446
Last EDR Contact: 11/06/2017
Next Scheduled EDR Contact: 02/19/2018
Data Release Frequency: Quarterly

List of Underground Storage Tank Facilities
Orange County Underground Storage Tank Facilities (UST).

Date of Government Version: 11/02/2017
Date Data Arrived at EDR: 11/07/2017
Date Made Active in Reports: 12/19/2017
Number of Days to Update: 42

Source: Health Care Agency
Telephone: 714-834-3446
Last EDR Contact: 11/07/2017
Next Scheduled EDR Contact: 02/19/2018
Data Release Frequency: Quarterly

PLACER COUNTY:

Master List of Facilities
List includes aboveground tanks, underground tanks and cleanup sites.

Date of Government Version: 09/05/2017
Date Data Arrived at EDR: 09/06/2017
Date Made Active in Reports: 11/08/2017
Number of Days to Update: 63

Source: Placer County Health and Human Services
Telephone: 530-745-2363
Last EDR Contact: 11/30/2017
Next Scheduled EDR Contact: 03/19/2018
Data Release Frequency: Semi-Annually

PLUMAS COUNTY:

CUPA Facility List
Plumas County CUPA Program facilities.

Date of Government Version: 10/23/2017
Date Data Arrived at EDR: 11/03/2017
Date Made Active in Reports: 11/15/2017
Number of Days to Update: 12

Source: Plumas County Environmental Health
Telephone: 530-283-6355
Last EDR Contact: 11/01/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

RIVERSIDE COUNTY:

Listing of Underground Tank Cleanup Sites
Riverside County Underground Storage Tank Cleanup Sites (LUST).

Date of Government Version: 10/11/2017
Date Data Arrived at EDR: 10/12/2017
Date Made Active in Reports: 11/09/2017
Number of Days to Update: 28

Source: Department of Environmental Health
Telephone: 951-358-5055
Last EDR Contact: 12/15/2017
Next Scheduled EDR Contact: 04/02/2018
Data Release Frequency: Quarterly

Underground Storage Tank Tank List
Underground storage tank sites located in Riverside county.

Date of Government Version: 10/12/2017
Date Data Arrived at EDR: 10/12/2017
Date Made Active in Reports: 11/08/2017
Number of Days to Update: 27

Source: Department of Environmental Health
Telephone: 951-358-5055
Last EDR Contact: 12/15/2017
Next Scheduled EDR Contact: 04/02/2018
Data Release Frequency: Quarterly

SACRAMENTO COUNTY:

Toxic Site Clean-Up List
List of sites where unauthorized releases of potentially hazardous materials have occurred.

Date of Government Version: 08/02/2017
Date Data Arrived at EDR: 10/03/2017
Date Made Active in Reports: 10/06/2017
Number of Days to Update: 3

Source: Sacramento County Environmental Management
Telephone: 916-875-8406
Last EDR Contact: 01/03/2018
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Quarterly

Master Hazardous Materials Facility List

Any business that has hazardous materials on site - hazardous material storage sites, underground storage tanks, waste generators.

Date of Government Version: 08/02/2017
Date Data Arrived at EDR: 10/03/2017
Date Made Active in Reports: 11/16/2017
Number of Days to Update: 44

Source: Sacramento County Environmental Management
Telephone: 916-875-8406
Last EDR Contact: 01/03/2018
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Quarterly

SAN BENITO COUNTY:

CUPA Facility List

Cupa facility list

Date of Government Version: 11/01/2017
Date Data Arrived at EDR: 11/03/2017
Date Made Active in Reports: 11/17/2017
Number of Days to Update: 14

Source: San Benito County Environmental Health
Telephone: N/A
Last EDR Contact: 11/01/2017
Next Scheduled EDR Contact: 02/19/2018
Data Release Frequency: Varies

SAN BERNARDINO COUNTY:

Hazardous Material Permits

This listing includes underground storage tanks, medical waste handlers/generators, hazardous materials handlers, hazardous waste generators, and waste oil generators/handlers.

Date of Government Version: 08/31/2017
Date Data Arrived at EDR: 09/19/2017
Date Made Active in Reports: 11/16/2017
Number of Days to Update: 58

Source: San Bernardino County Fire Department Hazardous Materials Division
Telephone: 909-387-3041
Last EDR Contact: 11/06/2017
Next Scheduled EDR Contact: 02/19/2018
Data Release Frequency: Quarterly

SAN DIEGO COUNTY:

Hazardous Materials Management Division Database

The database includes: HE58 - This report contains the business name, site address, business phone number, establishment 'H' permit number, type of permit, and the business status. HE17 - In addition to providing the same information provided in the HE58 listing, HE17 provides inspection dates, violations received by the establishment, hazardous waste generated, the quantity, method of storage, treatment/disposal of waste and the hauler, and information on underground storage tanks. Unauthorized Release List - Includes a summary of environmental contamination cases in San Diego County (underground tank cases, non-tank cases, groundwater contamination, and soil contamination are included.)

Date of Government Version: 09/05/2017
Date Data Arrived at EDR: 09/06/2017
Date Made Active in Reports: 11/08/2017
Number of Days to Update: 63

Source: Hazardous Materials Management Division
Telephone: 619-338-2268
Last EDR Contact: 12/05/2017
Next Scheduled EDR Contact: 03/19/2018
Data Release Frequency: Quarterly

Solid Waste Facilities
San Diego County Solid Waste Facilities.

Date of Government Version: 10/31/2015
Date Data Arrived at EDR: 11/07/2015
Date Made Active in Reports: 01/04/2016
Number of Days to Update: 58
Source: Department of Health Services
Telephone: 619-338-2209
Last EDR Contact: 10/23/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

Environmental Case Listing
The listing contains all underground tank release cases and projects pertaining to properties contaminated with hazardous substances that are actively under review by the Site Assessment and Mitigation Program.

Date of Government Version: 03/23/2010
Date Data Arrived at EDR: 06/15/2010
Date Made Active in Reports: 07/09/2010
Number of Days to Update: 24
Source: San Diego County Department of Environmental Health
Telephone: 619-338-2371
Last EDR Contact: 11/29/2017
Next Scheduled EDR Contact: 03/19/2018
Data Release Frequency: No Update Planned

SAN FRANCISCO COUNTY:

Local Oversite Facilities
A listing of leaking underground storage tank sites located in San Francisco county.

Date of Government Version: 09/19/2008
Date Data Arrived at EDR: 09/19/2008
Date Made Active in Reports: 09/29/2008
Number of Days to Update: 10
Source: Department Of Public Health San Francisco County
Telephone: 415-252-3920
Last EDR Contact: 11/01/2017
Next Scheduled EDR Contact: 02/19/2018
Data Release Frequency: Quarterly

Underground Storage Tank Information
Underground storage tank sites located in San Francisco county.

Date of Government Version: 11/02/2017
Date Data Arrived at EDR: 11/07/2017
Date Made Active in Reports: 12/19/2017
Number of Days to Update: 42
Source: Department of Public Health
Telephone: 415-252-3920
Last EDR Contact: 11/01/2017
Next Scheduled EDR Contact: 02/19/2018
Data Release Frequency: Quarterly

SAN JOAQUIN COUNTY:

San Joaquin Co. UST
A listing of underground storage tank locations in San Joaquin county.

Date of Government Version: 10/03/2017
Date Data Arrived at EDR: 10/06/2017
Date Made Active in Reports: 10/10/2017
Number of Days to Update: 4
Source: Environmental Health Department
Telephone: N/A
Last EDR Contact: 12/13/2017
Next Scheduled EDR Contact: 04/02/2018
Data Release Frequency: Semi-Annually

SAN LUIS OBISPO COUNTY:

CUPA Facility List
Cupa Facility List.

Date of Government Version: 11/16/2017
Date Data Arrived at EDR: 11/17/2017
Date Made Active in Reports: 12/18/2017
Number of Days to Update: 31
Source: San Luis Obispo County Public Health Department
Telephone: 805-781-5596
Last EDR Contact: 11/14/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Varies

SAN MATEO COUNTY:

Business Inventory
List includes Hazardous Materials Business Plan, hazardous waste generators, and underground storage tanks.

Date of Government Version: 09/15/2017
Date Data Arrived at EDR: 09/19/2017
Date Made Active in Reports: 10/17/2017
Number of Days to Update: 28
Source: San Mateo County Environmental Health Services Division
Telephone: 650-363-1921
Last EDR Contact: 12/06/2017
Next Scheduled EDR Contact: 03/26/2018
Data Release Frequency: Annually

Fuel Leak List
A listing of leaking underground storage tank sites located in San Mateo county.

Date of Government Version: 09/15/2017
Date Data Arrived at EDR: 09/19/2017
Date Made Active in Reports: 11/09/2017
Number of Days to Update: 51
Source: San Mateo County Environmental Health Services Division
Telephone: 650-363-1921
Last EDR Contact: 12/06/2017
Next Scheduled EDR Contact: 03/26/2018
Data Release Frequency: Semi-Annually

SANTA BARBARA COUNTY:

CUPA Facility Listing
CUPA Program Listing from the Environmental Health Services division.

Date of Government Version: 09/08/2011
Date Data Arrived at EDR: 09/09/2011
Date Made Active in Reports: 10/07/2011
Number of Days to Update: 28
Source: Santa Barbara County Public Health Department
Telephone: 805-686-8167
Last EDR Contact: 12/13/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Varies

SANTA CLARA COUNTY:

Cupa Facility List
Cupa facility list

Date of Government Version: 11/14/2017
Date Data Arrived at EDR: 11/16/2017
Date Made Active in Reports: 01/04/2018
Number of Days to Update: 49
Source: Department of Environmental Health
Telephone: 408-918-1973
Last EDR Contact: 11/14/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Varies

HIST LUST - Fuel Leak Site Activity Report
A listing of open and closed leaking underground storage tanks. This listing is no longer updated by the county. Leaking underground storage tanks are now handled by the Department of Environmental Health.

Date of Government Version: 03/29/2005
Date Data Arrived at EDR: 03/30/2005
Date Made Active in Reports: 04/21/2005
Number of Days to Update: 22
Source: Santa Clara Valley Water District
Telephone: 408-265-2600
Last EDR Contact: 03/23/2009
Next Scheduled EDR Contact: 06/22/2009
Data Release Frequency: No Update Planned

LOP Listing
A listing of leaking underground storage tanks located in Santa Clara county.

Date of Government Version: 03/03/2014
Date Data Arrived at EDR: 03/05/2014
Date Made Active in Reports: 03/18/2014
Number of Days to Update: 13
Source: Department of Environmental Health
Telephone: 408-918-3417
Last EDR Contact: 11/21/2017
Next Scheduled EDR Contact: 03/12/2018
Data Release Frequency: Annually

Hazardous Material Facilities
Hazardous material facilities, including underground storage tank sites.

Date of Government Version: 11/01/2017
Date Data Arrived at EDR: 11/03/2017
Date Made Active in Reports: 12/07/2017
Number of Days to Update: 34

Source: City of San Jose Fire Department
Telephone: 408-535-7694
Last EDR Contact: 11/01/2017
Next Scheduled EDR Contact: 02/19/2018
Data Release Frequency: Annually

SANTA CRUZ COUNTY:

CUPA Facility List
CUPA facility listing.

Date of Government Version: 01/21/2017
Date Data Arrived at EDR: 02/22/2017
Date Made Active in Reports: 05/23/2017
Number of Days to Update: 90

Source: Santa Cruz County Environmental Health
Telephone: 831-464-2761
Last EDR Contact: 11/14/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Varies

SHASTA COUNTY:

CUPA Facility List
Cupa Facility List.

Date of Government Version: 06/15/2017
Date Data Arrived at EDR: 06/19/2017
Date Made Active in Reports: 08/09/2017
Number of Days to Update: 51

Source: Shasta County Department of Resource Management
Telephone: 530-225-5789
Last EDR Contact: 11/14/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Varies

SOLANO COUNTY:

Leaking Underground Storage Tanks
A listing of leaking underground storage tank sites located in Solano county.

Date of Government Version: 09/26/2017
Date Data Arrived at EDR: 09/27/2017
Date Made Active in Reports: 11/10/2017
Number of Days to Update: 44

Source: Solano County Department of Environmental Management
Telephone: 707-784-6770
Last EDR Contact: 12/08/2017
Next Scheduled EDR Contact: 03/19/2018
Data Release Frequency: Quarterly

Underground Storage Tanks
Underground storage tank sites located in Solano county.

Date of Government Version: 09/26/2017
Date Data Arrived at EDR: 09/27/2017
Date Made Active in Reports: 11/08/2017
Number of Days to Update: 42

Source: Solano County Department of Environmental Management
Telephone: 707-784-6770
Last EDR Contact: 12/08/2017
Next Scheduled EDR Contact: 03/19/2018
Data Release Frequency: Quarterly

SONOMA COUNTY:

Cupa Facility List
Cupa Facility list

Date of Government Version: 09/25/2017
Date Data Arrived at EDR: 09/27/2017
Date Made Active in Reports: 11/16/2017
Number of Days to Update: 50

Source: County of Sonoma Fire & Emergency Services Department
Telephone: 707-565-1174
Last EDR Contact: 12/19/2017
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Varies

Leaking Underground Storage Tank Sites

A listing of leaking underground storage tank sites located in Sonoma county.

Date of Government Version: 10/03/2017
Date Data Arrived at EDR: 10/06/2017
Date Made Active in Reports: 11/10/2017
Number of Days to Update: 35

Source: Department of Health Services
Telephone: 707-565-6565
Last EDR Contact: 01/04/2018
Next Scheduled EDR Contact: 04/09/2018
Data Release Frequency: Quarterly

STANISLAUS COUNTY:

CUPA Facility List

Cupa facility list

Date of Government Version: 11/01/2017
Date Data Arrived at EDR: 11/10/2017
Date Made Active in Reports: 11/16/2017
Number of Days to Update: 6

Source: Stanislaus County Department of Ennvironmental Protection
Telephone: 209-525-6751
Last EDR Contact: 10/16/2017
Next Scheduled EDR Contact: 01/29/2018
Data Release Frequency: Varies

SUTTER COUNTY:

Underground Storage Tanks

Underground storage tank sites located in Sutter county.

Date of Government Version: 12/01/2017
Date Data Arrived at EDR: 12/04/2017
Date Made Active in Reports: 12/19/2017
Number of Days to Update: 15

Source: Sutter County Department of Agriculture
Telephone: 530-822-7500
Last EDR Contact: 12/01/2017
Next Scheduled EDR Contact: 03/19/2018
Data Release Frequency: Semi-Annually

TEHAMA COUNTY:

CUPA Facility List

Cupa facilities

Date of Government Version: 11/16/2017
Date Data Arrived at EDR: 11/17/2017
Date Made Active in Reports: 12/18/2017
Number of Days to Update: 31

Source: Tehama County Department of Environmental Health
Telephone: 530-527-8020
Last EDR Contact: 11/14/2017
Next Scheduled EDR Contact: 02/19/2018
Data Release Frequency: Varies

TRINITY COUNTY:

CUPA Facility List

Cupa facility list

Date of Government Version: 10/23/2017
Date Data Arrived at EDR: 10/24/2017
Date Made Active in Reports: 11/16/2017
Number of Days to Update: 23

Source: Department of Toxic Substances Control
Telephone: 760-352-0381
Last EDR Contact: 10/23/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

TULARE COUNTY:

CUPA Facility List
Cupa program facilities

Date of Government Version: 09/27/2017
Date Data Arrived at EDR: 09/28/2017
Date Made Active in Reports: 10/16/2017
Number of Days to Update: 18

Source: Tulare County Environmental Health Services Division
Telephone: 559-624-7400
Last EDR Contact: 12/18/2017
Next Scheduled EDR Contact: 02/19/2018
Data Release Frequency: Varies

TUOLUMNE COUNTY:

CUPA Facility List
Cupa facility list

Date of Government Version: 10/24/2017
Date Data Arrived at EDR: 10/25/2017
Date Made Active in Reports: 11/16/2017
Number of Days to Update: 22

Source: Divison of Environmental Health
Telephone: 209-533-5633
Last EDR Contact: 10/23/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Varies

VENTURA COUNTY:

Business Plan, Hazardous Waste Producers, and Operating Underground Tanks
The BWT list indicates by site address whether the Environmental Health Division has Business Plan (B), Waste Producer (W), and/or Underground Tank (T) information.

Date of Government Version: 09/26/2017
Date Data Arrived at EDR: 10/25/2017
Date Made Active in Reports: 12/07/2017
Number of Days to Update: 43

Source: Ventura County Environmental Health Division
Telephone: 805-654-2813
Last EDR Contact: 10/23/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Quarterly

Inventory of Illegal Abandoned and Inactive Sites
Ventura County Inventory of Closed, Illegal Abandoned, and Inactive Sites.

Date of Government Version: 12/01/2011
Date Data Arrived at EDR: 12/01/2011
Date Made Active in Reports: 01/19/2012
Number of Days to Update: 49

Source: Environmental Health Division
Telephone: 805-654-2813
Last EDR Contact: 12/26/2017
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Annually

Listing of Underground Tank Cleanup Sites
Ventura County Underground Storage Tank Cleanup Sites (LUST).

Date of Government Version: 05/29/2008
Date Data Arrived at EDR: 06/24/2008
Date Made Active in Reports: 07/31/2008
Number of Days to Update: 37

Source: Environmental Health Division
Telephone: 805-654-2813
Last EDR Contact: 11/08/2017
Next Scheduled EDR Contact: 02/26/2018
Data Release Frequency: Quarterly

Medical Waste Program List
To protect public health and safety and the environment from potential exposure to disease causing agents, the Environmental Health Division Medical Waste Program regulates the generation, handling, storage, treatment and disposal of medical waste throughout the County.

Date of Government Version: 09/26/2017
Date Data Arrived at EDR: 10/25/2017
Date Made Active in Reports: 12/07/2017
Number of Days to Update: 43

Source: Ventura County Resource Management Agency
Telephone: 805-654-2813
Last EDR Contact: 10/23/2017
Next Scheduled EDR Contact: 02/05/2018
Data Release Frequency: Quarterly

Underground Tank Closed Sites List
Ventura County Operating Underground Storage Tank Sites (UST)/Underground Tank Closed Sites List.

Date of Government Version: 08/28/2017
Date Data Arrived at EDR: 09/12/2017
Date Made Active in Reports: 09/21/2017
Number of Days to Update: 9
Source: Environmental Health Division
Telephone: 805-654-2813
Last EDR Contact: 12/11/2017
Next Scheduled EDR Contact: 03/26/2018
Data Release Frequency: Quarterly

YOLO COUNTY:

Underground Storage Tank Comprehensive Facility Report
Underground storage tank sites located in Yolo county.

Date of Government Version: 09/27/2017
Date Data Arrived at EDR: 10/02/2017
Date Made Active in Reports: 11/14/2017
Number of Days to Update: 43
Source: Yolo County Department of Health
Telephone: 530-666-8646
Last EDR Contact: 01/02/2018
Next Scheduled EDR Contact: 04/16/2018
Data Release Frequency: Annually

YUBA COUNTY:

CUPA Facility List
CUPA facility listing for Yuba County.

Date of Government Version: 11/08/2017
Date Data Arrived at EDR: 11/10/2017
Date Made Active in Reports: 11/16/2017
Number of Days to Update: 6
Source: Yuba County Environmental Health Department
Telephone: 530-749-7523
Last EDR Contact: 10/25/2017
Next Scheduled EDR Contact: 02/12/2018
Data Release Frequency: Varies

OTHER DATABASE(S)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

CT MANIFEST: Hazardous Waste Manifest Data
Facility and manifest data. Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a tsd facility.

Date of Government Version: 11/11/2017
Date Data Arrived at EDR: 11/14/2017
Date Made Active in Reports: 12/18/2017
Number of Days to Update: 34
Source: Department of Energy & Environmental Protection
Telephone: 860-424-3375
Last EDR Contact: 11/14/2017
Next Scheduled EDR Contact: 02/26/2018
Data Release Frequency: No Update Planned

NJ MANIFEST: Manifest Information
Hazardous waste manifest information.

Date of Government Version: 12/31/2016
Date Data Arrived at EDR: 04/11/2017
Date Made Active in Reports: 07/27/2017
Number of Days to Update: 107
Source: Department of Environmental Protection
Telephone: N/A
Last EDR Contact: 01/05/2018
Next Scheduled EDR Contact: 04/23/2018
Data Release Frequency: Annually

NY MANIFEST: Facility and Manifest Data
Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD facility.

Date of Government Version: 10/01/2017
Date Data Arrived at EDR: 11/01/2017
Date Made Active in Reports: 11/13/2017
Number of Days to Update: 12

Source: Department of Environmental Conservation
Telephone: 518-402-8651
Last EDR Contact: 11/01/2017
Next Scheduled EDR Contact: 02/12/2018
Data Release Frequency: Quarterly

PA MANIFEST: Manifest Information
Hazardous waste manifest information.

Date of Government Version: 12/31/2016
Date Data Arrived at EDR: 07/25/2017
Date Made Active in Reports: 09/25/2017
Number of Days to Update: 62

Source: Department of Environmental Protection
Telephone: 717-783-8990
Last EDR Contact: 10/16/2017
Next Scheduled EDR Contact: 01/29/2018
Data Release Frequency: Annually

RI MANIFEST: Manifest information
Hazardous waste manifest information

Date of Government Version: 12/31/2013
Date Data Arrived at EDR: 06/19/2015
Date Made Active in Reports: 07/15/2015
Number of Days to Update: 26

Source: Department of Environmental Management
Telephone: 401-222-2797
Last EDR Contact: 11/16/2017
Next Scheduled EDR Contact: 03/05/2018
Data Release Frequency: Annually

WI MANIFEST: Manifest Information
Hazardous waste manifest information.

Date of Government Version: 12/31/2016
Date Data Arrived at EDR: 04/13/2017
Date Made Active in Reports: 07/14/2017
Number of Days to Update: 92

Source: Department of Natural Resources
Telephone: N/A
Last EDR Contact: 12/11/2017
Next Scheduled EDR Contact: 03/26/2018
Data Release Frequency: Annually

Oil/Gas Pipelines
Source: PennWell Corporation
Petroleum Bundle (Crude Oil, Refined Products, Petrochemicals, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)) N = Natural Gas Bundle (Natural Gas, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)). This map includes information copyrighted by PennWell Corporation. This information is provided on a best effort basis and PennWell Corporation does not guarantee its accuracy nor warrant its fitness for any particular purpose. Such information has been reprinted with the permission of PennWell.

Electric Power Transmission Line Data
Source: PennWell Corporation
This map includes information copyrighted by PennWell Corporation. This information is provided on a best effort basis and PennWell Corporation does not guarantee its accuracy nor warrant its fitness for any particular purpose. Such information has been reprinted with the permission of PennWell.

Sensitive Receptors: There are individuals deemed sensitive receptors due to their fragile immune systems and special sensitivity to environmental discharges. These sensitive receptors typically include the elderly, the sick, and children. While the location of all sensitive receptors cannot be determined, EDR indicates those buildings and facilities - schools, daycares, hospitals, medical centers, and nursing homes - where individuals who are sensitive receptors are likely to be located.

AHA Hospitals:
Source: American Hospital Association, Inc.
Telephone: 312-280-5991
The database includes a listing of hospitals based on the American Hospital Association's annual survey of hospitals.

Medical Centers: Provider of Services Listing
Source: Centers for Medicare & Medicaid Services
Telephone: 410-786-3000
A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services, a federal agency within the U.S. Department of Health and Human Services.

Nursing Homes
Source: National Institutes of Health
Telephone: 301-594-6248
Information on Medicare and Medicaid certified nursing homes in the United States.
Public Schools
Source: National Center for Education Statistics
Telephone: 202-502-7300
The National Center for Education Statistics' primary database on elementary and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are comparable across all states.
Private Schools
Source: National Center for Education Statistics
Telephone: 202-502-7300
The National Center for Education Statistics' primary database on private school locations in the United States.
Daycare Centers: Licensed Facilities
Source: Department of Social Services
Telephone: 916-657-4041

Flood Zone Data: This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.
Source: FEMA
Telephone: 877-336-2627
Date of Government Version: 2003, 2015

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Wetland Inventory
Source: Department of Fish & Game
Telephone: 916-445-0411

Current USGS 7.5 Minute Topographic Map
Source: U.S. Geological Survey

STREET AND ADDRESS INFORMATION

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GEOCHECK ®- PHYSICAL SETTING SOURCE ADDENDUM

TARGET PROPERTY ADDRESS

SWC E. RIVERSIDE & HAMNER AVE
13130 MILLIKEN AVE
ONTARIO, CA 91761

TARGET PROPERTY COORDINATES

Latitude (North):	34.015319 - 34° 0' 55.15''
Longitude (West):	117.560387 - 117° 33' 37.39''
Universal Tranverse Mercator:	Zone 11
UTM X (Meters):	448257.3
UTM Y (Meters):	3763801.5
Elevation:	787 ft. above sea level

USGS TOPOGRAPHIC MAP

Target Property Map:	5620426 GUASTI, CA
Version Date:	2012
South Map:	5640930 CORONA NORTH, CA
Version Date:	2012

EDR's GeoCheck Physical Setting Source Addendum is provided to assist the environmental professional in forming an opinion about the impact of potential contaminant migration.

Assessment of the impact of contaminant migration generally has two principal investigative components:

1. Groundwater flow direction, and
2. Groundwater flow velocity.

Groundwater flow direction may be impacted by surface topography, hydrology, hydrogeology, characteristics of the soil, and nearby wells. Groundwater flow velocity is generally impacted by the nature of the geologic strata.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

GROUNDWATER FLOW DIRECTION INFORMATION

Groundwater flow direction for a particular site is best determined by a qualified environmental professional using site-specific well data. If such data is not reasonably ascertainable, it may be necessary to rely on other sources of information, such as surface topographic information, hydrologic information, hydrogeologic data collected on nearby properties, and regional groundwater flow information (from deep aquifers).

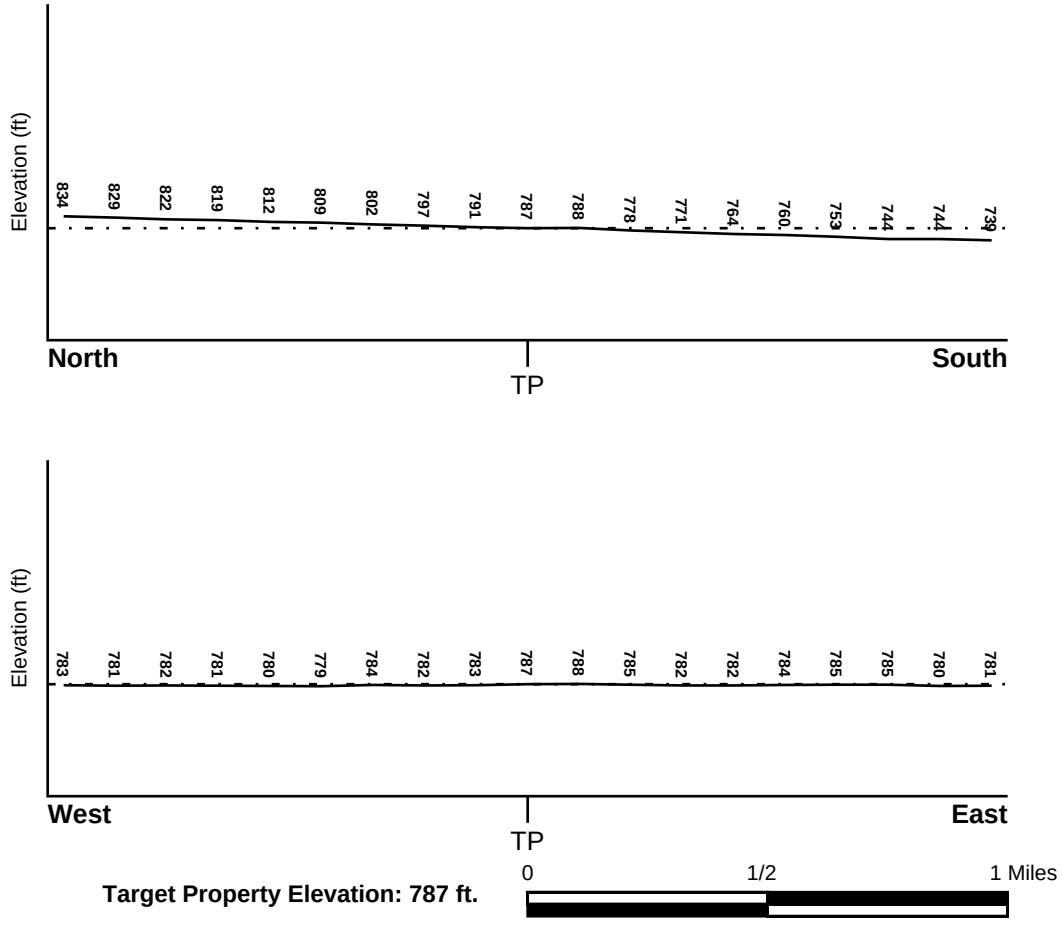
TOPOGRAPHIC INFORMATION

Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

TARGET PROPERTY TOPOGRAPHY

General Topographic Gradient: General South

SURROUNDING TOPOGRAPHY: ELEVATION PROFILES



Source: Topography has been determined from the USGS 7.5' Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

HYDROLOGIC INFORMATION

Surface water can act as a hydrologic barrier to groundwater flow. Such hydrologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Refer to the Physical Setting Source Map following this summary for hydrologic information (major waterways and bodies of water).

FEMA FLOOD ZONE

Flood Plain Panel at Target Property	FEMA Source Type
06071C8643H	FEMA FIRM Flood data

Additional Panels in search area:	FEMA Source Type
06071C8639H	FEMA FIRM Flood data

NATIONAL WETLAND INVENTORY

NWI Quad at Target Property	NWI Electronic Data Coverage
GUASTI	YES - refer to the Overview Map and Detail Map

HYDROGEOLOGIC INFORMATION

Hydrogeologic information obtained by installation of wells on a specific site can often be an indicator of groundwater flow direction in the immediate area. Such hydrogeologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Site-Specific Hydrogeological Data*:

Search Radius:	1.25 miles
Location Relative to TP:	1/2 - 1 Mile NNE
Site Name:	Milliken San Ldfl
Site EPA ID Number:	CAD980695076
Groundwater Flow Direction:	Southwest
Measured Depth to Water:	200 feet to 240 feet.
Hydraulic Connection:	Information is not available about the hydraulic connection between aquifer(s) underlying the site.
Sole Source Aquifer:	No information about a sole source aquifer is available
Data Quality:	Information based on site-specific subsurface investigations is documented in the CERCLIS investigation report(s)

AQUIFLOW®

Search Radius: 1.000 Mile.

EDR has developed the AQUIFLOW Information System to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted by environmental professionals to regulatory authorities at select sites and has extracted the date of the report, groundwater flow direction as determined hydrogeologically, and the depth to water table.

MAP ID	LOCATION FROM TP	GENERAL DIRECTION GROUNDWATER FLOW

* ©1996 Site--specific hydrogeological data gathered by CERCLIS Alerts, Inc., Bainbridge Island, WA. All rights reserved. All of the information and opinions presented are those of the cited EPA report(s), which were completed under a Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) investigation.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

MAP ID	LOCATION FROM TP	GENERAL DIRECTION GROUNDWATER FLOW
2	1/4 - 1/2 Mile ENE	Not Reported
1G	1/4 - 1/2 Mile ENE	Not Reported

For additional site information, refer to Physical Setting Source Map Findings.

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

GROUNDWATER FLOW VELOCITY INFORMATION

Groundwater flow velocity information for a particular site is best determined by a qualified environmental professional using site specific geologic and soil strata data. If such data are not reasonably ascertainable, it may be necessary to rely on other sources of information, including geologic age identification, rock stratigraphic unit and soil characteristics data collected on nearby properties and regional soil information. In general, contaminant plumes move more quickly through sandy-gravelly types of soils than silty-clayey types of soils.

GEOLOGIC INFORMATION IN GENERAL AREA OF TARGET PROPERTY

Geologic information can be used by the environmental professional in forming an opinion about the relative speed at which contaminant migration may be occurring.

ROCK STRATIGRAPHIC UNIT

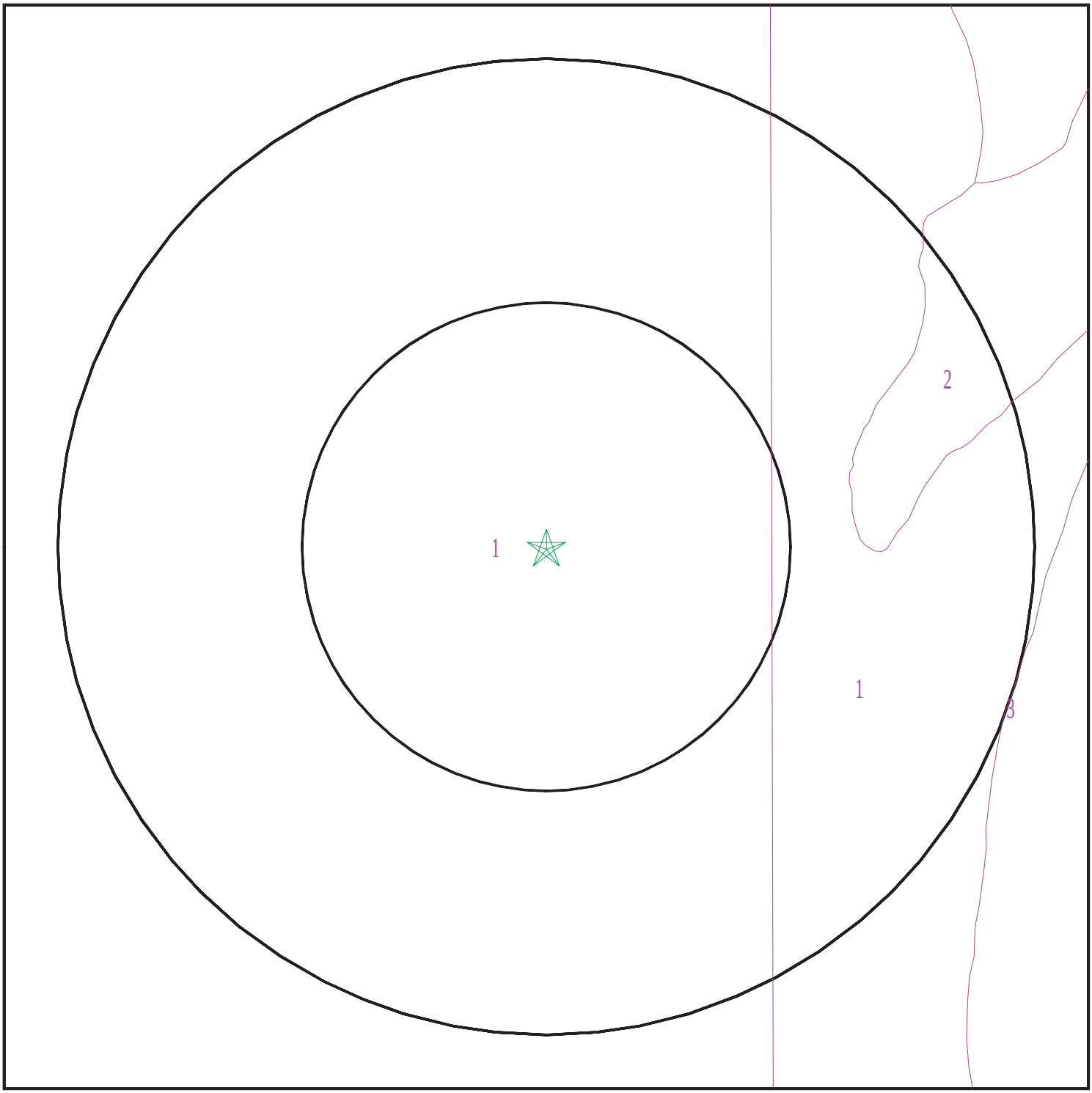
Era:	Cenozoic
System:	Quaternary
Series:	Quaternary
Code:	Q *(decoded above as Era, System & Series)*

GEOLOGIC AGE IDENTIFICATION

Category: Stratifed Sequence

Geologic Age and Rock Stratigraphic Unit Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - a digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

SSURGO SOIL MAP - 05155334.2r



Target Property
SSURGO Soil
Water

0 1/16 1/8 1/4 Miles

N

SITE NAME:	SWC E. Riverside & Hamner Ave	CLIENT:	SCS Engineers
ADDRESS:	13130 Milliken Ave Ontario CA 91761	CONTACT:	Kim Braun
LAT/LONG:	34.015319 / 117.560387	INQUIRY #:	05155334.2r
		DATE:	January 10, 2018 12:54 pm

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GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

DOMINANT SOIL COMPOSITION IN GENERAL AREA OF TARGET PROPERTY

The U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) leads the National Cooperative Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. The following information is based on Soil Conservation Service SSURGO data.

Soil Map ID: 1

Soil Component Name: DELHI

Soil Surface Texture: fine sand

Hydrologic Group: Class A - High infiltration rates. Soils are deep, well drained to excessively drained sands and gravels.

Soil Drainage Class: Somewhat excessively drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Moderate

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	18 inches	fine sand	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 141 Min: 42	Max: 7.3 Min: 5.6
2	18 inches	59 inches	sand	Granular materials (35 pct. or less passing No. 200), Fine Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 141 Min: 42	Max: 7.8 Min: 6.1

Soil Map ID: 2

Soil Component Name: GORGONIO

Soil Surface Texture: stratified gravelly loamy sand to gravelly loamy fine sand

Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

Soil Drainage Class: Somewhat excessively drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Low

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	14 inches	59 inches	stratified gravelly loamy sand to gravelly loamy fine sand	Granular materials (35 pct. or less passing No. 200), Stone Fragments, Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 141 Min: 42	Max: 7.3 Min: 5.6
2	0 inches	14 inches	loamy sand	Granular materials (35 pct. or less passing No. 200), Stone Fragments, Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 141 Min: 42	Max: 7.3 Min: 5.6

Soil Map ID: 3

Soil Component Name: DELHI

Soil Surface Texture: fine sand

Hydrologic Group: Class A - High infiltration rates. Soils are deep, well drained to excessively drained sands and gravels.

Soil Drainage Class: Somewhat excessively drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Low

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
	Boundary			Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
Layer	Upper	Lower	Soil Texture Class	AASHTO Group	Unified Soil		
1	0 inches	9 inches	fine sand	Granular materials (35 pct. or less passing No. 200), Stone Fragments, Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 141 Min: 42	Max: 7.8 Min: 6.1
2	9 inches	48 inches	sand	Granular materials (35 pct. or less passing No. 200), Stone Fragments, Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 141 Min: 42	Max: 7.8 Min: 6.1
3	48 inches	59 inches	fine sandy loam	Silt-Clay Materials (more than 35 pct. passing No. 200), Silty Soils.	COARSE-GRAINED SOILS, Sands, Sands with fines, Silty Sand.	Max: 42 Min: 14	Max: 7.8 Min: 6.1

LOCAL / REGIONAL WATER AGENCY RECORDS

EDR Local/Regional Water Agency records provide water well information to assist the environmental professional in assessing sources that may impact ground water flow direction, and in forming an opinion about the impact of contaminant migration on nearby drinking water wells.

WELL SEARCH DISTANCE INFORMATION

DATABASE	SEARCH DISTANCE (miles)
Federal USGS	1.000
Federal FRDS PWS	Nearest PWS within 0.001 miles
State Database	1.000

FEDERAL USGS WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
No Wells Found		

GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

FEDERAL FRDS PUBLIC WATER SUPPLY SYSTEM INFORMATION

MAP ID	WELL ID	LOCATION FROM TP

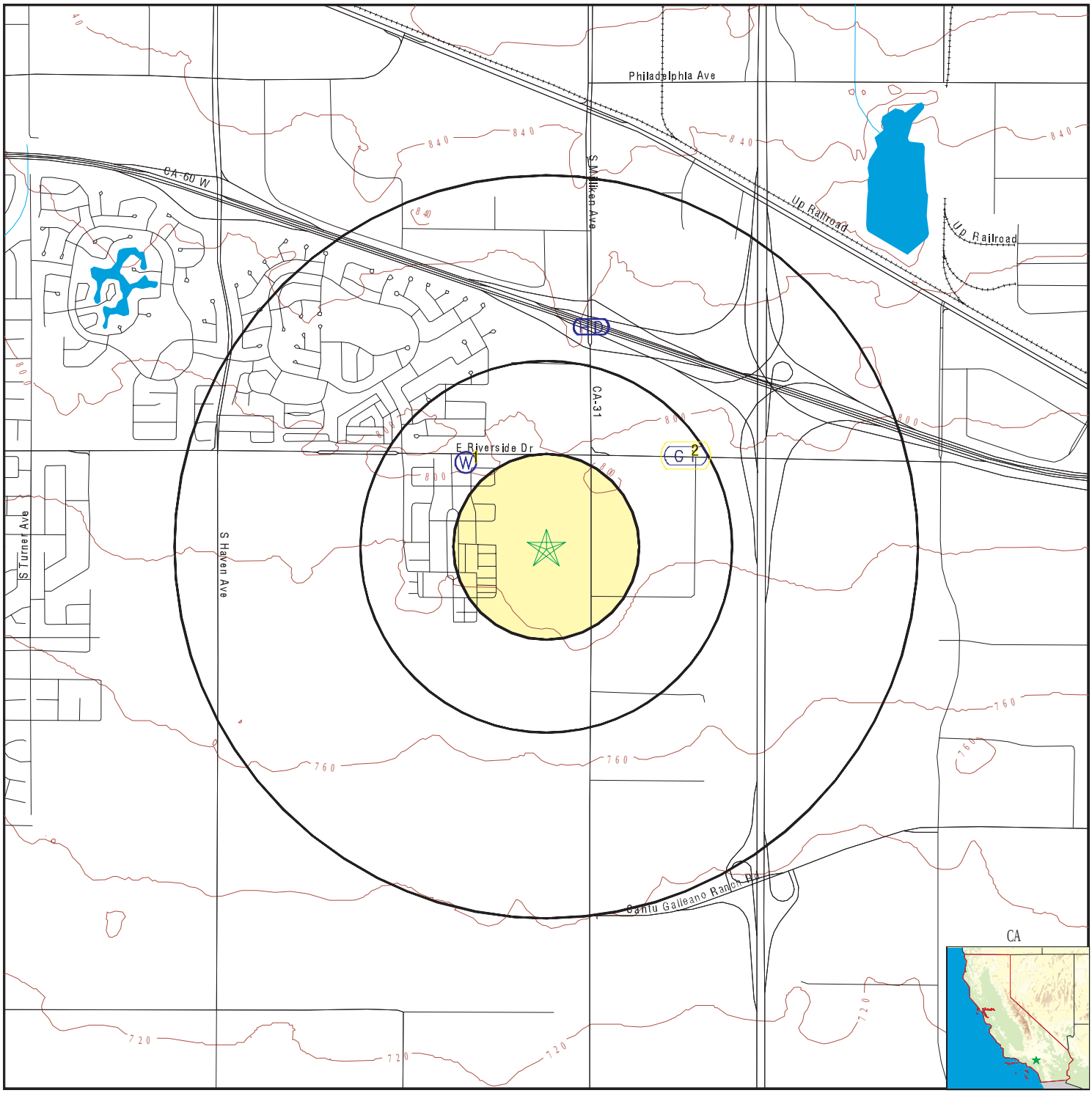
No PWS System Found

Note: PWS System location is not always the same as well location.

STATE DATABASE WELL INFORMATION

MAP ID	WELL ID	LOCATION FROM TP
1	CADW60000003548	1/4 - 1/2 Mile NW

PHYSICAL SETTING SOURCE MAP - 05155334.2r



- County Boundary
- Major Roads
- Contour Lines
- Earthquake Fault Lines
- Earthquake epicenter, Richter 5 or greater
- Water Wells
- Public Water Supply Wells
- Cluster of Multiple Icons
- Groundwater Flow Direction
- Indeterminate Groundwater Flow at Location
- Groundwater Flow Varies at Location
- Closest Hydrogeological Data
- Oil, gas or related wells

SITE NAME:	SWC E. Riverside & Hamner Ave	CLIENT:	SCS Engineers
ADDRESS:	13130 Milliken Ave Ontario CA 91761	CONTACT:	Kim Braun
LAT/LONG:	34.015319 / 117.560387	INQUIRY #:	05155334.2r
		DATE:	January 10, 2018 12:54 pm

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GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID Direction Distance Elevation			Database	EDR ID Number
1 **NW** **1/4 - 1/2 Mile** **Higher**			**CA WELLS**	**CADW60000003548**
	Objectid:	3548		
	Latitude:	34.018614		
	Longitude:	-117.564156		
	Site code:	340186N1175642W001		
	State well numbe:	Not Reported		
	Local well name:	'CHINO-1208387'		
	Well use id:	4		
	Well use descrip:	Residential		
	County id:	36		
	County name:	San Bernardino		
	Basin code:	'8-2.01'		
	Basin desc:	Chino		
	Dwr region id:	80238		
	Dwr region:	Southern Region Office		
	Site id:	CADW60000003548		
2 **ENE** **1/4 - 1/2 Mile** **Higher**	Site ID:	083302036T	**AQUIFLOW**	**66402**
	Groundwater Flow:	Not Reported		
	Shallow Water Depth:	Not Reported		
	Deep Water Depth:	Not Reported		
	Average Water Depth:	180'		
	Date:	08/11/1992		
1G **ENE** **1/4 - 1/2 Mile** **Lower**	Site ID:	083302036T	**AQUIFLOW**	**66402**
	Groundwater Flow:	Not Reported		
	Shallow Water Depth:	Not Reported		
	Deep Water Depth:	Not Reported		
	Average Water Depth:	180'		
	Date:	08/11/1992		

GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS
RADON

AREA RADON INFORMATION

State Database: CA Radon

Radon Test Results

Zipcode	Num Tests	> 4 pCi/L
91761	7	0

Federal EPA Radon Zone for SAN BERNARDINO County: 2

Note: Zone 1 indoor average level > 4 pCi/L.
: Zone 2 indoor average level >= 2 pCi/L and <= 4 pCi/L.
: Zone 3 indoor average level < 2 pCi/L.

Federal Area Radon Information for SAN BERNARDINO COUNTY, CA

Number of sites tested: 18

Area	Average Activity	% <4 pCi/L	% 4-20 pCi/L	% >20 pCi/L
Living Area - 1st Floor	0.678 pCi/L	100%	0%	0%
Living Area - 2nd Floor	Not Reported	Not Reported	Not Reported	Not Reported
Basement	Not Reported	Not Reported	Not Reported	Not Reported

PHYSICAL SETTING SOURCE RECORDS SEARCHED

TOPOGRAPHIC INFORMATION

USGS 7.5' Digital Elevation Model (DEM)
Source: United States Geologic Survey
EDR acquired the USGS 7.5' Digital Elevation Model in 2002 and updated it in 2006. The 7.5 minute DEM corresponds to the USGS 1:24,000- and 1:25,000-scale topographic quadrangle maps. The DEM provides elevation data with consistent elevation units and projection.

Current USGS 7.5 Minute Topographic Map
Source: U.S. Geological Survey

HYDROLOGIC INFORMATION

Flood Zone Data: This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.
Source: FEMA
Telephone: 877-336-2627
Date of Government Version: 2003, 2015

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

State Wetlands Data: Wetland Inventory
Source: Department of Fish & Game
Telephone: 916-445-0411

HYDROGEOLOGIC INFORMATION

AQUIFLOW^{R} Information System
Source: EDR proprietary database of groundwater flow information
EDR has developed the AQUIFLOW Information System (AIS) to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted to regulatory authorities at select sites and has extracted the date of the report, hydrogeologically determined groundwater flow direction and depth to water table information.

GEOLOGIC INFORMATION

Geologic Age and Rock Stratigraphic Unit
Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - A digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

STATSGO: State Soil Geographic Database
Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)
The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) leads the national Conservation Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps.

SSURGO: Soil Survey Geographic Database
Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)
Telephone: 800-672-5559
SSURGO is the most detailed level of mapping done by the Natural Resources Conservation Service, mapping scales generally range from 1:12,000 to 1:63,360. Field mapping methods using national standards are used to construct the soil maps in the Soil Survey Geographic (SSURGO) database. SSURGO digitizing duplicates the original soil survey maps. This level of mapping is designed for use by landowners, townships and county natural resource planning and management.

PHYSICAL SETTING SOURCE RECORDS SEARCHED

LOCAL / REGIONAL WATER AGENCY RECORDS

FEDERAL WATER WELLS

PWS: Public Water Systems
Source: EPA/Office of Drinking Water
Telephone: 202-564-3750
Public Water System data from the Federal Reporting Data System. A PWS is any water system which provides water to at least 25 people for at least 60 days annually. PWSs provide water from wells, rivers and other sources.

PWS ENF: Public Water Systems Violation and Enforcement Data
Source: EPA/Office of Drinking Water
Telephone: 202-564-3750
Violation and Enforcement data for Public Water Systems from the Safe Drinking Water Information System (SDWIS) after August 1995. Prior to August 1995, the data came from the Federal Reporting Data System (FRDS).

USGS Water Wells: USGS National Water Inventory System (NWIS)
This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on wells, springs, and other sources of groundwater.

STATE RECORDS

Water Well Database
Source: Department of Water Resources
Telephone: 916-651-9648

California Drinking Water Quality Database
Source: Department of Public Health
Telephone: 916-324-2319
The database includes all drinking water compliance and special studies monitoring for the state of California since 1984. It consists of over 3,200,000 individual analyses along with well and water system information.

OTHER STATE DATABASE INFORMATION

California Oil and Gas Well Locations
Source: Department of Conservation
Telephone: 916-323-1779
Oil and Gas well locations in the state.

RADON

State Database: CA Radon
Source: Department of Health Services
Telephone: 916-324-2208
Radon Database for California

Area Radon Information
Source: USGS
Telephone: 703-356-4020
The National Radon Database has been developed by the U.S. Environmental Protection Agency (USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at private sources such as universities and research institutions.

EPA Radon Zones
Source: EPA
Telephone: 703-356-4020
Sections 307 & 309 of IRAA directed EPA to list and identify areas of U.S. with the potential for elevated indoor radon levels.

PHYSICAL SETTING SOURCE RECORDS SEARCHED

OTHER

Airport Landing Facilities: Private and public use landing facilities
Source: Federal Aviation Administration, 800-457-6656

Epicenters: World earthquake epicenters, Richter 5 or greater
Source: Department of Commerce, National Oceanic and Atmospheric Administration

California Earthquake Fault Lines: The fault lines displayed on EDR's Topographic map are digitized quaternary fault lines, prepared in 1975 by the United State Geological Survey. Additional information (also from 1975) regarding activity at specific fault lines comes from California's Preliminary Fault Activity Map prepared by the California Division of Mines and Geology.

STREET AND ADDRESS INFORMATION

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APPENDIX F

RESUMES OF PROJECT PERSONNEL

J. JUSTIN RAUZON, REPA

Education

MEM – Environmental Management, Duke University, 2014
BS – Zoology (*Double Emphasis*: Human and Marine Biology), Brigham Young University, 2004

Professional Licenses

Registered Environmental Property Assessor (REPA), National Registry of Environmental Professionals (No. 485639)

Specialty Certifications

OSHA 40-Hour Health and Safety Training for Hazardous Waste Workers
8-Hour Annual Refresher Training for Hazardous Waste Site Activities
OSHA 16-Hour Initial Asbestos Operations and Maintenance Training
Thermo Scientific Niton XRF Analyzer Operator's Training
First-Aid and CPR Training

Professional Affiliation

Society of American Military Engineers

Professional Experience

Mr. Rauzon has more than 10 years of environmental services experience, all with SCS. Fluent in Spanish, Mr. Rauzon is an SCS Senior Project Professional with a diverse background in biological and environmental sciences, and regularly performs environmental assessments and compliance audits at sites in the US and in Latin America. He has technical and management experience with soil, soil vapor, and groundwater investigations at industrial, commercial, landfill, greenfield, and residential properties. He has extensive experience with environmental laws and regulations in both the US and Mexico. His work experience includes all project phases, from development of cost estimates for various site assessment and cleanup programs to implementing remediation programs and interfacing with regulatory agencies.

Environmental Management

Selected projects in which Mr. Rauzon has participated include:

Due diligence assessments of properties prior to real estate transfer of properties in California, Arizona, New Jersey, Mexico, Puerto Rico, and the Dominican Republic. Mr. Rauzon has completed numerous due diligence assessments of properties prior to acquisition, disposition, or loan financing by investment banks, insurance companies, corporations, non-profit entities, real estate developers, and private parties. Projects have included Phase I assessments that meet federal All Appropriate Investigation (AAI) regulations, American Society for Testing and Materials (ASTM) standards, and client-specific guidelines; inspections for asbestos and lead-based paint; Phase II investigations; preparation of abatement and remediation

cost estimates; and regulatory agency coordination. These projects frequently involve review of previous environmental reports and investigation of current and past on-site operations, regulatory agency records searches, evaluation of historical property use information, identification of nearby potentially contaminated sites, and development of appropriate conclusions about environmental risks. Investigations involve preparation of work plans, soil boring and subsequent sampling, groundwater well installation and sampling, soil gas probe installation and sampling, precision mapping, evaluation of contaminants in accordance with regulatory requirements or generally accepted guidelines, preparation of investigation report, and analysis of applicable remedial alternatives. Mr. Rauzon has served as the Project Manager for sites that have received regulatory closure from various regulatory agencies.

Planning, coordinating, and supervising remedial actions that included excavation, transport, and disposal of contaminated soils and water. Investigations involve preparation of Remedial Action Plans (RAPs), direction of fieldwork, oversight of confirmatory sampling, and interfacing with regulatory agencies.

The characterization of hazardous waste materials. These projects include collection of soil and/or liquid samples to profile the waste materials, interpretation of laboratory results, and evaluation of disposal/recycling options to minimize the costs and liabilities to clients associated with the removal of wastes.

Assessment and certification of hazardous waste tank systems. These investigations involve working with a Professional Engineer to complete field inspections of hazardous waste tanks, associated ancillary equipment, leak-detection systems, and secondary containment devices, as well as interfacing with regulatory agencies.

Project Management

Project Manager for due diligence investigation of a portfolio with more than 300 industrial sites throughout Mexico. SCS services included conducting Phase I and Phase II environmental assessments within the strict timeline of the $1.2 billion industrial real estate transaction. Subsequent to the closing of the deal, SCS provided ongoing consulting services to facilitate integration and management of various facilities with ongoing environmental issues.

Project Manager for hazardous materials consulting services in support of the State Route 91 Corridor Improvement Project in Orange and Riverside Counties, CA. SCS services included sampling and inventory of potentially hazardous materials associated with more than 25 bridges along the SR-91 and I-15 freeways; environmental assessments on properties within the proposed freeway expansion area; and soil testing for herbicides, pesticides, and fungicides on several land parcels.

Project Manager for investigation and remediation of industrial facility located in Fontana, CA. SCS conducted a series of environmental assessments, investigations, and remedial activities that provided sufficient information to identify environmental issues and business risks, and facilitate the client's successful purchase of property. A number of recognized environmental conditions, including releases of coal tar, solvents, heavy metals, and total petroleum hydrocarbons, were identified. Project activities conducted during the acquisition and redevelopment of the property included shallow and deep soil and soil vapor investigations;

installation of groundwater monitoring wells and subsequent groundwater sampling; subsequent remedial excavation under San Bernardino County Fire Department (SBCFD) oversight to obtain closure; and excavation and off-site disposition of contaminated soil.

Mr. Rauzon has participated in a certified health and safety program in compliance with OSHA Standard 29 CFR 1910.120. He is knowledgeable in incident response operations, team functions, personnel safety, and field equipment. He is able to recognize and evaluate potential chemical and physical hazards and associated risks in field operations; discuss and use personal protective equipment (PPE), such as respiratory protection and protective clothing; use and interpret direct-reading instruments; and examine and establish Standard Operating Safety Guidelines to ensure safe and effective response operations.

Publications

Rauzon, J. J. Mexico: Environmental Due Diligence and the Mexican Waste Law. EHS Journal. November 13, 2010.

KEVIN W. GREEN, PG

Education

BS – Marine Biology, California State University, Long Beach, 1978

Professional Licenses

Professional Geologist – California, 1994 (No. 5906)
Professional Geologist – Wyoming, 2009 (No. PG-3702)

Professional Affiliations

National Ground Water Association
Groundwater Resources Association of California
Association for Environmental Health and Sciences

Professional Experience

Mr. Green has a background in geology and paleontology. Since joining SCS in 1987, he has participated in numerous projects related to the investigation and remediation of hazardous chemicals in soils and groundwater. As a Vice President and Project Director, he currently serves as the Environmental Services Leader for the Long Beach and Las Vegas offices. Selected project activities include:

- Mr. Green has been Project Manager for more than a thousand Phase I Environmental Site Assessments (ESAs). These projects were completed in accordance with various lenders, the American Society for Testing and Materials (ASTM), or government guidelines, and consisted of evaluating current on-site operations, generating historical property use information, identifying potentially contaminated sites in the surrounding areas, reviewing previous reports and/or files maintained by regulatory agencies, and developing conclusions and recommendations regarding the presence of Recognized Environmental Conditions and further investigation. Project sites have varied from private single-use parcels to hundreds of properties involving multiple tenants associated with state and local government right-of-way improvements.

- Mr. Green has conducted hundreds of investigations of known or suspected hazardous waste sites to identify and characterize chemicals of concern in soil, soil vapor, and groundwater in accordance with regulatory requirements. Contaminants include a variety of hydrocarbon products, solvents, heavy metals, polychlorinated biphenyls (PCBs), and pesticides. Regulatory oversight agencies include the US Environmental Protection Agency (EPA), Department of Toxic Substances Control (DTSC), and various Regional Water Quality Control Boards (RWQCBs), County Health or Fire Departments, and city Certified Unified Program Agencies (CUPAs).

- Mr. Green has been Project Manager for numerous soil gas surveys utilized to assess the presence, nature, and extent of volatile organic compounds (VOCs) and/or methane related to contaminated soils, groundwater, and/or landfills. Elements of

these projects have included assessments of vapor intrusion, protection of structures from subsurface gases, monitoring of indoor air, and health risk assessments (HRAs).

- Mr. Green has managed numerous projects related to the removal, investigation, and remediation of contamination from leaking underground storage tanks (LUSTs). In accordance with requirements of the various regulatory agencies throughout Southern California, these LUST projects have included soil, soil gas, and groundwater contamination, and tasks such as evaluation of site and regional hydrogeologic conditions; development work plans and health and safety (H&S) plans; coordination and execution of tank removals; design of the investigative programs; review and selection of potential remedial alternatives; preparation of summary reports of findings; support of legal counsel in cost recovery actions; and support of client in cost recovery actions with the California Underground Storage Tank (UST) Cleanup Fund.

- Mr. Green has been the Project Manager for numerous remediation projects involving various hydrocarbon products, pesticides, chlorinated solvents, and/or heavy metals. Remediation projects included the excavation and disposal of soils; on- and off-site treatment of soils; recovery and treatment/disposal of free product and groundwater; and the design, installation, and operation of vapor extraction systems for soil and groundwater contaminated with VOCs.

- Mr. Green has evaluated environmental conditions at sanitary landfills. As Task Manager, he managed the installation and sampling of groundwater monitoring wells at and adjacent to existing landfills to determine the presence of leachate. This work was done in accordance with state regulations and local ordinances.

- Mr. Green was Project Manager for numerous lead-based paint (LBP) surveys and abatement projects for single- and multifamily residential developments, and commercial and public buildings. These projects consist of determining paint and/or dust sampling methodologies; interpretation of testing results; evaluation and recommendations for appropriate LBP hazards abatement; development of LBP abatement specifications; coordination and selection of licensed LBP abatement subcontractors; collection and analysis of abatement confirmation samples; characterization of waste materials; and preparation of summary reports documenting LBP surveys and the appropriate removal and disposal of LBP-related hazards.

- As a committee member, Mr. Green developed the initial ASTM standard guide (E2600) for vapor encroachment screening on property involved in real estate transactions. He has a decade of experience in evaluating the potential for vapor encroachment and vapor intrusion, along with the methods and protocols for investigation and/or mitigation of buildings affected by known or suspected contamination by VOCs.

- Mr. Green provides expert testimony and research support for litigation related to ESAs, and the investigation and remediation of hazardous waste sites.

His project experience is summarized below.

Vapor Extraction Assessment and Remediation of Former Industrial Dry Cleaning Facility. As Project Manager, Mr. Green's tasks included initial indoor air assessment for Proposition 65 compliance; coordination of equipment, subcontractors, and personnel for the installation of vapor extraction and monitoring wells, header lines, and vapor extraction system (VES), including acid "scrubber" for treated vapors, treatment pad and enclosure, electrical power, natural gas, water supply and wastewater discharge; city, county, and Air Quality Management District (AQMD) permits; operation and maintenance (O&M) of VES; regulatory reporting; and decommissioning of VES upon regulatory closure.

Community Redevelopment Agency of the City of Los Angeles (CRA/LA), General Environmental Consulting Services, Los Angeles, CA. As Project Director with almost 200 work order directives for services over an approximately 20-year period, Mr. Green provided the initial site assessments, asbestos-containing material (ACM) surveys, LBP surveys, soil gas surveys, soils investigations, groundwater investigations, remedial and abatement activities for soils, asbestos, and LBP, second-party reviews of reports and work completed by other environmental consultants, UST removals, groundwater well abandonment, Brownfields consulting, and an environmental audit of hazardous materials handling practices of the client's operations. The projects were completed on vacant, former oil field, residential, commercial, industrial, and manufacturing properties ranging in size from a single lot to a 29-block mixed-use area. In addition to ACMs and LBP, the identified constituents of concern included a variety of petroleum hydrocarbon (TPH) products, chlorinated solvents, heavy metals, PCBs, pesticides, and subsurface combustible gases such as methane and VOCs.

Brownfields Redevelopment Site, Los Angeles, CA. As Project Director, Mr. Green completed several phases of environmental services to facilitate the mixed-use redevelopment of property for a parking garage, childcare center, and affordable housing. Historical machine shop operations resulted in a release of tetrachloroethylene (PCE) to soils. Although some cleanup was conducted in the early 1990s, residual PCE contamination remained. In accordance with current standards and with the proposed goal of affordable housing and childcare center, SCS re-investigated the site under the oversight of the Los Angeles RWQCB. Services provided for this project included investigations of soil and soil gas, HRA and selection of remedial and mitigation options, design of vapor barrier to protect the building from chlorinated solvents, coordination and oversight of remedial excavation, oversight and certification for installation of a sub-building vapor barrier, post-construction monitoring of indoor, background, and sub-slab air to confirm that remediation and mitigation measures have met regulatory goals, and coordination of a No Further Action (NFA) letter from the regulatory authority.

Due Diligence Investigations of Manufacturing Facility, Torrance, CA. As Project Director, Mr. Green conducted a series of environmental assessments, investigations, and remedial activities that provided sufficient information to identify environmental issues and business risks and to facilitate the client's successful sale of property. A number of recognized environmental conditions, including former and existing USTs, a machine shop, wastewater treatment sumps and clarifier, paint shop, chemical storage, and chlorinated solvent degreasing operations were identified. Project activities included shallow and deep soil and soil vapor extraction (SVE) investigations, followed by groundwater sampling; geophysical survey and excavations to find

an existing diesel UST previously closed in-place; removal of the UST; remedial excavations under Torrance Fire Department oversight to obtain closure; a long-term SVE pilot test, including a work plan submitted to the Los Angeles RWQCB; installation of SVE and monitoring wells; and development of an SVE Pilot Test Report, and recommendations for further SVE.

Investigation, Abatement, and Subsequent Demolition, Resource, Conservation and Recovery Act (RCRA), CA. Lead-containing dust from a shooting range was found to have contaminated building materials and soils. As Project Manager, Mr. Green was involved the selection of remedial methods and contractors, monitoring of workers to assess exposure to lead-containing dust, monitoring of dust emissions during demolition to confirm compliance, confirmation sampling and analyses, characterization of wastes for disposal, and submittal of a summary report documenting the appropriate remediation and disposal of lead-containing wastes. Efforts were as part of the RCRA for facility closure under the oversight of the California DTSC.

Investigation and Remediation, CA. Chemicals of concern at the former wood treating facility included pentachlorophenol, creosote, diesel fuel, methylene chloride, zinc, copper, and arsenic. As Project Director, Mr. Green managed the Remedial Investigation/Feasibility Study (RI/FS) report for vadose zone soil, including an HRA; Remedial Action Plan (RAP) for impacted soil, which recommended capping as the most feasible remedial alternative; a cone penetrometer (CPT) study aimed at further defining site stratigraphy, evaluating for the presence of nonaqueous phase liquids, and mapping the areal distribution of chemicals of concern; quarterly groundwater monitoring from 16 wells; Storm Water Pollution Prevention Plan (SWPPP) and monitoring; and assistance to client in development and/or sale of the property. The work was done under the oversight of the California DTSC.

Well Investigation Program Compliance. As Project Manager, Mr. Green conducted a well investigation provided to the USEPA to identify Potentially Responsible Parties (PRPs) for the San Fernando Valley Superfund site. On-site operations included 14 USTs; numerous clarifiers, sumps, and drain lines; plating, machining, and painting shops; a jet engine test facility; and solvent, alkaline, and steam cleaning facilities. Approximately 70 exploratory soil borings were drilled and analyzed for chlorinated solvents, heavy metals, cyanide, and various hydrocarbon products, such as gasoline, machining and waste oils, Stoddard solvent, and jet fuel. A soil gas survey of the facility was also conducted to screen for potential contamination by VOCs, including the installation of multi-depth, nested soil vapor monitoring wells. Fate and transport modeling of chlorinated solvents was used to assess the potential for impacts to groundwater. The work was done under RWQCB oversight at a jet engine repair, maintenance, and testing facility. The RWQCB issued an NFA letter for the investigation and remediation of chlorinated solvents at the site. The project also included design, permitting, construction, and O&M of a hot air-assisted SVE system to remediate Jet A-impacted soils. After 1 year of operation, remediation was sufficient to obtain closure with no further requirements from the RWQCB. Furthermore, as a part of the decommissioning and demolition of the facility, a comprehensive survey for ACMs in nine buildings was conducted. SCS prepared plans and specifications for the abatement of ACMs, assisted the client in selection of an abatement contractor, conducted daily oversight of abatement activities, including air monitoring, and prepared a final report documenting the appropriate removal and disposal of ACMs.

Historical Industrial Site Redevelopment and Closure. Prior to acquisition of this property, Mr. Green, as Project Director, conducted a due diligence assessment and several phases of investigation to identify recognized environmental conditions, characterize the nature and extent of contamination, evaluate costs and environmental liabilities, and facilitate the client's successful purchase of the property. Following the acquisition, and as a part of site redevelopment and thereafter, SCS provided additional site characterization and remediation services under regulatory oversight and with closure. Project activities, conducted concurrently with property redevelopment, included:

- Shallow and deep soil and soil vapor investigations for due diligence purposes.
- Oil well abandonment under California Division of Oil, Gas and Geothermal Resources (DOGGR) oversight.
- Permitting and removal of an existing UST and remedial excavation under Los Angeles County Department of Public Works (LACDPW) oversight.
- Under RWQCB oversight, shallow soil excavation of a former UST area, installation and operation of a separate SVE system for deeper soil contamination, and installation and monitoring of groundwater wells.

SCS met with the RWQCB on several occasions to make a case for closure under the State Water Quality Control Board's (SWQCB's) Low-Threat UST Case Closure Policy. Upon completion of a closure investigation in October 2013, and a subsequent meeting to defend the case for closure, the RWQCB concurred with SCS's conclusions and approved the closure process under the Low-Threat Policy. Following SVE and well abandonment activities, the RWQCB issued an NFA letter for the property in July 2014.

Mr. Green has participated in a certified health and safety program in compliance with Occupational Safety and Health Administration (OSHA) Standard 29 CFR 1910.120. He provided his expertise in the incident response operations, team functions, personnel safety, and field equipment. He was able to recognize and evaluate potential chemical and physical hazards and associated risks in field operations; discuss and use personnel protective equipment such as respiratory protection and protective clothing; use and interpret direct-reading instruments; and examine and establish Standard Operating Safety Guidelines to ensure safe and effective response operations.

Mr. Green has been involved in numerous SCS projects related to hazardous waste characterization and management. He has experience in ESA studies, UST investigations and their associated remediation programs, landfill studies, and geologic and hydrogeologic site characterization studies. His work experience includes all project phases from development of cost estimates for various site assessment and cleanup programs, to groundwater monitoring and sampling, to preparation of final reports and interfacing with regulatory agencies.

Litigation Support/Expert Testimony

Mr. Green has provided litigation support and expert testimony to legal counsel, including conducting research, and preparing reports and other supporting documents, in the following environmental cases:

- In August 2013, Mr. Green provided testimony in federal court on behalf of the plaintiff in City of Banning v. Dureau et al., regarding the contractor's emergency response to a waste oil spill that entered the storm drain system. Testimony related to investigative and remedial actions and the applicability of, and compliance with, the National Contingency Plan (NCP). The case was won by the City of Banning, California.

- In October 2012, Mr. Green was retained as an expert witness by the defendant in Clipper Yacht Company, LLC v. Anderson's Boat Yard, Inc., to review documents, consult with legal counsel, and provide expert opinions at deposition and trial regarding contamination at a boat yard and associated marina in Sausalito, California. Specific topics of interest include the adequacy of previous investigations and remediation efforts, the sources of contamination (particularly copper), cleanup levels, and likelihood and estimated costs of additional remediation. This case was settled prior to trial.

- In August 2011, as part of the new property owner's litigation against the former tenant (Alfaville, LLC v. L.A. Signal, Inc.), Mr. Green provided testimony as a percipient witness, primarily as to the source and timing of a prior PCE release. In a Phase I ESA prepared by SCS in 2008, PCE solvent use by the departing property tenant was identified. Several phases of subsequent site investigation confirmed a release of PCE to soil and soil vapor with likely impacts to groundwater. Groundwater monitoring is ongoing under Los Angeles RWQCB oversight. Remediation by soil vapor extraction may be conducted. This case was settled.

- In November 2008, Mr. Green provided an expert report and court testimony on behalf of the plaintiff in Malcolm Carter Enterprise v. Microsemi Real Estate, Inc. At issue was the evaluation of data for a Phase I ESA, identification of Recognized Environmental Concerns (RECs), regional and site-specific groundwater contamination by chlorinated solvents, selection of an appropriate regulatory agency for remedial oversight, and applicability of the NFA letter. This case was won by the plaintiff.

- In 2010, Mr. Green was retained by the defendant in City of Riverside v. Johnson Revocable Trust, et al., to review documents, consult with legal counsel, and provide expert reports and deposition and expert testimony regarding an eminent domain case in Riverside, California. Specific topics of interest included the adequacy of previous investigation, the source or sources of a PCE release, and the likelihood and estimated costs of remediation. This case was settled prior to trial.

- In 2009, Mr. Green conducted a review of the scope of work and fees charged by another environmental consultant conducting expert witness work on a development project in Santa Clarita. A declaration was provided to the Plaintiff's counsel regarding typical consultant fees, and the reasonableness of the time and expenses charged in relation to the final work product.

- In 2006, Mr. Green reviewed documents, consulted with legal counsel, and provided deposition and expert testimony regarding the source and timing of a methyl tertiary butyl ether (MTBE) release at a service station site in Strathmore, California. This case was settled prior to trial.

- In 2003, Mr. Green provided litigation support regarding the scope and limitations of a Phase I ESA as it pertains to a service station site in San Bernardino, California.

- In 1998, Mr. Green provided expert consulting services related to the use, history, and migration of hexavalent chromium and perchloroethene in soil and groundwater at a former plating site and adjacent Los Angeles Unified School District (LAUSD) school property, and proper allocation of responsibility regarding those issues.

- In 1994, Mr. Green provided a client's in-house and outside legal counsel with technical support on a case involving cost recovery/allocation and potential involvement in the Burbank Operable Unit of the San Fernando Valley Superfund site. This project included assessment of the nature, extent, fate, and transport of potential contaminants (chlorinated solvents, fuels, and/or heavy metals), previous and proposed site investigations, possible remedial alternatives and costs, and environmental investigations and/or remediation on properties in the surrounding area.

- Mr. Green has also provided outside legal counsel with technical support for due diligence assessment at a property in Irvine, California. The client's site was located adjacent to a service station that had groundwater impacted with gasoline-related constituents, including MTBE. His work involved obtaining regulatory records, review, and written summary regarding regulatory requirements and anticipated actions, health risks, and necessity of additional site assessment and/or investigation work on the client's property.

- He has also assisted a client and the client's legal counsel with review of information and response to the Los Angeles RWQCB's request for a work plan for investigation of suspected hexavalent chromium impacts to soil and groundwater at the client's former operation, located adjacent to the Burbank Airport and within the Burbank Operable Unit of the San Fernando Valley Superfund Site. The work plan and further investigation were not subsequently required.

- In 1991, Mr. Green provided expert testimony in Azusa Redevelopment Agency v. Exxon, a case involving investigation and remediation of gasoline-contaminated soil at a former Exxon station.

- 1991, Mr. Green provided expert testimony for Art Movers, Inc., in a case involving previous site investigations, proposed remedial activities, and potential risks to groundwater resources from perchloroethene-contaminated soils.

Publications and Presentations

Green, K. W. Vapor Encroachment & Intrusion: What are the Real (Estate) Risks? Journal of Property Management. March-April 2014.

Marsh, J. R., and K. W. Green. All Appropriate Inquiry - The New Phase I Standard. California Real Estate Journal. May 8, 2006.

Green, K. W., T. Dong, and D. R. Ness. Industrial Drycleaner Woes, Vernon, California. Proceedings of the Groundwater Resources Association. November 10, 2004.

Marsh, J. R., K. W. Green, and T. Dong. Standardizing Environmental Assessments: A Practical Perspective. Journal of Environmental Engineering. Vol. 122, No. 3. March 1996.

Marsh, J. R., K. W. Green, and T. Dong. Phase I Assessments and Due Diligence: One and the Same? Environmental Engineering Forum, American Society of Civil Engineers, Environmental Engineering Division. Journal of Environmental Engineering. Vol. 120, No. 6, November/ December 1994.

Green, K. W., and B. Garbaccio. Understanding and Interpreting a Site Investigation Report. California Redevelopment Journal. October 1994

Marsh, J. R., and K. W. Green. What Your Phase I Assessment Dollars Buy. California Redevelopment Association Journal. July 1994.

PHASE II SOIL INVESTIGATION REPORT
SUNSHINE GROWERS NURSERY INC.
13130 HAMNER AVENUE
ONTARIO, CALIFORNIA 91761
(ASSESSOR'S PARCEL NUMBER: 0218-171-21-0000)

Prepared for:

CHI/Acquisitions CA, L.P., a Delaware Limited Partnership

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Prepared by:

SCS ENGINEERS
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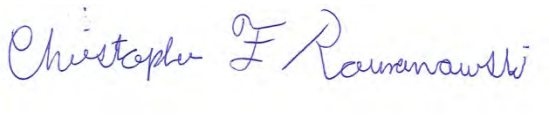
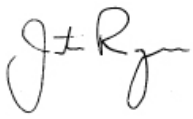
March 12, 2018
File No. 01218010.00, Task 2

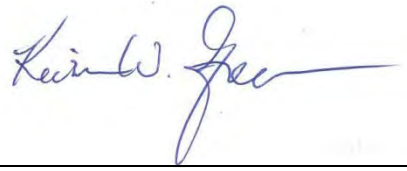
This Phase II Soil Investigation Report for the Sunshine Growers Nursery Inc. site located at the 13130 Hamner Avenue, in Ontario, California dated March 12, 2018 was prepared and reviewed by the following:



Christopher F. Romanowski
Staff Scientist
SCS ENGINEERS



Justin Rauzon, R.E.P.A.
Project Manager
SCS ENGINEERS



Kevin W. Green, PG
Senior Project Advisor
SCS ENGINEERS

Table of Contents

Section **Page**

DISCLAIMER ii
1 INTRODUCTION 1
Background 1
2 GEOLOGIC AND HYDROGEOLOGIC CONDITIONS 1
Physiographic Setting 1
Geology and Soils 1
Groundwater 2
3 SITE INVESTIGATION AND ANALYTICAL RESULTS 2
Soil Sample Collection 2
Soil Analytical Results 3
4 CONCLUSIONS AND RECOMMENDATIONS 3
5 REFERENCES 4

List of Figures, Tables, and Appendices

Figures

1 Site Location Map
2 Soil Boring Location Map

Appendices

A Chemtek Laboratory Report

DISCLAIMER

This report has been prepared for CHI/Acquisitions CA, L.P., a Delaware Limited Partnership with specific application to a Phase II soil investigation at the Sunshine Growers Nursery site located at 13130 Hamner Avenue, Ontario, California.

The report has been prepared in accordance with the care and skill generally exercised by reputable professionals, under similar circumstances, in this or similar localities. No other warranty, express or implied, is made as to the professional opinions presented herein. No other party, known or unknown to SCS Engineers, is intended as a beneficiary of this work product, its content or information embedded therein. Third parties use this report at their own risk.

Changes in site conditions may occur due to variation in rainfall, temperature, water usage, or other factors. Additional information that was not available to the consultant at the time of this investigation or changes that may occur on the site or in the surrounding area may result in modification to the site that would impact the summary and recommendations presented herein. This report is not a legal opinion.

1 INTRODUCTION

SCS Engineers (SCS) was retained by CHI/Acquisitions CA, L.P., a Delaware Limited Partnership, to conduct a Phase II soil investigation at the Sunshine Growers Nursery Inc. (Sunshine) site located at 13130 Hamner Avenue, Ontario, California (the "Property"). Investigation activities were conducted in accordance with SCS's proposal dated February 23, 2018 (Proposal No. 010176218). The Phase II proposal was based on the findings of a Phase I Environmental Site Assessment (Phase I ESA) prepared by SCS dated February 7, 2018 (SCS Project No. 01218010.00, Task 1). A location map for the Property is presented as **Figure 1**.

BACKGROUND

The Property is located on the western side of Hamner Avenue, approximately 1/3 mile to the south of the intersection with East Riverside Drive. Sunshine operates a nursery at the Property with a retail building, outdoor growing areas, covered greenhouse growing areas, and a maintenance building.

In the Phase I ESA report, SCS identified the following:

- One approximately 500-gallon, single-walled, steel aboveground storage tank (AST) is located near the center of the Property. The AST stores fuel for on-site tractors and an emergency generator located immediately to the east of the AST. The AST is situated inside a concrete containment berm. A supply hose runs from the bottom of the AST, over the containment berm, underground for approximately five feet, and then up into the emergency generator. The AST has been present at the nursery since it was first developed 29 years ago. Given the duration the AST has been at the Property, and the fact that the hosing passes underground where a leak would not be detected, SCS considers the diesel fuel AST to be a recognized environmental condition (REC).

Based on this information, SCS recommended a soil investigation in the area of the AST.

2 GEOLOGIC AND HYDROGEOLOGIC CONDITIONS

PHYSIOGRAPHIC SETTING

According to the U.S. Geological Survey (USGS), Guasti, California 7.5-minute topographic maps, the Property is located along the San Bernardino-Riverside County border, to the southwest of an agricultural area. The Property itself was not historically depicted as agricultural land. The Property is situated at an elevation of approximately 785 to 790 feet above mean sea level. The Property is relatively flat, with a slight regional slope to the south.

GEOLOGY AND SOILS

The Property is located in the Chino Basin area, a broad alluvial plain that is underlain by undifferentiated Pleistocene and Holocene alluvium deposits consisting predominantly of gravel, sand, silt, and clay. According to a review of information on the State Water Resources Control Board (SWRCB) GeoTracker website for the Crossroad Classic Mustang site (T0606500266), located at 12421 Riverside Avenue, Mira Loma, approximately 0.1 miles to the northeast,

subsurface lithology consists of interbedded fine sands, silts, and clay to 80 feet below ground surface (bgs), with a dense, partially cemented gravelly sand between 30 and 45 feet bgs. Based on proximity, similar geologic conditions are anticipated at the Property. Silt and sandy silt was encountered in two borings to three feet bgs during the Phase II soil investigation.

GROUNDWATER

Based on a review of GeoTracker information for the Crossroad Classic Mustang site, first groundwater was measured at a depth of 198 feet bgs in October 2004. Based on proximity, groundwater is anticipated at a similar depth beneath the Property. Based on topography, groundwater is expected to flow southerly in direction.

3 SITE INVESTIGATION AND ANALYTICAL RESULTS

The objective of the Phase II soil investigation was to evaluate a possible release from the AST.

SOIL SAMPLE COLLECTION

On February 27, 2018, SCS personnel collected soil samples at two borings (B1 and B2) using hand-operated equipment (hand auger). One boring (B2) was located on the western side of the AST and the other (B1) was located on the eastern side, between the AST and generator and near where the fuel supply hose passed underground. Soil samples at each boring were collected 1 and 3 feet bgs. A total of four soil samples were collected. The boring locations are identified on **Figure 2**.

A hand auger device was used for borehole advancement to desired sample depths. Samples were placed in 4-ounce glass jar and filled with no head space. A portion of each soil sample intended for analysis of volatile organic compound (VOC) and gasoline-range total petroleum hydrocarbons (TPH) was also preserved in the field using EPA Method 5035. This process includes the collection of three aliquots of soil from each soil sample using a plunger/sub-sampler provided by the laboratory. The three aliquots of soil were immediately placed in 40 milliliter VOA (volatile organic analysis) vials as follows – two aliquots in VOAs with a sodium bisulfate preservative and one VOA with a methanol preservative.

Samples were collected and analyzed using generally-accepted regulatory procedures. Between sampling events, the sampling equipment was cleaned with a three-part Alconox wash and rinsed to prevent cross-contamination. New nitrile gloves were used and frequently replaced in the handling of all soil samples, also to prevent cross-contamination.

A solvent-free label noting the date and time of collection, sample number, and project number was affixed to each sample sleeve. Immediately following labeling, samples were placed in a chilled ice chest to be submitted to Chemtek Environmental Laboratories (Chemtek) of Santa Fe Springs, California, a California Department of Health Services-certified laboratory. Samples were tracked from point of collection through the laboratory using proper chain-of-custody protocol.

A portion of each sample was observed for soil classification and for field indications of potential contamination. No unusual discoloration, odors, or other signs of contamination were noted in the samples.

As outlined in the proposal, all four soil samples were submitted for analysis of TPH using EPA Method 8015M and for VOCs using EPA Method 8260B. After all samples had been collected, the borings were backfilled with cuttings. No soil cuttings requiring disposal were generated during the investigation activities.

SOIL ANALYTICAL RESULTS

The Chemtek report, including chain-of-custody forms and quality assurance/quality control (QA/QC) data, are provided in **Appendix A**. TPH and VOCs were not detected in the soil samples at concentrations equal to or greater than the laboratory reporting limits.

4 CONCLUSIONS AND RECOMMENDATIONS

On February 27, 2018, SCS conducted a Phase II soil investigation in the area of the AST. Based on the results of this investigation, no obvious indications of contamination were noted in the soil samples recovered for analysis. Laboratory analysis did not detect VOCs or TPH in the four soil samples. In conclusion, the results of this investigation did not identify any fuel-related impacts in shallow soils in the area of the AST. Additional investigation is not warranted or recommended.

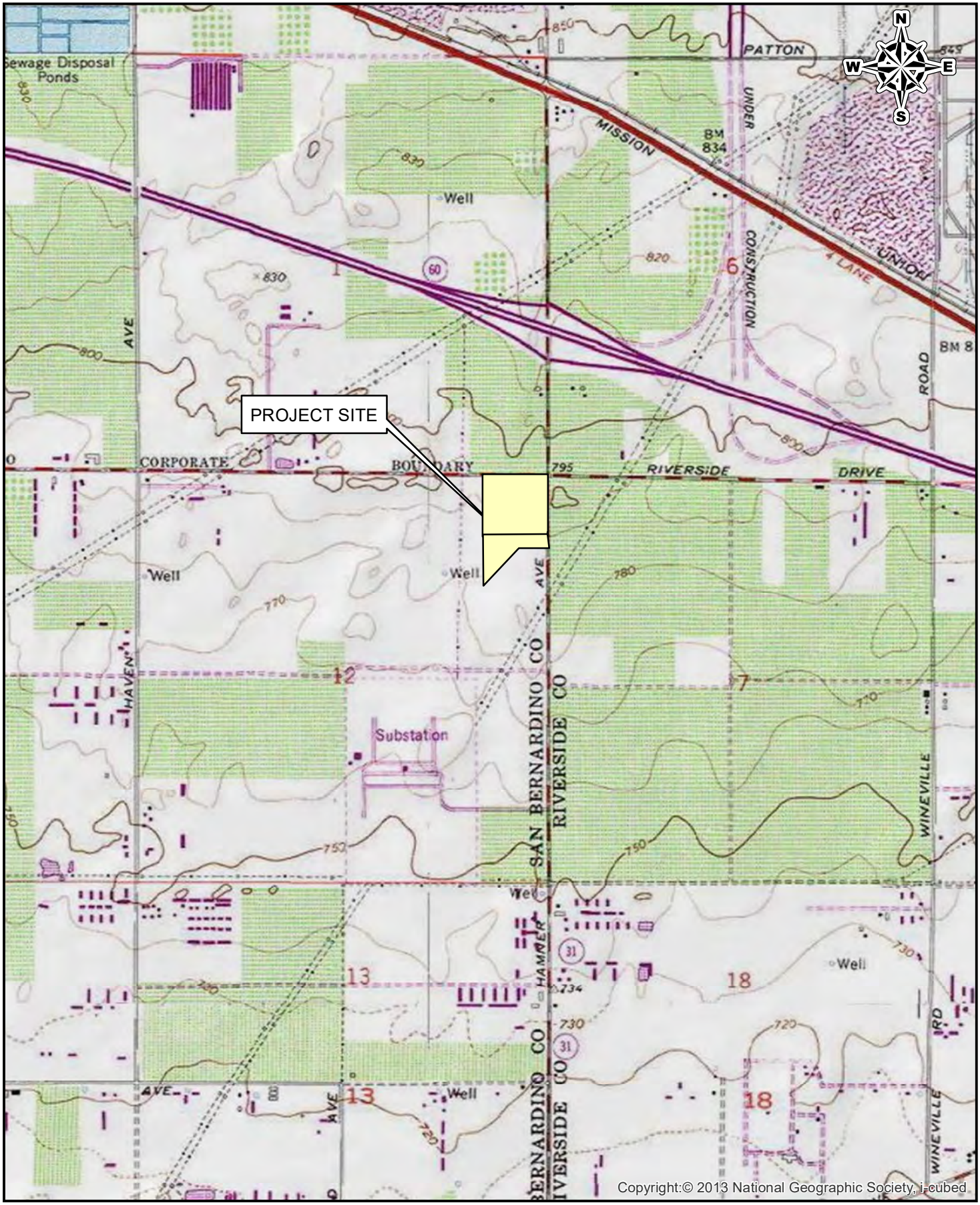
5 REFERENCES

California Environmental Protection Agency, State Water Resources Control Board. GeoTracker website; http://geotracker.waterboards.ca.gov/

Los Angeles Regional Water Quality Control Board (LARWQCB). *Interim Site Assessment and Cleanup Guidebook*. May 1996.

SCS Engineers, February 7, 2018. *Phase I Environmental Site Assessment:* 47.38-acre Property, 13130 Hamner Avenue and Undeveloped Parcel at Southwest Corner of East Riverside Drive and South Hamner Drive, Ontario, California.

FIGURES 1 AND 2



SCS ENGINEERS 3900 KILROY AIRPORT WAY, STE 100 LONG BEACH, CALIFORNIA 90806-6816	SITE: SWC E. Riverside & Hamner Avenue 13130 Milliken Avenue Ontario, California 91761	Job No.: 01218010.00 Title: SITE LOCATION MAP	FIGURE 2489



SCS ENGINEERS
ENVIRONMENTAL CONSULTANTS
3900 KILROY AIRPORT WAY, SUITE 100
LONG BEACH, CA 90806
PH. (562) 426-9544 FAX. (562) 427-0805

PROJ. NO.: 01218010.00
DWN. BY: J. RAUZON
APP. BY: K. GREEN

CLIENT:
CHI/ACQUISITIONS CA, L.P.
CROW HOLDINGS INDUSTRIAL
527 WEST 7TH STREET, SUITE 308
LOS ANGELES, CALIFORNIA 90014

SHEET TITLE:
GOOGLE EARTH AERIAL IMAGE SHOWING
PHOTO LOCATIONS

PROJECT TITLE:
SUNSHINE GROWERS NURSERY INC.
13130 HAMNER AVENUE
ONTARIO, CALIFORNIA 91761

DATE: FEBRUARY 2018
SCALE: SEE FIGURE
FIGURE NO.: 2

APPENDIX A

CHEMTEK LABORATORY REPORT

CHEMTEK
environmental laboratories

ELAP: 1435
LACSD: 10167

13554 Larwin Cir., Santa Fe Springs, CA 90670
T 562.926.9848
F 562.926.8324

Certificate of Analysis

Client: SCS Engineers
3900 Kilroy Airport Way
Long Beach, CA

Attention: Tom Dong

Project No. 01218010.00 T2
Project Site: Sunshine Growers

Job No: 802100
Report Date: 03/07/18
Date Received: 02/27/18
Number of Samples: 4
Sample Matrix: Soil

This is the Certificate of Analysis for the following samples:

SAMPLE IDENTIFICATION	DATE OF SAMPLE	LABORATORY IDENTIFICATION
B1-1	02/27/18	802100-01A
B1-3	02/27/18	802100-02A
B2-1	02/27/18	802100-03A
B2-3	02/27/18	802100-04A

Reviewed and Approved:

For

Michael C.C. Lu
Laboratory Director

CHEMTEK
environmental laboratories
13554 Larwin Cir., Santa Fe Springs, CA 90670
T 562.926.9848
F 562.926.8324

Certificate of Analysis

Client: SCS Engineers **EPA Method:** 8260B **Units:** µg/kg or ppb **Job No:** 802100

Project Site: Sunshine Growers **Matrix:** Soil

Project No. 01218010.00 T2

Analyte	Sample ID	Sample Date			Sample ID	Sample Date		
	B1-1	2/27/2018			B1-3	2/27/2018		
	Results	Units	DF	DLR	Results	Units	DF	DLR
Benzene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Bromobenzene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Bromochloromethane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Bromoform	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Bromomethane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
n-Butylbenzene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
sec-Butylbenzene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
tert-Butylbenzene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Carbon Tetrachloride	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Chlorobenzene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Chloroethane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Chloroform	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Chloromethane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
2-Chlorotoluene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
4-Chlorotoluene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
2-Chloroethyl vinyl ether	ND	µg/kg	1.1	2.2	ND	µg/kg	0.8	1.6
Dibromochloromethane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,2-Dibromo-3-chloropropane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,2-Dibromoethane (EDB)	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Dibromomethane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,2-Dichlorobenzene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,3-Dichlorobenzene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,4-Dichlorobenzene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Dichlorodifluoromethane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,1-Dichloroethane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,2-Dichloroethane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,1-Dichloroethene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
cis-1,2 Dichloroethene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Trans-1,2-Dichloroethene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,2-Dichloropropane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,3-Dichloropropane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
2,2-Dichloropropane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,1-Dichloropropene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Cis-1,3-Dichloropropene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
trans-1,3-Dichloroproene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Ethylbenzene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Hexachlorobutadiene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Isopropylbenzene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
4-Isopropyltoluene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Methylene Chloride	ND	µg/kg	1.1	5.5	ND	µg/kg	0.8	4
Naphthalene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
n-propylbenzene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Styrene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,1,1,2-Tetrachloroethane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,1,2,2-Tetrachloroethane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Tetrachloroethene(PCE)	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Toluene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,2,3-Trichlorobenzene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,2,4-Trichlorobenzene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,1,1-Trichloroethane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,1,2-Trichloroethane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Trichloroethene(TCE)	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Trichlorofluoromethane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,2,3-Trichloropropane	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,2,4-Trimethylbenzene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
1,3,5-Trimethylbenzene	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Vinyl Chloride	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
Total Xylenes	ND	µg/kg	1.1	2.2	ND	µg/kg	0.8	1.6
Ethanol	ND	µg/kg	1.1	275	ND	µg/kg	0.8	200
MTBE	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
ETBE	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
DIPE	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
TAME	ND	µg/kg	1.1	1.1	ND	µg/kg	0.8	0.8
TBA	ND	µg/kg	1.1	55	ND	µg/kg	0.8	40
MEK	ND	µg/kg	1.1	11	ND	µg/kg	0.8	8
MIBK	ND	µg/kg	1.1	11	ND	µg/kg	0.8	8
2-Hexanone	ND	µg/kg	1.1	11	ND	µg/kg	0.8	8
Acetone	ND	µg/kg	1.1	110	ND	µg/kg	0.8	80
Analysis Date:	03/02/18				03/02/18			

ND : Not detected at or above DLR
DLR: Detection Limit for Reporting Purposes

CHEMTEK
environmental laboratories
13554 Larwin Cir., Santa Fe Springs, CA 90670
T 562.926.9848
F 562.926.8324

Certificate of Analysis

Client: SCS Engineers **EPA Method:** 8260B **Units:** µg/kg or ppb **Job No:** 802100

Project Site: Sunshine Growers **Matrix:** Soil

Project No. 01218010.00 T2

Analyte	Sample ID: B2-1 Sample Date: 2/27/2018 Results	Units	DF	DLR	Sample ID: B2-3 Sample Date: 2/27/2018 Results	Units	DF	DLR
Benzene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Bromobenzene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Bromochloromethane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Bromoform	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Bromomethane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
n-Butylbenzene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
sec-Butylbenzene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
tert-Butylbenzene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Carbon Tetrachloride	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Chlorobenzene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Chloroethane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Chloroform	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Chloromethane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
2-Chlorotoluene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
4-Chlorotoluene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
2-Chloroethyl vinyl ether	ND	µg/kg	0.8	1.6	ND	µg/kg	1.1	2.2
Dibromochloromethane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,2-Dibromo-3-chloropropane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,2-Dibromoethane (EDB)	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Dibromomethane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,2-Dichlorobenzene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,3-Dichlorobenzene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,4-Dichlorobenzene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Dichlorodifluoromethane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,1-Dichloroethane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,2-Dichloroethane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,1-Dichloroethene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
cis-1,2 Dichloroethene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Trans-1,2-Dichloroethene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,2-Dichloropropane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,3-Dichloropropane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
2,2-Dichloropropane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,1-Dichloropropene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Cis-1,3-Dichloropropene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
trans-1,3-Dichloroproene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Ethylbenzene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Hexachlorobutadiene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Isopropylbenzene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
4-Isopropyltoluene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Methylene Chloride	ND	µg/kg	0.8	4	ND	µg/kg	1.1	5.5
Naphthalene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
n-propylbenzene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Styrene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,1,1,2-Tetrachloroethane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,1,2,2-Tetrachloroethane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Tetrachloroethene(PCE)	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Toluene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,2,3-Trichlorobenzene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,2,4-Trichlorobenzene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,1,1-Trichloroethane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,1,2-Trichloroethane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Trichloroethene(TCE)	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Trichlorofluoromethane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,2,3-Trichloropropane	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,2,4-Trimethylbenzene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
1,3,5-Trimethylbenzene	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Vinyl Chloride	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
Total Xylenes	ND	µg/kg	0.8	1.6	ND	µg/kg	1.1	2.2
Ethanol	ND	µg/kg	0.8	200	ND	µg/kg	1.1	275
MTBE	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
ETBE	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
DIPE	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
TAME	ND	µg/kg	0.8	0.8	ND	µg/kg	1.1	1.1
TBA	ND	µg/kg	0.8	40	ND	µg/kg	1.1	55
MEK	ND	µg/kg	0.8	8	ND	µg/kg	1.1	11
MIBK	ND	µg/kg	0.8	8	ND	µg/kg	1.1	11
2-Hexanone	ND	µg/kg	0.8	8	ND	µg/kg	1.1	11
Acetone	ND	µg/kg	0.8	80	ND	µg/kg	1.1	110
Analysis Date:	03/06/18				03/02/18			

ND : Not detected at or above DLR
DLR: Detection Limit for Reporting Purposes

CHEMTEK
environmental laboratories

13554 Larwin Cir., Santa Fe Springs, CA 90670
T 562.926.9848
F 562.926.8324

Certificate of Analysis

Client: SCS Engineers
Project Site: Sunshine Growers
Project No: 01218010.00 T2
EPA Method: 8015M
units: mg/kg or ppm
Job No: 802100
Report Date: 03/07/18
Date of Sample: 02/27/18
Date Received: 02/27/18
Sample Matrix: Soil

Sample ID	UNITS	Gas Range (C4-C12)	DF	DLR	Diesel Range (C13-C22)	DF	DLR	Oil Range (C23-36)	DF	DLR
B1-1	mg/kg	ND	1	0.20	ND	1	5.0	ND	1	10
B1-3	mg/kg	ND	1	0.20	ND	1	5.0	ND	1	10
B2-1	mg/kg	ND	1	0.20	ND	1	5.0	ND	1	10
B2-3	mg/kg	ND	1	0.20	ND	1	5.0	ND	1	10
Method Blank	mg/kg	ND	1	0.20	ND	1	5.0	ND	1	10
Sample Date:		02/27/18			02/27/18			02/27/18		
Analysis Date:		03/02,06/18			02/28/18			02/28/18		

ND : Not detected at or above DLR
DLR: Detection Limit for Reporting Purposes

CHEMTEK
environmental laboratories
13554 Larwin Cir., Santa Fe Springs, CA 90670
T 562.926.9848
F 562.926.8324

QC Analysis Date: 03/06/18 **Job No:** 802100
QC Lab ID: 802100-3A
Units: ppb

QUALITY CONTROL DATA

EPA METHOD: 8260B(VOC's)

ANALYTE	BLANK RESULT	SPIKE CONC.	MS % REC	MSD % REC	% RPD	% RPD ACCEPT LIMITS	% REC ACCEPT LIMITS
1,1-Dichloroethene	ND	25	120.0	115.5	3.8%	30	70-130
Benzene	ND	25	98.8	91.2	8.0%	30	70-130
Trichloroethylene	ND	25	114.5	110.2	3.8%	30	70-130
Toluene	ND	25	102.2	97.4	4.8%	30	70-130
Chlorobenzene	ND	25	105.6	101.1	4.4%	30	70-130

QC Analysis Date: 03/06/18
QC Lab ID: 802100-3A
Units: ppm

QUALITY CONTROL DATA

EPA METHOD: 8015M(TPH Gas Range Organics)

ANALYTE	BLANK RESULT	SPIKE CONC.	MS % REC	MSD % REC	% RPD	% RPD ACCEPT LIMITS	% REC ACCEPT LIMITS
GRO (TPH)	ND	0.5	96.0	101.4	5.5%	30	70-130

QC Analysis Date: 02/28/18
QC Lab ID: 802100-1A
Units: ppm

QUALITY CONTROL DATA

EPA METHOD: 8015M(TPH Diesel Range Organics)

ANALYTE	BLANK RESULT	SPIKE CONC.	MS % REC	MSD % REC	% RPD	% RPD ACCEPT LIMITS	% REC ACCEPT LIMITS
DRO (TPH)	ND	100	89.8	106.1	16.6%	30	70-130

CHEMTEK Environmental Laboratories Inc.

13554 Larwin Circle, Santa Fe Springs, CA 90670
Tel. (562) 926-9848 FAX (562) 926-8324 Email: ChemtekLabs@hotmail.com
CA Dept of Health Accredited. (ELAP No. 1435) & Mobile Lab (ELAP No. 2629)

CHAIN OF CUSTODY RECORD

802100

Job No.: 01218010.00 T2

Page: 1 of 1

CUSTOMER INFORMATION

COMPANY NAME: SCS Engineers

PROJECT CONTACT: J Rauzon Email: JRauzon@SCSengineers

ADDRESS: 3900 Kilroy Airport Way

PHONE: FAX:

PROJECT INFORMATION

PROJECT NAME Sunshine Growers P.O. No.

SITE ADDRESS:

SAMPLED BY: C. Romano Sig. ☐ EDF

Turn Around Time (NORM) ☒ 24 hr ☐ 48 hr ☐ Other ☐

	SAMPLE ID	DATE SAMPLED	TIME SAMPLED	TYPE *	pH/Time	REMARKS	Preserved	NO. OF CONT	8015M TPH G or GRO	8015M TPH D or DRO	CARBON CHAIN	VOCs (8260 B) FULL	OXYGENATES (8260 B) SHORT	COD / TSS / BOD / TDS	pH, Conductivity, Turbidity	Sulfide, Cyanide, O&G	CAM 17 Metals						
1	B1-1	2/27/18	1102	SO			SO2S	4			X	X											
2	B1-3		1108								X	X											
3	B2-1		1112								X	X											
4	B2-3		1117								X	X											
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ANALYSIS REQUIRED

SIGNATURE	PRINT NAME	COMPANY NAME	DATE	TIME
RELINQUISHED BY:	C. Romano Sig.	SCS	2/27/18	1302
RECEIVED BY:				
RELINQUISHED BY:				
EIVED FOR LABORATORY BY:	Mark	CMT	2/27/18	102

2497

E: Samples are discarded 30 days after results are reported unless other arrangements are made.

Distribution : WHITE with report / YELLOW to CHEMTEK / PINK to courier

Type: SO-Soil GW-Ground Water WW-Waste Water AQ-Aqueous A-Air OT-Other

Ontario Commerce Center

NOISE IMPACT ANALYSIS

CITY OF ONTARIO

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TABLE OF CONTENTS

TABLE OF CONTENTS ..... **III**
APPENDICES ..... **IV**
LIST OF EXHIBITS ..... **IV**
LIST OF TABLES ..... **V**
LIST OF ABBREVIATED TERMS ..... **V**
EXECUTIVE SUMMARY **1**
Off-Site Traffic Noise Analysis 1
Operational Noise Analysis 1
Operational Vibration Analysis 2
Construction Noise Analysis 2
Construction Vibration Analysis 2
Summary of CEQA Significance Findings 3
1 INTRODUCTION **5**
1.1 Site Location 5
1.2 Project Description 5
2 FUNDAMENTALS **9**
2.1 Range of Noise 9
2.2 Noise Descriptors 10
2.3 Sound Propagation 10
2.4 Noise Control 11
2.5 Noise Barrier Attenuation 11
2.6 Land Use Compatibility With Noise 12
2.7 Community Response to Noise 12
2.8 Exposure to High Noise Levels 13
2.9 Vibration 13
3 REGULATORY SETTING **17**
3.1 State of California Noise Requirements 17
3.2 State of California Green Building Standards Code 17
3.3 City of Ontario General Plan Noise Element 17
3.4 Operational Noise Standards 19
3.5 Construction Noise Standards 20
3.6 Vibration Standards 20
3.7 Airport Land Use Compatibility 20
4 SIGNIFICANCE CRITERIA **23**
4.1 CEQA Guidelines Not Further Analyzed 23
4.2 Noise-Sensitive Receivers 23
4.3 Significance Criteria Summary 25
5 EXISTING NOISE LEVEL MEASUREMENTS **27**
5.1 Measurement Procedure and Criteria 27
5.2 Noise Measurement Locations 27
5.3 Noise Measurement Results 28
6 SENSITIVE RECEIVER LOCATIONS **31**

7 OPERATIONAL NOISE IMPACTS 33
7.1 Operational Noise Sources 33
7.2 Reference Noise Levels 33
7.3 CadnaA Noise Prediction Model 37
7.4 Project Operational Noise Levels 38
7.5 Project Operational Noise Level Compliance 39
7.6 Project Operational Noise Level Increases 40
7.7 Reflection 40
7.8 Operational Vibration Impacts 40
8 CONSTRUCTION IMPACTS 43
8.1 Construction Noise Levels 43
8.2 Construction Reference Noise Levels 43
8.3 Construction Noise Analysis 45
8.4 Construction Noise Level Compliance 46
8.5 Construction Vibration Impacts 47
9 REFERENCES 49
10 CERTIFICATION 51

APPENDICES

APPENDIX 3.1: CITY OF ONTARIO MUNICIPAL CODE
APPENDIX 5.1: STUDY AREA PHOTOS
APPENDIX 5.2: NOISE LEVEL MEASUREMENT WORKSHEETS
APPENDIX 7.1: CADNAA OPERATIONAL NOISE MODEL INPUTS
APPENDIX 8.1: CADNAA CONSTRUCTION NOISE MODEL INPUTS

LIST OF EXHIBITS

EXHIBIT 1-A: LOCATION MAP 6
EXHIBIT 1-B: SITE PLAN 7
EXHIBIT 2-A: TYPICAL NOISE LEVELS 9
EXHIBIT 2-B: NOISE LEVEL INCREASE PERCEPTION 13
EXHIBIT 2-C: TYPICAL LEVELS OF GROUND-BORNE VIBRATION 15
EXHIBIT 3-A: NOISE LEVEL EXPOSURE AND LAND USE COMPATIBILITY GUIDELINES 18
EXHIBIT 3-B: LA/ONT FUTURE AIRPORT NOISE CONTOURS 21
EXHIBIT 5-A: NOISE MEASUREMENT LOCATIONS 30
EXHIBIT 6-A: SENSITIVE RECEIVER LOCATIONS 32
EXHIBIT 7-A: OPERATIONAL NOISE SOURCE LOCATIONS 34
EXHIBIT 8-A: CONSTRUCTION NOISE SOURCE LOCATIONS 44

LIST OF TABLES

TABLE ES-1: SUMMARY OF CEQA SIGNIFICANCE FINDINGS 3
TABLE 3-1: OPERATIONAL NOISE STANDARDS 19
TABLE 4-1: SIGNIFICANCE OF NOISE IMPACTS AT NOISE-SENSITIVE RECEIVERS 24
TABLE 4-2: SIGNIFICANCE CRITERIA SUMMARY 26
TABLE 5-1: 24-HOUR AMBIENT NOISE LEVEL MEASUREMENTS 29
TABLE 7-1: REFERENCE NOISE LEVEL MEASUREMENTS 35
TABLE 7-2: ENTRY GATE & TRUCK MOVEMENTS BY LOCATION 36
TABLE 7-3: DAYTIME PROJECT OPERATIONAL NOISE LEVELS 38
TABLE 7-4: NIGHTTIME PROJECT OPERATIONAL NOISE LEVELS 39
TABLE 7-5: OPERATIONAL NOISE LEVEL COMPLIANCE 39
TABLE 7-6: DAYTIME PROJECT OPERATIONAL NOISE LEVEL INCREASES 41
TABLE 7-7: NIGHTTIME OPERATIONAL NOISE LEVEL INCREASES 42
TABLE 8-1: CONSTRUCTION REFERENCE NOISE LEVELS 45
TABLE 8-2: CONSTRUCTION EQUIPMENT NOISE LEVEL SUMMARY 46
TABLE 8-3: CONSTRUCTION NOISE LEVEL COMPLIANCE 46
TABLE 8-4: VIBRATION SOURCE LEVELS FOR CONSTRUCTION EQUIPMENT 47
TABLE 8-5: PROJECT CONSTRUCTION VIBRATION LEVELS 48

LIST OF ABBREVIATED TERMS

(1)	Reference
ADT	Average Daily Traffic
ANSI	American National Standards Institute
CEQA	California Environmental Quality Act
CNEL	Community Noise Equivalent Level
dBA	A-weighted decibels
EPA	Environmental Protection Agency
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
Hz	Hertz
INCE	Institute of Noise Control Engineering
L_{eq}	Equivalent continuous (average) sound level
L_{max}	Maximum level measured over the time interval
L_{min}	Minimum level measured over the time interval
mph	Miles per hour
OPR	Office of Planning and Research
PPV	Peak particle velocity
Project	Ontario Commerce Center
RMS	Root-mean-square
VdB	Vibration Decibels

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EXECUTIVE SUMMARY

Urban Crossroads, Inc. has prepared this noise study to determine the potential noise impacts and the necessary noise mitigation measures, if any, for the proposed Ontario Commerce Center development ("Project"). The Project site is located west of Hamner Avenue and south of Riverside Drive in the City of Ontario. The Project development concept provides for up to 968,092 square feet (sf) of General Light Industrial/Warehousing uses, and up to 40,000 square feet of Commercial Retail. At the time this noise analysis was prepared, the future tenants of the proposed Project were unknown, and therefore, this noise study includes a conservative analysis of the proposed Project uses. This study has been prepared to satisfy applicable City of Ontario standards and thresholds of significance based on guidance provided by Appendix G of the California Environmental Quality Act (CEQA) Guidelines. (1)

OFF-SITE TRAFFIC NOISE ANALYSIS

Traffic generated by the operation of the proposed Project will influence the traffic noise levels in surrounding off-site areas. According to the April 21, 2020 *Revised Focused Traffic Assessment for Edenglen Business Park* Project prepared by LLG Engineers, the proposed Project is anticipated to generate a total of 5,824 actual vehicle trip-ends per day with 598 (non-PCE) truck trip-ends per day. (2) The proposed project trip generation fits within the original entitlement of 11,033 actual vehicle trip-ends per day with 876 (non-PCE) truck trip-ends per day for the site. The *Revised Focused Traffic Assessment* determined that the proposed Project fits within the original entitlement for the site and is estimated to generate fewer trips than what was previously approved for the Project site in the Edenglen Specific Plan. Since the proposed Project trip budget fits within the entitlement for the site, the traffic study prepared for the Specific Plan is considered adequate and no additional service level analysis is needed. Therefore, the Project will result in off-site traffic noise levels that are lower than what was previously identified in the original Edenglen Specific Plan EIR, and as such, the off-site traffic noise level impacts would be *less than significant* with the Project and no further analysis is required.

OPERATIONAL NOISE ANALYSIS

Using reference noise levels to represent the expected noise sources from the Ontario Commerce Center site, the operational analysis estimates the Project-related stationary-source noise hourly average L_{eq} levels at nearby sensitive receiver locations. The typical activities associated with the proposed Ontario Commerce Center are anticipated to include loading dock activity, entry gate & truck movements, roof-top air conditioning units, and trash enclosure activity. To present a conservative approach, this report assumes the Project will operate 24-hours daily for seven days per week. In addition, the operational noise analysis includes the planned 12-foot high screen wall designed to shield the loading dock areas from the nearby noise sensitive residential community. The operational noise analysis shows that the Project will satisfy the City of Ontario stationary-source exterior hourly average L_{eq} noise levels of 65 dBA L_{eq} daytime and the nighttime standards adjusted to reflect the ambient noise levels at all nearby noise sensitive residential

receiver locations. Therefore, the Project-related operational noise level impacts are considered *less than significant*.

OPERATIONAL VIBRATION ANALYSIS

The operation of the Project site will include heavy trucks moving on site to and from the loading dock areas. Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. According to the FTA *Transit Noise Impact and Vibration Assessment,* (3 p. 113) trucks rarely create vibration that exceeds 70 VdB (unless there are bumps due to frequent potholes in the road). Trucks transiting on site will be travelling at very low speeds so it is expected that delivery truck vibration impacts at nearby homes will satisfy the daytime vibration threshold of 78 VdB and nighttime threshold of 72 VdB, and therefore, will be *less than significant*.

CONSTRUCTION NOISE ANALYSIS

Using sample reference noise levels to represent the planned construction activities of the Ontario Commerce Center site, this analysis estimates the Project-related construction noise levels at nearby receiver locations. To assess the worst-case construction noise levels, the Project construction noise analysis relies on the highest noise level impacts when the equipment with the highest reference noise level is operating at the closest point from the edge of primary construction activity (Project site boundary) to each receiver location. The Project-related short-term construction noise levels are expected to range from 48.7 to 63.2 dBA L_{eq} and will satisfy the construction-related noise level threshold of 65 dBA L_{eq} at all receiver locations. Therefore, based on the results of this analysis, all nearby receiver locations will experience *less than significant* impacts due to Project construction noise levels.

CONSTRUCTION VIBRATION ANALYSIS

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Based on this analysis it is expected that ground-borne vibration from Project construction activities would cause only intermittent, localized intrusion. At distances ranging from 208 feet (at location R4) to 312 feet (at location R1) from Project construction activities (at the Project site boundary), construction vibration levels are estimated to range from 54.1 to 59.4 VdB and will remain below the FTA Transit Noise and Vibration Impact Assessment maximum acceptable vibration criteria of 78 VdB for daytime residential uses at all receiver locations. Therefore, the Project-related vibration impacts are considered *less than significant* during the construction activities at the Project site. Moreover, the impacts at the site of the closest sensitive receivers are unlikely to be sustained during the entire construction period but will occur rather only during the times that heavy construction equipment is operating adjacent to the Project site perimeter.

SUMMARY OF CEQA SIGNIFICANCE FINDINGS

The results of this Ontario Commerce Center Noise Impact Analysis are summarized below based on the significance criteria in Section 4 of this report consistent with Appendix G of the California Environmental Quality Act (CEQA) Guidelines. (1). Table ES-1 shows the findings of significance for each potential noise and/or vibration impact under CEQA before and after any required mitigation measures.

TABLE ES-1: SUMMARY OF CEQA SIGNIFICANCE FINDINGS

Analysis	Report Section	Significance Findings	
		Unmitigated	Mitigated
Off-Site Traffic Noise	ES	*Less Than Significant*	-
Operational Noise	7	*Less Than Significant*	-
Operational Vibration		*Less Than Significant*	-
Construction Noise	8	*Less Than Significant*	-
Construction Vibration		*Less Than Significant*	-

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1 INTRODUCTION

This noise analysis has been completed to determine the noise impacts associated with the development of the proposed Ontario Commerce Center ("Project"). This noise study briefly describes the proposed Project, provides information regarding noise fundamentals, describes the local regulatory setting, provides the study methods and evaluates the future exterior noise environment. In addition, this study includes an analysis of the potential Project-related long-term stationary-source operational noise and short-term construction noise impacts.

1.1 SITE LOCATION

The proposed Ontario Commerce Center site is located west of Hamner Avenue and south of Riverside Drive in the City of Ontario, as shown on Exhibit 1-A. The Project site is located within the Edenglen Specific Plan in the area east of the Southern California Edison (SCE) power transmission line corridor. The Project is mostly vacant with the Sunshine Growers Wholesale Nursery occupying the southern portion of the site. Existing land uses near the Project site consist of a mix of residential land uses to the west within the City of Ontario Edenglen Specific Plan ("Specific Plan") and nearby industrial land uses located east of the Project Site within the City of Eastvale. California State Route 60 is located approximately 0.4 miles north of the Project site, Interstate 15 (I-15) Freeway is located approximately 0.46 miles east of the Project Site and the Ontario International Airport is located roughly 2.7 miles northwest of the Project site.

1.2 PROJECT DESCRIPTION

As shown on Exhibit 1-B the Project provides for up to 968,092 square feet of General Light Industrial/Warehousing uses, and up to 40,000 square feet of Commercial Retail. According to the Specific Plan, the site is entitled for commercial development consisting of a mixture of Community Commercial uses and Business Park/Light Industrial Uses. In place of the approved uses, the Project is proposing to develop a Business Park consisting of warehouse/distribution and/or general light industrial uses, plus maintain the ability to develop a commercial retail center consistent with the Specific Plan.

At the time this noise analysis was prepared, the future tenants of the proposed Project were unknown. The on-site Project-related noise sources are expected to include: loading dock activity, entry gate & truck movements, roof-top air conditioning units, and trash enclosure activity. This noise analysis is intended to describe noise level impacts associated with the expected typical operational activities at the Project site. To present a conservative approach, this report assumes the Project will operate 24-hours daily for seven days per week.

According to the April 21, 2020 *Revised Focused Traffic Assessment for Edenglen Business Park* Project prepared by LLG Engineers, the proposed Project is anticipated to generate a total of 5,824 actual vehicle trip-ends per day with 598 truck trip-ends per day. (2) The proposed project trip generation fits within the original entitlement of 11,033 actual vehicle trip-ends per day with 876 (non-PCE) truck trip-ends per day for the site.

EXHIBIT 1-A: LOCATION MAP

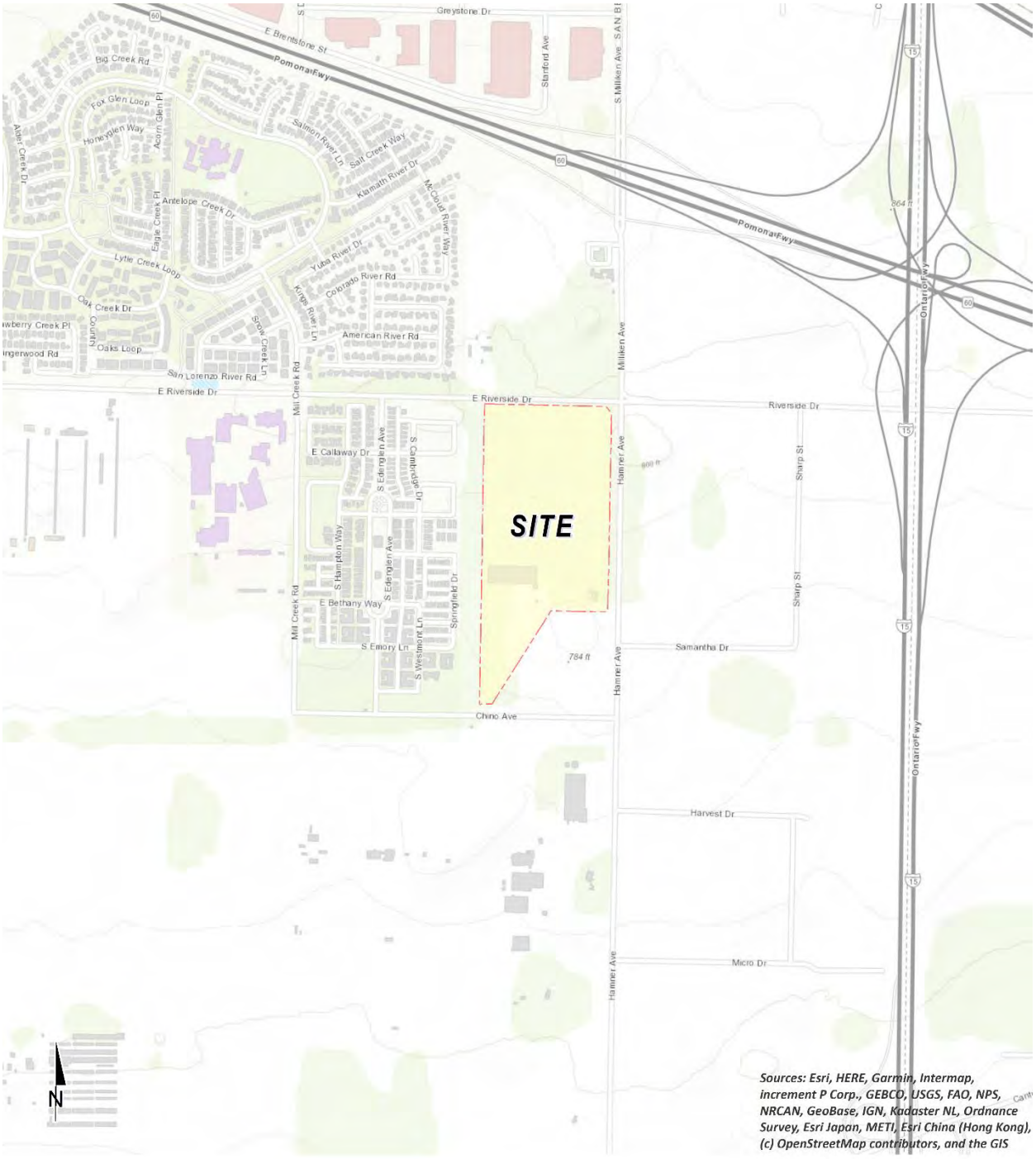
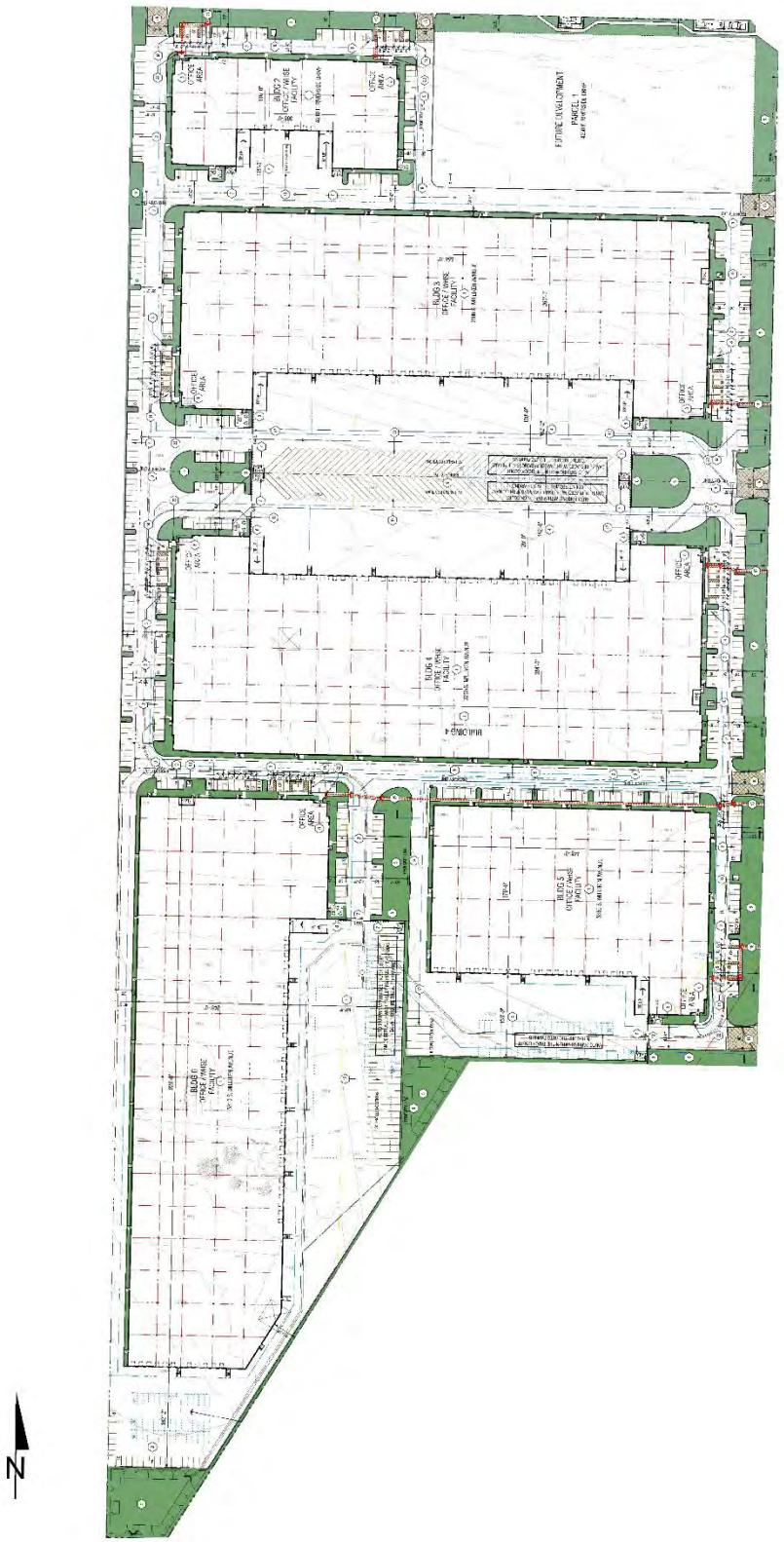


EXHIBIT 1-B: SITE PLAN



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2 FUNDAMENTALS

Noise is simply defined as "unwanted sound." Sound becomes unwanted when it interferes with normal activities, when it causes actual physical harm or when it has adverse effects on health. Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). A-weighted decibels (dBA) approximate the subjective response of the human ear to broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum. They are adjusted to reflect only those frequencies which are audible to the human ear. Exhibit 2-A presents a summary of the typical noise levels and their subjective loudness and effects that are described in more detail below.

EXHIBIT 2-A: TYPICAL NOISE LEVELS

COMMON OUTDOOR ACTIVITIES	COMMON INDOOR ACTIVITIES	A - WEIGHTED SOUND LEVEL dBA	SUBJECTIVE LOUDNESS	EFFECTS OF NOISE
THRESHOLD OF PAIN		140	INTOLERABLE OR DEAFENING	HEARING LOSS
NEAR JET ENGINE		130		
		120		
JET FLY-OVER AT 300m (1000 ft)	ROCK BAND	110		
LOUD AUTO HORN		100	VERY NOISY	
GAS LAWN MOWER AT 1m (3 ft)		90		
DIESEL TRUCK AT 15m (50 ft), at 80 km/hr (50 mph)	FOOD BLENDER AT 1m (3 ft)	80		SPEECH INTERFERENCE
NOISY URBAN AREA, DAYTIME	VACUUM CLEANER AT 3m (10 ft)	70	LOUD	
HEAVY TRAFFIC AT 90m (300 ft)	NORMAL SPEECH AT 1m (3 ft)	60		
QUIET URBAN DAYTIME	LARGE BUSINESS OFFICE	50	MODERATE	SLEEP DISTURBANCE
QUIET URBAN NIGHTTIME	THEATER, LARGE CONFERENCE ROOM (BACKGROUND)	40		
QUIET SUBURBAN NIGHTTIME	LIBRARY	30	FAINT	NO EFFECT
QUIET RURAL NIGHTTIME	BEDROOM AT NIGHT, CONCERT HALL (BACKGROUND)	20		
	BROADCAST/RECORDING STUDIO	10	VERY FAINT	
LOWEST THRESHOLD OF HUMAN HEARING	LOWEST THRESHOLD OF HUMAN HEARING	0		

Source: Environmental Protection Agency Office of Noise Abatement and Control, Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety (EPA/ONAC 550/9-74-004) March 1974.

2.1 RANGE OF NOISE

Since the range of intensities that the human ear can detect is so large, the scale frequently used to measure intensity is a scale based on multiples of 10, the logarithmic scale. The scale for measuring intensity is the decibel scale. Each interval of 10 decibels indicates a sound energy ten times greater than before, which is perceived by the human ear as being roughly twice as loud. (4) The most common sounds vary between 40 dBA (very quiet) to 100 dBA (very loud). Normal conversation at three feet is roughly at 60 dBA, while loud jet engine noises equate to 110 dBA

at approximately 100 feet, which can cause serious discomfort. (5) Another important aspect of noise is the duration of the sound and the way it is described and distributed in time.

2.2 NOISE DESCRIPTORS

Environmental noise descriptors are generally based on averages, rather than instantaneous, noise levels. The most commonly used figure is the equivalent level (L_{eq}). Equivalent sound levels are not measured directly but are calculated from sound pressure levels typically measured in A-weighted decibels (dBA). The equivalent sound level (L_{eq}) represents a steady state sound level containing the same total energy as a time varying signal over a given sample period and is commonly used to describe the "average" noise levels within the environment.

Peak hour or average noise levels, while useful, do not completely describe a given noise environment. Noise levels lower than peak hour may be disturbing if they occur during times when quiet is most desirable, namely evening and nighttime (sleeping) hours. To account for this, the Community Noise Equivalent Level (CNEL), representing a composite 24-hour noise level is utilized. The CNEL is the weighted average of the intensity of a sound, with corrections for time of day, and averaged over 24 hours. The time of day corrections require the addition of 5 decibels to dBA L_{eq} sound levels in the evening from 7:00 p.m. to 10:00 p.m., and the addition of 10 decibels to dBA L_{eq} sound levels at night between 10:00 p.m. and 7:00 a.m. These additions are made to account for the noise sensitive time periods during the evening and night hours when sound appears louder. CNEL does not represent the actual sound level heard at any time, but rather represents the total sound exposure. The City of Ontario relies on the 24-hour CNEL level to assess land use compatibility with transportation related noise sources.

2.3 SOUND PROPAGATION

When sound propagates over a distance, it changes in level and frequency content. The way noise reduces with distance depends on the following factors.

2.3.1 GEOMETRIC SPREADING

Sound from a localized source (i.e., a stationary point source) propagates uniformly outward in a spherical pattern. The sound level attenuates (or decreases) at a rate of 6 dB for each doubling of distance from a point source. Highways consist of several localized noise sources on a defined path and hence can be treated as a line source, which approximates the effect of several point sources. Noise from a line source propagates outward in a cylindrical pattern, often referred to as cylindrical spreading. Sound levels attenuate at a rate of 3 dB for each doubling of distance from a line source. (4)

2.3.2 GROUND ABSORPTION

The propagation path of noise from a highway to a receiver is usually very close to the ground. Noise attenuation from ground absorption and reflective wave canceling adds to the attenuation associated with geometric spreading. Traditionally, the excess attenuation has also been expressed in terms of attenuation per doubling of distance. This approximation is usually

sufficiently accurate for distances of less than 200 ft. For acoustically hard sites (i.e., sites with a reflective surface between the source and the receiver, such as a parking lot or body of water), no excess ground attenuation is assumed. For acoustically absorptive or soft sites (i.e., those sites with an absorptive ground surface between the source and the receiver such as soft dirt, grass, or scattered bushes and trees), an excess ground attenuation value of 1.5 dB per doubling of distance is normally assumed. When added to the cylindrical spreading, the excess ground attenuation results in an overall drop-off rate of 4.5 dB per doubling of distance from a line source. (6)

2.3.3 ATMOSPHERIC EFFECTS

Receivers located downwind from a source can be exposed to increased noise levels relative to calm conditions, whereas locations upwind can have lowered noise levels. Sound levels can be increased at large distances (e.g., more than 500 feet) due to atmospheric temperature inversion (i.e., increasing temperature with elevation). Other factors such as air temperature, humidity, and turbulence can also have significant effects. (4)

2.3.4 SHIELDING

A large object or barrier in the path between a noise source and a receiver can substantially attenuate noise levels at the receiver. The amount of attenuation provided by shielding depends on the size of the object and the frequency content of the noise source. Shielding by trees and other such vegetation typically only has an "out of sight, out of mind" effect. That is, the perception of noise impact tends to decrease when vegetation blocks the line-of-sight to nearby residents. However, for vegetation to provide a substantial, or even noticeable, noise reduction, the vegetation area must be at least 15 feet in height, 100 feet wide and dense enough to completely obstruct the line-of sight between the source and the receiver. This size of vegetation may provide up to 5 dBA of noise reduction. The FHWA does not consider the planting of vegetation to be a noise abatement measure. (6)

2.4 NOISE CONTROL

Noise control is the process of obtaining an acceptable noise environment for an observation point or receiver by controlling the noise source, transmission path, receiver, or all three. This concept is known as the source-path-receiver concept. In general, noise control measures can be applied to these three elements.

2.5 NOISE BARRIER ATTENUATION

Effective noise barriers can reduce noise levels by up to 10 to 15 dBA, cutting the loudness of traffic noise in half. A noise barrier is most effective when placed close to the noise source or receiver. Noise barriers, however, do have limitations. For a noise barrier to work, it must be high enough and long enough to block the path of the noise source. (6) The Project includes planned 12-foot high screen walls on the western Project boundary. The screen walls are designed to shield the loading dock areas from the nearby noise sensitive residential community

located approximately 240 feet west of the Project site. The screen walls are designed to block the transmission path of the Project related noise operational noise source activities.

2.6 LAND USE COMPATIBILITY WITH NOISE

Some land uses are more tolerant of noise than others. For example, schools, hospitals, churches, and residences are more sensitive to noise intrusion than are commercial or industrial developments and related activities. As ambient noise levels affect the perceived amenity or livability of a development, so too can the mismanagement of noise impacts impair the economic health and growth potential of a community by reducing the area's desirability as a place to live, shop and work. For this reason, land use compatibility with the noise environment is an important consideration in the planning and design process. The FHWA encourages State and Local government to regulate land development in such a way that noise-sensitive land uses are either prohibited from being located adjacent to a highway, or that the developments are planned, designed, and constructed in such a way that noise impacts are minimized. (7)

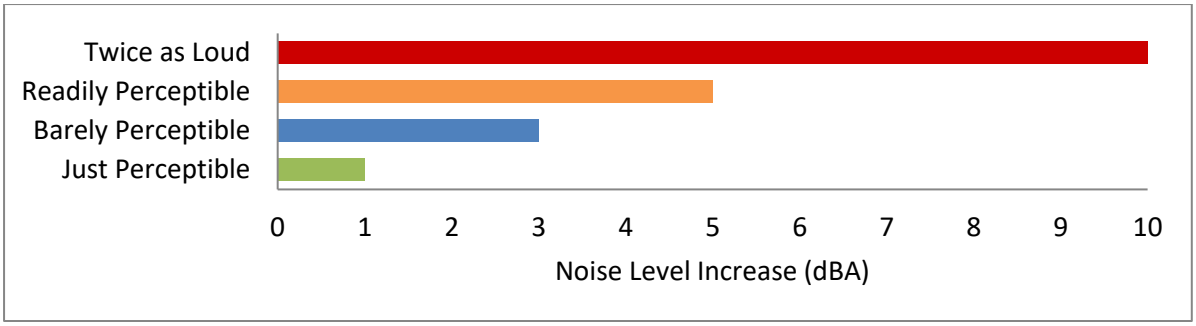
2.7 COMMUNITY RESPONSE TO NOISE

Community responses to noise may range from registering a complaint by telephone or letter, to initiating court action, depending upon everyone's susceptibility to noise and personal attitudes about noise. Several factors are related to the level of community annoyance including:

- Fear associated with noise producing activities;
- Socio-economic status and educational level;
- Perception that those affected are being unfairly treated;
- Attitudes regarding the usefulness of the noise-producing activity;
- Belief that the noise source can be controlled.

Approximately ten percent of the population has a very low tolerance for noise and will object to any noise not of their making. Consequently, even in the quietest environment, some complaints will occur. Another twenty-five percent of the population will not complain even in very severe noise environments. Thus, a variety of reactions can be expected from people exposed to any given noise environment. (8) Surveys have shown that about ten percent of the people exposed to traffic noise of 60 dBA will report being highly annoyed with the noise, and each increase of one dBA is associated with approximately two percent more people being highly annoyed. When traffic noise exceeds 60 dBA or aircraft noise exceeds 55 dBA, people may begin to complain. (8) Despite this variability in behavior on an individual level, the population can be expected to exhibit the following responses to changes in noise levels as shown on Exhibit 2-B. A change of 3 dBA are considered *barely perceptible*, and changes of 5 dBA are considered *readily perceptible*. (6)

EXHIBIT 2-B: NOISE LEVEL INCREASE PERCEPTION



2.8 EXPOSURE TO HIGH NOISE LEVELS

The Occupational Safety and Health Administration (OSHA) sets legal limits on noise exposure in the workplace. The permissible exposure limit (PEL) for a worker over an eight-hour day is 90 dBA. The OSHA standard uses a 5 dBA exchange rate. This means that when the noise level is increased by 5 dBA, the amount of time a person can be exposed to a certain noise level to receive the same dose is cut in half. The National Institute for Occupational Safety and Health (NIOSH) has recommended that all worker exposures to noise should be controlled below a level equivalent to 85 dBA for eight hours to minimize occupational noise induced hearing loss. NIOSH also recommends a 3 dBA exchange rate so that every increase by 3 dBA doubles the amount of the noise and halves the recommended amount of exposure time. (9)

OSHA has implemented requirements to protect all workers in general industry (e.g. the manufacturing and the service sectors) for employers to implement a Hearing Conservation Program where workers are exposed to a time weighted average noise level of 85 dBA or higher over an eight-hour work shift. Hearing Conservation Programs require employers to measure noise levels, provide free annual hearing exams and free hearing protection, provide training, and conduct evaluations of the adequacy of the hearing protectors in use unless changes to tools, equipment and schedules are made so that they are less noisy and worker exposure to noise is less than the 85 dBA. This noise study does not evaluate the noise exposure of workers within a project or construction site based on CEQA requirements, and instead, evaluates Project-related operational and construction noise levels at the nearby sensitive receiver locations in the Project study area.

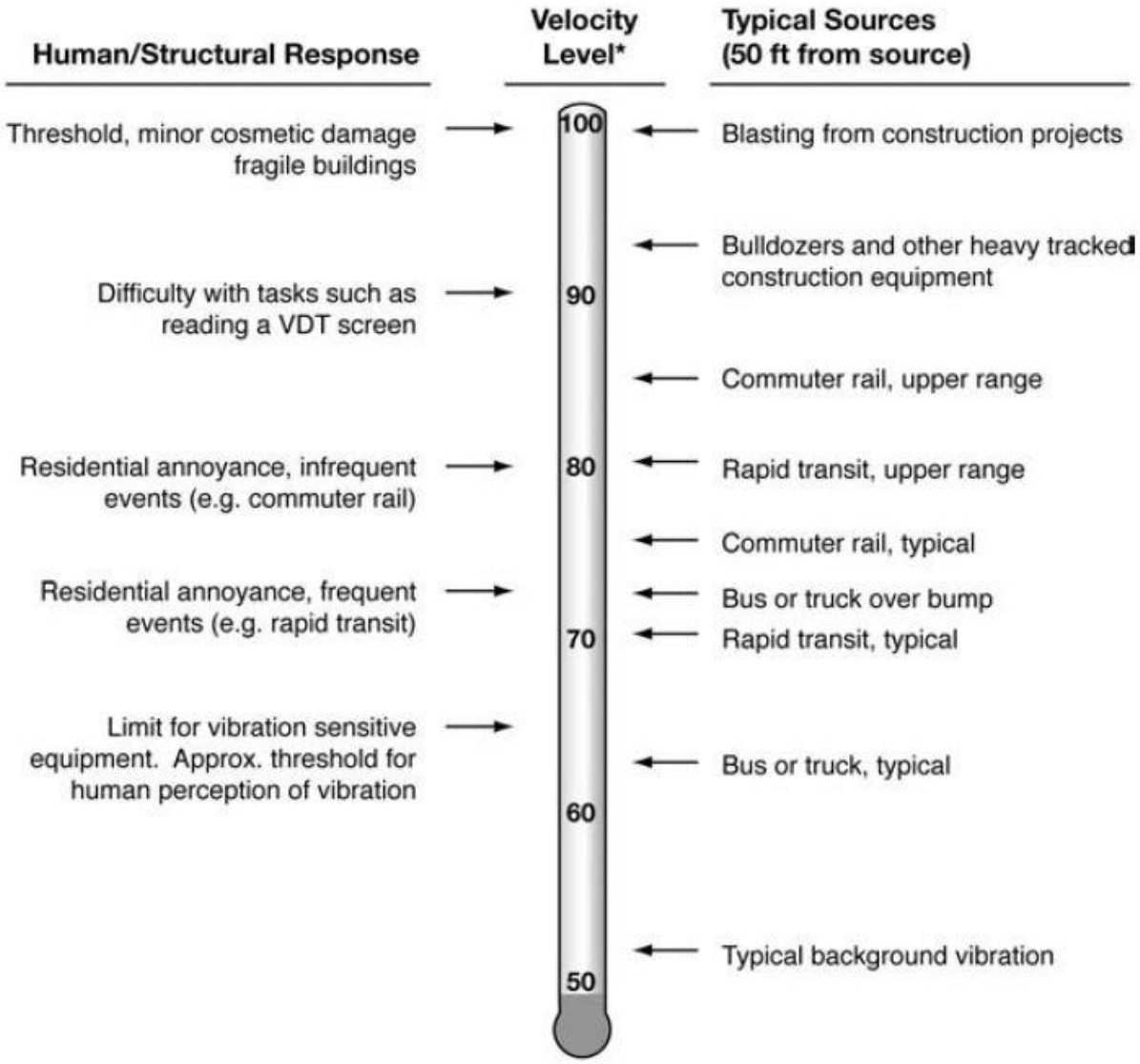
2.9 VIBRATION

Per the Federal Transit Administration (FTA) *Transit Noise Impact and Vibration Assessment* (3), vibration is the periodic oscillation of a medium or object. The rumbling sound caused by the vibration of room surfaces is called structure-borne noise. Sources of ground-borne vibrations include natural phenomena (e.g., earthquakes, volcanic eruptions, sea waves, landslides) or human-made causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. As is the case with airborne sound, ground-borne vibrations may be described by amplitude and frequency.

There are several different methods that are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe vibration impacts to buildings but is not always suitable for evaluating human response (annoyance) because it takes some time for the human body to respond to vibration signals. Instead, the human body responds to average vibration amplitude often described as the root mean square (RMS). The RMS amplitude is defined as the average of the squared amplitude of the signal and is most frequently used to describe the effect of vibration on the human body. Decibel notation (VdB) is commonly used to measure RMS. Decibel notation (VdB) serves to reduce the range of numbers used to describe human response to vibration. Typically, ground-borne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration. Sensitive receivers for vibration include structures (especially older masonry structures), people (especially residents, the elderly, and sick), and vibration-sensitive equipment and/or activities

The background vibration-velocity level in residential areas is generally 50 VdB. Ground-borne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels. Typical outdoor sources of perceptible ground-borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the ground-borne vibration is rarely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration-velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings. Exhibit 2-C illustrates common vibration sources and the human and structural response to ground-borne vibration.

EXHIBIT 2-C: TYPICAL LEVELS OF GROUND-BORNE VIBRATION



* *RMS Vibration Velocity Level in VdB relative to 10^{-6} inches/second*

Source: Federal Transit Administration (FTA) Transit Noise Impact and Vibration Assessment.

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3 REGULATORY SETTING

To limit population exposure to physically and/or psychologically damaging as well as intrusive noise levels, the federal government, the State of California, various county governments, and most municipalities in the state have established standards and ordinances to control noise. In most areas, automobile and truck traffic is the major source of environmental noise. Traffic activity generally produces an average sound level that remains constant with time. Air and rail traffic, and commercial and industrial activities are also major sources of noise in some areas. Federal, state, and local agencies regulate different aspects of environmental noise. Federal and state agencies generally set noise standards for mobile sources such as aircraft and motor vehicles, while regulation of stationary sources is left to local agencies.

3.1 STATE OF CALIFORNIA NOISE REQUIREMENTS

The State of California regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards, and provides guidance for local land use compatibility. State law requires that each county and city adopt a General Plan that includes a Noise Element which is to be prepared per guidelines adopted by the Governor's Office of Planning and Research (OPR). (10) The purpose of the Noise Element is to *limit the exposure of the community to excessive noise levels*. In addition, the California Environmental Quality Act (CEQA) requires that all known environmental effects of a project be analyzed, including environmental noise impacts.

3.2 STATE OF CALIFORNIA GREEN BUILDING STANDARDS CODE

The State of California's Green Building Standards Code contains mandatory measures for non-residential building construction in Section 5.507 on Environmental Comfort. (11) These noise standards are applied to new construction in California for controlling interior noise levels resulting from exterior noise sources. The regulations specify that acoustical studies must be prepared when non-residential structures are developed in areas where the exterior noise levels exceed 65 dBA CNEL, such as within a noise contour of an airport, freeway, railroad, and other areas where noise contours are not readily available. If the development falls within an airport or freeway 65 dBA CNEL noise contour, the combined sound transmission class (STC) rating of the wall and roof-ceiling assemblies must be at least 50. For those developments in areas where noise contours are not readily available and the noise level exceeds 65 dBA L_{eq} for any hour of operation, a wall and roof-ceiling combined STC rating of 45, and exterior windows with a minimum STC rating of 40 are required (Section 5.507.4.1).

3.3 CITY OF ONTARIO GENERAL PLAN NOISE ELEMENT

The City of Ontario General Plan (Policy Plan) identifies several policies to minimize the impacts of excessive noise levels throughout the community. Policy Plan Section S4, Noise Hazards, establishes a goal of maintaining *an environment where noise does not adversely affect the public's health, safety, and welfare.* (12) To satisfy this goal, the Policy Plan identifies six policies related to: noise mitigation; coordination with transportation authorities; airport noise

mitigation; truck traffic; roadway design; and airport noise compatibility. Noise criteria identified at Policy Plan Table LU-7 provide guidelines to evaluate land use compatibility within various noise environments. Table LU-7 is reproduced here as Exhibit 3-A *Noise Level Exposure and Land Use Compatibility Guidelines*. The Project industrial land uses are considered *clearly acceptable* within exterior noise level environments approaching 70 dBA CNEL and *normally acceptable* within noise level environments up to 75 dBA CNEL. For noise level environments greater than 80 dBA CNEL, the Project land uses would be considered *clearly unacceptable* and no new construction should be permitted.

EXHIBIT 3-A: NOISE LEVEL EXPOSURE AND LAND USE COMPATIBILITY GUIDELINES

LAND USE CATEGORIES		COMMUNITY NOISE EQUIVALENT LEVEL (CNEL)						
Category	Land Use	55	60	65	70	75	80	
Residential/ Lodging	Single Family / Duplex							
	Multi-Family							
	Mobile Homes							
	Hotel/Motels							
Public/Institutional	Schools/Hospitals							
	Churches/ Libraries							
	Auditoriums/Concert Halls							
Commercial	Offices							
	Retail							
Industrial	Manufacturing							
	Warehousing							
Recreational/ Open Space	Parks/Playgrounds							
	Golf Courses/ Riding Stables							
	Outdoor Spectator Sports							
	Outdoor Music Shells/ Amphitheaters							
	Livestock/Wildlife Preserves							
	Crop Agriculture							

LEGEND

Clearly Acceptable:	No special noise insulation required, assuming buildings of normal conventional construction.
Normally Acceptable:	Acoustical reports will be required for major new residential construction. Conventional construction with closed windows and fresh air supply systems of air conditioning will normally suffice.
Normally Unacceptable:	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.
Clearly Unacceptable:	No new construction should be permitted.

Source: The Ontario Plan Safety Section on Noise Hazards (Table LU-7).

3.4 OPERATIONAL NOISE STANDARDS[1]

To analyze noise impacts originating from a designated fixed location or private property such as the Ontario Commerce Center, stationary-source (operational) noise levels are evaluated against standards established under a City's Municipal Code. The City of Ontario requires that noise from new stationary sources in the City comply with the City's Noise Ordinance, which limits the acceptable noise at the property line of the impacted property, to reduce nuisances to sensitive land uses. Compliance with the City's Noise Ordinance would result in noise levels that are acceptable to the City and would result in less than significant noise impacts from stationary sources. (13)

Section 5-29.04(a) identifies the allowable daytime and nighttime ambient exterior noise standards for each land use type. For Manufacturing and Industrial land uses (Noise Zone V), such as the Project, ambient exterior noise levels may not exceed 70 dBA Leq. For residential land uses (Noise Zone I), ambient exterior noise levels may not exceed 65 dBA L_{eq} during the daytime hours (7:00 a.m. to 10:00 p.m.), and may not exceed 45 dBA L_{eq} during the nighttime hours (10:00 p.m. to 7:00 a.m.). (14) The lower noise level standard shall apply on the boundary between two (2) different noise zones. If the ambient noise level exceeds the resulting standard, the ambient noise level shall be the standard. The maximum acceptable Project-related operational noise levels received at off-site land uses in the City of Ontario are identified on Table 3-1.

TABLE 3-1: OPERATIONAL NOISE STANDARDS

Noise Zone	Land Use	Exterior Noise Levels (dBA Leq)[2]	
		Daytime (7am-10pm)	Nighttime (10pm-7am)
I	Single-Family Residential	65	45
II	Multi-Family Residential	65	50
III	Commercial	65	60
IV	Residential Mixed-Use	70	70
V	Manufacturing and Industrial	70	70

[1] Source: Section 5-29.04(a) of the City of Ontario Municipal Code (Appendix 3.1).

[2] L_{eq} represents a steady state sound level containing the same total energy as a time varying signal over a given period.

[1] Although the Project site is located within the City of Ontario, potentially affected receivers in the adjacent City of Eastvale were also considered. However, a review of the area suggests that existing land uses east of Milliken Avenue in the City of Eastvale consist mostly of developed industrial land uses. Therefore, no noise sensitive receivers are identified in the City of Eastvale and all project related operational, construction and vibration impacts are considered *less than significant*.

3.5 CONSTRUCTION NOISE STANDARDS

The City of Ontario has set restrictions to control noise impacts associated with construction. Section 5-29.09 of the Municipal Code states: *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 a.m. and 6:00 p.m. or on Saturday or Sunday between the hours of 9:00 a.m. and 6:00 p.m.* (14) While the City establishes limits to the hours during which construction activity may take place, it does not identify specific noise level limits for construction noise levels at potentially affected receiver locations.

Construction noise would be considered significant if construction activities occurring outside of the hours specified (7:00 AM and 6:00 PM weekdays and 9:00 AM to 6:00 PM weekends, excluding federal holidays) or if construction activities substantially elevate the ambient noise environment at noise-sensitive uses for a substantial period. It is assumed that the Project construction activities would comply with the City approved hour of activity restrictions, thereby precluding construction activities during noise-sensitive time periods. To present a conservative approach, this analysis nonetheless evaluates construction noise based on the 65 dBA L_{eq} exterior noise level limit for the neighboring residential land uses (Noise Zone I).

3.6 VIBRATION STANDARDS

To analyze vibration impacts originating from the operation and construction of the Ontario Commerce Center, vibration-generating activities are appropriately evaluated against standards established under a City's Municipal Code, if such standards exist. However, the City of Ontario does not identify specific vibration level limits and instead relies on the Federal Transit Administration (FTA) methodology consistent with The Ontario Plan Draft EIR. (13) The FTA *Transit Noise and Vibration Impact Assessment* methodology provides guidelines for the maximum-acceptable vibration criteria for different types of land uses. These guidelines allow 90 VdB for industrial (workshop) use, 84 VdB for office use and 78 VdB for daytime residential uses and 72 VdB for nighttime uses in buildings where people normally sleep. (3)

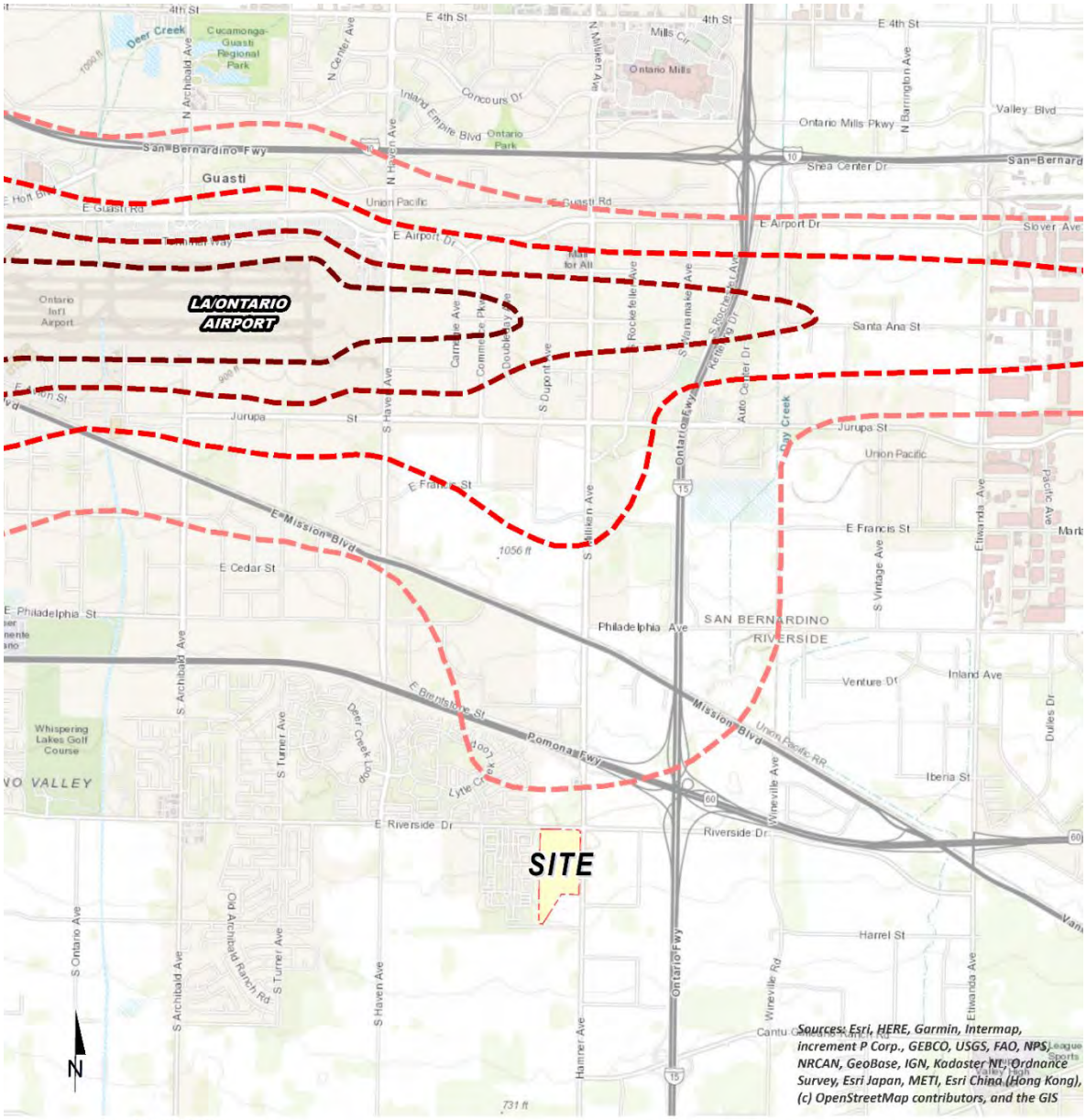
3.7 AIRPORT LAND USE COMPATIBILITY

The Project site is located roughly 2.7 miles southeast of the Ontario International Airport (ONT). The *Ontario International Airport Land Use Compatibility Plan* was amended on July 2018(16) to promote compatibility between airport and the land uses that surround it. As shown on Exhibit 3-B, the Project site is located outside the airport noise impact zone with exterior noise levels of less than 60 dBA CNEL. The Table 2-3 Noise Criteria established within the *Ontario International Airport Land Use Compatibility Plan* would apply to the Addendum Project. (16)

Industrial land uses located outside the 60 dBA CNEL noise level contours of ONT, such as the Project, are considered *normally compatible land use* and must reduce interior noise levels to 50 dBA CNEL. Standard building construction practices required under the State of California Green Building Standards Code (CALGreen) typically provide up to 25 dBA CNEL of attenuation. With

respect to noise generated by the ONT Airport facilities and activities, application of standard CALGreen construction practices would yield acceptable Project interior noise levels of approximately 35 dBA CNEL. The Project does not propose or require facilities or actions that would contribute to or exacerbate noise generated by ONT facilities and activities. Based on the preceding, the Project would not be adversely affected by airport/airfield noise, nor would the Project contribute to or result in adverse airport/airfield noise impacts.

EXHIBIT 3-B: LA/ONT FUTURE AIRPORT NOISE CONTOURS



Source: Ontario International ALUCP Compatibility Policy Map: Noise Impact Zones, Map 2-3 (July 2018 Amendment)

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4 SIGNIFICANCE CRITERIA

The following significance criteria are based on currently adopted guidance provided by Appendix G of the California Environmental Quality Act (CEQA) Guidelines. (1) For the purposes of this report, impacts would be potentially significant if the Project results in or causes:

A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

B. Generation of excessive ground-borne vibration or ground-borne noise levels?

C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

While the City of Ontario General Plan Guidelines provide direction on noise compatibility and establish noise standards by land use type that are sufficient to assess the significance of noise impacts, they do not define the levels at which increases are considered substantial for use under Guideline A. CEQA Appendix G Guideline C applies to nearby public and private airports, if any, and the Project's land use compatibility.

4.1 CEQA GUIDELINES NOT FURTHER ANALYZED

As previously indicated in Section 3.7, the ONT Airport noise contour boundaries are presented on Exhibit 3-B of this report and show that the Project is considered *normally compatible* land use since it is located outside the 60 dBA CNEL noise impact zone. Industrial/business park/commercial land uses located outside the 60 dBA CNEL noise level contours of ONT, such as the Project evaluated here, are considered a normally compatible land use and must reduce interior noise levels to 50 dBA CNEL. Standard building construction practices required under the State of California Green Building Standards Code (CALGreen) typically provide up to 25 dBA CNEL of attenuation. As such, application of standard CALGreen construction practices would yield acceptable Project interior noise levels of approximately 35 dBA CNEL. Potential airstrip/airport noise impacts affecting the Project are therefore not further analyzed.

4.2 NOISE-SENSITIVE RECEIVERS

Noise level increases resulting from the Project are evaluated based on the Appendix G CEQA Guidelines described above at the closest sensitive receiver locations. Under CEQA, consideration must be given to the magnitude of the increase, the existing ambient noise levels, and the location of noise-sensitive receivers to determine if a noise increase represents a significant adverse environmental impact. This approach recognizes *that there is no single noise increase that renders the noise impact significant.* (17)

Unfortunately, there is no completely satisfactory way to measure the subjective effects of noise or of the corresponding human reactions of annoyance and dissatisfaction. This is primarily because of the wide variation in individual thresholds of annoyance and differing individual

experiences with noise. Thus, an important way of determining a person's subjective reaction to a new noise is the comparison of it to the existing environment to which one has adapted—the so-called *ambient* environment. In general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise will typically be judged. The Federal Interagency Committee on Noise (FICON) (18) developed guidance to be used for the assessment of project-generated increases in noise levels that consider the ambient noise level. The FICON recommendations are based on studies that relate aircraft noise levels to the percentage of persons highly annoyed by aircraft noise. Although the FICON recommendations were specifically developed to assess aircraft noise impacts, these recommendations are often used in environmental noise impact assessments involving the use of cumulative noise exposure metrics, such as the average-daily noise level (CNEL) and equivalent continuous noise level (L_{eq}).

As previously stated, the approach used in this noise study recognizes *that there is no single noise increase that renders the noise impact significant*, based on a 2008 California Court of Appeal ruling on Gray v. County of Madera. (17) For example, if the ambient noise environment is quiet (<60 dBA) and the new noise source greatly increases the noise levels, an impact may occur if the noise criteria may be exceeded. Therefore, for this analysis, a *readily perceptible* 5 dBA or greater project-related noise level increase is considered a significant impact when the without project noise levels are below 60 dBA. Per the FICON, in areas where the without project noise levels range from 60 to 65 dBA, a 3 dBA *barely perceptible* noise level increase appears to be appropriate for most people. When the without project noise levels already exceed 65 dBA, any increase in community noise louder than 1.5 dBA or greater is considered a significant impact if the noise criteria for a given land use is exceeded, since it likely contributes to an existing noise exposure exceedance. Table 4-1 below provides a summary of the potential noise impact significance criteria, based on guidance from FICON.

TABLE 4-1: SIGNIFICANCE OF NOISE IMPACTS AT NOISE-SENSITIVE RECEIVERS

Without Project Noise Level	Potential Significant Impact
< 60 dBA	5 dBA or more
60 - 65 dBA	3 dBA or more
> 65 dBA	1.5 dBA or more

Federal Interagency Committee on Noise (FICON), 1992.

The FICON guidance provides an established source of criteria to assess the impacts of substantial temporary or permanent increase in ambient noise levels. Based on the FICON criteria, the amount to which a given noise level increase is considered acceptable is reduced when the without Project noise levels are already shown to exceed certain land-use specific exterior noise level criteria. The specific levels are based on typical responses to noise level increases of 5 dBA or *readily perceptible*, 3 dBA or *barely perceptible*, and 1.5 dBA depending on the underlying without Project noise levels for noise-sensitive uses. These levels of increases and their perceived acceptance are consistent with guidance provided by both the Federal Highway Administration (6 p. 9) and Caltrans (19 p. 2_48).

4.3 SIGNIFICANCE CRITERIA SUMMARY

Noise impacts shall be considered significant if any of the following occur as a direct result of the proposed development. Table 4-2 shows the significance criteria summary matrix.

OPERATIONAL NOISE & VIBRATION

- If Project-related operational (stationary-source) noise levels exceed the exterior 65 dBA L_{eq} daytime or nighttime noise level standards adjusted to reflect the ambient noise levels at nearby sensitive receiver locations. (City of Ontario Municipal Code, 5-29.04(a)).
- If the existing ambient noise levels at the nearby noise-sensitive receivers near the Project site:
    - are less than 60 dBA L_{eq} and the Project creates a *readily perceptible* 5 dBA L_{eq} or greater Project-related noise level increase; or
    - range from 60 to 65 dBA L_{eq} and the Project creates a *barely perceptible* 3 dBA L_{eq} or greater Project-related noise level increase; or
    - already exceed 65 dBA L_{eq} and the Project creates a community noise level increase of greater than 1.5 dBA L_{eq} (FICON, 1992).
- If Project generated operational vibration levels exceed the FTA's acceptable vibration thresholds of 78 VdB for daytime residential use and 72 VdB for nighttime uses in buildings where people normally sleep. (FTA Transit Noise and Vibration Impact Assessment and The Ontario Plan Draft EIR).

CONSTRUCTION NOISE & VIBRATION

- If Project-related construction activities take place outside the hours between 7:00 a.m. and 6:00 p.m. on any weekday (City of Ontario Municipal Code Section 5-29.09(a)).
- If Project-related construction activities create noise levels which exceed the 65 dBA L_{eq} acceptable noise level threshold at the nearby sensitive receiver locations (City of Ontario Municipal Code Section 5-29.04(a) daytime exterior noise level limit for residential land use (Noise Zone I)).
- If Project generated operational vibration levels exceed the FTA's acceptable vibration thresholds of 78 VdB for daytime residential use and 72 VdB for nighttime uses in buildings where people normally sleep. (FTA Transit Noise and Vibration Impact Assessment and The Ontario Plan Draft EIR).

TABLE 4-2: SIGNIFICANCE CRITERIA SUMMARY

Analysis	Receiving Land Use	Condition(s)	Significance Criteria	
			Daytime	**Nighttime**
Operational	Noise-Sensitive[1]	Exterior Noise Level Standards[2]	65 dBA L_{eq}	45 dBA L_{eq}
		If ambient is < 60 dBA L_{eq}	≥ 5 dBA L_{eq} Project increase	
		If ambient is 60 - 65 dBA L_{eq}	≥ 3 dBA L_{eq} Project increase	
		If ambient is > 65 dBA L_{eq}	≥ 1.5 dBA L_{eq} Project increase	
		Vibration Level Threshold[3]	78 VdB	72 VdB
Construction	Noise-Sensitive	Permitted hours of 7:00 a.m. and 6:00 p.m. on weekdays[4]		
		Noise Level Threshold[5]	65 dBA L_{eq}	
		Vibration Level Threshold[3]	78 VdB	n/a

[1] FICON, 1992.
[2] City of Ontario Municipal Code, 5-29.04(a) exterior noise standards for residential land uses (Noise Zone I).
[3] FTA Transit Noise and Vibration Impact Assessment and The Ontario Plan Draft EIR.
[4] City of Ontario Municipal Code Section 5-29.09(a).
[5] Acceptable threshold based on City of Ontario Municipal Code, 5-29.04(a) exterior noise standards for residential land uses (Noise Zone I). "Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

5 EXISTING NOISE LEVEL MEASUREMENTS

To assess the existing noise level environment, 24-hour noise level measurements were taken at five locations near the Project study area. The receiver locations were selected to describe and document the existing noise environment within the Project study area. Exhibit 5-A provides the boundaries of the Project study area and the noise level measurement locations. To fully describe the existing noise conditions, noise level measurements were collected by Urban Crossroads, Inc. on Wednesday, June17, 2020. Appendix 5.1 includes study area photos.

5.1 MEASUREMENT PROCEDURE AND CRITERIA

To describe the existing noise environment, the hourly noise levels were measured during typical weekday conditions over a 24-hour period. By collecting individual hourly noise level measurements, it is possible to describe the daytime and nighttime hourly noise levels and calculate the 24-hour CNEL. The long-term noise readings were recorded using Piccolo Type 2 integrating sound level meter and dataloggers. The Piccolo sound level meters were calibrated using a Larson-Davis calibrator, Model CAL 150. All noise meters were programmed in "slow" mode to record noise levels in "A" weighted form. The sound level meters and microphones were equipped with a windscreen during all measurements. All noise level measurement equipment satisfies the American National Standards Institute (ANSI) standard specifications for sound level meters ANSI S1.4-2014/IEC 61672-1:2013. (20)

5.2 NOISE MEASUREMENT LOCATIONS

The long-term noise level measurements were positioned as close to the nearest sensitive receiver locations as possible to assess the existing ambient hourly noise levels surrounding the Project site. Both Caltrans and the FTA recognize that it is not reasonable to collect noise level measurements that can fully represent every part of a private yard, patio, deck, or balcony normally used for human activity when estimating impacts for new development projects. This is demonstrated in the Caltrans general site location guidelines which indicate that, *sites must be free of noise contamination by sources other than sources of interest. Avoid sites located near sources such as barking dogs, lawnmowers, pool pumps, and air conditioners unless it is the express intent of the analyst to measure these sources*. (4) Further, FTA guidance states, t*hat it is not necessary nor recommended that existing noise exposure be determined by measuring at every noise-sensitive location in the project area. Rather, the recommended approach is to characterize the noise environment for clusters of sites based on measurements or estimates at representative locations in the community*. (3)

Based on recommendations of Caltrans and the FTA, it is not necessary to collect measurements at each individual building or residence, because each receiver measurement represents a group of buildings that share acoustical equivalence. (3) In other words, the area represented by the receiver shares similar shielding, terrain, and geometric relationship to the reference noise source. Receivers represent a location of noise sensitive areas and are used to estimate the future noise level impacts. Collecting reference ambient noise level measurements at the nearby sensitive receiver locations allows for a comparison of the before and after Project noise levels

and is necessary to assess potential noise impacts due to the Project's contribution to the ambient noise levels.

5.3 NOISE MEASUREMENT RESULTS

The noise measurements presented below focus on the average or equivalent sound levels (L_{eq}). The equivalent sound level (L_{eq}) represents a steady state sound level containing the same total energy as a time varying signal over a given sample period. Table 5-1 identifies the hourly daytime (7:00 a.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) noise levels at each noise level measurement location. Appendix 5.2 provides a summary of the existing hourly ambient noise levels described below:

- Location L1 represents the noise levels northwest of the Project site on Riverside Drive near the existing single-family residence at 2965 McCloud River Lane. The noise level measurements collected show an overall 24-hour exterior noise level of 63.2 dBA CNEL. The energy (logarithmic) average daytime noise level was calculated at 58.3 dBA Leq with an average nighttime noise level of 56.1 dBA Leq.
- Location L2 represents the noise levels west of the Project site and south of Riverside drive near the existing single-family residential home at 4097 East Auburn Way. The noise level measurements collected show an overall 24-hour exterior noise level of 59.3 dBA CNEL. The energy (logarithmic) average daytime noise level was calculated at 53.8 dBA L_{eq} with an average nighttime noise level of 52.3 dBA L_{eq}.
- Location L3 represents the noise levels west of the Project site near existing single-family residential home at 4088 East Heritage Lane. The noise level measurements collected show an overall 24-hour exterior noise level of 55.1 dBA CNEL. The energy (logarithmic) average daytime noise level was calculated at 51.0 dBA L_{eq} with an average nighttime noise level of 47.7 dBA L_{eq}.
- Location L4 represents the noise levels west of the Project site on East Cottage Way near existing single-family residential home at 4096 East Cottage Way. The noise level measurements collected show an overall 24-hour exterior noise level of 54.8 dBA CNEL. The energy (logarithmic) average daytime noise level was calculated at 48.8 dBA L_{eq} with an average nighttime noise level of 48.1 dBA L_{eq}.
- Location L5 represents the noise levels southwest of the Project site on East Emory Lane near existing single-family residential home at 4099 East Emory Lane. The noise level measurements collected show an overall 24-hour exterior noise level of 60.6 dBA CNEL. The energy (logarithmic) average daytime noise level was calculated at 57.2 dBA L_{eq} with an average nighttime noise level of 63.4 dBA L_{eq}.

Table 5-1 provides the (energy average) noise levels used to describe the daytime and nighttime ambient conditions. These daytime and nighttime energy average noise levels represent the average of all hourly noise levels observed during these time periods expressed as a single number. Appendix 5.2 provides summary worksheets of the noise levels for each hour as well as the minimum, maximum, L_1, L_2, L_5, L_8, L_{25}, L_{50}, L_{90}, L_{95}, and L_{99} percentile noise levels observed during the daytime and nighttime periods. The 24-hour existing noise level measurement results are shown on Table 5-1.

TABLE 5-1: 24-HOUR AMBIENT NOISE LEVEL MEASUREMENTS

Location[1]	Description	Energy Average Noise Level (dBA L_{eq})[2]		CNEL
		Daytime	Nighttime	
L1	Located northwest of the Project site on Riverside Drive near the existing single-family residence at 2965 McCloud River Lane.	58.3	56.1	63.2
L2	Located west of the Project site and south of Riverside drive near existing single-family residential home at 4097 East Auburn Way.	53.8	52.3	59.3
L3	Located west of the Project site near existing single-family residential home at 4088 East Heritage Lane.	51.0	47.7	55.1
L4	Located west of the Project site on East Cottage Way near existing single-family residential home at 4096 East Cottage Way.	48.8	48.1	54.8
L5	Located southwest of the Project site on East Emory Lane near existing single-family residential home at 4099 East Emory Lane.	57.2	53.4	60.6

[1] See Exhibit 5-A for the noise level measurement locations.
[2] Energy (logarithmic) average levels. The long-term 24-hour measurement worksheets are included in Appendix 5.2.
"Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

EXHIBIT 5-A: NOISE MEASUREMENT LOCATIONS



6 SENSITIVE RECEIVER LOCATIONS

To assess the potential for long-term operational and short-term construction noise impacts, the following receiver locations, as shown on Exhibit 6-A, were identified as representative locations for analysis. Sensitive receivers are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. Noise-sensitive land uses are generally considered to include schools, hospitals, single-family dwellings, mobile home parks, churches, libraries, and recreation areas. Moderately noise-sensitive land uses typically include multi-family dwellings, hotels, motels, dormitories, out-patient clinics, cemeteries, golf courses, country clubs, athletic/tennis clubs, and equestrian clubs. Land uses that are considered relatively insensitive to noise include business, commercial, and professional developments. Land uses that are typically not affected by noise include: industrial, manufacturing, utilities, agriculture, undeveloped land, parking lots, warehousing, liquid and solid waste facilities, salvage yards, and transit terminals.

To describe the potential off-site Project noise levels, six receiver locations in the vicinity of the Project site were identified. All distances are measured from the Project site boundary to the outdoor living areas (e.g., private backyards) or at the building façade, whichever is closer to the Project site. The selection of receiver locations is based on FHWA guidelines and is consistent with additional guidance provided by Caltrans and the FTA, as previously described in Section 5.2.

The nearest receptor where an individual can stay for a 24-hour period is represented by the residence located 213 feet west of the Project site. Other sensitive land uses in the Project study area that are located at greater distances than those identified in this noise study will experience lower noise levels than those presented in this report due to the additional attenuation from distance and the shielding of intervening structures. Distance is measured in a straight line from the project boundary to each receiver location.

R1: Located approximately 312 feet northwest of the Project site, R1 represents the private outdoor living area of 2965 McCloud River Lane.

R2: Location R2 represents the existing noise sensitive residential home located at 4097 E Auburn Way, roughly 209 feet west of the Project site. Since there are no private outdoor living areas (backyards) facing the Project site, receiver R2 is placed at the residential building façade.

R3: Location R3 represents the residence at 4087 E Groveland Drive which is located west of the Project site at roughly 218 feet. Receiver R3 is located at the building façade.

R4: Location R4 represents the existing noise sensitive residence at 4088 E Heritage Lane located approximately 208 feet west from the Project site. Location R4 describes the exterior noise levels at the building façade.

R5: Location R5 represents the existing noise sensitive residence at 4097 E Springfield Paseo located roughly 259 feet west of the Project site. Since there are no private outdoor living areas, Location R5 describes the exterior noise levels at building façade.

R6: Location R6 represents the multi-family attached residence location at 4098 E Emory Lane located west of the Project site at roughly 229 feet. Location R6 describes the exterior noise levels at the building façade.

EXHIBIT 6-A: SENSITIVE RECEIVER LOCATIONS



7 OPERATIONAL NOISE IMPACTS

This section analyzes the potential stationary-source operational noise impacts at the nearby receiver locations, identified in Section 6, resulting from the operation of the proposed Ontario Commerce Center Project. Exhibit 7-A identifies the noise source locations used to assess the hourly average L_{eq} operational noise levels consistent with the City of Ontario Municipal Code, Section 5-29.04(a).

7.1 OPERATIONAL NOISE SOURCES

At the time this noise analysis was prepared the future tenants of the proposed Project were unknown. Therefore, this operational noise analysis is intended to describe noise level impacts associated with the expected typical daytime and nighttime activities at the Project site. To present the potential worst-case noise conditions, this analysis assumes the Project would be operational 24 hours per day, seven days per week. Consistent with similar warehouse uses, the Project business operations would primarily be conducted within the enclosed buildings, except for traffic movement, parking, as well as loading and unloading of trucks at designated loading bays. The on-site Project-related noise sources are expected to include: loading dock activity, entry gate & truck movements, roof-top air conditioning units, and trash enclosure activity.

7.2 REFERENCE NOISE LEVELS

To estimate the Project operational noise impacts, reference noise level measurements were collected during peak operational events from similar types of activities to represent the noise levels expected with the development of the proposed Project. While the actual noise source activities will vary throughout the day, all reference noise level activities are intended to describe peak operational activity.

This section provides a detailed description of the reference noise level measurements shown on Table 7-1 used to estimate the Project operational noise impacts. It is important to note that the following projected noise levels assume the worst-case noise environment with the loading dock activity, entry gate & truck movements, roof-top air conditioning units, and trash enclosure activity all operating continuously. These sources of noise activity will likely vary throughout the day and night.

EXHIBIT 7-A: OPERATIONAL NOISE SOURCE LOCATIONS

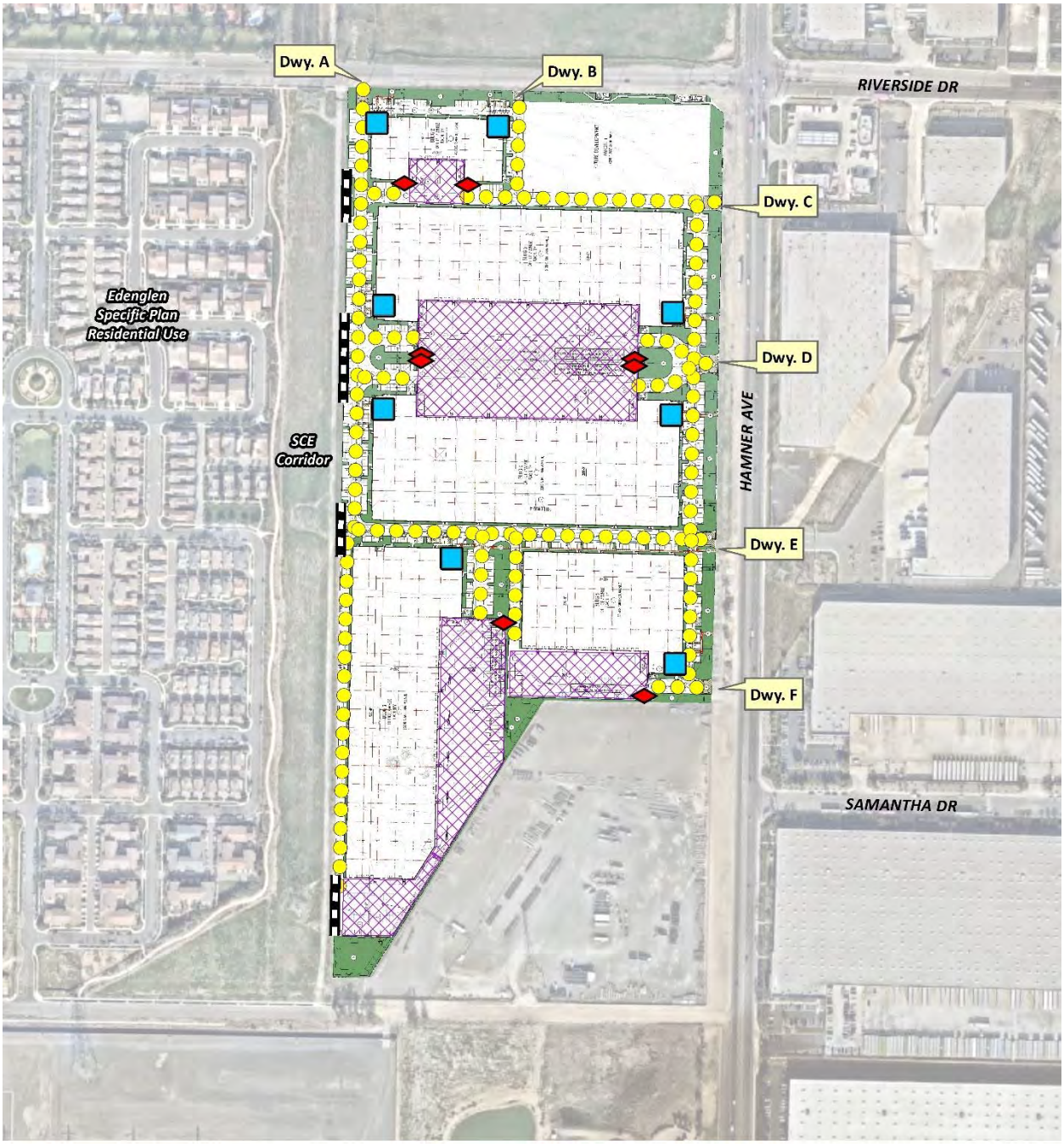

TABLE 7-1: REFERENCE NOISE LEVEL MEASUREMENTS

Noise Source	Duration (hh:mm:ss)	Ref. Distance (Feet)	Noise Source Height (Feet)	Min./Hour[5]		Reference Noise Level (dBA L_{eq})		Sound Power Level (dBA)[6]
				Day	Night	@ Ref. Dist.	@ 50 Feet	
Loading Dock Activity[1]	00:14:00	30'	8'	60	60	70.1	65.7	110.7
Entry Gate & Truck Movements[2]	00:15:00	20'	8'	-[7]	-[7]	64.0	58.0	89.7
Roof-Top Air Conditioning[3]	96:00:00	5'	5'	39	28	77.2	57.2	88.9
Trash Enclosure Activity[4]	00:00:32	5'	5'	5	5	77.3	57.3	94.0

[1] As measured by Urban Crossroads, Inc. at the Nature's Best Distribution Facility in the City of Chino.
[2] As measured by Urban Crossroads, Inc. at the Motivational Fulfillment & Logistics Services distribution facility in the City of Chino.
[3] As measured by Urban Crossroads, Inc. at the Santee Walmart located at 170 Town Center Parkway.
[4] As measured by Urban Crossroads, Inc. at a commercial and office park trash enclosure in the City of Costa Mesa.
[5] Anticipated duration (minutes within the hour) of noise activity during typical hourly conditions expected at the Project site. "Day" = 7:00 a.m. to 10:00 p.m.; "Night" = 10:00 p.m. to 7:00 a.m.
[6] Sound power level represents the total amount of acoustical energy (noise level) produced by a sound source independent of distance or surroundings. Sound power levels calculated using the CadnaA noise model at the reference distance to the noise source. Numbers may vary due to size differences between point and area noise sources.
[7] Entry Gate & Truck Movements are calculate based on the number of events by time of day (See Table 7-2).

7.2.1 MEASUREMENT PROCEDURES

The reference noise level measurements presented in this section were collected using a Larson Davis LxT Type 1 precisions sound level meter (serial number 01146). The LxT sound level meter was calibrated using a Larson-Davis calibrator, Model CAL 200, was programmed in "slow" mode to record noise levels in "A" weighted form and was located at approximately five feet above the ground elevation for each measurement. The sound level meters and microphones were equipped with a windscreen during all measurements. All noise level measurement equipment satisfies the American National Standards Institute (ANSI) standard specifications for sound level meters ANSI S1.4-2014/IEC 61672-1:2013. (20)

7.2.2 LOADING DOCK ACTIVITY

The reference loading dock activities are intended to describe the typical operational noise activities associated with the Project. This includes truck idling, reefer activity (refrigerator truck/cold storage), deliveries, backup alarms, unloading/loading, docking including a combination of tractor trailer semi-trucks, two-axle delivery trucks, and background forklift operations. Since the noise levels generated by cold storage loading dock activity can be slightly higher due to the use of refrigerated trucks or reefers, this analysis conservatively assumes that all loading dock activity is associated with cold storage facilities.

To describe the loading dock activities for cold storage, a reference noise level measurement was collected at the Nature's Best distribution facility located at 16081 Fern Avenue in the City of Chino. During the fourteen-minute truck idling/reefer activity reference noise level measurement, approximately 20 delivery trucks were docked, idling, or parked in the northern loading dock area.

The truck idling/reefer activity reference noise level measurement was taken in the center of the loading dock activity area and represents multiple concurrent noise sources resulting in a combined noise level of 65.7 dBA L_{eq} at a uniform distance of 50 feet. Specifically, the reference noise level measurement represents one truck located approximately 30 feet from the noise level meter with another truck passing by to park roughly 20 feet away, both with their engines idling. Throughout the reference noise level measurement, a separate docked and running reefer truck was located approximately 50 feet east of the measurement location. Additional background noise sources included truck pass-by noise, truck drivers talking to each other next to docked trucks, and air brake release noise when trucks parked.

7.2.3 ENTRY GATE & TRUCK MOVEMENTS

An entry gate and truck movements reference noise level measurement were taken at the southern entry gate of the Motivational Fulfillment & Logistics Services distribution facility located at 6810 Bickmore Avenue in the City of Chino over a 15-minute period and represents multiple noise sources producing a reference noise level of 58.0 dBA Leq at 50 feet. The noise sources included at this measurement location account for the rattling and squeaking during normal opening and closing operations, the gate closure equipment, truck engines idling outside the entry gate, truck movements through the entry gate, and background truck court activities and forklift backup alarm noise. Consistent with the *Revised Focused Traffic Assessment for Edenglen Business Park* prepared by LLG Engineers, the Project is expected to generate a total of approximately 560 two-way truck trips per day. (2) Using the estimated number of truck trips in combination with typical time of day heavy vehicle splits, the number of entry gate and truck movements were calculated. As shown on Table 7-2, this information is then used to calculate the entry gate and truck movements operational noise source activity based on the number truck movements by time of day.

TABLE 7-2: ENTRY GATE & TRUCK MOVEMENTS BY LOCATION

Entry Gate & Truck Movement Location[1]	Street	Jurisdiction	Total Project Truck Trips[2]	Trip Dist.[3]	Truck Trips by Location[4]	Truck Movements[6]		
						Day	Evening	Night
Driveway A	Riverside Dr.	Ontario	560	5%	28	24	1	3
Driveway B	Riverside Dr.	Ontario		10%	56	48	2	6
Driveway C	Hamner Av.	Ontario		5%	28	24	1	3
Driveway D	Hamner Av.	Ontario		10%	56	48	2	6
Driveway E	Hamner Av.	Ontario		65%	364	315	10	39
Driveway F	Hamner Av.	Ontario		5%	28	24	1	3

[1] Driveway locations as shown on the Site Plan Exhibit 7-A.
[2] Total Project truck trips according to Table 2 (Project Trip Generation Forecast (Non-PCE) of the Revised Focused Traffic Assessment for Edenglen Business Park).
[3] Project truck trip distribution according to Figure 6 of the Revised Focused Traffic Assessment for Edenglen Business Park.
[4] Calculated trip trucks per location represents the product of the total project truck trips by and the trip distribution.
[5] Time of day entry gate and truck movements by location. Typical heavy truck time vehicle splits (Day/Evening/Night = 86.50% / 2.70% / 10.80%)

7.2.4 ROOF-TOP AIR CONDITIONING UNITS

To assess the noise levels created by the roof-top air conditioning units within the planned commercial retail land uses within the Project site, reference noise levels measurements were taken at the Santee Walmart. Located at 170 Town Center Parkway in the City of Santee, the noise level measurements describe a single mechanical roof-top air conditioning unit on the roof of the existing Walmart store. The reference noise level represents a Lennox SCA120 series 10-ton model packaged air conditioning unit. At 5 feet from the roof-top air conditioning unit, the exterior noise levels were measured at 77.2 dBA L_{eq}. At the uniform reference distance of 50 feet, the reference noise levels are 57.2 dBA L_{eq}. Based on the typical operating conditions observed over a four-day measurement period, the roof-top air conditioning units are estimated to operate for and average 39 minutes per hour during the daytime hours, and 28 minutes per hour during the nighttime hours. These operating conditions reflect peak summer cooling requirements with measured temperatures approaching 96 degrees Fahrenheit (°F) with average daytime temperatures of 82°F. For this noise analysis, the air conditioning units are expected to be located on the roof of the Project buildings. The noise attenuation provided by the existing parapet wall is not reflected in this reference noise level measurement.

7.2.5 TRASH ENCLOSURE ACTIVITY

To describe the noise levels associated with a trash enclosure, Urban Crossroads collected a reference noise level measurement at an existing commercial and office park trash enclosure within a parking lot on the northeast corner of Baker Street and Red Hill Avenue. The measured reference noise level at the uniform 50-foot reference distance is 57.3 dBA L_{eq} for the trash enclosure activity. The trash enclosure activity noise levels include two metal gates opening and closing, metal scraping against concrete floor sounds, dumpster movement on metal wheels, trash dropping into the metal dumpster, and background parking lot vehicle movements. Noise associated with trash enclosure activities is conservatively expected to occur for 5 minutes per hour.

7.3 CADNAA NOISE PREDICTION MODEL

To fully describe the exterior operational noise levels from the Project, Urban Crossroads, Inc. developed a noise prediction model using the CadnaA (Computer Aided Noise Abatement) computer program. CadnaA can analyze multiple types of noise sources using the spatially accurate Project site plan, georeferenced Nearmap aerial imagery, topography, buildings, and barriers in its calculations to predict outdoor noise levels. This includes the additional noise attenuation provided by the existing intervening building structures and noise barriers located between the Project and the nearest receiver locations. Using the ISO 9613 protocol, CadnaA will calculate the distance from each noise source to the noise receiver locations, using the ground absorption, distance, and barrier/building attenuation inputs to provide a summary of noise level at each receiver and the partial noise level contributions by noise source. Consistent with the ISO 9613 protocol, the CadnaA noise prediction model relies on the reference sound power level (PWL) to describe individual noise sources. While sound pressure levels (e.g. L_{eq}) quantify in decibels the intensity of given sound sources at a reference distance, sound power

levels (PWL) are connected to the sound source and are independent of distance. Sound pressure levels vary substantially with distance from the source and diminish because of intervening obstacles and barriers, air absorption, wind, and other factors. Sound power is the acoustical energy emitted by the sound source and is an absolute value that is not affected by the environment.

The operational noise level calculations provided in this noise study account for the distance attenuation provided due to geometric spreading, when sound from a localized stationary source (i.e., a point source) propagates uniformly outward in a spherical pattern. A default ground attenuation factor of 0.5 was used in the noise analysis to account for mixed ground representing a combination of hard and soft surfaces. Appendix 7.1 includes the detailed noise model inputs used to estimate the Project operational noise levels presented in this section.

7.4 PROJECT OPERATIONAL NOISE LEVELS

Using the reference noise levels to represent the proposed Project operations that include loading dock activity, entry gate & truck movements, roof-top air conditioning units, and trash enclosure activity Urban Crossroads, Inc. calculated the operational source noise levels that are expected to be generated at the Project site and the Project-related noise level increases that would be experienced at each of the sensitive receiver locations. The operational noise level calculations provided in this noise study account for the distance attenuation provided due to geometric spreading, when sound from a localized stationary source (i.e., a point source) propagates uniformly outward in a spherical pattern. A default ground attenuation factor of 1 was used in the noise analysis to account for hard site conditions. In addition, the operational noise analysis includes the planned 12-foot high screen wall as shown on Exhibit 7-A.

7.4.1 UNMITIGATED PROJECT OPERATIONAL NOISE LEVELS

Table 7-3 shows the unmitigated Project operational noise levels by noise source during the daytime hours of 7:00 a.m. to 10:00 p.m. The Project daytime hourly noise levels at the off-site receiver locations are expected to range from 39.6 to 49.2 dBA L_{eq}.

TABLE 7-3: DAYTIME PROJECT OPERATIONAL NOISE LEVELS

Noise Source[1]	Operational Noise Levels by Receiver Location (dBA Leq)					
	R1	R2	R3	R4	R5	R6
Loading Dock Activity	36.4	36.7	44.1	44.3	40.2	49.0
Entry Gate & Truck Movements	33.5	32.0	37.0	34.7	37.4	36.2
Roof-Top Air Conditioning	35.1	34.4	34.6	35.1	29.9	27.2
Trash Enclosure Activity	6.6	6.9	16.1	20.4	6.6	4.0
Total (All Noise Sources)	**39.9**	**39.6**	**45.3**	**45.2**	**42.3**	**49.2**

[1] See Exhibit 7-A for the noise source locations. CadnaA noise model calculations are included in Appendix 7.1.

Tables 7-4 shows the unmitigated Project operational noise levels by source during the nighttime hours of 10:00 p.m. to 7:00 a.m. The Project nighttime hourly noise levels at the off-site receiver

locations are expected to range from 38.1 to 49.0 dBA L_{eq}. The differences between the daytime and nighttime noise levels is largely related to the duration of noise activity (Table 9-1). Appendix 7.1 includes the detailed CadnaA noise model inputs including the planned 12-foot high screen walls.

TABLE 7-4: NIGHTTIME PROJECT OPERATIONAL NOISE LEVELS

Noise Source[1,2]	Operational Noise Levels by Receiver Location (dBA Leq)					
	R1	R2	R3	R4	R5	R6
Loading Dock Activity	36.4	36.7	44.1	44.3	40.2	49.0
Entry Gate & Truck Movements	24.4	22.9	27.9	25.6	28.3	27.2
Roof-Top Air Conditioning	32.7	32.0	32.2	32.7	27.5	24.8
Trash Enclosure Activity	5.7	5.9	15.1	19.4	5.6	3.0
Total (All Noise Sources)	**38.1**	**38.1**	**44.5**	**44.7**	**40.7**	**49.0**

[1] See Exhibit 7-A for the noise source locations. CadnaA noise model calculations are included in Appendix 7.1.

7.5 PROJECT OPERATIONAL NOISE LEVEL COMPLIANCE

To demonstrate compliance with local noise regulations, the Project-only operational noise levels are evaluated against exterior noise level thresholds based on the City of Ontario exterior noise level standards at nearby noise-sensitive receiver locations. Table 7-5 shows the operational noise levels associated with Ontario Commerce Center Project will satisfy the City of Ontario 65 dBA L_{eq} daytime and the nighttime exterior standards adjusted to reflect the ambient noise levels with the planned 12-foot high screen walls at all nearby receiver locations. Therefore, the operational noise impacts are considered *less than significant* at the nearby noise-sensitive receiver locations.

TABLE 7-5: OPERATIONAL NOISE LEVEL COMPLIANCE

Receiver Location[1]	Project Operational Noise Levels (dBA Leq)[2]		Noise Level Standards (dBA Leq)[3]		Noise Level Standards Exceeded?[4]	
	Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
R1	39.9	38.1	65.0	56.1	No	No
R2	39.6	38.1	65.0	52.3	No	No
R3	45.3	44.5	65.0	47.7	No	No
R4	45.2	44.7	65.0	47.7	No	No
R5	42.3	40.7	65.0	48.1	No	No
R6	49.2	49.0	65.0	53.4	No	No

[1] See Exhibit 7-A for the receiver locations.
[2] Proposed Project operational noise levels as shown on Tables 7-3 and 7-4.
[3] Exterior noise level standards for residential land use, as shown on Table 4-2. Nighttime standards adjusted to reflect the ambient noise conditions.
[4] Do the estimated Project operational noise source activities exceed the noise level standards?
"Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

7.6 PROJECT OPERATIONAL NOISE LEVEL INCREASES

To describe the Project operational noise level increases, the Project operational noise levels are combined with the existing ambient noise levels measurements for the nearby receiver locations potentially impacted by Project operational noise sources. Since the units used to measure noise, decibels (dB), are logarithmic units, the Project-operational and existing ambient noise levels cannot be combined using standard arithmetic equations. (4) Instead, they must be logarithmically added using the following base equation:

$$SPL_{Total} = 10\log_{10}[10^{SPL1/10} + 10^{SPL2/10} + \ldots 10^{SPLn/10}]$$

Where "SPL1," "SPL2," etc. are equal to the sound pressure levels being combined, or in this case, the Project-operational and existing ambient noise levels. The difference between the combined Project and ambient noise levels describe the Project noise level increases to the existing ambient noise environment. Noise levels that would be experienced at receiver locations when Project-source noise is added to the daytime and nighttime ambient conditions are presented on Tables 7-6 and 7-7, respectively. As indicated on Tables 7-6 and 7-7, the Project will generate daytime and nighttime operational noise level increases ranging from 0.0 to 1.8 dBA L_{eq} at the nearby receiver locations. Project-related operational noise level increases will satisfy the operational noise level increase significance criteria presented in Table 4-2, the increases at the sensitive receiver locations will be *less than significant.*

7.7 REFLECTION

Field studies conducted by the FHWA have shown that the reflection from barriers and buildings does not substantially increase noise levels. (6) If all the noise striking a structure was reflected back to a given receiving point, the increase would be theoretically limited to 3 dBA. Further, not all the acoustical energy is reflected back to same point. Some of the energy would go over the structure, some is reflected to points other than the given receiving point, some is scattered by ground coverings (e.g., grass and other plants), and some is blocked by intervening structures and/or obstacles (e.g., the noise source itself). Additionally, some of the reflected energy is lost due to the longer path that the noise must travel. FHWA measurements made to quantify reflective increases in traffic noise have not shown an increase of greater than 1-2 dBA; an increase that is not perceptible to the average human ear.

7.8 OPERATIONAL VIBRATION IMPACTS

The operation of the Project site will include heavy trucks moving on site to and from the loading dock areas. Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. According to the FTA *Transit Noise Impact and Vibration Assessment,* (3 p. 113) trucks rarely create vibration that exceeds 70 VdB (unless there are bumps due to frequent potholes in the road). Trucks transiting on site will be travelling at very low speeds so it is expected that delivery truck vibration impacts at nearby homes will satisfy the daytime vibration threshold of 78 VdB and nighttime threshold of 72 VdB, and therefore, will be *less than significant*.

TABLE 7-6: DAYTIME PROJECT OPERATIONAL NOISE LEVEL INCREASES

Receiver Location[1]	Total Project Operational Noise Level[2]	Measurement Location[3]	Reference Ambient Noise Levels[4]	Combined Project and Ambient[5]	Project Increase[6]	Noise Sensitive Land Use?	Increase Criteria[7]	Increase Criteria Exceeded?[7]
R1	39.9	L1	58.3	58.4	0.1	Yes	5.0	No
R2	39.6	L2	53.8	54.0	0.2	Yes	5.0	No
R3	45.3	L3	51.0	52.0	1.0	Yes	5.0	No
R4	45.2	L3	51.0	52.0	1.0	Yes	5.0	No
R5	42.3	L4	48.8	49.7	0.9	Yes	5.0	No
R6	49.2	L5	57.2	57.8	0.6	Yes	5.0	No

[1] See Exhibit 7-A for the receiver locations.
[2] Total Project daytime operational noise levels as shown on Table 7-3.
[3] Reference noise level measurement locations as shown on Exhibit 5-A.
[4] Observed daytime ambient noise levels as shown on Table 5-1.
[5] Represents the combined ambient conditions plus the Project activities.
[6] The noise level increase expected with the addition of the proposed Project activities.
[7] Significance increase criteria as shown on Table 4-2.

TABLE 7-7: NIGHTTIME OPERATIONAL NOISE LEVEL INCREASES

Receiver Location[1]	Total Project Operational Noise Level[2]	Measurement Location[3]	Reference Ambient Noise Levels[4]	Combined Project and Ambient[5]	Project Increase[6]	Noise Sensitive Land Use?	Increase Criteria[7]	Increase Criteria Exceeded?[7]
R1	38.1	L1	56.1	56.2	0.1	Yes	5.0	No
R2	38.1	L2	52.3	52.5	0.2	Yes	5.0	No
R3	44.5	L3	47.7	49.4	1.7	Yes	5.0	No
R4	44.7	L3	47.7	49.5	1.8	Yes	5.0	No
R5	40.7	L4	48.1	48.8	0.7	Yes	5.0	No
R6	49.0	L5	53.4	54.8	1.4	Yes	5.0	No

[1] See Exhibit 7-A for the receiver locations.
[2] Total Project nighttime operational noise levels as shown on Table 7-4.
[3] Reference noise level measurement locations as shown on Exhibit 5-A.
[4] Observed daytime ambient noise levels as shown on Table 5-1.
[5] Represents the combined ambient conditions plus the Project activities.
[6] The noise level increase expected with the addition of the proposed Project activities.
[7] Significance increase criteria as shown on Table 4-2.

8 CONSTRUCTION IMPACTS

This section analyzes potential average dBA L_{eq} impacts resulting from the short-term construction activities associated with the development of the Project. Exhibit 8-A shows the construction noise source locations in relation to the nearby sensitive receiver locations previously described in Section 6.

8.1 CONSTRUCTION NOISE LEVELS

Noise generated by the Project construction equipment will include a combination of trucks, power tools, concrete mixers, and portable generators that when combined can reach high levels. The number and mix of construction equipment are expected to occur in the following stages:

- Site Preparation
- Grading
- Building Construction
- Paving
- Architectural Coating

This construction noise analysis was prepared using reference noise level measurements taken by Urban Crossroads, Inc. to describe the typical construction activity noise levels for each stage of Project construction. The construction reference noise level measurements represent a list of typical construction activity noise levels.

8.2 CONSTRUCTION REFERENCE NOISE LEVELS

To describe the Project construction noise levels, measurements were collected for similar activities at several construction sites. Table 8-1 provides a summary of the construction reference noise level measurements. Since the reference noise levels were collected at varying distances of 30 feet and 50 feet, all construction noise level measurements presented on Table 8-1 have been adjusted for consistency to describe a uniform reference distance of 50 feet.

EXHIBIT 8-A: CONSTRUCTION NOISE SOURCE LOCATIONS



TABLE 8-1: CONSTRUCTION REFERENCE NOISE LEVELS

Construction Stage	Reference Construction Activity[1]	Reference Noise Level @ 50 Feet (dBA L_{eq})	Highest Reference Noise Level (dBA L_{eq})
Site Preparation	Scraper, Water Truck, & Dozer Activity	75.3	75.3
	Backhoe	64.2	
	Water Truck Pass-By & Backup Alarm	71.9	
Grading	Rough Grading Activities	73.5	73.5
	Water Truck Pass-By & Backup Alarm	71.9	
	Construction Vehicle Maintenance Activities	67.5	
Building Construction	Foundation Trenching	68.2	71.6
	Framing	62.3	
	Concrete Mixer Backup Alarms & Air Brakes	71.6	
Paving	Concrete Mixer Truck Movements	71.2	71.2
	Concrete Paver Activities	65.6	
	Concrete Mixer Pour & Paving Activities	65.9	
Architectural Coating	Air Compressors	65.2	65.2
	Generator	64.9	
	Crane	62.3	

[1] Reference construction noise level measurements taken by Urban Crossroads, Inc.

8.3 CONSTRUCTION NOISE ANALYSIS

Using the reference construction equipment noise levels and the CadnaA noise prediction model, calculations of the Project construction noise level impacts at the nearby sensitive receiver locations were completed. To assess the worst-case construction noise levels, the Project construction noise analysis relies on the highest noise level impacts when the equipment with the highest reference noise level is operating at the closest point from the edge of primary construction activity (Project site boundary) to each receiver location. As shown on Table 8-2, the unmitigated construction noise levels are expected to range from 48.7 to 63.2 dBA L_{eq} at the nearby receiver locations. Appendix 8.1 includes the detailed CadnaA construction noise model inputs.

TABLE 8-2: CONSTRUCTION EQUIPMENT NOISE LEVEL SUMMARY

Receiver Location[1]	Construction Noise Levels (dBA L_{eq})					
	Site Preparation	Grading	Building Construction	Paving	Architectural Coating	Highest Levels[2]
R1	59.2	57.4	55.5	55.1	49.1	59.2
R2	58.8	57.0	55.1	54.7	48.7	58.8
R3	62.0	60.2	58.3	57.9	51.9	62.0
R4	59.5	57.7	55.8	55.4	49.4	59.5
R5	62.9	61.1	59.2	58.8	52.8	62.9
R6	63.2	61.4	59.5	59.1	53.1	63.2

[1] Noise receiver locations are shown on Exhibit 8-A.
[2] Construction noise level calculations based on distance from the project site boundaries (construction activity area) to nearby receiver locations. CadnaA construction noise model inputs are included in Appendix 8.1.

8.4 CONSTRUCTION NOISE LEVEL COMPLIANCE

To evaluate whether the Project will generate potentially significant short-term noise levels at nearby receiver locations, a construction-related the noise level threshold of 65 dBA L_{eq} is used as acceptable thresholds to assess construction noise level impacts. The construction noise analysis shows that the nearby receiver locations will satisfy the 65 dBA L_{eq} significance threshold during Project construction activities as shown on Table 8-3. Therefore, the noise impacts due to Project construction noise is considered *less than significant* at all receiver locations

TABLE 8-3: CONSTRUCTION NOISE LEVEL COMPLIANCE

Receiver Location[1]	Construction Noise Levels (dBA L_{eq})		
	Highest Construction Noise Levels[2]	Threshold[3]	Threshold Exceeded?[4]
R1	59.2	65	No
R2	58.8	65	No
R3	62.0	65	No
R4	59.5	65	No
R5	62.9	65	No
R6	63.2	65	No

[1] Noise receiver locations are shown on Exhibit 8-A.
[2] Highest construction noise level calculations based on distance from the construction noise source activity to nearby receiver locations as shown on Table 8-2.
[3] Construction noise level thresholds as shown on Table 4-2.
[4] Do the estimated Project construction noise levels exceed the construction noise level threshold?

8.5 CONSTRUCTION VIBRATION IMPACTS

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. It is expected that ground-borne vibration from Project construction activities would cause only intermittent, localized intrusion. The proposed Project's construction activities most likely to cause vibration impacts are:

- Heavy Construction Equipment: Although all heavy mobile construction equipment has the potential of causing at least some perceptible vibration while operating close to buildings, the vibration is usually short-term and is not of sufficient magnitude to cause building damage.
- Trucks: Trucks hauling building materials to construction sites can be sources of vibration intrusion if the haul routes pass through residential neighborhoods on streets with bumps or potholes. Repairing the bumps and potholes generally eliminates the problem.

Ground-borne vibration levels resulting from construction activities occurring within the Project site were estimated by data published by the Federal Transit Administration (FTA). Construction activities that would have the potential to generate low levels of ground-borne vibration within the Project site include grading. While vehicular traffic is rarely perceptible, construction has the potential to result in varying degrees of temporary ground vibration, depending on the specific construction activities and equipment used. Ground vibration levels associated with various types of construction equipment are summarized on Table 8-4. Based on the representative vibration levels presented for various construction equipment types, it is possible to estimate the potential Project construction vibration levels using the following vibration assessment methods defined by the FTA. To describe the human response (annoyance) associated with vibration impacts the FTA provides the following equation: $L_{VdB}(D) = L_{VdB}(25\text{ ft}) - 30\log(D/25)$

TABLE 8-4: VIBRATION SOURCE LEVELS FOR CONSTRUCTION EQUIPMENT

Equipment	Vibration Decibels (VdB) at 25 feet
Small bulldozer	58
Jackhammer	79
Loaded Trucks	86
Large bulldozer	87

Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual

Table 8-5 presents the expected Project related vibration levels at the nearby receiver locations. At distances ranging from 208 feet (at location R4) to 312 feet (at location R1) from Project construction activities (at the Project site boundary), construction vibration levels are estimated to range from 54.1 to 59.4 VdB and will remain below the FTA Transit Noise and Vibration Impact Assessment maximum acceptable vibration criteria of 78 VdB for daytime residential uses at all receiver locations. Therefore, the Project-related vibration impacts are considered *less than significant* during the construction activities at the Project site.

TABLE 8-5: PROJECT CONSTRUCTION VIBRATION LEVELS

Receiver Location[1]	Distance to Construction Activity (Feet)	Receiver Vibration Levels (VdB)[2]					Threshold VdB[3]	Threshold Exceeded?[4]
		Small Bulldozer	Jack-hammer	Loaded Trucks	Large Bulldozer	Highest Vibration Levels		
R1	312'	25.1	46.1	53.1	54.1	54.1	78	No
R2	209'	30.3	51.3	58.3	59.3	59.3	78	No
R3	218'	29.8	50.8	57.8	58.8	58.8	78	No
R4	208'	30.4	51.4	58.4	59.4	59.4	78	No
R5	259'	27.5	48.5	55.5	56.5	56.5	78	No
R6	229'	29.1	50.1	57.1	58.1	58.1	78	No

[1] Noise receiver locations are shown on Exhibit 8-A.
[2] Based on the Vibration Source Levels of Construction Equipment included on Table 8-4.
[3] FTA Transit Noise and Vibration Impact Assessment maximum acceptable vibration criteria as shown on Table 4-2.
[4] Does the vibration level exceed the maximum acceptable vibration threshold?

Moreover, the vibration levels reported at the sensitive receiver locations are unlikely to be sustained during the entire construction period but will occur rather only during the times that heavy construction equipment is operating adjacent to the Project site perimeter.

9 REFERENCES

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3. **U.S. Department of Transportation, Federal Transit Administration.** *Transit Noise and Vibration Impact Assessment.* September 2018.
4. **California Department of Transportation Environmental Program.** *Technical Noise Supplement - A Technical Supplement to the Traffic Noise Analysis Protocol.* Sacramento, CA : s.n., September 2013.
5. **Environmental Protection Agency Office of Noise Abatement and Control.** *Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety.* March 1974. EPA/ONAC 550/9/74-004.
6. **U.S. Department of Transportation, Federal Highway Administration, Office of Environment and Planning, Noise and Air Quality Branch.** *Highway Traffic Noise Analysis and Abatement Policy and Guidance.* December 2011.
7. **U.S. Department of Transportation, Federal Highway Administration.** *Highway Traffic Noise in the United States, Problem and Response.* April 2000. p. 3.
8. **U.S. Environmental Protection Agency Office of Noise Abatement and Control.** *Noise Effects Handbook-A Desk Reference to Health and Welfare Effects of Noise.* October 1979 (revised July 1981). EPA 550/9/82/106.
9. **Occupational Safety and Health Administration.** *Standard 29 CRF, Part 1910.*
10. **Office of Planning and Research.** *State of California General Plan Guidelines.* 2018.
11. **State of California.** *2016 California Green Building Standards Code.* January 2017.
12. **City of Ontario.** *The Ontario Plan Safety Section, S4, Noise Hazards.* March 2014.
13. —. *The Ontario Plan Draft EIR.* April 2009.
14. —. *Municipal Code, Title 5, Chapter 29 - Noise.*
15. —. *Ontario International Airport Land Use Compatibility Plan.* July 2018.
16. **California Court of Appeal.** *Gray v. County of Madera, F053661.* 167 Cal.App.4th 1099; - Cal.Rptr.3d, October 2008.
17. **Federal Interagency Committee on Noise.** *Federal Agency Review of Selected Airport Noise Analysis Issues.* August 1992.
18. **California Department of Transportation.** *Technical Noise Supplement.* November 2009.
19. **American National Standards Institute (ANSI).** *Specification for Sound Level Meters ANSI S1.4-2014/IEC 61672-1:2013.*

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10 CERTIFICATION

The contents of this noise study report represent an accurate depiction of the noise environment and impacts associated with the proposed Ontario Commerce Center Project. The information contained in this noise study report is based on the best available data at the time of preparation. If you have any questions, please contact me directly at (949) 336-5979.



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EDUCATION

Master of Science in Civil and Environmental Engineering
California Polytechnic State University, San Luis Obispo • December 1993

Bachelor of Science in City and Regional Planning
California Polytechnic State University, San Luis Obispo • June 1992

PROFESSIONAL REGISTRATIONS

PE – Registered Professional Traffic Engineer – TR 2537 • January, 2009
AICP – American Institute of Certified Planners – 013011 • June 1997–January 1, 2012
PTP – Professional Transportation Planner • May, 2007 – May, 2013
INCE – Institute of Noise Control Engineering • March 2004

PROFESSIONAL AFFILIATIONS

ASA – Acoustical Society of America
ITE – Institute of Transportation Engineers

PROFESSIONAL CERTIFICATIONS

Certified Acoustical Consultant – County of Orange • February, 2011
FHWA-NHI-142051 Highway Traffic Noise Certificate of Training • February 2013

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APPENDIX 3.1:

CITY OF ONTARIO MUNICIPAL CODE

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CHAPTER 29: NOISE

5-29.01 Declaration of findings and policy

5-29.02 Definitions

5-29.03 Designated noise zones

5-29.04 Exterior noise standards

5-29.05 Interior noise standards

5-29.06 Exemptions

5-29.07 Loud and disturbing noise

5-29.08 Real property maintenance noise regulations

5-29.09 Construction activity noise regulations

5-29.10 Other public agency exceptions

5-29.11 Schools, day care centers, churches, libraries, museums, health care institutions; Special provisions

5-29.12 Sound amplifying equipment

5-29.13 Amplified sound

5-29.14 Motor vehicles

5-29.15 Noise level measurement

5-29.16 Prima facie violation

5-29.17 Penalty

5-29.18 Enforcement and administration

5-29.19 City Manager waiver

5-29.20 Noise abatement program

Sec. 5-29.01. Declaration of findings and policy.

It is hereby found and declared that:

(a) The making and creation of excessive, unnecessary or unusually loud noises within the limits of the City is a condition that has existed for some time, however, the extent and volume of such noises is increasing;

(b) The making, creation or maintenance of such excessive, unnecessary, unnatural or unusually loud noises that are prolonged, unusual and unnatural in their time, place and use

affect and are a detriment to public health, comfort, convenience, safety, welfare and prosperity of the residents of the City; and

(c) The necessity in the public interest for the provisions and prohibitions hereinafter contained and enacted, is declared as a matter of legislative determination and public policy, and it is further declared that the provisions and prohibitions hereinafter contained and enacted are in pursuance of and for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare and prosperity and the peace and quiet of the residents of the City.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.02. Definitions.

As used in this chapter, specific words and phrases are defined as follows:

(a) "Ambient noise level" shall mean the all-encompassing noise level associated with a given environment and is a composite of sounds from all sources, excluding the alleged offensive noise or excessive sound, at the location and approximate time at which a comparison with the alleged offensive noise is to be made.

(b) "Applicable (noise) zone" shall mean the noise zone category based on the actual use of the property, provided that the actual use is a legal use in the City.

(c) "A-weighted sound level" shall mean the sound pressure level in decibels (dBAs) as measured with a sound level meter using the A-weighted filter network (scale) at slow response and at a pressure of twenty (20) micropascals. The A-weighted filter de-emphasizes the very low and a very high frequency component of sound in a manner similar to the response of the human ear, and is a numerical method of rating human judgment of loudness.

(d) "Decibel (dBA)" shall mean a unit for measuring the amplitude of a sound, equal to twenty (20) times the logarithm to the base ten (10) of the ratio of pressure of the sound measured to the reference pressure of twenty (20) micropascals.

(e) "Equivalent sound or noise level (Leq)" shall mean the International Electrotechnical Commission (IEC) 60804 Standard for measurement, or the most recent revision thereof, for the sound level corresponding to a steady state noise level over a given sample period with the same amount of acoustic energy as the actual time varying noise level or the energy average noise level during the sample period. The measurement period for the purposes of this chapter is fifteen (15) minutes.

(f) "Impulsive noise" shall mean a noise of short duration usually less than one (1) second and of high intensity, with an abrupt onset and rapid decay. Such objectionable noises may also be repetitive.

(g) "Intrusive noise" shall mean that noise that intrudes over and above the ambient noise at a given location. The relative intrusiveness of a sound depends upon its amplitude, duration, frequency, time of occurrence and tonal information content, as well as the prevailing ambient noise level.

(h) "Maintenance" shall mean the upkeep, repair or preservation of existing property or structures.

(i) "Noise" shall mean any unwanted sound or sound that is undesirable because it interferes with speech and hearing, or is intense enough to damage hearing or is otherwise annoying.

(j) "Noise level (sound level)" shall mean the weighted sound pressure level obtained by use of a sound level meter having a standard frequency filter for attenuating part of the sound spectrum.

For purposes of this chapter, all noise levels (sound levels) shall be A-weighted sound pressure level.

(k) "Noise (sound) level meter" shall mean an instrument, including a microphone, an amplifier, an output meter and frequency weighting networks for the measurement and determination of noise and sound levels. For the purposes of this chapter, the sound level meter must meet the International Electrotechnical Commission (IEC) 60651 and 60804 Standards, or the most recent revisions thereof, for Type 1 sound level meters or an instrument and the associated recording and analyzing equipment that will provide equivalent data.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.03. Designated noise zones.

The properties hereinafter described shall be assigned to the following noise zones:

Noise Zone I:	All single-family residential properties;
Noise Zone II:	All multi-family residential properties and mobile home parks;
Noise Zone III:	All commercial property;
Noise Zone IV:	The residential portion of mixed use properties;
Noise Zone V:	All manufacturing or industrial properties and all other uses.

The actual use of the property, and not necessarily its zoning designation, shall be the determining factor in establishing whether a property is in Noise Zone I, II, III, IV or V, provided that the actual use is a legal use within the applicable zone.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.04. Exterior noise standards.

(a) The following exterior noise standards, unless otherwise specifically indicated, shall apply to all properties within a designated noise zone.

Allowable Exterior Noise Level (1)		***Allowed Equivalent Noise Level, Leq. (2)***	
Noise Zone	***Type of Land Use***	***7 a.m. to 10 p.m.***	***10 p.m. to 7 a.m.***
I	Single-Family Residential	65 dBA	45 dBA
II	Multi-Family Residential, Mobile Home Parks	65 dBA	50 dBA
III	Commercial Property	65 dBA	60 dBA
IV	Residential Portion of Mixed Use	70 dBA	70 dBA
V	Manufacturing and Industrial, Other	70 dBA	70 dBA

	Uses		

(1) If the ambient noise level exceeds the resulting standard, the ambient noise level shall be the standard.

(2) Measurements for compliance are made on the affected property pursuant to § 5-29.15.

(b) It is unlawful for any person at any location within the incorporated area of the City to create noise, or to allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which noise causes the noise level, when measured at any location on any other property, to exceed either of the following:

(1) The noise standard for the applicable zone for any fifteen-minute (15) period; and

(2) A maximum instantaneous (single instance) noise level equal to the value of the noise standard plus twenty (20) dBA for any period of time (measured using A-weighted slow response).

(c) 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.

(d) The Noise Zone IV standard shall apply to that portion of residential property falling within one hundred (100) feet of a commercial property or use, if the noise originates from that commercial property or use.

(e) If the measurement location is on a boundary between two (2) different noise zones, the lower noise level standard applicable to the noise zone shall apply.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.05. Interior noise standards.

(a) The following interior noise standards, unless otherwise specifically indicated, shall apply to all properties within a designated noise zone.

Allowable Interior Noise Level (1)		**Allowed Equivalent Noise Level, Leq.** (2)	
Noise Zone	***Type of Land Use***	***7 a.m. to 10 p.m.***	***10 p.m. to 7 a.m.***
I	Single-Family Residential	45 dBA	40 dBA
II	Multi-Family Residential, Mobile Home Parks	45 dBA	40 dBA
IV	Residential Portion of Mixed Use	45 dBA	40 dBA

(1) If the ambient noise level exceeds the resulting standard, the ambient noise level shall be the standard.

(2) Measurements for compliance are made on the affected property pursuant to § 5-29.15.

(b) It is unlawful for any person at any location within the incorporated area of the City to create noise, or to allow the creation of any noise on property owned, leased, occupied or

otherwise controlled by such person, which noise causes the noise level, when measured at any location on any other property, to exceed either of the following:

(1) The noise standard for the applicable zone for any fifteen-minute (15) period;

(2) A maximum instantaneous (single instance) noise level equal to the value of the noise standard plus twenty (20) dBA for any period of time (measured using A-weighted slow response).

(c) 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.

(d) The Noise Zone IV standard shall apply to that portion of residential property falling within one hundred (100) feet of a commercial property or use, if the noise originates from that commercial property or use.

(e) If the measurement location is on a boundary between two (2) different noise zones, the lower noise level standard applicable to the noise zone shall apply.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.06. Exemptions.

The following activities shall be exempted from the provisions of this chapter:

(a) Any activity conducted on public property, or on private property with the consent of the owner, by any public entity or its officers, employees, representatives, agents, subcontractors, permittees, licensees or lessees that the public entity has authorized are exempt from the provisions of this chapter. This includes, without limitation, sporting and recreational activities that are sponsored, co-sponsored, permitted or allowed by the City or any school district within the City's jurisdictional boundaries. This also includes, without limitation, occasional outdoor gatherings, public dances, shows or sporting and entertainment events, provided such events are conducted pursuant to an approval, authorization, contract, lease, permit or sublease by the appropriate public entity, specifically the planning commission or City Council;

(b) Occasional outdoor gatherings, public dances, show, sporting and entertainment events, provided said events are conducted pursuant to a permit or license issued by the appropriate jurisdiction relative to the staging of said events;

(c) Any mechanical device, apparatus or equipment used, related to or connected with emergency machinery, vehicle, work or warning alarm or bell, provided the sounding of any bell or alarm on any building or motor vehicle shall terminate its operation within forty-five (45) minutes in any hour of its being activated;

(d) Noise sources associated with construction, repair, remodeling, demolition or grading of any real property. Such activities shall instead be subject to the provisions of § 5-29.09;

(e) Noise sources associated with construction, repair, remodeling, demolition or grading of public rights-of-way or during authorized seismic surveys;

(f) All mechanical devices, apparatus or equipment associated with agriculture operations provided that:

(1) Operations do not take place between 8:00 p.m. and 7:00 a.m.;

(2) Such operations and equipment are utilized for the protection or salvage of agricultural crops during periods of potential or actual frost damage or other adverse weather conditions; or

(3) Such operations and equipment are associated with agricultural pest control through pesticide application, provided the application is made in accordance with permits issued by or regulations enforced by the California Department of Agriculture;

(g) Noise sources associated with the maintenance of real property. Such activities shall instead be subject to the provisions of § 5-29.08;

(h) Any activity to the extent regulation thereof has been preempted by state or federal law;

(i) Any noise sources associated with people and/or music associated with a party at a residential property. Such noise shall be subject to the provisions of OMC § 5-29.07;

(j) Any noise source emanating from an ice cream truck within the City. Such noise shall be subject to the provisions of OMC § 4-18.04;

(k) Any noise sources associated with barking dogs or other intermittent noises made by animals on any properly within the City. Such noise shall be subject to the provisions of OMC Chapter 1, Title 6;

(l) Noise sources related to uses approved by a permit or development agreement adopted prior to the date of adoption of this chapter and that contains acoustic or noise standard conditions of approval. This exemption shall only be applicable during the effective period of the City-approved permit or development agreement.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.07. Loud and disturbing noise.

(a) It is unlawful for any person or property owner within the City to make, cause or allow to be made any loud, excessive, impulsive or intrusive noise, disturbance or commotion that disturbs the peace or quiet of any area or that causes discomfort or annoyance to any reasonable person of normal sensitivities in the area, after a Police or Code Enforcement Officer has first requested that the person or property owner cease and desist from making such noise. The types of loud, disturbing, excessive, impulsive or intrusive noise may include, but shall not be limited to, yelling, shouting, hooting, whistling, singing, playing a musical instrument, or emitting or transmitting any loud music or noise from any mechanical or electrical sound making or sound-amplifying device.

(b) The factors, standards, and conditions that may be considered in determining whether a violation of the provisions of this section has been committed, included, but not limited to, the following:

(1) The level of the noise;

(2) The level and intensity of the background (ambient) noise, if any;

(3) The proximity of the noise to residential or commercial sleeping areas;

(4) The nature and zoning of the area within which the noise emanates;

(5) The density of inhabitation of the area within which the noise emanates;

(6) The time of day and night the noise occurs;

(7) The duration of the noise;

(8) Whether the noise is constant, recurrent or intermittent;

(9) Whether the noise is produced by a commercial or noncommercial activity; and

(10) Whether the use is lawful under the provisions of Title 5 of this Code and whether the noise is one that could reasonably be expected from the activity or allowed use.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.08. Real property maintenance noise regulations.

(a) No person, while engaged in maintenance of real property, 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, except between the hours of 8:00 a.m. and 6:00 p.m.

(b) Trimming or pruning that requires the use of chainsaws or mulching machines shall only be allowed between the hours of 8:00 a.m. and 6:00 p.m. on a weekday and between the hours of 9:00 a.m. and 5:00 p.m. on Saturday or Sunday.

(c) The use of electrical or gasoline powered blowers, such as commonly used by gardeners or other persons for cleaning lawns, yards, driveways, gutters and other property shall only be allowed between the hours of 8:00 a.m. and 6:00 p.m. on a weekday and between the hours of 9:00 a.m. and 5:00 p.m. on Saturday or Sunday.

(d) No landowner, gardener, property maintenance service, contractor, subcontractor or employer shall permit or allow any person or persons working under his or her direction or control to operate any tool, equipment or machine in violation of the provisions of this section.

(e) Exceptions. The provisions of this section shall not apply to the following:

(1) Emergency property maintenance required by the building official;

(2) The maintenance, repair or improvement of any public work or facility by public employees, by any person or persons acting pursuant to a public works contract, or by any person or persons performing such work or pursuant to the direction of, or on behalf of, any public agency; provided, however, this exception shall not apply to the City, or its employees, contractors or agents, unless:

(i) The City Manager or department head determines that the maintenance, repair or improvement is immediately necessary to maintain public service,

(ii) The maintenance, repair or improvement is of a nature that cannot feasibly be conducted during normal business hours, or

(iii) The City Council has approved project specifications, contract provisions, or an environmental document that specifically authorizes maintenance during hours of the day that would otherwise be prohibited pursuant to this section; and

(3) Any maintenance that complies with the noise limits specified in § 5-29.04.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.09. Construction activity noise regulations.

(a) 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 a.m. and 6:00 p.m. or on Saturday or Sunday between the hours of 9:00 a.m. and 6:00 p.m.

(b) No landowner, construction company owner, contractor, subcontractor, or employer shall permit or allow any person or persons working under their direction and control to operate any tool, equipment or machine in violation of the provisions of this section.

(c) Exceptions.

(1) The provisions of this section shall not apply to emergency construction work performed by a private party when authorized by the City Manager or his or her designee;

(2) The maintenance, repair or improvement of any public work or facility by public employees, by any person or persons acting pursuant to a public works contract, or by any person or persons performing such work or pursuant to the direction of, or on behalf of, any public agency; provided, however, this exception shall not apply to the City, or its employees, contractors or agents, unless:

(i) The City Manager or a department head determines that the maintenance, repair or improvement is immediately necessary to maintain public services,

(ii) The maintenance, repair or improvement is of a nature that cannot feasibly be conducted during normal business hours, or

(iii) The City Council has approved project specifications, contract provisions, or an environmental document that specifically authorizes construction during hours of the day that would otherwise be prohibited pursuant to this section; and

(3) Any construction that complies with the noise limits specified in §§ 5-29.04 or 5-29.05.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.10. Other public agency exceptions.

The provisions of this chapter shall not be construed to prohibit any work at different hours by or under the direction of any other public agency or public or private utility companies in cases of necessity or emergency.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.11. Schools, day care centers, churches, libraries, museums, health care institutions; Special provisions.

It is unlawful for any person to create any noise that causes the outdoor noise level at any school, day care center, hospital or similar health care institution, church, library or museum while the same is in use, to exceed the noise standards specified in § 5-29.04 prescribed for the assigned Noise Zone I.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.12. Sound amplifying equipment.

Loudspeakers, sound amplifiers, public address systems or similar devices used to amplify sounds shall be subject to the provisions of § 5-29.13. Such sound amplifying equipment shall not be construed to include electronic devices, including but not limited to, radios, tape players, tape recorders, compact disc players, MP3 players, electric keyboards, music synthesizers, record players or televisions, which are designed and operated for personal use, or used entirely

within a building and are not designed or used to convey the human voice, music or any other sound to an audience outside such building, or which are used in vehicles and heard only by occupants of the vehicle in which installed.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.13. Amplified sound.

(a) The City Council enacts the following legislation for the sole purpose of securing and promoting the public health, comfort, safety and welfare for its citizenry. While recognizing that the use of sound amplifying equipment may be entitled to certain protection by the constitutional rights of freedom of speech and assembly, the City Council finds that in order to protect the public safety and the correlative rights of the citizens of this community to privacy and freedom from public nuisance of loud and unnecessary noise, reasonable regulation of the time, place and manner of the use of amplifying equipment is necessary. In no event shall approval or authorization required herein be withheld by reason of the constitutionally protected content of any material proposed to be broadcast through amplifying equipment.

(b) It is unlawful for any person, other than personnel of law enforcement or governmental agencies, to install, use or operate a loudspeaker or sound amplifying device in a fixed or movable position or mounted upon any vehicle within the City for the purpose of giving instructions, directions, talks, addresses or lectures to any persons or assemblages of persons in or upon any street, alley, sidewalk, park, place or public property without a permit to do so from the Police Chief or his or her designee. Notwithstanding any other provision of this chapter, the provisions of this section shall also apply to the use of sound amplifying equipment upon public or private property when used in connection with outdoor or indoor public or private events, whether or not admission is charged or food or beverages are sold, when such activity is to be attended by more than one hundred (100) persons and the noise emanating from the event will be audible at the property plane, or in the case of a street dance or concert on the nearest residential property. Those activities listed in § 5-29.06(a) are exempt from the requirements of this section.

(c) The Police Chief or his or her designee is authorized to approve and issue permits under this section.

(d) An application for a permit required by this section shall be filed with the Police Chief at least sixteen (16) days and no more than one hundred twenty (120) days prior to the date on which the sound amplifying equipment is intended to be used. Applications for events covered by the First Amendment of the United States Constitution are exempt from the time requirements of this section if it is shown that circumstances require a shorter filing period and the event will not constitute an unsafe condition. The application shall contain the following information:

(1) The name, address and telephone number of both the owner and the user of the sound amplifying equipment;

(2) The license number, if a sound truck is to be used;

(3) A general description of the sound amplifying equipment which is to be used;

(4) Whether sound amplifying equipment will be used for commercial or noncommercial purpose;

(5) The dates and times upon and within which, and the streets or property over or upon which, the equipment is proposed to be operated;

(6) The name or names of one (1) or more persons who will be present during the conduct of any activities for which registration is sought and who will have authority to reduce the volume of

any sound amplifying equipment during the course of the activities if required pursuant to this chapter and, otherwise, to insure compliance with the provisions of this chapter;

(7) A statement by the applicant that he or she is willing and able to comply with the provisions of this chapter and the conditions of the permit; and

(8) A sketch of the area or facilities within which the activities are to be conducted, with approximate dimensions and illustration of the location and orientation of all sound-amplifying equipment.

(e) The Police Chief shall deny the permit application or revoke any permit if the chief finds any of the following:

(1) The application contains materially false or intentionally misleading information;

(2) The use of sound amplifying equipment at an event or activity proposed will be located in or upon a premises, building or structure that is hazardous to the health or safety of the employees or patrons of the premises, business, activity, or event, or the general public, under the standards established by the Uniform Building or Fire Codes, or other applicable codes, as set forth in OMC Titles 4 and 8;

(3) The use of sound amplifying equipment at an event or activity proposed in or upon a premises, building or structure that lacks adequate on-site parking for participants attending the proposed event or activity under the applicable standards set forth in OMC Title 9;

(4) The conditions of any motor vehicle movement are such that, in his or her opinion, the use of the equipment would constitute an unreasonable interference with traffic safety;

(5) The conditions of pedestrian movement are such that the use of the equipment would constitute a detriment to traffic safety;

(6) The application submitted by the applicant reveals that the applicant would violate the provisions of this section or any other provision of federal, state and/or local law;

(7) The applicant is unwilling or unable to comply with the provisions of this chapter or any conditions imposed upon any permit issued;

(8) There had already been a permitted event at the intended location, or within a two hundred (200) yard radius of the intended location and the prior permitted event was located on residentially zoned property or on a street, alley, public parking lot or neighborhood park within three (3) months prior to the intended event. Community parks are exempt from this subsection (8); or

(9) The applicant or location has had previous violations within the past calendar year, and in the judgment of the Police Chief, issuance would be contrary to the intent of this section.

(f) In determining whether the use of the equipment would constitute an unreasonable interference with or detriment to traffic safety, the Police Chief shall consider, but shall not necessarily be limited to:

(1) The volumes, patterns and speed of vehicular and pedestrian traffic in the proposed area of use;

(2) The relationship of the proposed use of equipment and potential impacts upon traffic patterns;

(3) Availability of sufficient room for the operation of the equipment without significantly interfering with the traffic patterns;

(4) Proximity to schools, playgrounds and similar facilities where use of such equipment might attract children into traffic patterns; or

(5) Proximity to busy intersections or other potentially hazardous conditions where use of such equipment might constitute a hazard by reason of its tendency to distract drivers of vehicles or pedestrians.

(g) Issuance or denial.

(1) If the application is approved, the Police Chief shall return an approved copy of the application to the applicant and shall issue a permit. The permit shall constitute permission for the use of the sound amplifying equipment as requested.

(2) Any application filed shall be either approved or disapproved within five (5) days of the filing thereof.

(3) If the application is disapproved, the Police Chief shall return a disapproved copy forthwith to the applicant with a written statement on the reason for disapproval.

(i) Any person aggrieved by a decision of the Police Chief or his or her designee may file an appeal to the City Manager. A complete and proper appeal shall be filed with the City Clerk within ten (10) calendar days of the action that is the subject of the appeal. If the applicant fails to file an appeal within the ten (10) day filing period provided herein, denial shall take effect immediately upon expiration of such filing period. All appeals shall be in writing and shall contain the following information: (a) name(s) of the person filing the appeal, (b) a brief statement in ordinary and concise language of the relief sought, and (c) the signatures of all parties named as appellants and their mailing addresses. After receiving the appeal, the City Clerk shall immediately forward the matter to the City Manager for handling.

(ii) The City Manager shall, upon receipt of the appeal, set the matter for hearing before the City Manager or a hearing officer. Any hearing officer shall be a licensed attorney or recognized mediator designated by the City Manager. The hearing shall be set for not more than ten (10) calendar days after the receipt of the appeal unless a longer time is requested or consented to by the appellant. Notice of such hearing shall be given in writing and mailed at least five (5) calendar days prior to the date of the hearing, by U.S. mail, with a proof of service attached, addressed to the address listed on the permit application, or the written appeal if different from the permit application. The notice shall state the grounds of the complaint or reason for the denial and shall state the time and place where such hearing will be held.

(iii) The City Manager or hearing officer shall, within ten (10) calendar days following the conclusion of the hearing, make a written finding and decision, which shall be delivered to the City and the appellant by first class mail. Notwithstanding any provision in this Code, the decision of the City Manager or hearing officer shall be the final administrative decision of the City. Any party dissatisfied with the decision of the City Manager or hearing officer may seek review of such decision under the provisions of Code Civil Procedure, §§ 1094.5 and 1094.8, as amended from time to time.

(h) In addition to any other provisions of this Code, the use of sound-amplifying equipment and sound trucks in the City shall be subject to the following regulations:

(1) The only sounds permitted are music and human speech;

(2) Sound shall not be emitted within one hundred (100) yards of hospitals, churches, schools and City Hall;

(3) The volume of sound shall be controlled so that it will not be audible for a distance in excess of one hundred (100) feet from the sound amplifying equipment or sound truck, and so

that the volume is not unreasonably loud, raucous, jarring, disturbing or a nuisance to persons within the range of allowed audibility; or

(4) The sound amplifying equipment or sound truck shall not be used between the hours of 8:00 p.m. and 8:00 a.m.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.14. Motor vehicles.

The use of any motor vehicle in such a condition as to create excessive, impulsive or intrusive noises is prohibited. The discharge into the open air of the exhaust of any internal combustion engine, stationary or mounted on wheels, motorboat or motor vehicle, including motor cycle, whether or not discharged through a muffler or other similar device, which discharge creates excessive, unusual, impulsive or intrusive noise is prohibited. Motor vehicles shall comply with the noise regulations of the California Vehicle Code.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.15. Noise level measurement.

(a) The location selected for measuring exterior noise levels in a residential area shall be at any part of a private yard, patio, deck or balcony normally used for human activity and identified by the owner or, if occupied by someone other than the owner, the occupant of the affected property as suspected of exceeding the noise level standard. This location may be the closest point in the private yard or patio, or on the deck or balcony, to the noise source, but should not be located in nonhuman activity areas such as trash container storage areas, planter beds, above or contacting a property line fence, or other areas not normally used as part of the yard, patio, deck or balcony. The location selected for measuring exterior noise levels in a nonresidential area shall be at the closest point to the noise source. The measurement microphone height shall be five (5) feet above finish elevation or, in the case of a deck or balcony, the measurement microphone height shall be five (5) feet above the finished floor level.

(b) The location selected for measuring interior noise levels shall be made within the affected residential unit. The measurements shall be made at a point at least four (4) feet from the wall, ceiling or floor, or within the frame of a window opening, nearest the noise source. The measurements shall be made with windows in an open position.

(c) Any decibel measurement made pursuant to the provisions of this chapter shall be measured in decibels (dBAs) as measured with a sound level meter using the A-weighted sound pressure level.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.16. Prima facie violation.

Any noise exceeding the noise level standard as specified in §§ 5-29.04 and 5-29.05, shall be deemed to be prima facie evidence of a violation of the provisions of this chapter.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.17. Penalty.

(a) Any person who negligently or knowingly violates any provision of this chapter shall be guilty of an infraction and upon conviction shall be punishable by a fine specified in OMC § 1-2.01. Each day a violation occurs shall constitute a separate offense and shall be punishable as such.

(b) Any person who negligently or knowingly violates any provision of this chapter may also be subject to fine(s) specified in the administrative citation schedule of fines set forth in OMC § 1-5.04. The manner of issuing administrative citations shall comply with all the procedures specified in OMC Chapter 5, Title 1.

(c) As an additional remedy, the operation or maintenance of any device, instrument, vehicle or machinery in violation of any provisions of this chapter, which operation or maintenance causes or creates sound levels exceeding the allowable standards as specified in this chapter, shall be deemed and is declared to be a public nuisance and may be subject to abatement by a restraining order or injunction issued by a court of competent jurisdiction.

(d) Any violation of this chapter is declared to be a public nuisance and may be abated in accordance with law. The expense of enforcing this chapter is declared to be public nuisance and may be by resolution of the City Council declared to be a lien and special assessment against the property on which such nuisance is maintained, and any such charge shall also be a personal obligation of the property owner.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.18. Enforcement and administration.

(a) It shall be the responsibility of Police or Code Enforcement Officers to enforce the provisions of this chapter and to perform all other functions required by this chapter. Such duties shall include, but not be limited to investigating potential violations, issuing warning notices and citations, and providing evidence to the City prosecutor for legal action.

(b) For violations of § 5-29.07, Police or Code Enforcement Officers shall obtain a declaration under penalty of perjury from two (2) declarants living in separate households within a sixty (60) day period stating in detail all of the following:

(1) That the declarant is a resident of a residential neighborhood located within two hundred (200) yards of the noise source; and

(2) Within the past month declarant has heard noise for substantially long periods to the extreme annoyance of the declarant.

(3) Declarations from two (2) declarants are required to prove a violation of § 5-29.07, but are not required to prove that a person has violated any other provision of this chapter.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.19. City Manager waiver.

The City Manager is authorized to grant a temporary waiver to the provisions of this chapter for a period of time necessary to correct the violations of this chapter, if such temporary waiver would be in the public interest and there is no feasible and prudent alternative to the activity, or the method of conducting the activity, for which the temporary waiver is sought. This time period may include a commitment to a program that includes placing necessary orders and entering into necessary contracts within thirty (30) days for repair or installation.

(§ 2, Ord. 2888, eff. March 6, 2008)

Sec. 5-29.20. Noise abatement program.

(a) In circumstances where adopted community-wide noise standards and policies prove impractical in controlling noise generated from a specific source, the City Council may establish a noise abatement program that recognizes the characteristics of the noise source and affected property and that incorporates specialized mitigation measures.

(b) Noise abatement programs shall set forth in detail the approved terms, conditions and requirements for achieving maximum compliance with noise standards and policies. Said terms, conditions and requirements may include, but shall not be limited to, limitations, restrictions, or prohibitions on operating hours, location of operations, and the types of equipment.

(§ 2, Ord. 2888, eff. March 6, 2008)

APPENDIX 5.1:

STUDY AREA PHOTOS

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JN:13176 Study Area Photos



L1_E
34, 1' 9.420000", 117, 33' 46.100000"



L1_N
,



L1_S
,



L1_W
34, 1' 9.320000", 117, 33' 46.070000"



L2_E
34, 1' 6.470000", 117, 33' 45.300000"



L2_N
34, 0' 59.640000", 117, 33' 45.800000"

JN:13176 Study Area Photos



L2_S
34, 1' 6.430000", 117, 33' 45.160000"



L2_W
34, 1' 6.520000", 117, 33' 45.360000"



L3_E
34, 0' 58.260000", 117, 33' 45.550000"



L3_N
34, 0' 58.270000", 117, 33' 45.550000"



L3_S
34, 0' 58.270000", 117, 33' 45.550000"



L3_W
34, 0' 58.260000", 117, 33' 45.550000"

JN:13176 Study Area Photos



L4_E
34, 0' 55.490000", 117, 33' 46.150000"



L4_N
34, 0' 47.780000", 117, 33' 45.800000"



L4_S
34, 0' 47.780000", 117, 33' 45.800000"



L4_W
34, 0' 55.510000", 117, 33' 46.180000"



L5_E
,



L5_N
,

JN:13176 Study Area Photos



L5_S

,



L5_W

,

APPENDIX 5.2:

NOISE LEVEL MEASUREMENT WORKSHEETS

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24-Hour Noise Level Measurement Summary

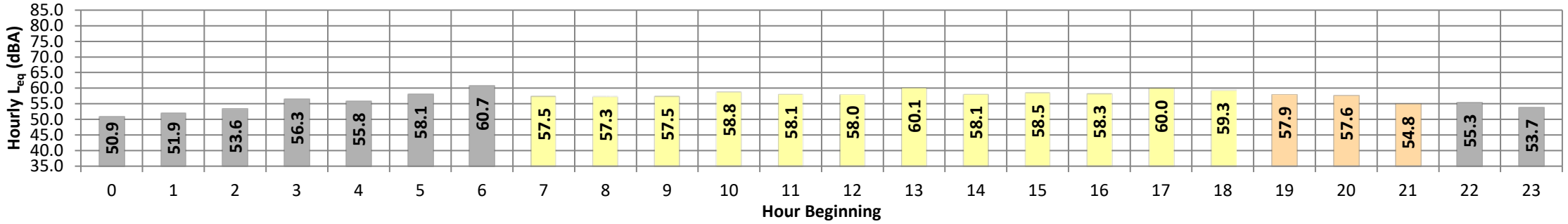
Date: Wednesday, June 17, 2020
Project: Ontario Commerce Center

Location: L1 - Located northwest of the Project site on Riverside Drive near existing single-family residential home at 2965 McCloud River Lane.

Meter: Piccolo I

JN: 13176
Analyst: P. Mara

Hourly L_{eq} dBA Readings (unadjusted)



Timeframe	Hour	L_{eq}	L_{max}	L_{min}	L1%	L2%	L5%	L8%	L25%	L50%	L90%	L95%	L99%	L_{eq}	Adj.	Adj. L_{eq}
Night	0	50.9	68.0	40.4	61.0	60.0	57.0	55.0	48.0	44.0	42.0	41.0	41.0	50.9	10.0	60.9
	1	51.9	68.2	41.5	62.0	61.0	58.0	56.0	50.0	46.0	43.0	43.0	41.0	51.9	10.0	61.9
	2	53.6	74.1	40.7	64.0	62.0	59.0	57.0	52.0	49.0	45.0	43.0	41.0	53.6	10.0	63.6
	3	56.3	77.0	40.1	68.0	65.0	61.0	58.0	50.0	44.0	41.0	41.0	40.0	56.3	10.0	66.3
	4	55.8	73.4	40.8	65.0	64.0	62.0	61.0	55.0	47.0	43.0	42.0	41.0	55.8	10.0	65.8
	5	58.1	72.1	42.6	66.0	64.0	63.0	62.0	58.0	55.0	49.0	47.0	43.0	58.1	10.0	68.1
	6	60.7	72.5	43.3	70.0	69.0	67.0	65.0	60.0	56.0	48.0	46.0	44.0	60.7	10.0	70.7
Day	7	57.5	71.5	44.3	66.0	65.0	63.0	62.0	58.0	53.0	47.0	46.0	45.0	57.5	0.0	57.5
	8	57.3	71.0	44.3	66.0	65.0	63.0	61.0	57.0	53.0	47.0	46.0	45.0	57.3	0.0	57.3
	9	57.5	75.6	44.8	65.0	64.0	62.0	61.0	58.0	54.0	48.0	47.0	45.0	57.5	0.0	57.5
	10	58.8	78.0	45.3	68.0	66.0	63.0	62.0	58.0	55.0	49.0	47.0	46.0	58.8	0.0	58.8
	11	58.1	71.9	45.6	66.0	64.0	63.0	62.0	59.0	55.0	48.0	48.0	47.0	58.1	0.0	58.1
	12	58.0	72.4	45.7	65.0	64.0	62.0	62.0	59.0	55.0	47.0	47.0	46.0	58.0	0.0	58.0
	13	60.1	84.4	45.6	69.0	67.0	63.0	62.0	59.0	55.0	48.0	47.0	46.0	60.1	0.0	60.1
	14	58.1	74.6	44.9	67.0	64.0	62.0	61.0	58.0	55.0	48.0	47.0	45.0	58.1	0.0	58.1
	15	58.5	76.8	44.7	68.0	65.0	63.0	62.0	58.0	55.0	48.0	47.0	46.0	58.5	0.0	58.5
	16	58.3	78.6	44.9	66.0	64.0	62.0	61.0	59.0	56.0	48.0	46.0	45.0	58.3	0.0	58.3
	17	60.0	86.5	45.3	67.0	65.0	63.0	62.0	59.0	56.0	48.0	47.0	46.0	60.0	0.0	60.0
	18	59.3	78.0	45.6	66.0	64.0	63.0	62.0	60.0	57.0	48.0	47.0	46.0	59.3	0.0	59.3
Evening	19	57.9	77.2	45.8	66.0	64.0	62.0	61.0	58.0	53.0	47.0	47.0	46.0	57.9	5.0	62.9
	20	57.6	86.7	45.4	64.0	63.0	61.0	60.0	57.0	52.0	47.0	46.0	46.0	57.6	5.0	62.6
	21	54.8	72.6	43.8	63.0	62.0	60.0	59.0	55.0	49.0	46.0	45.0	45.0	54.8	5.0	59.8
Night	22	55.3	73.8	43.5	65.0	64.0	61.0	59.0	55.0	48.0	45.0	45.0	44.0	55.3	10.0	65.3
	23	53.7	74.1	43.1	64.0	62.0	59.0	57.0	50.0	46.0	44.0	44.0	43.0	53.7	10.0	63.7

Timeframe	Hour	L_{eq}	L_{max}	L_{min}	L1%	L2%	L5%	L8%	L25%	L50%	L90%	L95%	L99%
Day	Min	57.3	71.0	44.3	65.0	64.0	62.0	61.0	57.0	53.0	47.0	46.0	45.0
	Max	60.1	86.5	45.7	69.0	67.0	63.0	62.0	60.0	57.0	49.0	48.0	47.0
Energy Average		58.6	Average:		66.6	64.8	62.7	61.7	58.5	54.9	47.8	46.8	45.7
Evening	Min	54.8	72.6	43.8	63.0	62.0	60.0	59.0	55.0	49.0	46.0	45.0	45.0
	Max	57.9	86.7	45.8	66.0	64.0	62.0	61.0	58.0	53.0	47.0	47.0	46.0
Energy Average		57.0	Average:		64.3	63.0	61.0	60.0	56.7	51.3	46.7	46.0	45.7
Night	Min	50.9	68.0	40.1	61.0	60.0	57.0	55.0	48.0	44.0	41.0	41.0	40.0
	Max	60.7	77.0	43.5	70.0	69.0	67.0	65.0	60.0	56.0	49.0	47.0	44.0
Energy Average		56.1	Average:		65.0	63.4	60.8	58.9	53.1	48.3	44.4	43.6	42.0

L_{eq} (dBA)		
24-Hour	Daytime	Nighttime
57.6	58.3	56.1

24-Hour CNEL (dBA)
63.2

24-Hour Noise Level Measurement Summary

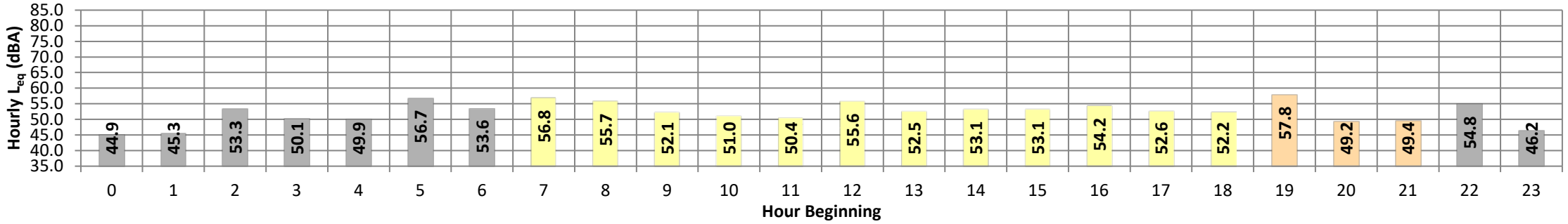
Date: Wednesday, June 17, 2020
Project: Ontario Commerce Center

Location: L2 - Located west of the Project site and south of Riverside drive near existing single-family residential home at 4097 East Auburn Way.

Meter: Piccolo I

JN: 13176
Analyst: P. Mara

Hourly L_{eq} dBA Readings (unadjusted)



Timeframe	Hour	L_{eq}	L_{max}	L_{min}	L1%	L2%	L5%	L8%	L25%	L50%	L90%	L95%	L99%	L_{eq}	Adj.	Adj. L_{eq}
Night	0	44.9	61.6	38.9	54.0	52.0	50.0	48.0	43.0	42.0	40.0	39.0	39.0	44.9	10.0	54.9
	1	45.3	60.1	38.7	56.0	54.0	50.0	49.0	43.0	41.0	39.0	39.0	39.0	45.3	10.0	55.3
	2	53.3	76.0	38.4	65.0	60.0	54.0	52.0	44.0	40.0	39.0	39.0	39.0	53.3	10.0	63.3
	3	50.1	66.6	38.8	62.0	59.0	55.0	54.0	48.0	42.0	39.0	39.0	39.0	50.1	10.0	60.1
	4	49.9	65.7	39.0	59.0	57.0	55.0	54.0	50.0	45.0	41.0	40.0	39.0	49.9	10.0	59.9
	5	56.7	71.7	40.7	67.0	66.0	64.0	61.0	54.0	49.0	42.0	42.0	41.0	56.7	10.0	66.7
	6	53.6	71.8	41.6	65.0	61.0	58.0	56.0	52.0	48.0	43.0	42.0	42.0	53.6	10.0	63.6
Day	7	56.8	73.5	41.9	69.0	67.0	63.0	60.0	54.0	50.0	44.0	43.0	42.0	56.8	0.0	56.8
	8	55.7	71.6	42.0	67.0	66.0	62.0	59.0	53.0	49.0	44.0	43.0	43.0	55.7	0.0	55.7
	9	52.1	71.8	42.0	62.0	58.0	56.0	54.0	51.0	48.0	44.0	43.0	43.0	52.1	0.0	52.1
	10	51.0	65.9	42.5	59.0	57.0	55.0	54.0	51.0	48.0	44.0	43.0	43.0	51.0	0.0	51.0
	11	50.4	62.1	43.3	57.0	56.0	54.0	53.0	51.0	48.0	45.0	44.0	43.0	50.4	0.0	50.4
	12	55.6	75.0	43.9	68.0	64.0	59.0	57.0	53.0	50.0	46.0	45.0	45.0	55.6	0.0	55.6
	13	52.5	73.7	43.6	60.0	58.0	56.0	55.0	52.0	50.0	45.0	45.0	44.0	52.5	0.0	52.5
	14	53.1	71.5	44.5	61.0	59.0	57.0	55.0	53.0	51.0	46.0	46.0	45.0	53.1	0.0	53.1
	15	53.1	69.5	44.3	61.0	60.0	57.0	55.0	53.0	50.0	46.0	45.0	45.0	53.1	0.0	53.1
	16	54.2	79.3	44.4	62.0	60.0	57.0	56.0	53.0	50.0	46.0	46.0	45.0	54.2	0.0	54.2
	17	52.6	68.1	44.8	59.0	58.0	56.0	55.0	53.0	50.0	46.0	46.0	45.0	52.6	0.0	52.6
	18	52.2	69.5	44.9	61.0	59.0	56.0	54.0	52.0	49.0	46.0	46.0	45.0	52.2	0.0	52.2
Evening	19	57.8	87.3	43.7	60.0	57.0	55.0	54.0	51.0	49.0	46.0	45.0	44.0	57.8	5.0	62.8
	20	49.2	62.6	42.7	56.0	54.0	53.0	52.0	49.0	47.0	44.0	44.0	43.0	49.2	5.0	54.2
	21	49.4	66.6	41.9	59.0	57.0	54.0	53.0	49.0	45.0	43.0	43.0	42.0	49.4	5.0	54.4
Night	22	54.8	71.6	41.4	63.0	63.0	63.0	63.0	51.0	45.0	42.0	42.0	42.0	54.8	10.0	64.8
	23	46.2	66.1	40.6	54.0	52.0	50.0	49.0	45.0	43.0	42.0	42.0	40.0	46.2	10.0	56.2

Timeframe	Hour	L_{eq}	L_{max}	L_{min}	L1%	L2%	L5%	L8%	L25%	L50%	L90%	L95%	L99%
Day	Min	50.4	62.1	41.9	57.0	56.0	54.0	53.0	51.0	48.0	44.0	43.0	42.0
	Max	56.8	79.3	44.9	69.0	67.0	63.0	60.0	54.0	51.0	46.0	46.0	45.0
Energy Average		53.7	Average:		62.2	60.2	57.3	55.6	52.4	49.4	45.2	44.6	44.0
Evening	Min	49.2	62.6	41.9	56.0	54.0	53.0	52.0	49.0	45.0	43.0	43.0	42.0
	Max	57.8	87.3	43.7	60.0	57.0	55.0	54.0	51.0	49.0	46.0	45.0	44.0
Energy Average		54.1	Average:		58.3	56.0	54.0	53.0	49.7	47.0	44.3	44.0	43.0
Night	Min	44.9	60.1	38.4	54.0	52.0	50.0	48.0	43.0	40.0	39.0	39.0	39.0
	Max	56.7	76.0	41.6	67.0	66.0	64.0	63.0	54.0	49.0	43.0	42.0	42.0
Energy Average		52.3	Average:		60.6	58.2	55.4	54.0	47.8	43.9	40.8	40.4	40.0

L_{eq} (dBA)		
24-Hour	Daytime	Nighttime
53.3	53.8	52.3

24-Hour CNEL (dBA)
59.3

24-Hour Noise Level Measurement Summary

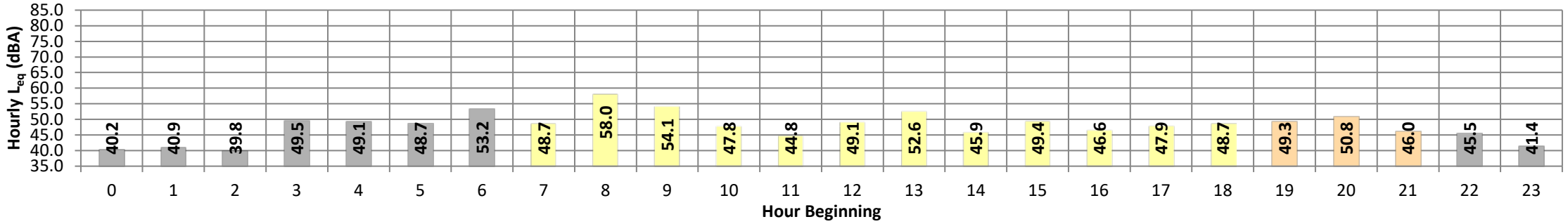
Date: Wednesday, June 17, 2020
Project: Ontario Commerce Center

Location: L3 - Located west of the Project site on East Groveland Drive and East Heritage Lane near existing single-family residential home at 4088 East Heritage Lane.

Meter: Piccolo I

JN: 13176
Analyst: P. Mara

Hourly L_{eq} dBA Readings (unadjusted)



Timeframe	Hour	L_{eq}	L_{max}	L_{min}	L1%	L2%	L5%	L8%	L25%	L50%	L90%	L95%	L99%	L_{eq}	Adj.	Adj. L_{eq}
Night	0	40.2	56.7	38.5	45.0	43.0	41.0	40.0	40.0	39.0	38.0	38.0	38.0	40.2	10.0	50.2
	1	40.9	47.2	38.6	43.0	43.0	42.0	42.0	41.0	40.0	38.0	38.0	38.0	40.9	10.0	50.9
	2	39.8	47.3	38.4	43.0	43.0	41.0	40.0	40.0	39.0	38.0	38.0	38.0	39.8	10.0	49.8
	3	49.5	67.0	40.5	59.0	57.0	53.0	52.0	49.0	46.0	42.0	41.0	41.0	49.5	10.0	59.5
	4	49.1	66.8	38.4	61.0	58.0	52.0	50.0	47.0	44.0	39.0	38.0	38.0	49.1	10.0	59.1
	5	48.7	69.5	38.6	60.0	56.0	51.0	49.0	46.0	43.0	39.0	38.0	38.0	48.7	10.0	58.7
	6	53.2	69.8	40.5	65.0	63.0	60.0	57.0	49.0	46.0	42.0	42.0	41.0	53.2	10.0	63.2
Day	7	48.7	67.8	40.3	59.0	56.0	52.0	51.0	47.0	45.0	42.0	41.0	40.0	48.7	0.0	48.7
	8	58.0	73.7	41.3	69.0	68.0	64.0	62.0	55.0	48.0	43.0	42.0	41.0	58.0	0.0	58.0
	9	54.1	72.2	40.4	67.0	65.0	60.0	54.0	46.0	44.0	42.0	41.0	41.0	54.1	0.0	54.1
	10	47.8	67.8	40.6	58.0	54.0	50.0	49.0	46.0	44.0	42.0	41.0	41.0	47.8	0.0	47.8
	11	44.8	58.7	40.4	50.0	49.0	47.0	47.0	45.0	43.0	42.0	41.0	41.0	44.8	0.0	44.8
	12	49.1	69.3	42.4	60.0	57.0	53.0	50.0	46.0	45.0	44.0	43.0	42.0	49.1	0.0	49.1
	13	52.6	75.1	42.6	64.0	60.0	55.0	52.0	48.0	46.0	43.0	43.0	42.0	52.6	0.0	52.6
	14	45.9	53.4	42.6	50.0	49.0	48.0	47.0	46.0	45.0	44.0	43.0	43.0	45.9	0.0	45.9
	15	49.4	74.9	43.3	57.0	55.0	52.0	50.0	48.0	46.0	44.0	44.0	43.0	49.4	0.0	49.4
	16	46.6	56.8	43.1	52.0	51.0	49.0	48.0	46.0	45.0	44.0	44.0	43.0	46.6	0.0	46.6
	17	47.9	66.8	43.7	56.0	54.0	50.0	48.0	46.0	46.0	45.0	44.0	44.0	47.9	0.0	47.9
	18	48.7	66.4	44.8	55.0	53.0	51.0	50.0	48.0	47.0	46.0	46.0	45.0	48.7	0.0	48.7
Evening	19	49.3	72.6	44.7	55.0	54.0	51.0	51.0	49.0	47.0	46.0	45.0	45.0	49.3	5.0	54.3
	20	50.8	82.6	43.7	57.0	55.0	51.0	49.0	47.0	46.0	44.0	44.0	44.0	50.8	5.0	55.8
	21	46.0	56.1	43.0	50.0	49.0	48.0	47.0	46.0	45.0	44.0	44.0	43.0	46.0	5.0	51.0
Night	22	45.5	58.9	41.3	55.0	53.0	47.0	45.0	44.0	44.0	42.0	41.0	41.0	45.5	10.0	55.5
	23	41.4	56.8	38.6	47.0	46.0	43.0	42.0	41.0	40.0	38.0	38.0	38.0	41.4	10.0	51.4

Timeframe	Hour	L_{eq}	L_{max}	L_{min}	L1%	L2%	L5%	L8%	L25%	L50%	L90%	L95%	L99%
Day	Min	44.8	53.4	40.3	50.0	49.0	47.0	47.0	45.0	43.0	42.0	41.0	40.0
	Max	58.0	75.1	44.8	69.0	68.0	64.0	62.0	55.0	48.0	46.0	46.0	45.0
Energy Average		51.3	Average:		58.1	55.9	52.6	50.7	47.3	45.3	43.4	42.8	42.2
Evening	Min	46.0	56.1	43.0	50.0	49.0	48.0	47.0	46.0	45.0	44.0	44.0	43.0
	Max	50.8	82.6	44.7	57.0	55.0	51.0	51.0	49.0	47.0	46.0	45.0	45.0
Energy Average		49.1	Average:		54.0	52.7	50.0	49.0	47.3	46.0	44.7	44.3	44.0
Night	Min	39.8	47.2	38.4	43.0	43.0	41.0	40.0	40.0	39.0	38.0	38.0	38.0
	Max	53.2	69.8	41.3	65.0	63.0	60.0	57.0	49.0	46.0	42.0	42.0	41.0
Energy Average		47.7	Average:		53.1	51.3	47.8	46.3	44.1	42.3	39.6	39.1	39.0

L_{eq} (dBA)		
24-Hour	Daytime	Nighttime
50.0	51.0	47.7

24-Hour CNEL (dBA)
55.1

24-Hour Noise Level Measurement Summary

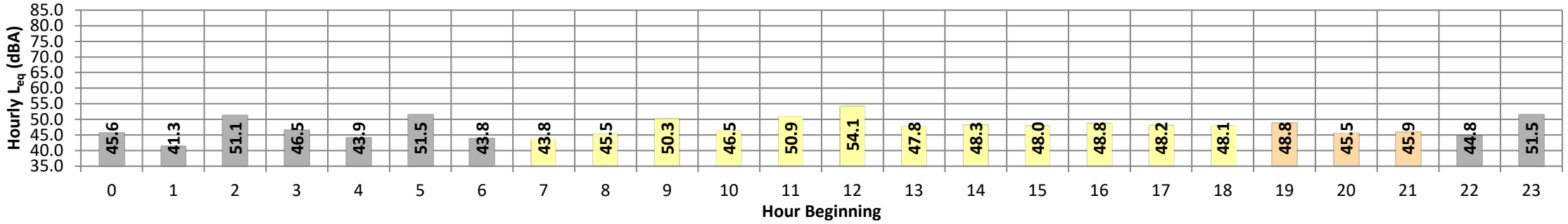
Date: Wednesday, June 17, 2020
Project: Ontario Commerce Center

Location: L4 - Located west of the Project site on East Cottage Way near existing single-family residential home at 4096 East Cottage Way.

Meter: Piccolo I

JN: 13176
Analyst: P. Mara

Hourly L_{eq} dBA Readings (unadjusted)



Timeframe	Hour	L_{eq}	L_{max}	L_{min}	L1%	L2%	L5%	L8%	L25%	L50%	L90%	L95%	L99%	L_{eq}	Adj.	Adj. L_{eq}
Night	0	45.6	57.5	38.3	53.0	53.0	53.0	53.0	42.0	41.0	39.0	38.0	38.0	45.6	10.0	55.6
	1	41.3	62.4	38.3	48.0	46.0	43.0	42.0	41.0	40.0	38.0	38.0	38.0	41.3	10.0	51.3
	2	51.1	74.3	37.1	64.0	57.0	48.0	44.0	40.0	39.0	38.0	38.0	38.0	51.1	10.0	61.1
	3	46.5	63.6	38.2	59.0	57.0	52.0	48.0	41.0	40.0	38.0	38.0	38.0	46.5	10.0	56.5
	4	43.9	60.5	38.2	56.0	53.0	48.0	45.0	41.0	39.0	38.0	38.0	38.0	43.9	10.0	53.9
	5	51.5	69.9	40.6	64.0	62.0	57.0	55.0	45.0	42.0	41.0	41.0	41.0	51.5	10.0	61.5
	6	43.8	64.3	40.0	50.0	49.0	47.0	46.0	43.0	42.0	41.0	40.0	40.0	43.8	10.0	53.8
Day	7	43.8	58.1	40.0	51.0	49.0	47.0	46.0	43.0	42.0	41.0	40.0	40.0	43.8	0.0	43.8
	8	45.5	60.4	40.4	53.0	51.0	49.0	48.0	45.0	43.0	41.0	41.0	41.0	45.5	0.0	45.5
	9	50.3	79.0	39.9	60.0	56.0	52.0	50.0	45.0	43.0	41.0	40.0	40.0	50.3	0.0	50.3
	10	46.5	66.4	40.0	54.0	53.0	51.0	50.0	46.0	43.0	41.0	40.0	40.0	46.5	0.0	46.5
	11	50.9	65.8	40.9	61.0	61.0	56.0	53.0	49.0	45.0	42.0	42.0	41.0	50.9	0.0	50.9
	12	54.1	75.7	42.3	67.0	62.0	58.0	56.0	50.0	46.5	43.0	43.0	43.0	54.1	0.0	54.1
	13	47.8	67.1	42.2	55.0	53.0	51.0	50.0	47.0	45.0	43.0	43.0	43.0	47.8	0.0	47.8
	14	48.3	61.4	42.1	57.0	55.0	52.0	51.0	48.0	46.0	43.0	43.0	42.0	48.3	0.0	48.3
	15	48.0	67.1	42.3	57.0	55.0	51.0	50.0	47.0	45.0	43.0	43.0	43.0	48.0	0.0	48.0
	16	48.8	71.7	42.6	57.0	54.0	51.0	50.0	47.0	45.0	44.0	43.0	43.0	48.8	0.0	48.8
	17	48.2	65.0	43.5	56.0	55.0	51.0	50.0	47.0	46.0	44.0	44.0	43.0	48.2	0.0	48.2
	18	48.1	62.3	43.6	55.0	53.0	51.0	50.0	48.0	46.0	45.0	45.0	44.0	48.1	0.0	48.1
Evening	19	48.8	80.1	42.7	52.0	51.0	49.0	48.0	45.0	44.0	43.0	43.0	43.0	48.8	5.0	53.8
	20	45.5	65.3	41.3	51.0	49.0	49.0	48.0	45.0	43.0	42.0	42.0	42.0	45.5	5.0	50.5
	21	45.9	62.4	40.0	56.0	54.0	49.0	48.0	44.0	43.0	41.0	41.0	41.0	45.9	5.0	50.9
Night	22	44.8	60.6	40.0	52.0	50.0	49.0	48.0	45.0	42.0	41.0	41.0	41.0	44.8	10.0	54.8
	23	51.5	66.2	41.2	56.0	55.0	54.0	54.0	53.0	49.0	42.0	42.0	41.0	51.5	10.0	61.5

Timeframe	Hour	L_{eq}	L_{max}	L_{min}	L1%	L2%	L5%	L8%	L25%	L50%	L90%	L95%	L99%
Day	Min	43.8	58.1	39.9	51.0	49.0	47.0	46.0	43.0	42.0	41.0	40.0	40.0
	Max	54.1	79.0	43.6	67.0	62.0	58.0	56.0	50.0	46.5	45.0	45.0	44.0
Energy Average		49.2	Average:		56.9	54.8	51.7	50.3	46.8	44.6	42.6	42.3	41.9
Evening	Min	45.5	62.4	40.0	51.0	49.0	49.0	48.0	44.0	43.0	41.0	41.0	41.0
	Max	48.8	80.1	42.7	56.0	54.0	49.0	48.0	45.0	44.0	43.0	43.0	43.0
Energy Average		47.0	Average:		53.0	51.3	49.0	48.0	44.7	43.3	42.0	42.0	42.0
Night	Min	41.3	57.5	37.1	48.0	46.0	43.0	42.0	40.0	39.0	38.0	38.0	38.0
	Max	51.5	74.3	41.2	64.0	62.0	57.0	55.0	53.0	49.0	42.0	42.0	41.0
Energy Average		48.1	Average:		55.8	53.6	50.1	48.3	43.4	41.6	39.6	39.3	39.2

L_{eq} (dBA)		
24-Hour	Daytime	Nighttime
48.6	48.8	48.1

24-Hour CNEL (dBA)
54.8

24-Hour Noise Level Measurement Summary

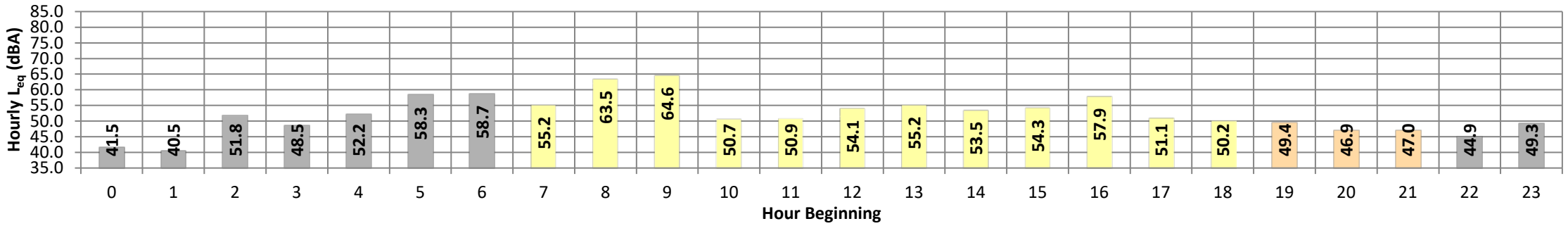
Date: Wednesday, June 17, 2020
Project: Ontario Commerce Center

Location: L5 - Located southwest of the Project site on East Emory Lane near existing single-family residential home at 4099 East Emory Lane.

Meter: Piccolo I

JN: 13176
Analyst: P. Mara

Hourly L_{eq} dBA Readings (unadjusted)



Timeframe	Hour	L_{eq}	L_{max}	L_{min}	L1%	L2%	L5%	L8%	L25%	L50%	L90%	L95%	L99%	L_{eq}	Adj.	Adj. L_{eq}
Night	0	41.5	55.9	39.0	44.0	44.0	43.0	43.0	42.0	40.0	39.0	39.0	39.0	41.5	10.0	51.5
	1	40.5	57.9	38.9	47.0	45.0	42.0	41.0	40.0	39.0	39.0	39.0	39.0	40.5	10.0	50.5
	2	51.8	75.6	36.6	65.0	59.0	49.0	44.0	40.0	39.0	39.0	39.0	38.0	51.8	10.0	61.8
	3	48.5	68.4	38.8	62.0	59.0	53.0	46.0	40.0	39.0	39.0	39.0	39.0	48.5	10.0	58.5
	4	52.2	64.4	39.0	59.0	58.0	57.0	56.0	54.0	48.0	39.0	39.0	39.0	52.2	10.0	62.2
	5	58.3	72.8	39.0	70.0	69.0	65.0	62.0	55.0	50.0	43.0	42.0	41.0	58.3	10.0	68.3
	6	58.7	78.8	42.3	70.0	67.0	62.0	60.0	54.0	51.0	46.0	45.0	44.0	58.7	10.0	68.7
Day	7	55.2	76.2	43.7	67.0	63.0	57.0	56.0	52.0	50.0	47.0	46.0	45.0	55.2	0.0	55.2
	8	63.5	93.8	43.6	71.0	65.0	60.0	58.0	53.0	50.0	47.0	46.0	44.0	63.5	0.0	63.5
	9	64.6	89.4	43.3	75.0	65.0	58.0	56.0	53.0	51.0	48.0	47.0	45.0	64.6	0.0	64.6
	10	50.7	65.8	43.7	58.0	57.0	54.0	53.0	51.0	49.0	46.0	45.0	44.0	50.7	0.0	50.7
	11	50.9	65.8	40.9	61.0	61.0	56.0	53.0	49.0	45.0	42.0	42.0	41.0	50.9	0.0	50.9
	12	54.1	75.7	42.3	67.0	62.0	58.0	56.0	50.0	46.5	43.0	43.0	43.0	54.1	0.0	54.1
	13	55.2	76.6	44.9	67.0	64.0	60.0	57.0	52.0	49.0	47.0	46.0	46.0	55.2	0.0	55.2
	14	53.5	71.0	44.6	64.0	61.0	57.0	56.0	52.0	50.0	47.0	47.0	46.0	53.5	0.0	53.5
	15	54.3	78.3	44.9	64.0	60.0	56.0	54.0	51.0	49.0	47.0	46.0	46.0	54.3	0.0	54.3
	16	57.9	87.3	45.2	69.0	66.0	59.0	56.0	51.0	49.0	46.0	46.0	45.0	57.9	0.0	57.9
	17	51.1	69.3	45.5	61.0	57.0	53.0	52.0	50.0	49.0	47.0	46.0	46.0	51.1	0.0	51.1
	18	50.2	68.6	45.5	56.0	54.0	53.0	52.0	50.0	48.0	47.0	46.0	46.0	50.2	0.0	50.2
Evening	19	49.4	77.9	43.8	54.0	52.0	49.0	48.0	47.0	46.0	45.0	45.0	44.0	49.4	5.0	54.4
	20	46.9	63.9	41.9	53.0	51.0	49.0	48.0	47.0	45.0	43.0	43.0	42.0	46.9	5.0	51.9
	21	47.0	62.2	41.7	58.0	55.0	49.0	47.0	46.0	45.0	43.0	43.0	42.0	47.0	5.0	52.0
Night	22	44.9	64.6	40.7	49.0	48.0	46.0	46.0	45.0	43.0	42.0	42.0	41.0	44.9	10.0	54.9
	23	49.3	72.6	40.7	57.0	53.0	51.0	50.0	48.0	45.0	42.0	41.0	40.0	49.3	10.0	59.3

Timeframe	Hour	L_{eq}	L_{max}	L_{min}	L1%	L2%	L5%	L8%	L25%	L50%	L90%	L95%	L99%
Day	Min	50.2	65.8	40.9	56.0	54.0	53.0	52.0	49.0	45.0	42.0	42.0	41.0
	Max	64.6	93.8	45.5	75.0	66.0	60.0	58.0	53.0	51.0	48.0	47.0	46.0
Energy Average		58.0	Average:		65.0	61.3	56.8	54.9	51.2	48.8	46.2	45.5	44.8
Evening	Min	46.9	62.2	41.7	53.0	51.0	49.0	47.0	46.0	45.0	43.0	43.0	42.0
	Max	49.4	77.9	43.8	58.0	55.0	49.0	48.0	47.0	46.0	45.0	45.0	44.0
Energy Average		47.9	Average:		55.0	52.7	49.0	47.7	46.7	45.3	43.7	43.7	42.7
Night	Min	40.5	55.9	36.6	44.0	44.0	42.0	41.0	40.0	39.0	39.0	39.0	38.0
	Max	58.7	78.8	42.3	70.0	69.0	65.0	62.0	55.0	51.0	46.0	45.0	44.0
Energy Average		53.4	Average:		58.1	55.8	52.0	49.8	46.4	43.8	40.9	40.6	40.0

L_{eq} (dBA)		
24-Hour	Daytime	Nighttime
56.1	57.2	53.4

24-Hour CNEL (dBA)
60.6

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APPENDIX 7.1:

CADNAA OPERATIONAL NOISE MODEL INPUTS

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13176

CadnaA Noise Prediction Model: 13176.cna
Date: 09.07.20
Analyst: B. Lawson

Calculation Configuration

Configuration	
Parameter	Value
General	
Country	(user defined)
Max. Error (dB)	0.00
Max. Search Radius (#(Unit,LEN))	2000.01
Min. Dist Src to Rcvr	0.00
Partition	
Raster Factor	0.50
Max. Length of Section (#(Unit,LEN))	999.99
Min. Length of Section (#(Unit,LEN))	1.01
Min. Length of Section (%)	0.00
Proj. Line Sources	On
Proj. Area Sources	On
Ref. Time	
Reference Time Day (min)	960.00
Reference Time Night (min)	480.00
Daytime Penalty (dB)	0.00
Recr. Time Penalty (dB)	5.00
Night-time Penalty (dB)	10.00
DTM	
Standard Height (m)	0.00
Model of Terrain	Triangulation
Reflection	
max. Order of Reflection	2
Search Radius Src	100.00
Search Radius Rcvr	100.00
Max. Distance Source - Rcvr	1000.00 1000.00
Min. Distance Rvcr - Reflector	1.00 1.00
Min. Distance Source - Reflector	0.10
Industrial (ISO 9613)	
Lateral Diffraction	some Obj
Obst. within Area Src do not shield	On
Screening	Incl. Ground Att. over Barrier
	Dz with limit (20/25)
Barrier Coefficients C1,2,3	3.0 20.0 0.0
Temperature (#(Unit,TEMP))	10
rel. Humidity (%)	70
Ground Absorption G	0.50
Wind Speed for Dir. (#(Unit,SPEED))	3.0
Roads (RLS-90)	
Strictly acc. to RLS-90	
Railways (FTA/FRA)	
Aircraft (???)	
Strictly acc. to AzB	

Receiver Noise Levels

Name	M.	ID	Level Lr			Limit. Value			Land Use			Height		Coordinates		
			Day	Night	CNEL	Day	Night	CNEL	Type	Auto	Noise Type			X	Y	Z
			(dBA)	(dBA)	(dBA)	(dBA)	(dBA)	(dBA)				(ft)		(ft)	(ft)	(ft)
RECEIVERS		R1	39.9	38.2	44.9	65.0	56.1	0.0				5.00	a	6163851.96	2317046.63	5.00
RECEIVERS		R2	39.6	38.1	44.9	65.0	52.3	0.0				5.00	a	6163874.60	2316760.59	5.00
RECEIVERS		R3	45.3	44.5	51.2	65.0	47.7	0.0				5.00	a	6163860.12	2315873.99	5.00
RECEIVERS		R4	45.2	44.7	51.4	65.0	47.7	0.0				5.00	a	6163856.13	2316242.98	5.00
RECEIVERS		R5	42.3	40.7	47.6	65.0	48.1	0.0				5.00	a	6163798.92	2315324.03	5.00
RECEIVERS		R6	49.2	49.0	55.7	65.0	53.4	0.0				5.00	a	6163820.62	2314808.09	5.00

Point Source(s)

Name	M.	ID	Result. PWL			Lw / Li			Operating Time			K0	Height		Coordinates		
			Day	Evening	Night	Type	Value	norm.	Day	Special	Night				X	Y	Z
			(dBA)	(dBA)	(dBA)			dB(A)	(min)	(min)	(min)	(dB)	(ft)		(ft)	(ft)	(ft)
POINTSOURCE		AC01	88.9	88.9	88.9	Lw	88.9		585.00	0.00	252.00	0.0	5.00	g	6164165.04	2316750.21	42.00
POINTSOURCE		AC02	88.9	88.9	88.9	Lw	88.9		585.00	0.00	252.00	0.0	5.00	g	6164502.76	2316741.43	42.00
POINTSOURCE		AC03	88.9	88.9	88.9	Lw	88.9		585.00	0.00	252.00	0.0	5.00	g	6164995.25	2315244.76	46.00
POINTSOURCE		AC04	88.9	88.9	88.9	Lw	88.9		585.00	0.00	252.00	0.0	5.00	g	6164372.63	2315538.90	46.00
POINTSOURCE		AC05	88.9	88.9	88.9	Lw	88.9		585.00	0.00	252.00	0.0	5.00	g	6164989.15	2316223.11	46.00
POINTSOURCE		AC06	88.9	88.9	88.9	Lw	88.9		585.00	0.00	252.00	0.0	5.00	g	6164184.07	2316242.47	46.00
POINTSOURCE		AC07	88.9	88.9	88.9	Lw	88.9		585.00	0.00	252.00	0.0	5.00	g	6164182.46	2315954.48	46.00
POINTSOURCE		AC08	88.9	88.9	88.9	Lw	88.9		585.00	0.00	252.00	0.0	5.00	g	6164985.11	2315937.54	46.00
POINTSOURCE		TRASH01	88.9	88.9	88.9	Lw	88.9		75.00	0.00	45.00	0.0	5.00	a	6164418.07	2316578.25	5.00
POINTSOURCE		TRASH02	88.9	88.9	88.9	Lw	88.9		75.00	0.00	45.00	0.0	5.00	a	6164241.98	2316582.39	5.00

Name	M.	ID	Result. PWL			Lw / Li			Operating Time			K0	Height		Coordinates		
			Day	Evening	Night	Type	Value	norm.	Day	Special	Night				X	Y	Z
			(dBA)	(dBA)	(dBA)			dB(A)	(min)	(min)	(min)	(dB)	(ft)		(ft)	(ft)	(ft)
POINTSOURCE		TRASH03	88.9	88.9	88.9	Lw	88.9		75.00	0.00	45.00	0.0	5.00	a	6164909.09	2315155.24	5.00
POINTSOURCE		TRASH04	88.9	88.9	88.9	Lw	88.9		75.00	0.00	45.00	0.0	5.00	a	6164518.02	2315359.19	5.00
POINTSOURCE		TRASH05	88.9	88.9	88.9	Lw	88.9		75.00	0.00	45.00	0.0	5.00	a	6164882.66	2316094.04	5.00
POINTSOURCE		TRASH06	88.9	88.9	88.9	Lw	88.9		75.00	0.00	45.00	0.0	5.00	a	6164881.86	2316073.88	5.00
POINTSOURCE		TRASH07	88.9	88.9	88.9	Lw	88.9		75.00	0.00	45.00	0.0	5.00	a	6164289.75	2316106.14	5.00
POINTSOURCE		TRASH08	88.9	88.9	88.9	Lw	88.9		75.00	0.00	45.00	0.0	5.00	a	6164287.33	2316088.40	5.00

Line Source(s)

Name	M.	ID	Result. PWL			Result. PWL'			Lw / Li			Operating Time			Moving Pt. Src				Height
			Day	Evening	Night	Day	Evening	Night	Type	Value	norm.	Day	Special	Night	Number			Speed	
			(dBA)	(dBA)	(dBA)	(dBA)	(dBA)	(dBA)			dB(A)	(min)	(min)	(min)	Day	Evening	Night	(mph)	(ft)
LINESOURCE		DWY_A1	89.2	75.4	80.2	63.5	49.7	54.5	PWL-Pt	89.7					24.0	1.0	3.0	6.2	8
LINESOURCE		DWY_B1	86.0	72.2	77.0	66.5	52.7	57.5	PWL-Pt	89.7					48.0	2.0	6.0	6.2	8
LINESOURCE		DWY_C1	79.6	65.8	70.6	63.5	49.7	54.5	PWL-Pt	89.7					24.0	1.0	3.0	6.2	8
LINESOURCE		DWY_C2	86.9	73.1	77.8	63.5	49.7	54.5	PWL-Pt	89.7					24.0	1.0	3.0	6.2	8
LINESOURCE		DWY_D1	83.6	69.8	74.6	66.5	52.7	57.5	PWL-Pt	89.7					48.0	2.0	6.0	6.2	8
LINESOURCE		DWY_D2	91.1	77.3	82.0	66.5	52.7	57.5	PWL-Pt	89.7					48.0	2.0	6.0	6.2	8
LINESOURCE		DWY_E1	99.5	84.6	90.5	74.7	59.7	65.6	PWL-Pt	89.7					315.0	10.0	39.0	6.2	8
LINESOURCE		DWY_E2	92.1	77.1	83.0	74.7	59.7	65.6	PWL-Pt	89.7					315.0	10.0	39.0	6.2	8
LINESOURCE		DWY_E3	92.2	77.2	83.1	74.7	59.7	65.6	PWL-Pt	89.7					315.0	10.0	39.0	6.2	8
LINESOURCE		DWY_E4	87.9	72.9	78.8	74.7	59.7	65.6	PWL-Pt	89.7					315.0	10.0	39.0	6.2	8
LINESOURCE		DWY_E5	91.8	76.8	82.7	74.7	59.7	65.6	PWL-Pt	89.7					315.0	10.0	39.0	6.2	8
LINESOURCE		DWY_E6	93.3	78.4	84.3	74.7	59.7	65.6	PWL-Pt	89.7					315.0	10.0	39.0	6.2	8
LINESOURCE		DWY_F1	80.9	67.1	71.9	63.5	49.7	54.5	PWL-Pt	89.7					24.0	1.0	3.0	6.2	8
LINESOURCE		DWY_F2	83.5	69.7	74.4	63.5	49.7	54.5	PWL-Pt	89.7					24.0	1.0	3.0	6.2	8
LINESOURCE		DWY_F3	84.5	70.7	75.5	63.5	49.7	54.5	PWL-Pt	89.7					24.0	1.0	3.0	6.2	8
LINESOURCE		DWY_F4	88.4	74.6	79.3	63.5	49.7	54.5	PWL-Pt	89.7					24.0	1.0	3.0	6.2	8

Name	Height				Coordinates			
	Begin		End		x	y	z	Ground
	(ft)		(ft)		(ft)	(ft)	(ft)	(ft)
LINESOURCE	8.00	a			6164126.52	2316845.89	8.00	0.00
					6164101.75	2315619.19	8.00	0.00
LINESOURCE	8.00	a			6164553.31	2316542.49	8.00	0.00
					6164562.13	2316835.69	8.00	0.00
LINESOURCE	8.00	a			6164120.64	2316554.54	8.00	0.00
					6164255.30	2316554.58	8.00	0.00
LINESOURCE	8.00	a			6164407.14	2316545.78	8.00	0.00
					6165118.66	2316529.75	8.00	0.00
LINESOURCE	8.00	a			6164112.49	2316151.06	8.00	0.00
					6164281.80	2316153.75	8.00	0.00
LINESOURCE	8.00	a			6165057.47	2316531.13	8.00	0.00
					6165037.01	2315592.08	8.00	0.00
LINESOURCE	8.00	a			6164101.75	2315619.19	8.00	0.00
					6165107.01	2315590.05	8.00	0.00
LINESOURCE	8.00	a			6164891.20	2316146.62	8.00	0.00
					6164987.54	2316142.21	8.00	0.00
					6165047.69	2316082.44	8.00	0.00
LINESOURCE	8.00	a			6164888.61	2316018.41	8.00	0.00
					6164986.08	2316021.29	8.00	0.00
					6165047.69	2316082.44	8.00	0.00
LINESOURCE	8.00	a			6165047.69	2316082.44	8.00	0.00
					6165115.75	2316079.57	8.00	0.00
LINESOURCE	8.00	a			6164111.95	2316044.60	8.00	0.00
					6164279.18	2316038.65	8.00	0.00
LINESOURCE	8.00	a			6164459.08	2315608.84	8.00	0.00
					6164452.12	2315367.98	8.00	0.00
LINESOURCE	8.00	a			6164916.15	2315181.82	8.00	0.00
					6165097.69	2315178.50	8.00	0.00
LINESOURCE	8.00	a			6164552.30	2315606.13	8.00	0.00
					6164548.07	2315281.27	8.00	0.00
LINESOURCE	8.00	a			6165041.32	2315591.96	8.00	0.00
					6165033.85	2315179.67	8.00	0.00
LINESOURCE	8.00	a			6164062.10	2314621.14	8.00	0.00
					6164082.79	2315597.89	8.00	0.00
					6164102.61	2315619.17	8.00	0.00

Area Source(s)

ID	Result. PWL			Result. PWL''			Lw / Li		Operating Time			Moving Pt. Src			Height
	Day	Evening	Night	Day	Evening	Night	Type	Value	Day	Special	Night	Number			
	(dBA)	(dBA)	(dBA)	(dBA)	(dBA)	(dBA)			(min)	(min)	(min)	Day	Evening	Night	(ft)
DOCK01	110.7	110.7	110.7	78.5	78.5	78.5	Lw	110.7							8
DOCK02	110.7	110.7	110.7	71.2	71.2	71.2	Lw	110.7							8
DOCK03	110.7	110.7	110.7	74.2	74.2	74.2	Lw	110.7							8
DOCK04	110.7	110.7	110.7	68.1	68.1	68.1	Lw	110.7							8

ID	Result. PWL			Result. PWL''			Lw / Li		Operating Time			Moving Pt. Src			Height
	Day	Evening	Night	Day	Evening	Night	Type	Value	Day	Special	Night	Number			
	(dBA)	(dBA)	(dBA)	(dBA)	(dBA)	(dBA)			(min)	(min)	(min)	Day	Evening	Night	(ft)
DOCK05	110.7	110.7	110.7	79.9	79.9	79.9	Lw	110.7							8

Name	Height			Coordinates			
	Begin		End	x	y	z	Ground
	(ft)		(ft)	(ft)	(ft)	(ft)	(ft)
AREASOURCE	8.00	a		6164256.96	2316649.52	8.00	0.00
				6164406.71	2316645.39	8.00	0.00
				6164407.23	2316526.62	8.00	0.00
				6164254.89	2316530.75	8.00	0.00
AREASOURCE	8.00	a		6164346.08	2315372.65	8.00	0.00
				6164523.16	2315364.84	8.00	0.00
				6164516.65	2314972.92	8.00	0.00
				6164343.47	2314704.69	8.00	0.00
				6164320.04	2314720.31	8.00	0.00
				6164331.76	2314738.54	8.00	0.00
AREASOURCE	8.00	a		6164536.18	2315281.51	8.00	0.00
				6164918.99	2315273.70	8.00	0.00
				6164915.09	2315147.39	8.00	0.00
				6164533.58	2315157.81	8.00	0.00
AREASOURCE	8.00	a		6164284.10	2316254.57	8.00	0.00
				6164893.15	2316243.28	8.00	0.00
				6164886.70	2315923.83	8.00	0.00
				6164276.84	2315935.93	8.00	0.00
AREASOURCE	8.00	a		6164091.36	2314646.90	8.00	0.00
				6164270.89	2314643.21	8.00	0.00
				6164319.71	2314718.80	8.00	0.00
				6164342.72	2314702.83	8.00	0.00
				6164271.31	2314591.16	8.00	0.00
				6164087.04	2314590.46	8.00	0.00

Barrier(s)

Name	M.	ID	Absorption		Z-Ext.	Cantilever		Height			Coordinates			
			left	right		horz.	vert.	Begin		End	x	y	z	Ground
					(ft)	(ft)	(ft)	(ft)		(ft)	(ft)	(ft)	(ft)	(ft)
BARRIERS		SCREENWALL01						12.00	a		6164044.24	2314497.16	12.00	0.00
											6164047.11	2314667.14	12.00	0.00
BARRIERS		SCREENWALL02						12.00	a		6164065.14	2315693.07	12.00	0.00
											6164063.13	2315543.08	12.00	0.00
BARRIERS		SCREENWALL03						12.00	a		6164074.19	2316221.58	12.00	0.00
											6164070.93	2315971.60	12.00	0.00
BARRIERS		SCREENWALL04						12.00	a		6164078.68	2316473.51	12.00	0.00
											6164081.07	2316623.49	12.00	0.00
BARRIERS		EXISTING01						6.00	a		6163865.19	2316747.94	6.00	0.00
											6163884.19	2316748.44	6.00	0.00
											6163883.69	2316815.43	6.00	0.00
BARRIERS		EXISTING02						6.00	a		6163842.69	2316229.80	6.00	0.00
											6163872.66	2316229.80	6.00	0.00
											6163875.24	2316393.07	6.00	0.00
											6163851.99	2316393.07	6.00	0.00
BARRIERS		EXISTING03						6.00	a		6163864.88	2315876.87	6.00	0.00
											6163870.84	2315876.87	6.00	0.00
											6163867.59	2315731.65	6.00	0.00
											6163856.75	2315732.19	6.00	0.00

Building(s)

Name	M.	ID	RB	Residents	Absorption	Height		Coordinates			
						Begin		x	y	z	Ground
						(ft)		(ft)	(ft)	(ft)	(ft)
BUILDING		BUILDING02	x	0		37.00	a	6164148.51	2316622.15	37.00	0.00
								6164149.55	2316740.40	37.00	0.00
								6164149.78	2316766.76	37.00	0.00
								6164491.41	2316763.78	37.00	0.00
								6164491.34	2316756.41	37.00	0.00
								6164514.65	2316756.21	37.00	0.00
								6164513.16	2316586.01	37.00	0.00
								6164410.83	2316586.91	37.00	0.00
								6164411.39	2316650.53	37.00	0.00
								6164253.34	2316651.91	37.00	0.00
								6164252.83	2316593.22	37.00	0.00
								6164148.50	2316594.13	37.00	0.00
BUILDING		BUILDING03	x	0		41.00	a	6164168.29	2316517.41	41.00	0.00
								6165019.07	2316500.29	41.00	0.00
								6165013.86	2316186.18	41.00	0.00
								6164898.48	2316186.92	41.00	0.00
								6164896.25	2316245.73	41.00	0.00

Name	M.	ID	RB	Residents	Absorption	Height		Coordinates			
						Begin		x	y	z	Ground
						(ft)		(ft)	(ft)	(ft)	(ft)
								6164280.68	2316259.13	41.00	0.00
								6164279.94	2316198.09	41.00	0.00
								6164161.59	2316200.32	41.00	0.00
BUILDING		BUILDING04	x	0		41.00	a	6164151.17	2315643.56	41.00	0.00
								6164158.61	2315990.42	41.00	0.00
								6164275.47	2315990.42	41.00	0.00
								6164272.50	2315930.13	41.00	0.00
								6164891.04	2315918.22	41.00	0.00
								6164894.76	2315977.77	41.00	0.00
								6165010.88	2315975.53	41.00	0.00
								6165004.18	2315627.18	41.00	0.00
BUILDING		BUILDING05	x	0		41.00	a	6164573.21	2315557.22	41.00	0.00
								6165018.32	2315544.56	41.00	0.00
								6165014.60	2315217.05	41.00	0.00
								6164923.79	2315218.54	41.00	0.00
								6164923.79	2315279.58	41.00	0.00
								6164568.00	2315287.02	41.00	0.00
BUILDING		BUILDING06	x	0		41.00	a	6164099.98	2315570.57	41.00	0.00
								6164403.37	2315561.46	41.00	0.00
								6164400.77	2315375.26	41.00	0.00
								6164339.57	2315375.26	41.00	0.00
								6164327.85	2314742.45	41.00	0.00
								6164265.35	2314647.39	41.00	0.00
								6164080.45	2314652.60	41.00	0.00

APPENDIX 8.1:

CADNAA CONSTRUCTION NOISE MODEL INPUTS

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13176

CadnaA Noise Prediction Model: 13176_Construction.cna
Date: 09.07.20
Analyst: B. Lawson

Calculation Configuration

Configuration	
Parameter	Value
General	
Country	(user defined)
Max. Error (dB)	0.00
Max. Search Radius (#(Unit,LEN))	2000.01
Min. Dist Src to Rcvr	0.00
Partition	
Raster Factor	0.50
Max. Length of Section (#(Unit,LEN))	999.99
Min. Length of Section (#(Unit,LEN))	1.01
Min. Length of Section (%)	0.00
Proj. Line Sources	On
Proj. Area Sources	On
Ref. Time	
Reference Time Day (min)	960.00
Reference Time Night (min)	480.00
Daytime Penalty (dB)	0.00
Recr. Time Penalty (dB)	5.00
Night-time Penalty (dB)	10.00
DTM	
Standard Height (m)	0.00
Model of Terrain	Triangulation
Reflection	
max. Order of Reflection	2
Search Radius Src	100.00
Search Radius Rcvr	100.00
Max. Distance Source - Rcvr	1000.00 1000.00
Min. Distance Rvcr - Reflector	1.00 1.00
Min. Distance Source - Reflector	0.10
Industrial (ISO 9613)	
Lateral Diffraction	some Obj
Obst. within Area Src do not shield	On
Screening	Incl. Ground Att. over Barrier
	Dz with limit (20/25)
Barrier Coefficients C1,2,3	3.0 20.0 0.0
Temperature (#(Unit,TEMP))	10
rel. Humidity (%)	70
Ground Absorption G	0.00
Wind Speed for Dir. (#(Unit,SPEED))	3.0
Roads (RLS-90)	
Strictly acc. to RLS-90	
Railways (FTA/FRA)	
Aircraft (???)	
Strictly acc. to AzB	

Receiver Noise Levels

Name	M.	ID	Level Lr			Limit. Value			Land Use			Height		Coordinates		
			Day	Night	CNEL	Day	Night	CNEL	Type	Auto	Noise Type			X	Y	Z
			(dBA)	(dBA)	(dBA)	(dBA)	(dBA)	(dBA)				(ft)		(ft)	(ft)	(ft)
RECEIVERS		R1	59.2	59.2	65.9	65.0	56.1	0.0				5.00	a	6163851.96	2317046.63	5.00
RECEIVERS		R2	58.8	58.8	65.4	65.0	52.3	0.0				5.00	a	6163874.60	2316760.59	5.00
RECEIVERS		R3	62.0	62.0	68.7	65.0	47.7	0.0				5.00	a	6163860.12	2315873.99	5.00
RECEIVERS		R4	59.5	59.5	66.1	65.0	47.7	0.0				5.00	a	6163856.13	2316242.98	5.00
RECEIVERS		R5	62.9	62.9	69.6	65.0	48.1	0.0				5.00	a	6163798.92	2315324.03	5.00
RECEIVERS		R6	63.2	63.2	69.8	65.0	53.4	0.0				5.00	a	6163820.62	2314808.09	5.00

Point Source(s)

Name	M.	ID	Result. PWL			Lw / Li			Operating Time			K0	Height		Coordinates		
			Day	Evening	Night	Type	Value	norm.	Day	Special	Night				X	Y	Z
			(dBA)	(dBA)	(dBA)			dB(A)	(min)	(min)	(min)	(dB)	(ft)		(ft)	(ft)	(ft)
POINTSOURCE		SITE_PREPARATION01	107.0	107.0	107.0	Lw	107					0.0	8.00	r	6164084.33	2316743.49	8.00
POINTSOURCE		SITE_PREPARATION02	107.0	107.0	107.0	Lw	107					0.0	8.00	r	6164075.75	2316237.25	8.00
POINTSOURCE		SITE_PREPARATION03	107.0	107.0	107.0	Lw	107					0.0	8.00	r	6164065.74	2315888.32	8.00
POINTSOURCE		SITE_PREPARATION04	107.0	107.0	107.0	Lw	107					0.0	8.00	r	6164060.01	2315319.15	8.00
POINTSOURCE		SITE_PREPARATION05	107.0	107.0	107.0	Lw	107					0.0	8.00	r	6164048.57	2314794.32	8.00

Barrier(s)

Name	M.	ID	Absorption		Z-Ext.	Cantilever		Height			Coordinates			
			left	right		horz.	vert.	Begin		End	x	y	z	Ground
					(ft)	(ft)	(ft)	(ft)		(ft)	(ft)	(ft)	(ft)	(ft)
BARRIERS		EXISTING01						6.00	a		6163865.19	2316747.94	6.00	0.00
											6163884.19	2316748.44	6.00	0.00
											6163883.69	2316815.43	6.00	0.00
BARRIERS		EXISTING02						6.00	a		6163842.69	2316229.80	6.00	0.00
											6163872.66	2316229.80	6.00	0.00
											6163875.24	2316393.07	6.00	0.00
											6163851.99	2316393.07	6.00	0.00
BARRIERS		EXISTING03						6.00	a		6163864.88	2315876.87	6.00	0.00
											6163870.84	2315876.87	6.00	0.00
											6163867.59	2315731.65	6.00	0.00
											6163856.75	2315732.19	6.00	0.00

Preliminary Water Quality Management Plan (PWQMP)

For compliance with Santa Ana Regional Water Quality Control Board

Order Number R8-2010-0036 (NPDES Permit No. CAS618036)

for

Project Name:	Crow Holdings Industrial Project
Ontario Project #:	
Project Description:	**Commercial Industrial Warehouse**
Applicant Name:	Ontario CC, LLC,
Applicant Address:	527 W. 7th Street, #308, Los Angeles, CA 90014
Project Address:	E. Riverside Dr.& Hamner Ave., Ontario, CA 91761
Size of Development:	45.16 acres

Submittal Date: 01-09-2020

Preliminary Water Quality Management Plan (PWQMP)

1. Introduction

The Preliminary Water Quality Management Plan (PWQMP) is a planning tool to improve integration of required water quality elements, stormwater management, water conservation, rainwater harvesting and re-use, and flood management in land use planning and the City's development process. The Preliminary WQMP will assist project applicants and planners in properly designing and laying out project sites so that water quality may be incorporated in the most effective manner and at the lowest cost for the developer.

The San Bernardino County Municipal Separate Storm Sewer System Permit (MS4 Permit) requires project-specific Water Quality Management plans (WQMP) to be prepared for all priority new development and significant redevelopment projects listed in Section 2 of this document. The MS4 Permit stipulates that the City of Ontario require priority project applicants to submit a Preliminary project-specific WQMP, as early as possible, during the environmental review or planning phase of a development project and that the Preliminary WQMP be approved prior to the issuance of land use entitlement.

2. Priority Projects (requiring a Preliminary WQMP)

Land Use entitlement shall not be issued for any of the listed projects, below, until a Preliminary WQMP has been approved by the City's Engineering Department. For construction projects not going through entitlement, a Preliminary and Final project-specific WQMP shall be approved, prior to the issuance of construction permits:

Check the appropriate project category below, for this project:

Check below	**Project Categories**
	1. All significant re-development projects. Significant re-development is defined as the addition or replacement of 5,000 or more square feet of impervious surface on an already developed site subject to discretionary approval of the Permittee. Redevelopment does not include routine maintenance activities that are conducted to maintain original line and grade, hydraulic capacity, original purpose of the facility, or emergency redevelopment activity required to protect public health and safety. Where redevelopment results in an increase of less than fifty percent of the impervious surfaces of a previously existing developed site, and the existing development was not subject to WQMP requirements, the numeric sizing criteria discussed below applies only to the addition or replacement, and not to the entire developed site. Where redevelopment results in an increase of fifty percent or more of the impervious surfaces of a previously existing developed site, the numeric sizing criteria applies to the entire development (new and existing).

Check below	Project Categories
✓	2. New development projects that create 10,000 square feet or more of impervious surface (collectively over the entire project site) including commercial, industrial, residential housing subdivisions (i.e., detached single family home subdivisions, multi-family attached subdivisions or townhomes, condominiums, apartments, etc.), mixed-use, and public projects. This category includes development projects on public and private land, which fall under the planning and building authority of the permitting agency.
	3. Automotive repair shops (with SIC codes 5013, 5014, 5541, 7532- 7534, 7536-7539).
	4. Restaurants and Food Service Establishments where the land area of development is 5,000 square feet or more.
	5. Developments of 2,500 square feet of impervious surface or more adjacent to (within 200 feet) or discharging directly into environmentally sensitive areas (ESA's) such as areas designated in the Ocean Plan as areas of special biological significance or waterbodies listed on the CWA Section 303(d) list of impaired waters.
✓	6. Parking lots of 5,000 square feet or more exposed to storm water. Parking lot is defined as land area or facility for the temporary storage of motor vehicles.
	7. Retail Gasoline Outlets (RGOs) that are either 5,000 sq ft or more, or have a projected average daily traffic of 100 or more vehicles per day.
	8. *This project is not covered under any of the categories listed above.

* If the development is not covered under any of the project categories listed in Section 2, the project is not required to design and install Site Design/LID BMPs or Treatment Control BMPs to treat the design storm event (Design Capture Volume) described in Section 4.

3. Preliminary WQMP Objectives

Through a combination of Site Design/LID BMPs (where feasible), Source Control, and/or Treatment Control BMPs, project-specific WQMPs shall address all identified pollutants and hydrologic conditions of concern from new development and significant re-development projects for the categories of projects (priority projects) listed in Section 2. Under each type of BMP, listed below, please indicate which BMPs are planned to be implemented and included in the Final WQMP for the project:

A. Site Design/LID (Low Impact Design) for Reducing Stormwater Runoff:

The MS4 Permit requires each priority development project to infiltrate, harvest and use, evapotranspire, or bio-treat the runoff from a 2-yr, 24-hour storm event (Design Capture Volume). If site conditions do not permit infiltration, harvest and use, evapotranspiration, and/or bio-treatment of the entire Design Capture Volume, at the project site, Site Design/LID techniques are required to be implemented to the Maximum Extent Practicable, at the project site, and the remainder of the DCV shall be infiltrated, harvested, bio-treated or treated by alternative measures.

Project applicants shall submit a Preliminary WQMP that documents the LID/Site Design BMPs, proposed for the project. Please indicate, in the table below, which Site Design/LID BMPs will be utilized on this project to accomplish this requirement:

Site Design/LID Practice	Planned	Not Planned
Provide at least the minimum effective area required for LID BMPs, to comply with the WQMP (see Table 3-1 below).	✓	
Grade parking lot areas/drive aisles/roof drains to sheet flow runoff into landscaped swales, via curb cuts or zero-face curbs or otherwise disconnect direct drainage from MS4.	✓	
Design landscaped areas as swales and grade to accept runoff from building roofs, parking lots and project roadways.	✓	
Install surface retention basins or infiltration trenches to receive impervious area runoff.	✓	
Install pervious pavement in parking stalls, alleys, driveways, gutters, walkways, trails or patios.		✓
Install underground stormwater retention chambers where downstream landscaped areas are limited.	✓	
Install approved Stormwater Drywells in detention areas.		✓
Construct streets, sidewalks, and parking lot stalls to the minimum widths necessary.	✓	
Install on-site Biotreatment basins/trenches with underdrains, where soil type is poorly draining.		✓
Install “Engineered Soil” to increase uptake/soil storage capacity and/or evapotranspiration.	✓	
Install Rainwater Harvesting/Use Equipment.		✓
Utilize approved off-site retention/infiltration, biotreatment or proprietary treatment, where it is infeasible to install, on-site.		✓

Table 3-1 Minimum Effective Area[1] Required for LID BMPs (surface + subsurface facilities) for Project WQMP to Demonstrate Infeasibility[2] (% of site)

Project Type	New Development	Re-Development
SF/MF Residential < 7 du/ac	10%	5%
SF/MF Residential < 7 - 18 du/ac	7%	3.5%
SF/MF Residential > 18 du/ac	5%	2.5%

Mixed Use, Commercial/Industrial w/FAR< 1.0	10%	5%
Mixed Use, Commercial/Industrial w/FAR 1.0-2.0	7%	3.5%
Mixed Use, Commercial/Industrial w/FAR> 2.0	5%	2.5%
Podium (parking under > 75% of project)	3%	1.5%
Zoning allowing development to property lines	2%	1%
Transit Oriented Development[3]	5%	2.5%
Parking	5%	2.5%

[1] "Effective area" is defined as land area which 1) is suitable for a retention/infiltration BMP (based on infeasibility criteria) and 2) is located down-gradient from building roof or paved areas, so that it may receive gravity flow runoff.

[2] Criteria only required if the project WQMP seeks to demonstrate that the full DCV cannot be feasibly managed on-site.

[3] Transit oriented development is defined as a project with development center within one half mile of a mass transit center.

Key: du/ac = dwelling units/acre, FAR = Floor Area Ratio = ratio of gross floor area of building to gross lot area, MF = Multi Family, SF = Single Family

B. Source Control BMPs – The following BMPs are designed to control stormwater pollutants and runoff water at the location where it is generated. Please indicate which of the listed BMPs are planned to be implemented for the project:

Source Control BMPs	Planned	Not Planned
Minimize non-stormwater site runoff through efficient irrigation system design and controllers.	✓	
Minimize trash and debris in storm runoff through a regular parking lot, storage yard and roadway sweeping program.	✓	
Provide proper covers/roofs and secondary containment for outside material storage & work areas.		✓
Provide solid roofs over all trash enclosures.	✓	
Site Owner(s)/Property Manager/HOA or POA will be familiar with the project WQMP and stormwater BMPs.	✓	
Owner or HOA or POA to provide Education/Training of site occupants and employees on stormwater BMPs.	✓	
Install stormwater placards/stenciled messages with a "No Dumping" message on all on-site/off-site storm drain inlets.	✓	
Provide contained equipment/vehicle wash rack areas that discharge to sanitary sewer.		✓

C. Treatment Control BMPs – The following BMPs are designed to control stormwater pollutants where it is not feasible to install on-site Site Design/LID BMPs, with the requisite capacity to treat the Design Capture Volume for identified Pollutants of Concern or where pretreatment of stormwater runoff is required, ahead of infiltration BMPs. Please indicate which of the listed BMPs are planned to be implemented for the project:

Treatment Control BMP	Planned	Not Planned
Gravity Separator devices for pretreatment of sediment, trash/litter or Oil & Grease	✓	
Proprietary Biofiltration vaults/devices		✓
Media Cartridge Filtration Vaults		✓
Proprietary Filter Inserts for on-site storm drain inlets or retention basin/trench overflow drains	✓	
Regional Treatment facilities are installed or are planned for installation, off-site, and provide a superior level of treatment or clear advantage to on-site treatment BMPs		✓

4. Volume-based calculation (approximate) for sizing on-site or off-site Stormwater Retention/Infiltration, Harvest & Re-Use or Biotreatment facilities

1) Calculate the "Watershed Imperviousness Ratio", i, which is equal to the percent of impervious area in the BMP Drainage Area divided by 100.

2) Calculate the composite runoff coefficient C_{BMP} for the Drainage Area above using the following equation:

$$\mathbf{C_{BMP} = 0.858i^3 - 0.78i^2 + 0.774i + 0.04}$$

where: $\mathbf{C_{BMP}}$ = composite runoff coefficient; and,

i = watershed imperviousness ratio.

3) Determine the area-averaged "6-hour Mean Storm Rainfall", P_6, for the Drainage Area. This is calculated by multiplying the area averaged 2-year 1-hour value (0.55"-0.6") by the appropriate regression coefficient from Table 1 (1.4807). The 2-yr, 1-hr value for southern Ontario is approximately to 0.5" (P_6 = 0.5*1.4807 = 0.74 and northern Ontario is approximately 0.6" in/hr (P_6 = 0.6*1.4807 = 0.89).

4) Determine the appropriate drawdown time. Use the regression constant a = 1.582 for 24 hours and a = 1.963 for 48 hours. *Note: Regression constants are provided for both 24 hour and 48 hour drawdown times; however, 48 hour drawdown times should be used in most areas of California. Drawdown times in excess of 48 hours should be used with caution as vector breeding can be a problem after water has stood in excess of 72 hours. (Use of the 24 hour drawdown time should be limited to drainage areas with coarse soils (Class 'A' soils, that readily drain.)*

5) Calculate the "Maximized Detention Volume", P_0, using the following equation:

$$\mathbf{P_0 = a \cdot C_{BMP} \cdot P_6}$$

where: $\mathbf{P_0}$ = Maximized Detention Volume, in inches

a = 1.582 for 24 hour and a = 1.963 for 48 hour drawdown,

$\mathbf{C_{BMP}}$ = composite runoff coefficient; and,

$\mathbf{P_6}$ = 6-hour Mean Storm Rainfall, in inches

6) Calculate the "Target Capture Volume", V_0, using the following equation:

$$\mathbf{V_0 = (P_0 \cdot A) / 12}$$

where: $\mathbf{V_0}$ = Target Capture Volume, in acre-feet

$\mathbf{P_0}$ = Maximized Detention Volume, in inches; and,

A = BMP Drainage Area, in acres

Project Volume-based calculation (approximate) for planned on-site or off-site Stormwater Retention/Infiltration, Harvest & Re-Use or Biotreatment facilities:

Variable	Factor/Formula	
Ratio of impervious surface/total site surface	(i)	
C_{BMP}= runoff coefficient	$0.858i^3 - 0.78i^2 + 0.774i + 0.04$ =	
P_6	**P_6 = 2-yr,1- hr depth*1.4807 =	
Detention Volume-acre inches	P_0 = a * C_{BMP} * P_6 =	
Drawdown rate of basin/trench (a)	1.582 for 24-hr drawdown or 1.963 for 48-hr drawdown =	
Project Total Area (ac)	(A)	See Next Page
Design Capture Volume, cu. ft. (DCV)	$V_0 = [(P_0 * A)/12]*43560$ =	
Water Volume infiltrated in first 3 hrs of storm	Vol= in/hr/12 x ft^2 of infiltration area x 3 hrs	
Retention/treatment Volume provided, cu. ft.	Retention capacity of basins, trenches, underground system or biotreatment proposed	

*For soil infiltration rate see attached soil report, using safety factor 2 for minimum filtration rate of the test (2.4 in/hrx2).

**For P_6 value, use site coordinates and NOAA website to determine project's average 2-yr, 1-hr rainfall depth, at: http://hdsc.nws.noaa.gov/hdsc/pfds/sa/sca_pfds.html .

Drainage Area	DMA-A	DMA-B	DMA-C	DMA-D	DMA-E	DMA-F	DMA-G	DMA-H
Ratio of impervious surface/total site surface	0.68	0.60	0.94	0.85	0.93	0.90	0.88	0.82
C_{BMP}= runoff coefficient	0.48	0.41	0.80	0.66	0.77	0.73	0.70	0.62
P_6	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80
Detention Volume-acre inches	0.75	0.65	1.25	1.04	1.21	1.15	1.10	0.98
Drawdown rate of basin/trench (a)	1.2 in/hr	1.2 in/hr	1.2 in/hr	1.2 in/hr	1.2 in/hr	1.2 in/hr	1.2 in/hr	1.2 in/hr
Project Total Area (ac)	13.83	0.97	9.90	2.86	3.47	8.33	3.26	2.53
Design Capture Volume, cu. ft. (DCV)	37,749	2,267	44,939	10,829	15,259	34,842	13,062	8,993
Water Volume infiltrated in first 3 hrs of storm	Rain Garden – 2,678.7 ft^3 Underground CMP – 9,011.25 ft^3 Detention/ Infiltration Basin – 1,992 ft^3							
BMP Type	Underground CMP, Detention/ Infiltration Basin	Underground CMP, Detention/ Infiltration Basin	Underground CMP, Detention/ Infiltration Basin	Underground CMP, Detention/ Infiltration Basin	Detention/ Infiltration Basin	Underground CMP, Detention/ Infiltration Basin	Rain Garden, Detention/ Infiltration Basin	Rain Garden, Underground CMP, Detention/ Infiltration Basin
Retention/treatment Volume provided, cu. ft.	Rain Garden – 11,608 ft^3 Underground CMP – 46,487 ft^3 Detention/ Infiltration Basin – 112,348 ft^3							

5. **Hydrologic Conditions of Concern (HCOC) and use of the on-line San Bernardino County HCOC Map for determining necessary mitigation steps necessary if there are HCOCs downstream of a project:**

Project applicants may access the on-line HCOC Map at: http://sbcounty.permitrack.com/WAP/ . The map will indicate any hydrology concerns with downstream waterways that are hydraulically connected to the project and will indicate if there are any approved regional projects downstream that could be utilized for off-site mitigation of HCOCs. Please indicate here if the project will or will not be able to retain/infilter, harvest and use or biotreat and detain the DCV, on-site, as calculated in Section 4 and if there are HCOCs identified downstream of the project:

Retain or Harvest/Use the DCV on site?	Yes	✓	No	
Biotreat the DCV but not infilter the runoff?	Yes		No	✓
HCOCs identified downstream of site?	Yes		No	✓

If the entire DCV will not be retained on site, the DCV is biotreated but not infiltered or additional detention capacity is needed to address identified HCOCs, downstream of the site, please list here, what additional mitigation measures will be utilized (on-site or off-site) to address HCOCs (see Section 4.2.1-4.2.3 of the SB County WQMP Technical Guidance):

Entire DCV will be retained onsite, with infiltration utilized in landscape areas, Rain Garden Bio-Retention Area, an Underground Infiltration System and an Detention/Infiltration Basin. Project location is exempt from HCOC requirements. Basin routing to be provided during final engineering.

6. **Site Plan and Conceptual Grading/Drainage Plan requirements for submission with the Preliminary WQMP:**

Provide a Site Plan and Conceptual Grading/Drainage Plan along with this Preliminary WQMP, which conceptually shows the proposed locations of buildings, homes, parking lots, parks, new paved roadways, landscaped areas, drainage patterns and drainage sub-areas, methods of conveyance, proposed retention/infiltration, harvest & use or biotreatment facilities that are planned for installation. Where it is determined to be infeasible to capture and detain design storm runoff volumes, on-site, please include other design features, as described in Section 3, above. Include numbered or lettered notes on the Site Plan with a legend detailing other BMPs, as described in Section 3.

Reference-1

Soil Report

GEOTECHNICAL
PROFESSIONALS INC

PRELIMINARY GEOTECHNICAL INVESTIGATION
PROPOSED INDUSTRIAL BUILDING DEVELOPMENT
SWC HAMNER AVENUE AND E. RIVERSIDE DRIVE
ONTARIO, CALIFORNIA

Prepared for:
CHI/Acquisitions CA, L.P.
527 W. 7th Street, Suite 308
Los Angeles, California 90014

Prepared by:
Geotechnical Professionals Inc.
5736 Corporate Avenue
Cypress, California 90630
(714) 220-2211

Project No. 2857.I

January 31, 2018

GPI GEOTECHNICAL PROFESSIONALS INC

January 31, 2018

CHI/Acquisitions CA, L.P.
527 W. 7th Street, Suite 308
Los Angeles, California 90014

Attention: Mr. Jared J. Reimer

Subject: Report of Preliminary Geotechnical Investigation
Proposed Industrial Building Development
SWC Hamner Avenue and E. Riverside Drive
Ontario, California
GPI Project No. 2857.I

Dear Mr. Reimer:

Transmitted herewith is one copy of our preliminary geotechnical investigation report for the subject project. The remaining copies of the report have been distributed to the project team as shown below. The report presents our planning-level evaluation of the foundation conditions at the site and preliminary recommendations for design and construction. A comprehensive geotechnical investigation with additional subsurface explorations and lab testing will be required for the project design.

We appreciate the opportunity of offering our services on this project and look forward to seeing the project through its successful completion. Feel free to call us if you have questions regarding our report or need further assistance.

Very truly yours,
Geotechnical Professionals Inc.

Paul R. Schade, G.E.
Principal

PRS:sph

cc: (1) Addressee

5736 Corporate Avenue • Cypress, CA 90630 • (714) 220-2211 • FAX (714) 220-2122

TABLE OF CONTENTS

	PAGE
1.0 INTRODUCTION	1
1.1 GENERAL	1
1.2 PROJECT DESCRIPTION	1
1.3 PURPOSE OF INVESTIGATION	2
2.0 SCOPE OF WORK	3
3.0 SITE CONDITIONS	4
3.1 SURFACE CONDITIONS	4
3.2 SUBSURFACE SOIL CONDITIONS	4
3.3 GROUNDWATER AND CAVING	5
4.0 CONCLUSIONS AND RECOMMENDATIONS	6
4.1 OVERVIEW	6
4.2 SEISMIC DESIGN	7
4.2.1 General	7
4.2.2 Strong Ground Motion Potential	7
4.2.3 Potential for Ground Rupture	7
4.2.4 Liquefaction and Seismic Settlement	7
4.3 EARTHWORK	8
4.3.1 Clearing	8
4.3.2 Excavations	9
4.3.3 Subgrade Preparation	10
4.3.4 Material for Fill	10
4.3.5 Placement and Compaction of Fills	11
4.3.6 Shrinkage and Subsidence	11
4.3.7 Trench/Wall Backfill	11
4.3.8 Observation and Testing	12
4.4 FOUNDATIONS	12
4.4.1 Foundation Type	12
4.4.2 Allowable Bearing Pressures	12
4.4.3 Minimum Footing Width and Embedment	13
4.4.4 Estimated Settlements	13
4.4.5 Lateral Load Resistance	13
4.4.6 Foundation Inspection	13
4.4.7 Foundation Concrete	14
4.5 CONCRETE SLABS	14
4.6 RETAINING STRUCTURES	15
4.7 PAVEMENTS	16
4.8 CORROSION	17
4.9 DRAINAGE	17
4.10 SURFACE INFILTRATION	17
4.11 GEOTECHNICAL OBSERVATION AND TESTING	18
5.0 LIMITATIONS	19
REFERENCES	
APPENDICES	
A EXPLORATORY BORINGS	
B LABORATORY TESTS	

LIST OF FIGURES

FIGURE NO.

1	Site Location Map
2	Site Plan

APPENDIX A

A-1 to A-5	Logs of Exploratory Borings

APPENDIX B

B-1	Direct Shear Test Results
B-2 and B-3	Consolidation Test Results
Table 1	Corrosivity Test Results

1.0 INTRODUCTION

1.1 GENERAL

This report presents the results of a preliminary geotechnical investigation performed by Geotechnical Professionals Inc. (GPI) for the proposed industrial building development at the subject site in Ontario, California. The site location is shown on the Site Location Map, Figure 1.

The project is in a relatively early stage of planning and design. As such, details regarding the project are still being developed, and some of the geotechnical recommendations presented in this report are necessarily preliminary as they are based on limited subsurface data.

This initial investigation was limited to the roughly 30-acre open area at the southwest corner of E. Riverside Drive and Hamner Avenue. Additional explorations and lab testing, as well as structural loads and details, will be required for the comprehensive geotechnical investigation.

1.2 PROJECT DESCRIPTION

The proposed project will consist of an industrial building development on a 30+ acre site. Although building details are limited, we assume the building(s) will be one story, of tilt-up concrete construction, and have a floor slab on-grade. An early stage conceptual site plan provided by the Project Architect indicates the development may consist of three buildings with the following approximate footprints:

- Building 1: 381,270 square feet (15.7 acres)
- Building 2: 129,040 square feet (7.1 acres)
- Building 3: 170,080 square feet (7.9 acres)

Column and wall loads are not available at this preliminary stage, but we anticipate the maximum loads will be up to 100 kips and 8 kips per lineal foot, respectively. We understand the proposed development will also include truck docks and loading areas, additional pavements, site walls, and landscaping. The conceptual site configuration is shown on the Site Plan, Figure 2.

Based on information provided by the Project Civil Engineer, we understand a storm water infiltration system such as StormTrap (precast concrete) is also being considered. Although proposed depths of infiltration were not set at the time of our investigation, we selected potential infiltration depths of 5, 10, and 15 feet below existing grades when performing our field infiltration tests, based on our discussions.

Our preliminary recommendations are based upon preliminary structural and finish grade information.

1.3 PURPOSE OF INVESTIGATION

The primary purpose of this investigation and report is to provide a planning-level evaluation of the existing geotechnical conditions at the site as they relate to the design and construction of the proposed development.

2.0 SCOPE OF WORK

Our scope of work included a limited field investigation, laboratory testing, field infiltration testing, foundation analyses, and preparation of this preliminary report.

Our field investigation consisted of five exploratory borings and three infiltration wells. The borings were drilled to depths of 15 to 51 feet below existing grades. The infiltration wells were installed to depths of 5 to 15 feet below existing grades. Descriptions of the field procedures and logs of the borings are presented in Appendix A.

Our limited laboratory testing program included determinations of in-place moisture content and dry density, shear strength, fines content, consolidation, and corrosivity. Laboratory test procedures and results are presented in Appendix B.

Soil corrosivity testing was performed by HDR under subcontract to GPI. Their test results are presented at the end of Appendix B.

Limited engineering evaluations were performed to provide preliminary earthwork criteria and foundation, slab, retaining wall, and pavement design parameters. The results of our evaluations are presented in the remainder of the report.

3.0 SITE CONDITIONS

3.1 SURFACE CONDITIONS

The site covered by this report is approximately 30 acres in size and bounded by E. Riverside Drive to the north, Hamner Avenue to the east, an existing nursery to the south, and residences and other undeveloped properties to the west. The site is undeveloped and currently covered with light vegetation. Also present on the site are approximately 25 small stockpiles likely generated from off-site sources. We noted that a few stockpiles consisted of soils including clays, sands, and varying amounts of gravel. The remaining stockpiles included concrete, brick, metal, and plastic debris. The stockpiles are predominantly located along Hamner Avenue.

The topography of the site and the surrounding area is relatively flat, with less than a 1 percent downgrade to the south. Ground surface elevations across the site vary from about +786 feet in the north to +774 feet in the south.

In reviewing historical aerial photos (historicaerials.com), the site appears to have remained undeveloped since 1938, the earliest photo available. USGS topographic maps dating back to 1897 do not appear to indicate the presence of site development.

It is also our understanding that the property to the south of the undeveloped area may be included as part of the overall development in the future. The southern property is also approximately 30 acres in size, with a working nursery occupying the northern and western portions of the property. Ground surface elevations across this property range from about +774 feet in the north to +762 feet in the south. Based on aerial photographs, the nursery appears to have been in place since at least 1994. This portion of the site was not evaluated as part of this preliminary geotechnical investigation.

3.2 SUBSURFACE SOIL CONDITIONS

Our limited field investigation disclosed a subsurface profile consisting of undocumented fill soils and disturbed topsoil overlying natural soils. Detailed descriptions of the conditions encountered are shown on the Logs of Borings in Appendix A. Additional explorations will be required for the design-level geotechnical investigation report.

The shallow undocumented fills and disturbed topsoils were encountered to depths of 1 to 2 feet below existing grades. The fill soils consisted predominantly of slightly moist to moist silty sands, with minor amounts of concrete and brick debris encountered in boring B-2, located at the northeast corner of the site.

The natural soils generally consisted of loose to medium dense silty sands overlying firm to stiff silts and sandy silts. The silty sands were predominantly encountered within the upper 5 to 10 feet, with lesser amounts encountered at depth. The sandy soils were generally dry to moist while the silts were slightly moist to very moist. Trace amounts of gravel were encountered throughout the soil profile.

The natural materials exhibit low to moderate strength and moderate compressibility

characteristics. Although not tested, the upper soils are anticipated to have a very low expansion potential.

3.3 GROUNDWATER AND CAVING

Groundwater was not encountered within the 51-foot depth explored. Published data by the State on historical groundwater levels does not extend to the subject site. Based on the California Department of Water Resources *Water Data Library* (CADWR, 2018), there are two active groundwater monitoring wells within approximately 2 miles of the subject site. Data from Well Chino-1208387, located approximately 650 feet west of the site, indicated a shallowest depth to groundwater of 192 feet since January 2001 (the earliest date available). This depth reading corresponds to an approximate elevation of +602 feet and was taken in July of 2008. Data from Well Chino-1003469, located roughly 2 miles to the east of the site, indicated a shallowest depth to groundwater of approximately 207 feet since January 2001. This depth reading corresponds to an approximate elevation of +604 feet and was taken in November of 2008.

Based on the above groundwater measurements and the prevailing ground surface elevations at the site (approximately +786 feet to +774 feet), the shallowest groundwater depth within the limits of the proposed development is most likely deeper than 175 feet below the existing ground surface.

Because the drilling was performed with relatively small diameter hollow-stem auger drilling equipment, a detailed description of the caving was not obtained. However, based on the fines and moisture contents of the soils encountered, the caving potential of the upper soils is considered to be moderate to high.

4.0 CONCLUSIONS AND RECOMMENDATIONS

4.1 OVERVIEW

Based on the results of our planning-level investigation, it is our opinion that from a geotechnical viewpoint it is feasible to develop the site as proposed, provided the geotechnical constraints discussed below are mitigated. Based on our limited evaluation, the most significant geotechnical issues that will affect the design and construction of the proposed building are as follows:

- The undocumented fill and upper disturbed natural soils are not considered to be suitable for uniform support of new foundations or floor slabs. We recommend the existing fill and upper natural soils be removed and replaced as properly compacted fill. The existing soils are generally considered to be suitable for reuse as properly compacted fill. Details are presented in the "Earthwork" section of this report.

- There are approximately 25 small to medium sized stockpiles located onsite along Hamner Avenue. A few stockpiles contain soils consisting of clays and sands with varying amounts of gravel. The remaining stockpiles consist of concrete, brick, metal, and plastic debris. The stockpile materials were likely generated from offsite sources. We do not consider these materials suitable for use as compacted fill.

- Current moisture contents of the upper soils are generally slightly moist to moist and likely near or below the optimum moisture content. Moisture conditions (wetting) will likely be required during subgrade processing and placement and compaction of fill.

- The upper on-site soils are predominantly dry to slightly moist, loose to medium dense silty sands. As such, the soils are considered to be susceptible to caving in open cuts and excavations. Care should be taken to maintain support of the soils and structures left in-place adjacent to planned excavations.

- Due to the presence of loose to medium dense sands and silty sands and high peak ground acceleration, we computed potential total dry seismic settlements of ¼- to ½-inch and differential seismic settlement of less than ¼-inch over a span of 60 feet. These settlements are based on values obtained using the 2016 California Building Code (CBC) and should be considered in addition to the static settlement when evaluating the design of the proposed structures.

- Although not tested, the upper onsite soils (silty sands and sandy silts) are anticipated to have a low potential for expansion. Expansion index testing will be performed as part of our comprehensive geotechnical investigation.

- Corrosivity testing performed by HDR on a sample from our borings indicates a negligible level of soluble sulfate content with respect to concrete (category S0). The soils are considered to be moderately corrosive to corrosive to buried ferrous metals. Testing also indicates negligible levels of chloride by most standards (i.e. Caltrans). However, as the footings will be exposed to moisture in the adjacent soil, we recommend an exposure category of C1 per ACI 318.

Our preliminary recommendations related to the geotechnical aspects of the development of the site are presented in the subsequent sections of this report.

4.2 SEISMIC DESIGN

4.2.1 General

The site is located in a seismically active area of Southern California and is likely to be subjected to strong ground shaking due to earthquakes on nearby faults.

We assume the seismic design of the proposed development will be in accordance with the California Building Code, 2016 edition. For the 2016 CBC, a Soil Class D may be used. The seismic code values can be obtained directly from the tables in the building code using the above value and appropriate United States Geological Survey web site. The Project Structural Engineer should determine the seismic design method. A summary of the seismic code parameters are presented below:

Site Class D	PGA_M: 0.500 g
S_{MS} : 1.500 g	S_{M1} : 0.900 g
S_{DS} : 1.000 g	S_{D1} : 0.600 g

4.2.2 Strong Ground Motion Potential

Based on published information (USGS, 2008), the site is within 8.7 and 10.3 miles of the active (based on fault displacement within last 11,700 years) Chino and Cucamonga faults, respectively. During the life of the project, the site will likely be subject to moderate to strong ground motions due to earthquakes on nearby faults. The structural design of the facility will need to incorporate measures to mitigate the effects of strong ground motion.

4.2.3 Potential for Ground Rupture

There are no known active faults crossing or projecting through the site. The site is not located in an Alquist-Priolo Earthquake Fault Zone. Therefore, ground rupture at this site due to faulting is considered unlikely.

4.2.4 Liquefaction and Seismic Settlement

Soil liquefaction is a phenomenon in which saturated cohesionless soils undergo a temporary loss of strength during severe ground shaking and acquire a degree of mobility sufficient to permit ground deformation. In extreme cases, the soil particles can become suspended in groundwater, resulting in the soil deposit becoming mobile and fluid-like.

Liquefaction is generally considered to occur primarily in loose to medium dense deposits of saturated soils. Thus, three conditions are required for liquefaction to occur: (1) a cohesionless soil of loose to medium density; (2) a saturated condition; and (3) rapid large strain, cyclic loading, normally provided by earthquake motions.

The site is not located within a zone identified as having a potential for liquefaction by the State, as the quadrangle has not yet been assessed. The site is located in a zone identified as having a moderate potential for liquefaction by the City (City of Ontario, 2011). As noted previously, groundwater was not encountered within the 51-foot depth recently explored. Historical measurements in nearby wells, dating back to 2001, indicated shallowest depths to groundwater of roughly 175 feet below existing grades. Due to the excessive depth to groundwater, soil liquefaction is not likely to occur at this site.

Seismic ground subsidence, not related to liquefaction, occurs when loose, granular soils above the groundwater are densified during strong earthquake shaking. The 2016 California Building Code (CBC) and ASCE 7-10 (ASCE, 2010) require that the ground motion used to evaluate liquefaction and seismic settlement be based on the Peak Ground Acceleration (PGA_M) adjusted for site class effects. This value is computed using the mapped Maximum Considered Geometric Mean (MCE_G) peak ground acceleration for Site Class B and a site coefficient, F_{PGA}. Accordingly, we considered a ground acceleration of 0.50g for a magnitude 6.9 earthquake (mean deaggregated). Based on our analyses, we estimate a potential dry seismic settlement of ¼- to ½-inch. The differential seismic settlement is estimated to be less than ¼-inch across a span of 60 feet.

4.3 EARTHWORK

The earthwork for the planned improvements is anticipated to consist of clearing and excavation of undocumented fill and upper natural soils, subgrade preparation, and the placement and compaction of fill.

4.3.1 Clearing

Prior to grading, performing excavations or constructing the proposed improvements, the areas to be developed should be stripped of vegetation and cleared of debris and pavements. Buried obstructions, such as footings, abandoned utilities, and tree roots should be removed from areas to be developed. Deleterious material generated during the clearing operation should be removed from the site. Existing vegetation should not be mixed into the soils.

If cesspools or septic systems are encountered during grading, they should be removed in their entirety. The resulting excavation should be backfilled with properly compacted fill soils. As an alternative, cesspools can be backfilled with lean sand-cement slurry. At the conclusion of the clearing operations, a representative of GPI should observe and accept the site prior to further grading.

As noted previously, approximately 25 medium sized stockpiles are located onsite along Hamner Avenue. The stockpiles are highly variable, with some consisting of clays, sands, and gravels and the remaining consisting of concrete, brick, metal, and plastic debris. The materials were likely generated from offsite sources. These materials are not considered to

be suitable for use onsite as compacted fill and should be removed during the clearing process.

4.3.2 Excavations

Excavations at this site will include removals of undocumented fill and disturbed low-density natural soils, footing excavations, and trenching for proposed utility lines.

Prior to placement of fills or construction of the building or site walls, the existing fill and a portion of the upper natural soils within the proposed building pad and wall areas should be removed and replaced as properly compacted fill. For planning purposes, removals for the building pad should extend to a depth of 6 feet below existing grades or 3 feet below the base of foundations, whichever is deeper. Removals below the site walls or other minor structures should extend to depths of 4 feet below existing grades or 2 feet below the base of foundations, whichever is deeper. For pavement subgrade, removals should extend to at least 1-foot below existing or finished grades, whichever is deeper. The depth of anticipated removals should be further refined when the additional explorations are performed for the design-level investigation.

The actual depths of removals should be determined in the field during grading by GPI. The soils exposed at the base of the overexcavation should be processed in place as described in the "Subgrade Preparation" section of this report.

The Project Surveyor should accurately stake the corners of the areas to be overexcavated in the field. Where space is available, the base of the excavations should extend laterally at least 5 feet beyond the building line or edge of foundations, or a minimum distance equal to the depth of overexcavation/compaction below finish grade (i.e., a 1:1 projection below the top outside edge of footings), whichever is greater. Building lines include the footprint of the building and other foundation supported improvements, such as canopies and attached site walls.

Excavation of the soils at the site should be readily achieved using conventional methods. The contractor should determine the best method for removal based on the subsurface conditions outlined herein.

Where not removed by the aforementioned excavations, existing utility trench backfill should be removed and replaced as properly compacted fill within the building pad. For planning purposes, removals over the utilities should extend to within 1-foot of the top of the pipe. For utilities that are 5 feet or shallower, the removal should extend laterally 1-foot beyond both sides of the pipe. For deeper utilities, the removals should include a zone defined by a 1:1 projection upward (and away from the pipe) from each side of the pipe. The actual limits of removal will be confirmed in the field. We recommend that known utilities be shown on the grading plan. Wet utilities left in-place outside building areas should be capped to reduce the potential for water to infiltrate into the building pad.

The dry to slightly moist sandy soils at the site are expected to have a moderate to severe caving potential when exposed in open cuts. Temporary construction excavations may be made vertically into the undisturbed natural soils without shoring to a depth of 3 feet below adjacent grade (up to 4 feet in properly compacted fills). For cuts up to 10 feet deep, the

slopes should be properly shored or sloped back to at least 1:1 or flatter. For deeper cuts up to 20 feet, the slopes should be properly shored or sloped back to at least 1½:1 (horizontal to vertical) or flatter. The allowable slope inclinations are measured from the toe to the top of the cut. Even at these inclinations, some raveling should be anticipated. The exposed slope face should be kept moist (but not saturated) during construction to reduce local sloughing. Surcharge loads should not be permitted within a horizontal distance equal to the height of cut from the top of the excavation or 5 feet from the top of the slopes, whichever is greater, unless the cut is properly shored. Excavations that extend below an imaginary plane inclined at 45 degrees below the edge of adjacent existing site facilities should be properly shored to maintain support of adjacent elements. Excavations and shoring systems should meet the minimum requirements given in the State of California Occupational Safety and Health Standards.

Deeper removals along property lines and adjacent to existing improvements will require shoring or slot cuts. Recommendations for shoring are provided in the "Retaining Structures" section of the report. Removals that will undermine existing structures or pavements may utilize "ABC" slot cuts to depths not greater than 8 feet. The slots should not be wider than 5 feet and should be backfilled to finished grade prior to excavation of the adjacent slots. A test slot should be performed prior to production slots to confirm the stability of the planned cuts. We should be provided with the details of planned slot cuts for review prior to execution.

4.3.3 Subgrade Preparation

After the recommended cuts and removals are performed and prior to placing fills or construction of the proposed improvements, the subgrade soils should be scarified to a depth of 12 inches, moisture conditioned, and compacted to at least 90 percent of the maximum dry density, determined in accordance with ASTM D1557. In areas to be paved outside of the structure footprints, the exposed subgrade should be scarified, moisture-conditioned, and compacted to at least 95 percent of the maximum dry density.

4.3.4 Material for Fill

In general, the on-site soils are suitable for use as compacted fill, with the exception of the silts and sandy silts that should not be used as retaining wall backfill. If clays are encountered during grading, they should not be placed within 2 feet of the finished subgrade in floor slab areas or used as retaining wall backfill. Although not encountered in our small diameter borings, oversized materials greater than 6 inches in diameter are not considered suitable for use as compacted fill. In addition, fills placed within 3 feet of the finished building pad subgrade should not contain particles greater than 3 inches in diameter.

The materials present in the existing onsite stockpiles are not considered to be suitable for use as compacted fill and should be removed from the site during clearing.

Imported fill material should be predominately granular (contain no more than 40 percent fines-portion passing No. 200 sieve), and relatively non-expansive (an Expansion Index of less than 20). GPI should be provided with a sample (at least 50 pounds) and notified at least 72 hours in advance of the location of soils proposed for import. Each proposed

import source should be sampled, tested and accepted for use prior to delivery of the soils to the site. Soils imported prior to acceptance by GPI may be rejected if not suitable.

Both imported and existing on-site soils to be used as fill should be free of debris and pieces larger than 6 inches in greatest dimension. Although not anticipated, on-site materials greater than 6 inches in diameter can be exported, crushed, or disposed of in windrows outside of the building pad. If windrows are used, the oversized particles should be placed so that voids around the particles can be filled with sandy soils, which should be jetted or flooded after placement. At least 2 feet of properly compacted fill without oversized materials should cover the windrowed materials.

4.3.5 Placement and Compaction of Fills

Fill soils should be placed in horizontal lifts, moisture-conditioned, and mechanically compacted to densities equal to at least 90 percent of the maximum dry density, determined in accordance with ASTM D1557. Soils within 1-foot of the subgrade for building floor slabs and pavement areas, and the aggregate base material should be compacted to a relative compaction of at least 95 percent. The optimum lift thickness will depend on the compaction equipment used and can best be determined in the field. The following uncompacted lift thickness can be used as preliminary guidelines.

Plate compactors	4-6 inches
Small vibratory or static rollers (5-ton±) or track equipment	6-9 inches
Heavy loaders and large vibratory rollers	9-12 inches

The maximum lift thickness should not be greater than 12 inches and each lift should be thoroughly compacted and accepted prior to subsequent lifts.

Fills should be placed at moisture contents of 1 to 2 percent over the optimum moisture content in order to readily achieve the required compaction. Current moisture contents of the upper soils are generally slightly moist to moist and likely at or below the optimum moisture content. As such, we anticipate that some moisture conditioning (wetting) will be required.

4.3.6 Shrinkage and Subsidence

Shrinkage is the loss of soil volume caused by compaction of fills to a higher density than before grading. Subsidence is the settlement of in-place subgrade soils caused by loads generated by large earthmoving equipment. For earthwork volume estimating purposes, an average shrinkage value of 15 to 20 percent may be assumed for the surficial soils. Subsidence is expected to be less than 0.1 feet. These values are estimates only and exclude losses due to removal of vegetation or debris. Actual shrinkage and subsidence will depend on the types of earthmoving equipment used and should be determined during grading.

4.3.7 Trench/Wall Backfill

Utility trench backfill consisting of the on-site silty sands or sands or imported soil, or wall backfill consisting of granular material should be mechanically compacted in lifts. Lift

thickness should not exceed those values given in the "Placement and Compaction of Fills" section of this report. Moisture conditioning (wetting) of the on-site soils will likely be required prior to re-use as backfill. Jetting or flooding of backfill materials should not be permitted. A representative of GPI should observe and test trench and wall backfills as they are placed.

In backfill areas where mechanical compaction of soil backfill is impractical due to space constraints, sand-cement slurry may be substituted for compacted backfill. The slurry should contain two sacks of cement per cubic yard and have a maximum slump of 5 inches. If open-graded rock is used as backfill, the material should be placed in lifts and mechanically densified. Open-graded rock should be separated from the on-site soils by a suitable filter fabric (Mirafi 140N or equivalent).

4.3.8 Observation and Testing

A representative of GPI should observe excavations, subgrade preparation, and fill placement activities. Sufficient in-place field density tests should be performed during fill placement and in-place compaction to evaluate the overall compaction of the soils. Soils that do not meet minimum compaction requirements should be reworked and tested prior to placement of additional fill.

4.4 FOUNDATIONS

4.4.1 Foundation Type

The proposed structures may be supported on conventional isolated and/or continuous shallow footings, provided the subsurface soils are prepared in accordance with the recommendations given in this report. Footings should be supported on properly compacted fill.

4.4.2 Allowable Bearing Pressures

Based on the shear strength and elastic settlement characteristics of the natural and recompacted on-site soils, a static allowable net bearing pressure of up to 3,000 pounds per square foot (psf) may be used for both continuous footings and isolated column footings for the proposed structures, including property line walls and other minor structures. These bearing pressures are for dead-load-plus-live-load, and may be increased one-third for short-term, transient, wind and seismic loading. The actual bearing pressure used may be less than the value presented above and can be based on economics and structural loads to determine the minimum width for footings as discussed below. The maximum edge pressures induced by eccentric loading or overturning moments should not be allowed to exceed these recommended values.

4.4.3 Minimum Footing Width and Embedment

The following minimum footing widths and embedments are recommended for the corresponding allowable bearing pressure.

STATIC BEARING PRESSURE (psf)	MINIMUM FOOTING WIDTH (inches)	MINIMUM FOOTING* EMBEDMENT (inches)
3,000	48	24
2,500	24	24
2,000	24	18
1,500	18	18

* Refers to minimum depth below lowest adjacent grade at the time of foundation construction.

A minimum footing width of 18 inches should be used even if the actual bearing pressure is less than 1,500 psf.

4.4.4 Estimated Settlements

Total static settlement of isolated pad or continuous wall footings (up to 100 kips for columns and 8 kips per lineal foot) is expected to be on the order of ¾- to 1-inch. Differential static settlement along a 60-foot span of a continuous footing is expected to be on the order of ½-inch or less. The majority of the settlement will occur immediately upon load application.

The potential for seismic settlement was addressed in a previous section of this report and should be referred to in evaluating the potential total settlements.

The above estimates are based on the assumption that the recommended earthwork will be performed and that the footings will be sized in accordance with our recommendations.

4.4.5 Lateral Load Resistance

Soil resistance to lateral loads will be provided by a combination of frictional resistance between the bottom of footings and underlying soils and by passive soil pressures acting against the embedded sides of the footings. For frictional resistance, a coefficient of friction of 0.35 may be used for design. In addition, an allowable lateral bearing pressure equal to an equivalent fluid weight of 275 pounds per cubic foot may be used, up to a maximum of 2,750 pounds per square foot (psf), provided the footings are poured tight against compacted fill. These values may be used in combination without reduction.

4.4.6 Foundation Inspection

Prior to placement of concrete and reinforcing steel, a representative of GPI should observed and approve foundation excavations.

4.4.7 Foundation Concrete

Laboratory testing by HDR (Appendix B) indicates that the near surface soils exhibit a soluble sulfate content of 54 mg/kg (0.0054 percent by weight). In accordance with the 2016 CBC, foundation concrete should conform to the requirements outlined to the requirements outlined in ACI 318, Section 19.3 for a negligible level of soluble sulfate exposure for soil (category S0). Chloride contents were 19 mg/kg (0.0019 percent by weight), which is considered to be low (category C1).

4.5 CONCRETE SLABS

Concrete slabs should be supported on granular, non-expansive (EI $\leq$ 20), compacted soils as discussed in the "Placement and Compaction of Fill" section.

Although not anticipated over the majority of the building, a vapor/moisture retarder should be placed under slabs that are to be covered with moisture-sensitive floor coverings (wood, vinyl, tile, etc.). Currently, common practice is to use a 10 or 15 mil polyethylene product such as Stego Wrap for this purpose. Whether the concrete slab is placed directly on the vapor barrier or on a clean sand layer between the slab and vapor barrier is a decision for the Project Architect and General Contractor, as it is not a geotechnical issue. If covered by sand, the sand layer should be about 2 inches thick and contain less than 5 percent by weight passing the No. 200 sieve. Based on our explorations and laboratory testing, the soils at the site are not suitable for this purpose. The sand layer should be nominally compacted using light equipment. The sand placed over the vapor retarder should only be slightly moist. If the sand gets wet (for example as a result of rainfall or excessive moistening) it must be allowed to dry prior to placing concrete. Care should be taken to avoid infiltration of water into the sand layer after placement of the concrete slab, such as at slab cut-outs and other exposures. A sand layer is not required beneath the vapor retarder, but we take no exception if one is provided.

It should be noted that the material used as a vapor retarder is only one of several factors affecting the prevention of moisture accumulation under floor coverings. Other factors include maintaining a low water-cement ratio for the concrete used for the floor slab, effective sealing of joints and edges (particularly at pipe penetrations) as well as excess moisture in the concrete. The manufacturer of the floor coverings should be consulted for establishing acceptable criteria for the condition of the floor surface prior to placing moisture-sensitive floor coverings.

For lateral resistance design, a coefficient of friction value of 0.40 between aggregate base or select fill and concrete may be used. For a slab on a visqueen moisture barrier, a coefficient of 0.1 should be used. For a concrete slab on Stego Wrap, a coefficient of 0.3 may be used, which is consistent with recommendations provided by the American Concrete Institute (ACI).

For elastic design of slabs-on-grade supporting sustained concentrated loads, a modulus of subgrade reaction (k) of 150 pounds per cubic inch (pounds per square inch per inch of deflection) may be used. This value is for a 1-foot by 1-foot square loaded area and should be adjusted by the structural designer for the area of the proposed building slab using

appropriate elastic theory.

Although not tested, the upper silty sands are anticipated to have a low potential for expansion. As such, there are no geotechnical requirements for minimum floor slab thickness or reinforcing.

4.6 RETAINING STRUCTURES

We understand that major retaining walls are not planned as part of the proposed development. The following recommendations are provided for walls or shoring less than 8 feet in height. We recommend that walls be backfilled with sandy soils (less than 40 percent passing the No. 200 sieve), which appear to be readily available on site but will require selective grading.

Active earth pressures can be used for designing cantilevered walls or shoring that can yield laterally at least ½-percent of the wall height under the imposed loads. For level, drained backfill, derived from granular, non-expansive soils, a lateral pressure of an equivalent fluid weighing of 35 pounds per cubic foot may be used. This value can also be used for design of temporary cantilevered shoring.

At-rest pressures should be used for restrained walls that remain rigid enough to be essentially non-yielding. For select, non-expansive, level, drained backfill, a lateral pressure of an equivalent fluid weighing 55 pounds per cubic foot can be used.

As outlined in the California Building Code, site retaining walls taller than 6 feet should be designed to resist seismic lateral earth pressures. A lateral pressure equivalent to a fluid with a unit weight of 20 pounds per cubic foot may be used. This pressure should be combined with the active earth pressure presented above. If the retaining walls are designed using the at-rest pressure provided above, only the difference between the active plus seismic pressures and the at-rest pressure needs to be included as the seismic pressure.

The recommended pressures are based on the assumption that the supported earth will be fully drained, preventing the build-up of hydrostatic pressures. For traditional backfilled retaining walls, a drain consisting of perforated pipe and 1 cubic foot of gravel per lineal foot, wrapped in filter fabric should be used. The fabric (non-woven filter fabric, Mirafi 140N or equivalent) should be lapped at the top.

Walls subject to surcharge loads should be designed for an additional uniform lateral pressure equal to one-third and one-half the anticipated surcharge pressure for unrestrained and restrained walls, respectively.

The Structural Engineer should specify the use of select, granular wall backfill on the plans. Wall footings should be designed as discussed in the "Foundations" section.

4.7 PAVEMENTS

For new pavements, an assumed R-value of 20 was used for the on-site soils. Final pavement design should be based on R-value testing performed during our comprehensive, design-level investigation. The California Division of Highways Design Method was used for design of the recommended preliminary pavement sections. The following pavement sections are recommended for planning purposes only.

PAVEMENT AREA	TRAFFIC INDEX	SECTION THICKNESS (inches)	
		ASPHALT CONCRETE	AGGREGATE BASE COURSE
Asphalt Concrete			
Auto Parking Stalls	4	3	5
Circulation Drives	5	3	7
Truck Drives	6	3.5	10
Heavy Truck Drives	7	4	12
Off-Site Street	7 8 9 10	4 5 6 7	12 14 15 17
Portland Cement Concrete		**PCC**	
Auto Parking Stalls	4	6.5	—
Circulation Drives	5	7.0	—
Truck Drives	6	7.5	—
Heavy Truck Drives	7	8.0	—

The pavement subgrade underlying the aggregate base or concrete should be properly prepared and compacted in accordance with the recommendations outlined under "Subgrade Preparation".

The concrete used for paving should have a modulus of rupture of at least 550 psi (equivalent to an approximate compressive strength of 3,500 psi) at the time the pavement is subjected to truck traffic. The pavement base course should be compacted to at least 95 percent of maximum dry density (ASTM D-1557). Aggregate base should conform to the requirements of Section 26 of the California Department of Transportation Standard Specifications for Class II aggregate base (three-quarter inch maximum) or Section 200-2 of the Standard Specifications for Public Works Construction (Green Book) for untreated base materials (except processed miscellaneous base).

If it is desired to use portland cement concrete with a modulus of rupture (MOR) of 490 psi (approximate equivalent compressive strength of 3,000 psi), we recommend the following modified concrete pavement sections:

PAVEMENT AREA	TRAFFIC INDEX	MOR = 490 psi PCC SECTION THICKNESS (inches)
Auto Parking Stalls	4	7.0
Circulation Drives	5	7.5
Truck Drives	6	8.0
Heavy Truck Drives	7	8.0

The above recommendations are based on the assumption that the base course and compacted subgrade will be properly drained. The design of paved areas should incorporate measures to prevent moisture build-up within the base course, which can otherwise lead to premature pavement failure. For example, curbing adjacent to landscaped areas should be deep enough to act as a barrier to infiltration of irrigation water into the adjacent base course.

4.8 CORROSION

Resistivity testing of a representative sample of the on-site soils indicates that they are moderately corrosive to corrosive to ferrous metals. GPI does not practice corrosion engineering. We recommend that a corrosion engineering firm, such as HDR, be consulted if corrosion protection recommendations are required.

4.9 DRAINAGE

Positive surface gradients should be provided adjacent to structures so as to direct surface water run-off and roof drainage away from foundations and slabs toward suitable discharge facilities. Long-term ponding of surface water should not be allowed on pavements or adjacent to buildings.

4.10 SURFACE INFILTRATION

Current regulations require that storm water be infiltrated into the site soils of new developments when possible. In general, the soil profile at the site consists predominantly of silty sands and sands in the upper 10 feet, underlain by silts and sandy silts. Sands and silty sands typically have fair to good infiltration characteristics.

To evaluate the infiltration characteristics of the near surface soils, we performed three field infiltration tests in accordance with methods established by the County of San Bernardino (County, 2011). Infiltration testing was performed at depths of 5 to 15 feet below the existing ground surface. The wells were installed adjacent to borings B-3 to B-5, located in the southern half of the portion of the development covered by this report. It is our understanding that the proposed infiltration system will likely be constructed out of precast concrete.

The tests were performed in shallow borings drilled with an 8-inch hollow stem auger. The test wells were constructed in the borings using 2-inch diameter slotted and solid well casing. The annular space between the perforated casing and the borehole was filled with No. 3 well sand.

Prior to running the tests, the soils adjacent to the wells were soaked with approximately 5 gallons of water in accordance with the procedures outlined by the County. Because the upper on-site soils are predominately sandy, the pre-soaks were completed within 30 minutes. Following the pre-soak, we performed two additional tests at each well to confirm the sandy criteria and set the test time intervals. Due to rapid infiltration during the pre-soak and the criteria testing, resulting in water draining more than 24 inches in less than 10 minutes, the tests were performed by measuring the time interval associated with a 1-foot drop in the casings. The tests were performed at least 6 times in each well.

The adjusted infiltration rates were calculated by taking the preadjusted rates and correcting them using the Porchet Method as provided in the County Guidelines. The results of the infiltration testing are presented in Tables 1 to 3. The final adjusted infiltration rates are presented below:

WELL	ADJUSTED INFILTRATION RATE (in./hr.)
P-1	5.4
P-2	15.2
P-3	2.4

The soils encountered at the test depths generally consisted of silty sands and sands with lesser amounts of sandy silt. The above results are above the generally accepted minimum infiltration rate of 0.3 inches per hour. We anticipate that infiltration into the onsite silts or sandy silts would most likely result in significantly lower rates.

Additional factors of safety in computing the design infiltration rate of the proposed system should be determined by the Project Civil Engineer. It should be noted that the volume of water applied during our test was relatively low compared to the potential stormwater systems. Due to the presence of silts and sandy silts at depth, infiltration of large volumes of water into the near surface soils may result in limited percolation rates and a potential for long-term mounding or perched conditions. The Civil Engineer should evaluate the feasibility of subsurface infiltration using the rates provided.

The testing was performed with clean, clear water, and the results do not include effects of sediments, fines, dissolved solids, or other debris, as these will significantly reduce the percolation rates of the subsurface soils. The infiltration system should include processes to clean the inflow of sediments or other deleterious materials to reduce the potential for clogging and reduced infiltration rates.

4.11 GEOTECHNICAL OBSERVATION AND TESTING

We recommend that a representative of GPI observe earthwork during construction to confirm that the recommendations provided in our report are applicable during construction. The earthwork activities include grading, compaction of fills, subgrade preparation, pavement construction, and foundation excavations. If conditions are different than expected, we should be afforded the opportunity to provide an alternate recommendation based on the actual conditions encountered.

5.0 LIMITATIONS

This report, exploration logs, and other materials resulting from GPI's efforts were prepared exclusively for CHI/Acquisitions CA, L.P. and their consultants in the planning-level evaluation of the proposed development. The report is not intended to be suitable for reuse on extensions or modifications of the project or for use on projects other than the currently proposed development, as it may not contain sufficient or appropriate information for such uses. This report is also not intended as a design-level document, as the conclusions and recommendations are based on limited subsurface information.

Soil deposits may vary in type, strength, and many other important properties between points of exploration due to non-uniformity of the geologic formations or to man-made cut and fill operations. While we cannot evaluate the consistency of the properties of materials in areas not explored, the conclusions drawn in this report are based on the assumption that the data obtained in the field and laboratory are reasonably representative of field conditions and are conducive to interpolation and extrapolation.

Furthermore, our recommendations were developed with the assumption that a proper level of field observation and construction review will be provided by GPI during grading, excavation, and foundation construction. If others perform the construction phase services, they must accept full responsibility for all geotechnical aspects of the project, including this report.

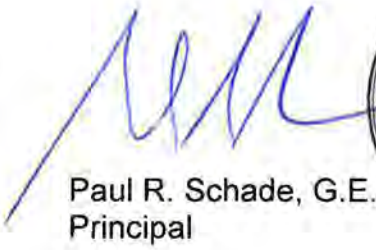
Our investigation and evaluations were performed using generally accepted engineering approaches and principles available at this time and the degree of care and skill ordinarily exercised under similar circumstances by reputable geotechnical engineers practicing in this area. No other representation, either expressed or implied, is included or intended in our report.

Respectfully submitted,
Geotechnical Professionals Inc.





Dylan J. Boyle, P.E.
Project Engineer





Paul R. Schade, G.E.
Principal

DJB:PRS:sph

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BASE MAP REPRODUCED FROM MICROSOFT STREETS AND TRIPS (C. 2008)

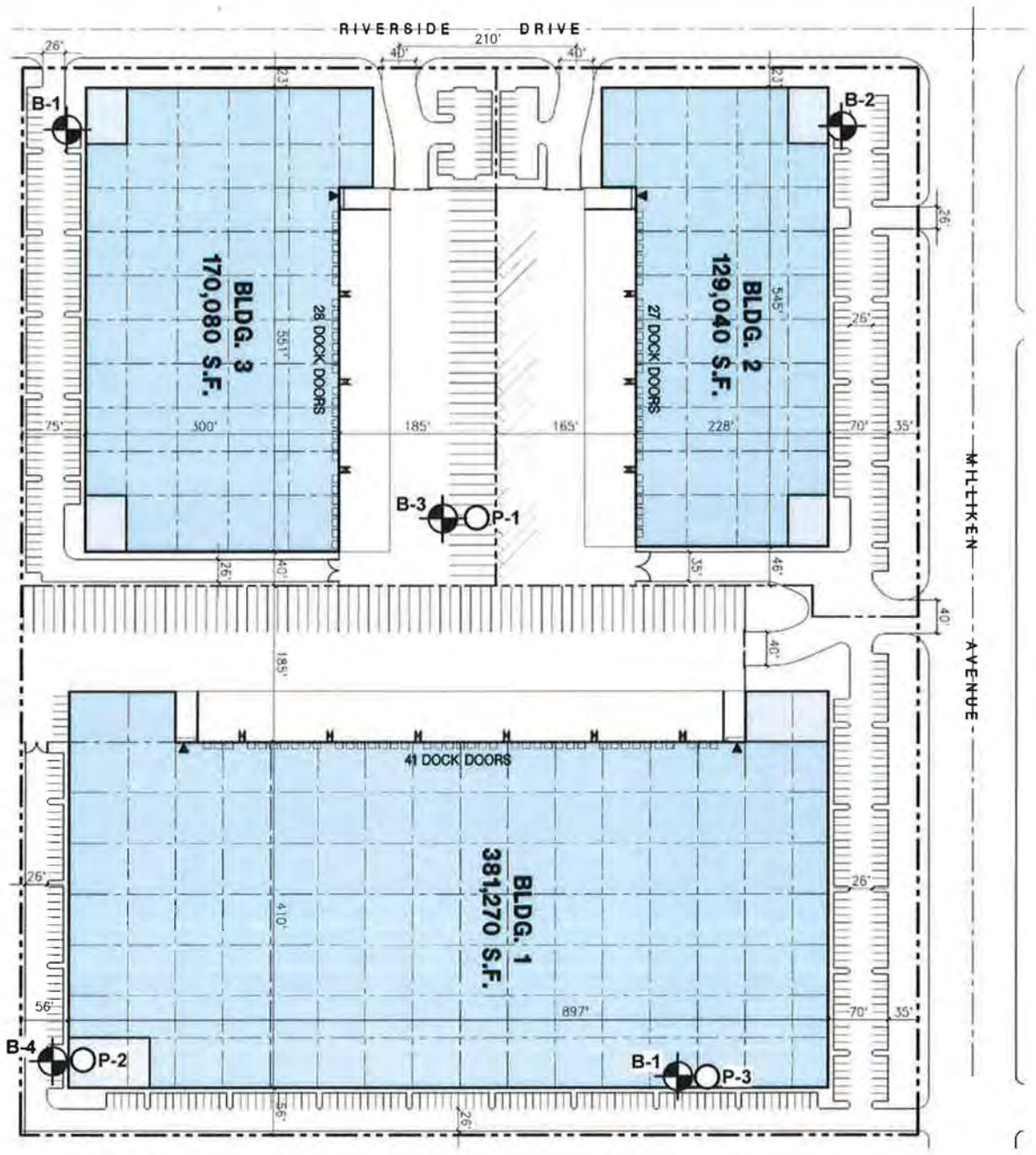
GPI GEOTECHNICAL PROFESSIONALS, INC.

CROW ONTARIO

GPI PROJECT NO.: 2857.I | SCALE: 1" = 2000'

SITE LOCATION MAP

FIGURE 1



EXPLANATION

B-1 — APPROXIMATE LOCATION AND NUMBER OF EXPLORATORY BORING

P-2 — APPROXIMATE LOCATION AND NUMBER OF PERCOLATION WELL

0 200 400 FEET

BASE PLAN REPRODUCED FROM CONCEPTUAL SITE PLAN PREPARED BY HPA ARCHITECTURE: DATED DECEMBER 1, 2017

GPI GEOTECHNICAL PROFESSIONALS, INC.

CROW ONTARIO

GPI PROJECT NO.: 2857.I | SCALE: 1" = 200'

SITE PLAN

FIGURE 2

TABLE 1

BOREHOLE INFILTRATION TEST RESULTS (corrected with Porchet Method)
Riverside County Method-TGD, 2011

Project No. 2857.I
Client: Crow Ontario
By SG

Date: 1/15/2018
Test Date 1/11/2018

NOTE: Slowest rate from percolation testing used to calculate infiltration rate

		Water	Water	Total		Initial	Final	Change in	Average	
	Test	Depth	Depth	Depth of	Hole	Water	Water	Height of	Height of	Infiltration
Test Well	Duration	Initial	Final	Test Hole	Diameter	Height	Height	Water	Water	Rate*
	(min)	(ft)	(ft)	(ft)	(inches)	(ft)	(ft)	(ft)	(ft)	(in/hr)
	Δt	D_o	D_f	D_T	(2r)	H_o	H_f	$\Delta H=\Delta D$	H_{avg}	I_t
P-1	4.17	2.45	2.95	4.45	8	2.00	1.50	0.5	1.75	7.5
P-1	5.75	2.45	2.95	4.45	8	2.00	1.50	0.5	1.75	5.4
P-1	5.71	2.45	2.95	4.45	8	2.00	1.50	0.5	1.75	5.5
P-1	5.64	2.45	2.95	4.45	8	2.00	1.50	0.5	1.75	5.5
P-1	5.79	2.45	2.95	4.45	8	2.00	1.50	0.5	1.75	5.4
P-1	5.68	2.45	2.95	4.45	8	2.00	1.50	0.5	1.75	5.5
P-1	5.62	2.45	2.95	4.45	8	2.00	1.50	0.5	1.75	5.6
P-1	5.75	2.45	2.95	4.45	8	2.00	1.50	0.5	1.75	5.4

* $I_t=(\Delta H(60r))/(\Delta t(r + 2H_{avg}))$

TABLE 2

BOREHOLE INFILTRATION TEST RESULTS (corrected with Porchet Method)
Riverside County Method-TGD, 2011

Project No. 2857.I
Client: Crow Ontario
By SG

Date: 1/15/2018
Test Date 1/12/2018

NOTE: Slowest rate from percolation testing used to calculate infiltration rate

Test Well	Test Duration (min) Δt	Water Depth Initial (ft) D_o	Water Depth Final (ft) D_f	Total Depth of Test Hole (ft) D_T	Hole Diameter (inches) (2r)	Initial Water Height (ft) H_o	Final Water Height (ft) H_f	Change in Height of Water (ft) ΔH=ΔD	Average Height of Water (ft) H_{avg}	Infiltration Rate* (in/hr) I_t
P-2	1.57	11.71	12.21	14.11	8	2.40	1.90	0.5	2.15	16.5
P-2	1.80	12.02	12.52	14.11	8	2.09	1.59	0.5	1.84	16.6
P-2	1.83	12.02	12.52	14.11	8	2.09	1.59	0.5	1.84	16.3
P-2	1.90	12.02	12.52	14.11	8	2.09	1.59	0.5	1.84	15.7
P-2	1.97	12.02	12.52	14.11	8	2.09	1.59	0.5	1.84	15.2
P-2	1.82	12.02	12.52	14.11	8	2.09	1.59	0.5	1.84	16.5
P-2	1.75	12.02	12.52	14.11	8	2.09	1.59	0.5	1.84	17.1
P-2	1.65	12.02	12.52	14.11	8	2.09	1.59	0.5	1.84	18.1
P-2	1.95	12.02	12.52	14.11	8	2.09	1.59	0.5	1.84	15.3

* $I_t=(\Delta H(60r))/(\Delta t(r + 2H_{avg}))$

TABLE 3

BOREHOLE INFILTRATION TEST RESULTS (corrected with Porchet Method)
Riverside County Method-TGD, 2011

Project No. 2857.I
Client: Crow Ontario
By SG

Date: 1/15/2018
Test Date 1/11/2018

NOTE: Slowest rate from percolation testing used to calculate infiltration rate

Test Well	Test Duration (min) Δt	Water Depth Initial (ft) D_o	Water Depth Final (ft) D_f	Total Depth of Test Hole (ft) D_T	Hole Diameter (inches) (2r)	Initial Water Height (ft) H_o	Final Water Height (ft) H_f	Change in Height of Water (ft) ΔH=ΔD	Average Height of Water (ft) H_{avg}	Infiltration Rate* (in/hr) I_t
P-3	10.00	6.03	7.05	10.21	8	4.18	3.16	1.02	3.67	3.2
P-3	10.00	5.78	6.96	10.21	8	4.43	3.25	1.18	3.84	3.5
P-3	6.58	7.49	7.82	10.21	8	2.72	2.39	0.33	2.56	2.2
P-3	8.13	7.18	7.68	10.21	8	3.03	2.53	0.5	2.78	2.5
P-3	8.35	7.18	7.68	10.21	8	3.03	2.53	0.5	2.78	2.4
P-3	8.45	7.18	7.68	10.21	8	3.03	2.53	0.5	2.78	2.4
P-3	8.32	7.18	7.68	10.21	8	3.03	2.53	0.5	2.78	2.4
P-3	8.48	7.18	7.68	10.21	8	3.03	2.53	0.5	2.78	2.4
P-3	8.33	7.18	7.68	10.21	8	3.03	2.53	0.5	2.78	2.4
P-3	8.52	7.18	7.68	10.21	8	3.03	2.53	0.5	2.78	2.4

* $I_t=(\Delta H(60r))/(\Delta t(r + 2H_{avg}))$

APPENDIX A

APPENDIX A

EXPLORATORY BORINGS

The subsurface conditions at the site were investigated by drilling and sampling five exploratory borings. The borings were advanced to depths ranging from 15 to 50 feet below the existing ground surface. We also installed infiltration test wells to depths of 5 to 15 feet adjacent to three borings (P-1 at B-3, P-2 at B-4, and P-3 at B-5). The locations of the explorations and wells are shown on the Site Plan, Figure 2.

The exploratory borings were drilled using limited access hollow-stem auger drill equipment. Relatively undisturbed samples were obtained using a brass-ring lined sampler (ASTM D 3550). The brass-rings have an inside diameter of 2.42 inches. The ring samples were driven into the soil by a 140-pound hammer dropping 30 inches. The number of blows needed to drive the sampler into the soil was recorded as the penetration resistance.

At selected locations, disturbed samples were obtained using a split-spoon sampler by means of the Standard Penetration Test (SPT, ASTM D 6066). The spoon sampler was driven into the soil by a 140-pound hammer dropping 30 inches, employing the "free-fall" hammer described above. After an initial seating drive of 6 inches, the number of blows needed to drive the sampler into the soil a depth of 12 inches was recorded as the penetration resistance. These values are the raw uncorrected blowcounts.

The field explorations for the investigation were performed under the continuous technical supervision of GPI's representative, who visually inspected the site, maintained detailed logs of the borings, classified the soils encountered, and obtained relatively undisturbed samples for examination and laboratory testing. The soils encountered in the borings were classified in the field and through further examination in the laboratory in accordance with the Unified Soils Classification System. Detailed logs of the borings are presented in Figures A-1 to A-5 in this appendix.

The boring locations were laid out in the field by measuring from existing site features. Ground surface elevations at the exploration locations were estimated from internet sources and should be considered approximate.

MOISTURE (%)	DRY DENSITY (PCF)	PENETRATION RESISTANCE (BLOWS/FOOT)	SAMPLE TYPE	DEPTH (FEET)	DESCRIPTION OF SUBSURFACE MATERIALS	ELEVATION (FEET)
				0	This summary applies only at the location of this boring and at the time of drilling. Subsurface conditions may differ at other locations and may change at this location with the passage of time. The data presented is a simplification of actual conditions encountered.	
					Fill: **SILTY SAND (SM)** light brown, slightly moist to moist	
3.2	102	21	D		Natural: **SILTY SAND (SM)** light brown, slightly moist, medium dense	
5.8	97	13	D	5	@ 4 feet, loose	780
7.0	101	10	D			
29.4	91	11	D			775
				10	**SILT (ML)** brown, wet, firm	
16.4	93	22	D		@ 14 feet, very moist, stiff to very stiff, trace clay	770
4.2	104			15	**SILTY SAND (SM)** brown, slightly moist, medium dense	
					Total Depth 15 feet	

SAMPLE TYPES
- C Rock Core
- S Standard Split Spoon
- D Drive Sample
- B Bulk Sample
- T Tube Sample

DATE DRILLED: 1-11-18

EQUIPMENT USED: 8 " Hollow Stem Auger

GROUNDWATER LEVEL (ft): Not Encountered

GPI

PROJECT NO.: 2857.I

CROW ONTARIO

LOG OF BORING NO. B-1

FIGURE A-1

MOISTURE (%)	DRY DENSITY (PCF)	PENETRATION RESISTANCE (BLOWS/FOOT)	SAMPLE TYPE	DEPTH (FEET)	DESCRIPTION OF SUBSURFACE MATERIALS	ELEVATION (FEET)
					This summary applies only at the location of this boring and at the time of drilling. Subsurface conditions may differ at other locations and may change at this location with the passage of time. The data presented is a simplification of actual conditions encountered.	
			B	0	Fill: **SILTY SAND (SM)** brown, moist, with gravel sized pieces of concrete and brick	
8.4	99	10	D		Natural: **SILTY SAND (SM)** brown, moist, loose	780
8.7	96	7	D	5		
15.2	104	18	D		**SILT (ML)** light brown, moist to very moist, stiff, trace sand	775
14.6	97	21	D	10		
						770
7.5	98	15	D	15	@ 15 feet, slightly moist	
						765
11.9	91	17	D	20	@ 20 feet, moist	
						760
1.9	117	34	D	25	**SAND (SP)** greyish brown, dry to slightly moist, medium dense, with gravel, trace silt	
						755
1.9	120	64	D	30	@ 30 feet, dense	
						750
11.3	108	50	D	35	**SANDY SILT (ML)** brown with grey, moist, hard	
						745

SAMPLE TYPES
- C Rock Core
- S Standard Split Spoon
- D Drive Sample
- B Bulk Sample
- T Tube Sample

DATE DRILLED: 1-11-18
EQUIPMENT USED: 8 " Hollow Stem Auger
GROUNDWATER LEVEL (ft): Not Encountered

GPI

PROJECT NO.: 2857.I
CROW ONTARIO

LOG OF BORING NO. B-2

FIGURE A-2

	MOISTURE (%)	DRY DENSITY (PCF)	PENETRATION RESISTANCE (BLOWS/FOOT)	SAMPLE TYPE	DEPTH (FEET)	DESCRIPTION OF SUBSURFACE MATERIALS	ELEVATION (FEET)
						This summary applies only at the location of this boring and at the time of drilling. Subsurface conditions may differ at other locations and may change at this location with the passage of time. The data presented is a simplification of actual conditions encountered.	
	13.0	103	22	D	40	**SANDY SILT (ML)** reddish brown with grey, moist, stiff to very stiff, trace clay	740
	11.1	106	32	D	45	@ 45 feet, very stiff	735
	7.1	98	36	D	50	@ 50 feet, brown	
						SILTY SAND (SM) reddish brown, moist, medium dense	
						Total Depth 51 feet	

SAMPLE TYPES
- C Rock Core
- S Standard Split Spoon
- D Drive Sample
- B Bulk Sample
- T Tube Sample

DATE DRILLED: 1-11-18

EQUIPMENT USED: 8 " Hollow Stem Auger

GROUNDWATER LEVEL (ft): Not Encountered

GPI

PROJECT NO.: 2857.I

CROW ONTARIO

LOG OF BORING NO. B-2

FIGURE A-2

MOISTURE (%)	DRY DENSITY (PCF)	PENETRATION RESISTANCE (BLOWS/FOOT)	SAMPLE TYPE	DEPTH (FEET)	DESCRIPTION OF SUBSURFACE MATERIALS	ELEVATION (FEET)
				0	Fill: **SILTY SAND (SM)** light brown, moist	
3.0	101	21	D		Natural: **SILTY SAND (SM)** light brown, slightly moist, medium dense	775
10.4	96	15	D	5	**SANDY SILT (ML)** light brown, moist, stiff	
15.3		7	S		@ 7 feet, firm, with white veins	770
8.9	92	20	D	10	**SILT (ML)** light brown, slightly moist, stiff	
16.7		7	S		@ 11 feet, very moist, firm, trace gravel	
3.4	100	17	D		**SILTY SAND (SM)** light brown, slightly moist, medium dense	765
5.7 9.8		7	S	15	@ 15 feet, slightly moist, loose	
					SANDY SILT (ML) light brown, slightly moist to moist, firm	
					Total Depth 16.5 feet Well P-1 installed @ a depth of 4.5 feet below existing grades	

This summary applies only at the location of this boring and at the time of drilling. Subsurface conditions may differ at other locations and may change at this location with the passage of time. The data presented is a simplification of actual conditions encountered.

SAMPLE TYPES
- C Rock Core
- S Standard Split Spoon
- D Drive Sample
- B Bulk Sample
- T Tube Sample

DATE DRILLED: 1-11-18

EQUIPMENT USED: 8 " Hollow Stem Auger

GROUNDWATER LEVEL (ft): Not Encountered

GPI

PROJECT NO.: 2857.I

CROW ONTARIO

LOG OF BORING NO. B-3

FIGURE A-3

MOISTURE (%)	DRY DENSITY (PCF)	PENETRATION RESISTANCE (BLOWS/FOOT)	SAMPLE TYPE	DEPTH (FEET)	DESCRIPTION OF SUBSURFACE MATERIALS This summary applies only at the location of this boring and at the time of drilling. Subsurface conditions may differ at other locations and may change at this location with the passage of time. The data presented is a simplification of actual conditions encountered.	ELEVATION (FEET)
				0	Fill: **SILTY SAND (SM)** light brown, moist	
5.4	98	8	D		Natural: **SILTY SAND (SM)** light brown, slightly moist, loose	
6.1	103	18	D	5	@ 4 feet, medium dense	770
5.2	102	12	D		@ 6 feet, loose	
					SAND with SILT (SP-SM) light brown, moist, loose	
16.7	104	12	D	10	**SILT (ML)** light brown, very moist, firm to stiff, trace sand	765
2.4	94	20	D	15	**SAND with SILT (SP-SM)** light brown, dry to slightly moist, medium dense	760
8.6		9	S		**SILT (ML)** light brown, slightly moist to moist, stiff	
8.4	94	18	D			755
10.5		12	S	20	@ 20 feet, trace sand	
9.6	90	20	D		@ 22 feet, slightly moist to moist, stiff, trace sand	
7.7 4.3		18	S	25	**SANDY SILT (ML)** light brown, slightly moist, very stiff	750
					SILTY SAND (SM) light brown, slightly moist, medium dense	
					Total Depth 25.5 feet Well P-2 installed @ a depth of 14.1 feet below existing grades	

SAMPLE TYPES
- C Rock Core
- S Standard Split Spoon
- D Drive Sample
- B Bulk Sample
- T Tube Sample

DATE DRILLED: 1-11-18
EQUIPMENT USED: 8 " Hollow Stem Auger
GROUNDWATER LEVEL (ft): Not Encountered

GPI

PROJECT NO.: 2857.I
CROW ONTARIO

LOG OF BORING NO. B-4

FIGURE A-4

MOISTURE (%)	DRY DENSITY (PCF)	PENETRATION RESISTANCE (BLOWS/FOOT)	SAMPLE TYPE	DEPTH (FEET)	DESCRIPTION OF SUBSURFACE MATERIALS	ELEVATION (FEET)
				0	This summary applies only at the location of this boring and at the time of drilling. Subsurface conditions may differ at other locations and may change at this location with the passage of time. The data presented is a simplification of actual conditions encountered.	
					Fill: **SILTY SAND (SM)** light brown, slightly moist	775
3.6	100	8	D		Natural: **SILTY SAND (SM)** light brown, slightly moist, loose	
6.0	115	14	D	5	**SILT (ML)** light brown, slightly moist, stiff, trace sand	770
6.9	93	14	D		**SANDY SILT (ML)** light brown, slightly moist to moist, stiff	
5.0	98	16	D	10	**SILTY SAND (SM)** light brown, dry to slightly moist, medium dense	765
3.1		16	S			
2.5					**SAND with SILT (SP-SM)** light brown, slightly moist, medium dense, trace gravel	
		27	D		@ 14 feet, no recovery	
				15		760
1.9		11	S		@ 16 feet, loose	
7.8					**SILT (ML)** light brown, slightly moist, stiff	
8.1	96	19	D		@ 18 feet, with sand	
					SANDY SILT (ML) light brown, slightly moist, stiff	
4.2		14	S	20		755
					SILTY SAND (SM) light brown, slightly moist, medium dense	
9.5	93	17	D	25	@ 25 feet, moist	750
					Total Depth 26 feet Well P-3 installed @ a depth of 10.2 feet below existing grades	

SAMPLE TYPES
- C Rock Core
- S Standard Split Spoon
- D Drive Sample
- B Bulk Sample
- T Tube Sample

DATE DRILLED: 1-11-18

EQUIPMENT USED: 8 " Hollow Stem Auger

GROUNDWATER LEVEL (ft): Not Encountered

GPI

PROJECT NO.: 2857.I

CROW ONTARIO

LOG OF BORING NO. B-5

FIGURE A-5

APPENDIX B

APPENDIX B

LABORATORY TESTS

INTRODUCTION

Representative undisturbed samples and bulk samples were carefully packaged in the field and sealed to prevent moisture loss. The samples were then transported to our Cypress office for examination and testing assignments. Laboratory tests were performed on selected representative samples as an aid in classifying the soils and to evaluate the physical properties of the soils affecting foundation design and construction procedures. Detailed descriptions of the laboratory tests are presented below under the appropriate test headings. Test results are presented in the figures that follow.

MOISTURE CONTENT AND DRY DENSITY

Moisture content and dry density was determined from a number of the samples. The samples were weighed to determine the wet weight and then were dried in accordance with ASTM D 2216. After drying, the weight of each sample was measured, and moisture content was calculated. Moisture content values are presented on the boring logs in Appendix B.

GRAIN SIZE DISTRIBUTION

Select soil samples were dried, weighed, soaked in water until individual soil particles were separated, and then washed on the No. 200 sieve. That portion of the material retained on the No. 200 sieve was oven-dried and weighed to determine the percentage of the material passing the No. 200 sieve. A summary of the percentages passing the No. 200 sieve is presented below.

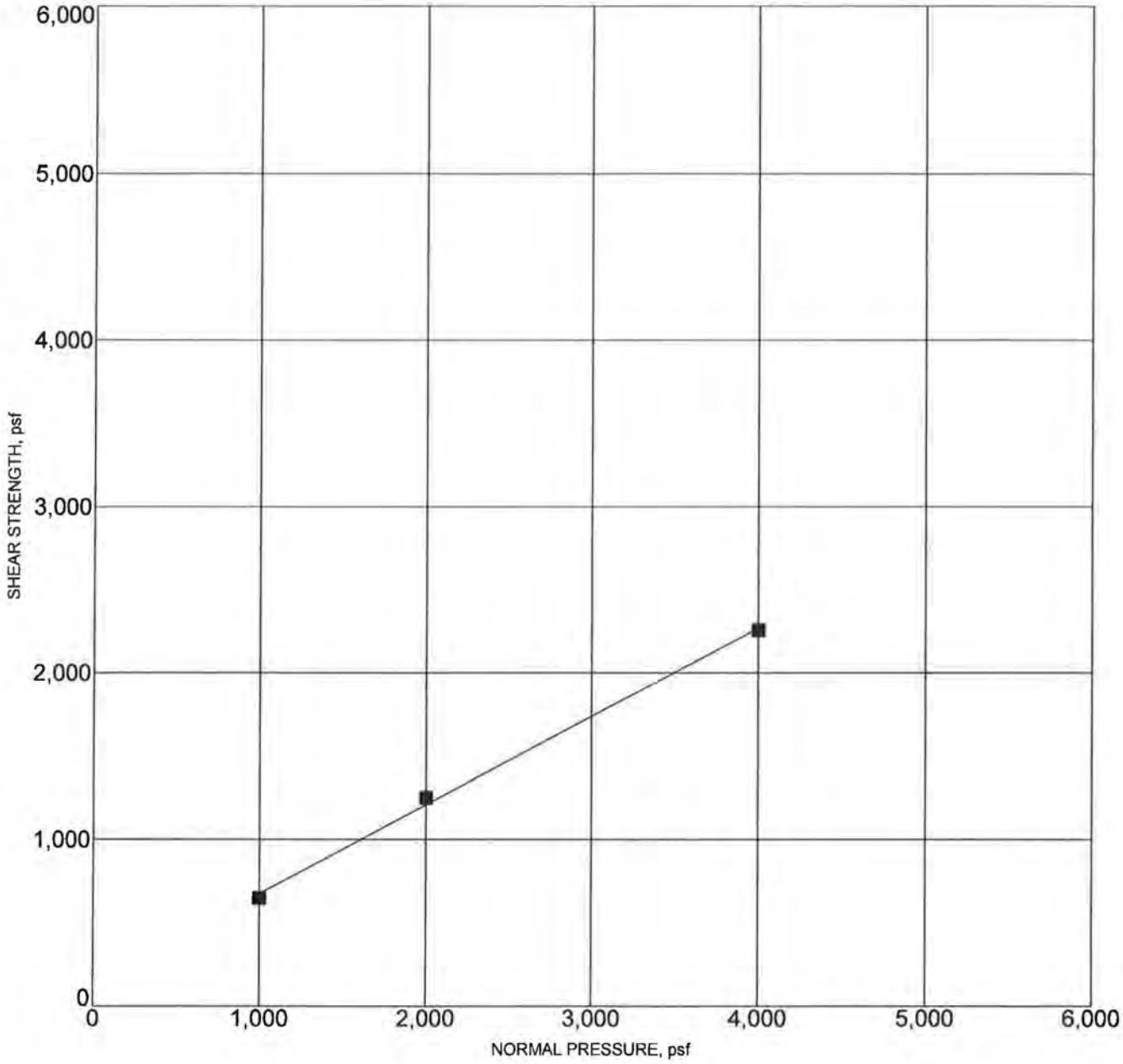
BORING NO.	DEPTH (ft)	SOIL DESCRIPTION	PERCENT PASSING No. 200 SIEVE
B-2	7	Silt (ML)	91
B-2	20	Silt (ML)	81
B-4	20	Silt (ML)	90

DIRECT SHEAR

Direct shear tests were performed on undisturbed samples in accordance with ASTM D 3080. The samples were placed in the shear machine, and pre-selected normal loads were applied. The samples were submerged, allowed to consolidate, and then were sheared to failure. Shear stress and sample deformation were monitored throughout the test. The results of the direct shear tests are presented in Figure B-1.

CONSOLIDATION

One-dimensional consolidation tests were performed on undisturbed samples in accordance with ASTM D 2435. After trimming the ends, the samples were placed in the consolidometer and loaded to up to 0.4 ksf. Thereafter, the samples were incrementally loaded to a maximum load of up to 25.6 ksf. The samples were inundated at 1.6 ksf. Sample deformation was measured to 0.0001 inch. Rebound behavior was investigated by unloading the samples back to 0.4 ksf. Results of the consolidation tests, in the form of strain versus log pressure are presented in Figures B-2 and B-3.



● **PEAK STRENGTH**
Friction Angle= 28 degrees
Cohesion= 144 psf

⧓ **ULTIMATE STRENGTH**
Friction Angle= 28 degrees
Cohesion= 144 psf

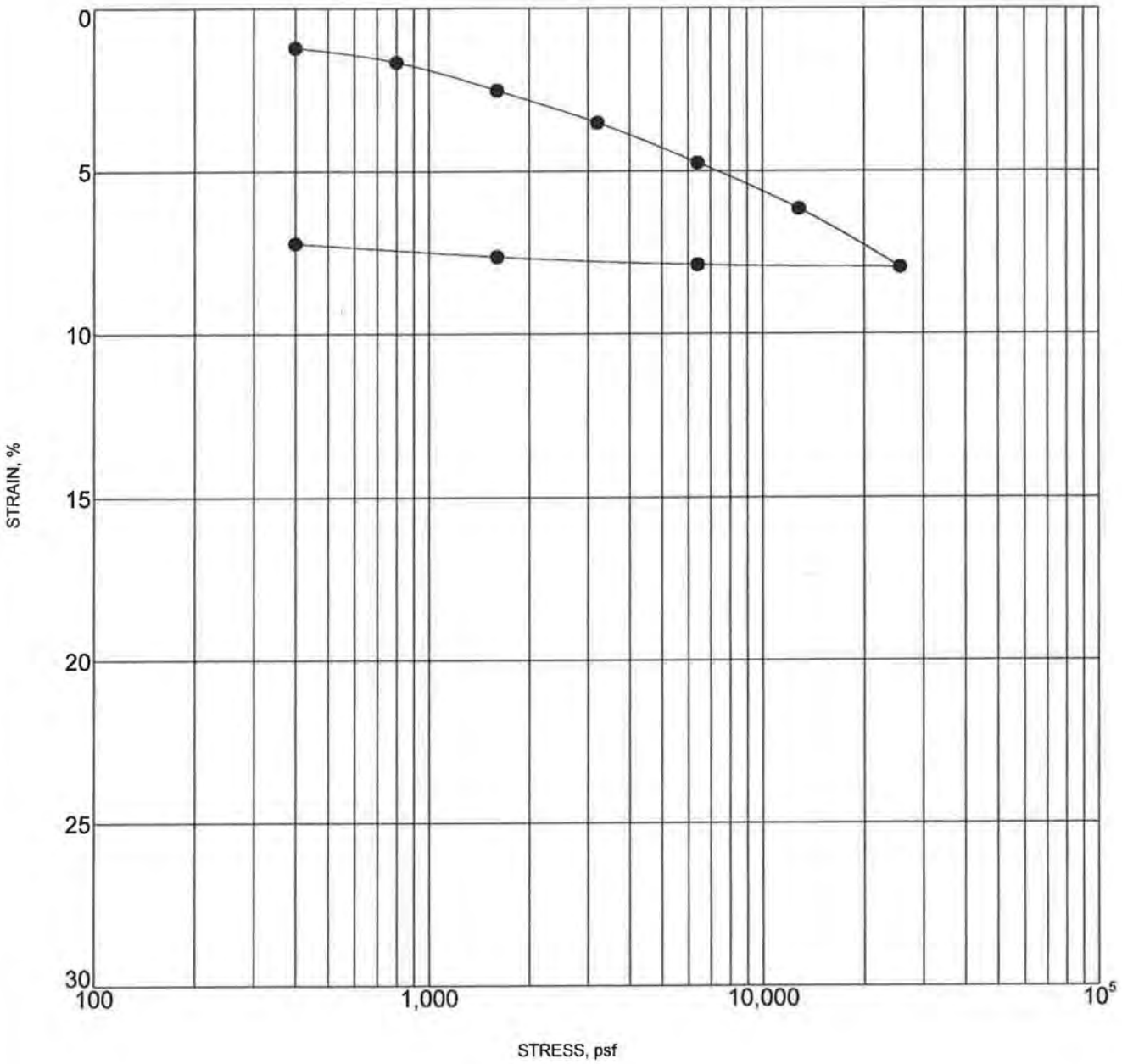
Sample Location		Classification	DD,pcf	MC,%
B-3	5.0	SANDY SILT (ML)	96	10.4

PROJECT: CROW ONTARIO PROJECT NO.: 2857.I

GPI

DIRECT SHEAR TEST RESULTS

FIGURE B-1



Sample inundated at 400 psf

	Sample Location		Classification	DD,pcf	MC,%
●	B-2	15.0	SILT (ML)	98	7.5

PROJECT: CROW ONTARIO PROJECT NO.: 2857.I

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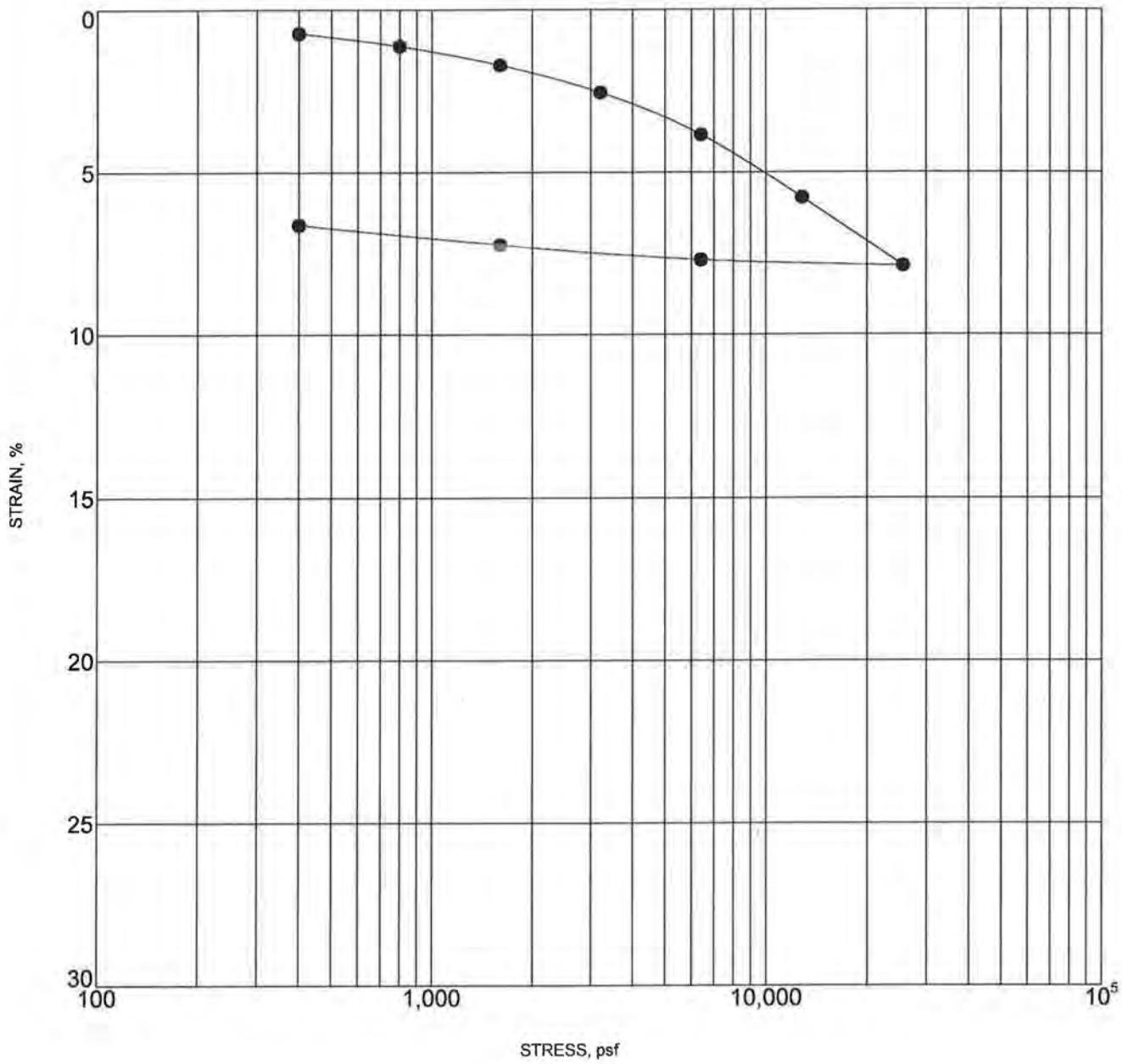
CONSOLIDATION TEST RESULTS

FIGURE B-2



Sample inundated at 1600 psf

	Sample Location		Classification	DD,pcf	MC,%
●	B-4	9.0	SILT (ML)	104	16.7

PROJECT: CROW ONTARIO PROJECT NO.: 2857.I

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CONSOLIDATION TEST RESULTS

FIGURE B-3

Table 1 - Laboratory Tests on Soil Samples

Geotechnical Professionals, Inc.
Crow Ontario
Your #2857.I, HDR Lab #18-0033LAB
23-Jan-18

Sample ID			B-4 @ 0-5'
Resistivity		**Units**	
as-received		ohm-cm	48,000
saturated		ohm-cm	1,960
pH			6.9
Electrical Conductivity		mS/cm	0.24
Chemical Analyses			
Cations			
calcium	Ca^{2+}	mg/kg	89
magnesium	Mg^{2+}	mg/kg	32
sodium	Na^{1+}	mg/kg	15
potassium	K^{1+}	mg/kg	132
Anions			
carbonate	CO_3^{2-}	mg/kg	ND
bicarbonate	HCO_3^{1-}	mg/kg	125
fluoride	F^{1-}	mg/kg	ND
chloride	Cl^{1-}	mg/kg	19
sulfate	SO_4^{2-}	mg/kg	54
phosphate	PO_4^{3-}	mg/kg	104
Other Tests			
ammonium	NH_4^{1+}	mg/kg	21
nitrate	NO_3^{1-}	mg/kg	392
sulfide	S^{2-}	qual	na
Redox		mV	na

Resistivity per ASTM G187, Cations per ASTM D6919, Anions per ASTM D4327, and Alkalinity per APHA 2320-B.
Electrical conductivity in millisiemens/cm and chemical analyses were made on a 1:5 soil-to-water extract.
mg/kg = milligrams per kilogram (parts per million) of dry soil.
Redox = oxidation-reduction potential in millivolts
ND = not detected
na = not analyzed

431 West Baseline Road · Claremont, CA 91711
Phone: 909.962.5485 · Fax: 909.626.3316

Reference-2

NOAA Atlas 14

NOAA Atlas 14, Volume 6, Version 2
Location name: Ontario, California, USA*
Latitude: 34.0186°, Longitude: -117.5583°
Elevation: 798.87 ft**
* source: ESRI Maps
** source: USGS

POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Sarah Dietz, Sarah Heim, Lillian Hiner, Kazungu Maitaria, Deborah Martin, Sandra Pavlovic, Ishani Roy, Carl Trypaluk, Dale Unruh, Fenglin Yan, Michael Yekta, Tan Zhao, Geoffrey Bonnin, Daniel Brewer, Li-Chuan Chen, Tye Parzybok, John Yarchoan

NOAA, National Weather Service, Silver Spring, Maryland

PF_tabular | PF_graphical | Maps_&_aerials

PF tabular

PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches)[1]

Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	**0.103** (0.086-0.125)	**0.136** (0.113-0.165)	**0.178** (0.148-0.216)	**0.210** (0.173-0.258)	**0.253** (0.202-0.321)	**0.285** (0.222-0.370)	**0.317** (0.240-0.422)	**0.348** (0.257-0.477)	**0.390** (0.275-0.558)	**0.421** (0.287-0.625)
10-min	**0.148** (0.123-0.179)	**0.195** (0.163-0.236)	**0.255** (0.212-0.309)	**0.302** (0.248-0.370)	**0.363** (0.289-0.461)	**0.409** (0.318-0.530)	**0.454** (0.345-0.604)	**0.499** (0.368-0.684)	**0.559** (0.395-0.800)	**0.604** (0.411-0.896)
15-min	**0.179** (0.149-0.216)	**0.236** (0.197-0.286)	**0.308** (0.256-0.374)	**0.365** (0.301-0.447)	**0.439** (0.349-0.557)	**0.494** (0.385-0.641)	**0.549** (0.417-0.731)	**0.604** (0.445-0.827)	**0.676** (0.477-0.967)	**0.730** (0.498-1.08)
30-min	**0.274** (0.229-0.332)	**0.361** (0.301-0.438)	**0.472** (0.392-0.573)	**0.559** (0.460-0.685)	**0.673** (0.535-0.854)	**0.757** (0.590-0.983)	**0.841** (0.638-1.12)	**0.925** (0.682-1.27)	**1.04** (0.731-1.48)	**1.12** (0.762-1.66)
60-min	**0.410** (0.342-0.496)	**0.541** (0.451-0.655)	**0.706** (0.586-0.857)	**0.836** (0.689-1.02)	**1.01** (0.801-1.28)	**1.13** (0.882-1.47)	**1.26** (0.955-1.67)	**1.38** (1.02-1.90)	**1.55** (1.09-2.22)	**1.67** (1.14-2.48)
2-hr	**0.600** (0.501-0.726)	**0.789** (0.658-0.957)	**1.02** (0.851-1.25)	**1.21** (0.994-1.48)	**1.44** (1.15-1.83)	**1.61** (1.26-2.09)	**1.78** (1.35-2.37)	**1.95** (1.44-2.67)	**2.16** (1.53-3.10)	**2.32** (1.58-3.45)
3-hr	**0.750** (0.626-0.908)	**0.986** (0.821-1.19)	**1.28** (1.06-1.55)	**1.50** (1.24-1.84)	**1.79** (1.42-2.27)	**2.00** (1.56-2.59)	**2.20** (1.67-2.93)	**2.40** (1.77-3.29)	**2.66** (1.88-3.80)	**2.85** (1.94-4.22)
6-hr	**1.05** (0.878-1.27)	**1.38** (1.15-1.68)	**1.79** (1.49-2.17)	**2.10** (1.73-2.57)	**2.50** (1.99-3.17)	**2.79** (2.17-3.61)	**3.06** (2.33-4.08)	**3.34** (2.46-4.57)	**3.68** (2.60-5.27)	**3.94** (2.68-5.84)
12-hr	**1.37** (1.14-1.66)	**1.81** (1.51-2.19)	**2.34** (1.95-2.85)	**2.76** (2.27-3.38)	**3.28** (2.61-4.17)	**3.66** (2.85-4.75)	**4.03** (3.06-5.37)	**4.39** (3.24-6.02)	**4.85** (3.43-6.94)	**5.19** (3.54-7.70)
24-hr	**1.81** (1.61-2.09)	**2.41** (2.13-2.78)	**3.15** (2.77-3.64)	**3.72** (3.25-4.34)	**4.46** (3.77-5.37)	**4.99** (4.14-6.14)	**5.51** (4.47-6.95)	**6.03** (4.75-7.81)	**6.69** (5.06-9.02)	**7.18** (5.25-10.0)
2-day	**2.18** (1.93-2.52)	**2.95** (2.60-3.40)	**3.91** (3.44-4.52)	**4.66** (4.08-5.44)	**5.65** (4.78-6.81)	**6.38** (5.29-7.85)	**7.10** (5.75-8.95)	**7.83** (6.17-10.1)	**8.77** (6.63-11.8)	**9.47** (6.93-13.2)
3-day	**2.35** (2.08-2.71)	**3.22** (2.85-3.72)	**4.33** (3.81-5.01)	**5.20** (4.55-6.07)	**6.37** (5.39-7.67)	**7.23** (6.00-8.90)	**8.10** (6.56-10.2)	**8.96** (7.06-11.6)	**10.1** (7.65-13.6)	**11.0** (8.03-15.3)
4-day	**2.56** (2.26-2.95)	**3.53** (3.12-4.08)	**4.79** (4.22-5.54)	**5.79** (5.06-6.75)	**7.12** (6.03-8.58)	**8.13** (6.74-9.99)	**9.13** (7.39-11.5)	**10.1** (7.99-13.1)	**11.5** (8.69-15.5)	**12.5** (9.16-17.5)
7-day	**3.00** (2.66-3.46)	**4.17** (3.69-4.81)	**5.69** (5.02-6.59)	**6.93** (6.06-8.09)	**8.60** (7.28-10.4)	**9.89** (8.20-12.2)	**11.2** (9.06-14.1)	**12.5** (9.86-16.2)	**14.3** (10.8-19.3)	**15.7** (11.5-21.9)
10-day	**3.24** (2.87-3.73)	**4.51** (3.99-5.21)	**6.20** (5.46-7.17)	**7.58** (6.63-8.84)	**9.47** (8.02-11.4)	**10.9** (9.07-13.4)	**12.4** (10.1-15.7)	**14.0** (11.0-18.1)	**16.1** (12.2-21.7)	**17.7** (13.0-24.8)
20-day	**3.83** (3.39-4.41)	**5.38** (4.76-6.21)	**7.48** (6.60-8.66)	**9.24** (8.08-10.8)	**11.7** (9.91-14.1)	**13.7** (11.3-16.8)	**15.7** (12.7-19.8)	**17.8** (14.1-23.1)	**20.8** (15.8-28.1)	**23.2** (17.0-32.4)
30-day	**4.51** (3.99-5.20)	**6.36** (5.62-7.34)	**8.90** (7.85-10.3)	**11.0** (9.66-12.9)	**14.1** (11.9-17.0)	**16.5** (13.7-20.3)	**19.1** (15.5-24.1)	**21.8** (17.2-28.3)	**25.7** (19.4-34.7)	**28.8** (21.1-40.2)
45-day	**5.37** (4.75-6.19)	**7.58** (6.70-8.75)	**10.6** (9.37-12.3)	**13.2** (11.6-15.4)	**17.0** (14.4-20.4)	**20.0** (16.6-24.6)	**23.2** (18.8-29.2)	**26.6** (21.0-34.5)	**31.5** (23.8-42.5)	**35.5** (26.0-49.6)
60-day	**6.22** (5.51-7.18)	**8.74** (7.73-10.1)	**12.2** (10.8-14.2)	**15.2** (13.3-17.8)	**19.6** (16.6-23.6)	**23.1** (19.1-28.4)	**26.8** (21.7-33.8)	**30.9** (24.3-40.0)	**36.7** (27.7-49.5)	**41.4** (30.3-57.8)

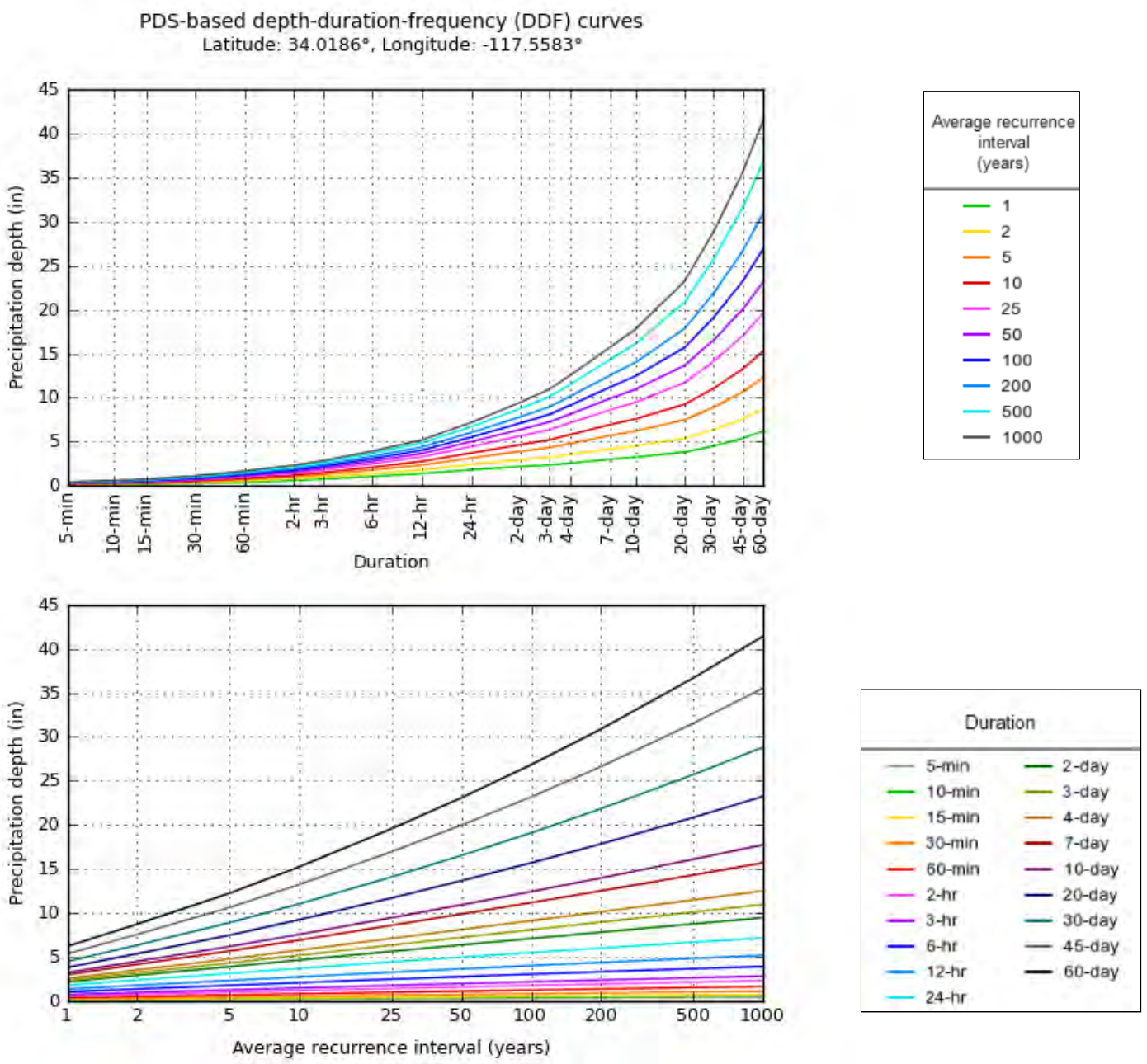
[1] Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS).

Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values.

Please refer to NOAA Atlas 14 document for more information.

Back to Top

PF graphical



NOAA Atlas 14, Volume 6, Version 2

Created (GMT): Mon Jun 18 23:07:47 2018

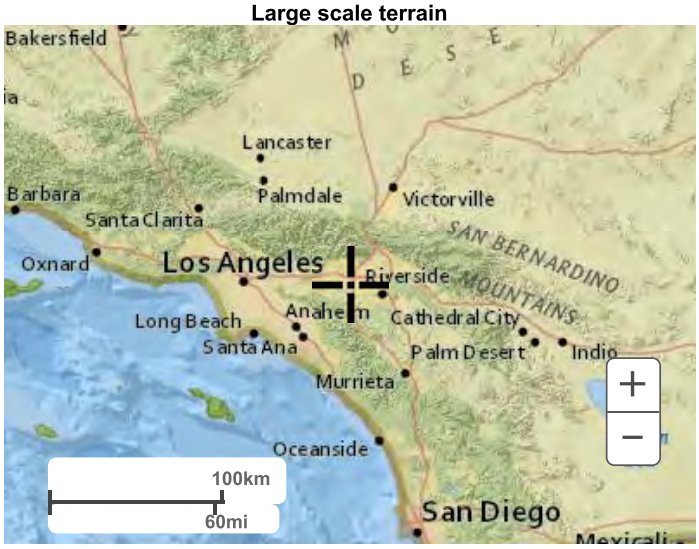
Back to Top

Maps & aerials

Small scale terrain



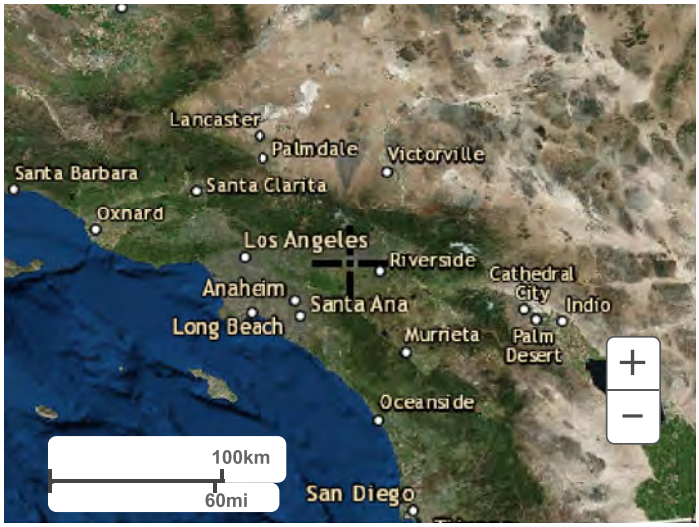
Large scale terrain



Large scale map



Large scale aerial



Back to Top

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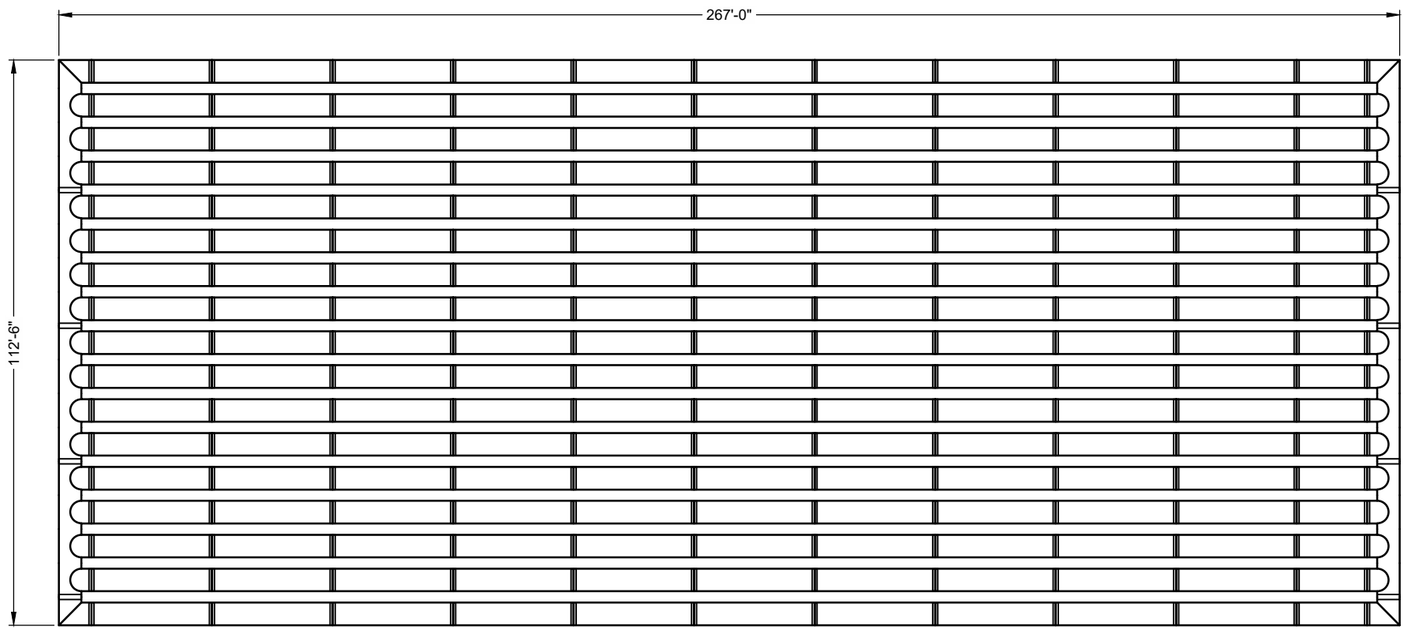
National Oceanic and Atmospheric Administration
National Weather Service
National Water Center
1325 East West Highway
Silver Spring, MD 20910
Questions?: HDSC.Questions@noaa.gov

Disclaimer

Reference-3

Proposed BMPs
Provided Treatment Volume Calculations



ASSEMBLY
SCALE: 1" = 30'

PROJECT SUMMARY

CALCULATION DETAILS
- LENGTH PER BARREL = 258 FT
- LENGTH PER HEADER = 112.50 FT
- LOADING = H20 & H25
- APPROX. CMP FOOTAGE = 4,611 FT

STORAGE SUMMARY
- STORAGE VOLUME REQUIRED 112,270 CF
- PIPE STORAGE = 73,334 CF
- STRUCTURAL BACKFILL STORAGE = 39,013 CF
- TOTAL STORAGE PROVIDED = 112,348 CF

PIPE DETAILS
- DIAMETER = 54 IN
- CORRUGATION = 5" X 1" OR 3" X 1"
- GAGE = 16
- COATING = ALUMINIZED STEEL TYPE 2 (ALT2)
- WALL TYPE = PERFORATED
- BARREL SPACING = 27 IN

BACKFILL DETAILS
- WIDTH AT ENDS = 12 IN
- ABOVE PIPE = 6 IN
- WIDTH AT SIDES = 12 IN
- BELOW PIPE = 12 IN

NOTE:
THESE DRAWINGS ARE FOR CONCEPTUAL PURPOSES AND DO NOT REFLECT ANY LOCAL PREFERENCES OR REGULATIONS. PLEASE CONTACT YOUR LOCAL CONTECH REP FOR MODIFICATIONS.

NOTES
- ALL RISER AND STUB DIMENSIONS ARE TO CENTERLINE. ALL ELEVATIONS, DIMENSIONS, AND LOCATIONS OF RISERS AND INLETS, SHALL BE VERIFIED BY THE ENGINEER OF RECORD PRIOR TO RELEASING FOR FABRICATION.
- ALL FITTINGS AND REINFORCEMENT COMPLY WITH ASTM A998.
- ALL RISERS AND STUBS ARE 2 ⅔" x ½" CORRUGATION AND 16 GAGE UNLESS OTHERWISE NOTED.
- RISERS TO BE FIELD TRIMMED TO GRADE.
- QUANTITY OF PIPE SHOWN DOES NOT PROVIDE EXTRA PIPE FOR CONNECTING THE SYSTEM TO EXISTING PIPE OR DRAINAGE STRUCTURES. OUR SYSTEM AS DETAILED PROVIDES NOMINAL INLET AND/OR OUTLET PIPE STUB FOR CONNECTION TO EXISTING DRAINAGE FACILITIES. IF ADDITIONAL PIPE IS NEEDED IT IS THE RESPONSIBILITY OF THE CONTRACTOR.
- BAND TYPE TO BE DETERMINED UPON FINAL DESIGN.
- THE PROJECT SUMMARY IS REFLECTIVE OF THE DYODS DESIGN, QUANTITIES ARE APPROX. AND SHOULD BE VERIFIED UPON FINAL DESIGN AND APPROVAL. FOR EXAMPLE, TOTAL EXCAVATION DOES NOT CONSIDER ALL VARIABLES SUCH AS SHORING AND ONLY ACCOUNTS FOR MATERIAL WITHIN THE ESTIMATED EXCAVATION FOOTPRINT.

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CONTECH CMP DETENTION SYSTEMS
CONTECH **DYODS** DRAWING

DYODS - 10821-2-0
PROJECT NAME: 2018-150
Chino, CA
DESCRIPTION: 2018-150 CMP DESIGN

PROJECT No.:	SEQ. No.:	DATE:
10821-2	0	1/8/2020
DESIGNED: DYODS	DRAWN: DYODS	
CHECKED:	APPROVED:	
SHEET NO.: D1		

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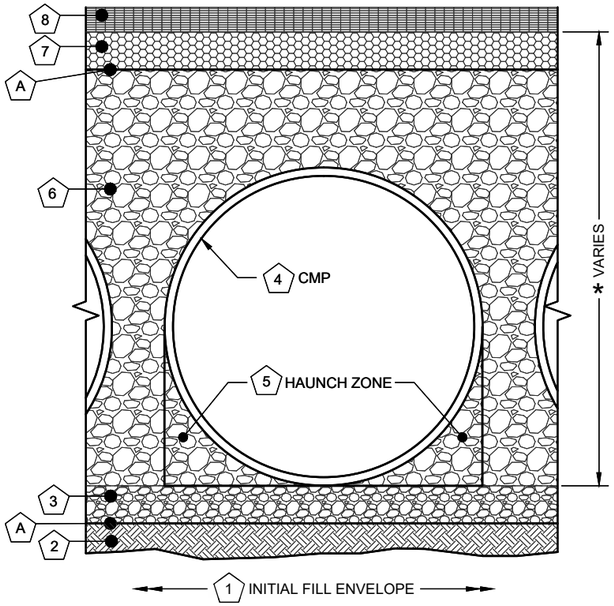

Infiltration Systems - CMP Infiltration & CMP Perforated Drainage Pipe			
Material Location	Description	Material Designation	Designation
8 Rigid or Flexible Pavement (if applicable)			
7 Road Base (if applicable			
A Geotextile Layer	Non-Woven Geotextile	CONTECH C-40 or C-45	Engineer Decision for consideration to prevent soil migration into varying soil types. Wrap the trench only.
6 Backfill	Infiltration pipe systems have a pipe perforation sized of 3/8" diameter. An open graded, free draining stone, with a particle size of ¼" – 2 ½" diameter is recommended.	AASHTO M 145-A-1 or AASHTO M 43 - 3, 4	Material shall be worked into the pipe haunches by means of shovel-slicing, rodding, air-tamper, vibratory rod, or other effective methods. Compaction of all placed fill material is necessary and shall be considered adequate when no further yielding of the material is observed under the compactor, or under foot, and the Project Engineer or his representative is satisfied with the level of compaction"
3 Bedding Stone	Well graded granular bedding material w/maximum particle size of 3"	AASHTO M43 - 3,357,4,467, 5, 56, 57	For soil aggregates larger than 3/8" a dedicated bedding layer is not required for CMP. Pipe may be placed on the trench bottom comprised of native suitable well graded & granular material. For Arch pipes it is recommended to be shaped to a relatively flat bottom or fine-grade the foundation to a slight v-shape. Soil aggregates less than 3/8" and unsuitable material should be over-excavated and re-placed with a 4"-6" layer of well graded & granular stone per the material designation.
A Geotextile Layer	None	None	Contech does not recommend geotextiles be placed under the invert of Infiltration systems due to the propensity for geotextiles to clog over time.
* Note: The listed AASHTO designations are for gradation only. The stone must also be angular and clean.			

1 MINIMUM WIDTH DEPENDS ON SITE CONDITIONS AND ENGINEERING JUDGEMENT.

FOUNDATION/BEDDING PREPARATION

2 PRIOR TO PLACING THE BEDDING, THE FOUNDATION MUST BE CONSTRUCTED TO A UNIFORM AND STABLE GRADE. IN THE EVENT THAT UNSUITABLE FOUNDATION MATERIALS ARE ENCOUNTERED DURING EXCAVATION, THEY SHALL BE REMOVED AND BROUGHT BACK TO THE GRADE WITH A FILL MATERIAL AS APPROVED BY THE ENGINEER.

5 HAUNCH ZONE MATERIAL SHALL BE PLACED AND UNIFORMLY COMPACTED WITHOUT SOFT SPOTS.

BACKFILL
MATERIAL SHALL BE PLACED IN 8"-10" MAXIMUM LIFTS. INADEQUATE COMPACTION CAN LEAD TO EXCESSIVE DEFLECTIONS WITHIN THE SYSTEM AND SETTLEMENT OF THE SOILS OVER THE SYSTEM. BACKFILL SHALL BE PLACED SUCH THAT THERE IS NO MORE THAN A TWO-LIFT DIFFERENTIAL BETWEEN THE SIDES OF ANY PIPE IN THE SYSTEM AT ALL TIMES DURING THE BACKFILL PROCESS. BACKFILL SHALL BE ADVANCED ALONG THE LENGTH OF THE SYSTEM AT THE SAME RATE TO AVOID DIFFERENTIAL LOADING ON ANY PIPES IN THE SYSTEM.

EQUIPMENT USED TO PLACE AND COMPACT THE BACKFILL SHALL BE OF A SIZE AND TYPE SO AS NOT TO DISTORT, DAMAGE, OR DISPLACE THE PIPE. ATTENTION MUST BE GIVEN TO PROVIDING ADEQUATE MINIMUM COVER FOR SUCH EQUIPMENT. MAINTAIN BALANCED LOADING ON ALL PIPES IN THE SYSTEM DURING ALL SUCH OPERATIONS.

OTHER ALTERNATE BACKFILL MATERIAL MAY BE ALLOWED DEPENDING ON SITE SPECIFIC CONDITIONS. REFER TO TYPICAL BACKFILL DETAIL FOR MATERIAL REQUIRED.

BACKFILL DETAIL
SCALE: N.T.S.

NOTE:
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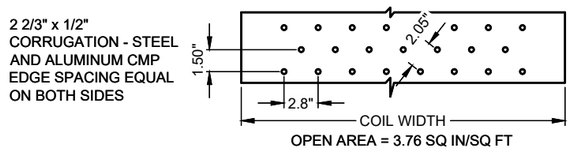
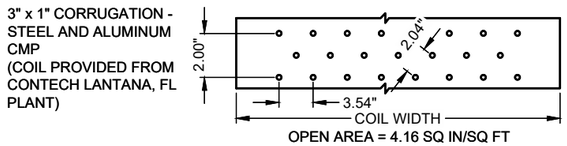
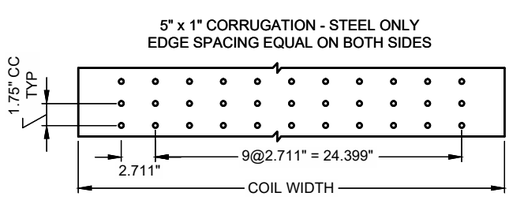


OPEN AREA = 3.76 SQ IN/SQ FT



OPEN AREA = 4.16 SQ IN/SQ FT

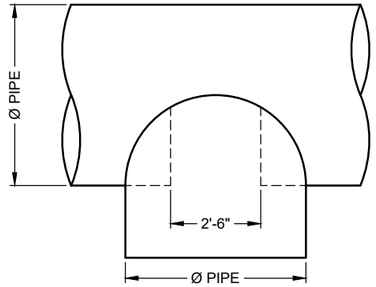


OPEN AREA = 3.33 SQ IN/SQ FT

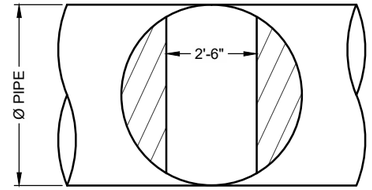
NOTES:

1. PERFORATIONS MEET AASHTO AND ASTM SPECIFICATIONS.
2. PERFORATION OPEN AREA PER SQUARE FOOT OF PIPE IS BASED ON THE NOMINAL DIAMETER AND LENGTH OF PIPE.
3. ALL DIMENSIONS ARE SUBJECT TO MANUFACTURING TOLERANCES.
4. ALL HOLES Ø3/8".

TYPICAL PERFORATION DETAIL
SCALE: N.T.S.



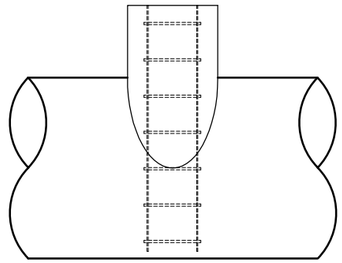
PLAN



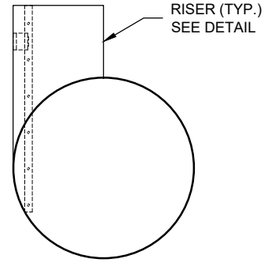
FRONT

NOTE:
MANWAY DETAIL APPLICABLE FOR CMP SYSTEMS WITH DIAMETERS 48" AND LARGER. MANWAYS MAY BE REQUIRED ON SMALLER SYSTEMS DEPENDING ON ACTUAL SITE SPECIFIC CONDITIONS.

TYPICAL MANWAY DETAIL
SCALE: N.T.S.



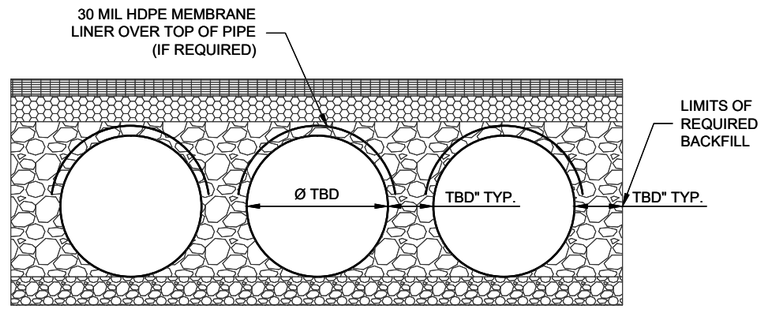
ELEVATION



END

NOTE:
LADDERS ARE OPTIONAL AND ARE NOT REQUIRED FOR ALL SYSTEMS.

TYPICAL RISER DETAIL
SCALE: N.T.S.



TYPICAL SECTION VIEW
LINER OVER ROWS
SCALE: N.T.S.

NOTE: IF SALTING AGENTS FOR SNOW AND ICE REMOVAL ARE USED ON OR NEAR THE PROJECT, AN HDPE MEMBRANE LINER IS RECOMMENDED WITH THE SYSTEM. THE IMPERMEABLE LINER IS INTENDED TO HELP PROTECT THE SYSTEM FROM THE POTENTIAL ADVERSE EFFECTS THAT MAY RESULT FROM A CHANGE IN THE SURROUNDING ENVIRONMENT OVER A PERIOD OF TIME. PLEASE REFER TO THE CORRUGATED METAL PIPE DETENTION DESIGN GUIDE FOR ADDITIONAL INFORMATION.

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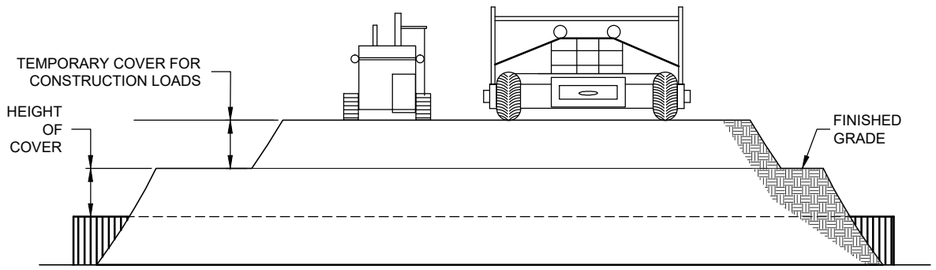
CONTECH CMP DETENTION SYSTEMS
CONTECH DYODS DRAWING

DYODS - 10821-2-0
PROJECT NAME: 2018-150
Chino, CA
DESCRIPTION: 2018-150 CMP DESIGN

PROJECT No.:	SEQ. No.:	DATE:
10821-2	0	1/8/2020
DESIGNED: DYODS	DRAWN: DYODS	
CHECKED:	APPROVED:	
SHEET NO.: D2		



CONSTRUCTION LOADS

FOR TEMPORARY CONSTRUCTION VEHICLE LOADS, AN EXTRA AMOUNT OF COMPACTED COVER MAY BE REQUIRED OVER THE TOP OF THE PIPE. THE HEIGHT-OF-COVER SHALL MEET THE MINIMUM REQUIREMENTS SHOWN IN THE TABLE BELOW. THE USE OF HEAVY CONSTRUCTION EQUIPMENT NECESSITATES GREATER PROTECTION FOR THE PIPE THAN FINISHED GRADE COVER MINIMUMS FOR NORMAL HIGHWAY TRAFFIC.

PIPE SPAN, INCHES	AXLE LOADS (kips)			
	18-50	50-75	75-110	110-150
	MINIMUM COVER (FT)			
12-42	2.0	2.5	3.0	3.0
48-72	3.0	3.0	3.5	4.0
78-120	3.0	3.5	4.0	4.0
126-144	3.5	4.0	4.5	4.5

*MINIMUM COVER MAY VARY, DEPENDING ON LOCAL CONDITIONS. THE CONTRACTOR MUST PROVIDE THE ADDITIONAL COVER REQUIRED TO AVOID DAMAGE TO THE PIPE. MINIMUM COVER IS MEASURED FROM THE TOP OF THE PIPE TO THE TOP OF THE MAINTAINED CONSTRUCTION ROADWAY SURFACE.

CONSTRUCTION LOADING DIAGRAM

SCALE: N.T.S.

SPECIFICATION FOR DESIGNED DETENTION SYSTEM:

SCOPE
THIS SPECIFICATION COVERS THE MANUFACTURE AND INSTALLATION OF THE DESIGNED DETENTION SYSTEM DETAILED IN THE PROJECT PLANS.

MATERIAL
THE MATERIAL SHALL CONFORM TO THE APPLICABLE REQUIREMENTS LISTED BELOW:

ALUMINIZED TYPE 2 STEEL COILS SHALL CONFORM TO THE APPLICABLE REQUIREMENTS OF AASHTO M-274 OR ASTM A-92.

THE GALVANIZED STEEL COILS SHALL CONFORM TO THE APPLICABLE REQUIREMENTS OF AASHTO M-218 OR ASTM A-929.

THE POLYMER COATED STEEL COILS SHALL CONFORM TO THE APPLICABLE REQUIREMENTS OF AASHTO M-246 OR ASTM A-742.

THE ALUMINUM COILS SHALL CONFORM TO THE APPLICABLE REQUIREMENTS OF AASHTO M-197 OR ASTM B-744.

CONSTRUCTION LOADS
CONSTRUCTION LOADS MAY BE HIGHER THAN FINAL LOADS. FOLLOW THE MANUFACTURER'S OR NCSPA GUIDELINES.

NOTE:
THESE DRAWINGS ARE FOR CONCEPTUAL PURPOSES AND DO NOT REFLECT ANY LOCAL PREFERENCES OR REGULATIONS. PLEASE CONTACT YOUR LOCAL CONTECH REP FOR MODIFICATIONS.

PIPE
THE PIPE SHALL BE MANUFACTURED IN ACCORDANCE TO THE APPLICABLE REQUIREMENTS LISTED BELOW:

ALUMINIZED TYPE 2: AASHTO M-36 OR ASTM A-760

GALVANIZED: AASHTO M-36 OR ASTM A-760

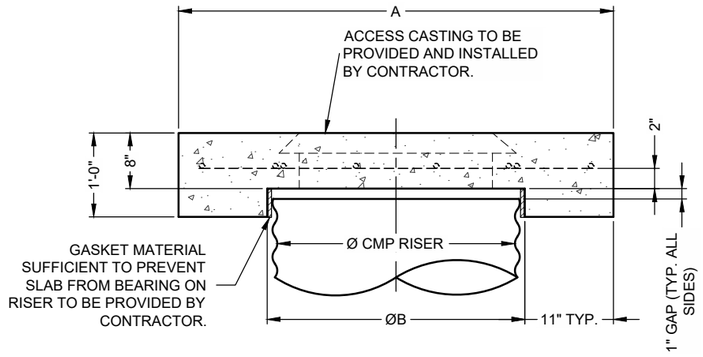
POLYMER COATED: AASHTO M-245 OR ASTM A-762

ALUMINUM: AASHTO M-196 OR ASTM B-745

HANDLING AND ASSEMBLY
SHALL BE IN ACCORDANCE WITH NCSP'S (NATIONAL CORRUGATED STEEL PIPE ASSOCIATION) FOR ALUMINIZED TYPE 2, GALVANIZED OR POLYMER COATED STEEL. SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS FOR ALUMINUM PIPE.

INSTALLATION
SHALL BE IN ACCORDANCE WITH AASHTO STANDARD SPECIFICATIONS FOR HIGHWAY BRIDGES, SECTION 26, DIVISION II DIVISION II OR ASTM A-798 (FOR ALUMINIZED TYPE 2, GALVANIZED OR POLYMER COATED STEEL) OR ASTM B-788 (FOR ALUMINUM PIPE) AND IN CONFORMANCE WITH THE PROJECT PLANS AND SPECIFICATIONS. IF THERE ARE ANY INCONSISTENCIES OR CONFLICTS THE CONTRACTOR SHOULD DISCUSS AND RESOLVE WITH THE SITE ENGINEER.

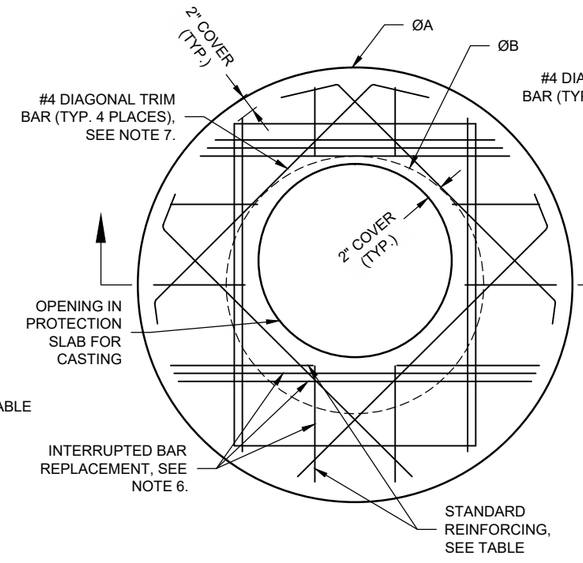
IT IS ALWAYS THE RESPONSIBILITY OF THE CONTRACTOR TO FOLLOW OSHA GUIDELINES FOR SAFE PRACTICES.



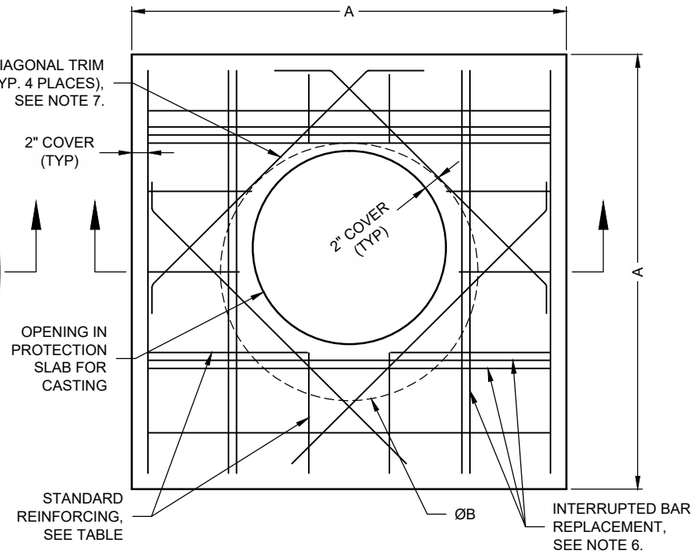
SECTION VIEW

REINFORCING TABLE				
Ø CMP RISER	A	Ø B	REINFORCING	**BEARING PRESSURE (PSF)
24"	Ø 4' 4'X4'	26"	#5 @ 12" OCEW #5 @ 12" OCEW	2,410 1,780
30"	Ø 4'-6" 4'-6" X 4'-6"	32"	#5 @ 12" OCEW #5 @ 12" OCEW	2,120 1,530
36"	Ø 5' 5' X 5'	38"	#5 @ 10" OCEW #5 @ 10" OCEW	1,890 1,350
42"	Ø 5'-6" 5'-6" X 5'-6"	44"	#5 @ 10" OCEW #5 @ 9" OCEW	1,720 1,210
48"	Ø 6' 6' X 6'	50"	#5 @ 9" OCEW #5 @ 8" OCEW	1,600 1,100

** ASSUMED SOIL BEARING CAPACITY



ROUND OPTION PLAN VIEW



SQUARE OPTION PLAN VIEW

NOTES:

1. DESIGN IN ACCORDANCE WITH AASHTO, 17th EDITION.
2. DESIGN LOAD HS25.
3. EARTH COVER = 1' MAX.
4. CONCRETE STRENGTH = 3,500 psi
5. REINFORCING STEEL = ASTM A615, GRADE 60.
6. PROVIDE ADDITIONAL REINFORCING AROUND OPENINGS EQUAL TO THE BARS INTERRUPTED, HALF EACH SIDE. ADDITIONAL BARS TO BE IN THE SAME PLANE.
7. TRIM OPENING WITH DIAGONAL #4 BARS, EXTEND BARS A MINIMUM OF 12" BEYOND OPENING, BEND BARS AS REQUIRED TO MAINTAIN BAR COVER.
8. PROTECTION SLAB AND ALL MATERIALS TO BE PROVIDED AND INSTALLED BY CONTRACTOR.
9. DETAIL DESIGN BY DELTA ENGINEERING, BINGHAMTON, NY.

MANHOLE CAP DETAIL

SCALE: N.T.S.

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CONTECH CMP DETENTION SYSTEMS
CONTECH DYODS DRAWING

DYODS - 10821-2-0
PROJECT NAME: 2018-150
Chino, CA
DESCRIPTION: 2018-150 CMP DESIGN

PROJECT No.:	SEQ. No.:	DATE:
10821-2	0	1/8/2020
DESIGNED: DYODS	DRAWN: DYODS	
CHECKED:	APPROVED:	
SHEET NO.: D3		

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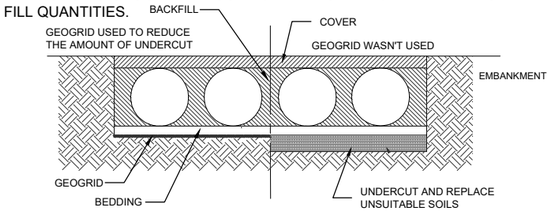
CMP DETENTION INSTALLATION GUIDE

PROPER INSTALLATION OF A FLEXIBLE UNDERGROUND DETENTION SYSTEM WILL ENSURE LONG-TERM PERFORMANCE. THE CONFIGURATION OF THESE SYSTEMS OFTEN REQUIRES SPECIAL CONSTRUCTION PRACTICES THAT DIFFER FROM CONVENTIONAL FLEXIBLE PIPE CONSTRUCTION. CONTECH ENGINEERED SOLUTIONS STRONGLY SUGGESTS SCHEDULING A PRE-CONSTRUCTION MEETING WITH YOUR LOCAL SALES ENGINEER TO DETERMINE IF ADDITIONAL MEASURES, NOT COVERED IN THIS GUIDE, ARE APPROPRIATE FOR YOUR SITE.

FOUNDATION

CONSTRUCT A FOUNDATION THAT CAN SUPPORT THE DESIGN LOADING APPLIED BY THE PIPE AND ADJACENT BACKFILL WEIGHT AS WELL AS MAINTAIN ITS INTEGRITY DURING CONSTRUCTION.

IF SOFT OR UNSUITABLE SOILS ARE ENCOUNTERED, REMOVE THE POOR SOILS DOWN TO A SUITABLE DEPTH AND THEN BUILD UP TO THE APPROPRIATE ELEVATION WITH A COMPETENT BACKFILL MATERIAL. THE STRUCTURAL FILL MATERIAL GRADATION SHOULD NOT ALLOW THE MIGRATION OF FINES, WHICH CAN CAUSE SETTLEMENT OF THE DETENTION SYSTEM OR PAVEMENT ABOVE. IF THE STRUCTURAL FILL MATERIAL IS NOT COMPATIBLE WITH THE UNDERLYING SOILS AN ENGINEERING FABRIC SHOULD BE USED AS A SEPARATOR. IN SOME CASES, USING A STIFF REINFORCING GEOGRID REDUCES OVER EXCAVATION AND REPLACEMENT FILL QUANTITIES.

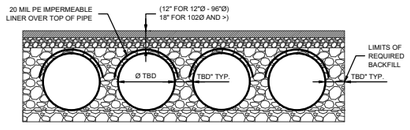


GRADE THE FOUNDATION SUBGRADE TO A UNIFORM OR SLIGHTLY SLOPING GRADE. IF THE SUBGRADE IS CLAY OR RELATIVELY NON-POROUS AND THE CONSTRUCTION SEQUENCE WILL LAST FOR AN EXTENDED PERIOD OF TIME, IT IS BEST TO SLOPE THE GRADE TO ONE END OF THE SYSTEM. THIS WILL ALLOW EXCESS WATER TO DRAIN QUICKLY, PREVENTING SATURATION OF THE SUBGRADE.

GEOMEMBRANE BARRIER

A SITE'S RESISTIVITY MAY CHANGE OVER TIME WHEN VARIOUS TYPES OF SALTING AGENTS ARE USED, SUCH AS ROAD SALTS FOR DEICING AGENTS. IF SALTING AGENTS ARE USED ON OR NEAR THE PROJECT SITE, A GEOMEMBRANE BARRIER IS RECOMMENDED WITH THE SYSTEM. THE GEOMEMBRANE LINER IS INTENDED TO HELP PROTECT THE SYSTEM FROM THE POTENTIAL ADVERSE EFFECTS THAT MAY RESULT FROM THE USE OF SUCH AGENTS INCLUDING PREMATURE CORROSION AND REDUCED ACTUAL SERVICE LIFE.

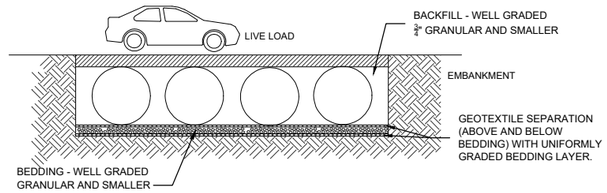
THE PROJECT'S ENGINEER OF RECORD IS TO EVALUATE WHETHER SALTING AGENTS WILL BE USED ON OR NEAR THE PROJECT SITE, AND USE HIS/HER BEST JUDGEMENT TO DETERMINE IF ANY ADDITIONAL PROTECTIVE MEASURES ARE REQUIRED. BELOW IS A TYPICAL DETAIL SHOWING THE PLACEMENT OF A GEOMEMBRANE BARRIER FOR PROJECTS WHERE SALTING AGENTS ARE USED ON OR NEAR THE PROJECT SITE.



IN-SITU TRENCH WALL

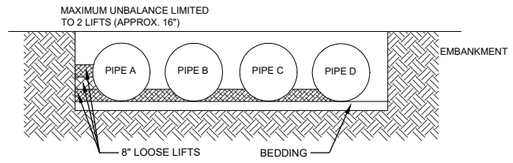
IF EXCAVATION IS REQUIRED, THE TRENCH WALL NEEDS TO BE CAPABLE OF SUPPORTING THE LOAD THAT THE PIPE SHEDS AS THE SYSTEM IS LOADED. IF SOILS ARE NOT CAPABLE OF SUPPORTING THESE LOADS, THE PIPE CAN DEFLECT. PERFORM A SIMPLE SOIL PRESSURE CHECK USING THE APPLIED LOADS TO DETERMINE THE LIMITS OF EXCAVATION BEYOND THE SPRING LINE OF THE OUTER MOST PIPES.

IN MOST CASES THE REQUIREMENTS FOR A SAFE WORK ENVIRONMENT AND PROPER BACKFILL PLACEMENT AND COMPACTION TAKE CARE OF THIS CONCERN.



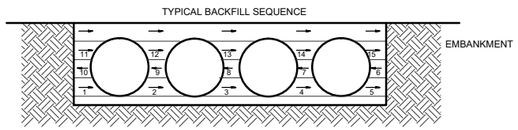
BACKFILL PLACEMENT

MATERIAL SHALL BE WORKED INTO THE PIPE HAUNCHES BY MEANS OF SHOVEL-SLICING, RODDING, AIR TAMPER, VIBRATORY ROD, OR OTHER EFFECTIVE METHODS.

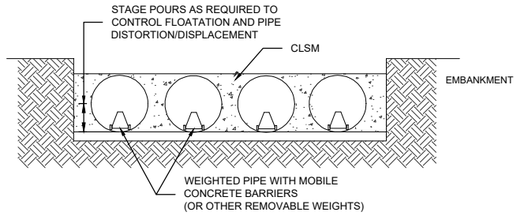


IF AASHTO T99 PROCEDURES ARE DETERMINED INFEASIBLE BY THE GEOTECHNICAL ENGINEER OF RECORD, COMPACTION IS CONSIDERED ADEQUATE WHEN NO FURTHER YIELDING OF THE MATERIAL IS OBSERVED UNDER THE COMPACTOR, OR UNDER FOOT, AND THE GEOTECHNICAL ENGINEER OF RECORD (OR REPRESENTATIVE THEREOF) IS SATISFIED WITH THE LEVEL OF COMPACTION.

FOR LARGE SYSTEMS, CONVEYOR SYSTEMS, BACKHOES WITH LONG REACHES OR DRAGLINES WITH STONE BUCKETS MAY BE USED TO PLACE BACKFILL. ONCE MINIMUM COVER FOR CONSTRUCTION LOADING ACROSS THE ENTIRE WIDTH OF THE SYSTEM IS REACHED, ADVANCE THE EQUIPMENT TO THE END OF THE RECENTLY PLACED FILL, AND BEGIN THE SEQUENCE AGAIN UNTIL THE SYSTEM IS COMPLETELY BACKFILLED. THIS TYPE OF CONSTRUCTION SEQUENCE PROVIDES ROOM FOR STOCKPILED BACKFILL DIRECTLY BEHIND THE BACKHOE, AS WELL AS THE MOVEMENT OF CONSTRUCTION TRAFFIC. MATERIAL STOCKPILES ON TOP OF THE BACKFILLED DETENTION SYSTEM SHOULD BE LIMITED TO 8- TO 10-FEET HIGH AND MUST PROVIDE BALANCED LOADING ACROSS ALL BARRELS. TO DETERMINE THE PROPER COVER OVER THE PIPES TO ALLOW THE MOVEMENT OF CONSTRUCTION EQUIPMENT SEE TABLE 1, OR CONTACT YOUR LOCAL CONTECH SALES ENGINEER.



WHEN FLOWABLE FILL IS USED, YOU MUST PREVENT PIPE FLOATATION. TYPICALLY, SMALL LIFTS ARE PLACED BETWEEN THE PIPES AND THEN ALLOWED TO SET-UP PRIOR TO THE PLACEMENT OF THE NEXT LIFT. THE ALLOWABLE THICKNESS OF THE CLSM LIFT IS A FUNCTION OF A PROPER BALANCE BETWEEN THE UPLIFT FORCE OF THE CLSM, THE OPPOSING WEIGHT OF THE PIPE, AND THE EFFECT OF OTHER RESTRAINING MEASURES. THE PIPE CAN CARRY LIMITED FLUID PRESSURE WITHOUT PIPE DISTORTION OR DISPLACEMENT, WHICH ALSO AFFECTS THE CLSM LIFT THICKNESS. YOUR LOCAL CONTECH SALES ENGINEER CAN HELP DETERMINE THE PROPER LIFT THICKNESS.

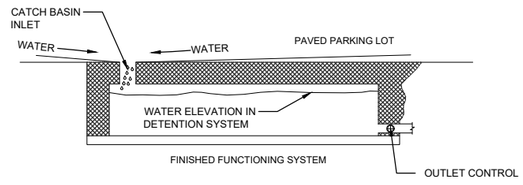


CONSTRUCTION LOADING

TYPICALLY, THE MINIMUM COVER SPECIFIED FOR A PROJECT ASSUMES H-20 LIVE LOAD. BECAUSE CONSTRUCTION LOADS OFTEN EXCEED DESIGN LIVE LOADS, INCREASED TEMPORARY MINIMUM COVER REQUIREMENTS ARE NECESSARY. SINCE CONSTRUCTION EQUIPMENT VARIES FROM JOB TO JOB, IT IS BEST TO ADDRESS EQUIPMENT SPECIFIC MINIMUM COVER REQUIREMENTS WITH YOUR LOCAL CONTECH SALES ENGINEER DURING YOUR PRE-CONSTRUCTION MEETING.

ADDITIONAL CONSIDERATIONS

BECAUSE MOST SYSTEMS ARE CONSTRUCTED BELOW-GRADE, RAINFALL CAN RAPIDLY FILL THE EXCAVATION; POTENTIALLY CAUSING FLOATATION AND MOVEMENT OF THE PREVIOUSLY PLACED PIPES. TO HELP MITIGATE POTENTIAL PROBLEMS, IT IS BEST TO START THE INSTALLATION AT THE DOWNSTREAM END WITH THE OUTLET ALREADY CONSTRUCTED TO ALLOW A ROUTE FOR THE WATER TO ESCAPE. TEMPORARY DIVERSION MEASURES MAY BE REQUIRED FOR HIGH FLOWS DUE TO THE RESTRICTED NATURE OF THE OUTLET PIPE.



CMP DETENTION SYSTEM INSPECTION AND MAINTENANCE

UNDERGROUND STORMWATER DETENTION AND INFILTRATION SYSTEMS MUST BE INSPECTED AND MAINTAINED AT REGULAR INTERVALS FOR PURPOSES OF PERFORMANCE AND LONGEVITY.

INSPECTION

INSPECTION IS THE KEY TO EFFECTIVE MAINTENANCE OF CMP DETENTION SYSTEMS AND IS EASILY PERFORMED. CONTECH RECOMMENDS ONGOING, QUARTERLY INSPECTIONS. THE RATE AT WHICH THE SYSTEM COLLECTS POLLUTANTS WILL DEPEND MORE ON SITE SPECIFIC ACTIVITIES RATHER THAN THE SIZE OR CONFIGURATION OF THE SYSTEM.

INSPECTIONS SHOULD BE PERFORMED MORE OFTEN IN EQUIPMENT WASHDOWN AREAS, IN CLIMATES WHERE SANDING AND/OR SALTING OPERATIONS TAKE PLACE, AND IN OTHER VARIOUS INSTANCES IN WHICH ONE WOULD EXPECT HIGHER ACCUMULATIONS OF SEDIMENT OR ABRASIVE/ CORROSIVE CONDITIONS. A RECORD OF EACH INSPECTION IS TO BE MAINTAINED FOR THE LIFE OF THE SYSTEM

MAINTENANCE

CMP DETENTION SYSTEMS SHOULD BE CLEANED WHEN AN INSPECTION REVEALS ACCUMULATED SEDIMENT OR TRASH IS CLOGGING THE DISCHARGE ORIFICE.

ACCUMULATED SEDIMENT AND TRASH CAN TYPICALLY BE EVACUATED THROUGH THE MANHOLE OVER THE OUTLET ORIFICE. IF MAINTENANCE IS NOT PERFORMED AS RECOMMENDED, SEDIMENT AND TRASH MAY ACCUMULATE IN FRONT OF THE OUTLET ORIFICE. MANHOLE COVERS SHOULD BE SECURELY SEATED FOLLOWING CLEANING ACTIVITIES. CONTECH SUGGESTS THAT ALL SYSTEMS BE DESIGNED WITH AN ACCESS/INSPECTION MANHOLE SITUATED AT OR NEAR THE INLET AND THE OUTLET ORIFICE. SHOULD IT BE NECESSARY TO GET INSIDE THE SYSTEM TO PERFORM MAINTENANCE ACTIVITIES, ALL APPROPRIATE PRECAUTIONS REGARDING CONFINED SPACE ENTRY AND OSHA REGULATIONS SHOULD BE FOLLOWED.

ANNUAL INSPECTIONS ARE BEST PRACTICE FOR ALL UNDERGROUND SYSTEMS. DURING THIS INSPECTION, IF EVIDENCE OF SALTING/DE-ICING AGENTS IS OBSERVED WITHIN THE SYSTEM, IT IS BEST PRACTICE FOR THE SYSTEM TO BE RINSED, INCLUDING ABOVE THE SPRING LINE SOON AFTER THE SPRING THAW AS PART OF THE MAINTENANCE PROGRAM FOR THE SYSTEM.

MAINTAINING AN UNDERGROUND DETENTION OR INFILTRATION SYSTEM IS EASIEST WHEN THERE IS NO FLOW ENTERING THE SYSTEM. FOR THIS REASON, IT IS A GOOD IDEA TO SCHEDULE THE CLEANOUT DURING DRY WEATHER.

THE FOREGOING INSPECTION AND MAINTENANCE EFFORTS HELP ENSURE UNDERGROUND PIPE SYSTEMS USED FOR STORMWATER STORAGE CONTINUE TO FUNCTION AS INTENDED BY IDENTIFYING RECOMMENDED REGULAR INSPECTION AND MAINTENANCE PRACTICES. INSPECTION AND MAINTENANCE RELATED TO THE STRUCTURAL INTEGRITY OF THE PIPE OR THE SOUNDNESS OF PIPE JOINT CONNECTIONS IS BEYOND THE SCOPE OF THIS GUIDE.

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800-338-1122 513-645-7000 513-645-7993 FAX

CONTECH CMP DETENTION SYSTEMS
CONTECH **DYODS** DRAWING

DYODS - 10821-2-0
PROJECT NAME: 2018-150
Chino, CA
DESCRIPTION: 2018-150 CMP DESIGN

PROJECT No.:	SEQ. No.:	DATE:
10821-2	0	1/8/2020
DESIGNED: DYODS	DRAWN: DYODS	
CHECKED:	APPROVED:	
SHEET NO.: D4		

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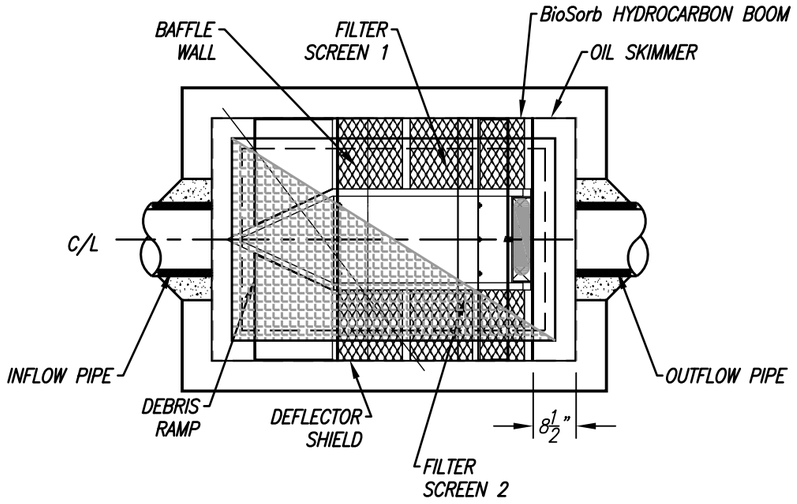
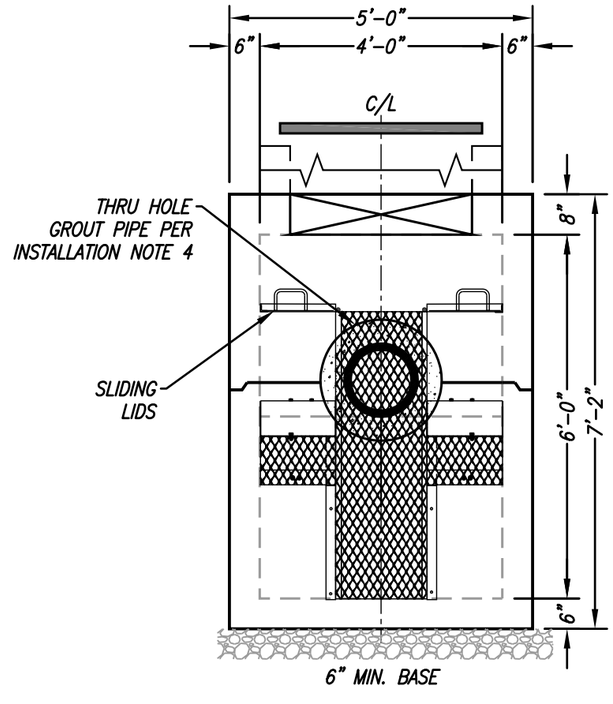
SITE SPECIFIC DATA			
PROJECT NUMBER			
PROJECT NAME			
PROJECT LOCATION			
STRUCTURE ID	UNIT 1		
TREATMENT REQUIRED			
WATER QUALITY FLOW RATE (CFS)			
PEAK FLOW RATE (CFS)			
PEAK STORM DURATION (YEARS)			
PIPE & ELEVATION DATA			
PIPE DATA	I.E.	MATERIAL	DIAMETER
INLET PIPE	1548.21	HDPE	12"
OUTLET PIPE	1548.21	HDEP	12"
RIM ELEVATION	1563.67		
LOADING & SOIL DATA			
SURFACE LOADING	PEDESTRIAN		
FRAME & COVER	3' X 5' HATCH		
CORROSIVE SOIL CONDITIONS	N/K		
GROUNDWATER ELEVATION	N/K		
NOTES: PRELIMINARY, NOT FOR CONSTRUCTION.			

DSBB PERFORMANCE DATA	
TREATMENT FLOW RATE (CFS)	
SETTLING AREA (SF)	24.0
LOADING RATE (GPM/SF)	####
SCREEN SYSTEM STORAGE CAPACITY (CF)	12.26
SEDIMENT STORAGE CAPACITY (CF)	71.52
80% TSS REMOVAL @ --- MICRON	

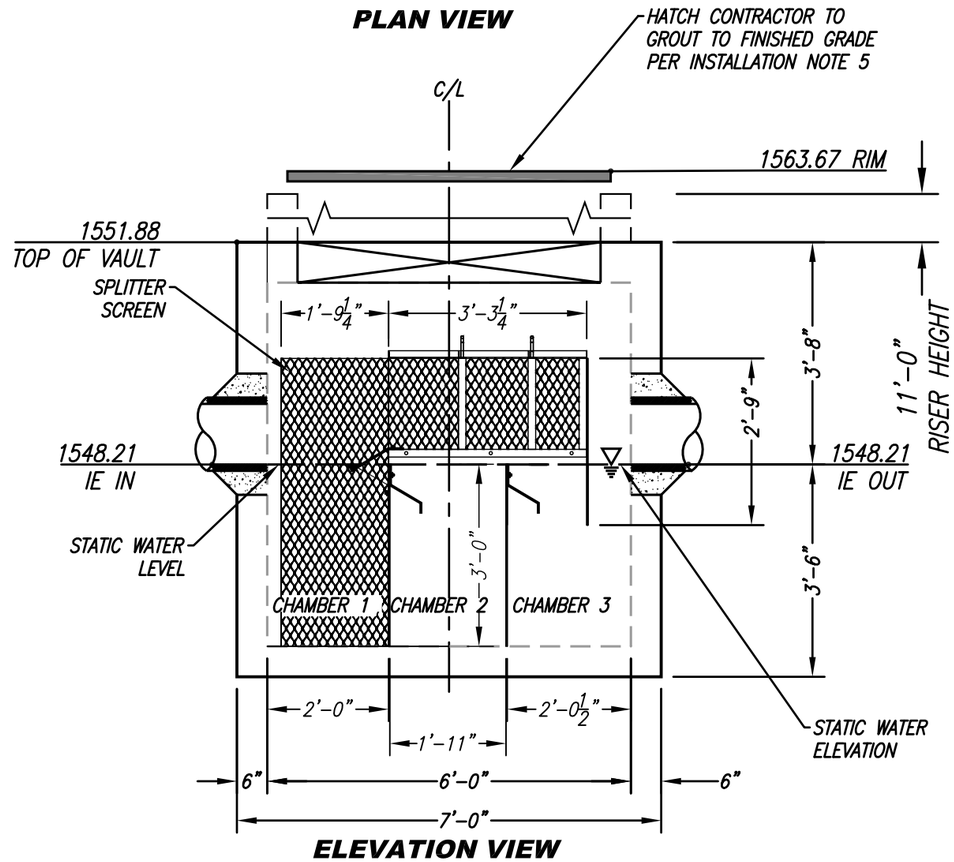
DSBB STORAGE CAPACITIES				
CAGE SCREEN CAPACITY				
	LENGTH (FT)	WIDTH (FT)	HEIGHT (FT)	TOTAL (CF)
SCREEN 1	3.27	1.25	1.50	6.13
SCREEN 2	3.27	1.25	1.50	6.13
SEDIMENT CHAMBER CAPACITY				
CHAMBER 1	2.00	4.00	3.00	24.00
CHAMBER 2	1.92	4.00	3.00	23.04
CHAMBER 3	2.04	4.00	3.00	24.48



PLAN VIEW



END VIEW



ELEVATION VIEW

GENERAL NOTES

1. BIO CLEAN TO PROVIDE ALL MATERIALS UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS, ELEVATIONS, SPECIFICATIONS, AND CAPACITIES ARE SUBJECT TO CHANGE. FOR PROJECT SPECIFIC DRAWINGS DETAILING EXACT DIMENSIONS, WEIGHTS, AND ACCESSORIES PLEASE CONTACT BIO CLEAN.
3. LIDS FOR SCREEN SYSTEM & ALTERNATIVE HATCHES AVAILABLE UPON REQUEST.

INSTALLATION NOTES

1. CONTRACTOR TO PROVIDE ALL LABOR, EQUIPMENT, MATERIALS, AND INCIDENTALS REQUIRED TO OFFLOAD AND INSTALL THE DSBB UNIT AND APPURTENANCES IN ACCORDANCE WITH THIS DRAWING AND THE MANUFACTURER'S SPECIFICATIONS, UNLESS OTHERWISE STATED IN MANUFACTURER'S CONTRACT.
2. MANUFACTURER RECOMMENDS A 6"–12" LEVEL ROCK BASE UNLESS SPECIFIED BY THE PROJECT ENGINEER. CONTRACTOR IS RESPONSIBLE TO VERIFY PROJECT ENGINEERS RECOMMENDED BASE SPECIFICATIONS.
3. ALL PIPES MUST BE FLUSH WITH INSIDE SURFACE OF CONCRETE. (PIPES CANNOT INTRUDE BEYOND FLUSH).
4. ALL GAPS AROUND PIPES SHALL BE SEALED WATER TIGHT WITH A NON–SHRINK GROUT PER MANUFACTURERS STANDARD CONNECTION DETAIL AND SHALL MEET OR EXCEED REGIONAL PIPE CONNECTION STANDARDS.
5. CONTRACTOR RESPONSIBLE FOR INSTALLATION OF ALL RISERS, MANHOLES, AND HATCHES. ALL COVERS SHALL BE SHIPPED LOOSE. CONTRACTOR TO GROUT ALL MANHOLES AND HATCHES TO MATCH FINISHED SURFACE UNLESS SPECIFIED OTHERWISE.

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Bio Clean
A Forterra Company

DSBB-4-6-72
DUAL STAGE HYDRODYNAMIC SEPARATOR STANDARD DETAIL

4.3.2 Site Design BMP

Section E.12.e. of the Small Phase II MS4 Permit emphasizes the use of LID preventative measures; and the use of Site Design Measures reduces the portion of the DCV that must be addressed in downstream BMPs. Therefore, all applicable Site Design Measures shall be provided except where they are mutually exclusive with each other, or with other BMPs. Mutual exclusivity may result from overlapping BMP footprints such that either would be potentially feasible by itself, but both could not be implemented. Please note that while there are no numeric standards regarding the use of Site Design BMPs. If a project cannot feasibly meet BMP sizing requirements or cannot fully address hydromodification, feasibility of all applicable Site Design BMPs must be part of demonstrating that the BMP system has been designed to retain the maximum feasible portion of the DCV. Refer to Section 5.4 in the TGD for more detailed guidance.

Form 4.3-2 Site Design BMPs (DA 1)

1 Implementation of Impervious Area Dispersion BMP (i.e. routing runoff from impervious to pervious areas), excluding impervious areas planned for routing to on-lot infiltration BMP: Yes ☐ No ☒ *If yes, complete Items 2-5; If no, proceed to Item 6*	DA DMA BMP Type	DA DMA BMP Type	DA DMA BMP Type *(Use additional forms for more BMPs)*
2 Total impervious area draining to pervious area (ft^2)			
3 Ratio of pervious area receiving runoff to impervious area			
4 Retention volume achieved from impervious area dispersion (ft^3) *V = Item2 * Item 3 * (0.5/12), assuming retention of 0.5 inches of runoff*			
5 Sum of retention volume achieved from impervious area dispersion (ft^3):	$V_{retention}$ *=Sum of Item 4 for all BMPs*		
6 Implementation of Localized On-lot Infiltration BMPs (e.g. on-lot rain gardens): Yes ☒ No ☐ *If yes, complete Items 7-13 for aggregate of all on-lot infiltration BMP in each DA; If no, proceed to Item 14*	DA 1 DMA G BMP Type Rain Garden	DA DMA BMP Type	DA DMA BMP Type *(Use additional forms for more BMPs)*
7 Ponding surface area (ft^2)	8,929		
8 Ponding depth (ft) (min. 0.5 ft.)	0.6		
9 Surface area of amended soil/gravel (ft^2)	8,929		
10 Average depth of amended soil/gravel (ft) (min. 1 ft.)	2		
11 Average porosity of amended soil/gravel	0.35		
12 Retention volume achieved from on-lot infiltration (ft^3) $V_{retention}$ *= (Item 7 *Item 8) + (Item 9 * Item 10 * Item 11)*	11,608		
13 Runoff volume retention from on-lot infiltration (ft^3): 11,608	$V_{retention}$ *=Sum of Item 12 for all BMPs*		

Form 4.3-3 Infiltration LID BMP - including underground BMPs (DA 1)

1 Remaining LID DCV not met by site design BMP (ft^3): 156,331 *V_{unmet} = Form 4.2-1 Item 7 - Form 4.3-2 Item19*

BMP Type *Use columns to the right to compute runoff volume retention from proposed infiltration BMP (select BMP from Table 5-4 in TGD for WQMP) - Use additional forms for more BMPs*	DA 1 DMA A, B, C, D, E, F, G, H BMP Type Infiltration/ Detention Basin	DA1 DMA A, B, C, D, E, F, G, H BMP Type Underground CMP	
2 Infiltration rate of underlying soils (in/hr) *See Section 5.4.2 and Appendix C of the TGD for WQMP for minimum requirements for assessment methods*	2.4	2.4	
3 Infiltration safety factor *See TGD Section 5.4.2 and Appendix D*	2	2	
4 Design percolation rate (in/hr) *P_{design} = Item 2 / Item 3*	1.2	1.2	
5 Ponded water drawdown time (hr) *Copy Item 6 in Form 4.2-1*	48	48	
6 Maximum ponding depth (ft) *BMP specific, see Table 5-4 of the TGD for WQMP for BMP design details*	5	N/A	
7 Ponding Depth (ft) *d_{BMP} = Minimum of (1/12*Item 4*Item 5) or Item 6*	5	N/A	
8 Infiltrating surface area, SA_{BMP} (ft^2) *the lesser of the area needed for infiltration of full DCV or minimum space requirements from Table 5.7 of the TGD for WQMP*	6,641	30,037.5	
9 Amended soil depth, d_{media} (ft) *Only included in certain BMP types, see Table 5-4 in the TGD for WQMP for reference to BMP design details*	4	N/A	
10 Amended soil porosity	0.35	N/A	
11 Gravel depth, d_{media} (ft) *Only included in certain BMP types, see Table 5-4 of the TGD for WQMP for BMP design details*	0	2	
12 Gravel porosity	0	0.35	
13 Duration of storm as basin is filling (hrs) *Typical ~ 3hrs*	3	3	
14 Above Ground Retention Volume (ft^3) *$V_{retention}$ = Item 8 * [Item7 + (Item 9 * Item 10) + (Item 11 * Item 12) + (Item 13 * (Item 4 / 12))]*	44,495	N/A	
15 Underground Retention Volume (ft^3) *Volume determined using manufacturer's specifications and calculations*	N/A	112,348	

16 Total Retention Volume from LID Infiltration BMPs: 156,843 *(Sum of Items 14 and 15 for all infiltration BMP included in plan)*

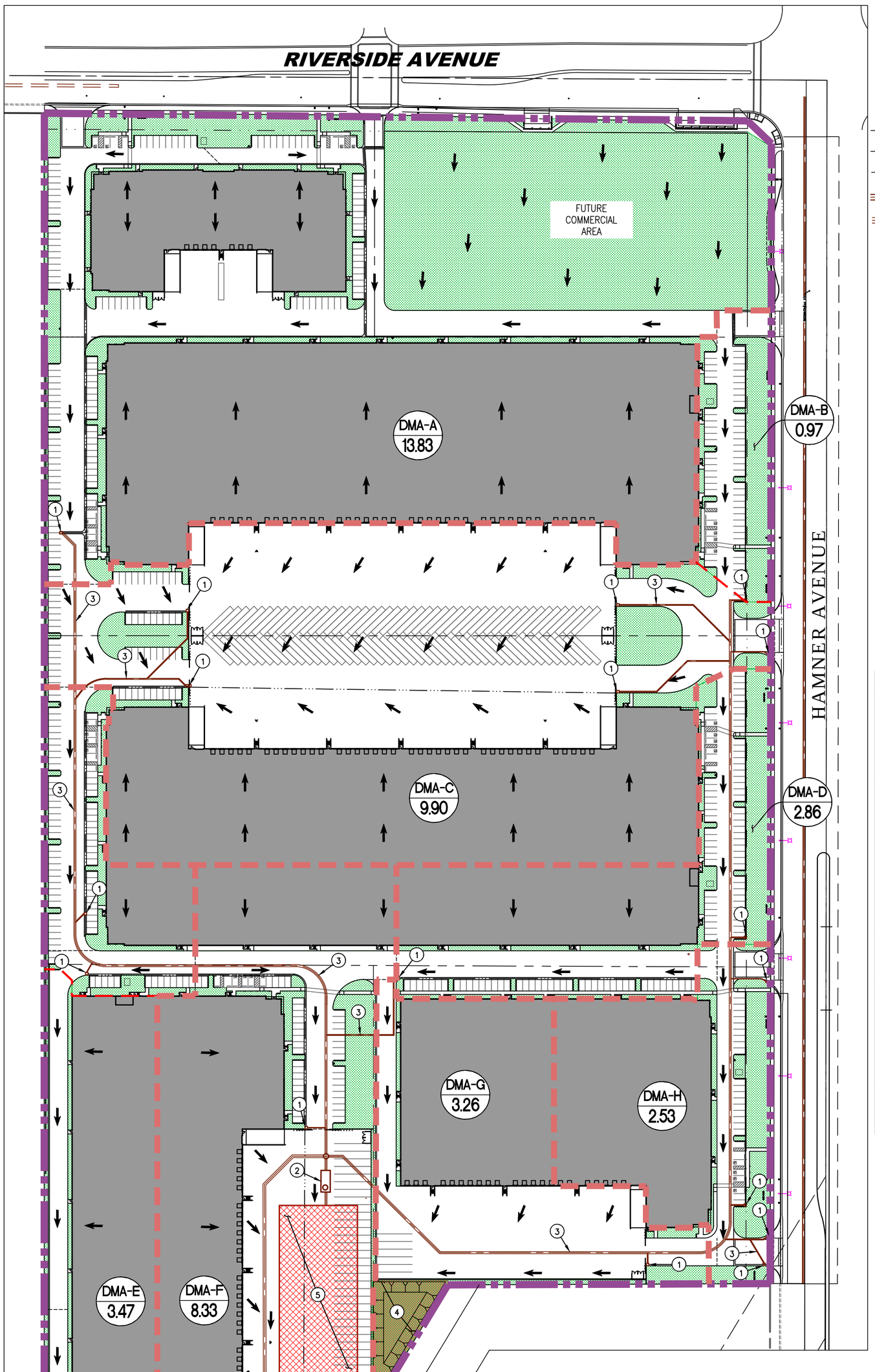
17 Fraction of DCV achieved with infiltration BMP: 100% *Retention% = Item 16 / Form 4.2-1 Item 7*

18 Is full LID DCV retained onsite with combination of hydrologic source control and LID retention/infiltration BMPs? Yes ☐ No ☒

If yes, demonstrate conformance using Form 4.3-10; If no, then reduce Item 3, Factor of Safety to 2.0 and increase Item 8, Infiltrating Surface Area, such that the portion of the site area used for retention and infiltration BMPs equals or exceeds the minimum effective area thresholds (Table 5-7 of the TGD for WQMP) for the applicable category of development and repeat all above calculations.

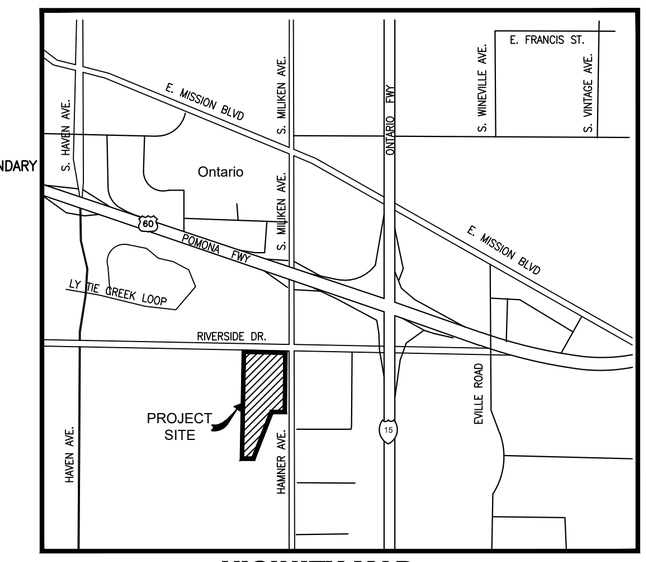
Reference-4

PWQMP EXHIBIT



LEGEND

- DRAINAGE AREA BOUNDARY
- SUB-DRAINAGE AREA BOUNDARY
- STREET RIGHT OF WAY
- PROPERTY LINE
- STREET CENTERLINE
- EXISTING STORM DRAIN
- PROPOSED STORM DRAIN
- PROPOSED CATCH BASIN
- FLOW DIRECTION ARROW
- LANDSACPED AREA
- RAIN GARDEN, DETENTION/INFILTRATION AREA AREA
- PROPOSED UNDERGROUND CMP INFILTRATION SYSTEM
- PROPOSED BUILDING
- DMA / 3.55 — SUB-DRAINAGE AREA NUMBER / AREA ACREAGE (AC)



VICINITY MAP
NTS

HYDROLOGY INFORMATION

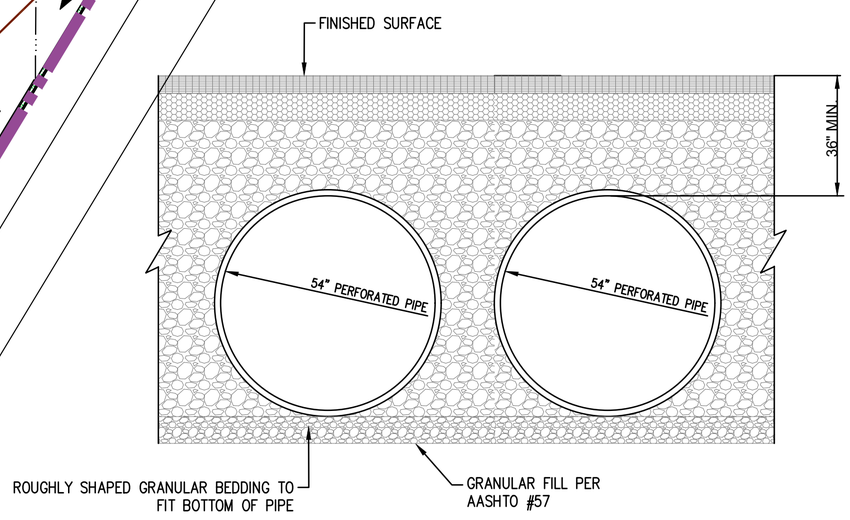
SITE AREA:	47.38 AC	
SOIL GROUP:	B	(PER SOIL MAP)
IMPERVIOUS:	86%	(PER CALCULATIONS)
RAINFALL RATE:	0.54"	(2-YEAR 1 HOUR)
FREQUENCY:	2 YEAR	(For STORMWATER TREATMENT)
METHOD:	SAN BERNARDINO COUNTY WQMP MANUAL	

BMPs Table:

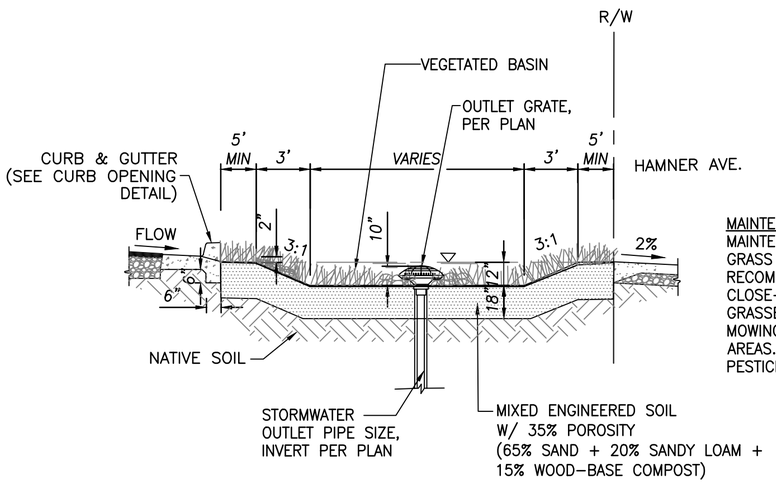
DA No.	BMP TYPE	TRIBUTARY AREA (AC)	IMPERVIOUS RATIO	PROVIDED VOLUME (CF)	REQUIRED DCV (CF)
DMA A	UNDERGROUND CMP, DETENTION/INFILTRATION BASIN	13.83	0.68	RAIN GARDEN– 11,608 FT^3 UNDERGROUND CMP– 112,348 FT^3 DETENTION/INFILTRATION BASIN– 44,495 FT^3	9,003
DMA B	UNDERGROUND CMP, DETENTION/INFILTRATION BASIN	0.97	0.60		13,077
DMA C	UNDERGROUND CMP, DETENTION/INFILTRATION BASIN	9.90	0.94		34,744
DMA D	UNDERGROUND CMP, DETENTION/INFILTRATION BASIN	2.86	0.85		15,359
DMA E	DETENTION/ INFILTRATION BASIN	3.47	0.93		10,801
DMA F	UNDERGROUND CMP, DETENTION/INFILTRATION BASIN	8.33	0.90		44,707
DMA G	RAIN GARDEN, DETENTION/INFILTRATION BASIN	3.26	0.88		2,254
DMA H	RAIN GARDEN, UNDERGROUND CMP, DETENTION/INFILTRATION BASIN	2.53	0.82		37,522

DRAINAGE NOTES:

1. PROPOSED CATCH BASIN WITH FILTER INSERT
2. PROPOSED LID DEVICE – HYDRODYNAMIC SEPERATOR
3. PROPOSED STORM DRAIN PIPE PRIVATE MAINTAINED
4. PROPOSED LID DEVICE – RAIN GARDEN
5. PROPOSED LID DEVICE – UNDERGROUND CMP (INFILTRATION)
6. PROPOSED LID DEVICE – DETENTION/INFILTRATION BASIN

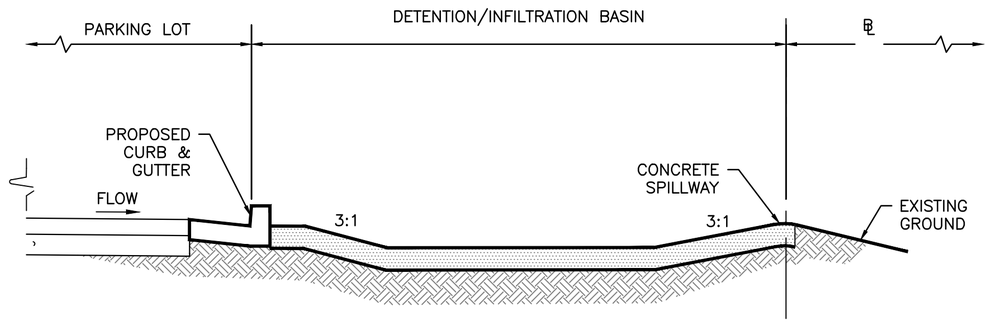


TYPICAL CMP UNDERGROUND INFILTRATION DETAIL
N.T.S

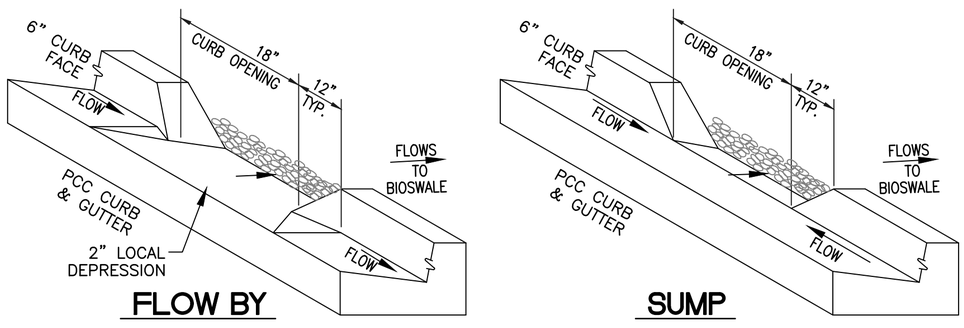


MAINTENANCE:
MAINTENANCE IS EXTREMELY IMPORTANT. GRASS HEIGHT OF 6 INCHES IS RECOMMENDED. SELECT FINE, CLOSE-GROWING, WATER-RESISTANT GRASSES. REMOVE LITTER PRIOR TO MOWING. REPAIR GARDEN DAMAGED AREAS. MINIMAL APPLICATIONS OF PESTICIDES AND FERTILIZERS.

RAIN GARDEN SECTION
N.T.S



DETENTION/INFILTRATION BASIN SECTION
N.T.S



CURB OPENING DETAIL
N.T.S

WestLAND Group, Inc. — Land Surveyors • Civil Engineers • GIS 4150 CONCOURS, ONTARIO, CA 91764 PHONE: (909) 989-9789 FAX: (909) 989-9660	PRELIMINARY WQMP EXHIBIT FOR CROW HOLDINGS INDUSTRIAL PROJECT IN THE CITY OF ONTARIO
PROJECT NO. 2018-150 SHEET 1 OF 1 SCALE: 1"=100'	

P:\YEAR_2018\2018-150 MILL CREEK AVE STORM DRAIN AND SEWER-ONTARIO CC LLC-CHI\05 ENGINEERING\REPORTS\PRELIMINARY WQMP\EXHIBIT\2018-150_PRELIMINARY WQMP.DWG (01-08-20 7:45:52PM) Plotted by: Sean.Oliver

LINSCOTT LAW & GREENSPAN
engineers

Engineers & Planners
Traffic
Transportation
Parking

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Irvine
San Diego
Woodland Hills

June 15, 2020

Mr. Jared J. Riemer
Ontario CC, LLC
527 W. 7th Street, Suite 398
Los Angeles, CA 90014
jriemer@chindustrial.com

LLG Reference: 2.18.4009.1

Subject: **Edenglen Business Park Project Alternative Trip Generation Assessment**
Ontario, California

Dear Mr. Riemer:

As requested, Linscott, Law & Greenspan, Engineers (LLG) is pleased to submit this Alternative Trip Generation Assessment for the proposed Edenglen Business Park project (herein after referred to as Project) in the City of Ontario, California. It is our understanding that the warehousing component identified in the *Revised Focused Traffic Assessment for Edenglen Business Park Project dated April 21, 2020* prepared by LLG is likely to have a cold storage component. Therefore, this supplemental analysis evaluates the trip generation implications if 50% or 100% of the warehousing component were converted to high cube cold storage warehousing.

This letter summarizes the traffic generation forecast potential for the proposed Project Alternative and compares it to the trip budget of the Project as assessed in the April 2020 Study.

PROJECT DESCRIPTION

The Project site made up of several vacant parcels of land that are located south of Riverside Drive and north of Chino Avenue, between Milliken Avenue and a Southern California Edison easement within the Edenglen Specific Plan. ***Figure 1*** presents a vicinity map for the proposed Project, inclusive of the area allocated to business park uses and commercial retail uses. ***Figure 2*** is an existing aerial photograph of the Project site.

Philip M. Linscott, PE (1924-2000)
Jack M. Greenspan, PE (Ret.)
William A. Law, PE (Ret.)
Paul W. Wilkinson, PE (Ret.)
John P. Keating, PE
David S. Shender, PE
John A. Boarman, PE
Clare M. Look-Jaeger, PE
Richard E. Barretto, PE
Keil D. Maberry, PE

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LINSCOTT LAW & GREENSPAN engineers

Project Land Use Mix from the April 2020 Study

The Project as proposed in the April 2020 Study includes the development of up to 1,008,092 SF of floor area within six (6) buildings, identified as Buildings A through F, inclusive of 60,000 SF of mezzanine space. The northern half of the Project includes 621,643 SF of floor area on 29.45-acres of land, whereas the southern half includes 386,449 SF of floor area on 17.17 acres of land. Based on our understanding, the four (4) larger buildings (Buildings C through F) would likely be developed with warehousing/distribution uses, Building A would most likely be developed as general light industrial, and Building B will be developed with commercial retail uses, which is proposed to be located on the southwest corner of Riverside Drive and Hamner Avenue. It should be noted that overall design for Building B has yet to be determined, so a placeholder of 40,000 SF of commercial retail uses has been assumed. Below presents the tenant mix from the April 2020 Study. ***Figure 3*** presents the site plan for the proposed Project, including the area now allocation to commercial retail uses.

	April 2020 Study Building / Project Alternatives (PA) Square-Footage (SF)	
Land Use / Project Description	**PA No. 1**	**PA No. 2**
❑ 110: General Light Industrial	59,585 SF	59,585 SF
❑ 140: Manufacturing	--	386,449 SF
❑ 150: Warehousing	908,507 SF	522,058 SF
❑ 820: Shopping Center[1]	40,000 SF	40,000 SF
Total Square Feet (SF)	**1,008,092 SF**	**1,008,092 SF**

[1] Shopping Center assumes a mix of commercial retail uses, inclusive of restaurant/food uses.

LINSCOTT LAW & GREENSPAN engineers

Proposed Project Alternative

The Project is now proposing to modify the tenant mix identified above to convert 50% or 100% of the proposed warehousing component to high cube cold storage warehousing. Below presents the tenant mix for each of these options.

Land Use / Project Description	PA No. 1A 50% Cold Storage	PA No. 1B 100% Cold Storage	PA No. 2A 50% Cold Storage	PA No. 2B 100% Cold Storage
❑ 110: General Light Industrial	59,585 SF	59,585 SF	59,585 SF	59,585 SF
❑ 140: Manufacturing	--	--	386,449 SF	386,449 SF
❑ 150: Warehousing	454,254 SF	--	261,029 SF	--
❑ 157: High Cube Cold Storage Warehousing	454,253 SG	908,507 SF	261,029 SF	522,058 SF
❑ 820: Shopping Center[2]	40,000 SF	40,000 SF	40,000 SF	40,000 SF
Total Square Feet (SF)	**1,008,092 SF**	**1,008,092 SF**	**1,008,092 SF**	**1,008,092 SF**

TRAFFIC GENERATION FORECAST

Traffic generation is expressed in vehicle trip ends, defined as one-way vehicular movements, either entering or exiting the generating land use. For this analysis, generation equations and/or rates used in the traffic forecasting procedure for the proposed Project as well as the Entitled Land Uses have been estimated based on the most current version of the *Trip Generation Manual* and can be found in the 10th Edition of *Trip Generation,* published by the Institute of Transportation Engineers (ITE), [Washington, D.C., 2017].

Table 1 summarizes the trip generation rates/equations used in forecasting the vehicular trips generated by the proposed Project Alternatives and the Entitled Land Use Alternatives. As shown in *Table 1*, ITE Land Use 110: General Light Industrial, ITE Land Use 140: Manufacturing, ITE Land Use 150: Warehousing and ITE Land Use 157: High Cube Cold Storage Warehousing, while ITE Land Use 820: Shopping Center trip generation equations were used. The use of trip generation equations for the Project's retail components allows for the most flexibility in future design. This assumption yields similar trips to a project that consists of a 5,000 SF fast food

[2] Shopping Center assumes a mix of commercial retail uses, inclusive of restaurant/food uses.

restaurant with drive-thru, 5,000 SF high-turnover sit-down restaurant and 30,000 SF of retail using ITE trip rates.

Project Trip Generation Comparison

Proposed Project versus Project Alternative 1A and 1B

Table 2 presents the trip generation forecast for Project Alternatives 1A and 1B. The upper portion of *Table 2* summarizes the trip generation forecast for Alternative 1A of the proposed Project. A review of the upper portion of *Table 2* indicates that Alternative 1A which converts 50% of the warehousing to high cube cold storage warehousing is forecast to generate approximately 5,579 daily trips, with 403 trips (286 inbound, 117 outbound) produced in the AM peak hour and 446 trips (158 inbound, 288 outbound) produced in the PM peak hour on a "typical" weekday. Direct comparison between the Project Alternative 1A to the April 2020 Study shows Project Alternative 1A results in 221 more daily trips, 39 fewer AM peak hour trips and 54 fewer PM peak hour trips. It should be noted that the intersection level of service focuses on the AM and PM peak hour analysis. Therefore, it can be concluded that the proposed Project Alternative 1A would have similar if not lesser impacts to the street system than what was evaluated as part of the April 2020 Study.

Review of the lower portion of *Table 2* indicates that Alternative 1B which converts 100% of the warehousing to high cube cold storage warehousing is forecast to generate approximately 5,798 daily trips, with 365 trips (252 inbound, 113 outbound) produced in the AM peak hour and 392 trips (139 inbound, 253 outbound) produced in the PM peak hour on a "typical" weekday. Direct comparison between the Project Alternative 1B to the April 2020 Study shows Project Alternative 1B results in 440 more daily trips, 77 fewer AM peak hour trips and 108 fewer PM peak hour trips. It should be noted that the intersection level of service focuses on the AM and PM peak hour analysis. Therefore, it can be concluded that the proposed Project Alternative 1B would have similar if not lesser impacts to the street system than what was evaluated as part of the April 2020 Study.

Proposed Project versus Project Alternative 2A and 2B

Table 3 presents the trip generation forecast for Project Alternatives 2A and 2B. The upper portion of *Table 3* summarizes the trip generation forecast for Alternative 2A of the proposed Project. A review of the upper portion of *Table 3* indicates that Alternative 2A which converts 50% of the warehousing to high cube cold storage warehousing is forecast to generate approximately 6,584 daily trips, with 670 trips (499 inbound, 171 outbound) produced in the AM peak hour and 756 trips (252 inbound, 504 outbound) produced in the PM peak hour on a "typical" weekday.

Direct comparison between the Project Alternative 2A to the April 2020 Study shows Project Alternative 2A results in 125 more daily trips, 23 fewer AM peak hour trips and 33 fewer PM peak hour trips. It should be noted that the intersection level of service focuses on the AM and PM peak hour analysis. Therefore, it can be concluded that the proposed Project Alternative 2A would have similar if not lesser impacts to the street system than what was evaluated as part of the April 2020 Study.

Review of the lower portion of *Table 3* indicates that Alternative 2B which converts 100% of the warehousing to high cube cold storage warehousing is forecast to generate approximately 6,711 daily trips, with 648 trips (479 inbound, 169 outbound) produced in the AM peak hour and 725 trips (241 inbound, 484 outbound) produced in the PM peak hour on a "typical" weekday. Direct comparison between the Project Alternative 2B to the April 2020 Study shows Project Alternative 2B results in 252 more daily trips, 45 fewer AM peak hour trips and 64 fewer PM peak hour trips. It should be noted that the intersection level of service focuses on the AM and PM peak hour analysis. Therefore, it can be concluded that the proposed Project Alternative 2B would have similar if not lesser impacts to the street system than what was evaluated as part of the April 2020 Study.

CONCLUSION

Given the results of the trip generation forecast comparison, we conclude that the conversion of between 50% and 100% of the warehousing component to high cube cold storage warehousing would result in AM and PM peak hour trips less than what was evaluated in the Project's April 2020 Study. Therefore, the Project Alternative would have similar if not less impacts than what was evaluated as part of the April 2020 Study and as a result no further analysis is recommended or necessary.

* * * * * * * * * * *

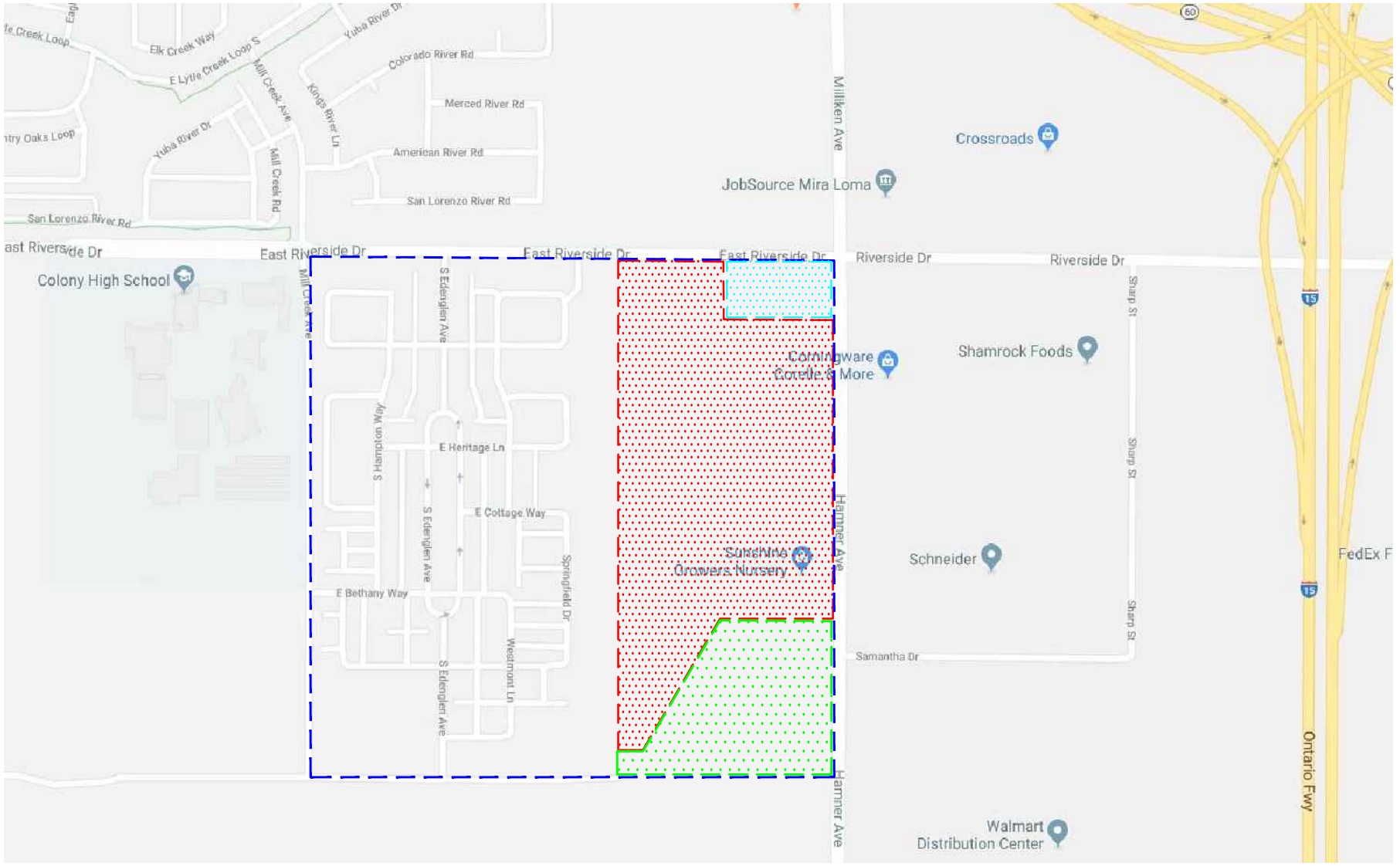
We appreciate the opportunity to prepare this investigation. Should you have any questions regarding this analysis, please call us at (949) 825-6175.

Sincerely,

Linscott, Law & Greenspan, Engineers

Principal
cc: File
Shane S. Green, P.E., Senior Transportation Engineer





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LINSCOTT LAW & GREENSPAN engineers

N NO SCALE

SOURCE: GOOGLE

KEY

= PROJECT SITE (INDUSTRIAL)

= PROJECT SITE (RETAIL)

= SCE SITE

= SPECIFIC PLAN BOUNDARY

FIGURE 1

VICINITY MAP

EDENGLEN BUSINESS PARK, ONTARIO



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LINSCOTT LAW & GREENSPAN engineers

N NO SCALE

SOURCE: GOOGLE

KEY

= PROJECT SITE (INDUSTRIAL)

= PROJECT SITE (RETAIL)

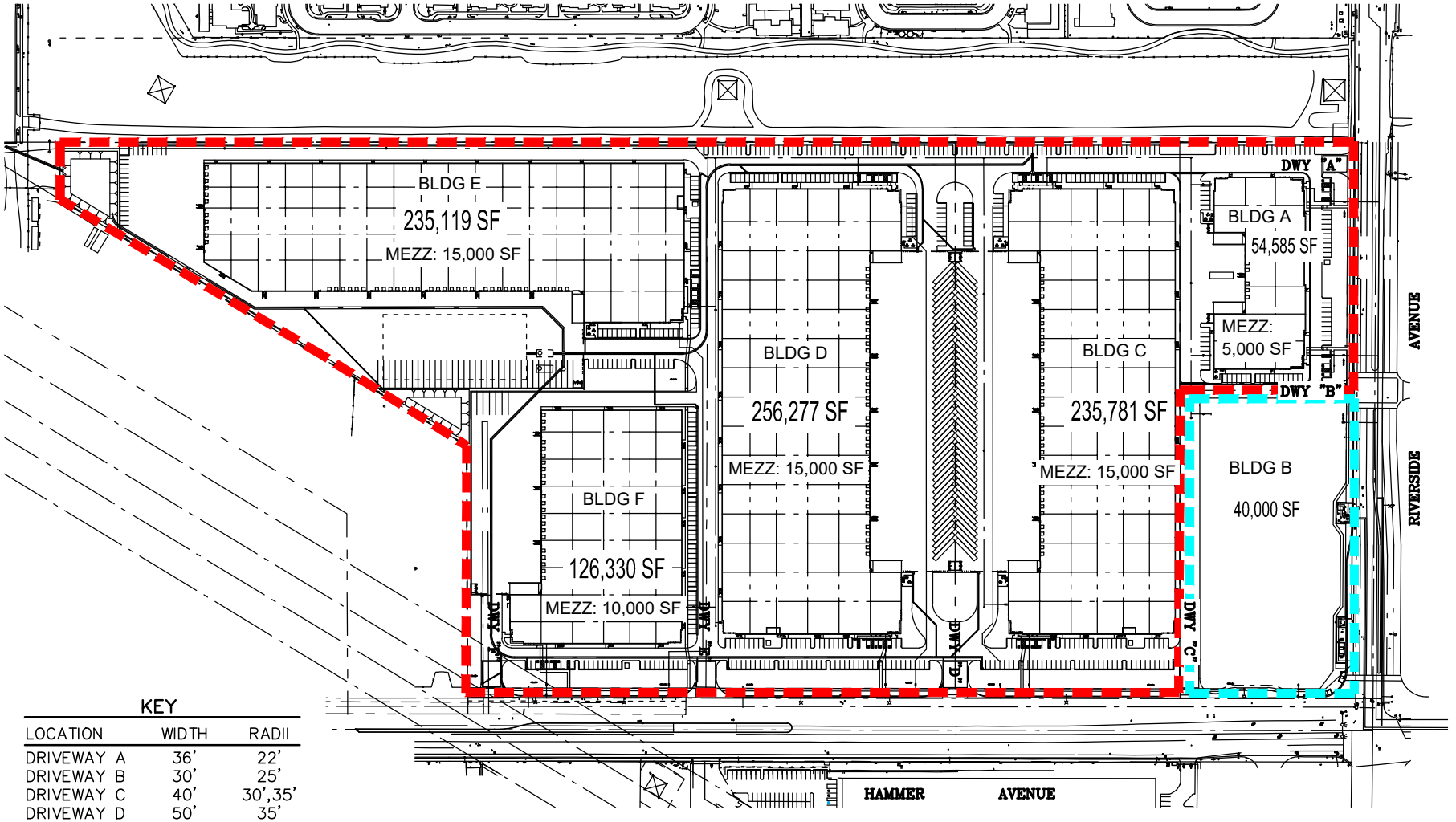
= SCE SITE

= SPECIFIC PLAN BOUNDARY

FIGURE 2

EXISTING SITE AERIAL PHOTOGRAPH

EDENGLEN BUSINESS PARK, ONTARIO



KEY

LOCATION	WIDTH	RADII
DRIVEWAY A	36'	22'
DRIVEWAY B	30'	25'
DRIVEWAY C	40'	30',35'
DRIVEWAY D	50'	35'
DRIVEWAY E	40'	35'
DRIVEWAY F	40'	22',35'

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LINSCOTT LAW & GREENSPAN engineers

NO SCALE

SOURCE: RGA

KEY

= INDUSTRIAL COMPONENT

= RETAIL COMPONENT

FIGURE 3

PROPOSED SITE PLAN

EDENGLEN BUSINESS PARK, ONTARIO

TABLE 1

TRIP GENERATION RATES WITH PCE CONVERSION FACTORS[3]

ITE Land Use Code	Daily 2-Way	AM Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total
Trip Generation Rates:							
▪ ***110: General Light Industrial – Total (TE/1000 SF)***	***4.96***	***0.62***	***0.08***	***0.70***	***0.08***	***0.55***	***0.63***
❑ Passenger Cars – 78.6% Daily (TE/1000 SF)	3.90	0.38	0.04	0.42	0.06	0.42	0.48
❑ 2 Axle Trucks – 8.0% Daily/32.7% Peak Hour (TE/1000 SF)	0.40	0.08	0.01	0.09	0.01	0.04	0.05
❑ 3 Axle Trucks – 3.9% Daily/17.9% Peak Hour (TE/1000 SF)	0.19	0.04	0.01	0.05	0.00	0.03	0.03
❑ 4+ Axle Trucks – 9.5% Daily/49.4% Peak Hour (TE/1000 SF)	0.47	0.12	0.02	0.14	0.01	0.06	0.07
▪ ***140: Manufacturing – Total (TE/1000 SF)***	***3.93***	***0.48***	***0.14***	***0.62***	***0.21***	***0.46***	***0.67***
❑ Passenger Cars – 79.57% Daily (TE/1000 SF)	3.13	0.34	0.10	0.44	0.14	0.29	0.43
❑ 2 Axle Trucks – 3.46% Daily/16.95% Peak Hour (TE/1000 SF)	0.14	0.02	0.01	0.03	0.01	0.03	0.04
❑ 3 Axle Trucks – 4.64% Daily/22.71% Peak Hour (TE/1000 SF)	0.18	0.03	0.01	0.04	0.02	0.03	0.05
❑ 4+ Axle Trucks – 12.33% Daily/60.34% Peak Hour (TE/1000 SF)	0.48	0.09	0.02	0.11	0.04	0.11	0.15
▪ ***150: Warehousing – Total (TE/1000 SF)***	***1.74***	***0.13***	***0.04***	***0.17***	***0.05***	***0.14***	***0.19***
❑ Passenger Cars – 79.57% Daily (TE/1000 SF)	1.38	0.09	0.03	0.12	0.03	0.09	0.12
❑ 2 Axle Trucks – 3.46% Daily/16.95% Peak Hour (TE/1000 SF)	0.06	0.01	0.00	0.01	0.00	0.01	0.01
❑ 3 Axle Trucks – 4.64% Daily/22.71% Peak Hour (TE/1000 SF)	0.08	0.01	0.00	0.01	0.00	0.02	0.02
❑ 4+ Axle Trucks – 12.33% Daily/60.34% Peak Hour (TE/1000 SF)	0.22	0.02	0.01	0.03	0.02	0.02	0.04
▪ ***157: High Cube Cold Storage Warehouse – Total (TE/1000 SF)*** [4]	***2.12***	***0.08***	***0.03***	***0.11***	***0.03***	***0.09***	***0.12***
❑ Passenger Cars – 79.57% Daily (TE/1000 SF)	1.69	0.06	0.02	0.08	0.02	0.06	0.08
❑ 2 Axle Trucks – 3.46% Daily/16.95% Peak Hour (TE/1000 SF)	0.07	0.00	0.00	0.00	0.00	0.01	0.01
❑ 3 Axle Trucks – 4.64% Daily/22.71% Peak Hour (TE/1000 SF)	0.10	0.01	0.00	0.01	0.00	0.01	0.01
❑ 4+ Axle Trucks – 12.33% Daily/60.34% Peak Hour (TE/1000 SF)	0.26	0.01	0.01	0.02	0.01	0.01	0.02
▪ 820: Shopping Center (TE/1000 SF)	[a]	62%	38%	[a]	48%	52%	[a]

Notes:
TE/1000 SF = Trip end per 1,000 SF
PCE = Passenger Car Equivalents
[a] = Shopping Center equations were used:
Daily: Ln(T) = 0.68Ln(X) + 5.57
AM Peak Hour: T = 0.50(X) + 151.78
PM Peak Hour: Ln(T) = 0.74Ln(X) + 2.89

[3] Source: *Trip Generation, 10th Edition, Institute of Transportation Engineers (ITE), Washington, D.C. (2017)*. Recommended mix of traffic, including mix of 2-axle, 3-axle, and 4+-axle trucks are based on the *Truck Trip Generation Study – City of Fontana, August 2003.* All 2-axle, 3-axle and 4+-axle trucks are converted to passenger car equivalents using a factor of 1.5 vehicles per truck, 2.0 vehicles per truck, and 3.0 vehicles per truck, respectively.

[4] ITE's *Trip Generation* does not provide AM and PM peak hour inbound and outbound splits for Land Use 157: High Cube Cold Storage Warehouse. Therefore, splits were matched to those of Land Use 150: Warehousing.

TABLE 2

ALTERNATIVE 1A AND 1B PROJECT TRIP GENERATION FORECAST[5]

ITE Land Use Code / Project Description	Daily 2-Way	AM Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total
Trip Generation Forecast Updated Project Alternative 1A:							
▪ 110: General Light Industrial (59,585 SF)							
❑ Passenger Cars	232	23	2	25	4	25	29
❑ 2 Axle Trucks	36	7	1	8	1	3	4
❑ 3 Axle Trucks	23	5	1	6	0	4	4
❑ 4+ Axle Trucks	84	21	4	25	2	11	13
General Light Industrial Total	**375**	**56**	**8**	**64**	**7**	**43**	**50**
▪ 150: Warehousing (454,254 SF)							
❑ Passenger Cars	627	41	14	55	14	41	55
❑ 2 Axle Trucks	41	7	0	7	0	7	7
❑ 3 Axle Trucks	73	9	0	9	0	18	18
❑ 4+ Axle Trucks	300	27	14	41	27	28	55
Warehousing Total	**1,041**	**84**	**28**	**112**	**41**	**94**	**135**
▪ 157: High Cube Cold Storage Warehouse (454,253 SF)							
❑ Passenger Cars	768	27	9	36	9	27	36
❑ 2 Axle Trucks	48	0	0	0	0	7	7
❑ 3 Axle Trucks	91	9	0	9	0	9	9
❑ 4+ Axle Trucks	354	14	13	27	14	13	27
High Cube Cold Storage Warehousing Total	**1,261**	**50**	**22**	**72**	**23**	**56**	**79**
▪ 820: Shopping Center (40,000 SF)	3,224	107	65	172	132	144	276
Passby Trips[6]	*-322*	*-11*	*-6*	*-17*	*-45*	*-49*	*-94*
Retail Total	**2,902**	**96**	**59**	**155**	**87**	**95**	**182**
Total Passenger Car Traffic	**4,529**	**187**	**84**	**271**	**114**	**188**	**302**
Total Truck PCE Traffic	**1,050**	**99**	**33**	**132**	**44**	**100**	**144**
Total Updated Project Alternative 1A Trip Generation [A]	**5,579**	**286**	**117**	**403**	**158**	**288**	**446**
Original Project Alternative 1 Trip Generation [B]	**5,358**	**321**	**121**	**442**	**176**	**324**	**500**
Alternative 1A Trip Generation Comparison ([A] – [B])	**221**	**-35**	**-4**	**-39**	**-18**	**-36**	**-54**
Trip Generation Forecast Updated Project Alternative 1B:							
▪ 110: General Light Industrial (59,585 SF)							
❑ Passenger Cars	232	23	2	25	4	25	29
❑ 2 Axle Trucks	36	7	1	8	1	3	4
❑ 3 Axle Trucks	23	5	1	6	0	4	4
❑ 4+ Axle Trucks	84	21	4	25	2	11	13
General Light Industrial Total	**375**	**56**	**8**	**64**	**7**	**43**	**50**
▪ 157: High Cube Cold Storage Warehouse (908,507 SF)							
❑ Passenger Cars	1,535	55	18	73	18	55	73
❑ 2 Axle Trucks	95	0	0	0	0	14	14
❑ 3 Axle Trucks	182	18	0	18	0	18	18
❑ 4+ Axle Trucks	709	27	28	55	27	28	55
High Cube Cold Storage Warehousing Total	**2,521**	**100**	**46**	**146**	**45**	**115**	**160**
▪ 820: Shopping Center (40,000 SF)	3,224	107	65	172	132	144	276
Passby Trips[6]	*-322*	*-11*	*-6*	*-17*	*-45*	*-49*	*-94*
Retail Total	**2,902**	**96**	**59**	**155**	**87**	**95**	**182**
Total Passenger Car Traffic	**4,669**	**174**	**79**	**253**	**109**	**175**	**284**
Total Truck PCE Traffic	**1,129**	**78**	**34**	**112**	**30**	**78**	**108**
Total Updated Project Alternative 1B Trip Generation [C]	**5,798**	**252**	**113**	**365**	**139**	**253**	**392**
Original Project Alternative 1 Trip Generation [D]	**5,358**	**321**	**121**	**442**	**176**	**324**	**500**
Alternative 1B Trip Generation Comparison ([C] – [D])	**440**	**-69**	**-8**	**-77**	**-37**	**-71**	**-108**

5 Source: *Trip Generation, 10th Edition, Institute of Transportation Engineers (ITE), Washington, D.C. (2017)*. Recommended mix of traffic, including mix of 2-axle, 3-axle, and 4+-axle trucks are based on the *Truck Trip Generation Study – City of Fontana, August 2003.* All 2-axle, 3-axle and 4+-axle trucks are converted to passenger car equivalents using a factor of 1.5 vehicles per truck, 2.0 vehicles per truck, and 3.0 vehicles per truck, respectively.

6 Source: *Trip Generation Handbook*, Institute of Transportation Engineers (ITE), Washington, D.C. (2017). The Daily and AM peak hour pass-by rate was assumed to be 10%, whereas the PM rate is 34% per the ITE handbook.

TABLE 3

ALTERNATIVE 2A AND 2B PROJECT TRIP GENERATION FORECAST[7]

ITE Land Use Code / Project Description	Daily 2-Way	AM Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total
Trip Generation Forecast Updated Project Alternative 2A:							
▪ 110: General Light Industrial (59,585 SF)							
❑ Passenger Cars	232	23	2	25	4	25	29
❑ 2 Axle Trucks	36	7	1	8	1	3	4
❑ 3 Axle Trucks	23	5	1	6	0	4	4
❑ 4+ Axle Trucks	84	21	4	25	2	11	13
General Light Industrial Total	**375**	**56**	**8**	**64**	**7**	**43**	**50**
▪ 150: Warehousing (261,029 SF)							
❑ Passenger Cars	360	23	8	31	8	23	31
❑ 2 Axle Trucks	23	4	0	4	0	4	4
❑ 3 Axle Trucks	42	5	0	5	0	10	10
❑ 4+ Axle Trucks	172	16	7	23	16	15	31
Warehousing Total	**597**	**48**	**15**	**63**	**24**	**52**	**76**
▪ 157: High Cube Cold Storage Warehouse (261,029 SF)							
❑ Passenger Cars	441	16	5	21	5	16	21
❑ 2 Axle Trucks	27	0	0	0	0	4	4
❑ 3 Axle Trucks	52	5	0	5	0	5	5
❑ 4+ Axle Trucks	204	8	8	16	8	8	16
High Cube Cold Storage Warehousing Total	**724**	**29**	**13**	**42**	**13**	**33**	**46**
▪ 140: Manufacturing (386,449 SF)							
❑ Passenger Cars	1,210	131	39	170	54	112	166
❑ 2 Axle Trucks	81	12	5	17	6	17	23
❑ 3 Axle Trucks	139	23	8	31	15	24	39
❑ 4+ Axle Trucks	556	104	24	128	46	128	174
Manufacturing Total	**1,986**	**270**	**76**	**346**	**121**	**281**	**402**
▪ 820: Shopping Center (40,000 SF)	3,224	107	65	172	132	144	276
Passby Trips[8]	*-322*	*-11*	*-6*	*-17*	*-45*	*-49*	*-94*
Retail Total	**2,902**	**96**	**59**	**155**	**87**	**95**	**182**
Total Passenger Car Traffic	**5,145**	**289**	**113**	**402**	**158**	**271**	**429**
Total Truck PCE Traffic	**1,439**	**210**	**58**	**268**	**94**	**233**	**327**
Total Updated Project Alternative 2A Trip Generation [A]	**6,584**	**499**	**171**	**670**	**252**	**504**	**756**
Original Project Alternative 2 Trip Generation [B]	**6,459**	**518**	**175**	**693**	**262**	**527**	**789**
Alternative 2A Trip Generation Comparison ([A] – [B])	**125**	**-19**	**-4**	**-23**	**-10**	**-23**	**-33**
Trip Generation Forecast Updated Project Alternative 2B:							
▪ 110: General Light Industrial (59,585 SF)							
❑ Passenger Cars	232	23	2	25	4	25	29
❑ 2 Axle Trucks	36	7	1	8	1	3	4
❑ 3 Axle Trucks	23	5	1	6	0	4	4
❑ 4+ Axle Trucks	84	21	4	25	2	11	13
General Light Industrial Total	**375**	**56**	**8**	**64**	**7**	**43**	**50**
▪ 157: High Cube Cold Storage Warehouse (522,058 SF)							
❑ Passenger Cars	882	31	11	42	10	32	42
❑ 2 Axle Trucks	55	0	0	0	0	8	8
❑ 3 Axle Trucks	104	10	0	10	0	10	10
❑ 4+ Axle Trucks	407	16	15	31	16	15	31
High Cube Cold Storage Warehousing Total	**1,448**	**57**	**26**	**83**	**26**	**65**	**91**

[7] Source: *Trip Generation, 10th Edition, Institute of Transportation Engineers (ITE), Washington, D.C. (2017)*. Recommended mix of traffic, including mix of 2-axle, 3-axle, and 4+-axle trucks are based on the *Truck Trip Generation Study – City of Fontana, August 2003.* All 2-axle, 3-axle and 4+-axle trucks are converted to passenger car equivalents using a factor of 1.5 vehicles per truck, 2.0 vehicles per truck, and 3.0 vehicles per truck, respectively.

[8] Source: *Trip Generation Handbook*, Institute of Transportation Engineers (ITE), Washington, D.C. (2017). The Daily and AM peak hour pass-by rate was assumed to be 10%, whereas the PM rate is 34% per the ITE handbook.

TABLE 3 (CONTINUED)

ALTERNATIVE 2A AND 2B PROJECT TRIP GENERATION FORECAST[9]

ITE Land Use Code / Project Description	Daily 2-Way	AM Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total
Trip Generation Forecast Updated Project Alternative 2B (Cont.):							
▪ 140: Manufacturing (386,449 SF)							
❑ Passenger Cars	1,210	131	39	170	54	112	166
❑ 2 Axle Trucks	81	12	5	17	6	17	23
❑ 3 Axle Trucks	139	23	8	31	15	24	39
❑ 4+ Axle Trucks	556	104	24	128	46	128	174
Manufacturing Total	**1,986**	**270**	**76**	**346**	**121**	**281**	**402**
▪ 820: Shopping Center (40,000 SF)	3,224	107	65	172	132	144	276
Passby Trips[10]	*-322*	*-11*	*-6*	*-17*	*-45*	*-49*	*-94*
Retail Total	**2,902**	**96**	**59**	**155**	**87**	**95**	**182**
Total Passenger Car Traffic	**5,226**	**281**	**111**	**392**	**155**	**264**	**419**
Total Truck PCE Traffic	**1,485**	**198**	**58**	**256**	**86**	**220**	**306**
Total Updated Project Alternative 2B Trip Generation [C]	**6,711**	**479**	**169**	**648**	**241**	**484**	**725**
Original Project Alternative 2 Trip Generation [D]	**6,459**	**518**	**175**	**693**	**262**	**527**	**789**
Alternative 2B Trip Generation Comparison ([C] – [D])	**252**	**-39**	**-6**	**-45**	**-21**	**-43**	**-64**

9 Source: *Trip Generation, 10th Edition, Institute of Transportation Engineers (ITE), Washington, D.C. (2017)*. Recommended mix of traffic, including mix of 2-axle, 3-axle, and 4+-axle trucks are based on the *Truck Trip Generation Study – City of Fontana, August 2003.* All 2-axle, 3-axle and 4+-axle trucks are converted to passenger car equivalents using a factor of 1.5 vehicles per truck, 2.0 vehicles per truck, and 3.0 vehicles per truck, respectively.

10 Source: *Trip Generation Handbook*, Institute of Transportation Engineers (ITE), Washington, D.C. (2017). The Daily and AM peak hour pass-by rate was assumed to be 10%, whereas the PM rate is 34% per the ITE handbook.

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LLG Reference: 2.18.4009.1

Subject: **Revised Focused Traffic Assessment for Edenglen Business Park Project**
Ontario, California

Dear Mr. Riemer:

As requested, Linscott, Law & Greenspan, Engineers (LLG) is pleased to submit this Revised Focused Traffic Assessment for the proposed Edenglen Business Park project (herein after referred to as Project) in the City of Ontario, California. This letter has been revised to reflect the City's request to keep the northeast quadrant of the property designated for commercial retail use. In addition, this updated letter satisfies the City's comments as part of the Development Plan Review Letter dated January 6, 2020 and comment provided on April 15, 2020 provided via email. The Project site is made up of several vacant parcels of land that are located south of Riverside Drive and north of Chino Avenue, between Milliken Avenue and a Southern California Edison easement within the Edenglen Specific Plan (herein after referred to as Specific Plan).

The subject property, according to the Specific Plan, is identified/entitled for commercial development consisting of a mixture of Community Commercial uses and Business Park/Light Industrial uses. In place of the approved (entitled) uses, the Project is proposing to develop a Business Park consisting of warehouse/distribution and/or general light industrial uses, plus maintain the ability to development a commercial retail center consistent with the Specific Plan.

This letter documents that the proposed Project fits within the original entitlement for the site and includes a focused traffic access at the project driveways in response to the City's comments on the *Trip Generation Assessment for the Edenglen Business Park Project, dated August 6, 2018, prepared by LLG*.

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PROJECT DESCRIPTION

The Project site made up of several vacant parcels of land that are located south of Riverside Drive and north of Chino Avenue, between Milliken Avenue and a Southern California Edison easement within the Edenglen Specific Plan. ***Figure 1*** presents a vicinity map for the proposed Project, inclusive of the area allocated to business park uses and commercial retail uses. ***Figure 2*** is an existing aerial photograph of the Project site.

According to the Specific Plan, the development of commercial land uses on approximately 20-acres, commercial/business flex zone land uses on approximately 10-acres, and business park/light industrial land uses on 26.9-acres (includes 10.9-acre SCE property) is currently allowed/approved. Based on a review of *Exhibit 10 – Land Use Plan, Table 2 – Land Use Summary,* and *Section 4 – Land Use of the Specific Plan* document, up to 217,520 square-feet (SF)[1] of community commercial retail and service uses is entitled on 20-acres, as well as approximately 550,000 SF of business park/light industrial uses on up to 36.9-acres that would allow for research and development, light manufacturing, technology development, medical, entertainment facilities, wholesale retail sales, professional offices and warehousing facilities.

Project Land Use Mix

The proposed Project includes the development of up to 1,008,092 SF of floor area within six (6) buildings, identified as Buildings A through F, inclusive of 60,000 SF of mezzanine space. The northern half of the Project includes 621,643 SF of floor area on 29.45-acres of land, whereas the southern half includes 386,449 SF of floor area on 17.17 acres of land. Based on our understanding, the four (4) larger buildings (Buildings C through F) would likely be developed with warehousing/distribution uses, Building A would most likely be developed as general light industrial, and Building B will be developed with commercial retail uses, which is proposed to be located on the southwest corner of Riverside Drive and Hamner Avenue. It should be noted that overall design for Building B has yet to be determined, so a placeholder of 40,000 SF of commercial retail uses has been assumed. ***Figure 3*** presents the site plan for the proposed Project, including the area now allocation to commercial retail uses.

[1] Maximum commercial floor area between Community Commercial and Commercial/Business Park Flex Zone is 217,520 SF.

Given the above description of the proposed Project, for this focused analysis, and as an addendum to the trip generation assessment, we have assumed the following tenant mixes for proposed Project's two alternative mix of uses:

Land Use / Project Description	Building / Project Alternatives (PA) Square-Footage (SF)	
	PA No. 1	PA No. 2
❑ 110: General Light Industrial	59,585 SF	59,585 SF
❑ 140: Manufacturing	--	386,449 SF
❑ 150: Warehousing	908,507 SF	522,058 SF
❑ 820: Shopping Center[2]	40,000 SF	40,000 SF
Total Square Feet (SF)	**1,008,092 SF**	**1,008,092 SF**

For the tabular summary provided above,

- ***Project Alternative 1 includes:***
  - General Light Industrial: 59,585 SF (Building A)
  - Warehousing: 908,507 SF (Buildings C, D, E and F combined)
  - Retail: 40,000 SF (Building B)

- ***Project Alternative 2 includes***
  - General Light Industrial: 59,585 (Building A)
  - Warehousing: 522,058 SF (Buildings C and D combined)
  - Manufacturing: 386,449 SF (Buildings E and F combined)
  - Retail: 40,000 SF (Building B)

Based on our understanding, the proposed Project will likely be developed based on Alternative 1. However, the other alternative was included to provide flexibility in development options.

[2] Shopping Center assumes a mix of commercial retail uses, inclusive of restaurant/food uses.

Relative to the Entitled Land Uses, the information provided in the Specific Plan and EIR documents are unclear on the land use assumptions and/or method by which trips were forecast. As such, the following tenant mixes for the two (2) Entitled Land Use Alternatives have been assumed based on the uses that would be allowed in the Specific Plan:

- ***Entitled Land Use Alternative 1***
  - Retail: 217,520 SF
  - Business Park: 550,000 SF

- ***Entitled Land Use Alternative 2***
  - Retail: 217,520 SF
  - Industrial Park: 550,000 SF

Land Use / Entitled Land Use Description	Entitled Land Use Alternatives (ELUA) Square-Footage (SF)	
	ELUA No. 1	ELUA No. 2
❑ 130: Industrial Park	--	550,000 SF
❑ 770: Business Park	550,000 SF	--
❑ 820: Shopping Center	217,520 SF	217,500 SF
Total Square Feet (SF)	**767,520 SF**	**767,520 SF**

Site Access

As shown in *Figure 3*, access to the proposed Project will be provided by a total of six (6) driveways. Access along Riverside Drive is proposed to be provided via a right-turn in/out only driveway (Driveway A) and a signalized driveway (Driveway B), whereas access from Hamner Avenue is proposed via three (3) right-turn in/out only driveways (Driveway C, D, and F) and another signalized driveway (Driveway E). It should be noted that the southernmost driveway for the Snapware facility will be integrated into the proposed signal at Driveway E. For this assessment, it is assumed that large truck access at all project driveways will need to be accommodated.

TRAFFIC GENERATION FORECAST

Traffic generation is expressed in vehicle trip ends, defined as one-way vehicular movements, either entering or exiting the generating land use. For this analysis, generation equations and/or rates used in the traffic forecasting procedure for the proposed Project as well as the Entitled Land Uses have been estimated based on the most current version of the *Trip Generation Manual* and can be found in the 10th Edition of *Trip Generation,* published by the Institute of Transportation Engineers (ITE), [Washington, D.C., 2017].

Table 1 summarizes the trip generation rates/equations used in forecasting the vehicular trips generated by the proposed Project Alternatives and the Entitled Land Use Alternatives. As shown in *Table 1*, ITE Land Use 110: General Light Industrial, ITE Land Use 130: Industrial Park, ITE Land Use 140: Manufacturing, ITE Land Use 150: Warehousing and ITE Land Use 770: Business Park rates were used, while ITE Land Use 820: Shopping Center trip generation equations were used. The use of trip generation equations for the Project's retail components allows for the most flexibility in future design. This assumption yields similar trips to a project that consists of a 5,000 SF fast food restaurant with drive-thru, 5,000 SF high-turnover sit-down restaurant and 30,000 SF of retail using ITE trip rates.

Project Trip Generation

Table 2 presents the trip generation forecast for the two (2) Project Alternatives. The upper portion of *Table 2* summarizes the trip generation forecast for Alternative 1 of the proposed Project. A review of the upper portion of *Table 2* indicates that Alternative 1 is forecast to generate approximately 5,358 daily trips, with 442 trips (321 inbound, 121 outbound) produced in the AM peak hour and 500 trips (176 inbound, 324 outbound) produced in the PM peak hour on a "typical" weekday. Of the total trips generated by Alternative 1, truck trips related to the warehousing component after applying passenger car equivalent (PCE) factors are anticipated to generate 970 daily trips, with 153 trips produced in the AM peak hour and 180 trips produced in the PM peak hour.

The lower portion of *Table 2* summarizes the trip generation forecast for Alternative 2 of the proposed Project. A review of the lower portion of *Table 2* indicates that Alternative 2 is forecast to generate approximately 6,459 daily trips, with 693 trips (518 inbound, 175 outbound) produced in the AM peak hour and 789 trips (262 inbound, 527 outbound) produced in the PM peak hour on a "typical" weekday. Of the total trips generated by Alternative 2, truck trips related to the warehousing and

manufacturing components after applying passenger car equivalent (PCE) factors are anticipated to generate 1,395 daily trips, with 280 trips produced in the AM peak hour and 349 trips produced in the PM peak hour.

Entitled Land Use Trip Generation

Table 3 presents the trip generation forecast for the two (2) Entitled Land Use Alternatives. The upper portion of *Table 3* summarizes the trip generation forecast for Alternative 1 of the Entitled Land Use. A review of the upper portion of *Table 3* indicates that Alternative 1 is forecast to generate approximately 16,020 daily trips, with 455 trips (280 inbound, 175 outbound) produced in the AM peak hour and 869 trips (412 inbound, 457 outbound) produced in the PM peak hour on a "typical" weekday.

The lower portion of *Table 3* summarizes the trip generation forecast for Alternative 2 of the Entitled Land Use. A review of the lower portion of *Table 3* indicates that Alternative 2 is forecast to generate approximately 12,613 daily trips, with 617 trips (452 inbound, 165 outbound) produced in the AM peak hour and 1,057 trips (394 inbound, 663 outbound) produced in the PM peak hour on a "typical" weekday. Of the total trips generated by Alternative 2, truck trips related to the industrial park component after applying passenger car equivalent (PCE) factors are anticipated to generate 2,456 daily trips, with 250 trips produced in the AM peak hour and 309 trips produced in the PM peak hour.

Proposed Project vs. Entitled Land Use Trip Generation Comparison

Table 4 presents a summary of the Project Alternatives compared to the Entitled Land Use Alternatives. Review of *Table 4* indicates the following:

- A comparison of trips from Project Alternative 1 and Entitled Land Use Alternative 1 indicates that the net trip generation for the proposed Project would result in 10,662 fewer daily trips, 13 fewer AM peak hour trips, and 369 fewer PM peak hour trips.
- A comparison of trips from Project Alternative 1 and Entitled Land Use Alternative 2 indicates that the net trip generation for the proposed Project would result in 7,255 fewer daily trips, 175 fewer AM peak hour trips, and 557 fewer PM peak hour trips.
- A comparison of trips from Project Alternative 2 and Entitled Land Use Alternative 1 indicates that the net trip generation for the proposed Project would result in 9,561 fewer daily trips, but 238 more AM peak hour trips, and 80 fewer PM peak hour trips.

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- A comparison of trips from Project Alternative 2 and Entitled Land Use Alternative 2 indicates that the net trip generation for the proposed Project would result in 6,154 fewer daily trips, 76 more AM peak hour trips, and 268 fewer PM peak hour trips.

  Please note that of the total floor area within Buildings C, D, E and F (908,507 SF), the trip generation associated with a mix of 45% manufacturing (408,828SF) and 55% warehousing (499,679 SF) would result in fewer trips only during the PM peak hour when compared to the entitled trip budget of Entitled Land Use Alternative 2. However, trip generation based on a mix of 29% manufacturing (263,467 SF) and 71% warehousing (645,040 SF) would result in fewer trips during both the AM and PM peak hour when compared to the Entitled trip budget of Entitled Land Use Alternative 2.

Based on the findings above, Project Alternative 1 (General Light Industrial + Warehousing + Retail) results in lower trip generation estimates when compared to either Entitled Land Use Alternative 1 or 2. Project Alternative 2 (General Light Industrial + Warehousing + Manufacturing + Retail) resulted in lower trip generation only during the PM peak hour when compared to Entitled Land Use Alternative 2.

It is our understanding that the proposed Project uses for the subject property are consistent with what is represented in Project Alternative 1 (General Light Industrial + Warehousing + Retail). Therefore, it is concluded that proposed Project is expected to generate trips that would be within the trip budget established by a mixture of Community Commercial uses and Business Park/Light Industrial uses originally approved for the Project site in the Edenglen Specific Plan. Further, given the results of trip generation comparison, it can be concluded that the peak hour trips resulting from implementation of the proposed Project would not create any new traffic impacts beyond those already previously identified in *Edenglen Specific Plan Traffic Impact Analysis*.

Since the proposed Project trip budget fits within the entitlement for the site the traffic study prepared for the Specific Plan is considered adequate and no additional service level analysis is needed. However, as directed by City staff, a focused traffic assessment has been conducted at the project driveways for the purposes of determining lane configurations at the Project's signalized driveways on Riverside Drive and Milliken Avenue.

Please note to provide a conservative assessment Project Alternative 2 (General Light Industrial + Warehousing + Manufacturing + Retail) has been assumed in forecasting Project volumes at the Project Driveways.

YEAR 2040 FOCUSED TRAFFIC ASSESSMENT

The City has requested that a focused traffic assessment be conducted to validate the lane configurations at the proposed driveways, signalized and unsignalized. ***Figure 4*** presents the lane configurations assumed for Year 2040 traffic conditions. The cross-section / travel lanes utilized along Riverside Drive and Hamner Avenue is consistent with the General Plan, whereas the lane configurations for all Project driveways, which all show that one (1) inbound lane and one (1) outbound lane as planned, are consistent with the Project's site plan. Please note, it is not uncommon for the City to require that signalized driveways be designed with cross-section of up to 50 feet and provide a single inbound lane, one outbound left-turn lane and one outbound right-turn lane (or shared through/right turn lane). However, the lanes shown in *Figure 4* represent the minimum lanes need based on the level of service analysis.

Year 2040 Traffic Volumes

Year 2040 Plus Project Traffic Conditions were forecast using long-term model data along Riverside Drive and Hamner Avenue and layered Project volumes directly on top. ***Figures 5*** through *7* presents the Project distribution pattern for industrial/manufacturing passenger vehicles, industrial/manufacturing trucks, and retail component, respectively.

The anticipated AM and PM peak hour project traffic volumes associated with the proposed Project are presented in ***Figures 8*** and ***9***, respectively. The traffic volume assignments presented in *Figures 8* and *9* reflect the traffic distribution characteristics shown in *Figures 5* through *7* the traffic generation forecast presented in *Table 2* for Alternative 2.

The anticipated Year 2040 AM and PM peak hour traffic volumes with the inclusion of the proposed Project, are presented in ***Figures 10*** and ***11***, respectively. *Figures 10* and *11* also include traffic volumes at the unsignalized project driveways for informational purposes only.

Year 2040 Capacity Analysis

Table 5 summarizes the peak hour level of service results at the two (2) signalized driveways for Year 2040. The first column (1) of *Table 5* identifies Year 2040 LOS

traffic conditions with the proposed Project.

Review of column (1) of *Table 5* indicates that the traffic associated with the proposed Project will operate at an acceptable service level during the AM and PM peak hours.

QUEUEING ASSESSMENT

A "turn pocket" queuing evaluation which was prepared for the key study intersections to determine the minimum required stacking/storage lengths for all exclusive left-turn lanes and right-turn lanes. This evaluation utilized the HCM methodology. The 95th percentile vehicle queue value corresponds to a condition that is generally taken as the maximum queue for the indicated movement and is presented with each turn movement at the key intersections.

Table 6 summarizes the queues for all movements at the Project Driveway for Year 2040 Plus Project traffic conditions. Review of Column 1 of *Table 6* indicates that the anticipated queues at the project driveways are adequate. Please note that the left-turn pockets along Riverside Avenue and Hamner Avenue at the two signalized driveways should be design with a minimum pocket of 150 feet.

Appendix A presents the queuing calculation worksheets.

SIGHT DISTANCE AND INTERNAL CIRCULATION

Sight distance and internal circulation evaluations were completed for all project driveways.

Sight Distance Evaluation

At project driveways, a substantially clear line of sight should be maintained between the driver of a vehicle waiting at the crossroad and the driver of an approaching vehicle. Adequate time must be provided for the waiting vehicle to either cross all lanes of through traffic, cross the near lanes and turn left, or turn right, without requiring through traffic to radically alter their speed.

This assessment is based on the intersection sight distance requirements of the State of California Department of Transportation (Caltrans) as published in the State's *Highway Design Manual (HDM)* and focuses on the sight distance requirements for the Project driveways on Riverside Avenue and Hamner Avenue. The Sight Distance Evaluation prepared for the project driveway located along Riverside Avenue and

Hamner Avenue was based on the criteria and procedures set forth by the California Department of Transportation (Caltrans) in the State's Highway Design Manual for "Private Road Intersections".

The Highway Design Manual (HDM), in Section 405.1(2)(c), page 400-8, indicates that for Private Road Intersections, "The minimum corner sight distance shall be equal to the stopping sight distance as given in Table 201.1...", where stopping sight distance is defined as the distance required by the driver of a vehicle, traveling at a given speed, to bring his vehicle to a stop after an object on the road becomes visible. Stopping sight distance is measured from the driver's eyes, which are assumed to be 3.5 feet above the pavement surface, to an object 0.5-foot high on the roadway. The speed used in determining stopping sight distance is defined as the "critical speed" or 85th percentile speed which is the speed at which 85% of the vehicles are traveling at or less. The critical speed is the single most important factor in determining stopping sight distance. Table 201.1 in the HDM is used in determining stopping sight distance based on the critical speed of vehicles on the affected roadway. Using Table 201.1, titled *Sight Distance Standards,* in the State's Highway Design Manual for stopping, a minimum stopping sight distance of 430 feet applies based on the critical speed of 50 mph for Riverside Avenue. However, Hamner Avenue has a critical speed of 55 mph with a stopping sight distance of 500 feet.

To provide a conservative assessment, the "corner sight distance" criteria in Section 405.1(2)(b) of the HDM was utilized. Since the proposed Project consists primarily of industrial land uses, the corner sight distances are based on combination trucks. Based on critical speed of 50 mph, a corner sight distance of 772 feet was assessed for right-turn movements along Riverside Avenue. For Hamner Avenue with a critical speed of 55 mph, a corner sight distance of 849 feet was assessed for right turn movements.

Figures 12 and ***13*** illustrate a schematic of the sight distance evaluation for the project driveway along Hamner Avenue and Riverside Avenue, respectively. The exhibit illustrates the limited use areas. Review of *Figures 12* and *13* indicate that sight distances at the Project Driveways are expected to be adequate if obstructions within the sight triangles are minimized.

Internal Circulation Evaluation

The on-site circulation layout of the proposed Project, based upon review of the proposed site plan, is adequate pending the incorporation of recommended modifications to the plan as identified in the attached figures. Our evaluation of the

on-site circulation shown on the site plan was performed using the *Turning Vehicle Templates*, developed by Jack E. Leisch & Associates and *AutoTURN for AutoCAD* computer software that simulates turning maneuvers for various types of vehicles. For this focused assessment, a turning template for a large truck (WB-67) was utilized to ensure that a large delivery truck could properly access the Project site from Riverside Drive and Haven Avenue.

Figure 14 and ***Figure 15*** illustrate the turning movements required of a large truck (WB-67) as it enters and exit the site, respectively. For this assessment, it is assumed that all trucks would turn into the site at each driveway via a right-turn movement from the curb lane on either Riverside Drive or Haven Avenue. At both signalized access locations, truck entering the site would be required to stay to the right of each driveway's center line to avoid conflicts with vehicles that may be waiting to exit the site. However, for unsignalized locations truck entering the site are expected to utilize the entire width of the driveway. Please note that the western most driveway (Driveway A) along Riverside Drive is in close proximity to the SCE site which limits the amount the driveway could be modified to accommodate an entering truck. Therefore, at this location only, a large truck (WB-67) would need to enter the driveway by utilizing the middle lane along Riverside Drive. It is anticipated that the number of trucks entering from the west would be minimal resulting infrequent occurrences. Under these design assumptions, it becomes evident which driveways' width and/or curb return would need to be modified.

From review of *Figure 14*, to accommodate the turning requirements of a WB-67 large truck, it is recommended that the site plan be modified as noted in *Figure 14* prior to finalization/approval of the Project per the requirements of the City. The recommended driveway modifications, inclusive of recommended curb return radii and/or driveway width, to the non-signalized driveways (Driveway A, C, D and F) may be lesser to some extent, if trucks entering the site at these locations are assumed to use the enter width of the driveway to access the site.

* * * * * * * * * * *

LINSCOTT LAW & GREENSPAN engineers

We appreciate the opportunity to prepare this investigation. Should you have any questions regarding this analysis, please call us at (949) 825-6175.

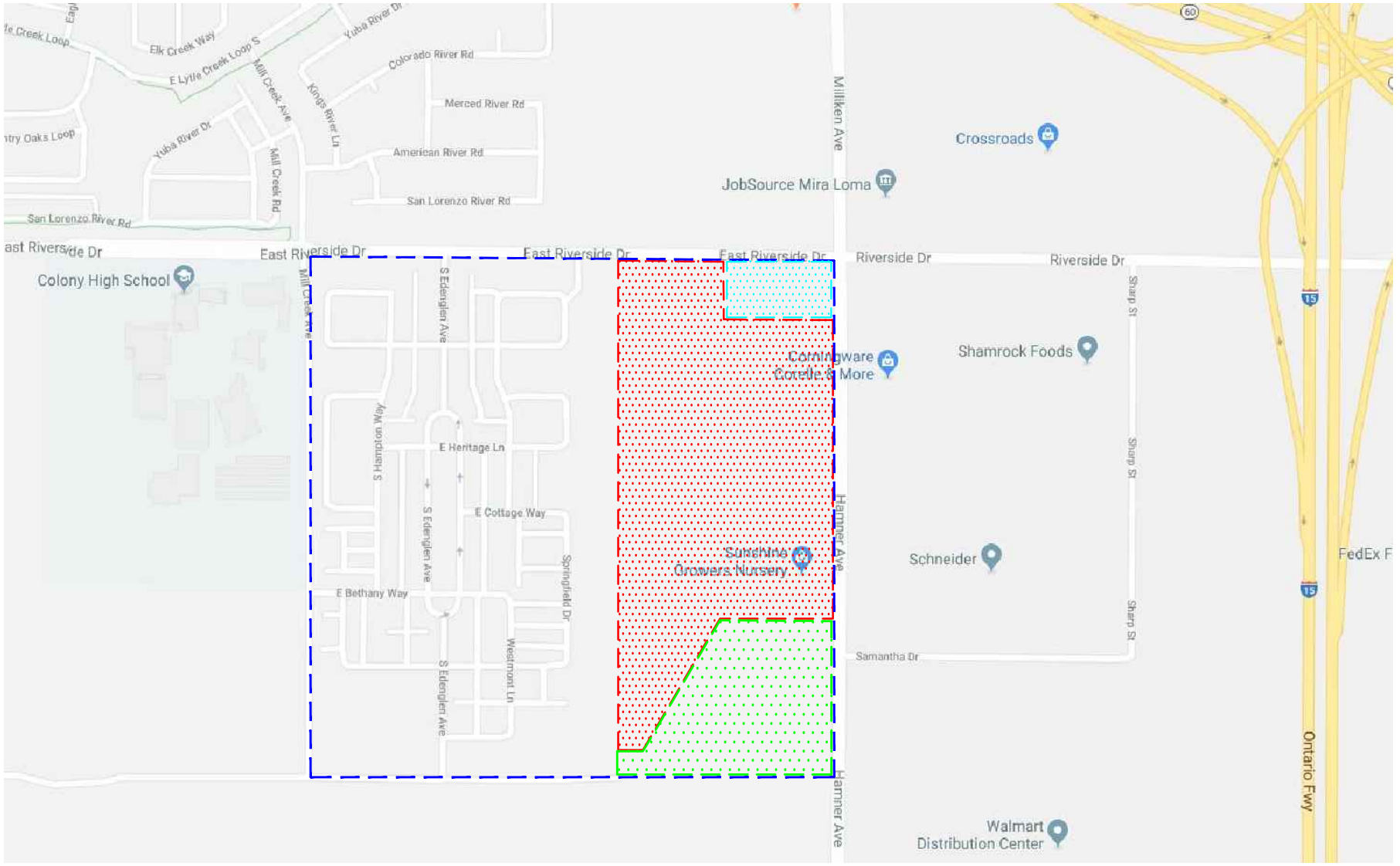
Sincerely,

Linscott, Law & Greenspan, Engineers

Principal

cc: File
Shane S. Green, P.E., Transportation Engineer III





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LINSCOTT LAW & GREENSPAN engineers

N NO SCALE

SOURCE: GOOGLE

KEY

= PROJECT SITE (INDUSTRIAL)

= PROJECT SITE (RETAIL)

= SCE SITE

= SPECIFIC PLAN BOUNDARY

FIGURE 1

VICINITY MAP

EDENGLEN BUSINESS PARK, ONTARIO



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SOURCE: GOOGLE

KEY

= PROJECT SITE (INDUSTRIAL)

= PROJECT SITE (RETAIL)

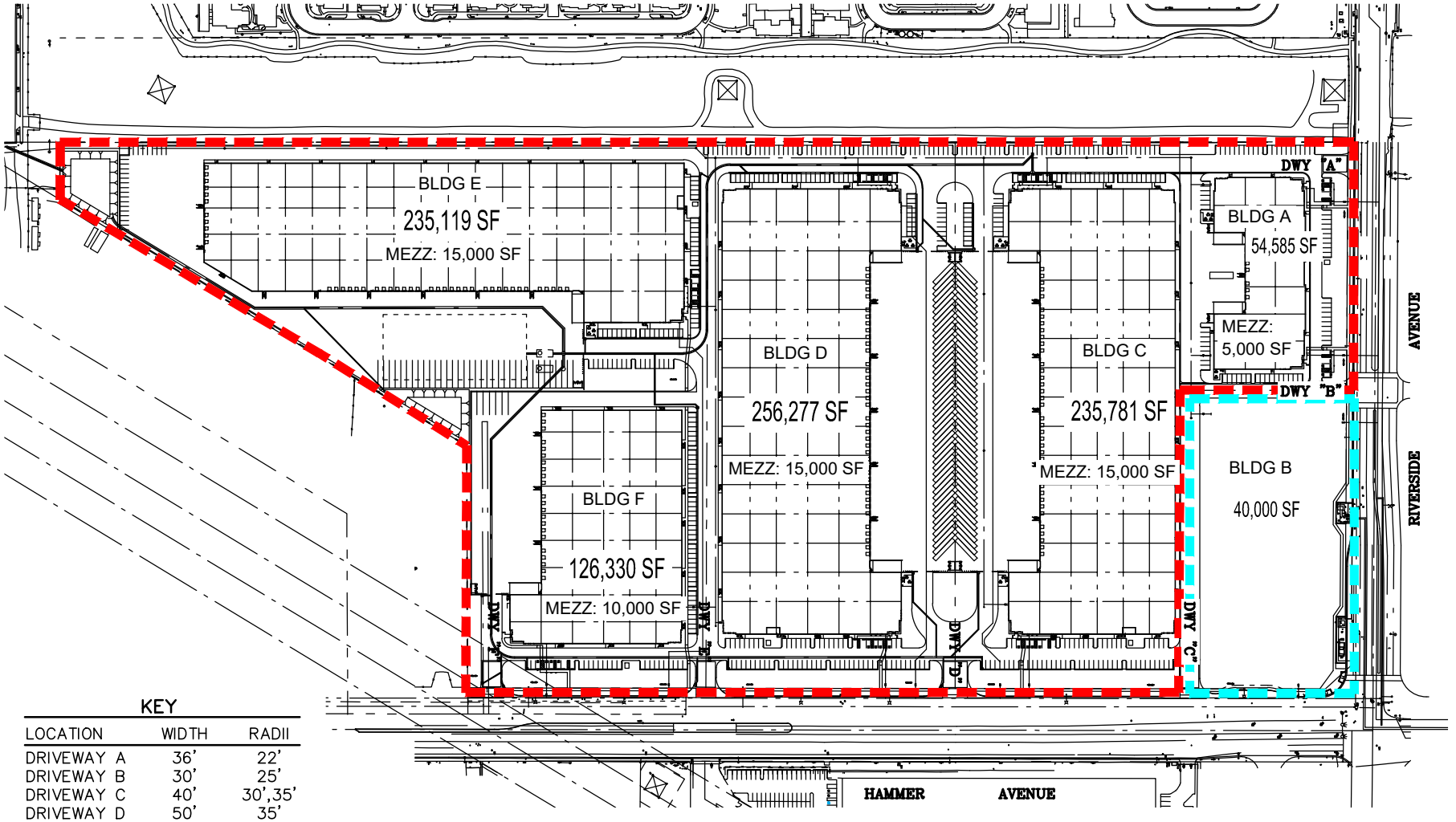
= SCE SITE

= SPECIFIC PLAN BOUNDARY

FIGURE 2

EXISTING SITE AERIAL PHOTOGRAPH

EDENGLEN BUSINESS PARK, ONTARIO



KEY

LOCATION	WIDTH	RADII
DRIVEWAY A	36'	22'
DRIVEWAY B	30'	25'
DRIVEWAY C	40'	30',35'
DRIVEWAY D	50'	35'
DRIVEWAY E	40'	35'
DRIVEWAY F	40'	22',35'

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LINSCOTT LAW & GREENSPAN engineers

NO SCALE

SOURCE: RGA

KEY

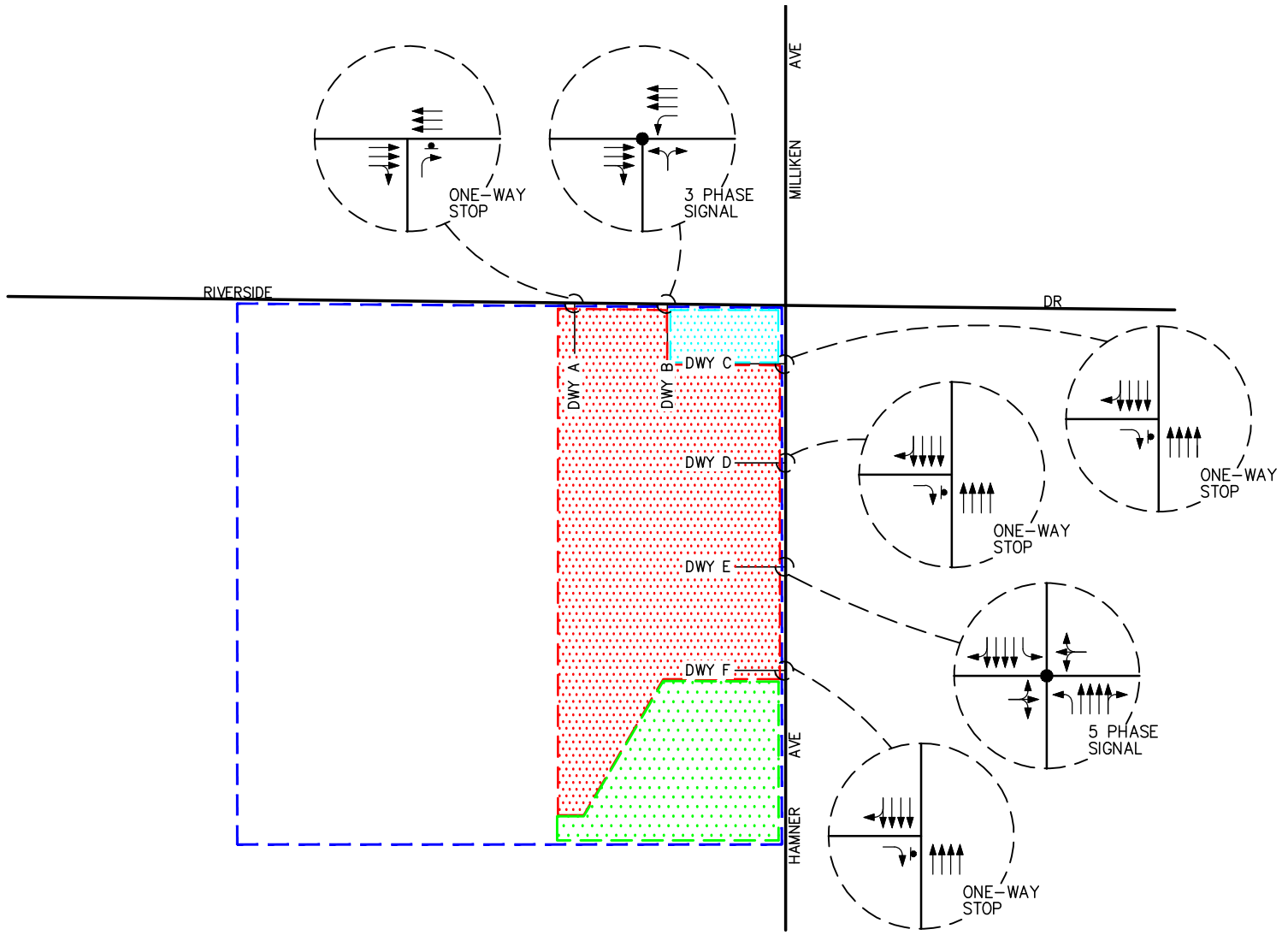
= INDUSTRIAL COMPONENT

= RETAIL COMPONENT

FIGURE 3

PROPOSED SITE PLAN

EDENGLEN BUSINESS PARK, ONTARIO



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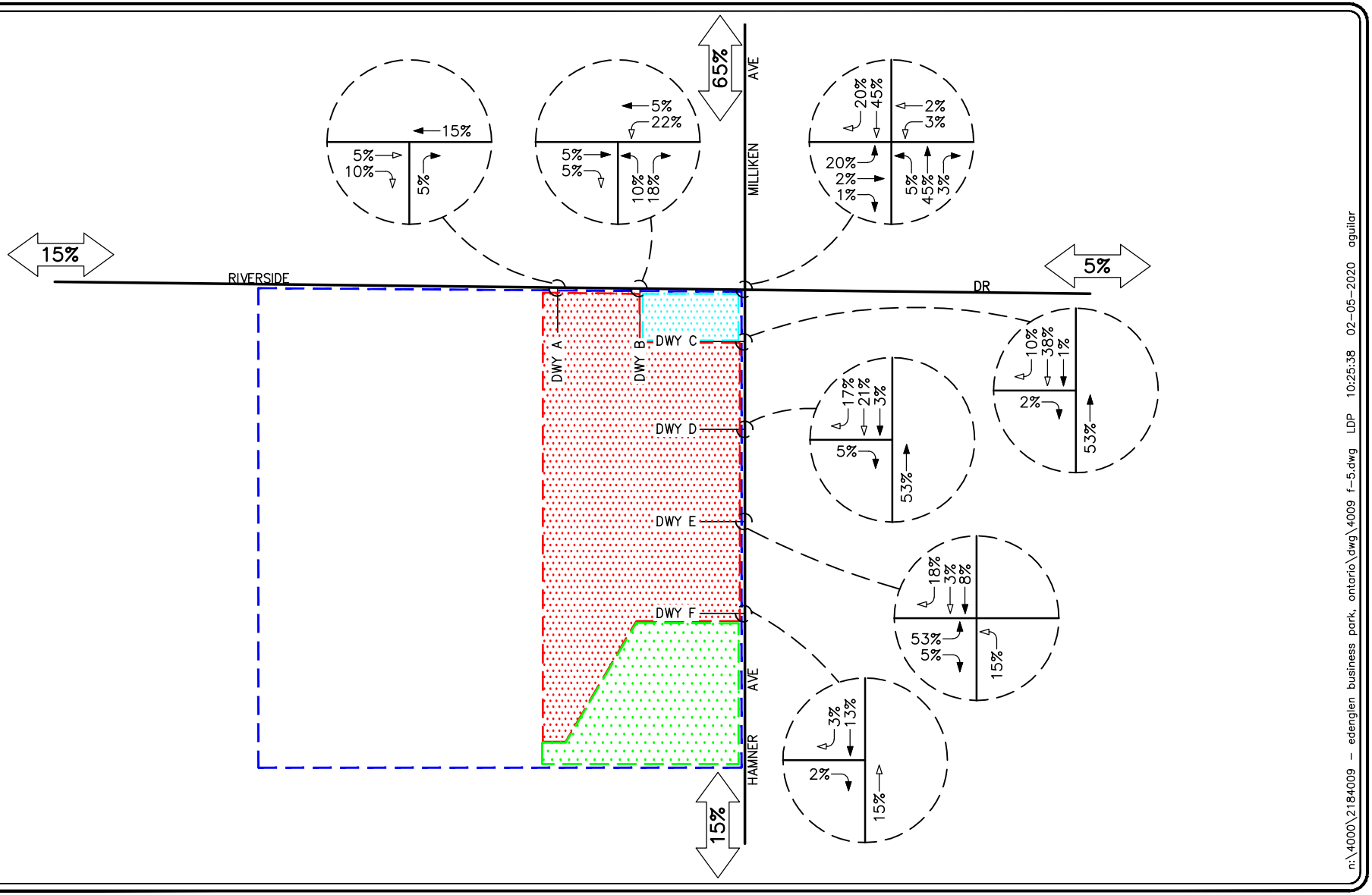
KEY

= PROJECT SITE (INDUSTRIAL)
= PROJECT SITE (RETAIL)
= SCE SITE
= SPECIFIC PLAN BOUNDARY
= APPROACH LANE ASSIGNMENT
= TRAFFIC SIGNAL, = STOP SIGN

FIGURE 4

PROJECT DRIVEWAY LANE CONFIGURATIONS

EDENGLEN BUSINESS PARK, ONTARIO



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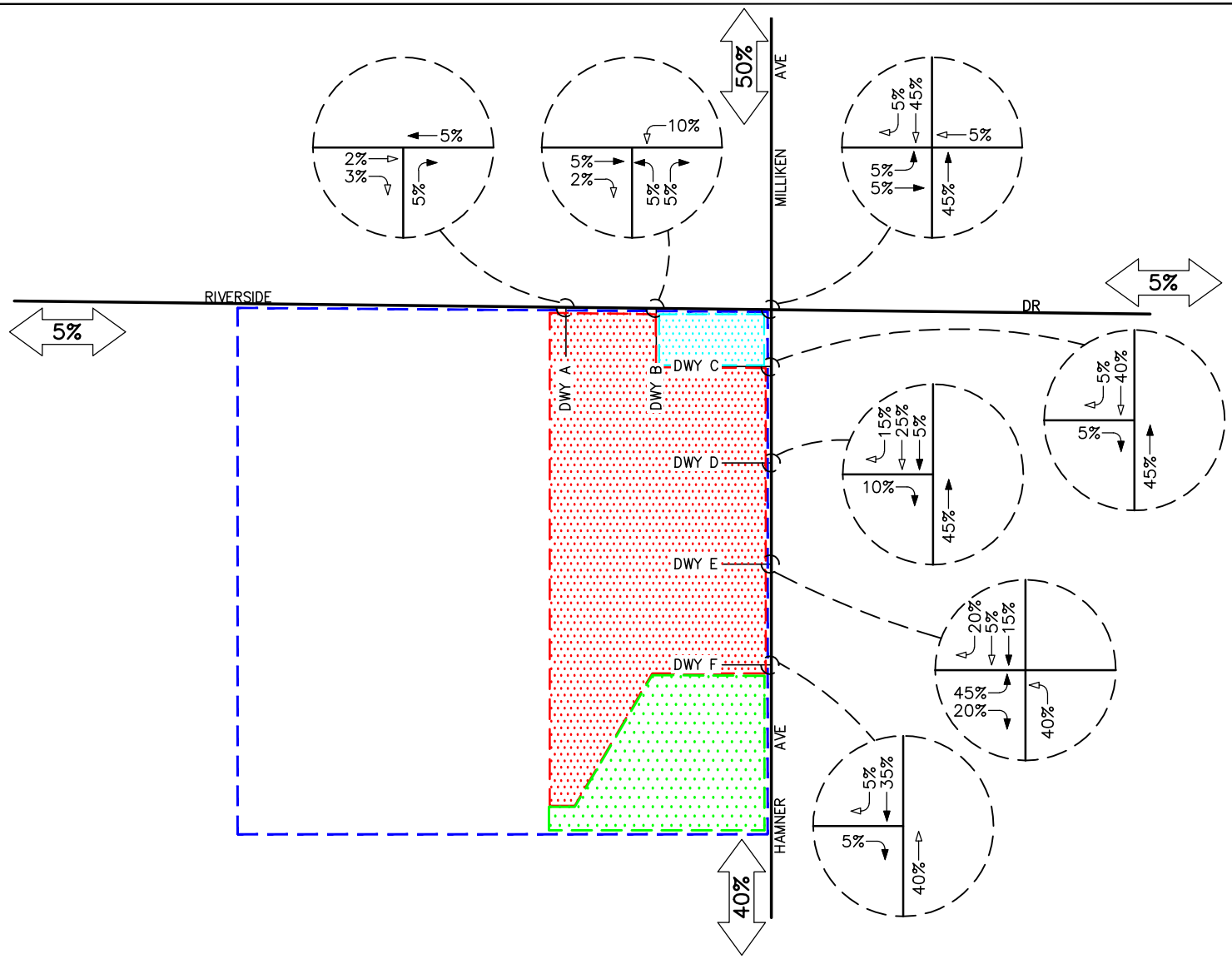
KEY

= PROJECT SITE (INDUSTRIAL)
= PROJECT SITE (RETAIL)
= SCE SITE
= SPECIFIC PLAN BOUNDARY
= INBOUND PERCENTAGE
= OUTBOUND PERCENTAGE

FIGURE 5

INDUSTRIAL/MANUFACTURING PROJECT TRAFFIC DISTRIBUTION PATTERN (PASSENGER VEHICLES)

EDENGLEN BUSINESS PARK, ONTARIO



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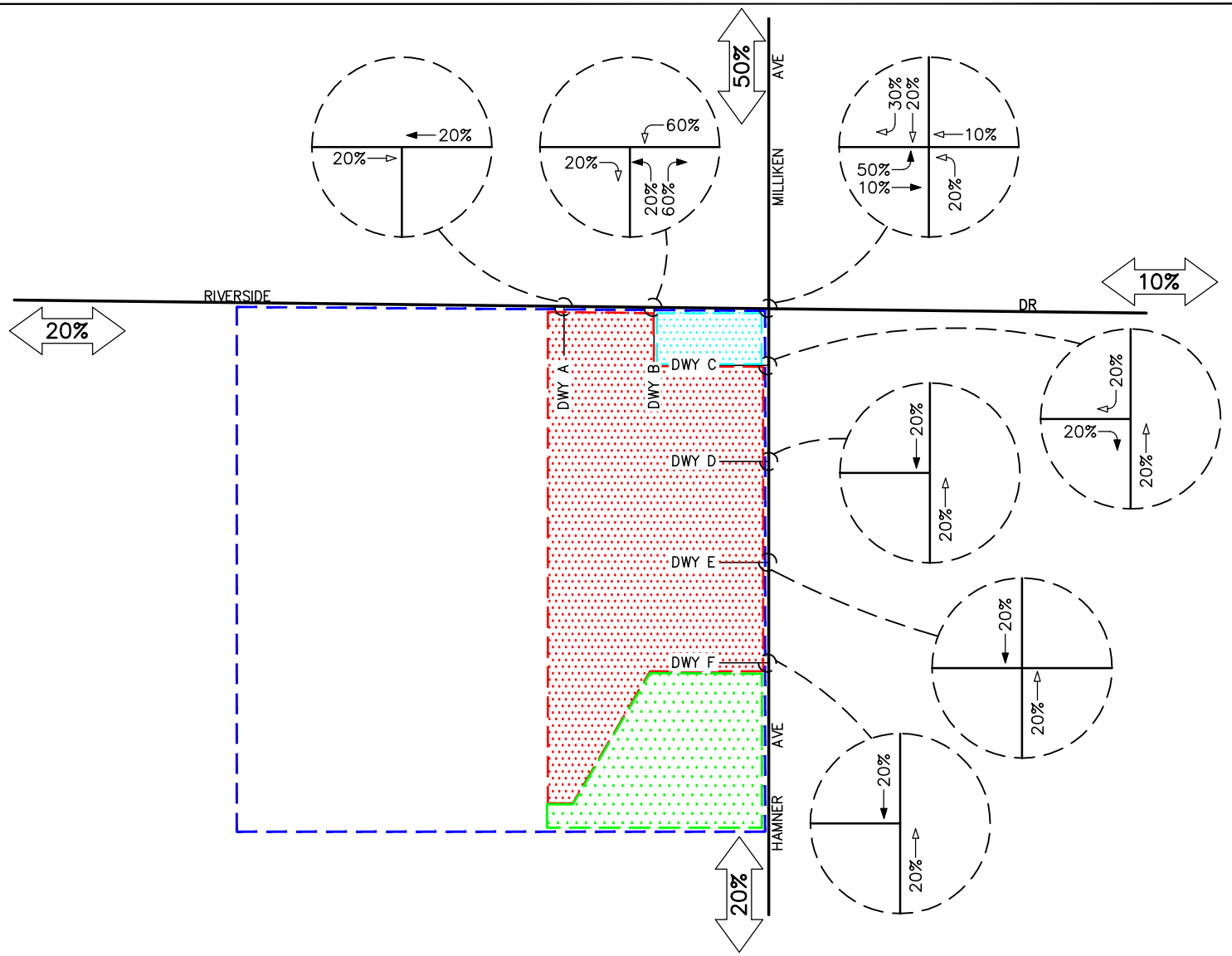
= PROJECT SITE (INDUSTRIAL)
= PROJECT SITE (RETAIL)
= SCE SITE
= SPECIFIC PLAN BOUNDARY
= INBOUND PERCENTAGE
= OUTBOUND PERCENTAGE

FIGURE 6

INDUSTRIAL/MANUFACTURING PROJECT TRAFFIC DISTRIBUTION PATTERN (TRUCKS)

EDENGLEN BUSINESS PARK, ONTARIO



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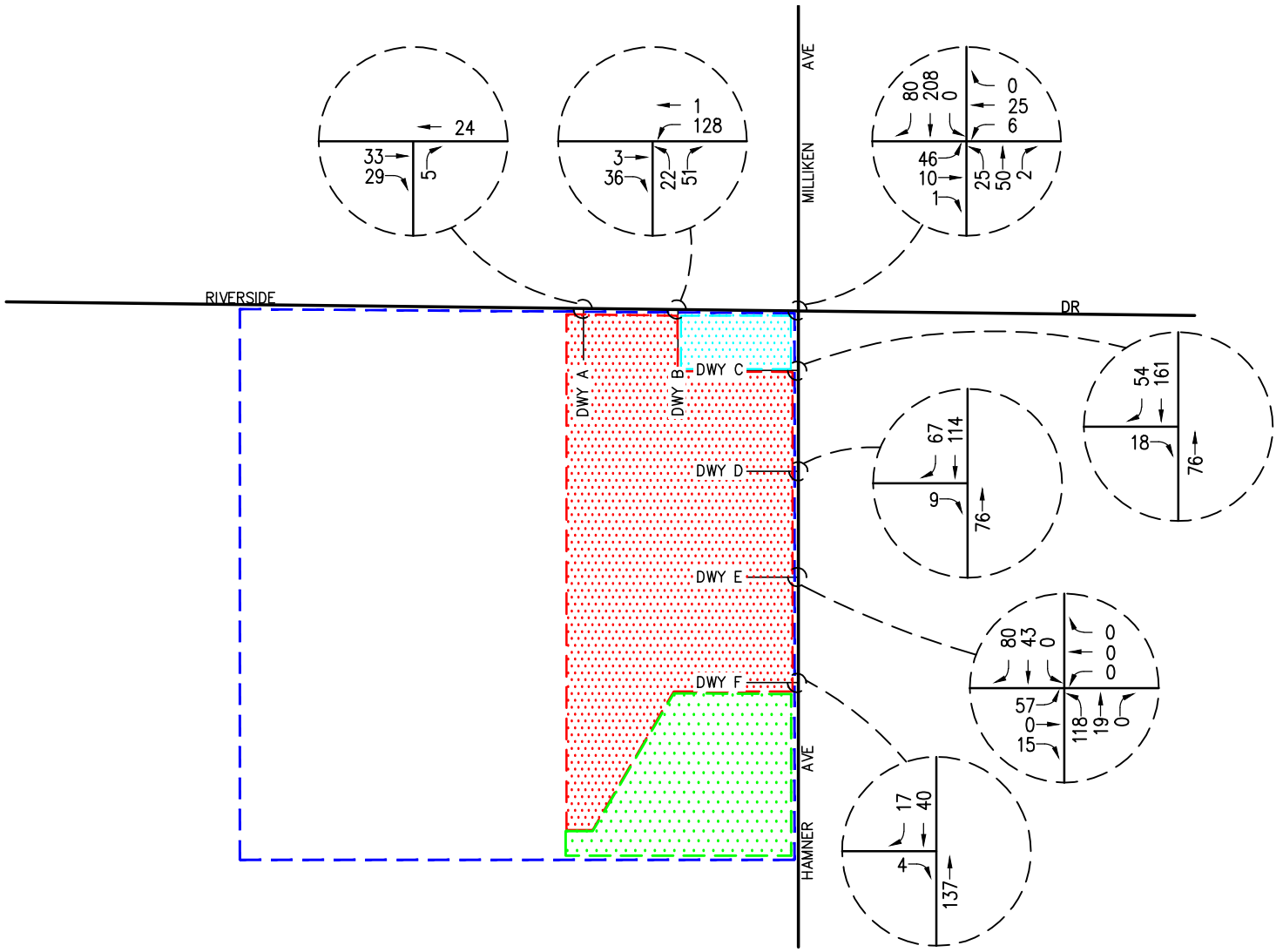
= PROJECT SITE (RETAIL)
= SCE SITE
= SPECIFIC PLAN BOUNDARY
= INBOUND PERCENTAGE
= OUTBOUND PERCENTAGE

FIGURE 7

RETAIL PROJECT TRAFFIC DISTRIBUTION PATTERN

EDENGLEN BUSINESS PARK, ONTARIO



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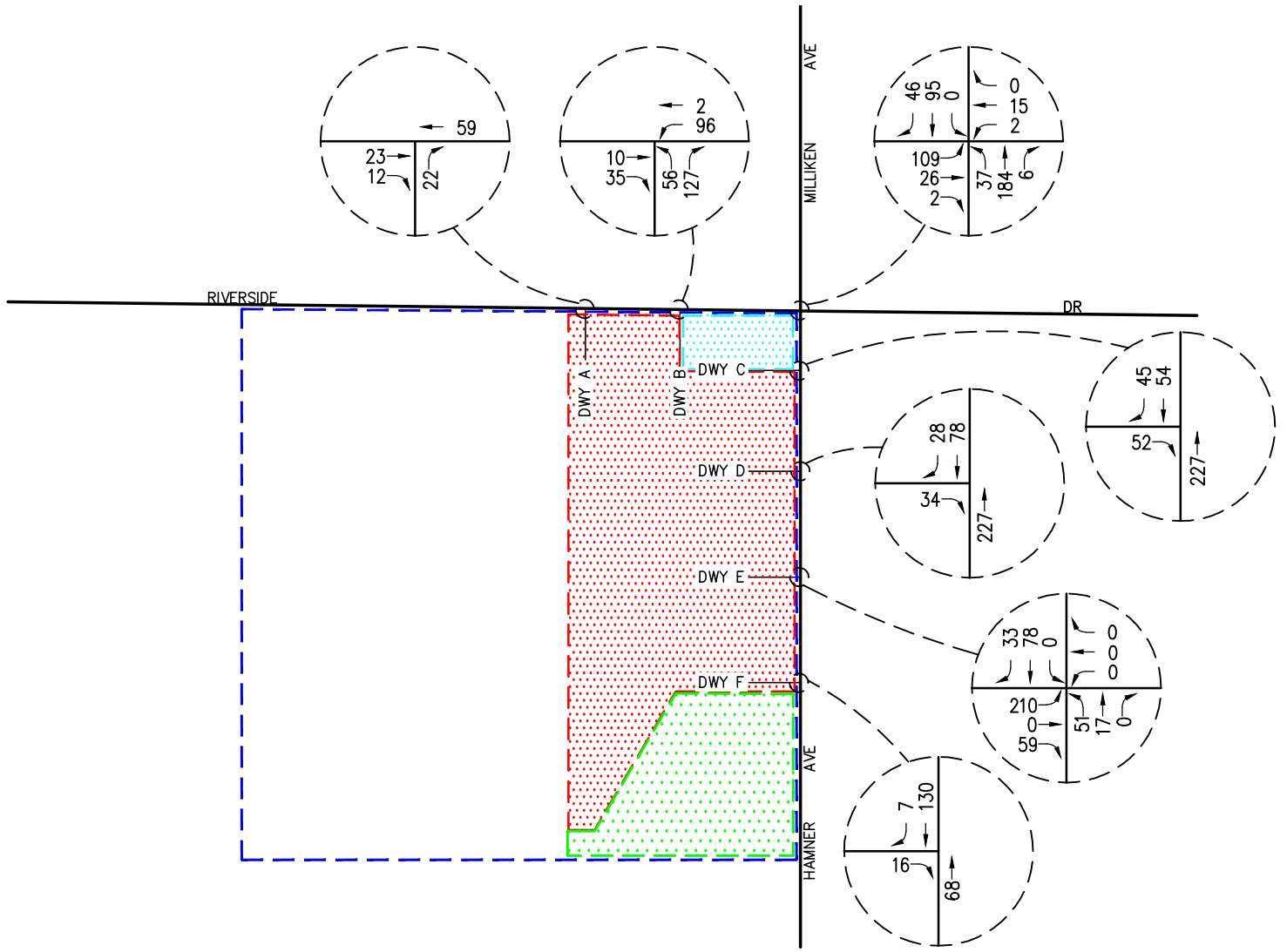
= SPECIFIC PLAN BOUNDARY

FIGURE 8

AM PEAK HOUR PROJECT TRAFFIC VOLUMES

EDENGLEN BUSINESS PARK, ONTARIO



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= PROJECT SITE (INDUSTRIAL)

= PROJECT SITE (RETAIL)

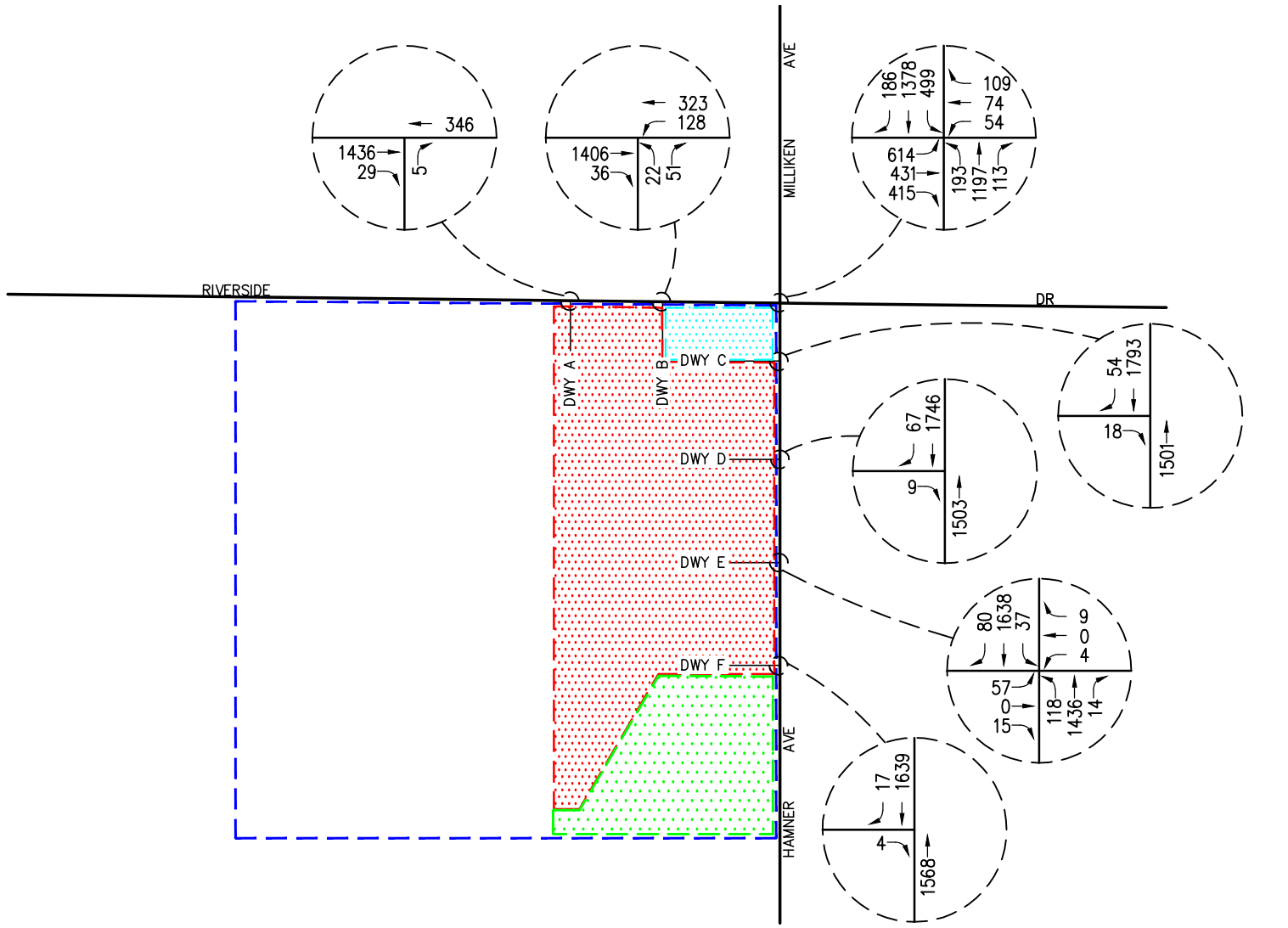
= SCE SITE

= SPECIFIC PLAN BOUNDARY

FIGURE 9

PM PEAK HOUR PROJECT TRAFFIC VOLUMES

EDENGLEN BUSINESS PARK, ONTARIO



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= PROJECT SITE (INDUSTRIAL)
= PROJECT SITE (RETAIL)
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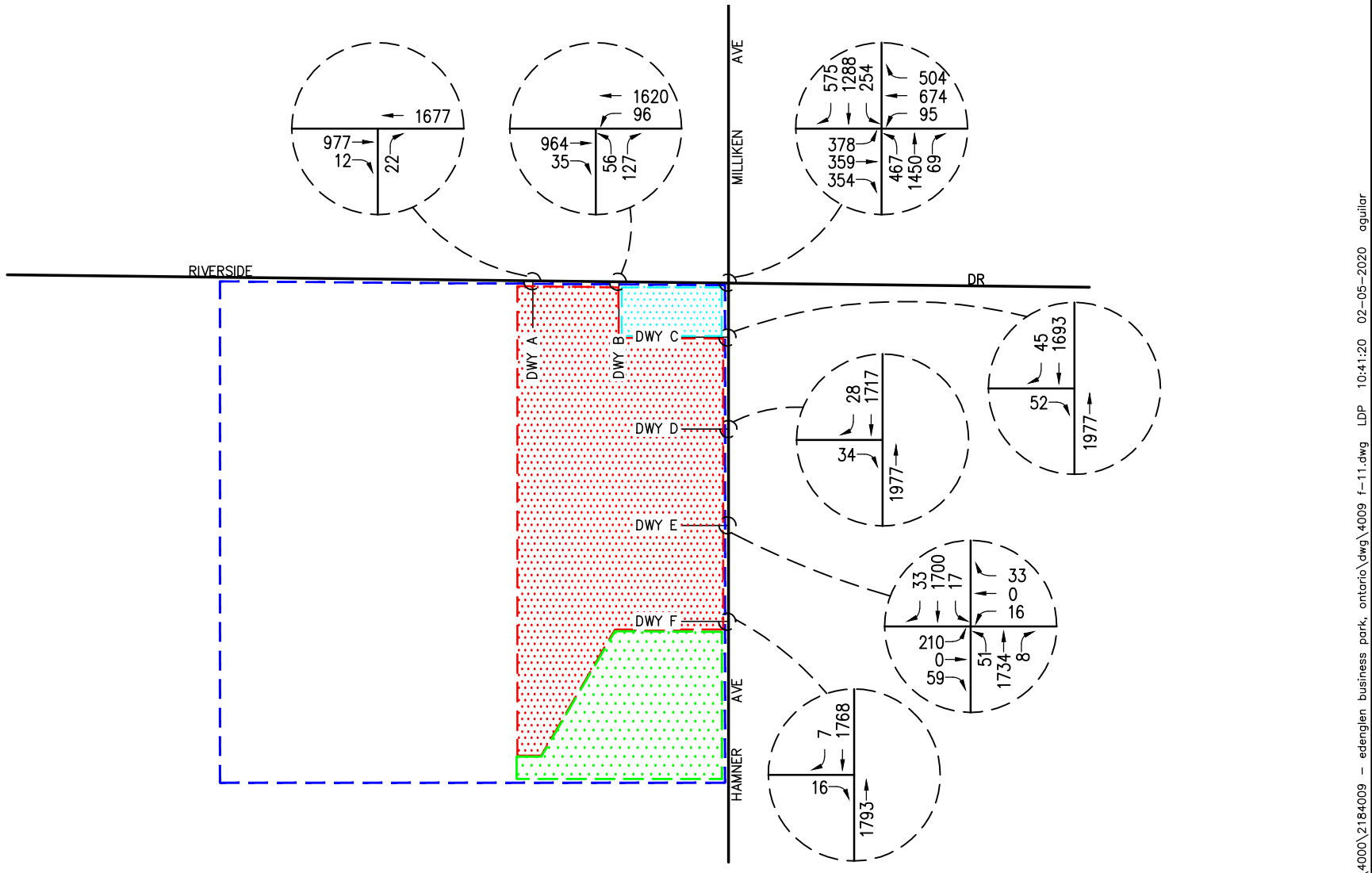
= SPECIFIC PLAN BOUNDARY

FIGURE 10

YEAR 2040 PLUS PROJECT AM PEAK HOUR TRAFFIC VOLUMES

EDENGLEN BUSINESS PARK, ONTARIO



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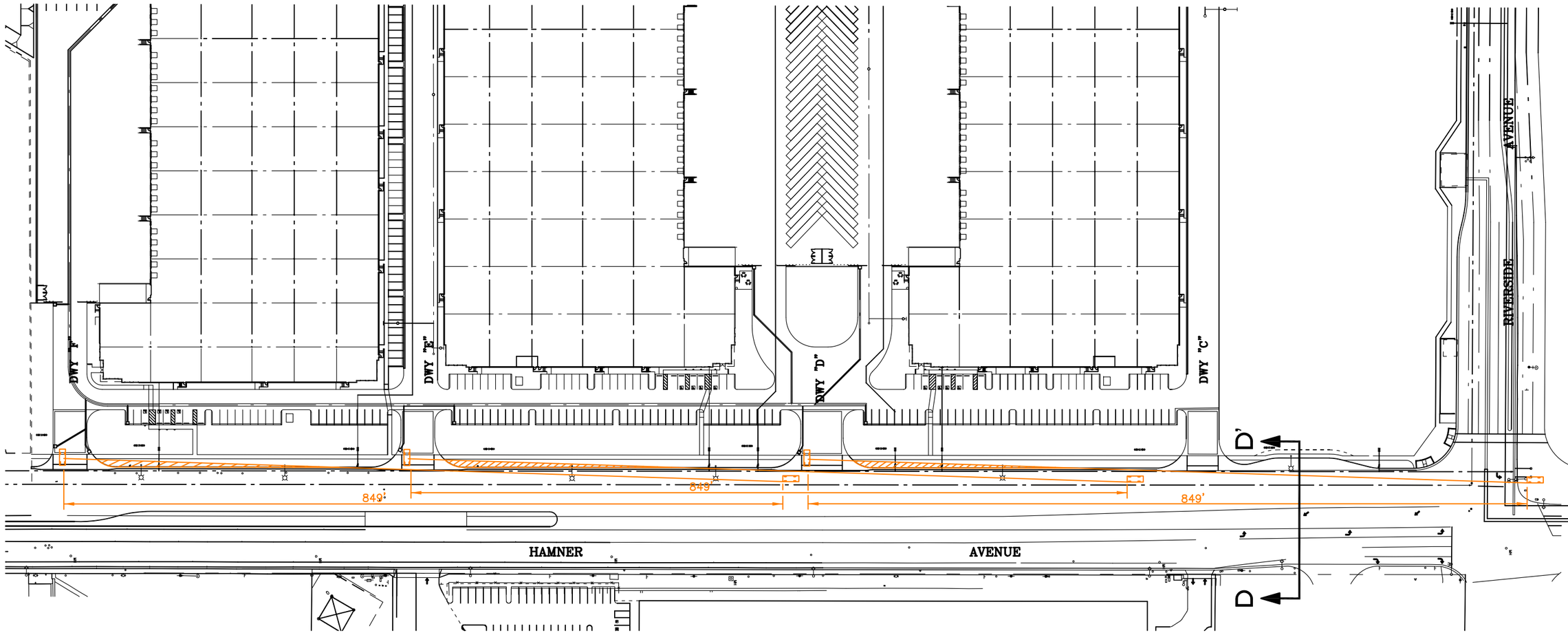
= PROJECT SITE (INDUSTRIAL)
= PROJECT SITE (RETAIL)
= SCE SITE
= SPECIFIC PLAN BOUNDARY

FIGURE 11

YEAR 2040 PLUS PROJECT PM PEAK HOUR TRAFFIC VOLUMES

EDENGLEN BUSINESS PARK, ONTARIO

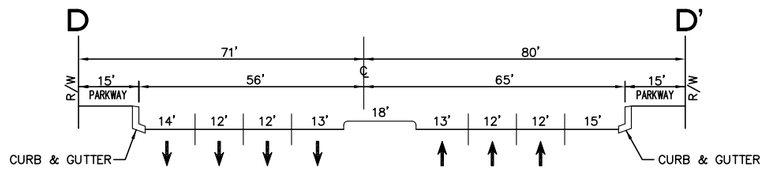


CORNER SIGHT DISTANCE

DESIGN SPEED LIMIT:	55 MPH
REQUIRED CORNER SIGHT DISTANCE: FOR RIGHT–TURN	849 FEET

LEGEND

PUBLIC RIGHT–OF–WAY LIMITED USE AREA: TO ENSURE ADEQUATE SIGHT DISTANCE, HARDSCAPE AND/OR LANDSCAPE SHALL NOT BE HIGHER THAN 6 INCHES ABOVE THE CURB/SIDEWALK. NO FENCES OR WALLS IN LIMITED USE AREA.



PROPOSED SECTION D - D"
NO SCALE

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N NO SCALE

FIGURE 12

CORNER SIGHT DISTANCE ANALYSIS ON HAMNER AVENUE

EDENGLEN BUSINESS PARK, ONTARIO

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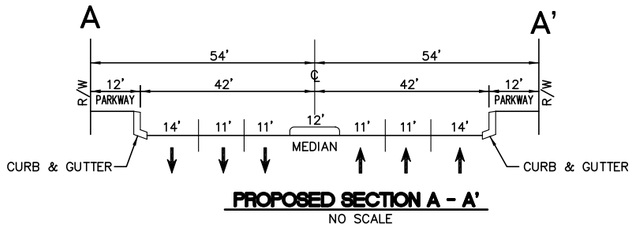

PROPOSED SECTION A - A'
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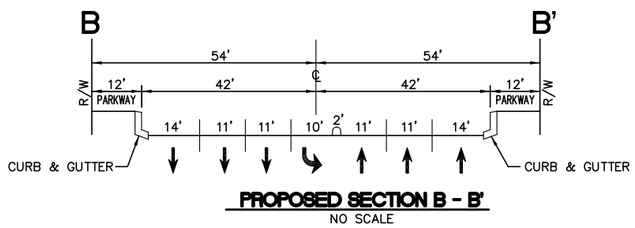

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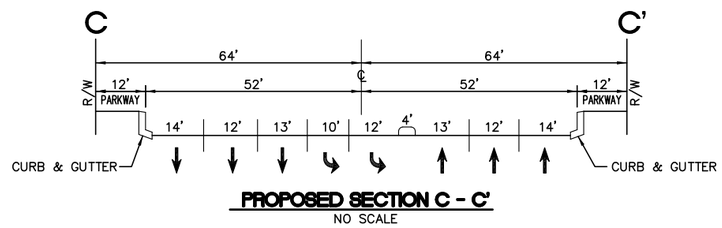

PROPOSED SECTION C - C'
NO SCALE

CORNER SIGHT DISTANCE

DESIGN SPEED LIMIT:	50 MPH
REQUIRED CORNER SIGHT DISTANCE: FOR RIGHT-TURN	772 FEET

LEGEND

PUBLIC RIGHT-OF-WAY LIMITED USE AREA: TO ENSURE ADEQUATE SIGHT DISTANCE, HARDSCAPE AND/OR LANDSCAPE SHALL NOT BE HIGHER THAN 6 INCHES ABOVE THE CURB/SIDEWALK. NO FENCES OR WALLS IN LIMITED USE AREA.



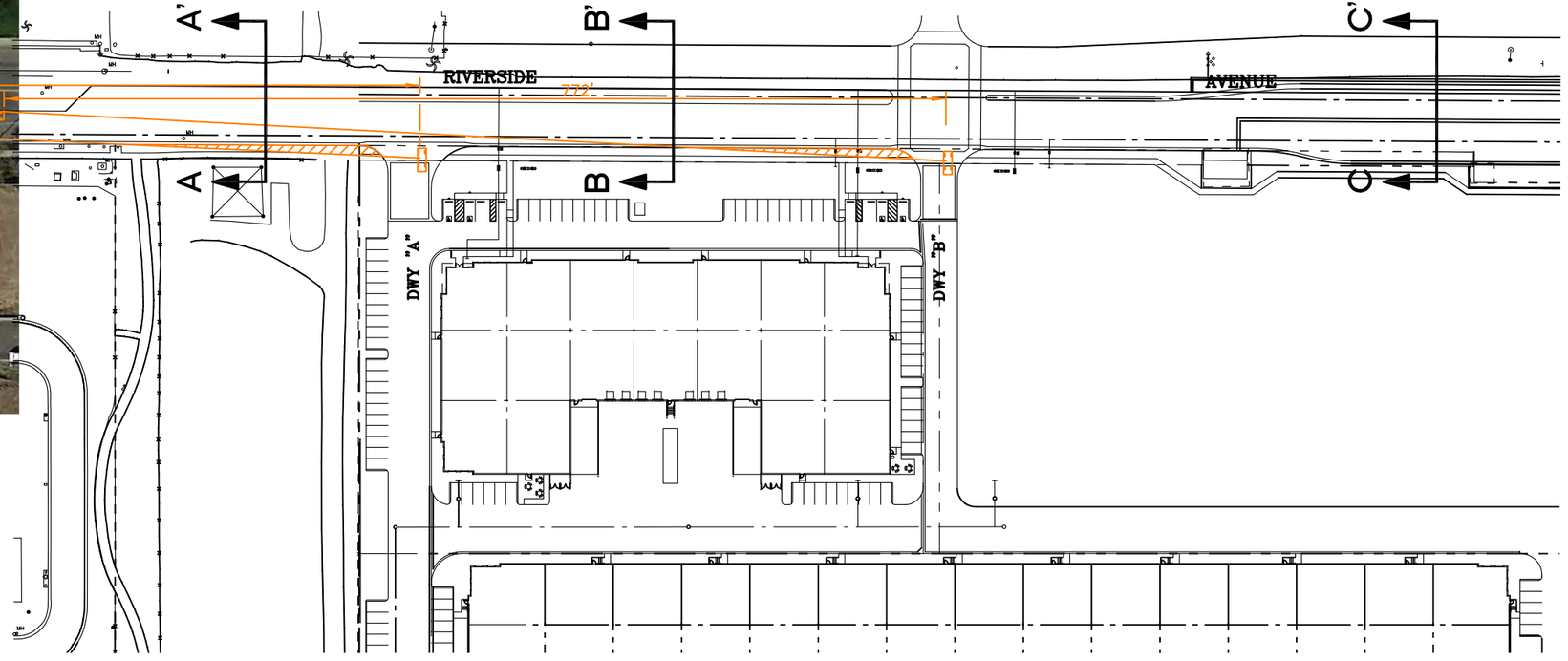

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FIGURE 13

CORNER SIGHT DISTANCE ANALYSIS ON RIVERSIDE AVENUE

EDENGLEN BUSINESS PARK, ONTARIO

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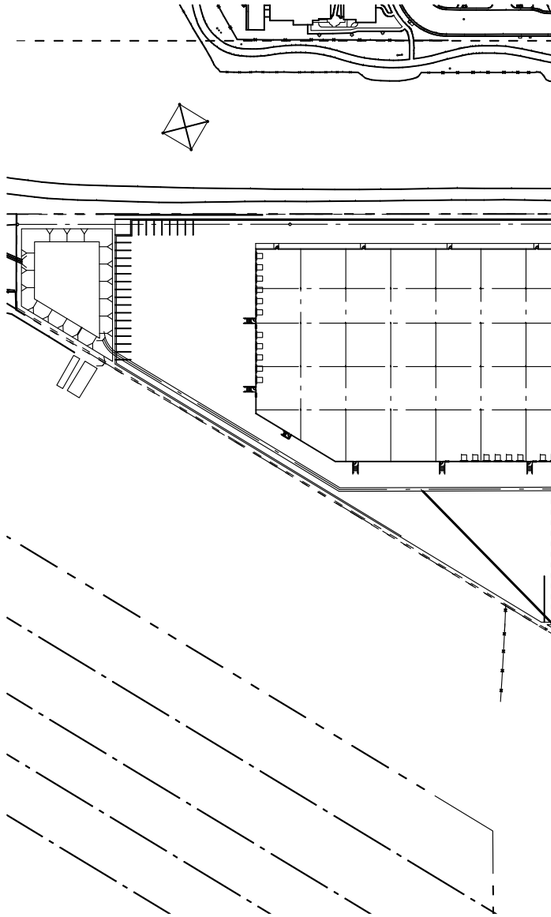

WB–67

feet

Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 28.4
Tractor Track	: 8.00	Articulating Angle	: 75.0
Trailer Track	: 8.50		

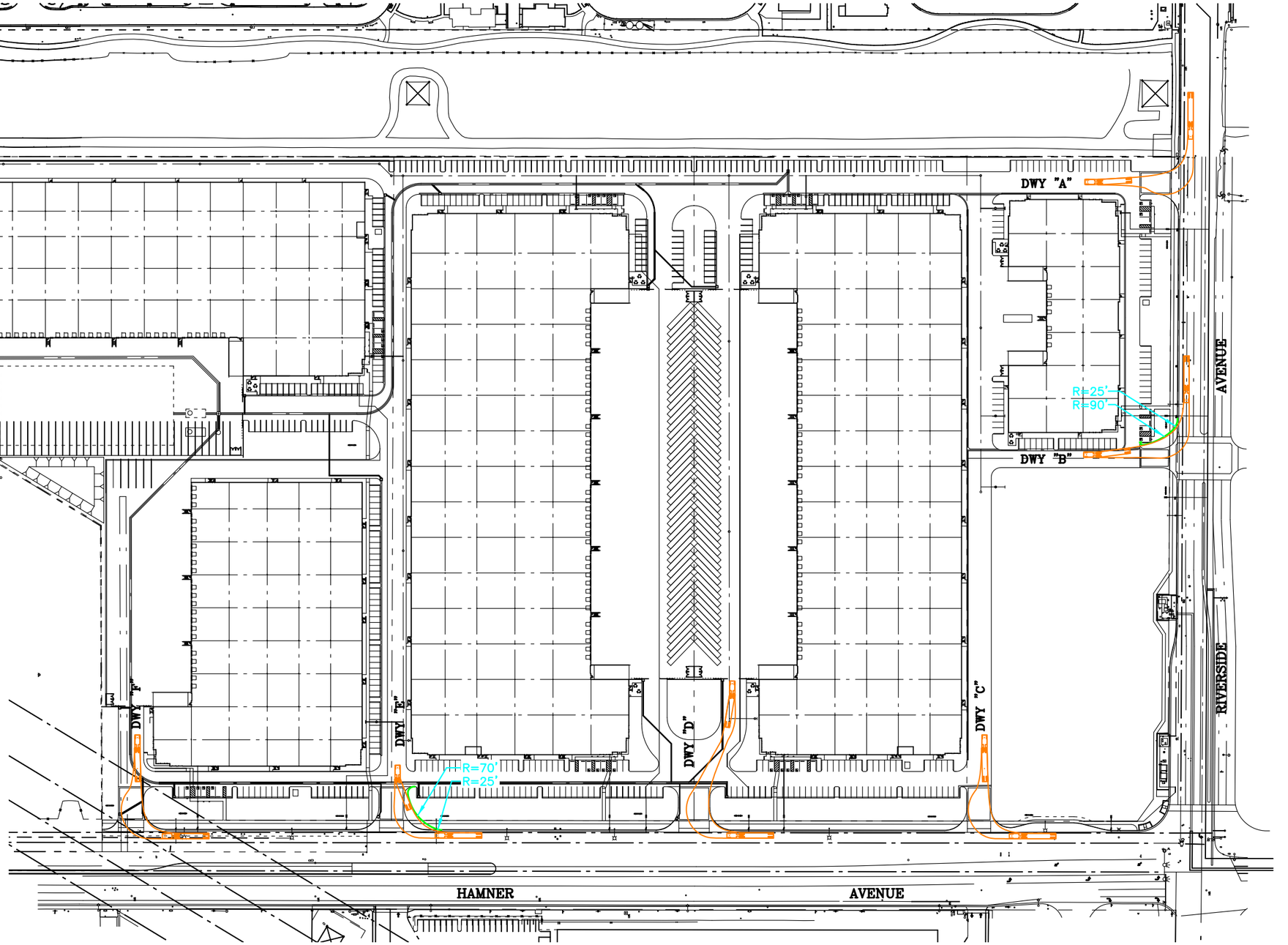

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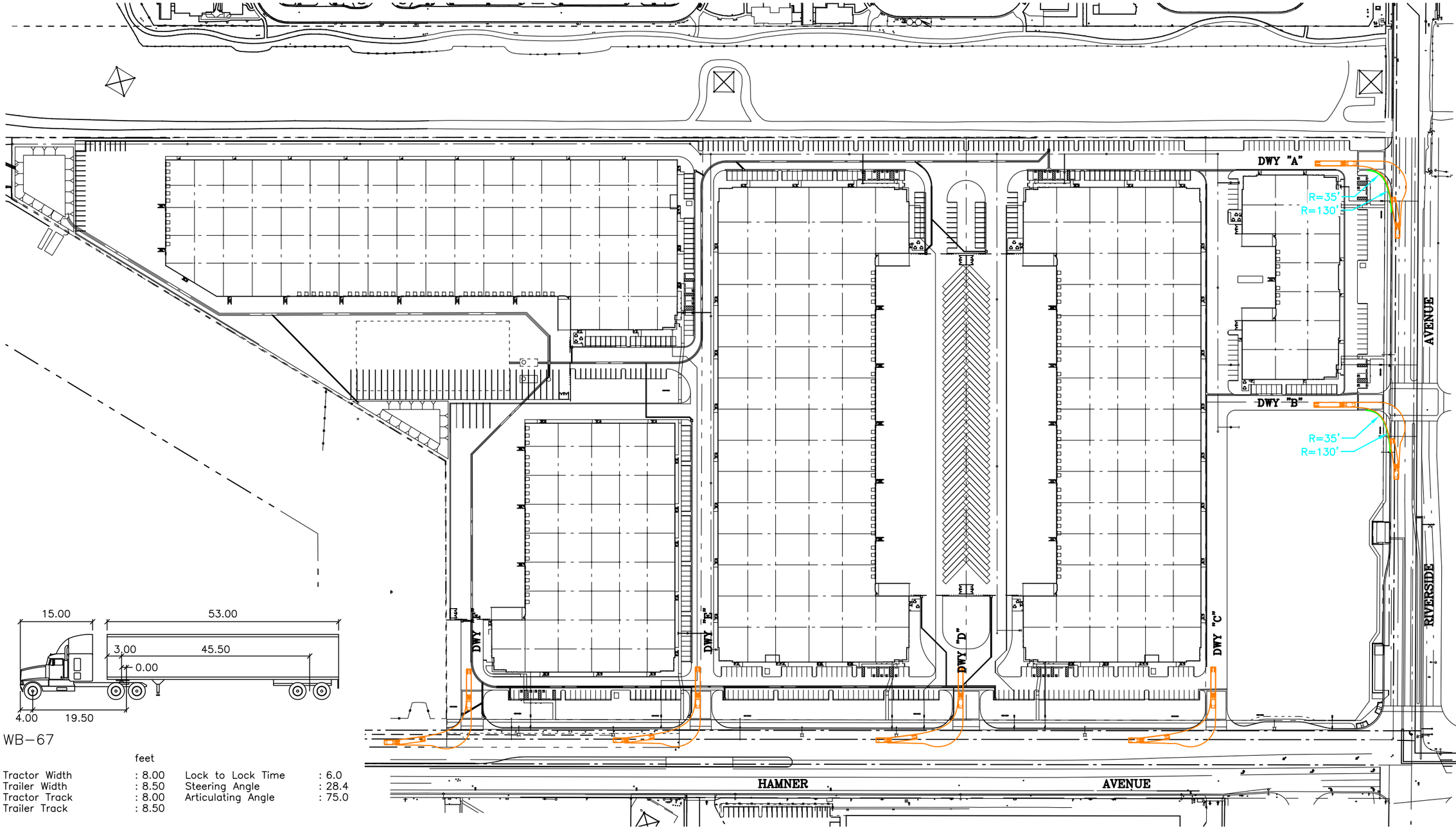
FIGURE 14

WB–67 INBOUND TRUCK TURNING ANALYSIS

EDENGLEN BUSINESS PARK, ONTARIO



WB–67

feet

Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 28.4
Tractor Track	: 8.00	Articulating Angle	: 75.0
Trailer Track	: 8.50		

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NO SCALE

FIGURE 15

WB–67 OUTBOUND TRUCK TURNING ANALYSIS

EDENGLEN BUSINESS PARK, ONTARIO

TABLE 1

TRIP GENERATION RATES WITH PCE CONVERSION FACTORS[3]

ITE Land Use Code	Daily 2-Way	AM Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total
Trip Generation Rates:							
▪ ***110: General Light Industrial – Total (TE/1000 SF)***	***4.96***	***0.62***	***0.08***	***0.70***	***0.08***	***0.55***	***0.63***
❑ Passenger Cars – 78.6% Daily (TE/1000 SF)	3.90	0.38	0.04	0.42	0.06	0.42	0.48
❑ 2 Axle Trucks – 8.0% Daily/32.7% Peak Hour (TE/1000 SF)	0.40	0.08	0.01	0.09	0.01	0.04	0.05
❑ 3 Axle Trucks – 3.9% Daily/17.9% Peak Hour (TE/1000 SF)	0.19	0.04	0.01	0.05	0.00	0.03	0.03
❑ 4+ Axle Trucks – 9.5% Daily/49.4% Peak Hour (TE/1000 SF)	0.47	0.12	0.02	0.14	0.01	0.06	0.07
▪ ***130: Industrial Park – Total (TE/1000 SF)***	***3.37***	***0.32***	***0.08***	***0.40***	***0.08***	***0.32***	***0.40***
❑ Passenger Cars – 52.8% Daily (TE/1000 SF)	1.78	0.19	0.05	0.24	0.04	0.16	0.20
❑ 2 Axle Trucks – 4.0% Daily/7.9% Peak Hour (TE/1000 SF)	0.13	0.01	0.00	0.01	0.00	0.02	0.02
❑ 3 Axle Trucks – 3.3% Daily/7.1% Peak Hour (TE/1000 SF)	0.11	0.01	0.00	0.01	0.00	0.01	0.01
❑ 4+ Axle Trucks – 39.8% Daily/85.0% Peak Hour (TE/1000 SF)	1.35	0.11	0.03	0.14	0.04	0.13	0.17
▪ ***140: Manufacturing – Total (TE/1000 SF)***	***3.93***	***0.48***	***0.14***	***0.62***	***0.21***	***0.46***	***0.67***
❑ Passenger Cars – 79.57% Daily (TE/1000 SF)	3.13	0.34	0.10	0.44	0.14	0.29	0.43
❑ 2 Axle Trucks – 3.46% Daily/16.95% Peak Hour (TE/1000 SF)	0.14	0.02	0.01	0.03	0.01	0.03	0.04
❑ 3 Axle Trucks – 4.64% Daily/22.71% Peak Hour (TE/1000 SF)	0.18	0.03	0.01	0.04	0.02	0.03	0.05
❑ 4+ Axle Trucks – 12.33% Daily/60.34% Peak Hour (TE/1000 SF)	0.48	0.09	0.02	0.11	0.04	0.11	0.15
▪ ***150: Warehousing – Total (TE/1000 SF)***	***1.74***	***0.13***	***0.04***	***0.17***	***0.05***	***0.14***	***0.19***
❑ Passenger Cars – 79.57% Daily (TE/1000 SF)	1.38	0.09	0.03	0.12	0.03	0.09	0.12
❑ 2 Axle Trucks – 3.46% Daily/16.95% Peak Hour (TE/1000 SF)	0.06	0.01	0.00	0.01	0.00	0.01	0.01
❑ 3 Axle Trucks – 4.64% Daily/22.71% Peak Hour (TE/1000 SF)	0.08	0.01	0.00	0.01	0.00	0.02	0.02
❑ 4+ Axle Trucks – 12.33% Daily/60.34% Peak Hour (TE/1000 SF)	0.22	0.02	0.01	0.03	0.02	0.02	0.04
▪ 770: Business Park (TE/1000 SF)	12.44	61%	39%	0.40	46%	54%	0.42
▪ 820: Shopping Center (TE/1000 SF)	[a]	62%	38%	[a]	48%	52%	[a]

Notes:
TE/1000 SF = Trip end per 1,000 SF
PCE = Passenger Car Equivalents
[a] = Shopping Center equations were used:
Daily: Ln(T) = 0.68Ln(X) + 5.57
AM Peak Hour: T = 0.50(X) + 151.78
PM Peak Hour: Ln(T) = 0.74Ln(X) + 2.89

[3] Source: *Trip Generation, 10th Edition, Institute of Transportation Engineers (ITE), Washington, D.C. (2017)*. Recommended mix of traffic, including mix of 2-axle, 3-axle, and 4+-axle trucks are based on the *Truck Trip Generation Study – City of Fontana, August 2003.* All 2-axle, 3-axle and 4+-axle trucks are converted to passenger car equivalents using a factor of 1.5 vehicles per truck, 2.0 vehicles per truck, and 3.0 vehicles per truck, respectively.

TABLE 2

PROJECT TRIP GENERATION FORECAST[4]

ITE Land Use Code / Project Description	Daily 2-Way	AM Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total
Trip Generation Forecast Project Alternative 1:							
▪ 110: General Light Industrial (59,585 SF)							
❑ Passenger Cars	232	23	2	25	4	25	29
❑ 2 Axle Trucks	36	7	1	8	1	3	4
❑ 3 Axle Trucks	23	5	1	6	0	4	4
❑ 4+ Axle Trucks	84	21	4	25	2	11	13
General Light Industrial Total	**375**	**56**	**8**	**64**	**7**	**43**	**50**
▪ 150: Warehousing (908,507 SF)							
❑ Passenger Cars	1,254	82	27	109	27	82	109
❑ 2 Axle Trucks	82	14	0	14	0	14	14
❑ 3 Axle Trucks	145	18	0	18	0	36	36
❑ 4+ Axle Trucks	600	55	27	82	55	54	109
Warehousing Total	**2,081**	**169**	**54**	**223**	**82**	**186**	**268**
▪ 820: Shopping Center (40,000 SF)	3,224	107	65	172	132	144	276
Passby Trips[5]	*-322*	*-11*	*-6*	*-17*	*-45*	*-49*	*-94*
Retail Total	**2,902**	**96**	**59**	**155**	**87**	**95**	**182**
Total Passenger Car Traffic	**4,388**	**201**	**88**	**289**	**118**	**202**	**320**
Total Truck PCE Traffic	**970**	**120**	**33**	**153**	**58**	**122**	**180**
Total Project Alternative 1 Trip Generation	**5,358**	**321**	**121**	**442**	**176**	**324**	**500**
Trip Generation Forecast Project Alternative 2:							
▪ 110: General Light Industrial (59,585 SF)							
❑ Passenger Cars	232	23	2	25	4	25	29
❑ 2 Axle Trucks	36	7	1	8	1	3	4
❑ 3 Axle Trucks	23	5	1	6	0	4	4
❑ 4+ Axle Trucks	84	21	4	25	2	11	13
General Light Industrial Total	**375**	**56**	**8**	**64**	**7**	**43**	**50**
▪ 150: Warehousing (522,058 SF)							
❑ Passenger Cars	720	47	16	63	16	47	63
❑ 2 Axle Trucks	47	8	0	8	0	8	8
❑ 3 Axle Trucks	84	10	0	10	0	21	21
❑ 4+ Axle Trucks	345	31	16	47	31	32	63
Warehousing Total	**1,196**	**96**	**32**	**128**	**47**	**108**	**155**
▪ 140: Manufacturing (386,449 SF)							
❑ Passenger Cars	1,210	131	39	170	54	112	166
❑ 2 Axle Trucks	81	12	5	17	6	17	23
❑ 3 Axle Trucks	139	23	8	31	15	24	39
❑ 4+ Axle Trucks	556	104	24	128	46	128	174
Manufacturing Total	**1,986**	**270**	**76**	**346**	**121**	**281**	**402**
▪ 820: Shopping Center (40,000 SF)	3,224	107	65	172	132	144	276
Passby Trips[5]	*-322*	*-11*	*-6*	*-17*	*-45*	*-49*	*-94*
Retail Total	**2,902**	**96**	**59**	**155**	**87**	**95**	**182**
Total Passenger Car Traffic	**5,064**	**297**	**116**	**413**	**161**	**279**	**440**
Total Truck PCE Traffic	**1,395**	**221**	**59**	**280**	**101**	**248**	**349**
Total Project Alternative 2 Trip Generation	**6,459**	**518**	**175**	**693**	**262**	**527**	**789**

4 Source: *Trip Generation, 10th Edition, Institute of Transportation Engineers (ITE), Washington, D.C. (2017)*. Recommended mix of traffic, including mix of 2-axle, 3-axle, and 4+-axle trucks are based on the *Truck Trip Generation Study – City of Fontana, August 2003.* All 2-axle, 3-axle and 4+-axle trucks are converted to passenger car equivalents using a factor of 1.5 vehicles per truck, 2.0 vehicles per truck, and 3.0 vehicles per truck, respectively.

5 Source: *Trip Generation Handbook*, Institute of Transportation Engineers (ITE), Washington, D.C. (2017). The Daily and AM peak hour pass-by rate was assumed to be 10%, whereas the PM rate is 34% per the ITE handbook.

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TABLE 3
ENTITLED LAND USE TRIP GENERATION FORECAST[6]

ITE Land Use Code / Project Description	Daily 2-Way	AM Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total
Trip Generation Forecast Entitled Land Use Alternative 1:							
▪ 820: Shopping Center (217,520 SF)	10,198	162	99	261	464	502	966
Pass-by Trips[7]	*-1,020*	*-16*	*-10*	*-26*	*-158*	*-170*	*-328*
Shopping Center Total	**9,178**	**146**	**89**	**235**	**306**	**332**	**638**
▪ 770: Business Park (550,000 SF)	6,842	134	86	220	106	125	231
Total Entitled Land Use Alternative 1 Trip Generation	**16,020**	**280**	**175**	**455**	**412**	**457**	**869**
Trip Generation Forecast Entitled Land Use Alternative 2:							
▪ 820: Shopping Center (217,520 SF)	10,198	162	99	261	464	502	966
Pass-by Trips[7]	*-1,020*	*-16*	*-10*	*-26*	*-158*	*-170*	*-328*
Shopping Center Total	**9,178**	**146**	**89**	**235**	**306**	**332**	**638**
▪ 130: Industrial Park (550,000 SF)							
❑ Passenger Cars	979	105	27	132	22	88	110
❑ 2 Axle Trucks	107	8	0	8	0	17	17
❑ 3 Axle Trucks	121	11	0	11	0	11	11
❑ 4+ Axle Trucks	2,228	182	49	231	66	215	281
Industrial Park Total	**3,435**	**306**	**76**	**382**	**88**	**331**	**419**
Total Passenger Car Traffic	**10,157**	**251**	**116**	**367**	**328**	**420**	**748**
Total Truck PCE Traffic	**2,456**	**201**	**49**	**250**	**66**	**243**	**309**
Total Entitled Land Use Alternative 2 Trip Generation	**12,613**	**452**	**165**	**617**	**394**	**663**	**1,057**

6 Source: *Trip Generation, 10th Edition, Institute of Transportation Engineers (ITE), Washington, D.C. (2017).*

7 Source: *Trip Generation Handbook*, Institute of Transportation Engineers (ITE), Washington, D.C. (2017). The Daily and AM peak hour pass-by rate was assumed to be 10%, whereas the PM rate is 34% per the ITE handbook.

TABLE 4

TRIP GENERATION FORECAST COMPARISON SUMMARY

Scenario	Daily 2-Way	AM Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total
Trip Generation Forecast Summary:							
Project Alternative 1 (General Light Industrial + Warehouse + Retail)	5,358	321	121	442	176	324	500
Project Alternative 2 (General Light Industrial + Warehousing + Manufacturing + Retail)	6,459	518	175	693	262	527	789
Entitled Land Use Alternative 1 (Retail + Business Park)	16,020	280	175	455	412	457	869
Entitled Land Use Alternative 2 (Retail + Industrial Park)	12,613	452	165	617	394	663	1,057
Project Alternative 1 – Entitled Land Use Alternative 1	**-10,662**	**41**	**-54**	**-13**	**-236**	**-133**	**-369**
Project Alternative 1 – Entitled Land Use Alternative 2	**-7,255**	**-131**	**-44**	**-175**	**-218**	**-339**	**-557**
Project Alternative 2 – Entitled Land Use Alternative 1	**-9,561**	**238**	**0**	**238**	**-150**	**70**	**-80**
Project Alternative 2 – Entitled Land Use Alternative 2	**-6,154**	**66**	**10**	**76**	**-132**	**-136**	**-268**

TABLE 5

YEAR 2040 PEAK HOUR INTERSECTION CAPACITY ANALYSIS

Key Intersection		Control Type	Time Period	(1) Year 2040 Plus Project Traffic Conditions	
				Delay	LOS
A.	Project Driveway A at Riverside Avenue	One-Way Stop	AM	17.5 s/v	C
			PM	13.9 s/v	B
B.	Project Driveway B at Riverside Avenue	3∅ Traffic Signal	AM	9.6 s/v	A
			PM	9.2 s/v	A
C.	Hamner Avenue at Project Driveway C	One-Way Stop	AM	23.2 s/v	C
			PM	24.8 s/v	C
D.	Hamner Avenue at Project Driveway D	One-Way Stop	AM	21.9 s/v	C
			PM	23.1 s/v	C
E.	Hamner Avenue at Project Driveway E	5∅ Traffic Signal	AM	7.3 s/v	A
			PM	12.2 s/v	B
F.	Hamner Avenue at Project Driveway F	One-Way Stop	AM	19.5 s/v	C
			PM	21.9 s/v	C

Note:

- **Bold Delay/LOS** values indicate adverse service levels based on LOS standards.

TABLE 6

YEAR 2040 PEAK HOUR INTERSECTION QUEUING ANALYSIS[8]

Key Study Intersection	Storage Provided (feet)	(1) Year 2040 Plus Project Traffic Conditions			
		AM Peak Hour		PM Peak Hour	
		Max. Queue/ Min. Storage Required	Adequate Storage (Yes/No)	Max. Queue/ Min. Storage Required	Adequate Storage (Yes/No)
A. Project Driveway A at Riverside Avenue					
Northbound Right-Turn	50'	20'	Yes	20'	Yes
B. Project Driveway B at Riverside Avenue					
Northbound Left/Right Turn	280'[9]	92'	Yes	206'	Yes
Westbound Left-Turn	--	140'	Yes	108'	Yes
C. Hamner Avenue at Project Driveway C					
Eastbound Right-Turn	55'	20'	Yes	22'	Yes
D. Hamner Avenue at Project Driveway D					
Eastbound Right-Turn	55'	20'	Yes	20'	Yes
E. Hamner Avenue at Project Driveway E					
Northbound Left-Turn	--	133'	Yes	63'	Yes
Eastbound Left/Right Turn	985'[10]	80'	Yes	263'	Yes
F. Hamner Avenue at Project Driveway F					
Eastbound Right-Turn	55'	20'	Yes	20'	Yes

8 Queues are based on HCM 95th Percentile.

9 The project site can accommodate 50-feet of storage for the northbound left/right-turn movement without blocking access to the parking spaces within the drive aisle. However, the project site can accommodate additional spillover queue within the drive aisle for a total of 280-feet of storage.

10 The project site can accommodate 55-feet of storage for the eastbound left/right-turn movement without blocking access to the parking spaces within the drive aisle. However, the project site can accommodate additional spillover queue within the drive aisle for a total of 985-feet of storage.

APPENDIX A

YEAR 2040 PLUS PROJECT INTERSECTION LEVEL OF SERVICE CALCULATION WORKSHEETS

Intersection Level Of Service Report
Intersection 2: Project Driveway A at Riverside Avenue

Control Type:	Two-way stop	Delay (sec / veh):	17.5
Analysis Method:	HCM 6th Edition	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.017

Intersection Setup

Name	Project Dwy A		Riverside Ave		Riverside Ave	
Approach	Northbound		Eastbound		Westbound	
Lane Configuration						
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	15.00		50.00		50.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	Yes		No		No	

Volumes

Name	Project Dwy A		Riverside Ave		Riverside Ave	
Base Volume Input [veh/h]	0	5	1436	29	0	346
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	0	5	1436	29	0	346
Peak Hour Factor	1.0000	0.9500	0.9500	0.9500	1.0000	0.9500
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	0	1	378	8	0	91
Total Analysis Volume [veh/h]	0	5	1512	31	0	364
Pedestrian Volume [ped/h]	0		0		0	

Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane			
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.00	0.02	0.02	0.00	0.00	0.00
d_M, Delay for Movement [s/veh]	0.00	17.46	0.00	0.00	0.00	0.00
Movement LOS		C	A	A		A
95th-Percentile Queue Length [veh/ln]	0.00	0.05	0.00	0.00	0.00	0.00
95th-Percentile Queue Length [ft/ln]	0.00	1.30	0.00	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	17.46		0.00		0.00	
Approach LOS	C		A		A	
d_I, Intersection Delay [s/veh]	0.05					
Intersection LOS	C					

Intersection Level Of Service Report
Intersection 3: Project Driveway B at Riverside Avenue

Control Type:	Signalized	Delay (sec / veh):	9.6
Analysis Method:	HCM 6th Edition	Level Of Service:	A
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.470

Intersection Setup

Name	Project Dwy B		Riverside Ave		Riverside Ave	
Approach	Northbound		Eastbound		Westbound	
Lane Configuration						
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	15.00		50.00		50.00	
Grade [%]	0.00		0.00		0.00	
Curb Present	No		No		No	
Crosswalk	Yes		No		Yes	

Volumes

Name	Project Dwy B		Riverside Ave		Riverside Ave	
Base Volume Input [veh/h]	22	51	1406	36	128	323
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Right-Turn on Red Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	22	51	1406	36	128	323
Peak Hour Factor	0.9500	0.9500	0.9500	0.9500	0.9500	0.9500
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	6	13	370	9	34	85
Total Analysis Volume [veh/h]	23	54	1480	38	135	340
Presence of On-Street Parking	No	No	No	No	No	No
On-Street Parking Maneuver Rate [/h]	0	0	0	0	0	0
Local Bus Stopping Rate [/h]	0	0	0	0	0	0
v_do, Outbound Pedestrian Volume crossing	0		0		0	
v_di, Inbound Pedestrian Volume crossing m	0		0		0	
v_co, Outbound Pedestrian Volume crossing	0		0		0	
v_ci, Inbound Pedestrian Volume crossing mi	0		0		0	
v_ab, Corner Pedestrian Volume [ped/h]	0		0		0	
Bicycle Volume [bicycles/h]	0		0		0	

Intersection Settings

Located in CBD	No
Signal Coordination Group	-
Cycle Length [s]	90
Coordination Type	Time of Day Pattern Coordinated
Actuation Type	Fully actuated
Offset [s]	0.0
Offset Reference	LeadGreen
Permissive Mode	SingleBand
Lost time [s]	12.00

Phasing & Timing

Control Type	Split	Split	Permissive	Permissive	Protected	Permissive
Signal group	5	0	8	0	7	4
Auxiliary Signal Groups						
Lead / Lag	Lead	-	-	-	Lead	-
Minimum Green [s]	5	0	5	0	5	5
Maximum Green [s]	30	0	30	0	30	30
Amber [s]	3.0	0.0	3.0	0.0	3.0	3.0
All red [s]	1.0	0.0	1.0	0.0	1.0	1.0
Split [s]	35	0	18	0	37	55
Vehicle Extension [s]	3.0	0.0	3.0	0.0	3.0	3.0
Walk [s]	7	0	7	0	0	0
Pedestrian Clearance [s]	24	0	7	0	0	0
Rest In Walk	No		No			No
I1, Start-Up Lost Time [s]	2.0	0.0	2.0	0.0	2.0	2.0
I2, Clearance Lost Time [s]	2.0	0.0	2.0	0.0	2.0	2.0
Minimum Recall	No		No		No	No
Maximum Recall	No		No		No	No
Pedestrian Recall	No		No		No	No
Detector Location [ft]	0.0	0.0	0.0	0.0	0.0	0.0
Detector Length [ft]	0.0	0.0	0.0	0.0	0.0	0.0
I, Upstream Filtering Factor	1.00	1.00	1.00	1.00	1.00	1.00

Exclusive Pedestrian Phase

Pedestrian Signal Group	0
Pedestrian Walk [s]	0
Pedestrian Clearance [s]	0

Lane Group Calculations

Lane Group	C	C	C	L	C
C, Cycle Length [s]	90	90	90	90	90
L, Total Lost Time per Cycle [s]	4.00	4.00	4.00	4.00	4.00
l1_p, Permitted Start-Up Lost Time [s]	0.00	0.00	0.00	0.00	0.00
l2, Clearance Lost Time [s]	2.00	2.00	2.00	2.00	2.00
g_i, Effective Green Time [s]	5	64	64	9	77
g / C, Green / Cycle	0.06	0.71	0.71	0.10	0.85
(v / s)_i Volume / Saturation Flow Rate	0.05	0.28	0.27	0.08	0.07
s, saturation flow rate [veh/h]	1642	3560	1846	1781	5094
c, Capacity [veh/h]	100	2524	1308	173	4331
d1, Uniform Delay [s]	41.66	5.33	5.25	39.74	1.08
k, delay calibration	0.11	0.50	0.50	0.11	0.50
I, Upstream Filtering Factor	1.00	1.00	1.00	1.00	1.00
d2, Incremental Delay [s]	11.69	0.48	0.86	7.53	0.04
d3, Initial Queue Delay [s]	0.00	0.00	0.00	0.00	0.00
Rp, platoon ratio	1.00	1.00	1.00	1.00	1.00
PF, progression factor	1.00	1.00	1.00	1.00	1.00

Lane Group Results

X, volume / capacity	0.77	0.40	0.39	0.78	0.08
d, Delay for Lane Group [s/veh]	53.35	5.80	6.12	47.27	1.12
Lane Group LOS	D	A	A	D	A
Critical Lane Group	Yes	Yes	No	Yes	No
50th-Percentile Queue Length [veh/ln]	2.04	2.62	2.73	3.11	0.01
50th-Percentile Queue Length [ft/ln]	51.11	65.42	68.26	77.68	0.35
95th-Percentile Queue Length [veh/ln]	3.68	4.71	4.91	5.59	0.03
95th-Percentile Queue Length [ft/ln]	92.01	117.76	122.86	139.82	0.64

Movement, Approach, & Intersection Results

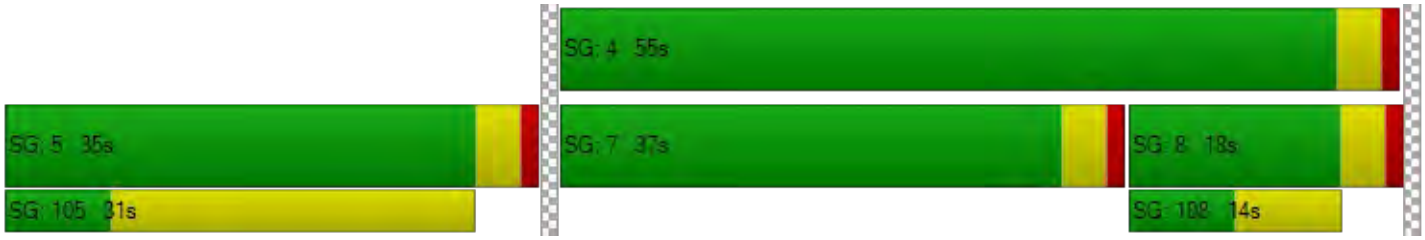
d_M, Delay for Movement [s/veh]	53.35	53.35	5.90	6.12	47.27	1.12
Movement LOS	D	D	A	A	D	A
d_A, Approach Delay [s/veh]	53.35		5.91		14.23	
Approach LOS	D		A		B	
d_I, Intersection Delay [s/veh]	9.58					
Intersection LOS	A					
Intersection V/C	0.470					

Other Modes

g_Walk,mi, Effective Walk Time [s]	11.0	0.0	11.0
M_corner, Corner Circulation Area [ft²/ped]	0.00	0.00	0.00
M_CW, Crosswalk Circulation Area [ft²/ped]	0.00	0.00	0.00
d_p, Pedestrian Delay [s]	34.67	0.00	34.67
l_p,int, Pedestrian LOS Score for Intersection	1.775	0.000	3.060
Crosswalk LOS	A	F	C
s_b, Saturation Flow Rate of the bicycle lane	2000	2000	2000
c_b, Capacity of the bicycle lane [bicycles/h]	0	0	0
d_b, Bicycle Delay [s]	45.00	45.00	45.00
l_b,int, Bicycle LOS Score for Intersection	4.259	4.967	4.394
Bicycle LOS	E	E	E

Sequence

Ring 1	-	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ring 2	5	7	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ring 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ring 4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-



Intersection Level Of Service Report
Intersection 4: Hamner Avenue at Project Driveway C

Control Type:	Two-way stop	Delay (sec / veh):	23.2
Analysis Method:	HCM 6th Edition	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.088

Intersection Setup

Name	Hamner Ave			Hamner Ave			Project Dwy C			Industrial Dwy		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	40.00			40.00			15.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	No			No			Yes			Yes		

Volumes

Name	Hamner Ave			Hamner Ave			Project Dwy C			Industrial Dwy		
Base Volume Input [veh/h]	0	1501	0	0	1793	54	0	0	18	0	0	2
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	0	1501	0	0	1793	54	0	0	18	0	0	2
Peak Hour Factor	1.0000	0.9500	1.0000	1.0000	0.9500	0.9500	1.0000	1.0000	0.9500	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	0	395	0	0	472	14	0	0	5	0	0	1
Total Analysis Volume [veh/h]	0	1580	0	0	1887	57	0	0	19	0	0	2
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Priority Scheme	Free	Free	Stop	Stop
Flared Lane				
Storage Area [veh]	0	0	0	0
Two-Stage Gap Acceptance			No	No
Number of Storage Spaces in Median	0	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.00	0.02	0.00	0.00	0.02	0.00	0.00	0.00	0.09	0.00	0.00	0.01
d_M, Delay for Movement [s/veh]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	23.22	0.00	0.00	17.69
Movement LOS		A	A		A	A			C			C
95th-Percentile Queue Length [veh/ln]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.29	0.00	0.00	0.02
95th-Percentile Queue Length [ft/ln]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7.13	0.00	0.00	0.53
d_A, Approach Delay [s/veh]	0.00			0.00			23.22			17.69		
Approach LOS	A			A			C			C		
d_I, Intersection Delay [s/veh]	0.13											
Intersection LOS	C											

Intersection Level Of Service Report
Intersection 5: Hamner Avenue at Project Driveway D

Control Type:	Two-way stop	Delay (sec / veh):	21.9
Analysis Method:	HCM 6th Edition	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.040

Intersection Setup

Name	Hamner Ave		Hamner Ave		Project Dwy D	
Approach	Northbound		Southbound		Eastbound	
Lane Configuration						
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	40.00		40.00		15.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Hamner Ave		Hamner Ave		Project Dwy D	
Base Volume Input [veh/h]	0	1501	1746	67	0	9
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	0	1501	1746	67	0	9
Peak Hour Factor	1.0000	0.9500	0.9500	0.9500	1.0000	0.9500
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	0	395	459	18	0	2
Total Analysis Volume [veh/h]	0	1580	1838	71	0	9
Pedestrian Volume [ped/h]	0		0		0	

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.00	0.02	0.02	0.00	0.00	0.04
d_M, Delay for Movement [s/veh]	0.00	0.00	0.00	0.00	0.00	21.87
Movement LOS		A	A	A		C
95th-Percentile Queue Length [veh/ln]	0.00	0.00	0.00	0.00	0.00	0.13
95th-Percentile Queue Length [ft/ln]	0.00	0.00	0.00	0.00	0.00	3.15
d_A, Approach Delay [s/veh]	0.00		0.00		21.87	
Approach LOS	A		A		C	
d_I, Intersection Delay [s/veh]	0.06					
Intersection LOS	C					

Intersection Level Of Service Report
Intersection 6: Hamner Avenue at Project Driveway E

Control Type:	Signalized	Delay (sec / veh):	7.3
Analysis Method:	HCM 6th Edition	Level Of Service:	A
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.437

Intersection Setup

Name	Hamner Ave			Hamner Ave			Project Dwy E			Industrial Dwy		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	40.00			40.00			15.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Curb Present	No			No			No			No		
Crosswalk	Yes			No			Yes			Yes		

Volumes

Name	Hamner Ave			Hamner Ave			Project Dwy E			Industrial Dwy		
Base Volume Input [veh/h]	118	1435	15	37	1638	80	57	0	15	4	0	9
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Right-Turn on Red Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	118	1435	15	37	1638	80	57	0	15	4	0	9
Peak Hour Factor	0.9500	0.9500	1.0000	1.0000	0.9500	0.9500	0.9500	1.0000	0.9500	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	31	378	4	9	431	21	15	0	4	1	0	2
Total Analysis Volume [veh/h]	124	1511	15	37	1724	84	60	0	16	4	0	9
Presence of On-Street Parking	No		No	No		No	No		No	No		No
On-Street Parking Maneuver Rate [/h]	0	0	0	0	0	0	0	0	0	0	0	0
Local Bus Stopping Rate [/h]	0	0	0	0	0	0	0	0	0	0	0	0
v_do, Outbound Pedestrian Volume crossing	0			0			0			0		
v_di, Inbound Pedestrian Volume crossing m	0			0			0			0		
v_co, Outbound Pedestrian Volume crossing	0			0			0			0		
v_ci, Inbound Pedestrian Volume crossing mi	0			0			0			0		
v_ab, Corner Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Located in CBD	No
Signal Coordination Group	-
Cycle Length [s]	90
Coordination Type	Time of Day Pattern Coordinated
Actuation Type	Fully actuated
Offset [s]	0.0
Offset Reference	LeadGreen
Permissive Mode	SingleBand
Lost time [s]	12.00

Phasing & Timing

Control Type	Protecte	Permiss	Permiss	Protecte	Permiss	Permiss	Permiss	Permiss	Permiss	Permiss	Permiss	Permiss
Signal group	5	2	0	1	6	0	0	8	0	0	4	0
Auxiliary Signal Groups												
Lead / Lag	Lead	-	-	Lead	-	-	-	-	-	-	-	-
Minimum Green [s]	5	5	0	5	5	0	0	5	0	0	5	0
Maximum Green [s]	30	30	0	30	30	0	0	30	0	0	30	0
Amber [s]	3.0	3.0	0.0	3.0	3.0	0.0	0.0	3.0	0.0	0.0	3.0	0.0
All red [s]	1.0	1.0	0.0	1.0	1.0	0.0	0.0	1.0	0.0	0.0	1.0	0.0
Split [s]	30	39	0	9	18	0	0	42	0	0	42	0
Vehicle Extension [s]	3.0	3.0	0.0	3.0	3.0	0.0	0.0	3.0	0.0	0.0	3.0	0.0
Walk [s]	0	7	0	0	7	0	0	7	0	0	0	0
Pedestrian Clearance [s]	0	7	0	0	7	0	0	31	0	0	0	0
Rest In Walk		No			No			No			No	
I1, Start-Up Lost Time [s]	2.0	2.0	0.0	2.0	2.0	0.0	0.0	2.0	0.0	0.0	2.0	0.0
I2, Clearance Lost Time [s]	2.0	2.0	0.0	2.0	2.0	0.0	0.0	2.0	0.0	0.0	2.0	0.0
Minimum Recall	No	No		No	No			No			No	
Maximum Recall	No	No		No	No			No			No	
Pedestrian Recall	No	No		No	No			No			No	
Detector Location [ft]	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Detector Length [ft]	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
I, Upstream Filtering Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00

Exclusive Pedestrian Phase

Pedestrian Signal Group	0
Pedestrian Walk [s]	0
Pedestrian Clearance [s]	0

Lane Group Calculations

Lane Group	L	C	C	L	C	C	C	C
C, Cycle Length [s]	90	90	90	90	90	90	90	90
L, Total Lost Time per Cycle [s]	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00
l1_p, Permitted Start-Up Lost Time [s]	0.00	0.00	0.00	0.00	0.00	0.00	2.00	2.00
l2, Clearance Lost Time [s]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
g_i, Effective Green Time [s]	8	70	70	3	65	65	5	5
g / C, Green / Cycle	0.09	0.77	0.77	0.03	0.72	0.72	0.06	0.06
(v / s)_i Volume / Saturation Flow Rate	0.07	0.22	0.22	0.02	0.26	0.26	0.05	0.01
s, saturation flow rate [veh/h]	1781	5094	1858	1781	5094	1813	1601	1757
c, Capacity [veh/h]	158	3935	1435	61	3655	1301	168	158
d1, Uniform Delay [s]	40.15	2.99	2.99	42.88	4.86	4.86	41.57	40.08
k, delay calibration	0.11	0.50	0.50	0.11	0.50	0.50	0.11	0.11
I, Upstream Filtering Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
d2, Incremental Delay [s]	8.15	0.18	0.50	9.43	0.28	0.79	1.90	0.22
d3, Initial Queue Delay [s]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Rp, platoon ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PF, progression factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00

Lane Group Results

X, volume / capacity	0.78	0.28	0.28	0.61	0.36	0.36	0.45	0.08
d, Delay for Lane Group [s/veh]	48.31	3.17	3.48	52.31	5.14	5.65	43.48	40.30
Lane Group LOS	D	A	A	D	A	A	D	D
Critical Lane Group	Yes	No	No	No	No	Yes	Yes	No
50th-Percentile Queue Length [veh/ln]	2.95	1.18	1.41	0.95	2.32	2.67	1.79	0.28
50th-Percentile Queue Length [ft/ln]	73.76	29.43	35.35	23.65	58.08	66.64	44.63	7.00
95th-Percentile Queue Length [veh/ln]	5.31	2.12	2.55	1.70	4.18	4.80	3.21	0.50
95th-Percentile Queue Length [ft/ln]	132.78	52.97	63.64	42.57	104.55	119.96	80.33	12.60

Movement, Approach, & Intersection Results

d_M, Delay for Movement [s/veh]	48.31	3.25	3.48	52.31	5.26	5.65	43.48	43.48	43.48	40.30	40.30	40.30
Movement LOS	D	A	A	D	A	A	D	D	D	D	D	D
d_A, Approach Delay [s/veh]	6.64			6.22			43.48			40.30		
Approach LOS	A			A			D			D		
d_I, Intersection Delay [s/veh]	7.33											
Intersection LOS	A											
Intersection V/C	0.437											

Other Modes

g_Walk,mi, Effective Walk Time [s]	11.0	0.0	11.0	11.0
M_corner, Corner Circulation Area [ft²/ped]	0.00	0.00	0.00	0.00
M_CW, Crosswalk Circulation Area [ft²/ped]	0.00	0.00	0.00	0.00
d_p, Pedestrian Delay [s]	34.67	0.00	34.67	34.67
l_p,int, Pedestrian LOS Score for Intersection	3.345	0.000	1.784	1.746
Crosswalk LOS	C	F	A	A
s_b, Saturation Flow Rate of the bicycle lane	2000	2000	2000	2000
c_b, Capacity of the bicycle lane [bicycles/h]	778	311	844	844
d_b, Bicycle Delay [s]	16.81	32.09	15.02	15.02
l_b,int, Bicycle LOS Score for Intersection	2.240	2.321	1.685	1.581
Bicycle LOS	B	B	A	A

Sequence

Ring 1	1	2	4	-	-	-	-	-	-	-	-	-	-	-	-	-
Ring 2	5	6	8	-	-	-	-	-	-	-	-	-	-	-	-	-
Ring 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ring 4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-



Intersection Level Of Service Report
Intersection 7: Hamner Avenue at Project Driveway F

Control Type:	Two-way stop	Delay (sec / veh):	19.5
Analysis Method:	HCM 6th Edition	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.016

Intersection Setup

Name	Hamner Ave		Hamner Ave		Project Dwy F	
Approach	Northbound		Southbound		Eastbound	
Lane Configuration						
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	40.00		40.00		15.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Hamner Ave		Hamner Ave		Project Dwy F	
Base Volume Input [veh/h]	0	1568	1639	17	0	4
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	0	1568	1639	17	0	4
Peak Hour Factor	1.0000	0.9500	0.9500	0.9500	1.0000	0.9500
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	0	413	431	4	0	1
Total Analysis Volume [veh/h]	0	1651	1725	18	0	4
Pedestrian Volume [ped/h]	0		0		0	

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.00	0.02	0.02	0.00	0.00	0.02
d_M, Delay for Movement [s/veh]	0.00	0.00	0.00	0.00	0.00	19.49
Movement LOS		A	A	A		C
95th-Percentile Queue Length [veh/ln]	0.00	0.00	0.00	0.00	0.00	0.05
95th-Percentile Queue Length [ft/ln]	0.00	0.00	0.00	0.00	0.00	1.21
d_A, Approach Delay [s/veh]	0.00		0.00		19.49	
Approach LOS	A		A		C	
d_I, Intersection Delay [s/veh]	0.02					
Intersection LOS	C					

Intersection Level Of Service Report
Intersection 2: Project Driveway A at Riverside Avenue

Control Type:	Two-way stop	Delay (sec / veh):	13.9
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.054

Intersection Setup

Name	Project Dwy A		Riverside Ave		Riverside Ave	
Approach	Northbound		Eastbound		Westbound	
Lane Configuration						
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	15.00		50.00		50.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	Yes		No		No	

Volumes

Name	Project Dwy A		Riverside Ave		Riverside Ave	
Base Volume Input [veh/h]	0	22	977	12	0	1677
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	0	22	977	12	0	1677
Peak Hour Factor	1.0000	0.9500	0.9500	0.9500	1.0000	0.9500
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	0	6	257	3	0	441
Total Analysis Volume [veh/h]	0	23	1028	13	0	1765
Pedestrian Volume [ped/h]	0		0		0	

Intersection Settings

Priority Scheme	Stop	Free	Free
Flared Lane			
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance	No		
Number of Storage Spaces in Median	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.00	0.05	0.01	0.00	0.00	0.02
d_M, Delay for Movement [s/veh]	0.00	13.88	0.00	0.00	0.00	0.00
Movement LOS		B	A	A		A
95th-Percentile Queue Length [veh/ln]	0.00	0.17	0.00	0.00	0.00	0.00
95th-Percentile Queue Length [ft/ln]	0.00	4.24	0.00	0.00	0.00	0.00
d_A, Approach Delay [s/veh]	13.88		0.00		0.00	
Approach LOS	B		A		A	
d_I, Intersection Delay [s/veh]	0.11					
Intersection LOS	B					

Intersection Level Of Service Report
Intersection 3: Project Driveway B at Riverside Avenue

Control Type:	Signalized	Delay (sec / veh):	9.2
Analysis Method:	HCM 6th Edition	Level Of Service:	A
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.522

Intersection Setup

Name	Project Dwy B		Riverside Ave		Riverside Ave	
Approach	Northbound		Eastbound		Westbound	
Lane Configuration						
Turning Movement	Left	Right	Thru	Right	Left	Thru
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	15.00		50.00		50.00	
Grade [%]	0.00		0.00		0.00	
Curb Present	No		No		No	
Crosswalk	Yes		No		Yes	

Volumes

Name	Project Dwy B		Riverside Ave		Riverside Ave	
Base Volume Input [veh/h]	56	127	964	35	96	1620
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Right-Turn on Red Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	56	127	964	35	96	1620
Peak Hour Factor	0.9500	0.9500	0.9500	0.9500	0.9500	0.9500
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	15	33	254	9	25	426
Total Analysis Volume [veh/h]	59	134	1015	37	101	1705
Presence of On-Street Parking	No	No	No	No	No	No
On-Street Parking Maneuver Rate [/h]	0	0	0	0	0	0
Local Bus Stopping Rate [/h]	0	0	0	0	0	0
v_do, Outbound Pedestrian Volume crossing	0		0		0	
v_di, Inbound Pedestrian Volume crossing m	0		0		0	
v_co, Outbound Pedestrian Volume crossing	0		0		0	
v_ci, Inbound Pedestrian Volume crossing mi	0		0		0	
v_ab, Corner Pedestrian Volume [ped/h]	0		0		0	
Bicycle Volume [bicycles/h]	0		0		0	

Intersection Settings

Located in CBD	No
Signal Coordination Group	-
Cycle Length [s]	90
Coordination Type	Time of Day Pattern Coordinated
Actuation Type	Fully actuated
Offset [s]	0.0
Offset Reference	LeadGreen
Permissive Mode	SingleBand
Lost time [s]	12.00

Phasing & Timing

Control Type	Split	Split	Permissive	Permissive	Protected	Permissive
Signal group	5	0	8	0	7	4
Auxiliary Signal Groups						
Lead / Lag	Lead	-	-	-	Lead	-
Minimum Green [s]	5	0	5	0	5	5
Maximum Green [s]	30	0	30	0	30	30
Amber [s]	3.0	0.0	3.0	0.0	3.0	3.0
All red [s]	1.0	0.0	1.0	0.0	1.0	1.0
Split [s]	63	0	18	0	9	27
Vehicle Extension [s]	3.0	0.0	3.0	0.0	3.0	3.0
Walk [s]	7	0	7	0	0	0
Pedestrian Clearance [s]	24	0	7	0	0	0
Rest In Walk	No		No			No
I1, Start-Up Lost Time [s]	2.0	0.0	2.0	0.0	2.0	2.0
I2, Clearance Lost Time [s]	2.0	0.0	2.0	0.0	2.0	2.0
Minimum Recall	No		No		No	No
Maximum Recall	No		No		No	No
Pedestrian Recall	No		No		No	No
Detector Location [ft]	0.0	0.0	0.0	0.0	0.0	0.0
Detector Length [ft]	0.0	0.0	0.0	0.0	0.0	0.0
I, Upstream Filtering Factor	1.00	1.00	1.00	1.00	1.00	1.00

Exclusive Pedestrian Phase

Pedestrian Signal Group	0
Pedestrian Walk [s]	0
Pedestrian Clearance [s]	0

Lane Group Calculations

Lane Group	C	C	C	L	C
C, Cycle Length [s]	90	90	90	90	90
L, Total Lost Time per Cycle [s]	4.00	4.00	4.00	4.00	4.00
l1_p, Permitted Start-Up Lost Time [s]	0.00	0.00	0.00	0.00	0.00
l2, Clearance Lost Time [s]	2.00	2.00	2.00	2.00	2.00
g_i, Effective Green Time [s]	13	59	59	7	69
g / C, Green / Cycle	0.14	0.65	0.65	0.07	0.77
(v / s)_i Volume / Saturation Flow Rate	0.12	0.20	0.19	0.06	0.33
s, saturation flow rate [veh/h]	1643	3560	1836	1781	5094
c, Capacity [veh/h]	233	2316	1194	133	3920
d1, Uniform Delay [s]	37.59	6.85	6.80	40.87	3.60
k, delay calibration	0.11	0.50	0.50	0.11	0.50
I, Upstream Filtering Factor	1.00	1.00	1.00	1.00	1.00
d2, Incremental Delay [s]	7.39	0.34	0.63	8.55	0.35
d3, Initial Queue Delay [s]	0.00	0.00	0.00	0.00	0.00
Rp, platoon ratio	1.00	1.00	1.00	1.00	1.00
PF, progression factor	1.00	1.00	1.00	1.00	1.00

Lane Group Results

X, volume / capacity	0.83	0.30	0.29	0.76	0.43
d, Delay for Lane Group [s/veh]	44.97	7.19	7.43	49.42	3.95
Lane Group LOS	D	A	A	D	A
Critical Lane Group	Yes	No	No	No	Yes
50th-Percentile Queue Length [veh/ln]	4.69	2.26	2.35	2.39	1.81
50th-Percentile Queue Length [ft/ln]	117.25	56.58	58.65	59.72	45.19
95th-Percentile Queue Length [veh/ln]	8.24	4.07	4.22	4.30	3.25
95th-Percentile Queue Length [ft/ln]	206.04	101.84	105.58	107.49	81.35

Movement, Approach, & Intersection Results

d_M, Delay for Movement [s/veh]	44.97	44.97	7.26	7.43	49.42	3.95
Movement LOS	D	D	A	A	D	A
d_A, Approach Delay [s/veh]	44.97		7.27		6.49	
Approach LOS	D		A		A	
d_I, Intersection Delay [s/veh]	9.19					
Intersection LOS	A					
Intersection V/C	0.522					

Other Modes

g_Walk,mi, Effective Walk Time [s]	11.0	0.0	11.0
M_corner, Corner Circulation Area [ft²/ped]	0.00	0.00	0.00
M_CW, Crosswalk Circulation Area [ft²/ped]	0.00	0.00	0.00
d_p, Pedestrian Delay [s]	34.67	0.00	34.67
l_p,int, Pedestrian LOS Score for Intersection	1.795	0.000	3.279
Crosswalk LOS	A	F	C
s_b, Saturation Flow Rate of the bicycle lane	2000	2000	2000
c_b, Capacity of the bicycle lane [bicycles/h]	0	0	0
d_b, Bicycle Delay [s]	45.00	45.00	45.00
l_b,int, Bicycle LOS Score for Intersection	4.451	4.711	5.126
Bicycle LOS	E	E	F

Sequence

Ring 1	-	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ring 2	5	7	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ring 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ring 4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-



Intersection Level Of Service Report
Intersection 4: Hamner Avenue at Project Driveway C

Control Type:	Two-way stop	Delay (sec / veh):	24.8
Analysis Method:	HCM 6th Edition	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.233

Intersection Setup

Name	Hamner Ave			Hamner Ave			Project Dwy C			Industrial Dwy		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	40.00			40.00			15.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Crosswalk	No			No			Yes			Yes		

Volumes

Name	Hamner Ave			Hamner Ave			Project Dwy C			Industrial Dwy		
Base Volume Input [veh/h]	0	1977	0	0	1693	45	0	0	52	0	0	8
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	0	1977	0	0	1693	45	0	0	52	0	0	8
Peak Hour Factor	1.0000	0.9500	1.0000	1.0000	0.9500	0.9500	1.0000	1.0000	0.9500	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	0	520	0	0	446	12	0	0	14	0	0	2
Total Analysis Volume [veh/h]	0	2081	0	0	1782	47	0	0	55	0	0	8
Pedestrian Volume [ped/h]	0			0			0			0		

Intersection Settings

Priority Scheme	Free	Free	Stop	Stop
Flared Lane				
Storage Area [veh]	0	0	0	0
Two-Stage Gap Acceptance			No	No
Number of Storage Spaces in Median	0	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.00	0.02	0.00	0.00	0.02	0.00	0.00	0.00	0.23	0.00	0.00	0.04
d_M, Delay for Movement [s/veh]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	24.78	0.00	0.00	24.26
Movement LOS		A	A		A	A			C			C
95th-Percentile Queue Length [veh/ln]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.88	0.00	0.00	0.13
95th-Percentile Queue Length [ft/ln]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	21.89	0.00	0.00	3.19
d_A, Approach Delay [s/veh]	0.00			0.00			24.78			24.26		
Approach LOS	A			A			C			C		
d_I, Intersection Delay [s/veh]	0.39											
Intersection LOS	C											

Intersection Level Of Service Report
Intersection 5: Hamner Avenue at Project Driveway D

Control Type:	Two-way stop	Delay (sec / veh):	23.1
Analysis Method:	HCM 6th Edition	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.153

Intersection Setup

Name	Hamner Ave		Hamner Ave		Project Dwy D	
Approach	Northbound		Southbound		Eastbound	
Lane Configuration						
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	40.00		40.00		15.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Hamner Ave		Hamner Ave		Project Dwy D	
Base Volume Input [veh/h]	0	1977	1717	28	0	34
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	0	1977	1717	28	0	34
Peak Hour Factor	1.0000	0.9500	0.9500	0.9500	1.0000	0.9500
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	0	520	452	7	0	9
Total Analysis Volume [veh/h]	0	2081	1807	29	0	36
Pedestrian Volume [ped/h]	0		0		0	

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.00	0.02	0.02	0.00	0.00	0.15
d_M, Delay for Movement [s/veh]	0.00	0.00	0.00	0.00	0.00	23.05
Movement LOS		A	A	A		C
95th-Percentile Queue Length [veh/ln]	0.00	0.00	0.00	0.00	0.00	0.53
95th-Percentile Queue Length [ft/ln]	0.00	0.00	0.00	0.00	0.00	13.27
d_A, Approach Delay [s/veh]	0.00		0.00		23.05	
Approach LOS	A		A		C	
d_I, Intersection Delay [s/veh]	0.21					
Intersection LOS	C					

Intersection Level Of Service Report
Intersection 6: Hamner Avenue at Project Driveway E

Control Type:	Signalized	Delay (sec / veh):	12.2
Analysis Method:	HCM 6th Edition	Level Of Service:	B
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.557

Intersection Setup

Name	Hamner Ave			Hamner Ave			Project Dwy E			Industrial Dwy		
Approach	Northbound			Southbound			Eastbound			Westbound		
Lane Configuration												
Turning Movement	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	40.00			40.00			15.00			30.00		
Grade [%]	0.00			0.00			0.00			0.00		
Curb Present	No			No			No			No		
Crosswalk	Yes			No			Yes			Yes		

Volumes

Name	Hamner Ave			Hamner Ave			Project Dwy E			Industrial Dwy		
Base Volume Input [veh/h]	51	1734	8	17	1700	33	210	0	59	16	0	33
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Right-Turn on Red Volume [veh/h]	0	0	0	0	0	0	0	0	0	0	0	0
Total Hourly Volume [veh/h]	51	1734	8	17	1700	33	210	0	59	16	0	33
Peak Hour Factor	0.9500	0.9500	1.0000	1.0000	0.9500	0.9500	0.9500	1.0000	0.9500	1.0000	1.0000	1.0000
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	13	456	2	4	447	9	55	0	16	4	0	8
Total Analysis Volume [veh/h]	54	1825	8	17	1789	35	221	0	62	16	0	33
Presence of On-Street Parking	No		No	No		No	No		No	No		No
On-Street Parking Maneuver Rate [/h]	0	0	0	0	0	0	0	0	0	0	0	0
Local Bus Stopping Rate [/h]	0	0	0	0	0	0	0	0	0	0	0	0
v_do, Outbound Pedestrian Volume crossing	0			0			0			0		
v_di, Inbound Pedestrian Volume crossing m	0			0			0			0		
v_co, Outbound Pedestrian Volume crossing	0			0			0			0		
v_ci, Inbound Pedestrian Volume crossing mi	0			0			0			0		
v_ab, Corner Pedestrian Volume [ped/h]	0			0			0			0		
Bicycle Volume [bicycles/h]	0			0			0			0		

Intersection Settings

Located in CBD	No
Signal Coordination Group	-
Cycle Length [s]	90
Coordination Type	Time of Day Pattern Coordinated
Actuation Type	Fully actuated
Offset [s]	0.0
Offset Reference	LeadGreen
Permissive Mode	SingleBand
Lost time [s]	12.00

Phasing & Timing

Control Type	Protecte	Permiss	Permiss	Protecte	Permiss	Permiss	Permiss	Permiss	Permiss	Permiss	Permiss	Permiss
Signal group	5	2	0	1	6	0	0	8	0	0	4	0
Auxiliary Signal Groups												
Lead / Lag	Lead	-	-	Lead	-	-	-	-	-	-	-	-
Minimum Green [s]	5	5	0	5	5	0	0	5	0	0	5	0
Maximum Green [s]	30	30	0	30	30	0	0	30	0	0	30	0
Amber [s]	3.0	3.0	0.0	3.0	3.0	0.0	0.0	3.0	0.0	0.0	3.0	0.0
All red [s]	1.0	1.0	0.0	1.0	1.0	0.0	0.0	1.0	0.0	0.0	1.0	0.0
Split [s]	9	36	0	9	36	0	0	45	0	0	45	0
Vehicle Extension [s]	3.0	3.0	0.0	3.0	3.0	0.0	0.0	3.0	0.0	0.0	3.0	0.0
Walk [s]	0	7	0	0	7	0	0	7	0	0	0	0
Pedestrian Clearance [s]	0	7	0	0	7	0	0	31	0	0	0	0
Rest In Walk		No			No			No			No	
I1, Start-Up Lost Time [s]	2.0	2.0	0.0	2.0	2.0	0.0	0.0	2.0	0.0	0.0	2.0	0.0
I2, Clearance Lost Time [s]	2.0	2.0	0.0	2.0	2.0	0.0	0.0	2.0	0.0	0.0	2.0	0.0
Minimum Recall	No	No		No	No			No			No	
Maximum Recall	No	No		No	No			No			No	
Pedestrian Recall	No	No		No	No			No			No	
Detector Location [ft]	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Detector Length [ft]	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
I, Upstream Filtering Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00

Exclusive Pedestrian Phase

Pedestrian Signal Group	0
Pedestrian Walk [s]	0
Pedestrian Clearance [s]	0

Lane Group Calculations

Lane Group	L	C	C	L	C	C	C	C
C, Cycle Length [s]	90	90	90	90	90	90	90	90
L, Total Lost Time per Cycle [s]	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00
l1_p, Permitted Start-Up Lost Time [s]	0.00	0.00	0.00	0.00	0.00	0.00	2.00	2.00
l2, Clearance Lost Time [s]	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
g_i, Effective Green Time [s]	4	57	57	2	55	55	19	19
g / C, Green / Cycle	0.04	0.63	0.63	0.02	0.61	0.61	0.21	0.21
(v / s)_i Volume / Saturation Flow Rate	0.03	0.26	0.26	0.01	0.26	0.26	0.19	0.03
s, saturation flow rate [veh/h]	1781	5094	1865	1781	5094	1846	1490	1695
c, Capacity [veh/h]	75	3229	1182	37	3118	1130	387	413
d1, Uniform Delay [s]	42.58	8.19	8.19	43.61	9.19	9.19	34.09	28.78
k, delay calibration	0.11	0.50	0.50	0.11	0.50	0.50	0.11	0.11
I, Upstream Filtering Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
d2, Incremental Delay [s]	11.90	0.40	1.08	8.94	0.43	1.19	2.66	0.13
d3, Initial Queue Delay [s]	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Rp, platoon ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
PF, progression factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00

Lane Group Results

X, volume / capacity	0.72	0.42	0.42	0.47	0.43	0.43	0.73	0.12
d, Delay for Lane Group [s/veh]	54.48	8.59	9.27	52.55	9.62	10.38	36.75	28.91
Lane Group LOS	D	A	A	D	A	B	D	C
Critical Lane Group	Yes	No	No	No	No	Yes	Yes	No
50th-Percentile Queue Length [veh/ln]	1.40	3.64	4.22	0.45	3.97	4.55	6.38	0.86
50th-Percentile Queue Length [ft/ln]	34.95	91.00	105.53	11.35	99.17	113.81	159.39	21.58
95th-Percentile Queue Length [veh/ln]	2.52	6.55	7.59	0.82	7.14	8.05	10.52	1.55
95th-Percentile Queue Length [ft/ln]	62.90	163.80	189.77	20.43	178.51	201.29	262.92	38.85

Movement, Approach, & Intersection Results

d_M, Delay for Movement [s/veh]	54.48	8.77	9.27	52.55	9.81	10.38	36.75	36.75	36.75	28.91	28.91	28.91
Movement LOS	D	A	A	D	A	B	D	D	D	C	C	C
d_A, Approach Delay [s/veh]	10.08			10.22			36.75			28.91		
Approach LOS	B			B			D			C		
d_I, Intersection Delay [s/veh]	12.23											
Intersection LOS	B											
Intersection V/C	0.557											

Other Modes

g_Walk,mi, Effective Walk Time [s]	11.0	0.0	11.0	11.0
M_corner, Corner Circulation Area [ft²/ped]	0.00	0.00	0.00	0.00
M_CW, Crosswalk Circulation Area [ft²/ped]	0.00	0.00	0.00	0.00
d_p, Pedestrian Delay [s]	34.67	0.00	34.67	34.67
l_p,int, Pedestrian LOS Score for Intersection	3.414	0.000	1.805	1.750
Crosswalk LOS	C	F	A	A
s_b, Saturation Flow Rate of the bicycle lane	2000	2000	2000	2000
c_b, Capacity of the bicycle lane [bicycles/h]	711	711	911	911
d_b, Bicycle Delay [s]	18.69	18.69	13.34	13.34
l_b,int, Bicycle LOS Score for Intersection	2.338	2.319	2.027	1.640
Bicycle LOS	B	B	B	A

Sequence

Ring 1	1	2	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ring 2	5	6	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ring 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Ring 4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-



Intersection Level Of Service Report
Intersection 7: Hamner Avenue at Project Driveway F

Control Type:	Two-way stop	Delay (sec / veh):	21.9
Analysis Method:	HCM 6th Edition	Level Of Service:	C
Analysis Period:	15 minutes	Volume to Capacity (v/c):	0.074

Intersection Setup

Name	Hamner Ave		Hamner Ave		Project Dwy F	
Approach	Northbound		Southbound		Eastbound	
Lane Configuration						
Turning Movement	Left	Thru	Thru	Right	Left	Right
Lane Width [ft]	12.00	12.00	12.00	12.00	12.00	12.00
No. of Lanes in Pocket	0	0	0	0	0	0
Pocket Length [ft]	100.00	100.00	100.00	100.00	100.00	100.00
Speed [mph]	40.00		40.00		15.00	
Grade [%]	0.00		0.00		0.00	
Crosswalk	No		No		Yes	

Volumes

Name	Hamner Ave		Hamner Ave		Project Dwy F	
Base Volume Input [veh/h]	0	1793	1768	7	0	16
Base Volume Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Heavy Vehicles Percentage [%]	2.00	2.00	2.00	2.00	2.00	2.00
Growth Factor	1.00	1.00	1.00	1.00	1.00	1.00
In-Process Volume [veh/h]	0	0	0	0	0	0
Site-Generated Trips [veh/h]	0	0	0	0	0	0
Diverted Trips [veh/h]	0	0	0	0	0	0
Pass-by Trips [veh/h]	0	0	0	0	0	0
Existing Site Adjustment Volume [veh/h]	0	0	0	0	0	0
Other Volume [veh/h]	0	0	0	0	0	0
Total Hourly Volume [veh/h]	0	1793	1768	7	0	16
Peak Hour Factor	1.0000	0.9500	0.9500	0.9500	1.0000	0.9500
Other Adjustment Factor	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
Total 15-Minute Volume [veh/h]	0	472	465	2	0	4
Total Analysis Volume [veh/h]	0	1887	1861	7	0	17
Pedestrian Volume [ped/h]	0		0		0	

Intersection Settings

Priority Scheme	Free	Free	Stop
Flared Lane			
Storage Area [veh]	0	0	0
Two-Stage Gap Acceptance			No
Number of Storage Spaces in Median	0	0	0

Movement, Approach, & Intersection Results

V/C, Movement V/C Ratio	0.00	0.02	0.02	0.00	0.00	0.07
d_M, Delay for Movement [s/veh]	0.00	0.00	0.00	0.00	0.00	21.94
Movement LOS		A	A	A		C
95th-Percentile Queue Length [veh/ln]	0.00	0.00	0.00	0.00	0.00	0.24
95th-Percentile Queue Length [ft/ln]	0.00	0.00	0.00	0.00	0.00	5.95
d_A, Approach Delay [s/veh]	0.00		0.00		21.94	
Approach LOS	A		A		C	
d_I, Intersection Delay [s/veh]	0.10					
Intersection LOS	C					

TECHNICAL MEMORANDUM

To:	Mr. Jared Riemer Crow Holdings Industrial	Date:	June 4, 2020
From:	Richard E. Barretto, P.E., Principal Zawwar Saiyed, P.E., Senior Transportation Engineer Linscott, Law and Greenspan, Engineers	LLG Ref:	2.18.4009.1
Subject:	***Vehicle Miles Traveled (VMT) Analysis for the Ontario Commerce Center, Ontario***		

As requested, Linscott, Law & Greenspan, Engineers (LLG) is pleased to submit this Vehicle Miles Traveled (VMT) Analysis Technical Memorandum for the proposed Ontario Commerce Center project (herein after referred to as Project) in the City of Ontario, California. This Technical Memorandum presents the VMT screening criteria, analysis methodology, significance thresholds and VMT analyses. It should be noted that the approach and methodology outlined in this Technical Memorandum is generally consistent with the *Technical Advisory for Evaluating Transportation Impacts In CEQA,* published by the Governor's Office of Planning and Research (OPR), December 2018 (OPR Technical Advisory), which provides additional detail on the language and analysis procedures described in this Technical Memorandum.

The Project site is made up of several vacant parcels of land that are located south of Riverside Drive and north of Chino Avenue, between Milliken Avenue and a Southern California Edison easement within the Edenglen Specific Plan (herein after referred to as Specific Plan). The subject property, according to the Specific Plan, is identified/entitled for commercial development consisting of a mixture of Community Commercial uses and Business Park/Light Industrial uses. In place of the approved (entitled) uses, the Project is proposing to develop a an industrial park consisting of warehouse/distribution, manufacturing and/or general light industrial uses, plus maintain the ability to develop a neighborhood retail center consistent with the Specific Plan.

The following sections of this Technical Memorandum provide a brief history of Senate Bill 743 (SB 743), summarize the Project description, present OPRs VMT screening criteria, analysis methodology and thresholds, Project VMT and cumulative VMT.

HISTORY OF SENATE BILL 743 (SB 743)

On September 27, 2013, Governor Jerry Brown signed Senate Bill 743 (SB 743). SB 743 created a process to change the way analysis of transportation impacts under the California Environmental Quality Act (CEQA) is conducted. The Governor's Office of Planning and Research (OPR) was tasked to amend the CEQA Guidelines to provide an alternative to the traditional metric of automobile delay which would

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promote three statutory goals: 1) the reduction of greenhouse gas (GHG) emissions; 2) the development of multimodal transportation networks; and 3) a diversity of land uses. OPR concluded that the use of Vehicle Miles Traveled (VMT), with thresholds linked to GHG reduction targets, would adequately analyze a project's transportation impacts while supporting all three statutory goals.

OPR released a preliminary evaluation of alternative methods for transportation analysis in December 2013, and by August 2014, released a preliminary discussion draft of potential updates to the CEQA Guidelines, which specified VMT as the selected metric for analysis. In 2016, OPR released a draft of the proposed revisions to the CEQA Guidelines. At the same time, OPR released a new *Technical Advisory for Evaluating Transportation Impacts In CEQA*, which provides technical recommendations regarding the implementation of VMT analysis state-wide in a document external to the CEQA statute.

After extensive stakeholder outreach, OPR transmitted the final proposed revisions to the CEQA Guidelines and the current draft of the *Technical Advisory* to the California Natural Resources Agency (the body responsible for certifying, adopting, and amending the CEQA Guidelines) in November 2017. Beginning in January 2018, the California Natural Resources Agency initiated the formal rulemaking process to adopt the proposed revisions, including the new Section 15064.3 which specifies VMT as the metric for transportation analysis. On December 28, 2018, the California Office of Administrative Law filed the revised CEQA Guidelines with the Secretary of the State on behalf of the Natural Resources Agency, thereby formally implementing vehicle miles traveled as the metric for transportation analysis under CEQA. Pursuant to the adopted Section 15064.3, a lead agency may elect to implement the new criteria for analyzing transportation impacts immediately. Beginning on July 1, 2020, the criteria must be applied state-wide.

PROJECT DESCRIPTION

The Project site is made up of several vacant parcels of land that are located south of Riverside Drive and north of Chino Avenue, between Milliken Avenue and a Southern California Edison easement within the Edenglen Specific Plan. ***Figure 1*** presents a vicinity map for the proposed Project, inclusive of the area allocated to business park uses and commercial retail uses. ***Figure 2*** presents the existing aerial photograph of the Project site.

According to the Specific Plan, the development of commercial land uses on approximately 20-acres, commercial/business flex zone land uses on approximately 10-acres, and business park/light industrial land uses on 26.9-acres (includes 10.9-acre SCE property) is currently allowed/approved. Based on a review of *Exhibit 10 – Land Use Plan, Table 2 – Land Use Summary,* and *Section 4 – Land Use of the*

Specific Plan document (on file with the City of Ontario), up to 217,520 square-feet (SF)[1] of community commercial retail and service uses is entitled on 20-acres, as well as approximately 550,000 SF of business park/light industrial uses on up to 36.9-acres that would allow for research and development, light manufacturing, technology development, medical, entertainment facilities, wholesale retail sales, professional offices and warehousing facilities.

Project Land Use Mix

The proposed Project includes the development of up to 1,008,092 SF of floor area within six (6) buildings, identified as Buildings A through F, inclusive of 60,000 SF of mezzanine space. The northern half of the Project includes 621,643 SF of floor area on 29.45-acres of land, whereas the southern half includes 386,449 SF of floor area on 17.17 acres of land. Based on our understanding, the four (4) larger buildings (Buildings C through F) would likely be developed with warehousing/distribution uses, Building A would most likely be developed as general light industrial, and Building B will be developed with commercial retail uses, which is proposed to be located on the southwest corner of Riverside Drive and Hamner Avenue. It should be noted that overall design for Building B has yet to be determined, so a placeholder of 40,000 SF of commercial retail uses has been assumed. ***Figure 3*** presents the site plan for the proposed Project, including the area now allocated to commercial retail uses.

Given the above description of the proposed Project, we have assumed the following tenant mixes for the proposed Project's two alternative mix of uses:

Land Use / Project Description	Building / Project Alternatives (PA) Square-Footage (SF)	
	PA No. 1	**PA No. 2**
❑ 110: General Light Industrial	59,585 SF	59,585 SF
❑ 140: Manufacturing	--	386,449 SF
❑ 150: Warehousing	908,507 SF	522,058 SF
❑ 820: Shopping Center[2]	40,000 SF	40,000 SF
Total Square Feet (SF)	**1,008,092 SF**	**1,008,092 SF**

[1] Maximum commercial floor area between Community Commercial and Commercial/Business Park Flex Zone is 217,520 SF.
[2] Shopping Center assumes a mix of commercial retail uses, inclusive of restaurant/food uses.

For the tabular summary provided above:

- Project Alternative 1 includes:
  - General Light Industrial: 59,585 SF (Building A)
  - Warehousing: 908,507 SF (Buildings C, D, E and F combined)
  - Retail: 40,000 SF (Building B)

- Project Alternative 2 includes:
  - General Light Industrial: 59,585 (Building A)
  - Warehousing: 522,058 SF (Buildings C and D combined)
  - Manufacturing: 386,449 SF (Buildings E and F combined)
  - Retail: 40,000 SF (Building B)

Based on the *Revised Focused Traffic Assessment for the Edenglen Business Park Project, Ontario, Letter Report, dated April 21, 2020 and prepared by LLG (on file with the City of Ontario),* the proposed Project Alternative 2 is the most conservative alternative and thus has been utilized to conduct the VMT analysis documented in this Technical Memorandum.

PROJECT SCREENING CRITERIA

Under the VMT methodology, screening is used to determine if a project will be required to conduct a detailed VMT analysis. Since the City of Ontario currently doesn't have adopted VMT screening criteria, the following section discusses the various screening methods recommended by the State of California in the *OPR Technical Advisory* and whether the Project will screen-out, either in its entirety, or partially based on individual land uses.

Proximity to Transit Facilities

As noted previously, the CEQA Guidelines were amended to include section 15064.3, "Determining the Significance of Transportation Impacts". Subsection (b)(1) states in part:

> *"Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact."*

Pursuant to the statute, development projects may be screened out of VMT analysis based on proximity to certain transit facilities due to the presumption of less than significant impacts. The *Technical Advisory* reiterates this screening criteria, but also highlights certain project-specific or location-specific characteristics which may indicate the project will still generate "significant levels of VMT", even when located

within one-half mile of a major transit stop or a stop along a high-quality transit corridor. These characteristics relate to the project's floor area ratio (FAR), parking supply, and number of dwelling units, as well as consistency with the applicable Sustainable Communities Strategy (SCS). If the project has any characteristics which indicate that the presumption of less than significant impacts as stated in the CEQA Guidelines may not be appropriate, the *OPR Technical Advisory* recommends that the project should not be screened out of further VMT analysis.

Based on the above, the proposed Project will not screen-out since it is not within one-half mile of neither an existing major transit stop[3] nor a stop along an existing high quality transit corridor[4].

Small Projects

The *OPR Technical Advisory* recommends that VMT analyses be conducted for projects which are forecast to generate 110 or more average daily trips (ADT). The CEQA Guidelines provide a categorical exemption for existing facilities, including additions to existing structures of up to 10,000 square feet[5]. OPR states that "typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract an additional 110-124 trips per 10,000 square feet. Therefore, absent substantial evidence otherwise, it is reasonable to conclude that the addition of 110 or fewer trips could be considered not to lead to a significant impact." OPR thus reasons that projects which are forecast to generate fewer than 110 daily trips would be comparable to categorically exempt projects and could be presumed to cause less than significant impacts.

Based on the above, the proposed Project will not screen-out since it generates more than 110 daily trips.

Map-Based Screening

An additional screening methodology is provided for residential and office land use projects. Lead agencies may prepare maps based on a regional travel demand model or travel survey data to illustrate areas that are currently below the selected VMT threshold. OPR reasons that if a project has similar characteristics to the existing area (i.e., density, mix of uses, transit service, etc.), it will tend to exhibit similar VMT. Therefore, if a project is fully located within an area identified as having a below-

[3] *Public 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."

[4] *Public 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."

[5] CEQA Guidelines Section 15301, Subsection (e)(2).

threshold VMT, it may be presumed to also have less than significant VMT impacts and be screened out from requiring a detailed VMT analysis.

Based on the above, the proposed Project will not screen-out since no map-based screening is available.

Additional Screening Considerations

OPR provides additional recommendations on when the presumption of less than significant impacts may be appropriate, in addition to the formally recommended screening criteria described above. For instance, in the discussion regarding retail projects, the *OPR Technical Advisory* advises lead agencies that because local serving retail projects tend to improve retail destination proximity, shorten trips, and reduce VMT, they may be presumed to have less than significant impacts. Agencies may choose to define what constitutes local serving retail in their jurisdiction, although OPR suggests a threshold size of 50,000 square feet or less. Thus, lead agencies may choose to screen out projects based on the type and size of the land use(s) being proposed.

Further, OPR states that mixed-use projects should analyze each land use individually.

Based on the above, the 40,000 SF retail component of the proposed Project will screen-out and thus would not require a full VMT analysis.

Additionally, the *OPR Technical Advisory* cites research that could support the presumption of less than significant impacts for 100% affordable housing projects, on the basis that low-wage workers are more likely to choose housing close to their workplaces, thus reducing commute distances and VMT.

Based on the above, the proposed Project will not screen-out since it is not a 100% affordable housing project.

Flow Chart 1 presents the recommended screening criteria, as discussed above, for land use projects consistent with the *OPR Technical Advisory*. It should be noted that a land use project only needs to satisfy one of the screening criteria of the flow chart to qualify for screening.

Finally, based on the screening criteria above, the 59,585 SF general light industrial component, the 386,449 SF manufacturing component and the 522,058 SF warehousing component will not screen-out, thus requiring a full VMT analysis as presented in this Technical Memorandum.

VEHICLE MILES TRAVELED (VMT) ANALYSIS METHODOLOGY

According to OPR, Projects that do not screen out based on the aforementioned criteria shall complete a full VMT analysis. In the absence of the City of Ontario VMT guidelines, the VMT analysis methodology as provided by OPR has been utilized. The following summary of the guidelines has been prepared based on a review of the revisions to the CEQA Guidelines and OPR's current *Technical Advisory*.

It should be noted that according to OPR, "vehicle miles traveled' refers to the amount and distance of automobile travel attributable to a project. Here, the term "automobile" refers to on-road passenger vehicles, specifically cars, and light trucks. The primary reason being, as mentioned previously, is to align with the State's three statutory goals; (1) reduction of GHG emissions; (2) development of multi-modal networks; and (3) a diversity of land uses.

OPR's Guidance on Methodology for Office Projects

According to OPR, tour-based and trip-based approaches offer the most viable methods for determining VMT from office projects and for comparing those results to VMT thresholds. These approaches also offer the simplest methodology for determining VMT reductions from mitigation measures for office projects.

Based on the above, a full VMT analysis utilizing the San Bernardino County Transportation Analysis Model (SBTAM) will be used to determine the VMT for the project and for the City of Ontario average and will provide the following:

- Employment-based VMT per Employee for office land uses.

Further, since the SBTAM base year will not be consistent with the Project base year, linear interpolation between the SBTAM base year and future year will be conducted to determine the Project base year to estimate the VMT for the City for the above listed category.

Finally, the Project VMT will then be compared to the City of Ontario average to determine whether or not the Project will have a significant impact based on the significance thresholds defined in this Technical Memorandum.

OPR's Guidance on Methodology for Cumulative Impacts

OPR states that a Project's cumulative impacts are based on a determination of whether the "incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." When using an absolute VMT metric, i.e., total VMT, analyzing the combined impacts for a cumulative impacts analysis may be appropriate. A project that falls below the threshold that is aligned

with long-term goals and relevant plans has no cumulative impact distinct from the Project impact. Accordingly, a less than significant Project impact would imply a less than significant cumulative impact, and vice versa.

VEHICLE MILES TRAVELED (VMT) SIGNIFICANCE THRESHOLDS

As previously discussed, a project that meets the screening criteria will require preparation of a detailed transportation analysis. The project VMT will be evaluated in order to determine if the project is expected to cause a significant transportation impact. Under the VMT methodology, a transportation impact is considered significant if the project-related VMT is equal to or exceeds the thresholds. ,

Mitigation of project transportation impacts is required whenever VMT generated by the proposed development causes an increase of the analyzed VMT by an amount greater than the predetermined significance thresholds.

The following section discusses the VMT impact thresholds recommended by the State for office projects.

OPR's Guidance on Thresholds for Office Projects

Public Resources Code Section 21099 provides the criteria for determining the significance of transportation impacts. There are three statutory goals that the significance criteria must promote: (1) reduction of GHG emissions; (2) development of multi-modal networks; and (3) a diversity of land uses. The *OPR Technical Advisory* provides OPR's recommendations for quantitative thresholds of significance, which align with the State's three statutory goals. The recommended significance thresholds were developed from legislative mandates and state policies (i.e., AB 32, SB 375, SB 391 and a number of Executive Orders) that established quantitative GHG emissions reduction targets.

The *OPR Technical Advisory* states that a fifteen percent (15%) reduction in VMT is achievable for development projects in a variety of place types and is consistent with SB 743's direction to OPR to select a threshold that aligns with the State's three statutory goals.

For office projects, the existing VMT per employee may be measured from the regional average. However, if a region is substantially larger than the geography over which most workers would be expected to live, a smaller geography to develop significance thresholds may be utilized, which in this case is the City of Ontario.

Further, the *OPR Technical Advisory* applies the thresholds for office projects to either tour-based VMT or home-based (i.e., trip-based) VMT assessments. The metric

used to determine project VMT and the city-wide or regional VMT must be consistent (i.e., "apples to apples" comparison).

It should be noted that the *OPR Technical Advisory* provides recommendations for thresholds of significance for only three types of development, focusing only on the project types which tend to have the greatest effect on VMT. The *OPR Technical Advisory* does not provide recommendations on thresholds for other kinds of development projects. The three main development project types, residential, office, and retail may be considered proxies for developments which exhibit certain trip/travel characteristics as shown below:

- "Residential" may be considered a proxy for a development which generates new trips.
- "Office" may be considered a proxy for a development which generates primarily work trips.
- "Retail" may be considered a proxy for a development which primarily attracts already existing trips, leading to a diversion of trips rather than generating new trips.

If a project can be demonstrated to match one of these proxy categories, the applicable thresholds may be utilized. Thus, the proposed Project general light industrial, manufacturing and warehousing components are expected to generate primarily work trips and have been analyzed under the Office thresholds as listed below:

➢ A proposed Office project exceeding a level of 15% below existing regional (in this case City of Ontario) VMT per employee may indicate a significant transportation impact.

VEHICLE MILES TRAVELED (VMT) ANALYSIS

Summarized below are the average VMT/Employee values utilizing SBTAM for the City of Ontario and for the Project. It should be noted that the Project is located in TAZ 53683901 and the Project development totals were converted into Socio-Economic Data (SED) and inputted into the SBTAM.

City Average VMT/Employee

The City Average VMT/Employee are listed below:

- Year 2012 Average VMT/Employee = 15.98
- Year 2040 Average VMT/Employee = 17.40
- **Year 2020 Average VMT/Employee = 16.38**

Project Average VMT/Employee

The Project Average VMT/Employee is listed below:

- Year 2012 Average VMT/Employee = 7.69
- Year 2040 Average VMT/Employee = 1.41
- **Year 2020 Average VMT/Employee = 5.89**

Further, the data listed below was extracted from SBTAM to determine the above mentioned values:

City of Ontario		
Description	**Year 2012**	**Year 2040**
Employment Based VMT	1,633,278.70	3,048,459.15
Employees	102,225.50	175,230.00
VMT/Employee	15.98	17.40
Total VMT	12,517,173.62	20,493,979.43

TAZ 53683901		
Description	**Year 2012**	**Year 2040**
Employment Based VMT	7,871.42	3,213.05
Employees	1,023.85	2,282.00
VMT/Employee	7.69	1.41
Total VMT	85,581.51	51,206.47

Project Significant VMT Impact

As shown above and based on the criteria outlined in this report, the proposed Project does not exceed a level of 15% below existing City of Ontario VMT/Employee and thus does not have a significant transportation impact.

Cumulative Significant VMT Impact

As previously mentioned and according to the *OPR Technical Advisory*, a less than significant Project impact would imply a less than significant cumulative impact.

CONCLUSION

Consistent with the *OPR Technical Advisory* and based on the VMT methodology, criteria, guidelines, thresholds and results outlined in this Technical Memorandum, the proposed Project will not have a significant Project VMT impact nor a significant cumulative impact.

LINSCOTT LAW & GREENSPAN engineers

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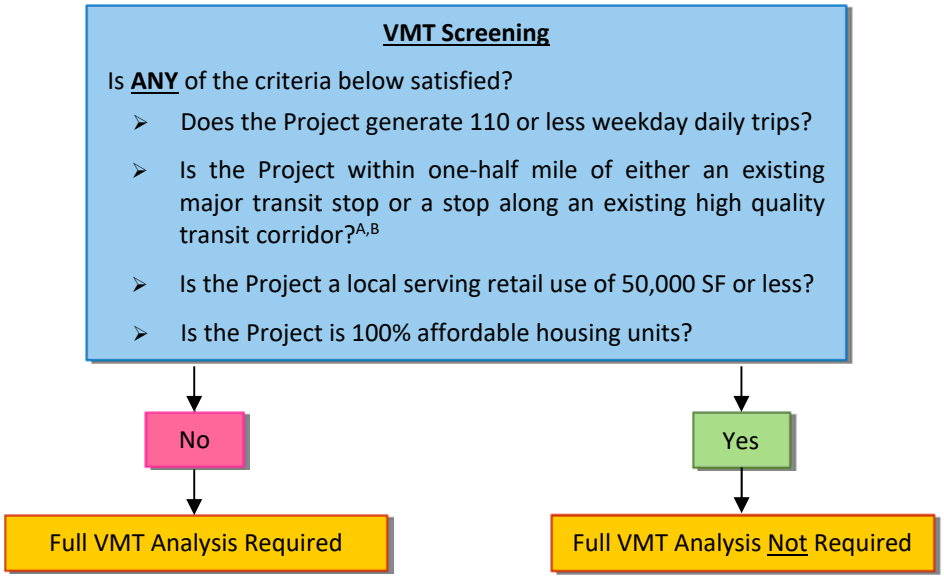
We appreciate the opportunity to provide this Technical Memorandum. Should you have any questions regarding the memorandum, please contact us at (949) 825-6175.

cc: File

LINSCOTT LAW & GREENSPAN engineers

FLOW CHART 1

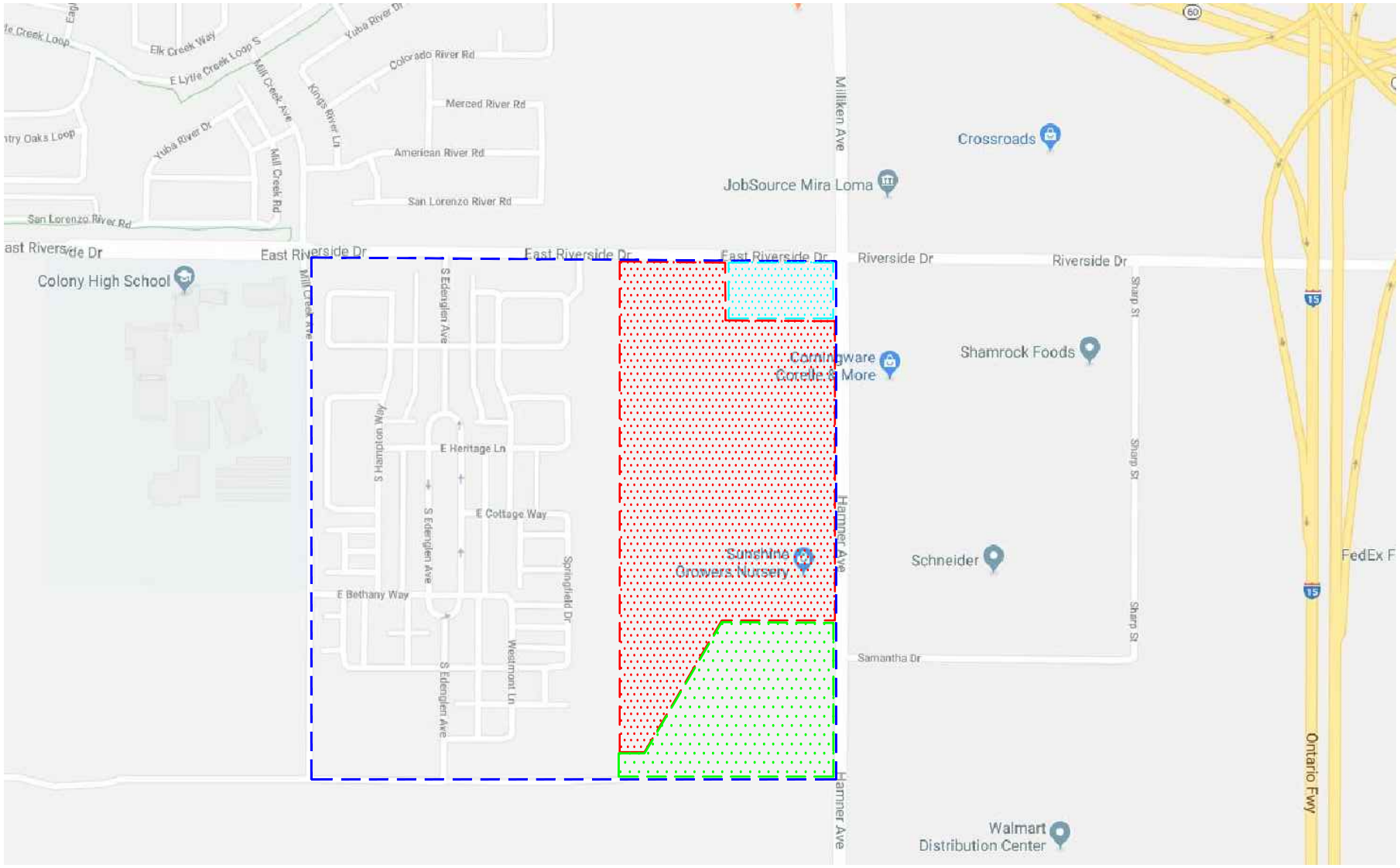
VMT SCREENING CRITERIA FLOW CHART



Notes:

A. "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.

B. "High-quality transit corridor" means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.



n:\4000\2184009 – edenglen business park, ontario\vmt\dwg\4009 f-1.dwg LDP 17:17:29 06-03-2020 besa

LINSCOTT LAW & GREENSPAN engineers

N NO SCALE

SOURCE: GOOGLE

KEY

= PROJECT SITE (INDUSTRIAL)

= PROJECT SITE (RETAIL)

= SCE SITE

= SPECIFIC PLAN BOUNDARY

FIGURE 1

VICINITY MAP

ONTARIO COMMERCE CENTER, ONTARIO



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LINSCOTT LAW & GREENSPAN engineers

N NO SCALE

SOURCE: GOOGLE

KEY

= PROJECT SITE (INDUSTRIAL)

= PROJECT SITE (RETAIL)

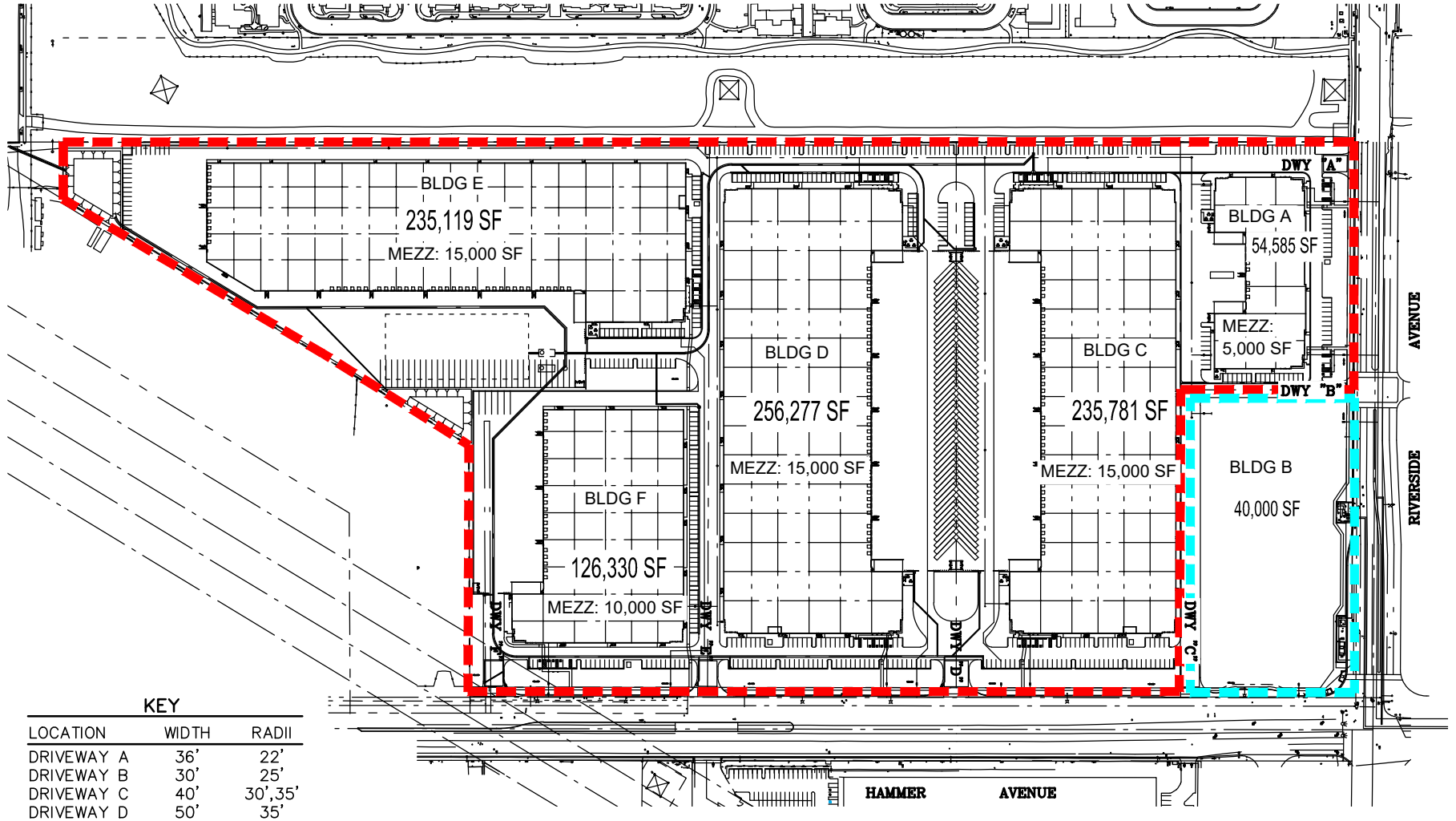
= SCE SITE

= SPECIFIC PLAN BOUNDARY

FIGURE 2

EXISTING SITE AERIAL PHOTOGRAPH

ONTARIO COMMERCE CENTER, ONTARIO



KEY

LOCATION	WIDTH	RADII
DRIVEWAY A	36'	22'
DRIVEWAY B	30'	25'
DRIVEWAY C	40'	30',35'
DRIVEWAY D	50'	35'
DRIVEWAY E	40'	35'
DRIVEWAY F	40'	22',35'

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LINSCOTT LAW & GREENSPAN engineers

NO SCALE

SOURCE: RGA

KEY

= INDUSTRIAL COMPONENT

= RETAIL COMPONENT

FIGURE 3

PROPOSED SITE PLAN

ONTARIO COMMERCE CENTER, ONTARIO

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA18-002, AN AMENDMENT TO THE LAND USE ELEMENT OF THE POLICY PLAN (GENERAL PLAN), REVISING EXHIBIT LU-01 (OFFICIAL LAND USE PLAN) AND EXHIBIT LU-03 (FUTURE BUILDOUT), AFFECTING PROPERTY LOCATED AT THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND HAMNER AVENUE, FROM GENERAL COMMERCIAL (20 ACRES) AND BUSINESS PARK (26.64 ACRES), TO 4.13 ACRES OF NEIGHBORHOOD COMMERCIAL, 3.51 ACRES OF BUSINESS PARK, AND 39 ACRES OF INDUSTRIAL DESIGNATED LAND, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-171-21 AND 0218-171-27. (SEE EXHIBITS A AND B) (PART OF CYCLE 1 FOR THE 2021 CALENDAR YEAR).

WHEREAS, Ontario CC, LLC ("Applicant") has filed an Application for the approval of a General Plan Amendment, File No. PGPA18-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City of Ontario adopted the Policy Plan (General Plan) as part of The Ontario Plan in January 2010. Since the adoption of The Ontario Plan, the City has evaluated Exhibits LU-01: Official Land Use Plan and LU-03: Future Buildout further and is proposing modifications; and

WHEREAS, the proposed changes to Exhibit LU-01 Official Land Use Plan include changes to land use designations of certain properties shown on Exhibit A to accommodate an industrial Development Plan (File No. PDEV18-031) and Tentative Parcel Map (File No. PMTT18-009); and

WHEREAS, Policy Plan Exhibit LU-03 (Future Buildout) specifies the expected buildout for the City of Ontario, incorporating the adopted land use designations. The proposed changes to Exhibit LU-01 (Official Land Use Plan) will require that Exhibit LU-03 (Future Buildout) is modified to be consistent with Exhibit LU-01 (Official Land Use Plan), as depicted on Exhibit B, attached; and

WHEREAS, the City of Ontario conducted two community meetings to discuss the proposed subject application. The first community meeting was in-person and held on December 12, 2018, at the Colony High Branch Library. The second meeting was a virtual presentation that was available on the on the City Website from June 1, 2020, through July 21, 2020; 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 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 25, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Addendum and the Project, and concluded said hearing on that date, voting to issue Resolution No. PC20-053, recommending the City Council approve the Application; and

WHEREAS, on September 15, 2020 the City Council of the City of Ontario conducted a hearing to consider the Project, and continued the hearing to a future date; and

WHEREAS, on November 17, 2020 the City Council of the City of Ontario conducted a hearing to consider the Project, and continued the hearing to a future date; and

WHEREAS, as the first action on the Project, on February 2, 2021, the City Council approved a Resolution to adopt an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 for File No. PGPA06-001. The Addendum finds that the proposed project introduces no new significant environmental impacts, and all previously adopted mitigation measures are incorporated into the Project by reference; and

WHEREAS, on February 2, 2021 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 administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the City Council, the City Council finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report — State Clearinghouse No. 2008101140 ("Certified EIR"), which was certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001; and

(2) The Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(3) 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. This Application introduces no new significant environmental impacts; and

(4) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference; and

(5) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the City Council; and

(6) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

SECTION 2. ***Additional Environmental Review Not Required.*** Based on the Addendum, all related 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 environmental impact report 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. ***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 4. ***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 Sections 1 through 3, above, the City Council hereby concludes as follows:

(1) The proposed General Plan Amendment is consistent with the goals and policies of The Ontario Plan as follows:

(a) **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.

Compliance: The proposed land use designation changes from 20 acres of General Commercial and 26.64 acres of Business Park to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Industrial will facilitate the construction of a proposed industrial development. The proposed industrial development will assist towards promoting local/regional job growth and furthering the goal of jobs and housing balance within the Inland Empire.

(b) **CE1-2 - Jobs and Workforce Skills.** We use our economic development resources to: 1) attract jobs suited for the skills and education of current and future City residents; 2) work with regional partners to provide opportunities for the labor force to improve its skills and education; and 3) attract businesses that increase Ontario's stake and participation in growing sectors of the regional and global economy.

Compliance: The proposed land use designation changes from 20 acres of General Commercial and 26.64 acres of Business Park, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Industrial will facilitate the construction of a proposed an industrial development. The proposed industrial development will assist towards creating jobs suited for the skills and education of current and future City residents and provide jobs in growing sectors of the regional and global economy.

(c) **CE1-11 - Socioeconomic Trends.** We continuously monitor, plan for, and respond to changing socioeconomic trends.

Compliance: The proposed land use designation changes from 20 acres of General Commercial and 26.64 acres of Business Park, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Industrial will facilitate the construction of a proposed industrial development. The project site was initially intended to be developed with small industrial buildings and a larger commercial center. In responding to changing socioeconomic trends, larger industrial/business park complexes have grown in demand and commercial/retail space demand has declined. The proposed General Plan Amendment is in response to changing socioeconomic trends which has shifted to on-line shopping resulting in greater demands for warehouse industrial uses.

(2) The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

(3) The Land Use Element is a mandatory element allowed four general plan amendments per calendar year and this general plan amendment is the second amendment to the Land Use Element of the 2020 calendar year consistent with Government Code Section 65358;

(4) The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The Edenglen Specific Plan was listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. However, the eastern half of the Edenglen Specific Plan (Project site) was not included as one of the properties in the Available Land Inventory since the eastern half of the Specific Plan did not include any residential land use designations.

(5) During the amendment of the General Plan, opportunities for the involvement of citizens, California Native American Indian tribes (Government Code Section 65352.3.), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means were implemented consistent with Government Code Section 65351.

SECTION 5. ***City Council Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the City Council hereby APPROVES the proposed General Plan Amendment, as depicted in Exhibit A (Policy Plan Land Use Plan (Exhibit LU-01) Revision) and Exhibit B (Future Buildout (Exhibit LU-03) Revision) of this Resolution.

SECTION 6. ***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 7. ***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 8. ***Certification to Adoption.*** The City Clerk shall certify to the adoption of the Resolution.

PASSED, APPROVED, AND ADOPTED this 2nd day of February 2021.

_____
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. 2021-____ was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held February 2, 2021, 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. 2021- duly passed and adopted by the Ontario City Council at their regular meeting held February 2, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A: Policy Plan Land Use Plan (Exhibit LU-01) Revision

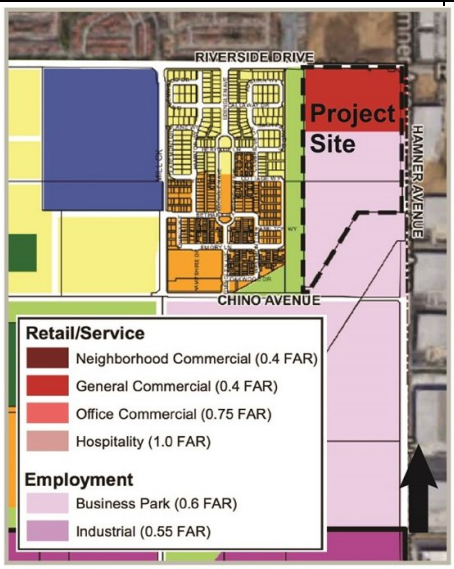
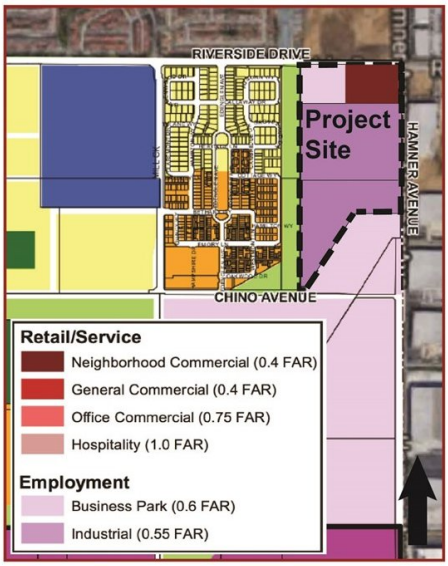
Existing Policy Plan Land Use	Assessor Parcel Number(s) Involved	Proposed Policy Plan Land Use
 General Commercial (20 acres) Business Park (26.64 acres)	*0218-171-21* *and* *0218-171-27* *(1 of 2 properties)*	 Neighborhood Commercial (4.13 acres) Business Park (3.51 acres) Industrial (39 acres)

EXHIBIT B: Future Buildout (Exhibit LU-03) Revision

LU-03 Future Buildout[1]

THE ONTARIO PLAN
A FRAMEWORK FOR THE FUTURE

Land Use	Acres[2]	Assumed Density/Intensity[3]	Units	Population[4]	Non-Residential Square Feet	Jobs[5]
Retail/Service						
Neighborhood Commercial[6]	~~281~~ 285	0.30 FAR			~~3,671,585~~ 3,725,556	~~8,884~~ 9,015
General Commercial	~~477~~ 457	0.30 FAR			~~6,229,385~~ 5,968,025	~~5,787~~ 5,544
Office/ Commercial	490	0.75 FAR			16,018,428	35,523
Hospitality	142	1.00 FAR			6,177,679	7,082
Subtotal	***~~1,390~~ 1,374***				***~~32,097,077~~ 31,889,668***	***~~57,276~~ 57,164***
Employment						
Business Park	~~1,531~~ 1,508	0.40 FAR			~~26,676,301~~ 26,273,284	~~46,803~~ 46,096
Industrial	~~6,446~~ 6,485	0.55 FAR			~~154,428,405~~ 155,362,767	~~135,684~~ 136,505
Subtotal	***~~7,977~~ 7,993***				***~~181,104,705~~ 181,636,050***	***~~182,487~~ 182,601***
Other						
Open Space–Non-Recreation	1,232	Not applicable				
Open Space–Parkland[6]	950	Not applicable				
Open Space-Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,871	Not applicable				
Subtotal	***9,906***					
Total	***31,786***		***100,654***	***347,190***	***~~247,784,328~~ 248,108,284***	***~~311,659~~ 311,661***

Notes

1 Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.

2 Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.

3 Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.

4 Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.

5 To view the factors used to generate the number of employees by land use category, access the Methodology report.

6 Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PSPA18-003, AN AMENDMENT TO THE EDENGLEN SPECIFIC PLAN TO: (1) CHANGE THE LAND USE DESIGNATION ON 46.64 ACRES OF LAND FROM COMMUNITY COMMERCIAL, COMMERCIAL/BUSINESS PARK FLEX ZONE, AND BUSINESS PARK/LIGHT INDUSTRIAL, TO 4.13 ACRES OF NEIGHBORHOOD COMMERCIAL, 3.51 ACRES OF BUSINESS PARK, AND 39 ACRES OF LIGHT INDUSTRIAL DESINATED LAND, ON TWO PROPERTIES LOCATED AT THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND HAMNER AVENUE; AND (2) AMEND THE SPECIFIC PLAN TO UPDATE THE DEVELOPMENT STANDARDS, EXHIBITS, AND TEXT CHANGES TO REFLECT THE PROPOSED LAND USES, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-171-21 AND 0218-171-27.

WHEREAS, Ontario CC, LLC, (hereinafter referred to as "Applicant") has filed an Application for the approval of a Specific Plan Amendment, File No. PSPA18-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 46.64 acres of land generally located at the southwest corner of Riverside Drive and Hamner Avenue, within the proposed Neighborhood Commercial, Business Park, and Light Industrial land use districts of the Edenglen Specific Plan, and is presently vacant to the north and to the south the property is improved with several shade structures, concrete block material bays, and greenhouses that were utilized by a commercial nursery (Sunshine Growers) formerly on the Project site; and

WHEREAS, the property to the north of the Project site is within the Commercial and Residential district of the Tuscana Village Specific Plan and is vacant. The property to the east is within the C-1/C-P (General Commercial) and IP (Industrial Park) zoning district of the City of Eastvale and is developed with a gas station and Industrial uses. The property to the south is within the Light Industrial district of the Edenglen Specific Plan and is developed with an SCE Substation. The property to the west is within the SCE Corridor district of the Edenglen Specific Plan and is developed with power lines and transmission towers; and

WHEREAS, the Edenglen Specific Plan Amendment includes changes to the Edenglen Land Use Plan and Land Use Summary Table. The amendment proposes a land use designation change, from Community Commercial, Commercial/Business Park Flex Zone, and Business Park/Light Industrial to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Light Industrial; and

WHEREAS, the proposed 4.13-acre Neighborhood Commercial land use district is located at the southwest corner of Hamner Avenue and Riverside Drive, and allows for up to 40,000 square feet of commercial land uses; and

WHEREAS, the proposed 3.51-acre Business Park land use district is located along Riverside Drive, at the northwest corner of the Project site. The Business Park land use designation allows commercial land uses to accommodate flexibility in land uses along Riverside Drive; and

WHEREAS, the proposed 39-acre Light Industrial land use district is located on the southern portion of the project site. The proposed buildings are envisioned for warehouse, distribution, and light manufacturing uses. Heavy manufacturing uses will not be allowed; and

WHEREAS, the Edenglen Specific Plan Amendment includes updates to development standards, the land use matrix, and various exhibits, along with text/map changes to reflect the proposed land use changes and infrastructure requirements (see Attachment A: Edenglen Specific Plan Amendment Document). The development regulations and land use matrix have been amended to include standards for the Neighborhood Commercial, Business Park, and Light Industrial land use districts; and

WHEREAS, a General Plan Amendment, Tentative Parcel Map, Development Agreement and Development Plan, File Nos. PGPA18-002, PMTT18-009, PDA18-006, and PDEV18-031, respectively, were filed in conjunction with the proposed Edenglen Specific Plan Amendment. The four applications consist of: 1) a General Plan Amendment (File No. PGPA18-002) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation of approximately 46 acres of land from General Commercial and Business Park, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Industrial; 2) modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; 3) a Tentative Parcel Map (File No. PMTT18-009/TPM 20027) to subdivide 46.64 acres of land into 7 numbered parcels and one lettered lot; 4) a Development Agreement (File No. PDA18-006) between the City of Ontario and Ontario CC, LLC, to establish the terms and conditions for the development of Tentative Parcel Map No. 20027; and 5) a Development Plan (File No. PDEV18-031) to construct 5 industrial buildings totaling 968,092 square feet; and

WHEREAS, The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. 2008101140) was certified on January 27, 2010 (hereinafter referred to as “Certified EIR”), in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario prepared and approved for attachment to the certified Environmental Impact Report, an Addendum to the Certified EIR (hereinafter referred to as “EIR Addendum”) in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as “CEQA”); and

WHEREAS, the environmental impacts of this project were thoroughly analyzed in the EIR Addendum, which concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; 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. — (hereinafter referred to as "CEQA") and an EIR Addendum 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, 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, 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 17, 2020, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Addendum and the Project and concluded said hearing on that date, voting to issue Decision Nos. DAB20-045, DAB20-046 and DAB20-047, respectively, recommending that the Planning Commission recommend the City Council approve the Application; and

WHEREAS, on August 25, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the EIR Addendum and the Project and concluded said hearing on that date, voting to issue Resolution No. PC20-052, recommending the City Council adopt the EIR Addendum, and voting to issue Resolution No. PC20-054, recommending the City Council approve the Application; and

WHEREAS, on September 15, 2020 the City Council of the City of Ontario conducted a hearing to consider the Project, and continued the hearing to a future date; and

WHEREAS, on November 17, 2020 the City Council of the City of Ontario conducted a hearing to consider the Project, and continued the hearing to a future date; and

WHEREAS, as the first action on the Project, on February 2, 2021, the City Council approved a Resolution to adopt an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 for File No. PGPA06-001. The Addendum finds that the proposed project introduces no new significant environmental impacts, and all previously adopted mitigation measures are incorporated into the Project by reference; and

WHEREAS, on February 2, 2021 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. ***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 upon 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. The Edenglen Specific Plan was listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. However, the eastern half of the Edenglen Specific Plan (Project site) was not included as one of the properties in the Available Land Inventory since the eastern half of the Specific Plan did not include any residential land use designations.

SECTION 2. ***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 3. ***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 Sections 1 and 2, 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 proposed Edenglen Specific Plan amendment will provide land use consistency with the related proposed General Plan Amendment (File No. PGPA18-002) that will change the land use on 46.64 acres of land from General Commercial and Business Park, to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park, and 39 acres of Industrial. The proposed amendments will accommodate a proposed industrial development on the subject site that are consistent with goals, policies, plans and City Council priorities of The Ontario Plan.

(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 amendments to the Edenglen Specific Plan will establish consistency with the related proposed General Plan Amendment (File No. PGPA18-002). The proposed Specific Plan Amendment will not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. The land use changes will continue to provide commercial, business park and industrial uses within the Edenglen Specific Plan, which is consistent with the type and intensity of development specified in The Ontario Plan and evaluated by The Ontario Plan Environmental Impact Report.

(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 Project site is located near sensitive land uses to the west. The associated Development Plan application (File No. PDEV18-031) incorporates design features within the site plan, including, but not limited to, building orientation and landscape buffers, to mitigate any impacts to a less than significant level, providing a project that is complimentary to and harmonious with the surrounding area.

(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 subject site is physically suitable to accommodate the proposed industrial, business park and future commercial land uses. The Edenglen Specific Plan amendment includes development standards to facilitate the proposed land uses, which will be developed with adequate lot sizes, access, and utilities to serve the project site.

SECTION 4. ***City Council Action.*** Based upon the findings and conclusions set forth in Sections 1 through 3, above, the City Council hereby APPROVES the herein described Edenglen Specific Plan Amendment, attached hereto as Attachment A and incorporated herein by this reference.

SECTION 5. ***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 6. ***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.

PASSED, APPROVED, AND ADOPTED this 2nd day of February 2021.

_____
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. 2021- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held February 2, 2021, 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. 2021- duly passed and adopted by the Ontario City Council at their regular meeting held February 2, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:

File No. PSPA18-003;
Edenglen Specific Plan Amendment Document

(Document follows this page)

EDENGLEN

ONTARIO, CALIFORNIA



SPECIFIC PLAN

Edited Version August 2020

BROOKFIELD HOMES

2777

Table of Contents

(Table of Contents revisions will be done with Final Plan Check comments)

Description	Page
Section 1 Specific Plan Overview	1-1
Section 2 Introduction	2-1
2.1 Purpose and Objectives	2-1
2.1.1 Purpose	2-1
2.1.2 Objectives	2-2
2.2 Specific Plan Proposal	2-6
2.2.1 Project Summary	2-6
2.3 Authority and Requirements	2-9
2.3.1 Authority	2-9
2.3.2 Requirements of the Specific Plan	2-9
2.4 Development Approval Components	2-10
2.5 CEQA Compliance	2-10
2.6 Relationship to the General Plan and Zoning	2-11
Section 3 Existing Conditions	3-1
3.1 Property Ownership	3-1
3.2 Existing Improvements	3-1
3.3 Surrounding Land Use Characteristics	3-1
3.4 Topography	3-2
3.5 Hydrology	3-2
3.6 Existing Circulation and Access	3-2
3.7 Existing Infrastructure and Utilities	3-7
3.7.1 Water	3-7
3.7.2 Sewer	3-7
3.7.3 Drainage	3-7
3.7.4 Electricity	3-7
3.7.5 Natural Gas	3-7
3.7.6 Communication Systems	3-8
3.7.7 Solid Waste	3-8

Description Page

3.8 Geology and Soils 3-8
3.9 Seismicity 3-8
3.10 Vegetation 3-9

Section 4 Land Use 4-1
4.1 Introduction 4-1
4.2 Residential Use 4-4
4.2.1 Variety of Housing Types 4-4
4.2.2 Traditional Neighborhood Design 4-6
4.3 Parks 4-7
4.4 Community Trail 4-7
4.5 Neighborhood Commercial, Business Park~~, General Industrial~~ and Light Industrial 4-7
4.5.1 Neighborhood Commercial, Business Park~~, General Industrial~~ and Light Industrial 4-7

Section 5 Infrastructure and Services 5-1
5.1 Circulation 5-1
5.1.1 Streets 5-1
5.1.2 Traffic Calming 5-11
5.1.3 Pedestrian Circulation 5-15
5.1.4 Bicycle Trails 5-15
5.2 Potable and Recycled Water Master Plan 5-15
5.2.1 Domestic Water 5-16
5.2.2 Recycled Water System 5-18
5.3 Sewer Master Plan 5-21
5.4 Drainage 5-23
5.4.1 NPDES Compliance 5-23
5.5 Schools 5-28

Description Page

5.6 Public Utilities 5-28
5.6.1 Telephone 5-28
5.6.2 Natural Gas 5-28
5.6.3 Electricity 5-28
5.6.4 Telecommunications 5-28
5.6.5 Solid Waste 5-28
5.7 Grading Concept 5-29
5.8 Phasing 5-31

Section 6 Development Regulations 6-1
6.1 Introduction 6-1
6.2 Definition of Terms 6-1
6.3 Applicability 6-1
6.4 Administration 6-1
6.5 Methods and Interpretation 6-2
6.6 General Site Development Criteria 6-2
6.7 Implementation 6-3
6.8 Development Permit 6-4
6.9 Subdivision Maps 6-4
6.10 Specific Plan Modifications and Amendments 6-4
6.10.1 Minor Modifications 6-4
6.10.2 Specific Plan Amendments 6-5
6.11 Appeals 6-5
6.12 Project Financing 6-5
6.13 Maintenance Responsibilities 6-6
6.13.1 Public Maintenance 6-6
6.13.2 Homeowner Association 6-7
6.14 Residential Development Standards 6-9
6.14.1 Residential Detached (P-1, P-2 and P-3) 6-9
6.14.2 Residential Attached (P-4 and P-5) 6-14
6.15 6-18
6.16 Neighborhood Commercial, Business Park~~, General Industrial~~ and Light Industrial Land Use Development Standards 6-21

Description Page

6.17 Landscape Standards 6-30
6.17.1 General Provisions 6-30
6.17.2 Landscape Standards 6-30
6.18 Signage 6-31
6.18.1 Master Sign Program Contents 6-31
6.19 Lighting 6-32
6.19.1 Street Lights along Public Streets 6-32
6.19.2 Alley Lighting Fixtures 6-32
6.19.3 Lighting within Parks, Paseos, Tot Lots and other Recreational Areas . 6-32
6.19.4 Lighting within Driveways, Parking Lots, Plazas and Other Areas 6-32
6.20 Park Furniture 6-32
6.21 Bus Shelters 6-32
6.22 Mailboxes 6-32

Section 7 Residential Design Guidelines 7-1
7.1 Introduction 7-1
7.1.1 Guiding Principles 7-2
7.2 Architectural Styles 7-3
7.2.1 Introduction 7-3
7.2.2 Architectural Philosophy 7-4
7.2.3 Architectural Styles 7-5
7.3 Massing 7-18
7.3.1 Introduction 7-18
7.3.2 General Elements 7-18
7.3.3 Front Articulation and Entry Scale 7-19
7.3.4 Roof Form 7-22
7.3.5 Garage Placement 7-23
7.3.6 Balconies and Projections 7-26
7.3.7 Rear Articulation 7-27
7.3.8 Variable Setbacks 7-28
7.3.9 Corner Lots/Critical Edge Conditions 7-29

Description Page

7.4 Materials and Details 7-30
7.4.1 Introduction 7-30
7.4.2 Wall Finishes 7-31
7.4.3 Accent Materials 7-32
7.4.4 Doors 7-33
7.4.5 Windows 7-34
7.4.6 Exterior Lighting 7-35
7.4.7 Roofing Materials 7-36
7.4.8 Eaves and Rakes 7-37
7.4.9 Color 7-38
7.5 Home Types 7-39
7.5.1 Introduction 7-39
7.5.2 Home Type Criteria 7-39
7.6 Landscape Design 7-45
7.6.1 Introduction 7-45
7.6.2 Overall Streetscapes and Entries 7-46
7.6.3 Entries 7-48
7.6.4 Streetscapes 7-52
7.6.5 Neighborhood Streetscapes 7-56
7.6.6 Primary and Secondary Entry Streets 7-58
7.6.7 Alleys 7-60
7.6.8 Open Space Amenities 7-61
7.6.9 Pocket Parks 7-62
7.6.10 Central Park 7-62
7.6.11 Residential Common Areas 7-64
7.6.12 Master Wall and Fence Plan 7-68
7.7 Implementation 7-72
7.7.1 Introduction 7-72
7.7.2 Improvement Responsibility 7-72
7.7.3 Homebuilder Landscape Requirement 7-72
7.7.4 Plant Matrix 7-80

Description Page

Section 8 Neighborhood Commercial, Business Park~~,~~ ~~General Industrial~~ and Light Industrial Design Guidelines 8-1

8.1 Introduction 8-1

8.1.1 Guiding Principles 8-2

8.1.2 Review Process 8-2

..... 8-7

8.3 Neighborhood Commercial, Business Park~~, General Industrial~~ and Light Industrial Design Guidelines 8-10

8.3.1 Introduction 8-10

8.3.2 Site Planning 8-10

8.3.3 Building Design 8-11

8.3.4 Architectural Details 8-12

8.3.5 Open Space and Landscaping 8-13

Section 9 General Plan Consistency 9-1

Exhibits

Exhibit 1 – Regional Location Map 1-4

Exhibit 2 – Vicinity Map 1-5

Exhibit 3 – Illustrative Land Use Plan 1-6

Exhibit 4 – Project Location Map 2-5

Exhibit 5 – General Plan Amendment 2-12

Exhibit 6 – Existing Property Ownership 3-3

Exhibit 7 – Existing Land Use 3-4

Exhibit 8 – Surrounding Land Use 3-5

Exhibit 9 – Existing Site Topography 3-6

Exhibit 10 – Land Use Plan 4-2

Exhibit 11 – Residential Neighborhoods 4-5

Exhibit 12 – Central Park Concept 4-9

Exhibit 13 – Community Trail 4-10

Exhibit 14 – Community Trail 4-11

Exhibits

Page

Exhibit 15 – Circulation Master Plan 5-5
Exhibit 16 – Arterial Street Sections 5-6
Exhibit 17 – Collector Street Sections 5-7
Exhibit 18 – Local Street Sections 5-8
Exhibit 19 – Local Street and Private Alley Sections 5-9
Exhibit 20 – Alley (Private Alley in P-5 Areas) 5-10
Exhibit 21 – Neighborhood Street Tapers 5-13
Exhibit 22 – Alley Tapers 5-14
Exhibit 23 – Pedestrian and Bicycle Circulation Plan 5-17
Exhibit 24 – Conceptual Domestic Water Plan 5-19
Exhibit 25 – Conceptual Recycled Water Plan 5-20
Exhibit 26 – Conceptual Sewer Plan 5-22
Exhibit 27 – Conceptual Storm Drain Plan 5-27
Exhibit 28 – Conceptual Grading Plan 5-30

Architectural Style Exhibits:

Spanish 7-6
Bungalow 7-8
Cottage 7-10
Monterey 7-12
Traditional 7-14
Territorial Ranch 7-16

Home Type Exhibits:

P-1: Single-Family Detached (SFD) 7-40
P-2: Alley-Loaded SFD 7-41
P-3: Cottage Home SFD 7-42
P-4: Triplex Court Homes 7-43
P-5: Garden Court Townhomes 7-44

Exhibits — Page

Landscape Design Exhibits:

Master Streetscape and Entry Plan 7-47
Entry from Riverside Drive 7-48
Primary Entry at Riverside Drive 7-49
Entry Monumentation at Riverside Drive 7-49
Secondary Entry at Chino Avenue 7-50
Entry Monumentation at Chino Avenue 7-50
Secondary Entry at Mill Creek Avenue 7-51
Entry Monumentation at Mill Creek Avenue 7-51
Riverside Drive Landscape Plan 7-52
Riverside Drive Landscape Section 7-52
Milliken Avenue Landscape Plan 7-53
Milliken Avenue Landscape Section 7-53
Chino Avenue Landscape Plan 7-54
Chino Avenue Landscape Section 7-54
Mill Creek Avenue Landscape Plan 7-55
Mill Creek Avenue Landscape Section 7-55
Central Park Loop Landscape Plan 7-56
Central Park Loop Landscape Section 7-56
Neighborhood Street Landscape Plan 7-57
Neighborhood Street Landscape Section 7-57
Primary Entry Street Landscape Plan 7-58
Primary Entry Street Landscape Section 7-58
Secondary Entry Street from Mill Creek Avenue 7-59
Secondary Entry Street from Chino Avenue 7-59
Secondary Entry Street Landscape Section 7-59
SFD Alley Landscape Plan 7-60
Garden Court Alley Landscape Plan 7-60
Community Trail Landscape Plan 7-61
Community Trail Landscape Section 7-61
Typical Pocket Park Landscape Plan 7-62
Central Park Concept 7-63
Cottage Homes Common Area 7-64
Cottage Homes Front Streetscape 7-65
Triplex Court Landscape Plan 7-66

Exhibits

Page

Garden Court Alley Landscape Plan 7-67
Master Wall and Fence Plan 7-69
Maintenance Responsibility 7-74
P-1 Single-Family Detached (SFD) 7-75
P-2 Alley-Loaded SFD 7-76
P-3 Cottage Home SFD 7-77
P-4 Triplex Court Homes 7-78
P-5 Garden Court Townhomes 7-79

Tables

Table 1 – Specific Plan Statistical Summary 2-8
Table 2 – Land Use Summary 4-3
Table 3 – Pollutants of Concern by Land Use 5-26
Table 4 – Maintenance Responsibilities 6-8
Table 5 – P1: Site Development Standards (Single Family Detached) 6-10
Table 6 – P2: Site Development Standards (Single Family Detached – Alley Loaded) 6-11
Table 7 – P3: Site Development Standards (Single Family Detached Cottages – Alley Loaded) 6-12
Table 8 – P4: Site Development Standards (Triplex) 6-15
Table 9 – P5: Site Development Standards (Garden Court) 6-16
Table 11 – Neighborhood Commercial, Business Park~~- General Industrial~~ and Light Industrial Site Development Standards 6-22
Table 12 – Edenglen Land Use Table Land Use Area 6-24

Section 1 Specific Plan Overview

The Edenglen Specific Plan addresses ~~160.6~~ 153.3 acres, ~~comprising Planning Subarea 7, of the New Model Colony within~~ located within the Ontario Ranch area of the City of Ontario. The regional context and local setting of the Edenglen Specific Plan (Project Site) are illustrated in ***Exhibit 1,*** "***Regional Location Map",*** and ***Exhibit 2, "Vicinity Map"***. Approximately ~~77.1~~ 75.2 acres of Edenglen are planned for the development of residential uses by Brookfield Homes. Approximately ~~12.8~~ 13.8 acres of the Edenglen Specific Plan, comprised of property owned by Southern California Edison, are designated for a public trail. The remaining ~~70.7~~ 64.3 acres, comprised of property owned by Crow Holdings Industrial and Southern California Edison~~, Sunshine Growers Nursery Inc., and the Kasbergen Cornell & Family Trust~~ are designated for development of ~~commercial and business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial uses.

The Edenglen Specific Plan establishes the regulations and guidelines which will govern development of a master planned community offering a variety of residential housing types in a traditional neighborhood setting within walking distance to parks, and providing for the development of planned ~~commercial retail and business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial uses. The master development plan as illustrated in ***Exhibit 3***, ***"Illustrative Land Use Plan",*** is consistent with the goals and policies of the Sphere of Influence General Plan Amendment combining livable residential neighborhoods served by recreational areas offering opportunities for social gathering among residents. ~~Commercial retail and business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial uses are planned in order to assure that development of these areas is implemented in a manner compatible with the surrounding existing and planned residential uses.

A planned multi-purpose trail ~~provides~~ within the SCE easement allows for bicycle and pedestrian access ~~linking~~ extending from Chino Avenue to Riverside Drive and provides a buffer between the residential areas ~~with commercial and business park/light industrial~~ and the Business Park and Light Industrial areas of the Edenglen Specific Plan area. This multi-purpose trail intersects with the public sidewalk along the south side of Riverside Drive which provides safe and direct access to the Neighborhood Commercial area on the corner of Riverside Drive and Milliken Avenue. Pedestrian accessibility is provided to facilitate access from the residential areas to the Colony High School, located west of the Edenglen Specific Plan area, through a system of sidewalks separated from the street by a landscaped parkway. Bicycle circulation is provided for within residential areas connecting to Mill Creek Avenue.

The ~~Sphere of Influence General Plan Amendment~~ Ontario Plan (TOP), adopted by the City of Ontario, ~~designates~~ designated ~~Planning Subarea 7~~ the Edenglen Specific Plan for development of residential, community commercial, and business park~~/industrial~~ land uses. Residential land uses are further delineated with areas assigned for Low, Medium, and High Density Residential uses with a total of 584 homes permitted. As part of the project, a General Plan Amendment will be adopted concurrently with the Edenglen Specific Plan Amendment, changing ~~only~~ the General Plan Land Use Policy Map to reassign the locations ~~of Low, Medium, and High Density Residential land use areas within the Project Site~~ east of the SCE easement from general commercial and business park to neighborhood commercial, industrial and business park.

GOVERNING DOCUMENTS

Development of Edenglen will be governed by several documents as follows:

- ~~The City of Ontario Sphere of Influence General Plan Amendment (January 1998), as amended,~~ The Ontario Plan (TOP) adopted in 2010, which ~~establishes~~ established policies governing land use, circulation, housing, conservation and open space, noise, safety, and public facilities within the Edenglen Specific Plan area.
- The Edenglen Specific Plan, which includes a Land Use Plan, Infrastructure Plan, Design Guidelines, and Development Regulations.
- The City of Ontario Development Code as applicable to the project in cases where the Edenglen Specific Plan is silent on development standards and regulations.
- The City of Ontario Subdivision Ordinance regulating the subdivision of land within the Edenglen project area.
- Covenants, Conditions, and Restrictions (CC&R's) to be established by the developer of Edenglen as a means of ensuring and enforcing quality design and development of the overall community.

SPECIFIC PLAN COMPONENTS

The Edenglen Specific Plan is organized into the following sections in addition to Section 1, Specific Plan Overview.

SECTION 2 INTRODUCTION

The Introduction serves to acquaint the reader with:

- The project setting,
- A general description of the project proposal,
- The goals and policies of the Edenglen Specific Plan,
- The entitlements to accompany the Edenglen Specific Plan; and
- The relationship of the Edenglen Specific Plan to the City of Ontario The Ontario Plan (TOP), as amended, and the City of Ontario Development Code.

SECTION 3 EXISTING CONDITIONS

This section describes the setting for Edenglen outlining the existing physical conditions on and around the Project Site.

SECTION 4 LAND USE

The Land Use Section describes residential planning areas and residential types, ~~commercial planning areas, business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial planning areas, and the parks and trails of the planned community.

SECTION 5 INFRASTRUCTURE AND PUBLIC IMPROVEMENTS

This section provides information on the circulation improvements, the backbone water, sewer, and storm drain system concepts, the grading concept, and a discussion of public utilities and services to serve the Project Site.

SECTION 6 DEVELOPMENT REGULATIONS

The Development Regulations specify the permitted uses and the standards regulating the development of various residential types, ~~commercial planning areas, business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial uses. The relationship of the Edenglen Specific Plan development regulations to the City of Ontario Development Code is also provided. The policies and procedures for the City's review and approval of specific development proposals within the Project Site are presented in this section. This section provides the methods and procedures for interpreting and amending the Edenglen Specific Plan as necessary.

SECTION 7 RESIDENTIAL DESIGN GUIDELINES

The Edenglen Residential Design Guidelines are intended to direct the site planning, landscaping, and architectural quality of residential development. Streetscapes, entries, edge treatments, relationship of new land uses with existing land uses, walls and fencing, lighting, signage, and architectural design are some of the features to be addressed in the Design Guidelines.

SECTION 8 NEIGHBORHOOD COMMERCIAL, BUSINESS PARK AND LIGHT INDUSTRIAL DESIGN GUIDELINES

The Neighborhood Commercial, Business Park and Light Industrial ~~Edenglen~~ Design Guidelines are intended to direct the site planning, landscaping, and architectural quality of these types of uses. Streetscapes, entries, edge treatments, relationship of new land uses with existing land uses, walls and fencing, lighting, signage, and architectural design are some of the features addressed in the Design Guidelines.

SECTION 9 GENERAL PLAN CONSISTENCY

This section includes the City of Ontario General Plan consistency matrix describing the relationship of the Edenglen Specific Plan to each policy of The Ontario Plan (TOP).

Exhibit 1 - Regional Location Map

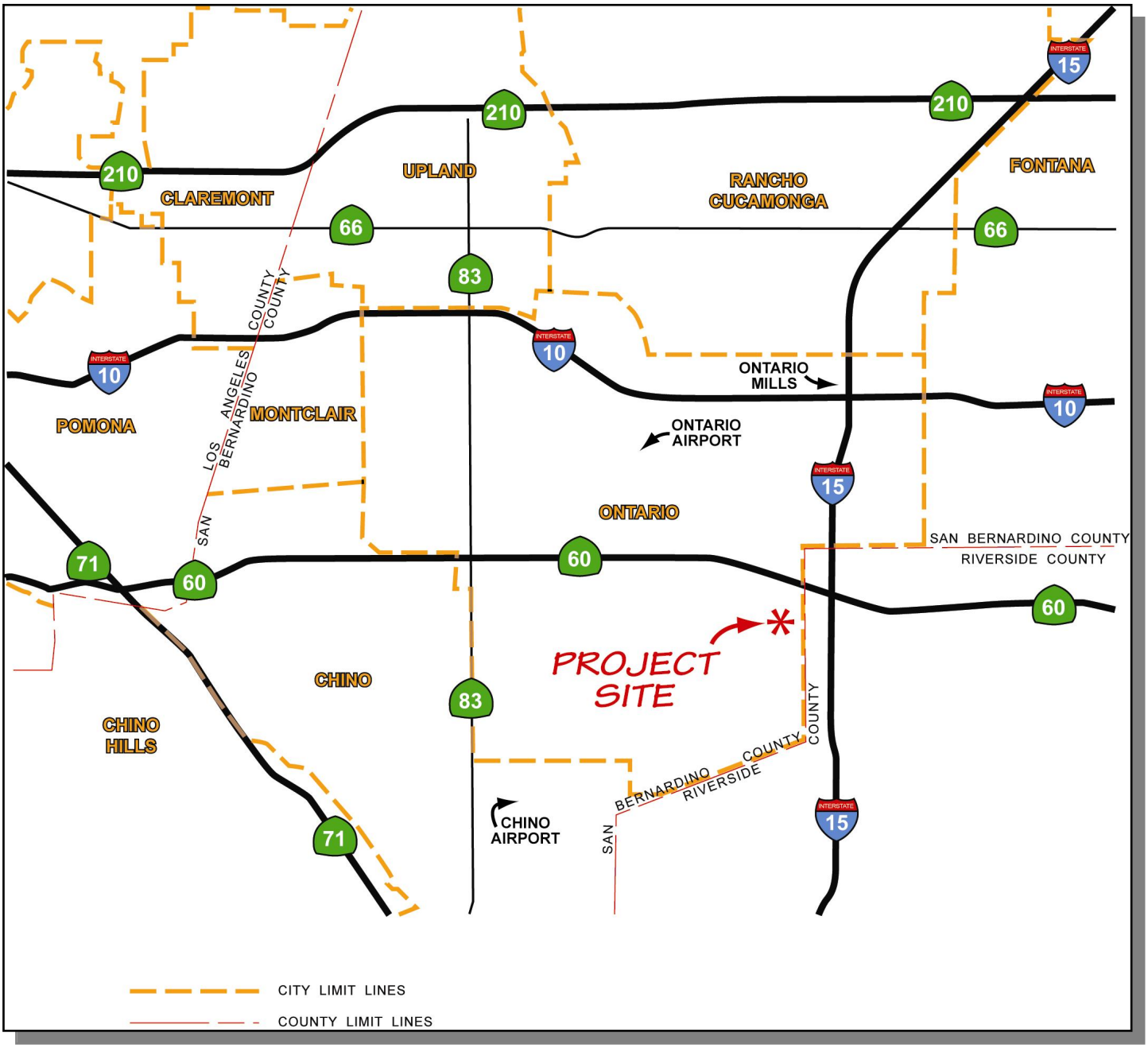


Exhibit 2 – Vicinity Map

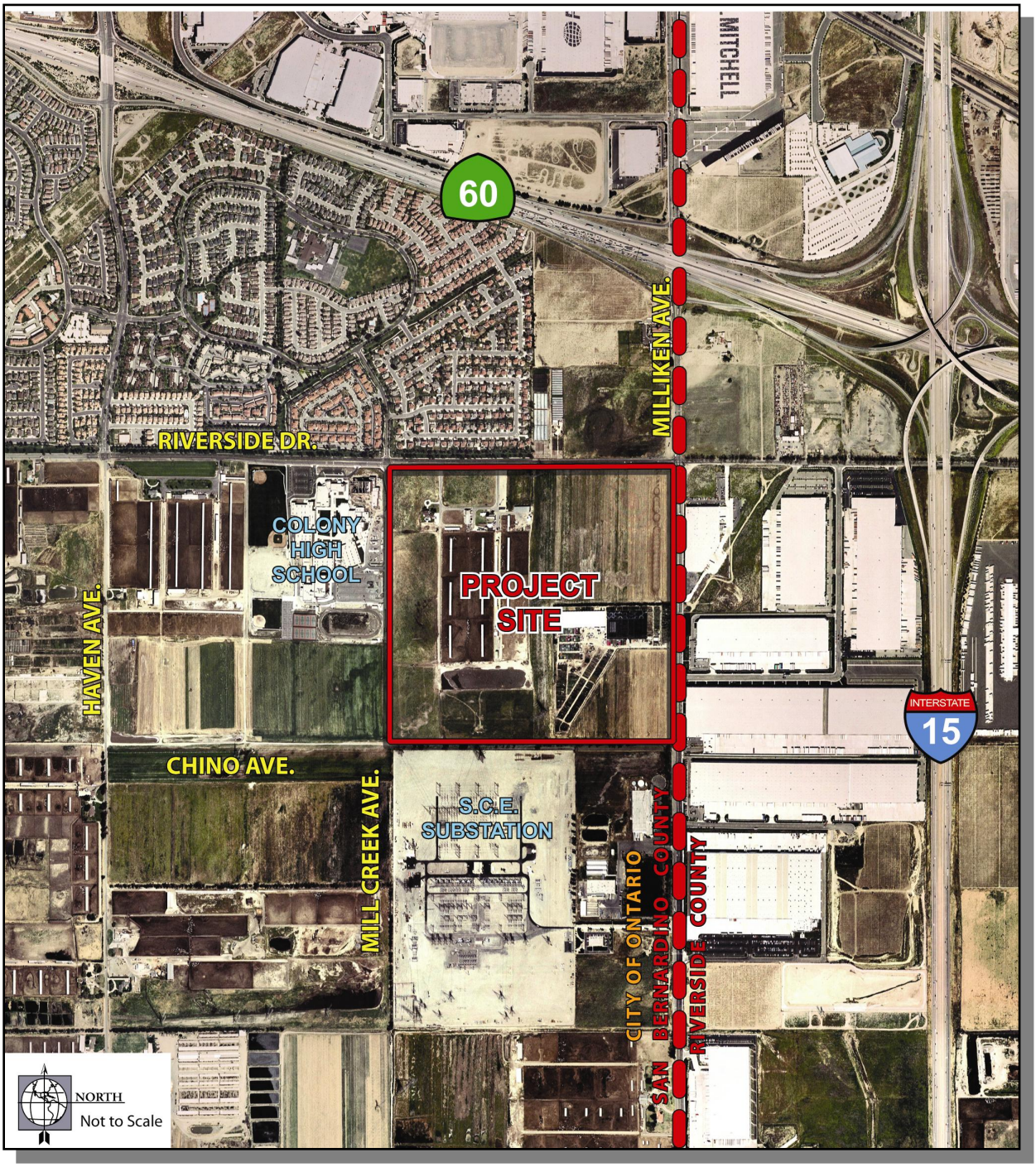
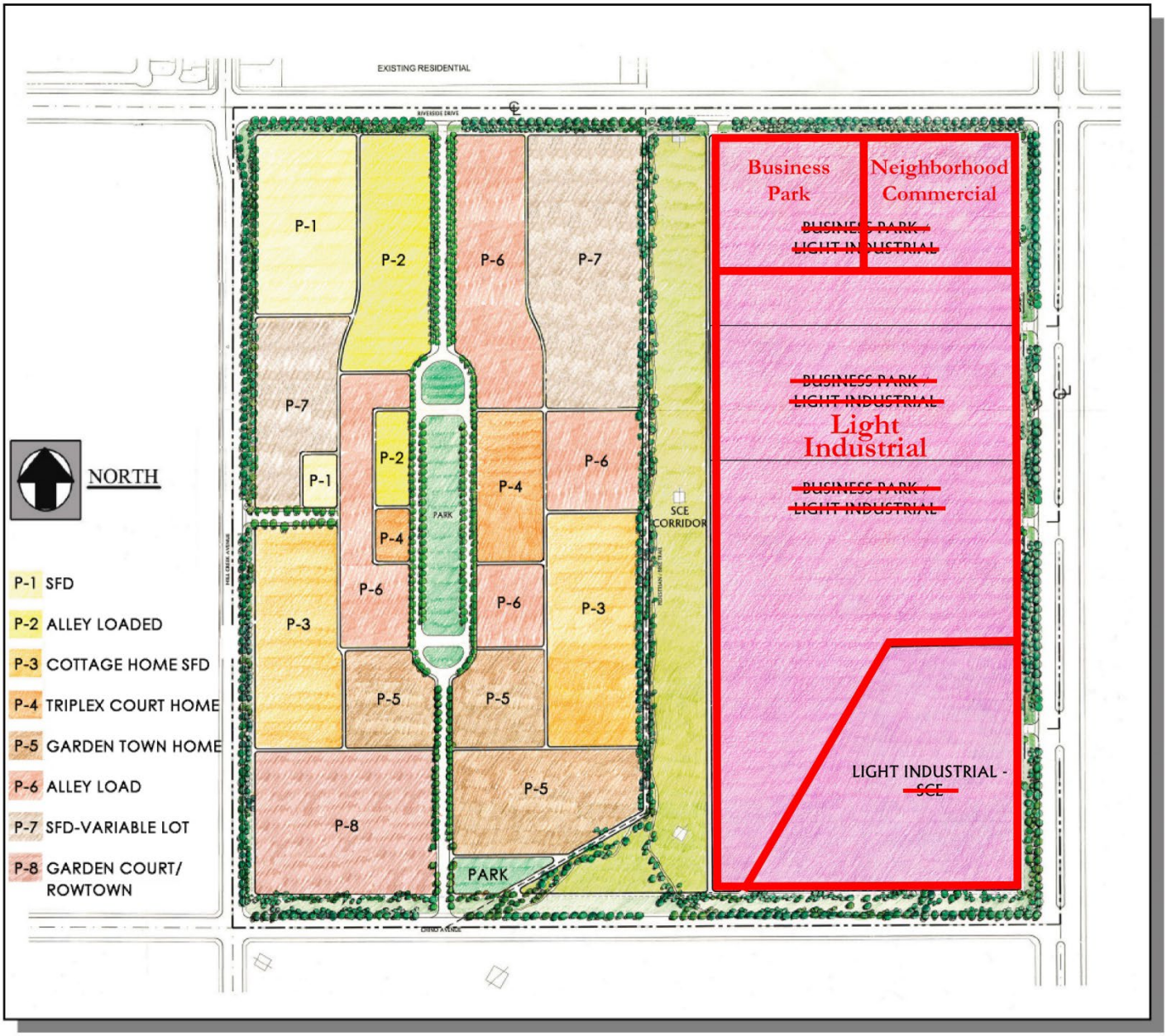


Exhibit 3 – Illustrative Land Use Plan



Section 2 Introduction

The Edenglen Specific Plan (Project Site) is comprised of ~~160.6~~ 153.3 acres ~~designated as Planning Subarea 7 of~~ located within the Ontario Ranch (formerly referred to as the New Model Colony Planning Subarea 7) within the City of Ontario. The Project Site, as illustrated in ***Exhibit 4, "Project Location Map"***, is bounded by Riverside Drive on the north, Milliken Avenue on the east, Chino Avenue on the south, and Mill Creek Avenue on the west. The Edenglen Specific Plan is a comprehensive plan proposed by Brookfield Homes, hereinafter referred to as the "applicant", for the development of residential neighborhoods designed to reflect the small town character of older established communities. The Edenglen Specific Plan also establishes development standards and design guidelines for ~~commercial and business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial land use areas. ~~within Planning Subarea 7, which are not proposed for development by the applicant. Although the applicant is not proposing to develop the commercial and business park/light industrial land use areas contained within the Edenglen Specific Plan,~~ Initially the Sphere of Influence General Plan (Planning Subarea 7) when developed by Brookfield in 2010, The Ontario Plan (TOP) was adopted, thus eliminating the Sphere of Influence General Plan. The present applicant is proposing to develop the Neighborhood Commercial, Business Park, and Industrial Areas. Their inclusion in the Edenglen Specific Plan is required by ~~Sphere of Influence General Plan Amendment~~ The Ontario Plan (TOP) in order to ensure ~~that Planning Subarea 7~~ the eastern half of the Edenglen Specific Plan is comprehensively evaluated by the applicant and the City of Ontario.

2.1 PURPOSE AND OBJECTIVES

2.1.1 Purpose

The Edenglen Specific Plan comprehensively describes residential, recreational, ~~commercial and business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial land uses planned for the Project Site. The adoption of the Edenglen Specific Plan establishes the zoning for the Project Site and defines the development regulations, requirements, and design guidelines governing development of the Project Site. The adopted Specific Plan establishes the procedures and requirements to approve development within the Project Site to ensure that the TOP (formerly the City of Ontario Sphere of Influence General Plan Amendment), as amended, is implemented.

The Edenglen Specific Plan is designed to address the following guiding planning principles:

- Connectivity among land uses within the Specific Plan area, with surrounding public facilities, and to the existing Ontario community.
- Use of traditional development patterns as found in older established neighborhoods in Southern California.
- Recreational amenities within walking distance of all residential neighborhoods.
- Bicycle and pedestrian accessibility and mobility to encourage alternative modes of travel.
- Diversity in architectural design.

- Diversity and choice of housing types and opportunities to address a variety of lifestyles and economic segments of the marketplace.
- Sustainable development practices addressing energy efficiency.

2.1.2 Objectives

The following objectives are established for the Edenglen Specific Plan.

Residential Areas

- Residential neighborhoods designed at a human scale and oriented to pedestrian activity.
- Connectivity among residential neighborhoods and recreational areas through bicycle circulation and a network of pedestrian sidewalks.
- Connectivity between residential neighborhoods and adjacent ~~commercial and~~ business park/light industrial and Neighborhood Commercial land uses, as well as to the adjacent Colony High School, by providing for pedestrian walkways and bicycle circulation.
- A variety of housing types, incorporated into the land use plan, addressing lifestyle considerations of singles, families, and empty nesters.
- Residential neighborhoods designed around a central park, promoting outdoor activity and casual social interaction among neighbors.
- Residential neighborhoods with diverse architectural styles and traditional design elements reflecting the characteristics of older established Ontario neighborhoods.

Neighborhood Commercial Area

- Neighborhood commercial uses to meet the needs of the community within the Project Site as well as the larger surrounding market area.
- Provision for sidewalks and trails connecting the residential community with the neighborhood commercial area in a safe and direct manner.
- The development of plaza areas and other amenities within the neighborhood commercial ~~center~~ area, providing space for social interaction and community events.
- Orient commercial buildings to the street, wherever possible, to create an accessible urban edge and sense of arrival.

Business Park and Light Industrial Area

- Accommodate the development of a distinct, multi-purpose business park, ~~and/or~~ light industrial complex(es) accessible to and compatible with residential neighborhoods.
- Provide employment opportunities for community residents.
- Orient buildings to the street to create an urban edge and sense of arrival.

Streets and Pedestrian/Bicycle Mobility

- Streets and alleys designed in a grid pattern, reminiscent of traditional neighborhood streets.
- Streets with landscaped parkways and pedestrian walkways, separated from the street with landscaped areas, to create a pleasant and safe pedestrian environment, promoting friendly interaction among neighbors.
- Traffic calming techniques within the street design including enhanced parkway landscaping, a one-way loop street, tapered street intersections and alley entrances to influence a driver's peripheral vision and encourage drivers to proceed more slowly.
- Inside turning radii at corners reduced to slow traffic at corners while accommodating fire and trash vehicles.

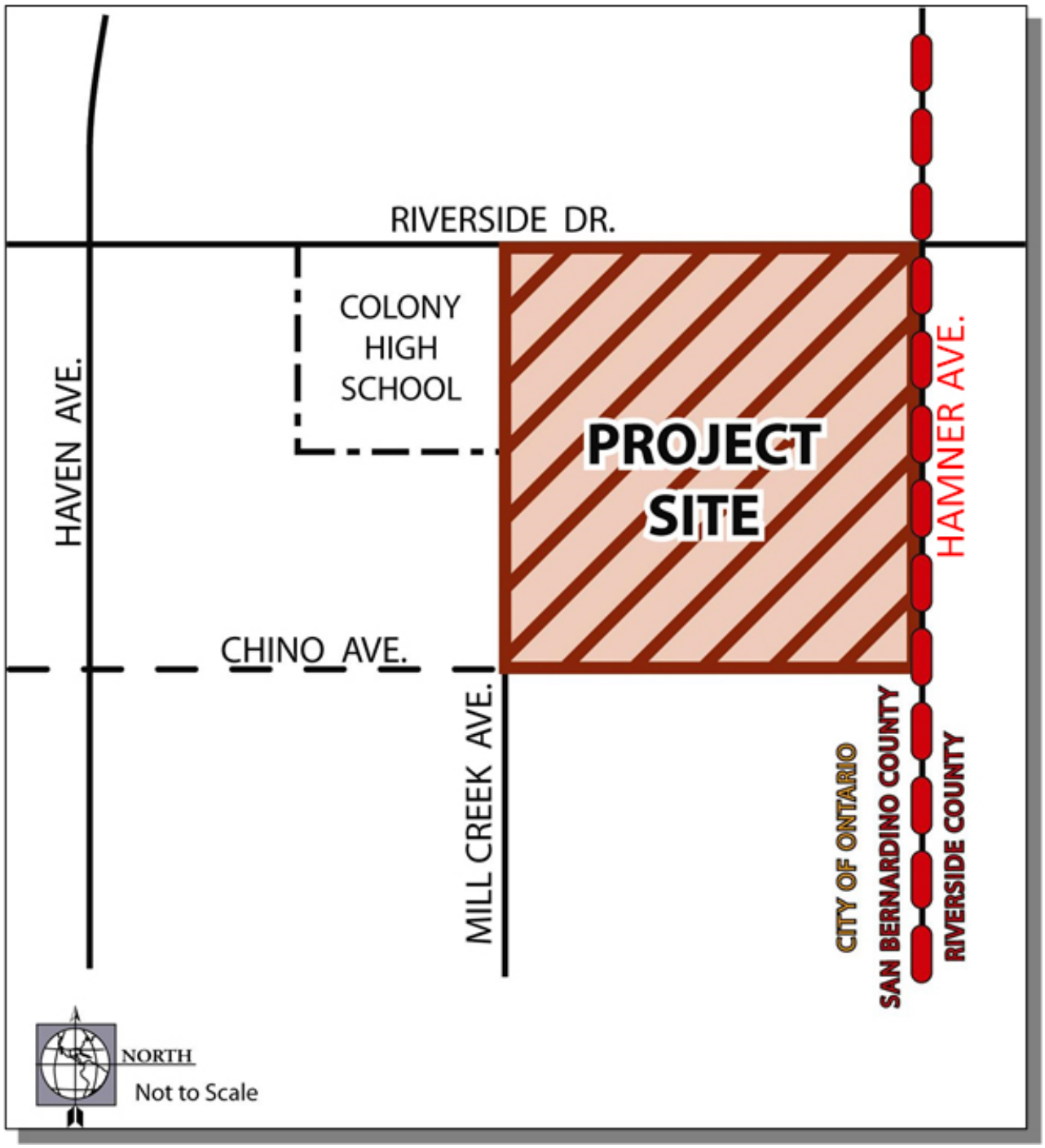
Recreation/Trails

- New recreational opportunities for residents with an approximately 4.0 acre central park including tot lots, picnic areas, a clubhouse with the potential for a small market, and swimming pool, as well as other areas for passive recreation.
- A portion of the City's Master Plan of trails implemented through development of a multi-purpose trail along the westerly boundary of the Southern California Edison property connecting Riverside Drive to Chino Avenue.
- Bicycle circulation, integrated into the project, providing bicycle access ~~from the~~ between the residential community to Colony High School, located to the west, and ~~to~~ the Neighborhood Commercial ~~center~~, located to the east on the corner of Riverside Drive and Hamner Avenue.

Sustainable Development

- The opportunity for development of residential units designed within the Garden Court areas with living areas on the second floor and home office areas on the first floor.
- Provisions in the Specific Plan are made for a potential neighborhood country market, providing basic necessities, to be incorporated within the recreation building.
- Native plants and regionally-appropriate, non-invasive species will be incorporated into the landscaping plan for portions of the Southern California Edison property developed for trail purposes.
- Pedestrian and bicycle trails promote walking and bicycling as an alternative means of travel between residential and ~~commercial/business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial areas.
- Residential development will be equipped with the latest technology for internet access allowing residents to shop and work on-line, thereby reducing vehicle trips.
- Homes will be sited on east/west street alignments wherever feasible, to allow for a southerly orientation of residential development to promote energy efficiency and shade streets.
- Canopy trees will be utilized in public areas such as parkways, medians, and the central park to achieve natural ventilation and cooling.
- Reduced roadway widths to minimize heat-generating asphalt surfaces.
- Utilization of recycled water for the central park, neighborhood edges and other common landscape areas.

Exhibit 4 – Project Location Map



2.2 SPECIFIC PLAN PROPOSAL

2.2.1 Project Summary

The Edenglen Land Use Plan is described below and in Table 1, "*Specific Plan Statistical Summary*".

Residential Uses

The Specific Plan will provide for development of a variety of residential housing types oriented toward open space amenities and designed to promote walkability and interaction among residents. Residential development within 77.1 acres of the Specific Plan area will contain up to 584 dwelling units, providing a mix of single family detached, single family attached, and multifamily attached housing types as described below.

Residential Detached

Three types of single family detached residential development products are planned for the Project Site.

The P-1 residential, single family detached development will consist of conventional residential units with vehicular access provided from interior streets and garages set back from the front of the residence emphasizing the architectural elements forming the streetscene. Residential areas will be developed at a density of 4.9 dwelling units per acre with a minimum lot size of 5,200 square feet.

The P-2 residential, single family detached development consists of alley-served residential units designed with an orientation to the street by locating garages to the rear of residential units. Residential areas will be developed at a density of 6.1 dwelling units per acre with a minimum lot size of 4,150 square feet.

The P-3 residential, single family detached development will consist of a cottage style residential development designed as alley-served residential units fronting a common pedestrian parkway or street. A reciprocal use easement will provide a private yard space 10' wide along the side of the home. The neighboring home will be designed to optimize the feeling of privacy. Residential areas will be developed at a density of 11.3 dwelling units per acre with a minimum lot size of 1,891 square feet.

Residential Attached

Two types of single family attached residential development products are planned for Edenglen. The P-4 residential housing will be designed as alley-served, row court homes at a density not more than 12.1 dwelling units per acre. The P-5 residential housing will be an alley-loaded product designed around a courtyard concept at a density not more than 16.7 dwelling units per acre.

Parks, Trails, and Open Space

A centrally-located, 4.0-acre central park is planned to serve the Project Site providing a clubhouse, with the potential to include a small market, informal play areas and passive recreational opportunities for residents of the project. Approximately 3.4 acres of the residential area will be developed with enhanced parkways to provide landscaped buffers along major arterial and collector streets serving the Project Site. These enhanced parkways will include pedestrian sidewalks providing accessibility to Colony High School to the west. Approximately 12.8 acres of Southern California Edison (SCE) property, located to the east of the residential planning area and west of the ~~commercial and business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial planning areas, will be utilized for informal recreation to the extent permitted by SCE. Within the SCE property, ~~the applicant proposes to develop~~ a multi-purpose bicycle/pedestrian community trail ~~providing~~ provides a portion of the City of Ontario Master Plan of bicycle trails. This community trail will extend from Riverside Drive to Chino Avenue, ~~with points of connection provided across the trail~~ between the residential development and the ~~commercial center~~ Neighborhood Commercial, Business Park and Light Industrial areas.

~~*Commercial*~~

~~The Edenglen Specific Plan establishes development regulations and design guidelines to permit development of up to 217,520 square feet of commercial uses on approximately 20 acres of land located within the easterly half of the Project Site. The Specific Plan includes development standards and design guidelines for the future development of retail and service commercial uses.~~

~~*Commercial / Business Park Flex Zone*~~

~~The Edenglen Specific Plan designates an approximately 10 acre Commercial / Business Park Flex Zone (Flex Zone) to augment the acreage designated as community commercial in order to accommodate a larger commercial shopping center in excess of 100,000 square feet anchored by one or more large retail uses.~~

~~*Business Park/Light Industrial*~~ *Neighborhood Commercial, Business Park and Light Industrial*

The Edenglen Specific Plan will establish development regulations and design guidelines for the development of up to ~~550,000~~ 1,140,000 square feet of ~~business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial uses on up to ~~36.9~~ 56.9 acres ~~(if the Flex Zone area is not used for retail)~~ and is located within the easterly half of the Project Site. ~~Business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial uses will be compatible with residential uses within Edenglen.

Table 1 - Specific Plan Statistical Summary

LAND USE	ACRES
Residential [1]	
P-1	5.7
P-2	5.8
P-3	10.8
P-4	3.8
P-5	8.4
P-6	10.5
P-7	9.8
P-8	6.3
Residential Subtotal	*61.1*
Park	4.0
Roadways, Edge Buffer	10.1
Gross Residential Subtotal	*75.2*

OTHER	GROSS ACRES	ADJUSTED GROSS ACRES
Neighborhood Commercial	4.0	4.13
Business Park	4.0	3.51
Light Industrial	39.4	39.0
Light Industrial (SCE)	16.9	16.9
SCE Corridor (OS/NR)	13.8	13.8
Other Land Uses Subtotal	*78.1*	*77.34*
TOTAL	153.3 AC	152.54 AC

[1] Includes Pocket Parks within each neighborhood.

2.3 AUTHORITY AND REQUIREMENTS

2.3.1 Authority

State of California Government Code, Title 7, Division 1, Chapter 3, Article 8, Section 65450 through 65457 grants authority to cities to adopt Specific Plans for purposes of implementing the goals and policies of their General Plans. The Government Code specifies that specific plans may be adopted either by resolution or by ordinance and that the specific plan is required to be consistent with the General Plan. Adoption of the Edenglen Specific Plan by the City of Ontario will establish the zoning regulations for development of the Project Site. The requirements of the Edenglen Specific Plan shall take precedence over the City of Ontario Development Code and, in instances where the Edenglen Specific Plan is silent, the City of Ontario Development Code shall prevail.

2.3.2 Requirements of the Specific Plan

California Government Code Section 65451 sets forth the minimum requirements and review procedures for specific plans as follows:

- A Specific Plan shall include a text and diagrams, which specify all of the following in detail:

  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 paragraphs 1, 2, and 3 above.

- The Specific Plan shall include a statement of the relationship of the Specific Plan to the General Plan.

The Edenglen Specific Plan meets the requirements of the State of California Government Code.

2.4 DEVELOPMENT APPROVAL COMPONENTS

The components of the development approval process for Edenglen are discussed below.

General Plan Amendment

A General Plan Amendment will be adopted for the Project Site prior to the approval of the Edenglen Specific Plan. The General Plan Amendment, when adopted, will change the General Plan Land Use Map distribution of Low, Medium, and High Density Residential land use areas in order to implement the vision of a traditional neighborhood design for Edenglen. The total number of units allocated for the Planning Subarea will remain the same. No other changes to the General Plan are proposed. The General Plan Amendment is illustrated on ***Exhibit 5, "General Plan Amendment"***.

Specific Plan

The Edenglen Specific Plan provides the zoning for the Project Site. It serves as a "blueprint" for development by establishing the distribution of land use and criteria for development as set forth herein. The Edenglen Specific Plan also serves as the legal document to implement the City's General Plan, as amended.

Subdivision Maps

Tentative tract maps will be approved by the City of Ontario for the residential portion of Edenglen indicating the approximate location of lot lines, streets, and proposed grading. Following approval by the City of the tentative tract maps, final maps will be prepared. The final maps become legal documents that are recorded and define legal parcels and lots that can be sold for development. Parcel maps may be approved by the City of Ontario for development proposed within the ~~commercial and business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial portions of Edenglen.

Development Plan Review

Following the approval of the Edenglen Specific Plan, all development proposals for individual neighborhoods or product areas within the Specific Plan will be subject to the Development Plan Review process pursuant to ~~Article 8 of~~ the City's Development Code.

Development Agreement Required

Unless done in a coordinated manner and with adequate fiscal planning, development projects within the New Model Colony are likely to present a challenge in their implementation because of the lack of existing public facilities, including, streets, sewerage, transportation, drinking water, school, and utility facilities. California law has established a mechanism for ensuring the adequate provision of such facilities, while at the same time providing assurances to applicants that, upon approval of the project, the applicants can proceed with their projects. Approval of this Specific Plan without a development agreement may result in a waste of resources, escalate the cost of housing to the consumer, and discourage investment in and commitment to comprehensive planning, as envisioned by the City, which seeks to make maximum efficient utilization of resources at the least economic cost to the public.

Therefore, a statutory development agreement, authorized pursuant to California Government Code sections 65864 et seq., shall be required as part of the approval of this Specific Plan. For the above-mentioned reasons, the development agreement for this Specific Plan shall include, among other things, methods for financing acquisition and construction of infrastructure, acquisition and development of adequate levels of parkland, and schools, as well as the provision of adequate housing opportunities for various segments of the community consistent with the regional housing needs assessment. Such development agreement shall have been fully approved before the issuance of the first building permit for this project.

2.5 CEQA COMPLIANCE

A Project Environmental Impact Report (EIR) prepared by the City of Ontario for the Edenglen Specific Plan, in accordance with the California Environmental Quality Act (CEQA), addresses impacts associated with the specific plan and subdivision maps. The EIR has been prepared as a basis for the environmental review for subsequent discretionary and ministerial actions.

2.6 RELATIONSHIP TO THE GENERAL PLAN AND ZONING

TOP (formerly The City of Ontario Sphere of Influence General Plan Amendment) designates the project site (formerly as Planning Subarea 7) for development of the following land uses:

Land Use Designation	*Approximate Acres (Gross)*
Residential – Low Density (4.6 d.u. per gross acre)	40
Residential – Medium Density (12.0 d.u. per gross acre)	20
Residential – High Density (18.0 d.u. per gross acre)	20
General Commercial	20
Industrial/Business Park	47
Trail (SCE Easement)	13
Total	**160**

~~The General Plan~~ TOP establishes a maximum development capacity of 584 residential dwelling units~~, 217,520 square feet of commercial uses, and 550,000 square feet of business park/light industrial~~ and 1,008,092 square feet of Neighborhood Commercial, Business Park and Light Industrial uses ~~within Planning Subarea 7~~. Residential development capacity is further broken down as follows:

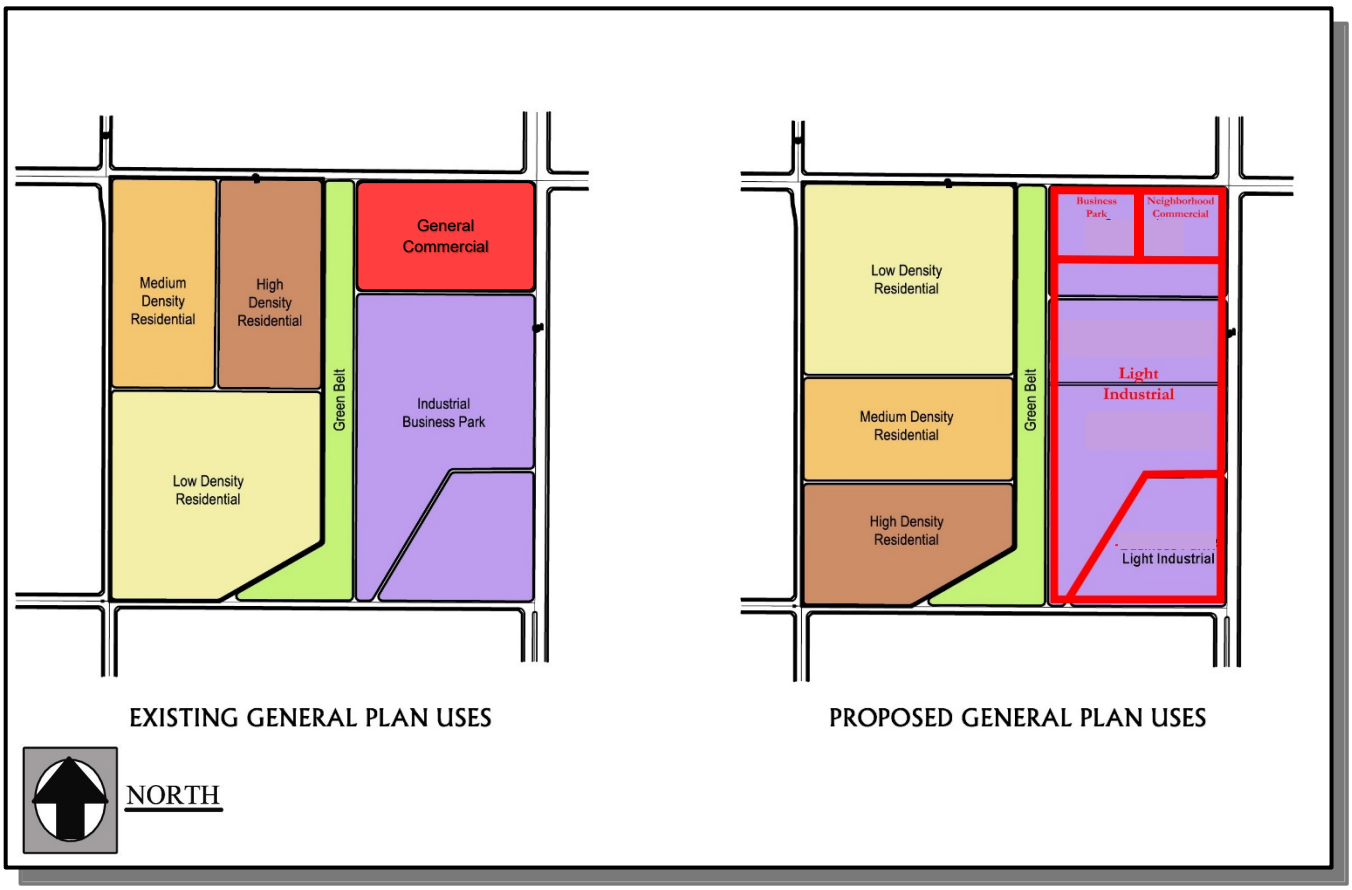
Single Family	184 dwelling units
Multi-Family	400 dwelling units
Total	584 dwelling units

~~The General Plan~~ TOP allows for development of small lot, single family detached units with a variety of parcel sizes and product types on property designated for multi-family uses, including residential medium and residential high density housing. The Land Use Map will be amended concurrently with the adoption of the Edenglen Specific Plan, changing the location of the designated residential land use areas in order to implement a traditional planning concept for the residential neighborhoods. The General Plan Amendment will not increase the total number of dwelling units or change any other land use component of ~~the General Plan for Planning Subarea 7~~ TOP.

The City of Ontario has pre-zoned the Project Site as "SP" (Specific Plan Ag Preserve). ~~The General Plan~~ TOP includes policies requiring that a specific plan be approved for the Project Site to implement the "SP" zone.

The Edenglen Specific Plan was designed to meet the requirements of the State of California Government Code, ~~and~~ the City of Ontario Sphere of Influence General Plan Amendment, and the subsequent The Ontario Plan (TOP) adoption as amended. Adoption by the City of Ontario of the Edenglen Specific Plan will establish the zoning regulations for the development of the Project Site. The requirements of the Specific Plan shall take precedence over the City of Ontario Development Code. In instances where the Specific Plan is silent, the City of Ontario Development Code shall prevail.

Exhibit 5 - General Plan Amendment



NOTE:

Exhibit 5 above has been revised to be consistent with the proposed amendment to The Ontario Plan (TOP) to change the 20 acre General Commercial area, including the "flex zone" area to approximately 4.13 acres of Neighborhood Commercial and 3.51 acres of Business Park along the Riverside Avenue frontage with the remaining area to be changed from Business Park/Light Industrial to Light Industrial.

Section 3 Existing Conditions

This section describes the existing physical conditions within and surrounding the Project Site at the time that the original Edenglen Specific Plan was adopted on November 1, 2005 Since the time of the adoption of the Specific Plan, the City of Ontario has updated their General Plan (The Ontario Plan) and determined that the Specific Plan is consistent with The Ontario Plan (TOP). This section of the Specific Plan has been updated as part of a General Plan Amendment along with an Edenglen Specific Plan Amendment to change Business Park and Commercial land uses to ~~Commercial land uses to Business Park/General Industrial~~ Neighborhood Commercial, Business Park and Light Industrial land uses.

3.1 PROPERTY OWNERSHIP

Approximately ~~77~~ 75.2 acres of the ~~160.6~~ 153.3 acre Project Site was purchased by Brookfield Residential and has been developed as the Edenglen residential planned community. There are approximately 114 dwelling units that have not yet been constructed as part of the TTM approvals for the property. Approximately ~~83.5~~ 78.1 acres of the Project Site are owned by other entities. Southern California Edison owns approximately ~~25~~ 31 acres, of which ~~12.8~~ 13.8 acres are located within a linear corridor extending from Riverside Drive to Chino Avenue. The remaining ~~58.3~~ 47.4 acres of the Project Site are under the control of the applicant. A well site adjacent to the Southern California Edison property, owned by the Riverside Haven Company, provides water for agricultural purposes to the Project Site. ***Exhibit 6, "Existing Property Ownership"*** illustrates the status of property ownership within Edenglen.

3.2 EXISTING IMPROVEMENTS

The western half of the Specific Plan area (Site) has been transitioned to residential development. ***Exhibit 7, "Existing Land Use"***. The existing conditions of the undeveloped portion of the Site includes other agricultural related facilities such as above ground tanks and modular structures, scattered throughout the Site. A commercial nursery is located on the easterly portion of the Project Site.

3.3 SURROUNDING LAND USE CHARACTERISTICS

Land uses adjacent to The Specific Plan Area include:

North:	Creekside planned residential community and vacant land
West:	Colony High School and vacant land
South:	Southern California Edison Substation and vacant land
East:	Industrial uses in Riverside County

The Ontario Plan (City of Ontario General Plan) (TOP) designates the undeveloped areas located to the west of The Specific Plan Area as "Residential – Low Density" and the undeveloped areas located to the south of The Specific Plan Area as "~~Business Park/General Industrial~~ Neighborhood Commercial, Business Park, General Industrial and Light Industrial". The City of Ontario Zoning Map designates the vacant land located north of The Specific Plan Area as Tuscana Village with an underlying General Plan designation of Mixed Use. The County of Riverside is adjacent to the Project Site on the east and this area is zoned within the "Jurupa Area Land Use Plan" as "Business Park". Surrounding land use characteristics are illustrated on ***Exhibit 8, "Surrounding Land Use"***.

3.4 TOPOGRAPHY

The Project Site is located on gently sloping undeveloped terrain with a relatively uniform slope as illustrated on ***Exhibit 9, "Existing Site Topography".*** The existing ground on the northerly quarter of the Project Site slopes southerly away from Riverside Drive at approximately 2% grade. The southerly three quarters of the Project Site slope southerly at approximately 1%.

3.5 HYDROLOGY

The Project Site is presently in agricultural use, therefore only a limited portion of the Project Site is now covered with impervious surfaces. Normal rainfall to the area is, therefore, able to percolate through on-site soils and does not result in high volumes of surface runoff as typically associated with urban areas. During periods of heavy rainfall, when ground surfaces are saturated, surface runoff is collected in the existing drainage ditches and retention basins located within the Project Site. The adjacent Colony High School site drains to a retention basin located in the southerly end of the school site. This retention basin does not provide drainage capacity to The Specific Plan Area. The existing storm drain system surrounding the Project Site is generally unimproved and consists primarily of open earthen swales along area roadways or curbed roadway surfaces.

3.6 EXISTING CIRCULATION AND ACCESS

Access to the Project Site is provided from arterial and collector streets adjacent to The Specific Plan Area. Riverside Drive abuts the Project Site on the north and is currently improved to the ultimate ROW per the City along the frontage of the western half of the Site. The eastern half of the Site has not been improved yet and currently has three travel lanes extending easterly to approximately the SCE property. From the SCE property easterly to Milliken Avenue and into Riverside County, Riverside Drive is improved with 30 feet of pavement and two travel lanes. Milliken Avenue abuts the Project Site on the east and is currently improved with two travel lanes extending southerly from Riverside Drive to the southerly boundary of The Specific Plan Area. Mill Creek Avenue abuts the Project Site on the west and is improved with 40 feet of pavement and a 12-foot parkway on the westerly side of the street adjacent to the Colony High School site for approximately 1600 linear feet. Chino Avenue has been improved to the ultimate ROW per the City along the frontage of the western half of the Site. The eastern half of the Site has not been improved yet and Chino Avenue currently does not extend further along the southern boundary of the Specific Plan area and does not connect to Hamner Avenue.

Exhibit 6 – Existing Property Ownership

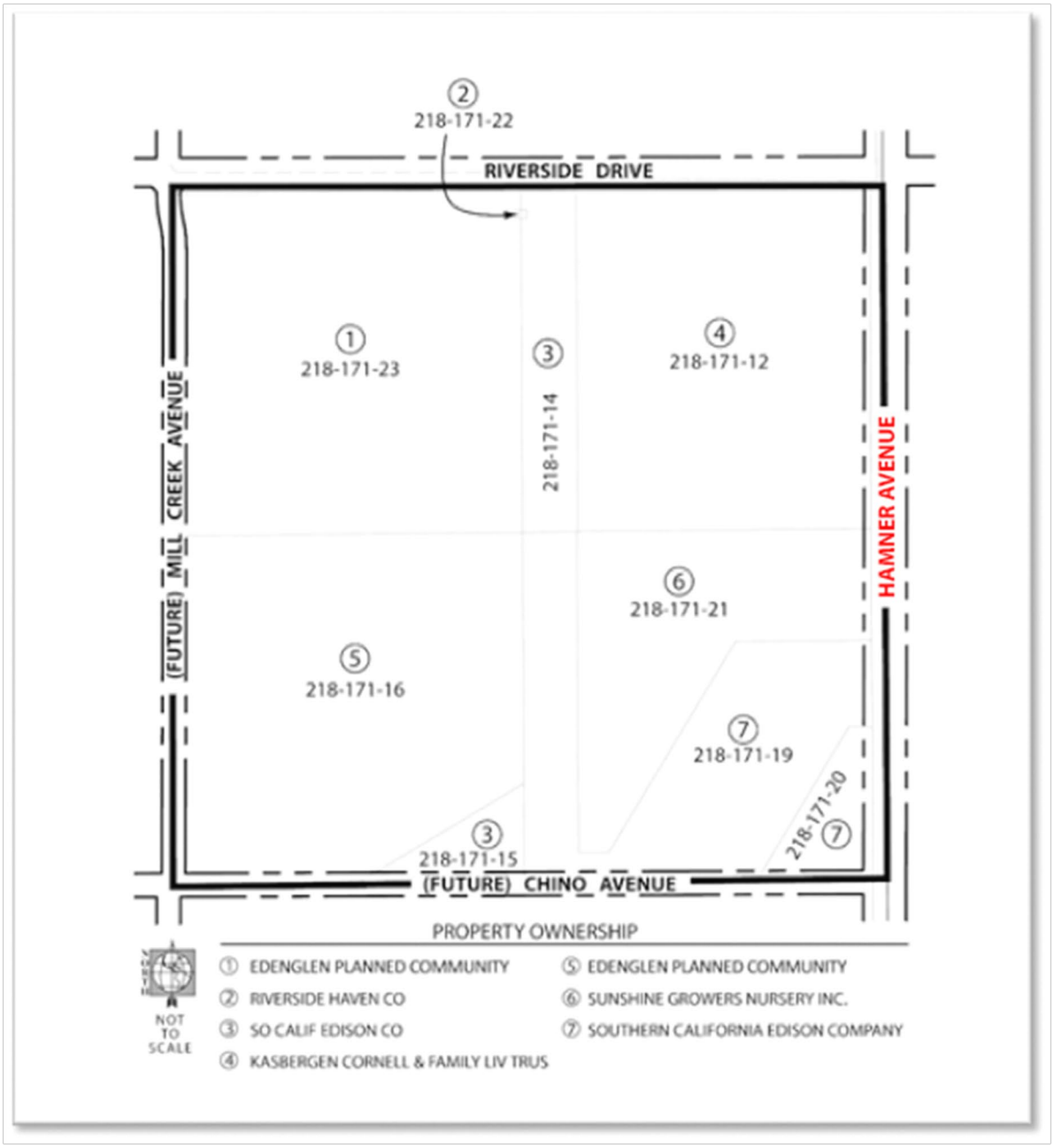


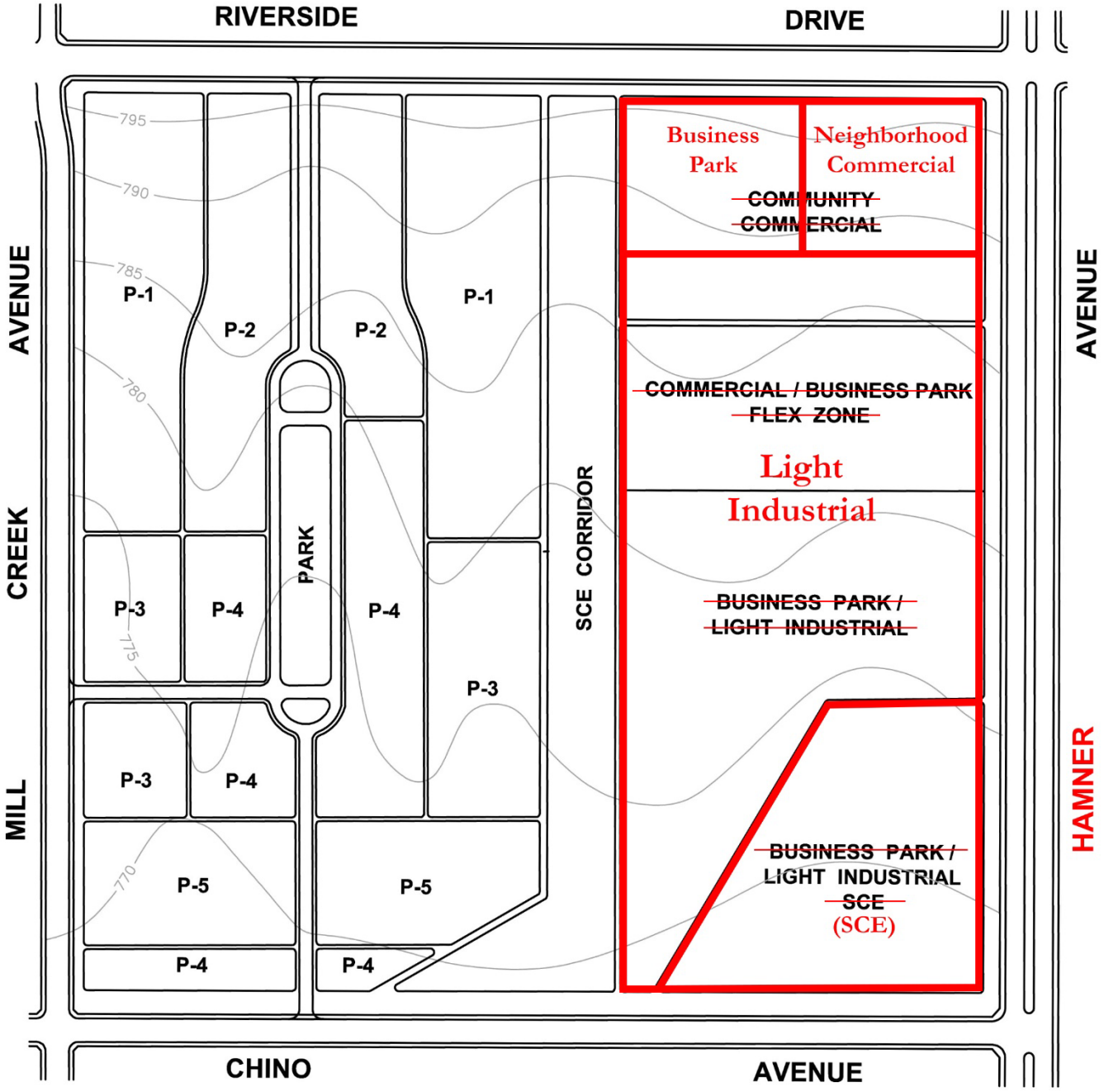
Exhibit 7 – Existing Land Use



Exhibit 8 – Surrounding Land Use



Exhibit 9 – Existing Site Topography



3.7 EXISTING INFRASTRUCTURE AND UTILITIES

3.7.1 Water

Existing 10-inch and 12-inch water mains located in Riverside Drive, adjacent to the Project Site, provide water to the Creekside residential development. An existing 8-inch water main owned by Jurupa Community Service District (JCSD) is located in ~~Milliken~~ Hamner Avenue and provides water to the industrial project areas located easterly of the Project Site in Riverside County. On-site residential uses within the Project Site are currently served by private wells. The City's Water Master Plan identifies new water facilities to serve the Project Site. The water system is discussed in more detail in ***Section 5, "Infrastructure and Services"***.

3.7.2 Sewer

An existing 10-inch sewer main is located in Riverside Drive. Colony High School, located adjacent to the Project Site to the west, has an on-site sewer system which drains to the southerly end of the school site. From this point sewage is pumped up to the 8-inch main in Riverside Drive to Regional Plant 1 (RP1). An existing 12-inch JCSD main is located in ~~Milliken~~ Hamner Avenue and serves the industrial uses located east of the Project Site in Riverside County. Onsite residences utilize private septic systems. The City's Sewer Master Plan identifies new facilities to serve the Project Site. The sewer system is discussed in more detail in ***Section 5, "Infrastructure and Services"***.

3.7.3 Drainage

An existing drainage channel located north of Riverside Drive collects runoff from the Creekside development and drains to Deer Creek Channel. This facility prevents off-site flows from Creekside from draining across the Project Site. The City's Master Plan of Drainage has identified off-site flows from areas near Milliken Avenue and the 60 Freeway to drain through the drainage system ultimately constructed to serve the Project Site. The storm drain system is discussed in more detail in ***Section 5, "Infrastructure and Services"***.

3.7.4 Electricity

Southern California Edison (SCE) currently provides electricity to the Project Site.

3.7.5 Natural Gas

The Southern California Gas Company (SCG) provides natural gas services within the project area. Facilities in the area include an existing 4-inch line in Riverside Drive, which terminates approximately 720-feet east of Mill Creek Avenue, and a 16-inch line in ~~Milliken~~ Hamner Avenue.

3.7.6 Communication Systems

Verizon provides telephone service within the project area.

3.7.7 Solid Waste

The City of Ontario Public Works Agency currently, by request, provides solid waste collection and disposal to the New Model Colony.

3.8 GEOLOGY AND SOILS

The City of Ontario Sphere of Influence General Plan Amendment EIR identifies the Project Site as underlain by Pleistocene age (older than 12,000 years) and Holocene age (less than 12,000 years old) alluvial deposits. The youngest surficial deposit is eolian sands (Qhs), comprising wind-blown sands having fine- to medium-sized grains. These loose sands form sheets and low-dune deposits that have been stabilized by vegetation. These deposits are exposed in the eastern portion of the Sphere of Influence area and extend westward to an area defined generally by a diagonal line extending from Harrison Avenue (within Riverside County) on the south to Vineyard Avenue on the north.

It is expected that most of these materials will be uncemeted and subject to consolidation when saturated under structural loads. Erosion potential is considered high. Foundation and backfill suitability should be satisfactory with proper over-excavation, mixing with a finer-grained binder material, and compaction.

The Project Site contains delhi series soils, as mapped by the United States Department of Agriculture, Soil Conservation Service in 1971 and 1980. Delhi series soils have been used for agriculture, primarily for grapes and citrus, since the 1800's. As part of the EIR prepared for the Edenglen Specific Plan, additional geologic and soils information for the Project Site will be provided.

3.9 SEISMICITY

The City of Ontario Sphere of Influence General Plan Amendment EIR identified numerous earthquake faults within a 50-mile radius of the Project Site. Major mapped faults include, but are not limited to, the Chino, Whittier and North Elsinore, and Cucamonga Faults. For the "maximum probable earthquake" (MPE), defined as the 100-year event normally considered in the design of non-critical structures, the values range from about 0.13 to 0.20 g (i.e., the unit force of gravity). In the design of certain critical or important facilities such as hospitals and dams, the "maximum credible earthquake" (MCE) event is considered. For the three faults, the MCE should yield an estimated peak horizontal acceleration in the range of 0.33 to 0.52 g.

A zone of concentrated, relatively low-magnitude seismicity extends to the southwest from the San Jacinto fault zone (Rialto-Colton branch) along what is referred to as an "inferred fault near Fontana." Where the "inferred fault" (Fontana trend) stops, this zone of micro-seismicity continues in a southwesterly to westerly direction terminating in the Sphere of Influence area. It is expected that the MPE for this fault structure could produce horizontal accelerations in the range of 0.3 to 0.5 g. More distant faults are capable of larger earthquakes with a higher probability of occurrence. The San Andreas Fault is expected to generate a MCE event every 150 to 200 years, yielding a peak horizontal ground acceleration of approximately 0.21 to 0.26 g in the New Model Colony.

In accordance with the "Uniform Building Code" (UBC), the Edenglen Specific Plan area is located within Seismic Zone No. 4. UBC procedures have been designed to ensure that all subsequent development occurs in a safe manner relative to those known hazards. As part of the EIR prepared for the Edenglen Specific Plan, additional seismicity information will be provided.

3.10 VEGETATION

The Project Site has been extensively used for agricultural operations including, dairy use. Those areas not in active agricultural production are occupied by rural residential housing, farm buildings, and other ancillary facilities. The natural vegetation and soils conditions that once occurred throughout the project area have been significantly altered through agricultural uses, leaving little or no native vegetation.

Section 4 Land Use

4.1 INTRODUCTION

The ~~160.6~~ 153.3-acre Edenglen Specific Plan offers a traditional neighborhood lifestyle featuring a variety of residential housing types designed within easy walking distance to recreational amenities and commercial retail uses. Connectivity within Edenglen is provided through a system of pedestrian ~~trails~~ walkways and bicycle circulation linking residential neighborhoods to one another, to parks, and to the ~~commercial and business park/light industrial~~ Neighborhood Commercial land use areas within Edenglen. A major component of the trail system will be provided through the improvement of a portion of the SCE-owned property as a community trail within the Edenglen Specific Plan. These improvements represent a part of the City's Master Planned multi-purpose trail system planned for ~~the~~ Ontario Ranch (formerly New Model Colony). Pedestrian and bicycle linkages are also provided between residential land uses and Colony High School, located to the west of the Project Site, through a network of sidewalks and bicycle circulation allowances, to be developed as part of the residential development.

Residential development is designed to address a variety of lifestyles, such as singles, families, executives and "empty nesters". Housing types will include cottage, green court, single family detached homes and single family detached homes on lot sizes varying between 4,200 and 5,500 square feet, including cottages at 1,980 square feet per lot. Attached housing will include a row court style residential type, at not more than 12.1 dwelling units per acre, and a garden court style residential type, at not more than 16.7 dwelling units per acre.

~~Commercial and business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial land uses are provided for in the Edenglen Specific Plan. The Edenglen Specific Plan allows for the development of approximately ~~217,520~~ 1,008,092 square feet of ~~community commercial retail and service uses conveniently located adjacent to Riverside Drive and Milliken Avenue and for the development of approximately 550,000 square feet of business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial uses adjacent to ~~Milliken~~ Hamner Avenue.

The Land Use Plan shown in ***Exhibit 10, "Land Use Plan"*** depicts the overall land use pattern within Edenglen. ***Table 2, "Land Use Summary",*** provides a tabulation of land uses by acreage, residential density and number of dwelling units and/or square footage where applicable. ~~In order to provide some degree of flexibility in planning 10% of the units may be transferred as long as the transfer does not exceed 584 units and is consistent with the allowed density.~~

Exhibit 10 - Land Use Plan

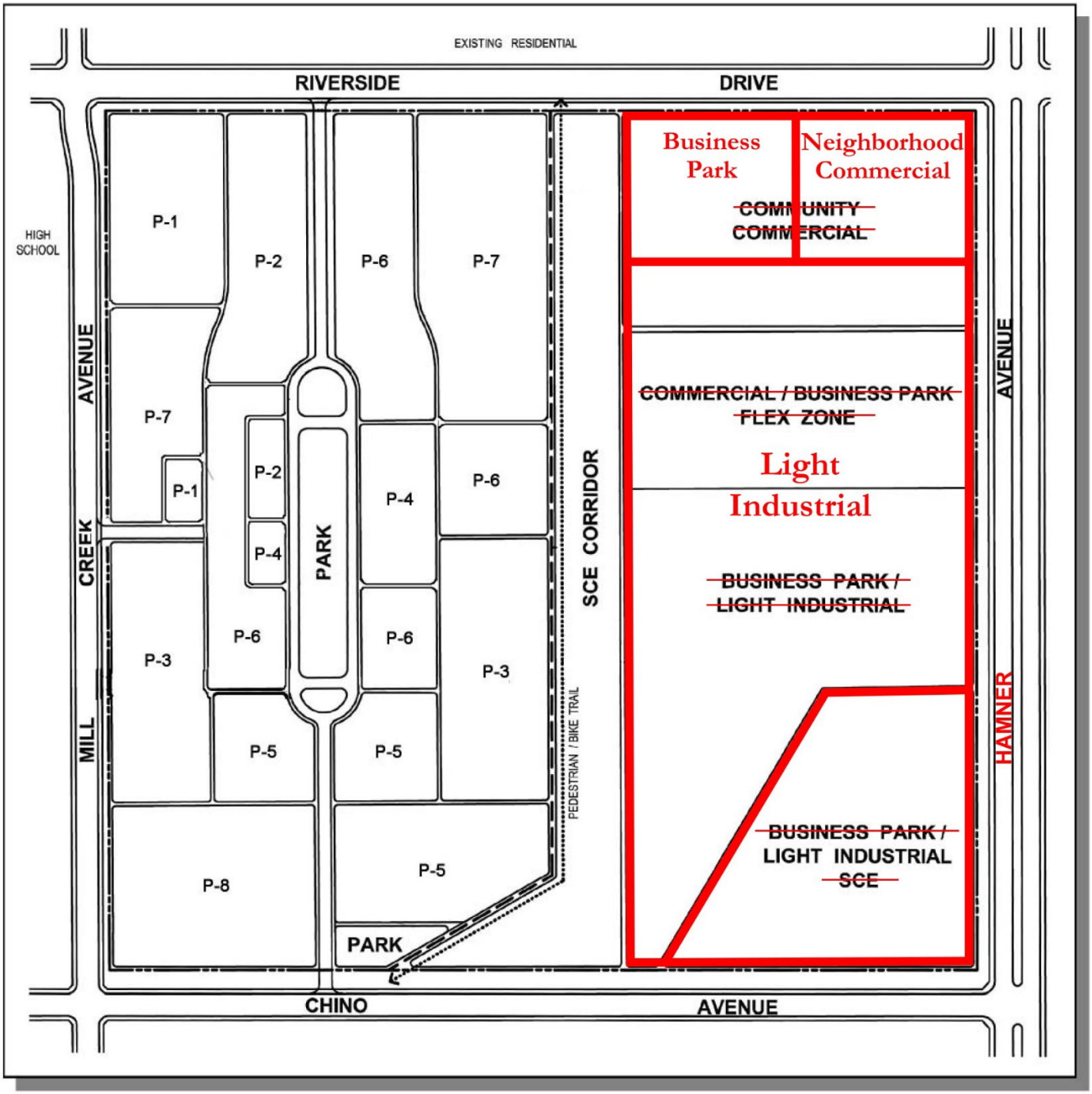


Table 2 - Land Use Summary

LAND USE	UNITS	GROSS ACRES	UNITS PER ACRE	MAXIMUM SQUARE FEET
Residential [1]				
P-1	21	5.7	3.7	
P-2	29	5.8	5.0	
P-3	106	10.8	9.8	
P-4	36	3.8	9.5	
P-5	139	8.4	16.6	
P-6	87	10.5	8.3	
P-7	67	9.8	6.8	
P-8	99	6.3	15.7	
Net Residential Subtotal	*584*	*61.1*	*9.5*	
Park		4.0		
Roadways, Edge Buffer		10.1		
Gross Residential Subtotal	*584*	*75.2*	*7.76*	
OTHER			ADJUSTED GROSS ACRES	
Neighborhood Commercial		4.0	4.13	40,000
Business Park		4.0	3.51	59,085
Light Industrial		39.4	39.0	908,507
Light Industrial (SCE)		16.9	16.9	
SCE Corridor (OS/NR)		13.8	13.8	
Other Land Uses Subtotal		*78.1*	*77.34*	
PROJECT TOTAL	584	153.3	152.54	1,008,092

[1] Includes Pocket Parks within each neighborhood.

4.2 RESIDENTIAL USE

Residential land uses within Edenglen comprise approximately ~~77.1~~ 75.2 acres. The Edenglen Specific Plan will permit the development of up to 584 residential dwelling units offering single family detached homes and attached homes. Residential land use areas are contained within distinctive neighborhoods linked by a network of sidewalks and bicycle circulation connecting all the neighborhoods to a central park and Colony High School and providing convenient access from residential neighborhoods to the ~~commercial center and business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial district planned within Edenglen. Residential neighborhoods planned for Edenglen are illustrated in ***Exhibit 11, "Residential Neighborhoods"***.

4.2.1 Variety of Housing Types

Edenglen provides a mix of housing types to address the needs of a variety of lifestyle choices and economic segments. A variety of single family detached and single family attached residential products, in a range of architectural styles, will be offered within Edenglen. A total of 584 residential dwelling units could be developed at an overall average density of 7.57 dwelling units per net acre.

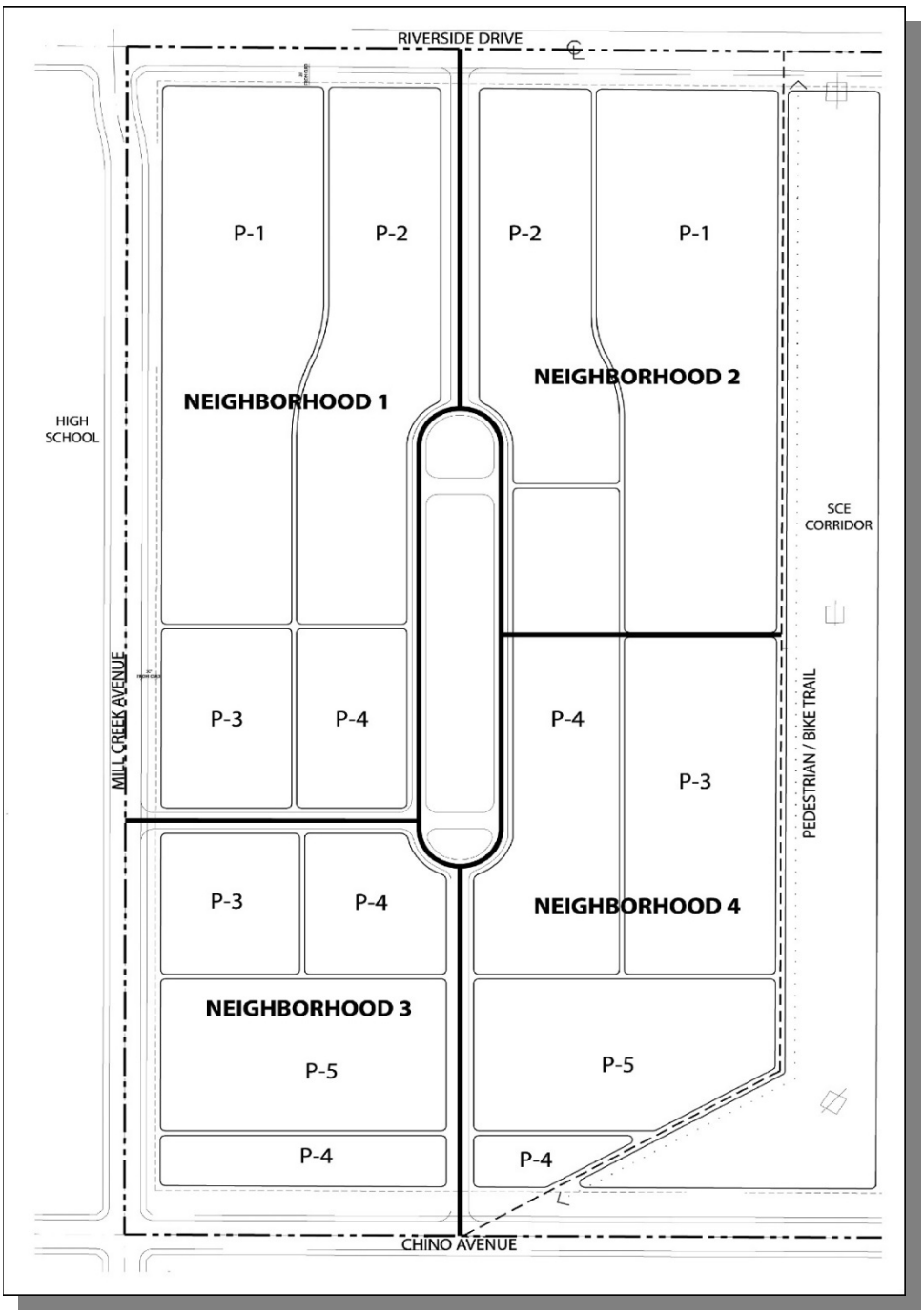
Single Family Detached – P-1

The Edenglen Specific Plan allows for the development of approximately 92 dwelling units at a density of approximately 4.9 dwelling units per net acre. The P-1 neighborhoods will be designed with access to homes from the local street and with an emphasis on architectural orientation toward the street. Garages will be setback from the front of the homes to highlight the architecture and create a more attractive streetscene.

Single Family Detached – P-2

The Edenglen Specific Plan allows for the development of approximately 69 dwelling units at a density of approximately 6.1 dwelling units per net acre. The P-2 neighborhoods will be designed as alley-loaded residential neighborhoods with an architectural orientation toward the street. Homes in these neighborhoods will be designed to embrace the street and encourage interaction between neighbors. The location of these homes along the main entry drive will create a welcoming appearance, establishing a strong sense of community within the project.

Exhibit 11 - Residential Neighborhoods



Single Family Detached – P-3

The Edenglen Specific Plan allows for the development of approximately 116 dwelling units at a density of approximately 11.3 dwelling units per net acre. The P-3 neighborhoods are designed with rear alleys serving cottage style units to be developed facing a common green court or street.

Single Family Attached – P-4

In order to have a broad array of housing to address various lifestyle choices such as singles, "empty nesters" and young families, up to 151 row court homes are planned within the Project Site for buyers who desire smaller yet stylish homes requiring less maintenance than conventional single family detached housing. The P-4 housing types are attached buildings featuring three townhomes, each with their own private yard and private courtyard for one of the homes. Vehicular access would be through an alley to the rear of the homes. The P-4 housing types would be developed at a density of not more than 12.1 dwelling units per net acre.

Single Family Attached – P-5

Approximately 156 dwelling units, at not more than 16.7 units per net acre, will be developed as garden court attached homes. Garden court buildings will feature several units surrounding a common garden court, reminiscent of early Southern California courtyard buildings. Architecture will be oriented towards the street, and rear alleys will provide vehicular access to the units.

4.2.2 Traditional Neighborhood Design

The community plan for Edenglen offers a strong identity for residents and visitors through a traditional approach to street design, architecture, and landscape design elements to reflect a similar ambiance to that of older, traditional Southern California neighborhoods. Together, the design features described below enliven the streetscene and promote the friendly interaction of neighbors.

- A traditional grid street design in residential neighborhoods with sidewalks separated by landscaped parkways provides visual interest, slows traffic, lowers traffic volumes by offering alternative traffic routes, and serves to enhance a pedestrian orientation for neighborhoods. Sidewalks separated by a landscaped parkway also promote pedestrian mobility, encouraging opportunities for neighbors to meet and greet each other along the street.

- The primary entry street into the residential area will be heavily landscaped. This street terminates at the central park, a focal point designed to reinforce the sense of arrival and establish a sense of community.

- The architecture of residences within Edenglen will be designed to focus on human-scale details which will enhance the pedestrian friendly character of the community. Such features may include the use of front porches, railings, enhanced entries, a mix of materials and textures, and authentic detailing on elements such as windows and doors, columns, balconies, and lighting.

- Innovative garage designs will be utilized in order to de-emphasize the visual impact of garage doors on the streetscene. Such design techniques may include garage setback requirements, split-garages, turn-in garages, garages located on rear alleys, or other similar techniques that de-emphasize the view of garage doors from the street.

4.3 PARKS

A 4.0-acre central park will be developed as part of Edenglen. The central park will include picnic areas, tot lots, trails, open play fields, and a club house with the potential for a small market providing convenience services such as a coffee/news stand. The conceptual site plan for the central park is provided as ***Exhibit 12, "Central Park"***.

4.4 COMMUNITY TRAIL

A portion of the City's Master Plan of Trails proposed for SCE easements and corridors will be developed as a Community Trail, extending a multi-purpose bicycle path from Riverside Drive southerly to Chino Avenue. Access to the Community Trail will be ~~provided at key points within the residential area to provide~~ safely and directly available along the sidewalks of Riverside Drive and Chino Avenue, allowing for pedestrian and bicycle accessibility between residential areas and the Neighborhood Commercial ~~center~~ planned to the east of the SCE corridor. A conceptual plan for the Community Trail is illustrated in ***Exhibits 13 and 14, "Community Trail"***.

4.5 ~~COMMERCIAL AND BUSINESS PARK/LIGHT INDUSTRIAL~~ NEIGHBORHOOD COMMERCIAL, BUSINESS PARK AND LIGHT INDUSTRIAL

The Edenglen Specific Plan includes approximately ~~56.9~~ 78.1-acres designated for development of ~~community commercial uses, approximately 10-acres for use as a commercial/business park flex zone, and approximately 26.9 acres designated for development of business park/light industrial~~ Neighborhood Commercial, Business Park, General Industrial and Light Industrial uses.

4.5.1 ~~Community~~ Neighborhood Commercial

The Edenglen Specific Plan provides for the development of approximately ~~217,520~~ 40,000 square feet of ~~Community~~ Neighborhood Commercial land uses adjacent to Riverside Drive and ~~Milliken~~ Hamner Avenue. Commercial development at this location is conveniently located to serve the residential community of Edenglen as well as the surrounding community. Pedestrian and bicycle connectivity between residential land use areas within Edenglen and the future Neighborhood Commercial ~~center~~ area will be ~~provided through one or more trail crossings of the SCE Corridor~~ possible using the safe and direct access of sidewalks along Riverside Drive. Commercial uses which could be developed within this land use district include theatres, restaurants, professional offices, general retail sales and personal services.

~~4.5.1(a) Commercial/Business Park Flex Zone~~

~~Approximately 10-acres are designated as commercial/business park flex zone to augment the acreage designated as community commercial in order to accommodate the development of a larger commercial shopping center in excess of 100,000 square feet, anchored by one or more large retail users.~~

4.5.2 ~~Business Park/Light Industrial~~ Business Park, General Industrial and Light Industrial

Approximately ~~550,000~~ 968,092 square feet of ~~business park/light industrial~~ Business Park and Light Industrial uses is permitted to be developed adjacent to ~~Milliken~~ Hamner Avenue. This type of development is expected to provide employment opportunities for the community and the region. The ~~business park/light industrial~~ Business Park and Light Industrial land use district will provide for development of land uses such as research and development, general manufacturing, technology development, medical, entertainment facilities, wholesale, retail sales, professional offices and warehousing facilities.

Exhibit 12 - Central Park Concept

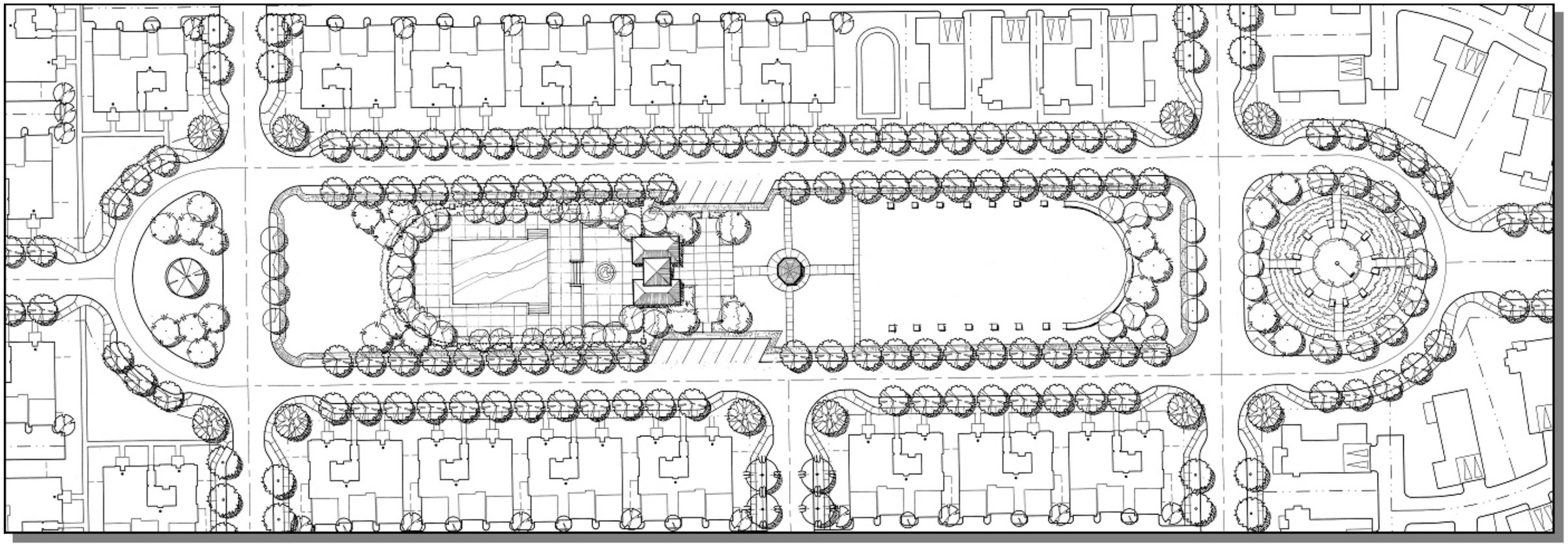


Exhibit 13 – Community Trail

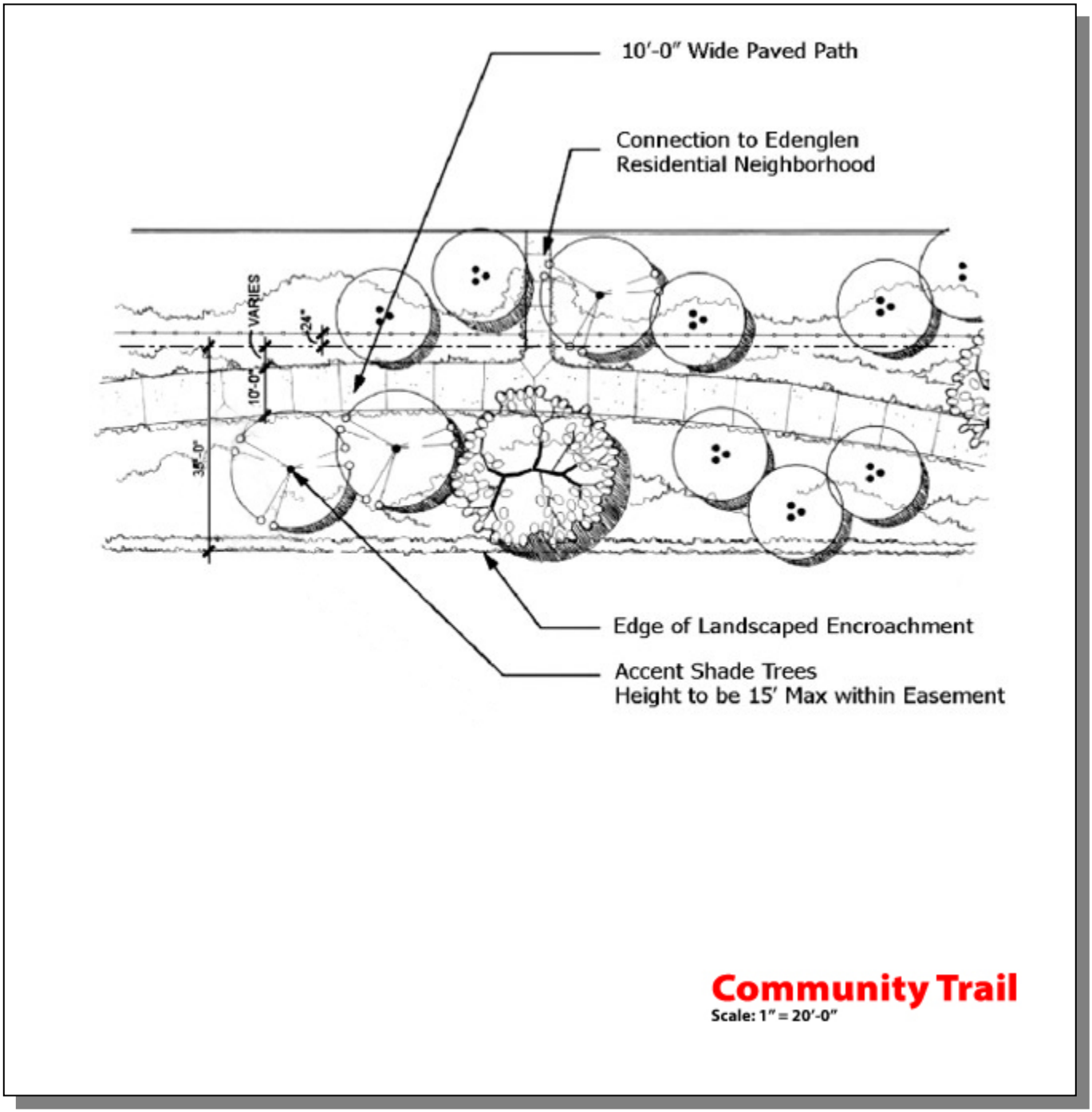
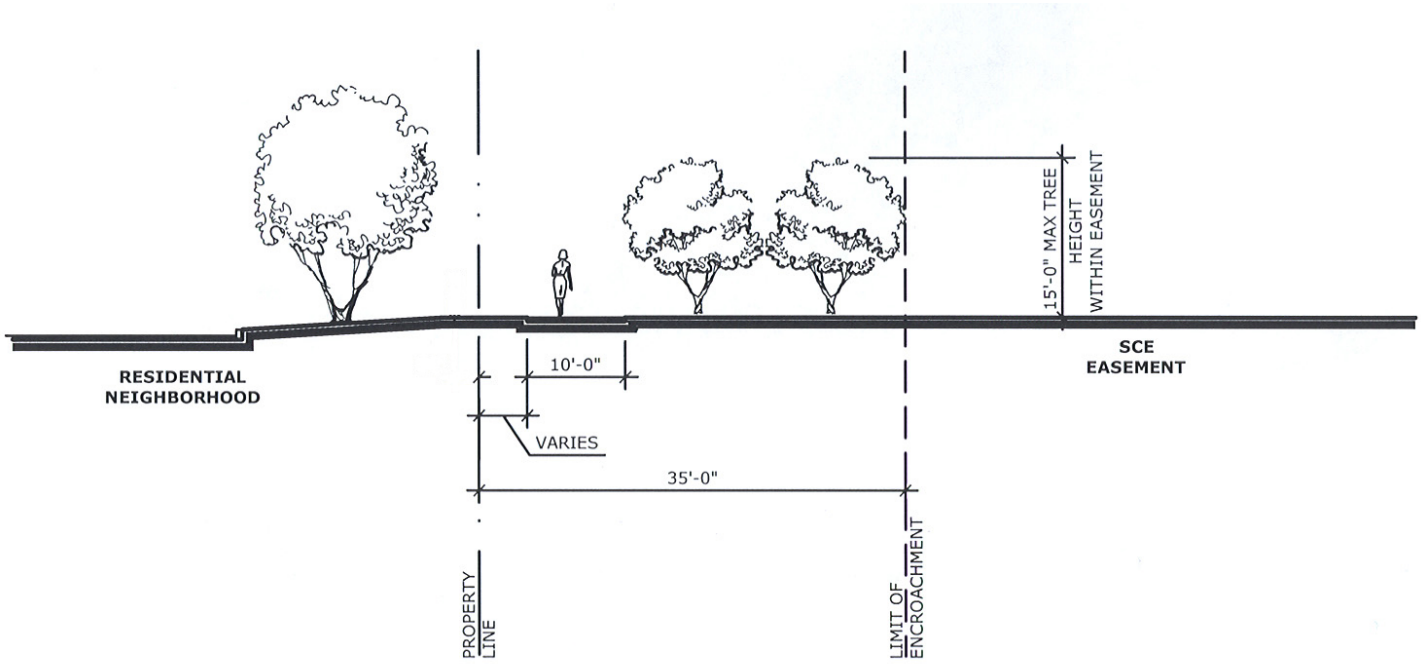


Exhibit 14 – Community Trail



Section 5 Infrastructure and Services

The infrastructure, utilities, and public services to be provided as part of the development of the Edenglen Specific Plan are discussed in this section.

5.1 CIRCULATION

The circulation plan for Edenglen reinforces the concept of traditional neighborhood design. In addition to providing safe and efficient movement of vehicular traffic through the project, it also provides a safe environment for pedestrian movement and bicycle traffic reducing the reliance on the automobile as a means of travel. In addition, transit stops and bus turnouts will be provided as required by Omnitrans, along the Master Plan streets which bound the Edenglen community. ***Exhibit 15, "Circulation Master Plan"*** establishes the hierarchy and general location of roadways within Edenglen.

5.1.1 Streets

The Edenglen Specific Plan is bounded by four City of Ontario Master Plan streets which will provide access to and from the Project Site. Within the Project Site neighborhood streets of varying design will provide access and circulation through the community. Many of the neighborhoods will be served by private alleys located in the rear of residences in order to maintain a traditional, "architecture forward" streetscape for the community.

~~*Milliken*~~ *Hamner Avenue*

~~Milliken~~ Hamner Avenue abuts the Project Site on the east. ~~Milliken~~ Hamner Avenue is a designated Divided Arterial Parkway 1A Street. The City of Ontario segment will be 52 feet of paved area, the westerly 13-feet of an 18-foot raised median and a 15-foot parkway to include a 5-foot sidewalk separated from the street by a 10-foot landscaped area. An additional landscaped buffer of 35 feet in width will be provided between the sidewalk and the parking areas or building setback of adjacent land uses. The eastern half will be developed per County of Riverside standards. The right-of-way improvements required for ~~Milliken~~ Hamner Avenue are illustrated in ***Exhibit 16, "Master Plan Arterial Street Cross Sections"***. The developer(s) of the land use districts adjacent to ~~Milliken~~ Hamner Avenue will be responsible for the improvement of ~~Milliken~~ Hamner Avenue between Chino Avenue and Riverside Drive as required by the City Engineer and pursuant to the mitigation measures identified in the EIR and/or the Conditions of Approval established on the approved tentative maps for the project. Bus turnouts will be required along ~~Milliken~~ Hamner Avenue to the satisfaction of the City and Omnitrans.

Riverside Drive

Riverside Drive is a designated Standard Arterial and bounds the Project Site on the north. Riverside Drive has 80 feet of paved area including 7 feet of painted median and a 13-foot parkway, including a 5-foot sidewalk separated from the street by a 7-foot landscaped area. In addition to the dedicated right-of-way, a 23-foot wide landscaped buffer will be provided between the back of sidewalk and the residential community wall as well as along the frontage of the ~~Community~~ Neighborhood Commercial and Business Park Land Use areas. Riverside Drive is illustrated on ***Exhibit 16, "Master Plan Arterial Street Cross Sections"***. The developer(s) of Edenglen will be responsible for all offsite improvements for the southerly half of the Riverside Drive right-of-way, for the remaining project frontage easterly to ~~Milliken~~ Hamner Avenue. Phasing of the improvements will be implemented as required by the City Engineer and pursuant to the mitigation measures identified in the EIR and/or the Conditions of Approval established on the approved tentative maps for the project. Bus turnouts will be required along Riverside Drive to the satisfaction of the City and Omnitrans.

Chino Avenue

Chino Avenue abuts the Project Site on the south. Chino Avenue is a designated Collector Street with an ultimate right-of-way of 88 feet with 64 feet of paved area and a 12-foot parkway on each side of the street, to include a 5-foot sidewalk separated from the street by a 7-foot landscaped area. Improvements to the north side of Chino Avenue, adjacent to the residential portion of the Project Site, include an additional 55-foot wide landscaped buffer area, which includes an SCE Easement. The right-of-way improvements required for Chino Avenue are illustrated in ***Exhibit 17, "Master Plan Collector Street Cross Sections"***. The developer will be responsible for all offsite improvements for the northerly half of Chino Avenue, plus an additional 14-foot lane and 5-foot shoulder on the south half for the remaining frontage easterly to Milliken Avenue. The phasing of these improvements will be implemented as required by the City Engineer and pursuant to the mitigation measures identified in the EIR and/or the Conditions of Approval established on the approved tentative maps for the project. Bus turnouts will be required along Chino Avenue to the satisfaction of the City and Omnitrans.

Mill Creek Avenue

Mill Creek Avenue abuts the Project Site on the west. Mill Creek Avenue is a designated Collector Street with an ultimate right-of-way of 88 feet, with 64 feet of paved area and a 12-foot parkway on each side of the street, to include a 5-foot sidewalk separated from the street by a 7-foot landscaped area. In addition, a landscaped buffer of 18 feet in width will be provided between the back of the sidewalk and the residential community wall. The right-of-way improvements required for Mill Creek Avenue are illustrated in ***Exhibit 17, "Master Plan Collector Street Cross Sections"***. The developer will be responsible for all offsite improvements for the easterly half of Mill Creek Avenue, plus an additional 14-foot lane and 5-foot shoulder on the west half. The phasing of these improvements will be implemented as required by the City Engineer and pursuant to the mitigation measures identified in the EIR and/or the Conditions of Approval established on the tentative maps for the project.

Local Streets and Alleys

Public local streets within residential areas are designed to distribute vehicular traffic from the public arterial and collector streets adjacent to the Project Site into and through residential neighborhoods. Private alleys are proposed to provide rear access to residential units throughout Edenglen. Local streets and private alleys proposed for Edenglen are illustrated on ***Exhibit 18, "Local Street Sections"***, ***Exhibit 19, "Local Street and Private Alley Sections"***, and ***Exhibit 20, "Alleys"*** and discussed below:

Primary Entry Street

The Primary Entry Street leading from Riverside Drive into the residential project to the Park Loop Street will have a total right-of-way of 85 feet, with 36 feet of paved area, including an 8 foot parking lane for parallel parking on either side of the street. A 5 foot sidewalk will be provided on each side separated from the street by a 10 foot wide landscaped parkway. A 9.5-foot wide landscaped area will be provided between the back of the sidewalk and the residential lots. On-street parking shall be provided in each direction on the residential side of the Primary Entry Street.

Secondary Entry Street

A Secondary Entry Street will be developed from Mill Creek Avenue easterly into the residential area with a total right-of-way of 63 feet, with 36 feet of paved area, including an 8-foot parking lane on either side for parallel parking and 5-foot sidewalks on each side separated from the street by an 8½-foot wide landscaped parkway.

Park Loop Street

The Central Park Loop Street adjacent to the central park will be a one way street around the park with a total right-of-way of 40 feet, with 28 feet of paved area, including an 8-foot parking lane on the residential side for parallel parking and a 5-foot sidewalk separated from the street by a 7-foot parkway on one side of the street and park on the other. On-street parking is restricted to the residential side of the street. Angled parking may be provided near the recreation center on the park side of the street.

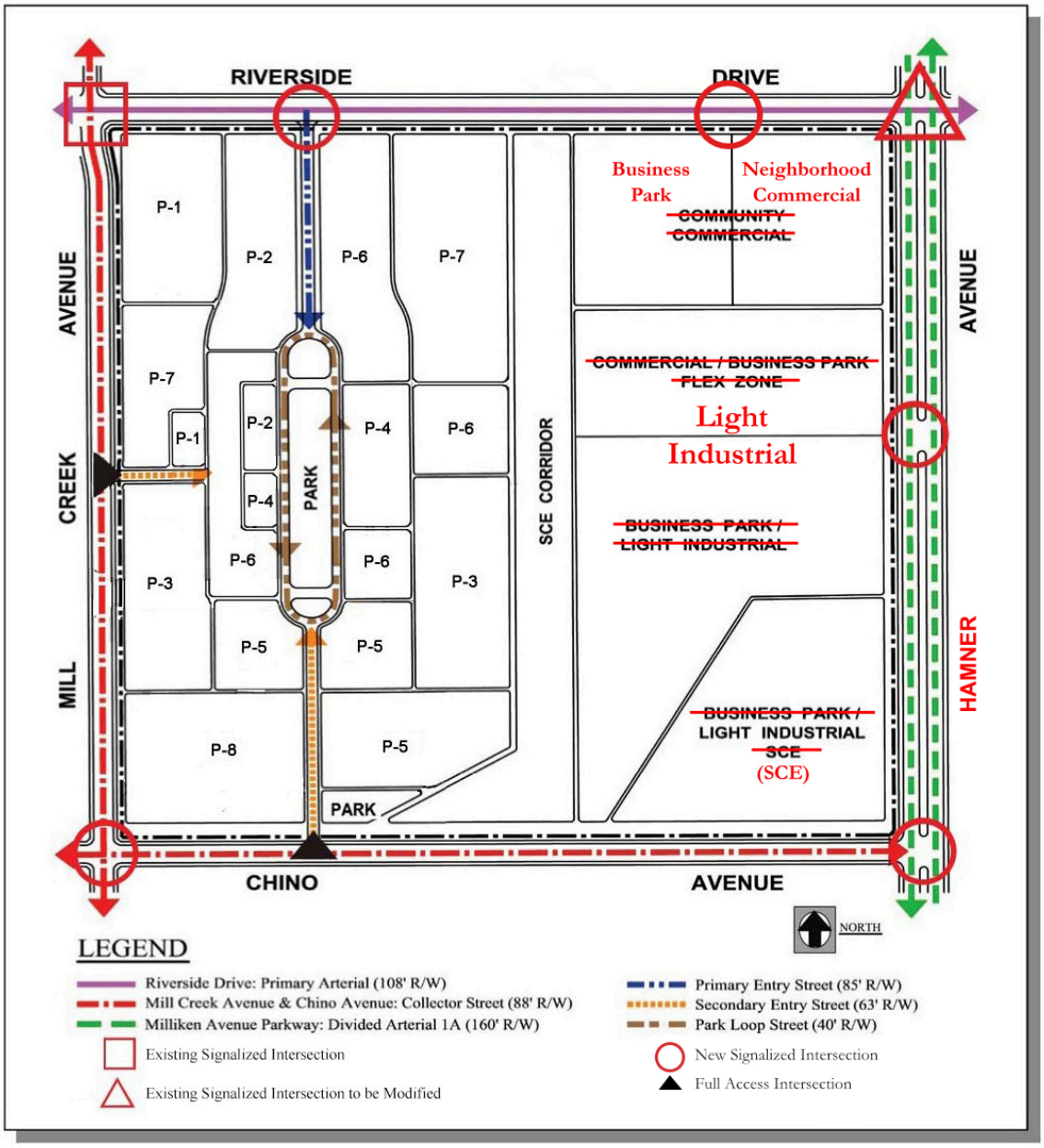
Neighborhood Streets

Local neighborhood streets with residential development on both sides of the street will have a 60-foot right- of-way, with 36 feet of paved area, including an 8-foot parking lane on either side for parallel parking and a 5- foot sidewalk separated from the street by a 7-foot landscaped parkway. Parking is provided on both sides of these streets except along single-loaded, Neighborhood Streets where parking is restricted to the residential side of the street. Local Neighborhood Streets with residential development on only one side will have a 44- foot right-of-way with 32 feet of paved travel area, including an 8-foot parking lane, and a 5-foot sidewalk separated from the street by a 7-foot parkway.

Alleys

Private alleys within the residential development will have a total right-of-way minimum of 20 feet. Total paved area and right-of-way will vary from 20 feet to 24 feet with a minimum garage to garage distance of 30 feet requiring either a 5-foot or 3-foot apron on each side of paved area, depending upon Fire Department requirements. Alleys with "dead end" conditions will be a maximum length of 150 feet as noted on ***Exhibit 20, "Alley"***. Final design of the alley is subject to approval of the City Engineer. Parking is prohibited along alleys. Tapers will be incorporated at the point where private alleys intersect with public streets.

Exhibit 15 - Circulation Master Plan



Note: All access points are conceptual and ultimate location will be determined at the development stage, in accordance with City of Ontario New Model Colony Access Guidelines, and subject to final approval of the City Engineer.

Exhibit 16 - Arterial Street Sections

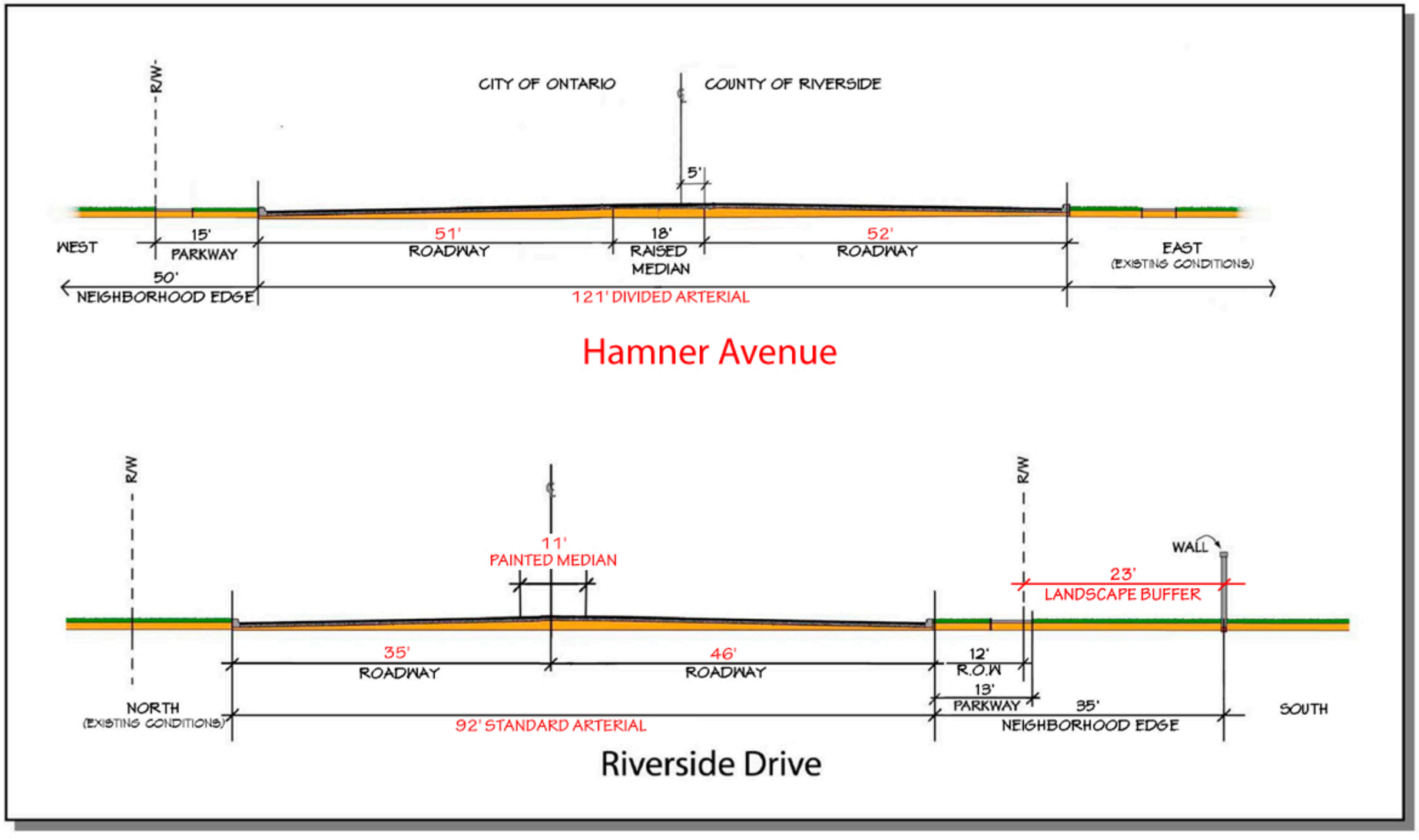


Exhibit 17 - Collector Street Sections

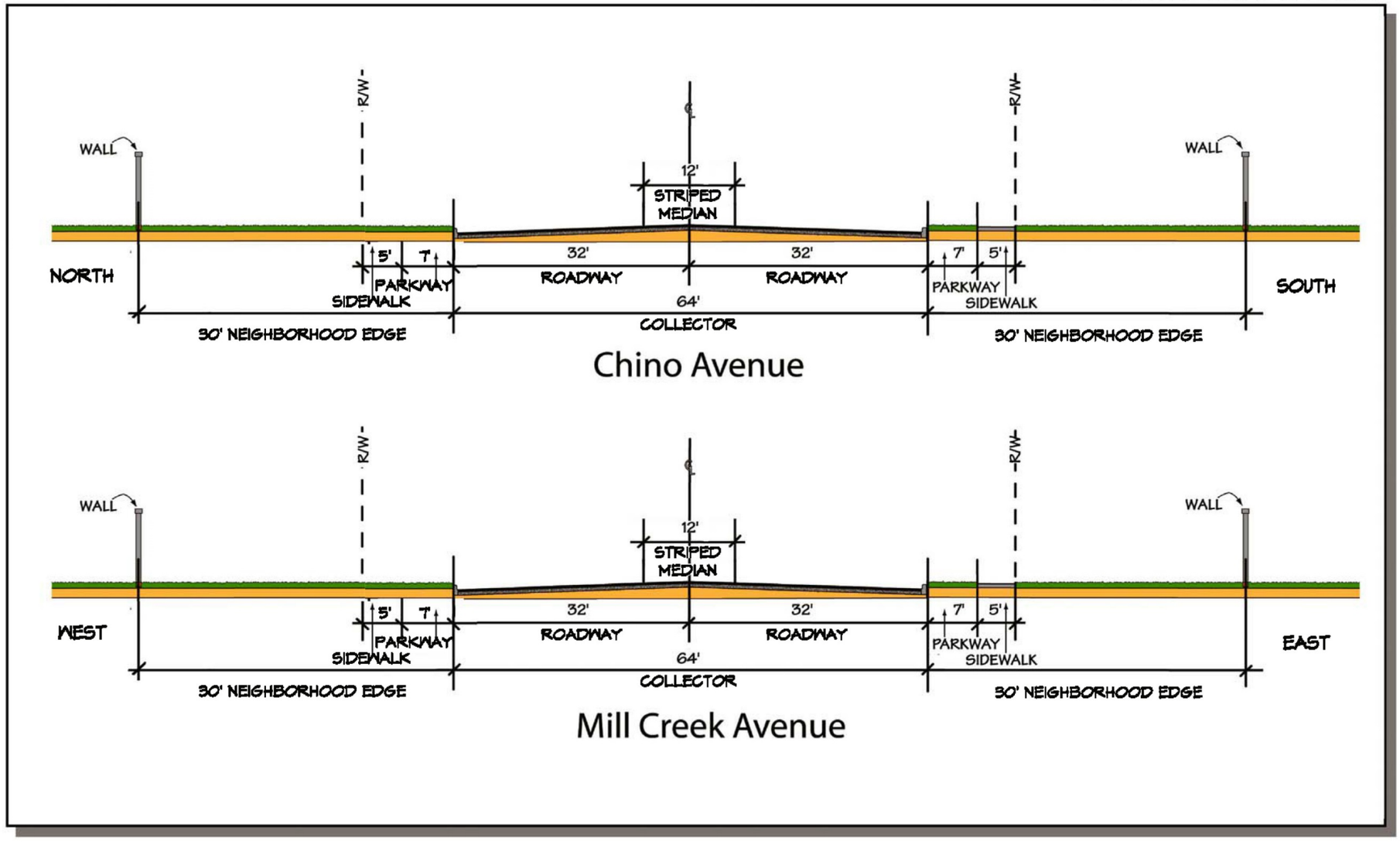
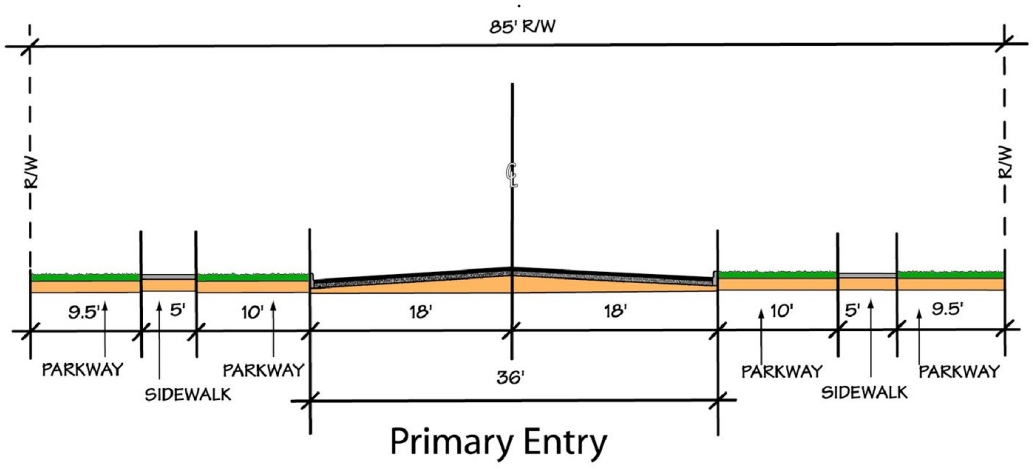
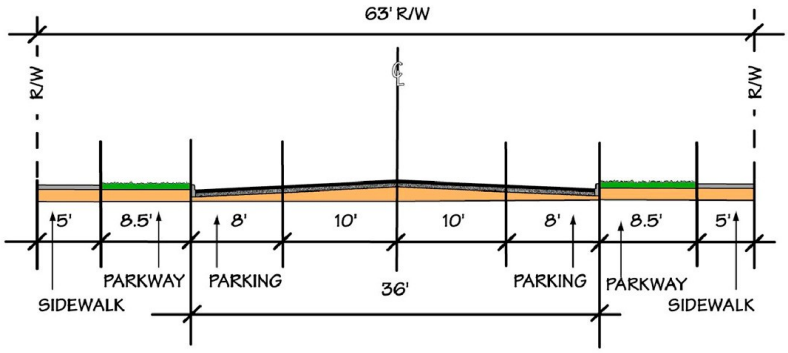


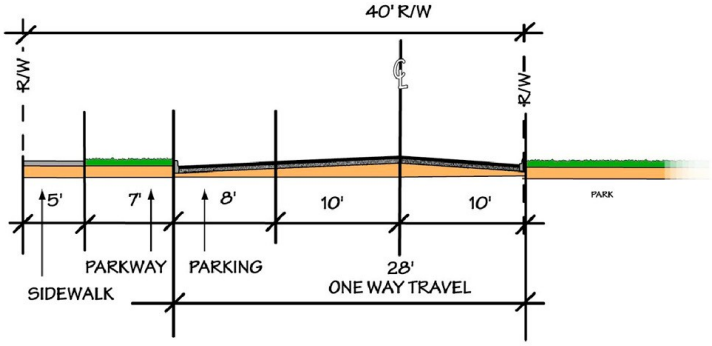
Exhibit 18 - Local Street Sections



Primary Entry

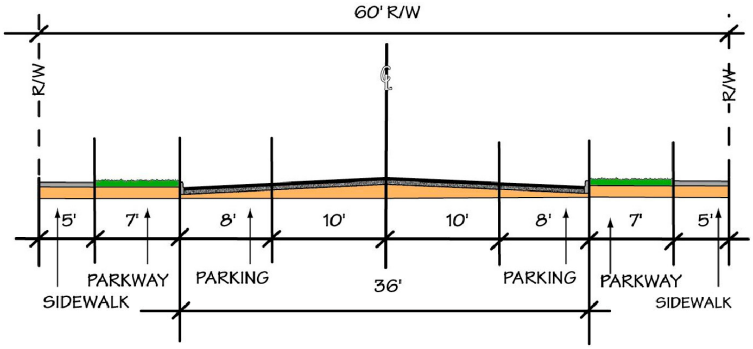


Secondary Entry

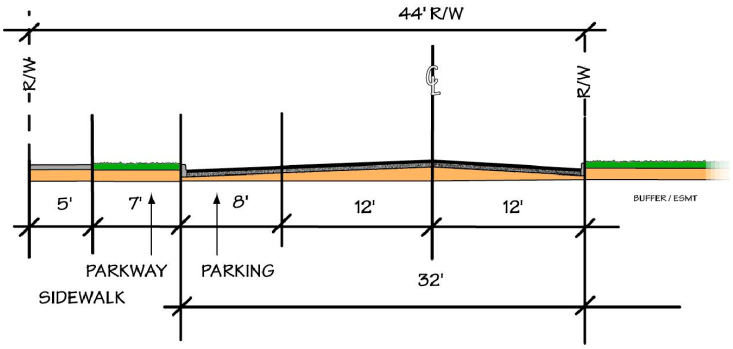


Park Loop Street

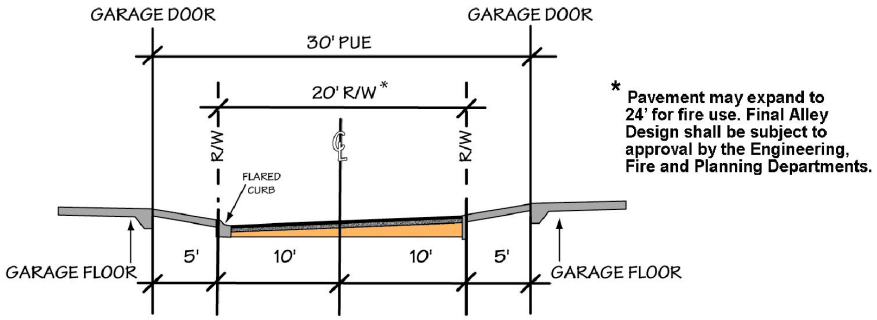
Exhibit 19 – Local Street and Private Alley Sections



Double Loaded Local Neighborhood Street



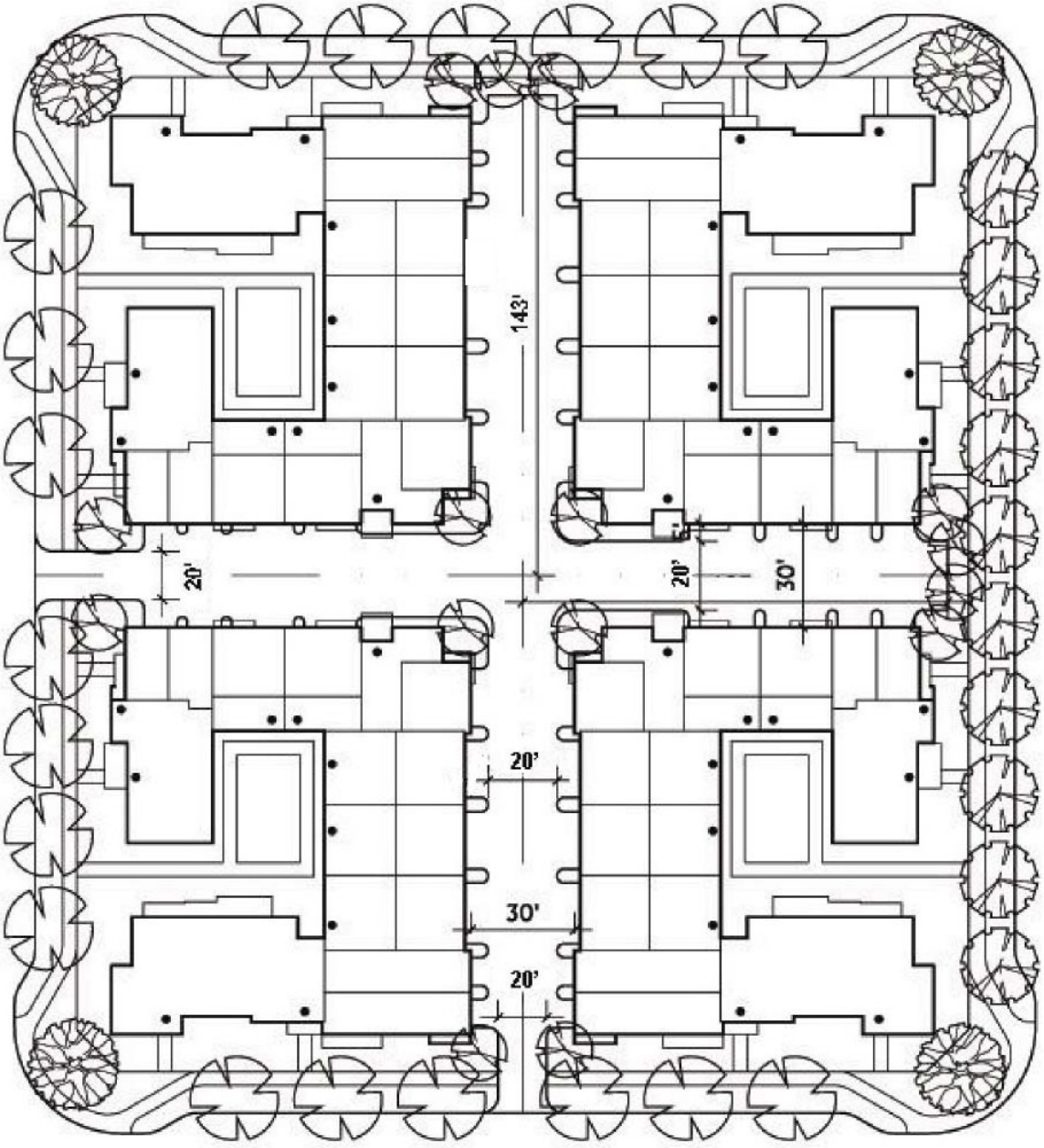
Single Loaded Neighborhood Street Adjacent to Buffer



Private Alley

(On Street Parking Is Prohibited)

Exhibit 20 – Alley



Note: Alleys with “dead end” conditions may not exceed a maximum length of 150 feet.

5.1.2 Traffic Calming

Edenglen provides for traffic calming within residential neighborhoods to slow traffic and reduce traffic noise on streets contributing to safe and livable neighborhoods in which to walk, bike, and drive.

Traffic calming within Edenglen is designed to address the following:

- Reduction in traffic speeds.
- Reduction in traffic related noise.
- Reduction in cut-through traffic.
- A safe and pedestrian friendly circulation system to encourage walking.
- Allow for non-restricted access for emergency services vehicles such as police, fire, and ambulances.
- Reduction in radii of streets and elimination of knuckles.

Factors affecting traffic speeds are those that influence the driver's perception of the roadway such as:

- Type of adjacent development and distance of development from the roadway.
- Frequency of access points onto the roadway.
- Roadway alignment and curvature.
- Type and massing of landscaping adjacent to the roadway.
- Frequency of traffic control devices along the roadway.
- Narrowness of travel lanes.

The following traffic calming techniques will be implemented in the design of the roadways within Edenglen.

Primary Entry Street

The Primary Entry Street, within the Project Site, will be designed with a total 36-foot wide paved area curb-to-curb. On each side of the travel area will be a 10-foot wide landscaped parkway adjacent to the curb and a five foot wide sidewalk behind the landscaped parkway. A 9.5-foot wide landscaped lot will be provided between the sidewalk and residential lots.

Park Loop Street

A one-way loop street is planned around the central park. Traffic entering the park loop street will yield to traffic traveling within the park loop street similar in function to a traffic circle.

Local Neighborhood Street Design

Neighborhood streets within Edenglen are designed in a grid with landscaping on either side within parkways to add interest in the street encouraging drivers to slow their travel speed and observe their surroundings. Traffic speeds on local residential streets will be reduced by incorporating tapered intersections for local streets as illustrated in ***Exhibit 21, "Neighborhood Street Tapers"***.

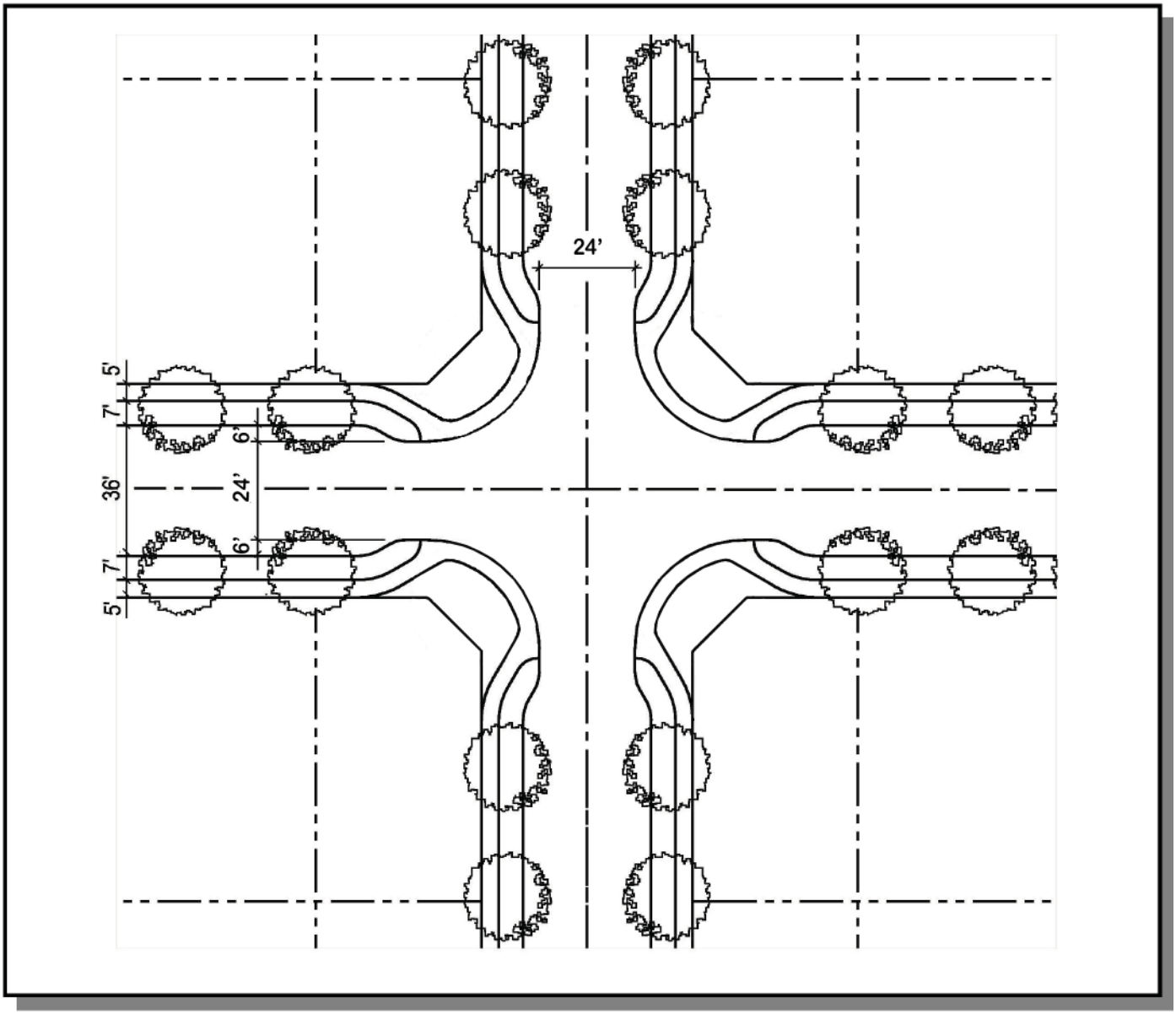
Alleys

Typical private alleys within Edenglen will consist of 20 feet of paved travel area with 5-feet on each side to accommodate landscaping and/or driveways. Speeds for traffic entering the alleys and cut through traffic can be reduced by incorporating tapers at the entrance to these alleys. Final alley design shall be determined at the time of approval of tentative tract maps and subject to review and approval by the Engineering Department, Fire Department and Planning Department.

Landscaping

Landscaping adjacent to streets within the Project Site will combine the use of shade trees, shrubs, and groundcover adjacent to sidewalks to create a more intimate streetscape encouraging drivers to reduce driving speeds. The landscape concept for Edenglen is designed to contribute to a sense of the street system as a pedestrian protected area to promote slower traffic speeds.

Exhibit 21 - Neighborhood Street Chokers



Note: Choker locations shall be in accordance with the City of Ontario Choker Placement Guidelines and in accordance with City of Ontario Standards. Neighborhood street chokers and sidewalks shall be designed in accordance with the City of Ontario Standard Drawing Nos. 1110 and 1212.

5.1.3 Pedestrian Circulation

Off-street pedestrian circulation will be available throughout Edenglen by means of the interconnected, paved sidewalk system within the roadway right-of-way, separated from vehicular travel lanes by a landscaped parkway. ~~Pedestrian access points crossing the Community Trail will be provided for the residents of Edenglen, linking residential areas with the commercial center to be developed in the future, east of the SCE Corridor.~~ Pedestrian access to the Community Trail will be available using the safe and direct access of the sidewalks along Riversid Drive and Chino Avenue. The Edenglen pedestrian system provides connectivity among residential neighborhoods to the central park, Colony High School, and the Neighborhood Commercial ~~center~~ area to be developed east of the residential area within the Specific Plan.

5.1.4 Bicycle Trails

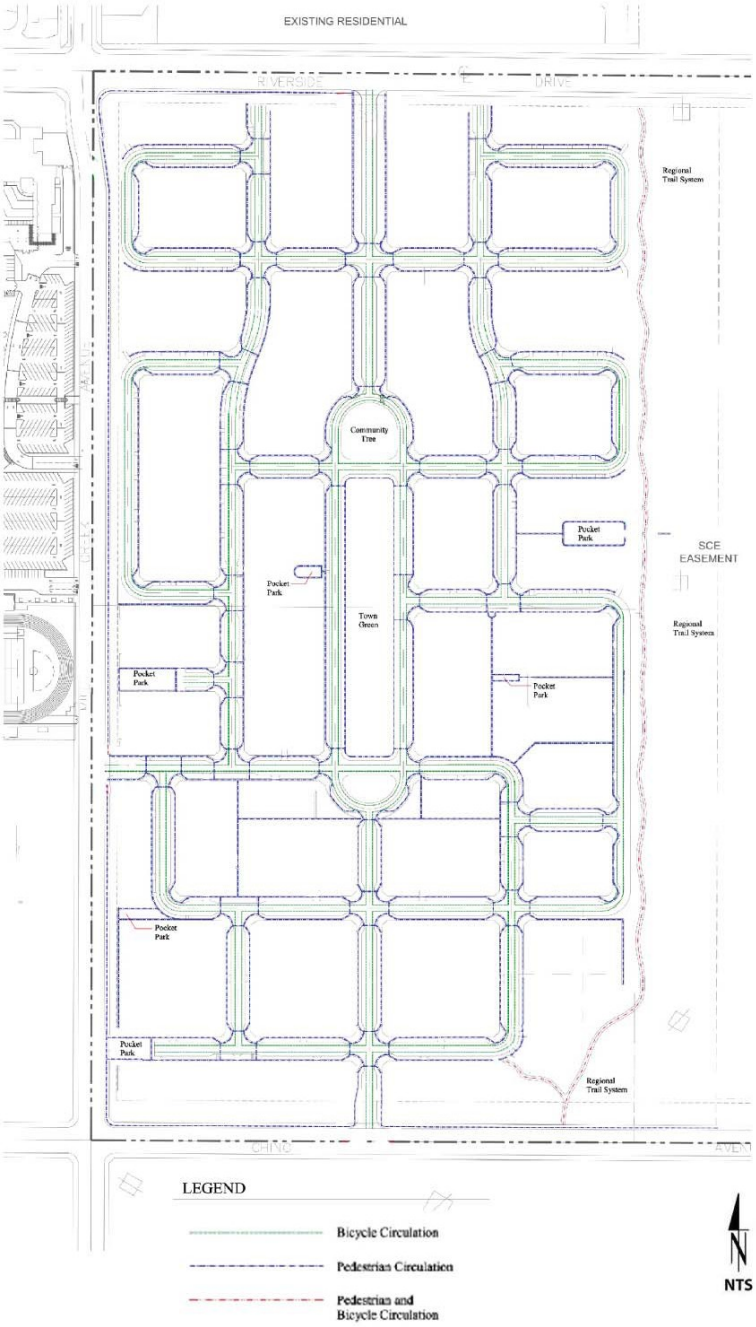
Bicycle trails are an integral element to creating accessibility and mobility within Edenglen. A multi-purpose Community Trail will be constructed by the developer within the SCE Corridor between Riverside Drive and Chino Avenue. This Community Trail will provide a portion of the City's Master Planned Regional trail system proposed for SCE easements and corridors throughout the City. Bicycle circulation will be provided within the right-of-way of local residential streets within Edenglen to connect all residential neighborhoods to one another, with the Central Park and to Colony High School located west of the project site.

The Master Plan for pedestrian and bicycle circulation for Edenglen is illustrated on ***Exhibit 22, "Pedestrian and Bicycle Circulation Plan"***.

5.2 POTABLE AND RECYCLED WATER MASTER PLAN

Domestic water will be provided by the City of Ontario. The City's Water Master Plan identifies new water facilities to include the 9.0 Million Gallon 1010'-2A Reservoir at the southeast corner of the I-10 freeway and Milliken Avenue, a 24 inch transmission main from the 1010'-2A Reservoir to Riverside Drive; one groundwater well, (the groundwater well will be located onsite as illustrated on ***Exhibit 23, "Conceptual Domestic Water Plan"***) and recycled water lines. Construction of the onsite and offsite Master Plan water service improvements shall be the responsibility of the developer(s) and is required prior to issuance of building permits for Edenglen.

Exhibit 22 - Pedestrian and Bicycle Circulation Plan



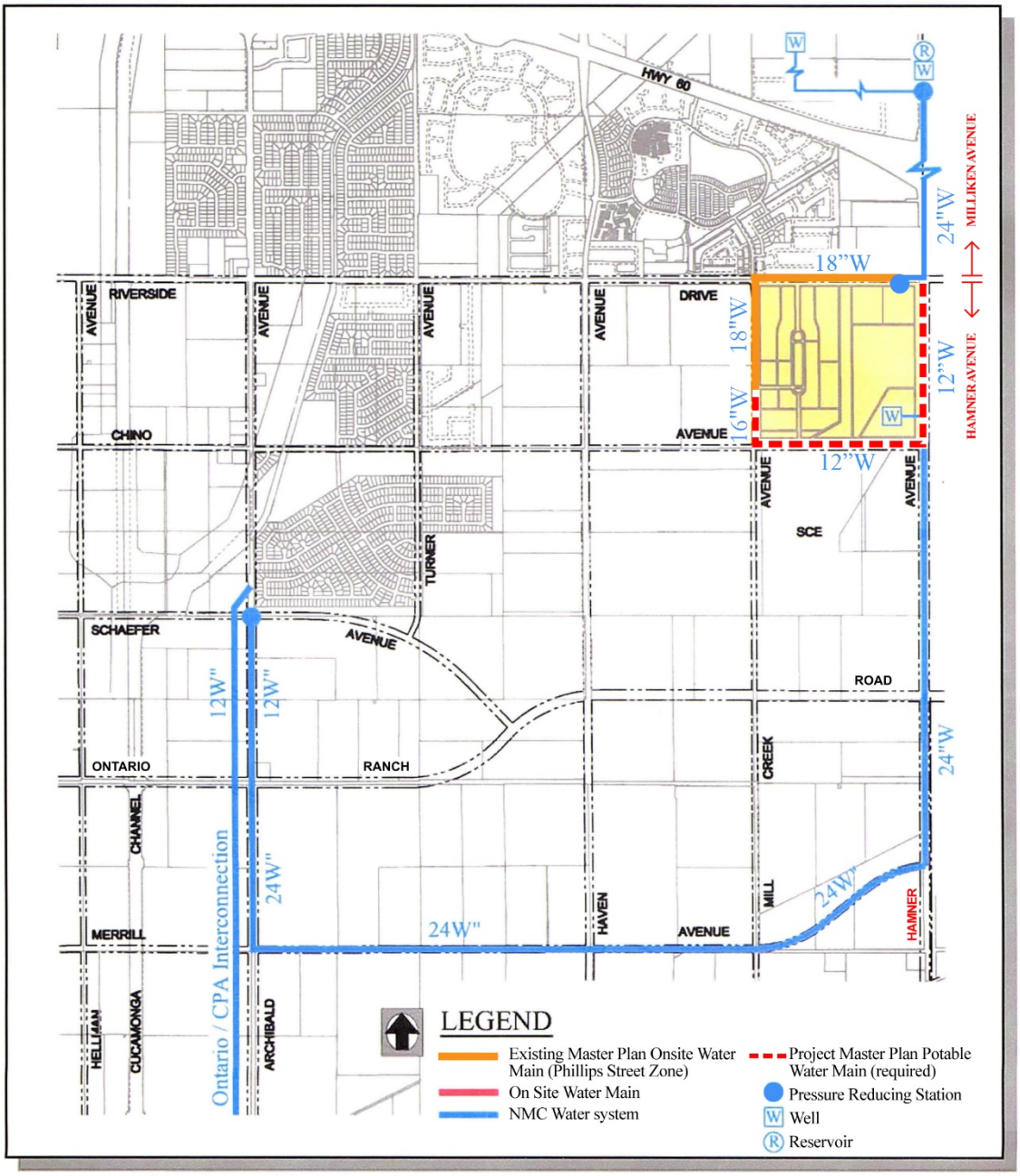
Note: All monumentation occurring at main and secondary entry points and any other location, particularly in public right-of-way, shall be placed in accordance with the City of Ontario Guidelines and subject to City Engineer approval.

5.2.1 Domestic Water

The project lies entirely within the Phillips Street Pressure Zone, also known as the 1010' Zone. New domestic water mains have been constructed as part of the development of Edenglen and include an 18-inch main in Riverside Drive, between Mill Creek Avenue easterly toward ~~Milliken~~ Hamner Avenue. The 18-inch line along Riverside Drive has already been constructed. This water main will be extended to Milliken Avenue by the developers; and an 18-inch main in Mill Creek Avenue will be extended, connecting to the existing 16-inch water line at the southerly boundary of the high school and extending south to Chino Avenue; a 12-inch main in Chino Avenue, between Mill Creek Avenue and ~~Milliken~~ Hamner Avenue; and a 12-inch line in ~~Milliken~~ Hamner Avenue from Chino Avenue to Riverside Drive.

The Master Plan for ~~pedestrian and bicycle circulation~~ Domestic Water for Edenglen is illustrated on ***Exhibit 23, "Domestic Water Master Plan".***

Exhibit 23 – Domestic Water Master Plan



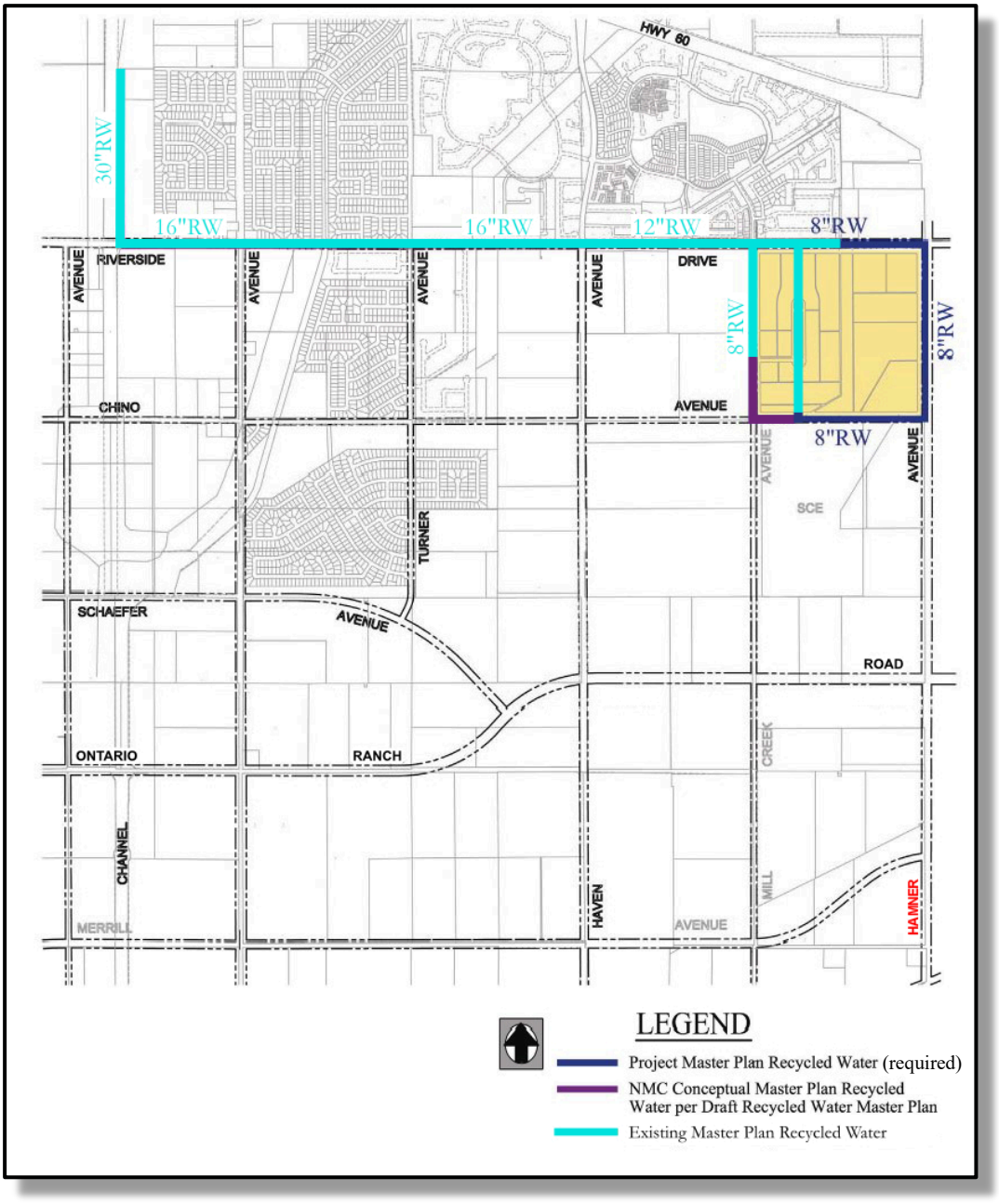
5.2.2 Recycled Water System

New recycled water lines, in conformance with the City's Recycled Water Master Plan, will be constructed as part of the development of Edenglen. Inland Empire Utilities Agency (IEUA) will supply the recycled water from their facilities at Westwind Park, located north of Riverside Drive and east of the Cucamonga Creek Channel. The Master Plan Recycled Waterline, which will deliver recycled water to Edenglen per the Recycled Water Master Plan, to include a 30-inch main from Westwind Park to Riverside Drive, a 16-inch main from Riverside Drive to Haven Avenue and reducing to a 12-inch main from Haven Avenue to Mill Creek Avenue. The offsite improvements, adjacent to the site, will include an 8-inch recycled water line in Chino Avenue between Mill Creek Avenue and ~~Milliken~~ Hamner Avenue, in ~~Milliken~~ Hamner Avenue, from Riverside Drive to Chino Avenue, in Mill Creek Avenue from Riverside Drive to Chino Avenue and in Riverside Drive, from Mill Creek Avenue to ~~Milliken~~ Hamner Avenue. A portion of the 8-inch lines along Riverside Drive and Mill Creek Avenue have already been constructed.

On-site recycled water lines will be installed as required by the City Engineer. ~~and/or by the forthcoming Recycled Water Master Plan (which will be adopted at a future date).~~ The City's goal is to maximize the use of recycled water including but not limited to irrigation of parks, schools, street landscaping, recreational trails, common area residential landscaping and commercial/industrial landscaping.

The Master Plan for recycled water for Edenglen is illustrated on ***Exhibit 24, "Conceptual Recycled Water Plan".***

Exhibit 24 - Conceptual Recycled Water Plan



5.3 SEWER MASTER PLAN

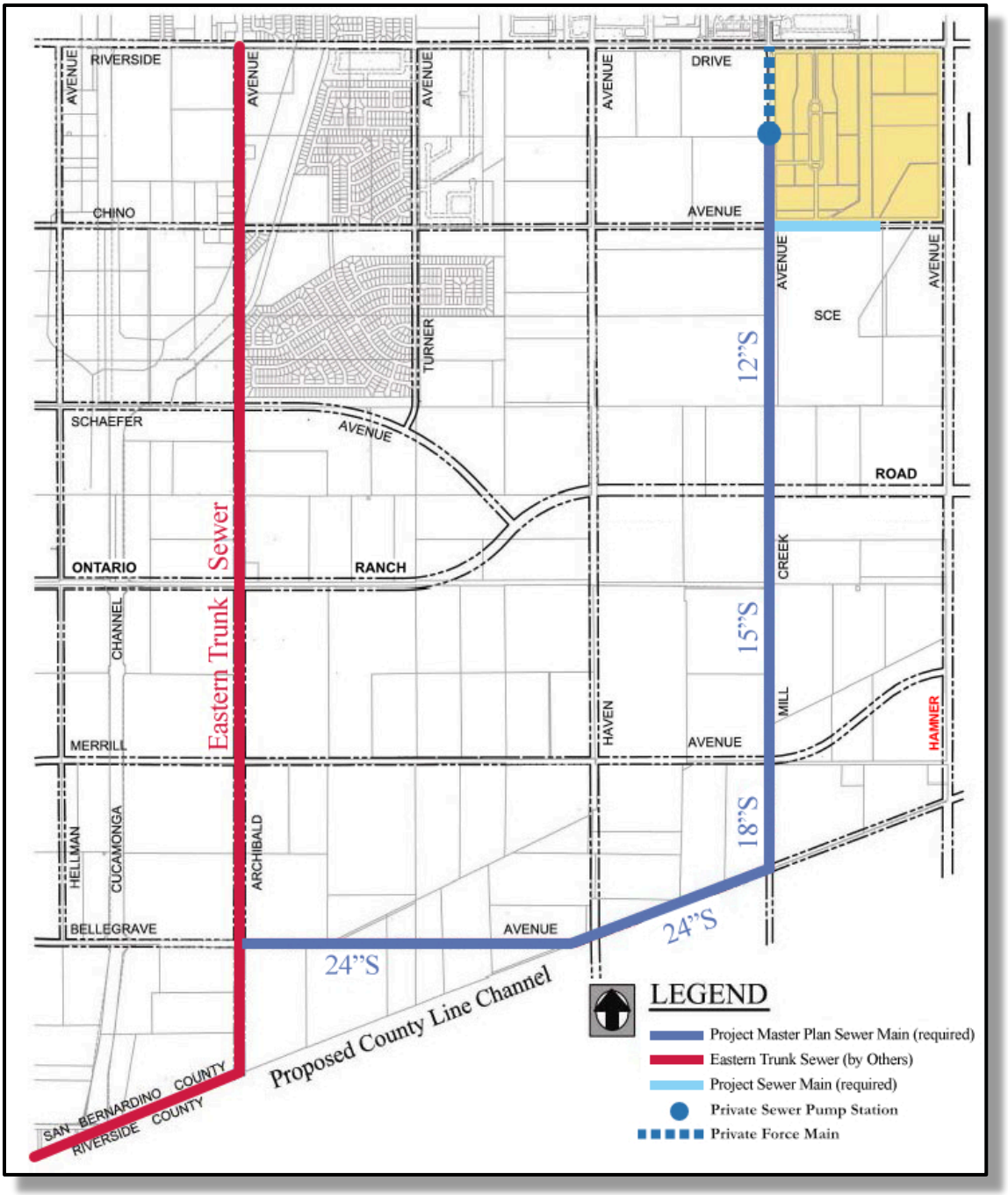
Sewer service for Edenglen will be provided by the City of Ontario. The City's Sewer Master Plan identifies ultimate sewer facilities extending from the southwesterly corner of the Project Site to the Eastern Trunk Sewer. These Master Planned facilities include a 12-inch sewer main extending from southwesterly corner of the Project Site, along Mill Creek Avenue to Edison Avenue (Ontario Ranch Road) extending to a 15-inch main to approximately Eucalyptus Avenue, which upsizes to a 18-inch line connecting to Bellegrave Avenue, and a 24-inch sewer main extending along Bellegrave Avenue westerly to the Master Planned Eastern Trunk Sewer.

Completion of these Master Plan improvements is required to provide the ultimate sewer service to Edenglen. Within the Project site a network of 8-inch and 10-inch sewer lines will be installed.

The City Sewer Master Plan also identifies a private pump station along Mill Creek Avenue between Riverside Drive and Chino Avenue and private force main connecting northerly to Riverside Drive. The project is required to construct the full Master Plan system downstream of the project site and abandon the pump station and force main. The developer(s) will construct required sewer line along Chino Avenue. Within the project site, sewer lines will be installed to serve the development and sewer line sizes and Public or Private status of the sewer lines shall be determined by the City during the Development Permit process.

The Sewer Master Plan for Edenglen is illustrated on ***Exhibit 25, "Conceptual Sewer Plan".***

Exhibit 25 - Conceptual Sewer Plan



5.4 DRAINAGE

The City's Storm Drain Master Plan identifies new storm drain facilities to serve the Project Site extending northerly from the County Line Channel within Mill Creek Avenue to Riverside Drive and easterly along Chino Avenue and Riverside Drive to the east side of the SCE easement. Completion of these Master Plan improvements will provide ultimate storm drain service to Edenglen.

That portion of the Master Planned line, which lies within Edenglen, will be constructed as a part of the development of the project. These improvements include a 54 inch storm drain in Mill Creek from Chino Avenue to Riverside Drive; a 48 inch storm drain in Riverside Drive from Mill Creek to the east side of the SCE Corridor (approximately ¼ mile); and a 60 inch storm drain in Chino Avenue from Mill Creek to the east side of the SCE Corridor. The developer of the residential portion of Edenglen will be responsible for the construction of these improvements.

Onsite storm drains will be constructed to convey the onsite flows to the proposed Master Planned storm drain line in Chino Avenue.

Offsite improvements will include the construction of the 72 inch Master Planned line from the southwesterly corner of the Project Site southerly in Mill Creek Avenue approximately one-half mile; where it will connect with a Master Planned line transitioning from 84-inch to 108-inch that in turn will connect with the proposed County Line Channel. ~~Interim detention basin(s) will be constructed in the southerly portion of the Project Site, if permanent improvements have not been completed. The exact size and location of the interim basin(s) will be determined at the time of tentative map approval.~~ Completion of The Master Plan Improvements is required to provide the ultimate storm drain facilities to serve all development within the Edenglen Specific Plan area.

The Drainage Master Plan for Edenglen is illustrated on ***Exhibit 26, "Conceptual Storm Drain Plan".***

5.4.1 National Pollution Discharge Elimination System Compliance (NPDES)

The grading and drainage of the Edenglen development shall be designed to detain, filter and treat surface runoff, in a manner and combination which is practical, to reach NPDES compliance, so as 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, source control Best Management Practices (BMPs) and/or either on-site structural treatment control BMPs, or participation in regional or watershed-based structural treatment control BMPs.

Prior to the issuance of a grading or construction permit, the City requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) that conforms to the State Water Resources Control Board NPDES Permit No. CAS000002 (Waste Discharge Requirement Order No. 99-08-DWQ). Generally, the SWPPP specifies Best Management Practices (BMPs) that will prevent all construction-related pollutants from contacting stormwater and all products of erosion from moving off-site into receiving waters.

The NPDES program is administered by the State Water Resources Control Board (SWRCB) through the individual California Regional Water Quality Control Boards (RWQCB). General Construction Activity Storm Water NPDES permits for storm water discharges are administered by the RWQCB. Construction activities subject to this General Permit include clearing, grading, and disturbances to the ground such as stockpiling, or excavation that results in soil disturbances. Stormwater pollution prevention plans (SWPPP) are required for operation under a construction NPDES permit; these plans typically include both structural and non-structural Best Management Practices (BMPs) to reduce water quality impacts. Prior to operation under a grading permit, individual projects will be required to demonstrate compliance with NPDES construction activity stormwater permit requirements.

A number of Best Management Practices (BMPs) are available for application by the City to subsequent development projects within the specific plan area in order to reduce water pollution sources on developed sites to the maximum extent feasible. The incorporation of these BMPs is intended to reduce the level of contaminants present at the drainage system discharge points to acceptable levels. Source reduction techniques have proven to be the most cost-effective ways of avoiding or reducing water pollution from urban runoff.

The storm drain system and the BMPs applied by the City to individual development projects must conform to non-point stormwater pollution control standards related to the County's Municipal Stormwater Permit, under the NPDES program (Water Quality Order Number 90-136, NPDES CAS000200), as amended by the SWRCB's Statewide General Permit (WQ Order No. 92-08 DWQ) and General Construction Activities Storm Water Permit (WQ Order No.99-08-DWQ).

In addition to the preparation of a SWPPP for construction-related activities, a Stormwater Quality Management Plan (SWQMP) is required for the proposed project that would include Best Management Practices (BMPs) for the short-term construction activities and the long-term operations associated with the various land uses that are proposed. Both the SWPPP and the SWQMP would include site design BMPs, source-control BMPs, and treatment control BMPs. BMPs will be selected from the California Stormwater Quality Association's Construction Handbook (CSQA Construction Handbook), which provides guidance on the selection and implementation of BMPs. Use of BMPs from the handbook is consistent with City's Municipal Code (§6-6.505). The purpose of the CSQA Construction Handbook is to provide guidance suitable for use by a wide range of individuals involved in construction site water pollution control, which include the following: developers, engineers, contractors, tradesmen, subcontractors, and municipal agencies. Each user of the handbook is responsible for working within their capabilities obtained through training and experience, and for seeking the advice and consultation of appropriate experts at all times. The CSQA Construction Handbook identifies the following six BMP categories:

- Erosion Control (EC);
- Sediment Control (SE);
- Wind Erosion Control (WE);
- Tracking Control (TR);
- Non-Stormwater Management (NS); and
- Waste Management and Materials Pollution Control (WM).

BMPs for erosion and sediment control are selected to meet the BMP objectives based on specific site conditions, construction activities, and cost. Various BMPs may be required at different times during the short-term construction period because activities are constantly changing the site conditions. Selection of erosion control BMPs should be based on minimizing disturbed areas, stabilizing disturbed areas, and protecting slopes and channels. Selection of sediment control BMPs should be based on retaining sediment on-site and controlling the site perimeter. Erosion and sediment control BMPs are listed in the EC, SE, WE, and TR categories.

BMPs for contractor activities may cause pollution if not properly managed. BMPs should be selected based on the contractor activities information collected in a SWPPP. The materials and BMP objectives for contractor activities are practicing good housekeeping and containing materials and waste. BMPs for contractor activities are selected from the TR, NS, and WM categories.

Long-Term Operational Impacts

Similar to short-term construction activities, long-term operations of the proposed project have the potential to release pollutants off-site and into receiving Waters of the U.S. that could potentially affect water quality. ***Table 3, "Pollutants of Concern by Land Use"*** identifies pollutants of concern by type of land use that have the potential to be generated on the project site.

Table 3 – Pollutants of Concern by Land Use

Land Use	General Pollutant Categories								
	Bacteria/ Virus	Heavy Metals	Nutrients	Pesti-cides	Organic Com-pounds	Sediments	Trash and Debris	Oxygen Demanding Substances	Oil & Grease
Detached Residential	E	N	E	E	N	E	E	E	E
Attached Residential	P	N	E	E	N	E	E	P [1]	P [2]
Commercial and Industrial	P [3]	P	P [3]	P [1]	P [5]	P [1]	E	P [1]	E
Parking Lots	P [6]	E	P [1]	P [1]	E [4]	P [1]	E	P [1]	E
Streets	P [6]	E	P [1]	P [1]	E [4]	E	E	P [1]	E

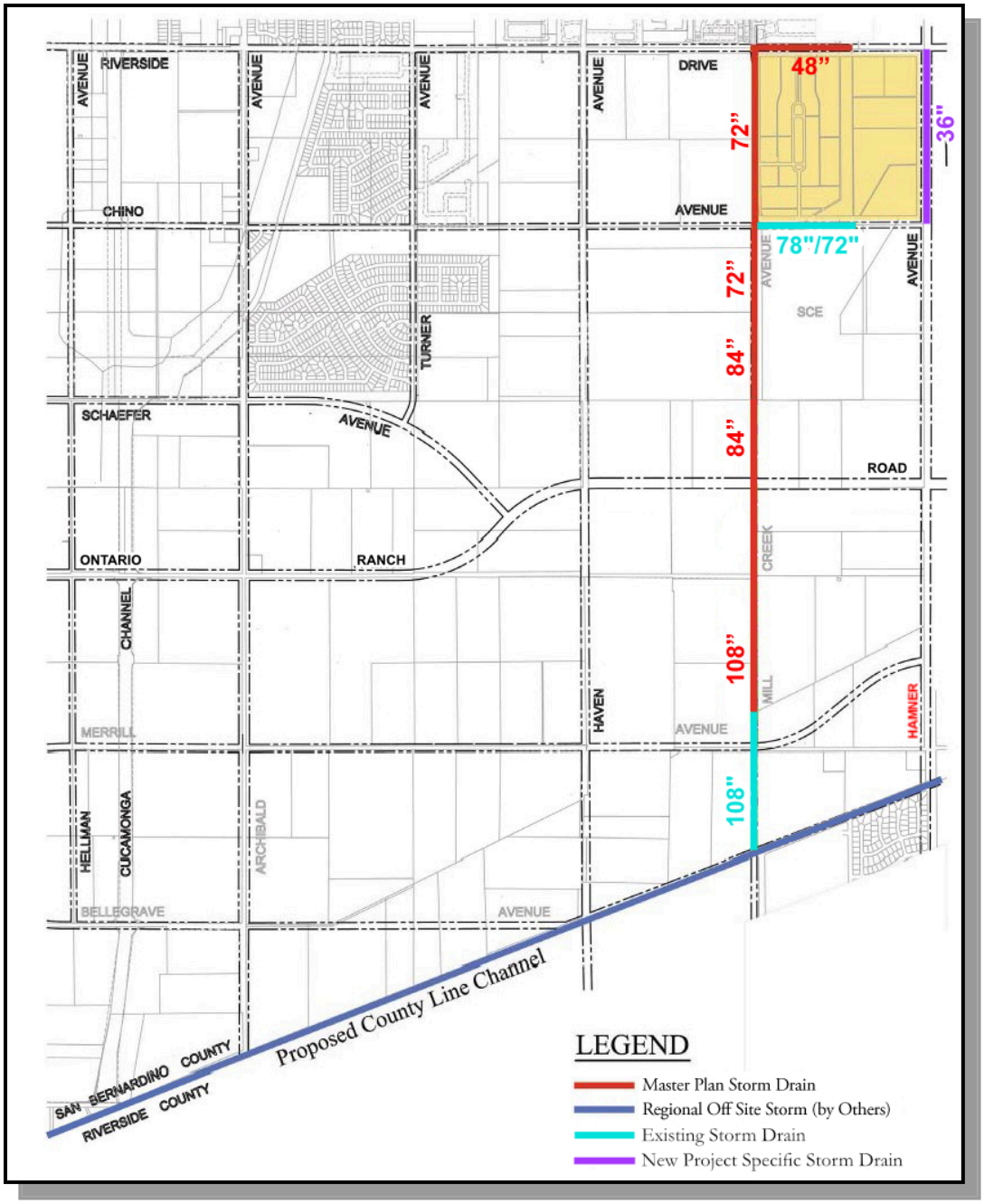
E = expected
P = potential
N = not expected

[1] Potential if landscaping is present on the project site.
[2] Potential if the uncovered parking is present on the project site.
[3] Potential if land use includes animal waste.
[4] Includes petroleum hydrocarbons.
[5] Includes solvents.
[6] Bacterial indicators are routinely included in pavement runoff.

Source: County of San Bernardino, County Stormwater Program, *Model Water Quality Management Plan Guidance*, Table 2-1, June 2004

The SWQMP would also include site design BMPs, source-control BMPs, and treatment control BMPs.

Exhibit 26 - Conceptual Storm Drain Plan



5.5 SCHOOLS

The Mountain View School District serves the K-8 school age needs of Edenglen, while the Chaffey Joint Union High School District serves the 9-12 school age needs. Colony High School is immediately adjacent to the Project Site to the west, to serve the high school students generated living in the plan. Additional elementary and middle schools will be needed within ~~the New Model Colony~~ Ontario Ranch. An elementary school site has been identified in Planning Subarea 12 and a middle school site has been identified in Planning Subarea 6. The developer(s) of Edenglen will be required to pay school fees as required by State of California.

5.6 PUBLIC UTILITIES

5.6.1 Telephone

Verizon is the incumbent/existing telephone service provider to the Project Site. The City will provide fiber optics to the home that will enable telephone, voice mail and cable services, as well as video-on-demand. Proposed on-site facilities will be placed underground.

5.6.2 Natural Gas

The Gas Company will provide natural gas to the Project Site. Gas mains will be installed to the Project Site by the Gas Company as necessary.

5.6.3 Electricity

Southern California Edison will provide electricity to the Project Site from existing facilities in the vicinity of the Project Site. Proposed new facilities to serve the project will be owned and operated by the City of Ontario and located underground.

5.6.4 Telecommunications

The City of Ontario will be providing OntarioNet, a fiber-optic telecommunications system capable of providing advanced Internet/data services to all homes and businesses within the New Model Colony. OntarioNet will provide community related services including traffic management, on-line civic services, meter reading, educational services, and a variety of other community services. OntarioNet and the high-speed data services it provides will allow residents of the Edenglen Specific Plan to effectively telecommute to their jobs and in general provide a significant economic benefit to Ontario.

5.6.5 Solid Waste

The City of Ontario provides solid waste collection services for the City and will service the Project Site.

5.7 GRADING CONCEPT

The existing ground on the northerly quarter of the Project Site slopes southerly away from Riverside Drive at a 2.3% grade. The southerly three quarters of the Project Site slope southerly at approximately 1%. The grading concept for Edenglen is to work with the existing topography to maintain natural grade and elevations wherever possible. The grading operation for Edenglen will generally consist of the removal of any manure remaining from dairy operations, clearing and grubbing, demolition of existing structures, and moving of surface soils to construct building pads and streets. Additionally, where slope conditions are present, the property shall be located at the top of a slope. Dwelling units and structures adjacent to slope areas should be sited to:

- Use landscape plant materials as a backdrop; and
- Use structure to maximize concealment of cut slope.

If retaining walls are required, the following criteria shall be used:

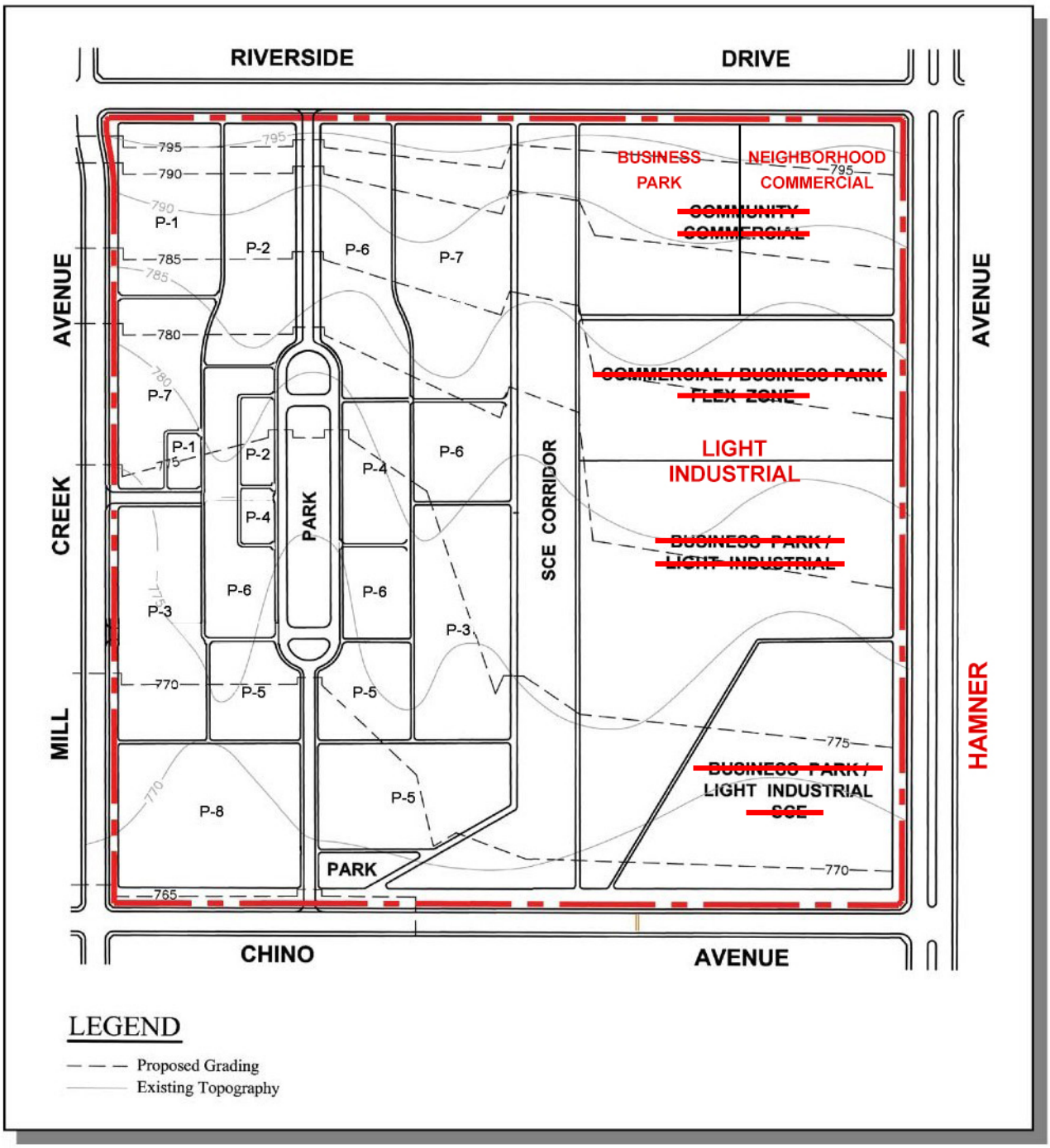
- Exposed walls and fences facing roadways shall be no greater than 3 feet retaining below ground (9 foot total wall) in height, except as necessary for acoustical purposes to satisfy the intent of the noise ordinance.
- Where retaining walls or fences face roadways, they shall be built, when feasible, of decorative materials consistent with the wall theme of the neighborhood.

The conceptual grading plan for the residential portion of Edenglen, as illustrated in ***Exhibit*** *27*, ***"Conceptual Grading Plan",*** will provide for a balance of cut/fills for the site.

Grading plans for each tract in the Specific Plan area will be reviewed and approved by the by the City of Ontario Building, Planning, and Engineering Departments prior to the issuance of grading permits. All grading plans and activities will conform to the City grading ordinance and dust and erosion control requirements.

The conceptual grading plan for Edenglen is illustrated in ***Exhibit*** *27*, ***"Conceptual Grading Plan".***

Exhibit 27 - Conceptual Grading Plan



5.8 PHASING

Backbone infrastructure to serve all areas of Edenglen shall be installed by the developer(s) in accordance with the City's adopted Master Plan, for Ontario Ranch (formerly the New Model Colony) and any approved amendments to it. Infill service mains will be installed/constructed in phases as development proceeds and conditioned by the City Engineer's office to support individual phases of development, which may require installation of offsite infrastructure improvements beyond a given phase boundary.

Individual developments are required to obtain all necessary right-of-way needed to install any infrastructure conditioned upon the development. Minimum separation between master planned infrastructure shall be per City requirements. In addition, phasing of infrastructure will be determined via a separate Development Agreement.

Residential Area

Grading and installation of infrastructure to serve the residential portion of Edenglen is anticipated to be completed as a single phase. Following completion of the initial phase of grading and infrastructure installation, the developer will construct models for each product type within each neighborhood and the central park planned for Edenglen. The timing for installation of infrastructure and utilities and the provision of public services for the residential development within Edenglen will be determined as part of the City's approval of tentative maps or development plans. Facilities will be constructed and services made available in a timely manner as development progresses.

~~Commercial and Business Park/Light Industrial~~ Neighborhood Commercial, Business Park and Light Industrial Area

Infrastructure required to serve the ~~commercial and business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial development areas will be installed by the developers of these areas. The timing for installation of infrastructure and utilities and the provision of public services for the ~~commercial and business park/light industrial~~ Neighborhood Commercial, Business Park, ~~General Industrial~~ and Light Industrial development within Edenglen will be determined as part of the City's approval of tentative maps or development plans. Facilities will be constructed and services made available in a timely manner as development progresses.

Section 6 Development Regulations

6.1 INTRODUCTION

The provisions contained herein will regulate design and development within the Edenglen Specific Plan. The regulations contained herein provide for the development of all land use categories with development regulations established for residential ~~uses~~, ~~commercial uses, business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial uses, and landscaping.

6.2 DEFINITION OF TERMS

The meaning and construction of words, phrases, titles, and terms shall be the same as provided in the City of Ontario Development Code ~~Article 2, "Definitions"~~, unless otherwise specifically provided herein.

6.3 APPLICABILITY

The development regulations contained herein provide specific standards for land use development within the Edenglen Specific Plan. Regulations address residential, ~~commercial and business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial land uses. General landscaping regulations are also provided. Application of the following regulations is intended to encourage the most appropriate use of the land, ensure the highest quality of development, and protect the public health, safety, and general welfare. The adoption of the Edenglen Specific Plan supersedes otherwise applicable City of Ontario zoning regulations, unless stated herein to the contrary. Whenever the provisions and development standards contained herein conflict with those contained in the City of Ontario Development Code, the provisions of the Edenglen Specific Plan shall take precedence. Where the Edenglen Specific Plan is silent, City codes shall apply. These regulations shall reinforce specific site planning, architectural design, and landscape design guidelines contained in ***Section 7, "Residential Design Guidelines"*** and ***Section 8, "Neighborhood Commercial, Business Park and Light Industrial Design Guidelines"*** of the Edenglen Specific Plan.

6.4 ADMINISTRATION

The Edenglen Specific Plan, upon adoption, will serve as the implementation tool for the General Plan as well as the zoning for the Project Site. The Edenglen Specific Plan Development Regulations address general provisions, permitted uses, and development standards for the Project Site.

6.5 METHODS AND INTERPRETATION

Development within the Edenglen Specific Plan shall be implemented through the approval by the City of Ontario of parcel maps, tract maps, and development permits. The administration process described herein provides for the mechanisms for review and approval of development projects within Edenglen, consistent with the Edenglen Specific Plan objectives.

6.6 GENERAL SITE DEVELOPMENT CRITERIA

The following general site development criteria shall apply to all land development proposed in Edenglen.

a. Gross Acres - Except as otherwise indicated, gross acres for all development areas are measured to the centerline of streets.

b. Grading - Development within the Project Site shall utilize grading techniques approved by the City of Ontario. Grading concepts shall respond to the design guidelines included in the Edenglen Specific Plan which guide the development of land use toward the goal of providing for a livable community with streets and entries designed for walking and resident interaction.

c. Building Modification - Additions and/or alterations permitted by the Edenglen Specific Plan shall match the architectural style of the primary unit and shall be constructed of the same materials and colors as the primary unit.

d. Utilities - All new public utility distribution lines of less than 66 kV shall be subsurface throughout the planned community.

e. Technology - All homes and businesses shall accommodate the most modern technology for computer Internet access, phone, fax, and television. Broadband fiber optic cable will be installed to all the properties per the approved Fiber Optic Master Plan.

f. Density -The Edenglen Land Use Plan allocates a total number of units to each residential neighborhood as indicated in ***Table 2***, "***Land Use Summary***" in Section 4. Variations in the number and type of dwelling units within each residential neighborhood may occur at the time of final design of the neighborhood depending upon the residential product identified for development. A net change in allocation of residential units up to a maximum of fifteen percent (15%) is permitted among the residential areas within the Edenglen Specific Plan provided the total number of units established for the Edenglen Specific Plan area is not exceeded.

g. Best Management Practices – Development of storm water runoff improvements, within the Edenglen Specific Plan, shall adhere to currently adopted Best Management Practices. The Site Design BMP's may include but not be limited to creating landscape strips and landscaped setback areas that can be swaled and depressed to retain and infiltrate irrigation water and runoff from smaller storm events, drain rooftops into rain gutters which would drain into an area of porous subgrade, and depressing the park areas to provide storm water infiltration and water quality treatment. Currently the City of Ontario is considering construction of a regional stormwater runoff treatment facility for the sub-watershed area that this project lies within. If the treatment facility is constructed, it may satisfy the requirement for onsite treatment facilities on this project.

h. Maximum Number of Dwelling Units - The maximum number of residential dwelling units permitted within the Edenglen Specific Plan shall be 584 dwelling units.

i. Neighborhood Commercial – The maximum Neighborhood Commercial square footage permitted within the Edenglen Specific Plan shall be ~~217,520~~ 40,000 square feet.

j. ~~Business Park/Light Industrial~~ Business Park and Light Industrial – The maximum ~~business park/light industrial~~ Business Park and Light Industrial square footage permitted within the Edenglen Specific Plan shall be ~~550,000~~ 968,092 square feet.

6.7 IMPLEMENTATION

a. Development proposals within Edenglen shall be subject to the implementation procedures established herein and as established in ~~Section 9-1.0425~~ Chapter 6.0 of the City's Development Code. Whenever the provisions and development standards contained herein conflict with those contained in the City of Ontario Development Code, the provisions of the Edenglen Specific Plan shall take precedence.

b. Severability - If any portion of these regulations is declared to be invalid or ineffective in whole or in part, such decision shall not affect the validity of the remaining portions thereof. The legislative body hereby declares that they would have enacted these regulations and each portion thereof irrespective of the fact that any one or more portions be declared invalid or ineffective.

c. Unless otherwise provided, any ambiguity concerning the content or application of the Edenglen Specific Plan shall be resolved by the Planning Director or his/her designee, hereinafter referred to as Director, in a manner consistent with the goals, policies, purpose and intent established in the Edenglen Specific Plan.

d. Any major deviation from the design guidelines within the Edenglen Specific Plan shall require a Specific Plan Amendment. The Director shall determine whether a proposed change constitutes a major deviation.

6.8 DEVELOPMENT PERMIT

All development projects within Edenglen shall be subject to the Development Plan Review Process as established in ~~Article 8~~ of the City's Development Code. Development Plans will be submitted in conjunction with the Tentative Tract Map for P-3, P-4 and P-5 products. Adoption of the Edenglen Specific Plan by the City includes adoption of the design guidelines contained within the Edenglen Specific Plan, providing direction for the design of development projects within Edenglen. Where the Edenglen design guidelines are silent, the applicable design guidelines contained within the City's Development Code shall apply. The design guidelines are intended to be flexible in nature while establishing basic evaluation criteria for the review of developer projects during design review by the City.

Pursuant to these provisions, the Development Plan process constitutes a design review of project architecture, site plans, and landscape plans. All development project applications shall include a landscape and irrigation plan describing plant materials and their growth habits, plant size and spacing, methods of irrigation and landscaping maintenance, site plans, architectural elevations, floor plans, grading plans, and other requirements as specified by the City. Development Plans are approved with conditions of approval.

6.9 SUBDIVISION MAPS

Approval of the Edenglen Tentative Maps will create legal lots for development. All Tentative Maps will be reviewed and approved pursuant to applicable provisions of the City of Ontario Subdivision Ordinance and consistent with the applicable provisions contained within the Edenglen Specific Plan.

6.10 SPECIFIC PLAN MODIFICATIONS AND AMENDMENTS

6.10.1 Minor Modifications

The following constitute minor modifications to the Edenglen Specific Plan, not requiring a Specific Plan Amendment, and/or update of the Specific Plan, and are subject to review and approval by the Zoning Administrator. The Zoning Administrator shall have the discretion to refer any such request for modification to the Planning Commission or the City Council.

a) Change in utility and/or public service provider.

b) A net change of not more than fifteen percent (15%) to the number of units within an individual residential area, provided the total number of units for the entire Edenglen Specific Plan area does not exceed that established in the Edenglen Specific Plan.

c) Adjustment of a residential planning area boundary provided the total acreage of the affected area does not increase or decrease by more than 15% the total acreage stated in the approved Edenglen Specific Plan.

d) Minor changes to landscape materials, wall materials, wall alignment, entry design, and streetscape design which are consistent with the conceptual design set forth in the design guidelines contained within the Edenglen Specific Plan.

e) Minor changes to the design guidelines, which are intended to be conceptual in nature only, and are intended to be flexible in implementation.

f) Other modifications of a similar nature to those listed above, which are deemed minor by the Zoning Administrator, which are in keeping with the purpose and intent of the approved Edenglen Specific Plan and which are in conformance with the General Plan.

g) Changes in street alignments and dimensions per the direction of and approval by the City Engineer.

6.10.2 Specific Plan Amendments

Amendments to the Edenglen Specific Plan may be requested by an applicant or by the City at any time pursuant to Section 65453(a) of the Government Code. Amendments shall be processed pursuant to the provisions of the Government Code and the City of Ontario Development Code for Specific Plan Amendments. In the event the proposed amendment requires supplemental environmental analysis pursuant to the California Environmental Quality Act (CEQA), the applicant(s) will be responsible for preparing the necessary CEQA documentation.

6.11 APPEALS

Appeals from any determination of the City (Planning Director, Zoning Administrator or the Planning Commission), may be made by any applicant(s) or other aggrieved party filing an application, on forms provided by the City of Ontario, and accompanied by the appropriate filing fee, where applicable, within ten (10) days following the final date of action for which an appeal is made. Appeals shall be processed consistent with the provisions of ~~Article 5, "Appeals" of~~ the City of Ontario Development Code.

6.12 PROJECT FINANCING

The financing of construction, operation and maintenance of public improvements and facilities [the "facilities"], and public services will include funding through a combination of financing mechanisms. Final determination as to the facilities to be constructed and as to maintenance responsibilities – whether publicly or privately maintained, will be made prior to recordation of the final maps. In order for the project to be fiscally self-sufficient, the following financing options can be considered for implementation:

Facilities and Services

- Private capital investment for the construction of facilities.
- 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 a variety of public facilities and the provision of public services.

Operation and Maintenance

- By individual private property owner.
- By private, Property Owners or Home Owners Association.
- By Community Facilities District (CFD) established pursuant to the Mello-Roos Community Facilities District Act of 1982, or other special district.

City Council approval is a prerequisite for the implementation of any and all special district financing mechanisms. The use of the Mello-Ross Community Facilities District Act of 1982 [the "Act"] to finance public facilities and services will be at the City's sole discretion. Moreover, the use of the Act must be consistent with the City's adopted goals and policies concerning the use of the act.

6.13 MAINTENANCE RESPONSIBILITIES

The public and private improvements constructed within Edenglen will be maintained through a combination of public and private entities as described below and in ***Table 4, "Maintenance Responsibilities"***.

6.13.1 Public Maintenance

1. All streets within the residential development areas will be dedicated as public streets to the City of Ontario and will be maintained by the City.

2. All alleys within the residential development areas will be private and maintained by a Homeowners Association (HOA).

3. All drives and on-site circulation within the ~~commercial and business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial development areas will be private and maintained by the property owner of each respective development area.

4. The community trail within the SCE-owned property will be maintained by the City.

5. Landscape improvements within the public right-of-way of arterial, primary and secondary entry streets, community and neighborhood entries and public street lights within Edenglen shall be maintained through a landscape and lighting district or other special maintenance district established by the City for the New Model Colony. Parkway improvements within the right-of-way of residential areas along interior streets and alleys, parks and other common open space areas shall be maintained by a Homeowners Association. Parkway improvements along interior streets and driveways within the ~~commercial center and business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial center shall be maintained by the property owners of each respective center.

6. All public on-site water, sewer, and storm drains within the public streets or public utility easements dedicated to the City shall be constructed by the developer and, upon acceptance, shall be maintained by the City. All Private on-site water, sewer, and storm drains shall be maintained by the Private Property Owners or for facilities serving more than one property, a Property Owner's Association or Covenants, Conditions & Restrictions (CC&Rs).

7. Off-site infrastructure improvements such as water, sewer and storm drain facilities will be maintained by the City. The City intends to participate in a Regional Water Quality Basin. In the event permanent onsite basins are developed within Edenglen as an alternative to City Basins, storm water pollution treatment detention basins or other water treatment facilities will be maintained by the HOA.

8. Operation and Maintenance (O&M) requirements for all NPDES stormwater runoff source control and treatment control Best Management Practices (BMPs) shall be identified in the approved Water Quality Management Plan for the project. An O&M Plan shall be created to ensure ongoing long-term maintenance of all structural and non-structure BMP's.

6.13.2 Homeowner Association

A Master Homeowner association will be established for the maintenance of common area landscape improvements within the residential portion of Edenglen. Private improvements to be maintained by the homeowner association include:

- Designated private alleys and adjacent landscaping.
- Courts, parkways and landscaping within the residential areas.
- Walkways and common areas distinct to individual residential types and neighborhoods.
- Recreational facilities including the country market.
- Internal slopes fronting streets and slope areas in the rear of homes.
- All internal open spaces, parks, and common areas.

6.13.3 Property Owners Association or Covenants, Conditions & Restrictions (CC&Rs)

A either a Property Owners Association or a Covenants, Conditions & Restrictions (CC&Rs) will be established for the maintenance of common area and common use facilities and private onsite utility improvements within the non-residential portion of Edenglen. Private improvements to be maintained by the homeowner association include:

- All designated Private on-site water, sewer, and storm drains improvements.

Table 4 – Maintenance Responsibilities

	City/and or Special District	Private Homeowners Association (HOA) Or Sub-Association	Private (Homeowner, Neighborhood Commercial / Business Park / ~~General~~ Light Industrial Property Owners	Utility Entity	Property Owners Association (POA)or Covenants, Conditions & Restrictions (CC&Rs)
Master Plan Roadways (*curb- to-curb -Riverside Drive, Milliken Avenue, Mill Creek Avenue, Chino Avenue*)	×				
Interior Project Streets (*curb- to-curb Primary Entry Street, Secondary Entry Street, Neighborhood Streets*)	×				
Parkways of Master Plan Roadways (*curb to perimeter walls including landscape, sidewalk, street lights*)	×				
Parkways of Interior Project Streets (*landscaping, sidewalks, street lights*)	×				
Traffic Signals	×				
Traffic Control Signs	×				
Alleys		×			
Driveways and Parking Areas Serving Business Park General Industrial			×		
Community Trail	×				
Public off-site and on site water, sewer, and storm drain improvements (*excluding laterals*) [1]	×				
Central Park [2]		×			
Pocket Parks		×			
Linear Parks		×			
Front Yard Landscaping Areas P-1			×		
Landscaped Common Areas P-2 through P-5		×			
Private Exclusive Use Landscaped Areas P-2 through P-5			×		
Community Theme Wall (*graffiti removal only on the street side face*)	×				
Community Theme Wall and Entry Monuments (*structural integrity and face repairs*)		×			
Alley Landscaping		×			
Electricity				×	
Natural Gas				×	
Communication Systems	×			×	
NPDS Facilities (Onsite) / W.Q.M.P. [1]	×				
NPDS Facilities on Private Property/Interim Detention Basin		×			
Private on-site water, sewer, and storm drains improvements					×

[1] Only those Facilities in Public Roads and/or Easements.
[2] Including Community Center and Country Market.

6.14 RESIDENTIAL DEVELOPMENT STANDARDS

6.14.1 Residential Detached (P-1, P-2 and P-3)

a. General

This category includes the development of single-family detached dwelling units. The purpose of the residential standards for single-family detached housing is to establish the minimum criteria for the development of these product types on individual lots within the neighborhoods specified within Edenglen.

b. Permitted Uses

1. Single family detached dwellings and their accessory uses.
2. Public or private parks; club house buildings with the potential for a small market, not to exceed 200 square feet in area, providing commercial services limited to residents, including but not limited to, newsstands, coffee concessions, and sales of grocery items; greenbelts; or open space.
3. Accessory uses to include the following:
    a. Garages.
    b. Granny Flats (i.e. Second Dwelling Units, in accordance the City's Development Code).
    c. Home occupations.
    d. Swimming pools, spas, sports courts, and other similar outdoor recreational amenities.
    e. Patios and patio covers.
    f. Storage, garden structures, cabanas, and greenhouses.
    g. Monument signage.
    h. Temporary uses such as model home and subdivision sales trailers; temporary construction parking, offices, and facilities; real estate signs, signage indicating future development and directional signage in accordance with the City's Development Code.
    i. Second story additions to existing single story dwelling units.
    j. Childcare/day care facilities (serving up to 7 children), in accordance with the City's Development Code.

c. Conditionally Permitted Uses

1. Places of worship including but not limited to churches and synagogues.
2. Childcare facilities/Day care facilities (serving 8 to 14 children).

d. Temporary uses shall be permitted pursuant to ~~Article 13~~ of the City of Ontario Development Code.

e. Free Standing Satellite Dishes/Antennas

1. Free standing satellite dishes and/or antennas are permitted pursuant to ~~Article 32, Section 9.1.3289 of~~ the City of Ontario Development Code.

Table 5 – P-1: Site Development Standards
Single Family Detached

Total maximum number of Dwelling Units	92
Maximum Density (Net)	**4.9 DU/AC**

Lot Criteria

▪ Min. Lot Width at Front PL for Standard Lot	55'
▪ Min. Lot Width on Corner	60'
▪ Min. Lot Depth on Standard Lot	95'
▪ Min. Lot Depth on Corner Lot	95'
▪ Min. Lot Size	5,225 S.F.

Minimum Setbacks [1]

▪ All front and corner side setbacks are measured from the property line at back of sidewalk. All other setbacks are measured from property line unless otherwise noted.

Front Setbacks

▪ Living Area	15'
▪ Porch with Single Story Plate Line [2]	8'
▪ Front Entry Garage [3]	20'
▪ Turn In Garage with Single Story Plate Line	10'

Side Setbacks [4]

▪ From Interior PL [1]	5'
▪ From Residential Street - First Story [5, 7]	10'
▪ Side for Garages (Min. 10' Between Garages)	3'
▪ Accessory Structures (Per City Code 5.1.5)	

Rear Setbacks

▪ Main Structure	15'
▪ Garage (Single Story Plate Line)	5'
▪ Patio Cover	5'
▪ Second Story Deck	10'
▪ Accessory Structure	3'

Lot Coverage

▪ Maximum Coverage	50%

Maximum Building Height

▪ Main Structure	35'
▪ Accessory Structures	14'

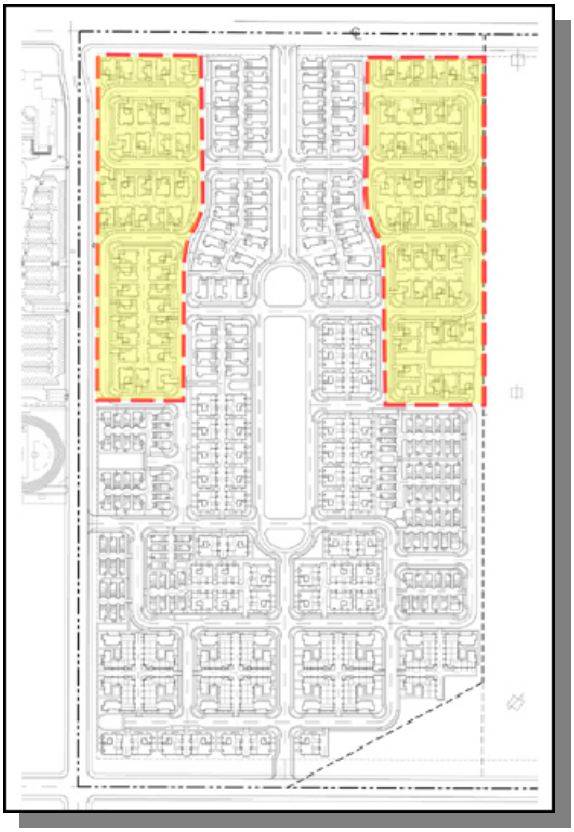
Walls, Fences and Hedges

▪ Maximum Height in Traffic Safety-Site Area and/or front or corner side yard areas	3'
▪ Maximum Height at all other Locations on Lot	6'
▪ Maximum Height of Retaining Walls	3'
▪ Maximum Height Solid Rear Yard Property Walls adjacent to Pocket Parks	3'

Parking

▪ Minimum Number of Parking Spaces Required	2 Garage Spaces
▪ Recreational Vehicle (RV) storage is prohibited in front or corner side yards. RV Street parking, over 72 hours, is prohibited.	

P-1



Footnotes

Please Refer to Page 6-14 for a complete list of all related footnotes.

Table 6 – P-2: Site Development Standards
Single Family Detached – Alley-Loaded

Total maximum number of Dwelling Units	69
Maximum Density (Net)	6.1 DU/AC

Lot Criteria

▪ Min. Lot Width at Front PL for Standard Lot	50'
▪ Min. Lot Width on Corner	60'
▪ Min. Lot Depth on Standard Lot	85'
▪ Min. Lot Depth on Corner Lot	85'
▪ Min. Lot Size	4,250 S.F.

Minimum Setbacks [1]

- All front and corner side setbacks are measured from the property line at back of sidewalk. All other setbacks are measured from property line unless otherwise noted.

Front Setbacks

▪ Living Area	12'
▪ Porch with Single Story Plate Line [2]	8'
▪ Front Entry Garage [3]	NA
▪ Turn In Garage with Single Story Plate Line	NA

Side Setbacks [4]

▪ From Interior PL [1]	5'
▪ From Residential Street [5]	10'
▪ Side for Garages	**5'**
▪ Accessory Structures (Per City Code 5.1.5)	

Rear Setbacks [8]

▪ Main Structure (from Alley R/W)	5'
▪ Garage (Single Story Plate Line) (from Alley R/W)	5'
▪ Patio Cover	5'
▪ Accessory Structures	3'

Lot Coverage

▪ Maximum Coverage	50%

Maximum Building Height

▪ Main Structure	35'
▪ Accessory Structure	14'

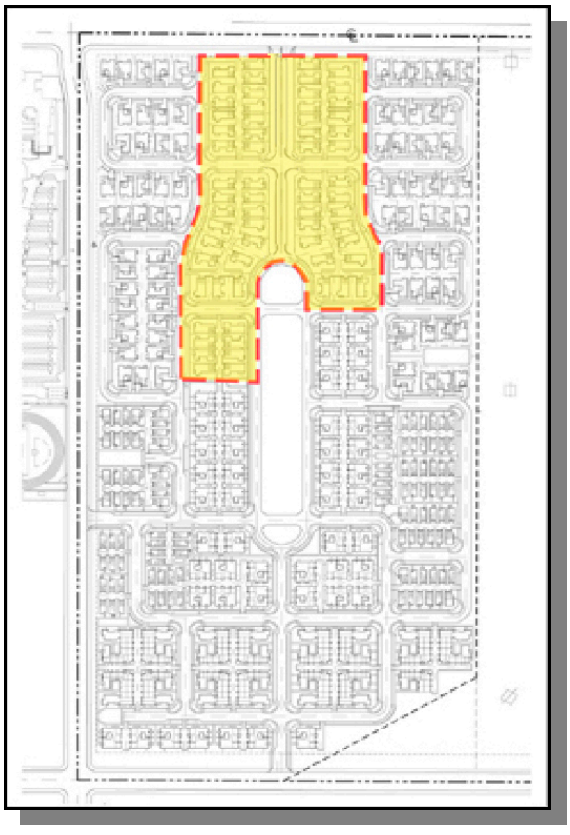
Walls, Fences and Hedges

▪ Maximum Height in Traffic Safety-Site Areas and/or front or corner side yard areas	3'
▪ Maximum Height at all other Locations on Lot	6'
▪ Maximum Height of Retaining Walls	3'

Parking

▪ Minimum No. of Parking Spaces Required	2 Garage Spaces
▪ Recreational Vehicle (RV) storage is prohibited in front or corner side yards. RV Street parking, over 72 hours, is prohibited.	

P-2



Footnotes

Please Refer to Page 6-14 for a complete list of all related footnotes.

Table 7 – P-3: Site Development Standards
Single Family Detached Cottages – Alley-Loaded

Total maximum number of Dwelling Units	116
Maximum Density (Net)	**11.3 DU/AC**

Lot Criteria

▪ Min. Lot Width at Front PL for Standard Lot	31'
▪ Min. Lot Width on Corner	46'
▪ Min. Lot Depth on Standard Lot	63'
▪ Min. Lot Depth on Corner Lot	63'
▪ Min. Lot Size	1,953 S.F.

Minimum Setbacks [1]

- All front and corner side setbacks are measured from the property line at back of sidewalk. All other setbacks are measured from property line unless otherwise noted.

Front Setbacks

▪ Living Area	12'
▪ Porch with Single Story Plate Line [2]	8'
▪ Front Entry Garage [3]	NA
▪ Turn In Garage with Single Story Plate Line	NA

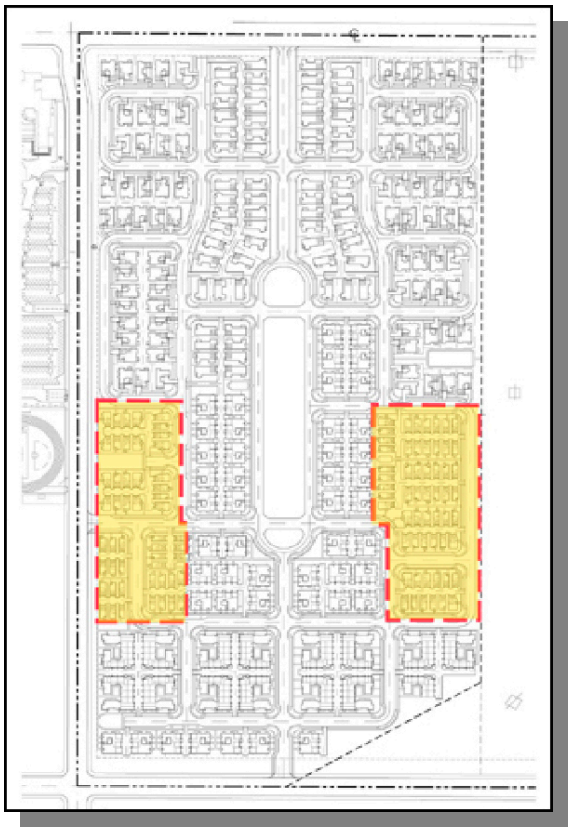
Side Setbacks [4]

▪ From Interior PL [1,6]	5'
▪ From Residential Street[5]	10'
▪ Side for Garages	5'

Rear Setbacks [8]

▪ Main Structure (from Alley R/W)	5'
▪ Garage (Single Story Plate Line) (from Alley R/W)	5'
▪ Patio Cover	5'

P-3



Lot Coverage

▪ Maximum Coverage	60%

Minimum Building Separation

▪ Between Main Structures Rear to Rear	30'
▪ Between Main Structures Front to Front	25'
▪ Between Main Structures Side to Side [1]	10'
▪ Between Main Structures Front to Side	20'

Maximum Building Height

▪ Main Structure	35'

Walls, Fences and Hedges

▪ Maximum Height in Traffic Safety-Site Areas and/or front or corner side yard areas.	3'
▪ Maximum Height at all other Locations on Lot	6'
▪ Maximum Height of Retaining Walls	3'

Parking

▪ Minimum Number of Parking Spaces Required	2 Garage Spaces

- Recreational Vehicle (RV) storage is prohibited in front or corner side yards. RV Street parking, over 72 hours, is prohibited.

Footnotes

1. Architectural projections may project a maximum of 3 feet into required front, rear or side setback areas; however, in no case shall such projection be closer than three feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door pop-out surrounds, media niches, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies and entry gates, and other similar elements.

2. The minimum depth of a porch shall be seven feet with a minimum area of 70 square feet.

3. When front entry garages are plotted adjacent to one another on adjoining lots, the front plane of one garage must be offset a minimum of three feet from the garage on the adjacent lot.

4. Side yard slopes may not encroach more than 50% into side yard setback areas.

5. Porch elements with single story plate lines may project into required corner side yard setback along residential streets; in no case shall such projection be closer than 8' from the back of sidewalk.

6. P-3 with shared-use easement sideyards.

7. Second story on corner lots to be setback an average of 15 feet.

8. Articulation is required on rear elevations of alley-loaded product. Articulation shall be approved by the Planning Department.

6.14.2 Residential Attached (P-4 and P-5)

a. General

This category includes the development of attached type dwelling units such as row court homes, and garden court units.

b. Permitted Uses

1. Single family attached town home, paired homes, condominiums, apartments, duplex, triplex court homes, garden court homes and their accessory uses.

2. Public or private parks and clubhouse buildings with potential for a small market are not to exceed 200 square feet in area, providing commercial services limited to residents, including but not limited to newsstands, coffee concessions, and sales of grocery items; greenbelts; or open space.

3. Accessory uses to include the following:

- Garages.
- Home occupations in accordance with the City's Development Code.
- Swimming pools, spas, tennis courts, sports courts, and other similar outdoor recreational amenities.
- Patios and patio covers.
- Mailboxes.
- Community center buildings.
- Maintenance storage buildings.
- Monument signage.
- Temporary uses such as model units, sales offices, and subdivision sales trailers, temporary construction offices and facilities, real estate signs, signage indicating future development and directional signage in accordance with the City's Development Code.
- Childcare facilities/day care facilities serving up to 7 children.

c. Conditionally Permitted Uses

- Places of worship including but not limited to churches and synagogues.
- Childcare facilities/Day care facilities serving 8 to 14 children.

d. Temporary Uses

- Temporary uses shall be permitted pursuant to ~~Article 13~~ of the City of Ontario Development Code.

e. Free Standing Satellite Dishes/Antennas

- Satellite dishes and/or antennas shall be permitted pursuant to ~~Article 32, Section 9.1.3289 of~~ the City's Development Code.

Table 8 – P-4: Site Development Standards
Triplex

Total maximum number of Dwelling Units	151
Maximum Density (Net)	**12.1 DU/AC**

Lot Criteria
- Minimum Building Lot Area (Lot Size) — 7,056 S.F.

Minimum Setbacks [1]
- All front and corner setbacks are measured from the property line at back of sidewalk. All other setbacks are measured from property line unless otherwise noted.

Front Setbacks
- Living Area — 12'
- Porch with Single Story Plate Line [2] — 8'

Side Setbacks
- From Residential Street — 13'
- Corner Lots (from Livable) [4] — 13'

Rear Setbacks [5]
- From Alley R/W — 3'

Minimum Building Separation
- Side / Side — 12'
- Front / Side — 30'
- Rear / Rear — 30'

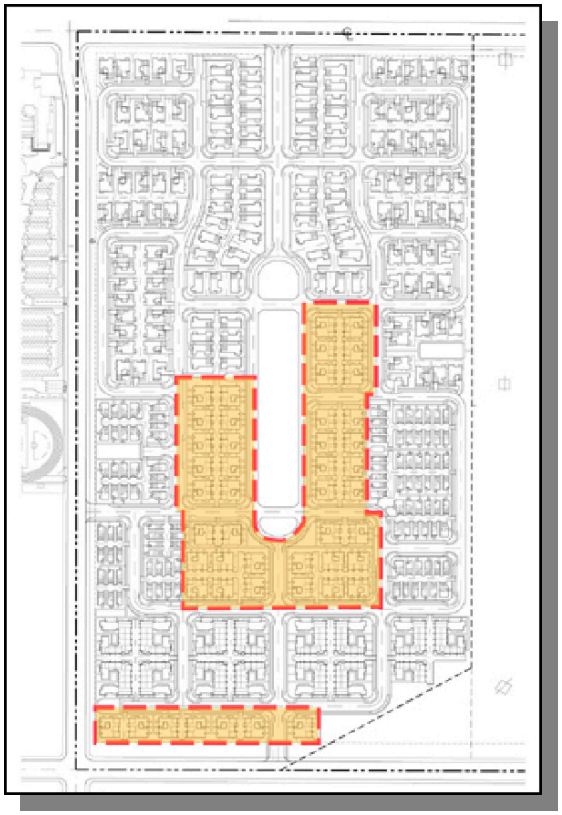
Lot Coverage
- Maximum Coverage — 65%
- Maximum Dwelling Units Per Building — 6

Maximum Building Height
- Main Structure — 35'

Walls, Fences and Hedges
- Maximum Height in Traffic Safety-Site Areas and/or front or corner side yard areas — 3'
- Maximum Height at all other Locations — 6'
- Maximum Height of Retaining Walls [3] — 3'

Parking
- Minimum Resident Parking Required — 2 Spaces within a Garage
- Minimum Guest Parking Required — 1 Space for each 4 units under 50 on the building lot. 1 Space for every 5 units between 51-100 units on the building lot. Public on-street parking may be counted toward guest requirement
- Recreational Vehicle (RV) storage is prohibited in front or corner side yards. RV Street parking, over 72 hours, is prohibited.

P-4



Footnotes

Please Refer to Page 6-18 for a complete list of all related footnotes.

Table 9 – P-5: Site Development Standards
Garden Court

Total maximum number of Dwelling Units	156
Maximum Density (Net)	**16.7 DU/AC**

Lot Criteria
- Minimum Building Lot Area (Lot Size) — 15,561 S.F.

Minimum Setbacks [1]
- All front and corner setbacks are measured from the property line at back of sidewalk. All other setbacks are measured from property line unless otherwise noted.

Front Setbacks
- Living Area — 10'
- Porch with Single Story Plate Line [2] — 8'

Side Setbacks
- From Residential Street — 10'
- From Any Exterior Property Line — 10'

Rear Setbacks [5]
- From Alley R/W — 5'

Minimum Building Separation
- Side / Side — 20'
- Front / Side — 25'
- Rear / Rear — 30'

Lot Coverage
- Maximum Coverage — 60%
- Maximum Dwelling Units Per Building — 10

Maximum Building Height
- Main Structure — 35'

Walls, Fences and Hedges
- Maximum Height in Traffic Safety-Site Areas and/or front or corner side yard areas — 3'
- Maximum Height at all other Locations — 6'
- Maximum Height at Retaining Walls [3] — 3'

Parking
- Minimum Resident Parking Required — 1.75 Spaces per one-bedroom, unit including 1 in a garage, 2 spaces per two-bedroom unit including 1 in a garage and 2.5 spaces per three or more bedroom unit including 2 in a garage.
- Minimum Guest Parking Required — 1 Space for each 4 units under 50 on the building lot. 1 Space for every 5 units between 51-100 units on the building lot. Public on-street parking may be counted toward guest requirement
- Recreational Vehicle (RV) storage is prohibited in front or corner side yards. RV Street parking, over 72 hours, is prohibited.

P-5



Footnotes

Please Refer to Page 6-18 for a complete list of all related footnotes.

Footnotes

1. Architectural projections may project a maximum of 3 feet into required front, rear or side setback areas; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door pop-out surrounds, media niches, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies and entry gates, and other similar elements.

2. The minimum depth of a porch shall be 7 feet.

3. Stepped walls allowed.

4. Patios can encroach 10 feet.

5. Articulation is required on rear elevations of alley-loaded product. Articulation shall be approved by the Planning Department.

6.15 ~~COMMUNITY COMMERCIAL/COMMERCIAL-BUSINESS PARK FLEX ZONE~~ NEIGHBORHOOD COMMERCIAL, BUSINESS PARK AND LIGHT INDUSTRIAL LAND USE DEVELOPMENT STANDARDS

a. General

This section sets forth the development regulations for development of Neighborhood Commercial, Business Park and Light Industrial land uses within Edenglen.

b. Permitted Uses

Refer to Table 12.

c. Conditionally Permitted Uses

Refer to Table 12.

d. Determination of Use

Uses not specifically listed may be deemed permitted subject to a "Determination of Use" as provided for in ~~Section 9-1.1310 of~~ the City of Ontario Development Code.

e. Design Guidelines

~~Prior to the approval of the first site development permit and/or parcel map within the Neighborhood Commercial, Business Park, General Industrial and Light Industrial land use area, a detailed set of design guidelines for the area shall be submitted by the developer and approved by the City.~~

Design Guidelines for the Neighborhood Commercial, Business Park and Light Industrial are outlined in Section 8 of this Specific Plan. Subsequent development of uses within these areas shall require City approval of one or more site development permits. Consistency with the Design Guidelines will be considered by City Staff when reviewing site development permits including criteria for site planning and architectural and landscape treatment.

6.16 BUSINESS PARK/LIGHT INDUSTRIAL LAND USE DEVELOPMENT STANDARDS

a. General

This section sets forth the development regulations for development of business park/light industrial land uses within Edenglen.

b. Permitted Uses

Refer to Table 12.

c. Conditionally Permitted Uses

Refer to Table 12.

d. Determination of Use

Uses not specifically listed may be deemed permitted subject to a "Determination of Use" as provided for in Section 9-1.1310 of the City of Ontario Development Code.

e. Design Guidelines

Prior to the approval of the first site development permit and/or parcel map within the Neighborhood Commercial, Business Park, General Industrial and Light Industrial land use area, a detailed set of design guidelines for the area shall be submitted by the developer and approved by the City.

Table 11 – Neighborhood Commercial, Business Park & Light Industrial

Site Development Standards

	Neighborhood Commercial	Business Park	Light Industrial
MINIMUM LOT AREA	10,000 SF	1.0 AC	10,000 SF
MAXIMUM DEVELOPMENT FLOOR AREA RATIO [5,6]	0.40	0.60	0.55
MINIMUM BUILDING SETBACKS [1,2]			
From Riverside Drive Right-Of-Way	23 ft	23 ft	N/A
From ~~Milliken~~ Hamner Avenue Right-Of-Way	35 ft	N/A	35 ft
From Chino Avenue Right-Of-Way	55 ft	55 ft	55 ft
From Interior Property Lines	5 ft	0 ft	0 ft
From SCE Property Line	15 ft	15 ft	15 ft
PARKING & DRIVE AISLE SETBACKS			
From Riverside Drive Right-Of-Way	23 ft	23 ft	N/A
From ~~Milliken~~ Hamner Avenue Right-Of-Way	35 ft	N/A	35 ft
From Chino Avenue Right-Of-Way	N/A	N/A	12 ft
From Private Streets and Drive Aisles to Buildings	5 ft	10 ft	10 ft
From Interior Property Line	5 ft	5 ft	5 ft
From Rear Property Line	5 ft	5 ft	5 ft
MINIMUM LANDSCAPE COVERAGE	15%	10%	10%
MAXIMUM BUILDING HEIGHT			
Main Structure	45 ft	45 ft	55 ft
Architectural Projections and Focal Elements Such as Towers, Cupolas, and Other Appurtenances [3]	25% of building height	25% of building height	25% of building height
Porte-Cochères [4]	1 story	1 story	1 story
WALLS, FENCES, AND HEDGES	City of Ontario Development Code	City of Ontario Development Code	City of Ontario Development Code
OTHER DEVELOPMENT REGULATIONS	City of Ontario Development Code	City of Ontario Development Code	City of Ontario Development Code
PARKING	City of Ontario Development Code	City of Ontario Development Code	City of Ontario Development Code

Table 11 – Neighborhood Commercial, Business Park & Light Industrial

Site Development Standards *(continued)*

SCREENING	All loading areas shall be screened from adjacent public streets, residential and open space uses through the use of landscaping, earthen berms, and/or decorative walls or fencing. All storage, including cartons, containers, materials or trash shall be shielded from view within a building or area enclosed by a solid wall not less than six feet in height.
	All roof-mounted equipment, including but not limited to, mechanical equipment, satellite dishes, tanks, ducts, and towers, and all equipment appurtenant thereto, shall be screened on all sides from public view from the street, adjoining properties, and neighboring residential units, by a parapet wall, decorative enclosure, or other architectural element. Equipment screening shall appear as an integral part of the building architecture.
LIGHTING	All interior and exterior lighting shall be directed away from residential and open spaces uses.

FOOTNOTES

1. All setback areas shall be landscaped. See cross-section for ~~Milliken~~ Hamner Avenue.
2. All setbacks are measured to habitable area not architectural appurtenance or projection. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door pop-out surrounds, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies, pedestrian colonnades and other similar elements. Such elements may project a maximum of 3 feet into setback areas.
3. Architectural element only - not to be used for signage, subject to Planning Director approval. Towers and vertical projections are limited in size to 10% of the total building square footage.
4. Porte-Cochères shall be open on three sides.
5. Measured over entire site, prior to parcelization.
6. Rack mezzanines and rack pick mezzanines are not to be included in FAR calculations.
7. The maximum building height and FAR may be restricted pursuant to the Ontario International Airport Land Use Compatibility Plan (ALUCP). Refer to the ALUCP for properties affected by airport safety zones for maximum building/structure heights.

Table 12 – Edenglen Land Use Table *(continued)*

Land Use Area

Use --- = Not Permitted, C= Conditional, P= Permitted, A= Administrative	NEIGHBORHOOD COMMERCIAL	BUSINESS PARK	LIGHT INDUSTRIAL
AGRICULTURE AND FARMING			
Community Gardens [See Ontario Development Code Section 5.03.410 (Urban Agriculture)]	A	---	---
Urban Farms [See Ontario Development Code Section 5.03.410 (Urban Agriculture)]	A	---	---
EDUCATIONAL			
Vocational / Trade Schools	---	C	---
MEDICAL			
Animal Hospital / Veterinarian	P	P	---
Ambulance Service (Office Only – No Storage of Vehicles)	---	P	---
~~Assisted Living/Congregate Care~~			---
~~Substance Abuse Clinics/Facilities~~			---
~~Convalescent Care Facility (w/ Continuous Skilled Nursing Care)~~			
~~Medical Office~~ Offices of Physicians and Dentists, Other Health Practitioners, Outpatient Centers, Laboratory Testing Services, Home Healthcare Services, and Community Clinics [excludes massage establishments – see NAICS 812199] ~~[See Ontario Development Code Section 5.02.270 (Massage Establishments and Services) for massage therapists or massage practitioners]~~ ~~[See Ontario Development Code Section 6.01.035.B.2.c (Development Standards and Guidelines) for medical offices and clinics that front Euclid Avenue]~~	---	P	
All Other Miscellaneous Ambulatory Health Care Services [limited to blood pressure screening, health screening, hearing testing, industrial clinics, pacemaker monitoring, physical fitness evaluation, and smoking cessation program services] [See Ontario Development Code Section 5.03.030 (Ambulatory Health Care Services – All Other Miscellaneous)]		P	
MEDICAL OFFICE/FAMILY CLINIC			
Pharmacies and Drug Stores w/o Drive-thru Facilities	P	P	
Pharmacies and Drug Stores with Drive-thru Facilities	C		
Industrial Clinic		P	C

Table 12 – Edenglen Land Use Table *(continued)*

Land Use Area

Use --- = Not Permitted, C= Conditional, P= Permitted, A= Administrative	NEIGHBORHOOD COMMERCIAL	BUSINESS PARK	LIGHT INDUSTRIAL
PUBLIC FACILITIES			
Government Offices	P		
Libraries and Archives	P		
Police / Fire Station / Fire Protection	P	P	P
Police Storefront / Substation / Police Protection [limited to stations, substations and storefront facilities]	P	P	P
RELIGIOUS			
~~Church~~ Religious Assembly	C	C	
NON-PROFIT / SERVICE ORGANIZATIONS 501 (C) (3) ~~(PER DEVELOPMENT CODE SECTION 9-101305 N)~~			
Campaign Offices	P	P	
Charitable, Philanthropic, Service and Other Non-Profit Organization Offices	P	P	
Charitable Distribution Services (i.e. Food Banks, etc.)		C	C
Personal Property Donation Bins [See Ontario Development Code Section 5.03.320 (Personal Property Donation Bins)]	C		
TRANSPORTATION			
Limousine			C
ALCOHOL			
Alcoholic Beverage Sales for Off-Premise Consumption	C	C	C
Alcoholic Beverage Sales for On-Premises Consumption as an Ancillary Business Activity [Such as ancillary to restaurants] [See Ontario Development Code Section 5.03.025 (Alcoholic Beverage Sales)]	C	C	
Liquor Store	C	C	
AUTOMOBILE RELATED SERVICES			
Automotive Oil Change and Lubrication Shops		C	
Automotive Parts and Accessories Stores [excludes automotive repair – Retail Sales Only]	P	P	
~~Automotive Services (i.e. Tune-Up, Emission Tests, Batteries, etc.~~	~~P~~	~~P~~	~~P~~

Table 12 – Edenglen Land Use Table *(continued)*
Land Use Area

Use --- = Not Permitted, C= Conditional, P= Permitted, A= Administrative	NEIGHBORHOOD COMMERCIAL	BUSINESS PARK	LIGHT INDUSTRIAL
~~No use of impact wrenches or other equipment that could create noise impacts.)~~			
Minor Repair (i.e. Brakes, tires, radiators, electrical, etc.)		P	P
Gas Stations (per Section 9-1.1305 G) including ancillary - convenience store, and automotive service and repair.	C		
AUTOMOBILE RELATED SERVICES *(continued)*			
~~Self-Service and Full Service Fueling Stations~~ ~~Gasoline Fueling with Convenience Stores~~ ~~[See Ontario Development Code Section 5.03.225 (Gasoline and Fueling Stations)]~~	~~C~~		
Tire Stores		P	
Towing Service (With Tow Truck Parking – No Auto Storage)			P
Major Repair (i.e. Engine and Transmission Repair/Rebuild, Customization, etc.)			C
Body, Paint, and Upholstery Shops (Vehicle Customization)			C
~~Car Wash – Full~~	~~C~~		~~C~~
~~Car Wash Self Service (Ancillary)~~	~~C~~		~~C~~
~~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]~~ ~~[See Ontario Development Code Section 5.03.065 (Automotive Repair and Maintenance – Service Facilities)]~~	~~C~~	P	P
~~All Other Automotive Repair and Maintenance~~ ~~• Emissions Testing (test only facilities)~~ ~~• Plug-In Electric Vehicle (PEV) Charging Facilities [ancillary to and allowed land use]~~	~~C~~	P	
MOTOR VEHICLE STORAGE			
Indoor			P
Outdoor – Operable Vehicles (w/ Screening)			C
COMMUNICATIONS			
Refer to Development Code Section 9-1.3289	~~P~~ C		
TELECOMMUNICATIONS FACILITIES			
Wired Telecommunications Facilities	C		C

Table 12 – Edenglen Land Use Table *(continued)*
Land Use Area

Use --- = Not Permitted, C= Conditional, P= Permitted, A= Administrative	NEIGHBORHOOD COMMERCIAL	BUSINESS PARK	LIGHT INDUSTRIAL
Wireless Telecommunications Facilities [See Ontario Development Code Section 5.03.420 (Wireless Telecommunications Facilities)]	C		C
POSTAL SERVICES			
Limited to US Postal Service and contract services. [See "Private Mail Centers and Postal Services and Supplies" (NAICS 561431) for commercial mail services]	P		
DAY CARE FACILITIES			
~~Commercial Daycare~~ Child Day Care Services Limited to the following: • Child Day Care Centers [Commercial Facilities] [See Ontario Development Code Section 5.03.100 (Child Day Care Services)]	C		
EATING DRINKING PLACES AND FOOD SERVICES			
~~Catering establishments~~	~~C~~	~~P C~~	
~~Restaurants (Sit Down / Full Service)~~ Full-Service Restaurants [includes ancillary banquet facilities – see NAICS 531120 for standalone banquet facilities] [See Ontario Development Code Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities]	P	P	
Cafeterias and Buffets [See Ontario Development Code Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities]	P	P	
Banquet Facilities/Catering Services in conjunction and ancillary to a restaurant	P	P	
~~Banquet Facilities [standalone facilities only]~~	~~C~~		
Bar/Cocktail Lounge	C	C	
Snack and Nonalcoholic Beverage Bars [See Ontario Development Code Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities]	P	P	
~~Fast Food~~ Limited-Service and Fast Food Restaurants	P	P	

Table 12 – Edenglen Land Use Table *(continued)*
Land Use Area

Use --- = Not Permitted, C= Conditional, P= Permitted, A= Administrative	NEIGHBORHOOD COMMERCIAL	BUSINESS PARK	LIGHT INDUSTRIAL
[See Ontario Development Code Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities]			
Fast Food with Drive-through ~~(per Development Code, Section 9-10305D)~~	C	C	
ENTERTAINMENT AND RECREATION			
~~Auditoriums and Other Public Assembly Facilities~~			
Batting Cages – Indoor		P	
~~Batting Cages – Outdoor~~		~~P~~	
~~Billiard Parlor / Pool Hall~~			
~~Bowling Alley~~			
ENTERTAINMENT AND RECREATION *(continued)*			
Dance / Studio (Instructional)	P	P	
Live Entertainment – less than 10,000 square feet	C	C	
Museums	C		
Simulated Shooting Games (Indoor)	C	C	
Skating Rink	C	C	
Theater	C		
Video/Electronic Game Arcades ~~(per Development Code Section 9-101305V)~~	C		
~~Health Club / Gymnasium – less than 10,000 square feet~~ Fitness and Recreational Sports Centers – less than 10,000 square feet [limited to health clubs and gyms, fitness and sports training facilities, tennis clubs, swim clubs and other similar activities and facilities]	P	P	
Health Club Gymnasium – over 10,000 square feet	C	C	
OFFICES			
Administrative, Professional, and Other Offices	P	P	
RETAIL			
Antique Stores	P	P	
Art Dealers, Art Galleries and Art Supply Stores	P	P	
Art Supplies, Candles, Closet Organizers, Collectibles, Flowers, Home Security Equipment, Hot Tubs, Janitorial Supplies, Police Supplies, Religious Goods, Swimming Pool Supplies and Trophy Shops	P		
Beauty Supplies, Cosmetics, and Perfume Stores	P	P	
Book Stores	P	P	
~~Building Materials and Garden Supply~~ ~~• With Outdoor Storage~~ ~~• With Garden Supply/Nursery~~ ~~Hardware Store~~			
Camera and Photographic Supply Stores	P	P	
~~Cigar and other Tobacco Products Store~~			
Clothing and Clothing Accessory Stores	P	P	

Table 12 – Edenglen Land Use Table *(continued)*

Land Use Area

Use --- = Not Permitted, C= Conditional, P= Permitted, A= Administrative	NEIGHBORHOOD COMMERCIAL	BUSINESS PARK	LIGHT INDUSTRIAL
Computer and Home Electronic Stores	P	P	
Florists	P	P	
Electronics and Appliance Stores [See Ontario Development Code Section 5.03.175 (Electronic and Appliance Stores)]	P	P	
Furniture and Home Furnishings Stores [See Ontario Development Code Section 5.03.210 (Furniture and Home Furnishing Stores)]	P	P	
General Merchandise Stores [limited to dollar stores, variety stores and catalog showrooms]	P	P	
RETAIL *(continued)*			
Department Stores	---	P	
~~Discount Variety Stores~~	~~P~~		
~~Warehouse Club Stores *~~			
~~Guns and Ammunition Stores~~			
Health and Personal Care Stores [limited to hearing aids, medical equipment and supplies, and prosthetics]	P	P	
Hobby, Toy and Game Stores	P	P	
~~Home Appliance Store~~			
Jewelry Stores	P	P	
Luggage and Leather Goods	P	P	
Music and Video Stores	P	P	
Office Supplies, Stationery & Gift Stores	P	P	
Optical Goods Stores	P		
~~Pawnshop / Pawnbroker~~	~~---~~		
Pet and Pet Supply Stores	P	P	
Shoe Stores	P	P	
Sporting Goods Stores	P	P	
Thrift and Second Hand Stores	P		
Sporting Goods, Hobby, Book, and Music Stores [includes sporting goods stores; hobby, toy and game stores; needlework and piece goods (fabric and upholstery materials) stores; book stores; and news dealers and newsstands]	P	P	
Used Merchandise Stores (except motor vehicles) Limited to the following: • Antique, Vintage and Collectibles Shops • Consignment Shops	P	P	
FOOD AND BEVERAGE STORES			

Table 12 – Edenglen Land Use Table *(continued)*
Land Use Area

Use ~~~ = Not Permitted, C= Conditional, P= Permitted, A= Administrative	NEIGHBORHOOD COMMERCIAL	BUSINESS PARK	LIGHT INDUSTRIAL
~~Bakery~~ Confectionary and Baked Goods, Dairy Products, Ice Cream, Meat, Seafood, Produce, Soft Drink, Tea and Coffee, Water Stores, and All Other Specialty Foods [See Ontario Development Code Section 5.03.125 (Convenience Markets and Specialty Food Stores)]	P	P	
Beer, Wine and Liquor Stores	C	C	
Delicatessen	P	P	
Convenience Stores ~~Market (per Development Code Section 9-1.1305)~~ [See Ontario Development Code Section 5.03.125 (Convenience Markets and Specialty Food Stores)]	P	P	
FOOD AND BEVERAGE STORES *(continued)*			
Supermarkets and Other Grocery Stores (primarily retailing a range of grocery items and meats), Commissaries and Food Stores	P	P	
Microbrewery with tasting rooms	C	C	
Specialty Food Stores	P	P	
SERVICES			
BUSINESS SERVICES			
Advertising Agency	P	P	
Data Processing Services		P	
Exterminating Service ~~(per Development Ordinance Section 9-1.1305 E)~~		P	P
Equipment Sales and Rentals		C	C
Photography Studio	P	P	
Photocopying and Duplicating Services	P	P	P
FINANCIAL SERVICES			
Banks, Credit Unions and other Depository Institutions	P	P	
Banks, Credit Unions and other Depository Institutions with Drive-thru (See Development Ordinance Section 9-101305 D)	~~C~~ P	~~C~~ P	
~~Check Cashing~~	~~C~~		
~~Check / Payday Advance~~	~~C~~		
Depository Credit Intermediation [limited to commercial banking, savings institutions and credit unions] [See Ontario Development Code Section 5.03.145 (Depository Credit Intermediation)] [See Ontario Development Code Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities] CUP	P C	P C	
Money Transmitting	P		

Table 12 – Edenglen Land Use Table *(continued)*

Land Use Area

Use --- = Not Permitted, C= Conditional, P= Permitted, A= Administrative	NEIGHBORHOOD COMMERCIAL	BUSINESS PARK	LIGHT INDUSTRIAL
Mortgage and Nonmortgage Loan Brokers	P		
Other Financial Services	P		
PERSONAL SERVICES			
Barber Shop and Beauty / Nail Salon	P	P	
Dry Cleaners	P	P	
~~Bed-and-Breakfast Inns~~ ~~[See Ontario Development Code Section 5.03.070 (Bed-and-Breakfast Inns)]~~	~~C~~		
Hair, Nail, and Skin Care Services	P		
Diet and Weight Reducing Centers	P		

SERVICES *(continued)*			
PERSONAL SERVICES *(continued)*			
Other Personal Care Services Limited to the following: • Chair Massage • Color Consulting Services • Day Spas • Hair Removal Services • Hair Replacement Services • Make-Up Salons [includes the application of permanent cosmetics] • Tanning Salons [See Ontario Development Code Section 5.03.270 (Massage Establishments and Services)] [See Ontario Development Code Section 5.03.390 (Tattoo, Body Piercing, Branding, and Permanent Cosmetics Application)]	P		
~~Funeral Parlor, Mortuary~~			
~~Laundry - Commercial~~		~~P~~	~~P~~
Coin-Operated Laundries and Drycleaners	P	P	P
Dry-Cleaning and Laundry Services [except Coin Operated] [See Ontario Development Code Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities]	P	P	P
~~Laundry Self-serve~~			
~~Pet Grooming - Commercial~~ Pet Grooming and Training Services	P	P	
Pet Boarding and Sitting (Doggy Daycare) Services and Shelters	C	C	
Photofinishing	P		
Party Planning Services	P		

Table 12 – Edenglen Land Use Table *(continued)*

Land Use Area

Use --- = Not Permitted, C= Conditional, P= Permitted, A= Administrative	NEIGHBORHOOD COMMERCIAL	BUSINESS PARK	LIGHT INDUSTRIAL
Personal Fitness Trainer [See Ontario Development Code Section 5.03.315 (Personal Fitness Trainer)]	P	P	
Real Estate [limited to offices of real estate lessors, agents and brokers, property managers and appraisers, and escrow and listing services]	P	P	
Tailor	P	P	
Travel Agency	P	P	
~~Wedding and Funerary Chapels [excludes religious assembly]~~	~~C~~		
REPAIR SERVICES			
Computer, Home Electronics, and Small Home Appliances (when ancillary to another use)	P	P	
Electrical Equipment		P	
Furniture Refinishing		P	P
Furniture Re-upholstery		P	P
Home Appliances – Large		P	P
Jewelry and Watches / Clocks	P	P	
Lawnmower and Garden Equipment		P	P
Locksmith / Key Shop	P	P	P
~~Shoe Repair~~ Footwear and Leather Goods Repair	P	P	
Other Personal and Household Goods Repair and Maintenance – Without Retail Sales [limited to garment alteration and repair, gun repair, jewelry repair, key duplicating, musical instrument repair and tailor shops]	P	P	
INDUSTRIAL			
~~CONSTRUCTION~~			
~~Contract Construction Service Office~~		~~P~~	
Research and Development Services / Laboratories		C	C
Light Assembly and Packaging		P	P
MANUFACTURING			
Apparel Manufacturing		C	C
Computer and Home Electronic Manufacturing		P	P
Electrical Equipment Manufacturing		P	P
Food Manufacturing / Bakery (Industrial) / Bottling Plant		C	C
Machine Shop		C	C
Furniture and Related Products Assembly		P	P
Instrument Manufacturing		P	P
Leather Product Manufacturing (Excluding tanning and finishing)		C	C

Table 12 – Edenglen Land Use Table *(continued)*
Land Use Area

Use --- = Not Permitted, C= Conditional, P= Permitted, A= Administrative	NEIGHBORHOOD COMMERCIAL	BUSINESS PARK	LIGHT INDUSTRIAL
Miscellaneous Manufacturing (jewelry, office supplies, sporting goods, toys, etc.) – Small Items		P	P
Printing and Related Activities		C	C
WAREHOUSING/STORAGE & TRANSPORTATION/ BULK POSTAL SERVICE			
Warehouse / Distribution Facility ~~of 60,000 square feet or less~~		P	P
Wholesale / Retail Industrial Retail Sales (Max 15% of building floor area or 8,000 sq. ft. whichever is less) when accessory to a main use.		P	P
Industrial Retail Sales over 15% of building floor area or over 8,000 sq. ft.		C	C
Wholesale Distribution Establishment with or without Outdoor Storage		P	P
WAREHOUSING/STORAGE & TRANSPORTATION/ BULK POSTAL SERVICE *(continued)*			
Temporary and Interim Land Uses ~~(per Development Code Article 11- Temporary Uses)~~ ~~Amusement (i.e. circuses, carnivals, etc.)~~ [See Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures)]	Refer to the Ontario Development Code	~~A~~	~~A~~

6.17 LANDSCAPE STANDARDS

6.17.1 General Provisions

a) All landscape plans, streetscape plans and graphic designs with regard to the identity of Edenglen, neighborhood identity or entry monuments shall conform to the design guidelines and regulations as set forth herein and shall be subject to review and approval by the City of Ontario.
b) The Landscape/Streetscape improvements for the Edenglen Specific Plan shall establish a landscape theme reminiscent of the regional landscape character of the surrounding area.
c) Landscaping within the P-1 residential areas will be installed and maintained by the individual homeowners.
d) Installation of landscaping and irrigation within the front yards of P-2 residential areas of Edenglen will be provided by the homebuilder and maintained by the homeowner.
e) Installation of landscaping and irrigation with the front yards of P-3 through P-5 residential areas will be installed by the developer/homebuilder and maintained by the Homeowner Association.
f) At a minimum, the developer will install turf in the front yards of homes within residential areas.
g) Installation of landscaping within the ~~commercial and business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial areas of Edenglen will be provided by the developer/builder.

6.17.2 Landscape Standards

a) Landscaping within the Edenglen Specific Plan shall be provided in accordance with the Design Guidelines for Streetscapes and Entries utilizing plant materials specified on the Plant Matrix included in Section 7, "Residential Design Guidelines" and Section 8, "Neighborhood Commercial, Business Park and Light Industrial Design Guidelines" established for the Edenglen Specific Plan.
b) Boundary landscaping will be required adjacent to residential, ~~commercial, and business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial areas. Landscaping shall generally be placed along the entire property line.
c) Landscaping and automatic irrigation systems within the public rights of way of the Edenglen Specific Plan area shall be installed by the developer.
d) Freestanding perimeter walls and view fencing shall be provided within and at the perimeter of the Project Site as specified in the Wall and Fence Master Plan, Section 7, "Residential Design Guidelines". Such walls and fences will be constructed concurrently with the construction of improvements required for development of the neighborhoods of the Specific Plan.
e) Perimeter walls shall be constructed in locations and of a design consistent with the Residential Design Guidelines. The "Wall Master Plan" and "Wall Details" Exhibits are located within Section 7, "Design Guidelines". Perimeter walls shall not exceed six feet in height from finished grade. If required for sound attenuation, perimeter walls may exceed six feet in height if first approved by the City. Perimeter walls shall be constructed of either masonry or other permanent, durable, low maintenance material approved by the City. Thematic perimeter fencing shall be constructed of all durable materials with a wood-like appearance, or tubular steel subject to approval by the City. In no instance shall wooden fencing be permitted.

Residential side and rear yard walls and fencing shall not exceed six feet in height from highest adjacent finished grade. Walls and fencing within the residential front yard setback area shall not exceed three feet in height. Walls shall be of masonry construction or other permanent low maintenance materials approved by the City. Front yard fences may be constructed of either wood, or any other durable materials with a wood like appearance, subject to approval by the City. View fencing may be of a decorative wrought iron, tubular steel/aluminum glass panels, or other durable material approved by the City.

f) All perimeter wall and fence materials throughout Edenglen will be of uniform manufacture with colors specified for the overall design theme.
g) The developer will provide site inspection of all construction and installation of open space areas in accordance with City of Ontario requirements.
h) Parking lot landscaping within commercial areas shall be required in accordance with ~~Section 9-1.3040 of~~ the City's Development Code.
i) Non-toxic vegetation shall be utilized adjacent to all public open space areas.
j) Wherever feasible water conserving plant material will be utilized in all public open space areas.
k) All neighborhood edges, parks, open space/common areas, shall utilize reclaimed water, if available and where appropriate. Commercial and industrial areas shall utilize reclaimed water to the maximum extent possible.
l) Illumination Maintenance.

6.18 SIGNAGE

A Master Sign Program shall be submitted by the developer(s) of each land use component for Edenglen and approved by the City of Ontario, pursuant to ~~Article 31 of~~ the City's Development Code, to address residential project entries, residential neighborhood identification signs, neighborhood commercial ~~center~~ identification, business and light industrial center identification, tenant signage, and way finding signs within Edenglen. No project signs shall be permitted in the public right-of-way. All other signs shall be subject to the approval of a sign permit pursuant to the City's Development Code.

6.18.1 Master Sign Program Contents

All sign programs shall address, at a minimum, the following:

a) Permitted signs
b) Prohibited signs
c) The hierarchy of signage.
d) Definition of types of signs.
e) Locations and dimensions for monument signs, neighborhood identification signs, and public facilities signs.
f) Locations and dimensions of directional signage.
g) Provisions for size, location, and duration of display of temporary signs should be consistent with Development Code.
h) Permitted sign types, styles, construction materials, colors, and lettering styles.
i) Requirements for a sign permit application.

j) Procedures for obtaining approval of a sign permit.
k) Procedures for amendments to the sign program.
l) Illumination.
m) Maintenance.

6.19 LIGHTING

6.19.1 Street Lights along Public Streets

Streetlights along public streets, within the Edenglen Specific Plan, shall be high-pressure sodium vapor "Nostalgic", standard per Southern California Edison Specifications.

6.19.2 Alley Lighting Fixtures

Alley lighting fixtures shall be on sensors for automatic nighttime lighting. Style and specifications of alley lights shall be approved by the City as part of the City's Development Plan Review.

6.19.3 Lighting within Parks, Paseos, Tot Lots and Other Recreational Areas

Lighting within parks, paseos, tot lots and other recreational areas shall be approved by the City as part of the City's Development Plan Review of these facilities.

6.19.4 Lighting within Driveways, Parking Lots, Plazas and Other Areas

Lighting with driveways, parking lots, plazas and other areas within the ~~Community Commercial Business Park/Flex Zone and Industrial Business Park~~ Neighborhood Commercial, Business Park and Light Industrial area of Edenglen shall be approved by the City as part of the City's Development Plan Review of proposes projects in these areas.

6.20 PARK FURNITURE

Park furniture, including but not limited to, benches, barbeques and picnic tables, shall be approved by the City as part of the City's Development Plan Review of parks, paseos and other public gathering places.

6.21 BUS SHELTERS

Bus shelters shall be installed in a number of locations designated by OmniTrans and shall be of a design compatible with the architecture character established at the project entries to Edenglen.

6.22 MAILBOXES

Mailboxes shall be clustered and installed in locations approved by the City as part of the City's Development Plan Review of each resident project within Edenglen.

Section 7 Residential Design Guidelines

7.1 INTRODUCTION

Borrowing from the vision of Ontario's founder, George Chaffey, Jr., Edenglen's walkable design is reminiscent of many 1900s-era American small towns. It will be the kind of place where flags reflecting the season line the streets, children make wishes and throw their pennies into the neighborhood fountain, and an unexpected visitor is always welcomed.

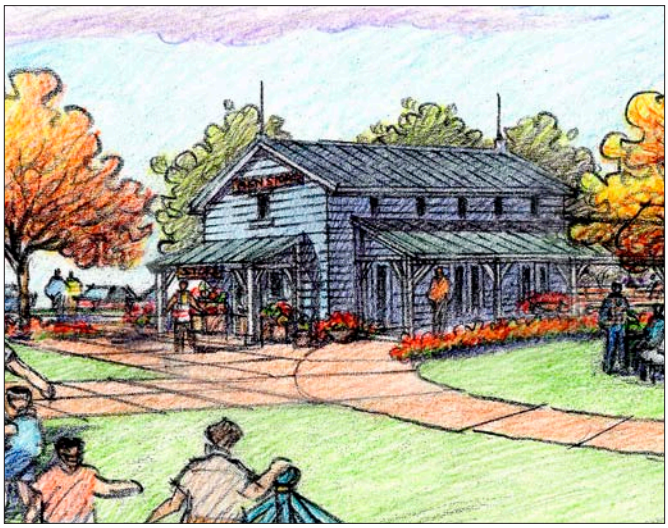
Edenglen is designed as a traditional residential community that connects to Ontario's historic past and emphasizes its pedestrian-friendly streets, landscaped parks and inviting gathering places. Architecture-forward and rear-access garages provide relief to the interface between cars and people, while front porches and landscaping help to soften the streetscene. A range of home types and authentic architectural styles further enhances the nurturing, friendly atmosphere—setting the tone for future family-oriented communities within the New Model Colony.

In order for the vision of Edenglen to be fully realized as an attractive and welcoming place to live, the design team has developed the Edenglen Residential Design Guidelines. This document will provide planning, architectural, and landscape criteria to describe various techniques and elements encouraged in the design of the homes and facilities at Edenglen. The appropriate selection of architectural styles, materials, landscaping and massing are important to creating quality homes in a pleasing living environment.

In an effort to encourage creativity and innovation, the Guidelines are to be used as a tool to inspire architectural creativity while maintaining the character and quality anticipated for the community of Edenglen. The guidelines express "intent" rather than "absolutes", thereby allowing certain flexibility in fulfilling the intended design goals and objectives. The sketches and graphic representations contained herein are for conceptual purposes only and are to be used as general visual aids in understanding the basic intent of the guidelines.

These Guidelines are organized into the following sections:

- Architectural Style
- Massing
- Materials and Details
- Home Types
- Landscape Design
- Implementation



Conceptual Country Market and Rec Center

"The American city should be a collection of communities where every member has a right to belong.

It should be a place where every man feels safe on his streets and in the house of his friends.

It should be a place where each individual's dignity and self-respect is strengthened by the respect and affection of his neighbors.

It should be a place where each of us can find the satisfaction and warmth which comes from being a member of the community of man.

This is what man sought at the dawn of civilization. It is what we seek today."

U.S. President Lyndon B. Johnson
Special message to Congress
on the Nation's cities—March 2, 1965

7.1.1 Guiding Principles

Guiding Principles for residential design for Edenglen:

Buildings should contribute to the qualitative nature of neighborhood.

- Proper scale and proportions in massing and details should be used
- Transitional spaces between public and private spaces (courtyards, porches, low walls, etc.) should be implemented
- Building setbacks at front and rear should be varied
- Massing and articulation should be varied
- Garage placement should vary from lot to lot and should not be the dominant feature of the home

Buildings should have an enduring quality.

- Design should draw inspiration from the rich and diverse Southern California architectural heritage
- Regionally appropriate materials and colors should be used
- Authentic details and ornamentation should be emphasized
- Durable materials should be used

Buildings should be designed with architectural sensitivity to human scale.

- Doors, windows, indoor, and outdoor spaces should be intimate and secure
- Designs should not overpower the overall streetscape

Buildings should be appropriate to the climate and context.

- Shading and shaded areas should be provided to protect from intense summer sun
- Protection from adverse weather should be considered using a variety of techniques in designs.
- Buildings should complement and reflect the surrounding environment
- Design should encourage outdoor activities

Buildings should be designed of materials and techniques appropriate to achieving realistic hard cost objectives (see Simple Home Design section).

- Efficient structural systems should be considered
- Consistent window and door sizes are encouraged
- Use of standard modules and sizes is encouraged



Homes should have an enduring quality

7.2 Architectural Styles

7.2.1 Introduction

The residential architectural intent for Edenglen is to emphasize diversity of styles, floor plans, garage placement, materials, and color. In keeping with the overall community theme, the homes will be of high quality and contribute positively to the character of the community and City of Ontario. Overall, the design concept is to blend the traditional architectural styles found in Ontario and Southern California with contemporary lifestyles, current building methods and emerging technologies. Additionally, these styles incorporate detailing appropriate to the setting.



Traditional Style

Acceptable architectural styles include Spanish, Bungalow, Cottage, Monterey, Traditional and Territorial Ranch. These styles are appropriate to the region, address the needs and lifestyles of the residents, and support the community theme reflective of Ontario's historic development pattern. Brookfield Homes seeks to embrace that diversity in architectural style and design, while responding to market desires.

Builders may submit home designs using alternative architectural styles to those listed, provided they are appropriate to the region, environment and setting.

Diversity is a fundamental guiding principle at Edenglen. This ensures that neighborhoods are varied and that blanket uniformity is avoided.

The styles selected for Edenglen share similar design attributes. Specifically, these styles:

- Are compatible and complementary
- Are generally accepted by the market (actually desired)
- Can be implemented using current building methods and techniques
- Can be interpreted in a number of ways (creativity, diversity)
- Have a historic relevance to the region (timeless in nature)
- Can be interpreted in contemporary and/or regional adaptations

Builders are required to produce a minimum of two styles for a 3-plan package, and three styles for a 4-plan or more package. Attached plans may require additional styles to avoid repetition in certain locations.

BROOKFIELD HOMES
live the difference

7.2.2 Architectural Philosophy

Southern California has a rich legacy of early agriculturally-based towns, such as Ontario, that have fostered a variety of traditional architectural styles. As these towns were being established, architectural styles were often imported from the Midwest and East Coast in the form of pattern books from which the builders chose the style and massing of their homes. Placed in the setting of "sunny" Southern California, the styles were then often modified to meet specific climatic influences of the region. Outdoor spaces became more prominent and useful year-round, colors were light earth tones, and materials included a blend of plaster, stucco and siding.

Additionally, the Spanish history of Southern California also influenced the architecture of the region. Brought to the region by Spanish settlers and missionaries, these homes were well-suited for the temperate climate of Southern California.

The theme of Edenglen's architecture is based upon these architectural styles historically found in Ontario. Edenglen's homes shall age gracefully over time, contributing to the sustainability and vitality of the neighborhoods. All architectural styles have been chosen for their traditional forms and timeless character that reinforces the charming nature of the neighborhoods and of historic Ontario.

All architectural styles outlined in these guidelines should be interpreted with authenticity. Simple yet detailed forms are crucial to the success of the community. All architectural styles must be detailed with elements that represent the best interpretations. Homes shall be designed with a few particular styles in mind prior to the beginning of the design process. A home designed to a particular set of compatible styles is always stronger than a home that has a style applied after the floor plan has been designed.

Additionally, each home is expected to provide a "gift to the street" — a positive contribution to the public realm. Specific elements may include, but are not limited to, architecture forward, porches, recessed garages, covered terraces, enhanced elevations, and landscape.

Residential Design Objectives:

- Emphasize styles of architecture that are compatible, yet vary enough to create interest and diversity
- Focus on traditional, more timeless styles of architecture
- Interpretations of styles that are authentic to the extent feasible
- Create a dynamic streetscape through variation in floor plan and elevation plotting
- Emphasize articulated building massing
- Emphasize front elevations that relate strongly to the street and contribute to the livability of that realm
- Design certain homes specifically for corner conditions
- Emphasize alternative garage configurations.
- Utilize authentic materials and colors that reinforce the overall design theme



Spanish Style Home at Corner



Craftsman Style Home

7.2.3 Architectural Styles

The architectural character of Edenglen's neighborhoods shall consist of complementary traditional architectural styles. As an architectural pedigree, they reinforce Edenglen's connection to Ontario's early beginnings, building upon a rich heritage of traditional neighborhood design. Additionally, the chosen styles complement one another through overall scale, massing, proportions, details, and the ability to establish a charming architectural backdrop that will age gracefully over time. The materials and colors of these home styles shall complement the overall landscape design of the neighborhoods. Each style shall be developed appropriate to the region, addressing the lifestyle needs of the residents.

Acceptable architectural styles for Edenglen's homes include:

- Spanish
- Bungalow
- Cottage
- Monterey
- Traditional
- Territorial Ranch



Spanish Style

The following guidelines have been developed for the Specific Plan in order to create a community with a diversity of architectural styles and design:

- A variety of styles and plans is encouraged
- The same plan, either standard or reverse, shall not be platted adjacent to one another under most circumstances
- A variety of plan orientations is encouraged
- No two adjacent homes shall utilize the same architectural styles

SPANISH

History and Character

Spanish-inspired homes began appearing at the turn of the 20th Century in the form of the Mission style, reflecting a loose adaptation of features often found in detailing from various influences, including Moorish and Spanish Colonial. Edenglen's Spanish style is a catalog of styles unified by the order of arches, courtyards, strong form and mass, plain wall surfaces, and tile roofs, all derived from Mediterranean architectural styles. The Spanish style is most often characterized by an informal plan arrangement and massing. This informality reflects the natural composition of the farmhouses and small estates of Spain, which were not symmetrically composed.

General Attributes

Massing:

- Asymmetrical massing

Finishes and Details:

- Stucco exterior walls – smooth to sand finish with a handmade appearance
- Wood posts and stucco columns
- Chimneys are sculptured stucco
- Round arches
- Decorative columns and trim
- Stucco profiles at eaves and windowsill trims
- Ornate black wrought iron or metal railings, gates, grilles, etc.
- Shutters as occasional accents
- Wrought iron balcony (No tubular steel)
- Thick walls with deep recessed openings
- Covered patios/porches/loggias
- Detailing primarily at openings
- Stucco or tile decorative gable end vents
- Projected window and door balconies, open or roofed
- Round or square columns at one- and two-story porches
- Elaborate decorative hardware

Roofs:

- Low-pitched roofs, with minimal or no overhang
- Gable ends have tight rakes and overhangs
- Stucco eave details or wood corbeled rafter tails
- Gable end roof vents with clay pipe or decorative stucco grilles typical
- Gables and hip roofs typical
- Shallow sloped, concrete 'S' tile roofs in variegated colors (red clay is predominant color)

SPANISH



Representative Images

BUNGALOW

History and Character

The Bungalow with its variations of the Craftsman style home evolved from the late 19th century American Arts and Crafts movement. These moderately detailed buildings are characterized by the use of hand-finished materials with a rusticated texture. Broad open porches, low sloping roofs with deep overhangs, multiple gables, asymmetrical compositions, oversized first floor windows, expressive trim, rafters, brackets, and porches characterize the Bungalow style.

General Attributes

Massing:

- Asymmetrical massing with horizontal proportions

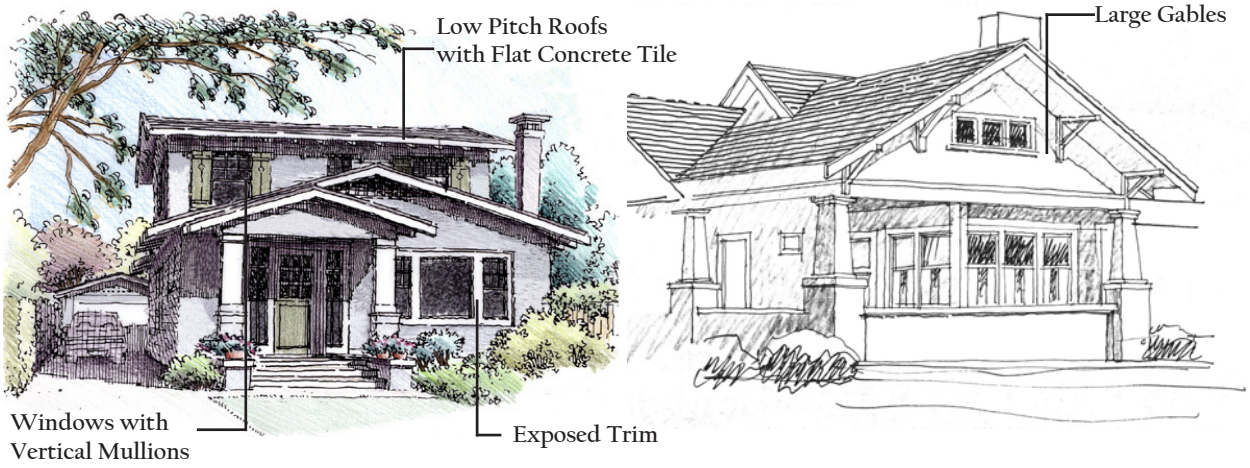
Finishes and Details:

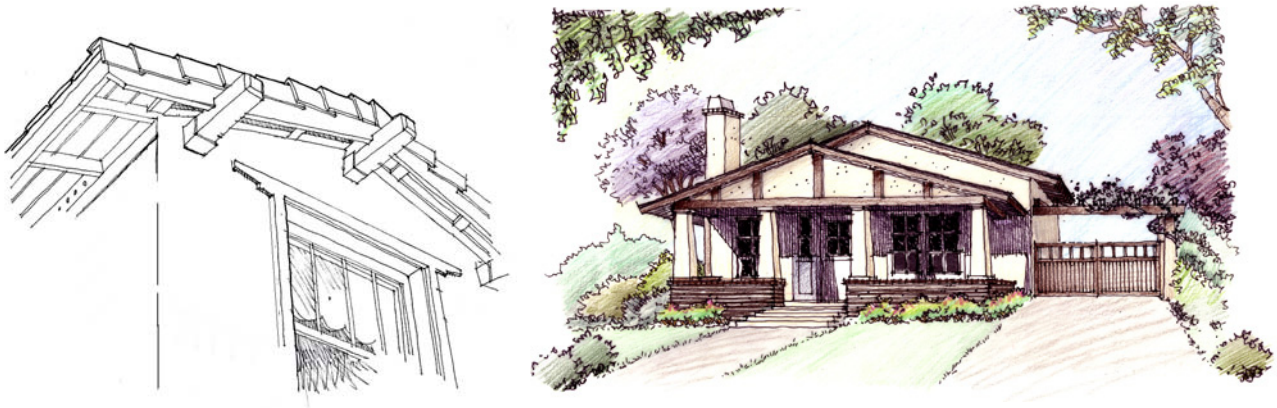
- Deep, broad porch elements with expressive structural components usually placed symmetrically
- Expressive structural elements such as rafters, brackets, and columns
- A mixture of materials such as stone, stucco siding
- Asymmetrical massing and window and door compositions
- Simple roof lines with wide projecting gables
- Stucco sand finish exterior walls, or wood or shingle siding
- Covered entry and surrounding stoop contained by a porch or roof covering
- Use of stone or brick at porch columns (typical)
- Variety of column and beam detailing at porches with stone or brick pilaster

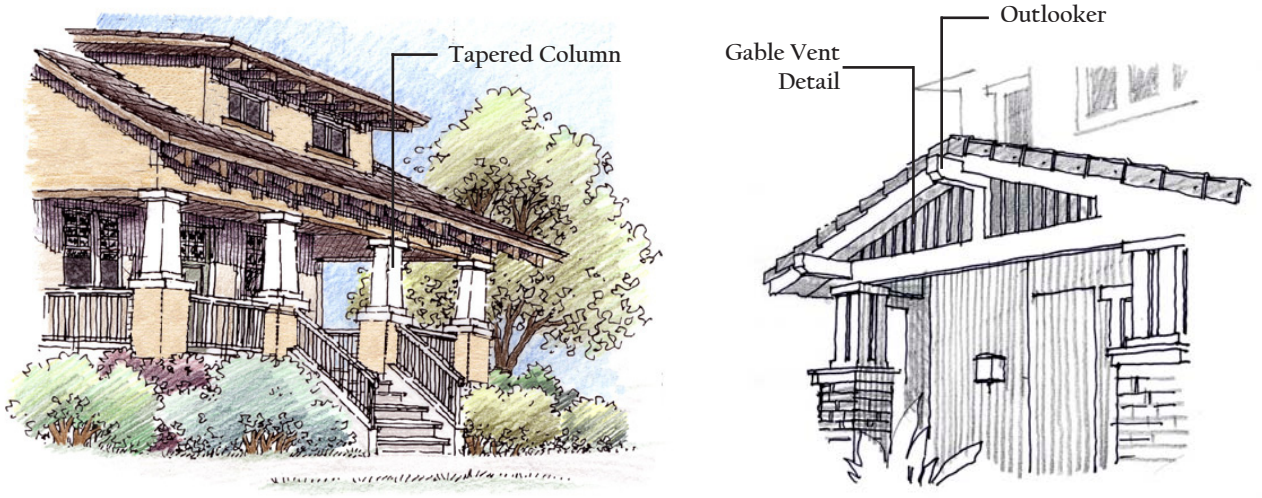
Roofs:

- Deep overhangs
- Roof dormers
- Shallow-pitched roofs with deep overhangs
- Predominantly low-pitched gabled roofs, with the occasional hipped or shed roofs
- Flat concrete tile or architectural quality asphalt composition shingles, subject to City of Ontario Planning Department review and approval
- No rake tile

BUNGALOW







Representative Images

COTTAGE

History and Character

The Cottage style is based upon early twentieth century American interpretations of English architecture. The design sources come from medieval English and French cottages, as well as country estates of Brittany and Normandy, larger manor homes, and rural village vernacular houses. The Cottage style captures a romantic and picturesque architecture. American interpretations include houses with simple volumes, most often with front-facing gables that have steeply-pitched roofs.

General Attributes

Massing:

- Asymmetrical massing
- Integral low site walls

Finishes and Details:

- Sculpted stucco sand finished walls
- Stucco recessed accents
- Vertical windows in groupings
- Large, simple roof planes
- Simple detailing
- Chimneys can be detailed with stucco above, and stone or brick veneer below with decorative chimney caps
- Half stucco chimneys with stone or brick on the lower portion
- The entry and surrounding raised stoop is covered and contained by a porch or roof covering
- The garage door can be a roll-up door with a variety of panel break-ups to correspond with the elements of this style

Roofs:

- Gable, hip and Dutch gable roof forms, accentuated with "bell-cast" or flared roof treatments at the eave
- Wide variety or roof dormer forms that break the fascia, continuing the wall plane below
- Stucco, brick or stone exterior material combinations
- Gable end venting in various styles
- Rooflines extending below window
- Shallow overhangs
- Steep roof pitches with dormers
- Roofs will be steep and simple with wide gables
- Slate look or flat concrete tile or architectural quality concrete shingles
- Standard medium overhangs
- Tight eaves
- No rake tiles

COTTAGE



Representative Images

MONTEREY

History and Character

The Monterey style is a combination of Spanish Colonial construction methods and the basic two-story New England Colonial house. Architects in the 1920's began to reintroduce the style and modify the elements to suit the period preferences. The signature cantilevered balcony on the front of the house may be a prelude to the porch that often surrounds or defines a private courtyard in the back of the house. The original houses used adobe wall construction. Detailing on the porches and the cornice is extremely simple. Rafters are often exposed, gable or hipped roofs are used, chimneys often anchor one end of the house, and flat paneled doors are used both on the ground floor and on the balcony, in addition to a more solid entry door.

General Attributes

Massing:

- Simple, straightforward volumes sometimes with a gable wing facing the street and opposing cantilevered balcony from second floor

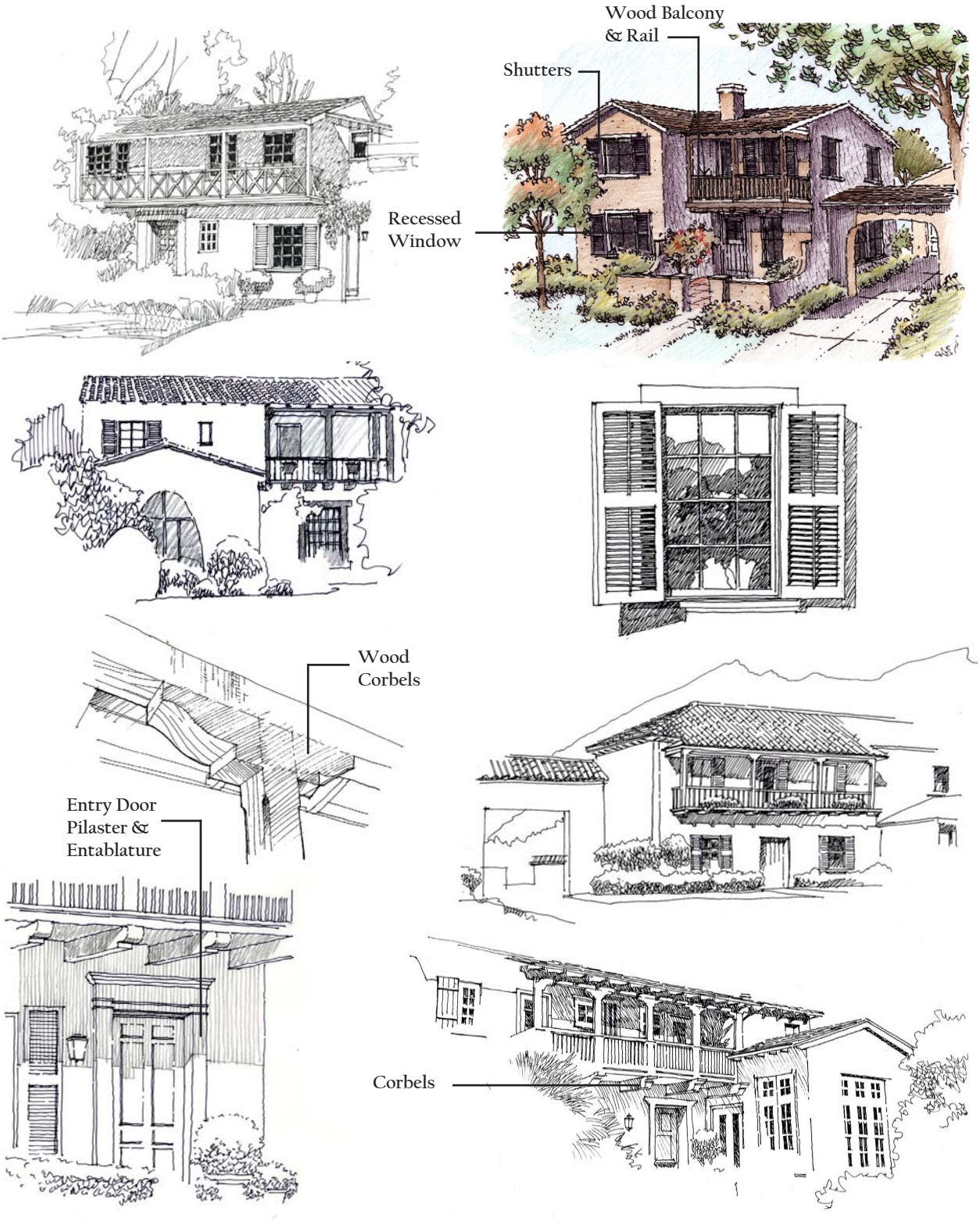
Roofs:

- Low pitch
- Flat concrete tile
- Gable, typically low-pitched
- Tight rake and extended eaves with exposed rafter tails

Finishes and Details:

- Cantilevered balconies
- Contrasting materials of stucco and siding between first and second floors
- Use of brick as a base for the elevation
- Shutter accents at doors and windows with wood or stucco trim surrounds
- Stucco as the predominant finish with brick and siding used as accent materials
- Enhanced front door surrounds with pediment trim above

MONTEREY



Representative Images

TRADITIONAL

History and Character

The Traditional style is a picturesque country house based on classical design principles that were followed during the American Colonial period. Its interpretation, however, is regional in character. Massing is often more horizontal in appearance with special windows appearing in the center of the house over the front door. The houses are composed of simple forms with vertical proportioned windows and door surrounds. Front porches with a variety of columns and railings are common.

General Attributes

Massing:

- Symmetry
- Simple, straightforward, boxy volumes with one-story side wings and porches added make more complex shapes

Finishes and Details:

- Symmetrical and asymmetrical composition of doors and windows are common
- Simplified versions of Classical details and columns
- Siding will be used as an accent along with brick veneer
- Porches shall vary in size, either just around the area of the entry or the full width of the elevation for single family
- Stucco will be a sand finish and match the siding color
- Front porches with a variety of wood columns and railings
- Porches that cover the length of the front elevation
- Clapboard siding
- Stone veneer and brick used singularly or in combination with one another

Roofs:

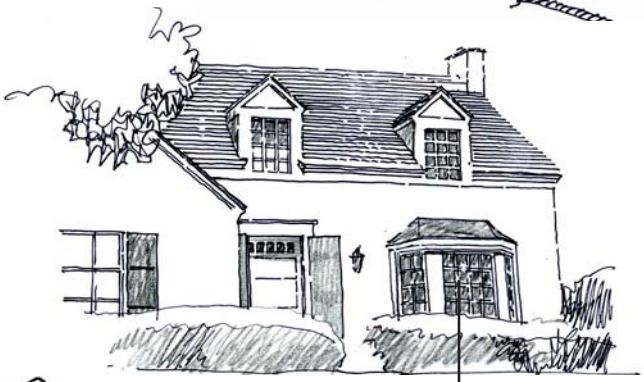
- Pitched roof dormer
- Medium roof pitch
- Flat concrete roof tile or architectural quality composition shingle shall range in color from light brown to light gray
- Roof overhangs vary per interpretation
- Dormers and symmetrical elevations
- Roof ornamentation consists of cupolas, weather vanes and dovecotes
- Roof pitch over the porch breaking to a more shallow pitch
- Eave mouldings are typical for this style

TRADITIONAL















Representative Images

Territorial Ranch

History and Character

Reminiscent of the early ranchers and farmers of Southern California, the Ranch Style was developed in response to their lifestyle, available materials and environmental considerations. The strong indoor/outdoor relationship is ideal for the temperate climate of the region and incorporates sliding glass doors, picture windows, terraces and secluded patios. These homes were influenced by Colonial, Spanish Colonial, Stick, Monterey, and Spanish Eclectic architecture; however, the detailing was simplified when adapted to the Ranch Style.

General Attributes

Massing:

- Simple rectilinear forms, horizontal massing and humble scale

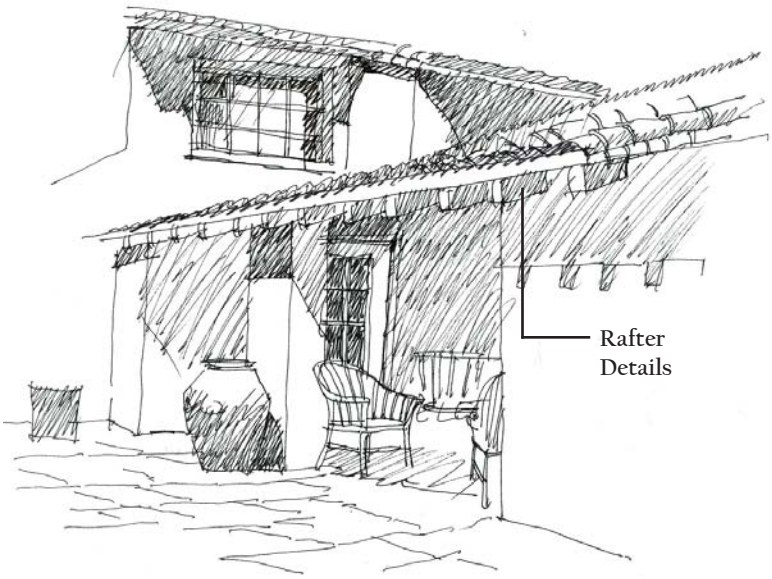
Finishes and Details:

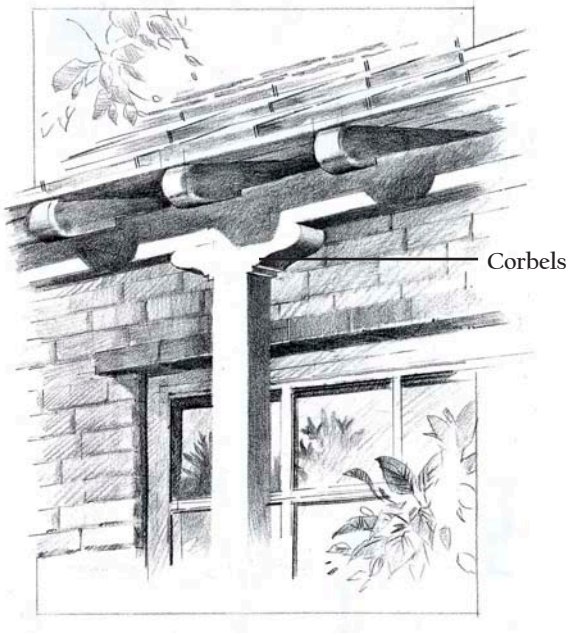
- Cladding materials of stucco, board and batten, and horizontal wood siding
- Porches along front and rear façades typically with a shallow roof breaking into the main roof plane
- Decorative shutters at windows with wood trim surrounds
- Simple column and railing detailing at porches
- Minimum 8"x8" post sizes for single wood columns

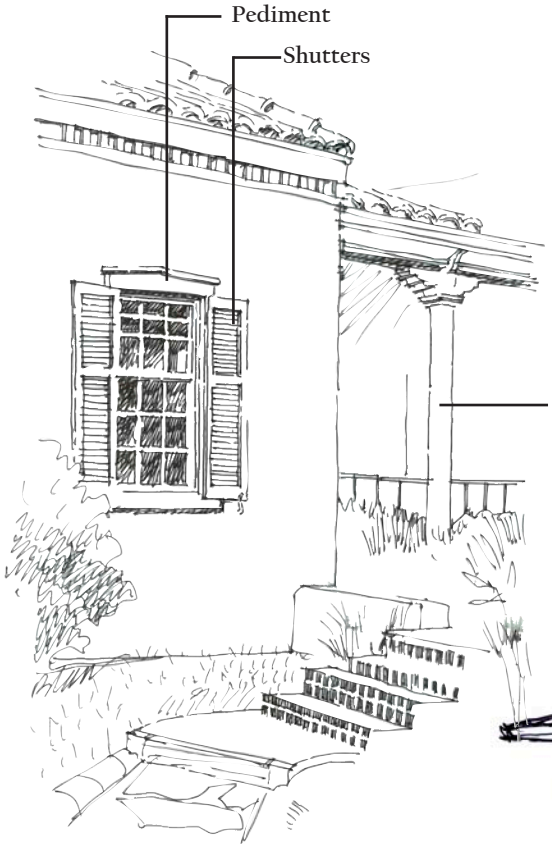
Roofs:

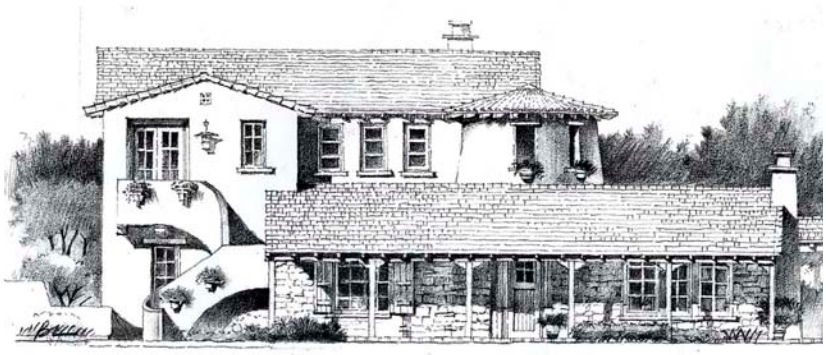
- Gabled dormers
- Long horizontal gable roofs of shallow to medium pitch
- Deep overhangs typical

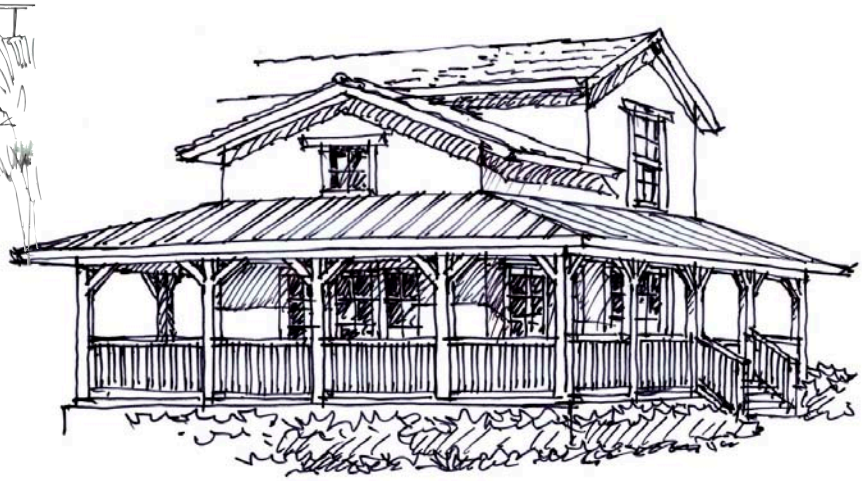
TERRITORIAL RANCH











Representative Images

7.3 MASSING

7.3.1 Introduction

The 'massing' section is intended to provide suggestions for creating neighborhoods and streetscenes that have a variety of building forms that are more proportionate to a human scale and more welcoming to the pedestrian.

Exterior massing of the home should reflect the general uses inside and be organized to create a positive street environment.

Objectives:

- Minimize visual impact of garages
- Give attention to composition of building mass
- Incorporate single-story elements in two-story buildings
- Vary setbacks at porches, living and garage areas
- Minimize two-story dominance of the streetscene, sidewalks and open spaces
- Design with sensitivity to corner lot conditions
- Use appropriate transition of scale
- Use four-sided elevation design



Varying single and two-story massing

7.3.2 General Elements

The general elements of building massing include:

- Front Articulation
- Roof Form
- Garage Placement
- Balconies and Projections
- Rear Articulation
- Variable Setbacks
- Corner Lots / Critical Edge Conditions



Architecture forward

7.3.3 Front Articulation and Entry Scale

Intent:

The front elevation of the home is an important element in creating a quality community at Edenglen. Special attention will be placed on these elevations and how they address the public realm. Emphasis on location and design of entries, living areas and garages will be to provide a special element or "gift" to the street. Placing an emphasis on variety of building massing creates a diverse streetscene.

Criteria:

- Building massing should be appropriate to architectural style
- Building details such as doors and windows should be in proportion to the overall building massing
- All homes should have at least two planes (not counting the garage) of variation in front elevation massing
- Corner homes shall have single story elements at corner edge
- Porches and loggias shall be 7' minimum in depth and have an 8' plate height (70 SF minimum)
- Massing elements should project enough to avoid elevations that appear to be "pasted on"
- Building form is encouraged to reflect the interior uses of the home
- "Recessed" two-story elements are encouraged to create human scale buildings.
- Front elevations with a single-story element for two-story homes are encouraged
- Front elevations are encouraged to emphasize the placement of living areas, porches, covered terraces, entries, and windows to address the neighborhood street

Front Massing Legend

Foreground

Background

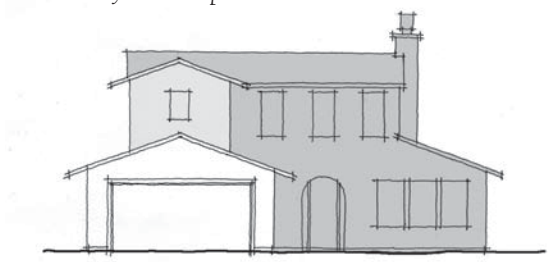
Middleground



Covered entry door with porch



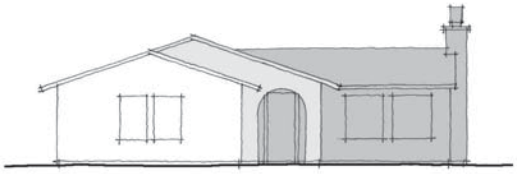
Covered entry door with porch



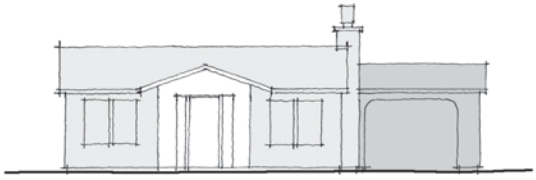
Recessed entry door with story massing



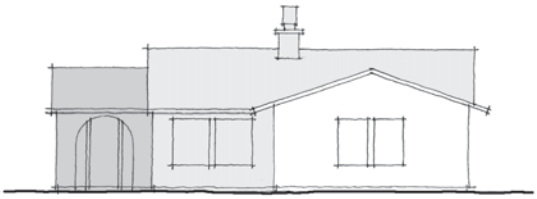
Covered entry door with porch



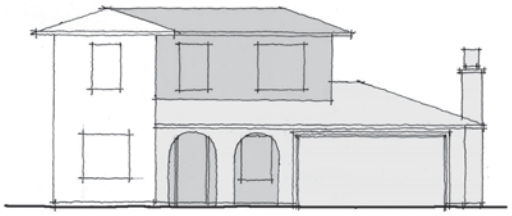
Covered entry door



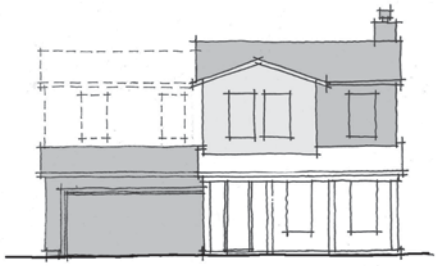
Covered entry door with porch and porte cochère



Recessed entry door



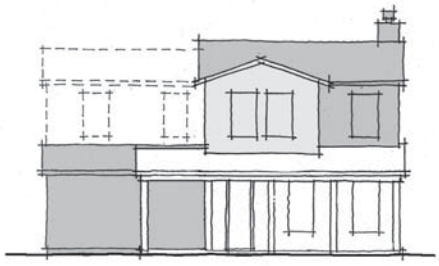
Covered entry with porch



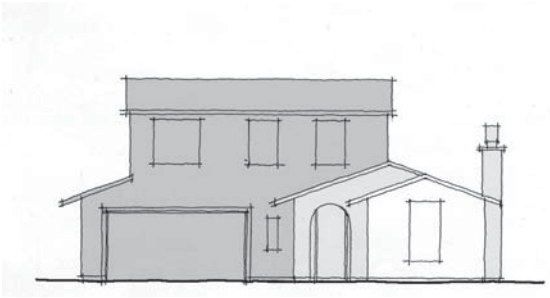
Covered entry door with porch



Corner lot entry door with porch



Corner lot entry door with porch



Covered entry door with one story massing

Front Massing and Articulation

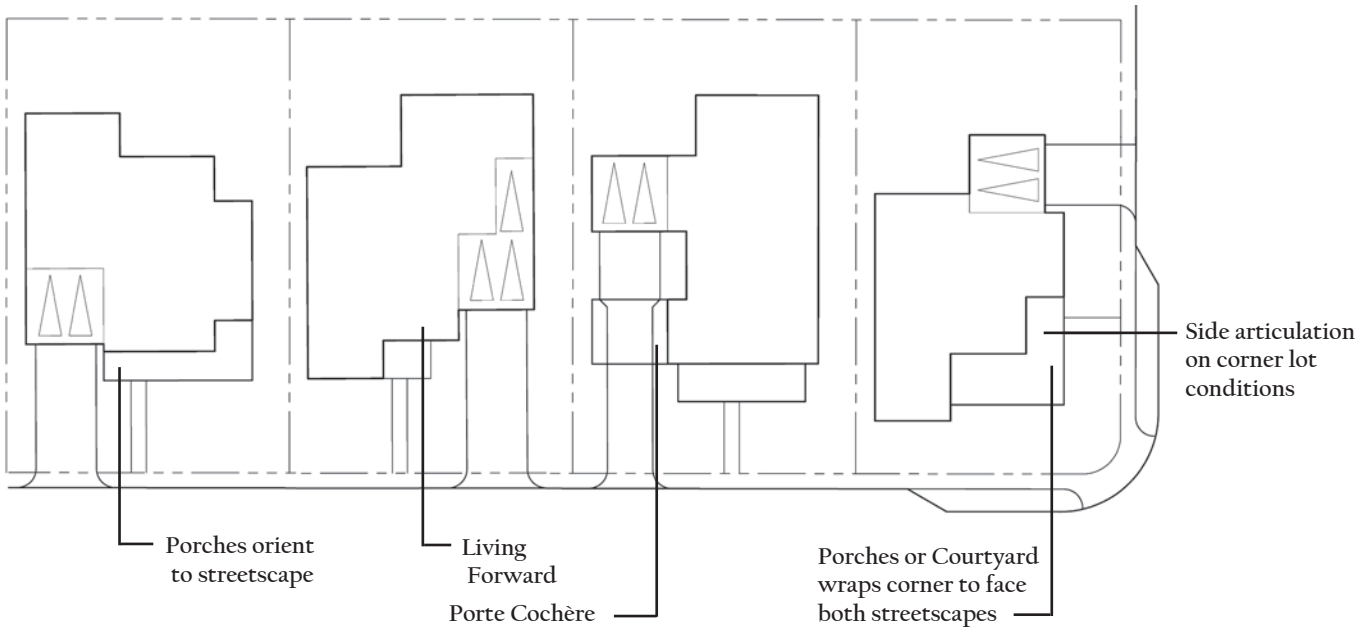
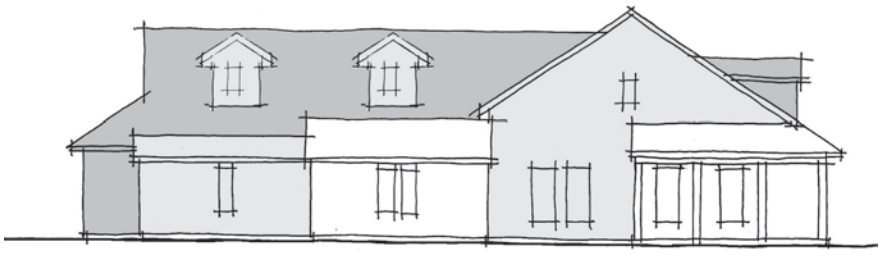


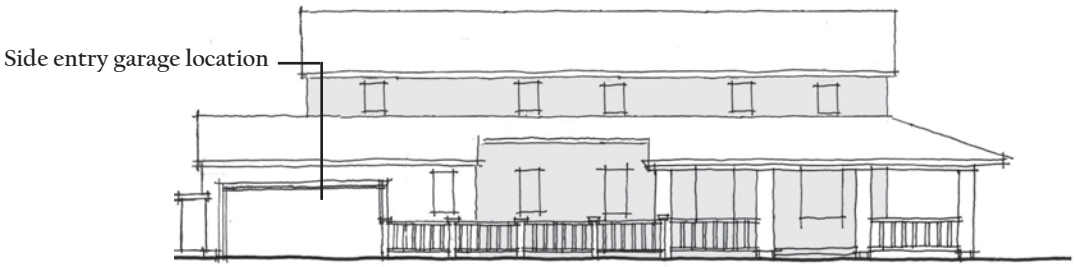
Diagram of Living Area Forward

Side Massing Legend

- Foreground
- Middleground
- Background



Single-story porch wraps at corner condition



Single-story porch wraps at corner condition

Side Articulation

7.3.4 Roof Form

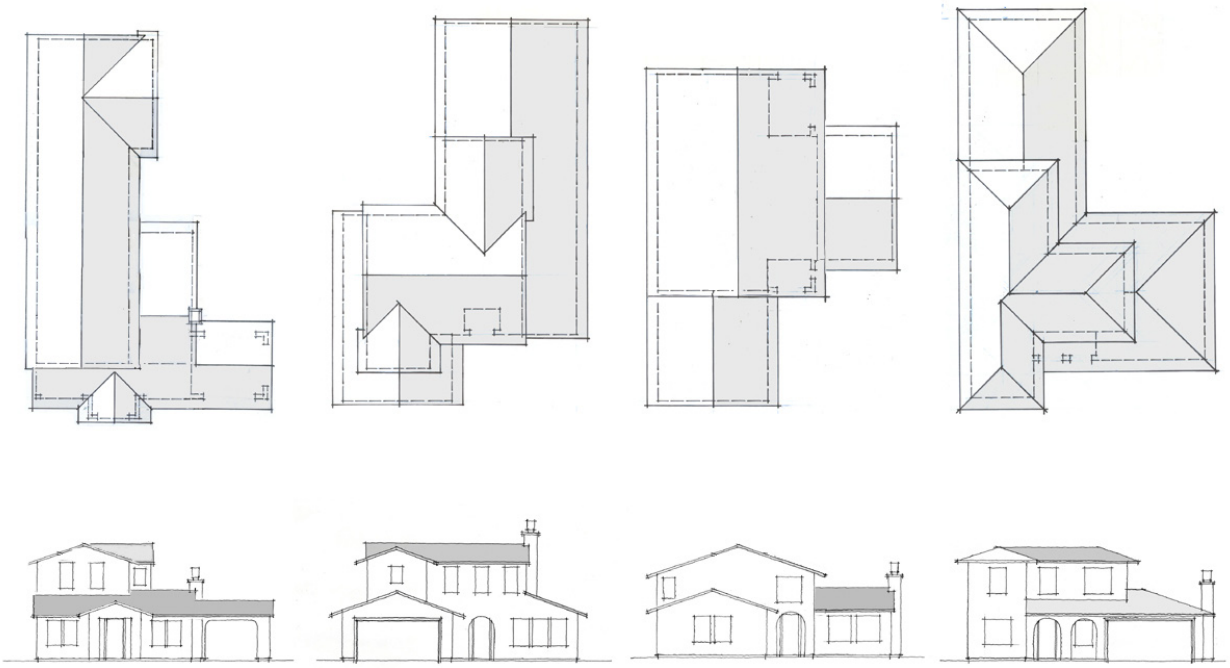
Intent:

Roof form is an important design element as it relates to the character of the community, observed from both the external edges and inside the neighborhood.

Variety of roof form along streets creates a positive visual edge to these public ways. Appropriate massing of roof forms help to create human scale architecture to the street.

Criteria:

- Roofs shall appear to be composed of a series of simple roof forms
- Gable ends shall be a minimum of 12' wide for lot sizes 50' and wider
- Roofs shall vary in massing along streetscene and open spaces
- No more than three of the same main span roof configurations (front to back or side to side framing) shall be adjacent to one another for variation in massing along the streetscene
- Roof forms are encouraged to reinforce the architectural style of the home
- Flat roof elements are encouraged only if appropriate to style
- Mainspan roof directional changes at narrower lots are encouraged



Roof Variation Along Streetscene

7.3.5 Garage Placement

Intent:

The location, configuration and orientation of the garage on its lot are important design elements, both for the composition of the dwelling and its contribution to the streetscape.

De-emphasizing the garage is an important community design element. The goal is to emphasize the living areas of the home as they address the street.

Placing living areas forward encourages 'eyes on the street' for neighborhood safety and security while establishing neighborhood orientation to the pedestrian.

Criteria:

- Garage door patterns are encouraged to vary among elevation types and to reinforce the architectural theme of the dwelling
- A minimum of a 3' offset is encouraged where garages are adjacent on common property lines except when garages are located at rear of lot
- 3-car garage configurations are discouraged
- Garage door recess is encouraged to be a minimum of 12"

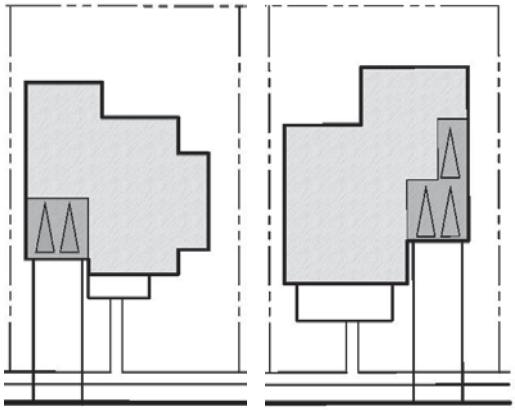
The following alternative garage configurations are encouraged:

- Shallow Recessed Garage
- Mid-Recessed Garage
- Deep Recessed Garage
- Offset Garage
- Garage with Casita
- Tandem Garage
- Swing-in Garage
- Rear-Loaded Garage
- Corner Lot Garages



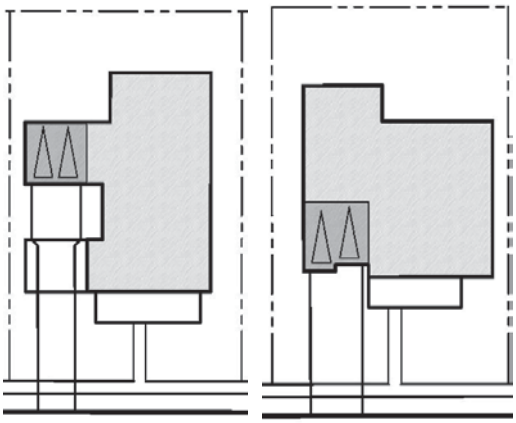
Deep Recessed Garage

Examples of garage orientation types:



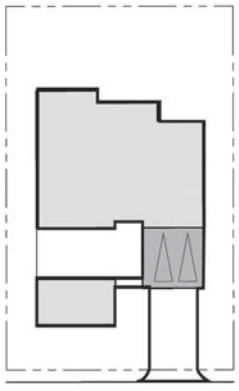
Shallow Recessed Garage
Set the garage back from the adjacent living space façade of the house (excluding porches). This setback strives to reduce the overall visual mass of the garage.

Mid-Recess Garage
Set the garage back at the mid-point of the home to allow maximum living space foward while the garage remains attached to the house.



Deep Recessed Garage with Porte Cochère
Set the garage back to the home. This setback achieves more usable living space toward the street and creates additional usable side yard outdoor space.

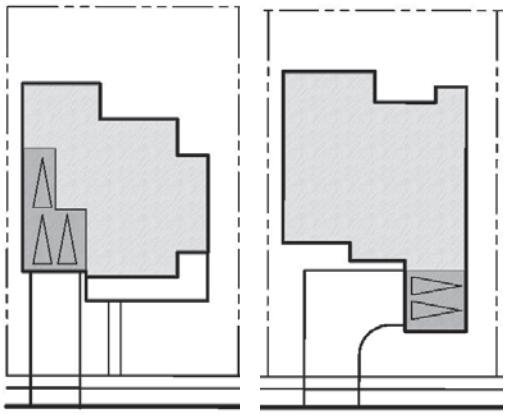
Offset Garage
This garage layout breaks up the massing of the two-car garage by offsetting two one-car garages from each other.



Garage with Casita
This garage configuration is offset from a detached casita which defines the front of the home.

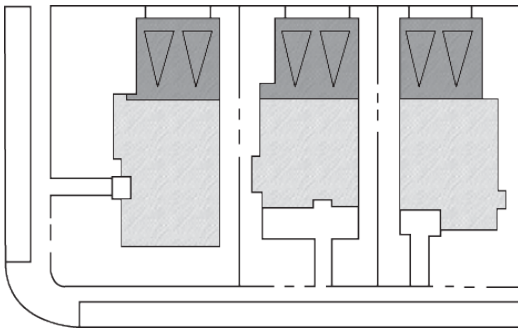
Tandem Garage

This garage layout de-emphasizes a third garage space by concealing it behind a standard two-car garage condition. This garage configuration can be shallow, mid-recessed or deep recessed garage design.



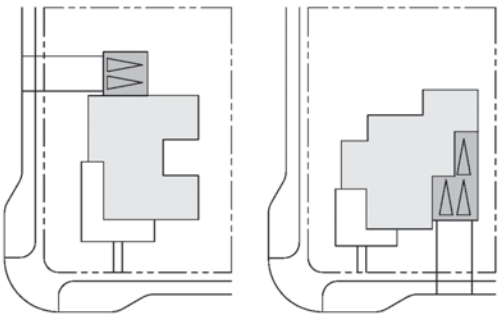
Swing-in Garage

A single or two-car swing-in garage may be used on a lot with a minimum width of 50'. A minimum of 28' back up space is required. The elevation facing the street shall have an architectural detail such as a window, reveal or pop-out.



Rear Loaded Garage

Garages accessed from an alley create a more traditional streetscene, without garages visible at the front side of the home. Recess garage door a minimum of 8" on rear loaded garages.



Corner Lot Garages

Corner lot garages may be addressed two ways; plans may be designed for corner orientation or interior lot plans may be adjusted to address corner conditions. The purpose of either solution should be to create substantial streetscene variation while the architecture wraps the exterior lot frontage.

BROOKFIELD HOMES
live the difference

7.3.6 Balconies and Projections

Intent:

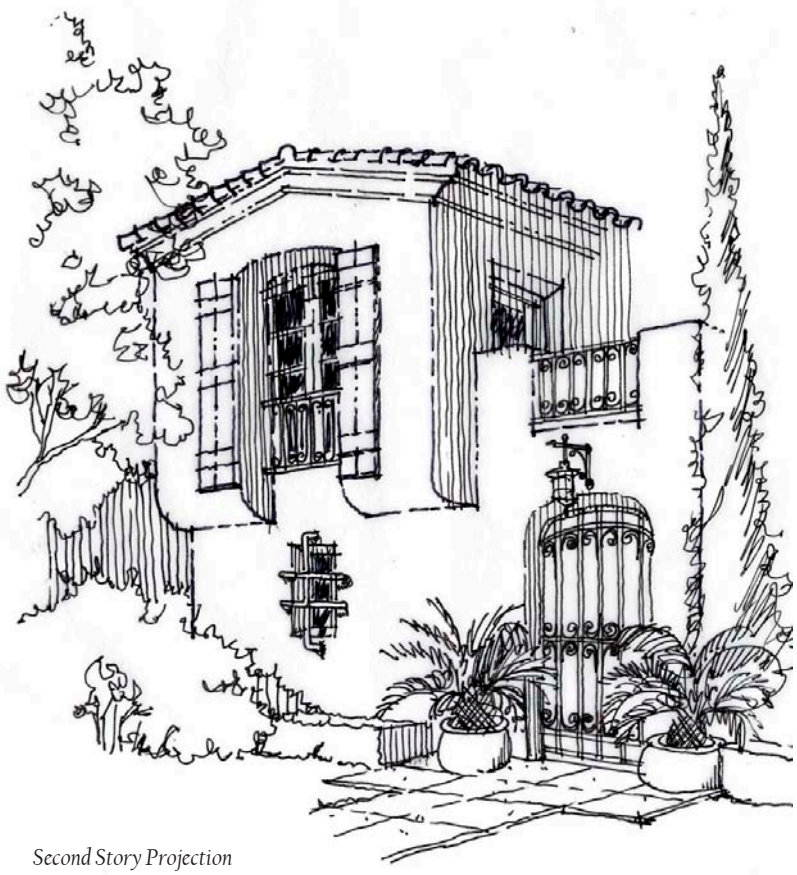
As part of the overall composition of a two-story dwelling, balconies or projections provide relief and interest at the second story. Additionally, these elements create ideal outdoor rooms.

Criteria:

- Balconies shall be roofed when they exceed 4' in depth
- Balconies and projections shall proportionally complement and be integrated into the overall massing of the home
- Balconies shall not be located at outside edges of homes where they can overlook private spaces of adjacent homes
- Balcony railings are encouraged to be consistent with the architectural style—no tubular steel railings
- Architectural projections such as media niches and chimneys are encouraged to be a maximum of 3'
- Covered balconies and living area cantilevers are encouraged to be appropriate to the architectural style
- Opportunities for creating shaded areas and usable outdoor spaces are encouraged



Balcony Detail



Second Story Projection

Note: Multiple options should be considered based on effective solar orientation.

7.3.7 Rear Articulation

Intent:

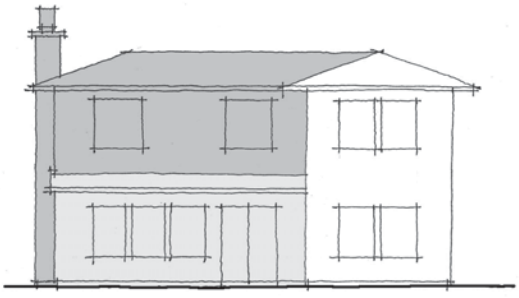
Particular attention will be placed on the design of those dwellings adjacent to or in close proximity of major community roadways, open spaces, or entry features. Whether viewed from distant or close range, massing requirements will be implemented to ensure positive community character in these conditions. Generally, repetitious elements such as continuous gable ends and similar building silhouettes shall be avoided.

Criteria:

- Plans shall utilize projections and/or offsets that extend from the main wall plane
- Plans shall have single-story living spaces that cover at least 30% of the rear façade
- The stepping or use of projections shall be encouraged to create the articulated massing important to the character of the community
- Homes directly adjacent to arterial roadways, collector roads, entry drives, and open spaces are encouraged to be given particular attention in their rear articulation, contributing positively to these edges
- Building forms that are assemblies of interlocking masses are encouraged
- Architectural massing and articulation appropriate to style is encouraged
- Vertical and horizontal plane breaks are encouraged



Two-Story Massing with Single-Story Projection



Two-Story Massing with Two-Story and Single-Story Projection



Single-Story Roof Shed with Two-Story Element



One- and Two-Story Massing

Rear Massing Legend

Foreground

Middleground

Background

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7.3.8 Variable Setbacks

Intent:

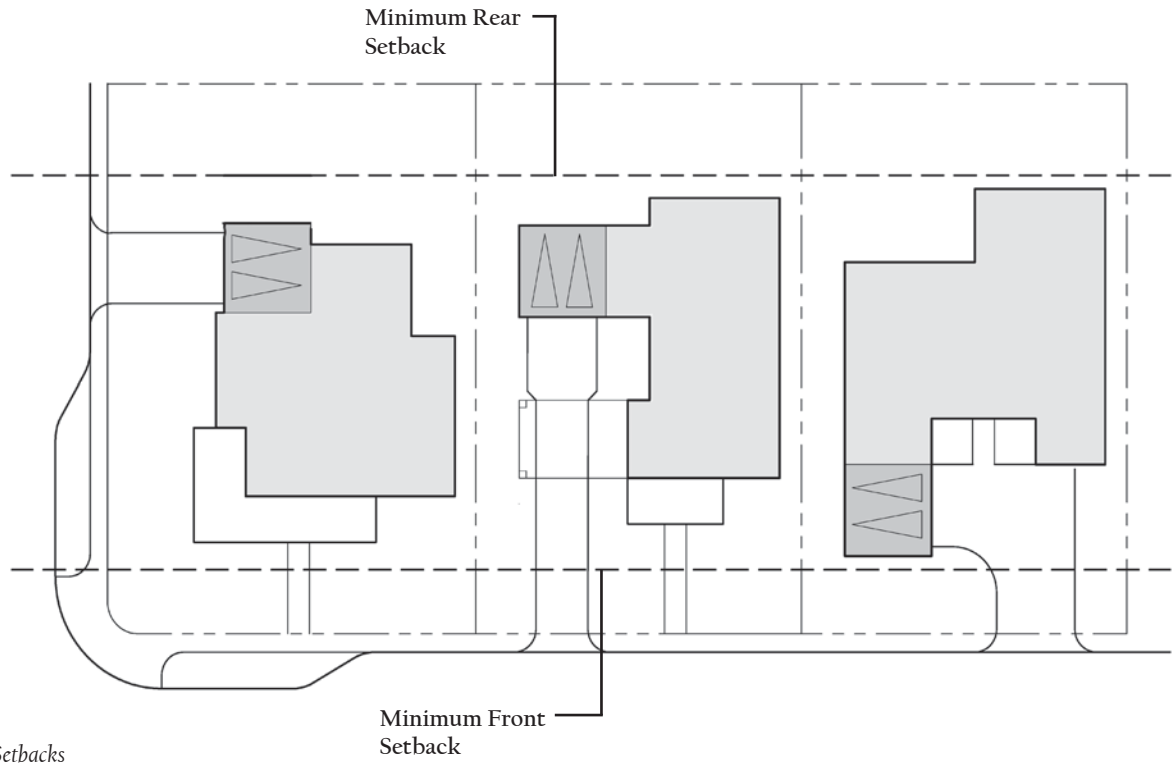
The key to quality neighborhood design is the emphasis on the 'living' areas of the home orienting towards the street. To encourage this, reduced setbacks are allowed for living areas as measured from the property line (generally, the back of the sidewalk).

Additionally, variable setbacks for both living and garages are encouraged to create diversity in streetscenes.

Criteria:

- Setbacks shall be appropriate and proportionate to the housing type and lot size
- Variable rear setbacks are encouraged to create a variety of edge conditions such as homes backing to collector roads and back to back homes

Refer to the preliminary and/or final plot for final setback requirements.



Variable Setbacks

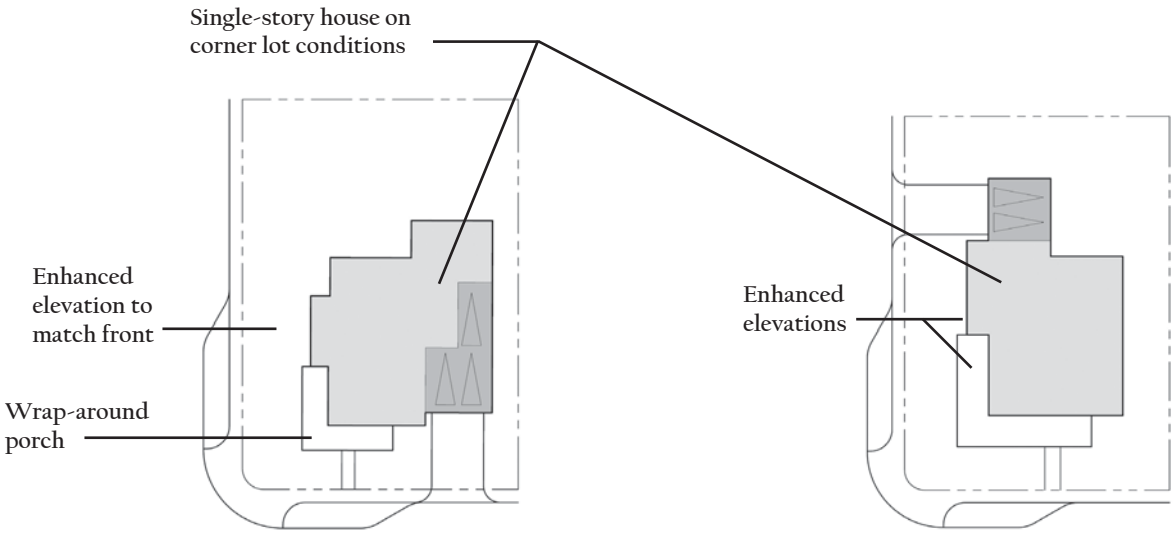
7.3.9 Corner Lots /Critical Edge Conditions

Intent:

Single-story elements at corner conditions should be considered in Edenglen. Creating a "human-scale" edge, utilizing single-story elements and other architectural details, provides optimal massing forms oriented to pedestrians. Porches that wrap around two sides of the house provide a transition from the public realm of the street to the private home.

Criteria:

- At least one plan type should be designed for corner lot plotting in order to be flexible
- Similar massing and detailing utilized on the front elevation shall be incorporated on the side elevation facing the street
- Homes on corner lots are encouraged to be designed for two-sided corner exposure



Corner Lot Garage Alternatives

7.4 Materials and Details

7.4.1 Introduction

Strong architectural detailing is a key element to creating quality communities. During the design of Edenglen, special attention has been given to the details of the homes. Appropriate focus should also be given to the design of the secondary elements of the architecture.

General Elements

The following elements are primary:

- Wall Finish
- Accent Materials
- Doors
- Windows
- Exterior Lighting
- Roofing Materials
- Eaves and Rakes
- Color
- Chimney Shrouds



Wrought Iron Balcony Railing

Other Elements:

Mechanical equipment

- Rooftop mechanical equipment is strictly prohibited
- Air conditioning/heating equipment shall be screened from the street and neighboring views
- Pool, spa, and water softening equipment shall be screened from the street and neighboring views

Meters

- Meters shall be screened from public view to the extent possible

Gutters and downspouts

- 6" half round gutters required
- Exposed gutters shall match roof or wall color
- Faux copper patina is acceptable

Accessory structures

- Any detached living structure, such as casitas, associated with the single-family lot shall be designed to match the style, massing and detail criteria of the primary building

Chimney Shrouds

- Chimney shrouds shall be simple in form, appropriate to the architectural style, and not overly ornate

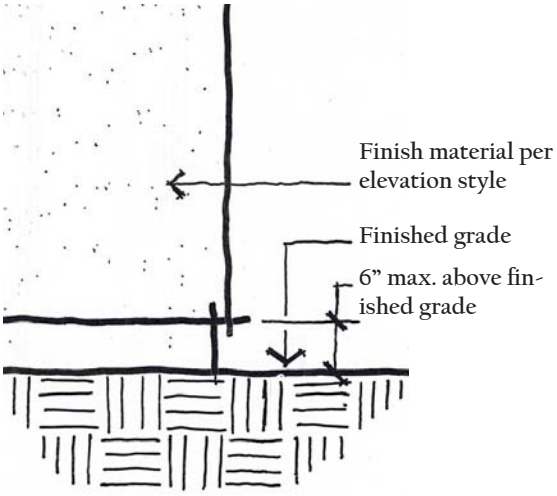
7.4.2 Wall Finishes

Allowed Finishes:

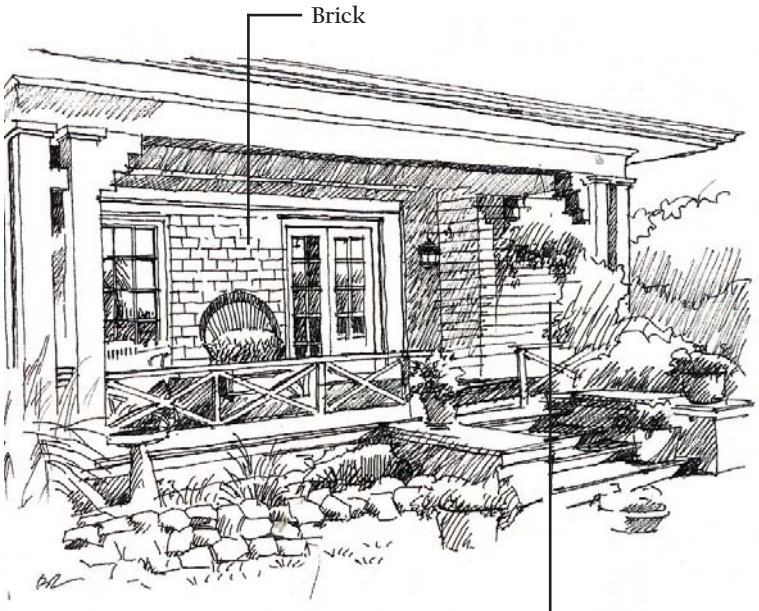
- Stucco
- Exposed masonry walls (brick, slump block, etc.)
- Stone, brick, adobe, brick veneers (accent materials)
- Cement plank siding
- Board and batten siding

Criteria:

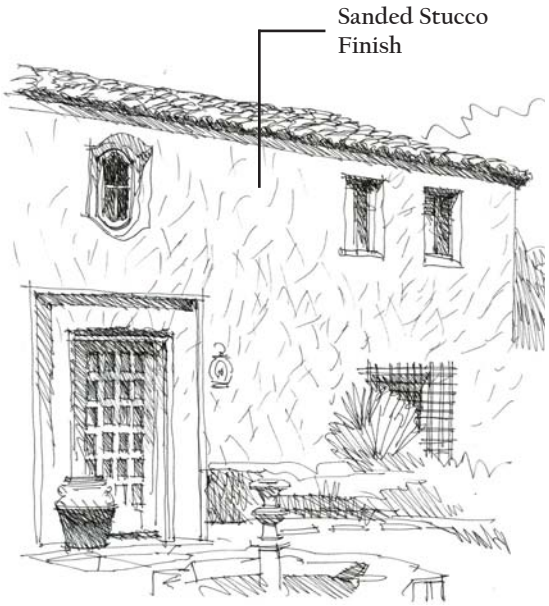
- Footings shall be exposed no higher than 6" above finished grade
- A medium sand finish (30/30) for stucco is encouraged
- "Spanish Lace" stucco finish is discouraged
- The proposed stucco finishes must be approved by the City of Ontario Planning Department



Exposed Footing Detail



Brick and Plank Siding



Stucco Finish

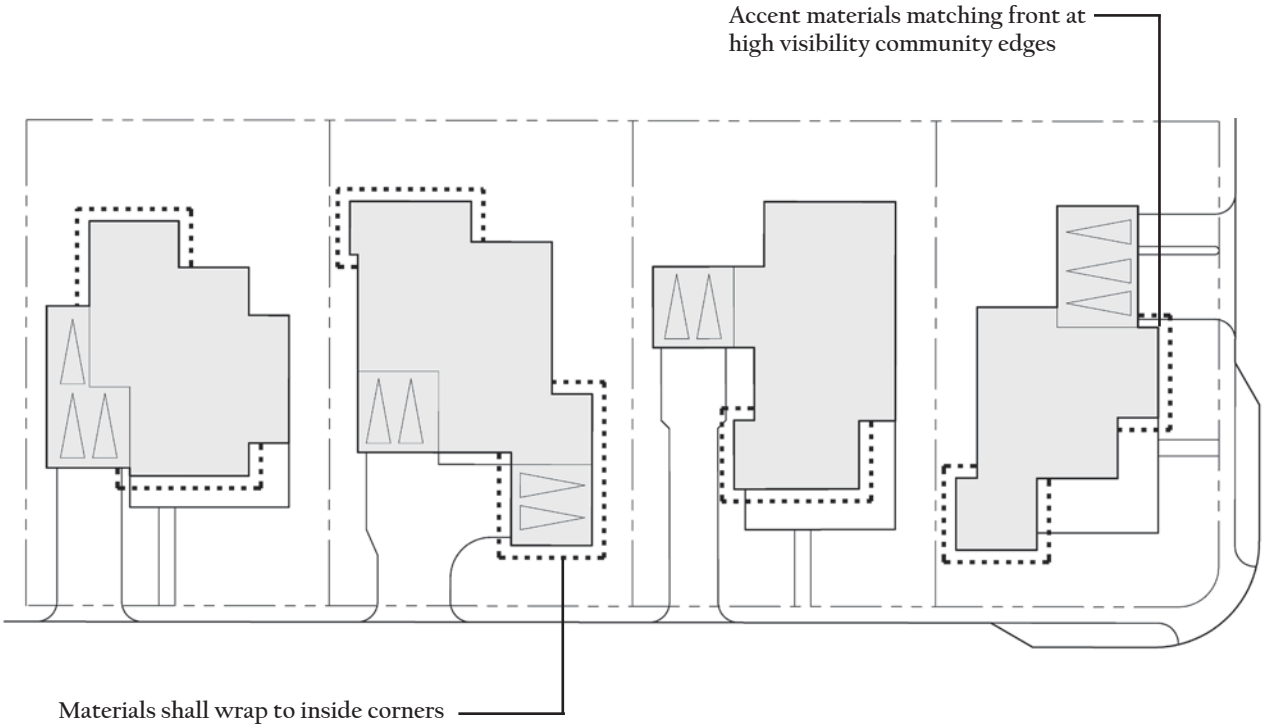
7.4.3 Accent Materials

Intent:

Accent materials reinforce the architectural theme of the home and ensure diversity in character within the neighborhood.

Criteria:

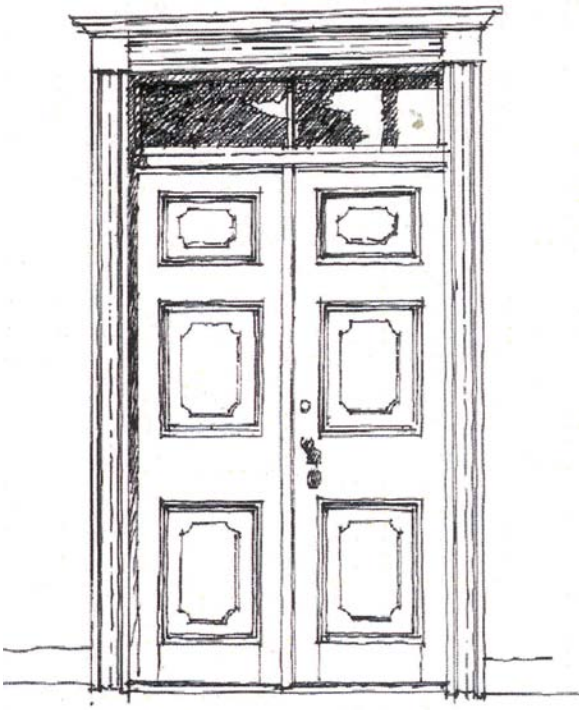
- Accent materials shall be wrapped to coincide with an architectural element, and terminate at inside corners
  Note: Accent materials may terminate at privacy wall conditions
- Natural stone, approved manufactured or cultured stone, painted or natural brick, precast concrete, ceramic tile, wrought iron, slump block, and horizontal or vertical wood siding (or approved manufactured siding, i.e. cementious board) are encouraged
- Accent materials complementing the overall color and style of the home are encouraged
- Architectural trim applied to all elevations should be provided to be consistent with the front elevation and the architectural style



7.4.4 Doors

Criteria:

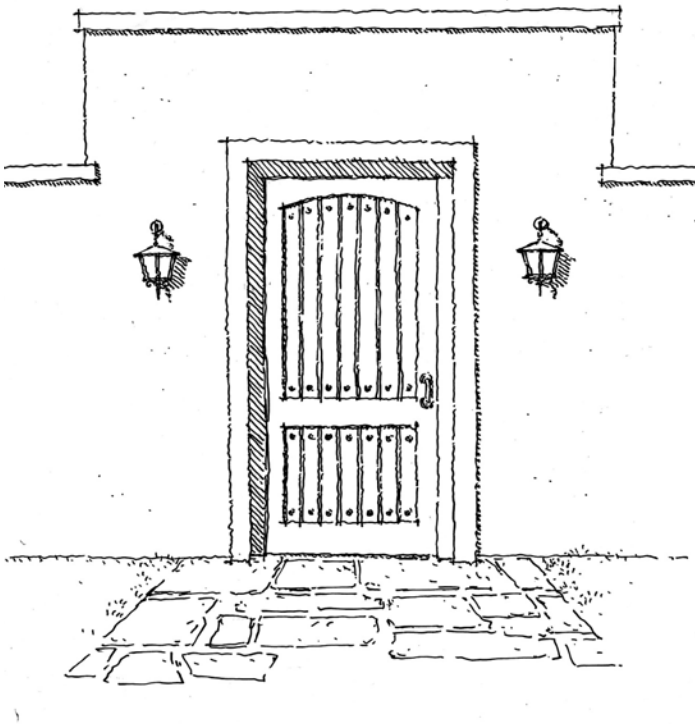
- Front entry doors shall be wood, composite fiberglass, or MDF
- Design of doors shall be consistent with the architectural style of the home
- Doors shall be protected by deep recess or porch elements
- Recessed doors are encouraged at two-story massing
- Entry and garage doors expressing a level of detail appropriate to the style of the dwelling are encouraged
- Maximum garage door height shall be 8'-0"
- Garage doors are encouraged to be recessed a minimum of 12"
- Garage door windows shall be consistent with the architectural style of the home



Front Door with Trim Detailing



Protected Door Under Balcony



Door to Courtyard

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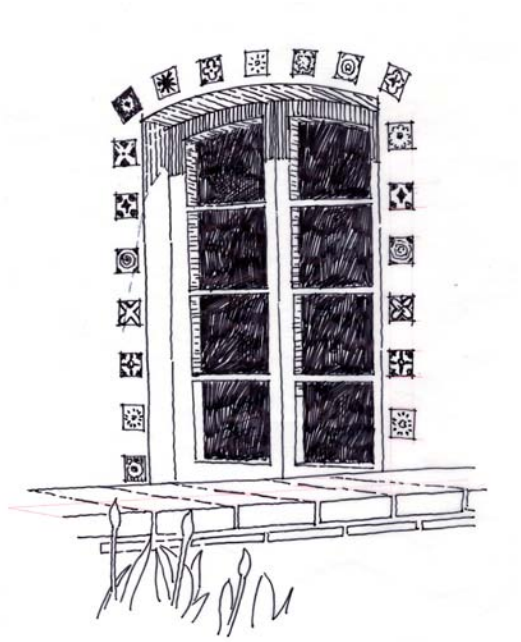
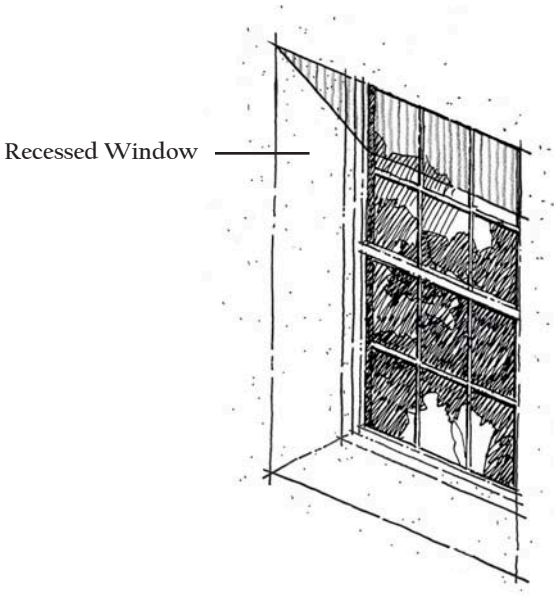
7.4.5 Windows

Criteria

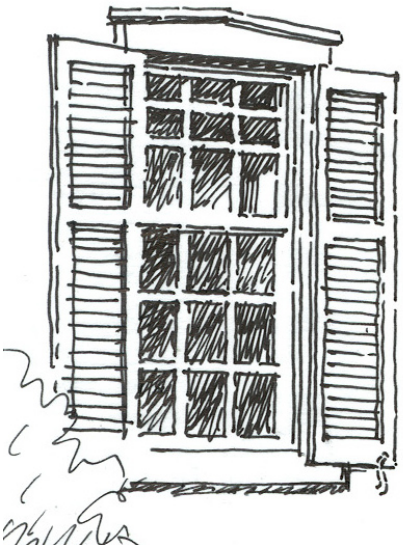
- Proportions and alignment shall be appropriate to style
- No highly reflective glazing shall be used.
- Windows shall be aluminum, wood or vinyl
- Grates, shutters and tile surrounds are encouraged as style dictates
- Inset windows are encouraged to be a minimum of 2" in depth at inset
- Recessed windows are encouraged to be a minimum of 18" in depth
- Full window trim is encouraged on all elevations (front, side, rear)
- Shutters shall be sized to match window width and have appropriate hardware



Tile Surrounds Window



Window Recess



Shutter Detailing

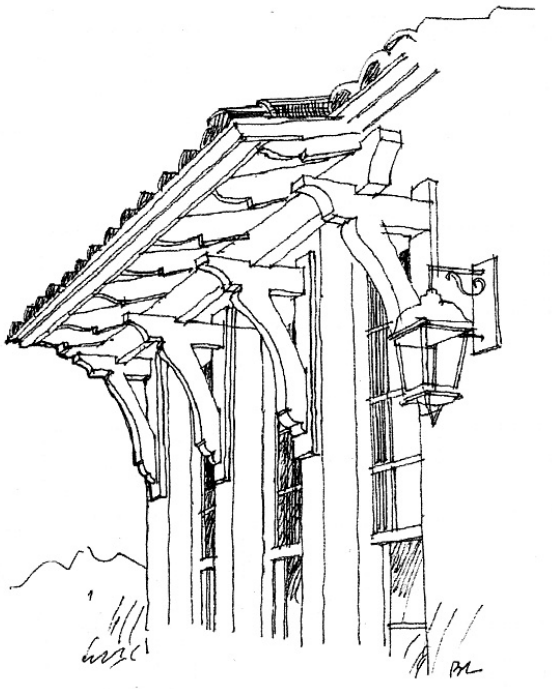
7.4.6 Exterior Lighting

Intent:

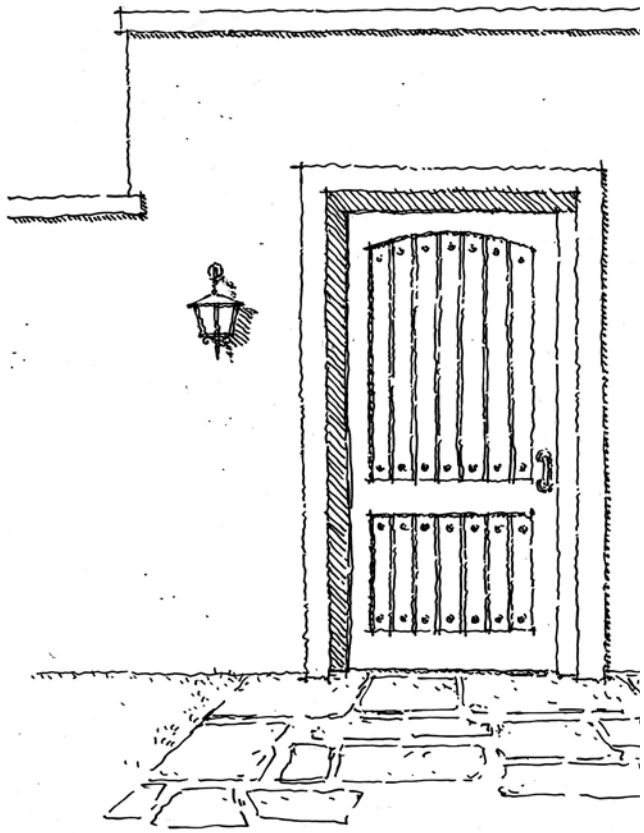
Emphasis will be placed in reducing ambient light at Edenglen.

Criteria:

- Lighting used on walls and walkways shall focus light down and provide appropriate downcasting hardware to minimize glare
- Surface mounted lights shall not be permitted in garage door soffits; lighting fixtures shall be appropriate to the selected style of the home; wallparks are prohibited
- Ambient light shall be cast downward to reduce impact
- Light design shall be included as part of the architecture review package



Lighting Detail Reinforcing Architectural Style



Entry Lighting



Accent Lighting

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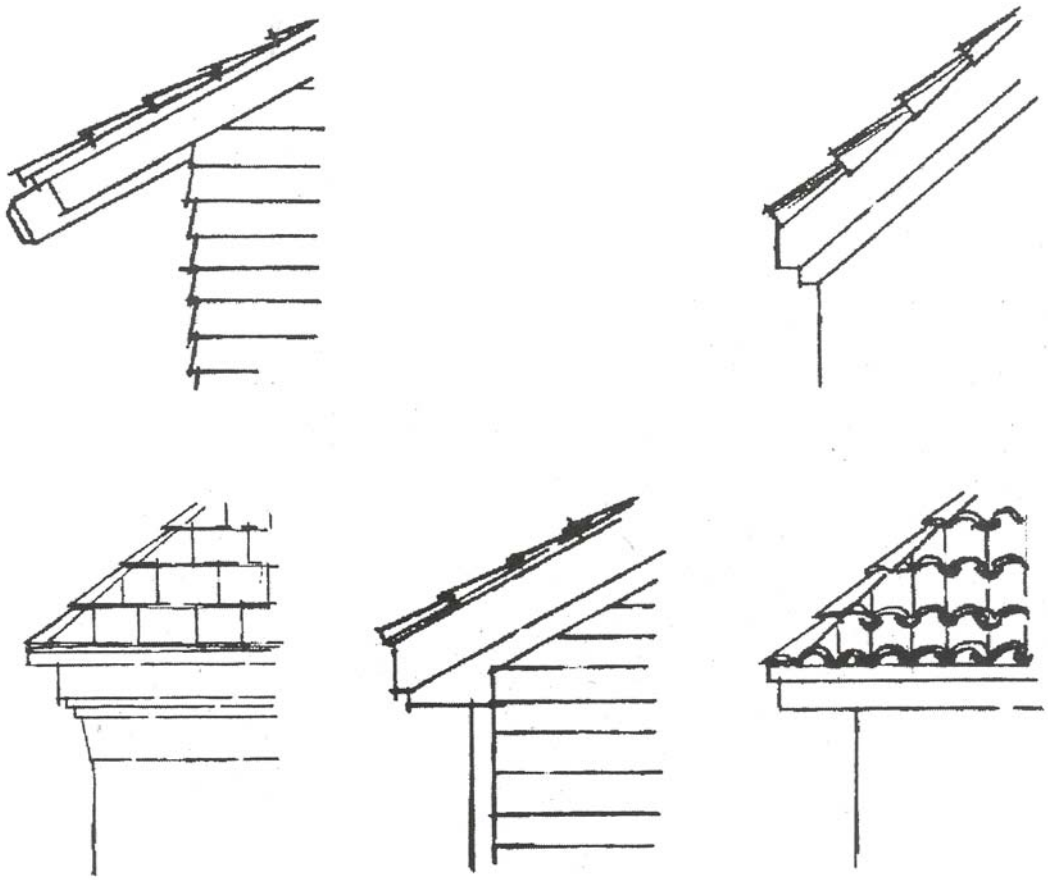
7.4.7 Roofing Materials

Criteria:

- Particular attention shall be given to avoid repetition in continuous gable-ends and similar ridge heights
- Concrete clay flat, S-tiles or barrel shall be used depending upon home style
- Skylights are not allowed on sloped roofs facing public streets
- Standing seam metal roofs painted in non-reflective neutral colors are allowed for all appropriate architectural styles (excluding Spanish and Monterey)

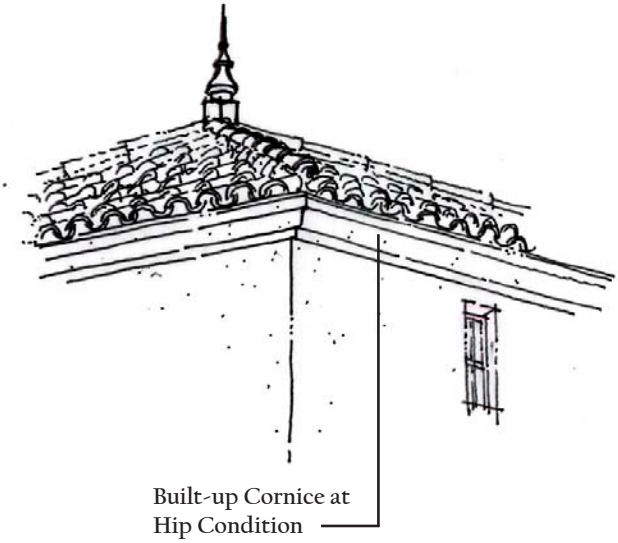


Roof Options

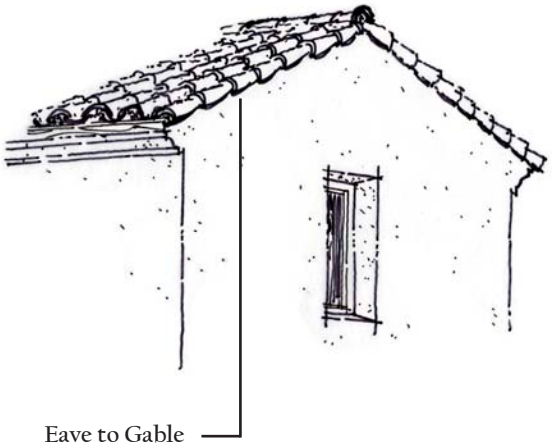
7.4.8 Eaves and Rakes

Criteria:

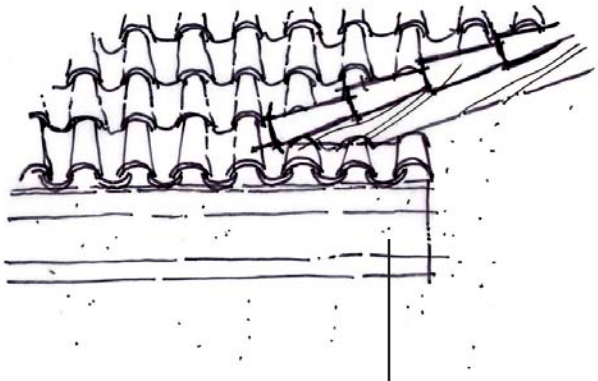
- Rafter tails, when exposed, shall be a minimum of 4," painted or stained
- Attention related to the rake return detail is encouraged
- Eaves are encouraged to be constructed of simple built-up stucco cornices (wrapped eaves)
- Appropriate to the home's style, larger eave overhangs are encouraged to provide opportunities for shading
- Proportions of eaves and rakes shall be appropriate to the home style



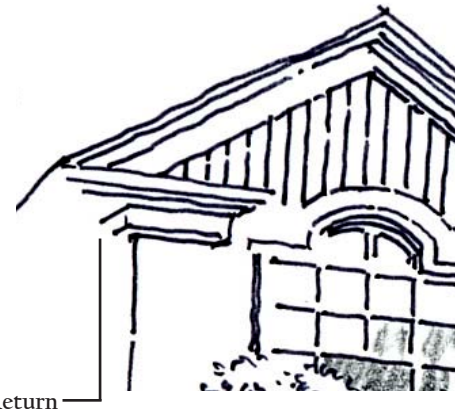
Built-up Cornice at Hip Condition



Eave to Gable



Gable to Eave Transition



Balanced Cornice Return

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7.4.9 Color

Intent:

Colors chosen for the homes of Edenglen are important to establishing a community that blends continuously, yet leaves the impression that each home was designed on its own. Appropriate color selections will make each home unique but still look naturally and not out of place in the neighborhood.

Criteria:

- Color shall contribute to distinguishing the overall architectural character of the dwelling
- Colors should reflect the natural hues found in Southern California while embracing the diversity of color found in this environment
- Generally, the main body of the dwelling shall emphasize hues that are warm in character and saturated in intensity
- Hue variation in adjacent homes shall be provided to create diversity within the neighborhood
- Soft earthen tones are encouraged at the stucco-finished portions of the dwelling
- Diversity of color is encouraged
- Saturated regional earth tone colors are encouraged
- The exterior color character for the residences at Edenglen shall draw from the site itself and the influences of Southern California
- Roof tile colors are encouraged to be consistent with architectural styles

7.5 Home Types

7.5.1 Introduction

A variety of housing types utilizing an architectural program composed of detached and attached housing is offered at Edenglen. This diversity in housing types ensures a range of choices and a mix of homes within each neighborhood. Residences ranging from greencourt-oriented townhomes to condominium style cottage homes to conventional single-family homes are articulated in traditional architectural styles. Providing a multitude of various housing programs will allow for a diverse array of family types and the opportunity for families to move up within the community as their lifestyles and needs change through time.

The siting of the various housing types included consideration of orientation to edge conditions, transitional land use areas, street and pathway types, and the heart of the community—the Central Park.

7.5.2 Home Type Criteria

The following pages reference the location of defined parcels, their appropriate housing type allocation, and a vignette showing a conceptual image of house orientation on a lot, as well as its relationship to other homes.

Home Type	Configuration	Product Acreage	Units	Density	Min. Lot Size
P-1	SFD	18.6 Acres	92	4.9 du/ac	55' x 95'
P-2	Alley-Loaded SFD	11.3 Acres	69	6.1 du/ac	50' x 85'
P-3	Cottage Home SFD	10.3 Acres	116	11.3 du/ac	31' x 63'
P-4	Triplex Court Home	12.4 Acres	151	12.1 du/ac	84' x 84'
P-5	Garden Court Townhome	9.3 Acres	156	16.7 du/ac	119' x 133'
	Roads, Parks and Open Space	15.2 Acres			
Total		**77.1 Acres**	**584**	**7.6 du/ac**	

Note: Lot counts, acreages and densities may be revised based on final plat maps.



Garden Court homes

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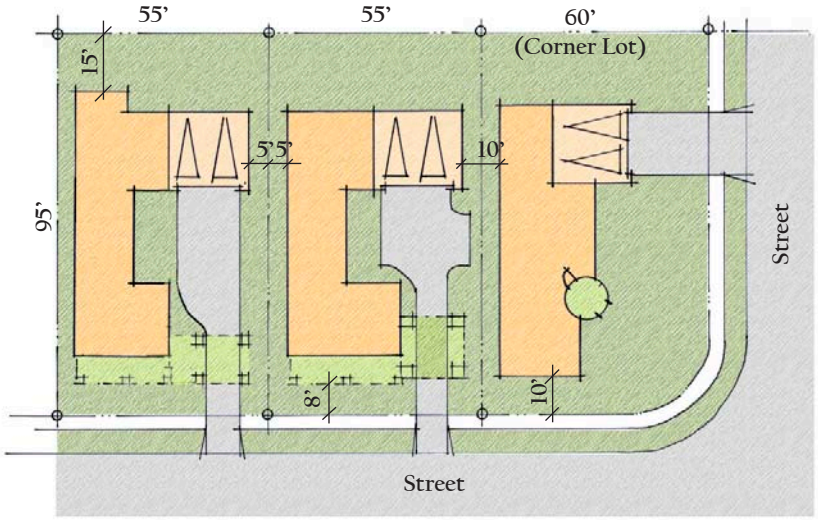
P-1: Single Family Detached (SFD)

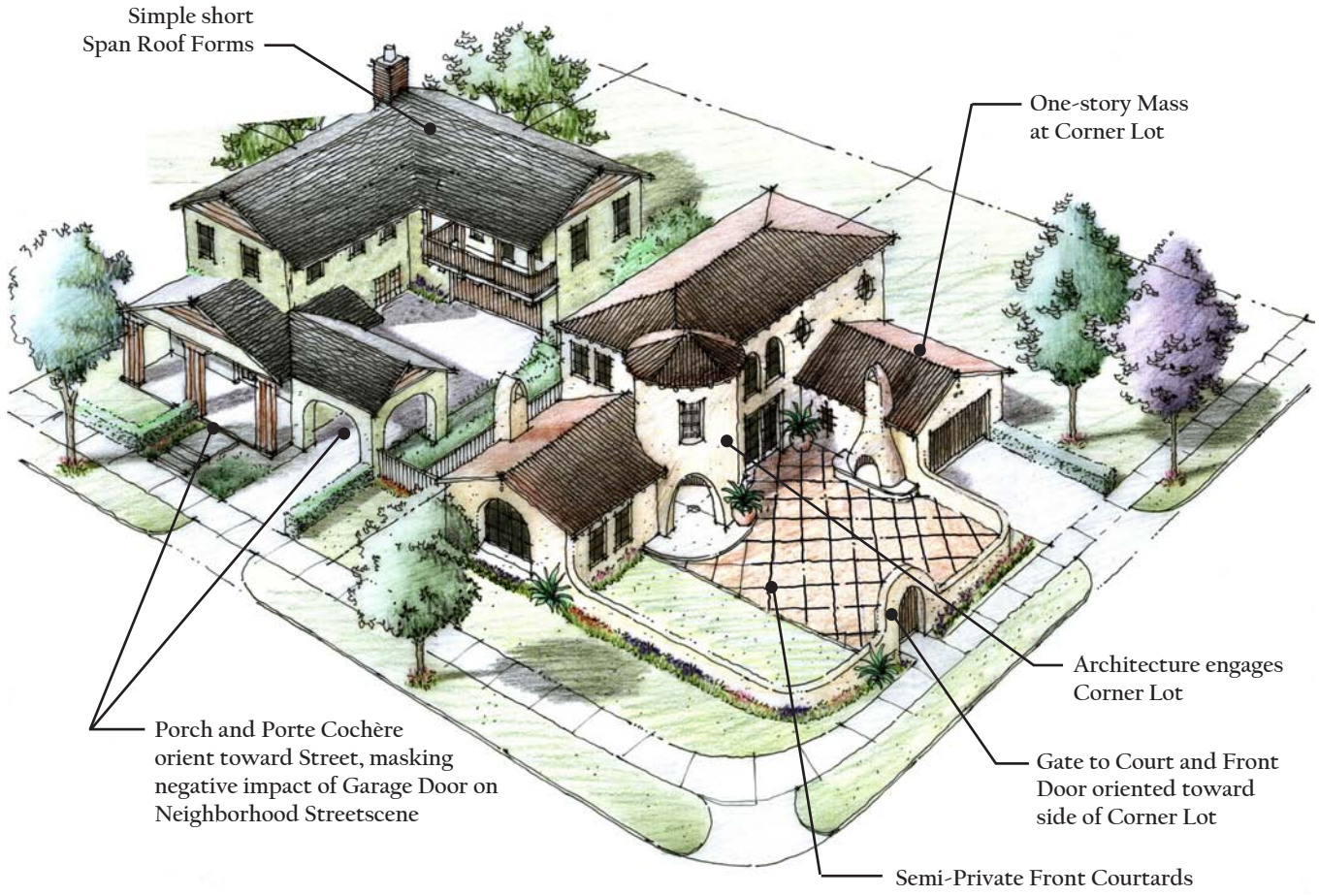


*Unless otherwise stated, all setback dimension lines are minimums.

Plotting Example

Characteristics:

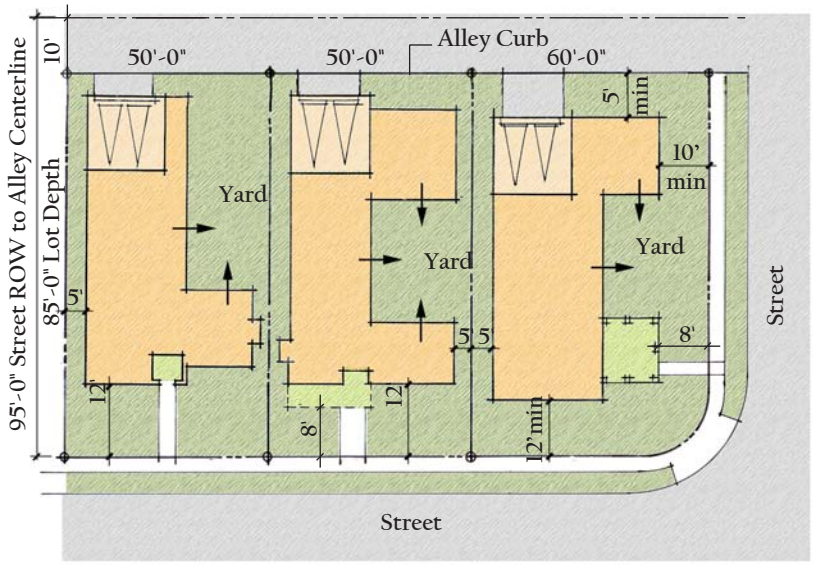
- Variety of garage configurations
- Primary rooms orient towards street
- Front doors and walks face street
- Wider lot at corner
- Varied front setbacks



Axonometric

Note: Architectural styles may vary.

P-2: Alley-Loaded SFD

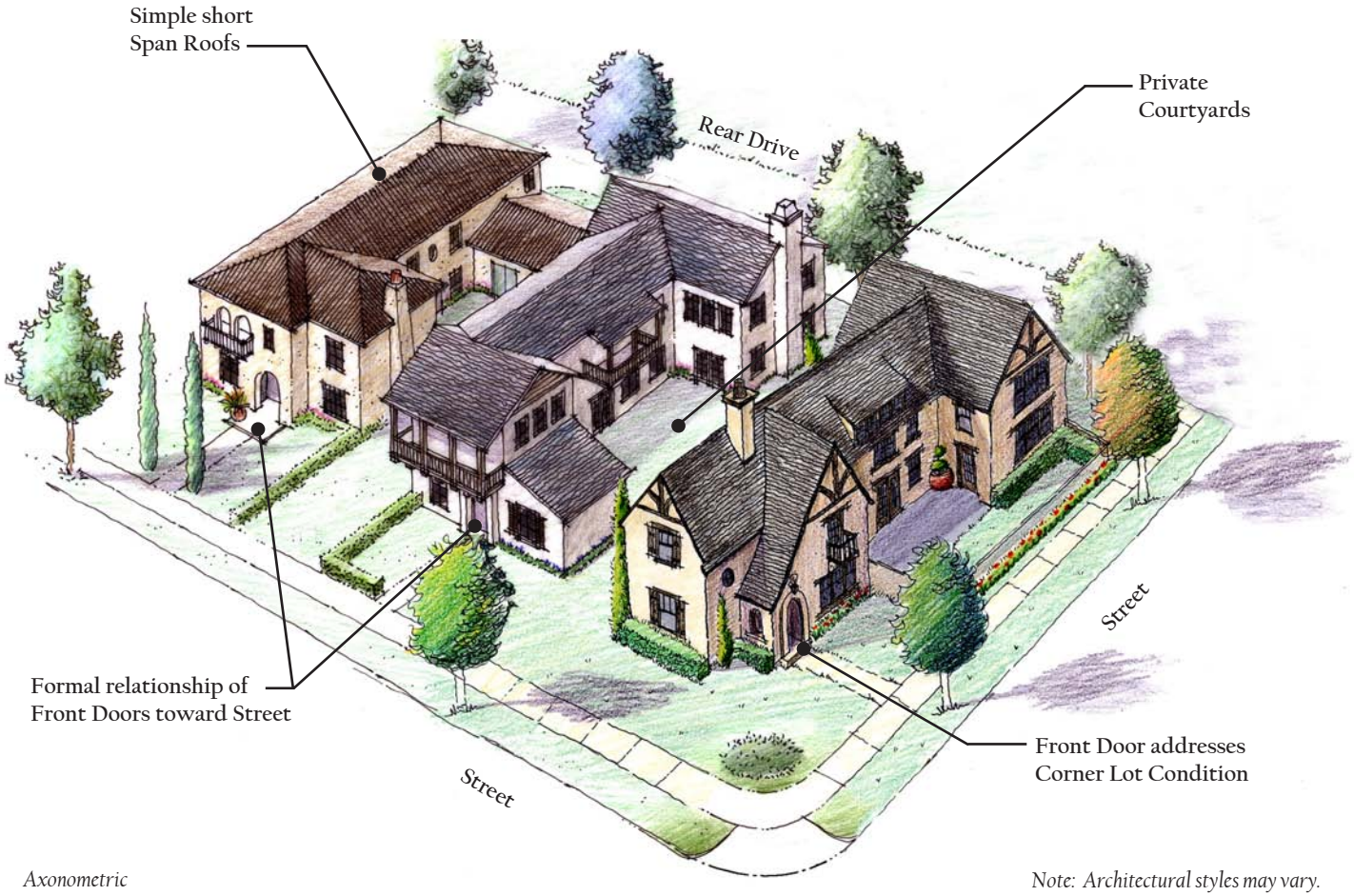


*Unless otherwise stated, all setback dimension lines are minimums.

Plotting Example

Characteristics:

- Rear-loaded garages from alleys
- Major rooms orient around courtyard
- Front doors and walks facing street
- Wider lot at corner
- Reciprocal use easements for expanded sideyards



Axonometric

Note: Architectural styles may vary.

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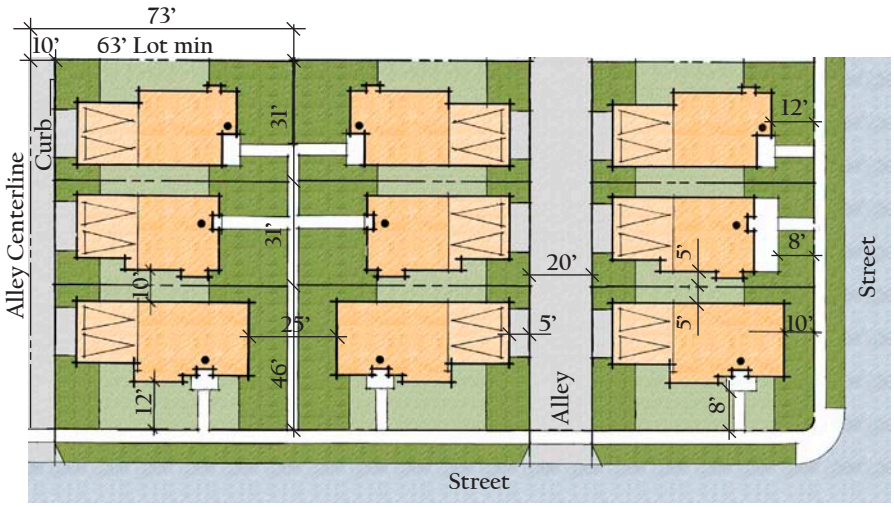
P-3: Cottage Home SFD

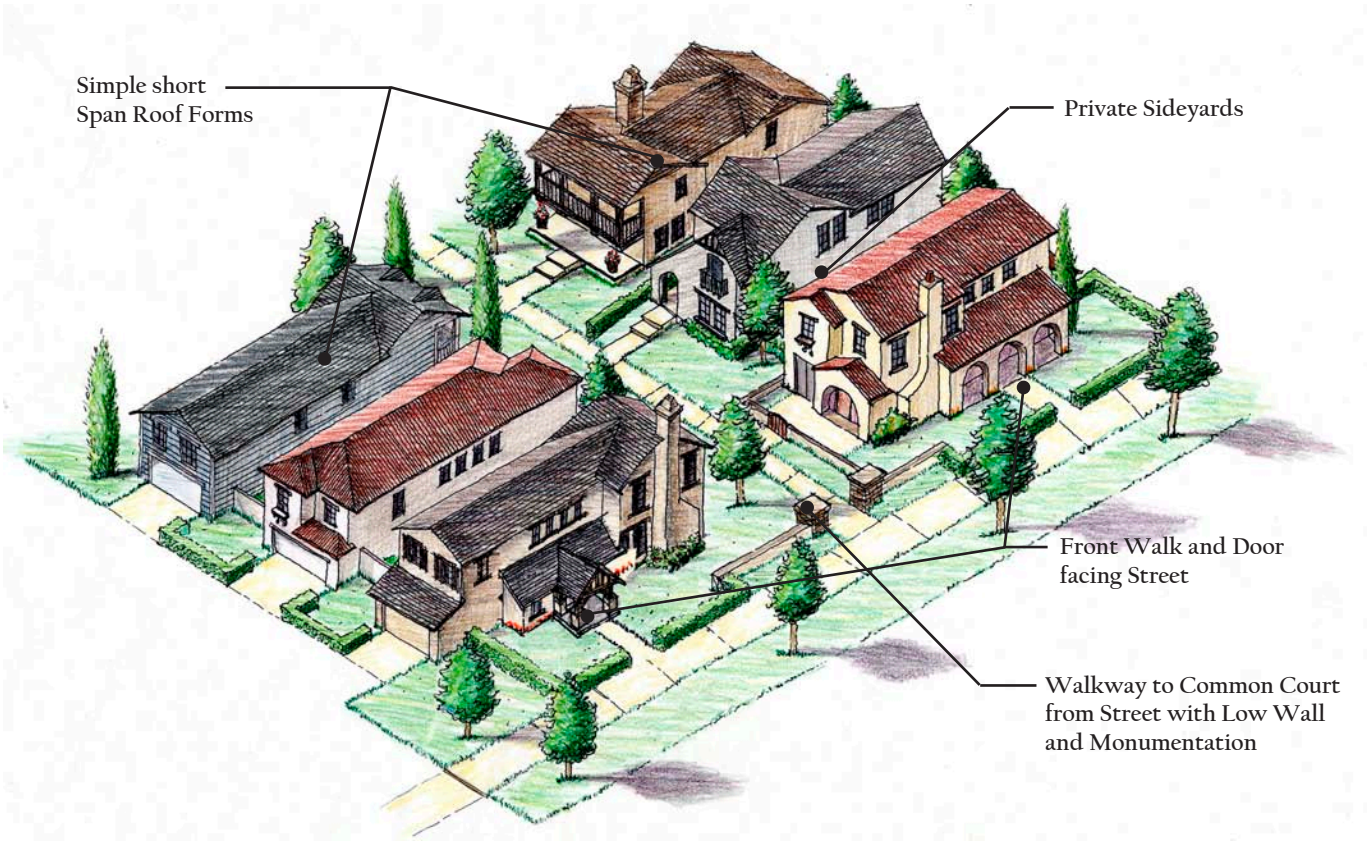


*Unless otherwise stated, all setback dimension lines are minimums.

Plotting Example

Characteristics:

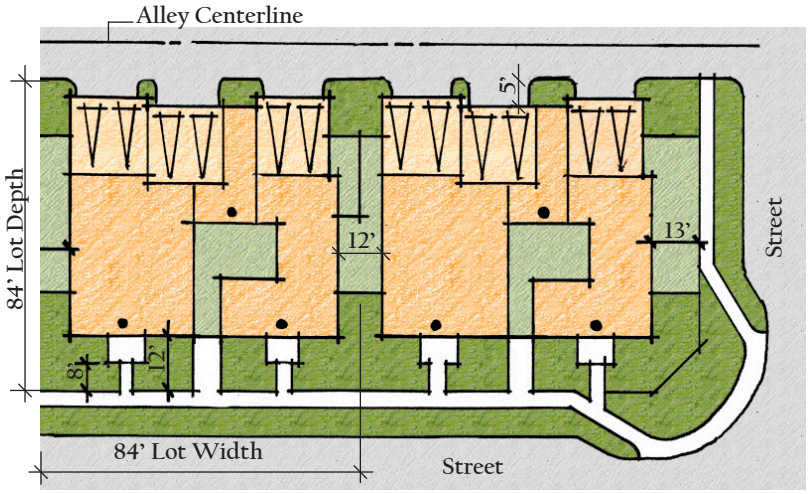
- Rear-loaded garages from alleys
- Primary rooms orient towards street or greencourt
- Front doors and walks facing street or greencourt
- Private side patio yard areas
- Reciprocal use easements



Axonometric

Note: Architectural styles may vary.

P-4: Triplex Court Homes

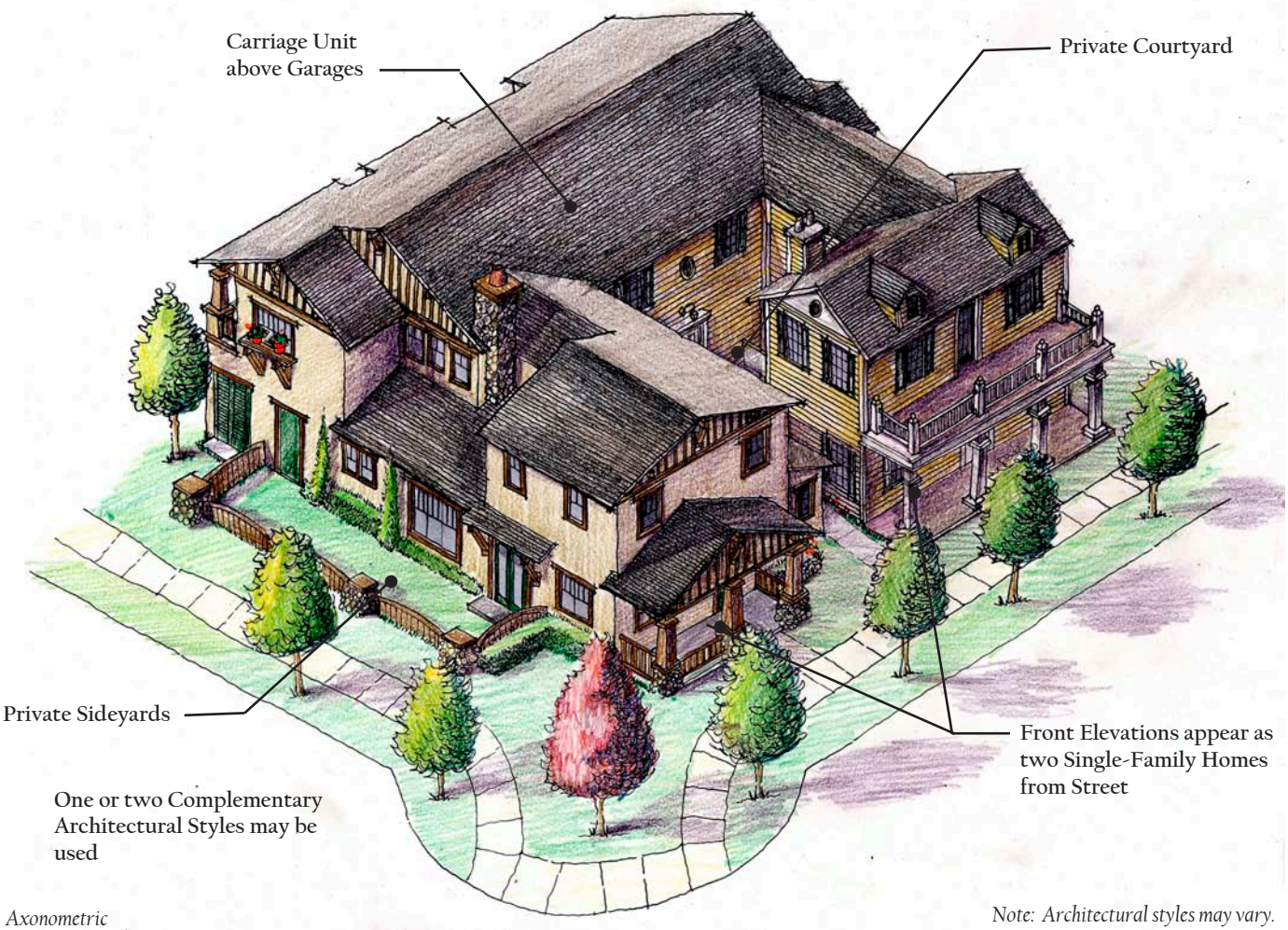


Plotting Example

*Unless otherwise stated, all setback dimension lines are minimums.

Characteristics:

- Rear-loaded garages from alleys
- Primary rooms orient towards street
- Front doors and walks facing street
- Private side patio yard areas
- Private courtyard for carriage unit



Axonometric

Note: Architectural styles may vary.

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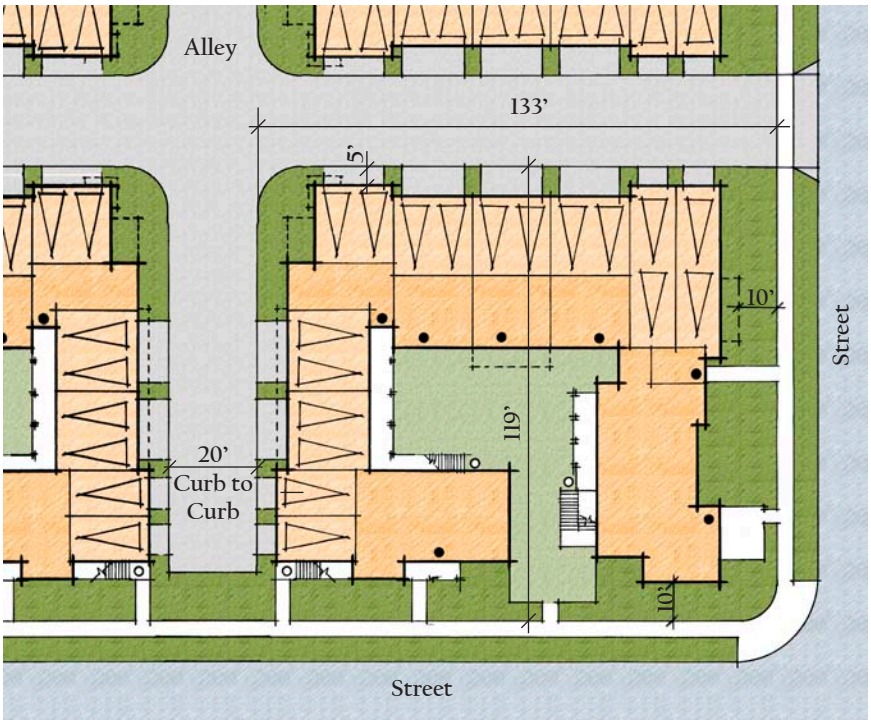
P-5: Garden Court Townhomes

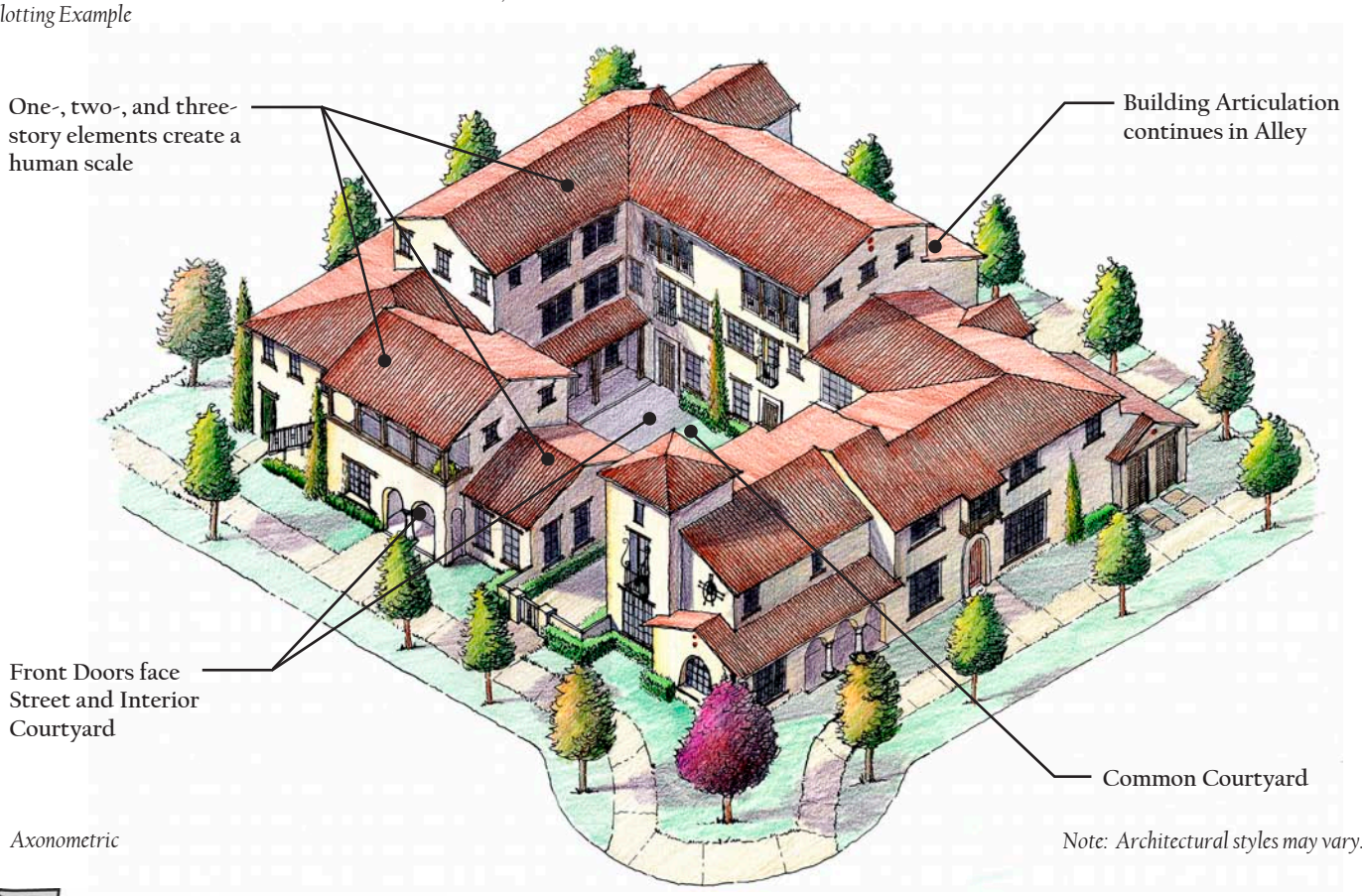


*Unless otherwise stated, all setback dimension lines are minimums.

Plotting Example

Characteristics:

- Rear-loaded garages from alleys
- Primary rooms orient toward street or courtyard
- Front doors and walks facing street or courtyard
- Private side patio yard areas
- Common courtyard
- Varied street facing setbacks



Axonometric

Note: Architectural styles may vary.

7.6 LANDSCAPE DESIGN

7.6.1 Introduction

The Design Concept is directed towards the creation of traditional neighborhoods serving to integrate the project area into a unified village within the existing City of Ontario. As a result, Edenglen becomes a vital part of the City, rather than an inwardly oriented suburban project more typical of new developments. The creation of a traditional development plan establishes the framework in which diversity in design and development can be achieved while providing an integrated neighborhood within the existing City.

The key elements of Edenglen design include:

- Formal street pattern, with alternative routes to each destination
- A pedestrian-friendly circulation system
- Connectivity between residential and commercial, business park/light industrial areas
- Traditional landscape character
- Strong sense of neighborhood
- Strong visual and physical connection with open space amenities

The overall landscape guidelines focus on the integration of these elements into Edenglen. Together, the appropriate treatment of the ideas discussed will establish a distinctive image consistent throughout the neighborhoods.



Central Park conceptual perspective

7.6.2 Overall Streetscapes and Entries

The following key landscape criteria are established for the overall streetscapes and entries within Edenglen.

- Provide a mix of deciduous and evergreen canopy trees within the parkways to create a continuous streetscene and a shaded walk on which people can stroll through their community.
- Lend an individual personality to each neighborhood with the use of plant material and tree species.
- Create "gateways" at the main entries that are reminiscent of a small town's main street.
- Introduce elements at corner intersections along the main entry street and village loop road to enhance the community and add a sense of welcome to each neighborhood.
- Develop a series of parks, open spaces, and paseos throughout the neighborhoods with formal and informal uses, which help provide for a walkable community that intertwines the neighborhoods and allows for comfortable interaction between all residents.



Landscape creates welcoming and friendly neighborhood character



Master Streetscape and Entries Plan

7.6.3 Entries

Entries to Edenglen residential areas will occur along Riverside Drive, Mill Creek Avenue, and Chino Avenue. The community's commercial entries will occur along Riverside Drive and Milliken Avenue. The business park/light industrial development access will occur along Milliken Avenue.

Residential entries may feature an informal setting of evergreen and deciduous trees, with a comfortable blend of vehicular and pedestrian scale improvements to provide a recognizable gateway and emphasize the traditional pedestrian-friendly character of Edenglen. Elements may be made with materials such as brick or stone designed to reflect an appearance of timeless strength and stability.

Primary Residential Entry

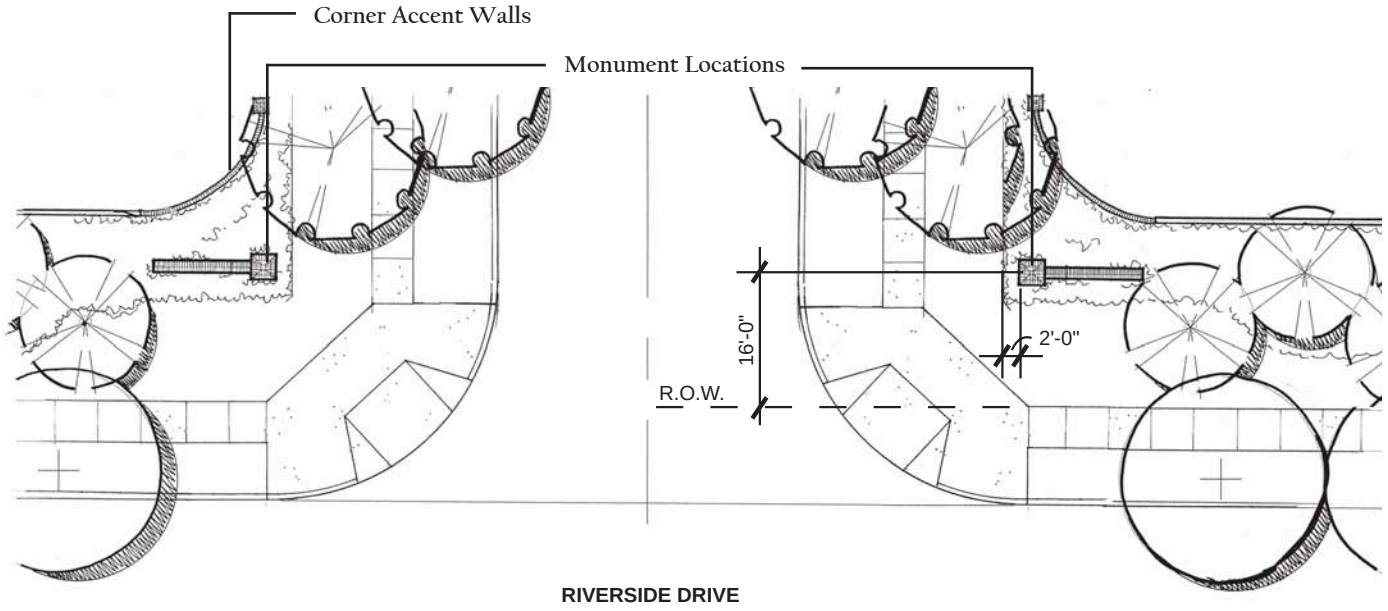
The primary residential entries off Riverside Drive and Chino Avenue will be composed of elements to act as gateways into the community. These components will be designed to have a small town appeal and be simple in design with an understated, welcoming character. These elements become the first impression of those coming to live and raise a family or to those just visiting. The intent is to create an impression that brings a smile and a feeling of being home.

Secondary Residential Entry

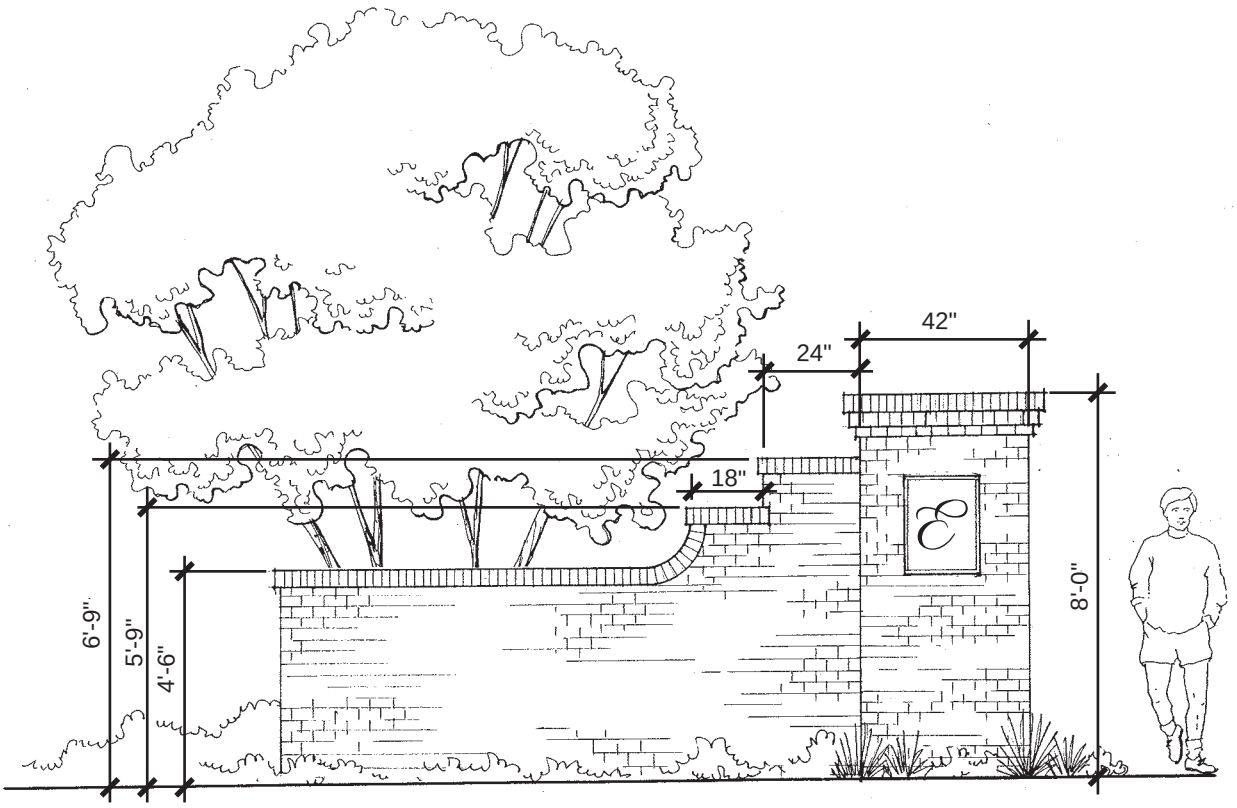
The secondary entry on Mill Creek Avenue will carry the same character of the main entries, giving the impression of a small town and an appeal that will always leave a smile with those who come and go. The elements within this entry will be smaller in scale yet will keep the same warmth and friendliness of their counterparts on Chino Avenue and Riverside Drive.



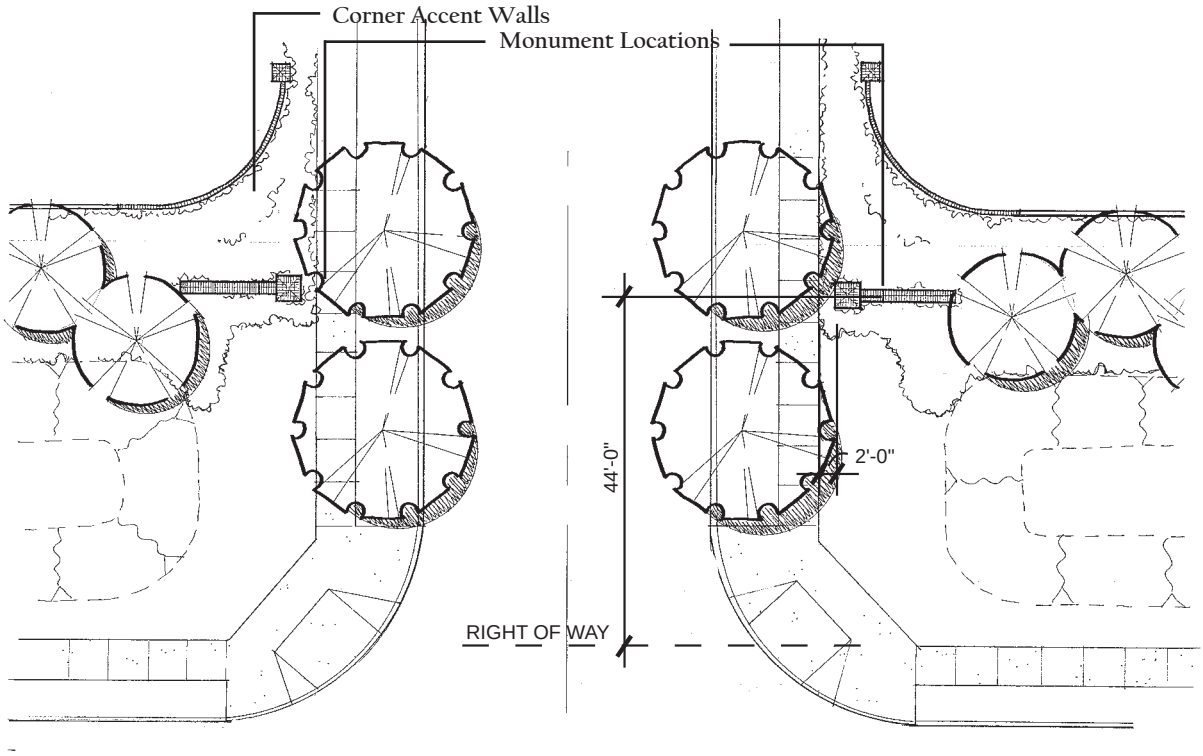
Entry from Riverside Drive



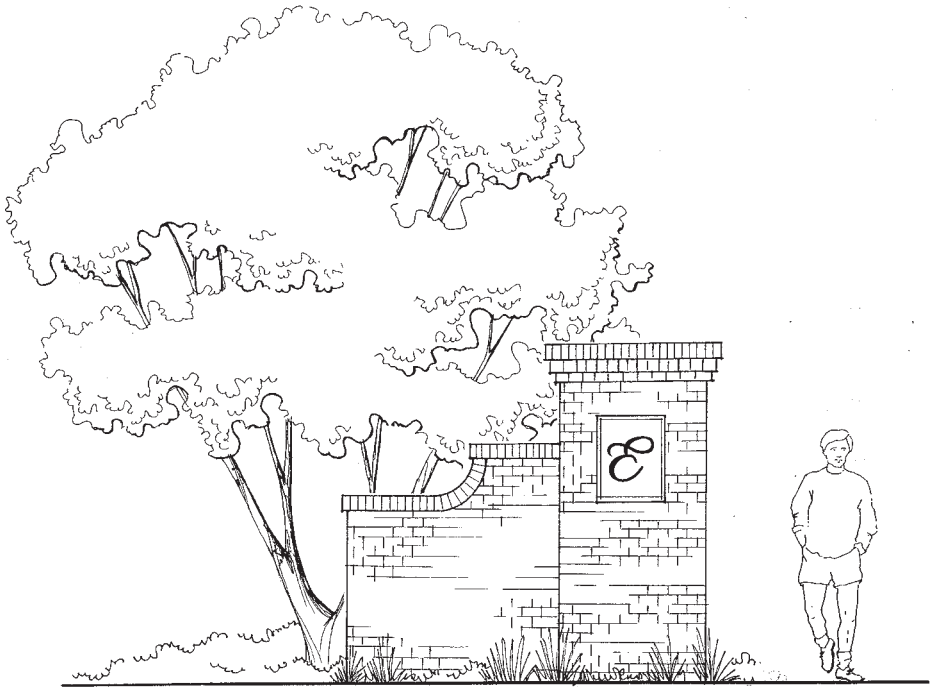
Primary Entry at Riverside Drive



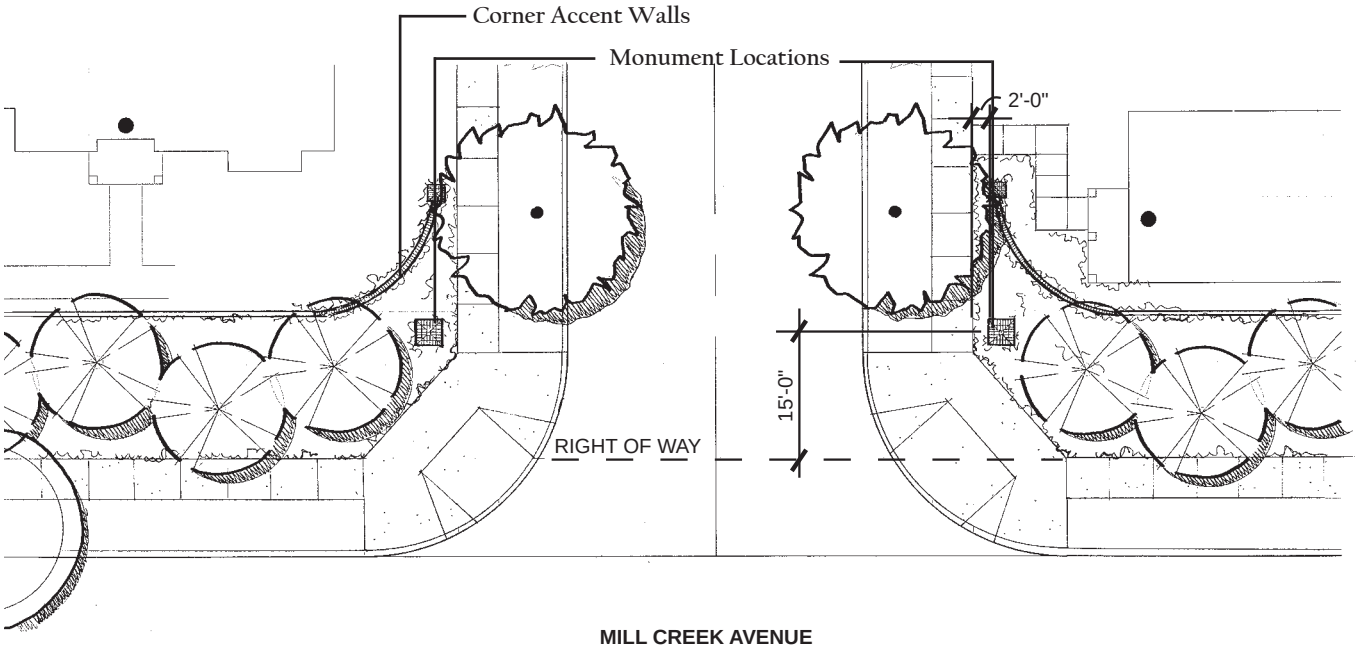
Entry Monumentation at Riverside Drive



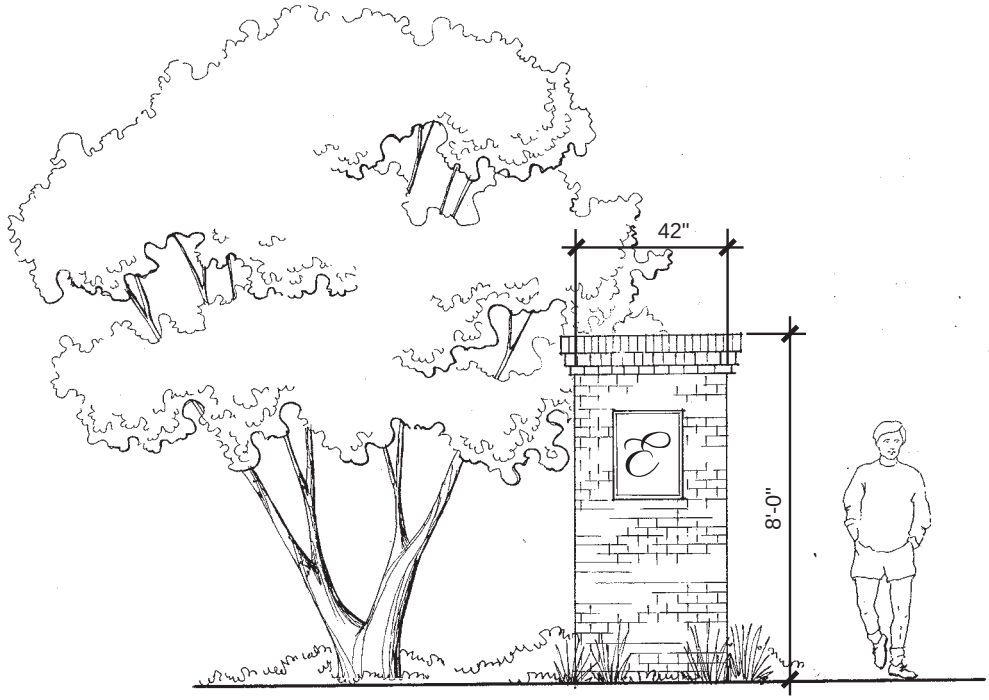
Secondary Entry at Chino Avenue



Entry Monumentation at Chino Avenue



Secondary Entry at Mill Creek Avenue



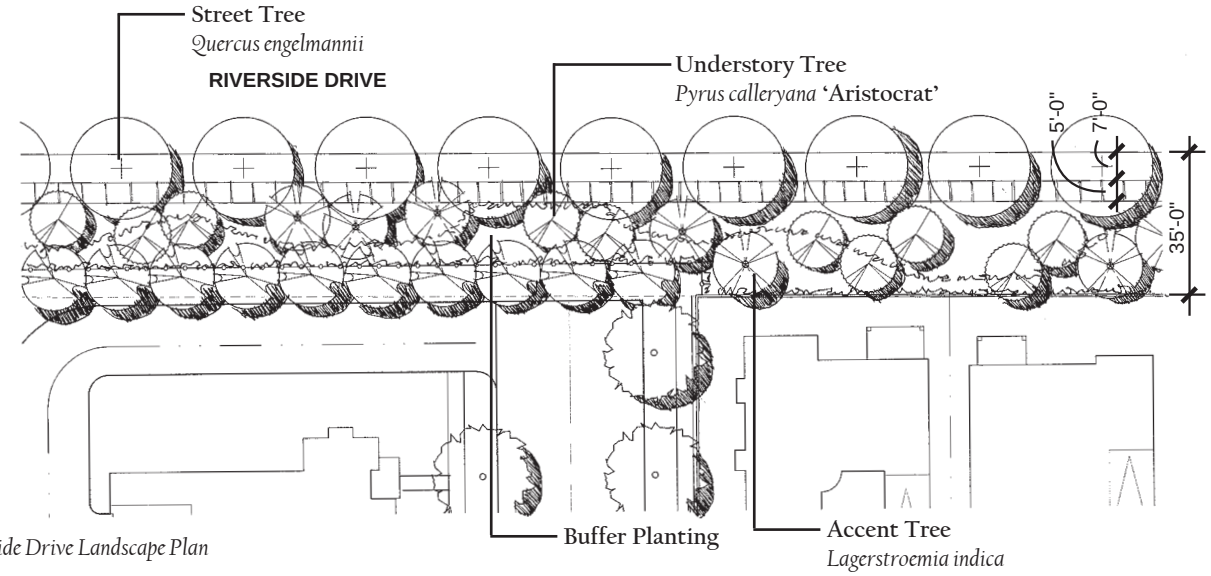
Entry Monumentation at Mill Creek Avenue

7.6.4 Streetscapes

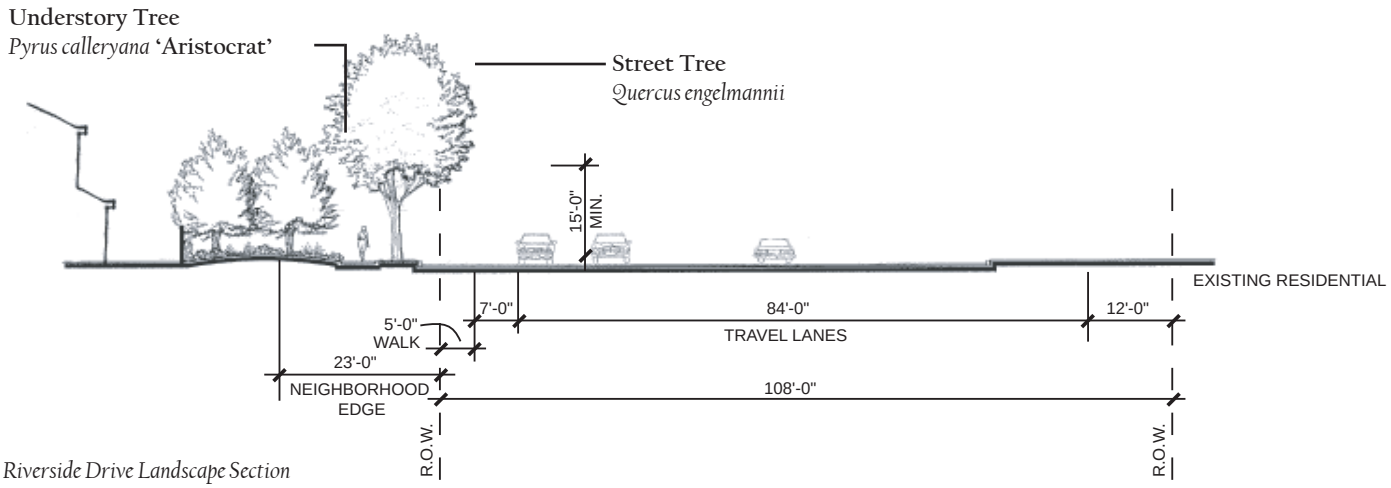
Arterial and Collector Streetscapes

Two City Master Plan arterial streets and two City Master Plan collector streets provide access into the project site. As key elements in the Edenglen Master Plan, these streets are designed with the following goals:

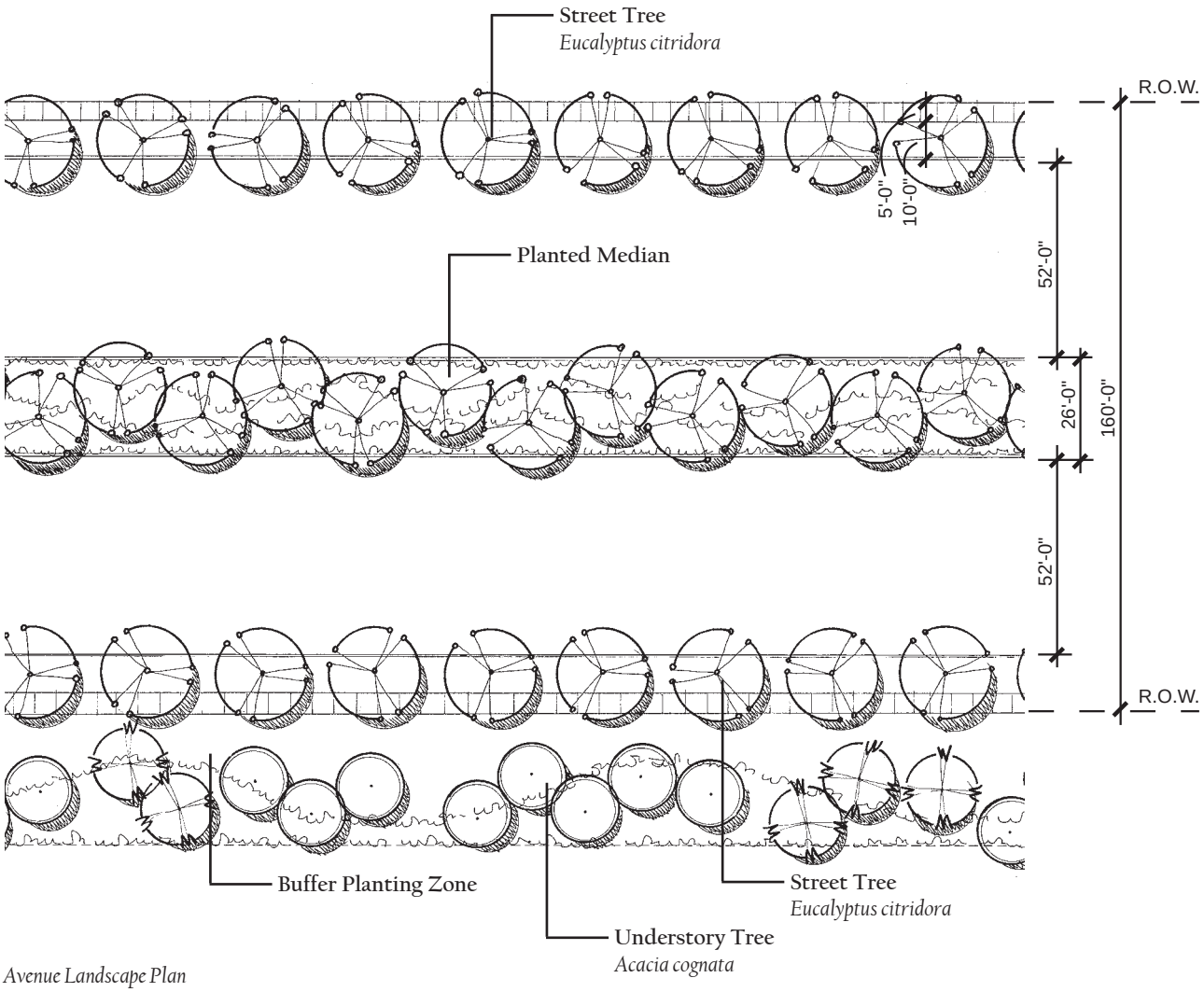
- To reinforce the traditional character of Edenglen through a formal landscape design of parkways,
- To establish a strong neighborhood identity utilizing theme trees which establish a special character for these important streets,
- To provide curb-separated sidewalks, on-street bicycle paths and off-street bicycle trails for a pleasant and safe pedestrian and bicycling environment,
- And, in spaces that will allow, to provide trees which will ultimately grow into a canopy cover for streets and sidewalks, thus enhancing sustainability and creating shade.



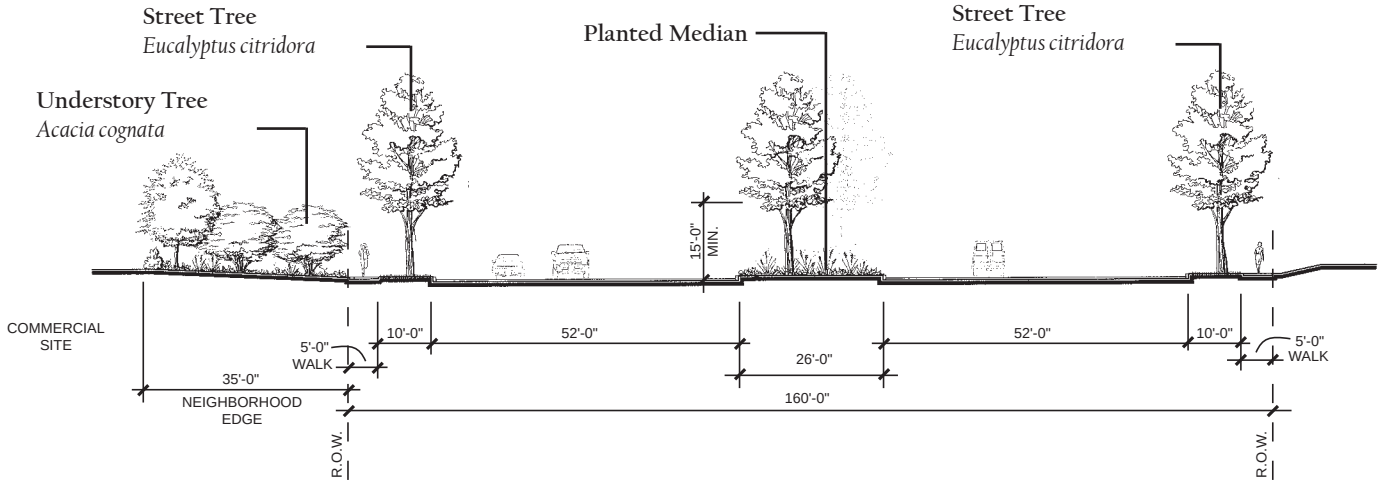
Riverside Drive Landscape Plan



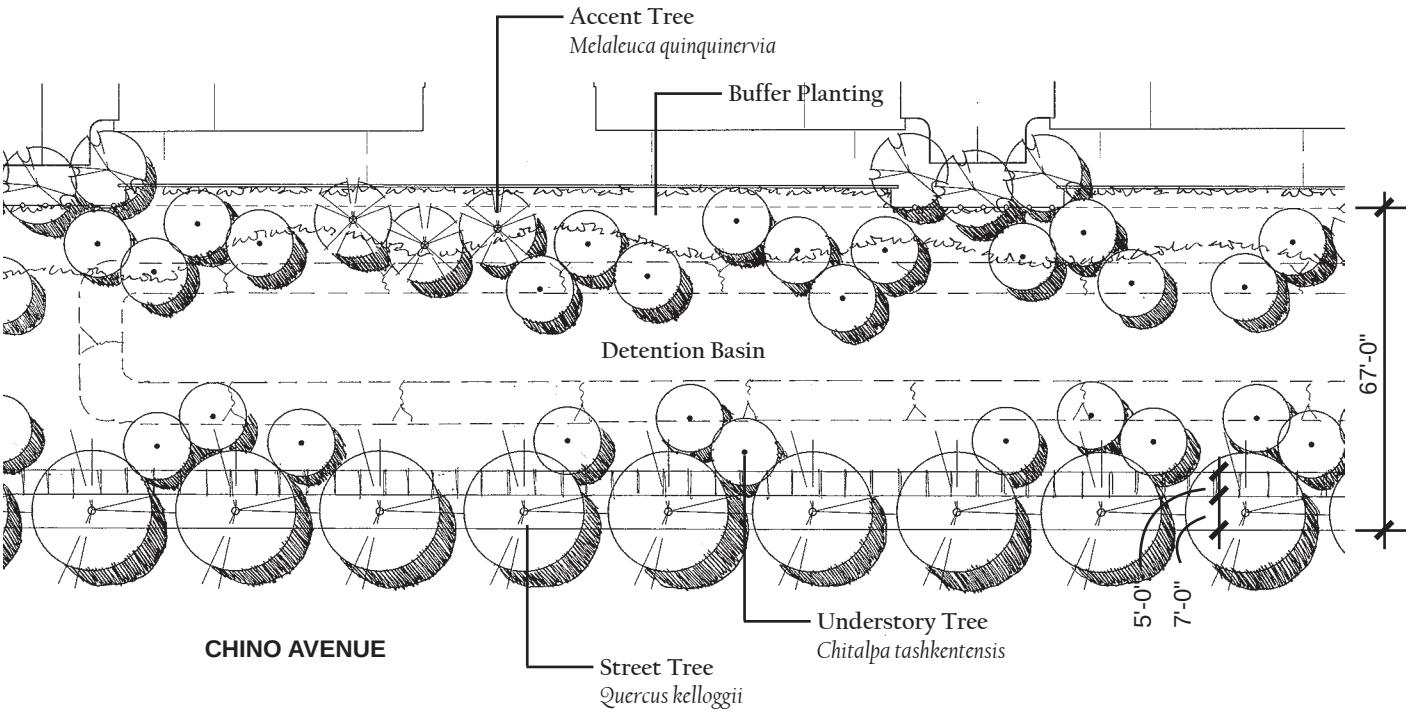
Riverside Drive Landscape Section



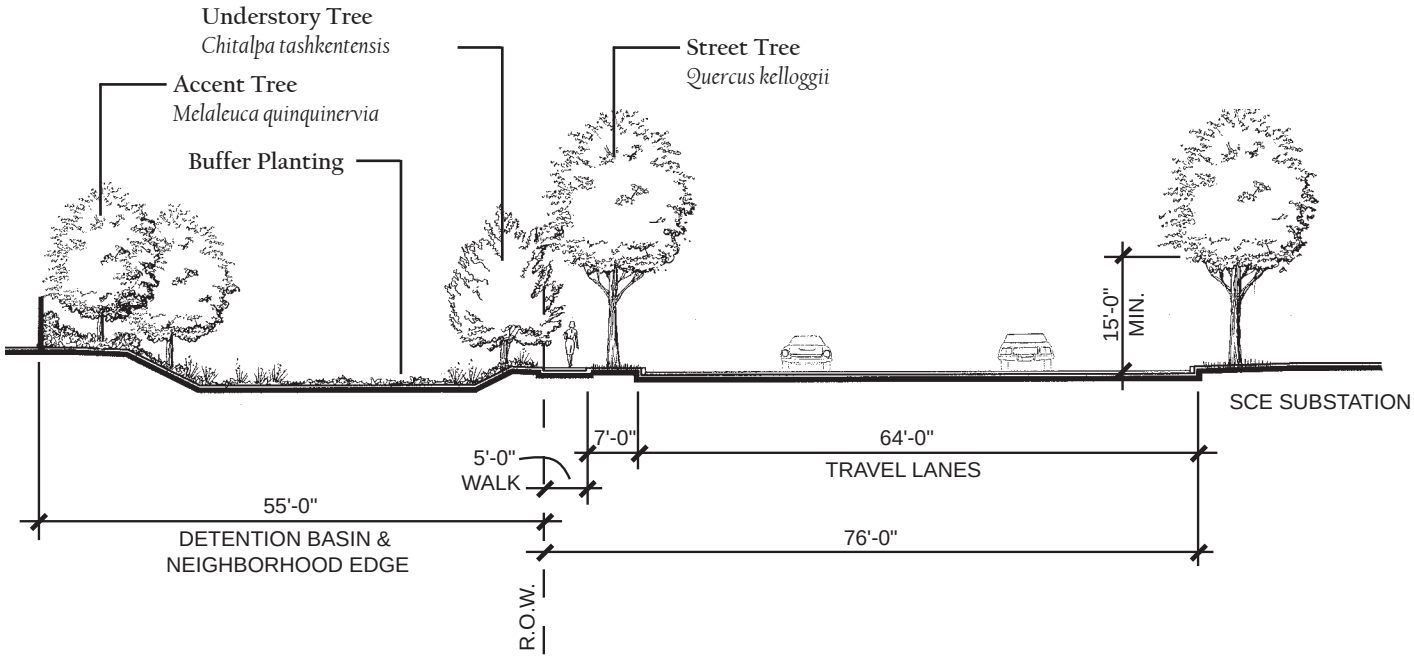
Milliken Avenue Landscape Plan



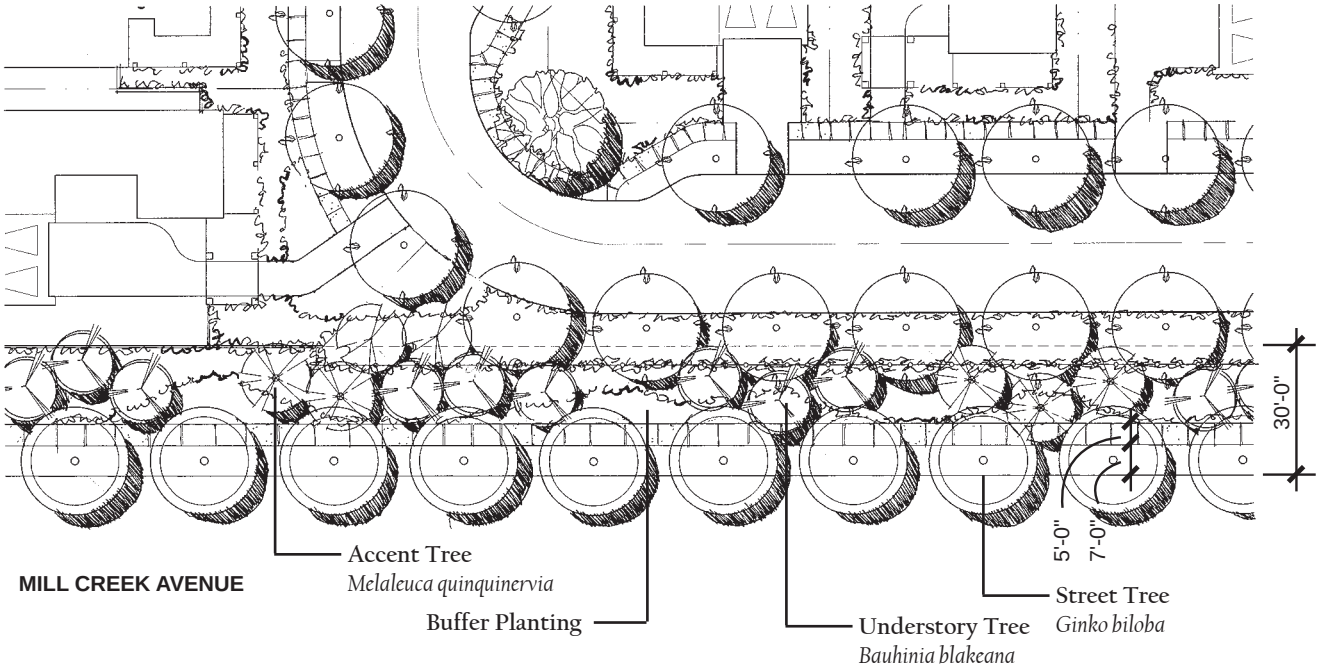
Milliken Avenue Landscape Section



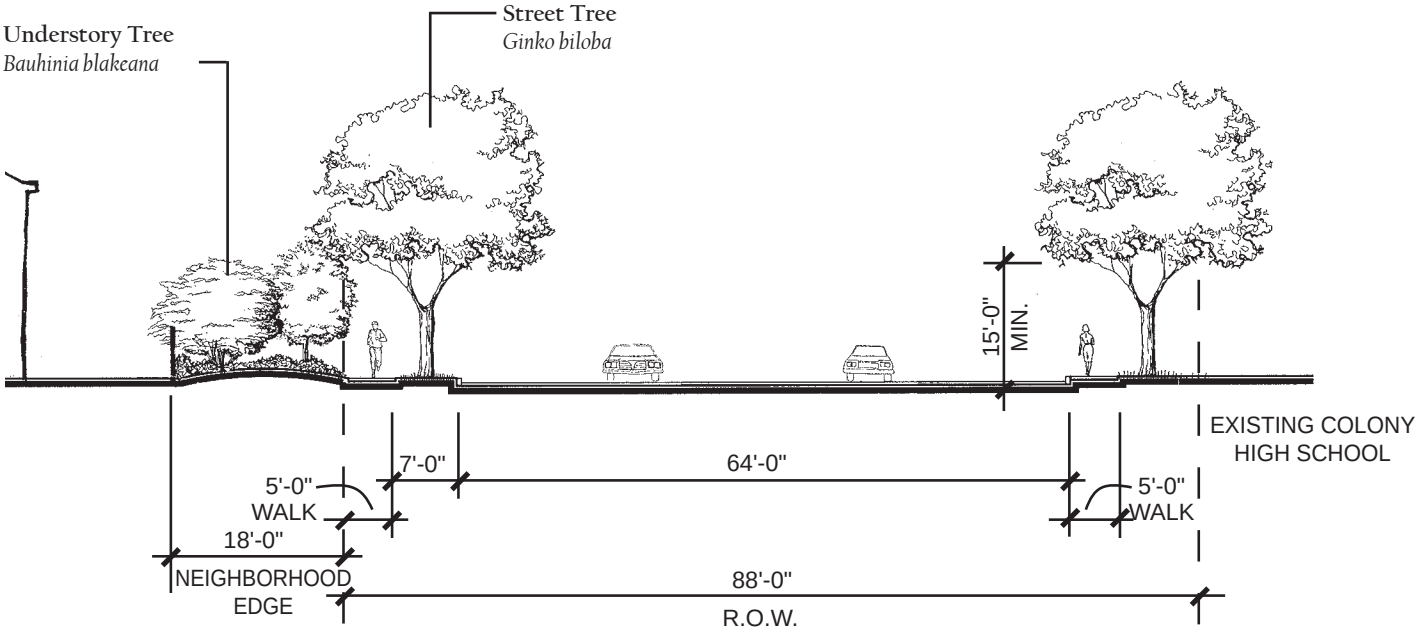
Chino Avenue Landscape Plan



Chino Avenue Landscape Section



Mill Creek Avenue Landscape Plan



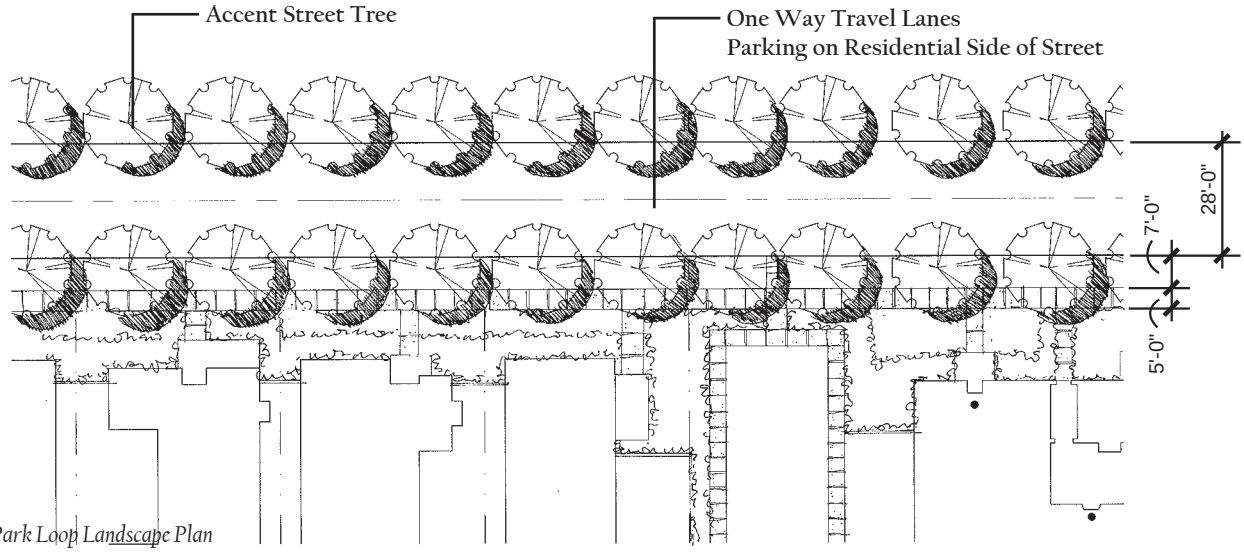
Mill Creek Avenue Landscape Section

7.6.5 Neighborhood Streetscapes

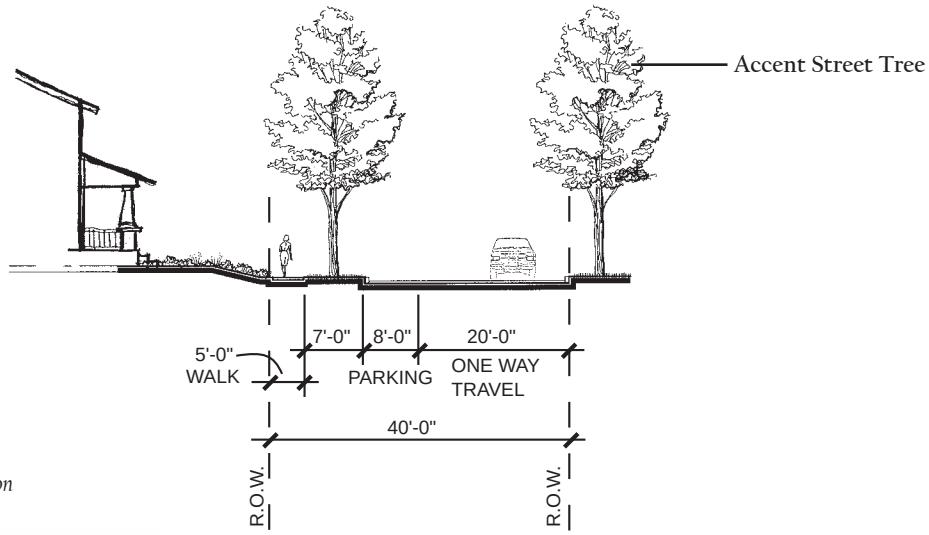
Park Loop Street

To help reinforce the traditional neighborhood feel of the community, the 4-acre Central Park is encircled by a tree-lined, one-way street. The Central Park Loop is located at the community core, and will include design elements such as:

- Street tapers at intersections to slow traffic within Edenglen and promote a pedestrian-friendly environment
- A Central Park with informal landscaping areas, and residences surrounding the park
- Parking on residential side of the street for park access
- Accent street trees that will provide fall color and create a shady streetscene throughout the summer months.
- A double row of trees that may be incorporated within the parkway and behind the walk at the Central Park to help reinforce the strength of the central gathering space within the community
- Corner elements at intersections that announce the entry into an individual neighborhood



Central Park Loop Landscape Plan



Central Park Loop Landscape Section

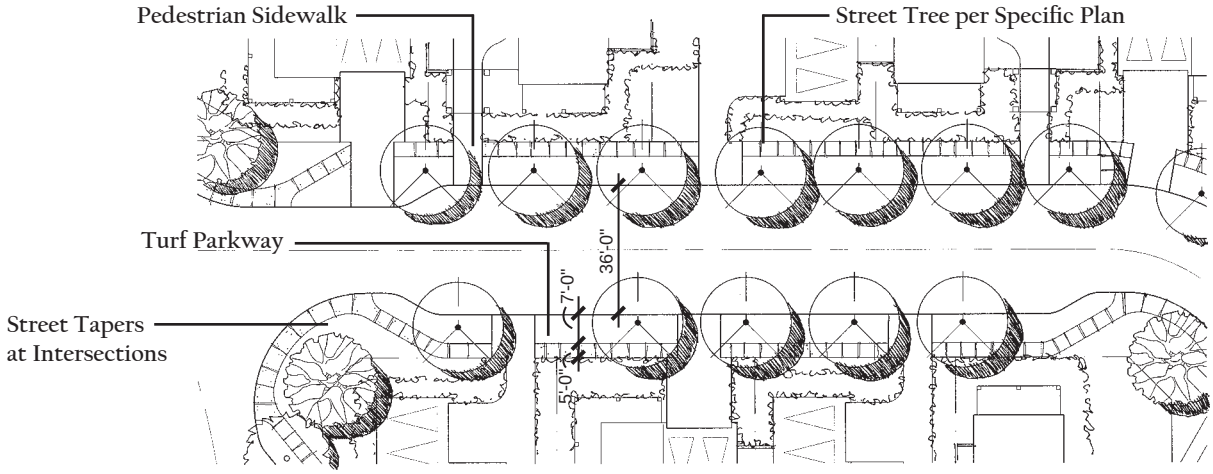
Typical Residential Streetscape

Consistent with traditional American town planning, one of the goals within the Edenglen Master Plan is to create walkable residential streets. Walkable streets encourage pedestrian activity by creating an atmosphere that is geared toward the pedestrian. Through simple design techniques, residential streets within Edenglen create the hometown appeal of a traditional neighborhood. Such traditional design techniques include:

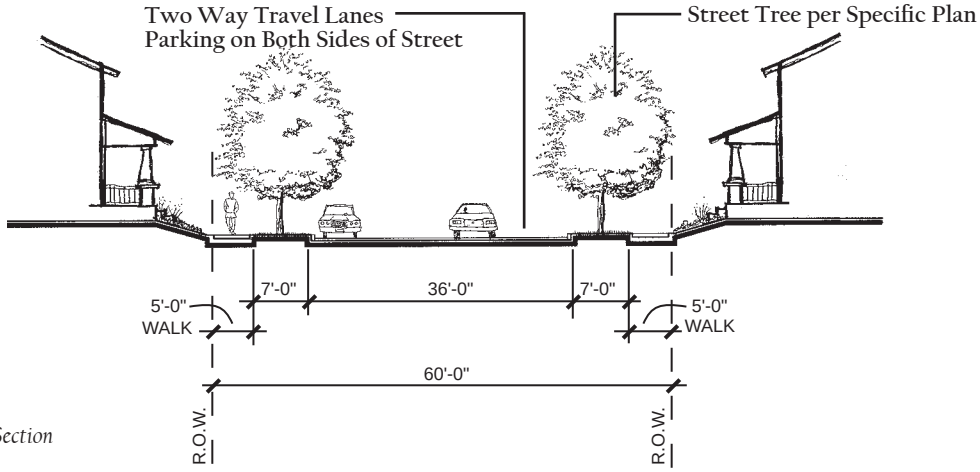
- Grid design to reinforce the traditional neighborhood development concept and provide connectivity among neighborhoods and with surrounding areas.
- Curb-separated sidewalks to encourage pedestrian activity and enhance pedestrian safety.
- Formal street tree patterns to reinforce the traditional character of the neighborhoods.
- Traditional streets with tapered intersections to reduce traffic speeds.
- Street fronting homes with porches to encourage friendly interaction between residents and passersby.

The landscape design concept for residential streets includes the following:

- Trees within the parkways should be a minimum of 24" box with larger sizes planted in focal areas such as street corners and within the tapers. The trees shall be per guidelines set forth by the City of Ontario.
- Picket fences, arbors, gates, garden walls and clipped hedges are encouraged along residential streets to lend individuality to each home.



Neighborhood Street Landscape Plan

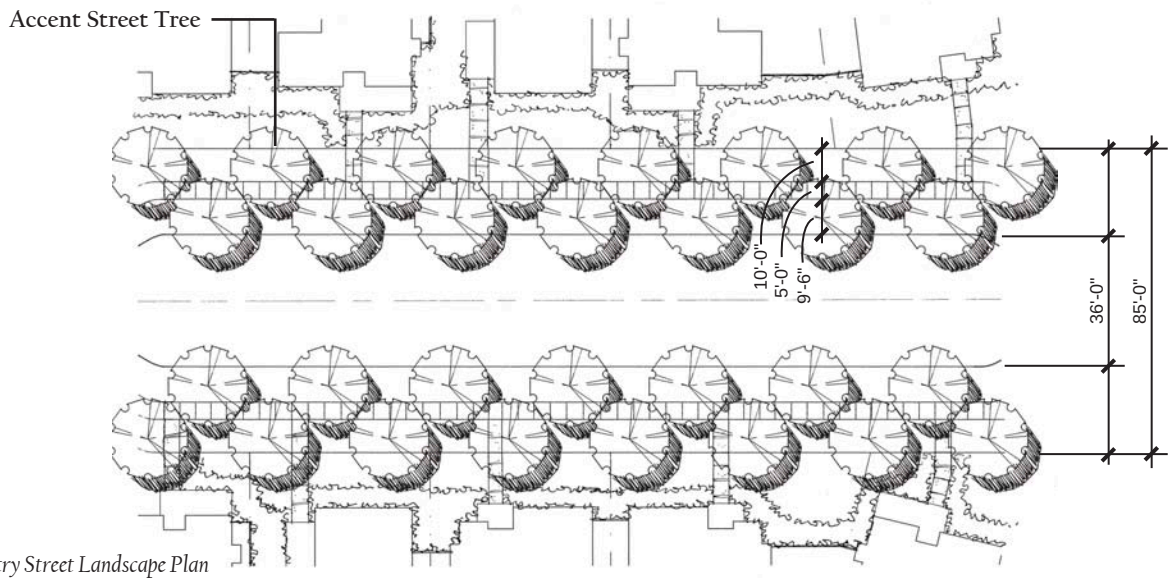


Neighborhood Street Landscape Section

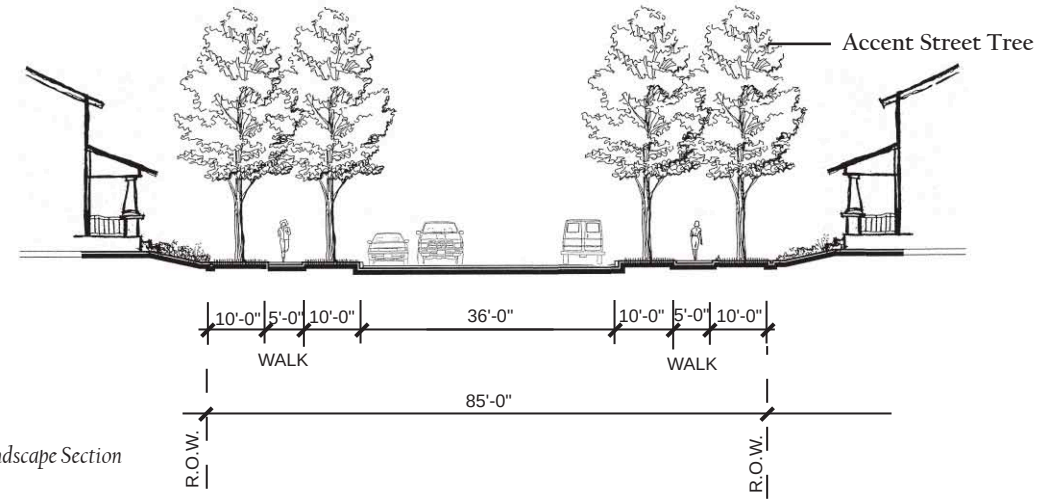
7.6.6 Primary and Secondary Entry Streets

The primary entry streets serving the Edenglen residential areas are from Riverside Drive and Chino Avenue. These are the initial portals establishing the traditional neighborhood character of the community. A secondary entry street serves Edenglen from Mill Creek Avenue. Homes will front on both sides of the primary and secondary entry streets, providing an inviting streetscene when combined with the landscape plan for the streets. Design criteria for the primary and secondary entry streetscapes incorporate several key elements in keeping with the traditional neighborhood theme and are as follows:

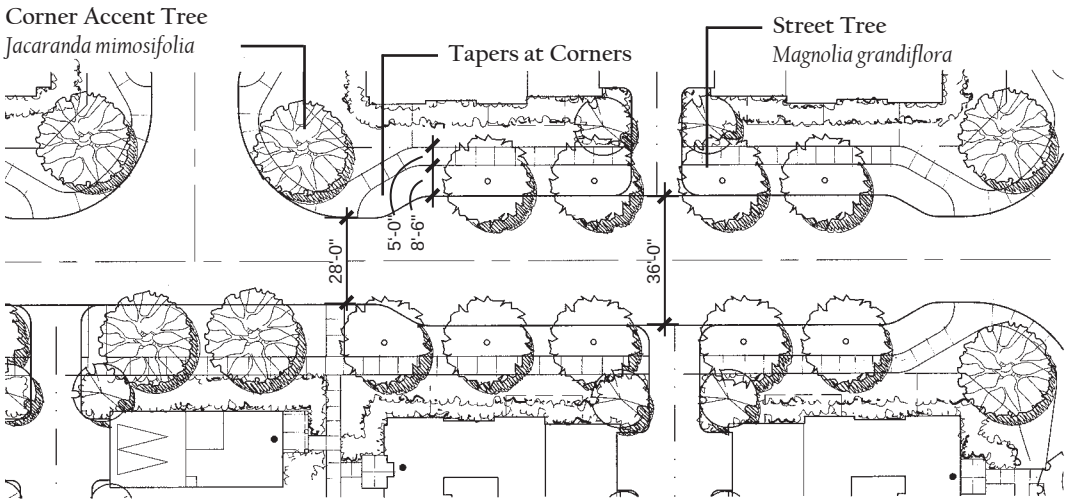
- Create a parkway between the curb and sidewalk to develop the key element of the streetscene and allow for the separation of vehicles and pedestrians making the community more walking-friendly
- Provide for a tree "promenade" with street trees equally spaced within the turf parkway where they occur. This will ultimately create a tree canopy and reinforce the traditional neighborhood character
- Introduce elements at street corner intersections that represent the individuality of the neighborhoods and reinforce the architectural character of the homes
- Bring a sense of anticipation to the experience with the Central Park as a focal or destination



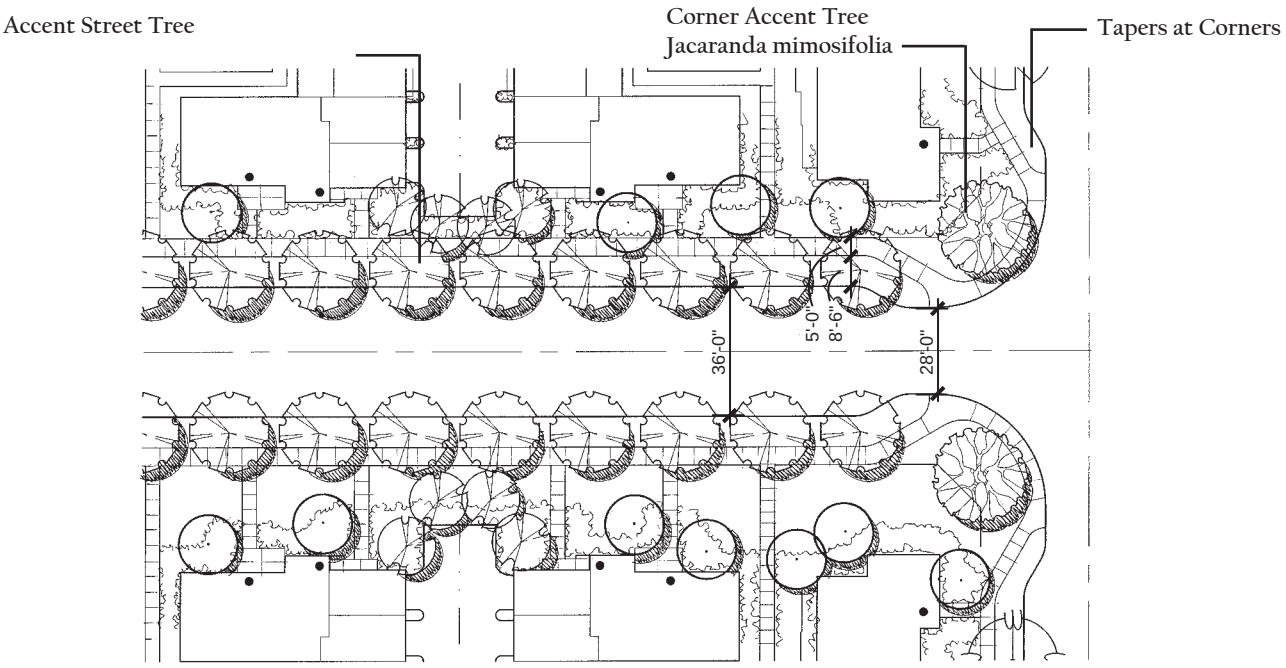
Primary Entry Street Landscape Plan



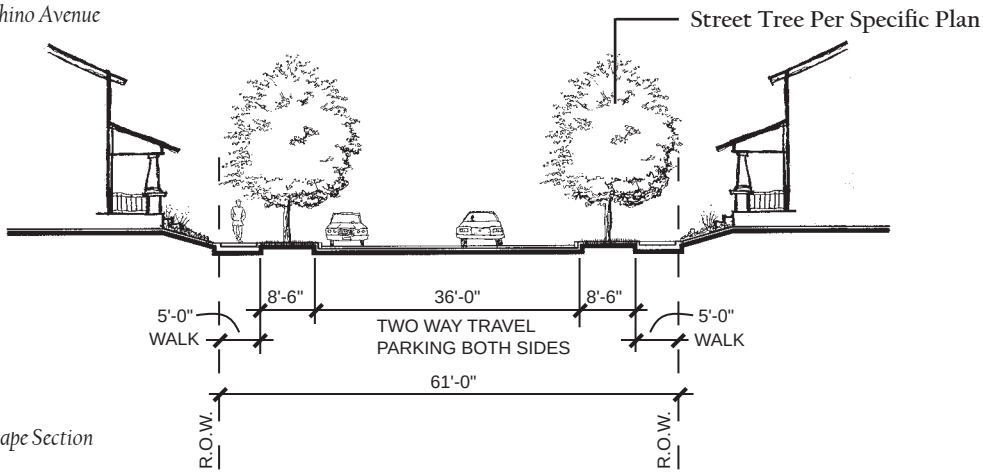
Primary Entry Street Landscape Section



Secondary Entry Street from Mill Creek Avenue



Secondary Entry Street from Chino Avenue



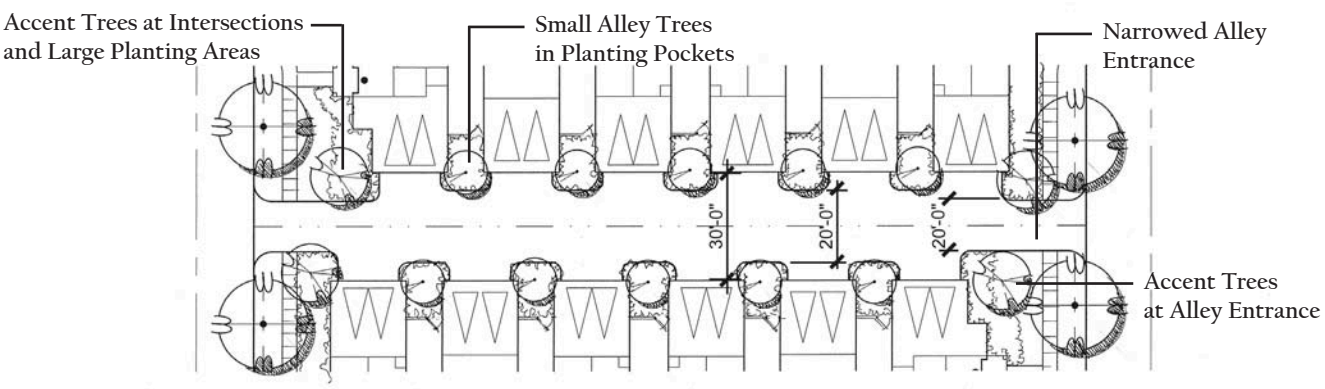
Secondary Entry Street Landscape Section

7.6.7 Alleys

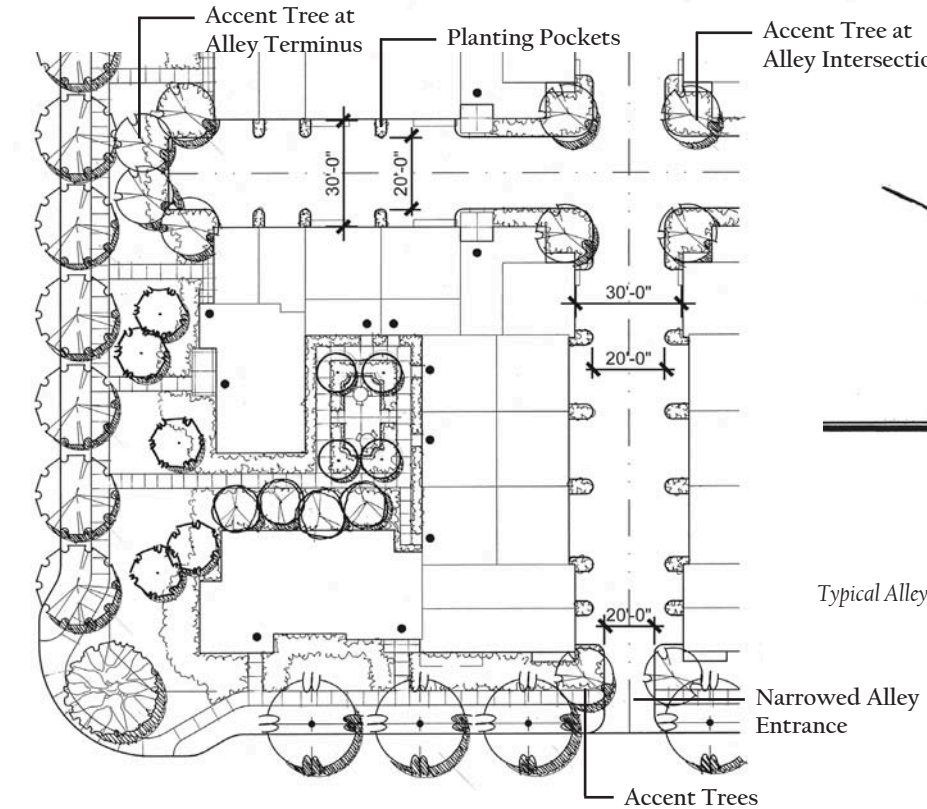
Alley drives are designed to provide a comfortable sense of function and character even though they provide the least enhanced access within the neighborhood. The alleys should optimize the sense of enclosure and function through use of good detail elements and take the best advantage of the limited space.

Alley drives should be enhanced with the following:

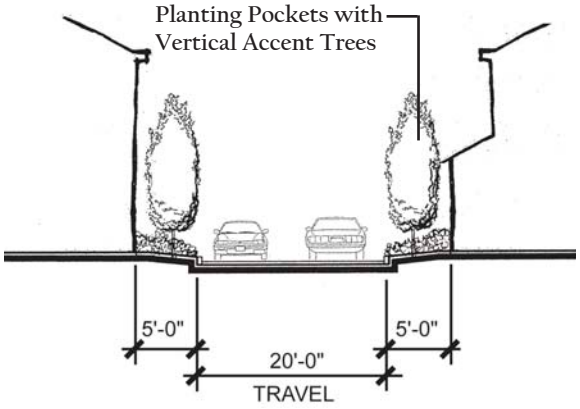
- Plant pockets that allow for the planting of vines for the purpose of framing architectural elements
- Planting of columnar trees to anchor the architecture
- Enhance the ends/entries to work with the overall neighborhood feel



SFD Alley Landscape Plan



Garden Court Alley Landscape Plan



Typical Alley Section

7.6.8 Open Space Amenities

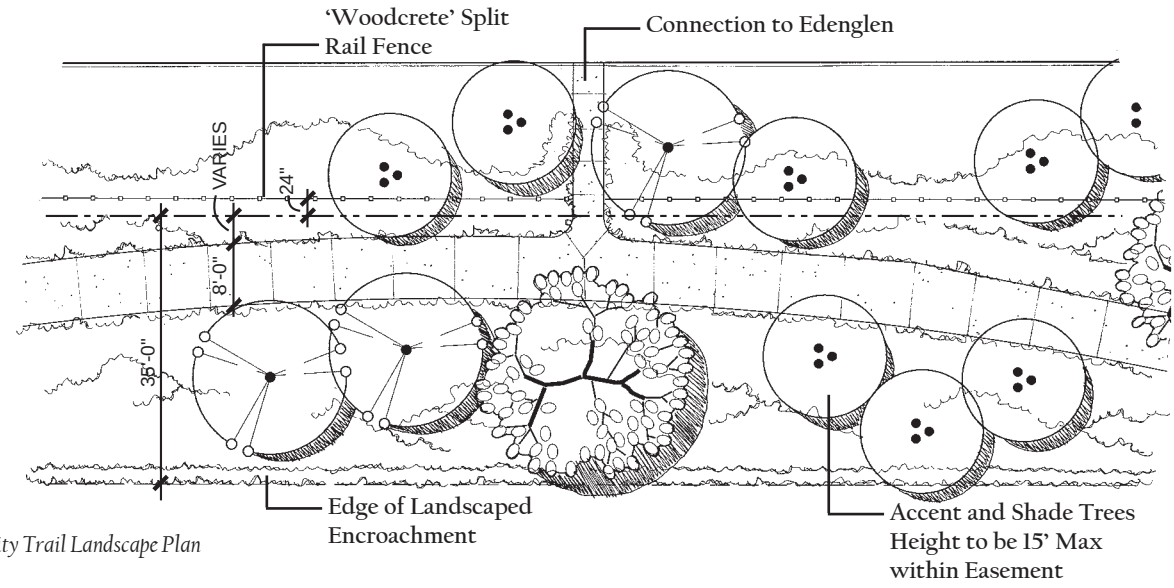
Community Trail

The Community Trail is a key component in the overall trail system for the New Model Colony. This trail will serve as a pedestrian and bicycle-friendly means of connecting the residents of Edenglen to their surrounding community. The main purposes of the Community Trail are to:

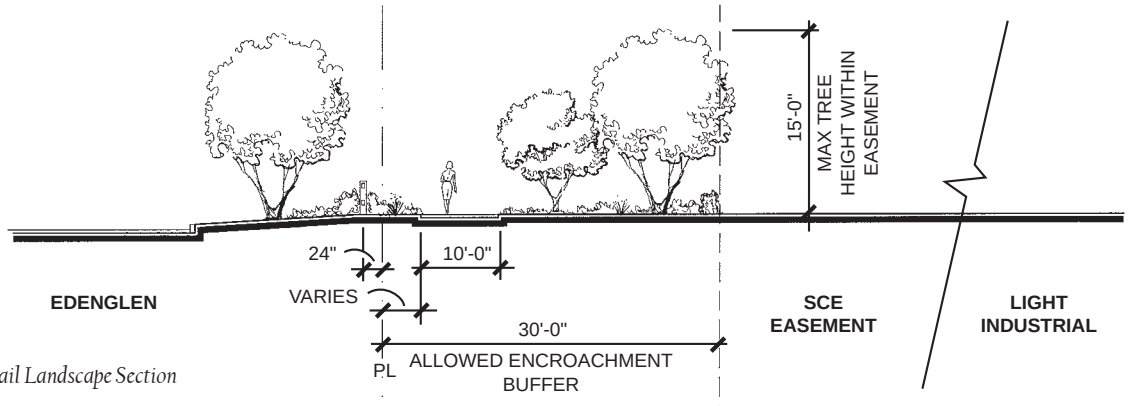
- Serve as one of the links in the City of Ontario Master Plan of Trails for SCE corridors and easements
- Serve as a link between residential uses and the commercial center adjacent to Edenglen

Improvements within the trail will include:

- A meandering walkway/bicycle trail that stretches from Riverside Drive to Chino Avenue
- A 30' wide area, which will be landscaped with deciduous and evergreen trees and flowering shrubs
- Links connecting it to Edenglen at several points as well as a secondary path that will lead to the commercial center
- A separation between the walk and the residential community with plant material and a rail-like fence



Community Trail Landscape Plan

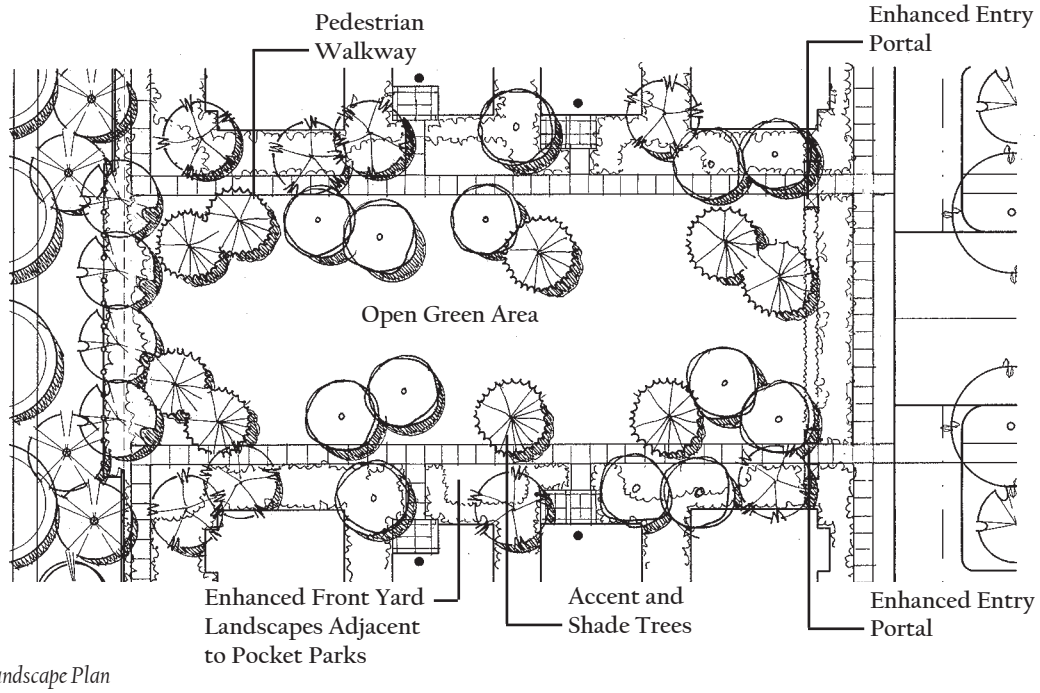


Community Trail Landscape Section

7.6.9 Pocket Parks

Pocket parks throughout the Edenglen community will serve as intimate neighborhood gathering spaces where families can get to know their neighbors and offer additional opportunities for open play. These parks will provide:

- Landscaping which would create these as focal spaces with the use of specimen trees, flowering shrubs, and sodded turf
- A design character reflective of adjacent architectural style
- Additional amenities such as benches, picnic tables and lighting, which would not interfere with the primary purpose of open play

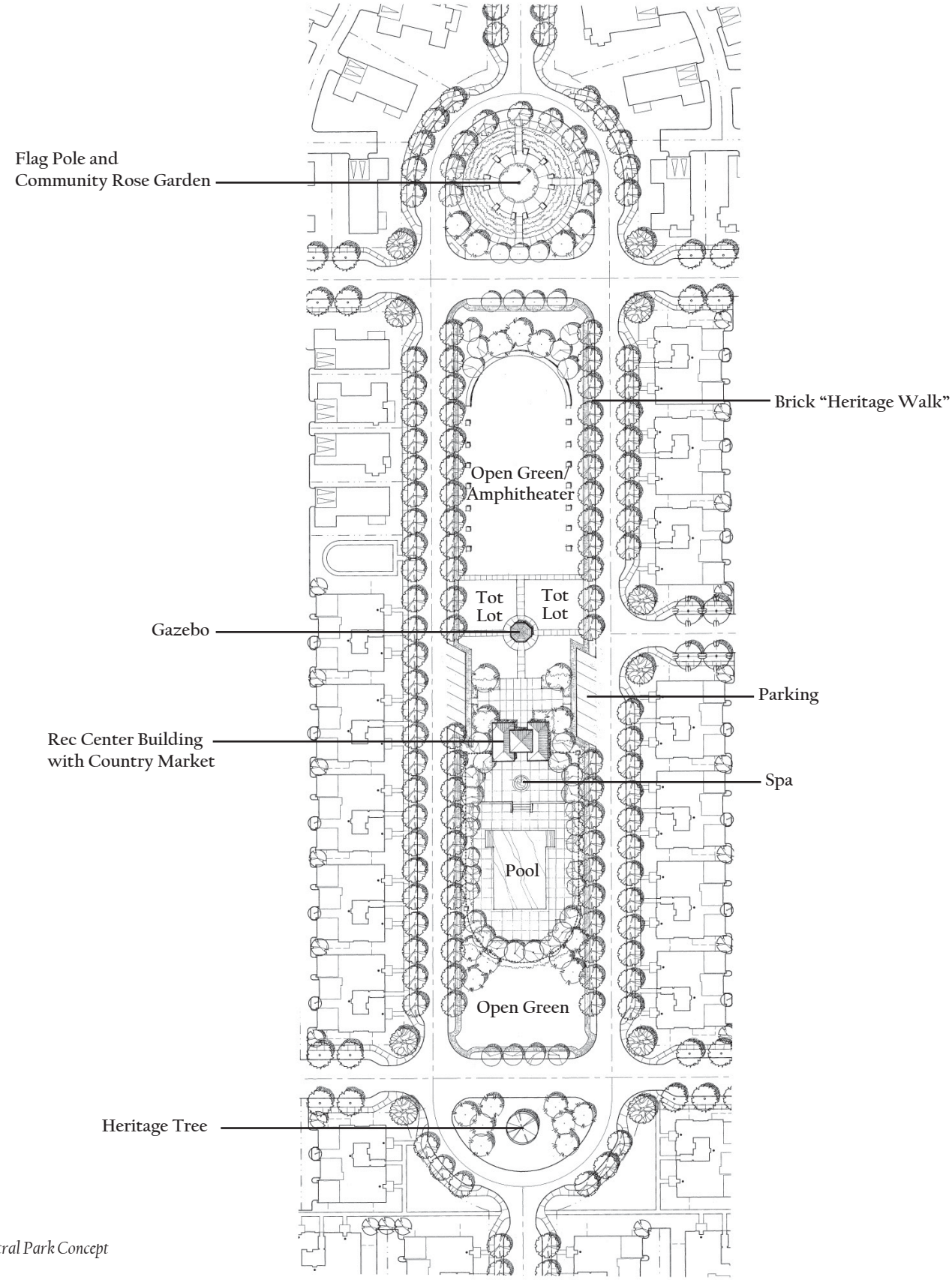


Typical Pocket Park Landscape Plan

7.6.10 Central Park

The 4-acre Central Park will be the main gathering and activity area within Edenglen. Amenities to be incorporated into the Central Park may include:

- Picnic areas with tables and barbecues
- Tot lots for various ages
- Gazebo or bandstand for community gatherings
- Community Heritage Tree
- Rose garden with a centralized, lighted flagpole
- Open turf areas and possible amphitheatre
- A "country market" to provide conveniences such as coffee, juices and a newsstand for residents
- Recreation center including a swimming pool and spa



Central Park Concept

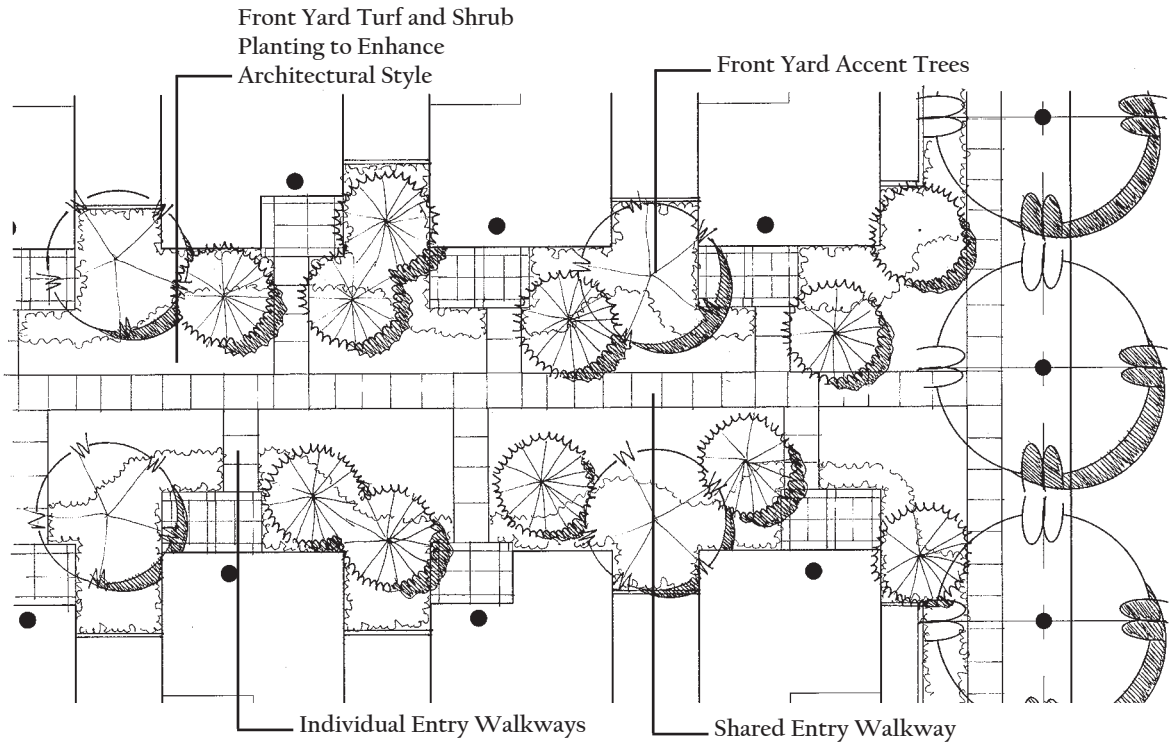
7.6.11 Residential Common Areas

P-3: Cottage Homes SFD

Common Front Entry Green

These areas area considered to be not only access into the individual houses but also an open space where children can play and people can gather. These spaces should be designed to blend with the architectural character of the surrounding homes and shall:

- Allow for easy access to the individual homes
- Include a "portal" or entry statement with the use of hedges, arbors, pilasters, or other elements that would create a sense of arrival
- Be landscaped with plant material that reflects the character of the individual architecture with the use of both evergreen and deciduous trees, flowering shrubs, and annual color
- Introduce benches, picnic tables, or other items that will bring people together
- Create open green space that is welcoming for neighbors to toss a ball, throw a Frisbee, or do other outdoor activities

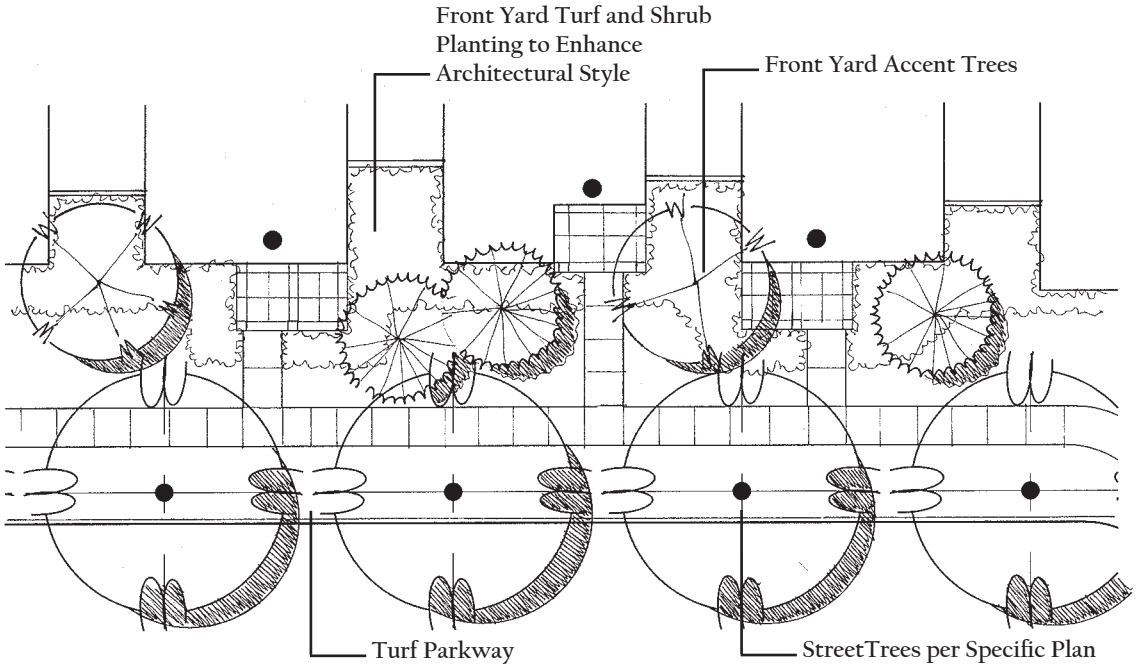


Cottage Homes Common Area

Front Streetscape

The front streetscape of the Cottage Homes is a continuation of the overall streetscene within the community. This streetscene should flow from one house to the next and include:

- Parkway-separated sidewalks to encourage pedestrian activity and enhance pedestrian safety
- Formal street tree patterns to reinforce the traditional character of the neighborhoods
- Trees within the parkways should be a minimum of 24" box with larger sizes planted in focal areas such as street corners and within the tapers—the trees shall be per guidelines set forth by the City of Ontario
- Picket fences, arbors, gates, garden walls and clipped hedges are encouraged along residential streets to lend individuality to each home
- Plant material that complements the architectural styles of the individual homes that includes both evergreen and deciduous trees, flowering shrubs, and annual color



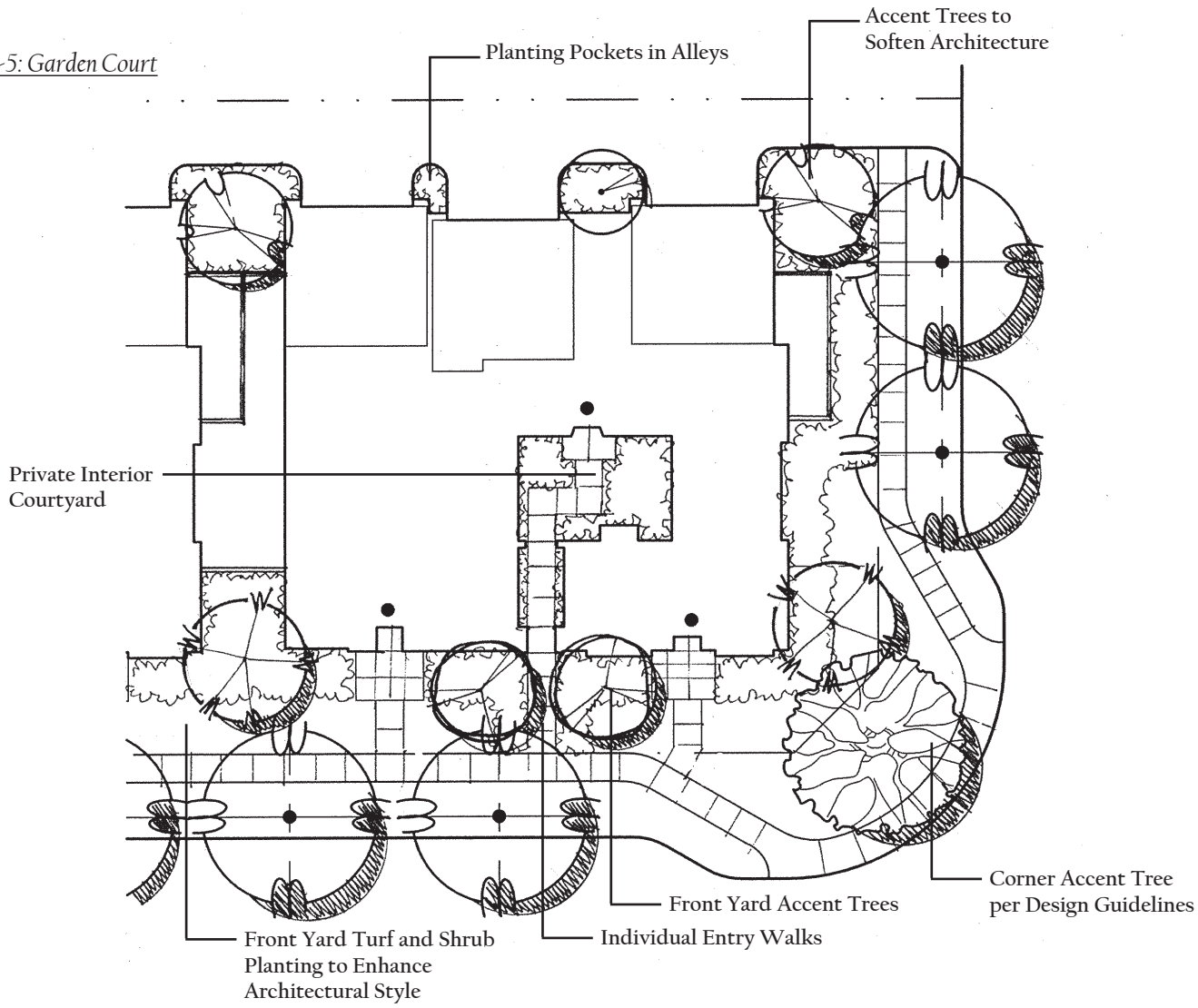
Cottage Homes Front Streetscape

P-4: Triplex Court

The landscape for these Triplex Court units should continue the overall streetscene concept and include:

- Parkway-separated sidewalks to encourage pedestrian activity and enhance pedestrian safety
- Formal street tree patterns to reinforce the traditional character of the neighborhoods
- Trees within the parkways should be a minimum of 24" box with larger sizes planted in focal areas such as street corners and within the tapers—the trees shall be per guidelines set forth by the City of Ontario
- Plant material that complements the architectural styles of the individual homes that includes both evergreen and deciduous trees, flowering shrubs, and annual color

P-5: Garden Court



Triplex Court Landscape Plan

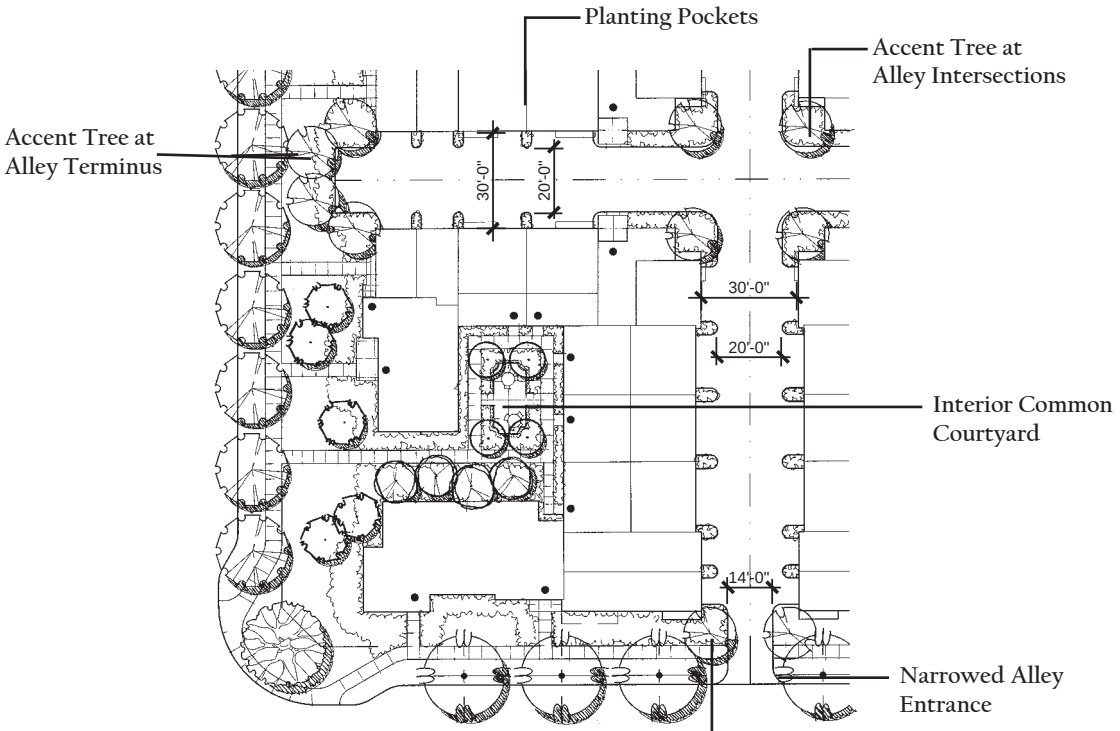
Interior Courtyard

The interior courtyard of the Garden Court Homes not only acts as an outdoor foyer to all of the homes, but also as an interactive common space designed to allow for quiet relaxation, neighborly chats, and group gatherings.

The interior courtyards should blend with the individual surroundings and may include:

- Tall, canopy trees to create a roof-like effect and bring a stronger sense of an outdoor room
- Fountain features to add ambient sound into the courtyard, quieting the noises from the street and allowing for a more relaxed feeling
- Large patio spaces that would allow for the use of tables and chairs for group activities
- Flowering shrubs and annual color that blends with the architecture and helps enforce the definition of the outdoor space

Front Streetscape



Garden Court Alley Landscape Plan

The landscape for the Garden Court homes should continue the overall streetscene concept and include:

- Parkway-separated sidewalks to encourage pedestrian activity and enhance pedestrian safety
- Formal street tree patterns to reinforce the traditional character of the neighborhoods
- Trees within the parkways should be a minimum of 24" box with larger sizes planted in focal areas such as street corners and within the tapers—the trees shall be per guidelines set forth by the City of Ontario
- Plant material that complements the architectural styles of the individual homes that includes both evergreen and deciduous trees, flowering shrubs, and annual color

7.6.12 Master Wall and Fence Plan

Consistent with the traditional development concept, the use of project perimeter walls is discouraged in favor of a more open neighborhood feel. However, in limited instances, walls are required for sound attenuation and/or privacy for individual residences. In such cases, walls should be masonry, landscaped, and covered with vines to soften the wall appearance and deter graffiti. The Edenglen plant palette suggests approved choices for wall vines and complementary shrubbery and can be found in the appendix of these Design Guidelines.

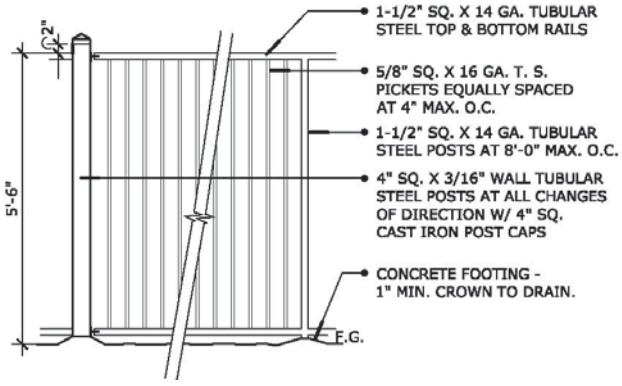
The Master Wall and Fence Plan for Edenglen is illustrated on the following page.

Perimeter Walls

Keeping the feel of a small town, the perimeter wall will incorporate the use of trees, vines, and shrubbery in order to soften the appearance of the wall and allow the streetscene to be less dominated by the block wall materials. Also, long expanses of wall will be avoided by jogging the wall at intermittent predetermined locations and by the use of various other wall and fence materials.

Tubular Steel Fence

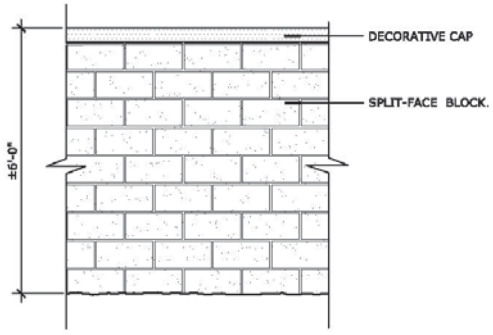
Tubular steel fencing will be utilized where the streetscene is directly adjacent to open space areas such as the pocket parks and paseos. The tubular steel perimeter fencing shall incorporate the use of pilaster designed to be consistent with the materials of the perimeter walls. The location and spacing of the pilasters shall be subject to Planning Department review and approval.



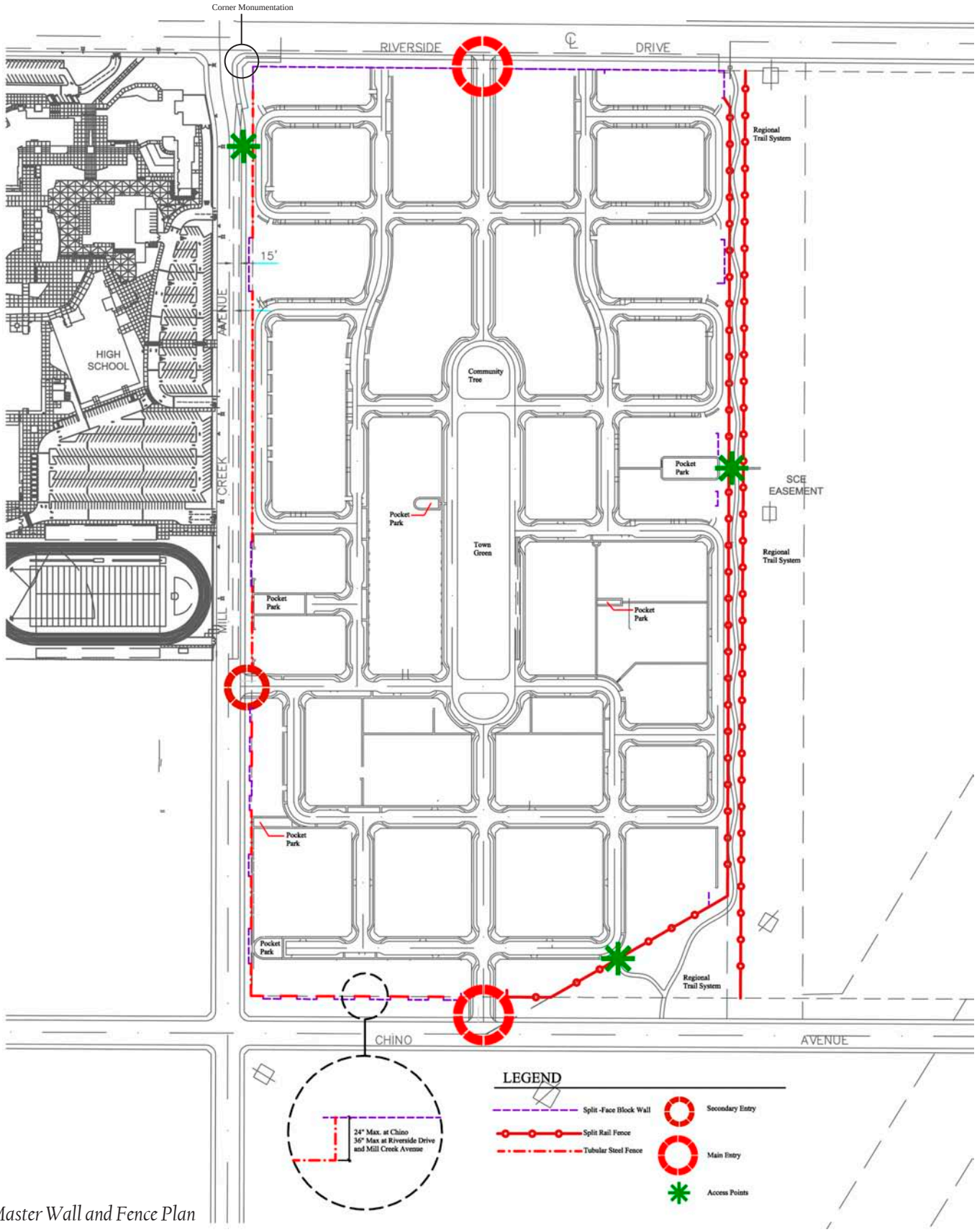
Tubular Steel Fence Elevation

Split Face Wall

Split face block will be utilized on all wall faces exposed to public view.



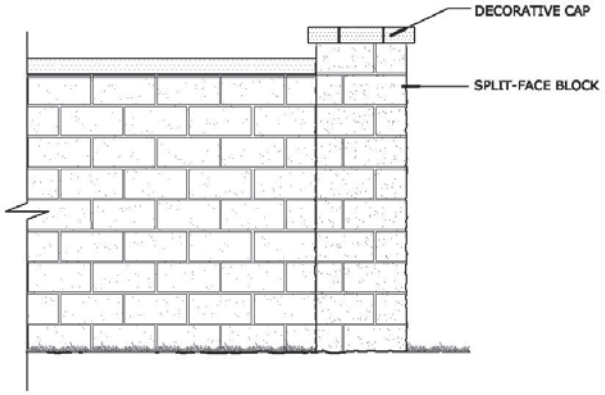
Split Face Wall Elevation



Master Wall and Fence Plan

Split Face Pilasters

Pilasters will be utilized at each intersection of differing wall material and wall direction. The spacing of pilasters and wall offsets shall be subject to Planning Department review and approval.



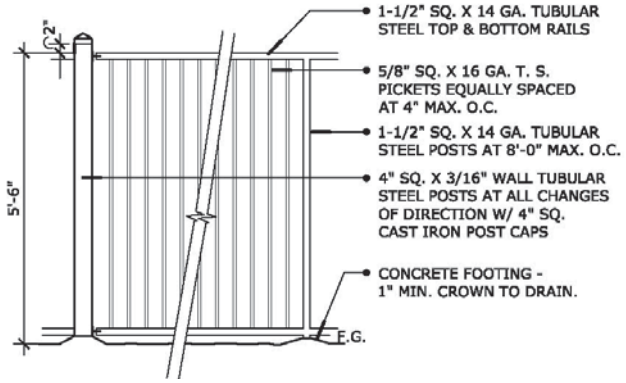
Split Face Pilaster Elevation

Interior Walls

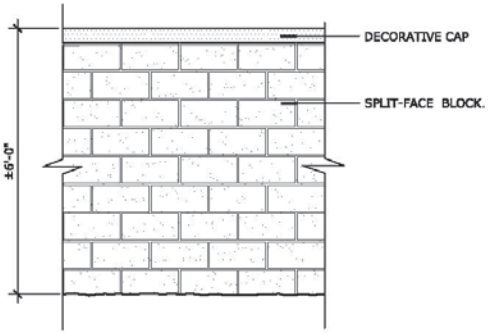
Front yard walls, side yard walls, fencing, and retaining walls shall be designed and constructed of materials that are compatible with the architecture.

Property Line Walls Exposed to View

All property line walls exposed to view will be either tubular steel, where views of open space are appropriate, or split face on both sides when adjacent to public spaces.



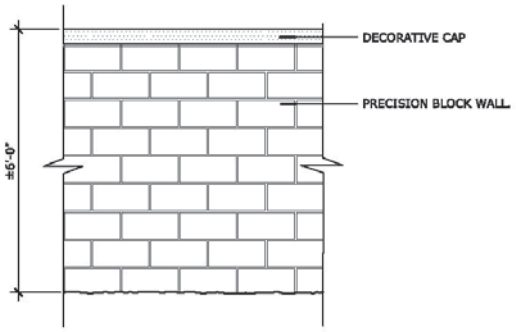
Tubular Steel Fence Elevation



Split Face Wall Elevation

Property Line Wall Not Exposed to View

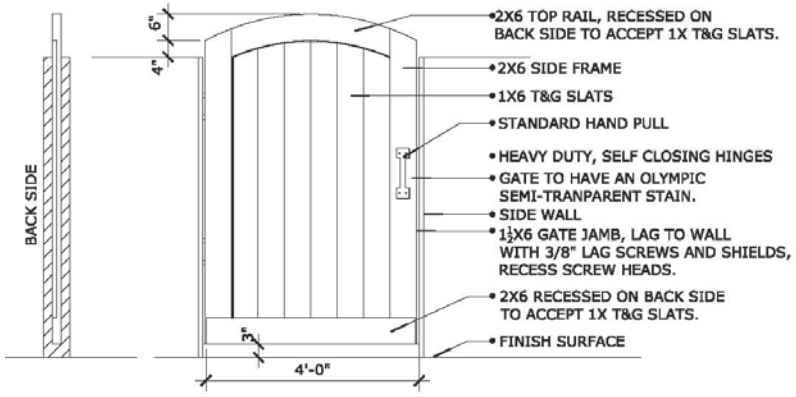
Any wall face that is not exposed to public view will be a precision face consistent in color with any adjacent walls.



Precision Block Wall Elevation

Gates

Gates will occur at the entrances to any exterior private spaces of residential units. Gates will be comprised of tubular steel or wood and fabricated in such a way as to disallow views into or out of private areas.



Wood Gate

Accent Walls

Accent walls will generally be positioned in front yards to create private entries and motor courts. These walls should be comprised of materials and colors that are compatible with the architecture. The height of these walls should be limited to 36" and should maintain the porch setback on the front yard and 3' from all corner side yards.

7.7 IMPLEMENTATION

7.7.1 Introduction

Edenglen is envisioned as a community where families will be proud to own a quality home in a lively and friendly environment. Important steps need to be taken to ensure that the enduring quality of Edenglen is maintained. Through Design Review, simplified construction techniques and landscape improvements and maintainence, the Edenglen Development Team will have the ability to continue to oversee that the implementation of Edenglen's vision becomes a reality.

7.7.2 Improvement Responsibility

Successful community and neighborhood design depends on an integrated planning approach that utilizes planning, site design, architecture, landscape design, and engineering. Strong placemaking can only occur with a unified effort and implementation commitment by the Community Developer and individual homebuilders.

With a diversity in product types and an elevated expectation of appearance, some elements will need to be installed by the Community Developer. The following exhibits detail the responsibilities of the Community Developer and the homebuilder. Maintainence responsibilities will also be defined between the City of Ontario, the Homeowner's Association and individual homeowners.

7.7.3 Homebuilder Landscape Requirement

Homebuilders shall develop a typical landscape plan for their products. Homebuilder landscape concepts are to be included early on in the development process. Typical designs will be reviewed by the Design Review Committee. The City of Ontario is required to review frontyard landscaping and to approve all concepts.

Submittal Requirements

- Overall project area plan indicating location, height and materials of theme walls
- Overall project area plan indicating location of utilities and irrigation tie-ins with master system
- Indicate recorded drainage easements
- Overall project street tree plan indicating conformance with the Ontario New Model Colony Plant Matrix and the Edenglen street sections
- Location and material of minor open space connectors to open space areas are to be indicated
- Typical lot landscape with minimum landscape criteria
- Turf, non-turf and partial turf options
- Where applicable, the rear drive landscape is to be submitted with the front yard landscape as one package
- All landscape submittals must include a completed landscape worksheet and review fees
- All submittals should include the materials and location of planting, irrigation and hardscape elements
- Additional documentation may be required to address special conditions as determined by the Design Review Committee and subject to further approval
- Plans should include architectural site plans with floor plan layouts, walks, driveways, retaining walls, steps, and auxiliary structures

Responsibility Requirements

- Homebuilder is responsible for front yard landscape for all products
- All front yard landscape must be installed prior to the close of escrow of residence
- All landscape plans are to be stamped by a registered landscape architect in the State of California
- Backyard landscape design must be submitted for view fence design

Specific improvement responsibilities are defined as follows:

	Community Developer	Homebuilder
Arterial Roadways[1]	●	
Collector Roadways[1]	●	
Neighborhood Streets[1]	●	
Central Park	●	
Pocket Parks		●
Linear Parks	●	
Front Yard Landscape[3]		●
Rear Drives		●
Rear Drive Landscape		●
Community Theme Wall[2]	●	
Entries/Gateways[2]	●	
Street Trees on Local Streets		●

NOTES:

1 *Includes all improvements within R.O.W. and adjacent landscape lots (sidewalks, parkways, street trees, lighting, etc.).*

2 *Wall design and materials as specified by Community Developer.*

3 *Improvements include all elements up to back of sidewalk.*

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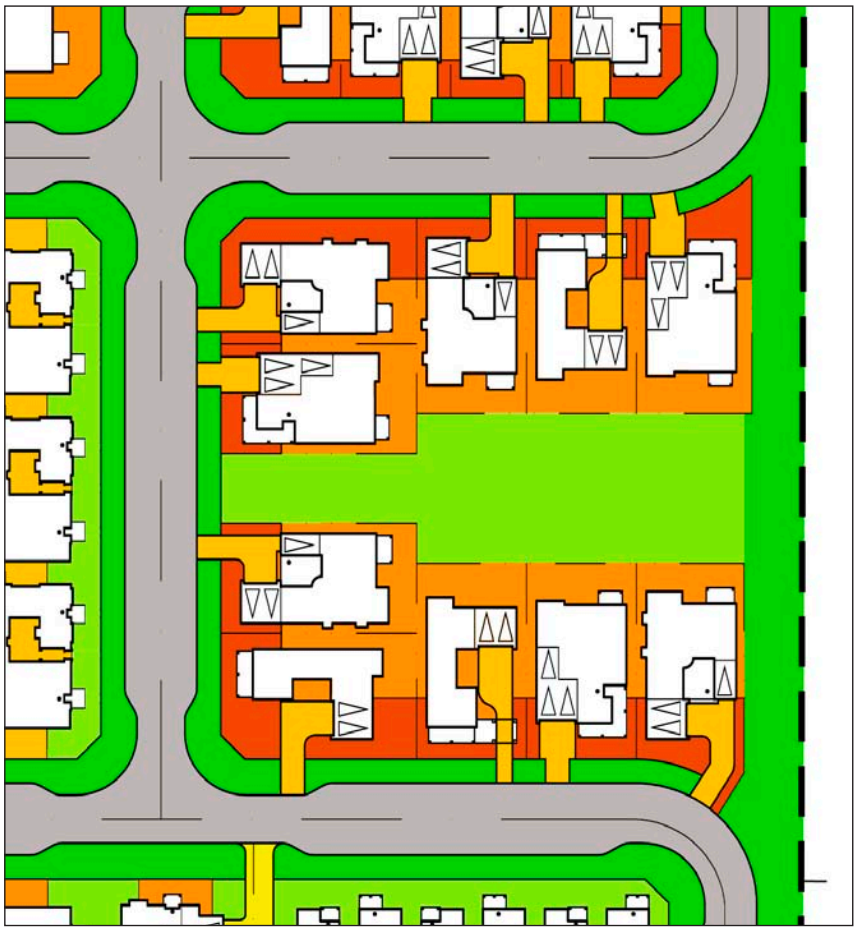
Maintenance Responsibility



Legend

- Developer Installed / City Maintained
- Developer Installed / HOA Maintained
- Builder Installed / HOA Maintained
- Builder Installed / HOA Maintained - Alley
- Builder Installed / Homeowner Maintained
- Homeowner Installed and Maintained

P-1 Single Family Detached (SFD)



Legend

- Developer Installed / City Maintained
- Developer Installed / HOA Maintained
- Builder Installed / HOA Maintained
- Builder Installed / HOA Maintained - Alley
- Builder Installed / Homeowner Maintained
- Homeowner Installed and Maintained
- Developer Installed / Homeowner Maintained



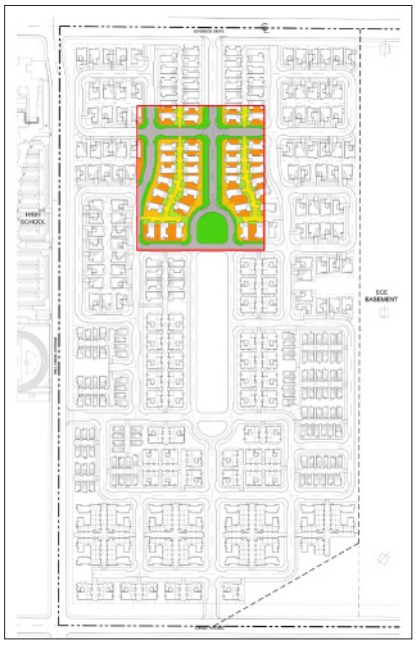
Key Map

P-2 Alley-Loaded SFD



Legend

- Developer Installed / City Maintained
- Developer Installed / HOA Maintained
- Builder Installed / HOA Maintained
- Builder Installed / HOA Maintained - Alley
- Builder Installed / Homeowner Maintained
- Homeowner Installed and Maintained



Key Map

P-3 Cottage Home SFD



Legend

- Developer Installed / City Maintained
- Developer Installed / HOA Maintained
- Builder Installed / HOA Maintained
- Builder Installed / HOA Maintained - Alley
- Builder Installed / Homeowner Maintained
- Homeowner Installed and Maintained



Key Map

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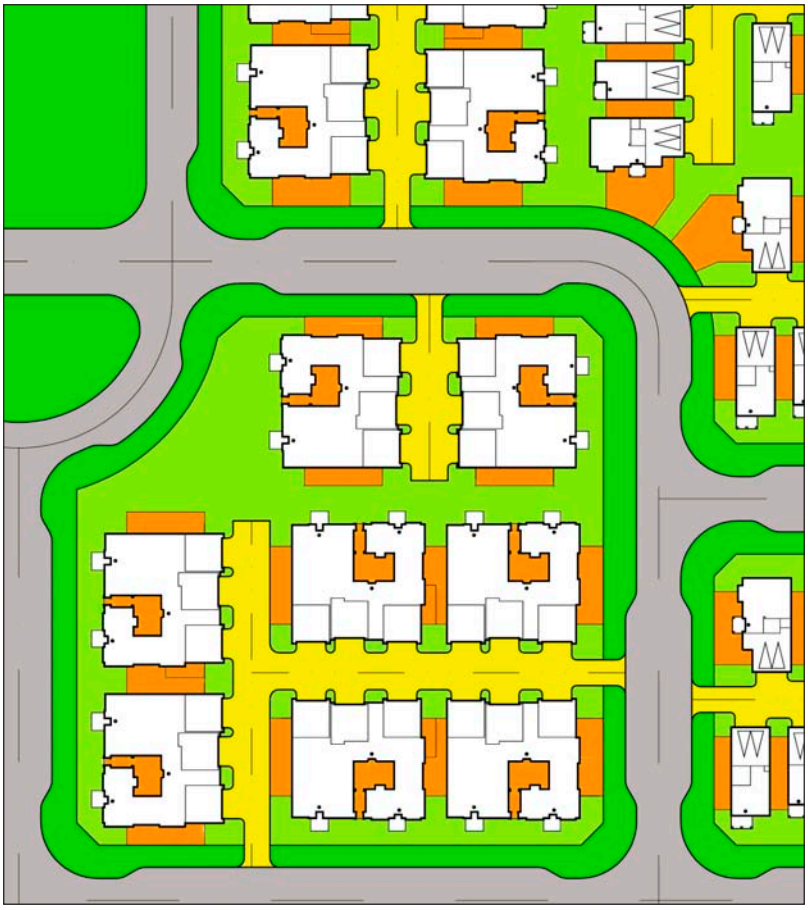
P-4 Triplex Court Homes



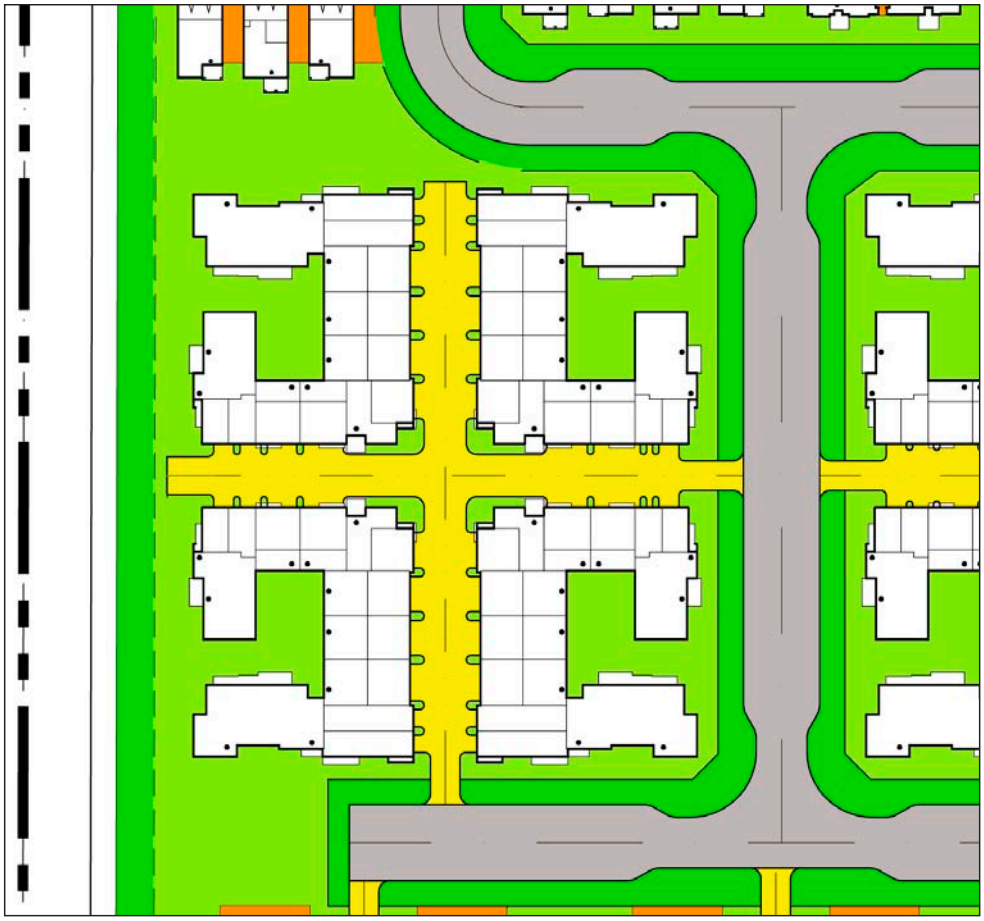
Legend

- Developer Installed / City Maintained
- Developer Installed / HOA Maintained
- Builder Installed / HOA Maintained
- Builder Installed / HOA Maintained - Alley
- Builder Installed / Homeowner Maintained
- Homeowner Installed and Maintained



Key Map

P-5 Garden Court Townhomes



Legend

- Developer Installed / City Maintained
- Developer Installed / HOA Maintained
- Builder Installed / HOA Maintained
- Builder Installed / HOA Maintained - Alley
- Builder Installed / Homeowner Maintained
- Homeowner Installed and Maintained



Key Map

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Ontario New Model Colony
Plant Matrix

Trees

Botanical Name	Common Name	Riverside Drive	Mill Creek Avenue	Chino Avenue	Community Trail	Primary Street	Secondary Access Street	Village Park Loop	Neighborhood Street	Alleys	Primary & Secondary Entries	Residential Entry	Commercial Entry	Tri-plex Court (RDA 12)	Garden Court (RDA 16)	SFD Alley Loaded (RD 10)	SFD Alley Loaded (RD 5000)	SFD Front Loaded (RD 5500)	Recreation Center	Village Park	Commercial Area
Aesculus california	California Buckeye																			●	
Agonis flexuosa	Peppermint Tree															●					
Arbutus unedo	Strawberry Tree												●			●	●	●	●		●
Archontophoenix cunninghamiana	King Palm														●		●	●	●		
Bauhinia blakeana	Hong Kong Orchid Tree		●															●			
Brachychiton populneus	Bottle Tree													●			●		●		
Cedrus deodara	Deodar Cedar																			●	
Cercis canadensis 'Forest Pansy'	Forest Pansy Redbud														●	●	●	●			
Cercis occidentallis	Western Red Bud				●																
Chitalpa tashkentensis	Chitalpa Tree			●																	
Cinnamonum camphora	Camphor Tree										●	●	●				●	●	●	●	
Cupaneopsis anacardioides	Carrotwood												●	●		●	●	●	●		●
Eriobotrya deflexa	Loquat									●				●	●				●		
Ginko biloba	Maidenhair Tree		●											●							
Geijera parviflora	Austraillian Willow									●			●	●	●	●	●	●	●		●
Harpephyllum caffra	N.C.N.																				
Hymenosporum flavum	Sweet Shade						●		●	●											
Jacaranda mimosifolia	Jacaranda						●		●		●	●	●								●
Juniperus chinensis 'Torulosa'	Hollywood Juniper														●		●	●		●	
Lagerstroemia indica	Crape Myrtle	●	●							●	●	●	●	●	●	●	●	●	●	●	●
Lirioderdron tulipifera	Tulip Tree																●	●		●	
Lyonothamnus floribundus	Catalina Ironwood	●																			
Magnolia grandiflora	Southern Magnolia						●		●				●	●			●	●	●	●	
Melaleuca quinquinervia	Cajuput Tree		●	●							●	●				●	●	●	●	●	
Olea europea	Olive										●	●	●				●	●	●	●	●
Phoenix dactylifera	Canary Island Palm																		●		
Pinus eldarica	Afghan Pine										●	●		●	●		●	●		●	
Pistacia chinensis	Chinese Pistache						●		●												
Pittosporum undulatum	Victorian Box															●			●		●
Plantanus acerifolia	London Plane Tree						●		●				●								●
Plantanus racemosa	California Sycamore													●	●		●	●		●	
Podocarpus henkellii	Yew Pine													●	●	●	●	●			
Prunus cerasifera 'Krauter Vesuvius'	Purple Leaf Plum										●	●	●	●		●	●	●	●	●	●
Pyrus calleryana 'Aristocrat'	Aristocrat Pear	●												●	●	●				●	●
Pyrus kawakamii	Evergreen Pear						●		●												●
Quercus agrifolia	Coast Live Oak										●	●								●	
Quercus engelmanii	Engleman Oak	●																			
Quercus kelloggii	California Black Oak			●																	
Rhaphiolepis 'Magestic Beauty'	N.C.N.									●											●
Rhus lancea	African Sumac				●																
Sapium sebiferum	Chinese Tallow Tree																			●	
Schinus molle	California Pepper Tree												●							●	●
Syagrus romanzoffianum	Queen Palm												●						●		
Tabebuia impetiginosa	Pink Trumpet Tree															●					
Tipuana tipu	Tipu Tree																			●	

Ontario New Model Colony
Plant Matrix

Trees

Botanical Name	Common Name	Riverside Drive	Mill Creek Avenue	Chino Avenue	Community Trail	Primary Street	Secondary Access Street	Village Park Loop	Neighborhood Street	Alleys	Primary & Secondary Entries	Residential Entry	Commercial Entry	Tri-plex Court (RDA 12)	Garden Court (RDA 16)	SFD Alley Loaded (RD 10)	SFD Alley Loaded (RD 5000)	SFD Front Loaded (RD 5500)	Recreation Center	Village Park	Commercial Area
Tristania laurina	N.C.N.				•					•				•	•	•	•	•	•	•	•
Zelkova serrata	Saw Leaf Zelkova																•	•		•	

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Ontario New Model Colony
Plant Matrix

Shrubs

Botanical Name	Common Name	Riverside Drive	Mill Creek Avenue	Chino Avenue	Community Trail	Primary Street	Secondary Access Street	Village Park Loop	Neighborhood Streets	Alleys	Primary & Secondary Entries	Residential Entry	Commercial Entry	Tri-plex Court (RDA 12)	Garden Court (RDA 16)	SFD Alley Loaded (RD 10)	SFD Alley Loaded (RD 5000)	SFD Front Loaded (RD 5500)	Recreation Center	Village Park	Commercial Area
Acacia redolens	Creeping Acacia				●															●	
Achillea species	Yarrow	●			●																
Agave attenuata	Foxtail Agave												●	●	●	●	●	●	●		●
Aloe species	Aloe				●								●								●
Alyogene huegelii	Blue Hibiscus				●					●	●	●		●	●	●	●	●	●		
Anigozanthus flavidus	Kangaroo Paw																		●		
Arctostaphyllos edmunsii	Little Sur Manzanita			●																●	
Arctostaphyllos species	Manzanita				●								●			●	●	●	●		●
Baccharis pilularis	Coyote Brush			●	●																
Bougainvillea species	Bougainvillea		●							●	●	●	●			●	●	●		●	●
Buxus m. japonica	Japanese Boxwood						●		●				●	●	●	●	●	●	●	●	●
Carpenteria californica	Bush Anemone				●																
Ceanothus species	California Lilac			●	●					●		●				●	●	●	●	●	
Cistus purpureus	Rock Rose	●	●		●					●		●	●	●	●	●	●	●	●	●	●
Cotoneaster horizontallis	Cotoneaster		●																		
Dietes bicolor	Morea Lilly	●	●			●	●		●	●	●	●	●	●	●	●	●	●	●	●	●
Diplacus species	Monkey Flower			●	●																
Echium fastuosum	Pride of Madiera	●			●											●	●	●	●	●	
Eleagnus pungens	Silverberry										●	●							●	●	
Elymus condensatus	Giant Wild Rye			●																	
Encelia californica	California Encelia				●																
Eriogonum species	Buckwheat				●																
Eschescholtzia californica	California Poppy				●																
Euryops pectinatus	Grey-Leafed Euryops		●																		
Fremontodendron californica	Flannel Bush			●	●																
Gardenia jasminoides	Gardenia												●	●	●						●
Gaura lindheimeri	Gaura					●					●	●	●	●	●	●	●	●			●
Grevillea species	N.C.N.															●	●	●			
Hemerocallis species	Day Lily						●		●				●	●	●						●
Heteromeles arbutifolia	Toyon			●	●																
Ilex species	Holly												●	●	●						●
Juniperus chinensis & CVS	Juniper									●	●	●	●	●	●	●	●	●	●	●	●
Lantana montevidensis	Lantana	●	●							●				●	●	●	●	●	●	●	
Lavandula species	Lavender	●				●				●	●	●	●	●	●	●	●	●	●	●	●
Lavatera bicolor	N.C.N.	●		●												●	●	●			
Leptospermum scoparium 'Snow White'	New Zeland Tea Tree		●								●	●							●	●	
Ligustrum japonicum 'Texanum'	Glossy Privet						●		●	●	●	●	●	●	●	●	●	●	●	●	●
Limonium perezii	Statice	●				●				●	●	●	●	●	●	●	●	●	●		●
Liriope species	Lily Turf						●		●				●	●	●						●
Lonicera japonica 'Halliana'	Hall's Honey Suckle												●						●	●	●
Mahonia 'Golden Abundance'	Oregon Grape			●																	
Muhlenbergia rigens	Deer Grass			●	●															●	
Myoporum parvifolium	N.C.N.													●	●	●	●	●		●	
Myrtus communis	True Myrtle		●								●	●								●	
Myrtus communis 'Compacta'	Dwarf Myrtle									●			●	●	●	●	●	●	●		●
Perovskia artiplicifolia	Russian Sage	●																			
Phormium tenax & CVS	New Zealand Flax										●	●	●						●		●

Ontario New Model Colony
Plant Matrix

Shrubs

Botanical Name	Common Name	Riverside Drive	Mill Creek Avenue	Chino Avenue	Community Trail	Primary Street	Secondary Access Street	Village Park Loop	Neighborhood Streets	Alleys	Primary & Secondary Entries	Residential Entry	Commercial Entry	Tri-plex Court (RDA 12)	Garden Court (RDA 16)	SFD Alley Loaded (RD 10)	SFD Alley Loaded (RD 5000)	SFD Front Loaded (RD 5500)	Recreation Center	Village Park	Commercial Area
Photinia fraseri	Photinia						●		●				●							●	●
Pittosporum tobira & CVS	Mock Orange	■	●	■		■	●	■	●	■	●	●	●	■		■		■	●	●	●
Pittosporum tobira 'Turner's Variegated Dwarf'	Tobira Turner's Variegated					●				●		●		●	●	●	●	●			
Plumbago auriculata	Cape Plumbago	■	●	■		■		■		■		■		■		■		■		●	
Pyracantha species	Fire Thorn		●								●	●								●	
Rhamnus crocea	Red Berry	■		●		■		■		■		■		■		■		■		■	
Rhaphiolepis indica	India Hawthorne	●	●			●				●	●	●	●	●	●	●	●	●	●	●	●
Rhus integrifolia	Lemonade Berry	●		●	●	■		■		■		■		■		■		■		■	
Rhus ovata	Sugar Bush			●																	
Ribes speciosum	Fushia Flowering Gooseberry	●		■		■		■		■		■		■		■		■		■	
Ribes viburnifolium	Evergreen Currant			●																	
Rosa species	Rose	■		■		■		■		●	●	●	●	●	●	■		■	●	●	●
Rosemarinus officinallis	Rosemary	●				●	●		●	●	●	●	●	●	●	●	●	●	●	●	●
Salvia clevelandii	Cleveland Sage	■		■	●	■		■		■		■		■		■		■		■	
Salvia leucantha	Mexican Bush Sage	●		●						●	●	●									●
Salvia species	Sage	■		■		■	●	■	●	■		■	●	●	●	●	●	●		■	●
Sisyrinchium bellum	Blue Eyed Grass			●	●																
Teucrium chamaedrys ' Prostratum'	Bush Germander	■	●	■		■		■		■		■		■		■		■		■	
Trachelospermum jasminoides	Star Jasmine									●		●	●			●	●	●	●		●
Viburnum tinus	Laurustinus Viburnum	■		■		■	●	■	●	■		■		●	●	■		■		■	●
Westringia fruticosa	Westringia	●		●																●	
Xylosma congestum	Shiny Xylosma	■	●	■		■		■		■		■		■		■		■		■	●

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Ontario New Model Colony
Plant Matrix

Vines

Botanical Name	Common Name	Riverside Drive	Mill Creek Avenue	Chino Avenue	Community Trail	Primary Street	Secondary Access	Village Park Loop	Neighborhood Streets	Alleys	Primary & Secondary Entries	Residential Entry	Commercial Entry	Tri-plex Court (RDA 12)	Garden Court (RDA 16)	SFD Alley Loaded (RD 10)	SFD Alley Loaded (RD 5000)	SFD Front Loaded (RD 5500)	Recreation Center	Village Park	Commercial Area
Bougainvillea species	Bougainvillea				●																
Clematis lingusticifolia	Clematis	●		●										●	●	●	●	●			
Clytostoma callistegioides	Violet Trumpet Vine									●	●	●	●	●	●	●	●	●	●	●	●
Distictus buccinatoria	Blood Red Trumpet Vine									●	●	●	●	●	●	●	●	●		●	●
Ficus repens	Creeping Fig	●	●	●																	●
Gelsemium sempervirens	Carolina Jessamine									●	●	●	●	●	●	●	●	●	●	●	●
Hardenbergia violacea	N.C.N.													●	●	●	●	●	●	●	●
Jasminum polyanthum	Pink Jasmine													●	●	●	●	●			
Macfadyana unguis-cati	Cat's Claw	●		●	●																
Pandorea jasminoides	Bower Vine									●	●	●	●	●	●	●	●	●			
Parthenocissus tricuspidata	Boston Ivy		●								●	●	●							●	●
Passiflora species	Passion Flower									●											
Rosa banksiae	Lady Bank's Rose		●							●	●	●	●								
Solanum jasminoides	Potato Vine													●	●	●	●	●			●
Stephanotis floribunda	Madagascar Jasmine																		●		
Wisteria sinensis	Chinese Wisteria									●									●	●	

Section 8 Neighborhood Commercial, Business Park and Light Industrial Design Guidelines

8.1 Introduction

The Edenglen Specific Plan area will include ~~commercial and business park/light industrial~~ Neighborhood Commercial, Business Park and Light Industrial areas in the area east of the Southern California Edison easement to Milliken Avenue between Riverside Drive and Chino ~~Drive~~ Avenue. These non-residential uses will allow the homeowners of Edenglen to have shopping and employment opportunities conveniently located nearby. ~~Residents will have the ability to access services by foot or ride their bicycles to work via a pedestrian trail connecting their community to the commercial center and business park.~~ Residents will have the ability to access services by foot or ride their bicycles to work via a multi-purpose trail between their community and the business park land use areas. This trail also connects to the sidewalk along the south side of Riverside Drive, providing a connection to the Neighborhood Commercial.

Throughout the neighborhood commercial development and business park, appropriate landscaping, site planning and architectural design should be considered to create friendly and welcoming places to shop and work. These non-residential uses shall continue the vision established in the residential community, including integrating pedestrian-friendly design.

In order to maintain the character of Edenglen's residential community, the neighborhood commercial and business park is expected to be developed with a compatible and harmonious quality. The Edenglen Neighborhood Commercial, Business Park and Light Industrial Design Guidelines will help direct the development of the area to enhance the pedestrian experience with innovative design that positively contributes to the character of the Edenglen Specific Plan area. These guidelines are not intended to be strictly enforced rules, but a tool in aiding the design process. Additionally, these guidelines have been generalized for the Edenglen Specific Plan. Potential developers will be required to submit their own supplemental design guidelines for the Neighborhood Commercial, Business Park and Light Industrial development areas to the City of Ontario for approval.



Pedestrian-friendly Commercial Retail

These guidelines ~~are separated into two sections; the Commercial Section and the Business Park/Light Industrial Section. Each of these~~ for the Neighborhood Commercial, Business Park and Light Industrial Section are organized into the following:

- Site Planning
- Building Design
- Architectural Details
- Open Space and Landscaping

8.1.1 Guiding Principles

Guiding Principles for Neighborhood Commercial, Business Park and Light Industrial design for Edenglen:

Buildings should contribute to a qualitative nature of the overall neighborhood.

- Proper scale and proportions in massing and details should be used
- Pedestrian open spaces should be provided
- Massing and articulation should be varied
- Buildings shall be designed at a human-scale

Buildings should have an enduring quality.

- Design should draw inspiration from the rich and diverse Southern California architectural heritage
- Materials and colors typical to Southern California should be used
- Details and ornamentation should be authentic
- Design shall create an inviting place to shop and work



Design shall create an inviting place to work

8.1.2 Review Process

The Neighborhood Commercial and Business Park Design Guidelines are to be used as a general tool to guide the development of the eastern portion of Edenglen. Final designs will be subject to the City of Ontario's approval. Additionally, more detailed design guidelines for each development will be required by the City prior to final approval. Refer to the City of Ontario Development Code or the Planning Department for further information regarding the review process.

8.2 Neighborhood Commercial Design Guidelines

8.2.1 Introduction

Neighborhood Commercial development within Edenglen will continue the pedestrian-friendly character established in the residential community. By reducing the impact of the automobile to the appearance of the neighborhood commercial development, appropriate site planning can de-emphasize the vehicle, creating a safe outdoor environment without ignoring the necessary needs of vehicular traffic. Through well executed planning, architecture, and landscape design, the neighborhood commercial uses within Edenglen will complement and, to some extent, integrate the residential community rather than turn its back completely to the Edenglen residents.

8.2.2 Site Planning

Orientation

Buildings should be oriented for best visibility from the street. Windows and entries should face the street avoiding blank walls dominating public views. Stores with entries not visible from the street may be oriented towards pedestrian open space.

All primary entries should face onto a street or a connecting walkway.

Building clusterings are recommended to help define parking lot areas and encourage walking between stores. Building entries and storefronts should be positioned close to one another to reduce walking distances between them.



Retail Orientation to Vehicular Travel Lanes and Parking

Driveways and Sidewalks

The site shall be provided with an adequate number of driveways to facilitate circulation and also reduce the traffic impact along Riverside Drive and Milliken Avenue. Pedestrian crossing distances should be minimized at driveways. To increase safety for pedestrians, a raised median, as a pedestrian island, should be provided between travel lanes, especially those entries with more than one lane in any direction. Entry driveways should be paved with enhanced paving material such as brick, colored concrete, etc.

Street Frontage and Buildings

Streetside buildings, or those with no parking separating them from the street, should use windows and entry features to soften the building's appearance to the street. These buildings should not be more than 100-feet long without a pedestrian plaza or walkway breaking up the mass and connecting the parking lot with the street. On corners, buildings should utilize massing elements as an anchor.

Streetside Setbacks and Buildings

The sides of buildings along street edges shall be landscaped within the setback to soften the building's appearance as well as designed with windows or design elements. Refer to the City of Ontario Development Code for specific setback requirements.

Street Frontage and Parking Lots

Parking lots should generally be placed away from streets. Street frontages shall be broken up with buildings, landscaping, plazas, and other pedestrian features. Continuous parking lots along the street frontage should be avoided. Any parking along street edges shall be setback with a landscaped buffer to minimize the dominant feeling of the automobile along the street. Continuous parking stalls may be interrupted by landscaped islands no more than 10 stalls apart.

Parking lots are encouraged to be interconnected rather than separated for each building. Separated parking lots encourage customers to drive from store to store.

Service and Storage Areas

Loading docks, garages and storage areas are to be located behind or to the side of buildings siting onto secondary access and not primary streets. These features must be screened with walls and landscaping as much as possible from public view of streets, residences, pedestrian walkways and connecting trails. Loading docks and storage areas should not conflict with pedestrian walkways.

Refuse Containers, Utility and Mechanical Equipment

Refuse containers and equipment shall be easily accessed by service vehicles. They shall be screened from view of the streets, parking lots, and connecting walkways through roof forms, walls and/or landscaping. Screening details should incorporate elements that are compatible to the architecture style of the building. Proper landscaping, including trellises, may also help to screen these elements. Equipment and enclosures shall not be located near pedestrian walkways. Roof-mounted equipment shall be screened by the roof/parapet.

Sidewalks

Sidewalks shall be located along natural pedestrian travel paths. Sidewalks should be a minimum of 6' wide along pedestrian pathways and a minimum of 8' width along more heavily traveled commercial areas.

8.2.3 Building Design

Massing

With larger buildings, appropriate massing becomes more important to maintain the human-scale of the development and create a visually pleasing environment. Bay windows, stepped buildings, height changes and setback variations between stores help to break up large buildings as well as indicate entries and store locations to customers. Tower elements or monumental features are encouraged at focal points, such as corners, plazas, major entrances, or where walkways meet streets.

Varying setbacks along the front façade of buildings will create small outdoor public spaces for pedestrians to gather and sit.

Roof Forms

Hipped and gable roofs are encouraged. Roof pitches shall be compatible to the architectural style of the building. Flat roofs should vary in height and be accompanied by cornice, trim or other accent features.

Entry Design

Building entries shall be prominent and easily identified. Various elements can be used to enhance the entry features including massing variation, materials and color change, change in roof form, and awnings. For smaller retail buildings, part of a cluster or strip, arcades, awnings and simple signage may be acceptable as entries.



Neighborhood Commercial Retail Massing, Material Change, and Entry Design

Arcades and Awnings

Outdoor arcades along store fronts are encouraged over pedestrian walkways. Arcades may be used to connect separate buildings providing a more pleasing experience for pedestrians. Trellises or awnings may also be used to create a covered walkway to protect pedestrians from the sun and rain.

Design Flexibility

Retail spaces exceeding 30,000 SF should be designed with the ability to be divisible into smaller retail spaces if so required by future market demand.

8.2.4 Architectural Details

Architectural Styles

A consistent architectural style should be used throughout the neighborhood commercial development to create a sense of continuity between the buildings. Related elements, such as trellises, planters, light-standards, windows, doors, etc. shall also adopt detailing that is compatible to the selected architectural style. The selected style of the neighborhood commercial development does not necessarily need to be of any one of those available for the residential community but shall be compatible to them.

Architectural styles shall derive from Southern California and Ontario's history. Modern and "high-tech" styles are not acceptable style choices. Acceptable styles generally respond to the region's climate including such features as outdoor circulation, outdoor courtyards or plazas, recessed window frames, awnings, arcades, loggias, and trellises.

Building Wall Treatment

No wall should have a blank, uninterrupted length exceeding 20 feet without including one of the following:

- Change in texture
- Change in material
- Change in plane
- Lattice
- A tree or equivalent element

Façades that are visible from adjacent streets or walkways should display even greater visual interest by using architectural elements that break up the massing of large buildings, such as windows, arcades, awnings, porticos, and other architectural features.



Architectural Massing and Materials

Base And Top Treatments

Base and top treatments help to balance the "weight" of the building visually. Bases should appear to "ground" the building, while tops create a defined edge to the roofline. Possible treatment techniques are as follows:

Base
Thicker walls
Natural materials
Enriched landscaping with a mature height of at least 18"
Precast materials
Other decorative, durable materials as approved by the City

Special materials, such as ceramic tile, granite and marble are encouraged at major entries.

Tops
- Cornice treatments
- Roof overhangs with brackets
- Stepped parapets
- Textured materials

Colored "stripes" are not acceptable as the only treatment.

Exterior Materials

Recommended materials include stucco, exterior plaster, brick, wood siding, tile, precast concrete or stone. Exterior materials that appear pre-fabricated are not recommended. Selected materials and detailing should have an enduring appearance. Foam products should be avoided at the pedestrian level.

Roof Materials

Roofing materials that are generally acceptable include metal standing seam, concrete tile, ceramic tile and slate or slate-like materials. Asphalt or wood shingles are prohibited.

Colors

Color selection shall be consistent with the selected architecture style.

8.2.5 Open Space and Landscaping

Site Accessories

Site accessories, such as recycling bins, bike racks, litter cans, planters, benches and transit shelters, should use materials and have an architectural character consistent with the overall project. These accessories should be graffiti-resistant with materials that are easy to clean and paint.

Connecting Walkways

Walkways throughout Edenglen's neighborhood commercial development shall connect the various buildings to each other and to the sidewalks along Riverside Drive and Milliken Avenue. Use of trellises, landscaping, sitting areas and building placement adjacent to one another will encourage pedestrian activity within the neighborhood commercial area. A typical walkway shall be a minimum of 6' wide. In large parking lots, pedestrian walkways shall be provided within the median of at least two parking aisles for every three aisles of 20 stalls ormore.

Pedestrian walkways that may also be used for emergency access must allow minimum clearance of 26' wide and 14' vertical clearance.



Connecting Walkway with Trellis

Off-site Connections

Off-site connections will be provided from the neighborhood commercial area to Edenglen's residential development and the business park. Access to the residential community will be available ~~by a trail crossing the SCE easement~~ directly and safely through using the sidewalk along the south side of Riverside Drive. ~~The trail crossing connects into a regional trail system. The~~ A multi-purpose trail will separate the ~~commercial~~ residential area from the business park, and light industrial areas and provide pedestrian access ~~between the two uses~~ to the neighborhood commercial area via the public sidewalk along Riverside Drive.

Plazas

Plazas are encouraged to emphasize a pedestrian-friendly environment by creating locations within the neighborhood commercial development that allow for people to gather. Plazas create a more inviting feeling for pedestrians, allowing them to feel safe from the vehicular-dominated parking lot. These outdoor places may include water features, landscaping, and other elements to create a comfortable place to sit. Plazas are encouraged where high levels of pedestrian activity are expected. Major entrances and nearby uses that allow for more interactivity with the plaza such as delis, cafes, restaurants, bakeries and other food services are a few key examples.

Landscaping

Landscaping helps to soften the feel of the buildings and parking lot while enhancing the visual aspect of the site. The following landscaping techniques may be used:

1. Provide special landscaping treatment at all project and building entries.
2. Provide shade/canopy trees within parking areas.
3. Use plants to define outdoor spaces such as along edges, outdoor plazas, or pathways between parking and building entrances.
4. Plantings shall provide a continuity of form across the entire project.



Pedestrian Pathway Connecting Retail and Business Park

Outdoor Storage Areas

Outdoor storage areas should be incorporated into the design of a project to avoid visual impacts on the site.

Outdoor storage areas shall be located away from the street, behind or to the side of buildings. Walls and landscaping shall be used to screen stored materials.

The only storage envisioned for the Neighborhood Commercial area is for garden supply and shopping carts. Shopping cart areas should be screened from public view with a low wall. Any garden supply area should be integrated into the design of the building. Materials placed on palettes in front of buildings are not permitted.

Transit Shelters

Transit shelters should be incorporated into the design of the neighborhood commercial project. The structure design shall be integrated architecturally with the project through its color, materials and architectural style.

Walkways shall be provided for easy accessibility by pedestrians moving to and from the transit stop to the neighborhood commercial development.

Fence and Wall Design

Chain-link fencing, barbed wire, corrugated metal fencing and "tennis windscreens" are not permitted. Fences and walls should be built with attractive, durable materials, including (but not limited to) wrought iron, textured concrete block, or formed concrete with reveals. Fences or walls should be consistent with architectural style, materials and designs used throughout the project. Walls and fences should not exceed a height of six feet (6') without being made of textured concrete block, interlocking "diamond" blocks, formed concrete with reveals, or similar materials to a maximum of eight feet (8') from grade.



Retail Plaza

Along streets, walls and fences should not exceed 36" in height. Avoid long expanses of uninterrupted fences and walls. Use of an opening, planter box, material change, pilaster or post is acceptable. Openings shall be provided to connect walkways directly to the street avoiding long, inconvenient walking paths. These pedestrian portals should be announced by pilasters, trellis, special landscaping, or other upgraded features.

Lighting

Lighting standards shall provide adequate illumination throughout the site during the nighttime hours. Lighting fixtures shall be designed to be compatible with the architectural styles selected for the project. All light standards should have an attractive base and top; overhead "cobrahead" standards are not permitted. Buildings and landscaping can be illuminated indirectly to create a strong positive image.

Along pedestrian walks, lighting fixtures should not exceed 12' in height and may include lighting with bollards. Pedestrian lighting shall provide appropriate illumination at a human scale without too much glare. Lighting within larger parking lots shall not exceed 25' in height providing enough visibility for customers and employees to walk safely to their vehicles. The same bulb type shall be used for all parking lot and pedestrian lighting fixtures within the development.

Service area lighting should be positioned as to not be seen from public view.

BROOKFIELD HOMES
live the difference

8.3 Business Park and Light Industrial Design Guidelines

8.3.1 Introduction

The Business Park and Light Industrial component to the Edenglen Specific Plan will allow for employment opportunities to be created for the City of Ontario and the surrounding region. Residents of Edenglen will have the ability to access employment not only by automobile but also via ~~pedestrian trails~~ public sidewalks leading from the residential area to the business park and neighborhood commercial areas. Employees of the business park will also be able to enjoy outdoor plazas and courtyards, as well as landscaped pedestrian walkways connecting them to the neighborhood commercial area to the ~~north~~ east. Within the business park, services and some eating establishments would also be available to the employees within a close distance to their workplaces.

Due to the potentially negative effects that this land use can have on Edenglen's residential community, the Business Park and Light Industrial component will be expected to continue the quality of design that will be established by the residential and neighborhood commercial areas of Edenglen. This quality can be achieved by continuing the pedestrian-friendly character and implementing appropriate site planning and architectural design techniques.

8.3.2 Site Planning

Orientation

Special attention should be placed on the public view with façades and entries facing the street, especially along Riverside Avenue. Parking is encouraged to be located predominantly to the sides and rear of buildings. When possible, buildings with larger square footage in excess of ~~30,000~~ 100,000 square feet should be located further away from ~~Milliken~~ Riverside Avenue ~~and closer to the SCE easement~~ while smaller buildings should be located closer to ~~Milliken~~ Riverside Avenue to preserve a human scale to the street frontage.



Transitional Office

The northern portion of the business park is encouraged to engage the retail land-use using pedestrian walkways and integrate a more transitional building and site design. Buildings in this area should blur the seam between the neighborhood commercial retail and business park.

Street Frontage and Parking Lots

Smaller buildings along ~~Milliken~~ Riverside Avenue are preferred, however, small parking lots enhanced with landscaping and a buffer from the Riverside right-of-way are also acceptable. Building frontages along ~~Milliken~~ Riverside Avenue and local streets should be designed with windows, entries and architectural features to soften their appearance to the public view.

Parking lots should be designed to minimize impact to pedestrian walkways and service access. Large parking lots should be avoided, however, if necessary, a landscaped pedestrian walkway should be provided for safe access to buildings.

Loading and Storage Areas

Loading docks and storage areas should not face any street. Any visual impact to public views should be screened through the use of walls, trellises, tall landscaping, and/or equivalent features. Adequate room should be provided for trucks maneuvering or waiting to unload. Attractive and durable materials shall be used when designing loading areas. Loading areas facing the SCE easement shall be screened by a wall or landscaping to minimize the visual impact to the residential community. Loading areas are encouraged to have lower grade to minimize the need for high walls or fencing.

Refuse Containers, Utility and Mechanical Equipment

Refuse containers and equipment shall be easily accessed by service vehicles but screened from view of the streets, parking lots, and connecting walkways through roof forms, walls and/or landscaping. Screening details should incorporate elements that are compatible with the architecture style of the building. Proper landscaping, including trellises, may also help to screen these elements. Equipment and enclosures shall not be located near pedestrian walkways. Roof-mounted equipment shall be screened by the roof/parapet.

8.3.3 Building Design

Massing

To maintain a human-scale to buildings, appropriate massing techniques shall be employed. Height variations, architectural projections, building pop-outs, stepping of floors, accent detailing, material change and color variety are some of the methods that may be used. Massing elements shall relate to the architecture style of the building and should be proportional and visually pleasing.

For larger buildings, the following guidelines shall be exercised:

1. Building elevations of less than 700 lineal feet should not exceed a height: width ratio of 1:5 without a substantial architectural element that projects up or away from the building, such as towers, bays, lattices, or other architectural features.
2. Buildings greater than 700 lineal feet should not exceed a height width ratio of 1:6 without massing variations.
3. A ratio of 1:10 may be considered for façades greater than 700 lineal feet with external treatment detached from the building to help break the mass of the structure between massing breaks, including columns, colonnades, trellises, or enhanced landscape treatment.



Business Park Entry Massing

Roof Form

Roof forms should be simple and avoid a massive appearance. Buildings along Milliken Avenue are encouraged to use pitches rather than flat roofs when reasonable. Buildings shall use height variations to break up the roofline and create a more interesting visual appearance.

Entry Design

Entries and windows are encouraged to face streets and pedestrian walkways. Primary building entries shall be easily identified through the massing of the building. Greater height can be used to highlight and accentuate entries in the form of tower elements, tall voids, a central mass or an entry plaza. Secondary entries may use smaller building masses to communicate their locations. Smaller buildings with few employees should attempt to place entries and the most active areas near the street to avoid long, "unguarded" walkways.

Design Flexibility

Building design should be flexible in order to adjust to various future market demands. Parcel sizes should be flexible and vary in size to accommodate a variety of building types.

8.3.4 Architectural Details

Architectural Style

Buildings shall use an architectural style consistent with the styles used throughout the Edenglen Specific Plan area. Architectural styles selected for the Edenglen residential community include Spanish, Monterey, Bungalow, Cottage, Traditional and Territorial Ranch; however, acceptable styles are not dictated in these guidelines and those chosen for development are subject to approval by the City of Ontario. Within the Business Park and Light Industrial development area, a variety of compatible styles may be used together. Designs should reflect authentic materials and elements appropriate to the selected style.



Spanish Architectural Style Example

Building Wall Treatment

Blank walls between massing breaks should be avoided, especially along façades immediately visible from adjacent streets, nearby buildings or walkways. One or more of the following techniques may be used:

1. Change in texture/material
2. Revealed pilaster
3. Change in plane
4. Vertical variation of roof line
5. Windows
6. Lattice, accent tree or equivalent

Base and Top Treatments

Base and top treatments help to balance the "weight" of the building visually. Bases should appear to "ground" the building, while tops create a defined edge to the roofline. Possible treatment techniques are as follows:

Base

- Textured materials
- Different colored materials
- Enriched landscaping with a mature height of at least 18"
- Precast Materials

Special materials, such as ceramic tile, granite and marble, are encouraged on the base of buildings that face streets or connecting walkways, especially adjacent to major entries.

Tops

- Cornice treatments
- Roof overhangs with brackets
- Textured materials
- Differently colored materials

Colored "stripes" are not acceptable as the only treatment.

Roof Materials

Roofing materials should be durable yet compatible to the building's architectural style. Where visible from the street, acceptable roofing materials include metal standing seam and concrete tile.

Material Changes

Avoid the false appearance of lightweight veneers by hiding material changes through careful detailing. Material changes should not occur at external corners, but may occur at "reverse" or interior corners or as a "return."

Color

For larger building surfaces colors, should be muted and softer colors used. Accent colors may include brighter and darker colors.

8.3.5 Open Space and Landscaping

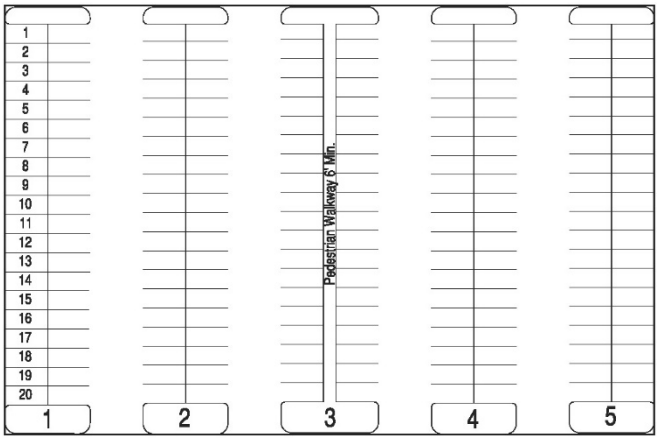
Site Accessories

Site accessories, such as recycling bins, bike racks, litter cans, planters, benches and transit shelters, should use approved materials and have an architectural character consistent with the overall project. These accessories should be graffiti-resistant, utilizing materials that are easy to clean and paint.

Connecting Walkways

Ideally, pedestrian walkways should be adjacent to buildings and be overlooked by frequent entries or windows. Walkways should provide a direct route without conflicting with parking and loading areas, and vehicular ingress and egress points to the parking areas.

Walkways throughout Edenglen's Business Park and Light Industrial development shall connect the various buildings to each other easily, ~~accessible~~ access parking areas and connect to public sidewalks along adjacent streets~~, the commercial development, the trail leading to the residential community and to the sidewalks along Chino Drive and Milliken Avenue~~. Use of trellises, landscaping and sitting areas and building placement adjacent to one another will encourage pedestrian activity within the development area. A typical walkway shall be 6' wide. In large parking lots, pedestrian walkways shall be provided within the median of at least one row of parking for every three parking aisles side by side of more than 20 parking stalls.



Connecting Walkways

Pedestrian walkways that may also be used for emergency access must allow minimum clearance of 26' wide and 14' vertical clearance.

Off-site Connections

Off-site connections will be provided to Edenglen's residential ~~and commercial~~ areas. Access to the residential community from the Neighborhood Commercial area will be available ~~by a trail crossing the SCE easement~~ via a public sidewalk along Riverside Drive. ~~The trail crossing connects into a regional trail system.~~ A trail buffer will separate the ~~commercial~~ residential land uses from the business park and provide pedestrian access ~~between the two uses~~ within the SCE easement extending North South within the Specific Plan area. This connection will allow employees to easily access the neighborhood commercial uses without the need to drive a car.


Business Park Courtyard

Plazas

Plazas, courtyards, gardens and outdoor lunch areas for employees are encouraged to be incorporated in building designs and site planning as much as possible to emphasize a pedestrian-friendly environment. Plazas create interesting architectural elements as well as provide a relaxing place for people to gather. These outdoor places may include water features, landscaping, and other elements to create a comfortable place to sit.

Plazas are encouraged where high levels of pedestrian activity are expected, such as adjacent to major entrances and food services (delis, restaurants and bakeries) or between building clusters in a business park development. Building entries and windows should look onto plazas to enhance activity and security. Locate outdoor employee break areas preferably away from loading areas or other high-traffic areas.

Site Entries

Major entries to the Edenglen Business Park should be marked by textured pavement, accent trees, fountains, gateway signage, and other landscape features. Pedestrian plazas are encouraged where site entries are adjacent to building entries.

Outdoor Storage Areas

Outdoor storage of material is permitted provided the storage is completely screened from public view. Outdoor storage areas should be incorporated into the design of a project to avoid visual impacts on the site.

Storage shall be located away from the street, behind or to the side of buildings. Walls and landscaping shall be used to screen stored materials. Stored materials shall not extend above the height of the screen wall.

Transit

Developments within the business park are encouraged to take advantage of mass transit opportunities from transit stops or shelters to be determined by the transit provider for the City of Ontario. Pedestrian walkways shall be designed to include access to any transit stops located near the site.

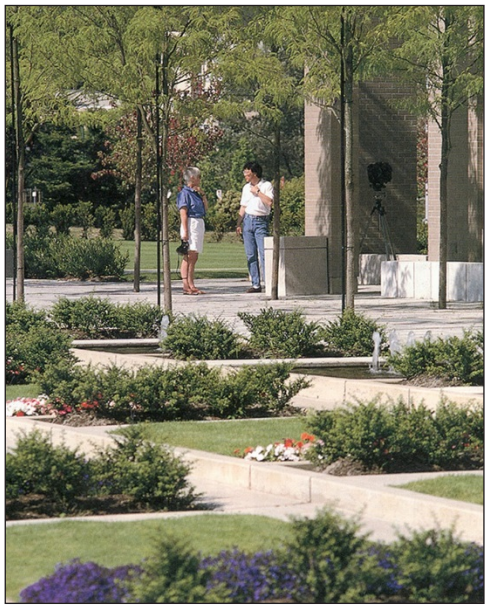
Developers should coordinate with the transit provider and the City to determine a suitable location for a transit shelter on-site. Freestanding shelters should be integrated architecturally with the project with respect to color, materials and architectural style.

Fence and Wall Design

Fences and walls should be built with attractive, durable materials, including (but not limited to) tubular steel, textured concrete block, or formed concrete with reveals. Chain link fencing, barbed wire, corrugated metal fencing and "tennis windscreens" are not permitted. Gates to service and private access shall be out of public view as much as possible and constructed of tubular steel or perforated metal painted to match surrounding wall.

Fences or walls should be consistent with architectural style, materials and designs used throughout the project. Walls and fences should not exceed a height of six feet (6') without being made of textured concrete block, interlocking "diamond" blocks, formed concrete with reveals, or similar materials to a maximum of twelve feet (12') from grade. Appropriate landscaping shall be used whenever possible to alleviate the walledge.

Where light industrial and non-industrial uses are adjacent, buffering techniques shall be used to mitigate the view to the industrial use.



Pedestrian-oriented Business Park Landscaping

Along streets, walls and fences are preferred to not exceed 36" in height. In situations where a rear or side property edges a street, taller walls may be necessary but should use various techniques to limit the harsh affects to the streetscape. Avoid long expanses of uninterrupted fences and walls. Use of an opening, planter box, material change, pilaster or post is acceptable. Openings shall be provided to connect walkways directly to the street and to allow pedestrians to avoid long, inconvenient walking paths. These pedestrian portals should be announced by pilasters, trellis, special landscaping, or other special features.

Lighting

Lighting standards shall provide adequate illumination throughout the site during the nighttime hours. Lighting fixtures shall be designed to be compatible with the architectural styles selected for the project. All light standards should have an attractive base and top; overhead "cobrahead" standards are not permitted. Buildings and landscaping can be illuminated indirectly to create a strong positive image.

Along pedestrian walks, lighting fixtures should not exceed 15' in height and may include lighting with bollards. Pedestrian lighting shall provide appropriate illumination at a human scale without too much glare. Lighting within larger parking lots shall not exceed 25' in height providing enough visibility for employees to walk safely to their vehicles. The same bulb type shall be used for all parking lot and pedestrian lighting fixtures within the development.

Service area lighting should be positioned as to not be seen from public view.

Section 9 General Plan Consistency

California Government Code (Title 7, Division 1, Section 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 with Edenglen Specific Plan are consistent with The Ontario Plan.

The Ontario Plan (TOP) establishes the direction and vision for the City of Ontario providing a single guidance system that will shape the Ontario community for the future. TOP provides for policies to accommodate change over a 30 year period commencing in 2010, the beginning of the planning period. TOP 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 demonstrates that the Edenglen Specific Plan implements the goals and policies of the City's Policy Plan (General Plan).

Edenglen Specific Plan Policy Matrix

9.1 LAND USE ELEMENT

Plan Policy	Specific Plan Consistency
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 Edenglen Specific Plan incorporates into its design and Development Regulations and requirements that encourage the efficient use of energy resources through design, product selection, and operational techniques. The landscape guidelines require the use of native drought-resistant vegetation and shade trees to conserve water, improve comfort, augment neighborhood aesthetics, and maximize carbon capture and storage. Development Regulations related to environmental performance and sustainable Development (Section 4: Land Use, and Section 6: Development Regulations) address lighting, bicycle parking, sustainable landscaping, and energy efficiency.
Policy LU1-3 Adequate Capacity We require adequate infrastructure and services for all Development.	The Edenglen Specific Plan establishes a Phasing Plan that has been coordinated with all affected infrastructure providers and ensures that all uses on the project site are adequately served. Infrastructure Development will 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 (Section 5: Infrastructure & Services) will developed pursuant to applicable City of Ontario infrastructure master plans and any project Development agreements.

Plan Policy	Specific Plan Consistency
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.	The Edenglen Specific Plan complies with all 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 Edenglen Specific Plan is established on land with the Ontario Plan land use designations of Business Park and Industrial. The Ontario Plan (TOP) analyzed the impacts of business park and industrial uses and determined the appropriateness of the designation at this location. The Specific Plan Development Regulations (Section 4: Land Use, and Section 6: Development Regulations) identify specific permitted uses within the Plan to ensure that future uses are consistent the Land Use and Circulation Plans for the Specific Plan area.
Policy LU2-6 Infrastructure Compatibility We require infrastructure to be aesthetically pleasing and in context with the community character.	Design guidelines (Section 8: Design Guidelines) in the Edenglen Specific Plan 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 setbacks along all roadways within the Specific Plan area (Section 8: Design Guidelines) to create safe and attractive streets for pedestrians and motorists, and integrates its infrastructure plans with the adjacent land uses to 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 Edenglen Specific Plan incorporates into its Implementation Plan 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.

9.2 COMMUNITY DESIGN ELEMENT

Plan Policy	Specific Plan Consistency
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 Edenglen Specific Plan contains design guidelines in Section 5 to guide future Development, consistent with the vision for Ontario Ranch. The Specific Plan design guidelines (Section 8: Design Guidelines) and Development Regulations (Section 4: Land Use, and Section 6: Development Regulations) are intended to ensure a cohesive and attractive Development that complements and integrates into the 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 design guidelines in the Edenglen Specific Plan (Section 8: Design Guidelines) are intended ensure high quality building and site design, a clean and attractive appearance, and cohesive integrated design. The design elements in the two Planning Areas will be compatible and complement each other; however, variation is encouraged to provide visual interest. The Specific Plan materials, colors, fenestration, scale, and massing will be consistent with the intended architectural style or theme of the Edenglen.

Plan Policy	Specific Plan Consistency
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 sidewalks, street trees, parkways, curbs, street lighting, and street furniture.	The Edenglen Specific Plan specifies street improvements to Riverside Drive and Milliken Avenue through the Specific Plan area that comply with the guidelines of the Circulation Element and include consideration of parkways and street trees, pedestrian walkways, landscape buffers, street lighting, and street furniture. Streetscape design for the Plan area (Section8, Subsection 8.2.5: Open Space and Landscaping) will present an aesthetically pleasing view for pedestrians and motorists, screen parking and loading areas from the public right-of-way, and integrate the Edenglen into the surrounding 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 Edenglen Specific Plan provides for the efficient use of the street system by providing convenient connections with adjacent land uses in compliance with the vision of the Circulation Element. As part of the Specific Plan, roads will be improved with sidewalks, trails and bikeways to supplement vehicle transportation. The Specific Plan streetscape and street section designs provide for construction of public pedestrian sidewalks in the Specific Plan area to connect with adjacent existing and planned pedestrian circulation systems.
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.	The conceptual landscape plan (Section 8, Subsection 8.2.5: Open Space and Landscaping) at the Edenglen encourages durable landscape 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, the Edenglen Specific Plan provides for a landscape setback on Merrill and Riverside Drives, bike lanes, and pedestrian walkways. The landscape setback 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. The plant selection will complement the design theme of the Specific Plan area and feature water-efficient, drought-tolerant species native to the region. Parking lot landscaping will reduce associated heat buildup, improve aesthetics, and integrate into onsite landscape design and adjacent streetscapes.

Plan Policy	Specific Plan Consistency
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 Edenglen Specific Plan establishes design guidelines pertaining to site planning, architectural design, landscape design, buffering and screening, walls and fences, lighting, and signs. These guidelines encourage high-quality Development, transitions between types of uses, and a sense of place. Specific Plan guidelines encourage design entry features that are a significant aspect of the building's overall composition, portray a quality appearance, tie the entry into the overall mass and building composition, and not appear as an "add-on" or afterthought (Section 8, Subsection 8.2.4: Architectural Details). Both Eucalyptus and Chino Avenues will feature a 23-foot landscape setback adjacent to the Plan site that will provide an attractive entry to the site (Section 8, Subsection 8.2.5: Open Space and Landscaping).
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 uses to various aspects of the Development and complement the character of the structure.	The Edenglen Specific Plan requires the developer of the project to obtain approval by the City of a sign program to address parcel identification, building identification and directional signage within the Specific Plan area. Industrial uses on the site will be appropriately signed to give direction to loading and receiving, visitor parking, and other special uses. A comprehensive sign program (Section 6: Development Regulations) will be required for larger developments within the Plan Area and will integrate a project's signs with the overall site design and the structures' design into a unified architectural statement. A comprehensive sign program provides a means for flexible application of sign regulations in order to provide incentive and latitude in the design and display of multiple signs.
GOAL CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages 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 Edenglen Specific Plan has coordinated its street, trail, and bikeway designs with adjacent land uses and in compliance with The Ontario Plan Mobility Element. The Edenglen Specific Plan specifies street improvements to Riverside Drive and Milliken Avenue through the Specific Plan area that include consideration of parkways and street trees, pedestrian walkways, landscape buffers, street lighting, and street furniture. Streetscape design for the Plan area (Section 8, Subsection 8.2.5: Open Space and Landscaping) will present an aesthetically pleasing view for pedestrians and motorists, screen parking and loading areas from the public right- of-way, and integrate the Center into the surrounding community.

Plan Policy	Specific Plan Consistency
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 Edenglen Specific Plan incorporates into its Development Regulations a requirement that design and materials for all sidewalks and road surfaces within the Specific Plan area be approved by the City's Engineering Department. Specific Plan design guidelines (Section 8: Design Guidelines) include the use of enhanced paving to mark major building entries and the use of 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 Edenglen Specific Plan includes a Maintenance Responsibility Matrix in Section 6: Development Regulations, identifying the parties responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Specific Plan area.
Policy CD5-2 Maintenance of Infrastructure We require the continued maintenance of infrastructure.	The Edenglen Specific Plan includes a Maintenance Responsibility Matrix in Section 6: Development Regulations, identifying the parties responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Specific Plan area.

9.3 MOBILITY ELEMENT

Plan Policy	Specific Plan Consistency
GOAL M1: A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.	

Plan Policy	Specific Plan Consistency
Policy M1-1 Roadway Design and Maintenance We require our roadways to: • Comply with federal, state, and local design and safety Regulations. • 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 Edenglen Specific Plan is designed to comply with the Land Use Element and the Functional Roadway Classification Plan of the Mobility Element and, therefore, maintain a Level of Service of E or better at all intersections addressed in the project environmental impact report. Specific Plan Development Regulations aim to minimize the effects of truck traffic on adjacent residential uses. The Land Use and Circulation Plans for the Specific Plan area (Section 6: Development Regulations) are designed to discourage truck traffic traveling through residential neighborhoods and emphasize land uses that are less truck traffic intensive.
Policy M1-2 Mitigation of Impacts We require Development to mitigate its traffic impact.	The Edenglen Specific Plan requires all projects within the Specific Plan area to comply with all mitigation measures, conditions, and project design features identified in the project environmental impact report. The Land Use and Circulation Plans for the Specific Plan area (Section 4: Land Use) are designed to discourage truck traffic traveling through residential neighborhoods and emphasize land uses that are less truck traffic intensive. Buildings, structures, and loading facilities will be designed to ensure that 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 Edenglen Specific Plan includes a circulation plan in Section 5: Infrastructure & Services, for providing connectivity to the trails and bikeway corridors identified in the Multipurpose Trails and Bikeway Corridor Plan, including installation of a Class II Bikeway along Chino Avenue. A future bikeway/multipurpose trail will eventually be constructed on the north side of Riverside Drive as well, but it is not part of the Edenglen Specific Plan.

Plan Policy	Specific Plan Consistency
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 Edenglen Specific Plan streetscape and street section designs provide for construction of public pedestrian sidewalks in the Specific Plan area 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 streets adjacent to the Specific Plan site are consistent with the City's Ontario Ranch Streetscape Master Plan (Section 6: Development Regulations). Proposed improvements for Riverside Drive and Milliken Avenue include a five-foot sidewalk (adjacent to the project site), a seven-foot landscaped parkway adjacent to the street, and a 23-foot additional landscape buffer setback for a total 35-foot neighborhood edge.
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 needed.	OmniTrans long-term transit corridor plans identify Development of a transit corridor on Ontario Ranch Road Avenue located approximately one-half mile south of the Specific Plan area. OmniTrans transit corridor Development will offer opportunities to influence new Developments and provide intercounty connections from Ontario Ranch. In the immediate future (2 to 5 years), OmniTrans does not have plans for service in the immediate Specific Plan area based on their 2015-2020 Short-Range Transit Plan and on the limited funding available for increased operations. As Development occurs in Ontario Ranch, OmniTrans expects for Development of transit stops along Archibald Avenue, located approximately 0.3 miles east of the Specific Plan area, with transit stops placed every 0.1 to 0.25 miles. The Edenglen Specific Plan provides for the incorporation of a transit stop along any of the streets in the Specific Plan area, as determined necessary and appropriate by the OmniTrans System of San Bernardino County and consistent with OmniTrans' long-term plans.
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 on the truck routes.	The Edenglen 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 (Section 4: Land Use) are designed to discourage truck traffic traveling through residential neighborhoods and emphasize land uses that are less truck traffic intensive. Sufficient off-street loading and unloading spaces will be provided on site, and adequate provisions and space will be made for maneuvering freight vehicles and handling all freight. Buildings, structures, and loading facilities will be designed to ensure that loading and unloading activities occur on-site without extending beyond the property line.

9.4 ENVIRONMENTAL RESOURCES ELEMENT

Plan Policy	Specific Plan Consistency
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 Edenglen Specific Plan incorporates into its Development Regulations and design guidelines water conservation strategies. Landscape and irrigation plans are encouraged to incorporate water conservation features. The Specific Plan landscaping plant selection complements the design theme of the Specific Plan area and features water-efficient, drought-tolerant species native to the region (Section 8: Design Guidelines). The use of recycled water to irrigate landscape areas and for other uses is encouraged and for certain approved uses, the use of recycled water is required consistent with the City of Ontario Recycled Water Master Plan. 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.	The Edenglen Specific Plan incorporates into its Development Regulations acknowledgement 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 all appropriate Best Management Practices (BMPs) to prevent pollutant discharge into storm drain systems and natural drainages and aquifers (Section 5: Infrastructure & Services). In addition to the preparation of a SWPPP, a WQMP will be prepared and approved which will enforce long-term BMPs to prevent pollutant discharges into storm drain systems, for the life of the project.
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 Edenglen Specific Plan incorporates into its Development Regulations low impact Development strategies including landscape designs that promotes water retention and incorporation of water conservation elements such as use of native plants; permeable surface designs in parking lots and areas with low traffic; and parking lots that drain to landscaped areas to provide treatment, retention, or infiltration (Section 5: Infrastructure & Services).

Plan Policy	Specific Plan Consistency
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.	The Edenglen Specific Plan incorporates into its Development Plan acknowledgement 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 that are integrated into project design and amenities. The grading and drainage of the Edenglen Specific Plan area will be designed to retain/infilter, harvest & re-use or biotreat surface runoff, in order to comply with the current requirements of the San Bernardino County NPDES Stormwater Program's Water Quality Management (WQMP) for significant new Development projects (Section 5: Infrastructure & Services).
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.	The Edenglen Specific Plan provides for design of a wastewater system consistent with City and Regional Water Quality Board requirements. Sewer services to the Edenglen will be provided by the City of Ontario consistent with the City's Sewer Master Plan. A new 18-inch sewer trunk line will be constructed on Mill Creek Avenue adjacent to the site's western boundary, and a portion of Merrill at the sites' southern boundary (Section 5: Infrastructure & Services).

Plan Policy	Specific Plan Consistency
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 Regulations.	The Edenglen Specific Plan incorporates into its Development Regulations and design guidelines energy-saving conservation strategies. Development Regulations related to environmental performance and sustainable Development (Section 4: Land Use, and Section 6: Development Regulations) address lighting, bicycle parking, sustainable landscaping, and energy efficiency.
Policy ER4-1 Indoor Air Quality We comply with State Green Building Codes relative to indoor air quality.	The Edenglen Specific Plan requires future Development projects in the Specific Plan area to comply with the State of California Building Code as adopted and implemented by the City.
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 Edenglen 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.

9.5 SAFETY ELEMENT

Plan Policy	Specific Plan Consistency
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 Regulations 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 Edenglen 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 Edenglen 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.

Plan Policy	Specific Plan Consistency
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 the California 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 Edenglen 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 Edenglen 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 in streetscapes, sites, open space, and buildings.

Plan Policy	Specific Plan Consistency
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 Edenglen 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 Edenglen 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 Regulations and guidelines.	The Edenglen 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.

Plan Policy	Specific Plan Consistency
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 Edenglen 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 space, and buildings. Parcel lighting (Section 6: Development Regulations) 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 the pedestrian movement walkways and corridors. Site design for the Specific Plan (Section 8, Design Guidelines) also helps guide pedestrian access to the site buildings from adjacent streets and parking areas with building entrances marked by signage, architectural features, and landscaping features. The Specific Plan also establishes landscape setbacks along all roadways within the Specific Plan area (Section 8: Design Guidelines) to create safe and attractive streets for pedestrians and motorists, and integrates its infrastructure plans with the adjacent land uses to ensure cohesive patterns of Development.

9.6 COMMUNITY ECONOMICS ELEMENT

Plan Policy	Specific Plan Consistency
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- community.	The Edenglen Specific Plan anticipates the creation of 600 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 this Specific Plan. The Land Use Plan (Section 4: Land Use) 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.

Plan Policy	Specific Plan Consistency
Policy CE1-5 Business Attraction We proactively attract new and expanding businesses to Ontario in order to increase the City's share of growing sector of regional and global economy.	The Edenglen Specific Plan provides for the construction of over two million square feet of industrial Development in compliance with City and regional planning goals and strategies that facilitate goods movement throughout the SCAG region (Section 4: Land Use).
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 Edenglen Specific Plan contains design guidelines in Section 5 to guide future Development, consistent with the vision for Ontario Ranch. The guidelines are intended to ensure a 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 (Section 8: Design Guidelines) to create safe and attractive streets for pedestrians and motorists, and integrates its infrastructure plans with the adjacent land uses to ensure cohesive patterns of Development.
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 Edenglen Specific Plan establishes land uses (Section 6: Development Regulations), site design, building design, and landscape design Regulations (Section 8: Design Guidelines) that ensure a high-quality Development that is competitive regionally and appropriate for the Ontario Ranch community.

Plan Policy	Specific Plan Consistency
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 Edenglen Specific Plan includes a Maintenance Responsibility Matrix (in Section 6: Development Regulations) 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 (POA) will be established for the maintenance of common areas, including such improvements as landscape areas and drive aisles within the Edenglen.
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 Edenglen Specific Plan includes a Maintenance Responsibility Matrix (in Section 6: Development Regulations) 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 (Chino Avenue, Mill Creek Avenue, Milliken Avenue, and Riverside Drive) 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.

CITY OF ONTARIO *Agenda Report* **February 2, 2021**	**SECTION:** **PUBLIC HEARINGS**
Department: Development Administration Prepared By: Derrick E Womble Staff Member Presenting: Scott Murphy, AICP, Executive Director Development Agency Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 14

SUBJECT: A PUBLIC HEARING TO CONSIDER AN ORDINANCE APPROVING THE DEVELOPMENT AGREEMENT (FILE NO. PDA18-006) BETWEEN THE CITY OF ONTARIO AND ONTARIO CC, LLC., TO ESTABLISH THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF TENTATIVE PARCEL MAP 20027 (FILE NO. PMTT18-009), FOR A 46.64-ACRE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND HAMNER AVENUE, WITHIN THE PROPOSED NEIGHBORHOOD COMMERCIAL, BUSINESS PARK AND LIGHT INDUSTRIAL LAND USE DESIGNATIONS OF THE EDENGLEN SPECIFIC PLAN (APNS: 0218-171-21 AND 0218-171-27)

RECOMMENDATION: That the City Council introduce and waive further reading of an ordinance approving the Development Agreement (File No. PDA18-006) between the City of Ontario and Ontario CC, LLC., to establish the terms and conditions for the development of Tentative Parcel Map 20027 (File No. PMTT18-009), for a 46.64-acre property located at the southwest corner of Riverside Drive and Hamner Avenue, within the proposed Neighborhood Commercial, Business Park and Light Industrial land use designations of the Edenglen Specific Plan (APNs: 0218-171-21 and 0218 171-27).

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: The proposed Development Agreement will not have an immediate impact on the City's budget. The Development Agreement will provide funding from the formation of a Community Facilities District (CFD) for City services and facilities required to support the Edenglen Specific Plan development, thereby mitigating the increased costs associated with such services. In addition, the City will receive public service funding fees in addition to development impact, compliance processing, licensing, and permitting fees. No General City revenue will be used to support the Ontario Ranch development.

BACKGROUND & ANALYSIS: On November 1, 2005, the City Council approved the Environmental Impact Report (EIR) and Edenglen Specific Plan, File No. PSP03-005 ("Specific Plan") which addressed the development of approximately 160 acres for residential, pocket parks, public trials,

commercial and business park/light industrial uses. On January 27, 2010, the City Council adopted a comprehensive update to The Ontario Plan (File No. PGPA06-001).

Subsequently, the Applicant has applied to develop the easterly 46 acres of the Edenglen Specific Plan. The entitlements include the following: 1) a General Plan Amendment (File No. PGPA18-002) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation of approximately 46 acres of land from General Commercial and Business Park to 4.13 acres of Community Commercial, 3.51 acres of Business Park and 39 acres of Industrial; 2) modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; 3) An amendment (File No. PSPA18-003) to the Edenglen Specific Plan to change the land use designation from Community Commercial, Commercial/Business Park Flex Zone and Business Park/Light Industrial to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park and 39 acres of Light Industrial including updates to the development standards, exhibits and text changes to reflect the proposed land uses, 4) a Development Plan (File No. PDEV18-03) to construct 6 industrial buildings totaling 1,040,727 square feet on 46.64 acres of land located at the southwest corner of Riverside Drive and Hamner Avenue; and 5) a Parcel Map (PM 20027, File No. PMTT18-009) to subdivide 47.36 acres of land into 6 parcels located at the southwest corner of Riverside Drive and Hamner Avenue.

The Ontario Ranch financial commitments required for construction of properties within a specific plan are substantial. Therefore, in order to adequately forecast these costs and gain assurance that the project may proceed under the existing policies, rules and regulations, Ontario CC, LLC ("Owner") has requested that the City enter into negotiations to create a Development Agreement ("Agreement"). In accordance with California Government Code Section 65865, which in part states that that "[a]ny city… may enter into a Development Agreement with any person having a legal or equitable interest in real property for the development of such property…" and California Government Code Section 65865.52, which in part states that "a Development Agreement shall specify the duration of the Agreement, the permitted uses of the property… and may include conditions, terms, restrictions…," the City of Ontario adopted Resolution No. 2002-100 setting forth the procedures and requirements for consideration of Development Agreements. Furthermore, the Financing and Construction Agreement with the NMC Builders, LLC (NMC Builders) requires those developments, wishing to use the infrastructure it created, to enter into Development Agreements with the City of Ontario. Pursuant to these procedures and requirements, staff entered into negotiations with the Owner to create a Development Agreement for consideration by the Planning Commission and City Council.

The proposed Development Agreement is based upon the model Development Agreement that was developed in coordination with the City Attorney and legal counsel for NMC Builders. This model Development Agreement is consistent with the provisions of the Construction Agreement. The terms of the agreement between NMC Builders' members requires that members of the LLC enter into Development Agreements that are consistent with the provisions of the Construction Agreement.

The Development Agreement proposes to include approximately 46 acres of land within the proposed Neighborhood Commercial, Business Park and Light Industrial land use designations of the Specific Plan. The Development Agreement grants the Owner a vested right to develop Tentative Parcel Map 20027, provided the Owner complies with the terms and conditions of the Specific Plan and EIR. The Tentative Parcel Map 20027 is located at the southwest corner of Riverside Drive and Hamner Avenue and proposes to subdivide the property into seven (7) numbered parcels and one (1) lettered lot in conjunction with the Development Plan.

The term of the Development Agreement is for ten (10) years, with a five (5) year option to renew. The

main points of the agreement address funding for all new City expenses created by the project, which includes: Development Impact Fees (DIF) for construction of public improvements (i.e. streets and bridges, sewer, water, storm drain and fiber); Public Service Funding to ensure adequate provisions of public services (police, fire and other public services); the creation of a Community Facilities District (CFD) for the maintenance of public facilities.

In considering the application at their meeting on August 25, 2020, the Planning Commission found that the Development Agreement was consistent with State law, The Ontario Plan, and the City's Development Agreement policies, previously approved for Ontario Ranch developments. As a result, the Planning Commission adopted Resolution No. PC20-055 recommending City Council approval of the Development Agreement.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The Edenglen Specific Plan was listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. However, the eastern half of the Edenglen Specific Plan (project site) was not included as one of the properties in the Available Land Inventory since the eastern half of the Specific Plan did not include any residential land use designations.

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.

ENVIRONMENTAL REVIEW: The environmental impacts of this Project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) that was certified by City Council on January 27, 2010. This Application introduces no new significant environmental impacts and all previously adopted mitigation measures are a condition of project approval.

Exhibit A
Proposed Edenglen Specific Plan Land Use Map

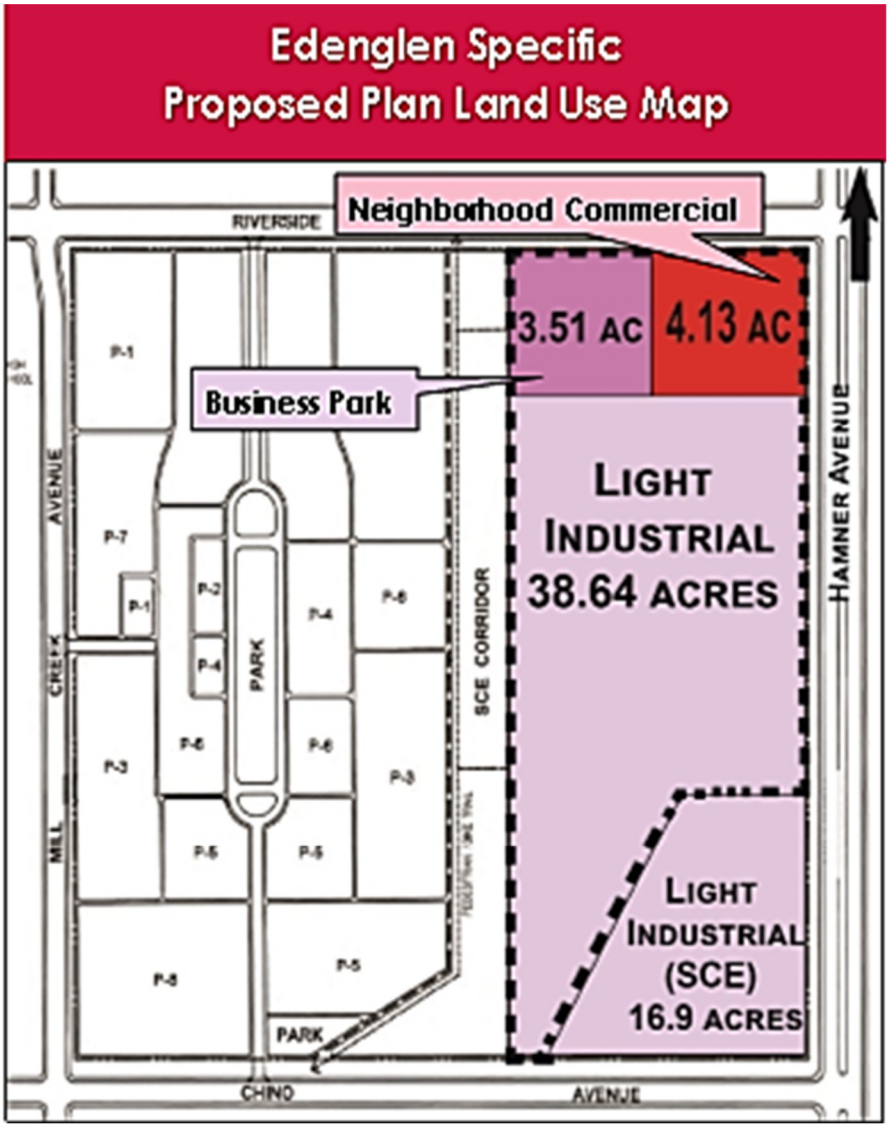
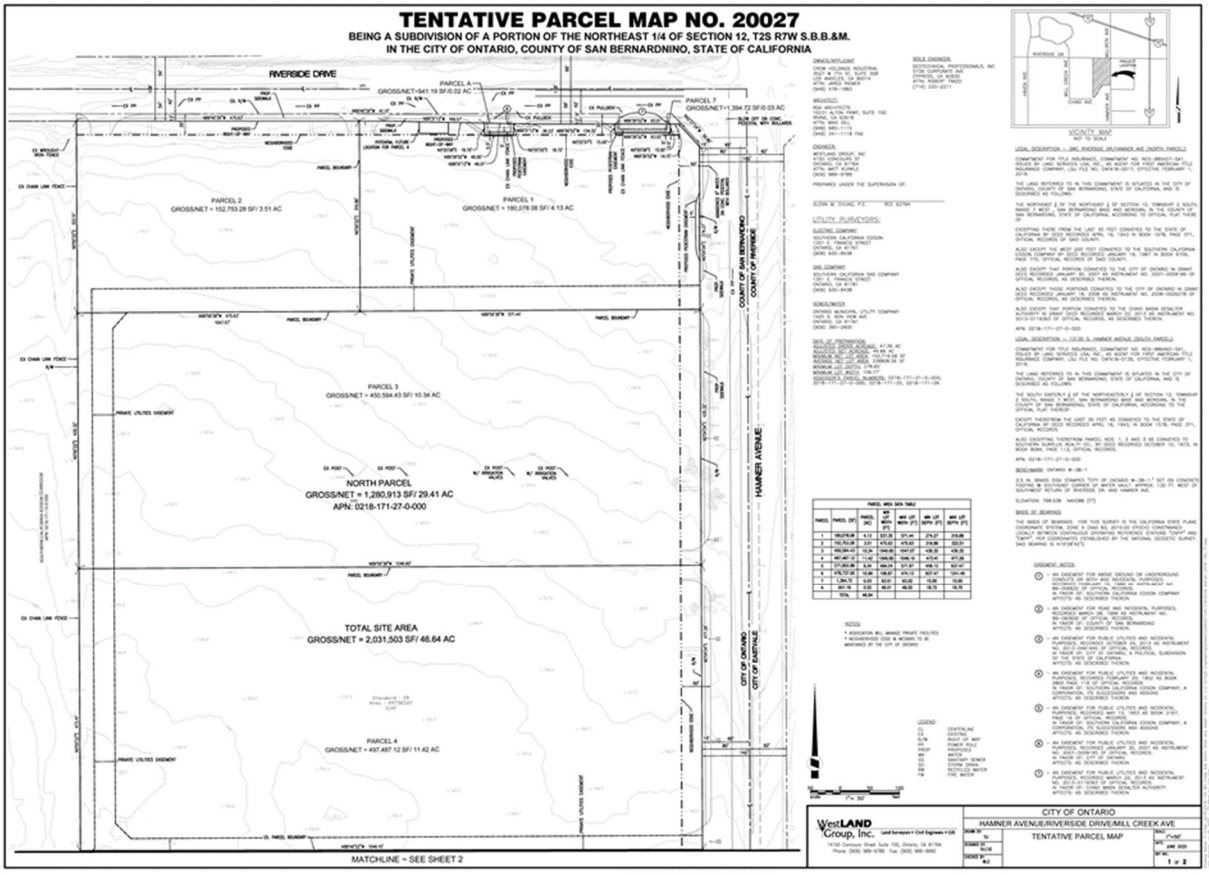


Exhibit B
Tentative Parcel Map 20027



PLANNING COMMISSION STAFF REPORT

August 25, 2020

FILE NO.: PDA18-006

SUBJECT: A Development Agreement (File No. PDA18-006) between the City of Ontario and Ontario CC, LLC., to establish the terms and conditions for the development of Tentative Parcel Map 20027 (File No. PMTT18-009), for a 46.64 acre property located at the southwest corner of Riverside Drive and Hamner Avenue, within the proposed Neighborhood Commercial, Business Park and Light Industrial land use designations of the Edenglen Specific Plan (APNs: 0218-171-21 and 0218-171-27). **Submitted by Ontario CC, LLC. City Council action is required.**

PROPERTY OWNER: Ontario CC, LLC., a Delaware limited liability company

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RECOMMENDED ACTION: That the Planning Commission consider and recommend City Council adoption of an ordinance approving the Development Agreement (PDA18-006) between the City of Ontario and Ontario CC, LLC., pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT SETTING: The project site is comprised of approximately 46.64 acres of land located at the southwest corner of Riverside Drive and Hamner Avenue, within the proposed Neighborhood Commercial, Business Park and Light Industrial land use designations of the Edenglen Specific Plan, and is depicted in Figure 1: Project Location. The project site gently slopes from north to south and is vacant and was previously used for diary/agriculture uses.



Figure 1: Project Location

PROJECT ANALYSIS:

[1] Background — On November 1, 2005, the City Council approved the Environmental Impact Report (EIR) and Edenglen Specific Plan, File No. PSP03-005 (the "Specific Plan") which addressed the development of approximately 160.6 acres for residential, pocket parks, public trials, commercial and business park/light industrial uses. On January

Case Planner:	Derrick Womble, Administrative Officer
Planning Director Approval:	
Submittal Date:	12/13/2018

Hearing Body	*Date*	*Decision*	*Action*
DAB	N/A	N/A	N/A
PC	08/25/2020	Approval	Recommend
CC	09/15/2020		Final

27, 2010, the City Council adopted a comprehensive update to The Ontario Plan (File No. PGPA06-001).

The Ontario Ranch financial commitments required for construction of properties within a specific plan are substantial. Therefore, in order to adequately forecast these costs and gain assurance that the project may proceed under the existing policies, rules and regulations, Ontario CC, LLC ("Owner") has requested that the City enter into negotiations to create a Development Agreement ("Agreement").

In accordance with California Government Code Section 65865, which in part states that that "[a]ny city… may enter into a Development Agreement with any person having a legal or equitable interest in real property for the development of such property…" and California Government Code Section 65865.52, which in part states that "a Development Agreement shall specify the duration of the Agreement, the permitted uses of the property… and may include conditions, terms, restrictions…," the City of Ontario adopted Resolution No. 2002-100 setting forth the procedures and requirements for consideration of Development Agreements. Furthermore, the Financing and Construction Agreement with the NMC Builders, LLC (NMC Builders), requires those developments wishing to use the infrastructure it created to enter into Development Agreements with the City of Ontario. Pursuant to these procedures and requirements, staff entered into negotiations with the Owner to create a Development Agreement for consideration by the Planning Commission and City Council.

The proposed Development Agreement (File No. PDA18-006) is based upon the model Development Agreement that was developed in coordination with the City Attorney and legal counsel for NMC Builders. This model Development Agreement is consistent with the provisions of the Construction Agreement. The terms of the agreement between NMC Builders' members requires that members of the LLC enter into Development Agreements that are consistent with the provisions of the Construction Agreement.

[2] Staff Analysis — Currently, the Owner is proposing the following entitlements: 1) A General Plan Amendment (File No. PGPA18-002) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation of approximately 46 acres of land from General Commercial and Business Park to 4.13 acres of Community Commercial, 3.51 acres of Business Park and 39 acres of Industrial; 3) Modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and 3) An amendment (File No. PSPA18-003) to the Edenglen Specific Plan to change the land use designation from Community Commercial, Commercial/Business Park Flex Zone and Business Park/Light Industrial to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park and 39 acres of Light Industrial including updates to the development standards, exhibits and text changes to reflect the proposed land uses. The proposed entitlements require a Development Agreement to establish the terms and conditions of development for the project.

The Development Agreement proposes to include approximately 46.64 acres of land within the proposed Neighborhood Commercial, Business Park and Light Industrial land use designations of the Specific Plan. The Development Agreement grants the Owner a vested right to develop Tentative Parcel Map 20027 (File No. PMTT18-009), provided the Owner complies with the terms and conditions of the Specific Plan and EIR. The Tentative Parcel Map 20027 is located at the southwest corner of Riverside Drive and Hamner Avenue and proposes to subdivide approximately 46.64 acres of land into seven (7) numbered parcels and one (1) lettered lot in conjunction with a Development Plan (File No. PDEV18-031) to construct five (5) industrial buildings totaling 968,092 square feet.

The term of the Development Agreement is for ten (10) years, with a five (5) year option to renew. The main points of the agreement address funding for all new City expenses created by the project, which includes: Development Impact Fees (DIF) for construction of public improvements (i.e. streets and bridges, sewer, water, storm drain and fiber); Public Service Funding to ensure adequate provisions of public services (police, fire and other public services); the creation of a Community Facilities District (CFD) for the maintenance of public facilities.

Staff finds that the Development Agreement is consistent with State law, The Ontario Plan, and the City's Development Agreement policies. As a result, staff is recommending approval of the application to the Planning Commission. If the Planning Commission finds the Development Agreement is acceptable, a recommendation of approval to the City Council would be appropriate.

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
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- 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] 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.

➢ LU1-1 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.

➢ LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Economics Element:

- 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.

➢ CD2-2 Neighborhood Design. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Landscaped parkways, with sidewalks separated from the curb.

➢ 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. The Edenglen Specific Plan was listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. However, the eastern half of the Edenglen Specific Plan (project site) was not included as one of the properties in the Available Land Inventory since the eastern half of the Specific Plan did not include any residential land use designations.

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 of this Project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) that was certified by City Council on January 27, 2010. This Application introduces no new significant environmental impacts and all previously adopted mitigation measures are a condition of project approval.

Exhibit A—Proposed Edenglen Specific Plan Land Use Map

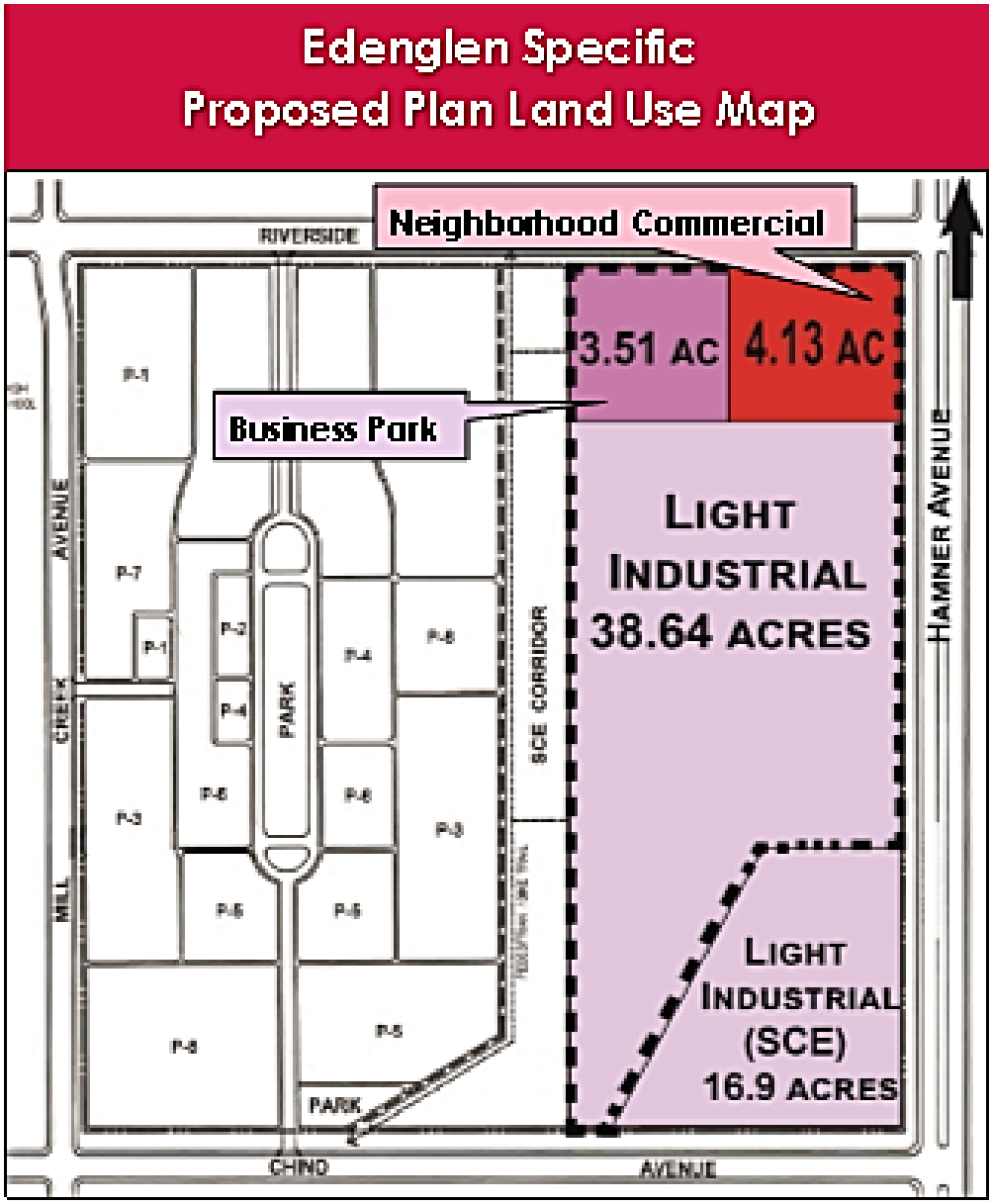
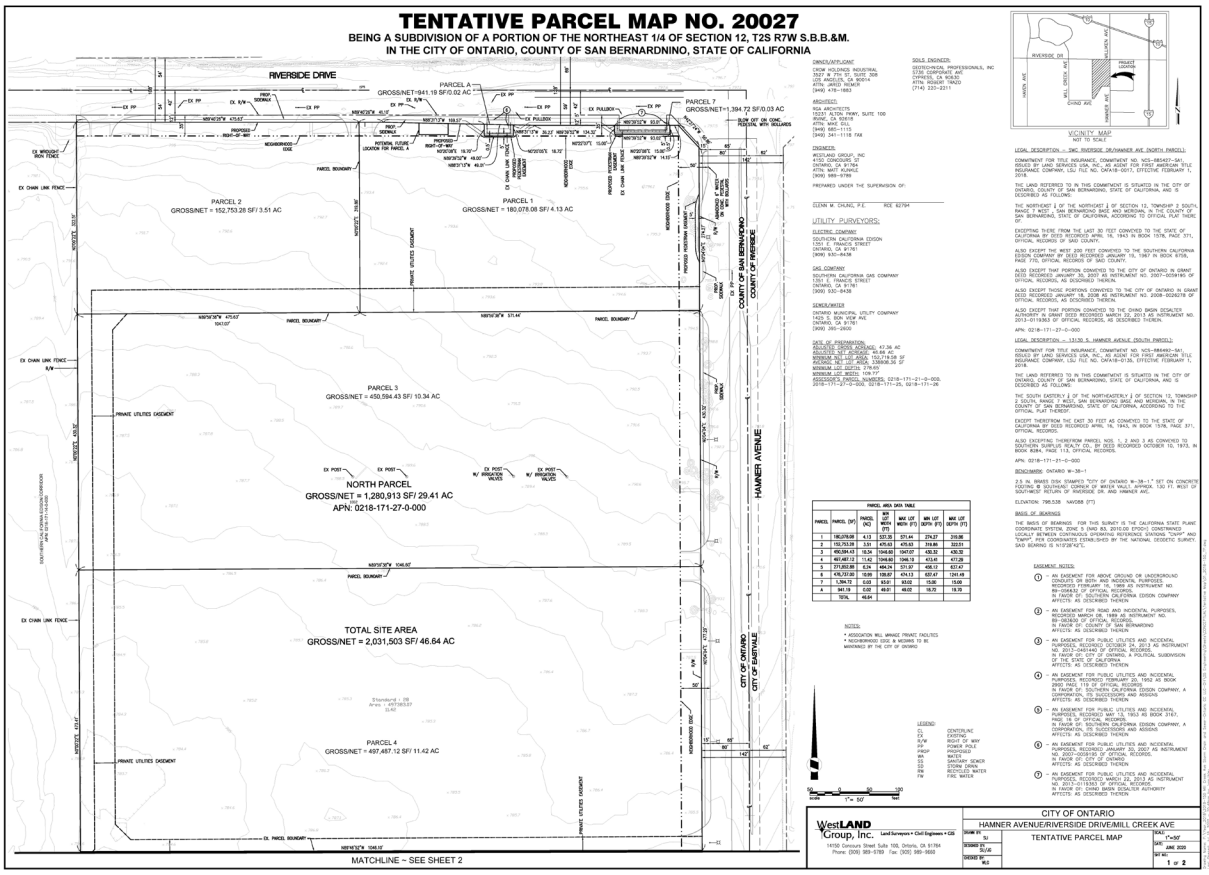


Exhibit B—Tentative Parcel Map 20027



RESOLUTION NO. PC20-055

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE A DEVELOPMENT AGREEMENT (FILE NO. PDA18-006) BETWEEN THE CITY OF ONTARIO AND ONTARIO CC, LLC., TO ESTABLISH THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF TENTATIVE PARCEL MAP 20027 (FILE NO. PMTT18-009), FOR A 46.64 ACRE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND HAMNER AVENUE, WITHIN THE PROPOSED NEIGHBORHOOD COMMERCIAL, BUSINESS PARK AND LIGHT INDUSTRIAL LAND USE DESIGNATIONS OF THE EDENGLEN SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-171-21 AND 0218-171-27.

WHEREAS, Ontario CC, LLC ("Applicant") has filed an Application for the approval of a Development Agreement, File No. PDA18-006, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to approximately 46.64 acres of land generally located at the southwest corner of Riverside Drive and Hamner Avenue within the proposed Neighborhood Commercial, Business Park and Light Industrial land use designations of the Edenglen Specific Plan, and is presently vacant; and

WHEREAS, on November 1, 2005, the City Council adopted Ordinance No. 2817, approving the Edenglen Specific Plan (File No. PSP03-005), which addressed the development of approximately 160.6 acres for residential, pocket parks, public trails, commercial and business/park light industrial uses; and

WHEREAS, on January 27, 2010, the City Council adopted Resolution Nos. 2010-003, 2010-004, 2010-005, 2010-006, approving a comprehensive update to The Ontario Plan (File No. PGPA06-001); and

WHEREAS, the Applicant is proposing the following entitlements: 1) A General Plan Amendment (File No. PGPA18-002) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation of approximately 46 acres of land from General Commercial and Business Park to 4.13 acres of Community Commercial, 3.51 acres of Business Park and 39 acres of Industrial; 3) Modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and 3) An amendment (File No. PSPA18-003) to the Edenglen Specific Plan to change the land use designation from Community Commercial, Commercial/Business Park Flex Zone and Business Park/Light Industrial to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park and 39 acres of Light Industrial

including updates to the development standards, exhibits and text changes to reflect the proposed land uses; and

WHEREAS, the proposed entitlements require a Development Agreement to establish the terms and conditions of development for the Project; and

WHEREAS, a Tentative Parcel Map 20027 (File No. PMTT18-009) to subdivide approximately 46.64 acres of land into seven (7) numbered parcels and one (1) lettered lot within the proposed Neighborhood Commercial, Business Park and Light Industrial land use designations of the Edenglen Specific Plan, has been submitted in conjunction with the Development Agreement; and

WHEREAS, a Development Plan (File No. PDEV18-031) to construct five (5) industrial buildings totaling 968,092 square feet has been submitted in conjunction with the Tentative Parcel Map 20027; 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. PGPA06-001, an Addendum to The Ontario Plan for which an Environmental Impact Report — State Clearinghouse No. 2008101140 — (hereinafter referred to as "Certified EIR") was adopted by the City Council on January 27, 2010, and this Application introduces no new significant environmental impacts; 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 recommendations 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, 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 25, 2020, 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 of this project were previously reviewed in conjunction with File No. PGPA06-001, a(n) Addendum to The Ontario Plan for which a Certified EIR was adopted by the City Council on January 27, 2010.

(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. The project is

consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The Edenglen Specific Plan was listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. However, the eastern half of the Edenglen Specific Plan (project site) was not included as one of the properties in the Available Land Inventory since the eastern half of the Specific Plan did not include any residential land use designations.

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:

a. The Development Agreement applies to approximately 46.64 acres of land located at the southwest corner of Riverside Drive and Hamner Avenue, within the proposed Neighborhood Commercial, Business Park and Light Industrial land use designations of the Edenglen Specific Plan.

b. The Development Agreement establishes parameters for the development of the proposed Neighborhood Commercial, Business Park and Light Industrial land use designations of the Edenglen Specific Plan. The Development Agreement also grants the Owner, the right to develop, the ability to quantify the fees;

and establish the terms and conditions that apply to those projects. These terms and conditions are consistent with The Ontario Plan Policy Plan (General Plan), design guidelines and development standards for the proposed amendment (File No. PSPA18-003) to the Edenglen Specific Plan.

c. The Agreement grants the Owner a vested right to develop Tentative Parcel Map 20027 as long as the Owner, complies with the terms and conditions of the Specific Plan and EIR. Tentative Parcel Map 20027 is located at the southwest corner of Riverside Drive and Hamner Avenue and proposes to subdivide approximately 46.64 acres of land into seven (7) numbered parcels and one (1) lettered lot in conjunction with a Development Plan (File No. PDEV18-031) to construct five (5) industrial buildings totaling 968,092 square feet.

d. The Development Agreement has been prepared in conformance with the goals and policies of The Ontario Plan Policy Plan (General Plan); and

e. The Development Agreement does not conflict with the Land Use Policies of The Ontario Plan Policy Plan (General Plan) and will provide for development, within the district, in a manner consistent with the Policy Plan and with related development; and

f. This Development Agreement will promote the goals and objectives of the Land Use Element of the Policy Plan; and

g. This Development Agreement will not be materially injurious or detrimental to the adjacent properties and will have a significant impact on the environment or the surrounding properties. The environmental impacts of this project were previously analyzed in conjunction with File No. PGPA06-001, an Addendum to The Ontario Plan for which a Certified EIR was adopted by the City Council on January 27, 2010. All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference.

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 APPROVE the herein described Application, subject to the Development Agreement (File No. PDA18-006) 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.

SECTION 9: ***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 25th day of August 2020, 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:

FOR CW

Cathy Wahlstrom
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. PC20-055, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on August 25, 2020, by the following roll call vote, to wit:

AYES: DeDiemar, Gage, Gregorek, Reyes, Ricci, Willoughby

NOES: None

ABSENT: None

ABSTAIN: None

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PDA18-006

DEVELOPMENT AGREEMENT

By and Between

The City of Ontario,
a California municipal corporation

and

Ontario CC, LLC.,
a Delaware limited liability company

(Development Agreement to follow this page)

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

CITY OF ONTARIO
CITY CLERK / RECORDS MANAGEMENT
303 EAST "B" STREET
ONTARIO, CA 91764-4196

Space above this line for Recorder's Use Only Exempt from Fees Per Gov. Code § 6103

File No. PDA18-006

DEVELOPMENT AGREEMENT

By and Between

City of Ontario
a California municipal corporation

and

Ontario CC, LLC.,
a Delaware limited liability company

_____, 2020

San Bernardino County, California

DEVELOPMENT AGREEMENT NO. PDA18-006

This Development Agreement (hereinafter "Agreement") is entered into effective as of the ____ day of _____, 2020 by and among the City of Ontario, a California municipal corporation (hereinafter "CITY"), and Ontario CC, LLC., a Delaware limited liability company (hereinafter "OWNER"):

RECITALS

WHEREAS, CITY is authorized to enter into binding development agreements with persons having legal or equitable interests in real property for the development of such property, pursuant to Section 65864, et seq. of the Government Code and Section 4.01.015 of the Ontario Development Code; and

WHEREAS, OWNER has requested CITY to enter into a development agreement and proceedings have been taken in accordance with the rules and regulations of CITY; and

WHEREAS, by electing to enter into this Agreement, CITY shall bind future City Councils of CITY by the obligations specified herein and limit the future exercise of certain governmental and proprietary powers of CITY; and

WHEREAS, the terms and conditions of this Agreement have undergone extensive review by CITY and the City Council and have been found to be fair, just and reasonable; and

WHEREAS, the best interests of the citizens of the CITY and the public health, safety and welfare will be served by entering into this Agreement; and

WHEREAS, all of the procedures of the California Environmental Quality Act have been met with respect to the Project and the Agreement in that Edenglen Specific Plan Environmental Impact Report (State Clearinghouse No. 2004051108 (the "FEIR"). The City Council found and determined that the FEIR was prepared in accordance with the requirements of the California Environmental Quality Act and adequately describes the impacts of the project described in the FEIR, which included consideration of this Agreement; and

WHEREAS, this Agreement and the Project are consistent with the CITY's Comprehensive General Plan and the Endenglen Specific Plan; and

WHEREAS, all actions taken and approvals given by CITY have been duly taken or approved in accordance with all applicable legal requirements for notice, public hearings, findings, votes, and other procedural matters; and

WHEREAS, development of the Property in accordance with this Agreement will provide substantial benefits to CITY and will further important policies and goals of CITY; and

WHEREAS, this Agreement will eliminate uncertainty in planning and provide for the orderly development of the Property, ensure progressive installation of necessary improvements, provide for public services appropriate to the development of the Project, and generally serve the purposes for which development agreements under Sections 65864 et seq. of the Government Code are intended; and

WHEREAS, OWNER has incurred and will in the future incur substantial costs in order to assure development of the Property in accordance with this Agreement; and

WHEREAS, OWNER has incurred and will in the future incur substantial costs in excess of the generally applicable requirements in order to assure vesting of legal rights to develop the Property in accordance with this Agreement.

WHEREAS, the Property is located in an area of the City of Ontario that has been known as the "New Model Colony" area and the New Model Colony area has now been renamed as "Ontario Ranch.

WHEREAS, Owner's Property is within the boundaries defined in Exhibit A of the Construction Agreement between the CITY and NMC Builders and the Property covered by this Agreement is what is known as a "Phase 2 Water Property" as such, shall be required to provide funding for CITY's future construction of the "Phase 2 Water Improvements" which will result in the availability of additional Net MDD Water Availability required for the development as shown on Exhibit "I-1"..

WHEREAS, the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter" (Exhibit "J"). Property owner may wish to provide the attached Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000004658.

COVENANTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. DEFINITIONS AND EXHIBITS.

1.1 Definitions. The following terms when used in this Agreement shall be defined as follows:

1.1.1 "Agreement" means this Development Agreement.

1.1.2 "CITY" means the City of Ontario, California, a California municipal corporation.

1.1.3 “Construction Agreement” means that certain Agreement for the Financing and Construction of Phases I and II Infrastructure Improvements to Serve an Easterly Portion of the New Model Colony, entered into between the CITY and NMC Builders as of the 4th day of October, 2005, and all future amendments thereto and including the First Amended and Restated Agreement for the Financing and Construction of Limited Infrastructure Improvements to Serve an Easterly Portion of the New Model Colony entered into between the CITY and NMC Builders as of the 21st day of August, 2012 and the Amendment to the First Amended and Restated Agreement for the Financing and Construction of Limited Infrastructure Improvements to Serve and Easterly Portion of the New Model Colony entered into between the CITY and NMC Builders as of the 19th day of September 2017.

1.1.4 “Development” means the improvement of the Property for the purposes of completing the structures, improvements and facilities comprising the Project including, but not limited to: grading; the construction of public infrastructure and public facilities related to the Project whether located within or outside the Property; the construction of buildings and structures; and the installation of landscaping. “Development” does not include the maintenance, repair, reconstruction or redevelopment of any building, structure, improvement or facility after the construction and completion thereof.

1.1.5 “Development Approvals” means all permits and other entitlements for use subject to approval or issuance by CITY in connection with development of the Property including, but not limited to:

(a) specific plans and specific plan amendments;

(b) tentative and final subdivision and parcel maps;

(c) development plan review.

1.1.6 “Development Exaction” means any requirement of CITY in connection with or pursuant to any Land Use Regulation or Development Approval for the dedication of land, the construction of improvements or public facilities, or the payment of fees in order to lessen, offset, mitigate or compensate for the impacts of development on the environment or other public interests.

1.1.7 “Development Impact Fee” means a monetary exaction, other than a tax or special assessment, whether characterized as a fee or a tax and whether established for a broad class of projects by legislation of general applicability or imposed on a specific project on an ad hoc basis, that is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project, and, for purposes of this Agreement only, includes fees collected under development agreements adopted pursuant to Article 2.5 of the Government Code (commencing with Section 65864) of Chapter 4. For purposes of this Agreement only, "Development Impact Fee" shall not include processing fees and charges imposed by CITY to cover the estimated actual costs to CITY of processing applications for Development Approvals or for monitoring

compliance with any Development Approvals granted or issued, including, without limitation, fees for zoning variances; zoning changes; use permits; building inspections; building permits; filing and processing applications and petitions filed with the local agency formation commission or conducting preliminary proceedings or proceedings under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3 (commencing with Section 56000) of Title 5 of the Government Code; the processing of maps under the provisions of the Subdivision Map Act, Division 2 (commencing with Section 66410) of Title 7 of the Government Code; or planning services under the authority of Chapter 3 (commencing with Section 65100) of Division 1 of Title 7 of the Government Code, fees and charges as described in Sections 51287, 56383, 57004, 65104, 65456, 65863.7, 65909.5, 66013, 66014, and 66451.2 of the Government Code, Sections 17951, 19132.3, and 19852 of the Health and Safety Code, Section 41901 of the Public Resources Code, and Section 21671.5 of the Public Utilities Code, as such codes may be amended or superseded, including by amendment or replacement.

1.1.8 "Development Plan" means the Existing Development Approvals and the Existing Land Use Regulations applicable to development of the Property.

1.1.9 "Effective Date" means the date that the ordinance approving this Agreement goes into effect.

1.1.10 "Existing Development Approvals" means all Development Approvals approved or issued on or prior to the Effective Date. Existing Development Approvals includes the Approvals incorporated herein as Exhibit "C" and all other Approvals which are a matter of public record on the Effective Date.

1.1.11 "Existing Land Use Regulations" means all Land Use Regulations in effect on the date of the first reading of the Ordinance adopting and approving this Agreement. Existing Land Use Regulations includes the Regulations incorporated herein as Exhibit "D" and all other Land Use Regulations that are in effect and a matter of public record on such date.

1.1.12 "General Plan" means the The Ontario Plan adopted on January 26, 2010.

1.1.13 "Improvement" or "Improvements" means those public improvements required to support the development of the Project as described in the Parcel Map conditions for Parcel Map No. 20027 as further described in Exhibit "F" (the "Infrastructure Improvements Exhibit").

1.1.14 "Land Use Regulations" means all ordinances, resolutions, codes, rules, regulations and official policies of CITY governing the development and use of land, including, without limitation, the permitted use of land, the density or intensity of use, subdivision requirements, timing and phasing of development, the maximum height and size of buildings, the provisions for reservation or dedication of land for public purposes, and the design, improvement and construction standards and specifications applicable to the development of the Property. "Land Use Regulations" does not include any CITY ordinance, resolution, code, rule, regulation or official policy, governing:

(a) the conduct of businesses, professions, and occupations;

(b) taxes and assessments;

(c) the control and abatement of nuisances;

(d) the granting of encroachment permits and the conveyance of similar rights and interests that provide for the use of or the entry upon public property;

(e) the exercise of the power of eminent domain.

1.1.15 "Mortgagee" means a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security-device lender, and their successors and assigns.

1.1.16 "Net MDD" means net maximum daily water demand.

1.1.17 "NMC Builders" means the consortium of investors and developers responsible for the construction of infrastructure within the New Model Colony incorporated as NMC Builders, LLC.

1.1.18 "OWNER" means the persons and entities listed as owner on page 1 of this Agreement and their permitted successors in interest to all or any part of the Property.

1.1.19 **"**Phase 2 Water EDUs**"** means the number of equivalent dwelling units or non-residential square footage assigned to OWNER upon payment to City of the Phase 2 Water Participation Fee for the Project and evidenced by the issuance by CITY of a Certificate of Phase 2 Net MDD Availability in the form attached as Exhibit G.

1.1.20 "Phase 2 Water Improvements" means the future water infrastructure Improvements required for the issuance by CITY of the "Water Availability Equivalents" (WAE) for the Project.

1.1.21 "Phase 2 Water Participation Fee" means the fee paid to City upon City approval of the first Development Entitlement for the Project, to fund the Property's respective share of the projected costs of the design and construction of the Phase 2 Water Improvements by City. The Phase 2 Water Participation Fee shall be the calculated amount of the Regional Water DIF for the Project based upon the number of units, and land use category for residential units or the number of square feet, and land use category for non-residential square footage of the Project.

1.1.22 "Project" means the development of the Property contemplated by the Development Plan, as such Plan may be further defined, enhanced or modified pursuant to the provisions of this Agreement.

1.1.23 "Property" means the real property described on Exhibit "A" and shown on Exhibit "B" to this Agreement.

1.1.24 "Reservations of Authority" means the rights and authority excepted from the assurances and rights provided to OWNER under this Agreement and reserved to CITY under Section 3.6 of this Agreement.

1.1.25 "Amendment to the Construction Agreement" means the amendment to the Construction Agreement modifying the boundaries of the property in Exhibit A of such Construction Agreement to include the Property covered by this Agreement and to provide for the additional funds required for CITY's future construction of the "Phase 2 Water Improvements" described in a modification to Exhibit C-3 of the Construction Agreement.

1.1.26 "Specific Plan" means that certain specific plan adopted by the City Council, and entitled, "Edenglen Specific Plan."

1.1.27 "Subsequent Development Approvals" means all discretionary Development Approvals required subsequent to the Effective Date in connection with development of the Property.

1.1.28 "Subsequent Land Use Regulations" means any discretionary Land Use Regulations adopted and effective after the Effective Date of this Agreement.

1.1.29 "Water Availability Equivalent (WAE)" means a designated portion of the total Net MDD made available through the construction of each Phase described in the Water Phasing Plan of the Construction Agreement. The number of Water Availability Equivalents (of portions thereof) required for the approval of a Tract or Subdivision Map 20027 shall be based upon water demand factors and assumptions listed in the Construction Agreement and shown in Exhibit "I-2".

1.2 Exhibits. The following documents are attached to, and by this reference made a part of, this Agreement:

Exhibit "A" — Legal Description of the Property.

Exhibit "B" — Map showing Property and its location.

Exhibit "C" — Existing Development Approvals.

Exhibit "D" — Existing Land Use Regulations.

Exhibit "E" — Description of Required Infrastructure Improvements

Exhibit "F" — Depiction of Infrastructure Improvements Exhibit

Exhibit "G" – Form of Certificate of Net MDD to be issued by CITY

Exhibit "H" – Form of Certificate of DIF Credit to be issued by CITY

Exhibit "I-1" – Ontario Ranch Water Supply Phasing Plan

Exhibit “I-2” – Water Demand Equivalents by Land Use

Exhibit “J” - Form of Disclosure letter

2. GENERAL PROVISIONS.

2.1 Binding Effect of Agreement. The Property is hereby made subject to this Agreement. Development of the Property is hereby authorized and shall be carried out only in accordance with the terms of this Agreement.

2.2 Ownership of Property. OWNER represents and covenants that it is the owner of the fee simple title to the Property or a portion thereof, or has the right to acquire fee simple title to the Property or a portion thereof from the current owner(s) thereof. To the extent OWNER does not own fee simple title to the Property, OWNER shall obtain written consent from the current fee owner of the Property agreeing to the terms of this Agreement and the recordation thereof.

2.3 Term. The term of this Agreement shall commence on the Effective Date and shall continue for an initial term of ten (10) years thereafter unless this term is modified or extended pursuant to the provisions of this Agreement. The term of this Agreement may be extended for an additional five (5) years following expiration of the initial ten (10) year term, provided the following have occurred:

(a) OWNER provides at least 180 days written notice to CITY prior to expiration of the initial term; and

(b) OWNER is not then in uncured default of this Agreement.

2.4 Assignment.

2.4.1 Right to Assign. OWNER shall have the right to sell, transfer or assign the Property in whole or in part (provided that no such partial transfer shall violate the Subdivision Map Act, Government Code Section 66410, et seq.), to any person, partnership, limited liability company, joint venture, firm or corporation at any time during the term of this Agreement; provided, however, that any such sale, transfer or assignment shall include the assignment and assumption of the rights, duties and obligations arising under or from this Agreement with respect to the portion of the Property sold and be made in strict compliance with the following:

(a) No sale, transfer or assignment of any right or interest under this Agreement shall be made unless made together with the sale, transfer or assignment of all or a part of the Property. OWNER may be required to provide disclosure that the Property is within the South Archibald Trichloroethylene (TCE) Plume (Exhibit “J”). OWNER may wish to provide the attached Disclosure Letter (Exhibit I) as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq.

(b) Concurrent with any such sale, transfer or assignment, or within fifteen (15) business days thereafter, OWNER shall notify CITY’s City Manager, in writing, of such

sale, transfer or assignment and shall provide CITY with: (1) an executed agreement, in a form reasonably acceptable to CITY, by the purchaser, transferee or assignee and providing therein that the purchaser, transferee or assignee expressly and unconditionally assumes all the duties and obligations of OWNER under this Agreement with respect to the portion of the Property so sold, transferred or assigned.

(c) Any sale, transfer or assignment not made in strict compliance with the foregoing conditions shall constitute a default by OWNER under this Agreement. Notwithstanding the failure of any purchaser, transferee or assignee to execute the agreement required by Paragraph (b) of this Subsection 2.4.1, the burdens of this Agreement shall be binding upon such purchaser, transferee or assignee, but the benefits of this Agreement shall not inure to such purchaser, transferee or assignee until and unless such agreement is executed. The City Manager shall have the authority to review, consider and either approve, conditionally approve, or deny any proposed sale, transfer or assignment that is not made in compliance with this section 2.4.

2.4.2 Release of Transferring Owner. Notwithstanding any sale, transfer or assignment, a transferring OWNER shall continue to be obligated under this Agreement unless such transferring owner is given a release in writing by CITY, which release shall be provided by CITY upon the full satisfaction by such transferring owner of the following conditions:

(a) OWNER no longer has a legal or equitable interest in all or any part of the portion of the Property sold, transferred or assigned.

(b) OWNER is not then in default under this Agreement.

(c) OWNER has provided CITY with the notice and executed an agreement as required under Paragraph (b) of Subsection 2.4.1 above. .

(d) The purchaser, transferee or assignee provides CITY with security equivalent to any security previously provided by OWNER (if any) to secure performance of its obligations hereunder which are to be performed upon portion of the Property sold, transferred or assigned .

2.4.3 Effect of Assignment and Release of Obligations. In the event of a sale, transfer or assignment pursuant to the provisions of Section 2.4.2 above:

(a) The assignee shall be liable for the performance of all obligations of OWNER with respect to transferred property, but shall have no obligations with respect to the portions of the Property, if any, not transferred (the “Retained Property”).

(b) The owner of the Retained Property shall be liable for the performance of all obligations of OWNER with respect to Retained Property, but shall have no further obligations with respect to the transferred property.

(c) The assignee's exercise, use and enjoyment of the Property or portion thereof shall be subject to the terms of this Agreement to the same extent as if the assignee were the OWNER.

2.4.4 Subsequent Assignment. Any subsequent sale, transfer or assignment after an initial sale, transfer or assignment shall be made only in accordance with and subject to the terms and conditions of this Section 2.4.

2.4.5 Termination of Agreement With Respect to Individual Lots Upon Sale to Public and Completion of Construction. The provisions of Subsection 2.4.1 shall not apply to the sale or lease (for a period longer than one year) of any parcel which has been finally subdivided and is individually (and not in "bulk") sold or leased to a member of the public or other ultimate user of the parcel. Notwithstanding any other provisions of this Agreement, this Agreement shall terminate with respect to any lot and such lot shall be released and no longer be subject to this Agreement without the execution or recordation of any further document upon satisfaction of both of the following conditions:

(a) The lot has been finally subdivided and individually (and not in "bulk") sold or leased (for a period longer than one year) to a member of the public or other ultimate user; and,

(b) A certificate of occupancy has been issued for a building on the parcel, and the fees set forth under Section 4 of this Agreement have been paid.

2.5 Amendment or Cancellation of Agreement. This Agreement may be amended or cancelled in whole or in part only in the manner provided for in Government Code Section 65868.1. Any amendment of this Agreement, which amendment has been requested by OWNER, shall be considered by the CITY only upon the payment of the applicable processing charge. This provision shall not limit any remedy of CITY or OWNER as provided by this Agreement. Either Party or successor in interest, may propose an amendment to or cancellation, in whole or in part, of this Agreement. Any amendment or cancellation shall be by mutual consent of the parties or their successors in interest except as provided otherwise in this Agreement or in Government Code Section 65865.1. For purposes of this section, the term "successor in interest" shall mean any person having a legal or equitable interest in the whole of the Property, or any portion thereof as to which such person wishes to amend or cancel this Agreement. The procedure for proposing and adopting an amendment to, or cancellation of, in whole or in part, this Agreement shall be the same as the procedure for adopting and entering into this Agreement in the first instance. Notwithstanding the foregoing sentence, if the CITY initiates the proposed amendment to, or cancellation of, in whole or in part, this Agreement, CITY shall first give notice to the OWNER of its intention to initiate such proceedings at least sixty (60) days in advance of the giving the public notice of intention to consider the amendment or cancellation.

2.6 Termination. This Agreement shall be deemed terminated and of no further effect upon the occurrence of any of the following events:

(a) Expiration of the stated term of this Agreement as set forth in Section 2.3.

(b) Entry of a final judgment setting aside, voiding or annulling the adoption of the ordinance approving this Agreement.

(c) The adoption of a referendum measure overriding or repealing the ordinance approving this Agreement.

(d) Completion of the Project in accordance with the terms of this Agreement including issuance of all required occupancy permits and acceptance by CITY or applicable public agency of all required dedications.

Termination of this Agreement shall not constitute termination of any other land use entitlements approved for the Property. Upon the termination of this Agreement, no party shall have any further right or obligation hereunder except with respect to any obligation to have been performed prior to such termination or with respect to any default in the performance of the provisions of this Agreement which has occurred prior to such termination or with respect to any obligations which are specifically set forth as surviving this Agreement. Upon such termination, any public facilities and services mitigation fees paid pursuant to Section 4.2 of this Agreement by OWNER to CITY on which construction has not yet begun shall be refunded to OWNER by CITY within ten (10) business days.

2.7 Notices.

(a) As used in this Agreement, "notice" includes, but is not limited to, the communication of notice, request, demand, approval, statement, report, acceptance, consent, waiver, appointment or other communication required or permitted hereunder.

(b) All notices shall be in writing and shall be considered given either: (i) when delivered in person, including, without limitation, by courier, to the recipient named below; or (ii) on the date of delivery shown on the return receipt, after deposit in the United States mail in a sealed envelope as either registered or certified mail with return receipt requested, and postage and postal charges prepaid, and addressed to the recipient named below. All notices shall be addressed as follows:

If to CITY:
Scott Ochoa, City Manager
City of Ontario
303 East "B" Street
Ontario, CA 91764

with a copy to:
Scott Huber, City Attorney
Cole Huber, LLP
2261 Lava Ride Court
Roseville, CA 95661
Email: shuber@colehuber.com
Phone: (916) 787-7511

If to OWNER:
Ontario CC, LLC
527 West 7th Street, Suite 200
Los Angeles, CA 90014
Attn: Jared Riemer
Email: jriemer@chindustrial.com
Phone: (949) 478-1883

With a copy to:
Rutan & Tucker, LLP
611 Anton Boulevard, 14th Floor
Costa Mesa, CA 92626
Attn: John A. Ramirez
Email: jramirez@rutan.com
Phone: 714-654-2177

(c) Either party may, by notice given at any time, require subsequent notices to be given to another person or entity, whether a party or an officer or representative of a party, or to a different address, or both. Notices given before actual receipt of notice of change shall not be invalidated by the change.

3. DEVELOPMENT OF THE PROPERTY.

3.1 Rights to Develop. Subject to the terms of this Agreement including the Reservations of Authority in Section 3.4, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, the Development Plan. The Project shall remain subject to all Subsequent Development Approvals required to complete the Project as contemplated by the Development Plan. Except as otherwise provided in this Agreement, the permitted uses of the Property, the density and intensity of use, the maximum height and size of proposed buildings, and provisions for reservation and dedication of land for public purposes shall be those set forth in the Development Plan.

3.2 Effect of Agreement on Land Use Regulations. Except as otherwise provided under the terms of this Agreement including the Reservations of Authority in Section 3.4, the rules, regulations and official policies governing permitted uses of the Property, the density and intensity of use of the Property, the maximum height and size of proposed buildings, and the design, improvement and construction standards and specifications applicable to development of the Property shall be the Existing Land Use Regulations. In connection with any Subsequent Development Approval, CITY shall exercise discretion in accordance with the same manner as it exercises its discretion under its police powers, including the Reservations of Authority set forth herein; provided however, that such discretion shall not prevent development of the Property for the uses and to the density or intensity of development set forth in this Agreement.

3.3 Timing of Development. The parties acknowledge that OWNER cannot at this time predict when or the rate at which phases of the Property will be developed. Such decisions depend upon numerous factors which are not within the control of OWNER,

such as market orientation and demand, interest rates, absorption, completion and other similar factors. Since the California Supreme Court held in Pardee Construction Co. v. City of Camarillo (1984) 37 Cal. 3d 465, that the failure of the parties therein to provide for the timing of development resulted in a later adopted initiative restricting the timing of development to prevail over such parties' agreement, it is the parties' intent to cure that deficiency by acknowledging and providing that OWNER shall have the right to develop the Property in such order and at such rate and at such times as OWNER deems appropriate within the exercise of its subjective business judgment.

3.3.1 Infrastructure Improvement Exhibit. Attached hereto as Exhibit "F" are a description of the Infrastructure Improvements needed for the development of the Property ("the Infrastructure Improvement Exhibits").

3.4 Reservations of Authority.

3.4.1 Limitations, Reservations and Exceptions. Notwithstanding any other provision of this Agreement, the CITY shall not be prevented from applying new rules, regulations and policies upon the OWNER, nor shall a development agreement prevent the CITY from denying or conditionally approving any subsequent development project application on the basis of such new rules, regulations and policies where the new rules, regulations and policies consist of the following:

(a) Processing fees by CITY to cover costs of processing applications for development approvals or for monitoring compliance with any development approvals;

(b) Procedural regulations relating to hearing bodies, petitions, applications, notices, findings, records and any other matter of procedure;

(c) Regulations, policies and rules governing engineering and construction standards and specifications applicable to public and private improvements, including all uniform codes adopted by the CITY and any local amendments to those codes adopted by the CITY; provided however that, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, the standards and specifications that are expressly identified in the Specific Plan and the building codes in effect as of the Effective Date;

(d) Regulations that may conflict with this Agreement and the Development Plan but that are reasonably necessary to protect the occupants of the Project and/or of the immediate community from a condition perilous to their health or safety;

(e) Regulations that do not conflict with those rules, regulations and policies set forth in this Agreement or the Development Plan and which do not impose additional obligations, costs, and expenses on Owner or the Project;

(f) Regulations that may conflict but to which the OWNER consents.

3.4.2 Subsequent Development Approvals. This Agreement shall not prevent CITY, in acting on Subsequent Development Approvals, from applying Subsequent Land

Use Regulations that do not conflict with the Development Plan and/or the Existing Development Approvals, nor shall this Agreement prevent CITY from denying or conditionally approving any Subsequent Development Approval on the basis of the Existing Land Use Regulations or any Subsequent Land Use Regulation not in conflict with the Development Plan and/or the Existing Development Approvals.

3.4.3 Modification or Suspension by State or Federal Law. In the event that State or Federal laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with one or more of the provisions of this Agreement, such provisions of this Agreement shall be modified or suspended as may be necessary to comply with such State or Federal laws or regulations, provided, however, that this Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations and to the extent such laws or regulations do not render such remaining provisions impractical to enforce. In the event OWNER alleges that such State or Federal laws or regulations preclude or prevent compliance with one or more provisions of this Agreement, and the CITY does not agree, the OWNER may, at its sole cost and expense, seek declaratory relief (or other similar non-monetary remedies); provided however, that nothing contained in this Section 3.6.3 shall impose on CITY any monetary liability for contesting such declaratory relief (or other similar non-monetary relief).

3.4.4 Intent. The parties acknowledge and agree that CITY is restricted in its authority to limit its police power by contract and that the foregoing limitations, reservations and exceptions are intended to reserve to CITY all of its police power which cannot be so limited. This Agreement shall be construed, contrary to its stated terms if necessary, to reserve to CITY all such power and authority which cannot be restricted by contract.

3.5 Public Works; Utilities. If OWNER is required by this Agreement or a condition of project approval to construct any public works facilities which will be dedicated to CITY or any other public agency upon completion, and if required by applicable laws to do so, OWNER shall perform such work in the same manner and subject to the same requirements as would be applicable to CITY or such other public agency should it have undertaken such construction. As a condition of development approval, OWNER shall connect the Project to all utilities necessary to provide adequate water, recycled water, sewer, gas, electric, and other utility service to the Project. As a further condition of development approval, OWNER shall to the extent possible contract with the CITY for CITY-owned or operated utilities for this purpose, for such price and on such terms as may be available to similarly situated customers in the CITY.

3.5.1 OWNER agrees that development of the Project shall require the construction of storm drain Improvements from the Property to the connection with the San Bernardino County Line Channel as described in Exhibit E and depicted in Exhibit F. OWNER and CITY agree that CITY may issue grading, building permits and other required permits for OWNER to initiate construction of structures for the Property according to plans approved by CITY and OWNER agrees that OWNER shall not request and CITY shall not issue a final occupancy permit for any buildings prior to completion of

the storm drain Improvements described in Exhibit E and depicted in Exhibit F. CITY agrees that OWNER may request that CITY issue temporary certificates of occupancy on a building-by-building basis prior to completion of the storm drain improvements.

3.5.2 OWNER agrees that development of the Project shall require the design and construction of street improvements along the Property as described in Exhibit E and depicted in Exhibit F. OWNER and CITY agree that CITY may issue grading, building permits and other required permits for OWNER to initiate construction of structures for the Property according to plans approved by CITY and OWNER agrees that OWNER shall not request and CITY shall not issue a final occupancy permit for any buildings on the Property prior to Substantial Completion of the street Improvements as described in Exhibits E and F. For purposes of the foregoing, street improvements shall be deemed Substantially Complete even if the final lift of pavement has not been completed (i.e., Owner may install the final lift after completion of all other construction). CITY agrees that OWNER may request that CITY issue temporary certificates of occupancy on a building-by-building basis prior to completion and subject to final acceptance by CITY of the street improvements. OWNER agrees that the street improvements shall be completed and subject to final acceptance by CITY prior to the release of any security for the construction of the street improvements.

3.5.3 OWNER agrees that development of the Property shall require the extension of permanent master planned water utility Improvements as described in Exhibit E and depicted in Exhibit F consisting generally of the construction of the extension of permanent master planned water utility Improvements from two (2) points of connection to serve the Property. OWNER and CITY agree that CITY may issue grading, building and other required permits for OWNER to initiate construction of structures for the Property according to plans approved by CITY upon completion of sufficient water and recycled water improvements to serve the Property from at least one point of connection and OWNER agrees that OWNER shall not request and CITY shall not issue a final occupancy permit for any buildings on the Property until the completion of the water and recycled water improvements described in Exhibit E and depicted in Exhibit F. City agrees that OWNER may request that CITY issue temporary certificates of occupancy on a building-by-building basis prior to completion of the water and recycled water improvements if there is available permanent water and recycled water service from a minimum of one point of connection and sufficient water is available for fire protection pursposes for any buildings while under construction.

3.5.4 OWNER agrees that development of the Property shall require the construction of permanent master planned sewer Improvements to serve the Property as described in Exhibit E and depicted in Exhibit F. OWNER and CITY agree that CITY may issue grading, building permits and other required permits for OWNER to initiate construction of structures for the Property according to plans approved by CITY and OWNER agrees that OWNER shall not request and CITY shall not issue a final occupancy permit for any buildings prior to completion of the sewer improvements described in Exhibit E and depicted in Exhibit F. CITY agrees that OWNER may request that CITY issue temporary certificates of occupancy on a building-by-building basis prior to the completion of the sewer improvements described in Exhibit E and depictied in Exhibit F.

3.5.5 OWNER agrees that development of the Property shall require the extension of permanent master planned recycled water utility improvements to serve the Property as described in Exhibit E and depicted in Exhibit F. OWNER and CITY agree that the City may issue grading, building permits and other required permits for OWNER to initiate construction of structures for the Property according to plans approved by CITY upon completion of sufficient water and recycled water improvements to serve the Property from at least one point of connection and OWNER agress that OWNER shall not request and CITY shall not issue any occupany permit for any buildings on the Property until the completion of the water improvements described in Exhibit E and depicted in Exhibit F. CITY agrees that OWNER may request a temporary occupany permit for a building and, if OWNER requests that a temporary certificate of occupany be issued for a building prior to the completion of the extension of permanent master planned recycled water utility Improvements to serve the Property that CITY may consider such request and may issue termporary certificates of occupancy on a building-by-building basis prior to completion of recycled water improvements if there is available permanent recycled water service connection and sufficient recycled water is available. OWNER and CITY agree that all, or a portion of, the permanent master planned recycled water utility Improvements described in Exhibit E and depicted in Exhibit F may be constructed by others. If such recycled water utility Improvements are constructed by others and completed and accepted by CITY prior to OWNER'S request to CITY of the required grading, building, or other required permits for OWNER to initiate construction of structures for the Property, then OWNER shall not be required to construct those permanent master planned recycled water utility Improvements.

3.5.6 OWNER agrees that development of the Property shall require the extension of permanent master planned fiber optic communications infrastructure, at OWNER's sole cost and expense, as described in the attached Exhibit E and depicted in Exhibit F consisting generally of the construction of the extension of fiber optic communications infrastructure to serve the Property. OWNER and CITY agree that CITY may issue grading, building permits and other required permits for OWNER to initiate construction of structures for the Property according to plans approved by CITY and OWNER agrees that OWNER shall not request and CITY shall not issue a final occupancy permit for any buildings prior to completion of the fiber optic communications infrastructure, as described in Exhibit E and depicted in Exhibit F. CITY agrees that OWNER may request that CITY issue temporary certificates of occupancy on a building-by-building basis prior to the completion of the fiber optic communications infrastructure, as described in Exhibit E and depicted in Exhibit F.

3.6 Acquisition of Offsite Provision of Real Property Interests. In any instance where OWNER is required by any Development Approval or Land Use Regulation and the Construction Agreement to construct any public improvement on land not owned by OWNER ("Offsite Improvements"), the CITY and OWNER shall cooperate in acquiring the necessary legal interest ("Offsite Property") in accordance with the procedures set forth in Section 2.4 of the Construction Agreement. This section 3.6 is not intended by the parties to impose upon the OWNER an enforceable duty to acquire land or construct any public improvements on land not owned by OWNER, except to the extent that the OWNER elects to proceed with the development of the Project, and then only in

accordance with valid conditions imposed by the CITY upon the development of the Project under the Subdivision Map Act or other legal authority.

3.6.1 CITY Acquisition of Non-Construction Agreement Offsite Property. In the event OWNER is required to construct any public improvements on land not owned by OWNER, but such requirement is not based upon the Construction Agreement, Sections 3.6.1 and 3.6.2 shall control the acquisition of the necessary property interest(s) ("Non-Construction Agreement Offsite Property"). If the OWNER is unable to acquire such Non-Construction Agreement Offsite Property, and following the written request from the OWNER to CITY, CITY agrees to use reasonable and diligent good faith efforts to acquire the Non-Construction Agreement Offsite Property from the owner or owners of record by negotiation to the extent permitted by law and consistent with this Agreement. If CITY is unable to acquire the Non-Construction Agreement Offsite Property by negotiation within thirty (30) days after OWNER'S written request, CITY shall, initiate proceedings utilizing its power of eminent domain to acquire that Non-Construction Agreement Subject Property at a public hearing noticed and conducted in accordance with California Code of Civil Procedure Section 1245.235 for the purpose of considering the adoption of a resolution of necessity concerning the Non-Construction Agreement Offsite Property, subject to the conditions set forth in this Section 3.6.1 The CITY and OWNER acknowledge that the timelines set forth in this Section 3.6.1 represent the maximum time periods which CITY and OWNER reasonably believe will be necessary to complete the acquisition of any Non-Construction Agreement Offsite Property. CITY agrees to use reasonable good faith efforts to complete the actions described within lesser time periods, to the extent that it is reasonably able to do so, consistent with the legal constraints imposed upon CITY.

3.6.2 Owner's Option to Terminate Proceedings. CITY shall provide written notice to OWNER no later than fifteen (15) days prior to making an offer to the owner of the Non-Construction Agreement Offsite Property. At any time within that fifteen (15) day period, OWNER may, at its option, notify CITY that it wants CITY to cease all acquisition proceedings with respect to that Non-Construction Agreement Offsite Property, whereupon CITY shall cease such proceedings. CITY shall provide written notice to OWNER no later than fifteen (15) days prior to the date of the hearing on CITY'S intent to consider the adoption of a resolution of necessity as to any Non-Construction Agreement Offsite Property. At any time within that fifteen (15) day period, OWNER may, at its option, notify CITY that it wants CITY to cease condemnation proceedings, whereupon CITY shall cease such proceedings. If OWNER does not notify CITY to cease condemnation proceedings within said fifteen (15) day period, then the CITY may proceed to consider and act upon the Non-Construction Agreement Offsite Property resolution of necessity. If CITY adopts such resolution of necessity, then CITY shall diligently institute condemnation proceedings and file a complaint in condemnation and seek an order of immediate possession with respect to the Non-Construction Agreement Offsite Property.

3.7 Regulation by Other Public Agencies. It is acknowledged by the parties that other public agencies not within the control of CITY possess authority to regulate aspects of the development of the Property separately from or jointly with CITY and this Agreement does not limit the authority of such other public agencies. CITY agrees to cooperate fully, at

no cost to CITY, with OWNER in obtaining any required permits or compliance with the regulations of other public agencies provided such cooperation is not in conflict with any laws, regulations or policies of the CITY.

3.8 Tentative Parcel Maps; Extension. With respect to applications by OWNER for tentative parcel maps for portions of the Property, CITY agrees that OWNER may file and process tentative maps in accordance with Chapter 4.5 (commencing with Section 66498.1) of Division 2 of Title 7 of the California Government Code and the applicable provisions of CITY's subdivision ordinance, as the same may be amended from time to time. In accordance with the provisions of Section 66452.6 of the Government Code, each tentative subdivision map or tentative parcel map, heretofore or hereafter approved in connection with development of the Property, shall be deemed to have been granted an extension of time to and until the expiration, cancellation, or termination of this Agreement.

3.9 Specific Plan Charge. Pursuant to Government Code section 65456, the City Council may consider adopting a specific plan charge upon persons seeking CITY approvals that are required to be consistent with the Specific Plan. Any such charges shall, in the aggregate, defray, but not exceed, the estimated cost of preparation, adoption, and administration of the Specific Plan, including costs incurred pursuant to the California Environmental Quality Act (Pub. Resources Code, §§ 21000 et seq.). As nearly as can be estimated, the charges shall be a prorated amount in accordance with the applicant's relative benefit derived from the Specific Plan. If such charges are adopted, the CITY shall use such charges to reimburse the OWNER who originally paid the cost of preparing the Specific Plan, including costs incurred pursuant to the California Environmental Quality Act (Pub. Resources Code, §§ 21000 et seq.) to the extent the OWNER paid more than its relative benefit from the Specific Plan. Such charges, if adopted, shall be imposed on persons seeking CITY approvals that are required to be consistent with the Specific Plan, to the extent such person(s) has/have not entered into a reimbursement agreement with, and satisfactory to, the person(s) originally responsible for the cost of preparing the Specific Plan, including costs incurred pursuant to CEQA.

4. PUBLIC BENEFITS.

4.1 Intent. The parties acknowledge and agree that development of the Property will result in substantial public needs that will not be fully met by the Development Plan and further acknowledge and agree that this Agreement confers substantial private benefits on OWNER that should be balanced by commensurate public benefits. Accordingly, the parties intend to provide consideration to the public to balance the private benefits conferred on OWNER by providing more fully for the satisfaction of the public needs resulting from the Project.

4.2 Development Impact Fees.

4.2.1 Amount of Development Impact Fee. Development Impact Fees (DIF) shall be paid by OWNER. The Development Impact Fee amounts to be paid by OWNER shall be the amounts that are in effect at the time such amounts are due. Nothing contained

in this Agreement shall affect the ability of the CITY to impose new Development Impact Fees or amend the amounts of existing Development Impact Fees. Additionally, nothing contained in this Agreement shall affect the ability of other public agencies that are not controlled by CITY to impose and amend, from time to time, Development Impact Fees established or imposed by such other public agencies, even though such Development Impact Fees may be collected by CITY.

4.2.2 Time of Payment. The Development Impact Fees required pursuant to Subsection 4.2.1 shall be paid to CITY prior to the issuance of building permit for each applicable building (subject to the application/use of available fee deferrals or credits), except for the Open Space and Habitat Acquisition Development Impact fee, which shall be paid by OWNER to CITY prior to the issuance of a grading permit.

4.3 Responsibility for Construction of Public Improvements.

4.3.1 Timely Construction of Public Infrastructure. The phasing of the area wide infrastructure construction within the Ontario Ranch area shall be as approved by the CITY. OWNER shall be responsible for the timely construction and completion of all public infrastructure required for the Project as shown on the attached Exhibit "F" and any and all parcel map conditions. Unless otherwise specified in the Parcel Map conditions, and subject to the provisions of Section 3.5 and 3.6, all other required Improvements for each Parcel Map, shall be completed and operational prior to, and as a condition precedent to, OWNER requesting and CITY's granting of a final occupancy permit for any buildings to be constructed on the Property. All Infrastructure and Improvements shall be completed as required by the Subdivision Agreement/Parcel Map conditions for Parcel Map 20027.

4.3.2 Construction of Public Infrastructure by Third Parties. CITY and OWNER acknowledge that a portion of the Improvements described in Exhibit E and depicted in Exhibit F are necessary for the development of surrounding properties within the Ontario Ranch and the other property owners are also obligated to construct the Improvements or portions thereof. As such, CITY agrees that OWNER's obligation to construct the Improvements may be satisfied by third party owners pursuant to separate written agreements between OWNER and said third party undertaking the construction of the Improvements. Nothing in this Agreement shall be construed to prohibit the coordination of the construction of the Improvements between private parties, including the allocation of costs for the construction of the Improvements. Notwithstanding anything to the contrary herein, any applicable DIF Credits may be transferred and assigned from one (1) party to another with respect to the construction of the Improvements and such transfer or assignment shall not require the conveyance of any real property.

4.3.3 Availability and Use of Recycled Water. OWNER agrees that recycled water shall be available and utilized by OWNER for all construction-related water uses including prior to, and during, any grading of the Property.

4.3.4 Construction of DIF Program Infrastructure. To the extent OWNER is required to construct and completes construction of public improvements that are

included in CITY's Development Impact Fee Program CITY agrees that CITY shall issue DIF Credit in accordance with the provisions of a separate Fee Credit Agreement between CITY and OWNER. Limitations on the use of DIF Credit issued to OWNER to offset OWNER's DIF payment obligations shall also be subject to the provisions of a separate Fee Credit Agreement. OWNER may also be eligible to receive DIF Creditfrom OWNER's construction of DIF Program Infrastructure. Any such DIF Credit shall be subject to a Fee Credit Agreement between CITY and OWNER. CITY and OWNER agree that the Fee Credit Agreement between CITY and OWNER shall comply with CITY's adopted policies applicable to such agreements.

4.4 Public Services Funding Fee.

4.4.1 Requirement for Payment of Public Services Funding Fee. In order to ensure that the adequate provision of public services, including without limitation, police, fire and other public safety services, are available to each Project in a timely manner, OWNER shall pay to CITY a "Public Services Funding Fee." The Public Services Funding Fee shall apply to residential and non-residential uses as set forth below.

4.4.2 Public Services Funding Fee Amount. OWNER shall pay a Public Services Funding fee in a single installment payment in the amount of Sixty-Three Cents ($.63) per square foot of each non-residential building. The single installment for non-residential uses shall be due and payable on a building-by-building basis prior to the issuance of the building permit for a non-residential building. The amount of the Single Installment for non-residential uses shall automatically increase by percentage increase (but no decrease) in the Consumer Price Index (Los Angeles-Anaheim-Riverside County), 1950-2001 (1982-84=100) over the preceding year on January 1st of each year, beginning on January 1, 2021. OWNER may exercise the option to pay any single installment amounts for the remainder of the non-residential square footage within the Project on or before December 31st, before the Single Installment amount is automatically increased

4.5 Net MDD/Water Availability Equivalents.

4.5.1 Effectiveness of Agreement. Notwithstanding anything else set forth in this Agreement, CITY and OWNER each acknowledge, confirm, and agree, that (i) the City approval of this Agreement and (ii) the effectiveness of this Agreement, in each case, is conditioned upon OWNER's admission to NMC Builders as a "Member" thereof pursuant to the terms and conditions of the operating agreement of NMC Builders. OWNER and CITY agree that OWNER shall become a Member of NMC Builders within 30 days of the effective date of this Agreement.

4.5.2 Assigned Net MDD/Water Availability Equivalents. OWNER acknowledges that the City has agreed with NMC Builders to reserve exclusively for Members of NMC Builders, including OWNER, Net MDD made available through the construction of water system improvements funded by NMC Builders and/or OWNER. OWNER acknowledges that the provisions of the Construction Agreement Amendment require that the City shall not issue building permits or certificates of occupancy for the area of development within

the New Model Colony served by the water system improvements funded by NMC Builders, except to the bearer of a Certificate of Net MDD Water Availability.

4.5.3 Requirement for NMC Builders LLC Membership as a Phase 2 Water Member. OWNER and CITY agree that OWNER's' payment to CITY required by Section 4.5.4 below represents OWNER's contribution to the funding required for the future construction of the Phase 2 Water Improvements and the availability of additional Net MDD Water Availability required for the development of the Property described in Exhibit A of this Agreement.

4.5.4 CITY issuance of Water Availability Equivalents. Within 30 days after the effectiveness of this Development Agreement OWNER shall pay or have paid to City the applicable Phase 2 Water Participation Fee. The Phase 2 Water Participation Fee shall be the calculated based on the amount of the Regional Water DIF for the applicable land use category and the square footage of the applicable buildings. The calculated amount of the Phase 2 Water Participation Fee shall be paid to City within 30 days after the effective date of this Agreement or, at OWNER's option, the Phase 2 Water Participation Fee may be paid to City in two (2) installments. The first installment shall be fifty percent (50%) of the total Phase 2 Water Participation Fee and such first installment shall be due and payable to City within 30 days after the effective date of this Development Agreement. The second installment shall be the remaining amount of the Phase 2 Water Participation Fee and such second installment shall be due and payable to City within one (1) year after the payment of the first installment, or prior to, and as a condition precedent to, the recording of any final Parcel Map for the Project, whichever occurs first. Upon OWNER's complete payment to CITY of the Phase 2 Water Participation Fee CITY shall issue a Certificate of Water Availability Equivalents in the form attached hereto as Exhibit G. Such Water Availability Equivalents Certificate shall be issued by CITY within thirty (30) days of the receipt of such required payment. CITY and OWNER agree that the amount of Water Availability Equivalents issued to OWNER shall be based on the maximum projected need for Water Availability Equivalents required for the Property based upon water demand factors and assumptions listed in Exhibit C-2R of the Phase 2 Water Amendment to the Construction Agreement "Water Demand Equivalents by Land Use" for each land use category. Additionally, within five (5) business days of CITY's receipt of OWNER's payment as required under this Section 4.5.2, CITY shall issue a certificate of DIF Credit against OWNER's DIF obligations in the Regional Water DIF Category.

4.5.5 Requirement for other Water System Improvements. A Certificate of Net MDD Availability is evidence only of available water capacity and does not satisfy any other conditions applicable to OWNER's Project, including those relating to design and construction of master-planned potable water and recycled water transmission and distribution system for the respective pressure zone and other public infrastructure requirements.

4.6 Compliance with Public Benefits Requirements.

4.6.1 Failure to Provide Public Benefits. In the event OWNER fails or refuses to comply with any condition referenced in Section 4.1 through 4.6, or challenges (whether

administratively or through legal proceedings) the imposition of such conditions, OWNER shall be deemed in default of this Agreement pursuant to Section 8 hereof, thereby entitling the City to any and all remedies available to it, including, without limitation, the right of the City to withhold OWNER's Project-related building permits, certificates of occupancy, or discretionary approvals, without liability. Nothing herein shall waive Owner's right to assert a default (or failure to perform) by the City has excused Owner's performance under this Agreement.

5. FINANCING OF PUBLIC IMPROVEMENTS.

5.1 Financing Mechanism(s). OWNER agrees that, prior to the recordation of any Parcel Map, the property subject to such Parcel Map shall be included in a CFD to finance City services through annual special taxes that will initially be thirty-one cents ($.31) per square foot for non-residential buildings. These amounts shall be subject to an automatic increase at a rate not to exceed four (4%) percent per year. Depending on the fiscal year that the CFD is formed and the CFD tax is levied, the annual special taxes may be higher. CITY shall be the sole and exclusive lead agency in the formation of any CFD, assessment district or other public financing mechanism within the Property; provided however, that the proceeds of any such CFD, assessment district, or financing mechanism may be used, subject to restrictions that may be imposed by applicable law, for the purposes of acquiring, constructing or maintaining public facilities to be owned or operated by other public agencies, including, without limitation those facilities owned or operated by a school district. In addition to the rights of the CITY pursuant to section 5.1 hereof, CITY shall have the right, but not the obligation, to condition the formation of any CFD, assessment district or other public financing mechanism within the Property on the OWNER mitigating all Project-related impacts to the applicable school district(s) as required by such school district(s). Written evidence by such school district(s) may be required by the CITY as the condition to the formation of any CFD, assessment district or other public financing mechanism within the Property, or any steps preliminary thereto, including, without limitation, the adoption of any resolution of intention to form such CFD, assessment district or other public financing mechanism within the Property. It is not the intent of the parties hereto, by this provision, to prohibit or otherwise limit the City's ability to take any and all necessary steps requisite to the formation of the CFD to finance City services through annual special taxes as set forth in this Section 5.1. Formation of any CFD, assessment district or other public financing mechanism within the Property, shall be subject to CITY's ability to make all findings required by applicable law and complying with all applicable legal procedures and requirements including, without limitation, CITY's public financing district policies as such policies may be amended from time to time. Notwithstanding the foregoing, it is acknowledged and agreed by the parties that nothing contained in this Agreement shall be construed as requiring CITY or the City Council to form any such district.

6. REVIEW FOR COMPLIANCE.

6.1 Periodic and Special Reviews.

6.1.1 Time for and Initiation of Periodic Review. The CITY shall review this Agreement every twelve (12) months from the Effective Date in order to ascertain the good faith compliance by the OWNER with the terms of this Agreement. The OWNER shall submit an Annual Monitoring Report to CITY, in a form acceptable to the City Manager, along with any applicable processing charge within ten (10) days after each anniversary date of the Effective Date of this Agreement. Within fifteen (15) days after the receipt of the Annual Monitoring Report, CITY shall review the Annual Monitoring Report. Prior to the expiration of the fifteen (15) day review period, CITY shall either issue a notice of continuing compliance or a notice of non-compliance and a notice of CITY's intent to conduct a Special Review pursuant to Sections 6.1.2 through 6.1.6. Issuance of a notice of continuing compliance may be issued by the City Manager or his designee.

6.1.2 Initiation of Special Review. A special review may be called either by agreement between the parties or by initiation in one or more of the following ways:

(a) Recommendation of the Planning staff;

(b) Affirmative vote of at least four (4) members of the Planning Commission; or

(c) Affirmative vote of at least three (3) members of the City Council.

6.1.3 Notice of Special Review. The City Manager shall begin the special review proceeding by giving notice that the CITY intends to undertake a special review of this Agreement to the OWNER. Such notice shall be given at least ten (10) days in advance of the time at which the matter will be considered by the Planning Commission.

6.1.4 Public Hearing. The Planning Commission shall conduct a hearing at which the OWNER must demonstrate good faith compliance with the terms of this Agreement. The burden of proof on this issue is upon the OWNER.

6.1.5 Findings Upon Public Hearing. The Planning Commission shall determine upon the basis of substantial evidence whether or not the OWNER has, for the period under review, complied in good faith with the terms and conditions of this Agreement.

6.1.6 Procedure Upon Findings.

(a) If the Planning Commission finds and determines on the basis of substantial evidence that the OWNER has complied in good faith with the terms and conditions of this Agreement during the period under review, the review for that period is concluded.

(b) If the Planning Commission finds and determines on the basis of substantial evidence that the OWNER has not complied in good faith with the terms and conditions of this Agreement during the period under review, the Planning Commission may recommend to the City Council to modify or terminate this Agreement.

(c) The OWNER may appeal a determination pursuant to paragraph (b) to the City Council in accordance with the CITY's rule for consideration of appeals in zoning matters generally.

6.2 Proceedings Upon Modification or Termination. If, upon a finding under Section 6.1.6(b), the CITY determines to proceed with modification or termination of this Agreement, the CITY shall give notice to the property OWNER of its intention so to do. The notice shall contain:

(a) The time and place of the hearing;

(b) A statement as to whether or not the CITY proposes to terminate or to modify this Agreement; and

(c) Other information that the CITY considers necessary to inform the OWNER of the nature of the proceeding.

6.3 Hearing on Modification or Termination. At the time and place set for the hearing on modification or termination, the OWNER shall be given an opportunity to be heard. The OWNER shall be required to demonstrate good faith compliance with the terms and conditions of this Agreement. The burden of proof on this issue shall be on the OWNER. If the City Council finds, based upon substantial evidence in the administrative record, that the OWNER has not complied in good faith with the terms and conditions of the agreement, the City Council may terminate this Agreement or modify this Agreement and impose those conditions to the action it takes as it considers necessary to protect the interests of the CITY. The decision of the City Council shall be final, subject only to judicial review pursuant to Section 1094.5 of the Code of Civil Procedure.

6.4 Certificate of Agreement Compliance. If, at the conclusion of a Periodic or Special Review, OWNER is found to be in compliance with this Agreement, CITY shall, upon written request by OWNER, issue a Certificate of Agreement Compliance ("Certificate") to OWNER stating that after the most recent Periodic or Special Review and based upon the information known or made known to the Planning Director and City Council that (1) this Agreement remains in effect and (2) OWNER is not in default. The Certificate shall be in recordable form, shall contain information necessary to communicate constructive record notice of the finding of compliance, shall state whether the Certificate is issued after a Periodic or Special Review and shall state the anticipated date of commencement of the next Periodic Review. OWNER may record the Certificate with the County Recorder. Whether or not the Certificate is relied upon by assignees or other transferees or OWNER, CITY shall not be bound by a Certificate if a default existed at the time of the Periodic or Special Review, but was concealed from or otherwise not known to the Planning Director or City Council.

7. [RESERVED]

8. DEFAULT AND REMEDIES.

8.1 Remedies in General. It is acknowledged by the parties that CITY would not have entered into this Agreement if it were to be liable in damages under this Agreement, or with respect to this Agreement or the application thereof. In general, each of the parties hereto may pursue any remedy at law or equity available for the breach of any provision of this Agreement, except that CITY shall not be liable in damages to OWNER, or to any

successor in interest of OWNER, or to any other person, and OWNER covenants not to sue for damages or claim any damages:

(a) For any breach of this Agreement or for any cause of action which arises out of this Agreement; or

(b) For the taking, impairment or restriction of any right or interest conveyed or provided under or pursuant to this Agreement; or

(c) Arising out of or connected with any dispute, controversy or issue regarding the application or interpretation or effect of the provisions of this Agreement.

8.2 Specific Performance. The parties acknowledge that money damages and remedies at law generally are inadequate and specific performance and other non-monetary relief are particularly appropriate remedies for the enforcement of this Agreement and should be available to all parties for the following reasons:

(a) Money damages are unavailable against CITY as provided in Section 8.1 above.

(b) Due to the size, nature and scope of the project, it may not be practical or possible to restore the Property to its natural condition once implementation of this Agreement has begun. After such implementation, OWNER may be foreclosed from other choices it may have had to utilize the Property or portions thereof. OWNER has invested significant time and resources and performed extensive planning and processing of the Project in agreeing to the terms of this Agreement and will be investing even more significant time and resources in implementing the Project in reliance upon the terms of this Agreement, and it is not possible to determine the sum of money which would adequately compensate OWNER for such efforts.

8.3 Release. Except for nondamage remedies, including the remedy of specific performance and judicial review as provided for in Section 6.5, OWNER, for itself, its successors and assignees, hereby releases the CITY, its officers, agents and employees from any and all claims, demands, actions, or suits of any kind or nature arising out of any liability, known or unknown, present or future, including, but not limited to, any claim or liability, based or asserted, pursuant to Article I, Section 19 of the California Constitution, the Fifth Amendment of the United States Constitution, or any other law or ordinance which seeks to impose any other liability or damage, whatsoever, upon the CITY because it entered into this Agreement or because of the terms of this Agreement.

8.4 Termination or Modification of Agreement for Default of OWNER. Subject to the provisions contained in Subsection 6.3 herein, CITY may terminate or modify this Agreement for any failure of OWNER to perform any material duty or obligation of OWNER under this Agreement, or to comply in good faith with the terms of this Agreement (hereinafter referred to as “default”); provided, however, CITY may terminate or modify this Agreement pursuant to this Section only after providing written notice to OWNER of default setting forth the nature of the default and the actions, if any, required by OWNER

to cure such default and, where the default can be cured, OWNER has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

8.5 Termination of Agreement for Default of CITY. OWNER may terminate this Agreement only in the event of a default by CITY in the performance of a material term of this Agreement and only after providing written notice to CITY of default setting forth the nature of the default and the actions, if any, required by CITY to cure such default and, where the default can be cured, CITY has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

9. THIRD PARTY LITIGATION.

9.1 General Plan Litigation. CITY has determined that this Agreement is consistent with its Comprehensive General Plan, as such General Plan exists as of the Effective Date ("General Plan"), and that the General Plan meets all requirements of law. OWNER has reviewed the General Plan and concurs with CITY's determination. CITY shall have no liability in damages under this Agreement for any failure of CITY to perform under this Agreement or the inability of OWNER to develop the Property as contemplated by the Development Plan of this Agreement as the result of a judicial determination that on the Effective Date, or at any time thereafter, the General Plan, or portions thereof, are invalid or inadequate or not in compliance with law.

9.2 Third Party Litigation Concerning Agreement. OWNER shall defend, at its expense, including attorneys' fees, indemnify, and hold harmless CITY, its agents, officers and employees from any claim, action or proceeding against CITY, its agents, officers, or employees to attack, set aside, void, or annul the approval of this Agreement or the approval of any permit granted pursuant to this Agreement. CITY shall promptly notify OWNER of any such claim, action or proceeding, and CITY shall cooperate in the defense. If CITY fails to promptly notify OWNER of any such claim, action or proceeding, or if CITY fails to cooperate in the defense, OWNER shall not thereafter be responsible to defend, indemnify, or hold harmless CITY. CITY may in its discretion participate in the defense of any such claim, action or proceeding.

9.3 Indemnity. In addition to the provisions of 9.2 above, OWNER shall indemnify and hold CITY, its officers, agents, employees and independent contractors free and harmless from any liability whatsoever, based or asserted upon any act or omission of OWNER, its officers, agents, employees, subcontractors and independent contractors, for property damage, bodily injury, or death (OWNER's employees included) or any other element of damage of any kind or nature, to the extent relating to or in any way connected with or arising from the activities contemplated hereunder, including, but not limited to, the study,

design, engineering, construction, completion, failure and conveyance of the public improvements, save and except claims for damages arising through the sole active negligence or sole willful misconduct of CITY. OWNER shall defend, at its expense, including attorneys' fees, CITY, its officers, agents, employees and independent contractors in any legal action based upon such alleged acts or omissions. CITY may in its discretion participate in the defense of any such legal action.

9.4 Environment Assurances. OWNER shall indemnify and hold CITY, its officers, agents, and employees free and harmless from any liability, to the extent based or asserted, upon any act or omission of OWNER, its officers, agents, employees, subcontractors, predecessors in interest, successors, assigns and independent contractors for any violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to environmental conditions on, under or about the Property during OWNER'S period of ownership of the Property, including, but not limited to, soil and groundwater conditions caused by OWNER, and OWNER shall defend, at its expense, including attorneys' fees, CITY, its officers, agents and employees in any action based or asserted upon any such alleged act or omission. CITY may in its discretion participate in the defense of any such action.

9.5 Reservation of Rights. With respect to Sections 9.2, 9.3 and 9.4 herein, CITY reserves the right to either (1) approve the attorney(s) which OWNER selects, hires or otherwise engages to defend CITY hereunder, which approval shall not be unreasonably withheld, or (2) conduct its own defense, provided, however, that OWNER shall reimburse CITY forthwith for any and all reasonable expenses incurred for such defense, including attorneys' fees, upon billing and accounting therefor.

9.6 Survival. The provisions of this Sections 9.1 through 9.6, inclusive, shall survive the termination of this Agreement.

10. MORTGAGEE PROTECTION.

10.1 Mortgagee Protection. The parties hereto agree that this Agreement shall not prevent or limit OWNER, in any manner, at OWNER's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property. CITY acknowledges that the lenders providing such financing may require certain Agreement interpretations and modifications and agrees upon request, from time to time, to meet with OWNER and representatives of such lenders to negotiate in good faith any such request for interpretation or modification. CITY will not unreasonably withhold its consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Agreement. Any Mortgagee of the Property shall be entitled to the following rights and privileges:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which Mortgagee, has submitted a request in writing to the CITY in the manner specified herein for giving notices, shall be entitled to receive written notification from CITY of any default by OWNER in the performance of OWNER's obligations under this Agreement.

(c) If CITY timely receives a request from a Mortgagee requesting a copy of any notice of default given to OWNER under the terms of this Agreement, CITY shall provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of default to OWNER. The Mortgagee shall have the right, but not the obligation, to cure the default during the remaining cure period allowed such party under this Agreement.

(d) Any Mortgagee who comes into possession of the Property, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Property, or part thereof, subject to the terms of this Agreement. Notwithstanding any other provision of this Agreement to the contrary, no Mortgagee shall have an obligation or duty under this Agreement to perform any of OWNER's obligations or other affirmative covenants of OWNER hereunder, or to guarantee such performance; provided, however, that to the extent that any covenant to be performed by OWNER is a condition precedent to the performance of a covenant by CITY, the performance thereof shall continue to be a condition precedent to CITY's performance hereunder, and further provided that any sale, transfer or assignment by any Mortgagee in possession shall be subject to the provisions of Section 2.4 of this Agreement

(e) In the event of a default by Owner, any Mortgagee shall have the right to remedy, or cause to be remedied, such default within sixty (60) days following the later to occur of (i) the date of Mortgagee's receipt of the notice referred to in Section 10.1(b) above, or (ii) the expiration of the period provided herein for Owner to remedy or cure such default, and City shall accept such performance by or at the insistence of the Mortgagee as if the same had been timely made by Owner; provided, however, that (i) if such default is not capable of being cured within the timeframes set forth in this Section and Mortgagee commences to cure the default within such timeframes, then Mortgagee shall have such additional time as is required to cure the default so long as Mortgagee diligently prosecutes the cure to completion and (ii) if possession of the Property (or portion thereof) is required to effectuate such cure or remedy, the Mortgagee shall be deemed to have timely cured or remedied if it commences the proceedings necessary to obtain possession thereof within sixty (60) days after receipt of the copy of the notice, diligently pursues such proceedings to completion, and, after obtaining possession, diligently completes such cure or remedy.

11. MISCELLANEOUS PROVISIONS.

11.1 Recordation of Agreement. This Agreement and any amendment or cancellation thereof shall be recorded with the San Bernardino County Recorder by the City Clerk within the ten (10) days after the CITY executes this Agreement, as required by Section 65868.5 of the Government Code. If the parties to this Agreement or their successors in interest amend or cancel this Agreement as provided for herein and in Government Code

Section 65868, or if the CITY terminates or modifies the agreement as provided for herein and in Government Code Section 65865.1 for failure of the applicant to comply in good faith with the terms or conditions of this Agreement, the City Clerk shall have notice of such action recorded with the San Bernardino County Recorder.

11.2 Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the parties, and there are no oral or written representations, understandings or ancillary covenants, undertakings or agreements which are not contained or expressly referred to herein. No testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

11.3 Severability. If any term, provision, covenant or condition of this Agreement shall be determined invalid, void or unenforceable, the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement. Notwithstanding the foregoing, the provision of the Public Benefits set forth in Section 4 of this Agreement, including the payment of the fees set forth therein, are essential elements of this Agreement and CITY would not have entered into this Agreement but for such provisions, and therefore in the event such provisions are determined to be invalid, void or unenforceable, this entire Agreement shall be null and void and of no force and effect whatsoever.

11.4 Interpretation and Governing Law. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed in interpreting this Agreement, all parties having been represented by counsel in the negotiation and preparation hereof.

11.5 Section Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

11.6 Singular and Plural. As used herein, the singular of any word includes the plural.

11.7 Joint and Several Obligations. Subject to Section 2.4, if at any time during the term of this Agreement the Property is owned, in whole or in part, by more than one owner, all obligations of such owners under this Agreement shall be joint and several, and the default of any such owner shall be the default of all such owners. Notwithstanding the foregoing, no owner of a single lot which has been finally subdivided and sold to such owner as a member of the general public or otherwise as an ultimate user shall have any obligation under this Agreement except as provided under Section 4 hereof.

11.8 Time of Essence. Time is of the essence in the performance of .the provisions of this Agreement as to which time is an element.

11.9 Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement thereafter.

11.10 No Third Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit of the parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

11.11 Force Majeure. Neither party shall be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement is caused by floods, earthquakes, other Acts of God, fires, wars, riots or similar hostilities, strikes and other labor difficulties beyond the party's control, (including the party's employment force), government regulations, court actions (such as restraining orders or injunctions), or other causes beyond the party's control. If any such events shall occur, the term of this Agreement and the time for performance by either party of any of its obligations hereunder may be extended by the written agreement of the parties for the period of time that such events prevented such performance, provided that the term of this Agreement shall not be extended under any circumstances for more than five (5) years.

11.12 Mutual Covenants. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the party benefited thereby of the covenants to be performed hereunder by such benefited party.

11.13 Successors in Interest. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties to this Agreement. All provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land. Each covenant to do or refrain from doing some act hereunder with regard to development of the Property: (a) is for the benefit of and is a burden upon every portion of the Property; (b) runs with the Property and each portion thereof; and, (c) is binding upon each party and each successor in interest during ownership of the Property or any portion thereof.

11.14 Counterparts. This Agreement may be executed by the parties in counterparts, which counterparts shall be construed together and have the same effect as if all of the parties had executed the same instrument.

11.15 Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of San Bernardino, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court.

11.16 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the development of the Project is a private development, that neither party is acting as the agent of the other in any respect hereunder, and that

each party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement. The only relationship between CITY and OWNER is that of a government entity regulating the development of private property and the owner of such property.

11.17 Further Actions and Instruments. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of either party at any time, the other party shall promptly execute, with acknowledgment or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement or to evidence or consummate the transactions contemplated by this Agreement. The City Manager may delegate his powers and duties under this Agreement to an Assistant City Manager or other management level employee of the CITY.

11.18 Eminent Domain. No provision of this Agreement shall be construed to limit or restrict the exercise by CITY of its power of eminent domain.

11.19 Agent for Service of Process. In the event OWNER is not a resident of the State of California or it is an association, partnership or joint venture without a member, partner or joint venturer resident of the State of California, or it is a foreign corporation, then in any such event, OWNER shall file with the Planning Director, upon its execution of this Agreement, a designation of a natural person residing in the State of California, giving his or her name, residence and business addresses, as its agent for the purpose of service of process in any court action arising out of or based upon this Agreement, and the delivery to such agent of a copy of any process in any such action shall constitute valid service upon OWNER. If for any reason service of such process upon such agent is not feasible, then in such event OWNER may be personally served with such process out of this County and such service shall constitute valid service upon OWNER. OWNER is amenable to the process so served, submits to the jurisdiction of the Court so obtained and waives any and all objections and protests thereto.

11.20 Estoppel Certificate. Within thirty (30) business days following a written request by any of the parties, the other party shall execute and deliver to the requesting party a statement certifying that (i) either this Agreement is unmodified and in full force and effect or there have been specified (date and nature) modifications to the Agreement, but it remains in full force and effect as modified; and (ii) either there are no known current uncured defaults under this Agreement or that the responding party alleges that specified (date and nature) defaults exist. The statement shall also provide any other reasonable information requested. The failure to timely deliver this statement shall constitute a conclusive presumption that this Agreement is in full force and effect without modification except as may be represented by the requesting party and that there are no uncured defaults in the performance of the requesting party, except as may be represented by the requesting party. OWNER shall pay to CITY all costs incurred by CITY in connection with

the issuance of estoppel certificates requested by Owner under this Section 11.20 prior to CITY's issuance of such certificates.

11.21 Authority to Execute. The person or persons executing this Agreement on behalf of OWNER warrants and represents that he or she/they have the authority to execute this Agreement on behalf of his or her/their corporation, partnership or business entity and warrants and represents that he or she/they has/have the authority to bind OWNER to the performance of its obligations hereunder.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year set forth below.

[SIGNATURES CONTAINED ON FOLLOWING PAGE]

SIGNATURE PAGE
TO DEVELOPMENT AGREEMENT

"OWNER"

Ontario CC, LLC.
a Delaware limited liability company

By: CHI West 111 Ontario CC, L.P.,
a Delaware limited partnership,
its managing member

By: CHI Development GP, L.L.C.,
a Delaware limited liability company,
its general partner

By: _____
Name: Philip J. Prassas
Title: Vice President
Date: _____

"CITY"

CITY OF ONTARIO

By:_____
Scott Ochoa
City Manager

Date: _____

ATTEST:

_____
City Clerk, Ontario

APPROVED AS TO FORM:

COLE HUBER, LLP

_____
City Attorney

ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF _____)

On _____, 20_____, before me, _____,
Date *Insert Name and Title of the Officer*

personally appeared _____
Name(s) of Signer(s)

_____,
who proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature_____
Signature of Notary Public

Place Notary Seal Above

ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF _____)

On _____, 20_____, before me, _____,
Date *Insert Name and Title of the Officer*

personally appeared _____
Name(s) of Signer(s)

_____

who proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature_____
Signature of Notary Public

Place Notary Seal Above

EXHIBIT "A"
TO DEVELOPMENT AGREEMENT

Legal Description of Property

Real property in the City of Chino, County of San Bernardino, State of California, described as follows:

THE SOUTHEASTERLY 1/4 OF THE NORTHEASTERLY 1/4 OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THEREFROM THE EAST 30 FEET AS CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED APRIL 16, 1943, IN BOOK 1578, PAGE 371, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM PARCEL NOS. 1, 2 AND 3 AS CONVEYED TO SOUTHERN SURPLUS REALTY CO., BY DEED RECORDED OCTOBER 10, 1973, IN BOOK 8284, PAGE 113, OFFICIAL RECORDS.

APN: 0218-171-21-0-000

Real property in the City of Ontario, County of San Bernardino, State of California, described as follows:

THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THEREFROM THE EAST 30 FEET CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED APRIL 16, 1943 IN BOOK 1578, PAGE 371, OFFICIAL RECORDS OF SAID COUNTY.

ALSO EXCEPT THE WEST 200 FEET CONVEYED TO THE SOUTHERN CALIFORNIA EDISON COMPANY BY DEED RECORDED JANUARY 19, 1967 IN BOOK 6759, PAGE 770, OFFICIAL RECORDS OF SAID COUNTY.

ALSO EXCEPT THAT PORTION CONVEYED TO THE CITY OF ONTARIO IN GRANT DEED RECORDED JANUARY 30, 2007 AS INSTRUMENT NO. 2007-0059195 OF OFFICIAL RECORDS, AS DESCRIBED THEREIN.

ALSO EXCEPT THOSE PORTIONS CONVEYED TO THE CITY OF ONTARIO IN GRANT DEED RECORDED JANUARY 18, 2008 AS INSTRUMENT NO. 2008-0026278 OF OFFICIAL RECORDS, AS DESCRIBED THEREIN.

ALSO EXCEPT THAT PORTION CONVEYED TO CHINO BASIN DESALTER AUTHORITY IN GRANT DEED RECORDED MARCH 22, 2013 AS INSTRUMENT NO. 2013-0119363 OF OFFICIAL RECORDS, AS DESCRIBED THEREIN.

APN: 0218-171-27-0-000

EXHIBIT "B"
TO DEVELOPMENT AGREEMENT

Map showing Property and its location



EXHIBIT "C"
TO DEVELOPMENT AGREEMENT

Existing Development Approvals

On September 13, 2005, the Planning Commission:

a) Issued Resolution No. 2005-081, recommending City Countil adopt and certify the Edenglen Environmental Impact Report (SCH#2004051108); and

b) Issued Resolution No. 2005-082, recommending City Council approval of the General Plan Amendment (PGPA03-005); and

c) Issued Resolution No. 2005-083, recommending City Council approval of the Edenglen Specific Plan (PSP03-005).

On October 4, 2005, the City Council:

a) Approved the General Plan Amendment and issued Resolution No. 2005-100; and

b) Adopted and certified the Edenglen Environmntal Impact Report and issued Resolution No. 2005-101; and

c) Approved the Edeglen Specific Plan and held it over for a second reading on November 1, 2005.

On November 1, 2005, the City Council:

a) Approved the Edenglen Specific Plan and issued Ordinance No. 2817.

On July 14, 2009, the Planning Commission:

a) Issued Resolution No. PC09-020, recommending the City Council certify the Program EIR for The Ontario Plan (SCH#2008101140).

b) Issued Resolution No. PC09-021, recommending the City Council approve the Component Framework for The Ontario Plan (File No. PGPA06-001).

c) Issued Resolution No. PC09-22, recommending City Council approval of a comprehensive udate to The Ontario General Plan (File No. PGPA06-001).

EXHIBIT "C" Continued
TO DEVELOPMENT AGREEMENT

On January 27, 2010, the City Council:

a) Issued Resolution Nos. 2010-003, 2010-004, 2010-005, 2010-006, certifying the EIR (SCH#2008101140) for The Ontario Plan and adoption of an addendum to The Ontario Plan (File No. PGPA06-001).

EXHIBIT "D"
TO DEVELOPMENT AGREEMENT

Existing Land Use Regulations

These documents are listed for reference only:

1. 2005 General Plan Amendment No. 4, Resolution No. 2005-100
2. Edenglen Specific Plan (File No. PSP03-005)
3. Edenglen EIR (SCH#2004051108), Resolution No. 2005-101
4. Addendum to The Ontario Plan (File No. PGPA06-001)
5. The Ontario Plan EIR (SCH#2008101140)
6. City of Ontario Municipal Code
    a. Six – Sanitation & Health
    b. Seven – Public Works
    c. Eight – Building Regulations
    d. Nine – Development Code
    e. Ten – Parks & Recreation

EXHIBIT "E"
TO THE DEVELOPMENT AGREEMENT

Description of Required Infrastructure Improvements

STORM DRAIN (SD)

1. SD along Mill Creek Avenue from Chino Avenue to connect to the San Bernardino County Line Channel in Bellegrave Avenue.

2. SD along Hamner Avenue between Riverside Drive and Chino Avenue.

STREETS (ST)

1. Full half-width street improvements on the south side and circulation lane improvements on the north side of Riverside Drive along the Property frontage.

2. Full half-width street improvements on Hamner Avenue between Riverside Drive and Chino Avenue.

    a. Parkway improvements are not required along the frontage of the SCE substation at the NWC of Hamner and Chino.

3. Modifications to an existing traffic signal at Riverside Drive and Hamner Avenue

4. Traffic Signal at Riverside Drive and Project Driveway.

5. Traffic Signal at Hamner Avenue and Project Driveway.

WATER (Potable [PW] & Recycled [RW])

1. 12-inch 1010PZ PW on Hamner Ave between Riverside Drive and Chino Avenue.

2. 12-inch 1010PZ PW on Chino Ave between Hamner Ave and westerly project boundary.

3. 8-inch 1050PZ RW on Riverside Drive between westerly Project limit and Hamner Avenue.

4. 8-inch 1050PZ RW on Hamner Ave between Riverside Drive and Chino Avenue.

5. 8-inch 1050PZ RW on Chino Ave between Hamner Avenue and Edenglen Avenue with stubs north to connect to existing RW in Edenglen Avenue north of Chino Ave.

6. Relocate portions or all of the City of Ontario pressure reducing station on Riverside Drive as needed to accommodate required street improvements. Redundant or replacement facilities may need to be constructed in order to keep the facility operational during relocation. Any and/or all the improvements, shall be designed, constructed, and completed to the satisfaction of the City Engineer.

7. Relocate portions or all of the Chino Desalter Authority desalination station on Riverside Drive as needed to accommodate required street improvements. Redundant or replacement facilities may need to be constructed in order to keep the facility operational during relocation, if required by the Chino Desalter Authority. Any and/or all the improvements, shall be designed, constructed, and completed to the satisfaction of the City Engineer and Chino Desalter Authority.

SEWER (SW)

1. SW off-site improvements in Mill Creek Avenue and Chino Avenue, as identified in the Sewer Master Plan and the Edenglen Specific Plan.

FIBER OPTIC COMMUNICATIONS (FO)

1. FO in Riverside Drive between along the Property frontage.

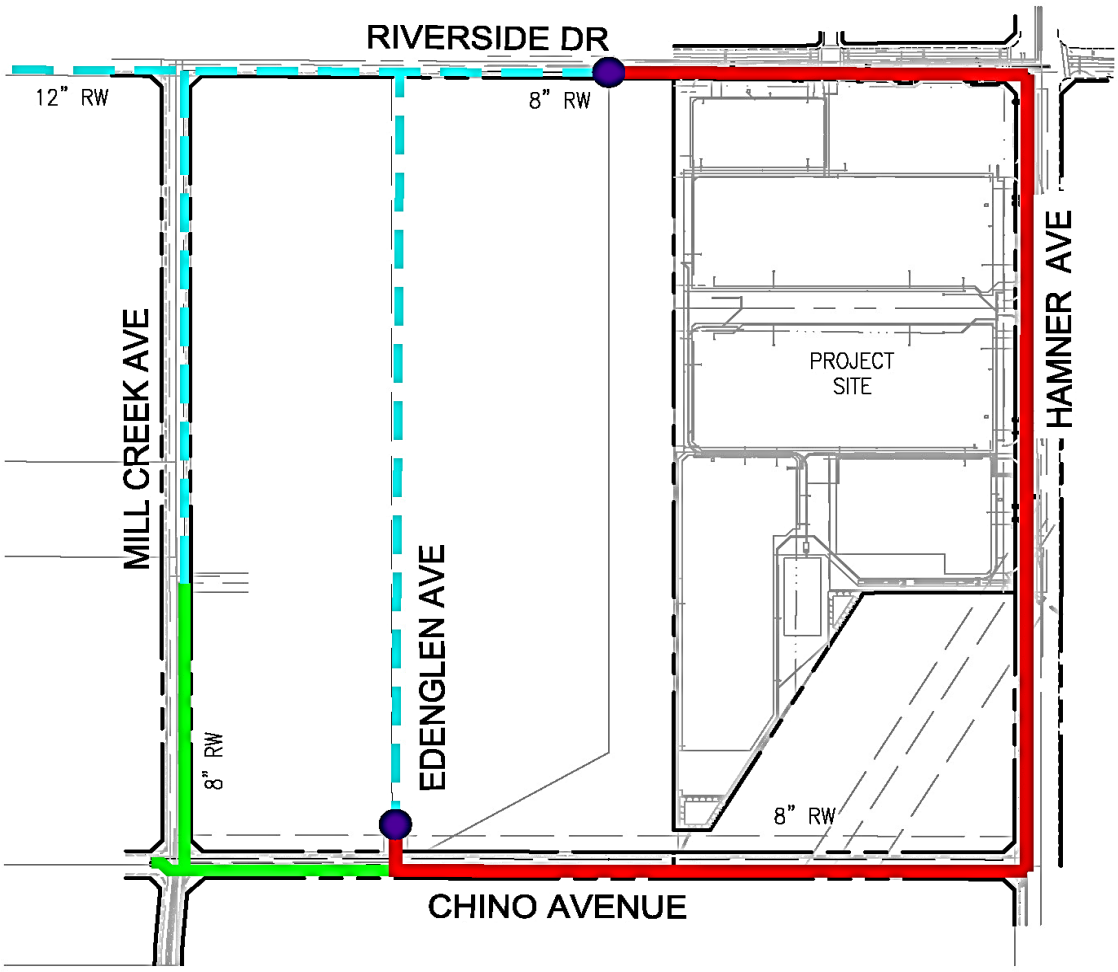
2. FO on Hamner between Riverside Drive and Chino Avenue.

EXHIBIT "F"

Depiction of required Infrastructure Improvements

[SEE ATTACHMENTS]

EXHIBIT F-1
RECYCLED WATER IMPROVEMENTS



LEGEND:
- EXISTING RECYCLED WATER (CITY OF ONTARIO)
- NEW RECYCLED WATER (REQUIRED AND TO BE CONSTRUCTED BY PROJECT)
- FUTURE RECYCLED WATER (CITY OF ONTARIO)
- POINT OF CONNECTION

WestLAND Group, Inc.
4150 CONCOURS, ONTARIO, CA 91764
PHONE: (909) 989-9789 FAX: (909) 989-9660
Land Surveyors • Civil Engineers • GIS

N.T.S.

• Development Agreement • Parcel 20027

DATE: 07/08/2020

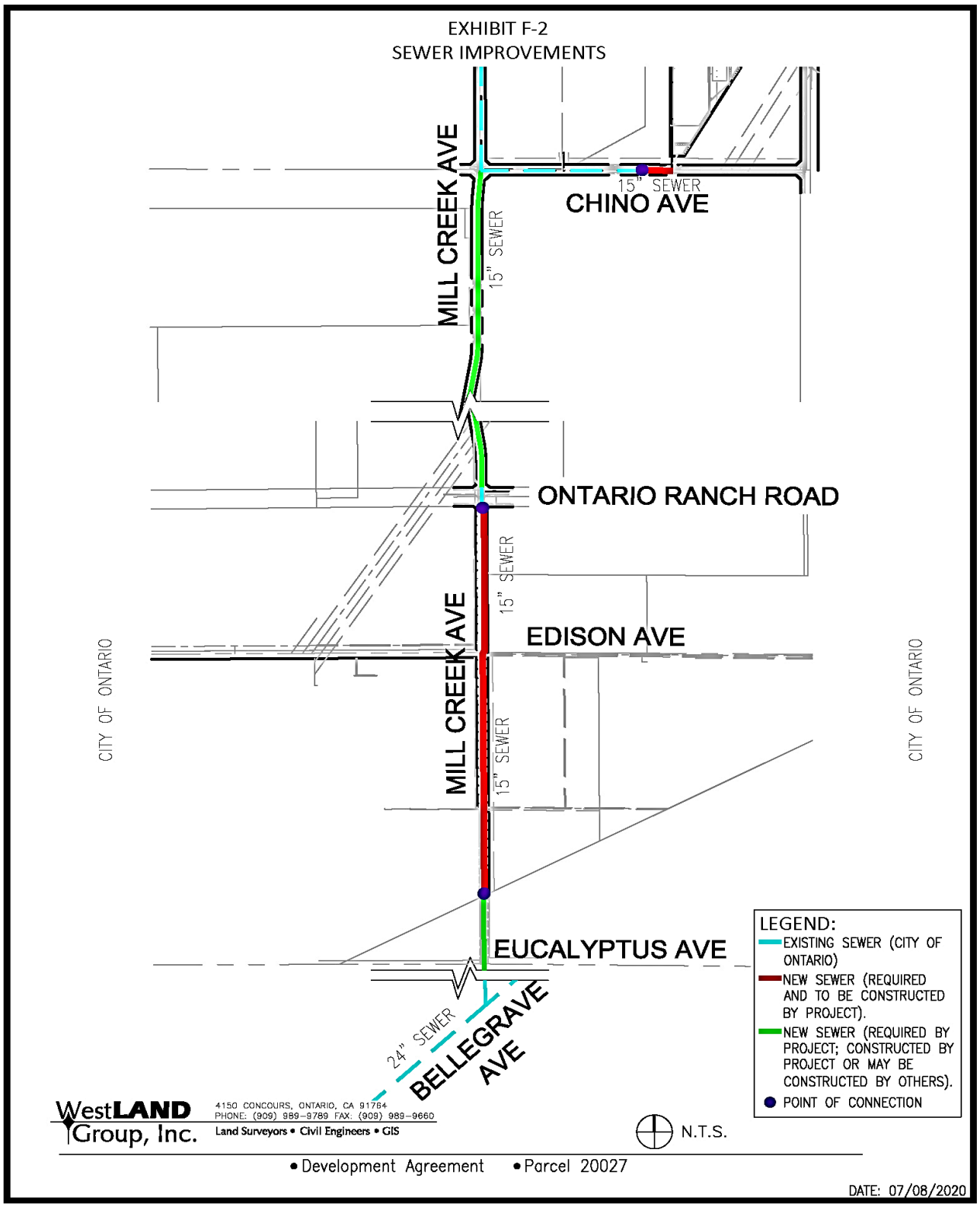


EXHIBIT F-2
SEWER IMPROVEMENTS
MILL CREEK AVE
15" SEWER
CHINO AVE
15" SEWER
ONTARIO RANCH ROAD
MILL CREEK AVE
15" SEWER
EDISON AVE
15" SEWER
CITY OF ONTARIO
CITY OF ONTARIO
EUCALYPTUS AVE
24" SEWER
BELLEGRAVE AVE
LEGEND:
EXISTING SEWER (CITY OF ONTARIO)
NEW SEWER (REQUIRED AND TO BE CONSTRUCTED BY PROJECT).
NEW SEWER (REQUIRED BY PROJECT; CONSTRUCTED BY PROJECT OR MAY BE CONSTRUCTED BY OTHERS).
POINT OF CONNECTION
WestLAND Group, Inc.
4150 CONCOURS, ONTARIO, CA 91764
PHONE: (909) 989-9789 FAX: (909) 989-9660
Land Surveyors • Civil Engineers • GIS
N.T.S.
• Development Agreement • Parcel 20027
DATE: 07/08/2020

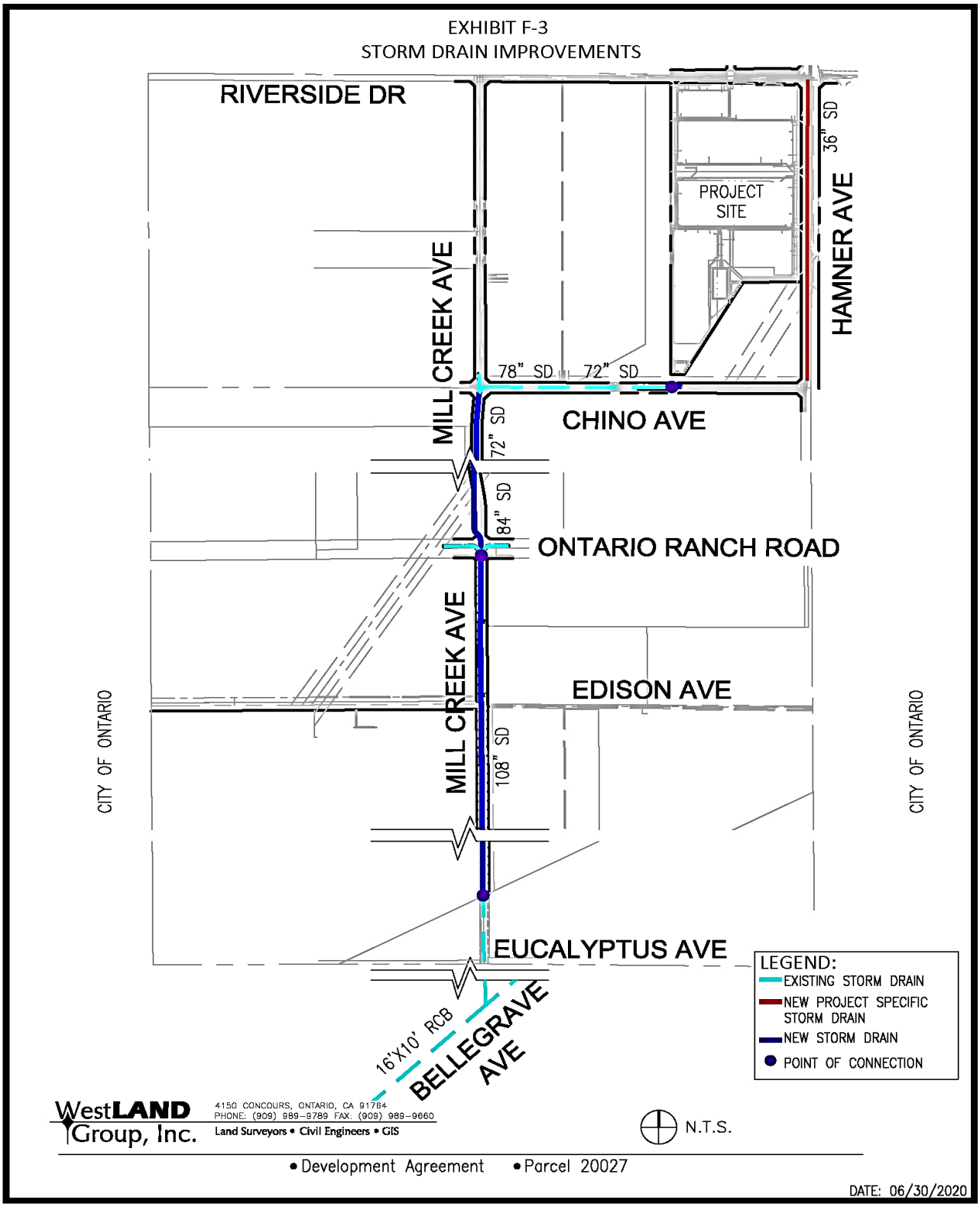
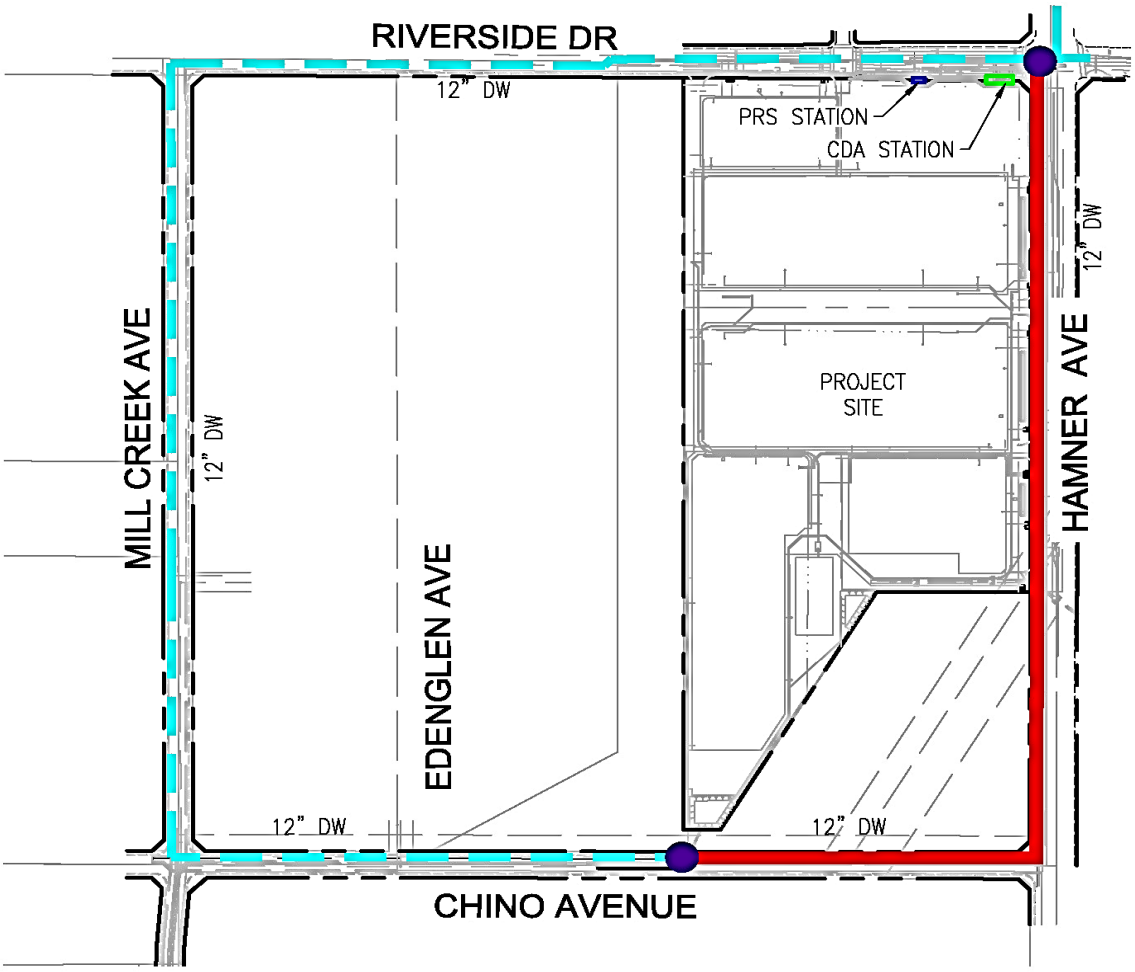


EXHIBIT F-3
STORM DRAIN IMPROVEMENTS
RIVERSIDE DR
PROJECT SITE
36" SD
HAMNER AVE
MILL CREEK AVE
78" SD
72" SD
CHINO AVE
72" SD
84" SD
ONTARIO RANCH ROAD
MILL CREEK AVE
EDISON AVE
108" SD
CITY OF ONTARIO
CITY OF ONTARIO
EUCALYPTUS AVE
16'X10' RCB
BELLEGRAVE AVE
LEGEND:
EXISTING STORM DRAIN
NEW PROJECT SPECIFIC STORM DRAIN
NEW STORM DRAIN
POINT OF CONNECTION
WestLAND Group, Inc.
4150 CONCOURS, ONTARIO, CA 91764
PHONE: (909) 989-9789 FAX: (909) 989-9660
Land Surveyors • Civil Engineers • GIS
N.T.S.
• Development Agreement • Parcel 20027
DATE: 06/30/2020

EXHIBIT F-4
POTABLE WATER IMPROVEMENTS



LEGEND:
- EXISTING DOMESTIC WATER (CITY OF ONTARIO)
- NEW PROJECT SPECIFIC DOMESTIC WATER (CITY OF ONTARIO)
- POINT OF CONNECTION
- RELOCATE PRESSURE REDUCING STATION AS NECESSARY (CITY OF ONTARIO)
- RELOCATE DESALTER AS NECESSARY (CHINO BASIN DESALTER AUTHORITY)

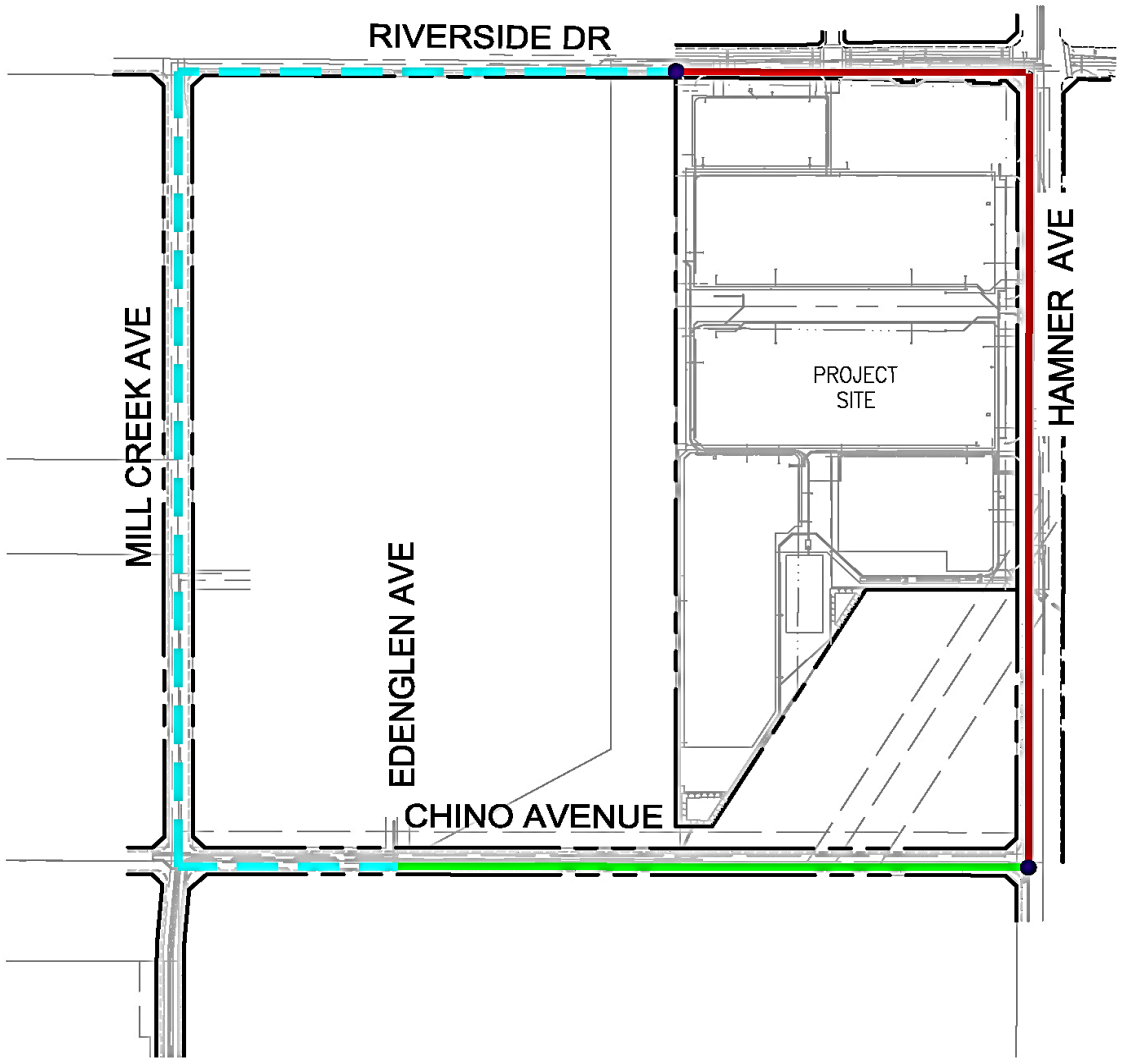
WestLAND Group, Inc.
4150 CONCOURS, ONTARIO, CA 91764
PHONE: (909) 989-9769 FAX: (909) 989-9660
Land Surveyors • Civil Engineers • GIS

N.T.S.

• Development Agreement • Parcel 20027

DATE: 07/22/2020

EXHIBIT F-5
FIBER OPTIC COMMUNICATIONS



LEGEND:
- NEW PRIMARY RING FIBER OPTIC (CITY OF ONTARIO)
- POINT OF CONNECTION
- FUTURE FIBER OPTIC (CITY OF ONTARIO)
- EXISTING FIBER OPTIC (CITY OF ONTARIO)

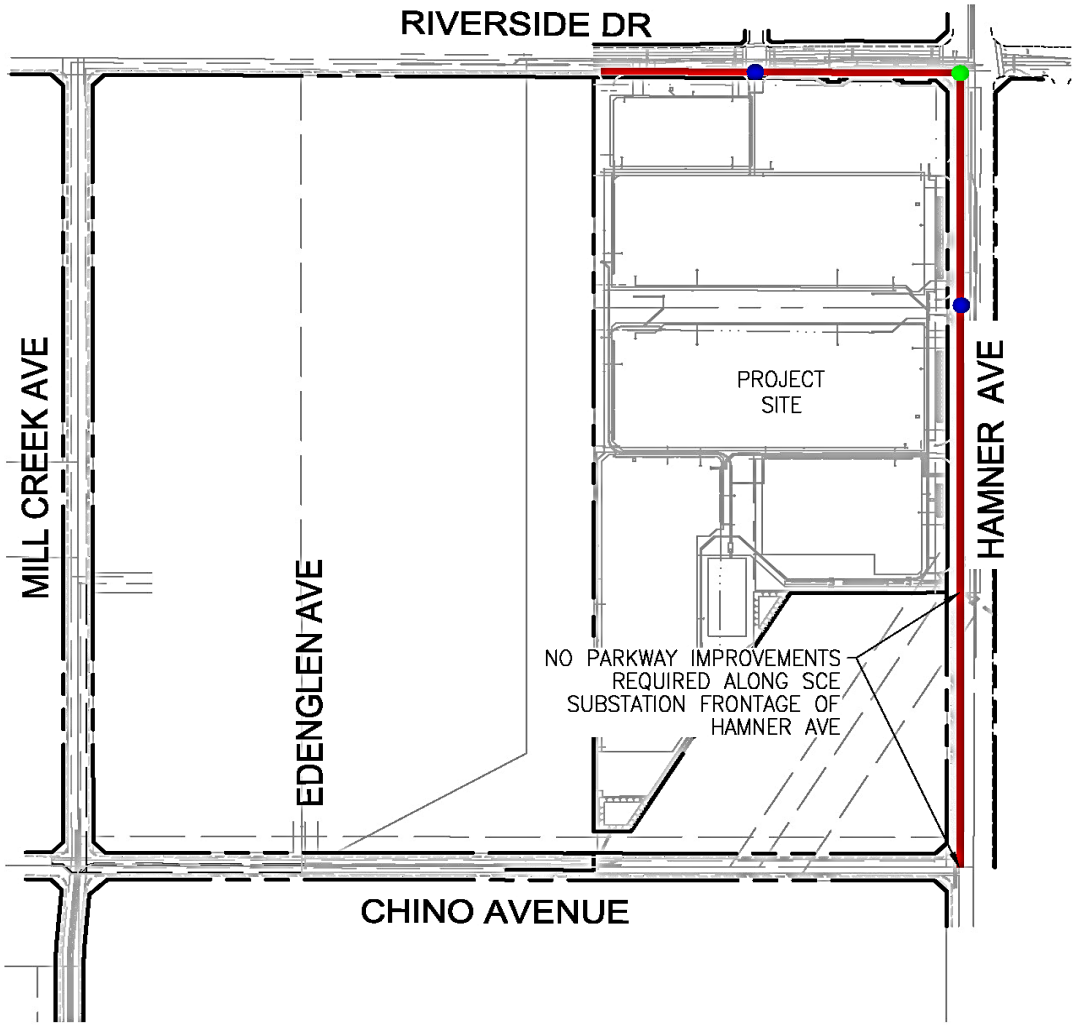
N.T.S.

WestLAND Group, Inc.
4150 CONCOURS, ONTARIO, CA 91764
PHONE: (909) 989-9789 FAX: (909) 989-9660
Land Surveyors • Civil Engineers • GIS

• Development Agreement • Parcel 20027

DATE: 07/02/2020

EXHIBIT F-6
STREET IMPROVEMENTS



LEGEND:
- NEW STREET WIDENING (CITY OF ONTARIO)
- PROPOSED TRAFFIC SIGNAL
- EXISTING TRAFFIC SIGNAL TO BE MODIFIED

WestLAND Group, Inc.
4150 CONCOURS, ONTARIO, CA 91764
PHONE: (909) 989-9789 FAX: (909) 989-9660
Land Surveyors • Civil Engineers • GIS

N.T.S.

• Development Agreement • Parcel 20027

DATE: 07/10/2020

EXHIBIT "G"

FORM OF CERTIFICATE OF NET MDD AVAILABILITY

Pursuant to Section 4.5 of this Agreement between the City of Ontario, a California municipal corporation, and Ontario CC, LLC, a limited liability company, hereinafter called "OWNER", the terms and definitions of which are hereby incorporated herein by this reference and hereinafter called "Agreement", the City of Ontario hereby certifies based on CITY receipt of payment of OWNER's share of the funding for the Phase 2 Water Improvements, that OWNER is entitled to the following Net MDD Water Availability.

Amount of Net MDD _____ gpm

_____
Scott Ochoa, City Manager

Dated:_____

Exhibit "H"

FORM OF CERTIFICATE OF REGIONAL DIF CREDIT

Pursuant to Section 4.5.2 of this Agreement by and between the City of Ontario and Ontario CC, LLC, dated _____, 20__, the terms and definitions of which are hereby incorporated herein by this reference and hereinafter called the "Development Agreement', the City of Ontario hereby certifies that OWNER is entitled to the following amount and nature of DIF Credits in the Regional Water DIF Infrastructure Category:

Amount of Credit: $_____

_____
Scott Ochoa, City Manager

Dated:_____

Exhibit "I-1"

ONTARIO RANCH
WATER SUPPLY PHASING PLAN

Phase 2	Water Availability Equivalency	Estimated Net MDD Available[1]
Phase 2 A		
Supply & Storage		
1. 1 - Additional Ground Water Well and Collection lines - Design and Construction	8,250 gpm[2]	**7,750 gpm**[2]
Pipelines (Transmission & Distribution)[2]		
2. 925 Zone Transmission lines – Design and Construction		
3. Temporary Pressure Reducing Station[3] – Design and Construction		
Phase 2B		
Supply & Storage		
4. 1 – Additional Ground Water Well and Collection lines – Design and Construction	10,500 gpm[2]	**9,860 gpm**[2]
5. 1 – 6 million gallon Reservoir – 925 Zone – Design and Construction		

(1) Upon Completion of the construction of all of the improvements described for each Phase a Certificate of Net MDD Availability shall be issued to Developer for the corresponding amount of Net MDD. Net MDD means the maximum daily demand on the potable water supply, net of the water requirements for public schools and parks. The Water Availability Equivalency includes the estimated requirements for public schools and parks. The amount of Net MDD specified is the cumulative amount for which building permits may be issued upon funding of the corresponding and all preceding Phases of improvements.

(2) The ability of a particular development to utilize Net MDD assigned to it by the Developer will require the completion of design and construction of Master-planned potable and recycled water transmission and distribution pipelines for the respective pressure zone. Other factors may include its location, the particular land use and Water Availability Equivalents assigned to it as specified in Exhibit C-2.

(3) Pressure reducing stations are a component of the pipeline transmission and distribution system.

EXHIBIT "I-2"

Available Water Supply - See Exhibit C-1R for Net MDD Available

Table A - Water Demand Equivalents By Land Use

The Ontario Plan	Potable Water			Recycled Water	
Land Use	Water Demand Factor (ADD)		Water Demand Equivalents (WDE)[2]	Recycled Water Demand Factor[1] (ADD)	Recycled Water Demand Of Total Water Demand
	(gpd/du)	(gpd/ac)	(gpm/unit)	(gpd/ac)	(%)
Detached Dwellings (less than 5 units per acre)	544		0.57	900	28%
Detached or Attached Dwellings (between 5 and 11 units per acre)	464		0.48	1,000	21%
Attached Dwellings (between 11 and 25 units per acre)	323		0.34	1,500	18%
High Density Dwellings (25+ units per acre)	152		0.16	1,500	27%
Commercial Lodging	150		0.16	1,700	50%
Retail/Services Uses		2,200	2.29	2,300	51%
Office Uses		3,400	3.54	2,300	40%
Business Park Uses		2,200	2.29	2,200	50%
Industrial Uses		2,000	2.08	2,200	52%
Institutional Use		2,200	2.29	1,600	42%
Parks		1,000	1.04	1,400	58%
Schools		3,500	3.65	1,600	31%

[1]Recycled Water Demands include irrigation for right-of-way (medians and parkways), neighborhood edge, pocket parks, and common areas.

[2] The WDE is based on the Maximum Day Demand (MDD) with a peaking factor of 1.5 in the NMC for all land use categories.

Table B - Example Water Supply Calculation

Land Use	Acres[1] (gross)	Residential Units	WDE Factor (gpm)	Potable MDD (gpm)	Recycled Water ADD (gpm)
Development					
Detached Dwellings (less than 5 units per acre)	1,284	5,061	0.57	2,868	803
Detached or Attached Dwellings (between 5 and 11 units per acre)	369	2,530	0.48	1,223	256
Attached Dwellings (between 11 and 25 units per acre)	194	3,410	0.34	1,147	202
Retail/Services Uses (per acre)[2]	104		2.29	239	166
TOTAL	**1,950**	**11,001**		**5,477**	**1,428**

Three (3) Wells Are required to Support this example, assuming each well produces 2,000 gpm and connection to the Recycled Water System maximizing Recycled Water Use.

[1] Residential Acres are estimated based on the weighted average derived from the average number of units per land use category.

[2] Commercial acreage is calculated from a total square footage of 1,361,000 SF with an average Floor to Area Ratio (FAR) of 0.30 for commercial services in The Ontario Plan.

Exhibit "J"

FORM OF PLUME DISCLOSURE LETTER

CITY OF ONTARIO

ONTARIO MUNICIPAL UTILITIES COMPANY

PAUL S. LEON
MAYOR

DEBRA DORST-PORADA
MAYOR PRO TEM

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

AL C. BOLING
CITY MANAGER

SHEILA MAUTZ
CITY CLERK

JAMES R. MILHISER
TREASURER

SCOTT BURTON
UTILITIES GENERAL MANAGER

March 2017

DISCLOSURE NOTICE
SOUTH ARCHIBALD TRICHLOROETHYLENE PLUME

Dear Property Owner/Developer/Applicant:

The City of Ontario ("City") has approved or will be approving development in the Ontario Ranch area in the next few years, subject to the appropriate and required statutory process. This letter is intended to serve as notice to all potential property owners of the existence of a groundwater plume, known as the South Archibald Trichloroethylene (TCE) Plume which may exist in, under or near owner's property.

The groundwater plume is in an area in the central Chino Basin south of the Pomona Freeway, west of Turner Avenue, east of Grove Avenue, and north of Kimball Avenue. The plume primarily consists of TCE, a discontinued industrial solvent, and is subject to a clean-up under the oversight and direction of the Santa Ana Regional Water Quality Control Board ("Regional Board").

The Regional Board's approved clean-up procedure involves the removal and treatment of groundwater containing TCE via groundwater wells to reduce the plume concentrations and control its migration. In addition, the City is providing potable water supplies for domestic purposes to residences with private domestic wells affected by the plume. Finally, the Regional Board will continue to monitor all impacted areas and private domestic wells to ensure that residents' health and the environment are properly safeguarded. These remedial actions are documented in a Remedial Action Plan approved by the Regional Board in September 2016.

Further and current information may be found on the Regional Board's Geotracker website at https://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

Property owners may wish to include this letter as a part of a Real Estate Transfer Disclosure under California Civil Code Section 1102 et seq.

1425 SOUTH BON VIEW - ONTARIO, CALIFORNIA 91761-4406 - (909) 395-2605 - FAX (909) 395-2601

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDA18-006, A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND ONTARIO CC, LLC., TO ESTABLISH THE TERMS AND CONDITIONS FOR THE DEVELOPMENT OF TENTATIVE PARCEL MAP 20027 (FILE NO. PMTT18-009), FOR A 46.64 ACRE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF RIVERSIDE DRIVE AND HAMNER AVENUE, WITHIN THE PROPOSED NEIGHBORHOOD COMMERCIAL, BUSINESS PARK AND LIGHT INDUSTRIAL LAND USE DESIGNATIONS OF THE EDENGLEN SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF – APNS: 0218-171-21 AND 0218-171-27.

WHEREAS, CALIFORNIA GOVERNMENT CODE SECTION 65864 NOW provides, in pertinent part, as follows:

"The Legislature finds and declares that:

(a) The lack of certainty in the approval process of development projects can result in a waste of resources, escalate the cost of housing and other developments to the consumer, and discourage investment in and commitment to comprehensive planning which would make maximum efficient utilization of resources at the least economic cost to the public.

(b) Assurance to the Applicant for a development project that upon approval of the project, the Applicant may proceed with the project in accordance with existing policies, rules and regulations, and subject to conditions of approval, will strengthen the public planning process, encourage private participation in comprehensive planning, and reduce the economic costs of development."

WHEREAS, California Government Code Section 65865 provides, in pertinent part, as follows:

"Any city … may enter into a Development Agreement with any person having a legal or equitable interest in real property for the development of such property as provided in this article …"

WHEREAS, California Government Code Section 65865.2. provides, in part, as follows:

"A Development Agreement shall specify the duration of the Agreement, the permitted uses of the property, the density of intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. The Development Agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions, and requirements for discretionary actions shall not prevent development of

the land for the uses and to the density of intensity of development set forth in this Agreement …"

WHEREAS, on April 4, 1995, the City Council of the City of Ontario adopted Resolution No. 95-22 establishing procedures and requirements whereby the City of Ontario may consider Development Agreements; and

WHEREAS, on September 10, 2002, the City Council of the City of Ontario adopted Resolution No. 2002-100 which revised the procedures and requirements whereby the City of Ontario may consider Development Agreements; and

WHEREAS, attached to this Ordinance marked Attachment "A" and incorporated herein by this reference, is the proposed Development Agreement (File No. PDA18-006) between the City of Ontario and Ontario CC, LLC., to establish the terms and conditions for the development of Tentative Parcel Map 20027 (File No. PMTT18-009) located at the southwest corner of Riverside Drive and Hamner Avenue, and as legally described in the attached Development Agreement. Hereinafter in this Ordinance, the Development Agreement is referred to as the "Development Agreement"; and

WHEREAS, on November 1, 2005, the City Council adopted Ordinance No. 2817, approving the Edenglen Specific Plan (File No. PSP03-005), which addressed the development of approximately 160.6 acres for residential, pocket parks, public trails, commercial and business/park light industrial uses; and

WHEREAS, on January 27, 2010, the City Council adopted Resolution Nos. 2010-003, 2010-004, 2010-005, 2010-006, approving a comprehensive update to The Ontario Plan (File No. PGPA06-001); and

WHEREAS, a Tentative Parcel Map 20027 (File No. PMTT18-009) to subdivide approximately 46.64 acres of land into seven (7) numbered parcels and one (1) lettered lot within the proposed Neighborhood Commercial, Business Park and Light Industrial land use designations of the Edenglen Specific Plan, has been submitted in conjunction with the Development Agreement; 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, the environmental impacts of this project were previously reviewed in conjunction with File No. PGPA06-001, an Addendum to The Ontario Plan for which an Environmental Impact Report — State Clearinghouse No. 2008101140 — (hereinafter referred to as "Certified EIR") was adopted by the City Council on January 27, 2010, and this Application introduces no new significant environmental impacts; and

WHEREAS, This Application is consistent with the previously adopted EIR and 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. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference; 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, 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 25, 2020, 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. PC20-055 recommending the City Council approve the Application; and

WHEREAS, on September 15, 2020 the City Council of the City of Ontario conducted a hearing to consider the Project, and continued the hearing to a future date; and

WHEREAS, on November 17, 2020, the City Council of the City of Ontario conducted hearing to consider the Project, and continued the hearing to a future date; and

WHEREAS, on February 2, 2021, 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 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. PGPA06-001, an Addendum to The Ontario Plan for which a Certified EIR was adopted by the City Council on January 27, 2010.

(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 Consistency.*** 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. The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The Edenglen Specific Plan was listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. However, the eastern half of the Edenglen Specific Plan (project site) was not included as one of the properties in the Available Land Inventory since the eastern half of the Specific Plan did not include any residential land use designations.

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 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:

a. The Development Agreement applies to approximately 46.64 acres of land located at the southwest corner of Riverside Drive and Hamner Avenue, within the proposed Neighborhood Commercial, Business Park and Light Industrial land use designations of the Edenglen Specific Plan; and

b. The Development Agreement establishes parameters for the development of the proposed Neighborhood Commercial, Business Park and Light Industrial land use designations of the Edenglen Specific Plan. The Development Agreement also grants the Owner, the right to develop, the ability to quantify the fees; and establish the terms and conditions that apply to those projects. These terms and conditions are consistent with the proposed General Plan Amendment (File No. PGPA18-002) to The Ontario Plan Policy Plan (General Plan), design guidelines and development standards for the proposed amendment (File No. PSPA18-003) to the Edenglen Specific Plan; and

c. The Development Agreement grants the Owner a vested right to develop Tentative Parcel Map 20027 as long as the Owner, complies with the terms and conditions of the Specific Plan and EIR. Tentative Parcel Map 20027 is located at the southwest corner of Riverside Drive and Hamner Avenue and proposes to subdivide approximately 46.64 acres of land into seven (7) numbered parcels and one (1) lettered lot in conjunction with a Development Plan (File No. PDEV18-031); and

d. The Development Agreement has been prepared in conformance with the goals and policies of The Ontario Plan Policy Plan (General Plan); and

e. The Development Agreement does not conflict with the Land Use Policies of The Ontario Plan Policy Plan (General Plan) and will provide for development, within the district, in a manner consistent with the Policy Plan and with related development; and

f. This Development Agreement will promote the goals and objectives of the Land Use Element of the Policy Plan; and

g. This Development Agreement will not be materially injurious or detrimental to the adjacent properties and will have a significant impact on the environment or the surrounding properties. The environmental impacts of this project were previously analyzed in conjunction with File No. PGPA06-001, an Addendum to The Ontario Plan for which a Certified EIR was adopted by the City Council on January 27, 2010. All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference.

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 Development Agreement, 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.

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 _____ 2021.

_____
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 February 2, 2021 and adopted at the regular meeting held _____, 2021 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)

ATTACHMENT A:

File No. PDA18-006

Development Agreement

By and Between

City of Ontario,
a California municipal corporation,

and

Ontario CC, LLC.,
a Delaware limited liability company

(Document follows this page)

CITY OF ONTARIO *Agenda Report* **February 2, 2021**	**SECTION:** **PUBLIC HEARINGS**
Department: Economic Development Prepared By: Charity Hernandez Staff Member Presenting: John P. Andrews, Executive Director Economic Development Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 15

SUBJECT: A PUBLIC HEARING TO CONSIDER THE SALE OF CITY OWNED PROPERTY IN ACCORDANCE WITH GOVERNMENT CODE SECTION 37420 ET. SEQ., MAKING CERTAIN FINDINGS; AND ADOPTION OF A RESOLUTION APPROVING A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF ONTARIO AND PHELAN DEVELOPMENT COMPANY, LLC.

RECOMMENDATION: That the City Council conduct a public hearing to consider the sale of City owned property; and adopt a resolution approving a Purchase and Sale Agreement ("Agreement") between the City of Ontario ("City") and Phelan Development Company, LLC ("Developer") of Newport Beach, California (on file with the Records Management Department); and authorize the City Manager to execute the Agreement and all other documents required for implementation of the Agreement.

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: The City will convey approximately 1.31 acres of real property located at 1108 and 1120 East California Street for a purchase price of $910,000, of which $728,000 will be allocated to the Federal Aviation Administration and $182,000 to the Ontario International Airport Authority . The sales price is supported by an independent appraisal completed by a certified general appraiser and represents the current fair market value of the property.

BACKGROUND & ANALYSIS: In 2011, the property located at 1108 and 1120 East California Street (a location map is provided for reference as Exhibit "A") was acquired by the City of Ontario in connection with the implementation of the Ontario International Airport Part 150 Noise Compatibility Program, also known as the Quiet Home Program, which refined and coordinated planning efforts to reduce noise and increase land compatibility in the impacted neighborhoods surrounding the airport, in turn, converting the land to a use that is compatible with airport operations.

The property is located along the East Mission Boulevard Corridor and is designated for general industrial development. City staff has worked with Phelan Development Company, LLC, over the last several months to develop a site plan that offers land development flexibility, due to a number of site restrictions, while supporting the surrounding land use patterns.

The Developer is proposing to construct one 29,290 square foot combination office/warehouse, which will include 27,290 square feet of warehouse space and 2,000 square feet of office space. The Developer will also be required to build all of the associated on-site and off-site improvements, including but not limited to all hardscape, landscaping, and public street improvements.

The proposed project will provide for the development of a long-time, remnant public site to be utilized as a higher and better use, will generate property tax revenue, will produce new jobs (both permanent and temporary), and stimulate additional development within the area.

The project is categorically exempt from the requirement of the California Environmental Quality Act ("CEQA") pursuant to Section 15332 (Class 23 – In-Fill Development) of the CEQA Guidelines.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING THE SALE OF PROPERTY PURSUANT TO A PURCHASE AND SALE AGREEMENT BY AND BETWEEN THE CITY OF ONTARIO AND PHELAN DEVELOPMENT COMPANY, LLC, FOR PROPERTY GENERALLY LOCATED AT 1108 AND 1120 EAST CALIFORNIA STREET (APN: 1049-382-01 AND 1049-382-02).

WHEREAS, the City of Ontario ("City") is the owner of certain real property generally located at 1108 and 1120 East California Street (APN's 1049-382-01 and 1049-382-02) in the City of Ontario, County of San Bernardino, State of California ("Property"); and

WHEREAS, the Property consists of approximately 56,750 square feet of industrially zoned land, including, all minerals, oil and gas located on or beneath such land, and all other rights, privileges, entitlements, governmental permits, approvals and licenses, and other intangible property relating to or running with such land (the "Development Property"), specifically described in Exhibit "A" to the Purchase and Sale Agreement ("Agreement"); and

WHEREAS, the City wishes to sell the Development Property to Phelan Development Company, LLC, a California limited liability company ("Developer"), and Developer wishes to purchase the Development Property; and

WHEREAS, Developer desires to develop the Development Property as a 29,290 square foot combination office/warehouse ("Project"); and

WHEREAS, the construction of the Project will allow the Property to be utilized in a manner that benefits and serves the needs of the community; and

WHEREAS, for the purpose of transferring the Property to Developer by which Developer will construction the Project on the Development Property, Developer and City have negotiated the Agreement (Phelan Development Company, LLC); and

WHEREAS, the City previously adopted Resolution No. 2021-003, pursuant to California Government Code Sections 37420 through 37430, which authorizes alternative methods for the City to sell the Property, in which the City Council, among other things, set forth its findings and intention to sell the Property and set February 2, 2021 at 6:30 pm, or as soon thereafter as the matter can be hear, as the date and time for holding a public hearing to hear protests to the sale; and

WHEREAS, having complied with the procedures set forth in California Government Code sections 37420 et. seq. by noticing and holding the public hearing to hear any protests, the City now desires to proceed with the sale of the Property to Developer.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ONTARIO DOES HEREBY RESOLVE AND FIND AS FOLLOWS:

SECTION 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

SECTION 2. CEQA Compliance. The City has determined that the project is an In-Fill Development and categorically exempt under Class 32, Section 15332 of the California Environmental Quality Act. The City Council of the City hereby directs City staff to file a Notice of Exemption with the San Bernardino County Clerk's Office within five (5) working days of the adoption of this Resolution.

SECTION 3. Protests to the Sale. Having heard any and all protests received in writing or orally at the public hearing, the City Council overrules any protests received and finds that pubic convenience and necessity require the sale of the Property pursuant to the Agreement. The sale of the Property is in the best interest of the City and the community as the development of the Property will provide for the redevelopment of a public site to a higher and better use, will generate economic growth through new jobs, both permanent and temporary, and stimulate additional development and job growth in the area.

SECTION 4. Approval of the Agreement. The City Council approves the disposition of the Property, including the Development Property, pursuant to the Agreement and directs and authorizes the City Manager to execute all documents and take all actions necessary to effectuate the intent of this Resolution.

SECTION 5. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council declares that the Council would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

SECTION 6. Certification. The City Clerk of the City of Ontario shall certify to the adoption of this Resolution.

SECTION 7. Effective Date. This Resolution shall take effect immediately

PASSED, APPROVED, AND ADOPTED this 2nd day of February 2021.

_____

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. 2021- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held February 2, 2021 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. 2021- duly passed and adopted by the Ontario City Council at their regular meeting held February 2, 2021.

_____
SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT “A”

LEGAL DESCRIPTION OF PROPERTY

APN: 1049-382-01 and 1049-382-02

REAL PROPERTY IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THE WEST 90 FEET OF THAT PORTION OF THE NORTH TWO FIFTHS OF LOT 224, VILLA PLOTS, SOUTH SIDE TRACT, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 6, PAGE 11 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID LOT, DISTANT THEREON 189.52 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT, 145.3 FEET; THENCE SOUTHERLY AND PARALLEL TO THE WEST LINE OF SAID LOT 299.8 FEET TO A POINT; THENCE WESTERLY AND PARALLEL TO THE NORTH LINE OF SAID LOT 145.3 FEET; THENCE NORTHERLY 299.8 FEET TO THE POINT OF BEGINNING.

EXCEPT THEREFROM THAT PORTION CONVEYED TO THE STATE OF CALIFORNIA, BY DEED RECORDED AUGUST 16, 1944 IN BOOK 1699, PAGE 173 OFFICIAL RECORDS.

THAT PORTION OF LOT 224, VILLA PLOTS, SOUTH SIDE TRACT, AS PER PLAT THEREOF RECORDED IN BOOK 6 OF MAP, PAGE 11, RECORDS OF SAID COUNTY, DESCRIDED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SAID LOT 224, AND THE SOUTH LINE OF CALIFORNIA STREET AS SAME NOW EXISTS, 80 FEET WIDE; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 224, 162.8 FEET TO THE NORTHWEST CORNER OF THE PROPERTY DESCRIBED IN THE DEED FROM H.F.VAN HOUTEN, ET AL, TO THE STATE OF CALIFORNIA, RECORDED AUGUST 23, 1948 IN BOOK 2282 OF OFFICAL RECIRDS, PAGE 150; THENCE EAST 189.52 FEET; THENCE NORTH 162.8 FEET TO THE SOUTH LINE OF CALIFORNIA STREET, AS SAME NOW EXISTS, 80 FEET WIDE; THENCE WEST ALONG SOUTH LINE, 189.52 FEET TO POINT OF BEGINNING.

CITY OF ONTARIO *Agenda Report* **February 2, 2021**	**SECTION:** **PUBLIC HEARINGS**
Department: Economic Development Prepared By: Charity Hernandez Staff Member Presenting: John P. Andrews, Executive Director Economic Development Approved By:	Submitted To: Council/OHA Approved: _____ Continued To: _____ Denied: _____ Item No: 16

SUBJECT: A RESOLUTION OF NECESSITY FOR THE ACQUISITION BY EMINENT DOMAIN OF FEE INTEREST IN CERTAIN REAL PROPERTY LOCATED AT 1236 EAST AIRPORT DRIVE

RECOMMENDATION: That the City Council conduct a public hearing and adopt a Resolution of Necessity declaring that the acquisition of a fee interest in certain real property located at 1236 East Airport Drive, more particularly described as Assessor Parcel No. 0113-221-31 (the "Property"), for the construction of airport fueling facilities (the "Project") in Ontario, California.

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

FISCAL IMPACT: If approved, appropriation adjustments will be included in the next Quarterly Budget Report to the City Council to cover the acquisition costs. The deposit necessary for prejudgment possession of the Property is approximately $28,000,000.

BACKGROUND & ANALYSIS: The Property is situated on the south side of East Airport Drive and east of South Grove Avenue, in close proximity to the Ontario International Airport ("Airport"). It was previously used as a privately-owned, long-term parking lot for customers of the Airport, beginning in the 1980's; however it is no longer operational. The property was purchased by the current ownership in June of 2019, and is currently being redeveloped, with the construction of an industrial building underway.

The property is being acquired to facilitate the construction of a new fueling facility and storage area to support the future expansion and long-term operational needs of the Airport. The facility would increase operational efficiency at the Airport by serving non-aircraft related vehicles and equipment that support day-to-day operations. An assessment completed on jet fuel storage and delivery needs at the Airport concluded that in order to meet fueling demand at the airport into the future, land should be secured that would accommodate up to twelve 60,000-barrel storage tanks and the associated equipment, as well as the load and unload racks, and an administration building with parking. Several sites were identified for evaluation and the former Sunrise Parking site was identified as the preferred location. This site was identified due to its proximity to existing Kinder-Morgan storage tanks and feed off the main pipeline, fuel truck accessibility and relatively low cost of construction. The only other viable site identified has multiple higher and better uses. Additionally, there would be a conflict with the long-range requirement

to process passengers and cargo on and around that site.

The current challenge for continued growth at Ontario International Airport is fuel supply. The limitation for fuel is due to storage capacity. While passenger traffic continues its slow recovery, the pandemic has caused significant growth in commercial air cargo activity at the Airport. In addition, the recovery rate of passenger traffic at Ontario International Airport was third among U.S. airports in September 2020. Therefore, it is prudent to continue to address the issue of adequate fuel storage at this site.

The City obtained an appraisal of the real estate from Bradford Thompson, MAI, AI-GRS, SR/WA, of Thompson & Thompson, and made an offer of just compensation to the property owner for the acquisition pursuant to California Government Code section 7267.2. The City did not retain a consulting firm to assist with acquisitions and relocations because no occupants or tenants will be relocated or otherwise affected. Following standard public records and due diligence searches for ownership information, a notice of this public hearing was mailed to the property owner. The affected Property is owned by Airport Drive Industrial Owner, L.P. Assessor Parcel No. 0113-221-31. Notice, as to Assessor Parcel No. 0113-221-31, was provided to Airport Drive Industrial Owner, L.P., through Oakmont Industrial Group, LLC, which oversees the Property.

The power of eminent domain is used by the City only as a last resort to obtain interests necessary for projects after 1) negotiations have stalled; or 2) the owner has requested that the City proceed directly to eminent domain for tax or other advantages; or 3) the eminent domain process is necessary to clear title to the property. In this case, an offer of just compensation was made to the owner for the full Fair Market Value, as determined by an independent appraisal. City staff attempted to acquire the property voluntarily and in good faith, and will continue to do so throughout the process.

DESCRIPTION OF PROPERTY TO BE ACQUIRED: The property affected by the proposed acquisition is located within the City of Ontario, on the south side of East Airport Drive and east of South Grove Avenue. The Property is located just northwest of the Ontario International Airport with a physical address of 1236 East Airport Drive, Ontario, California 91761 (Exhibit 1).

HEARINGS AND REQUIRED FINDINGS: The recommended actions of the City Council pertain to the acquisition property owned by:

Airport Industrial Owner, L.P., a Delaware limited partnership, Assessor Parcel No. 0113-221-31

California eminent domain law provides that a public entity may not commence an eminent domain proceeding until its governing body has adopted a Resolution of Necessity, which resolution may only be adopted after the governing body has given each party with an interest in the affected property or their representatives a reasonable opportunity to appear and be heard on the following matters:

1. The public interest and necessity require the proposed project.
2. The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
3. The real property to be acquired is necessary for the project.
4. The offer of just compensation has been made to the property owner

The notice of hearing was mailed on January 4, 2021, by first class mail to the property owner in accordance with Section 1245.235 of the California Code of Civil Procedure.
The above four required findings are addressed as follows:

<u>The Public Interest and Necessity Require the Proposed Project</u>

State law authorizes Cities to condemn property necessary to carry out their municipal duties and functions. (Gov. Code § 37350.5.) That power must be exercised pursuant to Part 3, Title 7 of the California Code of Civil Procedure or some other statute. (Code Civ. Proc. § 1230.020.) Moreover, public agencies may condemn property only for a public use. (Code Civ. Proc. § 1240.010.)

Local agencies are therefore authorized to acquire properties by eminent domain to promote airport development and mitigate airport impacts. (Gov. Code §§ 50470; 50474; *Miro v. Superior Court for San Bernardino* (1970) 5 Cal. App. 3d 87, 93.) If acquired, the Property will be assembled and eventually developed into fueling and storage facility which uses conform to City and Airport land use requirements, mitigate Airport impacts and eliminate blight in the area. The fact that the Property is to be acquired for the Project, the mitigation of Airport impacts and the elimination of blight, is sufficient to satisfy the public use and necessity requirement.

The Project is Planned or Located in a Manner That Will be Most Compatible With the Greatest Public Good and the Least Private Injury

The Property is located immediately northwest of the runaways and are directly below arrival and departure flight paths. Additionally, it is located in an area that has been designated as being within the Airport's designated Safety and Noise Impact Zones. Since the acquisition of the Property will mitigate Airport impacts and blight, and the future development is in conformance with applicable City and Airport land use requirements, the acquisition for this Project satisfies the requirement that the Project be planned and located in a manner that will be most compatible with the greatest public good and least private injury.

The Real Property to be Acquired is Necessary for the Proposed Project

The Property affected by the proposed acquisition is located within the City of Ontario, on the south side of East Airport Drive and east of South Grove Avenue. The Property is adjacent to the northwest corner of the Ontario International Airport with a physical address of 1236 East Airport Drive, Ontario, California 91761 and is necessary for the Project.

The Offer of Just Compensation Has Been Made

An appraisal was prepared by Bradford Thompson of Thompson & Thompson, to establish the fair market value of the fee interest the City is seeking to acquire. An offer of just compensation was made to the record owner to purchase the fee interest as established by the approved appraisal and as required by Section 7267.2 of the California Government Code. Although a negotiated settlement may still be possible for the fee interest cited above, it would be appropriate to commence the procedures to acquire the fee interest through eminent domain.

ENVIRONMENTAL ANALYSIS: The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) that was certified by the City Council on January 27, 2010. This proposed Project does not contemplate any actions that would require the preparation of a subsequent or supplemental environmental document under State CEQA Guidelines sections 15162, 15163, and 15164. The proposed Project is consistent with the development scenarios identified and analyzed within the EIR and no further CEQA environmental review is required.

EXHIBIT 1

Airport Drive Industrial Owner L.P.



RESOLUTION NO. 2021-___

RESOLUTION OF NECESSITY OF THE CITY COUNCIL OF THE CITY OF ONTARIO FOR THE ACQUISITION BY EMINENT DOMAIN OF FEE INTERESTS IN CERTAIN REAL PROPERTY LOCATED AT 1236 EAST AIRPORT DRIVE, IN ONTARIO, SAN BERNARDINO COUNTY, CALIFORNIA, MORE PARTICULARLY DESCRIBED AS ASSESSOR PARCEL NO. 0113-221-31, FOR THE CONSTRUCTION OF AIRPORT FUELING FACILITIES

WHEREAS, the City of Ontario (the "City") proposes to acquire, by eminent domain, a fee interest in certain real property located at 1236 East Airport Drive, more particularly described as Assessor Parcel No. 0113-221-31, in the City of Ontario, San Bernardino County, California, for the construction of airport fueling facilities pursuant to the authority granted to it by Section 37350.5 of the California Government Code; and

WHEREAS, pursuant to section 1245.235 of the California Code of Civil Procedure, the City scheduled a public hearing for Tuesday, February 2, 2021, at 6:30 p.m. at the Ontario City Hall, Council Chambers, 303 East “B” Street, Ontario, California, and gave to each person whose property is to be acquired and whose name and address appeared on the last equalized county assessment roll, notice and a reasonable opportunity to appear at said hearing and be heard on the matters referred to in section 1240.030 of the California Code of Civil Procedure; and

WHEREAS, said hearing has been held by the City and each person whose property is to be acquired by eminent domain was afforded an opportunity to be heard on said matters; and

WHEREAS, the City may now adopt a Resolution of Necessity pursuant to section 1240.040 of the California Code of Civil Procedure.

NOW, THEREFORE, THE CITY DOES HEREBY RESOLVE AND DECLARE AS FOLLOWS:

SECTION 1. Compliance with the California Code of Civil Procedure and California Environmental Quality Act. There has been compliance by the City with the requirements of Section 1245.235 of the California Code of Civil Procedure and the California Environmental Quality Act.

SECTION 2. Public Use. The public use for which the real property interest to be acquired is for the construction of airport fueling facilities, in the City of Ontario, San Bernardino County, California. Sections 37350.5 and 50470 of the California Government Code authorizes the City to acquire by eminent domain real property necessary for such purposes.

SECTION 3. Description of Property. Attached and marked as Exhibits “A” and “B” are the descriptions and depictions of the real property to be acquired by the City,

which describe the general location and extent of the property to be acquired with sufficient detail for reasonable identification.

SECTION 4. Findings. The City hereby finds and determines each of the following:

(a) The public interest and necessity require the proposed project;

(b) The proposed project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;

(c) The fee interest described in Exhibits "A" and “B” is necessary for the proposed project;

(d) The offer required by section 7267.2 of the California Government Code was made.

SECTION 5. Use Not Unreasonably Interfering with Existing Public Use: Some or all of the real property to be acquired is subject to easements and rights-of-way appropriated to existing public uses. The legal descriptions of these easements and rights-of-way are on file with the City and describe the general location and extent of the easements and rights-of-way with sufficient detail for reasonable identification. In the event the herein described use or uses will not unreasonably interfere with or impair the continuance of the public use as it now exists or may reasonably be expected to exist in the future, counsel for the City is authorized to acquire the fee interest subject to such existing public use(s) pursuant to section 1240.510 of the California Code of Civil Procedure.

SECTION 6. More Necessary Public Use. Some or all of the real property to be acquired is subject to easements and rights-of-way appropriated to existing public uses. To the extent that the herein described use or uses will unreasonably interfere with or impair the continuance of the public use as it now exists or may reasonably be expected to exist in the future, the City finds and determines that the herein described use or uses are more necessary than said existing public use. Counsel for the City is authorized to acquire the real property appropriated to such existing public use(s) pursuant to section 1240.610 of the California Code of Civil Procedure. Staff is further authorized to make such improvements to the real property being acquired that it determines is reasonably necessary to mitigate any adverse impact upon the existing public use.

SECTION 7. Further Activities. Counsel for the City is hereby authorized to file legal proceedings necessary to acquire the hereinabove described real property in the name of and on behalf of the City by eminent domain, and counsel is authorized to institute and prosecute such legal proceedings as may be required in connection therewith. Legal counsel is further authorized to take such steps as may be authorized and required by law, and to make such security deposits as may be required by order of court, to permit the City to take possession of and use said real property at the earliest

possible time. Counsel is further authorized to correct any errors or to make or agree to non-material changes in the legal description of the real property that are deemed necessary for the conduct of the condemnation action or other proceedings or transaction required to acquire the subject real property.

SECTION 8. Effective Date. This Resolution shall take effect upon adoption.

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

PASSED, APPROVED AND ADOPTED this ___ day of _____, 2021.

_____
Paul S. Leon, Mayor

ATTEST:

I, Sheila Mautz, City Clerk of the City of Ontario, DO HEREBY CERTIFY that Resolution No. 2021-___ was duly adopted by the City Council of said City and was approved by the Mayor of said City at a regular meeting of said City Council held on the ____ day of _____, 2021, and that it was adopted by the following vote, to–wit:

AYES: ____
NOES: ____
ABSTAIN: ____
ABSENT: ____

_____
Sheila Mautz
City Clerk

EXHIBIT A

LEGAL DESCRIPTION

LOT(S) 12 AND A PORTION OF LOT 13, HANSON AND COMPANY'S SECOND ADDITION TO ONTARIO, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 12 PAGE(S) 38, OF MAPS, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA, DESCRIED AD FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF SAID LOT 13 WITH THE SOUTHERLY LINE OF STATE STREET; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT 13, 759 FEET; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF LOT 13, 116 FEET; THEN CE NORTHERLY AND PARALLEL TO THE EASTERLY LINE OF SAID LOT 13, 759 FEET; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF STATE STREET, 116 FEET TO THE POINT OF BEGINNING;

EXCEPT FROM THE ABOVE THE SOUTH 392.43 FEET THEREOF, AS CONVEYED TO THE CITY OF ONTARIO BY DEED RECORDED OCTOBER 23, 1952 AS INSTRUMENT NO. 75, BOOK 3042, PAGE 128 OF OFFICIAL RECORDS.

TOGETHER WITH ANY PORTION LYING WITHIN VACATED PORTIONS OF STATE STREET.

APN: 0013-221-31-0-000

AMENDED NOTICE OF HEARING TO PROPERTY OWNER

Pursuant to Section 1245.235 of the California Code of Civil Procedure, you are hereby notified that at a regular meeting to be held on Tuesday, February 2, 2021, at 6:30 p.m., at Ontario City Hall, City Council Chambers, 303 East B Street, Ontario, California 91764, the City Council of the City of Ontario intends to consider adopting a Resolution of Necessity authorizing the commencement of eminent domain proceedings for the acquisition, for public use, of a fee interest in certain real property which, according to the last equalized county assessment roll, you own. The public use for which this Resolution of Necessity will be considered is for the construction of airport fueling facilities in the City of Ontario, San Bernardino County, California. The description of the property to be acquired is attached as Exhibit "A" to this notice. NOTE: This hearing was originally scheduled and notices for January 19, 2021. However, at the public meeting on January 19, 2021, the City Council continued the hearing to February 2, 2021, at 6:30 p.m., as set forth above.

A hearing will be held at the time and place mentioned above. You have the right to appear and be heard on the following matters:

1. Whether the public interest and necessity require the project for which the property is sought to be acquired.
2. Whether the project is planned or located in the manner that will be most compatible with the greatest public good and least private injury.
3. Whether the property is necessary for the proposed project.
4. Whether the offer required by Section 7267.2 of the California Government Code has been made.

Please also note that in accordance with the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20) and the Governor's Stay at Home Order (Executive Order N-33-20), the Ontario City Council Meetings are being conducted via teleconference to limit in-person attendance at the upcoming meeting of the City of Ontario City Council and Housing Authority.

Members of the public may utilize alternative measures established by the City of Ontario to view the City council meetings and/or to address the Mayor and City Council Members.

The meeting will be live broadcast on local cable Channel 3 as well as internet live streamed: **www.ontarioca.gov/Agendas/CityCouncil**.

TO PROVIDE PUBLIC COMMENT: Those wishing to speak during the "Public Comment" portion of the meeting or any item on the "Consent Calendar" must call 909-395-2900 between 6:00 p.m. and 6:30 p.m. the day of the meeting. Those wishing to speak on a "Public Hearing" item on the agenda must call between 6:00 p.m. and the close of the public hearing for that item. You will be asked to provide your name and item number that you will be speaking on, then you will be placed on hold until your item of interest is under consideration by the City Council. Comments will be limited to 3 minutes.

This is a public meeting, and the City reserves the right to revert it to an in-person meeting.

Please note that your failure to file a written request to appear and be heard within 15 days after the mailing of this notice may result in the waiver of your right to appear and be heard.

ALL COMMUNICATIONS SHOULD BE ADDRESSED TO:

Sheila Mautz
City Clerk
City of Ontario
303 East B Street
Ontario, California 91764

DATE OF HEARING: Tuesday, February 2, 2021
6:30 p.m.

PLACE OF HEARING: City Council Chambers
Ontario City Hall
City of Ontario
303 East B Street
Ontario, California 91764

DATED: January 21, 2021

BEST BEST & KRIEGER LLP

By: 

Mark Easter
Holland Stewart
Attorneys for City of Ontario

EXHIBIT A

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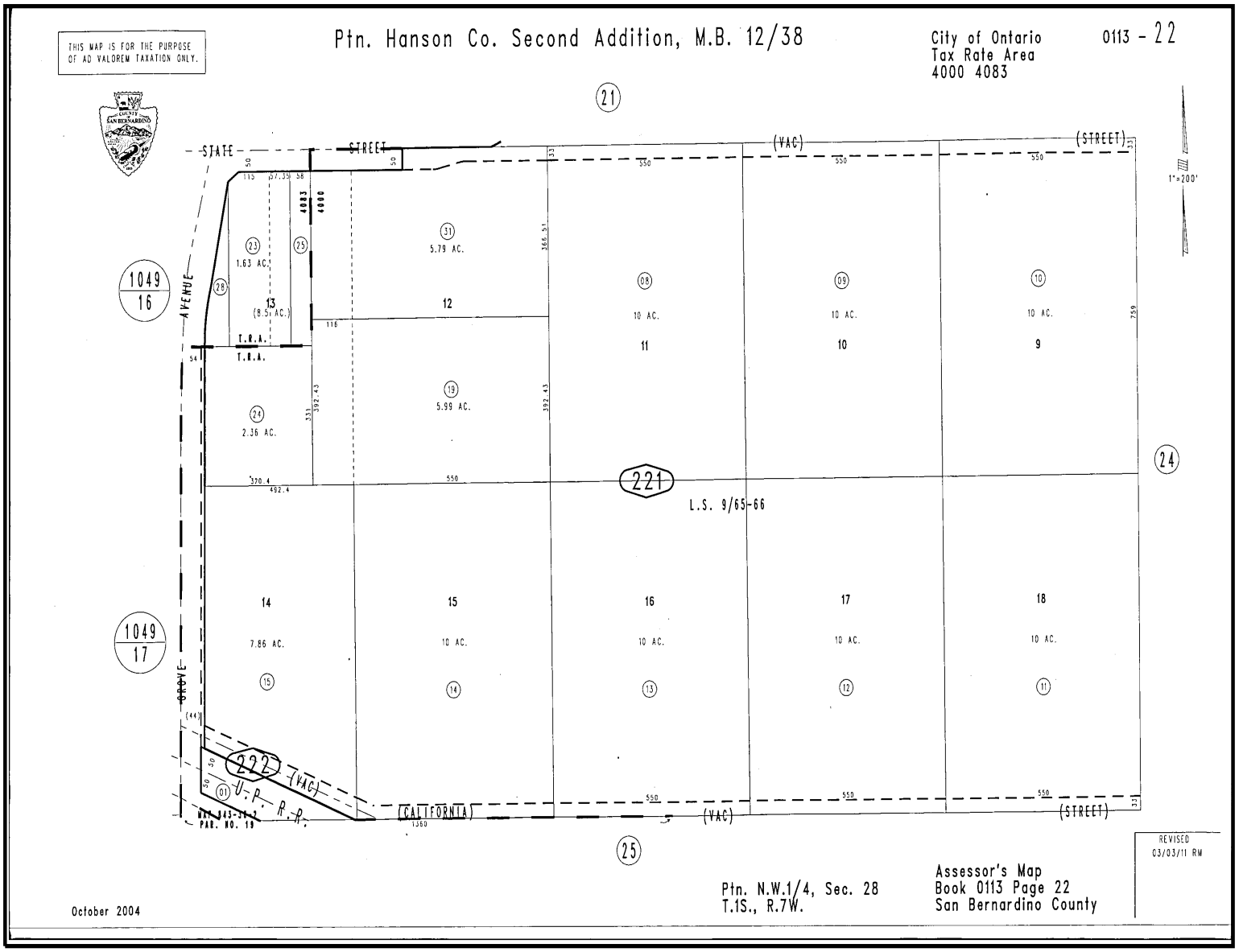
EXCEPT FROM THE ABOVE THE SOUTH 392.43 FEET THEREOF, AS CONVEYED TO THE CITY OF ONTARIO BY DEED RECORDED OCTOBER 23, 1952 AS INSTRUMENT NO. 75, BOOK 3042, PAGE 128 OF OFFICIAL RECORDS.

TOGETHER WITH ANY PORTION LYING WITHIN VACATED PORTIONS OF STATE STREET.

APN: 0013-221-31-0-000

FEE


THIS MAP IS FOR THE PURPOSE OF AD VALOREM TAXATION ONLY.
Ptn. Hanson Co. Second Addition, M.B. 12/38
City of Ontario
Tax Rate Area
4000 4083
0113 - 22
1"=200'
STATE STREET
(VAC)
(STREET)
AVENUE
1049/16
1049/17
5.79 AC.
1.63 AC.
13 (8.5 AC.)
12
10 AC.
11
10
9
5.99 AC.
2.36 AC.
221
L.S. 9/65-66
14
7.86 AC.
15
16
17
18
222
U.P. R.R.
CALIFORNIA
PAR. NO. 19
REVISED 03/03/11 RM
October 2004
Ptn. N.W.1/4, Sec. 28
T.1S., R.7W.
Assessor's Map
Book 0113 Page 22
San Bernardino County

PROOF OF MAILING NOTICE

I, Peggy L. Barnes, acting on behalf of the City of Ontario, hereby certify that on January 21, 2021, I mailed a copy of the attached notice by first-class mail to the following owners of real property located in the County of San Bernardino, State of California, more particularly described as Assessor Parcel No. 0113-221-31:

Airport Drive Industrial Owner, L.P. c/o Oakmont Industrial Group, LLC 3520 Piedmont Road NE, #100 Atlanta, GA 30305	John C. Atwell Oakmont Industrial Group, LLC 3520 Piedmont Road NE, #100 Atlanta, GA 30305
K. Erik Friess ALLEN MATKINS 1900 Main Street, 5th Floor Irvine, CA 92614-7321	Courtesy Copy

DATED: January 21, 2021

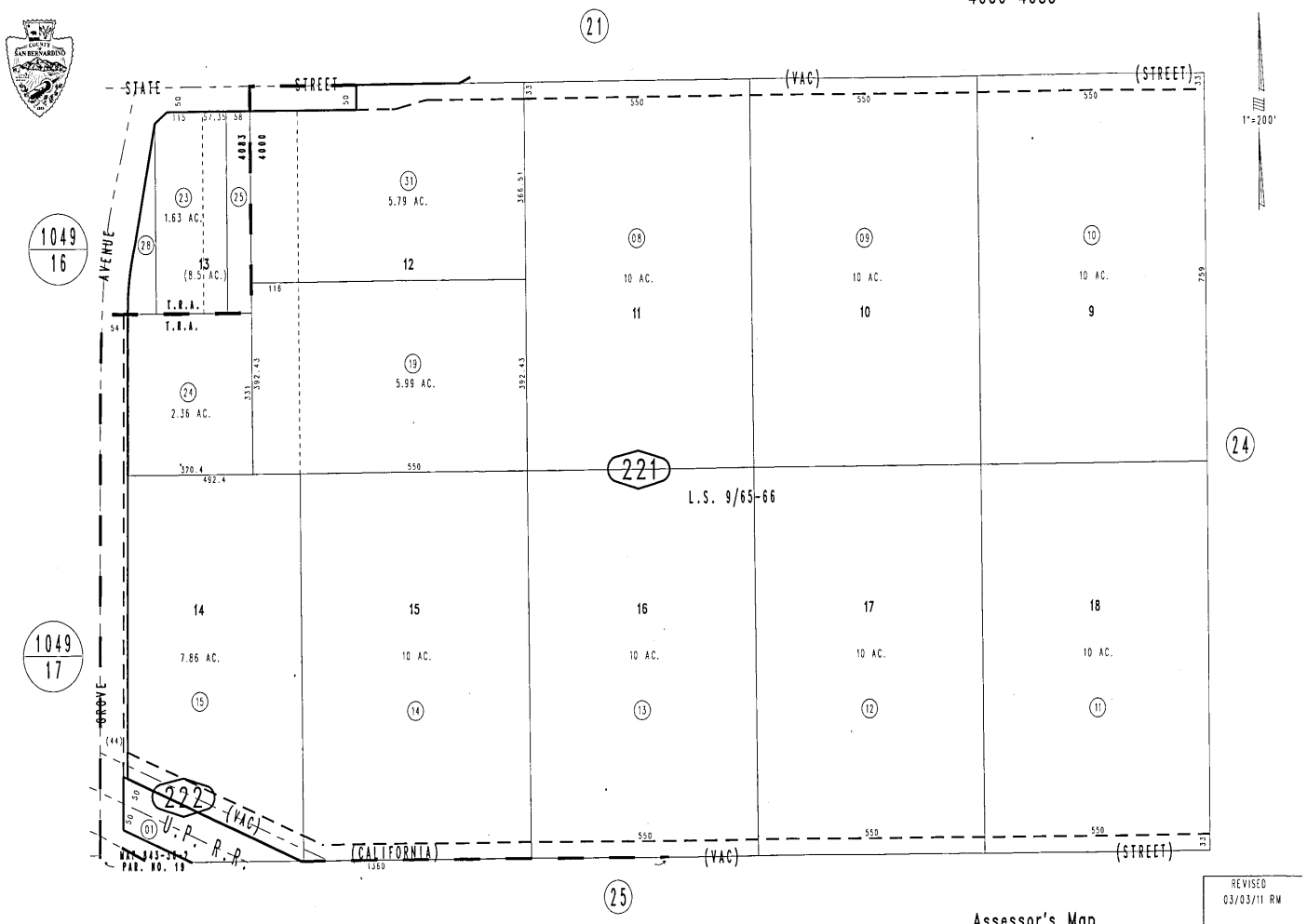
Peggy L. Barnes

THIS MAP IS FOR THE PURPOSE OF AD VALOREM TAXATION ONLY.

Ptn. Hanson Co. Second Addition, M.B. 12/38

City of Ontario
Tax Rate Area
4000 4083

0113 - 22



Ptn. N.W.1/4, Sec. 28
T.1S., R.7W.

Assessor's Map
Book 0113 Page 22
San Bernardino County

REVISED
03/03/11 RM

October 2004